



Hood River County Community Development

Planning, Building Codes, Code Compliance & GIS

601 State Street, Hood River OR 97031

ERIC WALKER, DIRECTOR
(541) 387-6840 • plan.dept@hoodrivercounty.gov

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To: County Planning Commission and Board of Commissioners

From: Eric Walker, Director

CC: Matt Hastie, Project Manager, MIG/APG

RE: Proposed Zoning Ordinance Amendment Memorandum

Attached are draft amendments to pertinent articles of the Hood River County Zoning Ordinance (HRCZO) related to the Parkdale Unincorporated Community Plan. “Staff comments” explaining the purpose of the more substantial changes are included as part of the report and highlighted in **yellow**.

The zoning articles that are proposed to be either amended or added to the HRCZO include the following:

Article 1 – Introductory Provisions

Article 12 – Parkdale Unincorporated Community Residential Zone (P-R1)

Article 25 – Parkdale Unincorporated Community Commercial Zone (P-C1)

Article 28 – Parkdale Unincorporated Community Industrial Zone (P-M1)

Article 30 – Parkdale Unincorporated Community Light Industrial Zone (P-M2)

Article 53 – Home Occupations, Short-Term Rentals, Psilocybin & Marijuana Businesses

Article 56 – Bed & Breakfast Facilities (B&B)

Article 73 – Home Occupation to Host Weddings & Related Events

Article 74 – Communication Facilities & Towers

The majority of the substantive changes are found in Articles 12, 25, 28, and 30, which are new articles intended to replace Article 10 (Residential Zone), Article 21 (Commercial Zone), and Article 31 (Industrial Zone), which currently apply in Parkdale. Changes to the other articles are minor and more administrative in nature.

As explained in greater detail under the “staff comments” section of the attached document, the current draft version of the amended zoning articles contains provisions and use allowances that are different than was anticipated when staff initiated this project last year. In following the Board of Commissioners’ 2020 and 2023 Strategic Plan goals of supporting efforts to provide affordable housing opportunities within Parkdale, staff had planned to recommend ordinance amendments that would have, at minimum, reverted back to the original 7,500 square foot minimum lot size for

residential zoned parcels and created opportunities for accessory dwelling units (ADUs) and multi-family dwellings. However, as explained in the *Existing/Future Conditions Memo*, included as part of the Parkdale Community Plan documents, it was determined that the overall carrying capacity of the existing Parkdale Wastewater Treatment Plant (WWTP) is limited and cannot accommodate much additional growth beyond allowing the development of existing vacant lots and maintaining a 2-acre minimum lot size. As required by State law (OAR 660-022-0030(8)), local jurisdictions may not allow development opportunities that would exceed the carrying capacity of “existing” public facilities, including sewer services. Consequently, staff is recommending that existing use allowances and minimum lot size standards in residentially zoned areas be maintained. Staff is also recommending new language that will require new or expanded commercial and industrial uses of a certain size to perform an engineered assessment to ensure that the WWTP has sufficient capacity to adequately accommodate it.

As explained in the *Zoning Map Change Memo*, staff is also recommending that 11 existing parcels be rezoned from Industrial (M-1) to either Parkdale Unincorporated Community Light Industrial (P-M2) or Parkdale Unincorporated Community Residential (P-R1). The changes are proposed to either better align with how these parcels are currently being used or minimize potential conflicts with neighboring properties in the future. The P-M2 zone is a new zone being created to be consistent with the County’s regular Light Industrial (M-2) zone, but slightly different in that it is proposed to allow both light industrial and commercial uses outright, subject to typical siting standards. In light of this, Article 30 has been developed to implement the new P-M2 designation.

As for most of the other changes proposed to the above zoning articles, further explanation can be found under the “staff comment” sections included as part of the draft zoning code amendment document that is provided below.

PROPOSED AMENDMENTS TO THE HOOD RIVER COUNTY ZONING ORDINANCE

ARTICLE 10 12 – PARKDALE UNINCORPORATED COMMUNITY RESIDENTIAL (P-R1) ZONE

(Effective _____)

Section 10 12.10 - Uses Permitted

In ~~an R-1~~ the P-R1 Zone, the following uses and their accessory uses are permitted outright, subject to the requirements of Article 64 (Land Use Permits):

- A. ~~Single~~ One single-family dwelling.
- B. ~~A~~ One manufactured home or recreational vehicle as a temporary use while constructing a dwelling for a period not exceeding two-years. Applicable provisions in Article 16 shall apply.
- C. Collocation of antennas and wireless telecommunication facilities, subject to Article 74.
- D. Short-term rental, subject to Article 53.
- E. Animal keeping for personal enjoyment, excepting:
 - 1. Roosters or any other fowl known for its loud call; subject to Chapter 8.12 (Noise Code) of the Hood River County Code.
 - 2. Any animal raising, poultry, or breeding enterprise conducted on a commercial basis.
- F. Bus stops and other facilities intended for public transit.

//Staff comment: This provision is proposed to be added to reflect a use that is not currently listed but intended to be allowed in zones, such as the P-R1 zone, where transient related facilities would be encouraged. This provision supports the Columbia Area Transient Master Plan.

Section 10 12.20 - Conditional Uses Permitted

In ~~an R-1~~ the P-R1 zone, the following uses and their accessory uses are permitted in accordance with the requirements of Article 60 (Administrative Procedures):

- A. Airport.
- B. Bed & Breakfast Facilities, subject to Article 56.
- C. Cemetery including mausoleum, crematorium, columbarium.
- D. Church.
- E. Community club building.

F. Public building or use, such as a park or fire station.

G. School - nursery, primary, elementary, high.

H. Utility substation, pumping station, **and similar utility facilities.**

//Staff comment: The additional language is proposed to be consistent with similar language used in other sections of the zoning ordinance.

I. Temporary hardship dwelling **for a dependent relative,** subject to the following:

1. One manufactured dwelling, recreational vehicle, or the temporary residential use of an existing building may be allowed in conjunction with an existing dwelling as a temporary use for the term of the hardship suffered by the existing resident or relative, subject to the following:
 - a. The temporary hardship dwelling shall use the same subsurface sewage disposal system used by the existing dwelling, if that disposal system is adequate to accommodate the additional dwelling. If the hardship dwelling will use a public sanitary sewer system, such condition will not be required;
 - b. The applicant shall renew the permit every two-years for it to remain valid. Upon review, the applicant shall provide a statement confirming that the residence remains necessary for the relative named in the permit and pay the required renewal fee.
 - c. Within three-months of the end of the hardship, the manufactured dwelling or recreational vehicle shall be removed or demolished or, in the case of an existing building, the building shall be removed, demolished or returned to an allowed non-residential use; and
 - d. The applicant shall submit written confirmation from a medical doctor that care is necessary for an aged or infirm person.
2. Temporary hardship dwellings for a dependent relative are subject to the following additional standards:
 - a. Justification that the relative with the hardship is not employed full-time off the site and is dependent upon medical care by either a relative or a person medically certified to care for such a person on a full-time basis.
 - b. The relative with the hardship, relative providing care, or medically certified person shall be the primary full-time resident **of the hardship dwelling.**

3. A temporary **residence hardship dwelling** approved under this section is not eligible for replacement. Department of Environmental Quality review and removal requirements also apply.
4. As used in this section “hardship” means a medical hardship or hardship for the care of an aged or infirm person or persons.

J. Home occupation, subject to Article 53.

K. Duplex.

//Staff comment: Approximately one-third of all respondents to the Parkdale Community Survey indicated support for multi-family housing in Parkdale, include approximately two-thirds of those responding in Spanish. Additionally, the County Board of Commissioners identified “housing diversity and affordability,” including the support for efforts to provide affordable housing opportunities within Parkdale, as part of its approved Strategic Plan (2023). In response, staff had planned to recommend allowing duplexes and accessory dwelling units (ADUs) as “permitted” uses in the P-R1 zone, while allowing one 3-unit or 4-unit multi-family dwelling as a “conditional” use. By allowing some alternative housing types, more affordable housing units could be developed, while still maintaining the rural character of the Parkdale community. However, findings from the Parkdale Existing/Future Conditions Memo indicate that the Parkdale Wastewater Treatment Plant (WWTP) does not currently have the capacity to serve additional dwelling units besides those that could be developed on existing vacant property. Consequently, staff must recommend that all existing and future multi-family dwelling opportunities be removed from the P-R1 zone until such time as required upgrades to the Parkdale WWTP are completed to accommodate additional development opportunities.

Section 10 12.30 - Lot Size

In ~~an R-1~~ **the P-R1** Zone, the minimum lot size **for creating a new lot or parcel** shall be as follows:

- A. The minimum lot area shall be ~~7,500 square feet~~ **2 acres**, ~~provided the lot is served by the Parkdale Sanitary District. If the lot is not served by the Parkdale Sanitary District, the lot area shall be increased to conform to the requirements of the County Health Department established to avoid problems of water supply and sewage disposal, giving due consideration to soil structure and water table characteristics.~~

~~*Pursuant to OAR 660-004-0040(7)(a), property zoned R-1 is subject to a 2-acre minimum lot size requirement, unless the parcel is situated within an established Urban Unincorporated Community or Rural Unincorporated Community.*~~

//Staff comment: As shown above, the current zoning ordinance reflects a minimum lot size of 7,500 square feet in the R-1 zone. This minimum lot size was developed in the early 1980s when the current Comprehensive Plan and Zoning Ordinance were adopted by the County.

