

## Summary of Comments on Block 2 Goals and Policies from 11/27 Planning Commission Work Session and 11/28 Parks and Recreation Board Discussion

### Natural Hazards:

- Policy 7.1.2 – Commissioner Hemer wanted more specification on who is doing the “detailed technical reports.” Should it be a third party versus one that is contracted out by the City or chosen by the applicant?
- Commissioner Hemer expressed a desire to groundtruth landslide hazard areas (so that they aren’t just based on aerial images), as he noted that several areas in his neighborhood showed hazard areas even though the sloped areas had been terraced and were relatively stable. Denny noted that the Building Code addresses most of these concerns.
- Goal 7.4 – Commissioner Burns thinks this goal is redundant (since adaptation and mitigation are addressed in the other goals as well) and the policies could be folded into the other goals in the chapter. CERT could go under Partnerships and Education, etc.
- Policy 7.4.3 – Several commissioners suggested Including “local” when describing agency partners.
- Policy 7.1.4 – Chair Travis was hesitant to specifically call out Transfer of Development Rights. Might be better to include in implementation parking lot, where we could define TDR receiving areas (neighborhood hubs?) and other program specifics.
- Commissioner Edge’s comments
  - Policy 7.4.1 – Commissioner Hemer agrees with these comments.

### Climate Change & Energy:

- Chair Travis asked how we might incorporate the Climate Action Plan into the Comp Plan.
- Policy 13.1.9 – Chair Travis thinks this policy is broader than just for the Built Environment, as it also deals with transportation, etc.
- Policy 13.2.2 – Commissioner Hemer would like the (“”) taken out around “last mile”. Make sure to define last mile in the glossary section.
- Policy 13.2.4 – Several commissioners recommended that this policy be revised so that it calls for reducing barriers for both **private** and public buildings and properties.
- Commissioner Edge’s comments
  - On Policy 13.1.3 – Commissioner Hemer agrees with this comment.
  - Policy 13.3.1 – Commissioner Hemer agrees with the suggestion to use the term “most effective”
  - Policy 13.3.8 – Commissioner Hemer agrees with this comment, especially related to referring to “distributed energy generation” as opposed to just solar.
  - Policy 13.3.10 – Commissioner Hemer and Chair Travis agree with this comment, especially around triggers if we see a certain amount of growth.
  - Policy 13.3.11 – Commissioner Hemer likes this comment.

## Parks and Recreation:

- Overall section: commissioners noted that it does not include anything about indoor recreation for all seasons; especially with climate change, there may be problems with air quality during forest fires, etc.
- PARB members felt the section is very recreation heavy (including the overarching goal) and needs more on natural areas and habitats.
- PARB members asked if the policies had been looked at by the NCPRD staff and consultant team working on phase 3 of Milwaukie Bay Park. Would advise that since the park may be built after the policies are adopted and want to make sure the park can be built without issues of not being on the same page with the Comp Plan policies.
- Overarching Goal: Need to clarify what is meant by “preserving the opportunity for future public recreational use of vacant private land” – is this talking about land acquisition?
- Goal 4.1 – Chair Travis and Commissioner Burns both think this is more glossary type language. Another policy, like in Goal 4.3, could reference these classifications that are listed somewhere else, like the glossary. PARB members concurred with this assessment.
- Policy 4.1.2 – PARB members were confused on how the City would be able to provide recreation on school properties. Is this done through IGAs?
- Policy 4.2.1 – NCPRD’s representative on PARB (Kathryn Krieger) was very supportive of this policy, which calls for assisting NCPRD in their master planning process
- Policy 4.2.3 – Commissioners advised against naming specific partners
- Goal 4.3
  - Commissioners felt that this section needed to also address habitat, as opposed to just focusing on human enjoyment.
  - PARB members recommended adding a policy around providing more community gardens and urban food forests in this section.
- Goal 4.4 – PARB members recommended adding policy language under this goal about creating a trails system master plan.
- Goal 4.5
  - Chair Travis had concerns about calling this goal “Implementation.” Could rename it to something like “Park Development” or “Maintain & Expand” or move the policies under this goal to other goals in this section.
  - PARB members wanted new policy language around acquisition of land for parks under this goal.
- Policy 4.5.4 – PARB members recommended adding language saying that developers may be required to build the park versus only dedicating land for park or open space (perhaps in exchange for reduced SDC’s). Noted this has been done in Tigard and other places. Likely would only apply for larger projects such as subdivisions and MFR development.
- Commissioner Edge’s comments
  - Policy 4.2.3 – Both Chair Travis and Commissioner Hemer agree with this comment.
  - New Policy suggestion under Goal 4.3 – Commissioner Hemer agrees.
  - Policy 4.5.4 – Commissioner Hemer and Commissioner Argo like this comment.

