

DEPARTMENT OF COMMUNITY SERVICES
LAND USE PLANNING DIVISION
MULTNOMAH COUNTY PLANNING COMMISSION

MINUTES OF September 10, 2018

- I. **Call to Order:** Chair John Ingle called the meeting to order at 6:31 p.m. on Monday, September 10, 2018 at the Multnomah Building, Room 101, located at 501 SE Hawthorne Blvd., Portland, OR.
- II. **Roll Call:** Present – John Ingle, Katharina Lorenz, Jim Kessinger, Alicia Denney, Tim Wood, Susan Silodor, Chris Foster and Bill Kabeiseman. Absent - Victoria Purvine
- III. **Approval of Minutes: July 2, 2018.**
Motion by Kabeiseman; seconded by Denney. Motion passed unanimously.
- IV. **Opportunity to Comment on Non-Agenda Items:** None.
- V. **Hearing** – Amendments relating to Forest Practices setbacks, Fire Safety zones, and clustering requirements in the Commercial Forest Use zones in Chapters 33, 35 and 36 (PC-2018-10625).

Adam Barber, Deputy Planning Director introduced the staff report and stated the two objectives to the proposed amendments; the first is to clarify the intent of fire safety standards and the second is to correct an inadvertent text deletion cause while working on an unrelated project. He provided some background of the Commercial Forest Use zones by reminding the Commissioners of the main categories of land uses in Multnomah County: resource and non-resource lands. Resource lands are typically farm and forestlands. In Multnomah County, we have the Exclusive Farm Use or EFU zone, and forestlands that are in the Commercial Forest Use or CFU zone. Non-resource zones or exception lands and they consist of Rural Residential, Rural Commercial and Rural Industrial zoning designations.

The main purpose of the Commercial Forest Use zone is to protect forestland for continued commercial growing and harvesting of timber products. Other purposes include the protection of watersheds, wildlife habitat and the protection of development from wildfires and vis-versa. More than half the land in the County is forest-zoned land.

The current regulations make sure that there is adequate distance between neighboring properties referred to as Forest Practice Setbacks. These help insure that a neighbor can continue harvesting timber without affecting one's ability to enjoy their property in a safe manner. This setback can range from thirty to one hundred and thirty feet depending on the type of proposed development. Fire safety zones are similar but the primary goal is to protect structures from wildfires.

Barber goes on to state that the proposed changes to the regulations clarifies how Forest Practices Setbacks and Fire Safety Zones apply when there is a nonconforming setback for existing development. Where there is such a nonconforming setback, the Primary Fire Safety Zone is required to the full extent of that nonconforming setback as it existed on the date of this proposed amendment, and that where at least a portion of a replaced or restored dwelling will be within a hundred feet of the existing dwelling, current setback standards must be met. He went on to explain the information on Table 1 of the staff report.

Barber indicated that another intent of this proposal is to replace text that was inadvertently removed because of another code change from 2017. The phrase “located within a hundred feet of the dwelling” was previously located in the CFU zone. This proposal corrects this error by inserting this same phrase back into the Accessory Structure provisions applicable to Allowed Uses within the CFU zone.

Commissioner Foster asked if these standards meet or exceed the State Standards set forth in Goal four. Barber indicated that he has not done an audit of each standard but is confident that the proposed standards comply with the minimum requirements.

Commissioner Denney asked if the reference to “replaced or restored dwelling” in the use column on page four of the staff report was referring to a structure destroyed by fire. Barber responded that a home destroyed by fire was one possibility or a home that had reached the end of its life cycle and needed to be replaced. Denney follows up by asking if the four hundred feet could be added as a second story. Michael Cerbone, Planning Director responded that if the replacement dwelling remained in the same foot print yes, the additional square footage could be added as a second story.

Commissioner Woods **moved** adoption of the staff report; Commissioner Foster **seconded** the motion.

Motion passed unanimously.

VI. Training – General Governance (Public Records, Public Meetings, Ethics Commission)

Katherine Thomas, Assistance County Attorney, presented a power point presentation covering Government Ethics, Public Records, Public Meetings and Elections. She reminded the Commissioners that they are public officials and that the State has specific statutes that pertain to their office and brought their attention to the Use of Office rules, Gift rules and Conflicts of Interest. She also covered the annual Statement of Economic Interest requirement with the Oregon Government Ethics Commission. She went on to discuss Public Records requirements, the definition and retention schedule.

Commissioner Denney asked what was the purpose of the Statement of Economic Interest. Thomas responded that this requirement was one of transparency, declaring that you are not gaining financially from your public office. Denney suggested that new Commissioners receive training on this reporting requirement. Cerbone indicated that he would include that information during the “on-boarding” process.

Thomas finished her presentation by discussing Public Meetings and Election Law. She cautioned that an email chain could be construed as a public meeting as could a social gathering with a quorum in attendance. She shared that Commissioners may use their title to engage in political advocacy as long as you are not acting in an official capacity when authorizing use of their title.

VII. Director’s Comments: Michael Cerbone, Planning Director announced that Adam Barber has been promoted to the position of Deputy Planning Director. Lisa Estrin has also been promoted to a Senior Planner in the current planning section. He is now recruiting for a new Assistant Planner. He provided an overview of the Statewide Planning program by stating that Senate Bill 100 was

passed in 1972 which set into motion the creation of the nineteen statewide planning goals that govern planning in Oregon. Fifteen of the nineteen goals apply to Multnomah County. One unique layer to the planning program in Multnomah County is the Columbia River Gorge National Scenic Area which add Federal requirements to our planning process. He went on to share definitions for each of the fifteen planning goals.

Commissioner Denney asked what was the definition of a destination resort. Cerbone responded that a destination resort was “a self-contained development providing visitor oriented accommodations and developed recreational facilities in a setting with high natural amenities”. A large resort would be more than a hundred sixty acres and a small resort would be more than twenty acres.

Barber notified the Commissioners that he would be launching a Planning Commissioner recruitment process from September 17th through October 8th. He went on to state that there would be no meeting in October and that the next meeting would be held on November 5, 2018.

Meeting adjourned at 8:26 p.m.

Recorded by Stuart Farmer