

Mt. Hood Unincorporated Community Plan



Adopted
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prepared by
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CHAPTER I. BACKGROUND

A. LOCATION AND COMMUNITY DESCRIPTION

The Mt. Hood community is located in Hood River County, Oregon, approximately 12 miles south of the Hood River city limits. The center of the community is at the intersection of Highway 35 and Cooper Spur Road, and the Mt. Hood Country Store is its most visible landmark. Most of Mt. Hood's residents live there year-round.

Like the rest of Hood River County, the local economy in and around Mt. Hood is primarily based in agriculture, particularly fruit-growing. There are several orchards in the surrounding area, including one located on commercially zoned land within the boundaries of the Mt. Hood Rural Unincorporated Community (UC). Many of the residents work in the city of Hood River, while many others are retired. The community is home to a small number of commercial businesses including the aforementioned Country Store, a bridal store, and two automobile equipment or repair businesses. There are no industrial uses in the community. The community also includes the Mt. Hood Towne Hall and the Parkdale Fire Station, both of which are located on a County-owned property on the east side of Highway 35. There is no sewer service, and soils in the area are marginal in terms of absorption rates and ability to accommodate septic waste.

The state Unincorporated Communities Rule (OAR 660-022) requires counties to adopt land use and zoning measures specific to unincorporated communities in order to ensure that cumulative development in the communities will not:

- Result in public health hazards or adverse environmental impacts that violate state or federal water quality regulations, or
- Exceed the carrying capacity of the soil or of existing water supply resources and sewer services.

The Unincorporated Communities Rule limits the types of land that can be included in an officially designated Unincorporated Community. Lands identified as "exception areas" (i.e., rural lands that are zoned for commercial, industrial or residential use, not farm or forest use) can be included if they have historically been considered part of the community. The land included must represent a "contiguous concentration" of commercial, industrial, public use, or residential land. Residential land to be included must be of a greater density than residential exception lands that are outside of identified Unincorporated Communities.

Land zoned for farm or forest use may only be included in the Unincorporated Community if it is adjacent to exception lands included in the community boundary and was occupied on October 28, 1994 (the date of the Unincorporated Community Rule) by one or more of the following public uses -- church, cemetery, school, park, playground, community center, fire station, museum, golf course, or utility facility. In this case, only the portion of the lot or parcel that is occupied by the public use(s) is included in the UC boundary; the property must continue to be planned and zoned as farm or forestland.

The Mt. Hood Unincorporated Community is consistent with these requirements. The community boundary encircles a contiguous area of "exception land," specifically properties that are zoned for commercial use. The proposed boundary does not include any of the properties

surrounding the commercial area, all of which are zoned for Exclusive Farm Use (EFU). Including those parcels in the boundary would require the County to request an “exception” to state land use rules. No owners of adjacent EFU properties formally requested that the County take an exception for their land to be in the unincorporated community boundary as part of this process. Including only the commercial properties in the RUC is consistent with overall community survey and public outreach results.

B. PROJECT HISTORY

In December of 1994, the State of Oregon’s Land Conservation Development Commission (LCDC) adopted Oregon Administrative Rule (OAR) Chapter 660, Division 22, or the Unincorporated Communities Rule (“the UCR”). The UCR provides a framework for counties to use in identifying and designating unincorporated communities outside established Urban Growth Boundaries, and establishes planning rules for unincorporated communities pertaining to development standards, allowed land uses and public facilities.

In August 2002, Hood River County initiated the first of several projects to plan for rural unincorporated communities in accordance with the UCR. The projects have been partially funded by the State’s Department of Land Conservation and Development (DLCD) as part of periodic review grants. A consultant team led by Cogan Owens Cogan, LLC, has assisted with these planning efforts. Since that time, the County has engaged in planning for the following communities:

- ◆ Odell and Parkdale. Planning processes were begun in 2002 and are still underway, pending completion of additional, related planning efforts and direction from the County Board of Commissioners.
- ◆ Windmaster Corner. A planning process was undertaken in 2003-2004. The County Board declined to adopt an unincorporated plan and boundary for the area, in large part because there was a lack of community consensus about a proposed County boundary and because potential changes in zoning would have had little impact in comparison to existing regulations.
- ◆ Pine Grove/Van Horn. The county initiated a planning process for this community in 2004 and determined that it did not meet the requirements of an unincorporated community. No draft plan was prepared.
- ◆ Rockford and Oak Grove. The county conducted planning processes for these communities in 2004-2005. The County Board of Commissioners adopted a boundary, plan and associated ordinance amendments in 2005.

Work on the Mt. Hood Rural Unincorporated Community Plan began in January, 2006. The consultant team had the primary responsibility for reviewing and evaluating information on existing land uses and public facilities, drafting a community questionnaire, preparing draft zoning ordinance amendments and accompanying maps, with assistance from County GIS and Planning staff. The consultant team’s responsibilities related to the public involvement process included drafting meeting agendas and informational materials, facilitating community meetings, preparing summaries of the meeting results, and assisting County staff in responding to inquiries from residents and property owners.

County staff was responsible for providing existing land use and public facility information to the consultants, distributing community questionnaires, identifying venues for public meetings, notifying residents and property owners about the public meetings and proposed zoning changes, providing assistance at the public meetings, responding to inquiries from residents and property owners, and preparing GIS maps.

C. PLAN PROCESS

The County and its consultants engaged in the following activities between the project start date and June of 2006, leading to the development of the first draft of the Mt. Hood Unincorporated Community Plan.

- ◆ Identified preliminary community boundary options based upon UCR rules, discussion with County staff, and public comment.
- ◆ Obtained and analyzed planning data related to existing land uses (including building sizes), access to and capacity of public services, parcel size and location, current plan and zone designations, and development constraints.
- ◆ Reviewed existing zoning designations within the proposed community boundaries and compared these to the requirements from the UCR.
- ◆ Modified the County's Commercial zoning designation to make it consistent with state rules when applied in Rural Unincorporated Communities such as Mt. Hood.
- ◆ Analyzed current development and anticipated future buildout as compared to available and planned public facilities capacity.

In addition to the above activities, the County and its consultants engaged in an extensive public process to involve residents and landowners in the unincorporated community planning effort, including two public meetings.

The first meeting took place on February 23, 2006, at the Mt. Hood Towne Hall. The purpose of the meeting was to provide an overview of the project background and purpose and to discuss options for the RUC boundary and zoning designations in Mt. Hood. The meeting also was intended to solicit public comments and answer questions from property owners and residents. Approximately 150 residents attended.

A community survey was compiled and distributed by the County in March 2006. The surveys asked Mt. Hood residents their opinions on community character (their preference for more urban versus more rural development) and the types of residential zoning densities and commercial land use and zoning that they would like to see in their community. The surveys also allowed respondents to write in any additional comments or suggestions that they had about the project. The results of the community survey are available in Appendix C.

Approximately 20 residents attended the second public meeting, which was held on April 20, 2006, at the Mt. Hood Towne Hall. In this second meeting the County's consultants presented a recommended community boundary and proposed zoning approaches for the area. The

consultants then solicited and responded to questions and comments from meeting participants. The results were considered and incorporated in the planning process.

Summaries of the two public meetings, as well other written comments related to the Mt. Hood planning process, are included in Appendix D. Future land use decisions will be reviewed and approved by the Planning Director and/or Planning Commission through a public process. Citizens and property owners in Mt. Hood will be notified of such decision-making processes and have opportunities to comment through public hearings and other processes.

CHAPTER II. LAND USE PLANNING

A. LAND USE AND ZONING

The Mt. Hood Rural Unincorporated Community includes 30 tax lots, comprising approximately 36 acres, all of which were zoned Commercial (C-1) prior to this plan, and are now zoned Mt. Hood Unincorporated Community Commercial (MH-C1).¹ Existing residential uses include approximately 13 single-family residences, a six-unit apartment complex, and a mobile home park with approximately 20 mobile homes. At the time of this plan, there were two empty commercial uses (a bakery; and a small office). The following eight commercial uses were in operation:

- Mt. Hood Country Store
- The Good Deli
- The Bridal Shoppe
- Bob's Auto Electric
- Eagle One Thrift Store
- Mt. Hood Motors & Towing
- Mt. Hood Realty
- Race Stock Sports

None of the parcels in the boundary receive any farm tax deferral. There are no industrial uses in the community. The two institutional uses, the Mt. Hood Towne Hall and the Parkdale Fire Station, are both located on a County-owned property on the east side of Highway 35. There are nine vacant or undeveloped properties, totaling approximately 15.23 acres; the largest vacant parcel is 8.34 acres. Several of the vacant properties were listed for sale at the time of this plan.

B. CHANGES TO ZONING AND DEVELOPMENT REQUIREMENTS

The Unincorporated Community Rule sets restrictions on the size and type of commercial uses that counties may allow in unincorporated communities. Specifically, the rule allows new commercial uses that are:

- Authorized under Goals 3 (Agricultural Lands) or 4 (Forest Lands);
- Considered “small-scale” and “low impact;” or
- Intended to serve the community and surrounding rural area or the travel needs of people passing through the area.

In rural unincorporated communities, a commercial use is considered “small-scale, low-impact” if it takes place “in a building or buildings not exceeding 4,000 square feet of floor space.”

¹ For the purpose of this study, tax lots are treated and referred to as “parcels.”

Additionally, hotels and motels of up to 35 units may be authorized in any unincorporated community that is at least 10 miles from any urban growth boundary bordering Interstate Highway 5 and is served by a community sewer system. Hotels and motels are permitted uses in Mt. Hood. However, they cannot be approved unless a community sewer system is constructed. (OAR 660-022 defines a 'community sewer system' as "a sewage disposal system which has service connections to at least 15 permanent dwelling units, including manufactured homes, within an unincorporated community.")

Hood River County's existing commercial zoning ordinances as of the year 2002 did not satisfy all of the zoning and development requirements for unincorporated communities found in OAR 660-022. To comply with these requirements, and to satisfy community desires expressed in the survey and public meetings, the County and its consultants created a new commercial zone specifically for use in rural unincorporated communities.

The new Mt. Hood Unincorporated Community Commercial Zone (MH-C1) is based upon the existing C-1 zone, and permits all of the same uses, but includes the following modifications to be consistent with the requirements for rural unincorporated communities:

- New buildings are allowed to a maximum total square footage of floor space of 4,000 sq. ft. for most retail trade and commercial and professional service establishments.
- Building expansions are allowed to a maximum square footage of 4,000 sq. ft., or up to 20% greater than their original size, whichever is greater.
- New buildings or expansions may be allowed up to a maximum square footage of 8,000 sq. ft., for specific uses that have been identified as serving the community and the surrounding area or the travel needs of people passing through the area.
- Certain new buildings and expansions are allowed with no maximum square footage, as allowed in the UCR: Single-family, two-family, or multi-family dwellings; mobile homes (under certain conditions); motels and hotels of up to 35 units if served by a community sewer system; service and retail uses serving the farm and forest industries; airports; health services; funeral services; cemeteries and similar uses; churches; community club buildings; public buildings such as for parks or fire stations; and schools.
- Mixed-use (residential and commercial) buildings are allowed, and the residential portion of the building does not count towards the applicable maximum square footage limit.
- Additional design standards may be identified for the Mt. Hood Community and also could be applied to other unincorporated communities. These standards would help ensure that new development and associated public improvements are attractive and enhance the character of the community.
- New height limitations for commercial and mixed use buildings are recommended (35 feet maximum, with building height as currently defined in Article 3 – Definitions – of the County's Zoning Ordinance). Setbacks certain types of commercial uses or activities adjacent to agricultural uses also are recommended (e.g., larger setbacks for outdoor seating areas associated with food or beverage service).
- A one-acre minimum lot size is established for all new partitions or subdivisions in the Mt. Hood Rural Unincorporated Community, subject to a successful septic site evaluation by County Environmental Health. The ordinance also would allow smaller lot sizes, pending approval by County Environmental Health, if a site evaluation confirms that wastewater generated by the proposed development can be treated adequately by a standard septic

system, sand filter system, some equivalent alternative treatment system, or a “community system.”²

B. POTENTIAL GROWTH SCENARIOS

Depending on the type of wastewater treatment system used in developing or redeveloping land in the Mt. Hood community, development could occur at a variety of densities. If septic treatment systems are used without any other type of treatment, an average of one-acre per dwelling or other use would be assumed. However, if a package sewer or some equivalent alternative sewage treatment system is used lots sizes could be smaller. The potential density is even greater if properties within the UC boundary are converted into one or more Planned Unit Developments (PUD’s). The County’s PUD ordinance allows residential development at a density 25% greater than that allowed by the base zone, with the provision that 40% of the development must be set aside as open space. Several scenarios with varying minimum lot sizes have been evaluated in terms of buildout potential and were reviewed and assessed as part of this process.

This analysis of alternatives assumes that all properties greater than ¾-acre could be redeveloped, except for any properties currently occupied by commercial or institutional uses. It also is assumed that each PUD would be served by a sand filter system, some equivalent alternative treatment system, or a package sewer treatment system, determined by County Environmental Health to be adequate to support the proposed development.

Put another way, the County and its consultants assumed that the parcels occupied by the Mt. Hood Towne Hall / Parkdale Fire Station, Mt. Hood Motors, and Bob’s Auto Electric would not be redeveloped, nor would any parcel smaller than ¾ acre. The remaining 13 parcels were

² Per the definition in Oregon Administrative Rule (OAR) 340-071-0100 (Department of Environmental Quality – Onsite Wastewater Treatment Systems), a “community system” is “an onsite system that serves more than one lot or parcel, more than one condominium unit, or more than one unit of a planned unit development.” The Land Conservation and Development Department’s OAR pertaining to Sewer Service to Rural Lands (OAR 660-011-0060) defines a “sewer system” as:

“A system that serves more than one lot or parcel, or more than one condominium unit or more than one unit within a planned unit development, and includes pipelines or conduits, pump stations, force mains, and all other structures, devices, appurtenances and facilities used for treating or disposing of sewage or for collecting or conducting sewage to an ultimate point for treatment and disposal. The following are not considered a “sewer system” for purposes of this rule:

- i. A system provided solely for the collection, transfer and/or disposal of storm water runoff;
- ii. A system provided solely for the collection, transfer and/or disposal of animal waste from a farm use as defined in ORS 215.303.”

The above definition encompasses DEQ’s definition for a “community system.” To distinguish between a public sanitary sewer system and a community septic system, the Plan will refer to a “community system” as defined by OAR 340-071-0100 as a “community septic system.”

