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**STAFF REPORT TO THE PLANNING COMMISSION
FOR THE
PUBLIC HEARING ON MAY 6, 2013
SAUVIE ISLAND / MULTNOMAH CHANNEL SCOPING REPORT**

CASE FILE: PC-2013-2659

PART I. BACKGROUND

In 1997, the Sauvie Island/Multnomah Channel Rural Area Plan (RAP) was adopted for the rural, unincorporated area of Sauvie Island and Multnomah Channel. Over the last 16 years, much of the community has stayed the same, but several new issues have emerged and some issues present in 1997 have not been resolved. Sauvie Island in particular has seen considerable growth in the number of visitors from the Portland Metropolitan Region. In response to the growing number of issues raised by citizens and stakeholders in the planning area, staff began a scoping effort in order to identify land use and transportation issues that may need to be addressed in a future update to the RAP.

The planning area is bordered by U.S. Highway 30 on the west, Columbia County on the north, the Columbia River on the east, and the Willamette River and the city of Portland on the south. The area is dominated by agricultural land uses but also includes a wildlife refuge, public beaches, various water-related uses on and along the Multnomah Channel, residential areas, and a few businesses. The area includes about 15,400 acres of land and several thousand additional acres of water.

Approximately 11,800 of these acres are designated in the Comprehensive Plan as Exclusive Farm Use (EFU), with the remainder designated as Multiple Use Agriculture (MUA). Approximately 1,300 residents live in roughly 450 dwelling units on the island and there are approximately 200 permanent residents in the channel/Highway 30 area.

The entire plan area is located outside of the Portland metro area's Urban Growth Boundary (UGB) and has been designated a Rural Reserve by Multnomah County. The Rural Reserve Designation prevents the UGB from expanding into the area for at least the next 50 years and generally limits plan and zoning amendments that would add more intensive uses than allowed when the designation was adopted in May, 2010.

PART II. SCOPING REPORT

Beginning in February 2013, County staff in collaboration with CH2M Hill conducted a scoping process. The process consisted of a public outreach effort in the form of public open houses, stakeholder meetings, focus groups, and questionnaires (mailed and online). That scoping process asked

the community, both residents and businesses on Sauvie Island and Multnomah Channel, government agencies, and other organizations or interested individuals, what they would like the area look like 20 years from now and what issues are important to them. This scoping report outlines the results from this community conversation including the issues and visions, as well as recommendations for next steps in resolving the identified issues.

The outreach process identified a number of issues and concerns across a wide spectrum. These issues and concerns have been organized into a scoping report (Exhibit A). Based on the issues and their importance to both residents and visitors, staff recommends an update to both the RAP and the Transportation System Plan (TSP).

Primary themes identified in the scoping effort are as follows:

Land Use:

- Concern regarding the types and degree of promotional activities at farm stands and related off-site impacts.
- Desire to examine the pros and cons of agri-tourism and to form a consensus around the issue of what should or shouldn't be allowed on Sauvie Island farms with respect to farm stands and events.
- Concern for maintaining the rural character and agricultural nature of Sauvie Island.
- Need for clear policies and codes for floating moorages and marinas.
- Desire for preservation, restoration and enhancement of natural habitat.

Transportation:

- Need for strategies that reduce traffic conflicts between modes on Sauvie Island roads, particularly between bicycles and motorists, but also including farm equipment and pedestrians. There is a strong desire for better accommodations for bicycles and pedestrians. The lack of road shoulders and/or multi-use paths is a common theme.
- Need for safety improvements for roads, intersections, and rail crossings.
- Concern regarding the increasing numbers of visitors to Sauvie Island and related issues, such as increased traffic and increased demand on emergency service providers.

The scoping report concludes with a staff recommendation to proceed with an update to the RAP and the TSP. Based on the number and variety of issues, several of which are new or more pronounced than in 1997, as well as the high level of community interest, staff recommends updating the RAP and the TSP.

