

Article 27 – MH-C1 (Mt. Hood Community)

ARTICLE 27 – MT. HOOD UNINCORPORATED COMMUNITY COMMERCIAL (MH-C1) ZONE

Section 27.05 – 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.

Section 27.10 – Uses Permitted

In the MH-C1 Zone, the following uses and their accessory uses are permitted outright:

- A. Retail trade establishment, excepting marijuana retailing.
- B. A single building containing one or more commercial and/or professional service establishments unless otherwise listed. The building/establishment(s) may contain multiple types of businesses.
- C. A single family, a duplex, or a multi-family dwelling.
- D. A 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.
- E. Motels and hotels, up to 35 units, if served by a sewer system which has service connections to at least 15 permanent dwelling units, including manufactured homes, within the unincorporated community.
 - 1. Short-term rentals, subject to Article 53.
- F. Service and retail uses serving the farm and forest industries, including but not limited to feed stores, logging equipment sales and service, and farm implement dealers, unless otherwise listed.
- G. Airport
- H. Cemetery including mausoleum, crematorium, columbarium
- I. Church

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- J. Community club building
- K. Public building or use such as a park or fire station
- L. School – nursery, primary, elementary, high
- M. Home occupation, reference Article 53
- N. Health services
- O. Funeral service and crematories
- P. Eating and drinking places
- Q. General merchandise
- R. Grocery Stores
- S. Automobile repair and services
- T. Second hand stores
- U. Mixed-use buildings, with a retail trade or other commercial use on the ground floor and residential use(s) on the upper floor(s), allowed in the Mt. Hood Unincorporated Community only.
- V. Collocation of antennas and wireless telecommunication facilities, subject to Article 74.

Section 27.20 - Conditional Uses Permitted

In the MH-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. Manufactured Dwelling Park (i.e., Mobile home park) shall comply with applicable provisions in Article 16.
- C. Temporary hardship dwelling, subject to the following:

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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.
 3. A temporary residence 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. Recreational vehicle park as defined in Article 3. Additionally, an RV Park shall be designed and integrated into the rural community in a manner that protects natural amenities of the site and provides buffers or existing native trees and vegetation or other natural features between the site and adjacent parcels.

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Section 27.30 - Limitations on Use

In the MH-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 public right-of-way.
- B. Openings to structure 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. Light from a sign or commercial use shall be directed down and away from a lot in a farm or residential zone.
- D. Dwellings and mixed-use buildings shall comply with the setbacks of the R-2 Zone, and as specified in Section 27.50 of this Article.
- E. The maximum height limit for all new structures (i.e., commercial, mixed-use, or residential) shall be 35-feet.

Section 27.35 – Building Size

- A. Existing Buildings. Uses listed in Sections 27.10 and 27.20 may be established in buildings of any size that existed on October 28, 1994. Commercial uses that existed on October 28, 1994 shall be deemed to comply with this section (i.e., not nonconforming on the basis of size) regardless of building size.
- B. Expansion of existing buildings. Buildings in the MH-C1 Zone that existed on October 28, 1994 may be expanded as follows:
 - 1. For uses listed in Section 27.10, after expansion no use shall occupy a building or buildings exceeding 4,000 square feet of floor space, or up to 20% greater than their original size, whichever is greater, except as identified in lines 2. through 4. below. Only one expansion of an existing use will be allowed if the resulting total area exceeds 4,000 sq. ft of floor space.
 - 2. For uses listed in Sections 27.20 and 27.10 C. through O., no building size limitation applies in the Mt. Hood Unincorporated Community.

