

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR MULTNOMAH COUNTY, OREGON

ORDINANCE NO. 335

An ordinance amending the Comprehensive Framework Plan to add a Marine Transportation System Policy, No. 33A, as an addition to the existing Transportation System Policy, No. 33.

Multnomah County ordains as follows:

SECTION I. FINDINGS AND CONCLUSIONS.

The Board finds and concludes:

- A. For the reasons stated in the Findings and Conclusions of the Decision PR 5-82, dated July 12, 1982 (Attachment A) and in Introduction, Section II, below, that there is a need to revise the Comprehensive Framework Plan text by adding provisions to consider and evaluate the needs and impacts of the Marine Transportation System.
- B. The Comprehensive Framework Plan was prepared prior to completion of studies and forecasts concerning marine transportation needs and does not fully address the issue.
- C. The Planning Commission considered the impacts and needs of the marine transportation system at a work session on June 28, 1982, and a public hearing on July 12, 1982, for which notice was duly given, and full opportunity for public testimony was afforded.

SECTION II. REVISION.

The Comprehensive Framework Plan is hereby revised by adding the following after Policy No. 33:

"INTRODUCTION.

The 40 foot Columbia River shipping channel is a federally funded, integral part of the national transportation system which has significant economic and social impact on the Portland region, Multnomah County, and the State of Oregon. In Multnomah County, the 40 foot channel extends from the north County line as it crosses Sauvie Island, upstream to the Interstate 5 freeway bridge.

"Requirements for land, docks and terminals, and rail and highway facilities to support the marine transportation system, vary according to the types of products and materials moved through the harbor. These include foreign cargoes such as grain, coal and autos, and domestic materials such as sand and gravel, and wood products. Another important activity is shipment of local products and goods to foreign markets through containers. Other significant waterfront activities dependent upon maintenance of the 40 foot channel and availability of suitable land are ship repair, marine construction, and private industries.

"A critical component of the marine system, which is part of the region's total transportation network, is sufficient, suitable and appropriately zoned land which can be served efficiently by rail and highway. If the system is to continue serving the region, all components, particularly suitable land, must be available.

"The Portland harbor and adjacent waterfront land depend upon a complex public/private partnership for continued success. The federal government is primarily responsible for navigation channel maintenance and improvements, while the Port of Portland owns and operates public marine terminals. The private sector provides for special facilities such as docks and facilities which handle major commodities, such as grain and wood chips, and towboat, barge, rail, ship and salvage services. Local jurisdictions generally are responsible for land use regulations, streets and public utilities. State and federal aid has been available for major highways.

"The purpose of this policy is to ensure that Multnomah County takes appropriate action to provide for needed marine transportation system facilities in those areas of the Portland region within its jurisdiction. The system must include appropriate backup land for marine terminal and waterfront industrial facilities.

"33A. MARINE TRANSPORTATION SYSTEM.

THE COUNTY'S POLICY IS TO IDENTIFY, EVALUATE AND ENCOURAGE THE DEVELOPMENT OF SUFFICIENT NEEDED PORT AND MARINE FACILITIES. PROVISIONS WILL BE MADE TO:

- A. INVENTORY THE ACREAGE AVAILABLE FOR MARINE TERMINAL FACILITIES AND DETERMINE IF MORE LAND IS NEEDED, IN ACCORD WITH COUNTY FRAMEWORK POLICY 6.
- B. EXPLORE THE CONCEPT OF A JOINT PUBLIC/PRIVATE PARTNERSHIP, INCLUDING COOPERATION WITH OTHER GOVERNMENTAL AGENCIES, TO FINANCE INFRASTRUCTURE IN ACCORD WITH COUNTY FRAMEWORK POLICY 4. HOWEVER, IT IS THE PRIMARY RESPONSIBILITY OF THE PROPERTY OWNER/DEVELOPER TO PROVIDE THE INFRASTRUCTURE NECESSARY TO SUPPORT DEVELOPMENT.

"C. ENCOURAGE IMPROVEMENTS TO PUBLIC AND PRIVATE ELEMENTS OF THE PORTLAND AREA HARBOR WHICH SUPPORT REGIONAL ECONOMIC DEVELOPMENT AND DIVERSITY, IN ACCORD WITH COUNTY FRAMEWORK POLICY 5."

"STRATEGIES.

- A. As a part of its ongoing planning program, the County should consider the need for marine terminal facilities and suitable future land.
- B. Based on its review of information on future needs for port facilities, the County should support appropriate action so that the required land will be available."
- C. Protecting the rights and privileges of recreational boaters should be considered in the County's updating of the Framework Plan through Policy No. 39, (Open Space and Recreation).

ADOPTION

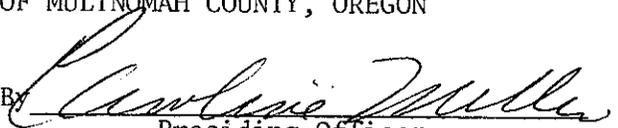
This Ordinance being necessary for the health, safety and general welfare of the people of Multnomah County, shall take effect on September 9, 1982, according to Section 5.50 of the Charter of Multnomah County.

ADOPTED this 10th day of August, 1982, being the date of its second reading before the Board of County Commissioners of Multnomah County, Oregon.

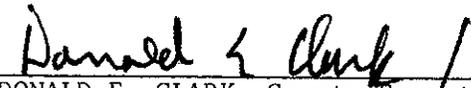
(SEAL)

FOR THE BOARD OF COUNTY COMMISSIONERS
OF MULTNOMAH COUNTY, OREGON

By


Presiding Officer

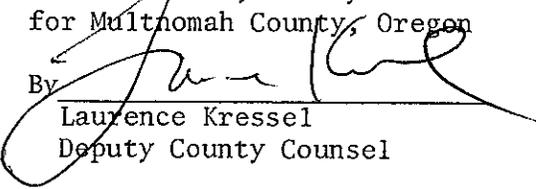
Authenticated by the County Executive on the 12th day of August, 1982.


DONALD E. CLARK, County Executive

APPROVED AS TO FORM:

JOHN B. LEAHY, County Counsel
for Multnomah County, Oregon

By


Laurence Kressel
Deputy County Counsel



MULTNOMAH COUNTY OREGON

Department of Environmental Services/Division of Planning and Development/2115 S.E. Morrison St./Portland, Oregon 97214 • 248-3043.

