

MINUTES OF THE METRO COUNCIL COMMUNITY PLANNING COMMITTEE MEETING

Tuesday, October 30, 2001
Council Chamber

Members Present: Rod Park (Chair), Bill Atherton, David Bragdon, Rex Burkholder, Carl Hosticka, Susan McLain and Rod Monroe

Members Absent: Rod Monroe excused (partial attendance)

Chair Park called the meeting to order at 2:06 p.m.

1. Urban Growth Management Function Plan – Jurisdiction Reports. Chair Park opened the proceedings, saying that the region had done a great job and, at last count, the jurisdictions are at 82% in compliance. This speaks well for the region, he said, as well as the fact that the capacity numbers are almost at 94%, and quoted Andy Cotugno, Planning Director, as saying that number will be closer to 97% when everything is final.

Chair Park asked Mr. Dan Cooper, General Counsel, to address Ballot Measure 7 concerns brought up by some of the jurisdictions. Mr. Cooper reviewed his conversations with the attorneys representing some of the jurisdictions who have yet to comply with Titles 3 or 4 who have concerns about Measure 7. He said he'd also discussed the fact that a large number of jurisdictions who have already complied with those Titles that will have the same problem if Measure 7 is reinstated by the Oregon Supreme Court. He then explained how jurisdictions could include waivers in their legislation, and the jurisdictions he'd spoken with were comfortable going forward on that basis. He did say he hadn't spoken with all the local government attorneys for the jurisdictions that have raised the issue, but that he planned to.

Chair Park then asked Brenda Bernards, Senior Regional Planner, Community Development Section of the Regional Planning Division of the Planning Department, to give a brief introduction on each jurisdiction coming before the committee to clarify what conditions were being requested, etc., and if anything regarding that jurisdiction needed modification.

- **City of Portland – Title 3, Water Quality Standards.** Gil Kelley, Planning Director, Al Burns, Tom McGuire and Bob Clay, Planning Bureau staff. Mr. Kelley gave a brief presentation (referred to his three handouts, which are a part of this record) setting out Portland's exception compliance and request for extension. Mr. Kelley requested an extension for a portion of Title 3, Water Quality Standards, said extension to be divided into two time frames: April 2002 for the Willamette River and September 2002 for the Tributaries of the Willamette River. Mr. Kelley referred in closing to the provided schedule (his third handout).

- **City of West Linn – Title 3, Water Quality Standards.** The workbook information stated that the City of West Linn asked for an extension until January 2002 to complete Water quality Standards of Title 3. Ms. Bernards said that in subsequent conversations, West Linn indicated they would need until January 2003 to complete this work.

Dan Drentlaw, Planning Director, City of West Linn. Mr. Drentlaw summarized that West Linn had a completely new City Council and a change in their priorities. One of those priorities was updating their Goal 5 inventory, previously done in 1984, and before they launch into Water Quality Regulations, West Linn would like their Goal 5 inventory completed. Another problem was the timing, in that their consultants recommended, because of the dry summer, that they wait until winter/spring to conduct the riparian and wetland portion of that inventory. Mr. Drentlaw said West Linn had met all requirements of the Functional Plan except Title 3, and within Title 3 they had addressed flood management, erosion control and stormwater quality issues, approved by their council last fall. The only issue outstanding was

Water Quality in Title 3. Mr. Drentlaw said West Linn may be able to complete this by December 2002 instead of January 2003. Chair Park asked West Linn to submit a work plan, and asked Ms. Bernards to work with West Linn on this.

• **City of Lake Oswego – Title 1, Minimum Densities; Title 3, Floodplain Management and Water Quality Standards; Title 6, Street Design and Connectivity Standards.** Judie Hammerstad, Mayor, City of Lake Oswego. Mayor Hammerstad said Lake Oswego would be able to move their schedule along considerably faster than their original request. The timeline she gave was:

- ✓ Hearing was held and mode split decision was completed; adoption will be November 6, 2001
- ✓ Connectivity public hearing will be November 6, 2001
- ✓ Formal adoption November 27, 2001
- ✓ Community Forum regarding Design and Density October 24, 2001
- ✓ Public hearing on Minimum Densities November 27, 2001
- ✓ Decision scheduled for December 18, 2001

Even with some delay, Mayor Hammerstad said, Lake Oswego is still in the ballpark for finishing by December 2001. Mayor Hammerstad then introduced Stephan Lashbrook, Community Development Director, and Jane Heisler, Long-Range Planner Manager, who addressed the committee regarding some of Lake Oswego's concerns regarding Title 3.

