

Minutes of the Metro Council Planning Committee
October 26, 1993
Metro Regional Center
Council Chamber

Committee Members Present: George Van Bergen (Chair), Jon Kvistad (Vice Chair), Terry Moore, Richard Devlin, Rod Monroe, Mike Gates

Committee Members Absent: none

Other Councilors Present: Judy Wyers

Chair Van Bergen called the regular meeting to order 4:00 p.m.

2. Consideration of resolution No. 93-1851, Funding Third Year of Greenspaces Restoration Projects to Restore and Enhance Urban Wetlands, Streams and Riparian Corridors, and Upland Sites

Mel Huie, Senior Regional Planner, presented the staff report, a copy of which is included in the record of this meeting. Mr. Huie updated the Committee of the status of federal legislative activity.

Chair Van Bergen asked about the terminology used in the document. Councilor Devlin stated the terms 'restoration' and 'enhancement' had been used in the past. Chair Van Bergen said the language should be consistent with that included in the grant application request.

Motion: Councilor Kvistad moved to recommend Council adoption of the resolution.

Vote: All those present voted aye. The vote was unanimous and the motion passed.

1. Consideration of the Minutes of the October 12, 1993 Planning Committee

Councilor Moore requested two additions to the minutes as follows: page two, fourth paragraph, last sentence to read, "He noted the project scored high under the criteria for intermodality." and the seventh paragraph to read, "Councilor Monroe asked about adding a disclaimer about Metro's position of support of the 112th Road alignment ..."

Motion: Councilor Gates moved to approve the minutes with Councilor Moore's recommended additions.

Councilor Monroe expressed no objections to the clarification of his intent in the minutes of October 12, 1993 as suggested by Councilor Moore.

Vote: All those present voted aye. The vote was unanimous and the motion passed.

3. Transportation Finance Issues

Andy Cotugno, Planning Director, introduced the issues related to transportation funding issues. He referred to material distributed by Ted Spence, Arterial Planner, a copy of which is included in the record of this meeting.

Chair Van Bergen updated the Committee on related activity performed by the Joint Policy Advisory Committee on Transportation (JPACT).

The Committee discussed the issues presented by Mr. Cotugno and Mr. Spence.

4. Metro's Legislative and Quasi-Judicial Boundary Adjustment Processes

Dan Cooper, General Counsel, briefed the committee on the difference between legislative and Quasi-Judicial changes to the Urban Growth Boundary. He explained the criteria in Chapter 3.01 of the Metro Code. He stated his opinion concluded that this procedure was a legislative decision.

In response to Chair Van Bergen, Mr. Cooper noted public notice requirements were met. He explained that ex-parte contacts were not an issue because the item was legislative, not quasi-judicial.

Mr. Cooper noted public testimony was allowable at the full Council.

5. Consideration of Ordinance No. 93-506, Amending the Regional Urban Growth Boundary for Columbia South Shore, Policy 26 Area

Stuart Todd, Temporary Assistant Regional Planner, presented the staff report, a copy of which is included in the record of this meeting. He explained the process requirements for the adoption of a legislative amendment.

Mr. Todd discussed the Staff Background Report and Proposed Findings, a copy of which is included in the record of this meeting. He transmitted materials related to the amendment to be filed with the Clerk of the Council. Copies of submitted materials are included in the Ordinance file records and are available through the Clerk of the Council.

In response to a question from Councilor Moore, Larry Shaw, Senior General Counsel, stated that generally alternatives needed to be considered throughout the region. He noted that in this unique situation the amendment was responding to an established policy (Multnomah County Policy 26).

In response to a question from Councilor Moore, Mark Hess, Multnomah County Planning Staff representative stated the area is in a significant environmental concern (SEC) zone. He stated the Policy 26 area in question is included in the City of Gresham, the City of Portland, and unincorporated Multnomah County. He said related to SEC, the County would only address those areas not included in other jurisdictions.

Councilor Devlin noted Mike McKeever had contacted him noting they had worked with one group involved with the amendment.

Chair Van Bergen opened the public hearing.

Jeff Davis, City of Gresham, appeared to testify in favor of the Ordinance. He described the history of the connection of urban services in the area contained in the proposed amendment. He noted the amendment would clarify confusion about the boundaries in the area.

