

**ORDINANCE NO. 1810**

(An ordinance amending Chapter 17.03.050 - General Commercial Zone)



**WHEREAS**, the City is amending its General Commercial Zone to allow for added types of uses;

**WHEREAS**, following preparation of this Ordinance, notice pursuant to the City of Hood River Comprehensive Plan, HRMC, and Oregon Revised Statutes was duly given;

**WHEREAS**, a public hearing to consider the proposed Ordinance was held before the Planning Commission on December 5, 2000;

**WHEREAS**, at the conclusion of the December 5, 2000 public hearing, the Planning Commission recommended approval of the Ordinance;

**WHEREAS**, a public hearing was held before the City Council on January 8, 2001;

**WHEREAS**, the City Council accepted the recommendation of the Planning Commission, with certain additional amendments;

**WHEREAS**, all of the amendments to the Ordinance are consistent with the notice given pursuant to ORS Chapter 227;

**WHEREAS**, the Ordinance is consistent with the applicable provisions of the City's Comprehensive Plan;

**WHEREAS**, the City Council finds that making the changes to the General Commercial Zone will allow for additional light industrial activities to occur so that a business can manufacture and sell a product at the same location under certain nuisance conditions *yet maintain a commercial character*;

**WHEREAS**, the City Council found that the amendments will allow a person to live, work and produce a product on one site and that these changes better implement the concepts found in the Comprehensive Plan, as documented in the attached findings, marked as Exhibit A, which are attached and incorporated herein.

**NOW, THEREFORE, THE CITY OF HOOD RIVER ORDAINS AS FOLLOWS:**

1. Section 17.02.050 (A)(2) of the Hood River Municipal Code shall be amended as follows:

Manufacture or assembly of **goods** is a permitted use, provided such manufacturing or assembly is within or contiguous to a permitted **commercial use**. *The retail sales and the commercial character shall be the prominent use. The goods manufactured and/or assembled shall be sold on a retail basis out of the commercial use which is the storefront for such sale.* All uses shall meet the following standards:

a. Any use, or portion thereof, causing noise shall be performed in such a manner as not to create a nuisance or hazard on any adjacent property.

b. Any use, or portion thereof, causing vibration shall be performed in such a manner as not to create a nuisance or hazard on adjacent property.

c. Any operation producing intense heat or glare shall be performed in such a manner as not to create a nuisance or hazard on adjacent property.

d. There shall be no emission of odorous, toxic, noxious matter, or dust in such quantities as to be readily detectable at any point along or outside property lines so as to produce a public nuisance or hazard.

~~e. There is no size limit to the building if both uses are housed in one building.~~

e. If the retail and industrial uses are housed in separate buildings on the site, the industrial building shall be equal to or less in size to the commercial building.

f. In the case of two or more separate buildings, the one closest to the public dedicated street must retain a retail storefront and a pedestrian-friendly character. New construction or major renovations shall achieve this standard through use of the following design elements. **Major renovations are considered any activity on the exterior of a building that exceeds ten percent of the structure's cost or fair market value or \$75,000, whichever is more, as determined by the building official:**

1. The building entrance shall be oriented toward the primary street, **whenever physically possible.**

2. Off-street parking or driveways shall not be placed between the building and the primary street, whenever physically possible.


3. The retail storefront shall utilize regularly spaced and similarly shaped windows with window hoods or trim.

4. The retail storefront shall have large display windows on the ground floor and shall be framed by bulkheads, piers and a storefront cornice.

5. For properties located within the Downtown Local Historic District, refer to the District's Design Guidelines.

Read for the first time: March 26, 2001.

Read for the second time and passed: April 9, 2001, to become effective thirty (30) days hence.

  
Paul G. Cummings, Mayor

ATTEST:

  
Anita R. Smith, City Recorder

## LEGISLATIVE STAFF REPORT

January 17, 2001

Project: Amendments to Commercial Zone  
To: City Council  
From: Cindy Walbridge, Planning Director  
File Number: 2000-48

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I. **REQUEST: To amend Section 17.03.050 – General Commercial (C-2) Zone to allow for the manufacture or assembly of items as a permitted use provided such manufacturing or assembly is contiguous to or within the permitted retail outlet with nuisance standards.**

### II. MAJOR APPROVAL CRITERIA:

#### 17.08.010 Legislative Zone Changes and Plan Amendments

Legislative zone changes or plan amendments (“zone or plan changes”) may be proposed by the Planning Commission or City Council. Such proposed changes shall be broad in scope and considered legislative actions. The City Council shall obtain a recommendation on the proposed changes from the Planning Commission. The recommendation of the Planning Commission shall be forwarded to the City Council within 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 or plan change. The City Council shall conduct its own public hearing. Public notice of the legislative zone or plan change hearing before the City Council shall be published in a newspaper of general circulation within the city at least twenty (20) days prior to the date of the hearing.

#### 17.09.050.G. Decision on Legislative Actions

The Council’s Decision shall be by ordinance. The decision shall be based upon and accompanied by a brief statement that includes:

1. An explanation of the criteria, standards, policies, and laws considered relevant to the decision.
2. A statement of basic facts relied upon in rendering the decision.
3. Ultimate facts which explain and justify the reason for the decision based on the criteria, standards, policies laws, and basic facts set forth.

### III. FINDINGS

#### A. Background

The City Council met in a worksession to discuss the concept of mixed use as a work task that developed from the Commercial and Industrial Inventory and Analysis work. Most mixed use zones combine commercial and residential uses

which are already allowed in the City's C-2 zone. However, the Council still wanted to address the desire of the public to allow some degree of manufacturing and assembly to occur in a commercial/retail enterprise. Staff drafted proposed changes to the Commercial zone which allows light industrial uses as part of a commercial use in the Commercial zone with nuisance provisions. The Planning Commission conducted a worksession and a subsequent public hearing to review the recommended changes. The Planning Commission supports the recommended changes. The Council then conducted a public hearing on January 8, 2001 and recombined the Commercial zone be amended to allow light industrial activities.

## **B. Comprehensive Plan Consistency Analysis**

### ***Goal 9 – Economy***

Policy 6 Promote mixed use developments that integrate business, office, light industrial, research and development, commercial uses, and residential, if appropriate, on the same parcel.

### Implementation Strategy 2

The City shall evaluate adoption of a mixed use ordinance which allows the integration of business, office, light industrial, research and development, commercial, and where appropriate, residential on the same parcel.

Analysis The proposed amendment is a direct result of the Commercial and Industrial Inventory Analysis and will allow all the above uses to occur on the same parcel within the General Commercial zone.

## **C. Transportation Planning Rule:**

1. The land use regulation that expands the uses allowed in the Commercial zone does not significantly have an effect on transportation facilities at this time. Proposals for development will be evaluated against the site plan review standards for traffic and adequate public facilities during the application process.

2. Existing commercial streets meet the functional capacity and level of service for the streets in the zone and are already planned for commercial uses which are generally more intense than industrial.

## **IV. CONCLUSION**

Staff concludes that the proposed amendments are consistent with the Hood River Comprehensive Plan and adopted Transportation System Plan.

**V. RECOMMENDATION**

Based upon the findings and conclusions contained in this report staff recommends that the City Council adopt ordinance number 1810.