

COMMUNITY ADVISORY COMMITTEE MEETING
ROOM 126 MULTNOMAH BUILDING
501 SE HAWTHORNE BLVD. PORTLAND, OR
December 2, 2015 6:00 PM

MEETING SUMMARY

I. Welcome/Introductions/Announcements

In attendance:

CAC

Aaron Blake
Andrew Holtz
George Sowder
Jerry Grossnickle
Karen Nashiwa
Marcy Cottrell Houle
Martha Berndt
Paula Sauvageau
Will Rasmussen
John Ingle
Tim Larson

Project Team

Rich Faith
Joanna Valencia
Kevin Cook
Rithy Khut
Matt Hastie
Eryn Deeming Kehe
Jessica Berry

Absent: Catherine Dishion, Kathy Taggart, Linden Burk, Sara Grigsby, Stephanie Nystrom, Chris Foster

Others in attendance: Andrew Brown, Carol Chesarek, Michael Cerbone, Kate McQuillan

Eryn Kehe started the meeting off by giving an overview of the agenda and what topics would be covered and other policies that would be discussed relating to transportation and a few others that come from the Air, Land, Water, Wildlife & Hazards subcommittee. Eryn commented that the bad weather and ice in the eastern County had an influence as to why there were so many absent due to the hazardous road conditions. There were no other announcements for the good of the order so Eryn turned it over to Rich Faith.

II. Status Report on Draft Comprehensive Plan and Process for CAC Review

Rich Faith announced that the project team wants to spend a little time informing the CAC how they would like to use the committee in reviewing the draft of the Comprehensive and Transportation Plan. Rich said that Matt Hastie and the consultant team have already started to draft portions of the Comprehensive Plan as well as the Transportation consultant doing the same with the TSP. Rich said that we wanted to roll out the plan for the CAC and how that is happening and the role they would be playing in

that. Rich let the CAC know that the project team anticipates needing additional meetings in order to complete the work that they are already engaged in, in reviewing policies and strategies, and also for the CAC to review the plan documents. Already confirmed on everyone's calendar is the January 6th date for the next CAC meeting. He proposed a January 27th meeting (the normal fourth Wednesday of the month meeting) and a February 24th meeting. The project team definitely anticipates needing those two additional meetings in 2016 to complete the work.

Matt Hastie then reported on the feedback that the project team has received thus far from the CAC on what portions of the current Rural Area Plans to retain in the Comprehensive Plan. CAC members were asked to let the project team know what they think is important narrative in the Rural Area Plans so that Matt and the team can better determine what should be incorporated into the Comp Plan. He also discussed how he sees the CAC role in review of the documents.

Matt stated that he has gotten feedback so far from the West Hills contingent -- a substantial set of information that came in just that day. He and the team have just had a chance to skim it. They will continue to talk about how best to incorporate that information into the Comp Plan narrative. He explained that they have already started to draft Comp Plan chapters which include a combination of narrative and illustrative maps or other graphics and also the policy language that everyone has been working on so far. He explained that part of the reason to ask for some guidance or suggestions from the CAC on the narrative was to have a sense of what is important to them and what to include in the Comp Plan.

For Sauvie Island, the project team has the recently adopted SIMC plan. What they expect is that the updated Comp Plan will include information from that and will also refer to that adopted document for additional information so that we are either including or referencing that Plan. He still needs suggestions from East County regarding rural area plan narrative and will follow-up with that.

The expectation is that by approximately early to mid February we will have a finished draft of the Comp Plan to send out to the CAC to review for the February 24th meeting. At that time a decision will be made if another meeting should be added. A member asked if there is another subcommittee meeting for the transportation group and Matt confirmed that there is -- the date for that meeting is December 14th.

Eryn Kehe quickly mentioned that she had forgotten to announce that an agenda item has been added to tonight's meeting between items III and IV. Flood Hazard and Wildfire Hazard policies still need to be approved and about ten minutes will be set aside for that discussion. These are the hazard related policies that weren't discussed at the previous CAC meeting.

