

**METRO POLICY ADVISORY COMMITTEE (MPAC)**

Meeting Minutes

August 9<sup>th</sup>, 2017

Metro Regional Center, Council Chamber

**MEMBERS PRESENT**

Steve Callaway  
Sam Chase  
Carlotta Collette  
Amanda Fritz  
Mark Gamba (*Chair*)  
Jeff Gudman  
Kathryn Harrington  
Jerry Hinton  
Larry Morgan  
Craig Prosser  
Loretta Smith  
Ty Stober  
Peter Truax

**ALTERNATES PRESENT**

Jennifer Donnelly  
John Griffiths

**AFFILIATION**

City of Hillsboro, Largest City in Washington County  
Metro Council  
Metro Council  
City of Portland  
City of Milwaukie, Other Cities in Clackamas County  
City of Lake Oswego, Largest City in Clackamas County  
Metro Council  
City of Gresham  
City of Troutdale, Other Cities in Multnomah County  
TriMet  
Multnomah County  
City of Vancouver  
City of Forest Grove, Other Cities in Washington County

**AFFILIATION**

Oregon Department of Land Conservation and Development  
Tualatin Valley Fire and Rescue, Special Districts in Washington County

**MEMBERS EXCUSED**

Gordon Hovies

**AFFILIATION**

Tualatin Fire and Rescue, Special Districts in Washington County

**OTHERS PRESENT:** Gretchen Buehner, Martha Fritzie, Adam Barber, Zoe Monahan, Beth Vargas Duncan

**STAFF:** Ernest Hayes, Miranda Mishan, Nellie Papsdorf, Megan Gibb, Roger Gonzalez, Pam Peck, Frankie Lewington, Emily Lieb, Patty Unfred, Stephanie Soden, Jennifer Erickson

**1. CALL TO ORDER, SELF INTRODUCTIONS, CHAIR COMMUNICATIONS**

MPAC 1<sup>st</sup> Vice Chair Denny Doyle called the meeting to order at 5:08 p.m.

**2. CITIZEN COMMUNICATIONS**

- *There was none.*

**3. COUNCIL UPDATE**

- Councilor Kathryn Harrington announced the success of the recent hotel groundbreaking, and noted that the hotel was expected to open in 2019. She mentioned the initiation of the Construction Careers Pathway Program, a construction apprenticeship program geared toward women and people of color
- Councilor Harrington announced the restoration of the Portland sign at the Arlene Schnitzer Concert Hall. She explained that there would be a relighting ceremony on August 16, 2017, at 7pm to celebrate the completion of the project.
- Councilor Harrington noted that Metro Council meetings will be held around the region in the coming months.

#### **4. MPAC MEMBER COMMUNICATION**

- Councilor Ty Stober shared that Vancouver had changed Accessory Dwelling Unit (ADU) requirements to remove owner occupancy and permit requirements. He announced that Vancouver city center is undergoing development.
- Councilor Jeff Gudman requested that Metro staff convene and discuss the benefits and drawbacks of Metro becoming the Regional Air Quality District, and report to MPAC at a later date.
- Mayor Pete Truax discussed the addition of two rural roundabouts on Hwy 47 in Forest Grove as a way to mitigate traffic accidents

#### **5. CONSENT AGENDA**

- **Consideration of July 28, 2017 Minutes.**

Councilor Gudman moved and Mayor Truax seconded to pass the consent agenda. With all in favor, the motion passed unanimously.

#### **6. INFORMATION/DISCUSSION ITEMS**

##### **6.1 Build Small Coalition Update and Round Table Discussion**

Chair Gamba explained that this item was in response to MPAC members' request for further discussion following the June 14<sup>th</sup> Build Small Coalition Update. He added that following the ADU discussion, there would be a follow up conversation about the Build Small Coalition's 2017-18 work program. Chair Gamba discussed the plan to focus on opportunities to catalyze ADU development beyond Portland, and to have a discussion with a panel of ADU experts. Chair Gamba introduced Ms. Emily Lieb, Metro staff, Mr. Robert Liberty and Ms. Beth Gilden from PSU's Institute for Sustainable Solutions; Mr. Eli Spevak, from Orange Splot LLC; and Mr. Kol Peterson, from AccessoryDwellings.org.