DECISION OF MULTNOMAH COUNTY PLANNING COMMISSION

Meeting of July 12, 1982

IN THE MATTER OF:

PR 5-82, Plan Revision and Change in UGB Boundary
 PC 11-82, Comprehensive Plan Text Amendment
Sectional Zoning Maps Nos. 196,199,200,201,207,208,209,216,217,218,227 and 228

Applicants are requesting a Comprehensive Plan Revision from the present Natural Resource classification to an Urban classification. The applicants also request a recommendation of approval of a change in the Urban Growth Boundary to facilitate future changes in zoning from the present Multiple Use Forest designation to an Urban Future designation. No zone change is requested at this time. If the proposed amendments are approved by Multnomah County, they must be ratified by the Metropolitan Service District before they become effective. Applicants further request consideration of amendments to the Multnomah County Framework Policies dealing with the marine industries portion of the Economic Development Policy and with the Transportation Policy.

Location: °3100 North Hayden Island Drive

Legal: Government Lots 2, 3, 4, 5, 6, 7, 8 and Tax Lot '3',
 Section 29, 2N-1E, 1981 Assessor's Map Plus
 Government Lot 5, Section 28, 2N-1E and
 Tax Lots '1' and '4', Section 33, 2N-1E, 1981 Assessor's Map

Site Size: 760 Acres Size Requested: Same

Property Owner: Portland General Electric, Et Al
 121 SW Salmon Street, Portland, 97204

Applicant: Same

Comprehensive Plan: Natural Resource, Multiple Use Forest

Present Zoning: MUF-19, Multiple Use Forest, SEC, Area of Significant
 Environmental Concern

Sponsor's Proposal: Urban

RECOMMENDED

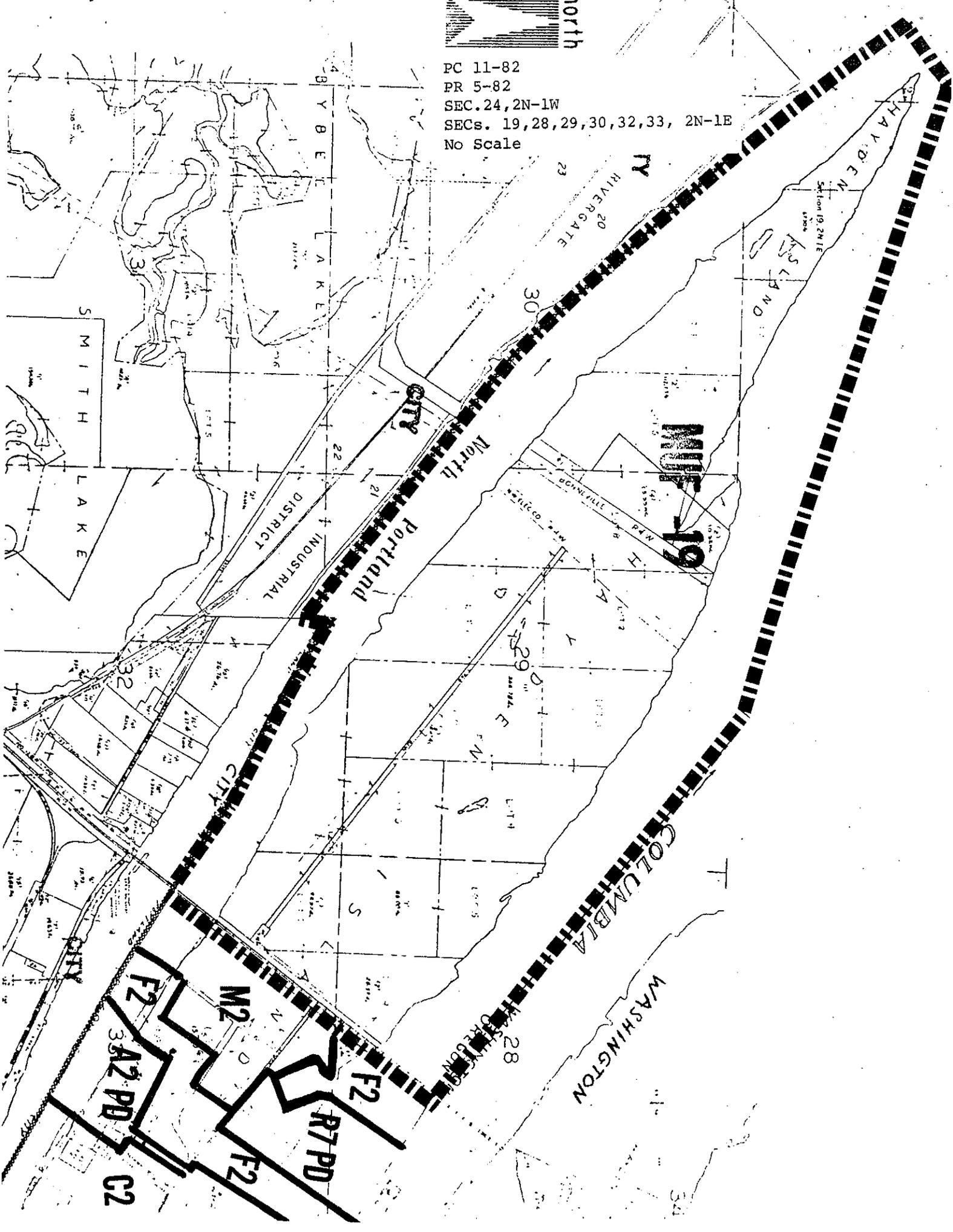
PLANNING COMMISSION

DECISION:

Approve requested plan text amendment, plan map amendment and adoption of recommended urban land area and growth management policies, subject to conditions, based on the following Findings and Conclusions.



PC 11-82
 PR 5-82
 SEC. 24, 2N-1W
 SECs. 19, 28, 29, 30, 32, 33, 2N-1E
 No Scale



SMITH
 LAKE

BYBEE
 LAKE

CITY

Portland
 North

MUE-19

DISTRICT
 INDUSTRIAL

CITY

COLUMBIA

WASHINGTON

Section 19, 2N-1E

HAYDEN

F2

A2PD

C2

M2

R7PD

F2

F2

F2

28

23

30

RIVERGATE

BOONVILLE

34

FINDINGS

1. Applicant's Proposal.

A. The Development.

The applicant proposes a change in the land use designation of the western portion of Hayden Island from Natural Resource to Urban, with a recommendation that the Metropolitan Service District amend the regional urban growth boundary to include this area. The specific area is the 760 acre western portion of Hayden Island; it is that portion of the island west of the Burlington Northern railroad bridge which crosses the island and the Columbia River.

While the site is suitable to meet projected waterfront industrial acreage needs in the Portland region, no specific development plans are proposed at this time. An estimated 10 years is required from the time the County Plan is amended until the first improved site and facility on the island can be sold or leased. This time period allows for necessary improvements to the transportation facilities, and the necessary filling to avoid flooding. Further detailed planning, such as engineering studies, cannot be undertaken without a decision that the area is available for urban development. The proposed primary use of the area will be marine industrial. The applicant also requests the adoption of a proposed Marine Transportation Policy as part of the Comprehensive Framework Plan, and adoption of proposed urban land use and growth management policies for West Hayden Island.

