



## MULTNOMAH COUNTY OREGON

BOARD OF COUNTY COMMISSIONERS  
501 S.E. HAWTHORNE BLVD., Suite 600  
PORTLAND, OREGON 97204  
(503) 988-5213

Diane McKeel • DISTRICT 4 COMMISSIONER

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# MEMORANDUM

TO: Chair Jeff Cogen  
Commissioner Deborah Kafoury  
Commissioner Loretta Smith  
Commissioner Judy Shiprack  
Board Clerk Lynda Grow

FROM: Sean Files  
Assistant to Commissioner Diane McKeel

DATE: January 26, 2011

RE: Board Activities from February 1<sup>st</sup> through February 10<sup>th</sup>

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Commissioner McKeel will not be able to attend and participate in the Board of County Commissioner Briefings and Meetings on February 1<sup>st</sup>, 3<sup>rd</sup>, 8<sup>th</sup> or 10<sup>th</sup>, as she will be out of town with family.

Thank you,

Sean Files





**MULTNOMAH COUNTY  
OREGON**

## BOARD OF COMMISSIONERS

**FEBRUARY 8 & 10, 2011**

### BOARD MEETINGS

#### HIGHLIGHTS

#### REVISED

#### **Jeff Cogen, Chair**

501 SE Hawthorne Blvd., Suite 600  
Portland, OR 97214

Phone: (503) 988-3308 FAX (503) 988-3093

Email: [mult.chair@multco.us](mailto:mult.chair@multco.us)

#### **Deborah Kafoury, Commission Dist. 1**

501 SE Hawthorne Blvd., Suite 600  
Portland, OR 97214

Phone: (503) 988-5220 FAX (503) 988-5440

Email: [district1@multco.us](mailto:district1@multco.us)

#### **Loretta Smith, Commission Dist. 2**

501 SE Hawthorne Blvd., Suite 600  
Portland, OR 97214

Phone: (503) 988-5219 FAX (503) 988-5440

Email: [district2@multco.us](mailto:district2@multco.us)

#### **Judy Shiprack, Commission Dist. 3**

501 SE Hawthorne Blvd., Suite 600  
Portland, OR 97214

Phone: (503) 988-5217 FAX (503) 988-5262

Email: [district3@multco.us](mailto:district3@multco.us)

#### **Diane McKeel, Commission Dist. 4**

501 SE Hawthorne Blvd., Suite 600  
Portland, OR 97214

Phone: (503) 988-5213 FAX (503) 988-5262

Email: [district4@co.multco.us](mailto:district4@co.multco.us)

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Tues. @ 10a - Informational Board Briefing on  
Education and Early Childhood System of Care and  
Funding Sources.

Tues. @ approx. 11a - Informational Board Briefing  
on Juvenile System of Care and Funding Sources.

Thur. @ 9:30 a - Opportunity for Public Comment

Thur. @ approx. 9:45a - Presentation of Multnomah  
County's Comprehensive Annual Financial Report,  
Component Unit Financial Reports, and Schedule of  
Expenditures of Federal Awards for the Year Ending  
June 30, 2010

Thur. @ approx. 10:15a - Informational Board  
Briefing on Playworks

Thur. @ approx. 10:45a - Public Hearing, 2<sup>nd</sup> Reading  
& Possible Adoption of an ORDINANCE Amending  
MCC Chapters 33, West Hills Rural Area Plan, and  
MCC 35 Amending East of Sandy River Rural Area  
Plan, the County Comprehensive Plan, Rural Area  
Plans, Community Plans and Sectional Zoning Maps  
to Adopt Amendments to the Rural Center Districts for  
the Burlington & Springdale Communities, Consistent  
with Division 22, Unincorporated Communities, of the  
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Commissioners Chamber off of the main lobby, on the first  
floor. For questions about the Commissioners' meetings or  
approved documents, please contact Lynda Grow, Board  
Clerk at (503) 988-5274 or by email at  
[lynda.grow@multco.us](mailto:lynda.grow@multco.us) or visit our website:  
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Saturday, 10:00 AM, Channel 29

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**MULTNOMAH COUNTY  
OREGON**

## **BOARD OF COMMISSIONERS**

**Tuesday, February 8, 2011 - 10:00 am**  
Multnomah Building, Commissioners Board Room 100

### **BOARD BRIEFINGS**

#### **2/8/2011 Briefing**

- B.1 10a – 11a Informational Board Briefing on Education and Early Childhood System of Care and Funding Sources. Presenters: Joshua Todd, CC&F Dir.; Kathy Tinkle, DCHS Interim Dir.; Karl Brimner, MHASD Dir.; and, Lillian Shirley, Health Dept. Dir.
- B.2 11a – 12p Informational Board Briefing on Juvenile System of Care and Funding Sources. Presenters: Scott Taylor, Dir., DCJ; and Kathy Tinkle and Karl Brimner





## **BOARD OF COMMISSIONERS**

**Thursday, February 10, 2011 - 9:30 am**  
Multnomah Building, Commissioners Board Room 100

**REVISED**  
**REGULAR MEETING**

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Since our meetings are streaming live on Thursdays, in cases where the agenda  
moves ahead of schedule, we proceed immediately to the next item*

### **CONSENT AGENDA**

- C.1 ORDER Authorizing the Public Sale of Tax Foreclosed Property and Execution of Sale Documents for 21 Properties
- C.2 BUDGET MODIFICATION # LIB-04 Reclassifying One Vacant Position in the Library Neighborhood Libraries Division
- C.3 Approval of Omnibus Inter-County Mutual Aid AGREEMENT Revisions
- C.4 RESOLUTION Authorizing Cancellation of Uncollectible Personal Property Taxes for Tax Years 1995/96 through 2010/11 per Richard Teague/Patrice Kilmartin

### **PUBLIC COMMENT - 9:30 am**

Opportunity for Public Comment on non-agenda matters. Testimony limited to three minutes per person unless otherwise designated by the presiding officer. This is a time for the Board to hear public testimony, not for Board deliberation. Fill out a yellow speaker form available at the back of the board room and give it to the Board Clerk. Unless otherwise recognized by the presiding officer, testimony is taken in the order the forms are submitted.