Community septic systems have been installed and are in use in other communities in Oregon and throughout the United States. While these systems do not typically rise to the level of a public or municipal sewer system in scale, cost and number of homes served, they can effectively treat wastewater for moderate to large developments (up to several hundred homes). The key to effective operation and lifespan for such systems is regular maintenance and operation consistent with system requirements and local conditions. Community systems typically use some combination of holding cells, batch treatment systems, drainage fields or vegetative uptake systems, as well as pressurized irrigation of effluent.

assumed to be developed to maximum densities (minimum lot sizes) for PUD's according to the following methodology:

1. Determine the potential redevelopable square footage in each lot by reducing it by 10%, to account for roads and infrastructure.
2. Determine the potential number of lots based on the existing zoning. (Note: This assumes a minimum lot size in the MH-C1 Zone other than 1-acre, which is problematic since if discretion is left to the County Environmental Health, then there is no way to calculate bonus density since there is no minimum lot size other than what they determine can be accommodated for septic. The old zoning for the C-1 Zone would have allowed for 7,500 sq ft lots, if served by a public sanitary sewer system, such as in Odell or Parkdale have.)
3. Multiply the number of lots that would be allowed under the existing zoning by 1.25, in selected alternatives to account for the 25% bonus density allowed in the County's PUD ordinance.

This methodology resulted in between 15 and 156 potential new lots within the RUC boundary, as shown in Table 2. Average lot sizes could vary substantially, depending on whether or not PUD and associated open space provisions are used.

Table 2. Potential New Lots in PUD's, 7,500 Sq. Ft. Minimum

Tax Lot	Acres	Square Footage	Redevelopable Square Footage	Potential Lots 7,500 sq ft	Potential Lots 7,500 sq ft with Density Bonus	Potential Lots 10,000 sq ft	Potential Lots 10,000 sq ft with Density Bonus	Potential new lots 0.5 acre minimum	Potential new lots 1 acre minimum
01N10E28D 2300	8.34	363,290	181,645	43	53	32	40	15	7
01N10E28D 1200	5.80	252,648	126,324	30	37	22	27	10	5
01N10E27CB 1300	1.59	69,260	34,630	8	10	6	7	2	1
01N10E27CB 700	1.16	50,530	25,265	6	7	4	5	2	1
01N10E28D 501	1.15	50,094	25,047	6	7	4	5	2	1
01N10E28D 400	1.06	46,174	23,087	5	6	4	5	1	0
01N10E28D 500	1.05	45,738	22,869	5	6	4	5	1	0
01N10E27CB 600	0.94	40,946	20,473	4	5	3	3	1	0
01N10E27CB 500	0.93	40,511	20,255	4	5	3	3	1	0
01N10E27CB 400	0.93	40,511	20,255	4	5	3	3	1	0
01N10E28D 1300	0.83	36,155	18,077	4	5	3	3	1	0
01N10E28D 600	0.87	37,897	18,949	4	5	3	3	1	0
01N10E28D 502	0.77	33,541	16,771	4	5	3	3	1	0
Totals	26.03	1,133,867	566,933	127	156	94	112	39	15
Average lot size with 40% open space requirement	(sq ft)			4,359	3,549	5,890	4,943	14,196	36,910

Tax Lot	Acres	Square Footage	Redevelopable Square Footage	Potential Lots 7,500 sq ft	Potential Lots 7,500 sq ft with Density Bonus	Potential Lots 10,000 sq ft	Potential Lots 10,000 sq ft with Density Bonus	Potential new lots 0.5 acre minimum	Potential new lots 1 acre minimum
Average lot size without 40% open space requirement (i.e., subdivision)	(sq ft)			7,847	6,388	10,602	8,898	25,553	66,438

The potential for 15 - 156 new tax lots was used as the “maximum build-out scenario” for the public facilities analysis in Chapter III of this plan. This analysis has been done for planning purposes only. This scenario is not assumed or proposed by the County.

Darryl Barton, County Environmental Health, indicated to staff that 7,500 square foot lots would not be feasible in the proposed Mt. Hood Unincorporated Community at the maximum projected build-out (with or without the 25% bonus density) unless the Mt. Hood UC developed a public sanitary sewer system, like the systems that exist in Odell or Parkdale. He further indicated that it was unlikely that such a public sanitary sewer system could be accommodated in the land base proposed for the Mt. Hood UC, which means that individual septic systems or community septic systems would be Mt. Hood UC’s only options. He said that such systems would not support 7,500 square foot lots, but he also noted that it was difficult to speculate what the minimum lot size could be since it would depend on the type of system proposed, as well as site-specific soils and other factors (i.e., there may be setbacks from a stream, etc.).

Realistically, without a community septic system or public sewer system, development densities likely will be limited to between one to two dwellings per acre, resulting in 15 to 40 new dwellings or other land uses. Even with a community septic system, lot sizes are expected to be 10,000 square feet or larger on average, with a portion of any developed area needed for community wastewater treatment facilities. As a result, the maximum realistic buildout is expected to be less than 90 new dwelling units or other land uses. With the exception of limitations on lot size related to septic or other wastewater treatment systems, setback, frontage and other requirements, no ultimate minimum lot size has been established for this community. However, effective minimum lot sizes for properties with individual septic systems are likely to be between 0.5 and 1.0 acres. Effective minimum lot sizes with a community system likely would be between one-quarter and one-third acre (about 11,000 – 14,000 square feet). The septic treatment system used will be on-site, within the unincorporated community, and will take up part of a parcel’s developable area.

Given the numerous variables affecting the potential redevelopment of parcels in Mt. Hood, and the ability to redevelop MH-C1 parcels into a wide variety of uses, no population projection analysis was performed for this community.

CHAPTER III. PUBLIC FACILITIES

The state’s rules for unincorporated community planning are found in Chapter 660, Division 22, of the Oregon Administrative Rules (OAR 660-022). OAR 660-022-0050 requires that unincorporated community plans assess the capacity of the local public facility infrastructure (i.e., sewer system or septic conditions, water, and transportation systems), and determine if they will be adequate to serve future growth anticipated or planned in the unincorporated community. If the public facilities are found to be inadequate to serve future growth, then the unincorporated plan must identify the improvements needed to accommodate the growth and establish a procedure to limit growth in the community until the necessary public facility improvements have been made.

A. SEPTIC CONDITIONS

The Mt. Hood area is not served by a community sewer district or system. All wastewater treatment in the area is accomplished through septic systems. According to County Environmental Health Department officials, the area contains hard pan soils and a high water table, which limit absorption rates and the ability to accommodate septic waste. The high water table causes leach fields to not function properly in periods of high rain, when the ground is saturated.

The area has recently experienced a number of septic problems, particularly on the site of the existing mobile home park. The leach field for that property’s septic system leaked in early 2006, spilling raw sewage onto the ground. Septic tanks at the mobile home park have overflowed, due to failed pump systems. Given the soil conditions in the area, and the recent septic problems, the Environmental Health Department officials have recommended a one-acre minimum lot size for all properties within the Mt. Hood RUC.³ They recommend that smaller lot sizes be allowed with the use of a standard septic system, sand filter or alternative treatment system, or with a community septic system, only if the applicant can demonstrate, in compliance with County Environmental Health’s requirements (and based on a site evaluation), that such system(s) would be adequate to treat the level of proposed development.

³ Per the Hood River County Soil Survey (1981), soils in the Mt. Hood UC include the following:

Approximate %-age of each Soil Type	Soil Type	Septic Tank Absorption Fields	Sewage Lagoon Areas
46%	21B - Rockford Stony Loam, 0-8% Slopes	Severe: percs slowly; large stones	Severe: large stones
27%	7A - Cumulic Haplaquools, Nearly Level	Severe: wetness; floods	Severe: floods; wetness
17%	8A - Cumulic Haploxerolls, Nearly Level	Moderate: floods ---	Severe: floods ---
6%	17C - Parkdale Loam, 8-12% Slopes	Moderate: slope ---	Severe: slope ---
3%	6B - Culbertson Loam, 0-8% Slopes	Severe: percs slowly	Moderate: slope, depth to rock

Although, some septic systems in the area have experienced failures or have needed replacement in the past, the County Environmental Health Supervisor indicated that he did not consider the area to have experienced a “history of failing septic systems.”

The recommendations from the County Environmental Health Department have been incorporated into the MH-C1 zoning district that will be applied within the Mt. Hood Rural Unincorporated Community. Given that County Environmental Health must evaluate site-specific septic conditions in approving or denying each individual partition request or building permit where use of a septic system, sand filter, other alternative system or community septic system is proposed, the “maximum build-out” of the community will not exceed local soil and septic capacities.

B. WATER SYSTEM

Mt. Hood is within the Crystal Springs Water District, which serves a population of about 5,000 people, including 2,200 households and businesses. Crystal Springs has a 12” main line running on the west side of Highway 35 and a 6” line that extends from the main line to the empty field behind the mobile home park.

An estimated 95% of the District’s customers are residential, along with a few commercial businesses and fruit packing operations. Crystal Springs is permitted to use 4,325,000 gallons per day (7.15 cfs), and currently uses an average of 1,240,000 gallons per day, or 27% of its capacity.

The Crystal Springs Water District’s master plan assumes that its existing capacity will be sufficient for another 60 years based on the existing growth rate of about 40 new customers per year. Its 2,200 metered customers now consume an average of 1,240,000 gallons per day, or 564 gallons per day per customer. With an excess capacity of 3,085,000 gallons per day, the District could accommodate an additional 1,402 metered customers. This figure is well above the District’s anticipated future demand, including the potential build-out of 15 - 156 new households in the Mt. Hood Unincorporated Community, as well as possible other increases in population in the Odell and Parkdale unincorporated communities. This indicates that Crystal Springs will be capable of handling all residential and commercial growth that potentially could occur in the Mt. Hood area under proposed zoning designations.

C. TRANSPORTATION SYSTEM

According to the County’s Transportation System Plan (TSP) and information provided by the County Public Works Department, roads in the area are adequate to accommodate existing and future traffic levels. Roads and intersections have ample capacity to handle the amount of traffic that could result from projected build-out conditions. No other future road or intersection capacity improvements are identified for the Mt. Hood area in the TSP, but the TSP does mention that “the OR 35/Cooper Spur Road intersection should be monitored for potential warrant of a future left-turn lane for northbound OR 35 traffic,” due to potential growth in Parkdale and other areas farther down Cooper Spur Road.

Growth rates assumed in the TSP are generally consistent with potential build-out conditions for the area. Even under buildout conditions, additional development would be projected to add less than 1,000 trips per day to Highway 35 and Cooper Spur Road. These volumes, in combination with projected increases due to overall future population growth projections are still well within the capacity of these two roads, which are classified as a state highway and minor collector, respectively. They also are within the parameters of the intersection level-of-service analysis performed for the TSP. As a result, no improvements to these major roads or their intersection are anticipated. Improvements to existing local streets and/or construction of new internal local streets to support specific developments could be required as part of a future subdivision approval process and would need to be addressed on a site-specific basis.

**APPENDIX A. MT. HOOD UNINCORPORATED COMMUNITY
COMMERCIAL (MH-C1) ZONE**

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

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

- A. Retail trade establishment.
- B. Commercial and professional service establishments unless otherwise listed.
- C. Single family, two family, or multi-family dwellings.
- D. A mobile home for agricultural purposes, security personnel, and 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.
- 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
- 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
- N. Health services
- O. Funeral service and crematories
- P. Eating and drinking places
- Q. General merchandise

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- 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.

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. Mobile home park. Mobile home parks shall comply with applicable provisions in Article 16.
- C. Mobile homes for a dependent relative (temporary use) shall comply with provisions in Article 16, Section 16.25.
- D. Recreational vehicle park: An area devoted to overnight temporary use by recreational vehicles (RVs) for vacation or recreation purposes, but not for residential purposes. 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.

Overnight temporary use in an RV Park by a camper's vehicle shall not exceed a total of 30 days during any consecutive 6-month period. The use may be subject to State Building requirements for such parks.

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.
 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.
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, two-family, 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 to a lot in a residential or farm zone 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 the Zoning Ordinance), feedlot (as defined in Article 50 of the Zoning 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 the County Zoning Ordinance.
- C. No building shall be constructed closer to the centerline of a street than 50 feet, or 20 feet from the edge of right-of-way, whichever is greater.

- D. Vision clearance setbacks from all street intersections shall be 35 feet.
- E. Setbacks for dwellings (single, two-family, or multi-family) and mixed-use buildings shall meet the standards of the R-2 Zone, and the Buffer Requirements of Article 50 (if applicable).

Section 27.60 – Site Design Standards⁴

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

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

⁴ Locational Criteria are listed in the County Policy Document under Goal 9 - Economy of the State.

- 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 the Hood River County Zoning 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.
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 rood. 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.

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.
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.

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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.
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 the Hood River County Zoning Ordinance.

Section 27.80.110 – Variance

Relief may be requested from all sign regulations except for prohibited signs pursuant to the provisions of the Hood River County 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 the Hood River County Zoning 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.

APPENDIX B. FINDINGS FOR CONFORMANCE TO OAR 660-022

Summary

This appendix provides findings to support zoning and comprehensive plan amendments to show compliance with OAR Chapter 660, Division 22, the Unincorporated Communities Rule.

OAR 660-022-0010 Definitions

- (7) "Rural Community" is an unincorporated community which consists primarily of permanent residential dwellings but also has at least two other land uses that provide commercial, industrial, or public uses (including but not limited to schools, churches, grange halls, post offices) to the community, the surrounding rural area, or to persons traveling through the area.

Finding: *The unincorporated community of Mt. Hood includes 13 single-family residences, a six-unit apartment complex, and a mobile home park with approximately 20 mobile homes, eight commercial businesses, a firehall and the Mt. Hood Towne Hall community center.*

- (9) "Urban Unincorporated Community" is an unincorporated community which has the following characteristics:

- (a) Include at least 150 permanent residential dwellings units;
- (b) Contains a mixture of land uses, including three or more public, commercial or industrial land uses;
- (c) Includes areas served by a community sewer system; and
- (d) Includes areas served by a community water system.

Finding: *The unincorporated community of Mt. Hood includes fewer than 150 dwelling units.*

- (10) "Unincorporated Community" means a settlement with all of the following characteristics:

- (a) It is made up primarily of lands subject to an exception to Statewide Planning Goal 3, Goal 4 or both;

Finding: *The Mt. Hood community is composed solely of state exception lands as described below in the findings for OAR 660-022-0020(3) and (4).*

- (b) It was either identified in a county's acknowledged comprehensive plan as a "rural community", "service center", "rural center", "resort community", or similar term before this division was adopted (October 28, 1994), or it is listed in the Department of Land Conservation and Development's January 30, 1997 "Survey of Oregon's Unincorporated Communities";

Finding: *Mt. Hood is listed in the Department of Land Conservation and Development (DLCD) January 30, 1997 "Survey of Oregon's Unincorporated Communities." It also is identified as a rural center in Hood River County' Comprehensive Plan map.*

- (c) It lies outside the urban growth boundary of any city;

Finding: *Mt. Hood is not within a UGB.*

- (d) It is not incorporated as a city; and

Finding: *Mt. Hood is not incorporated as a city.*

- (e) It met the definition of one of the four types of unincorporated communities in sections (6) through (9) of this rule, and included the uses described in those definitions, prior to the adoption of this division (October 28, 1994).

Finding: *Mt. Hood satisfies the definition of Rural Community under OAR 660-022-0010(7) (see findings for subsection 7 above).*

CONCLUSION: The Mt. Hood community satisfies the rule definitions of unincorporated community and Rural Community.