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3. For uses listed in Section 27.10 P. through T., a maximum size limitation of 8,000 sq. ft. of floor space, or up to 20% greater than their original size, whichever is greater, applies in the Mt. Hood Unincorporated Community, based on findings in the County Comprehensive Plan that these uses typically serve the community and the surrounding rural area or the travel needs of people passing through the area. If the expansion results in a total building area greater than 8,000 sq. ft. of floor space, no further expansion will be allowed.
 4. For uses listed in Section 27.10 U:
 - a. No size limitation shall apply to the residential use(s) in the building.
 - b. A maximum size limitation of 4,000 sq. ft. of floor space, or up to 20% greater than the original size, whichever is greater, shall apply to the commercial use in the building.
- C. New Buildings. Any new building constructed in the MH-C1 Zone shall comply with the following standards.
1. For uses listed in Section 27.10, no use shall occupy a building or buildings exceeding 4,000 square feet of floor space, except as identified in lines 2. through 4. below.
 2. For uses listed in Sections 27.20 and 27.10 C. through O., no building size limitation applies in the Mt. Hood, Unincorporated Community.
 3. For uses listed in Section 27.10 P. through T., a maximum size limitation of 8,000 sq. ft. of floor space applies in the Mt. Hood Unincorporated Community, based on findings in the County Comprehensive Plan that these uses typically serve the community and the surrounding rural area or the travel needs of people passing through the area.
 4. For uses listed in Section 27.10.U:
 - a. No size limitation shall apply to the residential use(s) in the building.
 - b. A maximum size limitation of 4,000 sq. ft. of floor space shall apply to the commercial use in the building.

Section 27.40 - Lot Size and Lot Coverage Requirements

- A. In the Mt. Hood Rural Unincorporated Community, the minimum lot size for all new lots or parcels shall be one acre, subject to a successful septic site evaluation by County Environmental Health. Lot sizes of less than one acre may be allowed under the following conditions.

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1. Land divisions of less than one acre shall be reviewed by County Environmental Health and may be approved based on County Environmental Health’s evaluation of the septic conditions at the site and the amount of wastewater that would be generated by the proposed use.
 2. County Environmental Health shall only approve lot sizes of less than one acre based on evidence that site conditions can accommodate the proposed lot sizes and the proposed development includes a standard septic system, sand filter system, some equivalent alternative treatment system, or a community septic or sewer system.
 3. A community septic or sewer system must serve more than one lot or parcel, or more than one condominium unit, or more than one unit within a planned unit development, and must satisfy standards of the Oregon Department of Environmental Quality and Hood River County Environmental Health for design, operation and maintenance.
- B. In the MH-C1 Zone, buildings for the uses listed in Sections 27.10.A, B, and 27.10.D - U, except covered parking and loading areas, shall not cover more than 50 percent of the lot area.
- C. In the MH-C1 Zone, buildings for the uses listed in Section 27.10.C (single family, duplex, or multi-family dwellings) shall not cover more than 30 percent of the lot area.

Section 27.50 - Setback Requirements

In the MH-C1 Zone, setbacks shall be as follows:

- A. No commercial building shall be closer than a distance equal to the height of the building, or 20-feet, whichever is greater.
- B. A buffer setback from an adjacent farm zone shall apply to outdoor seating areas for the purposes of serving and consuming food and beverages associated with a commercial use, as specified below:
 1. 80-feet from an orchard (as defined in Article 50 of this Ordinance), feedlot (as defined in Article 50 of this Ordinance), or dairy; or
 2. 50-feet from any other farm use.
 3. An alternative buffer to subsections 1. and 2. above may be considered by the Planning Director, subject to Articles 60 (“Administrative Procedures”) and 72 (“Planning Director’s Review Procedure”) of this Ordinance.

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- C. No 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.
- D. Vision clearance: Minimum 35-feet.
- E. Setbacks for dwellings (single, duplex, or multi-family) and mixed-use buildings shall meet the standards of the R-1 Zone.
- F. 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 Article 50 or this section shall apply.