### **REGULAR AGENDA**

#### **PUBLIC AFFAIRS – 9:30 am**

- R.1 PRESENTATION by Louanne Moldovan to Board of Commissioners and Lillian Shirley, Health Department Director, in Honor of Marcy Sugarman. Louanne Moldovan, Citizen and Lillian Shirley, Health Department Director. (10 min)

#### **COUNTY MANAGEMENT – 9:40 am**

- R.2 RESOLUTION Approving the Transfer of Tax-Foreclosed Property R141935 to Community Vision, Inc., a Non-Profit Corporation, for Low Income Housing Purposes. Presenter: Randy Walruff, Division Director (5 min)





## **BOARD OF COMMISSIONERS**

### **NON-DEPARTMENTAL – 9:45 am**

- R.3 Presentation of Multnomah County's Comprehensive Annual Financial Report, Component Unit Financial Reports, and Schedule of Expenditures of Federal Awards for the Year Ending June 30, 2010. Presenters: Representatives of the Multnomah County Audit Committee including: Steve March, Mindy Harris, Craig Stroud; and Jim Lanzaotta & Kevin Mullerleile from Moss Adams (30 min)

### **NON-DEPARTMENTAL – 10:15 am**

- R.4 Informational Board Briefing on Playworks. Presenter: Jonathan Blasher, City Executive Director, Playworks Oregon (30 min)

### **COMMUNITY SERVICES – 10:45 am**

- R.5 Public Hearing, 2<sup>nd</sup> Reading & Possible Adoption of an ORDINANCE Amending MCC Chapters 33, West Hills Rural Area Plan, and MCC 35 Amending East of Sandy River Rural Area Plan, the County Comprehensive Plan, Rural Area Plans, Community Plans and Sectional Zoning Maps to Adopt Amendments to the Rural Center Districts for the Burlington & Springdale Communities, Consistent with Division 22, Unincorporated Communities, of the Oregon Administrative Rules. Presenters: George Plummer, Planner and Joanna Valencia, Transportation Planning Specialist – LUP (10 min)

### **BOARD COMMENT – 10:55 am**

- BC.1 Opportunity as time allows, for the Commissioners to provide comment on non-agenda items.

### **ADJOURNMENT – 11:00 am**



**Tuesday, February 8, 2011 - 10:00 am**  
Multnomah Building, Commissioners Board Room 100

**BOARD BRIEFINGS**

**Chair Jeff Cogen convenes the meeting at 10:00 a.m. with Vice-Chair Deborah Kafoury and Commissioners Loretta Smith and Judy Shiprack present. Commissioner Diane McKeel excused.**

**NON-DEPARTMENTAL – 10:00 am**

**B.1 Informational Board Briefing on Education and Early Childhood System of Care and Funding Sources.** Presenters: Joshua Todd, CC&F Dir.; Kathy Tinkle, DCHS Interim Dir.; Karl Brimner, MHASD Dir.; and, Lillian Shirley, Health Dept. Dir.

**PRESENTATION & RESPONSE TO BOARD QUESTIONS AND DISCUSSION**

**COMMUNITY JUSTICE – 11:00 am**

**B.2 Informational Board Briefing on Juvenile System of Care and Funding Sources.** Presenters: Scott Taylor, Dir., DCJ; and Kathy Tinkle & Karl Brimner

**PRESENTATION & RESPONSE TO BOARD QUESTIONS AND DISCUSSION**

**ADJOURNMENT – 12:00 pm**

**THERE BEING NO FURTHER BUSINESS, THE MEETING IS ADJOURNED.**



**Thursday, February 10, 2011 - 9:30 am**  
**Multnomah Building, Commissioners Board Room 100**

**REVISED**  
**REGULAR MEETING**

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**Chair Jeff Cogen convenes the meeting at 9:30 a.m. with Vice-Chair  
Deborah Kafoury and Commissioners Loretta Smith and Judy  
Shiprack present. Commissioner Diane McKeel excused.**

**CONSENT AGENDA**

- C.1 ORDER Authorizing the Public Sale of Tax Foreclosed Property and  
Execution of Sale Documents for 21 Properties**
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Revisions**
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Property Taxes for Tax Years 1995/96 through 2010/11 per Richard  
Teague/Patrice Kilmartin**

**MAY I HAVE A MOTION ON THE CONSENT CALENDAR?**

**COMMISSIONER \_\_\_\_\_ MOVES**  
**COMMISSIONER \_\_\_\_\_ SECONDS**  
**APPROVAL OF THE CONSENT CALENDAR**

**ALL IN FAVOR, VOTE AYE, OPPOSED \_\_\_\_?**

**THE CONSENT CALENDAR IS APPROVED**  
**OR - THE MOTION FAILS**



**PUBLIC COMMENT - 9:30 am**

Opportunity for Public Comment on non-agenda matters. Testimony limited to three minutes per person unless otherwise designated by the presiding officer,

*MARINA*

**LYNDA WILL LET YOU KNOW IF THERE ARE FOLKS SIGNED UP.**

**REGULAR AGENDA**

**PUBLIC AFFAIRS - 9:30 am**

*mole-du-vag. tell  
- DAVIO can you how to  
pronounce*

**R.1 PRESENTATION by Louanne ~~Moldovan~~ to Board of Commissioners and Lillian Shirley, Health Department Director, in Honor of Marcy Sugarman. Louanne Moldovan, Citizen and Lillian Shirley, Health Department Director. (10 min)**

**NON-VOTING ITEM. PRESENTATION & RESPONSE TO BOARD QUESTIONS AND DISCUSSION.**

**COUNTY MANAGEMENT - 9:40 am**

**R.2 RESOLUTION Approving the Transfer of Tax-Foreclosed Property R141935 to Community Vision, ~~Inc.~~ a Non-Profit Corporation, for Low Income Housing Purposes. Presenter: Randy Walruff, Division Director (5 min)**

