

1                   BEFORE THE LAND USE BOARD OF APPEALS  
2                   OF THE STATE OF OREGON

3  
4                   BRIAN TOWEY, KIM KEAN, DENISE MCCRAVEY,  
5                   JOHN MCGRORY, JEANIE SENIOR,  
6                   *Petitioners,*

7  
8                   and

9  
10                  SUSAN GARRETT CROWLEY,  
11                  *Intervenor-Petitioner,*

12  
13                  vs.

14  
15                  CITY OF HOOD RIVER,  
16                  *Respondent,*

17  
18                  and

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20                  THRIVE HOOD RIVER,  
21                  *Intervenor-Respondent.*

22  
23                  LUBA No. 2021-057

24  
25                  ORDER

26                  Petitioners appeal an ordinance amending the Hood River Municipal Code  
27 (HRMC) to add a chapter relating to middle housing.

28                  **MOTIONS TO INTERVENE**

29                  Susan Garrett Crowley (intervenor-petitioner) moves to intervene on the  
30 side of petitioners. Thrive Hood River (intervenor-respondent) moves to  
31 intervene on the side of the city. The motions are unopposed and are granted.

1 **RECORD OBJECTIONS**

2 On July 12, 2021, petitioners and intervenor-petitioner filed objections to  
3 the record. On July 26, 2021, the city filed a response to the objections.

4 **A. Resolved Objections**

5 **1. Improperly Omitted Items**

6 A party may object to the record on the grounds that it “does not include  
7 all materials included as part of the record during the proceedings before the final  
8 decision maker.” OAR 661-010-0026(2)(a). Petitioners and intervenor-petitioner  
9 object that a letter from petitioner Jeanie Senior was placed before the city  
10 council on March 15, 2021, but is not included in the record. The city responds  
11 that “it is not clear exactly when or how [Jeanie Senior’s letter] was transmitted.  
12 Given those uncertainties, the city does not object to the inclusion of this letter,  
13 and it will be added to the Record.” Response to Record Objections 7. This  
14 objection is sustained.

15 **2. Inaccurate Table of Contents**

16 OAR 661-010-0026(2)(d) provides that a party may object to the record  
17 on the grounds that it does not conform to the requirements of OAR 661-010-  
18 0025(4). OAR 661-010-0025(4)(a)(B) requires that the record “[b]egin with a  
19 table of contents, listing each item contained therein, and the page of the record  
20 where the item begins.” Items are to “[b]e arranged in inverse chronological  
21 order, with the most recent item first.” OAR 661-010-0025(4)(a)(E). Petitioners  
22 and intervenor-petitioner object that Items 50 to 56 relate to a March 1, 2021 city

1 council proceeding, but the table of contents lists them as relating to a March 8,  
2 2021 proceeding. The city concedes this objection. Response to Record  
3 Objections 7. This objection is sustained.<sup>1</sup>

4 **B. Unresolved Objections**

5 **1. Material Improperly Excluded from the Record**

6 OAR 661-010-0025(1)(b) requires that the record include “[a]ll written  
7 testimony and all exhibits, maps, documents or other materials specifically  
8 incorporated into the record or placed before and not rejected by, the final  
9 decision maker, *during the course of the proceedings before the final decision*  
10 *maker.*” (Emphasis added.) The city council received a “Housing Code Project  
11 Update” on July 13, 2020. Intervenor-petitioner objects that the record should  
12 include “[t]he public notice, agenda, minutes, audio recording and Packet  
13 materials for this July 13, 2020 meeting.” Intervenor-Petitioner’s Record  
14 Objections 4. The city responds that “[a]ll discussion of the package prior to  
15 December 14, 2020 were scoping and prioritization and not part of the record of  
16 this proceeding.” Response to Record Objections 8.