III. Policy on Fill Sites

Kevin Cook gave a detailed overview of the issue of fill sites which has come up in different subcommittee meetings and eventually was taken up by the Air, Land, Water, Wildlife & Hazards subcommittee. To summarize the issue, it is primarily about agricultural zones receiving large amounts of fill under the “guise” that it is an agricultural practice of adding topsoil. This is a problem all over the County and many sites have exceeded what can reasonably be considered a normal agricultural practice of topsoil fill. The reason that it is a concern is the grading and erosion control section and hillside development section of the code exempt these normal agricultural practices from needing a permit.

This policy is meant to provide a certain threshold for agricultural topsoil. Proposed fill under that threshold should have a cursory type 1 review to verify if that is really what is going on and to provide some parameters. The policy is aimed at preventing sites from exceeding the 5,000 cubic yard limit by claiming they are just doing a normal agricultural practice. In some zones, larger volumes of fill are allowed by conditional use permit but that is subject to further provisions beyond what is normally called a typical grading permit. In addition, there are a few other exemptions that occasionally suffer from abuse or confusion – for example, fill as part of forest practices and residential gardening. This policy will help by directing code amendments in the future that address the issue.

Rich pointed out that there are some changes in the policy language that came from the subcommittee to make it read more like a policy. The changes come at the request of the County attorney who reviewed the language. All of the changes are shown by strikeouts and underlines on pages 11 and 12 in the packet.

A CAC member representing the West Hills and also serving on the ALWW subcommittee commented that the West Hills group has had some second thoughts on the policy since the subcommittee meeting. They don't think it makes sense to allow up to 5,000 cubic yards of fill on a five-acre rural residential lot. They would like the policy to limit fill amount if the lot has a SEC-h overlay – maybe limited to 1,000 cubic yards.

Kevin responded by explaining that fill activity is not totally exempt from review. Permits pertaining to grading and erosion control and hillside development are still required. The SEC overlay zones requirement to do the SEC review is still in place.

Another member asked if someone could bring in fill to create level land where there currently isn't level for an agricultural practice and purpose. Kevin explained that that would be allowed as an agricultural practice but would be reviewed under applicable grading and erosion control standards and hillside development standards.

Public Comment – A person commented that there are a lot of complaints in their neighborhood regarding fill that is coming from North Bethany that is creating a lot of traffic on the road. This person shares the concern regarding the size of the site and what that means and how it doesn't make sense to allow fill on small lots. The person

also wondered if the conditional use permit could look at the traffic impact on the roads. Kevin Cook confirmed that the conditional use permit does look at the traffic impact.

Action Taken – The committee unanimously approved the Policy on Fill Sites as proposed without any changes.

IV. Flood Hazard and Wildfire Hazard Policies

Matt Hastie provided an overview of these policies found on page 14 in the packet -- policies pertaining to flooding and wildfire hazards recommended by the Air, Water, Wildlife & Hazards subcommittee. The change from current policies is primarily updating and expanding the current policy language in the framework plan on these types of hazards. For floodplain, it's doing a lot of what the County already does in terms of limiting what occurs in the floodways and floodplains.

The newest part and change of the policy has to do with the updating mapping of floodways and floodplains based on channel migration data. This was an issue that was not reflected in the existing plan but one that has been raised with new mapping data.

Wildfire Hazards – This policy will add additional and more up-to-date information on areas that are more prone to wildfires with safety and mitigation standards. It calls for using updated information and strategies that the County has identified in its natural hazard mitigation plan along with its wildfire risk management plan.

Strategy D is also a newer piece that has been added. Currently the County has code requirements for minimizing wildfire risks that are only applied in the commercial forestry use zones (CFU zones). The recommendation of this strategy is to update the code to address multiple hazards. Also looking at potential wildfire hazards in other zones and applying wildfire protection regulations like those in the CFU zone.