However, in 1986, the Oregon Supreme Court ruled in *1000 Friends of Oregon v. LCDC* (“Curry County Case”) that counties, under Statewide Planning Goal 14 (Urbanization), must properly differentiate between rural and urban uses and ensure that urban development is not allowed on rural lands, unless located within an urban growth boundary or by exception to Goal 14. This decision resulted in several changes to State law, including the creation of the unincorporated community rule (OAR 660-022) and the development of a 2-acre+ minimum lot size requirement in all residential zones located outside of a designated urban growth area, unincorporated community, or rural service center (per OAR 660-004). These rules were made effective by the State in 2000, which resulted in the second paragraph above being added by the County. As part of the Parkdale Rural Unincorporated Community Plan adoption process, staff initially proposed that the zoning ordinance revert back to the 7,500 square foot minimum lot size originally envisioned for Parkdale and other communities because (1) it is consistent with the size of existing lots already found in much of Parkdale, especially north of Baseline Drive and (2) it would allow lot densities at a level that will provide a meaningful amount of housing for future growth. As noted in the Buildable Lands Inventory for Parkdale, a total of approximately 237 new dwelling units could be provided in the P-R1 zone if a 7,500 square foot minimum lot size is developed.

However, as explained earlier and detailed in the Parkdale Existing/Future Conditions Memo, the Parkdale WWTP only has limited capacity to service additional growth based on data from the Parkdale Sanitary District’s 2015 Public Facility Plan. State law, specifically OAR 660-022-0030(8), prevents the County from adopting zoning regulations that would cumulatively allow development that would exceed the carrying capacity of existing public facilities, including sewer services. Consequently, reestablishing a 7,500 square foot minimum lot size for Parkdale, which would allow the potential for over 200 additional EDUs, is no longer an option without adequate facility upgrades to the Parkdale WWTP to accommodate additional growth.

According to a Sewer Capacity Analysis, prepared by John Grim & Associates (August 16, 2023), the available capacity of the current Parkdale WWTP is approximately 38 new homes, which is based on 2015 data. Since that time, 6 new single-family dwellings have been approved for construction, leaving 32 EDUs available. To help determine if the number of existing EDUs is sufficient to accommodate new homes on existing vacant lots/parcels or those having the ability to be created given the current 2-acre minimum lot size requirement, staff evaluated data from the County Department of Records and Assessment and GIS to determine potential buildout. This data shows that there are approximately 21 lots/parcels that are currently vacant and available for siting a new residence in the P-R1 zone. Staff is also recommending that an existing M-1 zoned property containing 5 existing subdivision lots be rezoned to P-R1, which would then leave 6 EDUs available at full buildout with the existing 2-acre minimum lot size being retained.

Based on this information, staff recommends that the zoning ordinance be amended to set the minimum lot size requirement in the P-R1 zone at 2 acres to ensure that the carrying capacity of the Parkdale Sanitary District is not exceeded.

Additionally, staff recommends that the other language included in this subsection concerning septic approval if a parcel is not served by public sewer be removed as it does not apply in Parkdale since all P-R1 zoned lots/parcels located within the Parkdale Exception Area are also located within the Parkdale Sanitary District boundary. According to County Environmental Health, OAR 430-071-0160 prevents most septic systems from being used to serve property located within a sanitary district and so retaining this existing language would be misleading.

B. The minimum average lot width shall be 70-feet.

C. The minimum average lot depth shall be 100-feet.

D. Minimum street frontage shall be 50-feet.

//Staff comment: Most zones have a minimum street frontage requirement when new lots or parcels are created by partition or subdivision. It is not entirely clear why the R-1 zone does not include a minimum street frontage requirement, although the 70-foot average lot width requirement would likely ensure that the property has sufficient frontage along a street. Therefore, it is probably a moot issue in most cases, although staff still suggests that the 50-foot street frontage requirement be added to the P-R1 zone just to ensure that reasonable frontage is provided for new lots or parcels, especially those that might be development at a larger acreage where minimum average lot width can be more easily skewed.

E. ~~In the event that more than one dwelling building and/or mobile home is allowed on a tract of ground under single ownership there must be provided a sufficient lot area for each dwelling building and/or mobile home and such minimum lot must meet all other requirements of this Ordinance with special attention to setbacks and access.~~

//Staff comment: Staff finds that existing site development standards are sufficient to achieve the same purpose as this standard and, therefore, is recommending that it be removed.

Section 10 12.40 - Setback Requirements: In an R-1 Zone, the following apply:

A. ~~Article 50: Buffer Requirements shall apply to all proposed dwellings, except dwellings located on and directly associated with farm uses, and temporary hardship dwellings in conjunction with a pre-existing, non-conforming dwelling, unless otherwise allowed pursuant to Section 50.35 (Variances) of this Ordinance.~~ The more restrictive provisions in either Article 50 or this section shall apply.

//Staff comment: This additional language is primarily to provide updated language that is more clear and objective and applicable to residential zoned areas.

- B. Front: 60-feet from the centerline of any arterial street, or 50-feet from the centerline of any local or collector street, or 20-feet from the right-of-way, whichever is greater.
- C. Side: Minimum of 5-feet.
- D. Rear: Minimum of 20-feet.
- E. No building, occupied by a conditional use, shall be closer to a property line than a distance equal to its height.
- F. Vision clearance setbacks from all **street road and driveway** intersections: ~~shall be~~ 35-feet.

Section 10 12.50 - Height of a Building

~~In an R-1 Zone, no~~ No building shall exceed a height of 35-feet ~~or two and one half stories, whichever is less.~~

//Staff comment: The maximum building height is consistently provided throughout the County at 35 feet, with the exception of the Industrial and Light Industrial zones that are set at 45 feet. It is unclear why this additional restriction of 2½ stories was added to the zoning ordinance. It only serves to complicate its implementation. It is, therefore, recommended that it be removed as shown above.

Section 10 12.60 - Lot Coverage

~~In an R-1 Zone, buildings~~ Buildings shall not cover more than 30 percent of the lot area.

Section 10 12.65 – Street Design Standards

The street design standards applicable to new subdivisions or major partitions **in the P-R1 zone** are prescribed in Section 18.32 of the Hood River County Subdivision Ordinance.

Section 10 12.70 - Signs

~~In an R-1 Zone, signs~~ Signs may be allowed **in the P-R1 zone, subject to the following:**

- A. Signs shall be limited to one per parcel, except that two temporary signs, each not to exceed 12-square feet in area, may be erected to advertise the sale, lease, or rental of a lot or parcel.
- B. Signs shall be limited to those identifying the use of the premises or the sale, rental, or lease of the property on which the sign is located.
- C. The size ~~limit~~ of a sign shall not exceed 12-square feet in area, except for signs associated with a fire station, school, or other public facility, which may be enlarged up to 32-square feet.
- D. Signs may be non-illuminated or internally illuminated only. Exceptions include signs

associated with a fire station, school, or other public facility **that** may include electronic messaging when shown to have minimal nighttime light intensity and illumination per industry standards.

- ⌘. Signs are not permitted within a road or highway right-of-way, unless approved by either the County Public Work Departments or the State Highway Division.

ARTICLE 24 25 – PARKDALE UNINCORPORATED COMMUNITY COMMERCIAL

ZONE (P-C1)

(Effective ____)

Section 24 25.05 – Purpose and Intent

This section is adopted to implement the policies of the Comprehensive Plan for rural unincorporated communities. These provisions accommodate local shopping needs, recognize, and protect the historic character of rural centers and rural communities while preserving and protecting the agricultural or forestry character of the surrounding areas.

//Staff comment: Unlike most other zones, the C-1 zone does not currently have a purpose and intent statement. Having such a statement provides some explanation of the policies under which the zone was developed and intended to be used. It provides a connection between the zoning ordinance and comprehensive plan. The above statement was developed as part of the original Parkdale Community Plan.

Section 24 25.10 - Uses Permitted Outright

In ~~a C-1~~ **the P-C1** zone, the following uses and their accessory uses are permitted outright, **subject to the standards set forth in Article 64 (Land Use Permits):**

- ~~A. A single family, a duplex, or a multifamily dwelling.~~
- BA. A building or buildings not exceeding 4,000 square feet of floor space containing one or more of the following uses:**
 - 1. Retail trade establishment, **except marijuana retailing, unless otherwise listed.**
 - €2. Commercial and professional service establishments, **including a psilocybin service center, subject to Article 53,** unless otherwise listed.

The additional language concerning marijuana retailing is being added to Subsection 1 above in response to the criteria from HRCZO Section 53.95(D), which precludes marijuana retail businesses within 1,000 feet of a school, daycare, public park, community center, and similar facilities. After taking measurements from Parkdale Elementary School and Parkdale Community Center, it was determined that no commercial properties exist in Parkdale that could meet this 1,000-foot buffer.

The additional language concerning psilocybin service centers is being added to Subsection 2 above pursuant to 53.120(H) to reflect that such facilities may be allowed, although they are also subject to a 1,000-foot buffer from a school. However, unlike marijuana retail establishments, psilocybin service centers are only required to be separate from schools and not daycares, public parks, or community centers. Consequently, it appears that a few commercial properties exist south of Baseline Drive that could possibly accommodate a psilocybin service center.