B. Current Zoning and Comprehensive Plan Designation.

The site is zoned Natural Resource, Multiple Use Forestry, with a Significant Environmental Concern (SEC) overlay zone. Forestry and agricultural activities, resource-related low density residential and recreational uses are permitted. The SEC designation is intended to protect the scenic and natural values of the Columbia River shoreline.

The 760 acre western portion is composed of privately owned large parcels. Portland General Electric (PGE) owns 496 acres. Western Transportation Company (subsidiary of Crown Zellerbach Corporation) owns 182 acres; there are plans to lease this site for private sludge farming. Hayden Island, Inc., owns 37 acres, Bonneville Power Administration owns a 200 foot wide transmission line corridor across the island. Pacific Power and Light Company holds an easement for a transmission line across PGE property, and Burlington Northern Railroad owns approximately 33 acres.

The land is in a natural state; the Natural Resource designation does not permit industrial development.

In order to accommodate for needed future marine industrial development, the applicant requests a plan map designation change from Natural Resource to Urban; in order to provide for needed marine transportation system facilities (land and public facilities and services) the applicant requests the adoption of a marine transportation system policy and a special urban land area and growth management policy for Western Hayden Island.

C. Access.

The only automobile access to western Hayden Island is via the Interstate 5 Freeway which connects the eastern portion of the island to the mainland. Rail access is provided by a main line of the Burlington Northern Railroad. The entire north shore of Hayden Island and a segment of the south side has access to the authorized 40 foot channel in the Columbia River.

Two automobile access points are proposed. One is the construction of a second bridge over the Oregon Slough to connect western Hayden Island to North Portland Road. The second is construction of a two-lane industrial roadway connecting the western portion of Hayden Island to the eastern portion.

There is a one lane dirt road extending into the western portion of the island from North Hayden Island Drive.

2. Location and Character of Site.

The subject property is located near the confluence of the Willamette and Columbia Rivers, between the cities of Portland, Oregon and Vancouver, Washington. It is separated on the south from the City of Portland by the Oregon Slough, and from Vancouver by the main channel of the river. The total length of Hayden and Tomahawk Islands is approximately 5.8 miles; the portion under consideration in this application is approximately 3 miles or 760 acres.

Most of the area is within the 100 year floodway fringe of the Columbia River. The terrain is generally flat, with slopes of no more than 3%, soils are characterized by generally poor drainage with a high risk of flooding.

3. The Applicable Approval Criteria of Multnomah County Code

A Comprehensive Plan text amendment and plan map amendment are both considered "hearing actions." As such, MCC 11.05,240 directs that the burden of proof is upon the person initiating the action...to persuade that:

A. Granting the request is in the public interest;

- B. The proposed action is consistent with statewide planning Goals;

Under the provision of ORS 197.610-640 and LCDC Administrative Rule OAR 660-18, demonstration of compliance to statewide land-use planning goals is required as part of an application for a major amendment to a local Comprehensive Plan. If the amendment is "consistent with specific related land-use policies contained in the acknowledged comprehensive plan, the amendment or new land use regulation shall be considered to be in compliance with the goals." LCDC goals to receive special consideration in this Staff Report are Goal 2 (Land Use Planning) and Goal 14 (Urbanization).

According to OAR 660-04-020(1), if a jurisdiction determines there is a need to use resource lands for uses not allowed by the appropriate goal... findings of fact...must address the four factors as outlined in Goal 2." These include:

- (1) Why these other uses should be provided for;
- (2) What alternative locations within the area could be used for the proposed uses;
- (3) What are the long-term environmental, economic, social and energy consequences to the locality, the region of the state from not applying the goal or permitting the alternative use;
- (4) A finding that the proposed uses will be compatible with the other adjacent uses.

Goal 14 (Urbanization) requires that the establishment of an urban growth boundary be supported by findings of fact that address the following seven factors:

- (1) Demonstrated need to accommodate long-range urban population growth requirements consistent with LCDC goals;
- (2) Need for housing, employment opportunities and livability;
- (3) Orderly and economic provision for public facilities and services;
- (4) Maximum efficiency of land uses within and on the fringe of the existing urban area;
- (5) Environmental, energy, economic and social consequences;
- (6) Retention of agricultural land as defined, with Class I being the highest priority for retention, and Class VI the lowest priority; and
- (7) Compatibility of the proposed urban uses with nearby agricultural activities.

- C. The proposed action fully accords with the applicable elements of the Comprehensive Plan.

The applicable elements of the Comprehensive Plan include Policy 1 (Plan Relationships), Policy 2 (Off-Site Effects), Policy 5 (Economic Development), Policy 6 (Urban Land Area), Policy 12 (Multiple Use Forest Area), Policy 13 (Air and Water Quality; Noise Level), Policy 14 (Development Limitations), Policy 15 (Areas of Significant Environmental Concern), Policy 16 (Natural Resources), Policy 17 (Community Development Framework), Policy 18 (Community Identity), Policy 30 (Industrial Location), Policy 32 (Capital Improvements), Policy 33 (Transportation System), Policy 35 (Public Transportation), Policy 37 (Utilities), Policy 38 (Facilities).

Comprehensive Framework Plan Policy No. 6 (Urban Land Area) includes seven factors to be considered with respect to maintaining an urban growth boundary:

- A. The capacity of the resource base to accommodate developments;
- B. The demonstrated need to accommodate long range urban population growth requirements consistent with the LCDC Goals and County Comprehensive Plan;
- C. The need for housing, employment opportunities and a livable environment;
- D. The orderly and economic provision of services and facilities;
- E. Balancing environmental, energy, economic and social consequences and factors;
- F. The maximum efficient use of lands within and on the urban fringe area; and
- G. The compatibility of proposed urban uses with nearby agricultural activities.

4. The Responses of the Applicant.

The applicant has responded to the above approval criteria by providing information and studies on: traffic volume, projections, and trip generation; the economic, social and environmental impacts of the marine industrial development in the Portland area; and an alternative site analysis in a bound exhibit submitted with the application. Additional information regarding needs analysis, economic impacts of marine industrial development, vegetation and bird life on West Hayden Island supplement the bound exhibit. Copies of these materials were provided to the Planning Commission on conjunction with the Staff Report.

The following findings summarize the important points made in the materials submitted by the applicant; the findings provided by the applicant are presented in the Staff Report to frame the issues presented by the case.