660-022-0020 Designation of Community Areas

- (1) Except as provided in OAR 660-022-0070, county comprehensive plans shall designate and identify unincorporated communities in accordance with the definitions in OAR 660-022-0010. Counties may amend these designations as circumstances change over time.

Finding: *Adoption of the Mt. Hood Community Plan as part of the Hood River County Comprehensive Plan will designate and plan for Mt.Hood as a rural unincorporated community in accordance with the rule.*

- (2) Counties shall establish boundaries of unincorporated communities in order to distinguish lands within the community from exception areas, resource lands and other rural lands. The boundaries of unincorporated communities shall be shown on the county comprehensive plan map at a scale sufficient to determine accurately which properties are included.

Finding: *The Mt. Hood Community Plan Map includes a boundary that distinguishes the unincorporated community from surrounding exception areas, resource lands, and other rural land. The map shows the Community boundary at a scale that clearly indicates the properties that are included within the boundary.*

- (3) Only land meeting the following criteria may be included within an unincorporated community boundary:
- (a) Land which has been acknowledged as a Goal 3 or 4 exception area and historically considered to be part of the community provided the land only includes existing, contiguous concentrations of:
 - (A) Commercial, industrial, or public uses; and/or
 - (B) Dwelling units and associated residential lots at a greater density than exception lands outside rural communities.

- (b) Land planned and zoned for farm or forest use provided such land meets the criteria in section (4) of this rule.

Finding: *The land included within the Mt. Hood unincorporated community boundary includes only Goal 3 or 4 exception areas that have historically been considered part of the community and consist of commercial, industrial, residential, or public uses. Land within the Mt. Hood community historically has been zoned at a higher density (commercial uses allowed and no specified minimum lot sizes, except for residential) than surrounding lands zoned for exclusive farm use.*

- (4) Community boundaries may include land that is designated for farm or forest use pursuant to Goals 3 and 4 if all the following criteria is met:
- (a) The land is contiguous to Goal 3 or 4 exception lands included in the community boundary;
 - (b) The land was occupied on the date of this division (October 28, 1994) by one or more of the following uses considered to be part of the community: Church, cemetery, school, park, playground, community center, fire station, museum, golf course, or utility facility;
 - (c) Only the portion of the lot or parcel that is occupied by the use(s) in subsection (b) of this section is included within the boundary; and
 - (d) The land remains planned and zoned under Goals 3 or 4.

Finding: *No properties zoned for farm or forest use are proposed to be included within the Mt. Hood unincorporated community boundary.*

- (5) Site specific unincorporated community boundaries that are shown on an acknowledged plan map on October 28, 1994, are deemed to comply with subsections (2) and (3) of this rule unless the boundary includes land designated for farm or forest use that does not meet the criteria in section (4) of this rule.

Finding: *The 1984 Hood River County Comprehensive Plan does not include specific boundaries for unincorporated communities. However, all land within the proposed boundary is zoned Commercial (C-1).*

- (6) Communities which meet the definitions in both OAR 660-022-0010(6) and (9) shall be classified and planned as either resort communities or urban unincorporated communities.

Finding: *Mt. Hood does not satisfy the definition of a resort community in OAR 660-022-0010(6), so this subsection does not apply.*

CONCLUSION: The Mt. Hood Community Plan is part of the Hood River County Comprehensive Plan and meets all designation requirements under OAR 660-022-0020.

660-022-0030 Planning and Zoning of Unincorporated Communities

- (1) For rural communities, resort communities and urban unincorporated communities, counties shall adopt individual plan and zone designations reflecting the projected use for each property (e.g., residential, commercial, industrial, public) for all land in each community. Changes in plan or zone designation shall follow the requirements to the applicable post-acknowledgment provisions of ORS 197.610 through 197.625.

Finding: Land within the Mt. Hood Community Plan is proposed to continue to be zoned for commercial use through the Mt. Hood Unincorporated Community Commercial Zone designation (MH-C1) with a minimum lot size of 1.0 acre unless a smaller lot size is allowed by County Environmental Health by using a standard septic system, sand filter system, other alternative treatment system or community septic or sewer system. This commercial zone also allows for commercial development consistent with provisions of the ORS. It does not allow for industrial uses. Provisions of this zone are described in more detail in findings for OAR sections 660-022-0030 (2) through (4) below.

- (2) County plans and land use regulations may authorize any residential use and density in unincorporated communities, subject to the requirements of this division.

Finding: The Mt. Hood Community Plan and Map authorize a one-acre minimum lot size for new lot creation. Smaller lot sizes may be allowed if a standard septic system, sand filter system, other alternative treatment system or community septic or sewer system can be approved by County Environmental Health or Department of Environmental Quality (DEQ).

- (3) County plans and land use regulations may authorize only the following new industrial uses in unincorporated communities:
- (a) Uses authorized under Goals 3 and 4;
 - (b) Expansion of a use existing on the date of this rule;
 - (c) Small-scale, low impact uses;
 - (d) Uses that require proximity to rural resource, as defined in OAR 660-004-0022(3)(a);
 - (e) New uses that will not exceed the capacity of water and sewer service available to the site on the effective date of this rule, or, if such services are not available to the site, the capacity of the site itself to provide water and absorb sewage;
 - (f) New uses more intensive than those allowed under subsection (a) through (e) of this section, provided an analysis set forth in the comprehensive plan demonstrates, and land use regulations ensure:
 - (A) That such uses are necessary to provide employment that does not exceed the total projected work force within the community and the surrounding rural area;
 - (B) That such uses would not rely upon a work force served by uses within urban growth boundaries; and

- (C) That the determination of the work force of the community and surrounding rural area considers the total industrial and commercial employment in the community and is coordinated with employment projections for nearby urban growth boundaries.

Finding: *The Mt. Hood Community Plan does not allow for any new industrial uses.*

- (4) County plans and land use regulations may authorize only the following new commercial uses in unincorporated communities:
- (a) Uses authorized under Goals 3 and 4;
 - (b) Small-scale, low impact uses;
 - (c) Uses intended to serve the community and surrounding rural area or the travel needs of people passing through the area.

Finding: *The Mt. Hood Unincorporated Community Commercial (MH-C1) designation to be applied by the Mt. Hood Community Plan permits the uses identified in OAR 660-022-0030 (4). This zone includes a limit on building sizes consistent with the definition of small-scale, low impact uses (maximum 4,000 square feet of floor space) as defined by OAR 660-022-0030(10). Building expansions are allowed to a maximum square footage of 4,000 sq. ft., of floor space, or up to 20% greater than their original size, whichever is greater. Mixed-use buildings for commercial and residential uses also are allowed, with a maximum size of 4,000 square feet of floor space for the commercial portion of the use. New buildings or expansions may be allowed up to a maximum square footage of 8,000 sq. ft. of floor space, for specific uses that have been identified as serving the community and the surrounding area or the travel needs of people passing through the area. Draft proposed Comprehensive Plan findings for these uses are found in Appendix E of this Plan.*

- (5) County plans and land use regulations may authorize hotels and motels in unincorporated communities only if served by a community sewer system and only as provided in subsections (a) through (c) of this section:
- (a) Any number of new motel and hotel units may be allowed in resort communities;
 - (b) New motels and hotels up to 35 units may be allowed in an urban unincorporated community, rural service center, or rural community if the unincorporated community is at least 10 miles from the urban growth boundary of any city adjacent to Interstate Highway 5, regardless of its proximity to any other UBG;
 - (c) New motels and hotels up to 100 units may be allowed in any urban unincorporated community that is at least 10 mile from any urban growth boundary.

Finding: *Hotels or motels would only be allowed in the Mt. Hood Rural Unincorporated Community if they were served by a community sewer system. As defined in the OARs for unincorporated communities (OAR 660-022), a “community sewer system” is “a system which has service connections to at least 15 permanent dwelling units, including manufactured homes, within the unincorporated community.”*

- (6) County plans and land use regulations shall ensure that new uses authorized within unincorporated communities do not adversely affect agricultural or forestry uses.

Finding: *Mt. Hood is completely surrounded by Exclusive Farm Use land, which is not proposed for inclusion in the unincorporated community boundary. The Mt. Hood Community Plan and other County land use regulations and policies, including those in the Hood River County Policy Document and zoning ordinance ensure that surrounding agricultural uses will not be affected. The County's Zoning Ordinance section for EFU land (Article 7) includes a number of provisions intended to protect agricultural land, including right-to-farm requirements, restrictions on uses on high-value farmland; buffering requirements are addressed in existing Article 50. Any new development will adhere to the minimum setback standards included in the MH-C1 zone, which includes a minimum 20-foot or larger setback for commercial uses and a 50 or 80-foot buffer setback for residential uses adjacent to land zoned Exclusive Farm Use. In addition, the following setback is proposed to apply to commercial uses that have outdoor seating areas that are adjacent to land zoned for farm use:*

"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 the Zoning Ordinance), feedlot (as defined in Article 50 of the Zoning 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 the County Zoning Ordinance."*

County plans and land use regulations shall allow only those uses which are consistent with the identified function, capacity and level of service of transportation facilities serving the community, pursuant to OAR 660-012-0060(1)(a) through (c).

Finding: *The land use regulations contained in the Mt. Hood Community Plan and other applicable County planning documents are consistent with the function, capacity, and level of service identified for the transportation facilities serving Mt. Hood in the Hood River County Transportation System Plan (TSP). The County's TSP was recently adopted in July 2003. The TSP did not indicate the need for any capacity or other system improvements in the Mt. Hood area). Growth rates assumed in the TSP are generally consistent with potential build-out conditions for the area. Even under buildout conditions, additional development would be projected to add less than 1,000 trips per day to Highway 35 and Cooper Spur Road. These volumes, in combination with projected increases due to overall future population growth projections are still well within the capacity of these two roads, which are classified as a state highway and minor collector, respectively. They also are within the parameters of the intersection level-of-service analysis performed for the TSP. As a result, no improvements to these major roads or their intersection are anticipated. Improvements to existing local streets and/or construction of new internal local streets to support specific developments could be required as part of a future subdivision approval process and would need to be addressed on a site-specific basis. Proposed zoning is consistent with existing and planned transportation facility improvements and standards.*

- (8) Zoning applied to lands within unincorporated communities shall ensure that the cumulative development:

-
- (A) Will not result in public health hazards or adverse environmental impacts that violate state or federal water quality regulations; and
 - (B) Will not exceed the carrying capacity of the soil or of existing water supply resources and sewer services.

Finding: *The community of Mt. Hood is not within a designated health hazard area nor is it served by a public sanitary sewer system such as in Odell or Parkdale. However, there have been recent septic system leaks and seepage on one property in the community. Currently, wastewater can only be treated through individual septic or other on-site treatment systems. Soils in the area are somewhat marginal for septic treatment. Based on comments from County Environmental Health, a minimum lot size of 1.0 acre is proposed to be established through adoption of this plan. Smaller lots may be allowed if approved by County Environmental Health, consistent with state and county requirements.*

The Mt. Hood area is served by the Crystal Springs Water District. As described in the public facilities analysis included in this Plan, Crystal Springs currently has ample capacity to serve the level of development possible under buildout conditions in Mt. Hood, as well as other possible unincorporated communities within its service area.

The public facilities analysis concludes that minimum lot sizes proposed for the area are adequate to ensure that future buildout development can be served and will not contribute to a health hazard because any reduction in the one-acre minimum lot size proposed as part of this Plan would be regulated by County Environmental Health or DEQ.

County plans and land use regulations for lands within unincorporated communities shall be consistent with acknowledged metropolitan regional goals and objectives, applicable regional functional plans and regional framework plan components of metropolitan service districts.

Finding: *This requirement is not applicable, because there is no metropolitan or regional plan in place in Hood River County.*

- (9) For purposes of this section, a small-scale, low-impact commercial use is one which takes place in an urban unincorporated community in a building or building not exceeding 8,000 square feet of floor space, or in any other type of unincorporated community in a building or buildings not exceeding 4,000 square feet of floor space.

Finding: *The Mt. Hood Unincorporated Community Commercial Zone includes the 4,000 square foot size limit for small-scale, low-impact buildings in commercial use within rural unincorporated communities (See Appendix A of this Plan).*

CONCLUSION: The Mt. Hood Community Plan is implemented through the Mt. Hood Unincorporated Community Commercial Zone. The application of this zone is consistent with the requirements of OAR 660-022-0030.

660-022-0050 Community Public Facility Plans

- (1) In coordination with special districts, counties shall adopt public facility plans meeting the requirements of OAR 660, Division 11, and include them in the comprehensive plan for

unincorporated communities over 2,500 in population. A community public facility plan addressing sewer and water is required if the unincorporated community is designated as an urban unincorporated community under OAR 660-022-0010 and 660-022-0020. For all communities, a sewer and water community public facility plan is required if:

- (a) Existing sewer or water facilities are insufficient for current needs, or are projected to become insufficient due to physical conditions, financial circumstances or changing state or federal standards; or
- (b) The plan for the unincorporated community provides for an amount, type or density of additional growth or infill that cannot be adequately served with individual water or sanitary systems or by existing community facilities and services; or
- (c) The community relies on groundwater and is within a groundwater limited or groundwater critical area as identified by the Oregon Department of Water Resources; or
- (d) Land in the community has been declared a health hazard, or has a history of failing septic systems or wells, or a community sewage or water system is projected to be needed by the next periodic review.

Finding: *Mt. Hood is a rural unincorporated community with a population of less than 2,500. The community is served by the Crystal Springs Water District, and does not rely on groundwater. The area has not been officially designated a health hazard; although there have been failures in the Mobile Home Park's sewer system, which overflowed in the winter of 2006, causing septic contamination. Although some septic systems in the area have experienced failures or have needed replacement in the past, these circumstances do not indicate a "history of failing septic systems." The most significant recent failure was the result of use of a system that was simply not adequate to treat the amount of waste generated. Other septic system repairs or replacements (approximately 8 to 10 recorded repairs) have been needed primarily to replace aging systems, rather than as a result of soil or other conditions endemic to this area. In other words, there is no evidence of a consistent history of failing systems due to conditions specific to this area. The County Environmental Health Supervisor has indicated that he does not consider the area to have a "history of failing septic systems."*

Therefore, none of the conditions cited in (a) through (d) are met and this Unincorporated Community Plan is not required to include a sewer and water community public facility plan. However, an evaluation of public transportation, water and wastewater facilities has been conducted as part of this project as described previously.

- (2) A community public facility plan shall include inventories, projected needs, policies and regulations for the water and sewerage facilities which are existing or needed to serve the unincorporated community, including:
 - (a) An inventory of the condition and capacity of existing public facilities and services;

Finding: *While not formally required, the draft Community Plan includes an inventory of the condition and capacity of public facilities and services.*

The descriptions of these public facilities are found on pages 10-11 of the Mt. Hood Unincorporated Community Plan.