Section 27.60 – Site Design Standards

Locational Criteria are listed in the County Policy Document under Goal 9 (Economy of the State). 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 27.65 – Street Design Standards

- A. The following street design standards shall apply to new streets built within this zone for new developments with a proposed or potential average lot size of one-half acre or less:

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

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

- B. The following street design standards shall apply to new streets built within this zone for new developments with a proposed or potential average lot size of more than one-half acre:

ROW	Roadway	Travel lanes	Center lane	Shoulder	Parking	Planting strip	Sidewalk	Utility easement*	Other/ Comments
60'-68'	32'- 40'	Two 12'	None	None	8' one or both sides	None	None	One or two 5'-10'	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 27.70 – Access Management

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

Section 27.80 – Signs

Section 27.80.10 – Purpose and Scope

1. The following provisions provide reasonable and necessary regulations for the erection and maintenance of signs in order to:
 - A. Maintain a balance between the need to identify buildings and activities and the negative impact on community images created by visual clutter;
 - B. Protect the public health and safety;
 - C. Preserve, protect, and enhance the economic, scenic, historic, and aesthetic values and objectives of the County; and
 - D. Prevent the interference of signage regulated herein with official traffic signs or signals.

2. The regulations of this section are not intended to permit any violation of the provisions of any other law or regulation.

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3. It is not the purpose of this Ordinance to regulate signs, which are regulated exclusively by federal or state law. In any case in which federal or state law preempts this Ordinance, federal or state law shall apply.

Section 27.80.20 – Permits Required

A sign shall not hereafter be erected, re-erected, constructed, and altered, except as provided by this code and after a building permit for the same has been issued by the County for those signs stipulated in the Uniform Building Code that require Building Official approval. In addition, electrical permits shall be obtained for electrical signs. All signs are subject to review by the Hood River County Building and Planning Department.

Section 27.80.30 – Measurement

The following criteria shall be used in measuring a sign and sign placement to determine compliance with this Ordinance.

1. **Area of Face:** “False fronts: and mansard roofs will be excluded when calculating the area of the primary face.
2. **Height:** The overall height of a sign or sign structure is measured from the average grade directly below the sign to the highest point of the sign or sign structure.
3. **Legal Setback Line:** A setback line established by ordinance beyond which a sign may not be built. A legal setback line may be a property, vision clearance, or vehicle clearance line.
4. **Roof Line:** The ridge on a gable, peaked roof or parapet or fascia of a flat roof. A mansard roof is considered a gable roof for the purposes of this definition.
5. **Sign Area:** The area of the smallest geometric figure which encompasses the facing of a sign, including copy, insignia, background and borders, but excluding essential sign structure, foundation, or support. For a multi-faced or two-sided sign, the sign area shall be the total of all faces. If the sign consists of more than one (1) section or module, all areas will be totaled.
6. **Vision Clearance:** Vision clearance is a triangular area formed at a corner lot or parcel by the intersection of dedicated public right-of-way lines and a straight line joining said lines through points fifteen (15) feet back from their intersection. The vision clearance area shall provide an area of unobstructed vision from three and one-half (3 ½) to eight (8) feet above the top of the curb. Natural topographic features, utility poles, and tree trunks are excluded from this requirement.

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Section 27.80.40 – Maintenance

All signs and sign support structures, together with all of their supports, braces, guys and anchors, shall be maintained in a safe condition. The display surfaces of all signs shall be kept neatly painted or posted at all times.

Section 27.80.50 – Inspections

All signs for which a permit is required shall be subject to inspection by the Building Official. Footing inspections may be required by the Building Official for all signs having footings, including post type signs. All signs containing electrical wiring shall be subject to the provisions of the applicable electrical code, and the electrical components used shall bear the label of an approved testing agency. The Building Official may order the removal of any sign that is not maintained in accordance with the provisions of this section after notice to the owner of record of the premises in which the sign is located. All signs may be re-inspected at the discretion of the Building Official.

Section 27.80.60 – Abatement of Abandoned Signs

Abandoned signs may be abated pursuant to Hood River County Code, Ordinance 8.08, as a nuisance.

Section 27.80.70 – Sign Sizes

1. Number:
 - A. The total number of signs per entity shall not exceed three (3) signs, not including free-standing or directional signs; and
 - B. There shall not be more than two (2) signs on any building face.
 - C. Entities which occupy more than one (1) building shall be treated as separate entities.
2. Area:
 - A. The total area of signs allowed on the primary face shall not exceed eight (8) percent of the building face, occupied by that entity, including windows.
 - B. A sign constructed on a second building face of an entity shall not exceed four (4) percent of that building face.
 - C. If any entity has three (3) building faces, the sign allowed on the second building face may be increased to eight (8) percent of that building face. If a third sign is placed on the third face, it shall not exceed four (4) percent of that building face.