**MAY I HAVE A MOTION?**

**COMMISSIONER \_\_\_\_\_ MOVES  
COMMISSIONER \_\_\_\_\_ SECONDS  
APPROVAL OF R-2**

**EXPLANATION, RESPONSE TO QUESTIONS  
OPPORTUNITY FOR PUBLIC TESTIMONY  
OPPORTUNITY FOR BOARD COMMENTS**

**ALL IN FAVOR, VOTE AYE, OPPOSED \_\_\_\_?  
THE RESOLUTION IS ADOPTED**

**OR THE MOTION FAILS**



**NON-DEPARTMENTAL – 9:45 am**

**R.3 Board Briefing and Presentation of Multnomah County's Comprehensive Annual Financial Report, Component Unit Financial Reports, and Schedule of Expenditures of Federal Awards for the Year Ending June 30, 2010.** Presenters: Representatives of the Multnomah County Audit Committee including: Steve March, Mindy Harris, Craig Stroud; and Jim Lanzarotta & Kevin Mullerleile from Moss Adams (30 min)

**NON-VOTING ITEM. PRESENTATION & RESPONSE TO BOARD QUESTIONS AND DISCUSSION.**

**NON-DEPARTMENTAL – 10:15 am**

**R.4 Informational Board Briefing on Playworks.** Presenter: Jonathan Blasher, City Executive Director, Playworks Oregon (30 min)

**NON-VOTING ITEM. PRESENTATION & RESPONSE TO BOARD QUESTIONS AND DISCUSSION.**

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**R.5 Public Hearing, 2<sup>nd</sup> Reading & Possible Adoption of an ORDINANCE Amending MCC Chapters 33, West Hills Rural Area Plan, and MCC 35 Amending East of Sandy River Rural Area Plan, the County Comprehensive Plan, Rural Area Plans, Community Plans and Sectional Zoning Maps to Adopt Amendments to the Rural Center Districts for the Burlington & Springdale Communities, Consistent with Division 22, Unincorporated Communities, of the Oregon Administrative Rules.** Presenters: George Plummer, Planner and Joanna Valencia, Transportation Planning Specialist – LUP (10 min)

**COMMISSIONER \_\_\_\_\_ MOVES**

**COMMISSIONER \_\_\_\_\_ SECONDS**

**APPROVAL OF THE SECOND READING AND ADOPTION**

**IF NEEDED EXPLANATION, RESPONSE TO QUESTIONS**

**OPPORTUNITY FOR PUBLIC TESTIMONY**

**OPPORTUNITY FOR BOARD COMMENTS**



ALL IN FAVOR, VOTE AYE, OPPOSED\_\_\_\_?

THE SECOND READING IS APPROVED AND THE ORDINANCE IS ADOPTED

OR THE MOTION FAILS

BOARD COMMENT – 10:55 am

BC.1 Opportunity as time allows, for the Commissioners to provide comment on non-agenda items.

DONT READ ALOUD  
CHAIR READS THIS  
SOMETIMES OTHER TIMES  
HE DOESN'T

Do we have any Board comments today?

ADJOURNMENT – 11:00 am

THERE BEING NO FURTHER BUSINESS, THE MEETING IS ADJOURNED.





**MULTNOMAH COUNTY  
OREGON**

## BOARD OF COMMISSIONERS

### FEBRUARY 8 & 10, 2011 BOARD MEETINGS HIGHLIGHTS

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## **BOARD OF COMMISSIONERS**

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### **BOARD COMMENT – 10:55 am**

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### **ADJOURNMENT – 11:00 am**



**MULTNOMAH COUNTY BOARD OF COMMISSIONERS  
PUBLIC TESTIMONY SIGN-UP**

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Please complete this form and return to the Board Clerk

\*\*\*This form is a public record\*\*\*

MEETING DATE: 20th Feb 18 THU

SUBJECT: PROJECT LIS 0930

---

AGENDA NUMBER OR TOPIC: COMMENT

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FOR: \_\_\_\_\_ AGAINST: \_\_\_\_\_ THE ABOVE AGENDA ITEM

NAME: CHARLES OZMSBY (SKIP)

ADDRESS: CLACKAMITS COURT  
170 SW BIRDSTILL ROAD

CITY/STATE/ZIP: PORTLAND OR 97229-8502

PHONE: \_\_\_\_\_ DAYS: \_\_\_\_\_ EVES: 503.636.4483

EMAIL: sentinel skip@gmail.com FAX: \_\_\_\_\_

WRITTEN TESTIMONY: \_\_\_\_\_

Yes

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**IF YOU WISH TO ADDRESS THE BOARD:**

1. Please complete this form and return to the Board Clerk.
2. Address the County Commissioners from the presenter table microphones. Please limit your comments to **3 minutes**.
3. State your name for the official record.
4. If written documentation is presented, please furnish one copy to the Board Clerk.

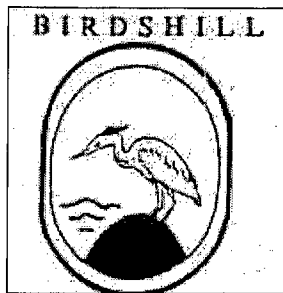
**IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:**

1. Please complete this form and return to the Board Clerk.
2. Written testimony will be entered into the official record.



# Request to Identify Projects and Initiatives wrt Birdshill CPO / NA Locale

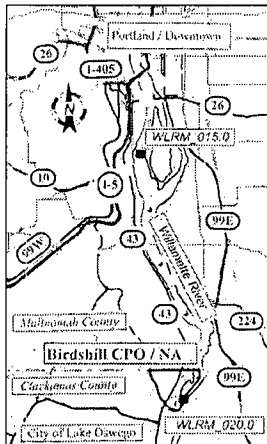
2011 Feb 02 Wednesday 13:00 U [1:00 PM PT]



**Initiated By:**  
Acting Chair of the  
Birdshill CPO / NA

Birdshill CPO / NA  
of Clackamas County (CPO –  
Community Planning Organization)  
and City of Lake Oswego Oregon  
(NA – Neighborhood Association)

2009 – 2010 Officers  
Acting Chair: Charles Ormsby  
Sec / Treas: John Hedlund



## Location:

The Birdshill CPO / NA (area)  
is a joint county and city  
community located on the west  
bank of the Willamette River  
between river miles 019.4  
south to 020.2. This is about  
seven miles south of central  
Portland Oregon and  
immediately north of the City  
of Lake Oswego Oregon in  
Clackamas County.

