



MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST

(Revised: 09/23/13)

Board Clerk Use Only

Meeting Date: 1/7/16
Agenda Item #: R.1
Est. Start Time: 9:30 am
Date Submitted: 12/22/15

Agenda Title: ORDINANCE Amending County Land Use Code to Adopt Portland's Accessory Structures Zoning Code Update and Declaring an Emergency

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: January 7, 2016 Time Needed: 10 minutes

Department: Community Services Division: Land Use Planning

Contact(s): Lindsey Nesbitt

Phone: 503-988-0213 Ext. 80213 I/O Address: 455/116

Presenter

Name(s) &

Title(s): Lindsey Nesbitt, Senior Planner

General Information

1. What action are you requesting from the Board?

Adopt the ordinance as recommended by the Portland Planning Commission and Portland City Council.

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.

On October 11, 2001 the Board adopted Ordinance 967 (effective date January 1, 2002) adopting, in summary, the Portland Comprehensive Plan and zoning ordinance. The County and the City of Portland have been engaged in agreements enabling the City of Portland to provide planning services to achieve compliance with the Metro Functional Plan for those areas outside the City limits, but within the urban growth boundary and urban service boundary of Portland. Since the adoption of Ordinance 967 and subsequently Ordinance 997, the attached ordinances have been passed by the Portland City Council and therefore the County must adopt them pursuant to our intergovernmental agreement to keep the code up to date. Multnomah County and the City of Portland entered into an Intergovernmental Agreement (IGA) to transfer land use planning responsibilities on January 1, 2002. The IGA lays out a process requiring the County to ensure that any amendments to the City's comprehensive plan, zoning code and other regulations adopted by the City Council will be considered by the County Board of Commissioners at the earliest possible meeting. It also states "The County Board of Commissioners shall enact all comprehensive plan and code amendments so that they take effect on the same date

specified by the City's enacting ordinance" (unless adopted by emergency). The City will have taken action on all of the above items by the hearing date of this ordinance. If the County does not adopt these amendments, the IGA will be void and the County will be required to resume responsibility for planning and zoning administration within the affected areas.

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

NA.

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

State law requires a notice be placed in a newspaper of general circulation at least 10 days prior (12/27/15) to the BCC hearing. We request adoption of this ordinance by emergency to closely align with the City of Portland effective date (01/02/16) as stated in the IGA. The County Attorney's office was involved in the drafting of the original IGA and has been involved in coordinating our compliance effort through adoption of these code amendments.

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

The City included the County affected property owners in their noticing for these code revisions when required pursuant to the IGA and directed them to the City legislative process.

Required Signature

**Elected
Official or
Department**

Director: /s/ Kim Peoples

Date: December 22, 2015

Note: Please submit electronically. Insert names of your approvers followed by /s/ - we no longer use actual signatures. Please insert date approved.