- (b) An assessment of the level of facilities and services needed to adequately serve the planned buildout within the community area boundary; and

Finding: *This Plan includes an assessment of the level of water, sewer, and transportation services necessary to adequately serve the planned buildout, at proposed zoning, within the Mt. Hood Unincorporated Community. This evaluation is found on pages 10-11 of the Mt. Hood Unincorporated Community Plan.*

- (c) Coordination agreements consistent with ORS Chapter 195.

Finding: *This subsection is not applicable because no community public facilities plan is required.*

- (3) If existing community facilities and services are not currently adequate to serve the development allowed in the plan and zoning ordinance, the community public facility plan shall contain either:
- (a) Development restrictions to ensure development will not exceed the capacity of the land to absorb waste and provide potable water and will not exceed the capacity of public facilities; or
 - (b) A list of new facilities, and improvements for existing public facilities, necessary to adequately serve the planned buildout in the unincorporated community, including the projected costs of these improvements and an identification of the provider or providers of these improvements; and
 - (c) A discussion of the provider's funding mechanisms and the ability of these and possibly new mechanisms to fund the development of each community public facility project; and
 - (d) A requirement that development not occur until the necessary public facilities are available for that development.

Finding:

Proposed zoning requirements for the Mt. Hood Community require one of the following:

- *Development at minimum lot sizes of one (1.0) acre, subject to a successful septic site evaluation.*
- *For development of lot sizes smaller than one acre, subject to a successful site evaluation showing that such lot sizes can be accommodated through use of a standard septic system, sand filter system, an equivalent treatment method, or a community septic or sewer system, subject to approval by the County Environmental Health Department.*

These development restrictions will prevent a future health hazard.

CONCLUSION: The Mt. Hood Community Plan satisfies the public facilities planning requirements of OAR 660-022-0050.

660-022-0060 Coordination and Citizen Involvement

- (1) Counties shall ensure that residents of unincorporated communities have adequate opportunities to participate in all phases of the planning process. Counties shall provide such opportunities in accordance with their acknowledged citizen involvement programs.

Finding: *Hood River County and its consultants engaged in an extensive public process to involve residents and landowners in Mt. Hood in the unincorporated community planning effort. This process included two public meetings for residents of the area. A community survey also was compiled and distributed by the County. The survey asked Mt. Hood residents about their opinions on desired community character, preferences for residential zoning densities and commercial land use and zoning requirements, and any additional comments or suggestions that they had about the project (See Appendix C of this Plan for the results of the community survey and Appendix D for the public meeting summaries). Results of all public meetings and surveys were considered and incorporated, as appropriate in this planning process. Citizens of Mt. Hood and the rest of the County will be notified of such decisions pursuant to state and county notification requirements and will have the opportunity to comment through public hearings processes and other means. The County's Planning Commission will serve as the advisory body for addressing future land use issues in the Mt. Hood area. The relatively small size and rural nature of the area (less than 40 residences in total) make formation of a separate advisory group for this area impractical.*

- (2) When a county proposes to designate an unincorporated community or to amend plan provisions or land use regulations that apply to such a community, the county shall specify the following:
 - (a) How residents of the community and surrounding area will be informed about the proposal;
 - (b) How far in advance of the final decision residents of the community and the surrounding area will be informed about the proposal;
 - (c) Which citizen advisory committees will be notified of the proposal.
- (3) The information on these three points shall be included in the appropriate plan amendment proposals or periodic review work task.
- (4) When a county proposes to designate an urban unincorporated community, the county shall adopt a citizen involvement program for that community in accordance with the provisions of Goal 1, Citizen Involvement.

Finding: *As noted above, the County's Planning Commission will serve as the advisory body for addressing future land use issues in the Mt. Hood area. Public notice and other procedures associated with Planning Commission meetings and actions will apply to Subsections (2) and (3) above. Subsection (4) above applies to urban unincorporated communities, and is not applicable to Mt. Hood.*

- (5) Proposals to designate, plan, or zone unincorporated communities shall be coordinated with all special districts, metropolitan service districts, and cities likely to be affected by

such actions. For any unincorporated community, such coordination shall include a minimum of 45-day mailed notice to all cities and special districts (including metropolitan service districts) located within the distance described in OAR 660-022-0040(2).

Finding: *Mt. Hood lies 12 miles from the UGB of Hood River, an urban growth boundary with a population of less than 25,000. This project also has been coordinated with the Crystal Springs Water District, County Environmental Health, County Public Works staff, and the Hood River County School District. Notice of the proposals to designate Mt. Hood as an unincorporated community was mailed to these districts, other special districts in the County (irrigation and fire districts) and the City of Hood River prior to the first adoption hearing.*

CONCLUSION: The Mt. Hood Community planning process satisfies the requirements of OAR 660-022-0060.

APPENDIX C. RESULTS OF COMMUNITY SURVEY

In March, 2006, Hood River County staff distributed questionnaires to all owners of property within and directly adjacent to a possible boundary for the Mt. Hood unincorporated community (area zoned for commercial (C-1) use, as well as individuals from outside the area who attended the first unincorporated community planning meeting at the Mt. Hood Towne Hall on February 23. Thirty-five (35) questionnaires were returned, representing about 27% of the 132 property owners that were surveyed. This is a relatively high response rate for this type of survey. Six of the responses were completed by couples. These were each treated as an individual response. For questions 10 and 11, the man's age and gender were entered for half of the couple responses, and the woman's for the other half. Following is a summary of survey results by question.

Summary of Results

Overall results included the following:

- Just over one-third (37%) of respondents live and/or own property and/or a business in the portion of the study area zoned for commercial use. Most respondents (over 70%) are aged 50 or older.
- The majority of respondents (71%) favor an unincorporated community boundary that would include only the existing commercially zoned (C-1) area. This percentage is consistent for people who live and/or own property or a business in the commercial area, and for those who do not. Most of the remaining respondents favor a larger boundary.
- There are a wide range of opinions on how the community should evolve over the coming years. The majority of respondents (about 60%) favor some type of change, with nine respondents (24%) stating that the community should become more developed. About 40% (14 respondents) say that the community should remain more or less the same. Of those who provided an alternative opinion, most recommend opportunities for a limited number of new commercial businesses and more flexibility in the types of businesses allowed.
- More than half of respondents (54%) feel that the uses allowed by the existing C-1 are appropriate. Uses that some consider inappropriate include mobile home parks, multi-family housing, and billboards, among others.
- A small number of respondents (20%) feel that additional uses should be allowed, specifically light-industrial development or uses such as craft workshops that would encourage tourism
- The majority of respondents (69%) feel that no properties in the Mt. Hood area should be rezoned. A new rural mixed-use zone was the most common recommendation from respondents who feel that some rezoning should occur.

Detailed Findings

Following is a summary of results for each question in the survey. The original survey questions are shown in italics.

Community Boundary and Character

1. *What area best represents what is historically considered to be the Mt. Hood community? (Please choose one of the two options on the map. Option A = the existing Commercial (C-1) Zone; Option B = an alternative boundary. If you select Option B, please, draw the boundary for it on the map and label it "Option B." Please provide us with your marked-up map when you return your survey. Also, please note that a minimum boundary for an unincorporated community requires inclusion of at least three residences and two non-residential uses.)*

Option A (Commercial Zone) *Option B (Other - please identify on attached map)*

Twenty-five of the thirty-five respondents (71%) prefer the boundary presented as Option A, which includes the existing Commercial (C-1) area only. The remaining 30% recommend a variety of other boundary options. One individual recommends that the boundary include "anyone who wants to be" included. Two others suggest a smaller boundary that would include only 19 parcels surrounding the intersection of Highway 35 and Cooper Spur Road (surveys 30 and 33). One of those respondents clarified his or her preference to be no boundary at all.

Three respondents suggest a significantly larger boundary that would include a number of additional properties on either side of Highway 35. Three more recommend inclusion of a small number of specific properties, as follows:

- Include tax lots 200 and 300 on the east side of Highway 35.
- On the east side of the highway, add tax lot 2600 because its location along Cunningham Drive makes it the most likely location for new development. Also add tax lot 2800 for future commercial or residential development. [The respondent also indicated on the map to add tax lot 2700]. On the west side of the highway, add tax lot 1800 for future commercial or residential development. These added parcels would "round out" the boundary and foster centralization, which is important for future sewer considerations.
- Create an alternative boundary that would be consistent with what is historically considered to be the Mt. Hood Community. This would include the Forestry building in tax lot 1800 (west side), but would not include tax lots 1300 or 2300 (a vacant lot that includes marsh land).

2. How do you envision the Mt. Hood community evolving over the coming years? In general, would you prefer it to remain generally the same, with a similar number of homes and businesses or be more intensely developed? Please describe below.

Respondents provided a wide variety of answers to this question, ranging from a preference that the community remain the same to a desire for much more intense development. Nine respondents state that the community should become more developed. These include the following detailed responses:

- More intensely developed, retaining the look and feel of a village rather than a commercial-only area.
- More intensely developed with mixed uses but also upgraded and with a theme.
- More developed, with shops unique to mountain living, skiing, and recreation! Examples include cafes with outdoor seating, clothing shops, a bakery, etc.
- I would prefer it be more intensely developed. Our community is in desperate need of cleanup, jobs and the opportunity for private and/or public sewer systems.
- I would like to see the C-1 area more intensely developed as long as there is a good plan and goals.

Thirteen of the respondents prefer that the community remain more or less the same. This includes the following detailed responses:

- I would prefer Mt. Hood to generally remain the same. That is why I moved from Hood River to the upper valley. There is a fine line between businesses providing services to locals or people passing through and creating a destination resort. A motel-hotel seems like a dichotomy. One could argue that it provides for people passing through, but yet it creates a destination in and of itself.
- I would like to see the community of Mt. Hood remain generally the same, but with some form of local control! The boundary should include the existing areas zoned C-1.
- I hope that it essentially remains the same. We have the agricultural base to draw tourism, yet we do not want to have overwhelming construction that would destroy that which people come to enjoy.
- I would prefer that the Mt. Hood community remain generally the same. More intense commercial development will distract from downtown Parkdale, where we currently have shopping and room for

additional development. We do not need another town in the upper valley. We have Parkdale, Jim's Market, Odell and Pine Grove close by.

- I envision the Mt. Hood community remaining at about the same size and density. The two features that stand out are the Mt. Hood Country Store and the Towne Hall. Both are historical and rustic in style, which should be a large factor in determining the kind of growth that takes place in the community. I know the county does not consider style in issuing building permits, but if there is a place for style in community planning, and it should be considered in Mt. Hood.

The remaining responses are more complex, and do not fit into the categories of “more intense development” or “remain the same.” Many of these support the idea of a changing and evolving community, without necessarily calling for more intensity of development. They are as follows:

- We prefer that the community primarily serve the local area, but also provide food and groceries for the traveling public. Small businesses are appropriate and low-cost housing should be included. Sewage disposal should be brought up to standard, to reduce pollution impacts on Tieman Creek and the river.
- Under the oil-based economy we previously enjoyed, the Mt. Hood community would in all likelihood continue to evolve at the same low rate of change, and with the same mixture of businesses and residential uses, that it has experienced over the last 50 years, responding to population and market pressures and various entrepreneurial ideas. As fuel prices increase in response to increased demand and dwindling supplies world-wide, it will become more cost-effective for people to shop locally. This will make local shop owners more profitable. Therefore, *the planning process should include flexibility to accommodate expanded services* such as a larger grocery store and a general mercantile/hardware/farm and orchard supply store. This could be a Hood River Supply branch similar to Odell's. Other possibilities that come to mind are a farmer's market, gas station or other type of fuel dispensing facility, garage/automobile/truck repair, or a public transportation/bus station facility/train depot. For example, we could have a trunk of the Mt. Hood Railway, powered by an antigravity/magnetic engine! Other appropriate uses include a school, a public library, or a Post Office.
- Our preferences as to how the community should develop are irrelevant as we are not, nor will we be in the future, land owners or business owners within the proposed unincorporated community of Mount Hood. However, we are definitely potential customers when the synergy of gasoline prices and business profitability creates expanded and new businesses in Mount Hood.
- The Highway 35/281 intersection would be a great site for commercial development such as a produce or plant market, a performing arts theater, restaurants, etc. Setting a standard of exterior architecture, such as all cedar siding with country décor, would be important to preserve the Mt. Hood character and distinguish this from other nearby locations. This would also be a great location for a winery or wine shop.
- The community should include small retail and service businesses (mom-pop shops), loft housing with businesses on the first floor, a small health clinic for emergency help, an ATM or other banking outlet, a postal annex, and craft shops to support local talent.
- The community should remain the same, with possibly an increase in commercial or light industrial businesses, which would provide jobs. There should be no multi-unit housing.
- In the 28 years that I have lived here, residential development has at least tripled, while commercial development has been mostly nonexistent. I would like to see more planned commercial development within the C-1 boundary, allowing greater opportunity for local employment and needed services for area residents.
- I would like to see more options and/or flexibility for property owners. Change is sweeping up the valley, and there is a need for housing. I encourage development of our community. In the ever-changing economy, property owners need more options. A larger community boundary would suit me.

- I would like to see Mt. Hood become more of a community, with a few more establishments or businesses and attractive and affordable homes.
- I would envision the Mt. Hood community as slowly growing, with more homes and businesses that could be supported by the local people and tourists passing through. I do not feel it is ready for a large resort or residential development at this time, as there is insufficient sewage capacity for current or future needs and such uses would not be compatible with the agricultural nature of most of the land in the area.
- The community needs a public sanitary sewer system that would protect the ground water while allowing for expansion of uses in the C-1 area, restoration of recently lost services, and maintained or increased residential capacity. Services should be provided to increase tourism, which would also benefit residents by providing jobs and retail options.

Zoning. Please refer to the attached map, which shows the existing zoning in the Mt. Hood area. The approximately 30 properties that are zoned Commercial (C-1) are generally clustered around the intersection of Highway 35 and Cooper Spur Road, and their total area is about 36 acres. The properties surrounding the C-1 area are all zoned for Exclusive Farm Use (EFU).

The C-1 Zone allows single-family, two-family, or multi-family dwellings; retail trade establishments; commercial and professional services establishments; and signs/billboards as outright permitted uses. Animal hospitals, trailer parks, and mobile homes for dependent relatives may be considered under conditional use permits.

In the C-1 Zone, there are lot coverage requirements (i.e., buildings, except covered parking and loading areas, are not supposed to cover more than 50 percent of the lot area for commercial; 30% for residential), but there are no minimum lot size requirements for the creation of new lots, with the exception of residential uses. The C-1 Zone would allow for 7,500 square foot lots for residential use if the lot was served by a public sanitary sewer system; if the lot is not served by a public sanitary sewer system, the lot area is increased to conform to the requirements of the County Health Department for a septic system.

3. Are the types of uses allowed by the existing C-1 zoning appropriate for the Mt. Hood area? Should any additional uses be allowed? Please describe below:

Nineteen respondents (54%) indicated that the uses allowed by the existing C-1 zone are appropriate. Six respondents identified specific uses, currently allowed by the C-1 zoning, that are not appropriate for Mt. Hood. Most of them referred only to mobile home parks and/or multi-family housing. Other uses considered inappropriate include billboards, junk yards, outdoor recycling centers and adult shops.