Google Earth Coordinates  
Intersect: Underhill / Midvale Rds  
045° 25' 46.65" N,  
122° 39' 39.90" W

## Contact Information Birdshill CPO/NA Acting Chair:

Phone: 503.636.4483 Residence  
Mail: Clackamas County – Birdshill Area  
170 SW Birdshill Road  
Portland OR 97219-8052

## Internet Presence – Birdshill CPO / NA

Email: [sentinel@skip@gmail.com](mailto:sentinel@skip@gmail.com) (Please Use)  
Email: [birdshillcpona@gmail.com](mailto:birdshillcpona@gmail.com)  
Website: <http://sites.google.com/site/birdshillcpona>  
Group: <http://group.google.com/group/birdshillcpona>  
YouTube: <http://www.youtube.com/birdshillcpona>

## Attached Files / Cross Referenced Files:

05 – World of Documents Referred to & Hyperlinked

Detail levels, pages, document files and disk space:

Detail Level	No Pages	No Files	Cum Disk Spc [kb-kilobytes]
L1 – Abstract:	2	1	300 kb
L2– Summary:	0	0	0 kb
L3 – Key Docs:	14	2	700 kb
L4 – Total Outline:	0	0	0 kb
L6 – World of Docs:	16	3	1,000 kb

Notes on referenced documents:

1. Files referenced have been posted to above website for download.
2. **Downloaded files require name change to enable hyperlinks.**
3. Files available for at least 30 days from date at top of column.
4. Files also available upon request by email to above address(es).

**GLOSSARY & Terms** – See spreadsheet: Edition Access

Website: <https://sites.google.com/site/or43data01/home/bhdocsalt>

Edition: L1 – Abstract (Only Edition)

Edition Access: L1 – Abstract, L2 – Summary,  
L3 – Key Documents, and L4 – Total Outline

Website for editions: <https://sites.google.com/site/or43data01/home/bhdocsalt>

**Note:** Navigate between most headers by Ctr + mouse click, to follow most links.  
**Note:** CR = Cross Reference – Linked jump to Outline Section & then to endnotes.

## Affected Parties(s):

### Government Levels wrt Birdshill CPO / NA Locale

1. Lev 100 = Federal – Army Core of Engineers and undetermined entities.
2. Lev 080 = State of Oregon – ODOT, TriMet and undetermined entities.
3. Lev 070 = Regional – Metro (Oregon Metro)
4. Lev 060 = County – County of Clackamas and County of Multnomah.
5. Lev 050 = Municipal – City of Lake Oswego and City of Portland.
6. Lev nnn = Service Providers – PGE, NW Natural, Quest, Service Districts.

## 01 – Abstract of Request

Birdshill CPO / NA Bylaws require the annual compilation of a list of projects and initiatives that affect the locale of our community. This request initiates this compilation and process of annual review along with requests of government entities with jurisdiction in and around the area of the Birdshill CPO / NA. That the government entities identify, label, delineate, and describe ALL projects and initiatives that may affect the area of the Birdshill CPO / NA and immediate locale along with residents. Two items in this process are most important: First is a contact, with phone, and email services that have both current and historical knowledge of the project or initiative. Second are methods to trace the project or initiative to source documents that can be monitored over time. The attached maps on the next page identify the locale and regional context.

## 02 – Summary of Documents & Impact

Birdshill CPO / NA Bylaws Ver 6.09,  
Ratified by Membership: 2009 Mar 18 Wednesday  
Approved by Clackamas County: 2009 Jun 16 Tuesday  
Approved by City of Lake Oswego: 2009 Jul 21 Tuesday

*“Article II – Principles of Operation*

*Section 4 – Issues and Consultation With Members*

*In order to assure early and continued public involvement. With adequate time for citizen notification, study, and formulation of actions in all aspects of participation in governance that may affect both the area and residents of the Birdshill CPO / NA. The Board shall:*

1. *Communicate with leaders at multiple levels of governance, community groups, and area service providers and ascertain what issues that may consist of projects, programs, and initiatives that will affect the area of the Birdshill CPO / NA and members within the coming year.*
2. *Develop an Annual Report itemizing, identifying, labeling, delineating, and describing in summary form items ascertained in item 1 above.*
3. *Deliver or make available the Annual Report developed in item 2 above to the membership of the Birdshill CPO / NA, no later than the Monday following Labor Day each year.*
4. *Consult with the membership before making recommendations about neighborhood improvements.”*

## 03 – Key Documents

03.01 Birdshill CPO / NA Bylaws

Site: <http://www.ci.oswego.or.us/plan/Neighborhoods/default.htm>

File: [BYLW\\_BHCN\\_RTFD\\_0609\\_2009\\_04Apr\\_30Th\\_0900U.pdf](#)

03.02 Birdshill CPO / NA Schema of Government Levels

Site: <https://sites.google.com/site/or43data01/home/bhdocsalt>

File: [LIST\\_BHCN\\_Scheme\\_Gov\\_Lev\\_2011\\_02Feb\\_01Tu\\_1500U.pdf](#)