There are a few issues raised through the scoping process that would not typically be addressed in a RAP or TSP, but nevertheless are important to the community. As such, these issues should be considered for either general policy statements within the updated RAP and TSP and/or forwarded to other agencies as appropriate. These issues include the following:

- Need for increased enforcement of traffic laws on Sauvie Island Roads: Issue should be forwarded to Sheriff's office.
- Need for increased enforcement and clarification of boating laws and no wake zones in Multnomah Channel: Issue should be forwarded to Sheriff's River Patrol.
- Evaluate effectiveness of complaint driven / voluntary compliance model for code enforcement: The issue is a county-wide policy level issue that should be evaluated separate from RAP/TSP updates.
- Consider program for periodic follow-up on conditions of approval for county permits: The issue is a county-wide policy level issue that should be evaluated separate from RAP/TSP updates.

PART III. RECOMMENDATIONS

Based on the results of the scoping process and the recommendations of the scoping report, staff believes that an update to the existing Rural Area Plan and Transportation System Plan is justified and now is the time to do it. Staff proposes that the Planning Commission recommend that the Board of Commissioners direct staff to conduct the proposed work program described outlined below.

PART IV. PROPOSED WORK PROGRAM

The work program should at a minimum, include the following tasks:

A. Issues to address in a RAP Update and TSP update:

1. Transportation Related:

- a. TSP should include a demand management study.
- b. TSP should include a Multi-modal transportation study that considers all types of transportation in the plan area.
- c. Study opportunities for improved safety at rail crossings. Consider consolidated and/or separated grades in TSP update. Requires coordination with the ODOT Rail Division and property owners. Include transportation/facility policy discussion in TSP.
- d. TSP update should include data from traffic counts for peak summer traffic and October festivals as well as off peak times of years and should count all modes including bicycles.
- e. Study user fee option as a tool to manage visitor transportation impacts.
- f. A new bike and pedestrian facility plan should be included as part of a Transportation System Plan update.
- g. Study transit options for island visitors and residents as part of a Transportation System Plan update. Requires coordination with various stakeholders. At a minimum, include Trimet, Columbia County Transit Division, farm stand and/or event operators, ODFW, residents, and visitors.

- h.** Create a ranked list of recommended safety improvements for specific stretches of road and intersections.
- i.** Review speed limits to determine whether roads are safe for the current speeds. Lower speeds where warranted.
- j.** Consider needs of farmers and farm equipment / farm trucks and harvests during TSP update.
- k.** TSP update should consider management of invasive species along county right of ways as well as planting of native species along right of ways.
- l.** TSP update should consider the use of additional signage to encourage sharing the road and to warn of known hazards similar to the existing park and ride lot signage.

2. Marinas and Moorages:

- a.** Examine consistency of Policy 15 Willamette River Greenway with corresponding statewide planning goal. Incorporate changes needed to maintain consistency into policy and land use regulations WRG, base zones, and conditional/community service use regulations.
- b.** Examine zoning code provisions for riparian habitat protection along the channel for consistency with community goals and both state and federal law.
- c.** Review and if necessary amend MCC Policy 26 Houseboats to ensure consistency of the county's regulatory program with other applicable plan policies and federal, state or local policies. Statewide Planning Goals 11, 14, and related case law.
- d.** Review and if necessary amend Sauvie Island/Multnomah Channel RAP policies 10 through 17 for consistency with state and federal law. Include both houseboat and marina facilities in consistency review.
- e.** Consider code amendments to adopt building and fire codes for floating structures to be consistent with City of Portland and Marine Board rules.

3. Agricultural/Rural lands:

- a.** Explore creation of design review standards for permitting of farm stands and farm stand related activities. Include consideration of cumulative traffic impacts, parking, sanitation, and noise, hours of operation, etc.
- b.** Consider policy addressing non-profit events and mass gatherings. Currently these are not treated as land uses under state law. However their impacts are land use and transportation related so there should be some requirements (Design Review) regarding parking, traffic impacts, sanitation, noise, and other offsite impacts for those who hold larger events and/or events with some regularity.
- c.** Consider a policy creating standards for annual reporting of farm stand retail sales and incidentals in order to insure adherence to the 75/25 rule, which limits sales of incidental items to no more than 25 percent of the total farm-stand retail sales.