*Key elements of the presentation included:*

Mr. Liberty provided a brief update on the progress made by Portland State University's Institute for Sustainable Solutions on designing Accessory Dwelling Units. He highlighted the importance of ADU's in efforts towards sustainability, specifically Metro's greenhouse gas reduction strategy.

Mr. Liberty discussed the importance of considering the ways in which ADU's can be made available to individuals and families with lower incomes.

Ms. Lieb updated MPAC on the Build Small Coalition work plan. She outlined the BSC mission statement, and shared a list of the coalition members. Ms. Lieb noted she would like to see more local jurisdiction staff people on the coalition. She defined the different types of small housing, but acknowledged that most of the work being done in the region focused specifically on ADU's.

Ms. Lieb summarized the previous accomplishments of the coalition, and reviewed its goals for 2017-18 as well as the steps taken so far to meet these goals. She recalled that the ADU code audit and SDC audit were done over the summer and the results would be shared with member jurisdictions and workshops will potentially be offered.

Ms. Lieb discussed some of the most common barriers to ADU's, and explained the kinds of research being done around these barriers. She noted that PSU's Institute for Sustainable Solutions had a research component, and that Metro was considering other avenues for research to understand where ADU's were being built, and why people chose to build and live in them.

Ms. Lieb prompted the panelists to introduce themselves and their work on ADU's. She asked the panelists to discuss what drives the market for ADU's.

Mr. Kol Peterson of AccessoryDwellings.org explained that a housing crisis heavily drives a need for ADU's as well as flexible ADU regulations. He added that high administrative cost barriers can also drive the market for ADU's, and these three things were necessary for ADU development.

Mr. Eli Spevak from Orange Splot, LLC highlighted the importance of high land values, inspiration and property value regulation. He emphasized that these were important but not all inclusive.

Ms. Beth Gilden from PSU's Institute for Sustainable Solutions, explained that people have changed the way they live and many don't have money to pay for housing. She noted that financing is a major challenge, but that ADU's must be accessible to those who are lower-income.

Ms. Lieb asked the panelists if they had seen codes and regulations regarding ADU's in Portland that could be replicable on a smaller scale.

Mr. Spevak explained that there was a pretty good ADU code in Portland, but that jurisdictions should allow people to build ADU's for lifestyle reasons. Mr. Peterson noted that most jurisdictions have poor regulatory codes for ADU's.

*Member discussion included:*

- Mayor Pete Truax asked about walk score and how it was used on a map of ADU's used in Ms. Lieb's presentation. He added that Forest Grove lacks opportunity for people to walk to services, and asked how ADU's might be used to improve transit and availability throughout the region. Ms. Gilden responded and explained that ADU's are usually built in desirable and walkable neighborhoods, which constitute part of the walk score. She added that the walk score is generally improved by ADU's because they contribute to neighborhood density

which adds to walkability. Ms. Lieb conveyed that walk score combines different data to provide an index score that is often on property listings.

