

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

MINUTES OF FEBRUARY 3, 2014

- I. Call to Order:** Chair John Ingle called the meeting to order at 6:30 p.m. on Monday, February 3, 2014 at the Multnomah Building, Room 101, located at 501 SE Hawthorne Blvd., Portland, OR.
- II. Roll Call:** Present – Chair Ingle, Vice-Chair Jim Kessinger, Paul DeBoni, Bill Kabeiseman, Katharina Lorenz, John Rettig, Jeremy Sievert, Larry Peterson.
Absent – Jim Kessinger
- III. Approval of Minutes: January 6, 2014.**
Motion by DeBoni; seconded by Kabeiseman.
Motion passed unanimously.
- IV. Opportunity to Comment on Non-Agenda Items:**
None.
- V. Briefing: Multnomah County/City of Portland Climate Adaptation Plan**
Adam Barber, Multnomah County Senior Planner, introduced Tim Lynch with Multnomah County's Office of Sustainability. Barber said Lynch's office is nationally known for taking charge of the concept of sustainability and applying it at the local government level. This evening's presentation is centered on climate adaptation and what Multnomah County is doing in that arena, and to show us what science says regarding the changes we might see locally. One of the major drivers behind the project is trying to identify what type of policies currently in place could help minimize impacts for our most vulnerable citizens as the climate begins to change, and identify new policies for the future.

Lynch gave his presentation on the Office of Sustainability's Climate Change Preparation Strategy. He started with a context about climate planning in the region, much of it in partnership with the City of Portland, that culminated in the adoption of a 2009 Climate Action Plan. This plan sets a carbon reduction goal of an 80% reduction below 1990 levels by the year 2050, which is the number that science says we need to achieve to avoid the worst impacts from future climate changes. The plan is broken into eight different areas, focusing on the main drivers of carbon emissions in the region, which to date has been quite successful. Multnomah County is 6% below 1990 levels, and about 26% below on a per capita basis. We lowered our emissions despite having a significant influx of people and continued job growth. The issue we're discussing this evening is climate change preparation, recognizing that while we are doing a lot to reduce emissions, we also need to plan for the climate change impacts likely to hit the region.

In climate planning there are two dimensions, first is the focus on mitigation, which is what most of the original climate action plan did in reducing greenhouse gas emissions. The second is preparation, or adaptation, which is looking at what we expect future impacts to be, and planning to build community resiliency against those impacts.

It's a big topic and this is our first effort to develop a climate preparation plan, so it was broken into three different joint city/county working groups focused on natural systems, such as wildlife

and waterways; built infrastructure, which focused on public infrastructure; and public health impacts.

As a first step, we gathered information on what the science is telling us. We are fortunate to have resources to draw upon for projections, such as the Oregon Climate Change Research Institute, Climate Impacts Group out of the University of Washington, the International Panel on Climate Change, and a national climate assessment currently underway from the federal government.

Each of these working groups went through a process based on national best practices to assess within each system what resiliency exists, where the gaps are, and what we need to do to address them. We have seen some significant changes over the past century in the Pacific Northwest. There's been an increase in average temperatures of 1.5°F; a loss of Cascade snowpack of about 20%; shifts in seasonal distribution of stream flows; and declining glaciers - about 1/3 of Mt. Hood glaciers have been in decline over the past century. We are also beginning to see some extreme changes with a lot of micro events signifying a trend of the extreme weather we expect from the effects of climate change.

In gathering these findings, we narrowed it down to two themes; we expect to see hotter, drier summers, and warmer, wetter winters. In the summer, we expect average temperatures to increase between 3.3 and 9.7 degrees by the end of the century. (The variability has to do with which model you choose and the rate at which we reduce our greenhouse gas emissions.) We also expect to see more drought conditions, which, when combined with increased temperatures, would result in increased wildfires of both frequency and intensity. This could significantly affect public health issues in the community we serve. Looking at the warmer, wetter winters we expect average winter temperatures to increase, although less significantly than summer months. Overall, we don't expect significant shifts in annual precipitation, but we expect more intense storm events that could lead to landslides and flooding. Lynch closed by noting that he was looking to this Commission to help inform what recommendations they might have to best serve our rural areas.

Retting commented that he is very happy Tim is doing this and asked if he has counterparts he is collaborating with.

Lynch said this is being done in close concert with the City of Portland, and now that we have a plan to work from, we've started to engage with Metro and some of the East County partners. Metro's focus has been on the mitigation side with their Climate Smart Scenarios planning, but they are very mindful of the need to look toward the preparation impact side. There have been conversations in the Willamette Valley about developing a resiliency compact, particularly looking at issues like water that are shared across a watershed. It makes sense for local governments to come together and plan around that. The challenge has been finding a context that is safe enough as climate can be a very alienating conversation, so we need to find a common ground in order to have those conversations.

Ingle said he thought the document had a strong urban focus, and pointed out that our jurisdiction encompasses the unincorporated areas. In terms of vulnerable populations, I think they are much easier to identify in an urban setting where the more vulnerable population bases are. In the unincorporated areas, that seems a much more difficult task. I wonder if staff has given much thought to how we might respond to that.

Barber said that earlier there was a conversation about wildfire risk, and in some of our communities, there is one road in and one road out, so in the context of a wildfire, the whole community is vulnerable to that one type of disaster.