17 We have held that the local government may, in some circumstances,  
18 establish when the local proceedings began for purposes of the record. In *Home*

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<sup>1</sup> The parties also agree that Item 113 is mislabeled in the table of contents. Rather than relating to a city council meeting, that item relates to a December 21, 2020 planning commission meeting. We resolve a different objection below concerning the inclusion of planning commission materials in the record.

1 *Builders Association v. City of Eugene*, the appealed code amendments “grew out  
2 of a public outreach and prioritizing process that began in 2007.” 58 Or LUBA  
3 688, 689 (2009). The city transmitted a record beginning with the notice of  
4 proposed amendments that the city sent to the Department of Land Conservation  
5 and Development (DLCD) and explained that the city council had not been part  
6 of the pre-notice scoping process. Although the city council was briefed on and  
7 provided materials relating to the progress of the scoping process, the record  
8 included only pre-notice scoping material that was placed before the city council  
9 on or after the date of the DLCD notice. Pre-notice scoping material that was  
10 placed before the city council *before* the date of the DLCD notice was not  
11 included in the record. We concluded that the city was entitled to determine that  
12 the local proceeding began on the date of the DLCD notice:

13 “[W]hile local governments must comply with OAR 661-010-  
14 0025(1), they retain some authority under that rule to control when  
15 city legislative land use proceedings begin, for purposes of  
16 compiling the record that must be filed with LUBA. That authority  
17 is not without bounds, but the city’s decision here is clearly within  
18 any implied limits imposed by ORS 197.830(10)(a) or OAR 661-  
19 010-0025(1) in deciding when city legislative land use proceedings  
20 begin. In this case, all the city has done is decide that the local  
21 proceeding began, for purposes of the official record that must be  
22 filed with LUBA, on the date the city provided notice of the planning  
23 commission’s hearing on the proposal. We believe the city is  
24 entitled to make that determination.” *Id.* at 698.

25 In *McKay Creek Valley Assoc. v. Washington County*, we concluded that  
26 materials placed before the board of commissioners during a citizen involvement

1 and prioritization phase were properly included in the record since the findings  
2 supporting the appealed ordinance identified the citizen involvement and  
3 prioritization phase as part of the ordinance adoption proceedings. 19 Or LUBA  
4 500, 503 (1990).

5 Here, the city states that the city council initiated the legislative land use  
6 process at its December 14, 2020 meeting. Response to Record Objections 8. The  
7 planning director briefed the city council and provided the city council with a  
8 memo on the middle housing code project at that meeting. Record 1687, 1704.  
9 The city also sent notice that it was revising the proposed amendments to DLCD  
10 on that date. Record 1879.<sup>2</sup> The ordinance states:

11 “[A] draft of these regulations presented to the Council for review,  
12 and then Planning Commission for public hearing; became the basis  
13 for code amendments in accordance with HRMC 17.08.010  
14 (Legislative Zone Changes and Plan Amendments); and

15 “\* \* \* [DLCD] was notified of the proposed amendments \* \* \* prior  
16 to public hearings before the Planning Commission. The Planning  
17 Commission hearing culminated on February 16th, 2021 with a  
18 recommendation to approve the proposed changes to Title 17 to the  
19 City Council[.]” Record 7.

20 The December 14, 2020 planning director memo explains:

21 “On December 21st, Planning Commission will begin a technical  
22 review of the draft code. Discussions will include proposed code  
23 organization and standards for Hood River and those that have been

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<sup>2</sup> The city had originally sent notice of the proposed amendments to DLCD on November 18, 2020. Record 1909.

1 implemented by municipalities in the Northwest such as Bend (OR),  
2 Redmond (WA), and Kirkland (WA), Milwaukie (OR), Medford  
3 (OR), and Ashland (OR).

4 “Some common principles that inform middle housing development  
5 standards include:

6 “• The emphasis on form, design regulations, and amenities to  
7 shape the development rather lot size

8 “• The limitation on size of homes, intended to produce more  
9 affordable homes

10 “• Increase in the diversity of housing types

11 “• The use of design elements to encourage a sense of  
12 community and place and traditional neighborhood  
13 characteristics.