Seven of the respondents say that additional uses should be allowed, including six requests for light-industrial uses and one request for a golf course. Two of these respondents also suggest allowing craft workshops or other uses that would encourage tourism. Another suggests allowing accessory dwelling units (such as small cottages or apartments above a garage) for dependent relatives.

Additional comments in response to this question were as follows:

- Affordable multi-family housing should be developed to supplement or replace the existing mobile home park.
- There should be a provision for recreational vehicular parks in Hood River County.
- The Mt. Hood area has no sewer system and is extremely marshy, so additional housing seems like a bad idea. Only uses that require very little sewer capacity should be allowed, such as ski shops, auto or farm repair shops, hardware store and similar businesses.
- The farmers in our area need to be able to divide their acreages into smaller parcels, simply in order to continue farming. If our community could provide basic commercial services, such as banking,

pharmaceuticals, etc., we would not have to go to Hood River as often. My position is influenced by rising gas prices and the need to provide jobs for our children.

- As in the draft Unincorporated Community Plan for Parkdale, I do not like the idea of allowing 35-unit hotels or motels. I would prefer that the community maintain its rural feel. Bed and breakfast establishments would be better to preserve the uniqueness of the area. The lack of a public sewer system will help keep development down.

4. Should any portion of the existing C-1 area be rezoned to another type of zoning?

The majority of respondents (69%) say that no properties in the Mt. Hood area should be rezoned.

If so, which property or properties should be rezoned? (If you use tax lot numbers to identify properties, please indicate whether or not the property is on the east or west side of Hwy 35 in order to avoid duplication. Or just depict it on the map as described below.)

What zoning designation would you recommend for those properties, if you propose changing the existing C-1 zoning? (Please identify any properties you recommend be rezoned on the attached map and identify the most appropriate zoning designation from the list below.)

Those respondents who indicated that some zoning changes should take place recommend the following:

Residential (R-1, allows only single-family residences): One response.

Residential (R-2, allows single, two-family, and multi-family residences): Zero responses.

Rural Residential: Zero responses.

Industrial or Light Industrial: Zero responses.

Rural Center (would allow existing uses, but would require Conditional Use Permit for expansion of existing structures and/or changes in existing use from residential to commercial): One Response.

The County should create a new, rural mixed-use zone that would allow residential and retail or commercial uses in the same building: Five responses.

Other: Four responses (excluding those who marked "other" and then indicated that the current zoning should remain).

The following recommended zone changes were indicated on the attached maps:

- Rezone tax lots 502, 501, 400, 500, and 200 on the west side of the highway to R-1.
- Rezone tax lots 400, 500 and 600 off of Cunningham Road on the east side of the highway to R-1.
- Rezone tax lots 2300, 501, and 502 on the west side of the highway to Rural Center, without extending that zone to contact Highways 35 or 281 (Cooper Spur Road). Possibly maintain the orchards on tax lot 2300 or change it to vineyards.
- The existing C-1 area should be rezoned to allow light industrial uses.
- The boundary should encompass a larger area, and should be changed to a mixed-use zone. If the current property owners had more development choices they might continue to be able to afford to live here, and the residents, rather than outside interests, would have more ability to shape future development of our community.
- I cannot imagine current property owners agreeing to anything that would in effect be a "down zone." Adding mixed-use zoning would be nice.

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- It would be appropriate to limit R-1, R-2, or other new zoning designations to parcels that already have those uses, and only at the owner's request. Because of the small size of the Mt. Hood community and the inability to predict exactly what the needs of the community or landowners' desires will be in the future, the *planning process should allow greater capability and flexibility for rezoning. A new, rural mixed-use zone allowing residential and retail or commercial use in the same building is a great idea.*
 - Rezone tax lots 1300, 1200, 1400, 1900, 2000, 2100, 2200 and 2300 on the west side of the highway to EFU or some other restrictive zone, to maintain open space. Rezone tax lots 200, 300, 502, west of the highway and 800, 900, 1000 and 1100 east of the highway to R-1. Rezone tax lots 500, 501 and 600 west of the highway and tax lots 400, 500, 600, 700, 1200 and 1300 east of the highway to Rural Center.
 - The County should create a new, rural mixed-use zone to allow residential and retail commercial uses in the same building.
 - Rezone tax lots 400, 500, 600 and 1300 east of the highway to R-1. Retain tax lot 2300 west of the highway as pasture or farm use. Rezone tax lots 900, 1000, 1200 and 1300 east of the highway to Rural Center.
 - The County should create new rural mixed-use and Rural Center zones.
 - The Rural Center and new rural mixed-use zones are both interesting ideas. I would like to hear more about them.
 - I believe that more time is needed to determine which properties should be rezoned and which should not. There is much at stake here, and all landowners should be dealt with in a fair and equitable manner. Certain tax lots like 400, 500, 600, 1300 and 2300 should not be part of the boundary since they are currently vacant or the lots are marshy or heavily tree-covered.
- 5. Are there any other land-use or zoning issues that should be addressed as part of this process?**
- We do not object to the unincorporated community boundary being enlarged beyond the C-1 area, but only to include the land that is not in orchard production.
 - The people who own the land should have the loudest voice, not special interest groups whose agenda is to stop property development that is allowed by current zoning laws.
 - We need standard exterior architectural guidelines so that businesses at the Hwy 35/281 junction maintain a "country" appearance appropriate for the Mt. Hood area, rather than a strip mall appearance that could be found anywhere.
 - Leave the area as is.
 - It is important to understand that agriculture was one of the historical foundations of this community. With that being said, establishing a boundary with different uses and zone changes could seriously alter many people's livelihoods. There are times when establishing a new boundary for property adjacent to EFU land is not compatible with farm use, even with minimum setbacks. Commercial setbacks should be the same as residential setbacks – at least 80 feet from the property line. Twenty-foot buffers for commercial setbacks will create many hardships. Growing farm operations involve many incompatible activities such as spraying pesticides on the trees, use of noisy fans in the middle of the night, use of bees, driving trucks and tractors, and use of pest controls or traps.
 - I would rather see affordable housing for local people over housing or accommodations for tourists.
 - Eliminate trailer parks and expand the boundary to allow some light industrial use (on part of tax lot 100 west of highway).
 - Eliminate trailer parks and expand the boundary to allow some light industrial, mixed-use, and R-2 zoning.

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- The public needs to better understand EFU zoning. Hundreds of citizens worked on the plan for years to make room for a variety of uses and save existing agricultural lands. Building size could become a big issue, so language about appropriate building size should remain very clear.
 - The best option is to stop this process and leave the community as it is currently.
 - The community needs affordable housing similar to what Mike Kitts built near Hood River middle school, using an approved septic system.
 - Add a landscape plan to assure same conformity in the village look that is appropriate to being a gateway to the national forest.
 - There is above-ground sewage in the area of lots 1200, 1300 and 1400 west of the highway.
 - Water supply is not an issue, because Crystal Springs has the water and water rights to support development in the Mount Hood Community. However, any developer of a project within the Mt. Hood community (or anywhere in the County for that matter) should have to provide proof of a viable water supply as part of the initial application to the Planning and Building departments.

Sewage disposal is the biggest development issue for the community of Mount Hood, as exemplified by the recent closure of the restaurant and trailer park. As cited in paragraph 3 on page 2 of this survey: "if the lot is not served by a public sanitary sewer system, the lot area is increased to conform to the requirements of the County Health Department for a septic system." Unfortunately, there is currently NO minimum lot size for a septic system, and each lot, regardless of size, is evaluated on a case-by-case basis. The site's soils, drainage, water table, permeability, topography, etc. and the intended use are evaluated by the County Environmental Health and the sanitarian approves or denies the permit based on his/her best professional judgment as to the ability of the site to handle the amount of waste water/sewage from the stated intended use at the time the permit was applied for. But this did not prevent the former post office that became a restaurant or the trailer park with too many trailers and too many people in the trailers from overwhelming the septic system. In other words, there must be additional safeguards built into this process to prevent this sort of thing from happening in the future, i.e. new owner under-the-radar "up-grades" in property use that increase the load on an existing septic system. The best solution is a community sewer system. However, until that can be accomplished, to prevent the scenarios described above, and to relieve the sanitarian from tremendous pressure to approve marginal situations, *it might be time for Hood River County to pass an ordinance requiring a minimum lot size for a septic system as an adjunct to the State DEQ regulations the sanitarian goes by.*

Other Comments

6. Do you have any other comments or suggestions about this project?

- We need this boundary to be established so that necessary improvements can be made.
- We have lived in this valley for 35 years. We see no need to develop Mt. Hood. This valley is under assault from development. We want to protect the rural atmosphere.
- We currently have a town, Parkdale, in the upper valley. We do not need to develop the Mount Hood community into a second upper valley commercial center. The trailer park behind the country store is one of the few areas of affordable housing left in this county and we need to maintain it.
- This has been an unincorporated community for at least 67 years. My grandparents and parents have fought expanding this area for over 100 years. People from out of our area (the eastern USA, California and other parts unknown) are the ones requesting this change. Quit letting these outsiders change what is not broken. They have already helped tax our seniors out of their homes. We are sick of people thinking they are trying to make it better for everyone. They may be making things better for them, but not for everyone.
- Someone should address the need for recreational vehicle parks in Hood River County.

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- There is a need for more single family homes. We need more R-1 zoning in this area but it should not come from the adjoining C-1 property. EFU land should be allowed to convert to R-1, R-2 or RR.
 - The upper valley has been discovered and I do not want it destroyed by the allowing too many people to live too close together, as has happened in Hood River with their small lot sizes. Even lot sizes of 7,500 square feet would allow 5.8 houses per acre. I suggest some zoning change to R-1 (single-family) to help limit the number of people living here. I do not know if it is fair to dictate or rezone properties, but rezoning some of this land in question to rural center, requiring conditional use permits for development, might be helpful in slowing down growth and thoroughly planning for future changes. Let us proceed slowly here.
 - The boundary should be in place to help the land owners.
 - Since Highway 35 has just been designated a scenic byway and Mt. Hood corner is right on the highway, I think the look of the commercial area is very important. Tourism is an important industry in the valley and Mt. Hood does serve passers-by as well as the local residents.
 - It seems to me that nothing is really being changed by this process, which is just causing a lot of confusion and mistrust in the community.
 - Measure 37 occurred because of zoning being changed against the will of existing land owners. We do not want history to repeat itself. There are those who already have a piece of the valley that are sitting comfortable because of the accomplishments of their parents or grandparents. Others should be allowed to develop their property as was allowed by law at the time of purchase.
 - The historical aspect of the Mt. Hood County store should be maintained, the Mt. Hood post office should be re-built. Expand the C-1 area.
 - As the saying goes, "If it ain't broke, don't fix it!"
 - Is an unincorporated community boundary around Mt. Hood really a state requirement?
 - Include the EFU land whose owners want or need to be in the boundary.
 - I would like to suggest that the community survey to be re-issued after there has been more than one meeting, so the people of the community have more information on how different boundaries would affect the area. Most of the people in the Mt. Hood community have owned their property for at least a decade and some for many decades. We are asked for comments in a few short weeks about a boundary that could reshape people's futures and their retirements. Most of the people do not have the expertise or the means to hire a professional that will determine their options and help to make the best decision for them. I would hope that impartial coordinators paid for by grant money or county funds could assist in this process so that we could learn from what has been done right or wrong in other Oregon communities. It seems like the county is pushing to get this done before the grant runs out in June, 2006. All of our neighbors seem skeptical about this process because they feel that new development or changes not well thought-out will diminish the hard work and many years of trying to make a living in the area. I would like to request that the planning commission ask for an extension of the grant so we are all able to participate in the process over a longer period of time and really understand how these decisions will affect all parties in the future. Also, since there is no sewer system in place the board should consider not adopting an unincorporated community plan at this time.
 - I would like to see a change in the type and quality of homes that exist next to the Mt. Hood Town store. We need homes that are affordable.
 - I wonder what the sewage treatment costs would be for the C-1 zone if there was a master plan for a sewer system. Who would pay for it? Grants? The County? Anything that could aide or make the Towne Hall better would be wonderful. We have supported it for many years. It is perfect for the character of the community.
 - I really think we need more five-acre properties. In my business there seems to be many prospective buyers who are looking for five-acre residential parcels and not finding them.

- Good luck! Thanks for all your hard work on this important, thankless and controversial topic. This is not an easy time to be in land use planning!
- Fear of change has a stronghold here. People feel threatened. If residences here had more information they could make informed decisions. What are our other options? To incorporate? Establish a historical district? How can Mt. Hood have more control over how our community is developed? Knowledge is power.
- The community needs to develop a theme for all buildings. The Mt. Hood Country store should remain as is, and improvements should be allowed that do not change the historical aspect of the building. Expand the C-1 area.
- Those who do not want to allow development should consider the business tax benefits of some controlled development. Some of the money could go toward food and educational support for the less fortunate.
- Any type of future development should address the issue of light pollution. Growing up here I built a telescope. It is getting harder to have dark skies to be able to use it. It should be *required that* private lighting not extend beyond a person's property.

One respondent attached to his or her response the following documents related to the historical boundaries of the Mt. Hood community: "Brief Historical Sketches of Hood River County," prepared by the Hood River County Chamber of Commerce in May 1973; the Central Valley Comprehensive Plan and Zoning Map (adopted July 1980), which depicts the Commercial-zoned area as the community boundary; and part of the 1984 County Comprehensive Plan and Map that also depicts Mt. Hood as the C-1 Zoned area.

Demographic Information

7. Do you live within the part of the Mt. Hood community that is zoned Commercial (C-1)? (Please refer to the attached map.)

If not, how close do you live to the area zoned C-1? (If you are adjacent, please write that.)

Only six respondents (17%) live within the C-1 area. Of the remaining respondents who specified their place of residence, eight (23%) live adjacent to or within a half mile of the C-1 area. Another nine (27%) live within 1-2 miles of the area, and five more (14%) live within 2-5 miles. The remaining seven respondents (20%) either did not specify their place of residence or live in other communities such as Hood River or Wasco County but own property somewhere in or near Mt. Hood.

8. Do you own a business or property within the part of the Mt. Hood community that is zoned Commercial (C-1)?

Of those who answered this question, five respondents (15%) indicated that they own property only. Eight (24%) own both property and a business. None own a business only. Twenty (61%) own neither a business or property.

9. Where do you work?

Seven respondents (20%) work in Mt. Hood, and another four (11%) work within one mile of the community. Ten respondents (29%) work in Hood River. Of the remaining respondents, seven (20% of the total) are retired, and the other seven work in a variety of other locations.

10. What is your gender?

Twenty-one respondents (60%) are male, fourteen (40%) are female.

11. What is your age?

The age of the survey respondents was as follows:

0% = under 20	43% = 50-59
3% = 20-29	23% = 60-69
0% = 30-39	9% = 70-79
23% = 40-49	0% = 80 or older

APPENDIX D. SUMMARIES OF PUBLIC MEETINGS

Following are summaries of the results of the public meetings conducted for the Mt. Hood community, including additional comments provided in writing via comment forms and other correspondence.

