ARTICLE V
DEVELOPMENT REVIEW

Chapter 8-6.148

SITE PLAN AND DESIGN REVIEW

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8-6.148.010 Purpose

A. The purpose of the site plan and design review provisions is to establish process and standards for the review of development proposals to assist in conserving and enhancing the appearance of the city, and to assist in promoting functional, safe and innovative site development, and to implement the Downtown Plan...

B. It is in the public interest that this chapter be applied to:

1. Eliminate undue burdens on public facilities; and

2. Assure that scale, layout and design are compatible with the surrounding environment and the character of the surrounding neighborhood or area.

3. Implement the "Cascade Locks Downtown Plan and Strategy – 2003."

C. The intent is to assure that:

1. There is compatibility between adjoining uses;

2. Privacy is maximized;

3. Private and common outdoor space is provided;

4. Vehicular, pedestrian, and bicycle access and circulation are safe and convenient;

5. Parking areas are made attractive and safe;

6. The site is well drained;

7. The needs of the handicapped are met;

8. Adequate landscaping is provided to assure visual quality; and

9. Crime prevention and public safety factors are considered.

10. Downtown development is consistent with the intent and provisions of the "Cascade Locks Downtown Plan and Strategy – 2003."

8-6.148.020 Applicability of Provisions

Site plan review shall be applicable to all new developments and major modifications of existing developments. In addition, Design Review shall be applicable to all new development in the D (Downtown) zone and the C (Commercial) and RC (Resort Commercial) zones in the Downtown area, except it they shall not apply to:

A. Single-family detached dwellings or manufactured homes on individual lots.

B. A duplex, not being reviewed as part of any other development.

C. Home occupations as defined in this title.

D. Family day care (Family Care) as defined in this title.

E. Residential home as defined in this title.

F. A minor modification of an existing development which does not cause or create:

1. An increase in dwelling unit density or increase in lot coverage for residential development;

2. A change in the ratio or number of different types of dwelling units;

3. A need for 2 or more additional on-site parking in accordance with this title;

4. An increase in the height of the building(s) by more than 20 percent;

5. A change in the type and location of accessways and parking areas where off-site traffic would be affected;

6. An increase in vehicular traffic to and from the site of more than 20 vehicles per day as determined by using the International Transportation Engineer's (ITE's) Manual or a professional traffic engineer;

7. An increase in the floor area of a residential use of more than 1,000 square feet;

8. An increase in the floor area of nonresidential uses by more than 10 percent, excluding expansions under 5,000 square feet;

9. A reduction in project amenities below the minimum established by this title or by more than 10 percent where specified in the approved site plan including:

a. Recreational facilities;

b. Screening and buffer areas; and/or

c. Landscaping and open space.

10. A modification of the conditions imposed at the time of site plan or design review or conditional use approval.

G. Alterations which cause or create one or more of the impacts listed in Section 8-6.148.020 F. shall be considered as a major modification.

H. A temporary retail and service activity in a commercial zoning district shall be permitted without site plan review or conditional use approval provided it does not operate for more than 4 months in any calendar year.

8-6.148.030 Administration

A A Site Plan Review requiring an architectural analysis for the Downtown Zone shall be completed by the Architectural Review Committee (ARC) as set forth in 8-6.070 (a) through (d).

B. Design and Site Plan Review applications and major modifications to existing development shall be administered and reviewed as a Planning Commission review in accordance with Article II, Procedures of this title.

C. Minor modifications, as described in subsection 8-6.148.020 F. above, shall be administered and reviewed as a City Administrator decision in accordance with Article II, Procedures, of this title.

D. Permits to construct a single family residence or duplex shall be administered and reviewed as an Administrative decision in accordance with Article II, Procedures, of this title.

[SECTION 8-6.148.030 ADMINISTRATION AMENDED BY ORDINANCE NO. 422, ADOPTED BY THE CITY COUNCIL ON MARCH 25, 2013.]

8-6.148.040 Submittal Requirements

A. In addition to the application form and information required in Section 8-6.24.030, the applicant shall submit each of the following:

1. A site plan, with the number of copies to be determined at the preapplication conference, and necessary data or narrative which explains how the development conforms to the standards using the following format:

   a. The site plans and required drawings shall be drawn on sheets preferably not exceeding 18 inches by 24 inches;

   b. The site plan shall be an drawn using an engineering scale; and

   c. All drawings of structure elevations or floor plans shall be drawn using a standard architectural scale of 1/4 inch or 1/8 inch equals 1 inch.

2. The site plan, data and narrative shall include the following:

   a. An existing site conditions analysis as described in Section 8-6.148.050;

   b. A site plan, as detailed in Section 8-6.148.060; and

   c. A grading plan as detailed in Section 8-6.148.070.

3. Architectural elevations of all structures as detailed in Section 8-6.148.080.

4. A landscape plan as detailed in Section 8-6.148.090.

5. A sign plan as detailed in Section 8-6.148.100 (optional).

B. The Administrator may require information in addition to that required by this chapter when it is found that certain information is necessary to properly evaluate the application.

C. The Administrator may waive a specific requirement for information when it is found that such information is not necessary to properly evaluate the application.

8-6.148.050 Site Conditions

The site analysis drawings shall include:

A. A vicinity map showing streets and access points, pedestrian and bicycle pathways, and utility locations.

B. The site size and its dimensions.

C. Topography (base maps available at City Hall).

D. The location of drainage patterns and drainage courses.

E. The location of natural hazard areas including:

1. The 100-year flood plain (Chapter 8-6.120);

2. Areas of potential geologic hazard (Chapter 8-6.124);

3. Areas having a severe soil erosion potential;

4. Areas having severe weak foundation soils; and

5. Airport protection areas (Chapter 8-6.132).

F. The location of wetland and riparian areas (Chapter 8-6.128) including those shown on the National Wetland Inventory Maps (available at City Hall):

1. Wildlife habitats;

2. Wetlands; and

3. Riparian areas.

G. The location of other significant natural features including, but not limited to:

1. Rock outcroppings;

2. Steep slopes over 25% (4:1);

3. Trees or groupings of trees with 6 inches diameter or greater measured 4 feet from ground level; or

4. Streams, springs, or drainage ways.

H. The location of existing structures on the site and proposed use of those structures.

8-6.148.060 Site Plan

The proposed site plan shall be at the same scale as the site analysis and shall include the following information:

A. The proposed site and surrounding properties.

B. The location, dimensions and names of all:

1. Existing and platted streets and other public ways and easements on the site and on adjoining properties; and

2. Proposed streets or other public ways and easements on the site.

C. The location and dimensions of:

1. Entrances and exits on the site;

2. Parking and circulation areas;

3. Loading and service areas;

4. Pedestrian and bicycle circulation;

5. Outdoor common areas; and

6. Above ground utilities.

D. The location, dimensions, setback distances, and orientation of all:

1. Existing structures, improvements on the site or which are located on adjacent property within 25 feet of the site; and

2. Proposed structures, improvements, and utilities on the site.

E. The location of all areas to be landscaped.

F. The location and type of outdoor lighting.

8-6.148.070 Grading Plan

If applicable, the site plan shall include a grading plan at the same scale as the site analysis drawings and shall contain the following information:

A. The location and extent to which grading will take place indicating general contour lines, slope ratios, and slope stabilization proposals.

