

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

ORDINANCE NO. 998

Amending § 38.0710 (PC) Legislative Hearing Process of MCC Chapter 38, Land Use Code
Columbia River Gorge National Scenic Area, and Declaring an Emergency

(Language ~~stricken~~ is deleted; double- underlined language is new.)

The Multnomah County Board of Commissioners Finds:

1. On September 26, 2002, the Board adopted Ordinance No. 994 amending MCC Chapter 38 to make technical corrections.
2. The amendments to Chapter 38 General Management Areas by Ordinance 994 are effective on the date of adoption by the Bi-State Gorge Commission. These amendments have not yet been adopted by the Gorge Commission.
3. It is necessary to amend § 38.0710 to add language that was inadvertently omitted in Section 11 of Ordinance 994.

Multnomah County Ordains as follows:

Section 1. § 38.0710 is amended to read as follows

38.0710 (PC) Legislative hearing process.

(B) Planning Commission Review:

(4) Planning Commission recommendation. At the conclusion of the initial hearing or a continued hearing under MCC 38.0730, the Planning Commission shall adopt a recommendation on the proposal to the Board of Commissioners. If the Planning Commission decides that no action is appropriate, the matter is terminated and may not be appealed unless otherwise provided by law. If the Board of Commissioners has initiated the legislative proposal, the Planning Commission shall submit to the Board of Commissioners a report and recommendation not to act. If the Planning Commission recommends adoption of some form of the proposal, the Planning Commission shall

prepare and forward to the Board of Commissioner' s a report and recommendation to that effect.

(C) Board of Commissioners review:

- (1) Board of Commissioners action. Upon a recommendation from the Planning Commission on a legislative action, the Board of Commissioners shall hold at least one public hearing on a proposed action to amend the County's land use regulations, comprehensive plan, official zoning maps or some component of any of these documents. Any interested person may provide written or oral testimony on the proposal at or prior to the hearing. At the conclusion of the hearing, the Board of Commissioners may adopt, modify or reject the legislative proposal, or it may remand the matter to the Planning Commission for further consideration. If the Board of Commissioners adopts at least some form of the proposal, the proposal shall be enacted as an ordinance and shall be promptly submitted to the Columbia River Gorge Commission for review and approval and/or concurrence per Sections 7 and 8 of the Scenic Area Act. The legislative proposal will become effective after approval by the Gorge Commission and, if necessary, concurrence by the Secretary of Agriculture. Any person adversely affected by such a legislative proposal may appeal the action per Section 15 of the Scenic Area Act.

Section 2. The effective date of the amendment to MCC §38.0710 with respect to General Management Areas shall be the date of adoption by the Bi-State Gorge Commission.

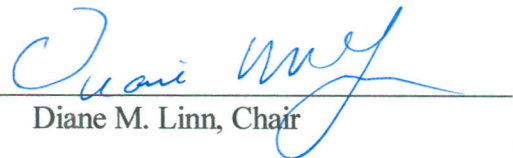
Section 3. This ordinance, being necessary for the health, safety, and general welfare of the people of Multnomah County, an emergency is declared and the ordinance shall take effect upon its execution by the County Chair, pursuant to section 5.50 of the Charter of Multnomah County.

FIRST READING AND ADOPTION:

November 7, 2002

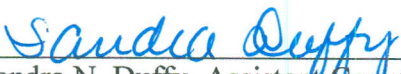


BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON


Diane M. Linn, Chair

REVIEWED:

THOMAS SPONSLER, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By 
Sandra N. Duffy, Assistant County Attorney