CITY OF HOOD RIVER
LAND USE APPLICATION INSTRUCTIONS & TIMELINE

1. **Review Required:** The attached application is required by the Hood River Municipal Code ("Code") for review of your proposed development. Review is required to make sure that your proposal complies with the applicable provisions of the Code and that there are adequate capacities of public facilities to meet the needs of your development.

2. **Pre-Application Conference:** Prior to submitting your application, you may be required to attend a pre-application conference with city staff to discuss applicable standards and criteria of the Code, and submittal requirements to make your application complete. Pre-application conferences typically are scheduled approximately 4 weeks after submittal of an application and fee. You also may be required to conduct a neighborhood meeting (mandatory for subdivisions and PUDs).

3. **Application Submittal:** Applications may be mailed or submitted in person to the City of Hood River Planning Department at City Hall, 211 2nd Street, Hood River, OR 97031. The following *must* be included in your application packet:
    - Completed application form with property owner signature
    - All required materials listed in the application form
    - Application fee
    - Electronic copy of application materials (original .pdf, not scanned) and one (1) paper copy of application and all support materials

    It is the applicant's responsibility to demonstrate the proposal meets standards & approval criteria.

4. **Completeness Review (≤ 30 days):** Upon submittal, your application will be reviewed for completeness within 30 days. Completeness is based upon the requirements of State law (ORS 227.178) and the requirements in the Code for your development proposal. It is the applicant's responsibility to provide written findings and materials to demonstrate the application complies with the applicable approval criteria and standards.

5. **Incomplete Applications (> 30 days):** If the Planning Department determines that your application is "incomplete," you will be informed in writing and provided with a list of missing or incomplete materials and options for completing the application. Refusal to submit all or some of the missing information could limit the city's ability to approve your application. Incomplete applications become void 181 days after submittal (ORS 227.178).

6. **Complete Applications:** If the Planning Department staff determines that an application is "complete," you will be informed in writing and the review process will begin.

7. **Review Process (≤ 120 days):** Review of your application may be administrative, with no public hearing, or it may be quasi-judicial, with a public hearing. For quasi-judicial review, applicants are required to attend the public hearing. Notice of the application or public hearing will be mailed to neighboring property owners for comment.

8. **Decision:** A decision with findings and conditions of approval will be issued after a public comment period and public hearing (if applicable). All land use decisions are subject to an appeal process. A final decision is expected within 120 days after an application is deemed complete pursuant to ORS 227.178.

If you have questions about this process, please call the Planning Department at (541) 387-5210. Application forms, the City's Code and other useful information are available at the Planning Department's website: http://ci.hood-river.or.us/planning

File No.: _____
Fee: _____
Date Submitted: _____

CITY OF HOOD RIVER
PLAN AND ZONE AMENDMENT APPLICATION

Submit the completed application form **with one (1) paper copy of all application materials including full- and reduced-sized plans and written analysis, one electronic copy (original .pdf), and appropriate fees** to the City of Hood River Planning Department, 211 2nd St., Hood River, OR 97031. Additional paper copies may be required as determined by staff. If you have any questions, please contact the Planning Department at (541) 387-5210

APPLICANT:

Name: _____

Address: _____
(physical)

_____

(mailing) _____

_____

(email) _____

Telephone: _____ Cell Phone: _____

Signature: _____

PARCEL OWNER: (if different than applicant)

Name: _____

Address: _____
(mailing)

_____

Telephone: _____ Cell Phone: _____

Signature: _____

Authorization of parcel owner required.

PARCEL INFORMATION:

Township _____ Range _____ Section _____ Tax Lot(s) _____

Current Zoning: _____ Parcel Size: _____

Property Location (cross streets or address): _____

REQUEST:

Proposed zoning designation: _____

WRITTEN ANALYSIS REQUIRED: On a separate sheet of paper, please provide a detailed analysis demonstrating how your proposal addresses each of the applicable approved criteria. Please refer to Hood River Municipal Code Chapter 17.08 for submittal requirements and use the checklist below.

Quasi-judicial zoning or plan changes may be approved if one or more of the following exist:

1. If the change will not be unreasonably harmful or incompatible with existing uses on nearby properties:
2. A mistake was made in the original zone or plan designation:
3. There is a public need for the change and this identified need will be served by changing the zone or plan designation for the subject property(ies):
4. Conditions have changed within the affected area, and the proposed zone or plan change would therefore be more suitable than the existing zone or plan designation.