B. A statement from a registered engineer supported by factual data substantiating:

1. The validity of the slope stabilization proposals;

2. That any increase in intensity of the runoff caused by development will be facilitated on the site and the intensity of runoff leaving the site in its developed state shall not exceed that in its undeveloped state. The statement shall include as a minimum a storm frequency of occurrence of ten years or greater, depending upon evaluation of potential for damage when a storm of higher frequency occurs;

3. When on-site detention of an increased volume of water caused by development is not feasible or acceptable, a plan which identifies and which mitigates any off-site

adverse effects resulting from increased runoff shall be prepared by a registered civil engineer; and

4. Proper erosion control techniques to be used during construction.

C. The Oregon Department of Transportation requires a permit for drainage connections to state facilities and review of potential impacts of a 25-year storm event.

8-6.148.080 Architectural Drawings

The application shall include:

A. Floor plans indicating the square footage of all structures proposed for use on-site; and

B. Typical elevation and section drawings of each structure with at least one of the drawings in color showing all the proposed colors for the structure or structures..

C. A color palette of all colors to be used on the exterior of all structures.

8-6.148.090 Landscape/Streetscape Plans

A. The landscape and streetscape plan shall be drawn at the same scale as the site analysis plan, or a larger scale if necessary, and shall indicate:

1. Proposed irrigation method if applicable;

2. Location and height of fences, buffers, and screening;

3. Location of terraces, decks, shelters, play areas, and common open spaces; and

4. Location, type, size and species of existing and proposed plant materials.

5. Within the D zone, and the C and RC zones in the Downtown area, plans will also be submitted for all furniture, fixtures, and structures not attached to the main building indicating location and design.

B. The landscape plan shall include a narrative which addresses:

1. Soil conditions; and

2. Erosion control measures that will be used.

8-6.148.100 Sign Plan

Sign drawings may be submitted in accordance with Chapter 8-6.144 of this title. Signs which are not reviewed as part of site plan review shall be subject to an administrative review by the City Administrator as provided in Article II, Procedures of this title.

8-6.148.110 Approval Standards

The Planning Commission shall receive an Architectural Review Committee recommendation on a specific site design for all proposed developments in the Downtown Zone. The Planning Commission shall approve, approve with conditions or deny an application based on findings of fact with respect to the approval standards of this section.

A. The applicable provisions of this title are:

1. Accessory structures - Chapter 8-6.164;

2. Additional yard and setback requirements - Section 8-6.44.060;

3. Base zone requirements - Chapters 8-6.44 through 8-6.96;

4. Building height exceptions - Section 8-6.44.060;

5. Circulation and access - Chapter 8-6.112;

6. Landscaping and screening - Chapter 8-6.104;

7. Parking and loading - Chapter 8-6.108;

8. Public facility and service requirements;

9. Flood Plain Overlay Zone - Chapter 8-6.120;

10. Geologic Hazard Overlay Zone - Chapter 8-6.124;

11. Airport Protection Overlay Zone - Chapter 8-6.132

12. Downtown Design Overlay Zone - Chapter 8-6.136;

13. Signs - Chapter 8-6.144;

14. Vision clearance - Chapter 8-6.116;

15. Wetland and Riparian Areas - Chapter 8-6.128; and

16. Manufactured and Mobile Homes - Chapter 8-6.100.

17. The Design Standard sections of the D, C, and RC zones.

18. Traffic Impact Analysis – Chapter 8-6.145

B. Relationship of the Natural and Physical Environment

1. Buildings shall be:

a. Located to preserve existing trees, topography, and natural drainage to the degree possible;

b. Located in areas not subject to ground slumping or sliding; and

2. Trees having a 6-inch diameter or greater diameter, 4 feet from the base, shall be preserved or replaced by new plantings.

C. Exterior Elevations

1. Along the vertical face of single-family attached and multifamily structures, offsets shall occur at a minimum of every 30 feet by providing any two of the following:

a. Recesses (decks, patios, entrances, floor area, etc.), of minimum depth of eight feet;

b. Extensions (decks, patios, entrances, floor area, etc.), of minimum depth of 8 feet, a maximum length of an overhang shall be 25 feet; or

c. Offsets or breaks in roof elevations of 3 or more feet in height.

D. Buffering, Screening and Compatibility between Abutting or Neighboring Uses

In addition to the Landscaping and Beautification standards in Chapter 8-6.104, the approval authority may require additional buffering or screening between different types of land uses (for example, between single-family and multifamily residential, or residential and commercial) which are abutting or within 250 feet of the subject property. Additional buffering or screening may be required to address compatibility issues presented by such things as service areas, storage areas, parking lots, exterior lighting, and mechanical devices on rooftops (e.g., air cooling and heating systems). The following factors shall be considered to determine the design of the buffer:

1. The purpose of the buffer, for example to decrease noise levels, absorb air pollution and odors, filter dust, or provide a visual barrier;

2. The width and height of the buffer required to achieve its intended purpose;

3. The directions from which buffering is needed;

4. The required density of the buffering; and

5. Whether the viewer is stationary or mobile.

E. Privacy and Noise

1. Structures which include residential dwelling units shall provide private outdoor areas, that are screened from adjoining units;

F. Private Outdoor Areas - Residential Uses

1. In addition to the requirements of Subsection 8-6.148.110 D. 2, each ground level residential living unit shall have an outdoor private area (patio, terrace, porch), and shall be at least 48 square feet in size with a minimum width dimension of 4 feet and: Balconies used for entrances or exits shall not be considered as open space except where such exits or entrances are for the sole use of the unit.

G. Shared Outdoor Recreation Areas - Residential Uses

1. In addition to the requirements of Subsections 8-6.148.110 E. and F., outdoor recreation space shall be provided in multi-family or manufactured/mobile home park residential development for the shared or common use of all residents in the following amounts:

   a. Studio size up to and including two-bedroom units, 200 hundred square feet per unit; and

   b. Three or more bedroom units, 300 square feet per unit.

2. The required recreation space may be provided using one or more of the following options:

   a. It may be all outdoor space;

   b. It may be part outdoor space and part indoor space, for example, an outdoor tennis court, and indoor recreation room;

c. It may be all public or common space;

d. It may be part common space and part private, for example, it could be an outdoor tennis court, indoor recreation room and balconies on each unit; or

e. Where balconies are added to units, the balconies shall not be less than 48 square feet.

H. Demarcation of Public, Semipublic and Private Spaces - Crime Prevention

1. The structures and site improvements shall be designed so that public areas such as streets or public gathering places, semipublic areas and private outdoor areas are clearly defined in order to establish persons having a right to be in the space, in order to provide for crime prevention and to establish maintenance responsibility; and

2. These areas may be defined by:

a. A deck, patio, low wall, hedge, or draping vine;

b. A trellis or arbor;

c. A change in the texture of the path material;

e. Signs; or

f. Landscaping.

3. Mail boxes shall be located in lighted areas having vehicular or pedestrian traffic.

4. Light fixtures shall be provided in parking lots, stairs, ramps, and abrupt grade changes.

I. Landscaping

1. All landscaping shall be designed in accordance with the requirements set forth in this title.

2. Residential Zones. In addition to the open space and recreation area requirements of subsections 8-6.148.110 E. and F., a minimum of 25 percent of the gross area including parking, loading and service areas shall be landscaped.

