

DEPARTMENT OF COMMUNITY SERVICES  
LAND USE AND TRANSPORTATION PROGRAM  
MULTNOMAH COUNTY PLANNING COMMISSION

MINUTES OF JUNE 1, 2015

- I. **Call to Order:** Chair John Ingle called the meeting to order at 6:35 p.m. on Monday, June 1, 2015 at the Sauvie Island Academy Gymnasium, 14445 NW Charlton Rd, Portland, OR.
- II. **Roll Call:** Present - Ingle, Vice-Chair Jim Kessinger, Paul DeBoni, Chris Foster, Alicia Denney, Susan Silodor, Katharina Lorenz, Bill Kabeiseman, Jeremy Sievert  
Absent - None
- III. **Approval of Minutes: May 4, 2015.**  
Motion by Silodor; seconded by Kabeiseman.  
Motion passed.
- IV. **Opportunity to Comment on Non-Agenda Items:**  
None.
- V. **Hearing (continued from May 4, 2015): Sauvie Island – Multnomah Channel Rural Area Plan Update (PC-2013-2931)**  
Ingle read into the record the Legislative Hearing Process for the Planning Commission for a public hearing. The focus this evening is deliberation and possible decision. The Commissioners disclosed no actual or potential financial or other interests which would lead to a member's partiality. There were no objections to the Planning Commission hearing the matter. Ingle noted that the record for public testimony was closed on March 2<sup>nd</sup>, although during deliberation, the Planning Commission may elect to call on someone who has provided public testimony in the past for purposes of clarification. In that event, the record will be opened and then closed upon receipt of additional clarifying testimony. If needed, a future date, time and location to continue deliberation may be set and announced at the end of tonight's meeting.

Adam Barber, Multnomah County Senior Planner summarized the process to date and talked about the next steps involved. Tonight is the eighth meeting in a series of hearings, beginning in January of this year. The first three meetings focused on staff's technical presentations of the policies. They were followed by public testimony, with the last four meetings dedicated to Planning Commission deliberation. We focused on five topic areas that were initially defined through the scoping process, which began in March of 2013. The five topic areas, which defined the chapters in the Rural Area Plan, were Natural and Cultural Resources, Public and Semi-public Facilities, Agricultural and Agri-tourism, Transportation and Marinas and Moorages. Barber thanked the Commissioners and the community for their involvement and acknowledged the amount of work that has gone into this endeavor.

Barber explained what the next steps are after this evening's vote on the draft plan, and asked for feedback from the Commissioners about what they liked or did not like about the process, what worked well and what we could do to improve future projects. Tonight's vote will make a recommendation to the Board of County Commissioners to either adopt or not adopt the plan. The Board hearing has not yet been scheduled, but we are looking at mid August. We hope to have a briefing with the Board on a Tuesday, where staff will provide background information as to how

we arrived at the draft plan. Typically, the Thursday of that week is the public hearing, with an opportunity for public comment. It would be helpful if some members of the Planning Commission were to offer some insight, if you are so inclined. We will keep you apprised of the key dates. Once the Board issues a decision, which will typically happen at the second hearing, we will forward it to the State Department of Land Conservation and Development (DLCD) to review the plan and confirm that it meets State law. We've been working closely with our DLCD representative, Jennifer Donnelly, throughout this process, and feel confident that it will be acknowledged. We don't, however, need to wait for the Board to act before we start working behind the scenes, we have actually already begun that work.

Kevin Cook, Multnomah County Land Use Planner, also acknowledged the hard work put forth by the Commissioners by attending the many meetings out on Sauvie Island, as well as doubling up on some meetings in order to wrap this project up. He briefly walked the Commissioners through the draft plan in its current form. He noted there were not a lot of changes to the structure, although a little bit of reorganizing has occurred. The primary changes have been some minor text amendments and the updated policies that we've been working on the past several sessions. The policies are located at the end of each chapter. The updated policies are also reflected in Chapter 6, which is the Policies Tasks chapter. In addition to the updated plan, we've made some amendments to Appendix 4, which for the most part entails being consistent with terminology. Appendix 7 has been updated from draft form, as we updated the Goals along the way.

