

## **CITY OF HOOD RIVER PLANNING APPLICATION INSTRUCTIONS**

1. The attached application is for review of your proposed development as required by the Hood River Municipal Code (“Code”). 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. Prior to filing your application you may be required to attend a pre-application conference with the Planning Department staff to discuss the requirements that your proposal will be required to meet, and what you will need to submit with your application to make it complete.
3. Once you have prepared and submitted your application, the application will first be reviewed for completeness. 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 persuasive evidence that the application complies with the approval criteria and applicable standards. Refusal to submit all or some of the missing information could result in a denial of the application.
4. When you are ready to submit your application, you may send it in to the Planning Department at P.O. Box 27, Hood River, OR 97031, or present it in person at the Planning Department at 301 Oak Street, Hood River, OR 97031. The following *must* be included in your application packet:
  - Completed application form
  - All required materials listed in the application form
  - Application fee
  - Appropriate number of copies of application and all support materials

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

5. 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. Incomplete applications become void 181 days after submittal.
6. If the Planning Department staff determines that an application is complete, the Planning Department will inform you that the application is “complete,” and the review process will begin. 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. All decisions on applications are subject to appeal.

# CITY OF HOOD RIVER CHANGE OF USE APPLICATION

Submit the completed application WITH seven (7) ADDITIONAL COMPLETE COPIES and appropriate fees to the City of Hood River Planning Department, 301 Oak Ave. (P.O. Box 27), Hood River, OR 97031. Please note the review criteria attached to this application. The Planning Director shall review all Change of Use applications. If the Director determines that an application is unusually complicated or contentious, the Director may request the Planning Commission to review the application. 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 (brief description):**

Current Use: \_\_\_\_\_

Proposed Use: \_\_\_\_\_

**FOR NONCONFORMING CHANGE OF USE REQUESTS:**

On a separate sheet of paper, provide a detailed description of the proposed Change of Use project. Address how the proposal meets the criterion listed below. Refer to Chapter 17.05.020.

1. The proposed new use is similar or less nonconforming than the previous use.
2. No alterations are being made to structures, buildings, or parking areas that will increase the nonconformity.
3. Traffic impacts generated by the use change are not increased.
4. Noise, dust, and any other nuisance conditions are not increased.

**FOR ALL OTHER CHANGE OF USE REQUESTS:**

All other Change of Use Requests are processed under the Site Plan Review process. Refer to Chapter 17.16 - Site Plan Review. Using the checklists below, address the criterion that apply to this Change of Use request (note all criterion may not apply).

**Plan Requirements:** The plan accompanying the application shall include the following information. **Select all the criteria from the checklist below that apply to this request.**

- 1. Dimensions and orientation of the parcel.
- 2. Locations and heights of buildings and structures, both existing and proposed (scaled elevation drawings or photographs may be required).
- 3. Location and layout of parking and loading facilities.
- 4. Location of points of entry and exit and internal circulation patterns for vehicular and non-vehicular traffic.
- 5. Location of existing and proposed wall and fences and indication of their height and materials.
- 6. Proposed location and type of exterior lighting.
- 7. Proposed location and size of exterior signs.
- 8. Site specific landscaping, including percentage of total net area.
- 9. Location and species of trees greater than six inches in diameter when measured four feet above the ground, and an indication of which trees are to be removed.

- 10. Topographic map of the subject property using two foot contour intervals (five foot contour intervals may be allowed on steep slopes).
- 11. Natural drainage and other significant natural features.
- 12. Legal description of the lot.
- 13. Percentage of the lot covered by all proposed and remaining structures, to include asphalt concrete and Portland Cement Concrete.
- 14. Locations and dimensions of all easements and nature of the easements.
- 15. Service areas for uses such as loading and delivery.
- 16. Grading and drainage plan.
- 17. Other site elements which will assist in evaluation of the proposed use.
- 18. A brief narrative on the nature of the activity shall accompany the site plan, including the number of employees, the method of import and export, the hours of operation including peak times, and plans for future expansion.