- A. Economics of the Portland metropolitan area, the State and the Northwest are highly dependent upon the marine transportation system and available facilities on the Columbia River and in the Portland harbor where ship, barge, rail and highway facilities interconnect.
- B. Approximately 1,000 acres of land will be needed by the year 2000, to meet the need for waterfront industrial development with access to the 40 foot shipping channel.
- C. The western portion of Hayden Island is the only remaining vacant land in the Portland urban area, which is suitable for meeting future needs for marine industrial land.
- D. A significant number of new employment opportunities will be created and supported by future marine industrial development on West Hayden Island.
- E. The western portion of Hayden Island was originally designated Natural Resource, Multiple Use Forestry, due to lack of public facilities and service, poor vehicular access, the extensive portion of the property which is in the floodway fringe of the Columbia River.
- F. Because of soil characteristics and the flood cycle, the island is not suited for commercial forest production.
- G. Habitat
- G. Habitat for small birds and mammals will be lost and scenic qualities altered.
- H. Requirements of Multnomah County's Significant Environmental Concern zone apply to the site and will cause the developer to retain as much habitat as possible and mitigate any critical adverse impacts which may be identified in detailed planning and design.
- I. A community plan will be adopted in the future to designate appropriate urban uses, which will be primarily marine industrial, and to identify and address issues related to development of the area.
- J. The area is almost totally within the Columbia River floodplain, requiring a substantial filling program before development occurs.
- K. Existing roadway access to the area is limited, the freeway system in the vicinity is highly congested during critical times of the day.

- L. A second bridge across the Oregon Slough to western Hayden Island, and a two-lane industrial road connecting the western portion of the island to the eastern portion are needed to accommodate proposed development.
 - M. There are no public services and facilities available to support development on the western portion of Hayden Island.
 - N. It is the primary responsibility of the property owner/developer to provide the infrastructure necessary to support development.
5. Recommended Findings Concerning "Public Need" and "Public Interest".
- A. The need for and supply of marine industrial land with access to a 40-foot shipping channel.
 - (1) According to the Marine Terminals Master Plan (prepared for the Port of Portland, 1980), and the Oregon Ports Study (prepared for the State Department of Economic Development and LCDC, 1980), there will be significant increases of cargo for many commodity types (Midwest grain, liquid and dry cargoes) in the Portland harbor by the year 2000.
 - (2) According to the Oregon Ports Study, exports (short tons) from the Portland harbor will increase 100% between 1977 and 2000. Imports will increase by 175% and total cargo volume by 119% during this time.
 - (3) The Port of Portland's (Marine Terminals Master Plan year 2000 cargo forecast shows a threefold increase over 1979.
 - (4) According to the Oregon Ports Study, 610-650 acres of waterfront industrial land, suitable to new deep draft marine industrial development (primarily public), with 16,750 - 19,000 lineal feet of waterfront will be necessary in the Portland area to accommodate anticipated year 2000 commodity flow increases.
 - (5) According to research conducted by Cogan and Associates as part of this application, 260 acres with 6000 lineal feet of waterfront will be needed by the year 2000 to accommodate additional private waterfront industrial land needs in the Portland area.
 - (6) According to the Port System Study for the Public Ports of Washington State (1980), the lower Columbia River ports of Vancouver, Kalama and Longview face a shortage of 6,750 lineal feet of waterfront and 195 acres of backup land needed to accommodate anticipated growth. While this excess demand is allocated to Puget Sound, it is likely to accrue to Oregon ports (Portland and Astoria) due to the high costs of shipping by rail

or truck from the lower Columbia River or areas east of the Cascade Mountains to the Seattle-Tacoma area. Portland is likely to capture 120-150 acres and 3,750 lineal feet, with the remaining demand captured by the Port of Astoria.

- (7) Projected total demand for additional waterfront industrial land in the Portland harbor is 1037 - 1087 acres: 830 - 870 acres for projected demand, and 207 - 217 acres to assure reasonable market prices and site diversity. There is a demand for 26,500 - 28,750 feet of waterfront.
- (8) In addition, if there is need for an additional 135 acres to accommodate heavy industry relocation and additional storage sites for the gravel industry; total anticipated demand is increased to approximately 1200 acres.
- (9) There are 215 vacant industrial acres, with less than 11,400 lineal feet of waterfront available and developable in the Oregon portion of the Portland metropolitan area in public and private ownership.
- (10) The unmet demand for waterfront industrial land is approximately 822 - 872 acres; the unmet demand for waterfront lineal feet is 15,100 - 17,350 feet.
- (11) The western portion of Hayden Island could supply approximately 586 acres of waterfront industrial and associated user gross acres. In addition, this area has approximately 20,000 usable lineal feet of shoreline along the Columbia River and Oregon Slough. Approximately 236 - 287 acres remain in unmet demand.
- (12) Taking the above figures to their logical conclusion, it would be imperative to conserve the use of West Hayden Island acreage to terminals and industries which must locate on the waterfront and a minimum number of supportive uses needed by the waterfront firms and terminals.

B. Recommended Findings Concerning Alternative Sites for Deep Draft Marine Industrial Development.

- (1) According to the Oregon Ports Study, the lower Columbia River region ports of Astoria, St. Helens and Portland have the greatest opportunity for harbor expansion in the State. Most of the 770 acres (22,750 lineal feet) of waterfront industrial land needed to accommodate the demand for new deep draft port facilities within the Portland region by the year 2000 will accrue to Portland (see Findings 5.A(4)). The Port of Astoria will capture 120-160 acres (3,750 - 6000 lineal feet). The

Port of St. Helens will not meet any of the projected demand; they have a policy of not building public dock facilities, and do not have Astoria's proximity to the mouth of the Columbia River. Demand not met by St. Helens will likely accrue to Portland rather than Astoria due to Portland's superior international transportation network (see Findings 6.B.(3)).

- (2) Unmet demand for lineal feet of waterfront industrial and back-up land to accommodate projected marine industrial activities at the lower Columbia River Washington ports is likely to accrue to Portland (see Finding 6.A.(6)).
- (3) Other ports in the lower Columbia River region do not have Portland's superior international system of transportation, which includes two interstate highways and an international airport. In addition, Portland is an interchange point for 3 international railroads and is the center of an inland river system. The river level barge, rail and highway routes from the inland United States to Portland means lower transportation costs.
- (4) Existing vacant waterfront industrial land in the Portland harbor totals 686 acres. Of this, 371 acres are constrained or not available. (Of the remaining 315 acres, 100 acres are committed to the development of a coal facility). Existing, uncommitted and not developable industrial waterfront acreage in the UGB may, in the future, be able to meet some of the unmet demand, but the resulting reduction in total demand would be minimal.