The Commissioners then began final deliberations. Silodor said in the introduction on the first page of the table of contents, does the word "guide", as in "to guide the future", have any legal meaning, because in re-reading this, "guide" seemed a little ambiguous. I wondered if we could make a text change that says this is meant to "address" instead of "guide". Jed Tomkins, Assistant County Attorney, said that word is frequently used with these comprehensive plan level documents, to guide development, and then you have something more specific in the form of code. Silodor asked doesn't that make this merely advisory? Tomkins said it won't have that affect.

Silodor said in the next paragraph, the very last sentence suggests that everything should have equal weight, but there are conflicting policies in here, so how do you do that? Could we change that wording, after "together" to include "unless context indicates otherwise"? Cook said when we read policies together, we are giving it some context. I'm not sure that there are, specifically, competing policies. There are policies that speak to different things. What this is trying to say is that you have to read all of the policies together in order to make a decision about how you are going to proceed. Barber asked if any of the other Commissioners had any comments on that suggestion.

Foster said the two points Commissioner Silodor made have been discussed with community members and I came to the same conclusion. What happened is, we finished the policy segment, and then we had a change of direction through the document where things became a lot more certain and this became more of a governing document. So I'm sympathetic to her first point that talks about it being a guiding document and a tool, but it's more of a governing document with a lot of these policies now. So I was inclined to agree that the language needs to be a little stronger because we're beyond the consideration point; it's a governing document. On the second point, you're correct, we need to read all the policies, but when I go back through them, and wonder are there any that conflict, or is there one that supersedes the other, I don't know, so I think we should put something in there. I don't want to completely close off the possibility that there are some that

have a priority over another. I wrote some language on those two points, as well as a couple of other minor ones and a misspelling (country instead of county on page 47).

Another point is, on page one in the introduction, numbers one and six, there is a line that talks about the importance of supporting Agri-tourism, and I'm not sure that we really do have a position of supporting Agri-tourism, since we didn't adopt SB 960. But we did adopt restrictions on farm stands and we acknowledge farm related promotional activities. Barber said, my understanding is numbers 1 through 6 are some of the key themes that we learned from the community during the scoping effort, and I would want to be very careful about changing those. Foster said I read that as summarizing our policy, as text that went along with our policy.

Tomkins said I actually think it's critical right now that any of the Commissioners that have comments really ought to be talking to the Commission saying, here's what I like about the plan, here's what I don't. I understand we're set up to direct your comments to staff, but they should just be tracking the conversation that's going on. This is a document that you will vote on tonight, and I think it's fair for you to say I'm not sure I like number five, or I don't know if I want to use the word "guide"; what do you all think? It matters slightly less what staff thinks. If there's a problem with a comment, staff should interject, but it's important, conceptually, to recognize that you are in deliberations with each other right now.

Foster said I understand, but I'm prone to making mistakes or misreading something and we have a tremendous resource sitting right there that knows this plan a whole lot better than I do, so that's where I was coming from. I'm trying to look at it again now because staff is telling me that's really just... and I think they have a point, they are talking about the scoping report in that paragraph, not our actual finished document.

Ingle said but you're still in support of Commissioner Silodor's comments? Foster said yes. Ingle said why don't we continue the discussion on that point before we move on. Denney said I'm fine with the way it is written because I feel like the more we hem ourselves in, the less wiggle room we have, so I'm against anything that pins us down on one thing or another. Ingle said I think there is still a lot of work to be done, we still have a lot of ordinance writing type things to do, so I see this document evolving and changing, so I really see it as a guiding tool. It may govern during the interim period until we get things in place, but I don't have major heartburn with guiding. The other comment from Commissioner Silodor, it's acceptable the way you presented it, but it doesn't create any major concerns on my part, so I could either incorporate it into our decision or leave it out.

Kabeiseman said I think what Commissioner Foster said about the nature of the plan changing over time struck me. I think it's right that initially, it was written in much more open terms and we've changed a number of things, in particular the farm stand. It really does govern activities during the period, but the bulk of it really is a guide. I wonder if there's a way to split things to have it say "a statement of policies meant to guide and govern the future of land use within the plan area". So we don't lose the guiding, but we also acknowledge that there is some governance in there as well. That also plays into the other thing that Commissioner Silodor said, Policy 1.7 talks about "supporting the direct sale of farm crops and livestock raised on Sauvie Island through u-pick facilities and farm stands...", it's supporting farm stands. But Policy 1.3 makes it pretty clear that if you've got a big farm stand, we're going to ratchet it down until code adopts it. So, I can see where there is a situation where you've got one policy that we are going to give more

weight than others. I'm not certain how to address it and I don't have any language at hand, but I get Commissioner Silodor's point.