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3. Height: The maximum height of all freestanding signs shall be 25-feet.
4. Free-Standing Signs
 - A. Free-standing signs shall be limited to one (1) per parcel and shall be included in the total area of allowed signs for each entity.
 - B. Free-standing signs shall not exceed a total of 64 square feet of area and not exceed two (2) faces.
 - C. Parcels over 150,000 square feet (3.44 acres) in one (1) ownership shall be entitled to a free-standing sign not to exceed a total of 100 square feet.
 - D. Free-standing signs (all portions) shall meet the vision clearance and vehicle clearance requirements.
5. Projecting signs: A projecting sign shall not exceed 32 total square feet.
6. Roof Signs: No sign shall extend above the roof line or the top of a parapet wall, whichever is higher.
7. Awnings: Signs on awnings shall not exceed the permitted sign area.
8. Temporary Signs:
 - A. Temporary signs shall be limited to one (1) per parcel for up to 90 days.
 - B. Temporary signs shall not exceed 32 square feet in size.
9. Sandwich Boards:
 - A. Only one (1) sandwich board on private property per entity shall be allowed.
 - B. A sandwich board shall be included in the total number of signs and sign area allowed for a particular entity.

Section 27.80.80 – Exemptions

The following signs shall not require review under this Ordinance.

1. **Directional Signs:** Directional signs less than six (6) feet above grade and less than twelve (12) feet or six (6) feet per side in compliance with the vision clearance and vehicle criteria.

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2. **Memorial Tablets or Signs:** Signs carved into a building or which are part of materials which are an integral part of the building.
3. **Traffic Signs:** Traffic, municipal, or directional signs for hospital or emergency services.

Section 27.80.90 – Prohibited Signs

The following signs are prohibited within the MH-C1 Zone:

1. **Moving Signs:** Moving signs or flashing signs or any sign or structure which has any visible moving part or visible mechanical movement of any description or other apparent visible movement achieved by any means, including intermittent electrical pulsation or by action of normal wind currents, excepting clocks, barber poles, public service information signs, and time or temperature signs.
2. **Portable Signs:** Portable or bench signs, excluding sandwich boards located on private property.
3. **Utility Pole and Tree Signs:** Signs placed on, painted on, or affixed to any utility pole or tree.
4. **Unofficial Signs:** Unofficial signs which purport to be, or are an imitation of, or resemble official traffic signs or signals, or which attempt to direct the movement of traffic, or which hide from view any official traffic sign or signal.
5. **Car Signs:** A sign placed on, affixed to, or painted on a motor vehicle, vehicle, or trailer, which is placed on public or private property for the primary purpose of providing a sign not otherwise permitted in this Ordinance.
6. **Flags and Banners:** Flags, banners, and objects designed to move with the wind that are located on a roof or project above a roof by more than forty-five (45) feet if located on a free-standing pole.

Section 27.80.100 – Non-Conforming Existing Signs

1. Non-conforming signs are those signs lawfully installed prior to the effective date of this Ordinance, which do not conform to the standards of this code.
2. All non-conforming signs will be considered non-conforming, pre-existing structures and may be retained pursuant to the provisions of Article 65 (Non-Conforming Uses) of this Ordinance.

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Section 27.80.110 – Variance

Relief may be requested from all sign regulations except for prohibited signs pursuant to the provisions of this Ordinance.

Section 27.80.120 – Penalties

Failure to comply with the provisions of this article will result in the initiation of enforcement proceedings pursuant to the provisions of Article 70 (Enforcement) of this Ordinance.

Section 27.80.130 – Severability

The invalidity of a section or subsection of this Ordinance shall not affect the validity of the remaining sections or subsections.