- A committee member opposed the proposed wildfire strategy b and provided a written comment explaining why. He is worried that the strategy will result in the destructive of wildlife habitat – especially in places that are heavily wooded, such as the West Hills. He composed a proposal as to why he feels this is the wrong way to go unless the strategy is modified with the suggested verbiage.
- Matt Hastie explained that this concern was discussed at the subcommittee meetings and that is in fact why the language was modified by the subcommittee to strengthen the strategy from how it was originally written. In Strategy b, added was “while protecting wildlife habitat” – this came out of the subcommittees discussion which also had someone from the County’s emergency management planning team who is familiar with current standards related to preventing wildfires. Matt went into detail about how the standards are not in conflict in protecting wildlife habitat and natural resources and reassured the CAC that those things have in fact been considered.
- Another CAC member asked about the existing codes for wildfire protection and Kevin Cook explained what those are.

- There were a few other comments from some members of the CAC and the public regarding the strategy and the concern about the existing regulations for the 30ft primary fire safety zone vs. the 100ft secondary fire safety zone and what that means when applied in certain zoning districts and how the code may be counterproductive to wildfire hazards.
- Eryn took a “temperature check” to see if the CAC agreed with the current wildfire hazard policy as written. The results were:
 - 4 green -- 4 yellow -- 2 red
- A member suggested that the CAC accept the revised language being offered for strategy b but not include strategy b2 about “consulting with the City of Portland”. His recommendation would be to revise strategy b as proposed but to reject the Strategy b2 language. Other members of the CAC commented on this with varying opinions.

Action Taken -- Specific to the wildfire hazards policy as revised in the written comments that were submitted, the CAC took the following action:

By a vote of 8 (green) to 2 (yellow), strategy b was approved and will read:

Strategy b: To reduce wildfire risk and associate impacts while protecting wildlife habitat, expand requirements to areas identified as a prone to wildfires but not currently subject to regulations after revising standards to better ensure wildlife habitat compatibility. Weigh and balance wildlife habitat needs with effective wildfire risk reduction.

Proposed strategy b2 was not approved. The remainder of the wildfire policy was approved without change.

Action Taken – The committee approved the floodplain protection and channel migration policies without change.

V. Existing Policies Relating to Environmental Quality -- Air, Land, Water, Wildlife and Hazards

Rich Faith gave an overview of the existing policies related to Environmental Quality (pages 21 – 61 in the packet). He pointed out a couple of entirely new policies on page 27 in the packet under Fish and Wildlife Habitat. These new policies were approved by the subcommittee based on a letter they received from a member of the public, Carol Chesarek. That letter has been included in the packet (pages 15-17) for this meeting. Rich stated that there will be another filtering done of these policies to determine which ones may be in conflict with some of the new policies that have been approved or are duplicated. The following are the some of the major questions and comments regarding these policies:

- A member who is a resident of Sauvie Island had a comment and question regarding the air, noise and light pollution issues caused by activity on Port of Portland property across the Willamette River from Sauvie Island within the City

of Portland. She asked how they might reduce these impacts. Rich responded this is a difficult question as Sauvie Island lies directly across river from an industrial zoned within another jurisdiction – the City of Portland. The County's comprehensive plan does not apply to those properties.

- Another member followed up with two questions: The first question is about page 51 Policy 46 from the East of Sandy RAP -- He is concerned that because it is struck out this means the policy is going away? His second question is regarding heavy truck traffic in areas such as Corbett. Truck traffic associated with EFU and CFU zone uses travel through denser areas and the trucks are older and cause a lot of noise. Logging trucks that use air brakes are particularly a problem. Can there be a policy written in regards to how this impacts residents in these areas? Matt Hastie stated that there has been discussion in the Transportation and Public Facilities subcommittee about a number of policies related to freight, freight traffic and freight movement in the context of noise – it should be discussed more so in that subcommittee.
- Concerning noise issues, a member proposed keeping the existing policy language about Multnomah County requesting the Port of Portland to conduct a review of noise impacts (Strategy under Policy 46 from East of Sandy RAP). Matt Hastie voiced his uncertainty of putting this in the Comp Plan and didn't know if this is the most appropriate place to have it? After further discussion, the suggestion was made to retain the strategy with changes so that it applies to both noise and light impacts from all Port properties, not just PDX. The CAC agreed with that change.