The hearing body shall consider factors pertinent to the preservation and promotion of the public health, safety, and welfare, including, but not limited to:

1. The character of the area involved;
2. It's peculiar suitability for particular uses;
3. Conservation of property values; and
4. The direction of building development.

An application for a quasi-judicial zone or plan change shall be submitted to the City Planning Department. The application shall include:

1. The applicable fee.
2. A statement by the applicant explaining the proposed zone or plan change, including existing zoning and proposed zoning.
3. The tax map of the area being considered for a zone or plan change, indicating boundaries, existing zoning, and existing comprehensive plan designation;
4. A copy of a document showing ownership of the subject property, and if the applicant is not the owner, a letter of authorization from the owner;
5. A vicinity map showing the subject property and the surrounding parcels, together with their current zoning;
6. The reason(s) for requesting the zone change;
7. Existing site conditions, including but not limited to: topography, public facilities and services, natural hazards, natural areas, open space, scenic and historic areas, transportation, and present use of the site;
8. An explanation of how the zone change complies with the Comprehensive Plan and criteria including the Transportation Planning Rule;
9. A statement of the potential effect(s) of the zone or plan change on the site; and
10. If an exception to a goal is required, applicant shall submit documentation establishing compliance with Oregon Revised Statute ORS 197.732 and any applicable Oregon Administrative Rules.

REQUIRED WRITTEN ANALYSIS: (See Next Page)

CHAPTER 17.08 - ZONE CHANGES AND PLAN AMENDMENTS

Legislative History: Ord. 1488 (1980); Ord. 1637 (1991); Ord. 1774 (1999); Ord. 1816 (2001); Ord. 1877 (2005); Ord. 2002 (2011)

SECTIONS:

17.08.010 Legislative Zone Changes and Plan Amendments
17.08.020 Legislative Zone Changes and Plan amendments Criteria
17.08.030 Quasi-Judicial Zone Changes and Plan Amendments
17.08.040 Quasi-Judicial Zone Changes and Plan Amendments Criteria
17.08.050 Transportation Planning Rule (Legislative and Quasi-Judicial)
17.08.060 Record of Zone Changes and Plan Amendments
17.08.070 Limitations on Re-applications

17.08.010 Legislative Zone Changes and Plan Amendments. Legislative zone changes or plan amendments ("zone or plan changes") may be proposed by the Planning Commission or City Council. Such proposed changes shall be broad in scope and considered legislative actions. The City Council shall obtain a recommendation on the proposed changes from the Planning Commission. The recommendation of the Planning Commission shall be forwarded to the City Council within sixty (60) days after it is requested from the Planning Commission. The Planning Commission shall conduct at least one (1) public hearing to assist in formulating its recommendation. The City Council shall conduct its own public hearing. Public notice of the legislative zone or plan change hearing before the City Council shall be published in a newspaper of general circulation within the city at least twenty (20) days prior to the date of the hearing.

17.08.020 Legislative Zone Changes and Plan Amendments Criteria

A. Legislative zone or plan changes may be approved if
   1. The effects of the change will not be unreasonably harmful or incompatible with existing uses on the surrounding area; and
   2. Public facilities will be used efficiently; and
   3. No unnecessary tax burden on the general public or adjacent land owners will result.

B. Legislative zone or plan changes may be approved if subsection (A) above is met and one or more of the following, as applicable, are met:
   1. A mistake or omission was made in the original zone or plan designation.
   2. There is not an adequate amount of land designated as suitable for specific uses.

