

**Concordia Neighborhood Association  
Land Use & Transportation Committee (LUTC) Meeting**

November 15, 2017, 7 to 9pm

McMenamins Kennedy School, Community Room

**Minutes**

**Members Present:** Tyler Bullen (Vice Chair, CNA Board – E1), Ben Earle (Secretary), Steve Elder (CNA Board – E2), Jay Fesler, Garlynn Woodsong (CNA Board – SW1)

**Members Absent:** Sam Farber-Kaiser, Ali Novak (CNA Board – AL4), Kirk Paulsen, Spencer Parsons (volunteer legal advisor)

**Also Present:** Susan Millhauser (Contract Recording Secretary), John McSherry (CNA Board), Akash Singh (staff with Neighbors for Clean Air), and Jeffrey and Fiona White (volunteers with Neighbors for Clean Air)

**Welcome & Introductions, Quorum Check, Member Attendance Check, Agenda Review**

Garlynn welcomed everyone, opened the meeting, established the quorum, and reviewed the agenda. Ben requested adding an update on the Safety and Livability Team to the agenda.

**Public Comments**

Ben gave an update on the construction at NE 30<sup>th</sup> and Killingsworth, which is nearing completion and will be occupied soon. He and several other neighbors are working on a good neighbor agreement and putting together a “welcome packet”.

**LUTC Operations**

*Minutes*

The draft October minutes were sent out via email prior to the meeting. Jay noted he was not there and Ben corrected a typo.

***MOTION*** (Garlynn/Ben) – *To approve the October 18, 2017 minutes as amended. **APPROVED** (2 in favor, 0 opposed, 3 abstain)*

*Vacant Committee Seat: Nominations?*

The committee discussed that there is currently one seat vacant on the LUTC. Ben agreed to reach out to Deah, who lives on NE 33<sup>rd</sup> Ave., to see if she was interested, as she had mentioned interest in the past. Also, some other members have not attended meetings in several months; Sam and Kirk have not attended since March 2017. Tyler agreed to reach out to Sam and Kirk to see if they were still interested in being on the committee.

*No December Meeting; Next Meeting January 2018*

As there were no pressing deadlines the LUTC agreed to not meet in December. Garlynn noted the CNews article he wrote on air quality could serve as a starting point for a CNA letter to Oregon DEQ, which the Board had already approved having the LUTC draft after tonight’s presentation on Cleaner Air Oregon.

**Demolitions, Developments, & Land Use Notices**

*Land Use Notices and Issues*

The committee discussed two land use notices received from the City:

- 5258 NE 30<sup>th</sup> Ave. – intent to demolish. A request to delay is due 12/1/17. No one on the committee was aware of any historic or cultural significance of the home.

- NE Killingsworth and NE 24<sup>th</sup> Ave. – land use application to reduce the size of the parking lot of the church and to build a retaining way.

## **Land Use Oversight and Policies**

### *Concordia Neighborhood Design Initiative (CNDI)*

Jay gave John an overview of this project to develop design guidelines.

### *Sabin CDC Letter Request*

Garlynn gave an update, noting the Board had approved sending a letter to the City in support of Sabin CDC's remodel of their building on NE Killingsworth that was damaged by fire last winter. He heard from Sabin that the City subsequently dropped the requirement that the project go through Design Review. He added they're still raising the windowsill height to meet current code.

### *Residential Infill Project (RIP)*

Garlynn gave an update and discussion followed:

- The Board, at its last meeting, approved sending a letter from CNA to the City during the public comment period.
- He is expecting to receive comments/edits from Board members by email to incorporate into the letter prior to sending. The deadline for comments was moved from November 20 to November 30.
- The Planning and Sustainability Commission will take up the RIP sometime in the spring, date to be determined, followed by City Council hearings.
- The Board vote on the letter was close and discussion robust:
  - Some Board members expressed concern about taking a position at all.
  - Concern about zoning changes that would allow townhomes next to single-family homes was raised, including potential negative impacts on property values.
  - Issues around street parking and off-street parking were raised.
  - It seemed like some Board members did not really understand what was in the draft letter.
  - Support for narrow lot development as a way to provide more affordable housing was expressed.
- Ben shared some information about a letter from SWNI (Southwest Neighborhoods Inc.) that expressed concerns with the City's public involvement process.
- Email any additional comments to Garlynn for inclusion in the letter.

