CITY OF HOOD RIVER
PLANNING APPLICATION INSTRUCTIONS

1. The attached application is for review of your proposed development as required by the Hood River Municipal Code ("Code"). Review is required to make sure that your proposal complies with the applicable provisions of the Code and that there are adequate capacities of public facilities to meet the needs of your development.

2. Prior to filing your application, you may be required to attend a pre-application conference with the Planning Department staff to discuss applicable standards and criteria of the Code, and submittal requirements to make your application complete. You also may be required to conduct a neighborhood meeting (mandatory for subdivisions and PUDs).

3. Applications may be mailed or presented in person to the City of Hood River Planning Department at City Hall, 211 2nd Street, Hood River, OR 97031. The following *must* be included in your application packet:

    - Completed application form
    - All required materials listed in the application form
    - Application fee
    - Appropriate number of copies of application and all support materials

4. Following submittal of your application it will be reviewed for completeness. Completeness is based upon the requirements of State law (ORS 227.178) and the requirements in the Code for your development proposal. It is the applicant's responsibility to provide persuasive evidence that the application complies with the approval criteria and applicable standards.

5. If the Planning Department determines that your application is "incomplete," you will be informed in writing and provided with a list of missing or incomplete materials and options for completing the application. Refusal to submit all or some of the missing information could result in a denial of the application. Incomplete applications become void 181 days after submittal.

6. If the Planning Department staff determines that an application is "complete," you will be informed in writing and the review process will begin. Review of your application may be administrative, with no public hearing, or it may be quasi-judicial, with a public hearing. For quasi-judicial review, applicants are required to attend the public hearing. All land use decisions are subject to an appeal process.

7. If you have questions about this process, please call the Planning Department at (541) 387-5210. Application forms, the City's Code and other useful information are available at the Planning Department's website: http://ci.hood-river.or.us/planning

File No.: _____
Fee: _____
Date Submitted: _____

CITY OF HOOD RIVER
VARIANCE APPLICATION

Submit the completed application <u>with twelve (12) additional complete copies, one electronic copy</u> and appropriate fees to the City of Hood River Planning Department, 211 2nd St., Hood River, OR 97031. Please note the review criteria attached to this application. If you have any questions, please contact the Planning Department at (541) 387-5210.

APPLICANT:

Name: _____

Address: (physical) _____

_____

(mailing) _____

_____

(email) _____

Telephone: _____ Cell Phone: _____

Signature: _____

PARCEL OWNER: (if different than applicant)

Name: _____

Address: (mailing) _____

_____

Telephone: _____ Cell Phone: _____

Signature: _____

Authorization of parcel owner required.

PARCEL INFORMATION:

Township _____ Range _____ Section _____ Tax Lot(s) _____

Current Zoning: _____ Parcel Size: _____

Property Location (cross streets or address): _____

REQUEST:

Type of: ☐ Interpretation ☐ Administrative relief ☐ Dimensional variance ☐ Inability to use land Variance

Brief Explanation of Request: _____

APPROVAL CRITERIA:

On a separate sheet of paper, provide a detailed explanation of your request and explain how your proposal meets all four of the variance criteria. **Each of the four criteria (in bold below) must be satisfied.** Please refer to the attached variance standard 17.18.

1. **There are unique or unusual circumstances which apply to the site which do not typically apply elsewhere.**

   Examples of unique or unusual circumstances include, but are not limited to: extreme narrowness or shallowness, irregular shape, unusual topographical characteristics (e.g. wetlands, flood plains, ravines), unusual development on adjacent property. Note: While support by owners of neighboring properties is taken into consideration, neighbor support is not sufficient in itself to warrant granting a variance.

2. **The proposal's benefits will be greater than any negative impacts on the development of the adjacent lawful uses; and will further the purpose and intent of this title and the Comprehensive Plan of the City.**

   Economic gain or benefit to the applicant or financial savings in construction costs are not sufficient causes to grant a variance. Explain how this application is consistent with and does not violate other provisions of Title 17 or the City's Comprehensive Plan. Explain how the nature of your property does not allow you to do what other property owners in the same zoning district are rightfully able to do.

3. **The circumstances or conditions have not been willfully or purposely self-imposed.**

   Examples of self-imposed circumstances or conditions include, but are not limited to: purchasing nonconforming property, the effects of a previously granted variance, previous placement/construction of structures on the property which now hinder future construction plans.

4. **The variance requested is the minimum variance which would alleviate the hardship. Provide an explanation indicating what measures you have explored as possible alternatives to the variance.**

   Approval will be granted only for the minimum variance necessary to provide relief and only if it is determined that the applicant can not make legal use of the parcel without a variance and all other options have been explored and ruled out or exhausted. "For the convenience of the applicant" is not sufficient grounds to grant a variance.

CHAPTER 17.18 VARIANCES

SECTIONS:

17.18.010 Purpose
17.18.020 Procedure
17.18.030 Criteria for Granting a Variance
17.18.040 Time Limits
17.18.050 Limitations of Reapplication

17.18.010 Purpose

Where physical difficulties, unnecessary hardship, and results inconsistent with the general purpose of this Title may result from the strict applications of certain provisions thereof, a variance may be granted as provided in this Chapter. This Chapter may not be used to allow a use that is not in conformity with the uses specified by this Title for the zone in which the land is located. In granting a variance, the City may impose conditions similar to those provided for conditional uses to protect the best interests of the surrounding property and property owners, the neighborhood, or the City as a whole.

17.18.020 Procedure

The procedure for taking action in a variance application shall be as follows:

1. The property owner may initiate a request for a variance by filing an application with the Planning Director. The applicant shall submit a complete application as specified in the *Application and Plan Requirements* (Section 17.06.020).
2. The application shall include a statement and evidence showing that all of the criteria in Section 17.18.030 are met.
3. Before the Planning Commission may act on a variance application, it shall hold a public hearing following procedures established in *Review Procedures: Quasi-Judicial Actions* (Section 17.09.040).

17.18.030 Criteria for Granting a Variance

A variance may be granted if it meets all of the following criteria:

1. There are unique or unusual circumstances which apply to the site which do not typically apply elsewhere.
2. The proposal's benefits will be greater than any negative impacts on the development of the adjacent lawful uses; and will further the purpose and intent of this title and the Comprehensive Plan of the City.
3. The circumstances or conditions have not been willfully or purposely self-imposed.
4. The variance requested is the minimum variance which would alleviate the hardship.

17.18.040 Time Limits

A variance is valid for a period of two (2) years from the written Notice of Decision, or the decision on an appeal, whichever is later.

A single one (1) year extension may be granted by the Director prior to the expiration date if the applicant can demonstrate that circumstance or conditions, not known or foreseeable at the time of original application, warrant an extension of the permit. The extension request must be received by the department no later than thirty (30) days prior to the expiration of the permit.

17.18.050 Limitations of Re-application

No reapplication of a property owner for a variance shall be considered by the Planning Commission within a six (6) months period immediately following a previous denial of such request.