



TO: Columbia River Gorge Commission

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DATE: September 10, 2019

SUBJECT: **INFORMATION ITEM:** Update on Urban Area Boundary Revision Public Workshops

Background:

As part of Gorge2020, the Commission expressed interest in developing an urban area boundary policy to define how counties within the National Scenic Area would need to comply with the criteria in the National Scenic Area Act for revising urban area boundaries.

At the April 9, 2018 Commission meeting, staff presented a background notebook containing salient documents relating to the Commission's development of urban area boundary revision policy during the past 30 years and a brief staff report. At the May 8, 2018 and June 12, 2018 Commission meetings, the Commission started the policy conversation by discussing several foundational questions that gave a broad framework for urban area policy. Based on the outcomes of those discussions as well as comments from the public who attended, Commission staff organized a series of six workshops to date since July 2018 to engage counties, cities, ports, and other stakeholders, and also invited state land use experts from Oregon and Washington to join in the conversation and explore different criteria and options for urban area boundary revisions. More public workshops are planned before a draft policy is presented to the Commission on November 12, 2019. The Commission approved this process at its April 9, 2018 Commission meeting. All workshop agendas, notes and draft policy options are posted on the Commission's website following the workshops for public review. (<http://www.gorgecommission.org/mangement-plan/gorge2020> then click on the *Focus Topics* tab and scroll down to "Urban Area Boundaries").

Commissioners expressed an interest in receiving an update before the November 12, 2019 Commission meeting and discussing guidance that could be helpful for further discussion at the public workshops.

Workshops Held to Date

The Commission staff held duplicate workshops on July 24, 2018 and on August 1, 2018 to kick-off its effort and provide an overview of the work that was needed to clearly define rules and

conditions to be met to allow urban areas to have certainty in their urban area planning. The staff made it clear to the participants that the Commission is committed to hearing all perspectives and that the draft policy and alternatives will be fully vetted and discussed with the Commission. The reports back to the Commission will explain differing viewpoints and how those were considered and either incorporated, or reasons for not recommending certain options. All workshops were held in the Commission office in White Salmon.

The second workshop was held on August 21, 2018. This workshop focused on the Gorge Commission's authority relative to urban areas, and featured briefings on Oregon's Goal 14 by Department of Land Conservation and Development and Washington's Growth Management Act administered by the Department of Commerce. There were questions about how the state and the Commission would review an urban area boundary revision that also revised Oregon's urban growth boundary. It was acknowledged that a coordinated review will be needed. In Washington, the Department of Commerce only reviews county plans but does not approve them. However, they must specifically address the need for public facilities. The group also discussed Commission values such as the need to provide for tribal housing.

The third workshop was held on September 9, 2018. This workshop included local government reports from county and city planners describing buildable lands inventories that were recently completed and the needs for affordable housing, as well as the constrained land adjacent to urban area boundaries. Staff presented information on land use designations and scenarios for how to deal with these constrained lands.

The fourth workshop was held on October 15, 2018. The focus for this workshop was better defining a non-binding policy for urban area boundary revisions such as the Commission's current handbook vs a binding rule. There was consensus that the Commission should enact a binding rule, but that the Commission might also adopt guidance if necessary to explain a rule.

A first draft policy was presented that included three types of revisions for discussion—*land swaps*, *"de minimus"* revisions and *"full"* revisions. Land swaps would be limited to 1% of the acreage of an urban area or ten acres, whichever is less and there would also be consideration of resource values in addition to the acreage. There was consensus that a land swap of this nature would qualify as a minor revision. "De minimus" revisions would be a one-time change to the boundaries of 1% or 20 acres, whichever is less for the purpose of allowing an urban area to use small amount of land in the adjacent GMA or SMA to resolve lands constrained in the urban area. It was generally agreed that this acreage would qualify as a minor revision, but there were questions about how useful this option would be for the urban areas. Finally, full revision would be similar in concept to urban growth boundary revisions under Oregon law, but would use NSA specific factors in lieu of some Oregon factors, assumptions and ranges specified in Oregon law. There was a spirited conversation about whether full revision could ever be considered a "minor" revision.

The fifth workshop was held on November 19, 2018 and featured the conservation perspective from the Friends of the Gorge. A regional approach was discussed that would require urban areas to consider and possibly use lands within other nearby urban areas to allow for growth. Examples of nearby urban areas are: The Dalles-Dallesport and Hood River-Mosier-White Salmon-Bingen. The participants discussed the three types of revisions as presented in the fourth workshop and suggested more text revisions that would clarify the policies further.

(There was a gap of 9 months because of the large number of appeals and other legal issues the Commission was involved with that required legal counsel's full-time attention).

The sixth workshop was held on August 14, 2019. Three Gorge Commissioners attended to listen in on the discussion. The draft policy presented in the previous workshop was further refined based on the discussion at the fifth workshop, except that staff collapsed the land trade and de minimis options into a single, more expansive land trade option, allowing land trades for 1% or 20 acres, whichever is less, with fewer restrictions on use. In addition, it was suggested that a regional planning process should be completed by the community requesting an urban area boundary revision before an application would be submitted. The purpose for requiring a regional planning process is to identify regional solutions that accommodate long-range urban population growth or economic needs and can achieve mutually beneficial long-range planning goals while protecting NSA resources. There was a significant amount of discussion on this topic but consensus on this approach was not reached—it requires more analyses and conversations.

These are not the exclusive options and staff has consistently welcomed participants to suggest other alternative concepts. One suggestion made at the sixth workshop was for the Commission to organize a facilitated discussion at the next workshop with a look at high level concepts and goals, and to reach agreement on those before further developing specific recommendations.

Next Steps

The staff requests Commission feedback on the direction staff is taking in response to the input from the participants of the workshops so far. Staff plans to organize another workshop in September or October to bring forth additional ideas from the Commissioners, vet them with participants, identify areas of common agreement and those with differing viewpoints, and then bring a draft report of the options for further Commission discussion and guidance at the November 12, 2019 Commission meeting.