



MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST

(Revised March 2016)

Board Clerk Use Only

Meeting Date: 11/3/16
Agenda Item #: R.2
Est. Start Time: 10:30 am approx
Date Submitted: 10/26/16

Agenda Title: RESOLUTION Accepting the County Engineer's Report, Setting a Public Hearing, and Directing Notice Regarding the Proposed Vacation of a Portion of a 12' Wide Public Way in the Town of Latourelle Falls, in Multnomah County Oregon

Note: Title should not be more than 2 lines but sufficient to describe the action requested. Title on APR must match title on Ordinance, Resolution, Order or Proclamation.

Requested

Meeting Date: November 3, 2016 **Time Needed:** 5 minutes

Department: DCS **Division:** Transportation

Contact(s): Patrick Hinds

Phone: 503-988-3712 **Ext.** 83712 **I/O Address:** 425/2

Presenter

Name(s) &

Title(s): Patrick Hinds, Permit Specialist; Courtney Lords, Asst. County Attorney

General Information

1. What action are you requesting from the Board?

The Transportation Division requests that the Board approve the attached Resolution accepting the County Engineer's Report and setting a Hearing Date for the proposed vacation of a portion of an unnamed public way, situated in East Multnomah County, in the Town of Latourelle Falls.

2. Please provide sufficient background information for the Board and the public to understand this issue. Please note which Program Offer this action affects and how it impacts the results.

This Agenda Placement Request constitutes the County Engineer's Report, being the County Road Official's assessment of the proposed vacation.

This public way was created by the plat TOWN OF LATOURELLE FALLS, which was recorded June 3, 1887. This public way is 12' wide, and the portion proposed to be vacated is approximately 135 feet in length. The property abutting both sides of the public way is owned by the petitioners, Debra and Richard Lowry. If this vacation is ultimately approved, the Lowry's plan to build a garage in a portion of the area being vacated. Currently, there are no improvements in the public way being proposed for vacation.

The County Engineer finds this vacation request to be in the best public interest.

3. Explain the fiscal impact (current year and ongoing).

There is no fiscal impact to Multnomah County. This public Right of Way is not maintained by Multnomah County, and no public money is spent on this road. All costs associated with this vacation request are the responsibility of the petitioner.

4. Explain any legal and/or policy issues involved.

Pursuant to ORS 368.341, the Transportation Division is requesting that the Board initiate vacation proceeding as requested by the petitioners. The first Board action (Resolution 2016-082), accepted the petition and ordered this Road Official's report. This second Board action accepts the Road Official's report, which contains a finding of whether the proposed vacation is in the public interest. And, following the presentation of the Road Official's report to the Board and pursuant to ORS 368.346(2), by this Resolution the Board will establish a time and place for a hearing to consider whether the proposed vacation is in the public interest, and directs Transportation staff to provide Notice pursuant to ORS 368.401 to ORS 368.426. The third and final Board action will provide an opportunity for public comment before the Board makes a final decision on the proposed vacation. Following the public hearing, the Board will determine if the vacation is in the best public interest and shall enter an order or resolution granting or denying the vacation of the property in compliance with ORS 368.356.

5. Explain any citizen and/or other government participation that has or will take place.

This vacation request is based on a citizen-initiated petition, pursuant to ORS 368.341.

The portion of the public way being vacated is located entirely within the County.

The proposed action is consistent with community involvement, development, and any applicable intergovernmental cooperation.

Required Signature

**Elected
Official or
Department**

Director: Kim Peoples /s/

Date: 10/26/16