



MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST

(Revised: 6/9/2014)

Board Clerk Use Only

Meeting Date: 8/27/15
Agenda Item #: R.1
Est. Start Time: 9:30 am
Date Submitted: 8/12/15

Agenda Title: Public Hearing and First Reading of ORDINANCE Adopting the 2015 Sauvie Island/Multnomah Channel Rural Area Plan; Amending the Westside Rural Multnomah County Transportation System Plan as part of the Multnomah County Comprehensive Framework Plan; and Repealing Ordinance 887.

Requested

Meeting Date: August 27, 2015 **Time Needed:** 90 Minutes
Department: Community Services **Division:** Land Use Planning
Contact(s): Adam Barber
Phone: 503-988-0168 **Ext.** 80168 **I/O Address:** 455/116

Presenter

Name(s) & Title(s): Adam Barber, Interim Planning Director; Joanna Valencia, Senior Transportation Planner; Kevin Cook, Planner

General Information

1. What action are you requesting from the Board?

The Land Use Planning and Transportation Divisions are requesting the Board approve the 2015 Sauvie Island/Multnomah Channel Rural Area Plan and amendments to the Westside Rural Transportation System Plan, which have been recommended by the Planning Commission after a two-year long community planning process.

2. Please provide sufficient background information for the Board and the public to understand this issue. Please note which Program Offer this action affects and how it impacts the results.

In 1997, the original Sauvie Island/Multnomah Channel (SIMC) Rural Area Plan (RAP) was adopted for the unincorporated portions of Sauvie Island and Multnomah Channel in Multnomah County. In 1998 the Westside Rural Multnomah County Transportation System Plan (TSP) was adopted identifying transportation planning policies for Multnomah County's transportation system on Sauvie Island and the West Hills.

Over the past 18 years, many new issues have emerged and some issues identified in these plans were not resolved. Sauvie Island in particular has seen considerable growth in the number of visitors from the Portland metropolitan region since the last community planning effort. In response to the growing number of issues raised by citizens and stakeholders in the planning area, staff began a scoping effort in early 2013 in order to identify land use and transportation issues that need to be addressed. The Rural Area Plan and Transportation Plan updates began in the fall of 2013 with the formation of a Community Advisory Committee (CAC) comprised of eighteen

community members.

The CAC formed five subcommittees focused on the following topic areas: 1) Public and Semi-Public Facilities; 2) Natural and Cultural Resources; 3) Agriculture and Agri-Tourism; 4) Transportation; and 5) Marinas and Floating Homes.

The subcommittees were comprised of representatives from the CAC as well as members of the Technical Advisory Committee. Each subcommittee met at least twice (the Marinas and Floating Homes Subcommittee met four times), reviewed draft background reports (included as appendices to the 2015 SIMC Plan), and made specific recommendations to the full CAC. The CAC made recommendations for policies and policy direction, which have been considered at public hearings by the Multnomah County Planning Commission. The policies in the draft plans are the culmination of the Planning Commission's recommendation to the Board after careful consideration of the CAC's recommendations, and feedback from county planning staff, county counsel and the general public. This planning effort provided a wide range of techniques to notify and engage members of the public and other agencies.

The plan policies provide direction for future Planning Commission work program tasks, identify opportunities for improved coordination with other agencies and programmatic efficiencies. This planning project was made possible by \$60,000 in one time only funding allocated in FY14, which was augmented by a \$30,000 Transportation Growth Management grant to support the Transportation System Plan.

3. Explain the fiscal impact (current year and ongoing).

The 2015 Sauvie Island/Multnomah Channel Rural Area Plan informs much of the Planning Division's long range planning work program tasks over the next few years. The long range planning program is carried out by existing staff working closely with the County's citizen volunteer Planning Commission. It is not known at this time if any of the plan policies will result in the need for additional program offers in the future. A detailed program offer will be prepared in the future for any policy requiring resources beyond current resource capabilities. Adoption of the plan will however establish an expectation in the community that issues identified in the plan will be addressed, which will help prioritize this work with the Planning Commission.

The Transportation System Plan component will result in additional projects over the coming years. The projects include capital projects that vary greatly in both cost and complexity and will be ranked alongside other countywide projects periodically as part of the County's periodic Capital Improvement Plan and Program prioritization process.

4. Explain any legal and/or policy issues involved.

The 2015 Sauvie Island/Multnomah Channel Plan addresses five primary topic areas. The legal and policy issues are summarized by topic area below.

Public and Semi-Public Facilities:

Facilities policies direct the county to cooperate and coordinate with partner agencies in the areas of drainage and flood control, natural and cultural resource protection, and emergency and disaster preparedness.

Natural and Cultural Resources:

Resource policies are widely supported in the community as well as the Community Advisory Committee. These policies direct staff to update and apply additional riparian and wetland protection zoning regulations, extend the geography of the wildlife tax deferral program to Multiple Use Agriculture-20 zones (currently only allowed in the Exclusive Farm Use zone), and develop design standards for marina infrastructure in coordination with NOAA Fisheries. A number of

policies direct the Dept. to develop standards and procedures to notify tribes and the State Historic Preservation Office of development applications within the plan area and to develop standards to evaluate tribal and agency comment. Policies also direct county vector control and road maintenance to follow best practices for habitat protections during field operations.

