

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

In the Matter of the Request by the City of
Portland Bureau of Environmental Services
to Initiate a Hillside Development Permit
Application to the County Planning Division
on Private Land Proposed for Condemnation

ORDER

94-10

WHEREAS, City of Portland Bureau of Environmental Services (BES) staff appeared before the Board of Commissioners (Board) on January 11, 1993 regarding County Planning Division application HD 18-93, the 'Balch Creek Pilot Project' proposed for flood control and wetland enhancement on the Thompson Fork of Balch Creek; and,

WHEREAS, The City requests that the County Board approve an Order to initiate the Hillside Development (HD) Permit application for portions of the 'Balch Creek Pilot Project' which are on privately owned property and which the City is acquiring by condemnation; and,

WHEREAS, The City of Portland has been granted "possession" of the property subject to the condemnation, but the City will not secure title until May or June, 1994 when the trial and subsequent action by Multnomah County Circuit Court is expected to conclude; and,

WHEREAS, The City of Portland wishes to proceed with project construction during the 1994 building season which is limited in the Balch Creek basin to the period between May 1st and October 1st of any year; and,

WHEREAS, The Board Order requested would initiate a County land use process which would occur generally concurrent with the pending condemnation action and likely conclude in time to meet the construction schedule anticipated by the City, if the HD application is approved by the County.

THEREFORE, The Board of County Commissioners hereby initiates a Hillside Development Permit application, on behalf of the City of Portland as applicant, for consideration and decision by the Planning Director to be processed concurrent with Planning Division application HD 18-93. This Order effects those portions of the 'Balch Creek Pilot Project' subject to condemnation proceedings and detailed in City of Portland v. Medoff, Multnomah County Circuit Court No. 9306-04092.

Approved this 11th day of January, 1994



MULTNOMAH COUNTY, OREGON

By

Beverly Stein
Beverly Stein
Multnomah County Chair

REVIEWED.
LAURENCE KRESSER, COUNTY COUNSEL
for MULTNOMAH COUNTY, OREGON

By:

John L. DuBay
John L. DuBay, Chief Deputy County Counsel