14 “• The requirements for landscaping and open space to  
15 encourage trees and plantings to provide shade, air quality  
16 benefits, and rainwater infiltration capabilities

17 “• The flexibility of off-street parking requirements to reduce  
18 parking mandates, impervious surfaces, and to promote more  
19 amenities

20 “• The establishment of requirements for pedestrian pathway  
21 connections through the site, including shared driveways to  
22 limit interruptions of the street frontage and greater use of the  
23 right of way.

24 “And some common codes that shape middle housing development  
25 standards include:

26 “• Setbacks, height standards, landscaping, parking, curb cuts  
27 locations, architecture, and design features.

28 “Based on Planning Commission and public feedback, staff will  
29 return to Council with recommendations on the proposed code  
30 framework. Prior to any final action, Council will have the

1 opportunity to conduct its own public hearing and take testimony on  
2 the proposed amendments and recommendations.” Record 1704-05.

3 Given this record, the city acted within its authority in designating December 14,  
4 2020, as the beginning of its legislative land use process. The July 13, 2020  
5 meeting preceded the city-identified beginning of the legislative process and the  
6 materials from that meeting are not part of the record.

7 This objection is denied.<sup>3</sup>

## 8 **2. Material Improperly Included in the Record**

9 OAR 661-010-0026(2)(b) provides that a party may object to the record  
10 on the grounds that

11 “[t]he record contains material not included as part of the record  
12 during the proceedings before the final decision maker. The item(s)  
13 not included as part of the record during the proceedings before the  
14 final decision maker shall be specified, as well as the basis for the  
15 claim that the item(s) are not part of the record.”

16 Petitioners and intervenor-petitioner identify numerous documents that they  
17 maintain are improperly included in the record.

### 18 **a. Planning Commission Materials**

19 The planning commission held public hearings and made a  
20 recommendation to the city council on the proposed amendments. Petitioners and  
21 intervenor-petitioner object that the record includes materials from planning

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<sup>3</sup> Although the city identifies December 14, 2020, as the beginning of the land use proceeding, Items 117 to 127 are dated prior to December 14, 2020. Petitioners and intervenor-petitioner object to the inclusion of a majority of those items in the record, and we address those objections below.

1 commission hearings that were not placed before the final decision maker, the  
2 city council. Specifically, petitioner identifies Items 60 to 73, 81 to 88, 97 to 109,  
3 113, and 117 to 122, and Oversized Documents 9, 10, 12, 15, 16, and 18.<sup>4</sup>

4 The city responds that those materials are properly part of the record. The  
5 city acknowledges that

6 “the HRMC does not automatically make all of the planning  
7 commission materials part of the record to the city council in a  
8 legislative matter. These materials, however, were included to  
9 document the planning commission’s public process and its  
10 compliance with HRMC 17.09.050(C). These materials were also  
11 included in anticipation of a procedural assignment of error from  
12 petitioners and intervenor Crowley that the city provided inadequate  
13 notice and not enough public participation opportunities.

14 “In truth, no documents from the extensive planning commission  
15 proceeding were physically ‘placed before’ the city council because  
16 the Global Pandemic prevented any in-person meetings or physical  
17 submissions. Everything was electronic. All of the planning  
18 commission materials to which petitioners object were available to,  
19 and thus ‘before,’ the city council through the city’s website and  
20 referred to by staff. Collectively, these materials document the city’s  
21 compliance with the HRMC 17.09.050(C) public participation  
22 requirements and provide the public comments received during the  
23 planning commission’s six public hearings and workshops. The  
24 planning commission materials, therefore, are part of the legislative  
25 record of this proceeding, were before the decision maker, and  
26 document the city’s compliance with its code-based public  
27 participation requirements. The board should deny this objection.”  
28 Response to Record Objections 3-4.