## 04 – Total Outline of Documents

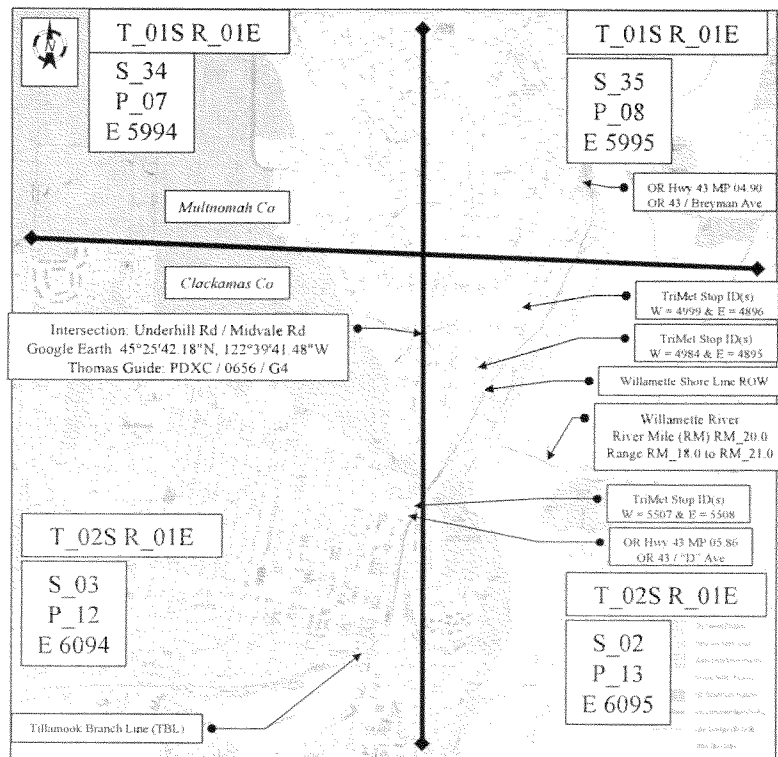
No documents outlined.

## 05 – World of Documents Referred to & Hyperlinked

See Section 03 – Key Documents above.



## Birdshill CPO / NA Locale



### Area of Project / Initiatives wrt Birdshill CPO / NA

Date: 2011 Feb 02 Wednesday 13:00 U (1:00 PM PT)

Author: Charles Ormsby (Skip)

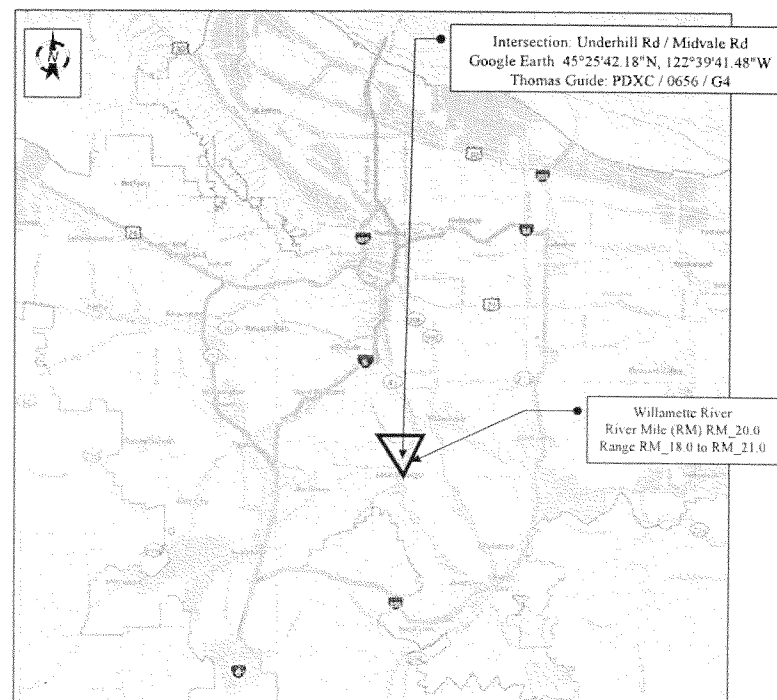
Email: or sentinel skip@gmail.com

Source:

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## Birdshill CPO / NA and Regional Context



### Regional Context of Project / Initiatives wrt Birdshill CPO / NA

Township 01S, Range: 01E, Sections 34 and 35

Township 02S, Range: 01E, Sections 02 and 03

Date: 2011 Feb 02 Wednesday 13:00 U (1:00 PM PT)

Author: Charles Ormsby (Skip)

Email: or sentinel skip@gmail.com

Source:

Metro 2035 RTP (Regional Transportation Plan)

page 41 of 141, Figure 5 Map of the Portland region and TSM (Transportation System Management) investments in 2008

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# MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST

(revised 08/02/10)

## Board Clerk Use Only

Meeting Date: 2/8/2011  
Agenda Item #: B-1  
Est. Start Time: 10:00 a.m.

**Agenda Title:** Informational Board Briefing on Education and Early Childhood System of Care and Funding Sources

*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: 2/8/11 Amount of Time Needed: 1 hour  
Department: Non-Departmental Division: District 1  
Contact(s): Beckie Lee  
Phone: 988-6796 Ext. 86796 I/O Address: 503/6  
Presenter Name(s) & Title(s): Joshua Todd, Kathy Tinkle, Karl Brimner, Lillian Shirley

## General Information

1. What action are you requesting from the Board?  
Informational Board briefing.
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.

The County has a variety of systems of care that are funded with a mix of state, general, and federal funds. In preparation for the 2011 Legislative Session and the FY11-12 Budget, the Board is requesting a set of work sessions that focus on the systems of care and their funding streams. The Board should be able to walk away from these work sessions with an understanding of systems of care including what programs are state funded and where and how county funding is used. In addition, the Board should have a good understanding of how and where these systems are vulnerable to state cuts.

3. Explain the fiscal impact (current year and ongoing).  
None.
4. Explain any legal and/or policy issues involved.

Agenda Placement Request  
Submit to Board Clerk



None.

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

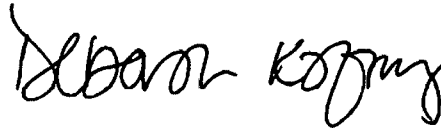
None.

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**Required Signature**

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**Elected Official or  
Department/  
Agency Director:**



**Date:** 12/30/10

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**Agenda Placement Request  
Submit to Board Clerk**



Multnomah County Commission on Children, Families & Community

# EARLY CHILDHOOD FRAMEWORK

**A Community Tool to Help Plan and Coordinate Initiatives  
for Young Children and their Families**



**Early Childhood Vision: All children develop to their full potential**

## GUIDING PRINCIPLES

- Everyone in the community has a role in nurturing young children.
- Young children's needs are met primarily through their families; formal and informal systems that build on family strengths have the best opportunity to promote success.
- This framework is for all families and all children within our diverse community.