3. CR, RC, LI, P, and OS Zones. A minimum of 15 percent of the site area shall be landscaped.

4. HI Zone. A minimum of 10 percent of the site area shall be landscaped.

5. C Zone. A minimum of 5 percent of the site area shall be landscaped. There shall be no minimum requirement.

6. D Zone. A minimum of 5 percent of the site area shall be landscaped.

7. Parking, Loading or Service Areas.

a. A parking, loading or service area which abuts a street shall be set back from the right-of-way line by a landscaped strip at least 10 feet in width and the landscaped area shall: comply with the provisions of Chapter 8-6.104, Landscaping.

b. A parking, loading or service area which abuts a property line shall be separated from the property line by a landscaped area that complies with the provisions of Chapter 8-6.104, Landscaping.

J. Drainage

All drainage plans shall be designed to comply with city public facilities standards and Oregon Department of Transportation requirements.

K. Natural Features

Evidence of compliance with applicable state and federal protection and notification requirements regarding wetlands, riparian areas, and wildlife habitat.

L. Mail Boxes

Mail boxes are prohibited in public road right-of-way.

[SECTION 8-6.148.110 AMENDED BY ORDINANCE NO. 408, ADOPTED BY THE CITY COUNCIL ON NOVEMBER 8, 2010]

[SECTION 8-6.148.030 ADMINISTRATION AMENDED BY ORDINANCE NO. 422, ADOPTED BY THE CITY COUNCIL ON MARCH 25, 2013.]

8-6.148.120 Exceptions to Provisions

The Planning Commission may grant an exception to the dimensional building setback or yard requirements of the applicable zone based on findings that the approval will result in the following:

A. A reduction of a required setback which is not greater than 15 percent; and

B. Promotion of a more efficient use of the site or preservation of unique site conditions or features such as wetlands, flood plains, steep slopes, or mature trees.

C. The Planning Commission, as part of the site design review process, may allow modification to the site design requirements in the Downtown, Commercial, or Commercial/Residential Zones when both of the following criteria are satisfied:

a. The modification is necessary to provide design flexibility where:

1. Conditions unique to the site require such modification; or,

b. Parcel shape or configuration precludes compliance with provisions; or,

b Modification of the standards in this Section shall only be approved if the Planning Commission finds that the specific design proposed is substantially in compliance with the intent and purpose of the applicable zone's design provisions.

8-6.148.130 Agreement and Security

The developer and property owner shall, as a condition of approval, execute a development agreement for any public improvements required by site plan review. The agreement shall be on a form approved by the city attorney. The property owner may be required to file with the city a performance bond or other security as approved by the city attorney to assure full performance of the required improvements. The bond shall be for the estimated cost of the improvements plus 10 percent. The bond shall remain in

effect until the public improvements are accepted by the city. Landscaping shall be installed prior to issuance of an occupancy permit unless the City Administrator determines that a delay in planting is justified to promote the maintenance of the landscaping. In this case, security equal to the cost of landscaping, as determined by the City Administrator, must be filed with the city assuring installation of landscaping within six months after occupancy.

8-6.148.140 Maintenance

All on-site improvements shall be the ongoing responsibility of the property owner or occupant. Should landscaping materials die after installation, it shall be the ongoing responsibility of the property owner to provide replacement plantings to maintain the intent of the approved landscape plan. All other facilities, including parking areas, walks, signage and other improvements shall be maintained in good serviceable quality so that the quality appearance of the site is maintained at all times.

[SECTION 8-6.148 GENERAL PROVISIONS AMENDED BY ORDINANCE NO. 363, ADOPTED BY THE CITY COUNCIL ON JANUARY 12, 2004]

Chapter 8-6.152

CONDITIONAL USES

Sections

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8-6.152.060 Approval Standards for Specific Uses
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8-6.152.080 Exceptions to Provisions
8-6.152.090 Agreement and Security
8-6.152.100 Maintenance

8-6.152.010 Purpose

A. A conditional use review is intended to evaluate land uses which are generally regarded as being appropriate provided that the potential negative impacts of the use are properly mitigated.

B. In permitting such uses, it shall be determined that the use at the particular location is desirable to the public convenience and welfare and not detrimental or injurious to the public health, peace or safety or to the character of the surrounding properties.

C. It is in the public interest that this chapter be applied to:

1. Eliminate undue burdens on public facilities; and

2. Assure that scale, layout and design of a proposed conditional use are compatible with the environment and the character of the surrounding neighborhood or area.

D. The intent is to assure that:

1. There is compatibility between adjoining uses;

2. Privacy is maximized;

3. Private and common outdoor space is provided;

4. Vehicular, pedestrian, and bicycle access and circulation is safe and convenient;

5. Parking areas are made attractive and safe;

6. The site is well drained;

7. The needs of the handicapped are met;

8. Adequate landscaping is provided to assure visual quality; and

9. Crime prevention and public safety factors are considered.

8-6.152.020 Applicability of Provisions

A. The provisions of this chapter shall apply to all conditional uses listed in this title. It shall also apply to a proposed major modification of an existing development using the criteria described in Section 8-6.148.020 F. of this title.

B. Minor modifications of an existing conditional use, using criteria described in Section 8-6.148.020 F., shall not be subject to the provisions of this chapter.

C. In the case of a use existing prior to the effective date of this title, and classified in this title as a conditional use, any change in the use or in lot area or an alteration of structure shall conform with the requirements of this chapter for conditional uses.

8-6.152.030 Administration

A. Conditional use applications and major modifications of existing conditional uses shall be administered and reviewed as a Planning Commission decision in accordance with Article II, Procedures of this title.

B. Minor modifications of an existing conditional use shall be administered and reviewed as a City Administrator decision in accordance with Article II, Procedures of this title.

8-6.152.040 Submittal Requirements

A. The submittal for a Conditional Use shall be the same as the requirements for Site Plan Review applications in Sections 8-6.148.050 through 8-6.148.100 of this title.

B. The Administrator may require information in addition to that required by this chapter when it is found that certain information is necessary to properly evaluate the application.

C. The Administrator may waive a specific requirement for information when it is found that such information is not necessary to properly evaluate the application.

8-6.152.050 General Approval Standards

The Planning Commission shall approve, approve with conditions, or deny an application for a conditional use or major modification of an existing conditional use based on findings of fact with respect to each of the following criteria:

A. The site size and dimensions provide adequate area for the needs of the proposed use;

B. The characteristics of the site are suitable for the proposed use considering size, shape, location, topography, and natural features;

C. All required public facilities have adequate capacity to serve the proposal;

D. The applicable requirements of the zoning district are met except as modified by this chapter;

E. The applicable criteria set forth in Section 8-6.148.110 and Section 8-6.152.060 are met; and

F. The applicable criteria in Section 8-6.152.060 are satisfied.

8-6.152.060 Approval Standards for Specific Uses

Additional approval criteria for specific conditional uses are indicated below. They shall be satisfied in addition to Section 8-6.152.050 and the standards of the applicable zoning district.

A. Bed and Breakfast Facilities

1. Minimum lot area of 8,000 square feet.

2. Noise buffering for adjoining residential property for outside activity areas.

3. Sufficient on-site and off-site access and parking to accommodate the anticipated number of guests without creating adverse impacts for neighboring properties.

B. Community Services

1. If the use is in a residential zone, its location will not by itself or in combination with other nearby conditional uses, decrease the desirability of the area for the retention of existing housing or the development of new housing.

2. The proposal will mitigate differences in appearance or scale through such means as setbacks, screening, landscaping, and other design features.

3. Buildings over the required height of the base zone shall have an additional building setback of 1 foot for every foot over the building height standard.

4. The transportation system is capable of safely supporting the proposed use in addition to the existing and planned uses in the area. Evaluation factors include, but are not limited to, street capacity and level of service, access to collector or arterial streets, transit availability, on-street parking impacts, access requirements, and neighborhood impacts.