C. Suitability of the Subject Site for Deep Draft Marine Industrial Development.

- (1) The subject site is zoned Natural Resource, Multiple Use Forestry, due to lack of vehicular access, lack of public facilities and services, and the undeveloped nature of the area. Wildlife and fishery habitat areas are present.
- (2) No agricultural capability I-IV land will be lost as a result of urban development on West Hayden Island, as no soils within these categories are present.
- (3) There are no adjacent agricultural activities to be affected by urban development of West Hayden Island.
- (4) Potential long-term environmental consequences to this site will be in the loss of some wildlife habitat, particularly mammalian species and birds which need undisturbed natural and riparian habitat areas.

- (5) There will be a loss of the site for free boating recreational access.
- (6) Marine access is provided by the Columbia River 40-foot and 20-foot shipping channels (see also Findings 6.B.(3)).
- (7) The proposed use is compatible with urban uses which surround the site to the north in Vancouver, to the south in the Port of Portland's Rivergate industrial area, and to the east on the rest of Hayden Island which is fully developed for light industrial, residential and commercial uses. There is a small houseboat moorage on the south side of the Oregon Slough which would not be considered a compatible use.
- (8) According to the application, a complete range of urban services can be provided at the appropriate time, in the same manner as those currently available to the eastern portion of the island. The developer/pwner has primary responsibility for needed off-site construction of transportation and other public services and facilities.
- (9) Major constraints to development of the western portion of Hayden Island are:
 - (a) The lack of public facilities and services (see Findings 6.C.(8)).
 - (b) The lack of adequate vehicular access to the island, and the potential overburdening of the existing roadway system as a result of additional development. This constraint is addressed by the applicant by proposing the construction of a second bridge across the Oregon Slough, and a two-lane industrial roadway connecting the western and eastern portions of the island. Responsibility for financing these improvements is the developer/owner's.
 - (c) Western Hayden Island is almost entirely in the 100 year floodway fringe of the Columbia River. Over 16.7 million cubic yards of fill will be needed to bring the entire island 1-foot above the 100 year flood level (minimum required by Multnomah County). It is implied, but not substantiated, that filling the flood fringe on West Hayden Island will not result in storage problems for the Columbia River in this region.

D. Economic Public Benefits and Costs of West Hayden Island Marine Industrial Development.

- (1) Given the conservation of West Hayden Island sites for waterfront maritime activities (see Finding 6.A.(12)) and the assumption

of direct costs of development by the private sector (see Findings 6.C.(8)) and 6.C.(2b)), economic benefits produced by marine industrial development would exceed public costs.

- (2) Full development of West Hayden Island is expected to generate from 1438-2488 new jobs locally.
- (3) Marine activities are expected to generate 76,800 jobs and \$3 billion statewide by the year 2000.
- (4) Multnomah County is responsible for developing a community plan for West Hayden Island if the UGB is extended to include this area. It will require experts in transportation, programming, capital construction, engineering, finance and related fields. Multnomah County has not had the resource to complete development plans for the urban unincorporated areas with acknowledged community plans. The application calls for the private property owners to develop the master development plan.
- (5) Additional economic public benefits of the development of West Hayden Island for waterfront industrial development include but are not limited to the following:
 - (a) Creation of a new supply of deep channel waterfront industrial sites for public and private terminals and industries needing direct water access and backup rail service to meet substantiated unmet demand 1980-2000.
 - (b) Improvement of the Portland Port's competitive position vis a vis other West Coast maritime facilities.
 - (c) Expansion of Oregon's major water oriented transportation and distribution center to accommodate projected commodity flows from and to foreign markets.
 - (d) Stimulation of Oregon business and industry.
 - (e) Diversification of markets for Oregon and Pacific Northwest products.
 - (f) Creation of new income and construction and building trades jobs and indirect new permanent jobs to service siting industries and terminals.
 - (g) Increase the diversity of waterfront industrial properties in the Portland metropolitan area's vacant industrial land inventory.
 - (h) Support private sector investment in the region and joint public/private economic development opportunities.

6. Recommended Findings Related to the Adoption of a Marine Transportation Policy as Part of the Comprehensive Framework Plan.

- A. According to LCDC Goal 12 (Transportation), a jurisdiction's transportation plan shall consider all modes of transportation, including water, and shall facilitate the flow of goods and services so as to strengthen the local and regional economy.
- B. According to Multnomah County Comprehensive Framework Plan Findings, (1980), the Willamette River - Columbia River harbor is the busiest in the Northwest and handles the third largest volume of ocean commerce on the West Coast. Portland serves as a major distribution center for the Northwest through the connection of water traffic on the Columbia and Snake River systems to rail and highway networks.
- C. According to Multnomah County's Comprehensive Framework Plan Policy No. 33 (Transportation System), a balanced transportation system means providing alternatives for people and commerce. As part of the ongoing planning program, studies and policies should be developed with respect to port facilities.
- D. According to Comprehensive Framework Plan Policy No. 30 (Industrial Location), the County will provide for major industrial areas which support or are part of the regional economic system; deep draft harbor facilities are a type of use to be supported through this policy.
- E. The 40 foot Columbia River shipping channel is part of the national transportation system; it has significant impacts on the economic and social welfare of the Portland region and State of Oregon (see Findings 6.A.(1), (2), (4); 6.B.(1), (3), 6D.(2), (3)).
- F. Appropriately zoned land suitable for marine industrial development is a critical component of the marine system.
- G. The proposed marine transportation system policy would ensure primarily that Multnomah County provide backup land for marine terminal and waterfront industrial facilities. Financing port and marine facilities needed for development is the primary responsibility of the owner/developer; the County's participation in this aspect of marine development will be in exploring possible joint public/private partnership efforts to finance infrastructure.

7. Recommended Findings Relating to the Adoption of Urban Land Area and Growth Management Policies for West Hayden Island.

- A. The purpose of Policy No. 6 (Urban Land Area) is to define limits of urban growth so that the County can determine the service needs and develop a coordinated program for providing required facilities. Conditions for inclusion of land into the UGB are listed in this Staff Report under the applicable approval criteria of the Zoning Ordinance (see Finding 3.C.).

- B. The purpose of the proposed urban land area and growth management policies for West Hayden Island is to "ensure that adequate land for marine industrial development is available over time, public services are provided as needed, and off-site impacts caused by development are managed to protect the public interest."
- C. The language in the proposed Growth Management Policy should be changed to show that the appropriate urban uses "will be primarily marine industrial."
- D. According to the proposed urban land area policy, future use of western Hayden Island will be primarily marine industrial. The Multnomah County, City of Portland Urban Planning Area agreement should be amended to assure that in the event of annexation, the primary use will remain marine industrial.
- E. The proposed language for the Growth Management Policy is acceptable as a mechanism for establishing needed infrastructure required for development. The language under "Strategies B", should be changed to reflect that the proposed strategies will be addressed in the Community Plan, rather than the County community development ordinances.
- F. The language in proposed Policy 6.B, "Strategies B", should include as part of the development program for West Hayden Island:

A traffic management program, prepared by the applicant, which details possible alternatives and their effect upon circulation, including public and private transit, carpooling, vanpooling, flexible work schedules to reduce peak period travel.