B. A building or buildings not exceeding 8,000 square feet of floor space containing one or more of the following uses:

1. **Eating and drinking establishments.**
2. **General merchandise.**
3. **Grocery Stores.**
4. **Automobile repair and services.**
5. **Secondhand stores.**

//Staff comment: The building size limitations provided above align with State law. The building size limitation stated under Subsection A comes from OAR 660-022-0030(4) and (10), which restricts “small-scale, low impact” commercial uses in a rural unincorporated community to 4,000 square feet or less. The building size limitation provided under Subsection B is allowed to be larger since the uses listed are “intended to serve the community and surrounding rural area.” Eight-thousand square feet is proposed as a maximum building size limit to allow reasonable commercial building sizes for those businesses intended to serve the Parkdale community, while maintaining its rural character. By comparison, the size of McIsaac’s Grocery Store is approximately 10,000 square feet, while the next largest building is the Parkdale Farm Supply, gas station, and laundry mat building at approximately 6,000 square feet.

C. One single-family, ~~a duplex, or a multifamily~~ dwelling in conjunction with an onsite business, such as mixed-use building with a retail trade or other commercial use on the ground floor and a single-family dwelling on the upper floor.

//Staff comment: Currently in the C-1 zone, one single-family dwelling is outright allowed. However, given the limited supply of commercial land in Parkdale, as well as the limited capacity of the Parkdale Sanitary District to serve additional development, this provision is suggested to be modified to allow a single dwelling unit, but only if tied to an onsite commercial use.

~~D. All uses listed as Conditional Uses in the R-1 Zone.~~

~~E. Signs identifying a conditional use located on the same lot or parcel as the use and not exceeding 32 square feet in area.~~

DF. A One manufactured home or recreational vehicle required for security personnel in conjunction with a permitted commercial use, or as a temporary use while constructing a dwelling for a period not exceeding two years. Applicable provisions in Article 16 shall apply.

~~G. Communication facilities and towers, subject to Article 74.~~

E. Motels and hotels, up to 35 units, if served by Parkdale sewer system.

//Staff comment: Although motel/hotels are already currently allowed in the C-1 zone, this standard is provided in compliance with OAR 660-022-0030(5), which limits the number of

motel/hotel units to 35 or less within a rural unincorporated community and requires it to be connected to a public sewer system.

- 1. Short-term rental, subject to Article 53.**
- 2. Bed & Breakfast Facilities, subject to Article 56.**

FH. Short-term rentals, subject to Article 53.

G. Bed & Breakfast Facility, subject to Article 56.

H. Service and retail trade establishments serving farm and forest industries, including but not limited to feed stores, logging equipment sales and service, and farm implement dealers.

//Staff comment: This use is already allowed in the C-1 zone, but is being identified specifically because, as a use that is authorized under Statewide Planning Goal 3 (Agriculture) and Goal 4 (Forestry), it qualifies as being exempt from the building size limitations per OAR 660-022-0030(4)(a).

I— Marijuana retailing

I. Airport.

J. Cemetery including mausoleum, crematorium, columbarium.

K. Church.

L. Community club building.

M. Public building or use, such as a park or fire station.

N. School – nursery, primary, elementary, high.

O. Utility substation, pumping station, and similar utility facilities.

//Staff comment: In the C-1 zone, Section 21.10(D) allows “all uses listed as Conditional uses in the R-1 zone.” To prevent the reader from having to view a separate document to determine what those uses are, it was decided to just list them above. This includes those listed under Subsections I through O.

P. Home occupation, subject to Article 53.

J.— Psilocybin service center, subject to Article 53.

Q. Collocation of antennas and wireless telecommunication facilities, subject to Article 74.

R. Bus stops and other facilities intended for public transit.

//Staff comment: Subsections P through R are being added to reflect other allowed activities

that are not explicitly listed but intended to be allowed in the commercial zone.

Section 21 25.20 - Conditional Uses Permitted

In the ~~C-1~~ **P-C1** zone, the following uses and their accessory uses are permitted when authorized in accordance with the requirements of Article 60:

- A. Animal hospital.
- B. Recreational vehicle park. Manufactured dwelling parks shall comply with applicable provisions in Article 16.
- C. Temporary hardship dwelling **for a dependent relative**, subject to the following:
 1. One manufactured dwelling, recreational vehicle, or the temporary residential use of an existing building may be allowed in conjunction with an existing dwelling as a temporary use for the term of the hardship suffered by the existing resident or relative, subject to the following:
 - a. The temporary hardship dwelling shall use the same subsurface sewage disposal system used by the existing dwelling if that disposal system is adequate to accommodate the additional dwelling. If the hardship dwelling will use a public sanitary sewer system, such condition will not be required;
 - b. The applicant shall renew the permit authorizing the use every two-years for it to remain valid. Upon review, the applicant shall provide a statement confirming that the residence remains necessary for the relative named in the permit and pay the required renewal fee;
 - c. Within three-months of the end of the hardship, the manufactured dwelling or recreational vehicle shall be removed or demolished or, in the case of an existing building, the building shall be removed, demolished or returned to an allowed non-residential use; and
 - d. The applicant shall submit written confirmation from a medical doctor that care is necessary for an aged or infirm person.
 2. Temporary hardship dwellings for a dependent relative are subject to the following additional standards:
 - a. Justification that the relative with the hardship is not employed full-time off the site and is dependent upon medical care by either a relative or a person medically certified to care for such a person on a full-time basis.
 - b. The relative with the hardship, relative providing care, or medically certified person shall be the primary full-time resident **of the hardship dwelling**.

3. A temporary ~~residence~~ **hardship dwelling** approved under this section is not eligible for replacement. Department of Environmental Quality review and removal requirements also apply.
4. As used in this section “hardship” means a medical hardship or hardship for the care of an aged or infirm person or persons.

D. ~~Communication facilities and~~ **New communication** towers, subject to Article 74.

Section 24 25.30 - Limitations on Use

In a ~~C-1~~ **P-C1** zone, the following conditions shall apply:

- A. All business, service, repair, processing, storage, and merchandise display on property abutting or facing a residential or farm zone shall be conducted wholly within an enclosed building unless screened from the residential or farm zone by a site-obscuring fence or planting permanently maintained at least six feet in height or a character in keeping with residential development. Screening shall ~~allow for vision clearance at driveways.~~ **Screening shall** be located outside of **the** public right-of-way **and allow for vision clearance at driveways intersections.**
- B. Openings to structures on sides adjacent to or across a street from a residential or farm zone shall be prohibited if such access or openings will cause glare, excessive noise or other adverse effects on residential or farm properties.
- C. **Exterior lighting or** ~~L~~ight from a sign shall be directed away from a lot in **an adjacent farm or** residential zone.

//Staff comment: These changes are proposed to be consistent with similar language in the M-2 zone.

D. Sewage Disposal. An engineered assessment shall be provided to ensure that the Parkdale Sanitary District Wastewater Treatment Plant has sufficient capacity to serve any new or expanded use having the potential to collectively discharge more than 260 gallons of effluent per day, which equals 1 Equivalent Dwelling Unit (EDU).

//Staff comment: This language is being added to ensure that future commercial uses, especially those that involve extensive effluent discharge, can be reasonably accommodated by the existing sewage disposal system operated by Parkdale Sanitary District.

~~D. Dwellings shall comply with the lot size, setbacks, height and lot coverage requirements of the R-1 zone.~~

~~E. **Article 50: Buffer requirements shall apply to all proposed dwellings, except temporary hardship dwellings, that abut property zoned EFU, F-1 or F-2. The more restrictive provisions in either Article 50 or this section shall apply.**~~

//Staff comment: Subsections D and E are being relocated to Section 25.50 (Site Development Standards) below since that is typically where these types of standards would be found.

Section 25.35 – Building Size Limitations

- A. Any commercial use, including those listed in Sections 25.10(A) or (B) above, may occupy a building in the P-C1 zone that existed on October 28, 1994, regardless of its size.
- B. Any building in the P-C1 zone that existed on October 28, 1994, may be enlarged beyond applicable size limitations by up to 20 percent of the building's original size to accommodate a use provided in Section 25.10(A) or (B) above.
- C. In the case of a mixed-use building containing both a commercial business and single-family dwelling unit, the portion containing the residence shall not be counted towards the building size limitations provided in Section 25.10(A) or (B) above.
- D. In the case of a multi-story building, the size limitations provided in Section 25.10(A) or (B) above shall be calculated based on the total square footage of the building and not only its footprint.

//Staff comment: The above provisions are being added to provide additional clarification concerning the building size limitations implemented as part of Sections 25.10 (A) and (B) above.

Section ~~24~~ 25.40 - Lot Coverage Requirements

In the ~~C-1~~ P-C1 zone, buildings, except covered parking and loading areas, shall not cover more than 50 percent of the lot area.

Section ~~24~~ 25.50 - ~~Setback Requirements~~ Site Development Standards

In the ~~C-1~~ P-C1 zone, setbacks shall be as follows:

- A. No **commercial** building shall be closer to a lot in a residential or farm zone than a distance equal to the height of the building, or 20 feet, whichever is greater.
- B. No **commercial** building shall be constructed closer than 60-feet from the centerline of any arterial street, or 50-feet from the centerline of any local or collector street, or 20-feet from the right-of-way, whichever is greater.

//Staff comment: These changes are proposed to differential between commercial and residential buildings and the development standards that apply. As noted in Section 25.50(C) below, residential buildings are subject to the site development standards of the R-1 and not those identified in this section.

