



MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST

(Revised: 8/18/11)

APPROVED: MULTNOMAH COUNTY
BOARD OF COMMISSIONERS

AGENDA # R-2 DATE 10/10/11
MARINA BAKER, ASST BOARD CLERK

Board Clerk Use Only

Meeting Date: 11/10/11
Agenda Item #: R.2
Est. Start Time: 9:50 am
Date Submitted: 10/20/11

Agenda Title: Public Hearing and First Reading of ORDINANCE Regarding 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

Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title sufficient to describe the action requested.

Requested Meeting Date: November 10, 2011 **Time Needed:** 15 minutes
Department: DCS **Division:** Land Use Planning
Contact(s): Lisa Estrin
Phone: 988-5050 **Ext.** 22597 **I/O Address:** 455/116
Presenter Name(s) & Title(s): Lisa Estrin, Planner

General Information

1. What action are you requesting from the Board?

Conduct a public hearing and approve the proposed amendments to the Multnomah County Administration & Procedures Chapter 37, and Zoning Code Chapters, 33 through 36, 38 and 11.15. These amendments have been recommended by the Planning Commission to the Board for approval.

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 proposed ordinance incorporates four technical "housekeeping" amendments recommended by the Planning Commission in PC 2011-1400. These changes involve zoning code clarifications and consistency measures related to the *Significant Environmental Concern for Wildlife Habitat, Code Compliance and Applications, Access, and Campground Definitions & Restrictions*. The Planning Commission Resolution recommending these zoning code amendments is attached.

Significant Environmental Concern for Wildlife Habitat - Fencing Exemption

The amendment in section 1 of the proposed ordinance adds an exemption from the Wildlife Habitat fencing criteria for security of utility facilities. This exemption currently exists in the Zoning Code Chapter 36 for the County's West of Sandy River Rural Area. The proposed amendment will add this security fence exemption for utility facilities to Zoning Code Chapters 33 (West Hills) and 34 (Sauvie Island/Multnomah Channel).

Code Compliance and Applications.

Section 2 of the proposed ordinance will clarify the types of land use decisions the County can issue when a property is not in full compliance with the zoning or development code or prior decisions. The existing zoning ordinance requires an owner to bring a property into compliance with land use regulations before additional permits can be issued. This provision has been effective in bringing properties into compliance voluntarily thereby minimizing enforcement proceedings. The County Attorney recommended a clarification to the code after determining that it does not allow land use determinations that do not approve development unless a property owner first enters into a contractual agreement with the County to resolve the violation. Because the original intent was to allow land use determinations but not development permits unless a violation is resolved, this change improves implementation of this policy.

Access.

The housekeeping correction in Section 3 of the proposed ordinance returns the access requirement located in all base zone districts to its pre-2009 intent that review of the design of public roads is not required. After the amendment, the exemption from access standards for certain lots of record will continue to apply.

Campgrounds and Camps

Sections 4 through 7 update and clarify Zoning Code Chapters 33 through 36 and 11.15 for the land use listed as a "Campground or Camp." The County Attorney's Office recommended deleting the term "Recreational Vehicle Park" as a type of campground because state statutes define that term to mean a type of manufactured or mobile home park that allows permanent housing within an urban area. The proposed definition for "Campground" and "Camp" clarify that the temporary use of a tent, travel trailer or recreational vehicle in a campsite for vacation, recreational or emergency purposes is allowed. The proposed ordinance clarifies that in the MUA-20, RR, Rural Center zones, the maximum length of stay in a campground is 60 days during any consecutive 12 month period. The current maximum stay limitation for campgrounds in these zones is 30 days.

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

None.

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

None.

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

The Planning Commission conducted a work session on August 1, 2011. It was followed by a public hearing on September 12, 2011. Five people testified at the public hearing regarding the Camp & Campground clarifications and updates.

Required Signature

**Elected
Official or
Department
Director:**



Date: 10/21/2011