

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

ORDINANCE NO. _____

Housekeeping Amendments to MCC Chapters 33-38 and 11.15 Relating to Significant Environmental Concern for Wildlife Habitat, Code Compliance and Applications, Access, and Campground Requirements

(Language ~~stricken~~ is deleted; double underlined language is new.)

The Multnomah County Board of Commissioners Finds:

- a. The Planning Commission is authorized by Multnomah County Code Chapter subsections 33.0140, 34.0140, 35.0140, 36.0140, 37.0710, 38.0710 and by ORS 215.110 to recommend to the Board of County Commissioners the adoption of Ordinances to implement the Multnomah County Comprehensive Plan.
- b. Periodically there is a need to amend the County Land Use Planning Code (Zoning Code) provisions due to changing circumstances or for general housekeeping purposes. Such an update of the Zoning Code has become necessary for technical corrections, clarifications and consistency. This ordinance incorporates the amendments recommended by the Planning Commission: PC-2011-1400, *Amendments Relating to Significant Environmental Concern for Wildlife Habitat, Code Compliance and Applications, Access, and Campground Requirements*.
- c. The Planning Commission conducted a public hearing for PC-2011-1400 on September 12, 2011. All interested persons were given an opportunity to appear and be heard. Notice of the Planning Commission hearing, was published in the "Oregonian" newspaper and on the County Land Use Planning Program website.
- d. As stated in Planning Commission Resolution, the Planning Commission has found that the proposed amendments and additions to Multnomah County Code Chapters 33-38 and 11.15 in this Ordinance are needed and recommends approval. The Board agrees with the Planning Commission's recommendations.

Multnomah County Ordains as follows:

Section 1. MCC 33.4570 and 34.4570 are amended as follows:

33.4570 Criteria for Approval of SEC-h Permit -Wildlife Habitat

* * * * *

(B) Development standards:

* * * * *

(6) Fencing within a required setback from a public road shall meet the following criteria:

* * * * *

(f) Fencing standards do not apply where needed for security of utility facilities.

* * * * *

Section 2. MCC 37.0560 AND 38.0560 are amended as follows:

37.0560 Code Compliance And Applications.

Except as provided in subsection (A), the County shall not make a land use decision approving development, including land divisions and property line adjustments, or issue a building permit approving development, including land divisions and property line adjustments, for any property that is not in full compliance with all applicable provisions of the Multnomah County Land Use Code and/or any permit approvals previously issued by the County.

* * * * *

38.0560 Code compliance and applications.

Except as provided in subsection (A), the County shall not make a land use decision approving development, including land divisions and property line adjustments, or issue a building permit approving development, including land divisions and property line adjustments, for any property that is not in full compliance with all applicable provisions of the Multnomah County Land Use Code and/or any permit approvals previously issued by the County.

* * * * *

Section 3. MCC 33.2073, 33.2273, 33.2473, 33.2690, 33.2885, 33.3185, 33.3385, 34.2690, 34.2885, 34.3185, 34.3385, 35.2073, 35.2273, 35.2690, 35.2885, 35.3185, 35.3385, 36.2073, 36.2690, 36.2885, 36.3185, 36.3385, 36.3485, 36.3585 are amended as follows:

33.2073 Access

All lots and parcels in this district shall abut a public street, or shall have other access deemed by the approval authority to be safe and convenient for pedestrians and for passenger and emergency vehicles, except as provided for. This access requirement does not apply to a pre-existing lot and parcel that constitutes a Lots of Record atdescribed in MCC 33.2075(C).

33.2273 Access

All lots and parcels in this district shall abut a public street; or shall have other access deemed by the approval authority to be safe and convenient for pedestrians and for passenger and emergency vehicles. This access requirement does not apply to a pre-existing lot and parcel that constitutes a, ~~except as provided for~~ Lots of Record at described in MCC 33.2275(C).

33.2473 Access

All lots and parcels in this district shall abut a public street; or shall have other access deemed by the approval authority to be safe and convenient for pedestrians and for passenger and emergency vehicles. This access requirement does not apply to a pre-existing lot and parcel that constitutes a, ~~except as provided for~~ Lots of Record at described in MCC 33.2475(C).

