



MINUTES
PLANNING COMMISSION MEETING
1300 NE Village Street
Fairview, OR 97024
Tuesday, June 8, 2010

PRESENT: Keith Kudrna, Vice Chair
Jack McGiffin
Gary Stonewall
Steve Kaufman
Ed Jones, Chair
Jan Shearer
Julius Arceo

STAFF: John Gessner, Community Development Director
Lindsey Nesbitt, Senior Planner
Erika Rence, Assistant Planner

1. CALL TO ORDER

Chair Jones called the meeting to order at 6:30pm.

2. CITIZENS WISHING TO SPEAK ON NON-AGENDA ITEMS

Chair Jones called for any person wishing to speak on a non-agenda item. As there was none; moved to work session items.

3. WORK SESSION

a) **Metro Title 13 and Fairview Goal 5 Policy History**

Assistant Planner Rence presented an overview of Title 13, a brief policy history of Metro's Title 3 and Title 13, and policy history of Fairview's natural resource regulations. Metro's Title 3 focused on protection of water resources and Title 13 established standards that served to balance development and protect natural resources. Both Titles were created through processes to comply with Statewide Planning Goal 5. Fairview complied with Goal 5 through riparian buffer and SEC processes and regulations.

Assistant Planner Rence explained Fairview now needed to demonstrate compliance with Metro's Title 3 & 13. Staff conducted an audit of applicable code language to determine what revisions would be necessary to bring regulations into compliance. Staff concluded current natural resource regulations were in substantial compliance and minor code improvements would bring Fairview into complete compliance with Title 3 and 13 requirements. Metro staff confirmed Fairview's preliminary compliance with Title 3 and 13 subject to adoption of minor improvements to the natural resource code. Staff would begin bringing policy options for code improvements before the Commission for consideration.

b) **Metro Title 13 Policy Review**

Director Gessner reviewed the staff report. Director Gessner commented Title 13 had similar objectives to Statewide Planning Goal 5 which Fairview's natural resource protection regulations were adopted in compliance with in 1993. Changes since then in public policy and development events warrant policy discussion and consideration of whether current natural resource regulations

were providing the level of protection that was intended. Ensuring compliance with Title 13 requirements for balancing development value with natural resource value needed to be explored, as well as, the impacts on resource mapping with the increased focus on habitat conservation.

Director Gessner commented Title 13 requirements were minimum standards. Staff believed implementing Title 13 would accomplish the required level of conservation, protection, and restoration without increased impact on property owners affected by current resource regulations.

c) Title 13 Natural Resource Compliance Regulatory Framework Options

Senior Planner Nesbitt presented the staff report on regulatory framework options. She reiterated that though current regulations were in substantial compliance with Title 13, some code amendments would be necessary to fully comply. Senior Planner Nesbitt reviewed current regulation types: SEC (Significant Environment Concern), wetland and riparian buffer areas, flood plain regulations, and conservation easements. Staff believed current regulations were not fully effective and that amending some regulations would provide better protection, conservation, and restoration, while maintaining reasonable development options.

Senior Planner Nesbitt reviewed two policy options. Option one was to continue mapping all resource areas equally with no flexibility for development. This was the current method being used. Option 2 would map resources based on its value and regulate the resource for its value by establishing avoid, minimize, and mitigation development standards allowing consideration of a property's unique site conditions. Staff believed this approach would better facilitate development of property, while protecting its resources.

The Commission and Staff discussed policy options. Chair Jones inquired if measurable standards could be created to determine when feasible alternatives would meet or exceed code requirements. Staff responded standardized criteria would be required and that the current code language was not adequate to achieve this. Commissioner Shearer inquired if it was necessary to go through the mapping process and expense for Title 13 mapping when Staff had identified the areas of code that needed strengthening to adopt today's code into development language. Staff responded mapping was necessary in order to demonstrate to Metro why certain mapped areas needed to be removed. Vice Chair Kudrna clarified that either option would require the mapping. Staff responded that the mapping process should be done regardless of which option was chosen.

Commissioner Shearer commented a resource was a resource and categorizing, high or low, still resulted in a net loss of resource. Commissioner Shearer expressed concern for the costs associated with the mapping project i.e. consults. Director Gessner responded expenses were budgeted for and approved by Council for when consult expertise was warranted. Commissioner Shearer agreed there were specific cases/issues when expertise was needed and recommended the consultant be used only in those instances Staff felt the expertise was needed. Chair Jones recommended using Metro's scientific methodology to value natural resources and have applicant/property owner provide expertise to disprove value. Staff commented a large amount of Metro's information was gathered using GIS from approx. 10,000 feet, and though the information was valuable not all of it accurately depicted what was on the ground. Commissioner Shearer inquired if the mapping could be done to recognize value without categorizing or ranking to help ensure against net resource loss. Director Gessner commented development standards could be written to protect resources (low and high) to prevent net loss.

Vice Chair Kudrna stated the Commission had always tried to work with people and option 2 allowed for the flexibility to work with individuals while maintaining and revitalizing natural resources. Chair Jones and Commissioner Stonewall agreed and supported option 2.

4. STAFF UPDATES

- a) Economic: an international firm, Connor Manufacturing, was relocating its 50 employee Portland office Townsend Business Park.
- b) Parks: the coming agenda discussion items for PRAC included motorized boat facilities, Handy Park gazebo options, FLPOA request for a boat ramp at Hock-a-day Park, assessing park operation hours, testimony for a joint city aquatic park proposal, and creation of a dog park.
- c) Other: City Council would be hearing testimony from the Fairview Business Association regarding sign code issues. Director Gessner recommended some Commissioners attend the hearing to explain the process and reasoning for the commissions recommendations. Commissioner Stonewall, Commissioner Kaufman, and Vice Chair agreed to attend. Director Gessner inquired if the Commission would like periodic joint work sessions with Council during major legislative processes. Commission response was yes, joint work sessions could be beneficial by keeping Council informed and producing a recommendation they could feel confident in supporting.

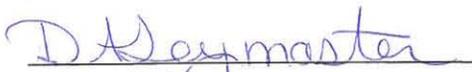
5. TENTATIVE AGENDA – June 22, 2010

Work Session: Public Hearing Conduct

6. ADJOURNMENT

Meeting adjourned by consensus at 7:40pm.

Ed Jones, Chair



Devree A. Leymaster
Administrative Program Coordinator
Community Development Dept.



Date: 10/26/10