5. Safe and convenient pedestrian and bicyclist access shall be provided to the site.

C. Family Care - day care group home and adult day care

1. Minimum lot area of 8,000 square feet.

2. Noise buffering for adjoining residential property for outside activity areas.

3. Sufficient on-site and off-site access and parking to accommodate the anticipated number of employees, clients, and visitors without creating adverse impacts for neighboring properties.

D. Hospital

1. If the use is in a residential zone, its location will not by itself or in combination with other nearby conditional uses, decrease the desirability of the area for the retention of existing housing or the development of new housing.

2. The proposal will mitigate differences in appearance or scale through such means as setbacks, screening, landscaping, and other design features.

3. Buildings over the required height of the base zone shall have an additional building setback of 1 foot for every foot over the building height standard.

4. Nearby properties shall be buffered from potential noise impacts related to activities occurring on the site.

5. The transportation system is capable of safely supporting the proposed use in addition to the existing uses in the area. Evaluation factors include, but are not limited to, street capacity and level of service, access to arterials, transit availability, on-street parking impacts, access requirements, neighborhood impacts, and pedestrian and bicyclist safety.

6. Any ambulance service provided by the hospital shall have direct access to a collector or arterial street.

E. Industrial Services, Heavy

1. Outdoor storage areas for vehicles or equipment shall be screened with fences, walls, evergreen landscaping, or similar method.

2. Nearby properties shall be protected from potential impacts from noise, fumes, odors, dust, or glare related to activities occurring on the site, including inside the building(s).

3. The transportation system is capable of safely supporting the proposed use in addition to the existing and planned uses in the area. Evaluation factors include, but are not limited to, street capacity and level of service, access to collector or arterial streets, on-street parking impacts, access requirements, neighborhood impacts, and pedestrian and bicyclist safety.

4. All storage or use of flammable or hazardous substances proposed on the site have been approved by the Fire Chief and/or other appropriate regulatory agencies.

F. Marinas

1. The transportation system is capable of safely supporting the proposed use in addition to the existing and planned uses in the area. Evaluation factors include, but are not limited to, street capacity and level of service, access to collector or arterial streets, on-street parking impacts, access requirements, neighborhood impacts, and pedestrian and bicyclist safety.

2. Business hours shall be limited between 8 a.m. and 10 p.m. for any incidental commercial uses, such as boat fuel sales, unless the approval authority finds that the proposed use can successfully satisfy the applicable criteria in this chapter with extended hours. If extended hours are approved, they shall be specified by the approval authority.

3. Nearby properties shall be buffered from potential noise, lighting, and other impacts related to activities occurring on the site.

4. The marina has or shall obtain all necessary development permits from state and federal agencies and the Columbia River Gorge Commission.

G. Parks and Open Space

1. Active recreation areas, such as playgrounds, tennis courts, basketball courts, and baseball diamonds, and off-street parking lots shall be located a minimum of 50 feet from any adjoining residential properties.

2. Nearby residential properties shall be buffered from potential noise impacts related to activities occurring on the site.

3. Safe vehicular, bicycle, and pedestrian access shall be available to the site.

4. A plan for adequate maintenance of the park shall be developed.

H. Public Facilities

1. If the use is in a residential zone, its location will not by itself or in combination with other nearby conditional uses, decrease the desirability of the area for the retention of existing housing or the development of new housing.

2. The proposal will mitigate differences in appearance or scale through such means as setbacks, screening, landscaping, and other design features.

3. Nearby residential properties shall be buffered from potential noise impacts related to activities occurring on the site.

4. Facilities that will generate significant traffic volumes, shall have direct access to a collector or arterial street. Access to a local street may be allowed only if it is found that adverse traffic impacts will not be created for surrounding properties. The approval authority may grant an exemption to these requirements when access is limited by City, Hood River County, or Oregon Department of Transportation requirements. However, access must be approved by the Fire Chief.

I. Quick Vehicle Servicing

1. All cleaning, repair, and maintenance work shall be conducted indoors.

2. Outdoor storage areas for vehicles or equipment shall be screened with fences, walls, evergreen landscaping, or similar method.

3. Nearby properties shall be buffered from potential noise impacts related to activities occurring on the site, including inside the building(s).

4. The transportation system is capable of safely supporting the proposed use in addition to the existing and planned uses in the area. Evaluation factors include street capacity and level of service, access to collector or arterial streets, on-street parking impacts, access requirements, neighborhood impacts, and pedestrian and bicyclist safety.

J. Recreational Vehicle Campground

1. Activity areas, such as playgrounds, tennis courts, basketball courts, and baseball diamonds, rest rooms, concession facilities, and off-street parking lots shall be located a minimum of 50 feet from any adjoining residential properties.

2. Nearby residential properties shall be buffered from potential noise impacts related to activities occurring on the site.

3. Facilities that will generate significant traffic volumes, shall have direct access to a collector or arterial street. Access to a local street may be allowed only if it is found that adverse traffic impacts will not be created for surrounding properties. The approval authority may grant an exemption to these requirements when access is limited by City, Hood River County, or Oregon Department of Transportation requirements. However, access must be approved by the Fire Chief.

K. Religious Assembly

1. If the use is in a residential zone, its location will not by itself or in combination with other nearby conditional uses, decrease the desirability of the area for the retention of existing housing or the development of new housing.

2. Buildings over the required height of the base zone shall have an additional building setback of 1 foot for every foot over the building height standard.

3. The proposal will mitigate differences in appearance or scale through such means as setbacks, screening, landscaping, and other design features.

4. The use shall have direct access to a collector or arterial street. Access to a local street may be allowed only if it is found that adverse traffic impacts will not be created for surrounding properties. The approval authority may grant an exemption to these requirements when access is limited by City, Hood River County, or Oregon Department of Transportation requirements. However, access must be approved by the Fire Chief.

L. Residential Facility

1. Minimum lot area of 8,000 square feet.

2. Noise buffering for adjoining residential property for outside activity areas.

3. Sufficient on-site and off-site access and parking to accommodate the anticipated number of employees, clients, and visitors without creating adverse impacts for neighboring properties.

M. Retail Sales and Service (conducted outdoors)

1. Uses in non-commercial zones shall have activity areas, such as building entrances, parking lots, and loading areas located a minimum of 100 feet from the nearest residential property.

2. Nearby properties shall be buffered from potential noise impacts related to activities occurring on the site.

3. Business hours shall be limited between 8 a.m. and 10 p.m. in the CR zone unless the approval authority finds that the proposed use can successfully satisfy the applicable criteria in this chapter with extended hours. If extended hours are approved, they shall be specified by the approval authority.

N. Retail Sales and Service (drive-through facilities/entertainment or personal service oriented)

1. Nearby properties shall be buffered from potential noise, lighting, and other impacts related to activities occurring on the site. Special attention shall be given to outdoor speakers and vehicles.

2. The transportation system is capable of safely supporting the proposed use in addition to the existing and planned uses in the area. Evaluation factors include, but are not limited to, street capacity and level of service, access to collector or arterial streets, transit availability, on-street parking impacts, access requirements, and neighborhood impacts.

3. Drive-through facilities shall be designed to provide safe and convenient pedestrian and bicyclist access.

4. Business hours shall be limited between 8 a.m. and 10 p.m. in the CR zone unless the approval authority finds that the proposed use can successfully satisfy the applicable criteria in this chapter with extended hours. If extended hours are approved, they shall be specified by the approval authority.