8. Recommended Findings Related to Applicable Comprehensive Plan Policies.

- A. The proposed plan text amendment and plan map amendment are consistent with Comprehensive Framework Plan Policies No. 1 (Plan Relationships), No. 5 (Economic Development), Policy No. 6 (Urban Land Area), Policy No. 12 (Multiple Use Forestry), Policy No. 13 (Air and Water Quality and Noise Level), Policy No. 15 (Areas of Significant Environmental Concern), Policies 17-18 (Community Development), Policy No. 30 (Industrial Location), and Policies No. 37-38 (Utilities and Facilities), because:
 - (1) Development of West Hayden Island for marine industrial activities provides for new and continuous employment opportunities, and facilitates a stable and diversified economy. With the provision that needed transportation facilities and public services will be provided by the private sector, scarce public resources will be spent on improvement of industrial sites currently in the UGB and in need of services. (Policy No. 5, Economic Development).
 - (2) There are demonstrated economic and employment benefits resulting from this proposed land-use. Since financing the construction of the bridge across the Oregon Slough and other transportation

facilities are to be the responsibility of property owner/developer, the economic benefit issue clearly supports the development. There are no nearby agricultural activities to be adversely impacted by urban development (Policy 6, Urban Land Area). This policy is addressed in this Staff Report in the previous section: Recommended Findings Relating to the Adoption of Urban Land Area and Growth Management Policies for West Hayden Island.

- (3) The designation of the subject site as Multiple Use Forestry is not appropriate: the western portion of Hayden Island is not predominantly forest site Class I-III; trees found on the island in most abundance (cottonwood and willow) have little commercial value. The area does contain some wildlife habitat which will be lost to development (Policy No. 12, Multiple Use Forestry).
- (4) Air, water and noise quality problems are controlled by state and federal agencies (Policy No. 13, Air, Water and Noise).
- (5) The loss to development in wildlife and fish habitat, plus the loss of some scenic and recreational value of the area, will be addressed with specific standards development through the community planning process (Policy 15, Areas of Significant Environmental Concern).
- (6) With the inclusion of West Hayden Island into the UGB, the area would be identified as a community planning area; in the community planning process, needs and issues of development would be identified, and appropriate zoning initiated (Policies No. 17-18, Community Development Framework and Community Identity).
- (7) West Hayden Island is a regional facility and strategic trans-shipment point. Direct access will be provided with the completion of the second Oregon Slough bridge and a two-lane industrial roadway, preservation of unique natural features of the area will be addressed in the community planning process, the area is separated from residences in the east portion by light industrial and commercial development, public transit to the site will be in demand as development occurs, and the proposed use is compatible with industrial firms located in the area (Policy No. 30, Industrial Location).
- (8) The full range of public utilities and services provided for the eastern portion of the island will be provided in similar ways to the western portion (Policy No. 37-38, Utilities and Facilities).
- (9) The proposed plan revisions are consistent with LCDC Goals, particularly Goal 2 (Land Use Planning) and Goal 14 (Urbanization), and with the Comprehensive Framework Plan, particularly Policies No. 5 (Economic Development), No. 17-18 (Community Planning) and No. 33 (Transportation System). See Findings 9.A.(1) - (8) and (10A).

- B. The proposed plan text and plan map amendments satisfy the requirements of Policy No. 2 (Off-Site Effects) given the following condition is met:

A study identifying transportation management measures which could be implemented to avoid overburdening the East Hayden Island road system and the interchange. This study is required of the applicant (owner/developer) when the Community Plan is prepared for western Hayden Island (see Finding 8.E.- F.).

This condition is in addition to the applicant taking primary responsibility for providing the infrastructure necessary to support development and the private property owners preparing a master development plan to determine the design of the fill program, phasing, preliminary engineering, design for the bridge, cost estimates, etc.

- C. The applicant fulfills part of Policy No. 14 (Development Limitations Policy) requirements. Filling or diking to above the 100 year flood level will be provided prior to development. Erosion problems from fill will be addressed through shoreline protection, ground cover, planting and maintenance of greenbelts of indigenous plantings. Special foundation materials and surcharging (compacting the fill prior to development) will be used to mitigate the problems of low relative density of sandy fill material. The applicant needs to show that filling the flood fringe on West Hayden Island will not result in storage problems for the Columbia River in this region. This is implied in the application, but not substantiated. (Policy No. 14, Development Limitations Policy).
- D. The applicant's proposal partially fulfills Policy No. 16 (Natural Resource). There will be some long term environmental consequences to this site in the loss of some wildlife habitat, particularly mammalian species and birds which need undisturbed natural riparian habitat areas. Some loss will result to fisheries as a result of channel development, but the total impact will not be known until a final plan is prepared for the location of development. These issues can be addressed in the design review process, community planning process, and by meeting requirements of the SEC overlay zone.
- E. Policy No. 32 (Capital Improvements) is complied with by this proposal because the applicant is making a commitment to use private resources for development. The County would be remiss if the inclusion of this land in the UGB were taken as a signal of commitment on the County's part to pledge public resources to finance development.
- F. The inclusion of a Marine Transportation Policy (Policy 33A), part of the Transportation System Policy (Policy 33), would acknowledge the 40-foot Columbia River shipping channel as an integral part of the transportation system, with significant economic and social impacts on the region. This supplement to the existing policy would ensure primarily that Multnomah County provides appropriate backup land for marine terminal facilities and waterfront industrial activities. In

addition, while it does not preclude the County from use of public resources to support development, primary responsibility to provide infrastructure necessary to support development rests with the owner/developers.

- G. The County policy for use of road money is to place priority on maintaining existing trafficways and making improvements to the existing system which maximizes its capacity rather than constructing new facilities. New transportation facilities in the County are financed by either the private sector or by federal transportation grants. Since the owner/developer assumes primary responsibility for providing transportation facilities needed for development on West Hayden Island, the proposal meets the requirements of Policy No. 34 (Trafficways).
- H. According to the Market Demand Analysis: Western Hayden Island Study, December, 1979, 62% of the Hayden Island employees live in Washington and an estimated 21% of the work trips to the western portion of the island will come from Clark County. Since there is no remaining capacity on I-5 northbound to serve these Washington trips, the provision of a shuttle bus to a park-and-ride lot(s) in Washington is a necessity. The responsible party for this operation should be identified according to an Oregon Department of Transportation review. In order to meet requirements of Policy No. 35 (Public Transportation), recommended Findings 8.E and 9.B.(1) of this Staff Report should be met by the applicant.
9. Recommended Findings Related to State Land Conservation and Development Goals.

