

BEFORE THE PLANNING COMMISSION
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. PC 09-001

Recommend to the Board of County Commissioners the adoption of an ordinance amending land use procedures in the County Code to include notice requirements for legislative items provided in ORS 203.045(5), 215.060, and 215.503.

The Planning Commission Finds:

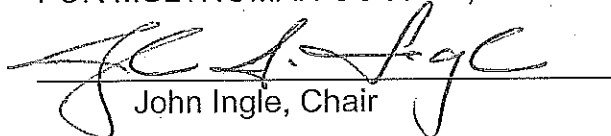
- a. The Planning Commission is authorized by Multnomah County Code and by ORS 215.110 to recommend to the Board of County Commissioners the adoption of Ordinances to implement the Multnomah County Comprehensive Plan.
- b. The County incorporates statutory land use procedures into its codes to ensure that its processes comply with the law and that its constituents receive adequate notice.
- c. These procedures include legislative work, such as the adoption or amendment of the County Comprehensive Plan, land use regulations, map inventories, and other policy documents that affect the entire county, large areas, or multiple properties.
- d. Public hearings are required before the Planning Commission and Board of Commissioners on all proposed legislation, for which the State has established minimum notice requirements.
- e. While the County Code contains some of the State notice requirements, it does not include all of them; specifically the newspaper notice provisions outlined in ORS 203.045(5) and 215.060 for Board of Commissioners hearings and the direct mail notice requirements of ORS 215.503.
- f. Implementing statutes directly has proven ineffective, and it is necessary to add these notice provisions to the Code to minimize the chances that notice is missed.
- g. The Board should re-notice land use ordinances where newspaper notice was not provided for the hearings, as identified by staff, so that public will have an opportunity to provide comments.
- h. In addition to adding the notice provisions, language authorizing the County to appeal Hearings Officer decisions should be deleted as it was replaced with a procedure in 2005 allowing the Planning Director to appeal the decisions to the Board of Commissioners.
- i. No regulations are being proposed that further restrict the use of property and no mailed notice to individual property owners is required ("Ballot Measure 56" notice).
- j. Notice of the Planning Commission hearing was published in the "Oregonian" newspaper and on the Land Use Program web site. The Planning Commission held a public hearing on March 2, 2009 where all interested persons were given an opportunity to appear and be heard.

The Planning Commission Resolves:

The proposed Ordinance amending land use procedures in the County Code is hereby recommended for adoption by the Board of County Commissioners.

ADOPTED this 2nd day of March, 2009.

PLANNING COMMISSION
FOR MULTNOMAH COUNTY, OREGON


John Ingle, Chair