## GOALS

- Children benefit from developmentally appropriate active learning opportunities.
- Parents and families have the ability and support they need to nurture their children.
- Children develop social and emotional bonds and skills to support their continuing mental health.
- Children are physically healthy and grow to their full potential.
- The formal system provides the support that children and families need for success.



## Definitions Used in this Framework

In this document, we intend to speak simply yet broadly, to represent the diversity of our community:

**Parent:** a person with primary responsibility for a nurturing, housing and raising a child.

**Family:** the constellation of people who share a bond in raising a child – including biological, adoptive, step and foster parents, grandparents, relatives, extended families, etc.

**Community:** informal groupings of family, friends, neighbors; faith and cultural communities; and the community at large.

## The Framework Structure

This document incorporates thoughts and suggestions received from Early Childhood Council members and community groups into a short set of goals, desired outcomes and key strategies. A Summary of this Framework is also available as a brochure-style folded page. Terms used here include:

**Goals:** Where do we want to go? What do we want to accomplish? What will be the result if we succeed?

**Desired Outcomes:** What are the key results that, if accomplished, will achieve the goal? Desired outcomes may be thought of as “mini-goals” that, taken together, move toward a goal.

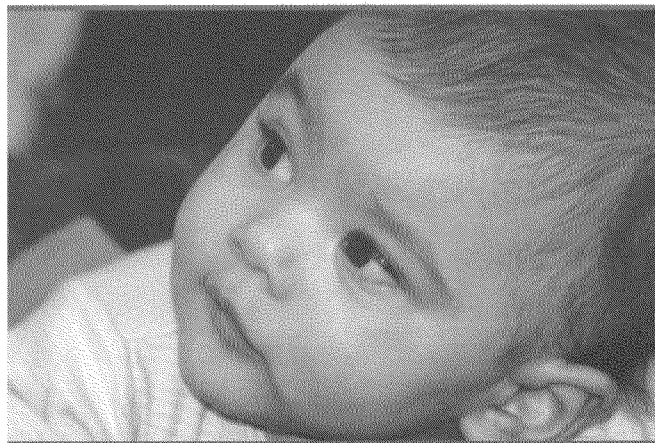
**Strategies:** How do we get from here to there? Which strategies are most needed over the next 6 years to achieve these goals and outcomes? The prior goal of strengthening high risk families, and the State’s category of Parent Education, are now distributed among every column.

Not every strategy that will be needed to reach these goals could be incorporated into this document. The Early Childhood Council thus urges readers to remember that an effective system for nurturing the youngest members of our community will require the efforts of many people working in many sectors. Not only parents and families are involved, or people working in health, human service and education fields, but also neighbors, voters, business owners and the many others who will benefit from having a healthy and capable new generation among us.

## Common Themes

A number of themes emerged from the input received. These are highlighted here for extra attention.

- Serving young children involves serving parents and families; children thrive when families thrive also.
- Readily available, comprehensive, centralized information is needed across this Framework.
- Services should be provided where families and children are located, at times convenient for families, and in the family’s own language.
- Home visiting is needed after each child’s birth to provide parenting education, and screen for risks and needs.
- Coordination among formal and informal supports is needed at the family level, allowing the family to participate as partners.
- Support is needed to help children and families through major transitions, especially from early care to school, from high school to higher education, and from teen to adult services.
- Early Care and Education is used to include: all child care (at home, in home care settings, or at centers); Head Start; early intervention; day treatment; pre-kindergarten; pre-school; and all settings in which young children are cared for and encouraged in their development.
- Child Development includes all areas of the young child’s development, including physical, social/emotional, and brain development.





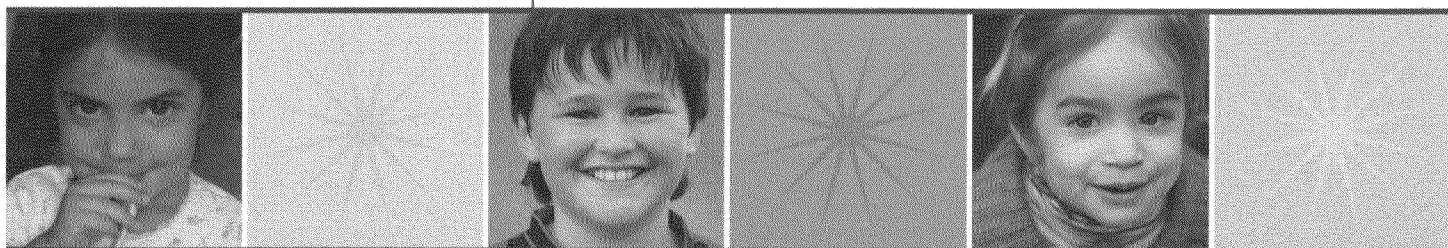
# Early Childhood Vision: All children develop to their full potential

The following goals and outcomes apply to all children and families, including those with unique challenges. All outcomes are important and are not listed in priority order.