Willamette Greenway:

- Commissioners liked the concept of having different levels of land use review and development standards depending on project scope and proximity to river
- Goal 15.3 – Several commissioners recommended renaming this goal to “Land Use Review Process”
- Policy 15.7.2 – Commissioners asked if this should really be referring to the ordinary low water line.
- Chair Hemer wanted to make sure that we have Clackamas County Water Environment Services (WES) review any policy language related to recreational/access/natural improvements on their treatment plant property
- Chair Travis asked if we need to be referencing potential climate change impacts in this chapter.

## Comments from Commissioner Edge (referenced by other commissioners)

### Natural Hazards

*Policy 7.4.1: Support efforts by the City or public land trusts to acquire properties with high risks of flooding, landslide, and other natural hazards.*

Let's not be unnecessarily restrictive with regards to policy language ("the City or public land trusts"). Consider: *Support planned and coordinated efforts by the City and other public or private entities to acquire and conserve properties with high risks of flooding, landslide, and other natural hazards.* Public and private entities (whether or not meeting the definition of a "public land trust") are certainly free to acquire land within city limits and use that land pursuant to City Code. For hazardous lands, the public policy interest is reducing need for rescue of/risk of harm to people using that land, and limiting property and environmental damages on high-risk lands and surrounding properties. For an entity to qualify for the City to do something to "Support efforts...to acquire" high-risk properties, the land use objective should be guaranteed to be consistent with the desired public policy outcome (reduce risk of harm, etc.), by a deed restriction, easement, or other legally enforceable instrument. Inasmuch as the ability of an entity to enter into a legally enforceable contract with the City is not otherwise encumbered, a requirement that said entity meet the definition of "public land trust" to gain the City's "support" seems unrelated to the City's prerogative.

*Policy 7.1.5: Regulate floodplain areas in a manner that protects the public, recognizes their natural functions as waterways, and provides open space/recreational opportunities.*

Acknowledge floodplains as critical habitat and wildlife movement corridors. The National Marine Fisheries Service found that floodplains are essential fish habitat, including the lower Willamette River and its tributaries with respect to threatened salmon and steelhead species, which includes all floodplains in the City. This policy should call for the City to regulate floodplains and recognize "*their natural functions as waterways and critical habitat, and provides open space/...*"

### Climate Change and Energy

*Policy 13.1.3: Advocate at the local, state, and federal level for building codes that increase energy conservation and facilitate emission reductions.*

Consistent with Super Action 1 ("be a model"), this is a very important component. Similar policies should be introduced for all goals that would benefit from amended local, regional, state, and/or federal regulations. Cities should feel empowered to represent the interests of their constituents at all levels of government; a model city would

demonstrate this through its actions.

*Policy 13.1.6: Create a more energy efficient land use pattern through the use of infill development and, where appropriate, increased density and development intensity.*

This seems to warrant an explicit reference to clustered site development patterns given greater energy efficiency of attached structures and ability to contribute larger blocks of contiguous open space for reduced heat island effect, improved stormwater management and habitat functions, recreation, etc

*Policy 13.2.3: Identify desired transportation mode splits and develop programs and standards to ensure that they are met.*

Very enthusiastic support for this policy. “Ensure” is the correct language here. Very glad to see this. This policy should support using data (“best available science”) to identify mode split targets that positively correlate with desired policy outcomes that address this and other Goals.