**Approval Criteria:** On a separate sheet of paper, explain **in detail** how your proposal addresses the Site Plan requirements that apply to the Change of Use Request.. Yes/No answers are not acceptable.

**A. Site Plan Review Criteria:**

- \_\_\_\_\_ **1. Natural Features**
- \_\_\_\_\_ **2. Air Quality**
- \_\_\_\_\_ **3. Grading**
- \_\_\_\_\_ **4. Public Facilities**
- \_\_\_\_\_ **5. Traffic**
- \_\_\_\_\_ **6. Storage**
- \_\_\_\_\_ **7. Equipment Storage**
- \_\_\_\_\_ **8. Compatibility**
- \_\_\_\_\_ **9. Design**
- \_\_\_\_\_ **10. Orientation**
- \_\_\_\_\_ **11. Parking**

### **17.05.020 Nonconforming Use**

A use that was legally allowed when established, but which is no longer permitted in the zone, in which it is located, may continue so long as it complies with all of the following requirements:

1. Expansion: A nonconforming use shall not be expanded or moved to occupy a different or greater area of land, building, or structures than the use occupied at the time it became nonconforming.
2. Discontinuance: If a nonconforming use is discontinued for any reason for more than twelve (12) consecutive months, any subsequent use shall conform to all of the regulations of the subject zone. For the purpose of this ordinance, rental payments, lease payments, or the payment of taxes shall not be alone or together sufficient to constitute continuance of the use.
3. Change of use: A nonconforming use change may be approved as an administrative action. A nonconforming use may change to another similar or less nonconforming use when the degree of nonconformity is not increased, no alterations are made to the structures, buildings, or parking areas which would increase the non-conformity, and the Planning Director affirmatively finds the following:
  - a. Traffic: Traffic impacts generated by the use change are not increased.
  - b. Nuisances: Noise, dust, and any other nuisance conditions are not increased.

## **CHAPTER 17.16 SITE PLAN REVIEW**

### **SECTIONS:**

- 17.16.010 Applicability
- 17.16.020 Application Procedure
- 17.16.030 Submittal Requirements
- 17.16.040 Decision Criteria
- 17.16.050 Multi-Family and Group Residential Decision Criteria
- 17.16.060 Effect of Approved Site Plan Review Permits
- 17.16.070 Expiration and Extension
- 17.16.080 Appeal

### **17.16.010 Applicability**

- A. A site plan review permit shall be required for the following circumstances:
  - 1. New construction.
  - 2. Expansion, remodel, or exterior alteration of any building or other structure.
  - 3. Change of use.
  - 4. Multi-family and group residential.
  - 5. Removal or fill of over 5,000 cubic yards of land.
  
- B. Exemptions from site plan review are as follows;
  - 1. Any activity that does not require a building permit and is not considered by the Director to be a change in use.
  - 2. Any activity on the exterior of a building that does not exceed ten percent (10%) of the structure's total cost, fair market value, or \$75,000, whichever is less, as determined by the building official.
  - 3. Interior work which does not alter the exterior of the structure or effect parking standards by increasing floor area.
  - 4. Normal building maintenance including the repair or maintenance of structural members.
  - 5. All residential development, except multi-family and group residential, as provided above.

### **17.16.020 Application Procedure**

The Planning Director shall review all site plan review applications. However, if the Director determines that an application is unusually complicated or contentious due to site constraints or due to the complexity of the project, the Director may request the Planning Commission to review the application.

The City shall process a site plan review application in accordance with the following procedures:

#### **A. Pre-Application Conference**

1. An applicant for a site plan review permit shall meet with the City staff at a required pre-application conference to assist in the permit processing.
2. An applicant may submit an application for a site plan review permit at any time after completion of a required pre-application conference. The applicant shall submit a complete application as specified in *Submittal Requirements* of this chapter, listed below.