- d. Build consensus around and develop a policy regarding the question of whether limited agri-tourism activities should be allowed (via SB 960) or no additional agri-tourism outside what is currently allowed by way farm-stand related activity.
- e. Explore possible zoning code amendments that would allow two tiers of review for farm stands to separate out basic farm stand from farm stand with promotional activities and events.
- f. Consider policy acknowledging farm stand role as source of food and incidentals for local residents and tourists – partially fulfilling the role of ‘Rural Center’ uses that are lacking on the island. (Note that new ‘Rural Center’ zones are not possible under the Rural Reserve Designation).
- g. Consider new RAP policy that promotes coordination with ODFW and Columbia County regarding managing impacts of beach users such as traffic, parking (and parking fees), and litter.

4. Issues relevant to the entire rural plan area:

- a. Consider update to natural disaster policies in RAP that recognize natural gas/petroleum products pipelines that run through the Island and across the Channel.
- b. Consider new RAP policy for protection of dark skies and reduction of light pollution through the use of appropriate lighting.
- c. Consider new RAP policy regarding acknowledging the history, prehistory, and cultural resources of the Island and Channel (Native Americans, Lewis and Clark, settlers, and early farming and dairying through to present day) in consultation with SHPO, Hist. Society, Tribes, and other stakeholders.
- d. Consider expanding wildlife deferral option to more zones.

B. Other Tasks to address in SIMC RAP Update and TSP update:

The following items primarily consist of consistency review tasks. These tasks are necessary in order to insure that an update to the RAP and TSP is consistent with current federal, state and county policies, rules, and laws as well as relevant case law.

- 1. **Consistency Review of State Planning Goals:** Ensure county enactments are consistent with those of the state, and with applicable case law. The County has not done periodic review in a number of years and county should conduct a consistency review as part of the RAP update process.

Applicable State Planning Goals:

- a. **Goal 1 – Citizen Involvement:** To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process. The planning process should incorporate the principles of Citizen Involvement to ensure citizens have an opportunity to be involved. The county’s commitment to this policy is

reflected in dedicating resources to conduct a robust Scoping process that engaged citizens in identifying issues important to them. The RAP and TSP update process will utilize a citizen task force to guide formation of recommendations consistent with Goal 1. Additionally, the RAP and TSP updates should begin with a robust visioning effort in order to build and understanding of particularly difficult issues where varied viewpoints abound.

- b. **Goal 2 – Land Use Planning:** Establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.
- c. **Goal 3 – Agricultural Lands:** Agricultural lands shall be preserved and maintained for farm use, consistent with existing and future needs for agricultural products, forest and open space and with the state's agricultural land use policy expressed in ORS 215.243 and 215.700.
- d. **Goal 5 – Natural Resources, Scenic and Historic Areas, and Open Spaces:** Local governments shall adopt programs that will protect natural resources and conserve scenic, historic, and open space resources for present and future generations. These resources promote a healthy environment and natural landscape that contributes to Oregon's livability.
- e. **Goal 6 – Air, Water and Land Resources Quality:** All waste and process discharges from future development, when combined with such discharges from existing developments shall not threaten to violate, or violate applicable state or federal environmental quality statutes, rules and standards. With respect to the air, water and land resources of the applicable air sheds and river basins described or included in state environmental quality statutes, rules, standards and implementation plans, such discharges shall not (1) exceed the carrying capacity of such resources, considering long range needs; (2) degrade such resources; or (3) threaten the availability of such resources.
- f. **Goal 7 – Areas Subject to Natural Hazards:** Local governments shall adopt comprehensive plans (inventories, policies and implementing measures) to reduce risk to people and property from natural hazards. Natural hazards for purposes of this goal are: floods (coastal and riverine), landslides, earthquakes and related hazards, tsunamis, coastal erosion, and wildfires. Local governments may identify and plan for other natural hazards.
- g. **Goal 8 – Recreational Needs:** To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities. The requirements for meeting such needs, now and in the future, shall be planned for by governmental agencies having responsibility for recreation areas, facilities and opportunities. State and federal agency recreation plans shall be coordinated with local and regional recreational needs and plans.
- h. **Goal 11 – Public Facilities and Services:** Requirement to plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.
- i. **Goal 12 – Transportation:** A transportation plan shall (1) consider all modes of transportation including mass transit, air, water, pipeline, rail, highway, bicycle and

