

Growth Management Board decision addresses density issues

Ruling focuses on improper expansion of urban growth boundaries, errors in upzoning

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The long-awaited decision by the state Growth Management Hearings Board on Clark County's update to its Comprehensive Growth Plan is here, and although the county's arguments prevailed in the majority of cases, some serious questions are being asked as the county eyes either compliance or appeal.

In the final decision and order from the GMHB dated March 23, the board showed that of the 25 different issues leveled at the county's updated plan, 18 issues were either dismissed or withdrawn.

Out of the seven issues that

the GMHB ruled in favor of the plaintiffs, most notably is the deeming of the expansion of the urban growth boundaries as well as a designation for agricultural and forestry lands.

The Clark County Board of County Councilors went through each of the issues leveled at the county during a workshop last week, led by county deputy prosecuting attorney Christine Cook and county community planning director Oliver Orjia-ko.

On several occasions, Cook deferred to possible executive sessions for more in-depth discussion. During the workshop, the board did not move on any action.

Issues leveled at the county regarding public participation were dismissed as the county was able to assemble "a great deal of evidence" about participation. That said, not everyone agrees with that verdict.

Clark County Citizens Unit-

ed President Susan Rasmussen claimed that "hundreds" of documents of testimony went missing that would have supplemented the public record, which CCCU had to spend a hefty amount to salvage, to the tune of \$50,000.

Apart from that error, CCCU is worried about how the county is going about its growth model. One of the issues that ultimately the GMHB deemed dismissable was on how the county based its growth, going with a model from the Office of Financial Management that did not take into account the Portland metropolitan area when determining growth.

Rasmussen said that CCCU is still maintaining that the county is not planning for nearly enough growth, to the tune of 60,000 over the next several years, she said.

"The county plans hardly address the cities' urban needs, but they ignore the needs and desires of the rural landowners,

the rural communities. Little is being done to address the well-being of rural communities," Rasmussen remarked.

Rasmussen said that CCCU does plan on fighting the decision in court, but as of last week the organization was not sure as to which court to go through — superior court or the court of appeals.

Although none of the dozen issues that CCCU leveled at the county prevailed, the other part of the equation, 13 issues leveled by Friends of Clark County and Futurewise, fared better, with seven prevailing.

Tim Trohimovich, Futurewise director of planning and law, said that having more than two dozen issues in one hearing was remarkable, explaining that when municipalities were initially adopting comprehensive plans they had similar amount of appeals, but usually it was not the case for plan updates.

Trohimovich spoke specifically about one of the prevailing issues, that of "upzoning" (increasing density) of forest and agricultural lands. The GMHB ruled the county was in error doing that, which speaks to the overarching sentiment of Futurewise in maintaining such population-related issues.

"The key takeaways are that the county needs to do a better job at protecting its working farms and working forests," Trohimovich said, adding that municipalities needed to do a better job at fulfilling densities as laid out in its plan.

Moving forward, regardless what the county ends up doing (appealing or working to make the needed changes before the September deadline) public input would be important, Cook said.

"Absolutely, the public is permitted, encouraged, asked to present its views and input," Cook said.