**B. Application Review.**

1. Administrative Review
  - a. Upon receipt of a complete application, the Director may determine, based on the complexity of the proposal, that it is appropriate for City staff to review the application administratively and make a recommendation to the Director. The final decision on an application is made by the Director based on the following:
    - (1.) The recommendation of the City staff,
    - (2.) Consideration of any public comments received; and
    - (3.) The decision criteria in this chapter.
  - b. Administrative site plan review will require an additional noticing requirement. The Notice of Application shall be published in the local newspaper of record.
2. Quasi-Judicial Review
  - a. A site plan review application requiring Planning Commission review and decision shall be reviewed by City staff prior to the final decision by the Planning Commission in accordance with the following procedure:
  - b. The Director shall forward a completed application to City staff.
  - c. City staff shall consider the application and make recommendation to the Director.
  - d. The Director shall review the staff recommendation and determine the major issues and specific aspects of the project, which the Planning Commission should review.
  - e. The Planning Commission shall review the application in relationship to staff recommendations. The Planning Commission shall consider the application at a public meeting.
  - f. The Planning Commission will make the final decision based on the following:
    - (1.) The recommendation of City staff;
    - (2.) Consideration of any public comments received;
    - (3.) The decision criteria in this chapter.

**17.16.030 Submittal Requirements**

The site plan shall be drawn to scale and indicate all of the following:

1. Dimensions and orientation of the parcel.
2. Locations and heights of buildings and structures, both existing and proposed. Scaled elevation drawings and photographs shall be required.
3. Location and layout of parking and loading facilities, including bicycle parking as required pursuant to 17.20.040;

4. Location of points of entry and exit for pedestrians and motor vehicles, and internal circulation patterns in compliance with the requirements of Chapter 17.20.
5. Location of existing and proposed walls and fences and indication of their height and materials.
6. Proposed location and type of exterior lighting.
7. Proposed location and size of exterior signs.
8. Site specific landscape plan including percentage of total net area.
9. Location and species of trees greater than six (6) inches in diameter when measured four (4) feet above the ground and an indication of which trees are to be removed.
10. Contours mapped at two (2) foot intervals. (five [5] foot contours may be allowed on steep slopes).
11. Natural drainage.
12. Other significant natural features.
13. Legal description of the lot.
14. Percentage of the lot covered by any and all proposed and remaining structures to include asphalt concrete and Portland Cement Concrete.
15. Locations and dimensions of all easements and nature of the easements.
16. Service areas for uses such as loading and delivery.
17. Grading and drainage plan.
18. Other site elements that will assist in the evaluation of site development.
19. A statement of operations with a brief narrative on the nature of the activity, including
  - a. Number of employees;
  - b. Method of import and export;
  - c. Hours of operation including peak times; and
  - d. Plans for future expansion.

**17.16.040 Decision Criteria**

1. **Natural Features:** Significant natural features shall be protected to the maximum extent feasible. Where existing natural or topographic features are present, they shall be used to enhance the development. The use of small streams in the landscaping design shall be encouraged rather than culvert and fill. Existing trees and large woody plants shall be left standing except where necessary for building placement, sun exposure, safety, or other valid purpose. Vegetative buffers should be left along major street or highways, or to separate adjacent uses. The use should have minimal adverse impacts on the land and water quality. Possible impacts to consider may include pollution, soil contamination, siltation, and habitat degradation or loss.
2. **Air Quality:** The use shall have minimal or no adverse impact on air quality. Possible impacts to consider include smoke, heat, odors, dust, and pollution.
3. **Grading:** Any grading, contouring, on-site surface drainage, and/or construction of on-site surface water storage facilities shall take place so

that there is no adverse effect on neighboring properties, public rights-of-way, or the public storm drainage system. Graded areas shall be replanted as soon as possible after construction to prevent erosion. A construction erosion control plan shall be required.