- C. Dwellings shall comply with the lot size, setbacks, height and lot coverage requirements of the P-R1 zone.
- D. Article 50: Buffer requirements shall apply to all proposed dwellings, except temporary hardship dwellings, that abut property zoned EFU, ~~F-1 or F-2~~, unless otherwise allowed pursuant to Section 50.35 (Variances) of this Ordinance. The more restrictive provisions in either Article 50 or this section shall apply.

//Staff comment: The siting requirements from Subsection C and D were moved from Section 25.30 (Limitations on Use) because they better align with site development standards.

The language change proposed as part of Subsection D reflects that there are no forest zoned properties adjacent to the Parkdale community boundary (just EFU). The additional language was also added to be consistent with similar language used elsewhere in the zoning ordinance.

E. Vision clearance: ~~Minimum~~ **buffer from all road and driveway intersections:** 35 feet.

Section ~~24~~ 25.60 – Site Design Standards

~~Locational Criteria are listed in the County Policy Document under Goal 9 (Economy of the State) and apply at the time of a Comprehensive Plan or zone change to C-1.~~ At the time of new development, or change of use, the applicant shall demonstrate:

//Staff comment: The above statement applies whether explicitly stated here or not. It is, therefore, unnecessary and recommended for removal.

- A. Site access will not cause dangerous intersections or traffic congestion. They will have adequate visibility for motorists and pedestrians and will be kept at the minimum needed for safe ingress and egress. Roadway capacity, speed limits and number of turning movements shall all be considered.
- B. The storm drainage or natural drainage system will handle the increased runoff created by the new development.
- C. No new building site shall be located within the 100-year floodplain without a floodplain permit.

Section ~~24~~ 25.65 – Street Design Standards

- A. The following street design standards ~~for Urban Commercial/Industrial Roads only apply outside of the Urban Growth Areas and~~ shall apply to new streets built within the **C-1, M-1, and M-2 zones for new development with a proposed or potential average lot size of one-half or less P-C1 zone:**

| ROW | Roadway | Travel lanes | Center lane | Bike Lanes | Parking | Planting strip | Sidewalk | Utility easement* |
|---------|----------------------|--------------|----------------------|------------|----------------------|----------------|-----------|-------------------|
| 60'-70' | 30'-42' ¹ | Two 11' | 12' min., if needed. | None | 8' one or both sides | See note 2 | Two 6'-8' | One or two 5'-10' |

- 1. 42' with center turn lane
- 2. 4'-6' wide planting strip, or tree wells with 8-foot sidewalk
- * = Optional

Standards are illustrated in diagrams in the County TSP and Road Design Standards document.

- B. ~~The following street design standards for Rural Commercial/Industrial Roads shall apply to new streets built within the C-1, M-1, and M-2 zones for new development~~**

outside the Urban Growth Areas with a proposed or potential average lot size of more than one-half acre:

| ROW | Roadway | Travel lanes | Center lane | Bike Lanes | Parking | Planting strip | Sidewalk | Utility easement* |
|----------------|----------------------------|---------------------|--------------------|-------------------|-----------------------------|-----------------------|-----------------|---|
| 60'–68' | 32'–40'¹ | Two 12' | None | None | 8' one or both sides | None | None | 2' gravel shoulder both sides; 12' ditch one or both sides |

* — Optional

Standards are illustrated in diagrams in the County TSP and Road Design Standards document.

Section 21 25.70 – Access Management

Access management guidelines are addressed in Article 19 (Access Management Standards) of this Ordinance.

ARTICLE 31 28 - PARKDALE UNINCORPORATED COMMUNITY INDUSTRIAL ZONE

(P-M1)

(Effective _____)

Section 28.05 – Purpose and Intent

This section is adopted to implement the policies of the Comprehensive Plan for rural unincorporated communities. These provisions accommodate rural and natural resources-oriented industries which are not generally labor intensive, which complement rural character and development, and are consistent with rural facilities and services. Uses in the P-M1 zone are generally less stringently regulated than in a light industrial zone and therefore the zone is not suited to be in close proximity to residential zones.

//Staff comment: Unlike most other zones, the M-1 zone does not currently have a purpose and intent statement. Having such a statement provides some explanation of the policies under which the zone was developed and intended to be used. It provides a connection between the zoning ordinance and comprehensive plan. The above statement was developed as part of the original Parkdale Community Plan.

Section 31 28.10 - Uses Permitted Outright

In the P-M1 zone, the following uses and their accessory uses are permitted outright, subject to the standards set forth in Article 64 (Land Use Permits):

- A. ~~Any use permitted in the C-1 zone, other than a psilocybin service center, or dwelling or mobile home except when exclusively connected with the business involved.~~
Commercial: Commercial uses incidental and directly related to the services and operations of the permitted industrial use as permitted, pursuant to applicable building size standards in Article 25, Section 25.10 of this Ordinance (Parkdale Unincorporated Community Commercial Zone).

//Staff comment: Currently, the M-1 zone states that commercial uses are allowed outright in the M-1 zone. It is unclear why commercial uses were broadly allowed in an industrial zone when the County's current comprehensive plan and zoning ordinance were adopted in early 1980s. There is nothing in the County Comprehensive Plan that supports this ordinance allowance. Additionally, the County was involved in a lawsuit several years ago concerning a proposed commercial hotel in the Dee exception area that was also zoned M-1 zone. The County argued that the proposed commercial use was allowed outright given the explicit language in the County Zoning Ordinance, however, the Oregon Land Use Board of Appeals (LUBA) disagreed. They concluded that the ordinance provision, although explicitly allowing commercial activities, was inconsistent with the original goal exception taken for the Dee Mill site, which was justified based on the property being built and committed to an industrial use (lumber mill). The exception was specific to that use. With that said, the goal exception taken for Parkdale's M-1 zone does not appear be as specific as the one taken for Dee. Nevertheless, it remains questionable why the County would set aside land to accommodate industries to arbitrarily allow that same land to be improved with a retail or service-oriented commercial business, which could be incompatible with adjacent industrial activities. For these reasons, staff is recommending that the current provision to allow commercial uses outright in the P-M1

zone be removed, but instead allow some commercial uses that are incidental and directly related to the onsite industrial use.

- B. Manufacturing, repairing, compounding, processing, packing or storage, ~~except for psilocybin production or processing.~~
- C. Wholesale distributing or outlet.
- D. Railroad facilities such as switching yards, spur or holding tracks.
- E. Kennels.
- F. ~~A~~ **One** recreational vehicle or single-wide manufactured home for temporary security personnel purposes only for a period not exceeding two years. Applicable provisions in Article 16 shall apply.

G. Signs.

H. Utility substation, pumping station, and similar utility facilities.

//Staff comment: This particular use is listed in other zones, including the M-2 zone. It is unclear why such a use would not be allowed in the M-1. This seems to be an oversight.

GI. Communication facilities and towers, subject to Article 74.

HJ. Marijuana ~~businesses~~ **production/grow business (indoor only) and processing**, subject to Article 53.

//Staff comment: This change is proposed to provide clarity that only indoor production and processing of marijuana may be allowed in the M-1 zone per Article 53 of this Ordinance.

K. Home occupation, in conjunction with a pre-existing single-family dwelling.

//Staff comment: Given that there are some single-family dwellings that currently exist in the M-1 zone in Parkdale, it would seem appropriate to allow opportunities for the occupants of the dwelling to conduct small-scale commercial or industrial activities, similar to what is already allowed other zones.

L. Bus stops and other facilities intended for public transit.

//Staff comment: This provision is proposed to be added to reflect a use that is not currently listed but intended to be allowed in zones, such as the P-M1 zone, where transient related facilities would be encouraged. This provision supports the Columbia Area Transient Master Plan.

Section ~~31~~ 28.20 - Conditional Uses Permitted

In ~~an M-1~~ **the P-M1** zone, the following uses and their accessory uses are permitted when authorized in accordance with the requirements of Article 60 (**Administrative Procedures**) of **this Ordinance**.

- A. Motor vehicle wrecking yard.
- B. Junk yard.
- C. Communication facilities and towers, subject to Article 74.
- D. **One dwelling** Dwelling for security purposes, subject to the following:
 1. Accessory to an existing or permitted industrial use.
 2. Demonstrated that the dwelling is required for security purposes.

//Staff comment: The word "one" is added to this existing provision to clarify that a security dwelling will be limited to a single dwelling and not multiple dwellings, which is consistent with how the current standard is interpreted.

E. Indoor recreational sport facilities, not including health and fitness clubs.

//Staff comment: Indoor recreational sports facilities, such as those accommodating basketball, soccer, gymnastics, etc., require a large footprint that may not conform to the building size limitations of the commercial zone. Therefore, staff is recommending that this new use be added to the P-M1 and P-M2 zones to allow an opportunity for such facilities.

- FF.** Other similar uses to those listed in the zone may be permitted as a conditional use upon demonstrating no adverse impacts to adjacent properties.

Section 31 28.30 - Limitations on Use

In addition to State Department of Environmental Quality and Federal Environmental Protection Agency regulations, and all other applicable State and Federal statutes, the following limitations shall apply to all uses in the P-M2 zone.

- A.** In ~~an M-1~~ **the P-M1** zone, erection of a building or ~~the~~ use of property within 100 feet of a lot ~~or parcel~~ in ~~farm or residential~~ **either the Exclusive Farm Use (EFU) or Parkdale Unincorporated Community Residential (P-R1)** zone shall be subject to the **requirements of Section 30.30 (Use Limitations of the P-M2 zone) of this Ordinance.** ~~review and approval of the Commission. The Commission may impose limitations on openings, access, or other restrictions to reduce adverse effects the use may be on adjacent properties.~~

//Staff comment: The above modifications are proposed for a couple of reasons. First, the changes will make the criterion more clear and objective by referencing specific restrictions from the P-M2 zone instead of relying on more broad limitations. Second, the modification will remove the requirement for Planning Commission approval, which, in staff's opinion, is unnecessary for this type of application, especially with the other changes proposed.

