

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

MINUTES OF MARCH 4, 2019

- I. **Call to Order:** Chair John Ingle called the meeting to order at 6:32 p.m. on Monday, March 4, 2019 at the Multnomah Building, Room 101, located at 501 SE Hawthorne Blvd., Portland, OR.
- II. **Roll Call:** Present – John Ingle, Jim Kessinger, Alicia Denney, Susan Silodor, Victoria Purvine and Chris Foster. Absent - Katharina Lorenz, Tim Wood and Bill Kabeiseman
- III. **Approval of Minutes: December 3, 2018**
Motion for approval by Foster; seconded by Purvine. Motion passed unanimously.
Approval of Minutes: January 7, 2019
Motion for approval by Silodor; seconded by Purvine. Motion passed unanimously.
- IV. **Opportunity to Comment on Non-Agenda Items:** None.
- V. **Hearing** – Statewide Planning Goal 11 exception request to extend public sewer service from the City of Gresham to the Sam Barlow High School located outside the Urban Growth Boundary at 5105 SE 302nd Avenue (T4-2018-10415).

Adam Barber, Deputy Planning Director presented a summary of the staff report. He shared a map showing the site and project area. The primary purpose of the proposal is to stop the practice of trucking sewage from the school to the City of Gresham treatment facility. The applicant believes that a hard line sewer would be cheaper and more sustainable for the future. No other use located outside of the Urban Growth Boundary could connect to the proposed sewer facility until such time the "use" is annexed into a city or authorization to connect is granted through a new Goal 11 exception request. When a change occurs to the types or intensities of uses or public facilities and services within an area approved as a "Reasons" exception, a new "Reasons" exception is required.

Two questions that he asked the Commissioners to consider as part of this hearing are: does the applicant's proposal meet all the criteria of approval for the exception; and does the proposed text amendment to the Comprehensive Plan adequately reflect these recommendations.

Barber stated that the applicant did provide an extensive cost analysis for several options for "hard piping" and pump stations. He believed that there would be very little social impact on the community as the line would be underground with the exception of one equipment shed. As this area becomes urbanized, this line could be expanded to meet future uses. Staff indicated that there would be no resource lands involved with this project; therefore no exclusive farm use zoning would be effected.

Commissioner Silodor asked staff to address the environmental impacts on the creek crossing. Barber responded that there is a parallel application process underway for the land use development review related to Significant Environmental Concern for water resources, grading and erosion control and likely flood hazard permits. He reminds the Commissioners that tonight's

hearing just considers the proposal to grant the legal authority through the Goal Exceptions process to submit this development application for land use approval.

Commissioner Denney asked if other property owners located along this proposed line could connect to the sewer prior to being annexed into the city. Michael Cerbone, Planning Director responded that no other property owner would be allowed to connect to the line without going through a similar Goal Exception process.

Mike Schofield, CFO Gresham Barlow School District, thanked the Commissioners for hearing this application and indicated that the funding for this project were granted through a 2016 Capital Improvement Construction Bond passed by the voters.

Ben Schonberger, Winterbrook Planning, stated the purpose of this prohibition in State law is to protect farm land and keep rural areas from connecting to urban services. This is a unique case where we have a pre-existing urban service, a school, located outside an urban growth boundary because it was sited prior to these State laws came into effect. He went on to clarify details related to the stream crossing that will be addressed as part of the parallel land use application. The stream travels through a culvert under SE Lusted Road. At this point in the project the sewer line will be perpendicular and above the culvert separated by ten feet of soil. He concluded by asking the Commission to recommend in principle the approval to connect a private facility outside an urban growth boundary to an urban service.

Commissioner Foster asked who would own the facility. Schonberger responded that they are building the system to the City of Gresham standards so that the anticipation is that in the future they system would be owned by the City of Gresham. Currently the right-of-way is owned by Multnomah County and the pipe and equipment, for the time being, would be owned by the Gresham Barlow School District. There is a cost-sharing component with the City of Gresham for the connection point on the west end of the proposed system.

No Declarations of conflict of interest; no public testimony presented; no request to keep the record open for additional testimony.

Barber presented a summary of the Order prepared for the Commission: to use the staff report to act as the findings in statements of “reasons” that are attached as Exhibit 1 and that they demonstrate that the Goal Exception has been met; the exception to the state wide planning Goal 11 is recommended for approval by the Board of County subject to the two conditions of approval; and amend the Comprehensive Plan as outlined in the table.

Commissioner Kessinger **moves** approval; Commissioner Foster **seconds**; motion passed unanimously.

VI. Training – Annual Verified Statement of Economic Interest (SEI) Filing with the Oregon Government and Ethics Commission.

Katherine Thomas, Assistant County Attorney, shared a slide presentation or resources available to assist public officials complete their filing requirements. The Oregon Government and Ethics Commissioner come out of the “sunshine” decade in the 1970’s. It is made of nine members appointed by the Governor to serve a four-year term with no more than three individuals from the same political party. She went on to state that the Statement of Economic Interest for has two

purposes; to provide transparency and accountability for our other ethics laws, and to help you identify and avoid future conflicts of interests. Certain business interests or sources of income, real property interests or expenses may need to be reported by you and members of your household. Elected and appointed officials are required to file annually and may be held personally accountable for failing to do so by April 15th of each year. The two most common error they see are failure to include all sources of household income and the questions specific to people who have a legislative or administrative interest in your decisions or who are likely to come before the Commission. The Ethics Commission has the authority to impose penalties for failure to file. Their web site has many resources for filing and she encouraged them to review the handbook.

VII. Director's Comments: Michael Cerbone, Planning Director, thanked the commissioners for their service and appreciated the efforts involved in the SEI filing requirements. Adam Barber, Deputy Planning Director indicated that the April agenda will consist of a work session on geologic hazards and the annual election of officers. There will be a briefing on the Department of Land Conservation and Development's annual farm and forest report. He informed the Commissioners that he has routed recommendations for two new Planning Commissioners to the Board for approval and hopes to have them appointed by the next Planning Commission meeting on April 1, 2019.

Meeting adjourned at 7:55 p.m.

Recorded by Stuart Farmer