- Commissioner Loretta Smith asked about the difference between an ADU and a duplex. Mr. Spevak explained that ADU's almost always have a size cap, whereas there isn't a cap on a duplex. Ms. Gilden added that ADU's are allowed on almost every residential piece of land in Portland.
- Mr. Spevak mentioned that there were many illegal ADU's out there, and it could be useful to consider an amnesty program. Councilor Stober noted that one of the arguments Vancouver was challenged by during their recent ADU decision making was back door zoning. He recommended not using the term "amnesty" because in his experience, it derailed the conversation. Councilor Stober asked what changed in 2010 that caused an ADU market shift. Mr. Peterson expressed that education and regulatory changes helped the shift.
- Councilor Jerry Hinton asked if ADU's qualified for Section 8 subsidies. Mr. Spevak replied yes. Ms. Lieb added that there was a group that looked at pairing ADU's with section 8 vouchers, and that many groups were interested in this question.
- Commissioner Amanda Fritz spoke to the Councilor Stober's question about the market shift in 2010. She explained that a study was done on what had been built, and that many people did not know that ADU's were being built in their neighborhoods. Commissioner Fritz recounted the streamlining of regulations and codes which helped increase the building of ADU's, along with a change in SDC regulations. Councilor Stober noted that there was a specific code change that year that allowed ADU's to be up to 75% of the size of the house which allowed people to avoid conditional use processes.
- Mayor Steve Callaway asked if there was a focus specifically on ADU's or if other housing types were just as critical. Ms. Lieb explained that Metro's 2040 grant plan included projects for Oregon City and Milwaukie to work on cottage clusters. She added that suggestions or recommendations for policy were welcome.
- Mayor Callaway inquired about the map with ADU walk scores, and asked if the ADU's on the map were lived in or built. Ms. Gilden remarked that they were built and licensed.
- Chair Gamba asked if market research would include how ADU's were being utilized. He inquired about the SDC issue and whether it would be addressed from a legal standpoint.
- Commissioner Amanda Fritz explained that there was a smaller SDC for an 800 sq ft house than a regular house. Mr. Spevak added that he was surprised that SDC's continued to be an obstacle.
- Commissioner Fritz proposed that if this were to be a new system that regular setbacks should be kept. She added that in Portland these setbacks had recently changed and it was concerning to hear that people were turned off by the concept of zero setbacks. Chair Gamba raised concerns about people trying to convert a garage into an ADU and how they might handle setbacks. Commissioner Fritz remarked that she felt it was best to implement a new plan with setbacks that everyone finds acceptable and then review it after a number of years.
- Ms. Lieb expressed that PSU was working on a survey form people with ADU permits, and Metro was working on a similar survey asking about the use of ADU's. She added that they would have questions for the owner as well as the occupant, which would inform further work.

- Councilor Gudman emphasized his support for this work, but recommended that dollars should be found elsewhere if SDC's were to be lowered. Chair Gamba suggested that SDC's should be dropped for small houses and raised for bigger houses so that they money would still be there.

## **6.2 Food Scraps Policy Update**

Chair Gamba introduced this informational item intended to build upon two previous presentations given to MPAC regarding regional efforts to increase food scraps recovery. He acknowledged that the Metro Council would be considering adopting the food scraps policy this fall that would require local governments to develop and implement mandatory food scraps collection program for certain types of businesses. Chair Gamba introduced Jennifer Erickson and Pam Peck, from Metro.

*Key elements of the presentation included:*

Ms. Pam Peck provided an introduction and some background to the food scraps policy process and the benefits that were sought through the solid waste road map. Ms. Jennifer Erickson provided context about why the food scraps policy was necessary, saying that in spite of waste prevention efforts there was still a huge amount of food sent to landfills.

Ms. Erickson explained that the goal was to bring these food scraps back into the system and add them to the agricultural industry and reduce the environmental impact of food waste. She discussed the current steps for food waste processing.

Ms. Erickson explained that this policy was focused on commercial food scraps rather than residential food scraps, and that commercial food scraps come in larger quantities, and are cleaner. She added that Metro left it up to jurisdictions to enforce and implement the policy.

Ms. Erickson highlighted the work Metro had done on food scraps since 1993, and noted that there had not been a reliable flow of food scraps located. She shared that Metro Council had decided last October that leadership needed to move forward and a sustainable system needed to be developed.

Ms. Erickson discussed the policy that would require businesses to separate food scraps from other food waste and provided details of how the policy would work. She explained that the overarching goals of the policy were to provide clarity for businesses and flexibility for jurisdictions.

Ms. Erickson recalled the options for commercial businesses to participate in the policy, and explicated the different levels of participation available. She emphasized the phases of implementation of the policy between 2018 and 2023. Ms. Erickson highlighted the ideas behind each implementation phase, and referred members to the 2023 disposal ban.