- B. Sewage Disposal. An engineered assessment shall be provided to ensure that the Parkdale Sanitary District Wastewater Treatment Plant has sufficient capacity to serve any new or expanded use having the potential to collectively discharge more than 260 gallons of effluent per day, which equals 1 Equivalent Dwelling Unit (EDU).**

//Staff comment: This language is being added to ensure that future industrial uses, especially those that involve extensive effluent discharge, can be reasonably accommodated by the existing sewage disposal system operated by Parkdale Sanitary District before being established.

C. Lighting: Sign lighting and exterior lighting shall not project into an adjacent residential zone.

//Staff comment: This new provision is consistent with existing language in the M-2 zone and is recommended to ensure that all new lighting associated with industrial use not adversely impact adjacent residential zoned properties.

Section 31 28.40 – Setback Requirements Site Development Standards

In an ~~M-1~~ **P-M1** zone, the ~~setbacks shall be as follows~~ **following site development standards** shall apply:

A. Minimum street frontage: 50 feet.

//Staff comment: A minimum street frontage standard is proposed to be consistent with other zoning districts, including the P-M2 zone.

AB. Minimum front yard setback: The front yard shall be a minimum of Twenty (20) feet from the edge of the right-of-way.

BC. No building shall be closer to an Exclusive Farm Use (EFU), R-1 zone property line than the height of the building in the Industrial Zone or to the required setback of buildings in the EFU or R-1 zoned, whichever distance is greater a residential or farm zone than the height of the building in the P-M1 zone.

D. Maximum building height: Forty-five (45) feet.

//Staff comment: The M-1 zone does not currently provide a maximum building height limit for new industrial buildings unless adjacent to a residential or farm zone as noted in Subsection C above. Outside of the M-1 zone, the building height limits are 45 feet in the Light Industrial zone and 35 feet elsewhere. In conversation with the Parkdale Fire Chief, it was suggested that the P-M1 zone include a building height limit of 45 feet, similar to the P-M2 zone, to ensure consistency and maximum fire protection.

CE. Vision clearance setbacks from all street road and driveway intersections: shall be 35 feet.

Section 31 28.50 - Lot Coverage

In the ~~M-1~~ **P-M1** zone, buildings, except covered parking or loading areas, shall not cover more than 60 percent of the lot area.

Section 31 28.60 Site Design Standards

At the time of new development, or change of use, the applicant shall demonstrate:

- A. Site access will not cause dangerous intersections or traffic congestion. They will have adequate visibility for motorists and pedestrians and will be kept at the minimum needed

for safe ingress and egress. Roadway capacity, speed limits and number of turning movements shall all be considered.

- B. The storm drainage or natural drainage system will handle the increased runoff created by the new development.
- C. No new building site shall be located within the 100-year floodplain without a floodplain permit.

Section 31 28.65 – Street Design Standards

A. The following street design standards ~~for Urban Commercial/Industrial Roads~~ shall apply ~~outside of the Urban Growth Areas~~ to new streets built within the ~~M-1, M-2, and C-1 zones for new development with a proposed or potential average lot size of one-half or less~~ P-M1 zone:

| ROW | Roadway | Travel lanes | Center lane | Bike Lanes | Parking | Planting strip | Sidewalk | Utility easement* |
|---------|----------------------|--------------|----------------------|------------|----------------------|----------------|-----------|-------------------|
| 60'-70' | 30'-42' ¹ | Two 11' | 12' min., if needed. | None | 8' one or both sides | See Note 2 | Two 6'-8' | One or two 5'-10' |

- 1. 42 feet with center turn lane
- 2. 4-6 foot wide planting strip, or tree wells with 8 foot sidewalk
- * = Optional

Standards are illustrated in diagrams in the County TSP and Road Design Standards document.

B. The following street design standards for Rural Commercial/Industrial Roads shall apply to new streets built within the M-1, M-2, and C-1 zones for new development outside the Urban Growth Areas with a proposed or potential average lot size of more than one-half acre:

| ROW | Roadway | Travel lanes | Center lane | Bike Lanes | Parking | Planting strip | Sidewalk | Utility easement* |
|---------|----------------------|--------------|-------------|------------|----------------------|----------------|----------|--|
| 60'-68' | 32'-40' ¹ | Two 12' | None | None | 8' one or both sides | None | None | 2' gravel shoulder both sides; 12' ditch one or both sides |

* = Optional

Standards are illustrated in diagrams in the County TSP and Road Design Standards document.

Section 31 28.70 – Access Management

Access management guidelines are addressed in Article 19 (Access Management Standards) of this Ordinance.

**ARTICLE 32 30 – PARKDALE UNINCORPORATED COMMUNITY LIGHT
INDUSTRIAL ZONE (P-M2)**

(Effective ___)

Section 32 30.10 - Purpose and Intent

This section is adopted to implement the policies of the Comprehensive Plan for the Parkdale Rural Unincorporated Community. These provisions accommodate both rural and natural resources-oriented industries that are not generally labor intensive, which complement rural character and development, and are consistent with rural facilities and services, and commercial businesses. The purpose of this zone is to The P-M2 zone provides for types of manufacturing or other industries which, because of their characteristics, can be permitted in relatively close proximity to residential, commercial, and farm zones. The development standards for the ~~M-2~~ **P-M2** zone are more stringent than those of the **Parkdale Unincorporated Community Industrial (P-M1) M-1 and other rural industrial** zones.

//Staff comment: Most of the language added above was proposed as part of the original Parkdale Community Plan and provides some additional explanation about the uniqueness of the Parkdale Rural Unincorporated Community, as opposed to other communities.

Section 32 30.15 – Uses Permitted

In ~~an M-2~~ **the P-M2** zone, the following uses and their accessory uses are permitted, subject to the standard set forth in ~~a land use permit~~ Article 64 (Land Use Permits) of this Ordinance. Permitted uses shall not be obnoxious for reasons of smoke, fumes, noise, sewage or other nuisances or threats to man or property.

- A. Commercial: ~~Commercial~~ uses ~~incidental and directly related to the services and operations of the permitted industrial use~~, pursuant to the standards in Article 25 (Parkdale Unincorporated Community Commercial (P-C1) Zone) of this Ordinance, **specifically Section 25.30 (Limitations on Use), Section 25.35 (Building Size Limits), Section 25.40 (Lot Coverage Requirements), Section 25.50 (Site Development Standards), and Section 25.60 (Site Design Standards).**

//Staff comment: In the County's Light Industrial (M-2) zone, commercial uses are typically only allowed in conjunction with an onsite industrial use. Currently, no property in Parkdale is zoned M-2. However, after analyzing existing development patterns within Parkdale, especially Industrial (M-1) zoned lots located immediately east of the Mt. Hood Railroad, it was determined that there may be some benefits to rezoning some of these properties to Light Industrial (aka P-M2). After meeting with several property owners within this area, it was determined that those M-1 zoned lots located south of McIssac Drive, between 2nd and 3rd Streets should be recommended for rezoning to P-M2, which would include opportunities for both commercial and light industrial type uses. Such a designation would ensure consistency with the existing land use pattern of this area, while supporting how property owners want to use or continue to use their land in the future. Designating these properties as P-M2 will also ensure that future development in this area is more likely to be compatible with nearby commercial and residential development, which is not necessarily the case given current M-1 zoning that can allow all types of intensive industrial uses.

- B. Manufacturing and Assembly:

1. Automotive - Trucking

- a. Assembly.
 - b. Body and fender works.
 - c. Repair.
 - d. Painting.
 - e. Trailers.
2. Boats.
 3. Ceramic Products.
 4. Electrical parts.
 5. Engines.
 6. Garments.
 7. Gas and electric fixtures.
 8. Machinery shops.
 - a. Carpentry and cabinet shops.
 - b. Machine shops.
 - c. Paint shops.
 - d. Sheet metal shops.
9. Manufacturing, compounding, processing, and/or packing of products such as:
 - a. Bakery goods.
 - b. Candy.
 - c. Cosmetics.
 - d. Food products.
 - e. Fruit and vegetables.
 - f. Marijuana businesses, subject to Article 53. (*Note: Psilocybin manufacturing and processing businesses are not allowed in the ~~M-2~~ P-M2 zone per Article 53*).
10. Signs
 11. Manufacturing, compounding, assembly or treatment of articles made from the following: bone, canvas, cellophane, cloth, cork, feathers, fiber, fur, glass, hair, horn, leather, paper, plastics, precious or semi-precious metals or stones, sheet metal, shell, textiles, wax, and yarns.
 12. Radio and television storage, assembly repair, rebuilding and wholesale.
 13. Rubber and metal stamps.
 14. Shoes.
 15. Textiles.
 16. Furniture.

C. Processing

1. Creameries.
2. Laboratories.
3. Cleaning, laundry and dyeing plants.
4. Tire retreading.
5. Marijuana **production/growing (indoor only) and** processing, subject to Article 53.

//Staff comment: This change is proposed to provide clarity that only indoor production/growing of marijuana is allowed in the M-2 zone per Article 53 of this Ordinance.