O. Retail Sales and Service (Public Zone)

1. Nearby properties shall be buffered from potential noise, lighting, and other impacts related to activities occurring on the site.

2. The transportation system is capable of safely supporting the proposed use in addition to the existing and planned uses in the area. Evaluation factors include, but are not limited to, street capacity and level of service, access to collector or arterial streets, transit availability, on-street parking impacts, access requirements, and neighborhood impacts.

3. Drive-through facilities shall not be permitted.

4. Business hours shall be limited between 8 a.m. and 10 p.m. unless the approval authority finds that the proposed use can successfully satisfy the applicable criteria in this chapter with extended hours. If extended hours are approved, they shall be specified by the approval authority.

P. Schools

1. Buildings over the required height of the base zone shall have an additional building setback of 1 foot for every foot over the building height standard.

2. The proposal will mitigate differences in appearance or scale through such means as setbacks, screening, landscaping, and other design features.

3. The transportation system is capable of safely supporting the proposed use in addition to the existing and planned uses in the area. Evaluation factors include, but are not limited to, street capacity and level of service, access to collector or arterial streets, transit availability, on-street parking impacts, access requirements, neighborhood impacts, and pedestrian and bicyclist safety.

4. Schools shall be designed to provide safe and convenient pedestrian and bicyclist access.

5. Facilities shall be provided to accommodate student drop-off and pick-up by automobiles and buses so that public streets are not adversely affected.

Q. Surface Mining

1. Nearby properties shall be buffered from potential noise, dust, fumes, and other impacts related to activities occurring on the site. Special attention shall be given to excavation areas, processing facilities, parking, truck circulation, and hours of operation.

2. The transportation system is capable of safely supporting the proposed use in addition to the existing and planned uses in the area. Evaluation factors include, but are not limited to, street capacity and level of service, access to collector or arterial streets, the structural ability of existing streets to accommodate the anticipated truck traffic, access requirements, and neighborhood impacts.

R. Utilities

1. The proposal will mitigate differences in appearance or scale through such means as setbacks, screening, landscaping, and other design features.

2. Potential noise and lighting impacts on neighboring residential properties shall be addressed with special attention being given to vehicles, parking, mechanical equipment, and activity areas.

3. Buildings over the required height of the base zone shall have an additional building setback of 1 foot for every foot over the building height standard.

4. Utilities intended for public access, such as transit stops or park and ride facilities, shall provide safe and convenient pedestrian and bicyclist access.

8-6.152.070 Conditions of Approval

In permitting a new conditional use or a major modification of an existing conditional use, the Planning Commission may impose, in addition to those standards and requirements expressly specified in this title, additional conditions which the commission considers necessary to protect the best interests of the surrounding area or the city as a whole. The conditions may include, but are not limited to the following:

A. Increasing the required lot size or yard dimensions;

B. Limiting the height, size or location of buildings;

C. Controlling the location or number of vehicle access points;

D. Increasing the street width and/or providing additional traffic controls to mitigate transportation impacts;

E. Increasing the number of required off-street parking spaces;

F. Limiting the number, size, location, or lighting of signs;

G. Requiring fencing, screening, landscaping or other facilities to protect adjacent or nearby property;

H. Designating sites for open space; and

I. Limiting hours of business operation.

8-6.152.080 Exceptions to Provisions

The Planning Commission may grant an exception to the dimensional building setback or yard requirements in an applicable zone based on findings that the approval will result in the following:

A. A reduction of a required setback which is not greater than 15 percent;

B. Promotion of a more efficient use of the site; and

C. Preservation of unique site conditions or features such as wetlands, flood plains, steep slopes, or mature trees.

8-6.152.090 Agreement and Security

The developer and property owner shall, as a condition of approval, execute a development agreement for any public improvements required by the conditional use approval. The agreement shall be on a form approved by the city attorney. The property owner may be required to file with the city a performance bond or other security as approved by the city Attorney to assure full performance of the required improvements. The bond shall be for the estimated cost of the improvements plus 10 percent. The bond shall remain in effect until the public improvements are accepted by the city. Landscaping shall be installed prior to issuance of an occupancy permit unless the City Administrator determines that a delay in planting is justified to promote the maintenance of the landscaping. In this case, security equal to the cost of landscaping, as determined by the City Administrator, must be filed with the city assuring installation of landscaping within six months after occupancy.

8-6.152.100 Maintenance

All on-site improvements shall be the ongoing responsibility of the property owner or occupant. Should landscaping materials die after installation, it shall be the ongoing responsibility of the property owner to provide replacement plantings to maintain the intent of the approved landscape plan. All other facilities, including parking areas, walks, signage and other improvements shall be maintained in good serviceable quality so that the quality appearance of the site is maintained at all times.

Chapter 8-6.156

NONCONFORMING SITUATIONS

Sections

8-6.156.010 Purpose
8-6.156.020 Administration
8-6.156.030 Types of Nonconforming Situations
8-6.156.040 Regulations that Apply to All Nonconforming Situations
8-6.156.050 Specific Provisions for Nonconforming Situations

8-6.156.010 Purpose

Nonconforming uses and development are created when the application of a specific zoning district to a site changes, or a regulation in this title changes. As a result of such changes, existing uses or development may no longer be allowed. The intent of these amendments is not to force all nonconforming situations to be immediately brought into compliance. Instead, the intent is to guide future uses and development in a new direction consistent with city policy.

This chapter provides a method to limit modifications to nonconforming situations while allowing their continuation in a manner that is not unnecessarily burdensome to the property or business owner.

8-6.156.020 Administration

A. The Administrator shall make an Administrative decision whether a situation is nonconforming as provided in Article II, Procedures of this title.

B. If the applicant wishes to provide evidence to prove legal nonconforming status, such evidence will be reviewed as a City Administrator decision as provided in Article II, Procedures.

8-6.156.030 Types of Nonconforming Situations

A. Nonconforming uses are activities conducted on a property that are not listed as a permitted or conditional use for the applicable zoning district.

B. Nonconforming development or structures are physical site improvements such as buildings, driveways, parking areas, landscaping, and signs that do not comply with the dimensional standards of this title.

C. Nonconforming residential density applies to residential development which exceeds the maximum allowable density for the applicable zoning district.

D. Nonconforming lots of record that do not meet the area or dimensional standards of the applicable zoning district.

8-6.156.040 Regulations that Apply to All Nonconforming Situations

A. Ownership changes do not affect the status of nonconforming situations.

B. Change to a conforming situation may occur by right as a permitted use or through conditional use approval. Once a conforming situation occupies the property or site, the nonconforming rights are lost and a nonconforming use may not be re-established.

C. Normal maintenance and repair of nonconforming situations is allowed.

8-6.156.050 Specific Provisions for Nonconforming Situations

A. Nonconforming Uses

1. A nonconforming use may continue to operate. Changes in operations are allowed if they otherwise meet the requirements of this title.

2. A nonconforming use can not be changed without approval by the city as a permitted or conditional use.

3. A nonconforming use shall not expand the building floor area or land area occupied on a site.

4. Except for a residential use in an existing structure, if a nonconforming use is discontinued or abandoned for any reason for a period exceeding one year, any subsequent use shall conform to the regulations specified in this title.

5. When a structure containing a nonconforming use is damaged, the use shall not be re-established if the repair cost of the structure is more than 80 percent of its assessed value according to the Hood River County Assessor's records or 80 percent of its appraised value as determined by a qualified appraiser.

