

AIR, LAND, WATER, WILDLIFE AND HAZARDS SUBCOMMITTEE MEETING
ROOM 126, MULTNOMAH BUILDING
510 SE HAWTHORNE BLVD, PORTLAND OR
SEPTEMBER 2, 2015 3:00-5:00 PM

MEETING SUMMARY

I. Welcome, Introductions and Announcements

In attendance:

Subcommittee members

Marcy Houle
Stephanie Nystrom
Catherine Dishion
Jerry Grossnickle

Project Team

Rich Faith
Rithy Khut
Kevin Cook
Matt Hastie

Other community members in attendance: George Sowder, Paula Sauvageau, Carol Chesarek, Colleen Cahill, Allison Boyd

Rich Faith welcomed everyone to the subcommittee meeting and briefly explained the items that will be on tonight's agenda. Brief introductions were made.

II. Historic Preservation Policy Issues

A subcommittee member recounted her experience of owning a historic home in Portland. Even though it was on the national register of historic structures, after they sold it the new owners demolished it. A historic structure is not fully protected without a historic preservation easement, or restrictive covenant. Also, historic designations can be abused when the true motive is not really about preserving the structure but more to take advantage of certain tax benefits or funding programs. Others on the subcommittee agreed and felt that a historic preservation program needs teeth to avoid abuse.

Colleen Cahill, who owns a historic school building in rural East County, explained the struggles she has faced with maintenance and upkeep of the building, which she lives in. She has received lots of support since her story went public in the Gresham Outlook. Over 500 hits on her Facebook page plus many people have signed her petition in support of allowing use of the property for events that would provide income that can be put back into upkeep of the building. Her home is historic but does not qualify to be on the National Register of Historic Places because of major modifications that were made to the back of the building before she bought it. George Sowder mentioned that there can be problems obtaining financing for older buildings with high maintenance costs.

Some of the major comments on this policy topic were as follows.

- Carol Chesarek would like to see related policies from the Sauvie Island Plan carried over into the comprehensive plan.
- There may have to be different standards in the EFU and CFU zones from the others.
- Would like to see a provision that if someone receives a historic preservation tax deferral, they are prohibited from demolishing the building.
- The Clackamas County code is a good model to use for allowing adaptive uses on historic sites.
- Must emphasize the need for safeguards against people taking advantage of historic preservation benefits when that may not be their true motive.
- There should also be policies about preserving cultural resources. Presumably, there are some in the County.

Based on the comments and overall support for historic preservation voiced by subcommittee members, Rich said he will bring back draft policies for the next meeting.

III. Riparian Corridor, Wetlands, and Wildlife Policies

Rithy Khut introduced the proposed policies, which reflect direction given by this group at its previous meeting. Significant comments were:

- Why is the word significant in quotation marks? Is there a particular definition for the word in this context? Remove the quotation marks if they are unnecessary, but be sure that the meaning of the word is explained somewhere in the plan.
- There should be a policy about headwater protection. Even though Policy 3 under riparian corridors mentions best management practices to protect headwaters, it does not go far enough.
- Wildlife are connected to headwater streams so it is important to call out their protection. Paula Sauvageau stated that the upper slopes are the headwater areas where streams begin. Development that blocks or diverts these headwaters are depriving the lower mainstream from water.
- Low Impact Development (LID) strategies should be looked at for protection of streams, wetlands and headwaters.
- Support expressed for using safe harbor approach called out in Strategy B to inventory riparian corridors.
- Add “ecosystem services” to the values listed under Policy 1.
- Under wildlife habitat policies, why is only oak woodlands called out as high value habitat. Old growth forest should also be included.
- Concern expressed about the policy to coordinate with ODFW to administer the wildlife habitat tax deferral program. Are we comfortable with that agency administering the program? Can anyone else do it?

- Concern about too much recreational activity in wildlife habitat areas. Even too many trails can have a negative effect. Need to limit recreational development within habitat areas.
- Carol Chesarek explained that Metro's maps of riparian areas covered much more than the County's inventory. Metro maps extend about a mile beyond the Metro boundary. Matt Hastie replied that the map work his team is doing coincides with the Metro data.
- Regarding the question of limiting housing size in the SEC-h overlay zone, the subcommittee favored a policy about doing that. The footprint of the house is the key issue rather than just the square footage of the house, but it may depend on what area the house is built in. Limiting total square footage may be appropriate in the most sensitive habitat areas.
- Staff will draft policy for the next meeting about limiting size of houses in the SEC-h zone.

IV. Natural Hazards Policies

Matt Hastie provided the background on these policies. He also explained their relationship to the County's Natural Hazards Mitigation Plan that was first adopted in 2006, updated in 2012, and currently in the process of being updated again. Allison Boyd, Continuity and Resilience Planner from Multnomah County Office of Emergency Management, who is spearheading the update process is here this evening. Major comments on this agenda topic were:

- The subcommittee members all agreed that the policy for steep slope and landslide hazards should be changed to say steep slopes are over 20%, not 25% as written.
- Allison Boyd asked Matt if there is any science behind the 20% slope figure. Where does this number come from? Matt replied that it is used in an existing policy in the comp plan and he is pretty sure Metro has used that number as well. He will check into that.
- One person did not like the exception language in the steep slope policy and does not think any exceptions should be allowed. Others feared this could constitute a takings challenge if no exceptions are permitted.
- There should be a presumption that slopes over 20% can't be built upon.
- Allison Boyd pointed out that DOGAMI will be coming out with more detailed landslide maps next year. The data is based on historic landslide activity.
- There was concern about development cutting into the toe of hills which exacerbates landslide vulnerability. Development at the toe of steep slopes should be evaluated for the potential landslide impact it causes.
- Someone asked whether there can be a policy prohibiting development in the floodplain, floodway and channel migration areas. Structures are already prohibited

in the floodway. Development is allowed in the floodplain but is subject to a variety of standards to minimize risk of flood damage.

- Allison Boyd pointed out that the channel migration study that the state has done is very course. Clackamas County conducted its own study and found big differences with the state's map. The only channel migration study in Multnomah County is for the Sandy River. She also suggested adding areas subject to liquefaction as a hazard since those areas have been mapped.
- There was general agreement that forest setback requirements to protect against wildfires should be expanded to rural residential zones as well. One member would like to see what those requirements are before agreeing with this.
- Concern expressed about needing to cut more trees down in order to establish a clear area buffer between the trees and the homesite.
- Concern that in the West Hills when power goes out, the public water system also goes down and there is no fire fighting capability.
- In addition to clear area buffers, another consideration is use of fire resistant building materials. Standards of the National Fire Prevention Association should be looked at.

V. Public Comment

No comments

VI. Meeting Wrap up

Carol Chesarek agreed with using the 20% steep slope figure. She was also concerned about tree cutting on steep slopes and the increased risk to landsliding. She would like to see policy that there be no alteration of slopes of 25% or greater. There needs to be a stricter policy about developing on slopes; only allow it when necessary to avoid a takings. Also, there should be a requirement for a deed restriction when building in a landslide prone area to serve as notice to subsequent property owners.

VII. Adjourn

The meeting adjourned at approximately 5:07 pm.