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<sup>4</sup> The specific items to be removed from the record are described in more detail in the conclusion of this order.



1 We agree with petitioners and intervenor-petitioner that Items 60 to 73, 81 to 88,  
2 97 to 109, 113, and 117 to 122, and Oversized Documents 9, 10, 12, 15, 16, and  
3 18, must be removed from the record because they were not placed before the  
4 city council.

5 In *Gunderson, LLC v. City of Portland*, the petitioners argued

6 “that the city’s posting of links to \* \* \* various materials on [its]  
7 website served to make all of those materials part of the record by  
8 placing them before the decision maker, albeit in virtual format, and  
9 that [the] petitioners reasonably believed that all of the materials  
10 linked on the web site would be placed before the planning  
11 commission and the city council.” 62 Or LUBA 505, 508 (2010).

12 We concluded that, “[a]bsent an express indication that the city intended that  
13 documents on [its] website would become part of the record in [the] land use  
14 proceeding, the mere act of making [the] documents available on [the] website  
15 [was] not sufficient to place the documents before [the] decision maker.” *Id.* at  
16 510. Here, the city has not identified any action that it took to expressly indicate  
17 that materials on its website would be part of the record. To the extent that the  
18 city argues that the planning commission materials should be included in the  
19 record because they are relevant to anticipated assignments of error, the city is  
20 incorrect. If, after reviewing the petition for review, the city determines that its  
21 response to the assignments of error requires consideration of materials placed

1 before the planning commission, then the city may make a motion to take  
2 evidence not in the record.<sup>5</sup>

3 This objection is sustained.

4 **b. Newspaper Articles, Radio Spots, Facebook Posts,**  
5 **and Newsletters**

6 Petitioners and intervenor-petitioner object that the record improperly  
7 includes copies of newspaper articles, radio spots, city Facebook posts, and city  
8 newsletters discussing the middle housing code project because those materials  
9 were not placed before the city council.

10 OAR 661-010-0025(1)(d) provides that, unless LUBA otherwise orders,  
11 or the parties otherwise agree in writing, the record shall include:

12 “Notices of proposed action, public hearing and adoption of a final  
13 decision if any published, posted or mailed during the course of the  
14 land use proceeding, including affidavits of publication, posting or  
15 mailing. Such notices shall include any notices concerning  
16 amendments to acknowledged comprehensive plans or land use

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<sup>5</sup> OAR 661-010-0045(1) provides:

“The Board may, upon written motion, take evidence not in the record in the case of disputed factual allegations in the parties’ briefs concerning unconstitutionality of the decision, standing, ex parte contacts, actions for the purposes of avoiding the requirements of ORS 215.427 or 227.178, or other procedural irregularities not shown in the record and which, if proved, would warrant reversal or remand of the decision. The Board may also upon motion or at its discretion take evidence to resolve disputes regarding the content of the record, requests for stays, attorney fees, or actual damages under ORS 197.845.”

1 regulations given pursuant to ORS 197.610(1) and (2).”<sup>6</sup>

2 The city argues that the newspaper articles, radio spots, Facebook posts,  
3 and newsletters were generated as part of the city’s efforts to comply with Hood  
4 River Comprehensive Plan Goal 2, Implementation Strategy (d), which provides,  
5 “When a public hearing is required, a notice will be published in the newspaper,  
6 and the radio station will be notified, as well as any other means of notification  
7 possible.” However, HRMC 17.01.020 explains that the city’s zoning code “has  
8 been designed in accordance with the goals, policies, and most appropriate  
9 statements of the intent of the City’s Comprehensive Plan. It is the purpose of  
10 this title, therefore, to provide the principal means for the implementation of the

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<sup>6</sup> ORS 197.610 provides, in part:

“(1) Before a local government adopts a change, including additions and deletions, to an acknowledged comprehensive plan or a land use regulation, the local government shall submit the proposed change to the Director of the Department of Land Conservation and Development. The Land Conservation and Development Commission shall specify, by rule, the deadline for submitting proposed changes, but in all cases the proposed change must be submitted at least 20 days before the local government holds the first evidentiary hearing on adoption of the proposed change. The commission may not require a local government to submit the proposed change more than 35 days before the first evidentiary hearing.

