



TO: Columbia River Gorge Commission

FROM: Gordon Howard, Consultant
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DATE: April 11, 2017

SUBJECT: Information Item: Comparison of the Oregon and Washington Urban Area Boundary Expansion Rules

Goal

The purpose of this staff report is to take the first step to initiate a Commission discussion on developing an updated and consistent policy that addresses minor revisions to any of the thirteen urban area boundaries. Staff did a comparison between the 1992 “Urban Areas Boundary Revisions Handbook” that the Commission approved, and current rules/practices followed in the states of Oregon and Washington. As part of the Gorge 2020 Management Plan update, staff will begin working on draft policy language that will follow the intent/language in the National Scenic Area Act, but will be more specific with clear criteria that will need to be met to allow any revisions to the urban area boundaries. Table 1 is provided to view the comparisons “at a glance”. There is no action required at this time. This staff report demonstrates to our local government partners in the National Scenic Area that we heard their comments during the “Listening Sessions” and the local government meetings regarding the need to have clear and consistent policies to address potential applications for revisions to any of the 13 urban area boundaries.

Background

The Columbia River Gorge National Scenic Area Act, approved by Congress in 1986, designates 13 urban areas within the National Scenic Area (NSA), four of which are in Oregon (Cascade Locks, Hood River, Mosier, and The Dalles) and nine in Washington (Carson, Stevenson, North Bonneville, Home Valley, White Salmon, Bingen, Lyle, Wishram and Dallesport) and sets their boundaries (16 U.S.C. § 544b(e)). The National Scenic Area Act directs the Columbia River Gorge Commission (Commission), when adopting land use designations within the NSA, to adopt the urban area boundaries set forth in the act “without change” (16 U.S.C. § 544d(b)(7)). The Act further states that the provisions of the Management Plan that regulate land uses in the NSA “shall not apply” to urban areas (16 U.S.C. § 544d(c)(5)).

The National Scenic Area Act authorizes the Commission to make “minor” revisions to the boundaries of any urban area. The Commission may only act upon application of a county, and must consult the Secretary of Agriculture. A revision must be approved by an affirmative vote of two-

thirds of the members of the Commission, including a majority of the members appointed from each State (16 U.S.C. § 544d(b)(f)(1)).

The Commission may revise the boundaries of an urban area only if it finds that—

- (A) A demonstrable need exists to accommodate long-range urban population growth requirements or economic needs consistent with the management plan;
- (B) Revision of urban area boundaries would be consistent with the standards established in the [management plan] and the purposes of the [Columbia River Gorge National Scenic Area Act];
- (C) Revision of urban area boundaries would result in maximum efficiency of land uses within and on the fringe of existing urban areas; and
- (D) Revision of urban area boundaries would not result in the significant reduction of agricultural lands, forest lands, or open spaces. 16 U.S.C. § 544d(b)(f)(2).

Although worded differently, and with somewhat different specific approval findings required, the language included in the National Scenic Area Act appears similar in concept to the then-current requirements for changes to urban growth boundaries in the Oregon Statewide Planning Program, originally adopted in 1973. Those requirements applied at that time to the four incorporated cities in the Oregon portion of the NSA (Cascade Locks, Hood River, Mosier, and The Dalles), and the two counties where those cities are located (Hood River and Wasco). The NSA portion of Multnomah County contains no cities

At the time of passage (1986) Washington had no statewide growth management legislation. This changed in 1990, with passage of the Growth Management Act (GMA). However, Washington's requirements to adopt urban area boundaries are mandatory only for counties with significant population and growth rates – thus, while Clark County is required to adopt urban area boundaries, Skamania and Klickitat Counties are not, and have not voluntarily done any urban area boundary planning. All nine urban areas designated by the National Scenic Area Act in Washington lie within Skamania and Klickitat Counties. Four are incorporated cities (North Bonneville, Stevenson, White Salmon, and Bingen) and five are unincorporated communities (Home Valley, Carson, Lyle, Dallesport, and Wishram). The current Columbia River Gorge Management Plan, adopted in 1990 and updated twice, most recently in 2004, does not include any additional policies regarding potential expansion of urban areas within the Gorge. However, in 1992 the Commission adopted an “Urban Areas Boundary Revisions Handbook” as a tool to assist counties in preparing applications. The handbook is not a binding rule, and provides guidance that is often “fuzzy” and is in some respects out of date with today's planning practice.

Table 1 (attached) compares the process and requirements of Oregon's Statewide Planning Program, Washington's Growth Management Act and, to the extent feasible, the guidelines set forth in the Columbia Gorge Commission 1992 Urban Areas Boundary Revisions Handbook regarding urban area planning, including setting of urban boundaries. *They provide some background as to similarities and differences between the two programs, and the 1992 handbook, and the guidance they may provide to the Commission in choosing policies and rules as part of the Management Plan update applicable to future proposals for urban area boundary changes.*

NEXT STEPS: Staff will bring to the Commission policy language options for consideration that more clearly define “minor” boundary revisions and criteria that would need to be met to allow any urban area boundary revisions during Phase III of the Management Plan Review and Update Process.