33.2690 Access

All lots and parcels in this district shall abut a public street; or shall have other access determined by the approval authority to be safe and convenient for pedestrians and for passenger and emergency vehicles. This access requirement does not apply to a pre-existing lot and parcel that constitutes a, ~~except as provided for~~ Lots of Record at described in MCC 33.2675(C).

33.2885 Access

All lots and parcels in this district shall abut a public street or shall have other access deemed by the approval authority to be safe and convenient for pedestrians and for passenger and emergency vehicles. This access requirement does not apply to a pre-existing lot and parcel that constitutes a, ~~except as provided for~~ Lots of Record at described in MCC 33.2870(B).

33.3185 Access

All lots and parcels in this district shall abut a public street; or shall have other access determined by the approval authority to be safe and convenient for pedestrians and passenger and emergency vehicles, ~~except as provided for~~. This access requirement does not apply to a pre-existing lot and parcel that constitutes a Lots of Record at described in MCC 33.3170(B).

33.3385 Access

All lots and parcels in this district shall abut a public street; or shall have other access determined by the approval authority to be safe and convenient for pedestrians and passenger and emergency vehicles. This access requirement does not apply to a pre-existing lot and parcel that constitutes a, ~~except as provided for~~ Lots of Record at described in MCC 33.3370(B).

34.2690 Access

All lots and parcels in this district shall abut a public street; or shall have other access determined by the approval authority to be safe and convenient for pedestrians and for passenger and emergency vehicles. This access requirement does not apply to a pre-existing lot and parcel that constitutes a, ~~except as provided for~~ Lots of Record at described in MCC 34.2675(C).

34.2885 Access

All lots and parcels in this district shall abut a public street or shall have other access determined by the approval authority to be safe and convenient for pedestrians and for passenger and emergency vehicles. This access requirement does not apply to a pre-existing lot and parcel that constitutes a, except as provided for Lots of Record at described in MCC 34.2870(B).

34.3185 Access

All lots and parcels in this district shall abut a public street, or shall have other access determined by the approval authority to be safe and convenient for pedestrians and passenger and emergency vehicles. This access requirement does not apply to a pre-existing lot and parcel that constitutes a, except as provided for Lots of Record at described in MCC 34.3170(B).

34.3385 Access

All lots and parcels in this district shall abut a public street, or shall have other access determined by the approval authority to be safe and convenient for pedestrians and passenger and emergency vehicles. This access requirement does not apply to a pre-existing lot and parcel that constitutes a, except as provided for Lots of Record at described in MCC 34.3370(B).

35.2073 Access

All lots and parcels in this district shall abut a public street, or shall have other access deemed by the approval authority to be safe and convenient for pedestrians and for passenger and emergency vehicles. This access requirement does not apply to a pre-existing lot and parcel that constitutes a, except as provided for Lots of Record at described in MCC 35.2075(C).

35.2273 Access

All lots and parcels in this district shall abut a public street, or shall have other access deemed by the approval authority to be safe and convenient for pedestrians and for passenger and emergency vehicles. This access requirement does not apply to a pre-existing lot and parcel that constitutes a, except as provided for Lots of Record at described in MCC 35.2275(C).

35.2690 Access

All lots and parcels in this district shall abut a public street, or shall have other access determined by the approval authority to be safe and convenient for pedestrians and for passenger and emergency vehicles. This access requirement does not apply to a pre-existing lot and parcel that constitutes a, except as provided for Lots of Record at described in MCC 35.2675(C).

35.2885 Access

All lots and parcels in this district shall abut a public street or shall have other access determined by the approval authority to be safe and convenient for pedestrians and for passenger and emergency vehicles. This access requirement does not apply to a pre-existing lot and parcel that constitutes a, except as provided for Lots of Record at described in MCC 35.2870(B).