C. The hearing body shall consider factors pertinent to the preservation and promotion of the public health, safety, and welfare, including, but not limited to
   1. The character of the area involved;
   2. It's peculiar suitability for particular uses;
   3. Conservation of property values; and

4. The direction of building development.

17.08.030 Quasi-Judicial Zone Changes and Plan Amendments. A quasi-judicial zone or plan change may be initiated only by the application(s) of the owner(s) or authorized agent of the subject property.

a. An application for a quasi-judicial zone or plan change shall be submitted to the City Planning Department. The application shall include
   1. The applicable fee.
   2. A statement by the applicant explaining the proposed zone or plan change, including existing zoning and proposed zoning.
   3. The tax map of the area being considered for a zone or plan change, indicating boundaries, existing zoning, and existing comprehensive plan designation;
   4. A copy of a document showing ownership of the subject property, and if the applicant is not the owner, a letter of authorization from the owner;
   5. A vicinity map showing the subject property and the surrounding parcels, together with their current zoning;
   6. The reason(s) for requesting the zone change;
   7. Existing site conditions, including but not limited to: topography, public facilities and services, natural hazards, natural areas, open space, scenic and historic areas, transportation, and present use of the site;
   8. An explanation of how the zone change complies with the Comprehensive Plan and criteria in this chapter;
   9. A statement of the potential effect(s) of the zone or plan change on the site; and
   10. If an exception to a goal is required, applicant shall submit documentation establishing compliance with Oregon Revised Statute ORS 197.732 and any applicable Oregon Administrative Rules.

B. The Planning Director shall schedule at least one (1) public hearing on the application for zone or plan changes before the Planning Commission. The Planning Commission shall forward its recommendation to the City Council, which shall approve, approve with conditions, or deny the application.

C. The application shall not be approved unless the proposed zone or plan change would be in compliance with the Comprehensive Plan and the criteria set forth in this chapter.

D. Hearings under this chapter may be held only after required notification and shall be conducted in conformance with the *Review Procedures* (Chapter 17.09).

17.08.040 Quasi-Judicial Zone Changes and Plan Amendments Criteria

A. Quasi-Judicial zone or plan changes may be approved if the change will not be unreasonably harmful or incompatible with existing uses and one or more of the following exist:
1. A mistake was made in the original zone or plan designation; or

2. There is a public need for the change, and this identified need will be served by changing the zone or plan designation for the subject property(ies); or
3. Conditions have changed within the affected area, and the proposed zone or plan change would therefore be more suitable than the existing zone or plan designation.

B. The hearing body shall consider factors pertinent to the preservation and promotion of the public health, safety, and welfare, including, but not limited to:
   1. The character of the area involved;
   2. It's peculiar suitability for particular uses;
   3. Conservation of property values; and
   4. The direction of building development.

17.08.050 Transportation Planning Rule (Legislative and Quasi-Judicial)

A. Zone changes and amendments to the comprehensive plan and land use regulations which significantly affect a transportation facility shall assure that allowed land uses are consistent with the function, capacity, and level of service of the facility identified in the Transportation System Plan. This shall be accomplished by one of the following:
   1. Limiting allowed land uses to be consistent with the planned function of the transportation facility;
   2. Amending the Transportation System Plan to ensure that existing, improved, or new transportation facilities are adequate to support the proposed land uses consistent with the requirement of the Transportation Planning Rule;
   3. Altering land use designations, densities, or design requirements to reduce demand for automobile travel and meet travel needs through other modes;
   4. Amending the Transportation System Plan to modify the planned function, capacity or performance standards of the transportation facility.

B. A plan or land use regulation amendment significantly affects a transportation facility if it
   1. Changes the functional classification of an existing or planned transportation facility;
   2. Changes standards implementing a functional classification system;
   3. As measured at the end of the planning period identified in the adopted transportation system plan or, when evaluating highway mobility on state facilities, as measured at the end of the 20 year planning horizon or a planning horizon of 15 years from the proposed date of the amendment adoption, whichever is greater:
      a. Allows types or levels of land use that would result in levels of travel or access that are inconsistent with the functional classification of a transportation facility;
      b. Would reduce the level of service of the facility below the minimum acceptable level identified in the Transportation System Plan; or
      c. Worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the TSP or comprehensive plan.

C. Traffic Impact Analysis. A Traffic Impact Analysis or Traffic Assessment Letter shall be submitted with a plan or land use regulation amendment or a zone change application. (See Section 17.20.060 Transportation Impact Analysis).

17.08.060 Record of Zone Changes and Plan Amendments. The Planning Department shall maintain records of amendments to the text and zoning map of this title.

17.08.070 Limitation on Re-Applications. No reapplication of a property owner for a zone or plan change shall be considered within a six (6) month period following a previous denial of such request.