PUBLIC MEETING SUMMARY**FEBRUARY 23, 2006****MT. HOOD TOWNE HALL****Background**

State land use planning laws and rules require all counties in Oregon to develop plans for rural unincorporated communities and update zoning and other land use requirements for rural residential, commercial and industrial land outside such communities. To comply with these laws, Hood River County is preparing a series of Unincorporated Community Plans for small rural communities in the County. The first two plans, for Odell and Parkdale, were completed in late 2003. The County also has completed draft Unincorporated Community Plans for Windmaster Corner, Oak Grove, and Rockford.

This was the first public meeting to involve residents and property owners from Mt. Hood in the planning effort. Approximately 150 people attended the meeting, which was facilitated by Matt Hastie of Cogan Owens Cogan (COC), with assistance from Damian Pitt of COC and County staff, including Planning Director Mike Benedict and Planner Josette Griffiths.

Welcome and Introductions

Mike Benedict welcomed participants and introduced Matt Hastie and Damian Pitt of COC, as well as Josette Griffiths, the County planner in charge of this project. He explained that this meeting was the first opportunity for community members to give their input into the process. There will be a second public meeting to allow for further community input, along with a questionnaire that will be mailed to everyone living or owning property within the affected community and surrounding area. He emphasized that the tentative community boundary and other assumptions made by the County and its consultants to this point should be considered as "starting points" for community input, and should not be interpreted as the County's agenda or desired project outcome.

Matt briefly described the history of the project, saying that COC had assisted the County in preparing the Unincorporated Community Plans for Odell, Parkdale and the other communities. He reviewed the meeting agenda, which included a presentation on the project background and objectives, community overviews, and community boundary alternatives.

Presentation*Project Background and Objectives*

The preparation and adoption of this Unincorporated Community Plan will accomplish the following objectives:

- Comply with statewide land use planning requirements.
- Provide an opportunity to achieve community objectives and needs.
- Ensure that future transportation, water, and wastewater services will be adequate to meet the community's anticipated future needs.

The County initiated this project to comply with Statewide Land Use Planning requirements, which do not allow any new residential development at densities greater than two acres per lot in rural areas outside established unincorporated community boundaries. The County has zoning designations that allow smaller residential lots, which have been in place since before the two-acre minimum went into effect. By creating officially recognized Unincorporated Communities in Mt. Hood and other communities, the County can allow rural residential development at densities greater than the two-acre minimum. The actual allowed density within Mt. Hood Unincorporated Community will be based on the public input received during this planning process and other factors, including the capacity of local water, wastewater and transportation facilities.

Another purpose of the project is to identify, define, and achieve community objectives and needs, particularly those related to planning and zoning issues. Finally, this process will identify services needed to serve future growth in the area.

Matt then reviewed the project schedule, the first step of which is to identify a preliminary community boundary. The following steps were to obtain and review the necessary data and hold the first public meeting. Steps subsequent to this meeting include:

- Draft new or revised zoning designations;
- Evaluate public facility needs;
- Distribute a community survey;
- Conduct second public meeting(s);
- Draft a Community Plan and findings; and
- Follow the County's review and approval process.

The final Mt. Hood unincorporated community boundary will be determined in large part by state requirements. A tentative boundary option has been identified based on these requirements. This boundary option is equivalent to the largest boundary [around the area zoned for commercial (C-1) use] that could be approved without taking exceptions to statewide goals (i.e., rezoning exclusive farm use land to non-farm zoning designations). A smaller boundary also could be designated.

After defining the proposed boundaries, the County and COC will determine if Mt. Hood will be an Urban Unincorporated Community or a Rural Unincorporated Community. The Rural Unincorporated Community label is more appropriate, as it applies to communities with fewer than 150 residential dwellings and a mixture of public, commercial, industrial, and residential land uses. Also, it is easier to change the boundary of a Rural Unincorporated Community than an Urban Unincorporated Community.

The following step in the project will be to apply new zoning designations to the Unincorporated Community that reflect the uses and densities allowed under state law. New zoning designations for RUC's were developed in the previous unincorporated community planning processes. The County may choose to apply these existing zoning designations or prepare modified versions specifically for Mt. Hood, depending in large part on property owner and community input during the process.

Another component of the unincorporated community planning process is to assess the capacity of the existing infrastructure to provide water, wastewater and transportation services to the unincorporated community. COC will identify how many people could live in each community based on "full build-out" of the zoning designations that are ultimately recommended for the community, and will work with the County and the Crystal Springs Water District to identify what public facilities improvements, if any, will be necessary to meet future needs.

Matt said that the County had identified the following planning objectives for the project:

- Make minimal changes to the allowed land uses (i.e. not rezone commercial areas to residential or industrial use) unless requested by the community

-
- Allow the continuation of current lot sizes and densities unless changes are recommended by the public or otherwise deemed necessary
 - Define the community's boundaries in a way that is consistent with state law, the community identity, and public service objectives
 - Limit new commercial and industrial development in the community per state requirements

Issues to be addressed in the planning process include the density of residential development to be allowed in the community, the size and type of commercial and industrial uses to be allowed, and plans for future public facilities.

Matt ended this section of the presentation by reviewing the types of land uses allowed within unincorporated community boundaries. The boundary can only include:

- Existing contiguous exception areas, i.e. properties that are in residential, commercial, or industrial zones
- Lands zoned for Exclusive Farm Use (EFU) that have already been developed for other uses such as churches, schools, utilities, golf courses, and cemeteries

Both these types of lands must be historically considered part of the community to be included. State law specifically prohibits any other properties zoned for farm and forest use (other than the exceptions mentioned above), from being included in the boundary. It also prohibits the inclusion of properties that are not contiguous to the remainder of the unincorporated community. Properties zoned for Exclusive Farm Use (EFU) or Forest (F1 or F2), can only be brought into the boundary through an arduous application process, and must be approved by the state's Land Conservation and Development Commission. Such applications are difficult to approve unless the property in question is relatively small, adjacent to an existing or proposed unincorporated community boundary, and is already developed or otherwise committed to non-resource use.

Community Overview and Tentative Boundary

The community boundary option displayed on maps prepared for the meeting includes 30 properties zoned for commercial use (C-1), totaling just under 36 acres and centered around the intersection of Highway 35 and Cooper Spur Road.

A map was presented at the meeting showing the observed, existing use of properties within the area zoned for commercial use. Existing uses include seven commercial businesses and over 30 residences, including manufactured homes. One of the properties appears to be in agricultural use, and six of the properties are vacant or partially vacant. Hood River County owns one property, which includes the Mt. Hood Towne Hall and the Parkdale Volunteer Fire Department. **The existing uses shown on the map should NOT be interpreted as recommended zoning designations. The County is not proposing any specific changes in zoning at this time and it is extremely unlikely that any properties within the area would be rezoned from Commercial (C-1) to agricultural use given that an exception was already taken to that goal.** Some properties could be rezoned to residential or rural center designations, although the existing commercial zone allows for residential use.

All of the properties surrounding the tentative boundary are zoned for Exclusive Farm Use (EFU), although many of them are not in active farm use. None of the EFU properties contain any community uses (such as churches, schools, or cemeteries) that would allow them to be included in the Unincorporated Community Boundary. Thus, any attempt to bring those properties into the boundary would require an exception to state land use laws, which would have to be adopted as an amendment to the Hood River County Comprehensive Plan and approved by the state Land Conservation and Development Commission.

The Crystal Springs Water District serves the Mt. Hood area, and based on preliminary conversations it appears that there is more than enough water available to serve the community in the future. There are

no community sewer services or facilities, and the area's soil types and high water table make for poor septic conditions. Some properties within the boundary have recently experienced septic tank failures. The County Environmental Health Department recommends a minimum lot size of at least one acre if any portion of the C-1 area were to be rezoned for residential use. Any more intense development in the area (i.e. anything other than single residences or small commercial uses) would require a filter or some other system to treat the water before it goes into the leach field or documentation from a registered engineer showing that more smaller lots could be served by septic systems without failure. This is a preliminary recommendation and may be refined as the planning process progresses.

The Hood River County Transportation System Plan identifies no significant traffic issues or concerns in this area. This has been confirmed by the County Public Works Department.

Questions and Answers

After the presentation, Matt asked if there were any questions from the audience. Meeting participants' questions are shown below in italics, along with the answers provided by Matt and the County staff in regular text.

Do you know anything about plans for the properties in Mt. Hood that are for sale?

The County has not received any applications or formal proposals for those properties.

Has the County conducted an economic analysis on the costs to residents of various public facility changes?

No, this study will determine if existing public facilities are sufficient for the maximum development allowed under the zoning. We cannot evaluate public facility impacts until we know what zoning or land use changes the residents want, if any. Approval of an unincorporated boundary in this area would not create a new taxing district or require approval of any new service or taxing district.

Would a resort be allowed as a commercial use within the Unincorporated Community?

No. Commercial uses are limited to those that would serve existing residents and people passing through the area, but would not allow uses such as resorts that would make the community a commercial destination. There are also restrictions on the size of hotels allowed in an Unincorporated Community.

Is Parkdale an Urban or a Rural Unincorporated Community?

It would be a Rural Unincorporated Community.

Are zoning changes possible for the surrounding area or just for those properties within the boundary?

Only those within the boundary, as it is ultimately identified. The properties outside the boundary are all zoned EFU, and would have to go through the exception process to receive a zone change.

Where are the rules regarding unincorporated communities?

They are found in Oregon Administrative Rules (OAR) Chapter 660 - Division 22, and Oregon Revised Statutes (ORS) Chapter 197. These state rules have also been codified in the County's Comprehensive Plan and zoning ordinance.

What types of septic systems are being proposed? The community voted down a sewer system 16 years ago.

No new septic or sewer systems are being proposed at this time, but future development in the Mt. Hood area will be dependent upon sufficient wastewater treatment capacity.

Is the community boundary already identified in state land use laws?

No, but the state land use laws limit the zoning designations and land uses that can be included within the boundary. The C-1 properties are the only ones in Mt. Hood that meet the criteria at this time. Those have been zoned commercial since at least 1984, when the County Comprehensive Plan was adopted.

The Hood River County Comprehensive Plan does identify Mt. Hood as a place, but not as an official unincorporated community. The unincorporated boundary is self-defining unless surrounding property owners want to go through the difficult exception process.

In addition, residents could choose a smaller unincorporated community boundary, which would include some, but not all, of the C-1 properties. The C-1 properties outside the boundary would retain their commercial zoning, but they would be subject to more restrictions than the properties within the boundary.

Are any of the C-1 properties in farm deferral?

We will have to check into that. (Note: County Planning staff checked on this after the meeting, and none of the Commercial (C-1) properties in this area receive a farm tax deferral.)

Some surrounding properties are in residential or commercial use, not agricultural.

Yes, but they are zoned EFU, and therefore cannot be included in the boundary without a goal exception.

Mike reminded participants that they are not beholden to the tentative boundary option displayed on the map. They can ask for a smaller boundary, or no boundary at all. For example, many residents of Windmaster Corner recommended against a formal unincorporated community designation. On the other hand, Rockford and Oak Grove received unincorporated community designations, but no new zoning designations beyond updating existing zoning to conform to state guidelines.

Is there an advantage to adopting a smaller boundary?

Limiting the size of the boundary would reduce the ability to develop the C-1 properties that would be out of the boundary to some degree. However, they still could be used or developed for commercial use.

Through this process, is it possible to change the zoning?

Yes.

What would be allowed in the Unincorporated Community Commercial zone?

The same uses that are allowed in the current C-1 zone would be allowed, except that the Unincorporated Community Commercial zone would allow larger uses (maximum floor space of 4,000 square feet), unless the County can make a finding in its Comprehensive Plan that larger uses would serve only the existing community, surrounding area and people passing through. Attached for reference purposes with the minutes is a copy of the County's existing Commercial Zone and a copy of the amended C-1 zone proposed for application in the unincorporated community of Parkdale and a copy of the zoning map. However, keep in mind that the lack of a sewer system will limit residential density.

Would an adult shop be an allowed use?

Probably, because the courts have determined that those uses are protected by the freedom of speech and expression rights under the Oregon Constitution. Many communities are dealing with this issue. However, those uses likely would be allowed in the C-1 zone as well, so the unincorporated community boundary would not make a difference in that regard.

How small can we make the unincorporated community boundary?

There is no minimum size requirement per se, but the boundary must include at least two residential uses and at least two other commercial, industrial, or public land uses to qualify as an unincorporated community per state law.

What are the limitations on commercial floor area?

In a rural unincorporated community, new commercial uses are generally limited to 4,000 square feet of total floor space, except if they are authorized under the state's land use goals for farm (Goal 3) or forest use (Goal 4), or are considered to serve the community and surrounding rural area or the travel needs of people passing through the area.

Are there any nearby properties that have filed Measure 37 claims? How does this affect the unincorporated community?

There could be Measure 37 claims in the area. The County has a map that identifies all claims submitted to-date. The County is not rezoning property based on approved Measure 37 claims; it is allowing uses that would not have otherwise been allowed, but the zoning of the property remains the same.

There would not be any direct or obvious impacts to the Unincorporated Community from any nearby Measure 37 claims. If a successful claim were to result in more intense residential development on properties adjacent to the unincorporated community boundary, then theoretically those properties would have a better chance of inclusion in the boundary via the exception process.

Would funding for any needed transportation improvements come from within the unincorporated community?

There is very little chance that any transportation improvements will be called for in the Unincorporated Community Plan. If they are required in the future, then they will be funded in the same manner as any other transportation improvement project in the county. The Unincorporated Community would not have the authority to levy taxes of its own.

Would this plan allow the possibility of a community sewer system?

Yes, but creation of a community sewer district would still require a vote. The proposed sewer district in Windmaster Corner was voted down, but the state ultimately may require creation of the district because Windmaster Corner is in a health hazard area. Without such a system, residents may be forced to vacate their homes in some cases.

Much of the land within the tentative boundary is wetlands. Would an unincorporated community boundary diminish the protections on those wetlands?

No, all existing protections would remain in place.

Is it a given that all the properties in the boundary will be zoned commercial?

Not necessarily; we want to hear the community's input.

Is it easier to change zoning within or outside of the boundary?

It is easier to change the zoning of the C-1 properties, compared to the surrounding EFU properties, but including the C-1 properties in the boundary will not increase or decrease their capacity for a zone change.

Have you talked to the landowners inside the C-1 area directly about their desires?

No, but we invited all landowners within the boundary and over 5,000 feet beyond the boundary to come to this meeting.

Is the final approval up to the people in the boundary or the surrounding area?

This creation of the Unincorporated Community will not be put to a vote of people. The decision is ultimately up to the Hood River County Board of Commissioners. Anyone can come and testify at the Planning Commission and Board of Commissioners hearings where the Unincorporated Community boundary and any proposed zone changes will be discussed.

It seems that the C-1 properties would remain commercial?