4. **Public Facilities:** Adequate capacity of public facilities for water, sanitary sewers, storm drainage, fire protection, streets, and sidewalks shall be provided to the subject parcel. Development of on-site and off-site public facilities necessary to serve the proposed use shall be consistent with the Comprehensive Plan and any adopted public facilities plan(s). Underground utilities shall be required. Connection to Oregon Department of Transportation (ODOT) stormwater facilities will require a permit from ODOT District 2C. On-site detention or treatment of stormwater may be required by ODOT.
5. **Traffic and Circulation:** The following traffic standards shall be applicable to all proposals:
  - a. On-site circulation shall be designed according to accepted engineering guidelines to be safe and efficient and shall comply with the requirements of Chapter 17.20.
  - b. The access point(s) between the subject property and the public street shall be reasonably safe and shall comply with the access management standards of Chapter 17.20.050.
  - c. Mitigation: The proposed use shall not have an adverse effect on the public transportation system. For developments that are likely to generate more than 400 average daily motor vehicle trip (ADTs), the applicant shall provide adequate information, such as a traffic impact study or traffic counts, to demonstrate the level of impact to the **affected** street system.
  - d. Traffic Impact Report - The applicant may be required to provide a traffic impact report prepared by an Oregon licensed traffic engineer. Every effort will be made to inform the applicant within twenty (20) days of receiving a completed application whether a traffic impact report and/or a determination of the level of service will be required. Unforeseen circumstances could result in a delayed request for this information.
  - e. The determination of impact or effect and the scope of the impact study should be coordinated with the provider of the affected transportation facility.
  - f. Conditions, including but not limited to the following, may be applied in the event that a proposed project is demonstrated to potentially place an undue burden on the transportation system. These are additional to the conditions that may be imposed by the requirements of Chapter 17.20.
    - (1.) Dedication of land for streets, transit facilities, sidewalks, bikeways, paths, or accessways may be required where the existing transportation system will be adversely affected

or is inadequate to handle the additional burden caused by the proposed use.

- (2.) Improvements such as paving, curbing, installation or contribution to traffic signals, construction of sidewalks, bikeways, accessways, paths, or streets that serve the proposed use where the existing transportation system may be adversely affected by the proposed use.
6. **Storage:** All outdoor storage areas and garbage collection areas shall be screened through the use of vegetative materials or appropriate fencing.
7. **Equipment Storage:** Design attention shall be given to the placement or storage of mechanical equipment so as to be screened from view and that an adequate sound buffer will be provided to meet, at a minimum, the requirements of the noise ordinance.
8. **Compatibility:** The height, bulk, and scale of buildings shall be compatible with the site and buildings in the surrounding area. Use of materials should promote harmony with surrounding structures and sites.
9. **Design:** Variety of detail, form, and siting should be used to provide visual interest. A single uninterrupted length of facade shall not exceed 100 feet. Buildings shall utilize at least three (3) of the following architectural elements to provide architectural variety:
  - a. Massing
  - b. Offsets
  - c. Materials
  - d. Windows
  - e. Canopies
  - f. Pitched or terraced roof forms
  - g. Other architectural elements
10. **Orientation:** Buildings shall have their orientation toward the street rather than the parking area, whenever physically possible.
11. **Parking:** Parking areas shall be located behind buildings or on one or both sides, whenever physically possible.

#### **17.16.050 Multi-Family and Group Residential Decision Criteria**

1. **Natural Features:** Significant natural features shall be protected to the maximum extent feasible. Where existing natural or topographic features are present, they shall be used to enhance the development. The use of small streams in the landscaping design shall be encouraged rather than culvert and fill. Existing trees and large woody plants shall be left standing except where necessary for building placement, sun exposure, safety, or other valid purpose. Vegetative buffers should be left along major street or highways, or to separate adjacent uses. The use should have minimal adverse impacts on the land and water quality. Possible impacts to consider may include pollution, soil contamination, siltation, and habitat degradation or loss.
2. **Grading:** Any grading, contouring, on-site surface drainage, and/or construction of on-site surface water storage facilities shall take place so

that there is no adverse effect on neighboring properties, public rights-of-way, or the public storm drainage system. Graded areas shall be replanted as soon as possible after construction to prevent erosion. A construction erosion control plan shall be required.