## EARLY CARE AND EDUCATION

**GOAL: All children benefit from developmentally appropriate active learning opportunities.**

Desired Outcomes	Representative Strategies over next 6 years to achieve these Outcomes
1. People have the knowledge and ability to support a child's early learning.	<ul style="list-style-type: none"> <li>• Offer parenting classes to complement early care and education programs (e.g. child care, Head Start).</li> </ul>
2. Parents and families are recognized as their child's first teachers, and actively participate in their child's education.	<ul style="list-style-type: none"> <li>• Build in parent participation and partnership in early care and education programs.</li> <li>• Help families support their child's early literacy and early learning.</li> </ul>
3. Quality child care that is safe, healthy and developmentally appropriate is provided across the continuum, from family through formal settings.	<ul style="list-style-type: none"> <li>• Design appropriate strategies to encourage quality in all kinds of child care settings: centers; home-based care; and family, friend and neighbor care.</li> <li>• Increase nurse, mental health and specialized consultation in all types of child care settings, to promote quality care for all children, including children with unique challenges.</li> <li>• Expand child care provider networks.</li> </ul>
4. Families are able to obtain accessible, affordable, quality child care.	<ul style="list-style-type: none"> <li>• Provide realistic incentives for child care providers to offer part-time and non-traditional hours for working families.</li> <li>• Create more child care subsidies, so that families spend no more than 10% of their income on child care.</li> </ul>
5. Child care providers have the skills and resources to achieve positive child development.	<ul style="list-style-type: none"> <li>• Increase knowledge and abilities of all child care providers, especially home based providers, about child development, social emotional needs, health issues, activities, safety, working with children with unique challenges, etc.</li> <li>• Increase accessibility of formal training for child care providers and tie to college credit.</li> </ul>
6. The child care profession offers stable jobs with living wages, supporting continuity of care for children.	<ul style="list-style-type: none"> <li>• Work with funding sources/policy makers to secure stability and living wages, and tie wage enhancements to additional training.</li> </ul>
7. Schools support a coordinated, systematic transition from home and early childhood programs to school.	<ul style="list-style-type: none"> <li>• Schools partner with early childhood programs in preparing for kindergarten transition.</li> <li>• Deliver programs such as parent child development services in partnership with elementary schools.</li> <li>• Elementary schools sponsor family activities to draw young children and their families into the school environment.</li> </ul>
8. Children begin schooling ready to succeed, and make age-appropriate progress in their education.	<ul style="list-style-type: none"> <li>• Improve the quality of information on school readiness by having kindergarten teachers complete a kindergarten readiness survey for all children.</li> </ul>

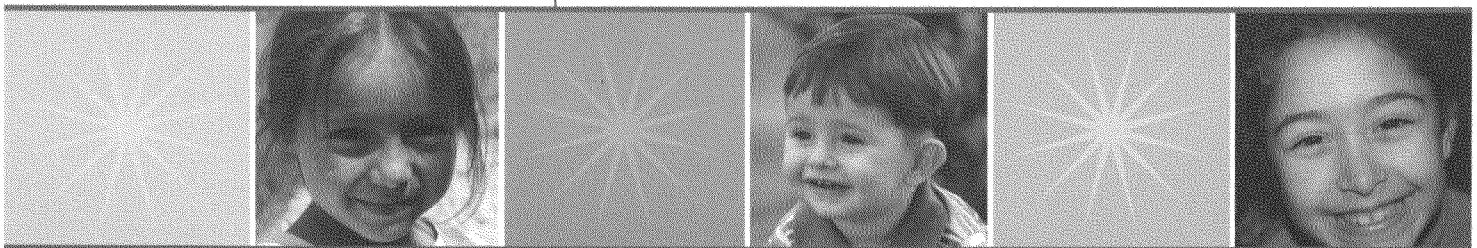




# FAMILY SUPPORT

**GOAL: All parents and families have the ability and support they need to nurture their children.**

Desired Outcomes	Representative Strategies over next 6 years to achieve these Outcomes
1. People have the knowledge and ability to create a healthy family, given their own culture and values.	<ul style="list-style-type: none"> <li>• Advertise more widely the 211 information line to assure all families have access to information to meet their basic needs.</li> <li>• Provide readily available information on parenting – from prenatal through childhood – to all families through a variety of sources (phone, web, classes).</li> <li>• Deliver services in ways that are specific to diverse communities' comfort levels.</li> <li>• Provide nurse home visits for all parents in the first 6 weeks after each child's birth for education and identification of additional needs.</li> <li>• Include independent living and parenting education in school curricula.</li> </ul>
2. Families have economic well-being and financial stability.	<ul style="list-style-type: none"> <li>• Offer financial education and peer support groups for people to learn about creating financial stability and remove barriers to accessing financial services.</li> <li>• Support parents to succeed in their education by providing: information about options, scholarships, child care, coordination, mentors.</li> <li>• Support a successful transition between high school and higher education.</li> <li>• Remove barriers to saving and encourage all families to save money.</li> </ul>
3. Families have access to basic needs, including: <ul style="list-style-type: none"> <li>• living wage employment;</li> <li>• adequate nutrition;</li> <li>• affordable, stable, decent housing;</li> <li>• affordable, reliable transportation.</li> </ul>	<ul style="list-style-type: none"> <li>• Encourage employers to provide living wage employment.</li> <li>• Increase supply of affordable, appropriate, stable housing that is available over a range of family incomes.</li> <li>• Increase supply of subsidized housing and housing vouchers.</li> </ul>
4. Families have access to community resources and informal supports that help build stable and healthy families.	<ul style="list-style-type: none"> <li>• Reduce isolation by helping families build connections through informal supports and/or peer groups.</li> <li>• Provide community resources and services in locations where families live and in other natural settings.</li> <li>• Support parents through social events that increase community connections and positive parent child interaction.</li> </ul>
5. Children experience safety in their families and neighborhoods.	<ul style="list-style-type: none"> <li>• Provide all families, employers and professionals with information on recognizing and preventing domestic violence and child abuse and neglect.</li> <li>• Expand programs for prevention and intervention with substance abuse, domestic violence, and child abuse and neglect.</li> </ul>
6. Employers have policies and practices that support families.	<ul style="list-style-type: none"> <li>• Partner with businesses and associations to encourage programs that provide strong family support (e.g. Earned Income Tax Credit, 211, child care, parental and medical leave policies, breastfeeding-friendly policies, employee assistance, and employee savings plans).</li> </ul>

