

1 BEFORE THE BOARD OF COUNTY COMMISSIONERS
2 FOR MULTNOMAH COUNTY, OREGON
3 **ORDINANCE NO. 933**
4

5 An Ordinance amending Comprehensive Framework Plan Policies 13, 22, 37, 38,
6 and 40 and the requirements of findings for quasi-judicial and legislative approvals.

7 (Underlined sections are new replacements; [~~bracketed~~] sections are deleted.)

8 Multnomah County ordains as follows:
9

10 Section I. Findings.

11 (A) The current Comprehensive Plan Policies 13, 22, 37, 38 and 40 was
12 developed at a time when the County had jurisdiction over a substantially large urban area
13 requiring review of larger scale developments and higher densities. Today the, the
14 County's jurisdiction is primarily rural lands. Since the inception of these policies, the
15 County has established new and revised land use regulations that directly implement the
16 majority of these policies in situations where they become applicable. As a result, the
17 County has been spending considerable resources responding to these policies for such
18 minor structures as decks, second story additions, garages, etc. In most instances the
19 policies are covered by duplicative code standards or criteria, or simply not applicable.
20 The costs associated with responding to the criteria are ultimately passed on to the
21 applicant and/or public; and

22 (B) On April 5, 1999 the Planning Commission held a public hearing accepted
23 public testimony from all interested parties. Based upon the hearing, the Planning
24 Commission unanimously recommended approval through Resolution C4-99 of
25 amendments to the Comprehensive Framework Plan Policies 13, 22, 37, and 40.
26

(C) Planning Commission Resolution C4-99 is intended to make modifications that reduce the amount of unnecessary and/or duplicative findings required to be made during both quasi-judicial and legislative decisions.

Section II. Amendment of the Comprehensive Framework Plan Policies.

Multnomah County Comprehensive Framework Plan Policies 13, 22, 37, 38, and 40 are amended to read as follows:

* * *

Section III. Adoption

POLICY 13

Multnomah County, recognizing that the health, safety, welfare, and quality of life of its citizens may be adversely affected by air, water and noise pollution, supports efforts to improve air and water quality and to reduce noise levels. Therefore, ~~[it is Multnomah County's policy to:]~~

~~["... require, prior to approval of a legislative or quasi-judicial action, a statement from the appropriate agency that all standards can be met with respect to air quality, water quality, and noise levels.]~~ if a land use proposal ~~[the proposal]~~ is a noise-sensitive use and is located in a noise-impacted area, or if the proposed use is a noise generator, the following shall be incorporated into the site plan:

1. Building placement on the site in an area having minimal noise level disruptions.
- ~~[2. Landscaping or other techniques to lessen noise generation to levels compatible with surrounding land uses.]~~
3. Insulation or other construction techniques to lower interior noise levels in noise-impacted areas.

POLICY 22

The County's policy is to promote the conservation of energy and to use energy resources in a more efficient manner. In addition, it is the policy of Multnomah County

1 to reduce dependency on non-renewable energy resources and to support greater
2 utilization of renewable energy resources through: ~~[The County shall require a finding,~~
3 ~~prior to the approval of legislative or quasi-judicial action, that the following factors~~
4 ~~have been considered:]~~

- 5 A. The development of energy-efficient land uses and practices;
- 6 B. Increased density and intensity of development in urban areas, especially in
7 proximity to transit corridors and employment, commercial and recreational centers;
- 8 C. An energy-efficient transportation system linked with increased mass transit,
9 pedestrian and bicycle facilities;
- 10 D. Street layouts, lotting patterns and designs that utilize natural environmental and
11 climatic conditions to advantage;
- 12 E. Finally, the County will allow greater flexibility in the development and use of
13 renewable energy resources.