D. Fabrication

1. Products made of finished rubber.

2. Assembly of electrical or electronic equipment.

E. Wholesaling and Warehousing of All Types

F. Utilities

1. Distribution plants and substations.
2. Service yards.
3. **Utility substation, pumping station, and similar utility facilities.**
4. Communication facilities and towers, subject to Article 74.

//Staff comment: This added language is intended to be consistent with similar language used in other zones.

G. Other

1. Research and development facilities.
2. Printing and publishing.
3. Building material yards, excluding lumber manufacturing and planer mills.
4. Contractors' equipment yard. Repair facilities shall be enclosed.
5. **A One** recreational vehicle or single-wide manufactured home for temporary security personnel purposes only for a period not exceeding two years. Applicable provisions in Article 16 shall apply.
6. Recycling center.
7. **Bus stops and other facilities intended to accommodate public transit.**

//Staff comment: This provision is proposed to be added to reflect a use that is not currently listed but intended to be allowed in zones, such as the P-M2 zone, where transient related facilities would be encouraged. This provision supports the Columbia Area Transient Master Plan.

8. **Home occupation, in conjunction with a pre-existing single-family dwelling.**

//Staff comment: Should the Planning Commission and Board support proposed zone changes of certain properties from M-1 to M-2, it may result in some existing single-family dwellings remaining in an industrial zone. It seems appropriate to allow opportunities for the occupants of those dwellings to conduct small-scale commercial or industrial activities, similar to what is already allowed other zones.

Section 32 30.20 - Conditional Uses Permitted

In the P-M2 zone, the following uses and their accessory uses are permitted when authorized in accordance with the requirements of Section 30.25 below and Article 60 (Administrative Procedures) of this Ordinance:

- A. Junk yards.
- B. Motor vehicle wrecking yards.
- C. **Public parks** ~~Parks~~ or community facilities.
- D. Communication facilities and towers, subject to Article 74.
- E. **One dwelling** ~~Dwelling~~ for security purposes, subject to the following:

1. Accessory to an existing or permitted industrial use.
2. Demonstrated that the dwelling is required for security purposes.

//Staff comment: The word “one” is added to this existing provision to clarify that a security dwelling will be limited to a single dwelling and not multiple dwellings, which is consistent with how the current standard is interpreted.

F. Indoor recreational sport facilities, not including health and fitness clubs.

//Staff comment: Indoor recreational sports facilities, such as those accommodating basketball, soccer, gymnastics, etc., require a large footprint that may not conform to the building size limitations of the commercial zone. Therefore, staff is recommending that this new use be added to the P-M1 and P-M2 zones to allow an opportunity for such facilities.

G. Other similar uses to those listed in the zone may be permitted as conditional uses, subject to the following:

1. Determined to be in keeping with the purpose and intent of this zone.
2. Demonstrated no adverse impacts to adjacent properties.
3. Meet the requirements of Section ~~32~~30.25 below.

Section ~~32~~ 30.25 - Conditional Use Criteria

The Planning ~~Commission~~ **Director** may grant a conditional use permit for uses described in Section ~~32~~30.20 **above** if each of the below criteria are met, ~~as determined by the Planning Commission:~~

//Staff comment: It is unclear why a conditional use in the M-2 zone would need to be reviewed by the Planning Commission instead of the Director. No other zone has a similar requirement.

- A. The use shall not discharge smoke, fumes, sewage, or other nuisances beyond the property line on which it is located. Discharges, which are maintained and utilized solely to serve as warning devices or originate from highway vehicles, and will not cause nuisance on adjacent properties, are excluded.
- B. ~~The~~ **Except for those uses identified in Sections 30.20(C) through (F) above, the proposed** use must primarily manufacture, assemble, process, fabricate, wholesale, or store materials or products.

//Staff comment: This modification is intended to eliminate a conflict with existing language that allows certain “non-industrial” type uses in the Light Industrial, such as community buildings and security dwellings, subject to a standard that requires that they primarily manufacture something, which would automatically preclude the use.

- C. The use shall comply with ~~all~~ **the requirements of Section 30.30 (Limitations on Use) and Dimensional Section 30.35 (Site Development Standards)** applicable to this zone.

Section 32 30.30 - Limitations on Use

In addition to State Department of Environmental Quality and Federal Environmental Protection Agency regulations, and all other applicable State and Federal statutes, the following limitations ~~on~~ **use** shall apply to all uses in the ~~M-2~~ **P-M2** zone.

- A. **Liquid and Solid Wastes**: Animal, vegetable, or other wastes shall not be stored in a way which attracts insects or rodents or otherwise create a health hazard ~~shall be prohibited~~.
- B. **Discharge Standards**: There shall be no emission of smoke, fly ash, dust, vapor, gases, or other forms of air pollution that may cause nuisance or injury to human, plant, or animal life, or to properties as determined by the County ~~Planner~~ **Planning Director**. Discharges created by highway vehicles or trains are excluded.
- C. **Lighting**: Sign lighting and exterior lighting shall not project into an **adjoining adjacent** residential zone.
- D. **Landscaping**:
 - 1. Site plans submitted with an application for a land use permit must include a landscaping plan, which shows the location and type of plant materials.
 - 2. New industrial uses, which abut a residential zone, shall provide and maintain a dense evergreen landscape buffer, landscaped berm, or site obscuring fence which effectively screens the operation and which attains a (mature) height of at least six (6) feet. Screening shall allow for vision clearance at driveways. Screening shall be located outside of public right-of-way.
 - 3. All unused property shall be maintained in native or existing vegetative ground cover or planted grass, shrub and ~~barkdust~~ **bark dust**, or other suitable ground cover in an uncluttered manner.
 - 4. Responsibility for establishment and maintenance of landscaping rests with the industrial property owner.
- E. **Noises** from within any site shall not be permitted which produce disturbing or obnoxious sounds for extended time periods beyond the property line. Noise devices which are maintained and utilized solely to serve as warning devices and noise created by highway vehicles or trains are excluded.
- F. **Drainage**:
 - 1. Site plans submitted with an application for a land use permit shall include a drainage plan which identifies the location and flow direction of all surface and subsurface waterways, the 100-year flood plain of any stream(s), the location of any standing water during wet seasons, and all improvements which will mitigate any potential flooding outside of the 100-year flood plain.
 - 2. The installation of uses and improvements shall not substantially change the flow of surface water during future flooding.

3. A storm drainage system of sufficient quality to mitigate all flooding outside the 100-year flood plain shall be required to preclude future flooding.

G. Parking:

1. Any site plan submitted with an application for land use permit must include a parking plan which shows the location and number of parking spaces, circulation patterns, and ingress and egress provisions.
2. All uses within ~~a Light Industrial~~ the P-M2 zone shall provide at least two parking spaces for every three employees on the major shift during normal season.
3. All parking lots shall have an all-weather surface.
4. Adequate provisions for safe and convenient circulation, ingress, and egress shall be provided.

H. Sewage Disposal. An engineered assessment shall be provided to ensure that the Parkdale Sanitary District Wastewater Treatment Plant has sufficient capacity to serve any new or expanded use having the potential to collectively discharge more than 260 gallons of effluent per day, which equals 1 Equivalent Dwelling Unit (EDU).

//Staff comment: This language is being added to ensure that future industrial uses, especially those that involve extensive effluent discharge, can be reasonably accommodated by the existing sewage disposal system operated by Parkdale Sanitary District.

Section 32 30.35 - Site Development Standards

- A. Minimum street frontage of lots: Fifty- (50) feet.
- B. **Minimum front yard setback:** Twenty (20) feet from the edge of ~~all rights~~ the right-of-way.
- C. Vision clearance setback from all ~~street~~ road and driveway intersections: Thirty-five (35) feet.
- D. No building shall be closer to a residential or farm (~~EFU~~) ~~zoned parcel than zone than~~ the height of the building in the ~~M-2~~ P-M2 zone.
- E. Maximum **building** height: Forty-five (45) feet.

Section 32 30.40 - Site Design Standards

At the time of new development or change of use, the applicant shall demonstrate:

- A. Site access will not cause dangerous intersections or traffic congestion. They will have adequate visibility for motorists and pedestrians and will be kept at the minimum needed for safe ingress and egress. Roadway capacity, speed limits and number of turning movements shall all be considered.
- B. The storm drainage or natural drainage system will handle the increased runoff created by the new development.

- C. No new building site shall be located within the 100-year floodplain without a floodplain permit.

Section ~~32~~ 30.45 – Street Design Standards

- A. The following street design standards ~~for Urban Commercial/Industrial Roads~~ shall apply ~~outside of the Urban Growth Areas~~ to new streets built within the ~~M-1, M-2, and C-1 zones for new development with a proposed or potential average lot size of one-half or less~~ P-M2 zone:

| ROW | Roadway | Travel lanes | Center lane | Bike Lanes | Parking | Planting strip | Sidewalk | Utility easement* |
|---------|----------------------|--------------|----------------------|------------|----------------------|----------------|-----------|-------------------|
| 60'-70' | 30'-42' ¹ | Two 11' | 12' min., if needed. | None | 8' one or both sides | See Note 2 | Two 6'-8' | One or two 5'-10' |

1. 42 feet with center turn lane
 2. 4-6 foot wide planting strip, or tree wells with 8 foot sidewalk
- * = Optional

Standards are illustrated in diagrams in the County TSP and Road Design Standards document.