Foster added that it requires an enormous amount of resources, not just the people who are affected, it becomes a community effort to protect life and limb and property. It's a great expense to the broader community, so we definitely have a role to play. I believe our key issues are the urban interface with wildfire and water, watersheds and water resources, floods; anything related to water is pretty important in the rural areas. Ingle thought our focus is going to be more narrowly defined because of the nature of what we're dealing with.

Lynch said the next step is getting this out for public comment the end of next week and encouraged comments from the Commissioners.

VI. Hearing: Amend Off-Street Parking Regulations – Non Residential Access (PC-2013-2900)

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 partiality. There were no objections to the Planning Commission hearing the matter.

Barber gave his staff report noting that this is a follow-up to the work session held in October 2013. The County's off-street parking and loading standards that have been in place since the late 1970's established driveway construction requirements for commercial uses. Since those standards have little to no flexibility built in, the proposal is to add some flexibility under defined circumstances. This is for commercial uses only; we are not talking about residential access. The standard on the first page of the staff report, §.4170 Access states "... there shall be provided an unobstructed paved drive not less than 20 feet in width for two-way traffic". Questions have been raised over the years by members of the community whether this requirement is always necessary. There may be some scenarios where it's not needed in all sections of the driveway, and perhaps the County could consider other options, such as a narrower driveway or a surface other than pavement. Gravel comes up frequently because we're talking about rural areas and that is a common surfacing treatment. We talked in October about creating some new standards, with the concept that the landowner would have to justify that there is a unique characteristic on the physical site in order to grant relief.

We also talked about dust mitigation and impacts to water quality. We decided to borrow some standards from the variance standards, such as practical difficulty or unnecessary hardship, that may have merit for the purposes of the type of relief we are talking about. Barber pointed out the changes made in the staff report since the work session, and asked if there were any questions.

Foster said he thought this was a rarely used part of the code, that we don't have a lot of commercial properties that would take advantage of this. Barber said this code would apply to Type B & C Home Occupations, but it's not a real frequent occurrence. Foster noticed in the dust nuisance, the second dwelling within 200 feet, why not a business within 200 feet? Why shouldn't a business be a part of that, because his concern is there is no requirement that the roads be maintained. Barber said we thought about saying any structure within 200 feet, but realized that could include a pole barn. In thinking about occupied structures, that brought us to residences, where over time there is more potential for nuisance and dust. If there is a dwelling within 200 feet

of the proposed driveway, they would have to have a dust management plan, and we could impose a condition of approval.

DeBoni said he thought the draft ordinance was consistent with the comments and concerns brought up at the work session. Ingle agreed that it was well presented.

Motion to approve by DeBoni, seconded by Rettig. Motion passed unanimously.

VII. Briefing: 2013 Land Use Case Law Update

Jed Tomkins, Assistant Multnomah County Attorney, began by noting that rather than present the standard approach to the case law update, which is to review all the land use decisions from a recent period of time, he decided to focus on a select handful of recent decisions about some things that might be particularly relevant.

Tomkins said that the document that was included in the materials for this presentation is divided into procedural types of issues and substantive, noting that although this body generally sits before a legislative process, it occasionally will preside over a quasi-judicial process, so there is an example of that process on page 3. He then gave a very thorough briefing on the Process which included Impartial Tribunal, Remand, Retroactive Ordinances and Finality of Decisions; and Substance, which included Home Occupations, Gatherings and Farm Stands, along with case summaries.

VIII. Training: Multnomah County's On-Line PR Navigator Mapping System

Due to time constraints, this was set over to another time.

IX. Director's Comments:

Barber said that due to the intensity of the Sauvie Island/Multnomah Channel (SIMC) Rural Plan Update, the March 3, 2014, Planning Commission meeting has been cancelled. We plan on having an April meeting at the Multnomah Building. At this point, May is still uncertain, but we plan on the meeting in June being on Sauvie Island. July is our month off, and we anticipate having a hearing on the SIMC in August, most likely on the Island as well.

Barber updated the Commissioners on the project, noting that Sievert is on the CAC and Foster is on the TAC and asked if they had anything to add. Foster said he has been to four or five of the meetings, and even though he's mainly been listening, he tries to keep the other members apprised of the issues. Sievert said from the meetings he's attended, he feels they are all working really well together, he's been very impressed. He thinks they all understand the need for compromise.

Karen Schilling, Land Use Planning Director, told the Commission that this is our budget season and for the first time in about 12 years, we have not had a constraint on our budget. This year, we have a one-time only budget request for an update to our Comprehensive Plan that was adopted in 1977. We are proposing a very ambitious program of two years to update the plan, trying to focus on the rural aspect, and to streamline the chapters into one chapter of code. The proposal includes two new additional staff for a two year limited term, plus another equivalent FTE purchased through either consultant services or existing county resources in terms of GIS help and public involvement. Assuming we are awarded the funds, we envision an intense community outreach during the next fiscal year, and the two additional staff would be dedicated to this effort.

Foster asked when we would know if this has been approved. Schilling said this year's adoption date is in the last week of May.

Schilling concluded with a legislative update, noting it appears there are only a couple of land use bills this year that would be of interest to the Commission. She also pointed out that the Board conducts public hearings on the budget, so if any of the Commissioners are interested in offering their support to the aforementioned one-time only request, it would be appreciated. She said she would be sure they are notified of the dates of the public hearings.

Rettig inquired about the Statement of Ethics (SEI) forms and was told they should be sent to them automatically.

Meeting adjourned at 8:45 p.m.

The next Planning Commission meeting will be April 7, 2014.

Recording Secretary,

Kathy Fisher