

DEPARTMENT OF COMMUNITY SERVICES  
LAND USE AND TRANSPORTATION PROGRAM  
MULTNOMAH COUNTY PLANNING COMMISSION

MINUTES OF MAY 3, 2010

- I. Call to Order-** Chair John Ingle called the meeting to order at 6:30 p.m. on Monday, May 3, 2010 at the Multnomah Building, Room 101, located at 501 S.E. Hawthorne Blvd., Portland, OR.
- II. Roll Call - Present-** Chair Ingle, Vice-Chair Chris Foster, Katharina Lorenz, Bill Kabeiseman, John Rettig; Julie Cleveland; Patrick Brothers  
Absent - Michelle Gregory, Greg Strebin
- III. Approval of Minutes of April 5, 2010.**  
Motion to approve April 5, 2010 minutes by Commissioner Rettig; seconded by Commissioner Foster. Motion passed unanimously.
- IV. Opportunity to Comment on Non-Agenda Items.**  
No public present.
- V. Work Session: CFU Zone Updates - PC-10-004**

**George Plummer, Planner** brought forward Commercial Forest Use (CFU) housekeeping amendments for a second work session in conjunction with updating the Building Code, Fire Apparatus Access standards. The purpose is to correct some inconsistencies to the current code, and try to reconcile them with fire access standards to make them clearer. Staff proposes to limit Type 1 review to expansion, restoration and replacement dwellings within 100 feet of existing dwelling, thereby moving these uses from Review Uses to Allowed Uses. Staff also proposes that restored or replacement dwellings located more than 100 feet would require a Type II review, which has a discretionary component, and move accessory structures reviewed as Type II Review Uses to Allowed Uses. Also proposed is to establish setbacks for accessory uses more than 100 feet from dwelling, and allow nonconforming to be maintained for additions to existing accessory buildings.

We are proposing to eliminate access standards in the Forest Development Standards and move them to Chapter 29, Building Code, Fire Apparatus Access in order to apply the same access standards to all properties within our jurisdiction. We would like to eliminate Type 1 review for restoration or replacement dwellings more than 100 feet from existing dwelling, and go to a Type II review. We are proposing to correct an omission in the CFU-3 Zone District by adding a Lot of Exception option that was inadvertently omitted, and add definitions for “access easement”. It was decided that the current “Other Accessory Structures” and “Other Structures” would remain in the Forest Practices Setbacks and Fire Safety Zones table.

- VI. Work Session: Chapter 29 Amendments for Consistency with Oregon Fire Code. PC-10-007**

**Lisa Estrin, Planner** presented her staff report to reconcile Multnomah County’s Fire Flow and Fire Access Standards (Chapter 29) with the revised statewide fire code (Oregon Fire Code)

amended in 2007, which established basic fire flow and fire apparatus access for urban and rural fire districts, and to ensure roadways are adequate for heavier fire vehicles. Staff's proposal would streamline the County Code and improve efficiency in implementation by the Fire Districts. The details are outlined in the staff report.

Estrin explained to the Commissioners that volunteer fire districts are broken down between volunteer fire fighters and paid fire fighters. Planning staff will confer with the fire chiefs and ambulance service before bringing this back to hearing. There was discussion about Fire contracts in the more remote districts, but they are questionable. Staff intends to have a discussion with Cascade Locks Fire District to ensure that they will serve via contract. If not, the question is, do we prevent construction unless they can annex to a fire district? It was thought that County Access standards should be similarly based on fire apparatus access standards.

## **VII. Hearing: Zoning Code Updates Related to Variances and Adjustments - PC-10-002**

**Chair Ingle** read into the record the Legislative Hearing Process for the Planning Commission for a public hearing and the process to present public testimony. The Commissioners disclosed no actual or potential financial or other interests which would lead to a member's bias or partiality. There were no members of the public present to object to the Planning Commission hearing the matter.

**Don Kienholz, Planner** presented his staff report that is intended to correct ambiguities in the zoning code regarding variance/adjustment remedies and SEC and WRG resource protection areas. This case was presented in a work session at the March 1, 2010 Planning Commission meeting, where the Commission chose one of two options presented. Kienholz outlined the proposed new code language to be considered, which is described in detail in his staff report.

Commissioner Brothers made a motion to adopt, with a noted change to the text in 33.7606(A) to reword the sentence leading into the exceptions. (Commission thought the word "that" was improperly used.) Rettig seconded. Motion passed unanimously.

## **VII. Hearing: Chapter 37 Amendments to Incorporate Conflict of Interest Rules for Planning Commissioners - PC-10-001**

**Chuck Beasley, Senior Planner** presented his staff report about amending the Planning Commission's Legislative Hearing language to address the legal requirement for disclosure of "bias". The language revisions are detailed in the staff report.

Kabeiseman made a motion to adopt the amendments, and Foster seconded. The motion passed unanimously.

## **VI. Director's Comments.**

Beasley presented the Director's comments. In June the Commission will have a work session on Alternative Energy standards, including wind and solar; a housekeeping amendment; CFU Zone updates, and a briefing on the Springdale and Burlington open houses. There will be no Planning Commission meeting in July, in observance of the 4th of July holiday. The Commission will reconvene in August, when fire codes will come before the group.

The meeting was adjourned at 8:15 p.m.

**The next Planning Commission meeting will be June 7, 2010.**

Recording Secretary,

Kathy Fisher