- B. The following street design standards for Rural Commercial/Industrial Roads shall apply to new streets built within the M-1, M-2, and C-1 zones for new development outside the Urban Growth Areas with a proposed or potential average lot size of more than one-half acre:**

| ROW | Roadway | Travel lanes | Center lane | Bike Lanes | Parking | Planting strip | Sidewalk | Utility easement* |
|--------------------|--------------------------------|--------------------|-----------------|-----------------|---------------------------------|-----------------|-----------------|---|
| 60'-68' | 32'-40'¹ | Two 12' | None | None | 8' one or both sides | None | None | 2' gravel shoulder both sides; 12' ditch one or both sides |

* = Optional

Standards are illustrated in diagrams in the County TSP and Road Design Standards document.

Section ~~32~~ 30.50 – Access Management

Access management guidelines are addressed in Article 19 (Access Management Standards) of this Ordinance.

Article 1 – Introductory Provisions

Section 1.075 Classification of Zones

For the purpose of this Ordinance, the following zones are hereby established:

| <u>Resource Zone Classifications</u> | <u>Abbreviated Designation</u> |
|---|---------------------------------------|
| Exclusive Farm Use Zone | EFU |
| Forest Zone | F-1 |
| Primary Forest Zone | F-2 |

| <u>Other Zone Classifications</u> | <u>Abbreviated Designation</u> |
|---|---------------------------------------|
| Airport Development Zone | AD |
| Commercial Zone | C-1 |
| Industrial Zone | M-1 |
| Light Industrial Zone | M-2 |
| Mt. Hood Unincorporated Community Commercial Zone | MH-C1 |
| Natural Area Zone | NA |
| <u>Parkdale Unincorporated Community Commercial Zone</u> | <u>P-C1</u> |
| <u>Parkdale Unincorporated Community Industrial Zone</u> | <u>P-M1</u> |
| <u>Parkdale Unincorporated Community Light Industrial Zone</u> | <u>P-M2</u> |
| <u>Parkdale Unincorporated Community Residential Zone</u> | <u>P-R1</u> |
| Residential Zone | R-1 |
| Rural Center Zone | RC |
| Rural Residential Zone | RR |
| Rural Unincorporated Community Commercial Zone | RUC-1 |
| Surface Mining Zone | SM |

| <u>Overlay Zones</u> | <u>Abbreviated Designation</u> |
|---------------------------------------|---------------------------------------|
| Airport Height Combining Overlay Zone | AH |
| Airport Noise Overlay Zone | AN |
| Environmental Protection Overlay Zone | EP |
| Floodplain Overlay Zone | FP |
| Geologic Hazard Overlay Zone | GH |
| Health Hazard Overlay Zone | HH |
| Historic Preservation Overlay Zone | HP |
| Interchange Area Management Plan | IAMP |
| Stream Protection Overlay Zone | SPO |

Section 1.160 - Definitions

(***)

ACCESSORY DWELLING UNIT: A residential structure that is used in connection with or that is auxiliary to an existing single-family dwelling.

//Staff comment: This new definition comes from ORS 215.501(a).

(***)

SETBACKS: A horizontal distance measured at a right angle from adjacent property lines, intended to provide separation between adjacent uses. Setbacks are intended to apply to all structures and buildings, including those exempt from a land use permit pursuant to Section 64.99 of this Ordinance, except for the following:

1. Fences, retaining and freestanding walls not exceeding 8-feet in height.
2. Agricultural related fencing, regardless of height.
3. Retaining walls, regardless of height, when located within a front yard and required for the construction of a road or other transportation improvements.
4. In-ground swimming pools.
5. Hot tubs and portable swimming pools without decks above 30-inches in height.
(Portable swimming pools are designed to be easily deflated or broken down and moved or stored over the winter and should not be confused with other types of above-ground pools with structural framing designed to be left on a permanent or semi-permanent basis.)
6. Uncovered decks less than 30-inches in height.
7. Uncovered patios.
8. Paved and unpaved driveways and parking areas.
9. Uncovered play structures/equipment, such as swings and slides.
10. Signs.
11. **Structures, such as bus stops, intended to accommodate public transit.**
12. Other similar structures as determined by the County Planning Director.

(***)

ARTICLE 53 – HOME OCCUPATIONS, SHORT-TERM RENTALS, PSILOCYBIN & MARIJUANA BUSINESSES

(***)

Section 53.20 – Permitted Uses:

- A. Home occupations that are not a short-term rental, marijuana, or psilocybin business are permitted in the following zones pursuant to compliance with the provisions in the zones in which the use is proposed: Commercial Zone (C-1), **Parkdale Unincorporated Community Commercial (P-C1) Zone**, Mt. Hood Unincorporated Community Commercial Zone (MH-C1), Industrial Zone (M-1), **Parkdale Unincorporated Community Industrial Zone (P-M1)**, Light Industrial Zone (M-2), and **Parkdale Unincorporated Community Light Industrial Zone (P-M2)**.

Section 53.25 - Conditional Uses

- A. The following conditional uses are required to comply with provisions in Article 72 (Planning Director's Review Procedure) and Section 53.30:
1. A home occupation proposed in the following zones in an existing dwelling or pre-existing building on the same lot or parcel as the resident's dwelling: Residential Zone

(R-1), **Parkdale Unincorporated Community Residential Zone (P-R1)**, Rural Residential Zone (RR), and Rural Center Zone (RC).

(***)

Section 53.44 Short-Term Rental Use Table

Short-term rentals are permitted as home occupations as specified for each of the different zoning districts, subject to the following review Type and regulations:

- A. Type I (Ministerial Action) and Type II (Non-Ministerial or Administrative Action) are review types defined in Article 1 - Definitions.
- B. “C” means the use is a Conditional Use, approval of which is subject to Section 3.05 or 4.05, Conditional Use Review and other listed criteria.
- C. “P” means the use is Prohibited.
- D. “Subject To” column identifies provisions in this Ordinance to which the use is subject.
- E. In addition to the provisions listed under the “Subject To” column below, all permitted and conditionally permitted uses are also subject to the applicable short-term rental provisions (Sections 53.48 - 53.68) and other applicable Articles of the Hood River County Zoning Ordinance.

Table 53.44 Summary of Use Table for Short-Term Rentals

| Zoning | Review Type | Subject To |
|--|----------------------|---|
| Forest | | |
| Forest Zone (F-1) | C (Type II) | Article 4; Section 4.05 Section 53.60(A) |
| Primary Forest Zones (F-2) | P | |
| Exclusive Farm Use (EFU); High Value | C (Type II) | Article 3; Section 3.05 Section 53.60(A) |
| Exclusive Farm Use (EFU); Non-High Value | C (Type II) | Article 3; Section 3.05 Section 53.60(A) |
| | | |
| Residential (R-1) | Type I | |
| <u>Parkdale Unincorporated Community Residential (P-R1)</u> | <u>Type I</u> | |
| Rural Residential (RR) | Type I | |
| | | |
| Hood River Urban Growth Area (UGA) | | Article 17 |
| | | |
| Commercial (C-1) | Type I | |
| Rural Center (RC) | Type I | |

| Zoning | Review Type | Subject To |
|---|----------------------|------------|
| <u>Parkdale Unincorporated Community Commercial (P-C1)</u> | <u>Type I</u> | |
| Mt. Hood Unincorporated Community Commercial (MH-C1) | Type I | |
| Industrial (M-1) | P | |
| <u>Parkdale Unincorporated Community Industrial (P-M1)</u> | <u>P</u> | |
| <u>Light Industrial (M-2)</u> | P | |
| <u>Parkdale Unincorporated Community Light Industrial (P-M2)</u> | <u>P</u> | |
| Airport Development (AD) | P | |
| Natural Area (NA) | P | |
| Overlays: SPO, EP, FP, GH, HHO | P | |
| National Scenic Area | | Article 75 |

(***)

Section 53.52 Short-Term Rental Permit Required

An owner shall obtain a revocable short-term rental permit prior to using or allowing another person to use the dwelling unit as a short-term rental and shall comply with the following requirements:

- A. Except in the Commercial (C-1), **Parkdale Unincorporated Community Commercial (P-C1)**, Rural Unincorporated Community Commercial (RUC-1), or Mt. Hood Unincorporated Community Commercial (MH-C1) zones, the short-term rental shall be operated by a resident of the property and out of the dwelling that serves as the operator's domicile, as defined in Article 1 of this Ordinance. To demonstrate proof of residency, the operator shall provide a copy of their Federal and/or State income tax return from the most recent tax year (page 1 only with financial data redacted) and at least one of the following documents:
1. Current Oregon voter registration;
 2. Current Oregon driver's license;
 3. Hood River County Community Identification Card.

(***)

Section 53.60 Short-Term Rental Standards

All short-term rentals shall meet the following standards:

- A. **Incidental and Subordinate** – The primary use of the dwelling proposed for use as a short-term rental shall remain residential and shall not be rented out a predominance (i.e., more than 180 days) of the year. This standard shall not apply to parcels zoned Commercial (C-1), **Parkdale Unincorporated Community Commercial (P-C1)**, Rural Unincorporated

Community Commercial (RUC-1), or Mt. Hood Unincorporated Community Commercial (MH-C1).

(***)

Section 53.85 Marijuana Businesses Use Table & Procedures

Table 53.85 below identifies the marijuana uses permitted as specified for each of the different zoning districts, subject to the review Type and regulations.

As used in the Table “P” means the use is prohibited; including new agriculture dwellings to support the commercial growing of marijuana, farm stands to sell marijuana products, and commercial activities in conjunction with marijuana on EFU.