“(2) If a local government determines that emergency circumstances beyond the control of the local government require expedited review, the local government shall submit the proposed changes as soon as practicable, but may submit the proposed changes after the applicable deadline.”

1 Comprehensive Plan.” HRMC 17.09.050 provides the notice requirements for  
2 legislative actions:

3 “D. *Notice of Hearing.*

4 “1. At least twenty (20) days before the first legislative  
5 hearing before the Council, notice of the hearing shall  
6 be published in a newspaper of general circulation.

7 “2. The notice shall:

8 “a. Explain the application and the proposed  
9 amendment(s), change(s), or use(s) which could  
10 be authorized;

11 “b. List the applicable Ordinance standards and/or  
12 criteria, Comprehensive Plan Policies, Oregon  
13 Planning Goals and Guidelines, Oregon  
14 Administrative Rules, and Oregon Revised  
15 Statutes that apply to the particular application;

16 “c. Set forth the geographical reference to the  
17 subject area;

18 “d. State that in order to preserve any potential  
19 appeal rights to LUBA, persons must participate  
20 either orally or in writing in the legislative action  
21 proceeding in question; and

22 “e. Include the name and telephone number of the  
23 planning staff to contact for additional  
24 information.

25 “f. Include the hearing dates for the Planning  
26 Commission, Landmarks Review Board, and  
27 City Council hearings.

28 “E. *Additional Notice.*

- 1                   “1. Written notice shall be provided to property  
2                   owners when required by ORS 227.186.
- 3                   “2. Written notice shall be provided to [DLCD] as  
4                   required by ORS 197.610. For subject sites  
5                   located adjacent to a state roadway or where  
6                   proposals may have an impact on a state facility,  
7                   notice of the application shall be sent to ODOT.
- 8                   “F. When a hearing body holds more than one (1) hearing  
9                   or continues the hearing, additional notice will be made  
10                  as follows:
- 11                  “a. To a specific time and place. If notice of a  
12                  subsequent hearing is made at a public hearing  
13                  on the same legislative matter and the specific  
14                  time and place of the subsequent hearing is  
15                  stated, then no additional notice is required.
- 16                  “b. *Undetermined time and place.* If a subsequent  
17                  hearing has not been scheduled at the time of a  
18                  previous hearing, as provided in subsection (a)  
19                  above, then notice of the subsequent hearing  
20                  must be mailed to all persons who responded to  
21                  the matter in writing, testified at the previous  
22                  hearing, or have requested notice. The notice  
23                  should, but need not, be mailed at least twenty  
24                  (20) days before the hearing.” (Emphases in  
25                  original.)

26                  Neither HRMC 17.09.050 nor ORS 197.610 refer to social media, radio  
27                  spots, or newsletters as mechanisms for providing notice of proposed legislative  
28                  actions, and we conclude that the general descriptions of the middle housing code  
29                  project provided in the newspaper articles, radio spots, Facebook posts, and  
30                  newsletters (Items 17, 25, 26, 57, 58, 96, and 124 to 126) are not notices of

1 proposed action, public hearing, or adoption of a final decision for purposes of  
2 OAR 661-010-0025(1)(d).