Agriculture and Agri-Tourism:

Agricultural policies reinforce the primary purpose of the Exclusive Farm Use zone – to preserve productive farm land for production of farm products. The challenge on Sauvie Island is to balance this fundamental goal with the many non-farm uses allowed on Exclusive Farm Use lands such as farm stands and associated promotional events and activities. Policy 1.3 contains a number of specific prescriptive code-like standards for new farm stands and related activities – because these activities are regulated at the state level, there is some question as to whether these additional local standards would withstand judicial review. Further, while the prescriptive nature of the policy diverges from typical policy language, the choice was deliberate on the part of the Planning Commission and directly addresses a major concern within the Island community – that farm stands have grown to become major event venues, which can impact residents and other farm operations. Policy 1.5 directs the Land Use Division to create thresholds for permitted outdoor gatherings and to create a routing process for multi-agency review. Policy 1.6 specifies that Sauvie Island opts out of additional agri-tourism activities and provisions that are optional under state law. The rationale for opting out is that existing provisions for farm stands and outdoor gatherings are sufficient for farmers wishing to supplement their income and that additional options would only exacerbate existing impacts caused by high levels of visitation to the island. While widely supported, the policy was controversial. Some in the farming community would prefer to not limit their options into the future arguing that the next generation of farmers may need more options available to them in order to keep family farms profitable.

Transportation:

Transportation policies addressing the overall needs and priorities of the plan area are found in Chapter 5 of the 2015 Rural Area Plan whereas the Transportation System Plan update lists a number of potential solutions that could be implemented in order to achieve the area's transportation priorities. These priorities include the safe accommodation of bicyclists and pedestrians, farm equipment and automobiles. Future projects may include development of a separate bike and pedestrian path and an island-wide shuttle during peak visitor season. Other solutions include parking management, ride-sharing, and Transportation Demand Management Strategies.

Marinas and Floating Homes:

Issues addressing future development potential and housing density at floating home moorages were the most contentious policy choices contemplated by the CAC. County planning staff and the CAC explored the options in depth in close consultation with staff from the Oregon Department of Land Conservation and Development. There is a desire among many marina and moorage owners to retain the ability to add dwelling units along Multnomah Channel. However state law is clear that urban housing densities are not permitted outside of an urban growth boundary. The proposed updated plan policies effectively honor existing approvals for dwellings at established marinas but do not permit the option for new residential expansions. Other policies affecting moorages and marinas would create standards that would allow boats to be utilized as dwelling units (subject to existing dwelling density caps) and would allow for a temporary occupancy option as well. The proposed policies relating to marina and floating home development are consistent with current state law. Consistency with state law is mandatory for updates to county land use plans and plans that do not meet state law risk invalidation by the state.

5. Explain any citizen and/or other government participation that has or will take place.

Though the Community Advisory Committee was generally representative of the community,

additional creative outreach strategies were included in the program to gain input on policies from the broader community. A very useful outreach method was conducting focus groups with community members from around the SIMC area. Focus groups were targeted to young families that reside but don't work in the SIMC area, as well as people who reside but do not work in the plan area. In the update to the SIMC plan, County staff worked with a field study class of 6th-8th graders at the Sauvie Island Academy to educate them on the history of Oregon Land Use (relating to Sauvie Island and Multnomah Channel).

Two online surveys were created to capture community perceptions and feedback including a "defining rural character" visual preference survey to document what places, words, and photos depicted rural character for the SIMC area. The information was reviewed to consider differences between people who live in the plan area and those who identified as "visitors". In addition, online policy polls were created near the end of the process for the community to give feedback to staff on policy intent. The policy polls were in conjunction with a community conversation board placed in the park and ride lot at the base of the Sauvie Island Bridge. The project team provided periodic project updates to the Planning Commission, building in opportunities for the public to speak directly to the Commission on areas of concern and support. This approach informed the Planning Commission of the latest discussion topics and overall progress of the committees well in advance of the public hearing process. Two Planning Commission members also participated in the CAC and subcommittee meetings. The project team hosted three open houses prior to the scheduled Planning Commission briefings. The Open Houses coincided with Planning Commission meetings in January, March and June of 2014. The project team developed a mailing list utilizing the extensive scoping work done prior to the CAC kickoff as well as interest expressed at community events. The mailing list continued to grow during the project and was used to apprise interested community members and stakeholders about project progress and upcoming project events. The mailings and email updates provided community members an opportunity to provide written feedback about issues at any time during the project.

The project team hosted a number of other opportunities for community members to receive project updates and provide input including regular mailings, email updates, and press releases. County staff also attended the Sauvie Island Community Association Community Fair in April, 2014 to provide information and answer questions from community members. Notices to individual property owners were sent in advance of scheduled hearings as required by state law. Notice of the Planning Commission hearing was also published in the Oregonian newspaper and on the Land Use Planning Program internet pages. The Planning Commission held a public hearing consisting of eight meeting dates. The first three meetings were devoted to specific topic areas and allowed for public testimony. The following five meetings were focused on policy wording and intent, which ultimately lead to the current June 1, 2015 draft plan. Additionally, the TSP update process included two community workshops, email updates to the interested persons list, area-wide mailings, and regular updates to the project website and press releases. A project webpage was maintained providing updates on upcoming meetings and meeting materials including meeting summaries. The plan was reviewed by the CAC and the County's Bike-Ped Committee. Staff also attended the Sauvie Island Community Association Annual Meeting to gather community feedback. One Planning Commission briefing on the TSP was held and open to the public.

Required Signature

**Elected
Official or
Department
Director:**

/s/ Kim Peoples

Date:

8/12/15