35.3185 Access

All lots and parcels in this district shall abut a public street; or shall have other access determined by the approval authority to be safe and convenient for pedestrians and passenger and emergency vehicles. This access requirement does not apply to a pre-existing lot and parcel that constitutes a, ~~except as provided for~~ Lots of Record at described in MCC 35.3170(B).

35.3385 Access

All lots and parcels in this district shall abut a public street; or shall have other access determined by the approval authority to be safe and convenient for pedestrians and passenger and emergency vehicles. This access requirement does not apply to a pre-existing lot and parcel that constitutes a, ~~except as provided for~~ Lots of Record at described in MCC 35.3370(B).

36.2073 Access.

All lots and parcels in this district shall abut a public street; or shall have other access deemed by the approval authority to be safe and convenient for pedestrians and for passenger and emergency vehicles. This access requirement does not apply to a pre-existing lot and parcel that constitutes a, ~~except as provided for~~ Lots of Record at described in MCC 36.2075(C).

36.2690 Access.

All lots and parcels in this district shall abut a public street; or shall have other access determined by the approval authority to be safe and convenient for pedestrians and for passenger and emergency vehicles. This access requirement does not apply to a pre-existing lot and parcel that constitutes a, ~~except as provided for~~ Lots of Record at described in MCC 36.2675(C).

36.2885 Access.

All lots and parcels in this district shall abut a public street or shall have other access determined by the approval authority to be safe and convenient for pedestrians and for passenger and emergency vehicles. This access requirement does not apply to a pre-existing lot and parcel that constitutes a, ~~except as provided for~~ Lots of Record at described in MCC 36.2870(B).

36.3185 Access.

All lots and parcels in this district shall abut a public street; or shall have other access determined by the approval authority to be safe and convenient for pedestrians and passenger and emergency vehicles. This access requirement does not apply to a pre-existing lot and parcel that constitutes a, ~~except as provided for~~ Lots of Record at described in MCC 36.3170(B).

36.3385 Access.

All lots and parcels in this district shall abut a public street; or shall have other access determined by the approval authority to be safe and convenient for pedestrians and passenger and emergency vehicles. This access requirement does not apply to a pre-existing lot and parcel that constitutes a, ~~except as provided for~~ Lots of Record at described in MCC 36.3370(B).

36.3485 Access.

All lots and parcels in this district shall abut a public street; or shall have other access determined by the approval authority to be safe and convenient for pedestrians and passenger and emergency vehicles, ~~except as provided for.~~ This access requirement does not apply to a pre-existing lot and parcel that constitutes a Lots of Record ~~at~~ described in MCC 36.3470(B).

36.3585 Access.

All lots and parcels in this district shall abut a public street; or shall have other access determined by the approval authority to be safe and convenient for pedestrians and passenger and emergency vehicles. This access requirement does not apply to a pre-existing lot and parcel that constitutes a, ~~except as provided for~~ Lots of Record ~~at~~ described in MCC 36.3570(B).

Section 4. The following definitions are added and deleted from MCC 33.0005, 34.0005, 35.0005, 36.0005 and 11.15.0010:

33.0005 Definitions.

34.0005 Definitions.

35.0005 Definitions.

36.0005 Definitions.

11.15.0010 Definitions.

* * * * *

Campground – An area improved with a campsite and/or used for an overnight temporary stay for vacation, recreational or emergency purposes that may be occupied by a tent, travel trailer or recreational vehicle or other similar piece of equipment, but not for residential purposes.

Camp – See Campground.

Campsite - An area improved for the purpose of locating a tent, travel trailer or recreational vehicle or other similar piece of equipment used for vacation, recreational or emergency purposes, but not for residential purposes. A campsite may include such improvements as picnic benches, water, electrical & sewage hook-ups, grills, fire rings, etc. or as otherwise allowed in the general district.

* * * * *

~~**Recreational Vehicle Park**— Any place where two or more vehicles designed and used for temporary human occupancy are located within 500 feet of each other on a lot, parcel or tract which is rented or kept for rent for periods of one month or less.~~

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Section 5. MCC 33.6015, 34.6015, 35.6015 and 11.15.7020, Uses, are amended as follows:

(A) * * * * *

(2) ~~Camp~~, or ~~campground~~ or ~~recreational vehicle park~~.