14 POLICY 37: UTILITIES

15 ~~[The County's policy is to require a finding prior to approval of a legislative or quasi-judicial~~
16 ~~action that:]~~

17 Water and Disposal Systems:

- 18 A. ~~[The proposed use can be]~~ Shall be connected to a public sewer and water system,
19 both of which have adequate capacity; or
- 20 B. ~~[The proposed use can be]~~ Shall be connected to a public water system, and the
21 Oregon Department of Environmental Quality (DEQ) will approve a subsurface
22 sewage disposal system on the site; or
- 23 C. ~~[There]~~ Shall have [is] an adequate private water system, and the Oregon
24 Department of Environmental Quality (DEQ) will approve a subsurface sewage
25 disposal system; or
- 26 D. ~~[There]~~ Shall have [is] an adequate private water system and a public sewer with
adequate capacity.

1 Drainage:

2 E. ~~[There is]~~ Shall have adequate capacity in the storm water system to handle the
3 run-off; or

4 F. The water run-off ~~[can]~~ shall be handled on the site or adequate provisions ~~[can]~~
5 shall be made; and

6 G. The run-off from the site ~~[will]~~ shall not adversely affect the water quality in adjacent
7 streams, ponds, lakes, or alter the drainage on adjoining lands.

8 Energy and Communications

9 H. There shall be ~~is~~ an adequate energy supply to handle the needs of the proposal
10 and the development level projected by the plan; and

11 I. Communications facilities are available.

12 POLICY 38: FACILITIES

13 ~~[The County's policy is to require a finding prior to approval of a legislative or quasi-~~
14 ~~judicial action that:]~~ It is the County's Policy to coordinate and encourage involvement
15 of applicable agencies and jurisdiction in the land use process to ensure:

16 School

17 A. The appropriate school district has had an opportunity to review and comment on
18 the proposal.

19 Fire Protection

20 B. There is adequate water pressure and flow for fire fighting purposes; and

21 C. The appropriate fire district has had an opportunity to review and comment on the
22 proposal.

23 Police Protection

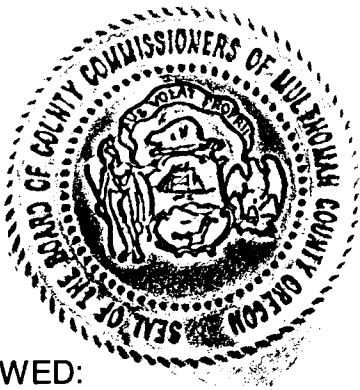
24 D. The proposal can receive adequate local policy protection in accordance with the
25 standards of the jurisdiction providing police protection.

26 POLICY 40

1 The County's policy is to encourage a connected parks and recreation system and to
2 provide for small private recreation areas by ~~[requiring a finding prior to approval of~~
3 ~~legislative or quasi-judicial action that:]~~

- 4 A. Requiring the dedication of ~~P~~pedestrian and bicycle path connections to parks,
5 recreation areas and community facilities ~~[will be dedicated]~~ where appropriate and
6 where designated in the Bicycle Corridor Capital Improvements Program and map.
7 B. Requiring ~~L~~andscaped areas with benches ~~[will be provided]~~ in commercial,
8 industrial and multiple-family developments where appropriate.
9 C. Requiring Areas for bicycle parking facilities ~~[will be required]~~ in development
10 proposals where appropriate.
11

12 ADOPTED this 15th day of July, 1999, being the date of its second
13 reading before the Board of County Commissioners of Multnomah County.
14

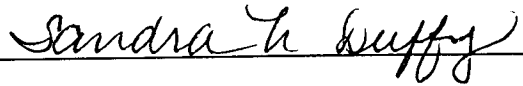


15 BOARD OF COUNTY COMMISSIONERS
16 FOR MULTNOMAH COUNTY, OREGON

17 
18 _____
19 Beverly Stein, Chair

20 REVIEWED:

21 THOMAS SPONSER, COUNTY COUNSEL
22 FOR MULTNOMAH COUNTY, OREGON
23

24 By 
25 Sandra N. Duffy, Chief Assistant County Counsel
26