6. A nonconforming residence which is partially or totally destroyed may be repaired or replaced within 1 year from the date the damage occurred. Any repair or replacement which occurs after more than 1 year shall conform with the provisions of this title.

B. Nonconforming Development or Structures

1. A nonconforming site development or structure may be expanded, enlarged, or modified only if such change does not increase its degree of nonconformity with the provisions of this title.

2. When a nonconforming development or structure is damaged, it shall not be re-established if the repair cost of the structure is more than 80 percent of its assessed value according to the Hood River County Assessor's records or 80 percent of its appraised value as determined by a qualified appraiser.

C. Nonconforming Residential Density

1. A residential development that exceeds the applicable density standards may be modified, as provided by this title, if the number of dwelling units is not increased.

2. When a residential structure containing nonconforming residential units is damaged, it may be repaired or replaced as provided in Section 8-6.156.050 A.6.

D. Nonconforming Lots of Record

Nonconforming lots may be developed or redeveloped when all other relevant requirements this title are satisfied.

Chapter 8-6.160

VARIANCE

Sections

8-6.160.010 Purpose
8-6.160.020 Applicability of Provisions
8-6.160.030 Administration
8-6.160.040 Submittal Requirements
8-6.160.050 Approval Criteria

8-6.160.010 Purpose

The purpose of this chapter is to provide standards for the granting of variances from the applicable provisions of this title where it can be shown that, owing to special and unusual circumstances, the literal interpretation of these provisions would cause an undue or unnecessary hardship without a corresponding public benefit.

8-6.160.020 Applicability of Provisions

A variance application may be requested relating to any provision of this title, except that a variance request to the permitted or conditional use requirements in Chapters 8-6.44 through 8-6.96 shall not be granted.

8-6.160.030 Administration

Variance applications shall be administered and reviewed as a Planning Commission review in accordance with Article II, Procedures, of this title.

8-6.160.040 Submittal Requirements

A. In addition to the application form and information required in Section 8-6.24.030, the applicant shall submit a narrative and/or site plan, with the number of copies to be determined at the preapplication conference, which explains the variance satisfies the relevant approval criteria using the following format:

   1. The site plans and required drawings shall be drawn on sheets preferably not exceeding 18 inches by 24 inches;

   2. The site plan shall be drawn using an engineering scale; and

   3. All drawings of structure elevations or floor plans shall be drawn using a standard architectural scale of 1/4 inch or 1/8 inch equals one foot.

B. The Administrator may require information in addition to that required by this chapter when it is found that certain information is necessary to properly evaluate the application.

C. The Administrator may waive a specific requirement for information when it is found that such information is not necessary to properly evaluate the application.

8-6.160.050 Approval Criteria

A variance application shall only be approved or approved with conditions when the approval authority finds that of all of the following criteria have been satisfied:

A. The proposed variance will equally or better meet the purpose of the regulation being modified and any associated policies of the comprehensive plan;

B. There are special circumstances, such as peculiar lot size or shape, topographic constraints or limitations caused by existing development, over which the applicant has no control, and which are not applicable to other properties in the same zoning district;

C. The use proposed is a permitted or conditional use as allowed in the applicable zoning district, and the standards of this title will be maintained to the greatest extent that is reasonably possible while permitting some economic use of the land;

D. Existing physical and natural systems, such as but not limited to transportation facilities, utilities and sensitive lands, will not be adversely affected any more than would occur if the use or structure were developed in accordance with the provisions of this title; and

E. The hardship is not self-imposed and the variance requested is the minimum variance which would alleviate the hardship.

Chapter 8-6.164

ACCESSORY STRUCTURES

Sections

8-6.164.010 Purpose
8-6.164.020 Applicability of Provisions
8-6.164.030 Administration
8-6.164.040 Submittal Requirements
8-6.164.050 Approval Standards

8-6.164.010 Purpose

The purpose of this chapter is to:

A. Establish criteria for regulating the type, size, and location of accessory structures in residential zoning districts;

B. Allow full use of residential property while not altering the residential character of the principal structures or the neighborhood; and

C. Allow accessory structures within non-residential zones including the Commercial (C), Commercial/Residential (CR), Resort Commercial (RC), Light Industrial (LI), Heavy Industrial (HI), and Public (P and OS) districts.

8-6.164.020 Applicability of Provisions

A. Accessory structures are required to meet the provisions of this chapter except for the following situations:

1. Accessory structures or additions within residential zoning districts which are less than 120 square feet in gross floor area and 10 feet or less in height, measured from base to highest point of the structure;

2. Accessory buildings or structures attached to the principle building or structure. Attached means wall-to-wall or any permanent roof attachment such as breezeways. Said structures shall be considered as building additions and shall require building permits and compliance with the applicable setback standards for the principle building or structure;

3. Accessory buildings are subject to the provisions of Chapter 8-6.148, Site Plan Review, in the Commercial (C), Commercial/Residential (CR), Resort Commercial (RC), Light Industrial (LI), Heavy Industrial (HI), and Public (P), and Open Space (OS) zoning districts. If a new or remodeled accessory structure represents a major modification, as provided in Section 8-6.148.020, it will be subject to the provisions of Chapter 8-6.148 or Chapter 8-6.152;

4. Fences, walls, and decks; and

5. Communication facilities and structures which are subject to the provisions of Chapter 8-6.148.

B. All of the provisions and regulations of the applicable zone apply unless modified by this chapter.

8-6.164.030 Administration

A. Accessory structure applications shall be administered and reviewed as an Administrative review in accordance with Article II of this title.

B. In instances where an alteration, extension, or reconstruction is requested, the applicant shall apply for an accessory structure permit in accordance with this chapter.

C. A conflict of interpretation concerning whether a structure is an accessory structure shall be resolved in accordance with the provisions of Section 8-6.20.060.

8-6.164.040 Submittal Requirements

A. In addition to the application form and information required in Section 8-6.24.030, the applicant shall submit the following:

1. A site plan, with the number of copies to be determined by the City Administrator, and necessary data or narrative which explains how the development conforms to the standards using the following format:

a. The site plans and required drawings shall be drawn on sheets preferably not exceeding 18 by 24 inches;

b. The site plan shall be drawn using an engineering scale; and

c. All drawings of structure elevations and floor plans (if required) shall be drawn using a standard architectural scale of 1/4 inch or 1/8 inch equals one foot.

2. The site plan, data, and narrative shall include:

a. The proposed accessory structure and other structures, driveways, parking, and landscaped areas on the site; and

b. The location and type of surrounding land uses and related improvements.

B. The City Administrator may require information in addition to that required by this chapter when it is found that certain information is necessary to properly evaluate the application.

C. The City Administrator may waive a specific requirement for information when it is found that such information is not necessary to properly evaluate the application.

8-6.164.050 Approval Standards

A. Accessory structures or buildings shall comply with all requirements of this title, except where specifically modified by this chapter;

B. The following standards shall apply to all accessory structures:

1. General Standards

a. Any accessory structure attached to the principal building or structure must comply with all setback requirements of the applicable zoning district (attached means wall-to-wall or any permanent roof attachment such as breezeways);

b. No accessory structure shall encroach upon or interfere with the use of any adjoining property or public right-of-way including, but not limited to, streets, alleys, and public or private easements;

c. The setback between a detached accessory structure and the principle building shall comply with the Uniform Building Code; and

d. Accessory structures which are nonconforming shall satisfy the requirements of Chapter 8-6.156, Nonconforming Situations, where an alteration, extension, or reconstruction is requested.