* * * * *

Section 6. MCC 33.6020, 34.6020, 35.6020 and 11.15.7025 are amended as follows:

33.6020 Restrictions

A building or use approved under MCC 33.6015 through 33.6050 shall meet the following requirements:

* * * * *

(F) In the MUA-20, RR, and BRC districts, the length of stay by a person or vehicle in a camp, campground or campsite shall not exceed a total of 60 days during any consecutive 12 month period by an individual, group or family.

(FG) Other restrictions or limitations of use or development not required under this subsection shall be provided in the district.

34.6020 Restrictions

A building or use approved under MCC 34.6015 through 34.6050 shall meet the following requirements:

* * * * *

(F) In the MUA-20, RR, and RC districts, the length of stay by a person or vehicle in a camp, campground or campsite shall not exceed a total of 60 days during any consecutive 12 month period by an individual, group or family.

(FG) Other restrictions or limitations of use or development not required under this subsection shall be provided in the district.

35.6020 Restrictions

A building or use approved under MCC 35.6015 through 35.6050 shall meet the following requirements:

* * * * *

(F) In the MUA-20, RR, and SRC districts, the length of stay by a person or vehicle in a camp, campground or campsite shall not exceed a total of 60 days during any consecutive 12 month period by an individual, group or family.

(FG) Other restrictions or limitations of use or development not required under this subsection shall be provided in the district.

11.15.7025 Restrictions

A building or use approved under MCC .7020 through .7030 shall meet the following requirements:

* * * * *

~~G. Other restrictions or limitations of use or development not required under this subsection shall be provided in the district.~~ The length of stay by an individual, group or family in a camp, campground or campsite shall not exceed a total of 60 days during any consecutive 12 month period by an individual, group or family.

H. Other restrictions or limitations of use or development not required under this subsection shall be provided in the district.

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Section 7. MCC 33.4205, 34.4205, 35.4205, 36.4205, 38.4205 and 11.15.6142 are amended as follows:

33.4205 Minimum Required Off-Street Parking Spaces

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35.4205 Minimum Required Off-Street Parking Spaces

36.4205 Minimum Required Off-Street Parking Spaces

(A) Residential Uses

* * * * *

~~(4) Recreational Vehicle Park—One space for each vehicle site.~~

~~(5)~~ Group Care Facility, Home for Aged, or Children's Home – One space for each four beds.

(B) Public and Semi-Public Buildings and Uses

* * * * *

(9) Campground – One space for each campsite.

* * * * *

38.4205 Minimum Required Off-Street Parking Spaces

(A) Residential Uses

(1) Single Family Dwelling – Two spaces for each dwelling unit.

(2) Two Family Dwelling – Two spaces for each dwelling unit.

~~(3) Recreational Vehicle Park—One space for each vehicle site.~~

(B) Public and Semi-Public Buildings and Uses

* * * * *

(9) Campground – One space for each campsite.

* * * * *

11.15.6142 Minimum Required Off-Street Parking Spaces

A. Residential Uses

* * * * *

~~7. Recreational Vehicle Park One space for each vehicle site.~~

87. Group Care Facility, Home for Aged, or Children’s Home One space for each four beds.

98. A residential development designed and used exclusively for low income, elderly persons
One space for each eight dwelling units.

B. Public and Semi-Public Buildings and Uses

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12. Campground One space for each campsite.

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Section 8. The amendments to Chapter 38 Columbia River Gorge National Scenic Area shall be effective upon notification of approval by the Columbia River Gorge Commission and, if necessary, concurrence by the Secretary of Agriculture.

FIRST READING: November 10, 2011

SECOND READING AND ADOPTION: November 17, 2011

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Jeff Cogen, Chair

REVIEWED:
JENNY M. MORF, ACTING COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By Jed Tomkins, Assistant County Attorney

SUBMITTED BY: M. Cecilia Johnson, Director, Department of Community Services