pedestrian; (2) be based upon an inventory of local, regional and state transportation needs; (3) consider the differences in social consequences that would result from utilizing differing combinations of transportation modes; (4) avoid principal reliance upon any one mode of transportation; (5) minimize adverse social, economic and environmental impacts and costs; (6) conserve energy; (7) meet the needs of the transportation disadvantaged by improving transportation services; (8) facilitate the flow of goods and services so as to strengthen the local and regional economy; and (9) conform with local and regional comprehensive land use plans. Each plan shall include a provision for transportation as a key facility.

- j. **Goal 13 – Energy Conservation:** Land and uses developed on the land shall be managed and controlled so as to maximize the conservation of all forms of energy, based upon sound economic principles.
 - k. **Goal 14 – Urbanization:** Provides for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries and to protect rural, and resource lands from urbanization and urban sprawl.
 - l. **Goal 15 – Willamette River Greenway:** To protect, conserve, enhance and maintain the natural, scenic, historical, agricultural, economic and recreational qualities of lands along the Willamette River as the Willamette River Greenway.
2. **Consistency Review of Applicable State Law:** Applicable state laws are primarily the implementing statutes and rules of the state-wide planning program based upon the state planning goals. Applicable statutes and rules include but are not limited to the following:
- a. ORS 215: County Planning; Zoning; Housing Codes
 - b. OAR 660-011: Public Facilities Planning
 - c. OAR 660-012: Transportation Planning
 - d. OAR 660-015: Statewide Planning Goals and Guidelines
 - e. OAR660-020: Willamette River Greenway Plan
 - f. OAR 660-023: Procedures and Requirements for Complying with Goal 5
 - g. OAR 660-027: Urban and Rural Reserves in the Portland Metro Area
 - h. OAR 660-033: Agricultural Land
3. **Consistency Review of County Comprehensive Plan:** The Sauvie Island/Multnomah Channel RAP is a subset of policies that stem from the Multnomah County Comprehensive Framework Plan and as such, policies in the Framework plan will need to be updated as a result of the same consistency review applied to the RAP.

4. Consistency Review of Key County Policy Initiatives:

- a.** Review and if necessary amend RAP and TSP policies for consistency with the 2009 Climate Action Plan. Consider Plan Objective #2 (mobility – reduction of VMT), Plan Objective #5 (Food and Agriculture – local food sources), Plan Objective #7 (Climate Change Preparation – community resilience, adaptation, levees /flood control), and Objective #4 (Forests and Natural Systems - with consideration of watershed health).
- b.** Review and if necessary amend RAP and TSP policies for consistency with the 2009 Multnomah County Health Equity Initiative. Consider Policy VII (Access to Affordable, Healthy Food – contains sub-policy regarding connecting local farmers with low income communities), and Policy IX (Public Transportation – promotes alternative modes of transportation such as walking, biking, and public transportation).
- c.** Review and if necessary amend RAP and TSP policies for consistency with the 2010 Multnomah Food Action Plan. Consider Goal 1 (protect and enhance the agricultural land base), Goal 2 (support small and midscale farms), Goal 4 (encourage sustainable resource stewardship), and Goal 8.3 (connect surplus food with need).
- d.** Review and if necessary amend RAP and TSP policies for consistency with the 2012 Multnomah County Equity and Empowerment Lens. Employ the tools of the Equity and Diversity Lens in all phases of the update particularly with respect to public outreach and citizen involvement. Review new and updated policies with consideration given to equity and empowerment.
- e.** Review and if necessary amend RAP and TSP policies for consistency with the 2006 Multnomah County Natural Hazards Mitigation Plan: The RAP and TSP updates should include coordination with the County Office of Emergency Management.

PART V. ATTACHMENTS

Exhibit A: Sauvie Island/Multnomah Channel Scoping Report

Exhibit B: Sauvie Island/Multnomah Channel Scoping Report – Appendices