3 This objection is sustained.

4 **c. Distribution Lists**

5 Petitioners and intervenor-petitioner also object that the record improperly  
6 includes copies of distribution lists associated with the newsletters and the  
7 planning commission and city council meeting notices. OAR 661-010-0025(1)(d)  
8 provides that any notices included in the record must include associated affidavits  
9 of publication, posting, or mailing. The city explains that it distributes certain  
10 documents, including newsletters and meeting notices, using an email service  
11 known as “Mailchimp” and argues that Mailchimp serves as a modern affidavit  
12 of mailing:

13 “The notice distribution lists were included in the record pursuant to  
14 OAR 661-010-0025(d) because they are part of the City’s  
15 documentation of compliance with its notice obligations under ORS  
16 197.615(4) and documentation of who has standing to appeal under  
17 ORS 197.830(2)(b). The city distributes notice of its meetings via  
18 Mailchimp, and the entire notice of the council’s April 26, 2021  
19 meeting is in the record (Rec 121-32), including the distribution list  
20 by which Mailchimp distributed the notice. This is the modern-day  
21 affidavit of mailing that cities use to document electronic  
22 distribution of meeting notices. Because this entire legislative  
23 process unfolded during the Pandemic, all public participation was  
24 electronic. These distribution lists, therefore, are part of the [city’s]  
25 meeting notices and are properly included in the record under OAR  
26 661-010-0025(d).” Response to Record Objections 5.

1           Because we conclude that the newsletters are not notices for purposes of  
2 OAR 661-010-0025(1)(d) and that the planning commission materials are not  
3 part of the record, the distribution lists associated with the newsletters and the  
4 planning commission meeting notices (Items 59, 66, 73, 88, 103, 119, 122 and  
5 127) are also not part of the record.<sup>7</sup> We agree with the city, however, that the  
6 distribution lists associated with the city council meeting notices (Items 10, 16,  
7 34, 44, 80, 95, and 115) are similar to mailing affidavits and may be included in  
8 the record.

9           This objection is sustained, in part.

10           **C.    Other**

11           In its response to the record objections, the city advised that it had  
12 inadvertently omitted from the record a March 5, 2021 memo from the city  
13 attorney to the city council and mayor, and argued that that memo should be  
14 added to the record. Response to Record Objections 10. Petitioners and  
15 intervenor-petitioner did not file a reply to the city’s response objecting to the  
16 inclusion of the city attorney memo in the record, and its inclusion in the record  
17 is allowed.

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<sup>7</sup> As explained above, if the distribution lists are relevant to a procedural assignment of error, a party may make a motion to take evidence and ask that we consider them.

1 **CONCLUSION**

2 Within 14 days of the date of this order, the city shall submit an amended  
3 record (1) adding the March 5, 2021 city attorney memo and the March 15, 2021  
4 Jeanne Senior letter, (2) correcting the table of contents to list Items 50 to 56 as  
5 relating to March 1, 2021, and (3) removing the following items and oversized  
6 documents:

7  
8 **Items**

- 9
- 10 17. Hood River News Article April 6, 2021
  - 11 25. Hood River News Article March 23, 2021
  - 12 26. Mid-Columbia Today Gorge Radio March 22, 2021
  - 13 35. Hood River News Article March 10, 2021
  - 14 45. March 8, 2021 City Public Facebook Post
  - 15 57. February 21, 2021 City Public Facebook Post
  - 16 58. Winter 2020 City of Hood River Newsletter
  - 17 59. Winter 2020 City of Hood River Newsletter Distribution List
  - 18 60. Planning Commission Agenda February 16, 2021
  - 19 61. Planning Commission Minutes February 16, 2021
  - 20 62. Planning Commission Packet Materials February 16, 2021
  - 21 meeting
  - 22 63. Testimony Presented at February 16, 2021
  - 23 64. Public Comments (written) Provided Prior to February 16,
  - 24 2021 Meeting
  - 25 65. Planning Commission Public Notice of February 16, 2021
  - 26 66. Planning Commission Public Notice of February 16, 2021
  - 27 67. Planning Commission Agenda February 1, 2021
  - 28 68. Planning Commission Minutes February 1, 2021
  - 29 69. Planning Commission Packet Materials February 1, 2021
  - 30 70. Testimony Presented on February 1, 2021 Planning
  - 31 Commission Meeting
  - 32 71. Public Comments (written) Provided Prior to February 1,
  - 33 2021 Meeting