Ms. Erickson recounted feedback received from businesses in and around the region that had been participating in the program and provided some examples of areas in which the program had been successful.

Ms. Erickson outlined next steps for the policy, which would involve continued public engagement with stakeholders, a public comment period, and the rollout period from 2019 to 2023. She explained that Metro was in the process of finding a food scraps processing facility and the review

process for that was underway. Ms. Erickson noted that the policy would be presented to Metro Council in the fall while stakeholder engagement and support for local government outreach programming was continued.

*Member discussion included:*

- Commissioner Smith asked if Metro would enforce the policy. Ms. Erickson responded, noting that enforcement will be done by the local jurisdictions, but that part of the policy was that Metro could enter into intergovernmental agreements if necessary. She noted that the current model was one of cooperative complaints rather than fines and penalties. Commissioner Smith asked if this policy met health code standards and Ms. Erickson confirmed that it did but that local jurisdictions were expected to keep up with health codes. Ms. Peck added that Metro's work with food rescue groups on this issue focused heavily on meeting health code standards and coordination would continue around that.
- Councilor Larry Morgan asked how the pick up schedule would change with this policy. Ms. Erickson explained that this was up to local jurisdictions.
- Councilor Hinton asked if there as a profit incentive. Ms. Erickson expressed that there wasn't a profit margin because processing food scraps cost money. She added that it's economically viable for what could be charged to get food scraps in, and what they could sell them for. Ms. Erickson noted that the goal was to keep the program cost-neutral.
- Ms. Peck added that they got feedback from SWAAC on how Metro and local governments might mitigate the costs associated with the new policy, and their goal was to bring the feedback back to Metro Council. She explained that with regard to profit margin, the RFP (request for proposals) evaluation process included a look at financing.
- Councilor Harrington mentioned that there was a handout covering food scrap policy FAQ's. Ms. Erickson acknowledged that she would send out the FAQ's.
- Mayor Callaway emphasized that there ought t be an opportunity for the policy to be discussed before the draft policy was submitted.
- Mayor Truax recalled that a food scrap policy in Forest Grove is enacted on a ? basis and it's referred to as the green waste program. He shared that businesses have responded well to the program. Mayor Truax emphasized the importance of sending the message that higher cost often means significant benefits for the environment, and it's worth it. He explained that he did not like the term cost neutral, as these measures almost always cost more. Ms. Erickson responded, saying it's the ways that costs are distributed across the system that keep things more cost neutral.
- Chair Gamba provided an edit to Ms. Erickson and Ms. Peck's presentation. He noted that methane degrades the atmosphere over time.

## **7. ADJOURN**

Commissioner Fritz announced that Governor Brown removed funding for the Southwest Capitol Highway project in Portland. She raised concerns about losing this funding for the project and requested that MPAC members reach out to the governor to show the region's support for this project and urge the governor not to move forward with the veto.

MPAC Chair Gamba postponed discussion of the Construction Career Pathways Project and adjourned the meeting at 6:53 PM.

**ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF JUNE 14, 2017**

<b>ITEM</b>	<b>DOCUMENT TYPE</b>	<b>DOC DATE</b>	<b>DOCUMENT DESCRIPTION</b>	<b>DOCUMENT No.</b>
<b>3.1</b>	Handout	8/1/2017	Metro August Hotsheet	080917m-01
<b>6.1</b>	PowerPoint	8/9/2017	Build Small Coalition Update Presentation	080917m-02
<b>6.2</b>	PowerPoint	8/9/2017	Food Scraps Policy Update Presentation	080917m-03
<b>6.2</b>	Handout	3/2017	Food Scraps Project Q&A: Haulers	080917m-04
<b>6.2</b>	Handout	3/2017	Food Scraps Project Q&A: Elected Officials	080917m-05
<b>6.2</b>	Handout	3/2017	Food Scraps Project Q&A: Businesses	080917m-06