• **City of Oregon City – Title 1, Minimum Densities, Accessory Dwelling Units, Design Type Boundaries and Capacity Analysis; Title 4, Employment Areas; and Title 5, Green Corridor Policy.** Maggie Collins, Planning Manager, City of Oregon City. Ms. Collins stated that Mayor Williams had intended to be at this meeting, but was delayed. She explained that Oregon City had a slowdown in their compliance work, but feels comfortable now that they will complete some of the tasks with the help of two TGM grants they've received as well as some additional funding their council put toward this task. She felt confident the city could meet the deadlines they've requested. Ms. Collins said the city had not done a housing inventory since 1980, and this was a concern to her in negotiating with the county regarding the jobs/housing balance which couldn't make sense until they could complete that inventory – which was starting that week.

• **City of Milwaukie – Title 3, Floodplain Management and Water Quality Standards.** Mayor James Bernard, Alice Rouyer, Interim Community Development Director, and John Gessner, Interim Planning Director. Mayor Bernard explained the City of Milwaukie's having had staffing shortages, and changes within management and the council. Mayor Bernard said Erosion Control and Flood Management elements would be adopted April 2002. Adoption of Water Quality Regulations was scheduled for September 2002, and staff was now working on the draft code. Public information stakeholder outreach would be conducted this winter (2001/02), work sessions scheduled for spring/summer 2002.

Ms. Rouyer then spoke to regulations already in place regarding Title 3 that covers for the most part Title 3 resources inside the city limits. The City of Milwaukie's work plan was included in the provided workbook.

Regarding Measure 7, Mr. Cooper said that the Milwaukie representatives weren't in the chambers when he earlier addressed that issue, and that Milwaukie already had existing regulations that may present a claims problem. He said would be calling their City Attorney soon.

• **Multnomah County – Title 1, Minimum Densities, Partitioning Standards, Accessory Dwelling Units, Design Type Boundaries, Capacity Analysis; Title 2, Regional Parking Policy; Title 3, Floodplain Management, Water Quality Standards, Erosion Control; Title 4, Industrial and**

Employment Areas; and Title 5, Green Corridor and Rural Reserve Policy. Kathy Busse, Planning Director, and Gary Clifford, Senior Planner, Multnomah County. Ms. Busse spoke to her memo (included as a part of this record) distributed to the committee, and which explained the Intergovernmental Agreements with the cities of Portland, Troutdale and Gresham, and that the county's compliance work in urban areas will be completed as these cities complete their work.

- **City of Gladstone – Title 3, Floodplain Management, Water Quality Standards, and Erosion Control; Title 4, Employment Areas.** Dave Doughman, Deputy City Attorney, City of Gladstone, and Jennifer Hughes, Clackamas County Planner. Mr. Doughman spoke to the distributed letter from Mayor Wade Byers (and made a part of this record) requesting an additional extension to June 2002.

The committee asked Mr. Doughman to provide a work plan. Ms. Hughes said she believed that could be done.

Clackamas County – Title 3, Floodplain Management, Water Quality Standards, and Erosion Control. Doug McClain, Planning Director, Clackamas County. Mr. McClain explained that the county wasn't asking for much, but they had good reason for what they were asking. The areas not in compliance are three small areas mentioned in his letter to Mr. Mike Hoglund (September 11, 2001 and included with this record), and Mr. McClain spoke to those, using a large map not included in this record. He also said his Council felt it would be dangerous to get too far ahead of the Measure 7 curve. Mr. Cooper said he would talk with Clackamas County regarding that.

Mr. McClain said he thought it reasonable to ask for an extension to the end of 2002, although the work was not in the county's budget, but he hoped to get all the work done in one action.

The committee asked Mr. McClain to submit a work plan, and Mr. McClain said he would do so.

- **City of Gresham – Title 3, Water Quality Standards; Title 4, Industrial and Employment Areas; Title 5, Green Corridor Policy; and Title 6, Street Design and Connectivity.** Mayor Chuck Becker, Ron Bunch, Principal Planner, Ron Papsdorf, Transportation Planner, and Richard Ross, Project and Policy Manager. Mayor Becker addressed Gresham's Big Picture Achievements handout, page 1 (distributed to the committee and made a part of this record). Mr. Bunch spoke to page 2 of the handout, Remaining Functional Plan Work table, and said all items would be completed by June 2002. Mr. Papsdorf provided more detail on the city's Title 2 and Title 6 efforts, speaking to his handout, City of Gresham Functional Plan Compliance Analysis – Title 2 and Title 6 (and made a part of this record).

