



Hood River County Community Development

Planning, Building Codes, Code Compliance, Economic Development & GIS

601 State Street, Hood River OR 97031

ERIC WALKER, DIRECTOR
(541) 387-6840 • plan.dept@co.hood-river.or.us

May 22, 2020

Columbia River Gorge Commission
c/o Robert Liberty, Chair
P.O. Box 730
White Salmon, WA 98672

RE: Gorge 2020 – Urban Area Boundary Revisions

Dear Mr. Chair and Commissioners:

I appreciate the Commission providing Gorge counties and the public additional time to submit written comments related to the Urban Area (UA) Boundary Revisions' section of the Management Plan discussed during your May 12, 2020 work session. Taking additional time to consider comments related to this important issue can only lead to a better final product.

Early in the process, Hood River County provided written comments recommending revisions to Chapter 1 of the Management Plan related to revising UA boundaries. The County requested that the criteria be revised to not only provide clear and objective policy, but also include flexibility realizing that all thirteen UAs in the Gorge are unique and have specific community needs. For the reasons stated below, Hood River County staff finds that some of the proposed policy language will not achieve the level of clarity and flexibility that Hood River County was recommending. In fact, in several instances the new language appears to create even more uncertainty and less flexibility than what already exists in the Management Plan.

Proposed Policy 1:

This Policy eliminates any reasonable obligation for the Gorge Commission to consider requests to revise UA boundaries. The purpose of Policy 1 is unclear, especially when considering Policies 4 and 5, which require adequate Gorge Commission funding prior to an UA revision being sought. If funding is insufficient, the Gorge Commission, under Policy 5, is able to “communicate” its inability to consider the county’s request. Setting a policy that gives the Gorge Commission unilateral authority to refuse an UA boundary revision for any reason and without just cause eliminates due process and the perception of fairness.

Proposed Policies 4 and 5:

Hood River County staff generally supports the written comments submitted by Wasco County Chair, Scott Hege, as part of his May 12, 2020 letter related to Policies 4 and 5. Tying UA boundary revisions to the Gorge Commission’s budget creates an arbitrary standard that will likely result in inaction given historic budget constraints. The Gorge Commission should consider other alternatives, such as charging a reasonable fee or limiting the number of revision requests it accepts per year. Indefinite delays due to insufficient funding could result in a de facto moratorium on such requests.

Proposed Policy 8:

As stated, Hood River County supports language that is clear, but also provides opportunities for flexibility. County staff supports providing a “safe harbor” for conducting minor tweaks of its boundaries as suggested under Policy 8(A), but also feel that additional language is needed under Policy 8(B) to support UA revisions that fall outside the confines of the safe harbor criteria. Additional options to consider the unique characteristics and needs of the community involved are important to include under Policy 8(B). For instance, there is a 50-acre tract located in the Hood River County that is surrounded by the Hood River UA on two sides that was specifically zoned Rural Residential – 10-acre minimum (G-RR-10) in order to preserve it as a potential “urban reserve” area. The area is situated within one of the few “developed” landscape settings found in the NSA. Instead of zoning the tract as G-RR-2, like other surrounding NSA properties, the

County and Gorge Commission agreed to designate the tract with a larger minimum lot size in order to preserve its potential to be developed at an urban density sometime in the future when the city of Hood River outgrows its current boundary. Such unique situations necessitate a certain level of flexibility that the proposed language does not seem to provide.

If the Commission chooses to move forward with the proposed language, it is suggested that Policy 8(A)(i) be modified to allow Gorge communities to transfer acreage between UA boundaries, as suggested by Commissioner Nichols during your May 12, 2020 work session. If a no net change in total UA acreage is desired, then allowing one Gorge community to acquire acreage from another to address its needs, should be allowed for consideration. Hood River County staff sees this option as a viable way of addressing the concern of losing NSA acreage through the minor boundary revision process, while providing the flexibility needed to ensure reasonable accommodations for strategic growth.

Proposed Policy 10(B):

Hood River County staff opposes Policy 10(B) as it makes UA boundary revisions for those communities located near one of the Columbia River bridge crossings contingent upon the availability of land on the other side of the river. As I am sure the Gorge Commission is keenly aware, UA boundaries on the Oregon side of the NSA were initially set to match their urban growth boundaries, which were previously established based on Oregon's rigorous statewide planning system. Since Washington communities were not bound by similar state requirements, they had more flexibility in determining their boundaries. Most Washington communities wisely chose to create large boundaries to ensure adequate area for future growth. To now mandate that Oregon communities must consider the availability of ample UA land in Washington before being allowed to revise their own boundaries is excessive, impracticable, and an easy way to arbitrarily preclude boundary revisions from occurring on the Oregon side.

Proposed Policies 11 and 13:

Hood River County staff opposes any conditions that would require land annexed into an UA to continue to be subject to NSA guidelines. It appears that such a requirement would conflict with Oregon Revised Statute (ORS) 196.109.

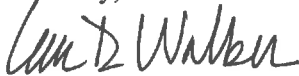
Proposed Policy 14:

It is reasonable to set policy that would direct development to areas unused, generally unsuitable, and/or not designated for farm, forest, or open space. However, the Commission should adopt language that seeks to "minimize the reduction" of such lands instead of allowing "no reduction," unless the Commission first completes an inventory of viable farm, forest, and open space lands adjacent to existing UAs to ensure that an appropriate amount of usable lands exists for such boundary revisions. The Gorge Commission could use the process to establish "urban reserve areas" for each UA to ensure viable growth opportunities.

Given the significant and long-term ramifications of the proposed UA revision policies on the future growth and economic viability of Gorge communities, further modifications are needed to ensure additional clarity in process and more flexibility in how these important rules are applied. In their current form, the proposed policies seem to provide an unattainable path for Gorge communities to successfully navigate. Without significantly reworking current proposed policies, Gorge communities may be better served by leaving existing policies unchanged.

Thank you again for your time and consideration.

Sincerely,



Eric Walker, Director

Hood River County Community Development

cc: Bridget Bailey, Hood River County Appointee, Gorge Commission (*via email*)
Krystyna Wolniakowski, Executive Director, Gorge Commission (*via email*)
Mike Oates, Chairman, Hood River County Board of Commissioners (*via email*)
Jeff Hecksel, Administrator, Hood River County (*via email*)