Tomkins said this may be an easier fix than you might think. There are three sentences in that paragraph, and the first and the third are similar in concept. The second sentence is a little different and may actually be a little closer to what Commissioner Silodor, and others, are talking about, so you might just leave that middle sentence.

Ingle said so the first paragraph would include "guide and govern", and the second paragraph would begin with "Implementation of this plan requires flexibility...". Ingle asked if Foster had anything else to add. He said on page 47, under Policy 3.16, second paragraph, it says "country" instead of "county", and on page 45, suggested adding "where possible, streamline and simplify the Multnomah County Code". Foster noted he gave Kevin a text copy of those notations. Kabeiseman said, as I understand it, Policy 3.5 would start out with, "Where possible, streamline and simplify the Multnomah County Code ..." This was agreed upon.

Ingle asked if there were any other points of clarification or thoughts the Commissioners wanted to share, or questions of staff. Kabeiseman said this may be more appropriate once we actually have an adopted plan, but since some of this requires us to develop code, I was wondering what sort of timeline we are looking at for the work program. Barber said I have a rough idea of what I think we'll be working on over the next year, assuming that the Board adopts the plan, and would like to have that conversation after the Board acts. But we are already working behind the scenes. We've done a lot of work finishing up some non Sauvie Island related projects and have those in the queue to bring to hearings and work sessions. It won't just be Sauvie Island, but I do think that will be a large focus of our efforts next year.

Kabeiseman said I think some of the concepts that came out of this plan are things that we can take elsewhere in the County too. We put a lot of focus on Sauvie Island for the past year, with good reason, but I want to make sure we get the rest. Barber said the type of policy work that we're thinking of focusing on to begin with would be the policies that are unique to the Sauvie Island/ Multnomah Channel area, because we also have the Comprehensive Plan conversation happening countywide with a lot of the same themes being discussed. We want to make sure that conversation can happen before we change code countywide.

Ingle closed the hearing for PC-2013-2931 and asked if any of the Planning Commissioners had any final reflections or comments. Perhaps focusing on how the process went for you, what you thought staff did well, if there were any improvements, or what we might do differently on the next project. Then we will have the final vote.

DeBonis said this has been a very lengthy process that has morphed its way through the last two years. It has ended up being a compilation of a lot of different compromises that we've dealt with and I think it's an amazing process. Staff has done a tremendous job tracking not only what's going on in the community, but the changes we pursued as well, and I'm really grateful for the work that they've done.

Denney said you wanted feedback on areas you could improve, and I think organization of the paperwork would be an area that I would like to see different. Kevin has a notebook with everything in it and it would have been nice if each of us had a notebook like that that had all of the different things in it. (Several Commissioners shook their heads in disagreement.) This is just

my opinion because I like to have the paper. I wanted to go back and read some of the testimony of certain people who had testified and I couldn't even find that information. I know it's all online, but it's time consuming for me to go and click on each one of those things and try to search for the pieces that I was looking for. So a notebook that's tabbed that we could add to each meeting would be really helpful as far as getting the whole overall picture and being able to reference stuff later.

Lorenz said I really like the tracker tool, I thought that worked out really well, especially coming back meeting after meeting; it showed where we left off. Other than that, I just appreciate the support of staff and the community. The community support on this project was phenomenal. We couldn't have done it without them.

Silodor said I'd like to thank the staff as well, it has to have been difficult for them. I don't see a lot of CAC members here, but wherever you are out there, I really do appreciate it, and I appreciate everyone who has been at these meetings. I sat in the audience for a long time, so having been on both sides, it's been a long pull and it's been interesting. I will say that I think communication could have been better, could have been clearer. I think one thing that happened at the transportation meeting was people were surprised that some preliminary talks were going on. I think staff knows what staff knows, and we know what we know, but we don't know what staff knows and it's hard to put those together to make sure you have thorough communication. That's where I would say there were some difficulties that I would appreciate being worked on. How to communicate with the community when their emotions are high and there are questions you may or may not be able to answer and your answers may or may not be satisfactory to those who are questioning you. But I think you all did a really great job; I would just say that communication piece needs a little bit more. But thank you all, it's been a great experience for me being on both sides of the table.