- 1 72. Planning Commission Public Notice of February 1, 2021
- 2 Meeting
- 3 73. Planning Commission Public Notice of February 1, 2021
- 4 Meeting Distribution List
- 5 81. Planning Commission Agenda January 19, 2021
- 6 82. Planning Commission Minutes January 19, 2021
- 7 83. Planning Commission Packet Materials January 19, 2021
- 8 84. Staff presentation for January 19, 2021 Planning Commission
- 9 meeting
- 10 85. Testimony Presented on January 19, 2021 Planning
- 11 Commission Meeting
- 12 86. Public Comments (written) Provided Prior to January 19,
- 13 2021 Planning Commission Meeting
- 14 87. Planning Commission Public Notice of January 19, 2021
- 15 Meeting
- 16 88. Planning Commission Public Notice of January 19, 2021
- 17 Meeting Distribution List
- 18 96. Mid-Columbia Today Gorge Radio January 6, 2021 Audio
- 19 Recording
- 20 97. Planning Commission Agenda January 4, 2021
- 21 98. Planning Commission Minutes January 4, 2021
- 22 99. Planning Commission Packet Materials January 4, 2021
- 23 100. Staff presentation for January 4, 2021 Planning Commission
- 24 meeting
- 25 101. Testimony Presented on January 4, 2021 Planning
- 26 Commission Meeting
- 27 102. Planning Commission Public Notice of January 4, 2021
- 28 Meeting
- 29 103. Planning Commission Public Notice of January 4, 2021
- 30 Meeting Distribution List
- 31 104. Planning Commission Agenda December 21, 2020
- 32 105. Planning Commission Minutes December 21, 2020
- 33 106. Planning Commission Packet Materials December 21, 2020
- 34 107. Public Comments (written) Provided Prior to 12-21-20
- 35 Meeting
- 36 108. Planning Commission Public Notice of December 21, 2020
- 37 Meeting

- 1 109. Planning Commission Public Notice of December 21, 2020
- 2 Meeting Distribution List
- 3 113. Staff presentation for December 21, 2020 Planning
- 4 Commission meeting
- 5 116. DLCD Post Acknowledgement Plan Amendment Online
- 6 Submittal
- 7 117. Planning Commission Agenda December 7, 2020
- 8 118. Planning Commission Minutes December 7, 2020
- 9 119. Planning Commission Packet Materials December 7, 2020
- 10 120. Testimony Presented at December 7, 2020 Planning
- 11 Commission Meeting Audio Recording
- 12 121. Planning Commission Public Notice of December 7, 2020
- 13 Meeting
- 14 122. Planning Commission Public Notice of December 7, 2020
- 15 Meeting Distribution List
- 16 124. November 14, 2020 City Public Facebook Post
- 17 125. November 1, 2020 City Facebook Post
- 18 126. Fall 2020 City of Hood River Newsletter October 27, 2020
- 19 127. Fall 2020 City of Hood River Newsletter Distribution List
- 20

### 21 **Oversized Documents**

- 22
- 23 4. Columbia Gorge Radio audio recording March 22, 2021
- 24 9. Planning Commission meeting audio recording February 16,
- 25 2021
- 26 10. Planning Commission meeting audio recording February 1,
- 27 2021
- 28 12. Planning Commission meeting audio recording January 19,
- 29 2021
- 30 14. Columbia Gorge Radio audio recording January 06, 2021
- 31 15. Planning Commission meeting audio recording January 04,
- 32 2021
- 33 16. Planning Commission meeting audio recording December 21,
- 34 2020
- 35 18. Planning Commission meeting audio recording December 7,
- 36 2020

1 After the Board receives the amended record, the Board will issue an order  
2 settling the record and establishing a briefing schedule.

3 Dated this 8th day of September 2021.

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9 Michelle Gates Rudd  
Board Member