

LAND USE SUBCOMMITTEE MEETING  
ROOM 126, MULTNOMAH BUILDING  
501 SE HAWTHORNE BLVD, PORTLAND OR  
MAY 13, 2015 3:00-5:00 PM

## **MEETING SUMMARY**

### **I. Welcome, Introductions and Announcements**

In attendance:

<u>Subcommittee members</u>	<u>Project Team</u>
Catherine Dishion	Matt Hastie
Tim Larson	Rich Faith
Will Rasmussen	Kevin Cook
	Rithy Khut

Public: Carol Chesarek; George Sowder (CAC member)

Rich Faith welcomed everyone and stated that we will skip introductions since at this point we know who everyone is, including those in the audience. He said the primary objective of this meeting will be to review the various land use policies that have been revised according to the desires of the both the subcommittee and the CAC as expressed at their previous meetings and to hopefully get approval of these policies as the subcommittee's recommendation to the CAC.

### **II. Parcel Aggregation Policies**

Matt Hastie led the discussion of the policies in the Memorandum on Land Use Policy Recommendations – Revised dated May 6, 2015, which was included in the meeting packet. One member asked whether there ought to be policy regarding disaggregation. Rich responded that disaggregation is only permitted in one of the CFU zones and an existing policy about that is being proposed for carry over to the new comprehensive plan under the farm, forest and rural economy policies.

A question was raised as to whether the wording of the first parcel aggregation strategy that says “or similar mechanisms” should say “and similar mechanisms”. After much discussion about the proper wording, everyone agreed to revise the text by inserting “and” between “consolidation process” and “recordation on property” and to delete the words “or similar mechanisms”.

#### **Recommendation:**

The subcommittee recommends the policy with the changes as agreed upon.

### **III. Rural Center Design Standards Policies**

There was some discussion about whether the policy pertaining to flexible design standards should be clarified to refer to existing parking areas. One member pointed out that this was clear under the first policy that speaks to lawfully established buildings and parking areas.

#### **Recommendation:**

The subcommittee recommends the policies and strategies as written.

### **IV. Land Use Permitting Policy**

Matt pointed out that the changes to this policy and strategy reflect comments from the last meeting. Overall, this policy is very general but broadly covers many aspects related to the permitting process. The subcommittee agreed with the changes and there was no discussion.

#### **Recommendation:**

The subcommittee recommends the policy and strategy as written.

### **V. Tree Protection Policies**

One member commented that this policy should have some teeth in it by establishing strong provisions about fines or other penalties for violating tree cutting rules. Currently, code enforcement is lax and fines are so low that some developers are not deterred from clearing the trees off a tract of land when they shouldn't. Rich responded that code enforcement is a larger issue than just tree cutting. There is a need for a policy on code enforcement that applies to all types of code violations or failure to comply with conditions of a land use approval. The subcommittee agreed this should be taken up as a larger question.

Some thought the word change in the first strategy from "where feasible" to "where physically possible" was still weak and open to interpretation. However, no one could come up with better language, so there was no change.

A member asked whether the SEC-habitat overlay, in addition to the SEC-view, should be applied to the west slope. Protecting this area from harmful tree cutting is not just about views, it's also about needing wildlife corridors between the West Hills and the Coastal Range. Kevin Cook responded that the SEC-h overlay applies to almost the entire West Hills already, so the strategy is probably fine as written. Someone asked if we could put a specific time period on replanting trees rather than the nonspecific wording now proposed. After further discussion it was agreed that a note should be made that the subcommittee favors two years for completing tree replanting but that the strategy should not be changed to specify that.

**Action Items:**

- 1) As a parking lot item for future policy discussion – Limiting dwelling size in the SEC overlays.
- 2) Convey in some manner the subcommittee's suggestion that replanting requirements are met within two years.

**Recommendation:**

The subcommittee recommends the policies and strategies as written.

**VI. Other Land Use Policies**

Referring to the document in the packet entitled Existing Policies Related to Land Use, Matt explained that there are a number of existing policies within the comprehensive plan and rural areas plans that still have validity, either as is or with some revisions. Similarly, there are other policies that ought to be deleted because they no longer apply. Both categories of policies are shown in the document.

The following is a brief summary of the discussion and recommended text changes.

- Community Identity – p. 3 of the document (P. 13 in the meeting packet).
  - Remove strikeout of the word “paths” in the third introductory paragraph and add “views” as another community element that provides focal points.
  - This policy talks about “unique natural features” and “significant natural features”. Are these the same thing or different? Should one term be used for consistency, and if so, which is the better word? Significant natural features has a history and a definition as part of the urban/rural reserves process so that is probably the better term to use.
- Rural Centers – p. 8 of the document (P. 18 of the packet).
  - Policy C.1. should also include land zoned CFU, not only land zoned EFU.
- Community Facilities and Uses -- p. 19 of the document (P. 29 of the packet).
  - There should be definition of community facilities if one does not exist already. The first sentence of the introduction basically does that.
- Design Review – Strategy B.2. – p. 18 of the document (P. 28 of packet)
  - Why aren't signs listed among the design review elements? Answer: Because signs are treated separately as their own set of standards in the code. They are addressed even if not specifically listed as a design review element.
- General Policies – p. 21 of the document (P. 31 of packet)
  - Change “rather than” to “in addition to” in Policy C at the bottom of the page.
- Policy D at the top of p. 22 (P. 32 of packet)
  - The policy is not to designate any more exception lands, but there are criteria for designating rural residential lands under the Rural Residential

- Policy, p. 15 of the document (P. 25 of packet).
  - Since MUA-20 and RR are both exception zones, a down zone from MUA-20 to RR would not conflict with the “no exceptions” policy. But should there be a policy prohibiting zone changes from MUA-20 to RR? Answer: Staff isn’t sure it’s possible to have such a policy. We will research and address this under the MUA-20 policy, which is under Farm, Forest and Rural Economy.
- Policy 21: Housing Choice and Policy 22: Energy Conservation – p. 22 of the document (P. 32 of packet)
  - What should we do with these? Answers: Energy conservation will be taken up when the Climate Action Plan is finalized and adopted. Relative policies in that plan will be considered for incorporation in some manner within the Comprehensive Plan. Since housing in the rural areas is not something that the County can do much about, this policy should be deleted.

**Recommendation:**

The subcommittee recommends retaining the existing land use policies with changes as noted above and deleting those shown for deletion in the document.

**VII. Adjourn**

**The meeting adjourned at approximately 5:45 pm.**