## **Transportation**

### *Update on 2017 Issues*

- Ben handed out information about crash data and Vision Zero.
- NE 33<sup>rd</sup> Ave letter – the letter drafted by the NE 33<sup>rd</sup> Ave neighbors, with input by the LUTC and approved by the Board, was sent to PBOT.
  - Ben agreed to follow up with Deah to see if she also wanted to check in with Faubion School to share the letter and gain support for their cause, including better pedestrian crossing of NE 33<sup>rd</sup> Ave. to get to Faubion.

## **Cleaner Air Oregon – Presentation by Neighbors for Clean Air**

Akash, Environmental Justice Organizer with Neighbors for Clean Air (NCA), provided several handouts and gave background about Cleaner Air Oregon, a new Oregon Department of Environmental Quality (DEQ) air quality regulatory framework:

- The new program came out of the Bullseye Glass Fiasco, after which Governor Brown decided that Oregon needed to catch up with California in terms of how it regulates air pollutants.

- Oregon has been using TBACT, the Best Available Control Technology, approach, which has allowed companies to use the best technology to operate a facility while emitting the least amount of pollution possible.
  - Standards are vague and allow a facility to purchase lower cost/less good technology for pollution control if the company can make a case that the best technology is too expensive.
  - Basing a standard on feasibility provides a loophole.
  - DEQ is so backlogged that many facilities are operating on expired air quality permits.
    - DEQ funding gets cut every legislative session so they seem to be lenient on shutting down businesses.
- The goal of Cleaner Air Oregon regulations is to add public health outcomes into the permitting equation, using a partnership model between DEQ and OHA (Oregon Health Authority). Neighbors for Clean Air and their partners have a lot of concerns about the draft rules currently under review/open for public comment:
  - OHA has struggled over the past two years during the development of the program because they don't have expertise in environmental regulation, though they do have expertise in public health risk analysis. The public health aspects of the program have been whittled down to favor industry over public health.
  - Public health analysis is based on a one cancer per million risk analysis to determine what controls a facility should apply.
    - DEQ reviewed various regulations from California, including those of the South Coast Air Quality District, which has a 100 cancers per million trigger that was revolutionary at the time. There are a lot more people there now. Multnomah County is not even close to how bad the air quality was in southern California back then.
      - Public health baselines and what "cancers" mean and how those numbers are calculated above baseline established were explained.
    - "500 cancers/million", as currently proposed in the regulations, could actually make problems worse in some areas of Oregon. Very few facilities currently emit this much pollution and the new regulations could allow them to emit more.
  - Most of Oregon's air emissions and air pollution come from vehicles and other mobile sources, not just point sources such as factories.
    - So the "Area Cap" Air Quality Monitoring requirement should include all sources, not just stationary ones. For example, Cully and Lents are highly impacted by mobile sources of air pollution from traffic and construction, primarily from diesel emissions.
    - The State could be doing more than it does currently. Oregon got \$78 million from the VW settlement. There was a diesel bill in the last legislative session and the only part that got passed was \$20 million to upgrade school buses. There is about \$60 million left from the settlement, with 15% of that earmarked by the Governor for transportation electrification.

Akash shared that they have been doing outreach in highly impacted communities to educate folks and encourage them to testify, partnering with other community groups and local air quality groups, such as Verde, OPAL, and Cully Air Action Team, and others. Now they are asking people to focus on a few key points NCA feels are the most important points so they can be rolled into policy language moving forward in 2018. He noted the comment period ends on 12/22, including two public hearings, followed by a vote by the Environmental Quality Commission on the final rules. He agreed to forward the two hearing dates to Garlynn to share with the committee.

Akash noted that NCA was started many years ago to address air pollution from ESCO in NW Portland and its impacts on students at Chapman Elementary. They partner with other environmental justice and neighborhood-based groups. He asked committee members to contact him with any other questions.

Garlynn noted that a goal of the meeting was to get the LUTC educated on the topic so they could make public comment to the DEQ about Cleaner Air Oregon. He agreed to redraft his article into a public comment letter including key points from NCA and to circulate to the LUTC for comments prior to getting Chris' signature and sending to DEQ.

### **LUTC Operations**

#### *CNews Land Use Articles – Review and Update Article Schedule*

Garlynn submitted an article about Cleaner Air Oregon for December. Upcoming articles and authors can be decided at the January meeting, as there is no January CNews.

Future topics: Tiny Homes/Campers on Private Property, Portland Just Energy Transition Initiative, Broadmoor Golf Course Rezone.

<b>Issue</b>	<b>Author</b>	<b>Due</b>	<b>Topic</b>
February		1/10	
March		2/10	
April		3/10	
May		4/10	
June		5/10	

**Adjourn** – The meeting adjourned at 9pm.