Ingle said I was actually here when the first Rural Area Plan was adopted, and I want to believe that this plan is much improved. I think a large part of that has to do with staff's activities. Also a big thank you to both the island and the channel folks. And I was quite impressed with some of the planning tools that we used early on to cultivate excitement about the project. Because technology has changed, we were able to use those tools, where we didn't have those ten or fifteen years ago, so I was excited about that. I was also excited that the Academy school kids got involved; made a video. I think we heard from a lot of disenfranchised individuals, which the first time around it was more hearsay, but this time I think there was a little more substance to better understand what the issues were. Yes, we had some issues in communication and transparency; I don't know how you get around that. But what I do know is that through this process, the Comprehensive Plan's Citizens Advisory Committee (CAC) is engaged, they're activated, and I think that's an outgrowth of what took place on the island. So I see nothing but positives going forward.

Kabeiseman said I guess at this point, we're down to echoing what we heard before, but I do want to say, when I first heard we were going to be doing the Sauvies Island/Multnomah Channel plan, I viewed it with a little trepidation and expected a lot more heartache than there really was. I think, as other people said, that's really a testament to the community out on the island and the channel that there was at least a recognition of where the issues were, and a shared vision of what Sauvies Island should be like. That, I think, is testimony to the community that's out here. As far as the process, it was kind of fun to see some new things, as Chair Ingle said, the online surveys, the visual preference was a neat thing to see. And the tracker tool was very helpful when you're dealing with a big document with a lot of different pieces, that helped crystallize what are we looking at and what are we dealing with. There is some concern about communication and

transparency, but I think if you've got a process that goes on for this long, people coming in and out and with the size of the record and the size of the product, it's hard to avoid that. Having said that, it doesn't mean we can't work harder and try to make sure those communication issues are dealt with. I think staff did a very good job when everyone's got the sense that doggone it, we're doing our job; you guys go away, so I commend you for that. You guys see it day in and day out, and you have to explain it again and again and again, and that can be hard, but you did a great job.

Sievert said I agree with Commissioner Kabeiseman when it comes to the level of transparency and communication, but I'm also a firm believer that you can't be all things to everybody. I think in some cases, there was maybe a perceived perception that staff was going to take a certain position with one of the individual subcommittee meetings. I think with people coming in and out and not 100% attendance, that can be challenging, but I don't think that the communication issue probably is as extreme as some would think. With that being said, not being one of the most senior members of this commission, what was good for me was actually being involved in the CAC. Especially with something this vast, sometimes things get translated into a tracker tool that don't hit as hard as they would when you hear community members speaking on a certain topic. It was really beneficial for me to sit at that table and listen to everybody deliberate through all those things. So I know there is a time commitment, but I think it's important as a commission that we try to get involved in those CAC meetings. It just helps to dive deeper into the information and brings a lot of clarity.

Foster said I was around for all of the first set of plans, all the community plans, and the effort that went into this one is vastly superior. There's been a couple of innovations that jumped out at me, one the tracker tool was a great thing and also the completeness of having the information accessible online; it's never been like that before. I could really get to anything I wanted, and I was always notified; I had no difficulty in searching. The community effort was outstanding; I've never seen a group of people put in the amount of time and effort. The process did take a really long time, but I think it's probably going to have benefits on the next plans.

Kessinger said it feels like it's all been said; a lot of really nice comments and a lot of hard work by all, by the County and by the community. It's really impressive the amount of work and dedication, and how important this was to so many people. I did also like the tracker tool and I was always impressed at how accurate the comments were put into the document. One issue I had was I wasn't clear on how things got into the tracker tool to begin with. In the very first version, there were some things that I thought might have been included that weren't. I think part of that might be it's a judgment call, part of it might also be some of the writings that the public did, they didn't structure it in a way that came into here very well. I'm wondering if maybe a little more guidance for the public for how to write their comments to get more consideration would be a helpful thing on a future plan. But I think it's a good, solid plan and I think we can be happy with it.