2. Residential, Public, and Open Space Zones (RR, LDR, MDR, HDR, MHR, P, and OS)

a. Minimum front yard setback as required by the applicable zone shall be satisfied;

b. Minimum side and rear yard setback of 5 feet shall be provided for accessory structures which are no more than 18 feet in height;

c. Minimum side and rear setback as required by the applicable zone shall be provided for accessory structures which are over 18 feet in height; and

d. Accessory structures shall have a maximum floor area of 1,500 gross square feet.

3. Commercial and Industrial Zones (C, CR, RC, LI, and HI)

a. Minimum front, side, and rear setbacks shall comply with the requirements of the applicable zone; and

b. Maximum height shall comply with the requirements of the applicable zone.

Chapter 8-6.168

COMMUNICATION FACILITIES AND STRUCTURES

Sections

8-6.168.010 Purpose
8-6.168.020 Applicability of Provisions
8-6.168.030 Administration
8-6.168.040 Submittal Requirements
8-6.168.050 Approval Standards

8-6.168.010 Purpose

The purpose of this chapter is to:

A. Establish criteria for regulating the type, size, and location of communication facilities and structures in all zoning districts;

B. Allow the construction of communication facilities and structures in a manner which is compatible with adjacent land uses, especially residential neighborhoods;

C. Encourage co-location of wireless communication facilities to minimize the number of separate communication facilities while providing quality wireless communications services for the city and surrounding area; and

D. Comply with the requirements of the federal Telecommunications Act of 1996.

8-6.168.020 Applicability of Provisions

A. Communication facilities and structures shall satisfy the provisions of this chapter except for the following situations:

1. Emergency or routine repairs and maintenance, reconstruction, or replacement which do not increase the facility's height or create a significant additional visual impact of a previously approved facility;

2. Facilities and structures which do not exceed 10 feet in height; and

3. Related equipment buildings or cabinets which are less than 120 square feet in gross floor area and 10 feet in height.

B. All of the provisions and regulations of the applicable zone and this title apply unless modified by this chapter.

8-6.168.030 Administration

A. Applications to construct or alter a communication facility and/or structure shall be administered and reviewed as an Administrative, City Administrator, or Planning Commission review in accordance with Article II of this title. The type of review procedure is determined in Section 8-6.168.030 B.

B. Review Procedures for Communication Facilities or Equipment

Facility Type	Residential and Public Zones	Commercial Zones	Industrial Zones
1. New Facilities and New Structures			
Between 10 ft. high and maximum height of base zone	City Administrator	Administrative	Administrative
Between maximum height of base zone and 150 ft.	Planning Commission (Conditional Use)	Planning Commission (Site Plan Review)	City Administrator
2. New Facilities Attached to Existing Structures			
Extension of greater than 10 feet above existing structure shall be reviewed according to Section 1. above	City Administrator	Administrative	Administrative
3. Accessory Equipment Buildings or Cabinets			
	Review in conjunction with new facilities in Sections 1. or 2. above. Proposals to only construct a new or enlarged accessory building or cabinet shall be reviewed according to the provisions of Chapter 8-6.192 Accessory Structures		
4. Interior Facilities			
Located inside a building	City Administrator	Administrative	Administrative
5. Private Communication Equipment			
Between 10 ft. high and maximum height of base zone	Administrative	Administrative	Administrative
Between maximum height of base zone and 80 ft.	Planning Commission	City Administrator	City Administrator

C. A conflict of interpretation concerning whether a facility and/or structure is subject to the provisions of this chapter shall be resolved in accordance with the provisions of Section 8-6.20.060.

8-6.168.040 Submittal Requirements

A. In addition to the application form and information required in Section 8-6.24.030, the applicant shall submit each of the following:

1. A site plan, with the number of copies to be determined at the preapplication conference, and necessary data or narrative which explains how the communication facility conforms to the standards using the following format:

   a. The site plans and required drawings shall be drawn on sheets preferably not exceeding 18 inches by 24 inches;

   b. The site plan shall be an drawn using an engineering scale; and

   c. All drawings of structure elevations or floor plans shall be drawn using a standard architectural scale of 1/4 inch or 1/8 inch equals 1 foot.

2. The site plan, data, and narrative shall include the following:

   a. An existing site conditions analysis as described in Section 8-6.148.050;

   b. A site plan, as detailed in Section 8-6.148.060; and

   c. A grading plan, if necessary, as detailed in Section 8-6.148.070.

3. Architectural elevations of all structures as detailed in Section 8-6.148.080.

4. A landscape plan as detailed in Section 8-6.148.090.

B. The City Administrator may require information in addition to that required by this chapter when it is found that certain information is necessary to properly evaluate the application.

C. The City Administrator may waive a specific requirement for information when it is found that such information is not necessary to properly evaluate the application.

8-6.168.050 Approval Standards

A. General Standards

Communication facilities, structures, and private communication equipment shall comply with all of the following standards:

1. Building permit approval as required by the Hood River County Building Official.

2. Structures or equipment which are between 10 feet high and the maximum height allowed in the base zone (e.g., 35 or 45 feet), shall meet the applicable setback requirements of the base zone.

3. For communication structures which exceed the maximum base zone height, the setback requirements shall be:

   a. A minimum of 15 feet, plus an additional foot of setback for every foot in height over 50 feet, from residential (RR, LDR, MDR, HDR, and MHR); commercial (C, CR, and RC); or Public (P, and OS) properties; and

   b. A minimum setback of 15 feet from industrial (LI and HI) properties.

4. Suitable protective anti-climb fencing and a landscape planting screen, in accordance with Chapter 8-6.104, Landscaping and Beautification, shall be provided and maintained around these structures and accessory attachments.

5. The applicant shall present documentation of the possession of any required license by any federal, state, or local agency.

B. New Wireless Communication Facilities and Structures

1. Requests for wireless communication facilities and structures must be accompanied by evidence that the applicant made every reasonable effort to locate on existing wireless communication facilities and/or existing buildings, with no success or that location on existing towers is not feasible.

2. The wireless communication facilities and structures which are located within or on properties adjacent to a residential zoning district must be a monopole design, and the facilities must be sleek, clean, and uncluttered in appearance.

3. Facilities and structures located within or on properties adjacent to a residential zoning district must be screened by a ring of trees. The trees must be a variety that has a mature tree height which is not taller than the height of the proposed structure. The trees must be spaced in a way that provides a visual barrier around the structure.

4. Accessory equipment associated with the facility is encouraged to be stored underground or inside an existing building. If a new structure is necessary, it must be designed and/or screened to be compatible with the adjacent residentially zoned properties.

5. New wireless communication facilities and structures shall be located on properties with a minimum lot size of 40,000 square feet within a residential, public, or open space zone and 20,000 square feet within a commercial or industrial zone.

6. New wireless communication facilities and structures shall be designed to allow co-location of wireless communication facilities on the new structure.

C. New Wireless Communication Facilities Attached to Existing Structures or Buildings

1. New communication facilities which are co-located on an existing communication structure with similar facilities shall not cause the height of the structure and facilities to exceed the existing height by more than 10 feet. Additional height over 10 feet shall be reviewed as a new communications structure.

2. New communication facilities which are located on the exterior of other structures or buildings must be hidden from view or sufficiently camouflaged as to not be readily visible. This can be accomplished by using compatible building features such as dormers, mounted flush to the facade of the building and painted to match, located in the middle of a roof where it is not visible from the street below, or hidden by other method that minimizes visual impact.