As used in the Table “A” means the use is allowed outright subject to the general provisions set forth by this Ordinance and do not require land use review.

Type I (Ministerial Action) and Type II (Non-Ministerial or Administrative Action) are review types defined in Article 3 - Definitions.

(***)

Table 53.85 Summary of Use Table for Marijuana Businesses

| Zoning District | Production / Grow | Processing | Retailing |
|---|---------------------|----------------------|----------------|
| Forest (F-1 & F-2) | Type I | P | P |
| Exclusive Farm Use (EFU) | Type I | Type II ¹ | P |
| | | | |
| Residential (R-1) and Parkdale Unincorporated Community Residential (P-R1) | P | P | P |
| Rural Residential (RR) | P | P | P |
| | | | |
| Hood River UGA | See Article 17 | See Article 17 | See Article 17 |
| | | | |
| Commercial (C-1) | P | P | Type II |
| Rural Center (RC) | P | P | P |
| Parkdale Unincorporated Community Commercial (P-C1) | P | P | P |
| Mt. Hood Unincorporated Community Commercial (MH-C1) | P | P | P |
| | | | |
| Industrial (M-1) and Parkdale Unincorporated Community Industrial (P-M1) | Type I ² | Type II | P |
| Light Industrial (M-2) and Parkdale Unincorporated Community Light Industrial (P-M2) | Type I ² | Type II | P |

| Zoning District | Production / Grow | Processing | Retailing |
|--------------------------------|-------------------|------------|-----------|
| Airport Development (AD) | Type I | P | P |
| Natural Area (NA) | P | P | P |
| Overlays: SPO, EP, FP, GH, HHO | P | P | P |
| National Scenic Area | P | P | P |

¹ Processing products and floor area subject to ORS 215.283(1)(r), as amended.

² Indoor production is permitted; outdoor production is prohibited.

* Wholesaling, specific to products grown off-site, is prohibited.

* Permitted uses are subject to the applicable provisions Section 53.90 – 53.95 and other applicable Articles of this Ordinance.

(***)

Section 53.90 Marijuana Business Standards

A Marijuana Business reference in Table 53.85 above shall be subject to the following standards and criteria:

- E. Odor – Industrial Zones: Marijuana production and processing in ~~the M-1 and M-2~~ **any industrial or light industrial** zones is allowed if the building or structure is equipped with a charcoal, air filtration system or a building design that mitigates marijuana odor. The marijuana producer or marijuana processor must operate and maintain the filtration system in a manner such that no more than faint odor and no pungent odors are detectable from the property line.

(***)

Section 53.105 Psilocybin Business Applicability

- B. No psilocybin business may be permitted in conjunction with or on the same parcel as a home occupation, short-term rental, or bed & breakfast, except in the Commercial (C-1), **Parkdale Unincorporated Community Commercial (P-C1)**, Rural Center (RC), Rural Unincorporated Community (RUC-1), and Mt. Hood Unincorporated Community Commercial (MH-C1). No psilocybin business may be located on the same parcel as a marijuana business in any zone.

(***)

Section 53.115 Psilocybin Business Use Table & Procedures

Table 53.115 below identifies the psilocybin uses permitted as specified for each of the different zoning districts, subject to the review type and regulations.

As used in the Table, “P” means the use is prohibited, including those specific uses listed in Section 53.105.

As used in the Table, “A” means the use is allowed outright subject to the general provisions set forth by this Ordinance and do not require land use review.

As used in the Table, Type I (Ministerial Action) and Type II (Non-Ministerial or Administrative Action) are review types defined in Article 1 - Definitions.

(***)

Table 53.115 Summary of Use Table for Psilocybin Businesses

| Zoning District | Manufacture | Service Centers |
|---|---|--------------------------------------|
| Forest (F-1 & F-2) | P | P |
| Exclusive Farm Use (EFU) | Type I (Production) Type II (Processing) | Type II (Conditional Use Permit) |
| Residential (R-1) and Parkdale Unincorporated Community Residential (P-R1) | P | P |
| Rural Residential (RR) | P | P |
| Hood River UGA | See Article 17 | See Article 17 |
| Commercial (C-1) and Parkdale Unincorporated Community Commercial (P-C1) | P | Type II (Commercial Land Use Permit) |
| Rural Center (RC) | P | Type II (Conditional Use Permit) |
| Mt. Hood Unincorporated Community Commercial (MH-C1) | P | Type II (Commercial Land Use Permit) |
| Industrial (M-1) and Parkdale Unincorporated Community Industrial (P-M1) | P | P |
| Light Industrial (M-2) and Parkdale Unincorporated Community Light Industrial (P-M2) | P | P |
| Airport Development (AD) | P | P |
| Natural Area (NA) | P | P |
| Overlays: SPO, EP, FP, GH, HHO | P | P |
| National Scenic Area | P | P |

Note:

- Outdoor manufacturing is prohibited.
- Psilocybin testing facilities shall be treated the same as any other testing facility when determining if it is an allowed use or not in the affected zoning district.

(***)

ARTICLE 56 - BED & BREAKFAST FACILITIES (BB)

SECTION 56.20 - CONDITIONAL USE:

A. A conditional use permit is required for Bed and Breakfast Facilities containing 5 or fewer guest rooms and proposed within the following zoning districts: Residential (R-1), **Parkdale Unincorporated Community Residential (P-R1)**, Rural Residential (RR), Rural Center (RC), Exclusive Farm Use (EFU), Forest (F-1), Primary Forest (F-2), Scenic Protection (SP), and Columbia Gorge Combining (CG). Approval shall be granted if applicant demonstrates through documented written findings compliance with the following procedures and criteria:

(***)

ARTICLE 73 – HOME OCCUPATION TO HOST WEDDINGS & RELATED EVENTS

(***)

Section 73.15 – Applicability

This ordinance applies to the following zones: Residential Zone (R-1); **Parkdale Unincorporated Community Residential Zone (P-R1)**; Rural Residential Zone (RR); Rural Center Zone (RC); Historic Preservation Zone (HP); Forest Zone (F-1); and Exclusive Farm Use Zone (EFU). It also applies to appropriate zones (i.e., where the primary use is allowed) in designated unincorporated communities. In the Hood River Urban Growth Area (UGA), it applies to those zones which allow Bed & Breakfasts (B&Bs); and in the R-1 zone, to B&Bs legally existing as of January 1, 2004.

This ordinance does not apply to land zoned Commercial (C-1); **Parkdale Unincorporated Community Commercial Zone (P-C1)**; Mt. Hood Unincorporated Community Commercial Zone (MH-C1); Industrial (M-1); **Parkdale Unincorporated Community Industrial Zone (P-M1)**; Light Industrial (M-2); **Parkdale Unincorporated Community Light Industrial Zone (P-M2)**; or to land located within the County's Columbia River Gorge National Scenic Area (NSA).

(***)

Section 73.25 - Conditional Uses

The following conditional uses are required to comply with applicable requirements of the zone in which the home occupation is located, as well as with provisions in Article 60 (Administrative Procedures), Article 72 (Planning Director's Review Procedure), and this Article:

- A. A home occupation to host weddings proposed in the following zones shall comply with applicable requirements of the zone in which it is located: Residential Zone (R-1); **Parkdale Unincorporated Community Residential Zone (P-R1)**; Mt. Hood Unincorporated Community Commercial Zone (MH-C1); Rural Residential Zone (RR); Rural Center Zone (RC); Historic Preservation Zone (HP); and Urban Growth Area. If the property is located

adjacent to a Farm or Forest Zone, prior to operating the proposed event site, the applicant shall record a deed statement acknowledging the right of adjacent farm and nearby forest operators to employ accepted farm and forest management practices. Such practices include, but are not limited to: noise, dust, spray, smoke, etc.

(***)

ARTICLE 74 – COMMUNICATION FACILITIES & TOWERS

(***)

| Article 74 – Table A: Height Requirement in Each Zone | | | | | | |
|--|---|---|--|----------------------------|------------------|----------------------------|
| ZONE | COLLOCATIONS / ELIGIBLE FACILITIES REQUESTS ¹ | HEIGHT LIMIT (Feet) ² | TOWER WITH CONCEALMENT TECHNOLOGY | HEIGHT LIMIT (Feet) | NEW TOWER | HEIGHT LIMIT (Feet) |
| F-1 | Type I | 200 | Type II | 200 | Type II - CUP | 200 |
| F-2 | Type I | 200 | Type II | 200 | Type II - CUP | 200 |
| EFU | Type I | 200 | Type II | 200 | Type II - CUP | 200 |
| R-1 & P-R1 | Type I | | P | N/A | P | N/A |
| RR | Type I | | Type II | 60 | Type II - CUP | 60 |
| C-1 | Type I | | Type II | 55 | Type II - CUP | 55 |
| | | | | | | |
| RC | Type I | | P | N/A | P | N/A |
| P-C1 | Type I | | P | N/A | P | N/A |
| MH-C1 | Type I | | P | N/A | P | N/A |
| | | | | | | |
| M-1 & P-M1 | Type I | | Type II | 65 | Type II - CUP | 65 |
| M-2 & P-M2 | Type I | | Type II | 65 | Type II - CUP | 65 |
| AD Zone | Type I | | Type II | 50 | Type II - CUP | 50 |
| NA Zone | Type I | | P | N/A | P | N/A |
| <u>Overlays:</u> SPO, EP, FP, GH, HHO | Type I | | P | N/A | P | N/A |

(***)