Sharon Bjorn, Pride Services, Inc., 1315 E 2nd St., Newberg, appeared to testify on behalf of property owners in the amendment area. She testified in favor of the Ordinance. She noted urban services, including police and sewer services, could not be extended until such time as the amendment were approved. She noted an application for annexation was awaiting approval of the UGB amendment. She noted upgrades to various marinas were awaiting decision of the amendment.

Alice Blatt, Wilkes Community Group, 15231 NE Holladay, Portland, appeared to testify. She spoke to provide background information related to the amendment. She expressed personal concerns about the amendment allowing development of another marina. She stated the community was not included in discussions about the development project. She stated the staff report, page 9, stating the area was outside the airport 65 ldn was not accurate. She noted the response time for river policing would not be improved as the delay was caused by the route necessary to arrive at the marina (around Government Island to the North due to the South side not being dredged). She expressed concerns about intrusion on a recreational waterway and crowded conditions in the area.

Jean Ridings, Interlacken, 21510 NE Blue Lake Rd., Troutdale, appeared to testify. She expressed concerns about the construction of the new marina and increased traffic as a result. She noted Policy 26 stated houseboats were not a needed alternative, but rather a housing option.

George Donnerberg, 10411 SW 14Th Dr., Portland, appeared to testify in favor of the Ordinance. He noted he was the owner of the proposed new marina development. He confirmed that he had obtained a majority of the needed approval for the development project. He noted there was a ninety day window allowed for dredging. He requested an emergency clause be included.

Chair Van Bergen adjourned the public hearing.

Main Motion: Councilor Kvistad moved to recommend Council adoption of the Ordinance.

Councilor Moore asked for the attached staff report to be amended to indicate alternatives were only examined in the Columbia River. Councilor Kvistad accepted the inclusion as a friendly amendment.

Councilor Moore expressed concerns about the channel being designated as a recreational area. Mr. Shaw said the intent of the amendment was to align the UGB with the adopted comprehensive plan policy 26 of Multnomah County. He said the approvals from other jurisdictions related to development would still be required for such projects.

Councilor Devlin stated fundamentally he viewed this UGB amendment as a correction of an error in the original definition of the boundary.

Motion to amend: Councilor Gates moved to amend the Ordinance to include the emergency clause to read as follows: "SECTION 4. This Ordinance shall become effective upon its adoption because it is necessary for the health, safety, or welfare of the Metro area due to the immediate need for urban services, including sanitary sewer."

Councilor Monroe stated he would not support the emergency clause. Councilor McLain noted that she would not support the emergency clause at the full Council.

Councilor Gates noted he supported the emergency clause not to the benefit of the proposed development, but for the existing houseboat occupants needing services including, but not limited to sewer, for their health and welfare.

Vote on motion to amend: Councilors Kvistad, Devlin, Gates, and Van Bergen voted aye. Councilors Moore and Monroe voted nay. The vote was 4/2 and the amendment passed.

Vote on Main Motion: All those present voted aye. The vote was unanimous and the motion passed.

Chair Van Bergen recessed the meeting at 6:25 p.m. Councilor Gates reconvened the meeting at 6:35 p.m.

6. Metro Growth Conference - Informal Report

Sherry Oeser, Senior Public Involvement Specialist, presented an update the Metro Growth Conference. She report 444 people attended the day conference and 140 people attended the evening with and additional 168 registered but not attending. Councilor Devlin noted the evening session was free and may have impacted attendance. Ms. Oeser noted all people signed up for childcare (10 attendees) attended.

Ms. Oeser discussed the participants responses to the conference.

7. Region 2040 - Contracts Update

John Fregonese, Growth Management Manager, presented an update on Region 2040 Contracts, a copy of his memorandum is included in the record of this meeting.

Ms. Oeser distributed Region 2040 public comments, a copy of which is included in the record of this meeting.

8. Councilor Comments

The Councilors discussed various meeting activity as it related to the Planning Committee.

With no further business before the Committee, Chair Van Bergen adjourned the meeting at 8:45 p.m.

Respectfully Submitted,



Susan Lee
Committee Recorder

APPROVED
Date 11-9-93