A. Goal 1 - Citizen Involvement.

As part of this plan revision process, Multnomah County holds a public hearing with the Planning Commission and a public hearing with the Board of County Commissioners, for which notice is duly given, and full opportunity for public testimony afforded. In addition, the Planning Commission held a public work session to discuss the proposed Marine Transportation Policy. It is the County's intention to develop a Community Plan to establish land use planning for western Hayden Island; this process would involve a series of meetings with owners of the area and citizens affected by development of the area.

B. Goal 2 - Land Use Planning. Part II - Exceptions.

A need has been established for using the resource lands of West Hayden Island for deep draft marine industrial (Findings 6.A.(7) - (12)), that there are no alternative locations within the area that could be used for deep draft marine industrial activities

(Findings 6.B.(1), 6.B.(4)). There are potential long-term adverse economic and social consequences to the locality, region and State from not providing land to meet the documented demand for marine industrial waterfront land (Findings 6.D.(2), (3), (5a-h). The area is surrounded by compatible industrial uses. (Findings 6.C.(7)).

C. Goal 3 - Agricultural Lands.

This goal does not apply to western Hayden Island because: 1) the soils in the area are classified Class VI by the U.S. Soil Conservation Service; Class VI soil is not considered prime agricultural land in western Oregon; 2) the soil is sandy, so does not retain moisture during dry summers.

D. Goal 4 - Forest Lands.

Most of the soils on the site are not rated for forest growth purposes by the U.S. Soil Conservation Service, with the exception of the Pilchuck sand, which is rated as Douglas Fir Site Class IV. The Pilchuck sand makes up about 50% of the site. The other soils are not rated due to the fact that those soils are not used to any extent for commercial forest growth. The agriculture ratings are an indication of a difficult growing environment.

West Hayden Island was not designed in a forest natural resource zone because of its commercial forest growth capabilities, but due to the "other forested lands" definition in Goal 4, and the island's serviceability problems. As a result of the proposed action, no land within the County's commercial forest land base will be lost. There will be some loss of Goal 4 resources as a result of meeting the need for industrial land. The retention of the SEC overlay zone will allow the mitigation of some loss of visual buffers, fisheries and wildlife habitat, and recreational use.

E. Goal 5 - Open Space, Scenic and Historic Areas, and Natural Resources.

In the West Hayden Island area, none of the following are present: mineral and aggregate resources, energy sources, ecologically and scientifically significant natural areas, wetlands, watersheds or groundwater resources, wilderness areas, historic areas, cultural areas, potential recreation trails or federal wild and scenic waterways and State scenic waterways. There are fish and wildlife areas and habitats in western Hayden Island. The economic and social consequences of not using the western portion of Hayden Island for deep draft marine industrial development are significant for the locality, region and State (Findings 6.A.(7) - (12); 6.B.(1), (4)). The application presents adequate inventories of these Goal 5 resources as well as an adequate information base to justify taking the 3C approach of OAR 660-16 to limit the conflicting use, so as to protect

the resource site to some desired extent. The retention of the SEC overlay zone will allow some retention of Goal 5 resources as identified by the inventory. Through the community planning process, adverse impacts of development will be studied and addressed to assure the provision of open space where possible, as well as wildlife habitat and limited recreation areas.

F. Goal 6 - Air, Water and Land Resource Quality.

All municipal and industrial effluent entering the Columbia River are subject to the water quality standards of the State (OAR 340-41-001 through 120) and standards which apply specifically to the Columbia River (OAR 340-41-050). The Department of Environmental Quality grants permits for major discharge sources; applicants are required to ensure that the physical, chemical and biological properties of effluent are within acceptable limits.

Hayden Island is located in the Portland Interstate Air Quality Maintenance Area, one of 243 metropolitan airsheds in the County. The airshed includes Clark County, Washington. The Department of Environmental Quality (DEQ) is responsible for enforcing the National Ambient Air Quality Standards and other provisions of the federal Clean Air Act of 1977; the agency has jurisdiction on the Oregon side of the Columbia River.

Development of western Hayden Island in industrial is unlikely to adversely affect the region's air quality because of the strict enforcement of air quality regulations and standards, and advanced technology which can ameliorate problems caused by excessive emissions.

The proximity of West Hayden Island to the Portland International Airport results in much of the island and the north shore being located in the 65 decibel noise contour. The area along the south shore is located within the 60 decibel contour.

The State defines a noise impact boundary according to the "airport noise criteria" of noise levels 55 dBA and above (OAR 340.35-015); the Port of Portland placed emphasis on mitigating noise impacts in the 65 dBA. The City of Portland, in its airport noise overlay zone, requires noise performance standards for development within the 68 dBA contour. As a planning principle, Multnomah County, in cooperation with the Port of Portland, shall seek to prohibit the development of noise sensitive uses within the 65 dBA contour. Noise sensitive uses include: property used for sleeping (homes, motels, care facilities), schools, churches, hospitals, and public libraries. DEQ opposes residential development on the western portion of the island. Property used for industrial or agricultural uses is not considered to be noise sensitive. Industrial use and traffic on the western portion can be expected to generate a significant amount of noise.

G. Goal 7. Areas Subject to Natural Disasters and Hazards.

Western Hayden Island is almost entirely within the Columbia River flood plain fringe. Because the area is not in the floodway, i.e., the area of the channel necessary to carry a regional flood, the Federal Insurance Administration permits filling. It is necessary for the future owners/developers to fill the island, preferably to above the 500 year flood level, before development occurs. This extensive fill effort has occurred on the eastern portion of the island, which is intensively developed with industrial, commercial and residential uses. According to the Army Corps of Engineers, the entire island could be filled to acceptable levels without increasing the flood elevations of the Columbia River.

Filling the island will have the effect of lowering the seasonal high water condition. The use of special building foundations and shoreline and ground cover protection is recommended by the applicant to eliminate any stability or erosion problems resulting from use of the sandy fill material.

The western portion of the island is not subject to other natural hazards such as earthquakes and landslides.

H. Goal 8 - Recreational Needs.

A significant need for recreational land in Multnomah County, particularly water-related sites, has been identified by the State of Oregon. Although western Hayden Island is appropriate for water-related activities, no public jurisdiction has indicated an interest in acquiring the land from the private owners. The proposed Marine Transportation Policy includes a strategy for looking at the needs of recreational boaters.