*Policy 13.3.1: Educate residents, businesses, developers and other community members on climate science and simple ways they can take action to adapt and mitigate for a changing climate.*

Maybe “most effective” instead of “simple”? Or “simple and effective.” The desired public policy outcome for educating the public about their role in mitigating climate change should be a well-informed public that is aware of the most effective measures they can take and the implications of not doing so. It is not appropriate to focus on “simple” measures that may not be significantly effective, especially when the implications of not making significant changes are severe. We don’t want a complacent constituency that equates solving or even mitigating climate change is possible with “simple” measures.

*Policy 13.3.8: Explore opportunities for creating community solar projects and other collective efforts.*

Consider: “...creating distributed energy generation such as community solar...” and small scale/utility system hydropower (this is a real thing), etc. The public policy nexus is equitable access to a more resilient energy system. A network of distributed generation facilities - of which, community solar is one specific type, utility-based hydropower is another - would meet the public policy objective.

*Policy 13.3.10: Consider increased population growth due to climate refugees, caused by more people moving to the area to escape less hospitable climates.*

Consider triggers that require the City to take a prescribed planning action, like initiating a housing study or preparing zoning code amendments, when given conditions are met that indicate abnormal/unplanned population growth over a given period, and a contingency implementation action in the event the City fails to respond to the trigger in a timely manner, that will prevent or minimize involuntary displacement as a result of rapid population growth. As stated in previous comments, initial waves of climate refugees will be well-resourced enough to voluntarily escape their devolving-to-inhospitable environment well before conditions are desperate. The initial impacts of non-destitute climate refugees will be felt in increasing demand for housing (e.g., tightening residential rental and real estate markets, and rapidly increasing rents). With a policy that instructs the City to monitor trends of changes in monthly rent price and rental occupancy/vacancy and to respond to developing patterns of instability or imbalance with prescribed planning actions - as well as defining prescribed contingency

implementation actions if certain conditions are met (such as failing to perform the prescribed planning action to the developing conditions in a timely manner).

*Policy 13.3.11: Encourage the use of materials that can mitigate for climate-change induced impacts such as heat island effect and increased flooding.*

Consider “materials and site development techniques that can mitigate...” This is another example where cluster housing typologies and minimal footprint site layouts directly serve a policy.

### **Parks and Recreation**

*Policy 4.2.3 – The City will participate in regional recreation planning and implementation programs through Metro, and will coordinate activities with NCPRD, Clackamas County, Clackamas County Water Environment Services (WES), and relevant state and federal agencies.*

Consider identifying roles instead of using entities’ proper names. The last time the Comp Plan was updated, NCPRD didn’t exist. It is equally unpredictable to claim to know what entities will exist and what names they will use 20-30 years or more in the future.

Whenever possible, prefer to name roles of entities or authorities (the parks and recreation district, the parks authority, etc.).

### *Goal 4.3 – Planning and Design*

*Plan, develop, and enhance natural areas, parks, and recreation opportunities to meet the needs of community members of all ages, abilities, cultures, and incomes and are environmentally sustainable.*

New Policy: Recognize and identify how defined categories of land uses/classifications contribute to the constellation of habitat within and surrounding the City. Acknowledge need to plan and design for habitat viability and connectivity, including the safe movement of wildlife necessary to maintain biodiversity and ecological balance. Work with regional, state, and federal partners to implement regulations that benefit wildlife, including protecting habitat and facilitating safe movement across the landscape.

*Policy 4.3.4 – Explore conversion of parking lots to parks and recreation opportunities when parking demand decreases.*

Consider defining specific parameters that trigger standards changes enabling and perhaps requiring parking lot conversions to parkland, open space, and/or stormwater management uses.

*Policy 4.5.4 – New residential projects may require the dedication of land for public park or open space uses if the development corresponds to areas where park deficiencies have been identified.*

Include natural areas, habitat, and habitat linkages when considering deficiencies. *Policy 4.5.5 – In exchange for the dedication of park land, the allowable density on the remaining lands may be increased, so that the overall parcel density remains the same.* Essential to avoid takings. Also: consider modest density bonus for larger proportion of land dedication to open space uses. This is sort of like a Planned Development density bonus without the Type IV review.

### **Willamette Greenway**

*Policy 15.6.1: The City will encourage new public access within the greenway and to the Willamette River, through dedications, easements, or other means.*

Add “acquisitions” as supported by Goal 15.