Ingle thanked them for their final comments and for allowing him to facilitate the hearing process. He called for a motion for a final vote which would include the comments for revisions that we spent a little time talking about this evening. DeBoni moved that we recommend adoption of the Rural Area Plan, along with the minor amendments that we've identified tonight. Silodor seconded.

Ingle said all those in favor of recommending that the Multnomah County Board of Commissioners adopt an ordinance repealing the 1997 Sauvie Island/Multnomah Channel Rural

Area Plan, Ordinance number 887 and adopting a new Sauvie Island/Multnomah Channel Rural Area Plan in substantial conformance with the Sauvie Island/Multnomah Channel Rural Area Plan 2015 presented tonight, say aye.

Motion passed with Denney opposing.

**VI. Worksession: Status of Multnomah County Westside Transportation System Plan (TSP) Update: Sauvie Island and Multnomah Channel**

Joanna Valencia, Multnomah County Senior Transportation Planner, presented the staff report and the accompanying attachments. The attachments included three technical memorandums from the consultants on the project, Kittelson & Associates, Inc. Valencia asked for feedback from the Commissioners about the TSP project to date. She gave a project overview, the scope of which is to update the 1998 Westside Rural TSP, specifically looking at updating the Sauvie Island/Multnomah Channel elements. This project is a Transportation Growth Management (TGM) funded project. The County received grant funding from the Oregon Department of Transportation (ODOT) to take a look at the transportation system plan. We thought this would be a great opportunity to leverage the work that was coming out of the rural area planning process, and to take a look at the implementation documents of the policies that were developed as part of the Rural Area Plan. This process starts to look at the needs, opportunities and constraints of the transportation system. Implementation of the Rural Area Plan is the next step and includes work that will both involve the land use and transportation side of things. As part of the TSP process, staff has started to have conversations with the community and partners to look at opportunities in implementing the policies. The goal is to have a final TSP in June 2015. This does not include adoption; we will pick up the adoption process as it moves towards the Board of County Commissioners.

Valencia then gave a PowerPoint presentation about the project to date and noted what the role that partner agencies, such as the Sauvie Island Drainage Improvement Company and the Oregon Department of Fish & Wildlife, have in helping to shape policies.

Valencia explained that the transportation system in Multnomah County is based on some of the functional classification studies that have been done. The full loop on Sauvie Island is a Rural Collector system, which is a preferred right of way width of 60 ft, a pavement width of 24 ft, two travel lanes 12 feet wide and a shoulder width of 6 ft. There are also rural local roads that service the rest of the island. Lorenz asked how much of the Rural Collector road actually meets those specifications. Valencia said it's pretty minimal. A majority of our system out here is only a 40 foot right of way. That is a question that came up as part of the CAC; how do we get to that preferred width? There may be dedications required when there is new development, or the County may have to acquire the right of way. Lorenz said not just the right of way, but the shoulder width. Valencia said typically, it's between 20-24 feet wide in regards to the full pavement width. The shoulder width is limited.

Kessinger asked if bicycle lanes would be part of the additional shoulder. Valencia said correct, there are some solutions being proposed. One of the policies we talked about was contact sensitive designs, wanting to preserve the rural character and exploring a minimum three foot wide shoulder concept.

Valencia continued the presentation and discussed the proposed TSP amendments, which are laid out in the Rural Westside Multnomah County TSP Update spreadsheet.

**VII. Director's Comments:**

Barber recognized the upcoming retirement of the Multnomah County Planning Director, Karen Schilling. He also announced that there would be no Planning Commission meeting in July. The next meeting will be August 3<sup>rd</sup> at the Multnomah County Board Room. Lastly, Land Use Planning has transitioned to an open recruitment process for Planning Commissioners once a commissioner has served two 4-year terms. Since Chair Ingle's term expired recently, we have begun that process and we will keep you updated.

Meeting adjourned at 9:00 p.m.

**The next Planning Commission meeting will be August 3, 2015 at the Multnomah Building located at 501 SE Hawthorne Blvd, Room 100.**

Recording Secretary,

Kathy Fisher