Yes, except that slightly larger building sizes would be allowed for the commercial properties within the Unincorporated Community boundary than if no boundary is established.

Could property owners within the boundary change their zoning to residential, if they wish?

Maybe, but the Board of Commissioners would ultimately make that decision based in part on the needs of the surrounding community. The Commercial zone currently allows for residential uses; however, the lack of a sewer system limits residential density.

This analysis needs to address the financial implications to the residents of allowing commercial development within the unincorporated community. Does the state give guidance on what is required to be included in the boundary?

No, it lists what can be included, but does not require that anything be included.

Then why are we going through this process?

The state requires the County to identify and plan for potential unincorporated communities, in part to allow properties to be used in the way they are zoned. For example, zoning in Parkdale allows smaller residential lot sizes, but state law prevents implementation of that density prior to adoption of an unincorporated community there. For example, at the time that Parkdale was zoned in 1984, exceptions were taken to the state-wide farm and forest planning goals, but no exception was taken to Goal 14 (Urbanization). Since the time that Parkdale and the C-1 zone of the Mt. Hood area were zoned, the Oregon Administrative Rules (OARs) have been updated as a result of a court case (known as "Curry County") to ensure that urban uses are concentrated in urban areas (i.e., city limits or urban growth areas), not in rural areas. Outside urban areas, Counties are supposed to adopt unincorporated communities per the OARs, or otherwise amend existing zoning to be compatible with rural use as defined by the state.

Will establishing this boundary allow for more development on the vacant property than what is currently allowed?

It would allow a slightly larger building size for new commercial buildings or expansion of existing buildings. If the properties were rezoned to residential use, or the Commercial zone retains its allowance for residential uses, then the unincorporated community designation would allow for higher density, assuming adequate services were available to meet water and wastewater treatment needs of such densities. If such facilities are not in place, such as sewer, then development restrictions would be imposed to ensure that development not exceed the capacity of the land to absorb waste, as required by the OARs. At this point Matt described potential zones that could be adopted in the area, such as Rural Center and Residential (which would probably require a minimum lot size of at least one-acre due to septic conditions). He also pointed out that new zoning designations could be created to meet the needs of the Mt. Hood Community, such as a new Unincorporated Community Mixed-Use zone. He then asked participants to comment on which zoning changes, if any, they would like to see take place in their community. The participants had no specific recommendations for zoning changes.

How would this benefit existing commercial owners?

It may not, other than allowing slightly larger building sizes.

If no boundary is adopted, would the existing commercial zoning remain?

Yes, but at some point in the near future it will also have to be updated to reflect changes to state law.

If the community chooses not to establish a boundary now, is there anything to prevent it from adopting one later?

Technically, this process could happen any time. But if the County adopts a position that Mt. Hood is not a community now, it might be more difficult to call it one later. Also, the County would have to find funding to go through the planning process again.

If this process is denied, how would that affect the activity that would be allowed in the future?

If we do not adopt an Unincorporated Community boundary or otherwise change the zoning, then existing development rights would remain. The zoning would govern new development or changes in use.

Is this process rushed due to the septic problems?

No, the funding came in recently and the process must be completed by June. The fact that the schedule coincides with the recent septic issue is a coincidence.

If we adopt a smaller boundary, would we be able to extend it to include other commercial properties later?

Yes, but in the meantime those properties could still be developed to the specifications of the existing C-1 zone.

As a Commercial property owner in this area, I do not think it is fair that owners of non-commercial parcels should have a say in what we do with our properties.

As with any planning decision, all County residents and property owners have a right to express their opinion on this decision.

Who determined the one-acre minimum for rural residential?

That is a preliminary recommendation from the Hood River County Environmental Health Department given the septic conditions in this area.

Why not extend the unincorporated community boundary all the way to Odell?

The state would not allow that, as the two communities are surrounded by a lot of EFU land that cannot be included in the boundary.

If everything in the area was in continuous ownership prior to the zoning, could there be many more houses in the area due to Measure 37?

Potentially. The situation with Measure 37 claims and enforcement is still unclear.

It does not sound like there is much opportunity to change things from the way they are now.

Expansion of the boundary from beyond the C-1 zone is unlikely. However, the zoning of the C-1 properties can be changed through this process if the residents ask for it, otherwise it will not change. Either way, development will be somewhat restricted because land within the boundary could not be developed intensively without a package sewer system, installed by one or more property owners.

Would potential subdivision of adjacent EFU land from a Measure 37 claim create an opportunity for a boundary change?

Possibly, but once those properties are developed residentially, there is not much value to them to be included in the unincorporated community.

If so, could this cause Mt. Hood to become an Urban Unincorporated community?

At least 120 more residences would have to be included in this way to justify a change to an Urban Unincorporated Community.

How often would the county re-evaluate the boundary?

In the past, the County would have re-evaluated its boundary as part of the “periodic review” process of updating its Comprehensive Plan, approximately every ten years. (Note: Subsequent to the meeting, County staff noted that these requirements have changed and no specific timeframe for re-evaluating unincorporated community boundaries has been identified.)

Next Steps

Matt reviewed the additional steps that will take place through the remainder of the project. They are:

- Identify preliminary community boundaries.
- Distribute a questionnaire regarding the potential boundary and zone changes.
- Identify proposed changes to zoning designations or requirements.
- Conduct an additional public meeting, probably in April, to review the proposed boundary and zone changes, if any.
- Evaluate septic conditions and other public facilities issues.
- Agree on the community boundary, land uses and zoning requirements, based on public input and other analyses.
- Incorporate the preferred alternatives into a draft Mt. Hood Unincorporated Community Plan.
- Adopt the necessary changes to the County’s plans and ordinances.

PUBLIC MEETING SUMMARY

APRIL 20, 2006

MT. HOOD TOWNE HALL

Background

State land use planning laws and rules require all counties in Oregon to develop plans for rural unincorporated communities and update zoning and other land use requirements for rural residential, commercial and industrial land outside such communities. To comply with these laws, Hood River County is preparing a series of Unincorporated Community Plans for small rural communities in the County. The first two plans, for Odell and Parkdale, were completed in late 2003, although they have not yet been adopted. The County also has completed draft Unincorporated Community Plans for Windmaster Corner, Oak Grove, and Rockford. The plans for Oak Grove and Rockford were adopted. The County chose not to adopt a plan for Windmaster Corner.

This was the second public meeting to involve residents and property owners from Mt. Hood in the planning effort for that community. Approximately 20 people attended the meeting, which was facilitated by Matt Hastie of Cogan Owens Cogan (COC), with assistance from Damian Pitt of COC and Hood River County Senior Planner Josette Griffiths.

Welcome and Introductions

Josette Griffiths, the County planner in charge of this project, welcomed participants and introduced Matt Hastie and Damian Pitt of COC. Matt briefly described the history of the project, saying that COC had assisted the County in preparing the Unincorporated Community Plans for Odell, Parkdale and the other communities. He reviewed the meeting agenda, which included a presentation on the project background and work completed to date, a summary of community survey results, recommended community boundary and zoning alternatives, and a discussion on allowed uses and other issues to be resolved through the remainder of the project.

Presentation

Project Background and Objectives

The preparation and adoption of this Unincorporated Community Plan will accomplish the following objectives:

- Comply with statewide land use planning requirements.
- Provide an opportunity to achieve community objectives and needs.
- Ensure that future transportation, water, and wastewater services will be adequate to meet the community's anticipated future needs.

The County initiated this project to comply with Statewide Land Use Planning requirements, which do not allow any new residential development at densities greater than two acres per lot for new partitions or subdivisions in rural areas outside established unincorporated community boundaries. The County currently has zoning designations that allow smaller residential lots, which have been in place since before the two-acre minimum went into effect. By creating officially recognized Unincorporated Communities in Mt. Hood and other communities, the County can allow rural residential development at densities greater than the two-acre minimum if such development can be served by existing or planned water, wastewater and transportation facilities. The actual allowed density within Mt. Hood

Unincorporated Community will be based on the public input received during this planning process and other factors, including the capacity of local water, wastewater and transportation facilities.

Another purpose of the project is to identify, define, and achieve community objectives and needs, particularly those related to planning and zoning issues. Finally, this process will identify services needed to serve future growth in the area.

The County has identified the following planning objectives for the project:

- Make minimal changes to the allowed land uses (i.e. not rezone commercial areas to residential or industrial use) unless requested by the community
- Allow the continuation of current lot sizes and densities unless changes are recommended by the public or otherwise deemed necessary
- Define the community's boundaries in a way that is consistent with state law, the community identity, and public service objectives
- Limit new commercial and industrial development in the community per state requirements

Matt then reviewed the project schedule, the first step of which is to identify a preliminary community boundary. The following steps were to obtain and review the necessary data and hold the first public meeting. After the first meeting, the consultants conducted a survey of area residents and used the survey results to recommend a community boundary and zoning designations for property within the boundary. Steps subsequent to this meeting include:

- Draft new or revised zoning designations;
- Further evaluate public facility needs;
- Draft a Community Plan and findings; and
- Conduct review and approval process with the County Planning Commission and Board of Commissioners.

Matt presented the results of the community survey. The majority of respondents recommended drawing the community boundary around the existing Commercial (C-1) zoned area. There was a wide range of opinions on the future character of the community, with the majority of respondents favoring some type of change. However, there was no consensus on what types of changes the respondents wanted, and many of the respondents favored no change at all. The majority also felt that no properties should be rezoned. Some respondents supported rezoning the entire C-1 area to Rural Center or a new zoning designation that would allow mixed-use development. No property owners within the C-1 area specifically requested a rezone for their property.

The consultants also assessed the capacity of the existing infrastructure to provide water, wastewater and transportation services to the unincorporated community. COC worked with the County and the Crystal Springs Water District and determined that the water supply and transportation system are expected to be sufficient to support future development that could take place in the area under the C-1 zoning. COC will update these public facility analyses, as needed, after identifying the number of households and commercial businesses that could be located in the community based on a "full build-out" of the zoning designations that have been recommended for the community.

After discussing local septic conditions with the County Environmental Health, a one-acre minimum lot size is recommended for all properties in the unincorporated community. Smaller lot sizes could be allowed with a sand filter system, or some equivalent alternative treatment system, or with a package sewer system. Each new use and its lot size, if under one acre, would have to be reviewed and approved based on an individual evaluation of the septic conditions at the site, the amount of wastewater that would be generated and evidence that site conditions could accommodate smaller lot sizes.

Matt ended this section of the presentation by reviewing the types of land uses allowed within unincorporated community boundaries. The boundary can only include:

- Existing contiguous exception areas, i.e. properties that are in residential, commercial, or industrial zones
- Lands zoned for Exclusive Farm Use (EFU) that have already been developed for other uses such as churches, schools, utilities, golf courses, and cemeteries

Both these types of lands must be historically considered part of the community to be included. State law specifically prohibits any other properties zoned for farm and forest use (other than the exceptions mentioned above), from being included in the boundary. It also prohibits the inclusion of properties that are not contiguous to the remainder of the unincorporated community. Properties zoned for Exclusive Farm Use (EFU) or Forest (F1 or F2), can only be brought into the boundary through an arduous application process, and must be approved by the state's Land Conservation and Development Commission. Such applications typically are difficult to approve unless the property in question is relatively small, adjacent to an existing or proposed unincorporated community boundary, and is already developed or otherwise committed to non-resource use.

Recommended Community Boundary and Zoning

The recommended Mt. Hood unincorporated community boundary has been determined in large part by state requirements. The recommended boundary, surrounding the entire area zoned for commercial (C-1) use, is the largest that could be approved without taking exceptions to statewide goals (i.e., rezoning exclusive farm use land to non-farm zoning designations). This boundary would establish Mt. Hood as a Rural Unincorporated Community. This label applies to designated unincorporated communities with fewer than 150 residential dwellings and a mixture of public, commercial, industrial, and residential land uses. The boundary is consistent with the majority of comments received at the first public meeting and with the majority of questionnaire responses (about 70% recommended this boundary).

Based on the community survey results and the input from the first public meeting, the County staff and consultants recommend retaining the existing zoning inside (C-1) and outside (EFU) the recommended community boundary. The following changes to the C-1 zone as it applies in Mt. Hood are recommended to conform to the state's unincorporated community rules:

- Limit new commercial buildings and expansions of existing commercial buildings to 4,000 square feet of floor space, with some exceptions. Exceptions can be allowed for some commercial uses, if there are findings in the County's comprehensive plan that those uses serve the needs of people in the immediate surrounding area or people who are passing through. Uses meeting that criteria have not yet been identified, but they could include grocery stores, general merchandise stores, auto repair shops, or second hand stores. State law does not identify any specific size limitation required in state law, but in the past the County has recommended they be roughly twice the size of the other allowed commercial uses (i.e., 8,000 square feet).
- Establish a one-acre minimum lot size, with allowances for smaller lot sizes on properties that have a secondary treatment system (such as a sand-filter system), or a package or community sewer system, if approved by County Planning and County Environmental Health.
- Package sewer systems must be entirely within the boundary and meet state and county standards. Package sewer systems are allowed in unincorporated communities as long as they remain completely within the boundary and serve more than one parcel, and/or more than one unit in a condominium complex or Planned Unit Development (PUD).
- Consider limitations on signs or billboards, consistent with state regulations and previous case law.

Questions and Answers

After the presentation, Matt asked if there were any questions from the audience. He suggested the following discussion topics:

- General questions about process
- Boundary recommendation
- Zoning recommendation
- Changes to allowed uses
- Other comments and questions

Meeting participants' questions are shown below in italics, along with the answers provided by Matt and the County staff in regular text.

Many of the existing residential lots are smaller than one acre. Is that an exception to the rule?

Currently there is no minimum lot size in the C-1 zone. The County Environmental Health makes decisions on allowed uses and lot sizes based on site-specific conditions. The one-acre minimum that we are proposing is for partitions and other new development, based on the current conditions in the area and the recent history of septic failures.

Is this saying that one could not partition an existing one-acre property?

Not necessarily. One acre would be the general minimum, but smaller lots could be allowed under certain conditions, such as if a package sewer treatment system were proposed and approvable.

How are community sewer districts formed?

A sewer district, which is a public entity with the authority to levy taxes, must be approved by local residents. For example, a proposed sewer district was recently voted down in Windmaster Corner. Another option is a packaged sewer system, which is an on-site system that treats wastewater coming from two or more uses but is created, operated, and maintained privately.

What are those packaged systems like?

There are a wide variety of types of packaged sewer systems. They come in a variety of sizes and use a variety of treatment or disposal methods.

Can a sewer district be formed by a majority vote, or is a 2/3 vote or higher required? Could someone come in and buy the majority of the lots in the C-1 zone and then force a sewer district?

The provisions of Oregon Revised Statutes 198 ("Special Districts Generally") would apply to the formation of a sanitary district. Per ORS 198.815(5), "When the proposal for formation includes a permanent rate limit for the proposed district, the district shall be authorized to impose operating taxes not in excess of the permanent rate limit if the proposal is approved by a majority of the votes cast and:

- (a) At least 50 percent of registered electors eligible to vote in the election cast a ballot; or
- (b) The election is a general election in an even-numbered year."

