

ORDINANCE NO. 1637

(An Ordinance amending Chapter 17.08 of the Hood River Municipal Code relating to zone changes and plan amendments)

The City of Hood River ordains as follows:

Chapter 17.08, Section 17.08.010 through Section 17.08.050 of the Hood River Municipal Code shall be amended to read as follows:

ZONE CHANGES AND PLAN AMENDMENTS

Sections:

17.08.010	LEGISLATIVE ZONE CHANGES AND PLAN AMENDMENTS
17.08.020	QUASI-JUDICIAL ZONE CHANGES AND PLAN AMENDMENTS
17.08.030	CRITERIA
17.08.040	RECORD OF ZONE CHANGES AND PLAN AMENDMENTS
17.08.050	LIMITATIONS ON REAPPLICATIONS

17.08.010 Legislative Zone Changes and Plan Amendments

Legislative zone changes and plan amendments ("zone/plan changes") may be proposed by the Planning Commission or City Council. Such proposed changes shall be broad in scope and considered legislative actions. The City Council shall obtain a recommendation on the proposed changes from the planning commission. The recommendation of the Planning Commission shall be forwarded to the City Council within 60 days after it is requested from the Planning Commission. The Planning Commission shall conduct at least one public hearing to assist in formulating its recommendation. Within 60 days after receipt of the planning commission's recommendation, the City Council shall take final action on the proposed legislative zone/plan change. The City Council shall conduct its own public hearing. Public

notice of a legislative zone/plan change hearing shall be published in a newspaper of general circulation within the city at least twenty (20) days prior to the date of the hearing.

17.08.020 Quasi-Judicial Zone Changes and Plan Amendments

A. A quasi-judicial zone/plan change may be initiated only by the application(s) of the owner(s) or authorized agent of the subject property.

B. An application for a quasi-judicial zone/plan change shall be submitted to the city planner. The application shall include:

1. The applicable fee;
2. A statement by the applicant explaining the proposed zone/plan change, including existing zoning and proposed zoning;
3. The tax map of the area being considered for a zone/plan change, indicating boundaries, existing zoning and existing comprehensive plan designation;
4. A copy of a document showing ownership of the subject property, and if the applicant is not the owner, a letter of authorization from the owner;
5. A vicinity map showing the subject property and the surrounding parcels, together with their current zoning;
6. The reason(s) for requesting the zone change;
7. Existing site conditions, including but not limited to: topography, public facilities and services, natural hazards, natural areas, open space, scenic and historic areas, transportation and present use of the site;

8. An explanation of how the zone change complies with the comprehensive plan and zoning ordinance criteria;

9. A statement of the potential effect(s) of the zone/plan change on the site; and

10. If an exception to a goal is required, applicant shall submit documentation establishing compliance with Oregon Revised Statute ORS 197.732 and any applicable Oregon Administrative Rules.

C. The city planner shall schedule at least one public hearing on the application for zone/plan change before the Planning Commission.

D. The application shall not be approved unless the proposed zone/plan change would be in compliance with the comprehensive plan, zoning ordinance and the criteria set forth in Section 17.08.030.

E. Hearings under this chapter may be held only after required notification and shall be conducted in conformance with Chapter 17.09.

17.08.030 Criteria

A. Zone/plan changes shall only be made if the zone change will not be unreasonably harmful or incompatible with existing uses on nearby properties, AND one or more of the following exist:

1. A mistake was made in the original zone/plan designation; and/or

2. There is a public need for the change and this identified need will be served by changing the zone/plan designation for the subject property(ies); and/or

3. Conditions have changed within the affected area, and the proposed zone/plan change would therefore be more suitable than the existing zone/plan designation.

B. The Planning Commission shall consider factors pertinent to the preservation and promotion of the public health, safety and welfare, including, but not limited to:

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


17.08.040 Record of Zone/Plan Changes The city recorder shall maintain records of amendments to the text and zoning map of this title.

17.08.050 Limitation on Reapplications No reapplication of a property owner for a zone/plan change shall be considered within a six month period following a previous denial of such request.

Read for the first time: March 25, 1991.

Read for the second time: March 25, 1991.

PASSED BY the City Council of the City of Hood River this 25th day
of March, 1991.



Glenn P. Taylor, Jr. , Mayor



Jay Reynolds
City Recorder