Action Taken - Retain and revise the strategy under Policy 46 from the East of Sandy RAP to read: "Request that the Port of Portland conduct a semi-annual review of impacts from Port owned properties having noise and light effects on rural areas of the County."

- A member commented on policy 24 from the West of Sandy RAP (page 53) and wanted to know why the strategy "Require industrial uses to meet the same siting standards as residential development in order to protect scenic views" was being deleted and didn't believe that it should be. Rich commented that the problem that he saw was that it would be difficult to have the same standards for an industrial development as a residential development. There were other comments from CAC members about requirements and standards. It was suggested that industrial uses can be addressed with a change in the second strategy "allow placement of residences so that a view from the property is possible as long as the proposed development is visually subordinate from key viewing areas." Replace the word "residence" with "buildings" or "development", something that is more generic. Everyone agreed that was a good addition and decided that they would change "residences" to "structures" in that strategy statement.

Action Taken – Revise the second strategy under Policy 24 from the West of Sandy RAP to read as follows: “Allow placement of structures so that a view from the property is possible as long as the proposed development is visually subordinate from key viewing areas.”

Public Comment – A person voiced agreement with the CAC members who requested the language addition for policy 46 strategy.

Action Taken – The CAC unanimously approved the Existing Policies Relating to Environmental Quality with the two changes mentioned above.

VI. Existing Public Facilities Policies

Rich provided the following background information:

1. The staff notes were added to point out that our County attorney reviewed these policies prior to their review by the subcommittee, and he emphasized that a lot of the narrative needed work as things appeared to be unorganized and scattered. Staff acknowledges that and instructed the subcommittee not to focus on the introduction language because that is very likely going to be changed.
2. The policy that drew the most attention from the subcommittee pertains to storm water drainage on page 72. Rich said that there was a lot of talk and debate regarding this at the subcommittee level.
3. There is one new proposed strategy on page 85 that wasn't reviewed and discussed by the subcommittee because it was brought up by a staff after the subcommittee completed its review. It expresses the general desire from the subcommittee to see utility poles and lines undergrounded if possible. Rich commented that he misspoke when he told the subcommittee that the Zoning Code already requires utility infrastructure to be placed underground. The only time that it is required currently is when it is infrastructure serving a subdivision; it is not required for development that is not part of a subdivision. Because of this miscommunication, staff now proposes the new policy regarding this.
 - A committee member voiced support for this new strategy but thought there should be exceptions to utility undergrounding for unique terrains and that the strategy should say something about that. Rich proposed adding the following language at the end of this strategy: “... with exceptions for unusual circumstances”.

Action Taken -- The committee approved the new strategy on page 85 of the meeting packet, with the addition of the above language, to read as follows: STRATEGY: Amend the Zoning Code to require new or replacement development to underground personal power lines serving the development with exceptions for unusual circumstances.

- Questions were raised about how the County would implement the policy on alternative uses of public school buildings (p. 75-77 of the meeting packet). Does the County have the means to compel school districts to actually take action on

abandoned or underutilized school buildings? Rich responded that the only time the County could step in is if we had a dangerous building ordinance and the vacated building has deteriorated to the point that it becomes derelict or dangerous; then the County can step in and require that it be corrected. Typically this is done through the building code. There was more talk about specific provisions in the code which allow additional uses for old school buildings.

- Regarding the utility undergrounding strategy, a member confirmed that PGE requires power line to be placed underground. Another member asked what the trigger point is for requiring undergrounding. How would this strategy affect existing property and how much redevelopment would trigger the requirement to underground power lines. In reply, the operative words in the strategy statement are “new” and “replacement” development. Undergrounding is not triggered by additions or expansions of existing structures.
- Following up on this topic, a committee member would like to have a stronger policy that places some pressure on utility companies to underground power lines to help prevent the power outages. None was proposed.

Public Comment – Someone suggested a revision to Policy 17 from the West Hills RAP on page 82 of the meeting packet to replace the word “mitigate” with “avoid and minimize”. There was no opposition to this text change, which was consistent with similar wording changes made to other policies.