Starting a community sewer district is a very complicated and difficult endeavor, and it is not likely to be feasible in a community of this size.

Would the revised C-1 zone include height limitations? If not, I would recommend that it does, because a very skinny building could still be quite tall and still contain only 4,000 square feet of total floor space.

The height limitations from the existing C-1 zone would apply. Residential buildings are limited to 35 feet in height, or 2 ½ stories, whichever is less, as per the requirements of the R-2 Residential zone. (All uses

allowed in the R-2 zone are allowed in the C-1 zone, including those listed as conditional uses. The only exceptions are single-wide mobile homes and mobile home parks, which are conditional uses in the C-1 zone). There are no height limitations for commercial structures in the C-1 zone.

How did the state come up with the 4,000 sq. ft. limit?

I am not sure how it was determined. That limit still allows for relatively large buildings. In Parkdale, for example, there is only one use larger than 4,000 square feet, McIsaacs, which is less than 10,000 square feet in size. Larger building sizes can be allowed for certain types of uses, if they are determined to serve only the needs of people in the immediate surrounding area or people who are passing through.

Does the existing zone allow for residential uses? What about residential and commercial uses in the same building?

The C-1 zone allows the same level and types of residential development as in the R-2 Residential zone. Mixed-use development is neither allowed outright, nor prohibited. The 4,000 square feet limitation could discourage mixed uses, unless they were relatively small. It is not clear if the size limitation would apply to the entire building, or just the commercial portion. We will explore this issue further as we draft proposed zoning ordinance amendments.

Matt asked the meeting participants if they would support allowing mixed-use development in the unincorporated community. Most indicated that they would.

What about billboards and signs? Will they still be permitted?

They are permitted outright in the C-1 zone. Some survey respondents said they should not be allowed. However, it is very difficult to restrict billboards in Oregon because of the freedom of speech provisions in the state constitution. The County cannot regulate signs or billboards based on their content. For example it cannot allow murals or other public art but disallow commercial billboards or signs of a similar size and shape. We will check to see what leeway the County has to limit or restrict them in Mt. Hood.

Do these recommendations reflect the majority of responses on the questionnaires?

Yes, our recommendations are based on the questionnaire results, as long as they are consistent with state law. The over-riding theme from the questionnaire responses was to keep things as they are, so that is what we are recommending to the extent possible.

Does anybody who owns property outside the boundary want to be included in the unincorporated community?

There were a couple of comments to that effect. To bring in an EFU property into the boundary would require an exception to state land use laws, which would have to be approved at both the County and State levels.

Should those landowners start talking to the County now, if they want their property to be included?

Yes.

What is the Rural Center (RC) zone?

That is an existing county zoning district that is found in parts of Pine Grove, Windmaster Corner and Oak Grove, among other places. It allows for a variety of residential and commercial uses, similar to the C-1 zone. However, the RC zone is less flexible as it requires a conditional use permit to change a property from residential to commercial use or vice versa.

Are the next three meetings, with the Planning Commission and Board of Commissioners, to be held in Mt. Hood?

The public hearings will most likely be held at the County Business Administration Building, located at 601 State Street in downtown Hood River, but we will explore having the Planning Commission work session at the Mt. Hood Towne Hall.

What happened with the unincorporated community process in Windmaster Corner?

That process was similar to the one the County is going through in Mt. Hood. Windmaster Corner was also on the state's list of communities that needed to go through an unincorporated community planning process. The situation was different from Mt. Hood in that Windmaster Corner consists of a small area zoned Rural Center, surrounded by a large amount of exception land (i.e., land not zoned for agriculture or forestry). This required the County to identify the historical limits of the community, but there was no majority agreement among the residents as to that historical boundary. Also, the sewer district proposal was not approved, which meant the area would not be able to develop at a higher density than is allowed by the existing zones (Rural Center and Rural Residential). An unincorporated community boundary would not have created much difference in the allowed use of those properties. Because of the lack of consensus about the community's historical boundaries, and the fact that the regulations would not change much either way, the Planning Commission and Board of Commissioners did not see a compelling reason to establish an unincorporated community boundary in that community.

This is the County's seventh unincorporated community process, and every one has been different. We cannot make the same recommendations in each place without going through a process to determine what residents in each area desire.

What is the history of this C-1 zone?

The Mt. Hood area has been designated as a commercial area since at least 1980, when it was identified as such in the Central Valley Comprehensive Plan and Zoning Map. It was also identified as a C-1 area in the 1984 Hood River County Comprehensive Land Use Plan.

Will this process be an opportunity to discuss traffic issues? There are some problems trying to turn onto Highway 35 or cross it.

The unincorporated community plan is only required to determine if there is adequate road capacity. We have reviewed the County's Transportation System Plan (TSP) to determine if that document recommended any improvements for this area. The TSP indicates that there is sufficient capacity, and no improvements are recommended to serve the level of development expected in this area. But we can mention recommendations from local residents.

Is Diamond Fruit (in Parkdale) exempt from the unincorporated community restrictions on building size?

Yes, because it is zoned industrial, and the state recently removed limitations on the size of industrial uses in unincorporated communities and on abandoned mill sites.

For a property zoned C-1, what benefits are there to being in the boundary?

A slightly larger building size is allowed for properties within the boundary. Also, more dense residential development would be allowed inside the boundary if it can be served by adequate water, wastewater, and transportation facilities.

Were there any comments on the survey about requirements for new buildings? I think they should be required to retain the character of the community, as exhibited in the Towne Hall and Country Store.

There were a number of comments about maintaining the rural character of the community, such as through design standards. The County does not have any design guidelines in the existing C-1 zone, but we could consider adding them if there is significant community support.

Places like Sisters, Oregon and Leavenworth, Washington have very strict design standards that enforce a specific look in those communities. Other communities have more flexible design standards that maintain certain basic requirements but are not so restrictive.

A handful of meeting participants indicated that they would support community design standards. A slightly smaller number indicated that they would not support design standards.

Matt asked if the participants had any final comments.

We do not want high-density residential development like the new buildings in Mosier.

The 4,000 square feet limitation is too small. Uses like Bob's Auto Electric should be allowed larger building sizes.

Can a C-1 zoned property become a PUD if it has sufficient water and other public facilities?

Yes. A PUD can have a greater density of uses, but it must include 40% open space.

Matt and Josette asked if any meeting participants had thoughts on the minimum lot size for a PUD, if there were sufficient public facilities. Specifically, they asked if 7,500 square feet would be appropriate. Some participants said yes, while others would want to know the impact of such minimum lot sizes if a significant portion of the unincorporated community were developed as a PUD. Matt said that the unincorporated community plan will include an estimate of the maximum amount of development that could take place in PUD's.

I would hate to see a large apartment complex. Smaller, 3-4 unit complexes would be OK.

I have mixed feelings about regulating aesthetics. We do not want to be known as a snooty community that regulates too much. Also, I am not opposed to more density if septic conditions allow.

What is the required setback between C-1 properties and the surrounding EFU land?

The existing setback requirement for commercial uses in the C-1 zone is 20 feet or the height of the building, whichever is greater. The setback for residential uses is 80 feet from an orchard on EFU land or 50 feet from EFU land that is if not in orchard use. These residential setbacks from farm uses come from Article 50 ("Buffer Requirements") of the County Zoning Ordinance.

What if properties were to convert to more dense or multi-use development? Are you recommending any changes to the setback rules?

If any residential uses are involved, then we expect those setback rules would apply. However, we can consider additional setback requirements if the residents so desire.

Next Steps

Matt thanked the participants for their comments and told them to contact Josette Griffiths if they have any further questions. The County will keep all residents in and around the project area informed about upcoming meetings. He then reviewed the additional steps that will take place through the remainder of the project. They are:

- Refine county and staff recommendations based on the results of the second public meeting and further analysis, as needed.
- Prepare a community plan and amended C-1 zoning ordinance.
- Conduct County Planning Commission and Board of Commissioners work sessions and hearings.
- Adopt changes to County plans and ordinances, as needed to be consistent with the community plan.

**APPENDIX E. COMPREHENSIVE PLAN FINDINGS FOR
COMMERCIAL USES**

**HOOD RIVER COUNTY
PROPOSED COMPREHENSIVE PLAN FINDINGS****in Support of More Intensive Commercial Uses Proposed to be Allowed in
the Mt. Hood Unincorporated Community.**

Oregon Administrative Rules (OAR) section 660-22-0030 specifies the following requirement for new commercial uses in unincorporated communities.

- (4) County plans and land use regulations may authorize only the following new commercial uses in unincorporated communities:
- a. Uses authorized under Goals 3 and 4;
 - b. Small-scale, low impact uses;
 - c. Uses intended to serve the community and surrounding rural area or the travel needs of people passing through the area.

The following uses are proposed to meet the definition included in section (c).

- *general merchandise*
- *grocery stores*
- *eating and drinking places*
- *automobile repair and services*
- *second-hand stores*

The above uses are proposed to have a size limit of 8,000 square feet in Mt. Hood. In addition, expansion of these types of facilities is proposed to be allowed up to a 20% increase in the size of the existing use, even if it exceeds the 8,000 square feet limit.

Following are findings in support of these proposed designations.

- All of these types of commercial businesses typically are intended and sometimes needed to serve the needs of residents of local communities and surrounding rural areas. Most people would not be expected to and generally do not drive more than five miles to obtain the types of services provided by these establishments unless there are no closer viable alternative providing the same types of services. Mt. Hood is approximately 12 miles from the urban growth boundary of Hood River. All of these services are provided by similar establishments within the urban growth boundary of Hood River for that city's residents. Hood River residents would be unlikely to travel to Mt. Hood to obtain the same services.
- Several of these types of establishments typically require more than 4,000 square feet of floor area, including automobile repair and services (particularly if vehicles are stored indoors overnight), grocery stores, and general merchandise. The other business types included do not typically require larger floor areas but may require them depending on the type of merchandise sold (e.g., antique stores that sell furniture, eating and drinking

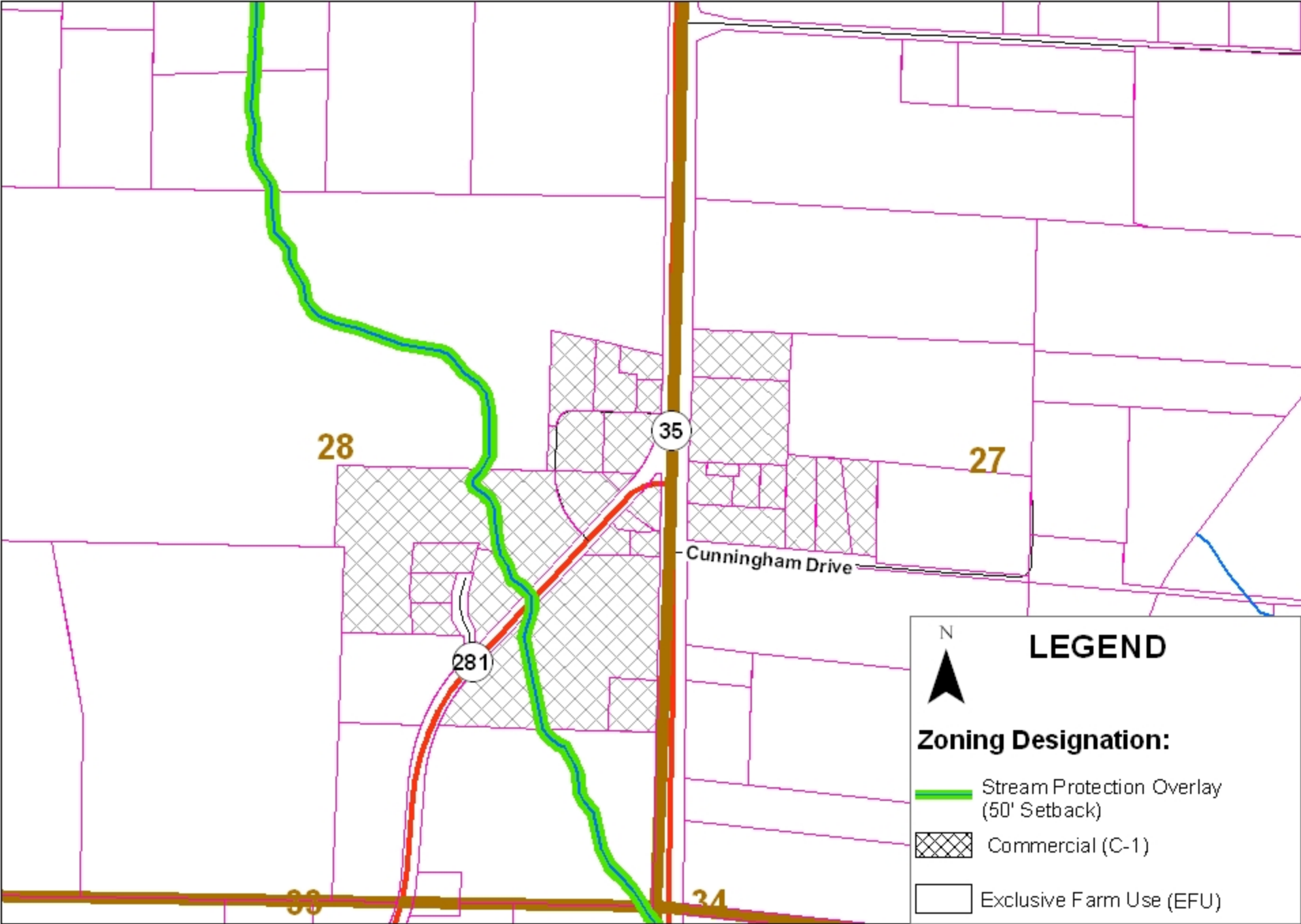
establishments with separate facilities for large groups or that produce products on site, or combination uses.

- While Mt. Hood is a small rural, unincorporated community, a significant number of people travel through it on their way to destinations on Mt. Hood. As a result, it is appropriate to allow for larger uses that would accommodate these visitors (such as eating and drinking establishments, and second-hand stores).

The following uses are allowed with no size limitation based on guidance from representatives of the Oregon Department of Land Conservation and Development that they are authorized under Goals 3 or 4, primarily serve the surrounding community or people passing through, and/or are otherwise not subject to the size limitations of ORS 660-22:

- *Single family, two family, or multi-family dwellings.*
- *A mobile home for agricultural purposes, security personnel, and as a temporary use while constructing a dwelling for a period not exceeding two years. Applicable provisions in Article 16 shall apply.*
- *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.*
- *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.*
- *Airport*
- *Cemetery including mausoleum, crematorium, columbarium*
- *Church*
- *Community club building*
- *Public building or use such as a park or fire station*
- *School – nursery, primary, elementary, high*
- *Home occupation*
- *Health services*
- *Funeral service and crematories*

Mt Hood Area - Existing Zoning



Mt Hood Unincorporated Community - Proposed Boundary & Zoning