3. Accessory equipment associated with the facility can be stored underground or inside an existing building. If a new accessory equipment structure is necessary, it must be designed and/or screened to be compatible with the adjacent residentially zoned properties.

4. TV receiving dishes may be erected upon the roof of a building only within a commercial or industrial zone.

D. Accessory Equipment Buildings or Cabinets

Accessory equipment buildings or cabinets shall be subject to the provisions of Chapter 8-6.164, Accessory Structures.

E. New Wireless Communication Facilities Which Are Located Inside Buildings

1. The facilities must be hidden from view by being locating inside of a building. This can be accomplished by locating the facility in an enclosed space or by using compatible building features such as dormers to hide the facility.

2. Accessory equipment associated with the facility cannot be visible. It can be stored underground, inside of an existing building. If a new structure is necessary, it must be designed to be compatible with the existing structures on the site.

8-6.168.060 Unused Facilities

A wireless communication facility or structure which has not been used for a continuous period of one year, shall be removed by the property owner. Failure to remove these facilities and structures shall be enforced as a zoning violation according to this title.

Chapter 8-6.172

ANNEXATION

Sections

8-6.172.010 Purpose
8-6.172.020 Applicability of Provisions
8-6.172.030 Administration
8-6.172.040 Submittal Requirements
8-6.172.050 Approval Standards

8-6.172.010 Purpose

The purpose of this chapter is to:

A. Implement the policies of the comprehensive plan;

B. Provide for city review of all annexation requests to determine the adequacy of facilities and services as related to the proposal; and

C. Provide for city and county coordination of annexation requests.

8-6.172.020 Applicability of Provisions

The provisions of this chapter shall apply to unincorporated properties located within the Cascade Locks Urban Growth Boundary (UGB).

8-6.172.030 Administration

Annexation applications shall be administered and reviewed as a City Council decision in accordance with Article II, Procedures of this title.

8-6.172.040 Submittal Requirements

A. In addition to the application form and all information required in Section 8-6.24.030, the applicant shall submit the following:

   1. A vicinity map;

   2. A site map; and

   3. Narrative which explains how the proposed annexation satisfies the standards in Section 8-6.172.050.

B. The Administrator may require information in addition to that required by this chapter when it is found that certain information is necessary to properly evaluate the application.

C. The Administrator may waive a specific requirement for information when it is found that such information is not necessary to properly evaluate the application.

8-6.172.050 Approval Standards

The City Council shall approve, approve with conditions, or deny an application for an annexation based on findings of fact with respect to each of the following criteria:

A. All required public facilities and services have adequate capacity to serve the property to be annexed, without negatively impacting the City's ability to adequately serve all areas within the existing city limits.

B. Annexation of the property will result in a city limit boundary that can efficiently receive city services.

C. The territory is contiguous to the city limits and within the Urban Growth Boundary.

D. The annexation meets the city's urban growth needs and it is to the city's advantage to control the growth and development plans for the property to be able to address such issues as traffic, density, land use, and the level and timing of necessary facilities and services.

E. The proposed zoning designation satisfies the applicable approval criteria in Chapter 8-6.180.

F. The proposal satisfies the Comprehensive Plan goals, policies, and implementation strategies under following plan sections:

   1. Planning - Agency Coordination and Cooperation; and

   2. Planning - Land Use Planning.

G. The proposal satisfies the requirements of the Cascade Locks Urban Growth Area Management Agreement with Hood River County.

Chapter 8-6.176

COMPREHENSIVE PLAN, ZONING, AND DEVELOPMENT CODE AMENDMENTS

8-6.176.010 Purpose
8-6.176.020 Applicability of Provisions
8-6.176.030 Administration
8-6.176.040 Submittal Requirements
8-6.176.050 Approval Criteria - Comprehensive Plan and Development Code Text Amendments
8-6.176.060 Approval Criteria - Legislative Comprehensive Plan Map and Zoning Map Amendments
8-6.176.070 Approval Criteria - Quasi-Judicial Comprehensive Plan Map and Zoning Map Amendments

8-6.176.010 Purpose

The purpose of this chapter is to implement the Statewide Planning Goals and Guidelines and the City of Cascade Locks Comprehensive Plan.

8-6.176.020 Applicability of Provisions

This chapter applies to the:

A. City of Cascade Locks Comprehensive Plan text and map; and

B. City of Cascade Locks Development Code text and zoning map.

8-6.176.030 Administration

A. Application(s) for an amendment to the Comprehensive Plan or Development Code text or a legislative Comprehensive Plan map amendment shall follow the City Council review process in accordance with Article II, Procedures.

B. Application for a quasi-judicial Comprehensive Plan and/or zoning map amendment shall follow the Planning Commission review process in accordance with Article II, Procedures.

C. Amendment applications shall be initiated in the following manner:

1. Quasi-Judicial

   Requests for Comprehensive Plan map amendments, which are quasi-judicial, and zoning map amendments may be initiated by an applicant, the Planning Commission, or the City Council. The City Administrator may request the Planning Commission to initiate an amendment.

2. Legislative

   Requests for Comprehensive Plan map amendments, which are legislative, and Comprehensive Plan or Development Code text amendments may be initiated by the Planning Commission or the City Council. Others may request the Planning Commission to consider an initiation of an amendment.

8-6.176.040 Submittal Requirements

A. In addition to the application form and information required in Section 8-6.24.030, the applicant shall submit a supporting narrative, illustrations, plans, etc. to demonstrate compliance with the provisions of this chapter.

B. The Administrator may require information in addition to that required by this chapter when it is found that certain information is necessary to properly evaluate the application.

C. The Administrator may waive a specific requirement for information when it is found that such information is not necessary to properly evaluate the application.

8-6.176.050 Approval Criteria - Comprehensive Plan and Development Code Text Amendments

An application to amend the text of the Comprehensive Plan and/or the Development Code text shall be found to:

A. Comply with the Statewide Planning Goals and related administrative rules.

B. Comply with the Comprehensive Plan goals, policies, and implementation strategies.

C. Be internally consistent with related Comprehensive Plan or Development Code provisions.

D. Promote provision of adequate public facilities and services for the community.

8-6.176.060 Approval Criteria - Legislative Comprehensive Plan Map and Zoning Map Amendments

To approve a legislative amendment to the Comprehensive Plan map and zoning map, it shall be found that:

A. The proposal complies with the Statewide Planning Goals and administrative rules as they relate to the proposal.

B. The proposal complies with the Comprehensive Plan goals, policies, and implementation strategies.

C. The Comprehensive Plan does not provide adequate areas in appropriate locations for uses allowed in the proposed land use designation, and the proposed map amendment is consistent with projected needs expressed in the Comprehensive Plan.

D. The Comprehensive Plan provides more than the projected need for lands in the existing land use designation.

E. The uses allowed in the proposed designation will not produce significant adverse impacts on existing or planned uses on adjacent lands.

F. Public facilities and services necessary to support uses allowed in the proposed designation are available or can be made available at the time of development.

8-6.176.070 Approval Criteria - Quasi-Judicial Comprehensive Plan Map and Zoning Map Amendments

To approve an application to amend the Comprehensive Plan map and zoning map, it shall be found that:

A. The proposed zone complies with the Comprehensive Plan map designation.

B. Allowed uses under the proposed zoning designation can be accommodated on the site according to Development Code requirements without an apparent need for variances.

C. The uses allowed in the proposed designation will not produce significant adverse impacts on existing or planned uses on adjacent lands.

D. Public facilities and services necessary to support uses allowed in the proposed designation are available or can be made available at the time of development.

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