I. Goal 9 - Economy of the State.

The development of western Hayden Island in primarily marine industrial uses would meet, to a significant degree, the documented year 2000 need for additional waterfront acreage in the Portland harbor. Development would also result in approximately 1400 - 2400 new jobs locally, and would increase the diversity of waterfront industrial properties in the Portland metropolitan area's vacant industrial land inventory. In addition, proposed marine industrial development would add to the diversification of markets for Oregon and Pacific Northwest products.

J. Goal 10 - Housing.

The western Hayden Island area is currently in a natural state and surrounded by urban industrial uses. Because it is in the 65 dBA noise level, the Department of Environmental Quality opposes residential development on the western portion of the island. In addition,

because the area is in the airport overlay zone, noise sensitive uses such as housing, are not encouraged by the City of Portland or Multnomah County. The shoreline and scenic views of western Hayden Island provide opportunities for houseboat moorages, for which there is a demand. Because of the public need for water-dependent industrial land, the Hayden Island proposal does not allocate any land for housing. There is adequate land for residential uses elsewhere in the Portland-Vancouver metropolitan area as well as other sites for houseboat expansion. The County has not viewed the demand for houseboats as a part of its requirement for needed housing.

K. Goal 11 - Public Facilities and Services.

According to this goal, local jurisdictions shall "plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development." The Growth Management Policies proposed with this application address this need for orderly growth and provision of public services and facilities. According to the application, a full range of services and facilities can be made available to the western portion of Hayden Island, similar to those provided for the intensively developed eastern portion. In addition, because Multnomah County has a commitment to provide services for those areas already within the Urban Growth Boundary, with adopted Community Plans providing services and facilities necessary for development is the primary responsibility of future owners/developers.

L. Goal 12 - Transportation.

The proposed use of western Hayden Island for deep draft marine industrial use meets the requirements of this goal by supporting a transportation mode that "facilitates the flow of goods and services so as to strengthen the local and regional economy." Impacts on the already at-capacity roadway system surrounding the island, in terms of increased traffic resulting from additional development, will be considered by the applicant as a condition of approval by Multnomah County. The applicant is required by the County to provide a traffic management program prior to development, and to provide for alternative modes of transportation (such as a shuttle bus to Vancouver) that will substantially limit any impacts of development on the existing roadway system. In addition, it is the responsibility of the applicant (future owners/developers of the site) to provide transportation facilities needed for development; these facilities include a second bridge across the Oregon Slough and a two-lane industrial road connecting the eastern and western portions of the island.

The north shore of western Hayden Island contains 12,000 lineal feet of usable shoreline with access to the authorized 40-foot navigational

channel which extends to the I-5 bridge. An additional 5,000 lineal feet are located on the 40-foot channel which extends into the Oregon Slough. The remainder of the southern shore is located on the 20-foot channel and is accessible by barge.

The western portion of the island has access to the Burlington Northern railroad line which operates a double track mainline traversing the island, and could provide access for both Union Pacific and Burlington Northern, providing a marked advantage over comparable sites in the lower Columbia River. Its proximity to the interstate highway system and international airport are additional advantages.

M. Goal 13 - Energy Conservation.

Predominant marine industrialization of the western portion of the island promotes waterborne commerce for the region and the State; this use utilizes the water, highway and railway transportation system available to the area. In addition, full industrial development of the area will result in 1400-2400 new local jobs; filling these jobs through the large labor pool available in the Portland metropolitan area would reduce work-related fuel consumption. Transit service is available to the eastern portion of the island.

The development constraints of the island, i.e., need for a substantial amount of filling and lack of public services and facilities, will require extensive efforts to ameliorate; these add to the energy costs of developing the island.

N. Goal 14 - Urbanization.

The applicant has addressed the seven criteria listed in this goal. (See Findings 6.A(7), (10), (11); 6.B.(1), (3), (4); 6.C.(1), (2), (3), (4), (7), (8)), and Conclusions, 3. The proposed Growth Management Policies will ensure that consistency with these criteria will be a factor in the County's future decisions about rezoning the area for specific urban uses.

It is important to include the western portion of Hayden Island into the regional Urban Growth Boundary now, due to the relatively long time required to prepare waterfront industrial sites for development in the 1990's.

O. Goals 15 - 19.

Western Hayden Island is not within the boundaries of the Willamette River Greenway, so is not subject to the requirements of Goal 15. The island is not located in an estuarine nor coastal area, so development is not required to comply with Goals 16 through 19.

CONCLUSIONS

1. LCDC Goal 2 (Land-Use Planning) and Goal 14 (Urbanization) requirements for showing public interest and public need, alternative sites analysis, compatibility of proposed development with adjacent uses and environmental, energy, economic and social consequences have been complied with (Finding 6.A.-D.).
2. The Multnomah County Framework Plan Policies No. 5, 6, 12, 13, 15, 17-18, 30, 32, 33, 34, and 37-38 have been satisfied. Policies No. 2, 14, 16, and 35 are partially complied with and have conditions attached (Findings 9.A-H).
3. It is imperative to conserve use of West Hayden Island acreage to terminals and industries which must locate on the waterfront and a minimum number of supportive uses needed by waterfront firms and terminals (Finding 6.A.(11)-(12)).
4. Marine economic activities are a crucial sector in the Oregon and Portland region economics. So too are the contributions made by other basic industrial activities. Multnomah County plans to assess and assign priorities for the use of the public resources. Public resources are limited, and non-water oriented industrial users siting on existing industrial properties do have a commitment now from the County about use of public resources. The applicant at this time is making a commitment to use private resources for development; inclusion of West Hayden Island in the UGB is not a signal of commitment on the County's part to pledge public resources to finance development. (LCDC Goal 14, Urbanization).

Wildlife, fishery habitat, potential recreational areas and sites of scenic significance will be balanced with West Hayden Island's unique suitability for water-dependent industrial development through meeting requirements of the SEC zone, the design review process, and the community planning process. (Findings 3.C., 7.E., 9.A.(5)-(6)).

The staff recommends approval of the requested plan text amendment, the plan map amendment, and adoption of the urban land area and growth management policies, subject to the applicant meeting conditions of Comprehensive Framework Plan Policies Nos. 2, 14, 16, 35; and Findings 8.C-F of this Staff Report as included in the Findings and Conclusions adopted July 12, 1982.

Signed July 12, 1982

By 
Gregory MacPherson, Chairperson
Multnomah County Planning Commission

July 22, 1982
Filed with Clerk of the Board

Appeal to the Board of County Commissioners

Any party may file Notice of Review with the Planning Director within 10 days of the date the Decision is filed with the Clerk of the Board.

The decision in this item will be reported to the Board of County Commissioners for review at 9:30 a.m., Tuesday, August 3, 1982, in Room 602, Multnomah County Courthouse. For further information, call the Multnomah County Land Development Division at 248-3043.