Mr. Ross concluded Gresham's testimony, emphasizing their perspective on 2040 and that Gresham sees it as a total package that goes beyond just the Functional Plan. He briefly discussed the page 3 of the first handout, which addressed the Pleasant Valley Concept Plan, the Rockwood Action Plan, and the Transportation and Land Use Initiatives. He said everything could be completed by spring 2002 or sooner if the Measure 7 issue was cleared up.

At 5:15 p.m. the committee recessed, and reconvened at 5:50p.m.

- **City of Wilsonville – Title 1, Design Type Boundaries and Capacity analysis; Title 2, Amend Office Parking Maximum (typo); Title 5, Green Corridor Policy; and Title 6, Street Design and Connectivity.** John Morgan, Interim Planning Director. Mr. Morgan spoke to his handout, City of Wilsonville Functional Plan Compliance Status Report (made a part of this record) which listed each of the non-compliance Titles and explained why he was asking to revise the nonrealistic compliance dates, and he gave proposed revised compliance dates. Mr. Morgan said all the project work was done and there was no extraordinary staff work to do.

While waiting for the City of Tigard representative, Ms. Bernards briefed the committee on Tigard's workbook material, and then on the jurisdictions who did not need to appear at this meeting (cities of Beaverton, Durham and Rivergrove), as outlined in the workbooks provided.

1a. Review Proposed Schedule for Concluding Extension/Exception Requests (added agenda item).

Chair Park asked staff to recap what had been heard at this meeting, particularly any new issues, and he asked Mr. Cooper to nail down the work he needed to complete so that on November 6th this committee could give direction to staff. He suggested breaking it up into criteria, so that November 20th staff will be able to provide a finished product for this body to approve, then that would go to MPAC as an informational item November 28th, and then back to the Council for action on December 6th. The committee agreed.

Councilor Hosticka, in preparation for the November 6th meeting asked if Mr. Cooper could provide verbally or in a memo available options should the committee decide not to grant an extension to a jurisdiction, and then they fall out of compliance because the jurisdiction hasn't done the work. The question was clarified as to who does the enforcement and what form the enforcement would take.

Agenda Item 1.

- **City of Tigard – Title 3, Floodplain Management and Water Quality Standards.** Jim Hendryx, Community Development Director. Mr. Hendrix said that, like other jurisdictions, Measure 7 has been haunting them. Unlike other jurisdictions, however, Tigard has been carrying out the intent of Title 3 with their IGA with Clean Water Services. They have not yet gone through the formal adoption process yet, but will certainly do so. He anticipated Tigard being in compliance by end of March 2002.

Councilor McLain asked to place on the record her thanks to the Chair and all the staff for their hard work on the Functional Plan compliance project.

There being no further business, the committee adjourned at 6:15 p.m.

Respectfully submitted,

Rooney Barker
Council Assistant

ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF OCTOBER 30, 2001

The following have been included as part of the official public record:

REFERENCE/ ORDINANCE/RESOLUTION	DOCUMENT DATE	DOCUMENT DESCRIPTION	DOCUMENT NO.
Agenda Item 1. City of Portland	October 30, 2001	Memo to The Honorable Rod Park from Mayor Vera Katz re Extension Request for Title 3, Water Quality	103001scp-01
	October 2001	Healthy Portland Streams, Summary of Discussion Draft Proposal	103001scp-02
	No date	City of Portland, Healthy Portland Streams in Our Neighborhoods	103001scp-03
Multnomah County	October 30, 2001	Letter to Rod Park, Chair, Community Planning Committee, from Kathy A. Busse, Multnomah County Planning Director, re Extension Request for Multnomah County Functional Plan Compliance	103001scp-04
City of Gladstone	October 29, 2001	Letter to Rod Park, Chairman, Metro Community Planning Committee, from Mayor Wade Byers, City of Gladstone, requesting Titles 3 and 4 of the Metro Functional Plan time extension to June 2002.	103001scp-05
City of Gresham	October 30, 2001	City of Gresham, 2040 Concept Plan Implementation Report, Big Picture Achievements	103001scp-06
	No date	City of Gresham Functional Plan Compliance Analysis – Title 2 and Title 6	103001scp-07
City of Wilsonville	October 30, 2001	City of Wilsonville, Functional Plan Compliance Status Report	103001scp-08
In the November 6, 2001, meeting packet	November 6, 2001	Refer to memo to Rod Park, Chair, Community Planning Committee, from Brenda Bernards, Senior Regional Planner, re Summary of the Discussion of the October 30, 2001, Special Meeting of the Community Planning Committee	

Testimony cards – None.