Action Taken – Revise the policy to say “... avoid and minimize significant adverse impacts...” instead of “...mitigate significant adverse impacts...”

Action Taken – The CAC unanimously approved the existing policies and strategies related to public facilities with the two changes as noted above.

VII. Existing Transportation Policies

Jessica Berry gave a brief overview of the memorandum on the proposed policies. She walked the CAC through the methods and approach they take to ensure projects get built and designed consistently. She also gave information on how these policies are evaluated and developed.

- A committee member requested that policy 7 be even more refined primarily because of the traffic on Sauvie’s Island and is interested in adding something with more enforcement. She asked what is meant by “available techniques” for speed limit enforcement and what can be done to support more enforcement of safe travel speeds on Sauvie Island. Jessica responded that speed bumps are an example of a measure that could be taken but the idea is to take a look at what the safety issue is and what the area is like to determine what can be done. Joanna Valencia commented that depending on the circumstances, there could be many other measures taken so the policy is written to be open in order not to limit what measures are used.

- A person asked about a process in which citizens can rent a flashing speed sign to put in a dangerous area to bring attention to speeding violations. She wondered if this was something that can be done or maybe looked into for the speeding violations on Sauvie Island. Can a private citizen “borrow” a speed sign to put out where there is a speeding problem? Joanna replied that this has been done in the past and that this is something that needs to be looked at and explored once again. She explained that there are state rules that are very specific about where these signs can actually go up.
- Another member commenting on the speed enforcement policy preferred to keep it open because things change and new tools become available. He suggested that maybe the state will give the County the authority to put out unmanned speed radars as an enforcement tool.
- A committee member was confused about language in Policy 5 that talks about discouraging through traffic on roads with a functional classification of rural local road. He felt the policy needed to be clear that it also includes arterial roads such as Cornell and Germantown Road. It shouldn’t be limited to just “local” roads. Otherwise, he felt as though the policy wouldn’t do any good in addressing the problem of unwanted through traffic in the West Hills. He also opposed the second bullet under strategies and wanted “local” removed. Joanna suggested broadening the policy by adding taking out reference to the functional classification and replacing it with more general “trafficways within unincorporated Multnomah County” and on the second bullet, taking out “local” and just say “rural roads”.
- A member pointed out that the last bullet under policy 8 says “climate” when it should say “climate change”.

Public Comment – A person had a question about policy 2F on page 87 of the meeting packet. Who deems the “where appropriate” in the communities? Is it possible to communicate in the policy that the local community has a voice in the decision for bike tourism? Joanna stated that appropriateness is determined as part of the public outreach process to the communities in conjunction with securing grants for bike tourism projects.

A CAC member shared a concern that the committee didn’t talk about language being stricken in the Willamette River Greenway policy on pages 58 and 59 in the packet. Matt commented that this had already been reviewed as part of a bigger piece of an earlier agenda item in this evening’s meeting and these policies have already been approved by the group. The member wanted to make sure that the policy remains strong and that striking out the particular language doesn’t diminish the importance of the policy. Kevin Cook confirmed that it wouldn’t as there are other policies in place that speak to this.

Another member asked about the Port of Portland cutting down cottonwood trees across from Sauvie Island and wondered if they have to abide by the greenway policy. It was explained that it solely depends on the jurisdiction that the area falls under.

Action Taken – The CAC unanimously approved the transportation policies with the following two changes as discussed above.

Revise Policy 5 to read: “Discourage through traffic on trafficways within unincorporated Multnomah County.”

Delete the word “local” from the second strategy of Policy 5.

VIII. Public Comment

There was no additional public comment.

IX. Meeting Wrap Up

- Recap of any follow-up items
 - For the next meeting there are some stray policies that haven’t been discussed yet, so those will be on the agenda. Also, the overall goals have yet to be reviewed so that will be a topic. There is more coming from the Transportation subcommittee and remaining parking lot items to discuss.
- Confirm Next Meeting Date and Time
 - The next meeting will be on January 6th at 6:00 pm.

X. Adjourn

The meeting adjourned at 8:02 pm.