3. **Public Facilities:** Adequate capacity of public facilities for water, sanitary sewers, storm drainage, fire protection, streets, and sidewalks shall be provided to the subject parcel. Development of on-site and off-site public facilities necessary to serve the proposed use shall be consistent with the Comprehensive Plan and any adopted public facilities plan(s). Underground utilities shall be required. Connection to Oregon Department of Transportation (ODOT) stormwater facilities will require a permit from ODOT District 2C. On-site detention or treatment of stormwater may be required by ODOT.
4. **Traffic and Circulation:** The following traffic standards shall be applicable to all proposals:
  - a. On-site circulation shall be designed according to accepted engineering guidelines to be safe and efficient and shall comply with the requirements of Chapter 17.20.
  - b. The access point(s) between the subject property and the public street shall be reasonably safe and shall comply with the access management standards of Chapter 17.20.050.
  - c. Mitigation: The proposed use shall not have an adverse effect on the public transportation system. For developments that are likely to generate more than 400 average daily motor vehicle trip (ADTs), the applicant shall provide adequate information, such as a traffic impact study or traffic counts, to demonstrate the level of impact to the **affected** street system.
  - d. Traffic Impact Report: The applicant may be required to provide a traffic impact report prepared by an Oregon licensed traffic engineer. Every effort will be made to inform the applicant within twenty (20) days of receiving a completed application whether a traffic impact report and/or a determination of the level of service will be required. Unforeseen circumstances could result in a delayed request for this information.
  - e. The determination of impact or effect and the scope of the impact study should be coordinated with the provider of the affected transportation facility.
  - f. Conditions, including but not limited to the following, may be applied in the event that a proposed project is demonstrated to potentially place an undue burden on the transportation system. These are additional to the conditions that may be imposed by the requirements of Chapter 17.20.
    - a. Dedication of land for streets, transit facilities, sidewalks, bikeways, paths, or accessways may be required where the existing transportation system will be adversely affected or is inadequate to handle the additional burden caused by the proposed use.

- b. Improvements such as paving, curbing, installation or contribution to traffic signals, construction of sidewalks, bikeways, accessways, paths, or streets that serve the proposed use where the existing transportation system may be adversely affected by the proposed use.
- 5. **Storage:** All outdoor storage areas and garbage collection areas shall be screened through the use of vegetative materials or appropriate fencing.
- 6. **Equipment Storage:** Design attention shall be given to the placement or storage of mechanical equipment so as to be screened from view and provide a sound buffer that meets the minimum requirements of the noise ordinance.
- 7. **Design:** Variety of detail, form, and siting should be used to provide visual interest. A single uninterrupted length of facade shall not exceed 100 feet. Buildings shall utilize at least three (3) of the following architectural elements to provide architectural variety:
  - a. Massing
  - b. Offsets
  - c. Materials
  - d. Windows
  - e. Canopies
  - f. Pitched or terraced roof forms
  - g. Other architectural elements
- 8. **Orientation:** Buildings shall have their orientation toward the street rather than the parking area, whenever physically possible.
- 9. **Parking:** Parking areas shall be located behind buildings or on one or both sides, whenever physically possible.

**17.16.060 Effect of Approved Site Plan Review Permit**

No building or development of any sort shall occur to the approved site plan review permit except as follows:

- 1. Minor adjustments to an approved site plan review permit may be made after review and approval by the Director. Minor adjustments are those that entail minor changes in dimensions or siting of structures and location of public amenities, but do not entail changes to the intensity or character of the use.
- 2. Major adjustments to an approved site plan review permit require a new or amended application, as determined by the Director. Major adjustments are those that change the basic design, intensity, density, use, and the like.

**17.16.070 Expiration and Extension**

- 1. The site plan review permit is valid for a period of two (2) years from the written Notice of Decision, or the decision on an appeal, whichever is later.
- 2. A single one (1) year extension may be granted by the Director prior to the expiration date if the applicant can demonstrate that circumstance or conditions not known, or foreseeable, at the time of original application warrant an extension of the permit. The extension request must be received

by the department no later than thirty (30) days prior to the expiration of the permit.

**17.16.080 Appeal**

Final decisions on site plan review may be appealed in accordance with the provisions of *Appeal Procedures* (Chapter 17.09).