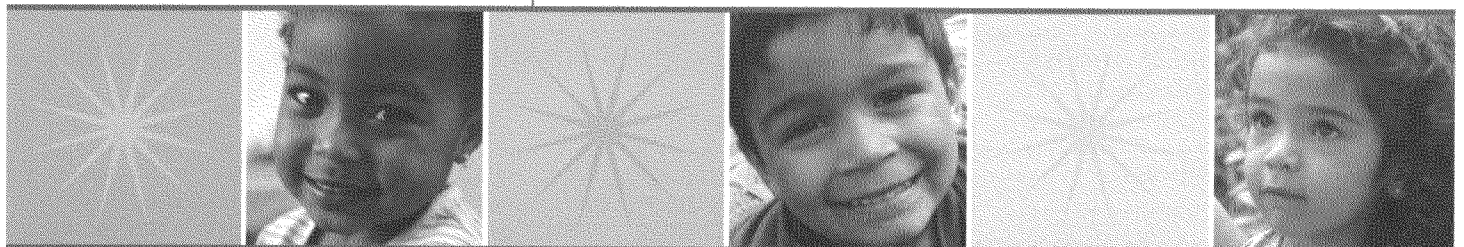




# SOCIAL EMOTIONAL DEVELOPMENT

**GOAL: All children develop social and emotional bonds and skills to support their continuing mental health.**

Desired Outcomes	Representative Strategies over next 6 years to achieve these Outcomes
1. People have knowledge of the stages of child and human development.	<ul style="list-style-type: none"> <li>• Increase parent knowledge of healthy child development, and age appropriate expectations and activities.</li> <li>• Incorporate child development into middle and high school curricula.</li> <li>• Incorporate child and human physical and social/emotional development into core competencies in health and human service jobs.</li> <li>• Create a workforce well-trained in infant, toddler and preschool mental health and best practices for young children and their families.</li> </ul>
2. All people in a child's life contribute to the child's healthy social and emotional development.	<ul style="list-style-type: none"> <li>• Conduct a public service campaign to promote the idea that community investment in a child's social/emotional development is time and money well spent.</li> </ul>
3. Each child forms stable, positive relationships with their parents, family and community.	<ul style="list-style-type: none"> <li>• Research and implement successful intervention strategies to break the cycle of intergenerational transmission of child abuse, neglect, and/or family violence.</li> </ul>
4. Families have access to community resources and informal supports that help build stable and healthy families.	<ul style="list-style-type: none"> <li>• Provide easily accessible, centralized information on early childhood and family resources by phone (e.g. 211 Info), and by searchable websites.</li> <li>• Provide adequate, appropriate services, delivered when and where families need them.</li> <li>• Involve families in determining the types of services they will receive.</li> <li>• Help families navigate systems, e.g. with family peer mentors.</li> </ul>
5. Families with challenges or risks are identified and receive needed services.	<ul style="list-style-type: none"> <li>• Adopt a developmental screening tool to be used consistently by community providers to increase the number of children screened.</li> <li>• Provide pre-intervention services for children who have a social or emotional development issue, but don't qualify for other programs.</li> <li>• Increase mental health consultation and services in partnership with other system of care providers (e.g. child care).</li> </ul>
6. Children are protected from, or helped to overcome, the effects of abuse, neglect, and trauma.	<ul style="list-style-type: none"> <li>• Provide all families and professionals with information on recognizing and preventing child abuse, neglect and childhood trauma, enhancing safety for each child; train clinicians in assessment and intervention.</li> <li>• Expand prevention, intervention and services for child abuse, neglect and childhood trauma by providing parent support networks, community education campaigns, universal parent education, free community events and activities and direct support programs such as drop-in respite centers, as well as substance abuse and domestic violence services.</li> <li>• Encourage early childhood programs to ask families when enrolling about whether they want support relating to stress or trauma.</li> <li>• Provide information to families about what children can and cannot cope with in terms of stress.</li> </ul>
7. Children develop problem solving, social and communication skills, and have an optimistic view of their future.	<ul style="list-style-type: none"> <li>• Make social/emotional skill development a top priority in homes, childcare and educational settings, in order to prepare children for successful learning.</li> </ul>





# HEALTH AND WELLNESS

**GOAL: All children are physically healthy and grow to their full potential.**

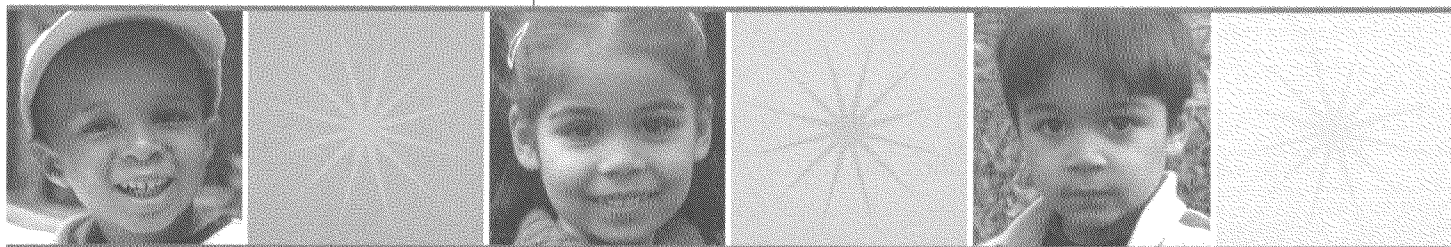
Desired Outcomes	Representative Strategies over next 6 years to achieve these Outcomes
1. People have the knowledge and ability to achieve health and wellness for themselves and for their children.	<ul style="list-style-type: none"> <li>• Provide readily available information on health and wellness to all families through their primary health care providers, as well as other sources (phone, web, classes).</li> <li>• Provide training for families at no cost on prenatal development, infant care and child development.</li> <li>• Expand hospital Welcome Baby visits to new parents to identify risks, strengthen families, and link families to services.</li> <li>• Go to families where they are, such as through home visiting programs, to provide parenting education and address other family needs.</li> </ul>
2. Families have access to comprehensive, culturally competent and coordinated health, dental and social services.	<ul style="list-style-type: none"> <li>• Provide universal access to health and dental coverage for every child and adult.</li> <li>• Encourage all families to have a consistent health care provider.</li> <li>• Provide youth access to health care through school clinics.</li> <li>• Health care providers actively work with the family and other service systems to assure linkage, coordination and follow-up.</li> </ul>
3. Children are born healthy.	<ul style="list-style-type: none"> <li>• Assure all pregnant women receive adequate prenatal care.</li> </ul>
4. Children receive adequate health care.	<ul style="list-style-type: none"> <li>• Provide readily available information to families on when and where to obtain well-child care, and how to recognize other times to seek care, such as for illness, or guidance on child developmental.</li> </ul>
5. Children have the nutrition and exercise for healthy development.	<ul style="list-style-type: none"> <li>• Create consistent messages regarding healthy children across service systems so that parents get the same messages about nutrition, physical activity and wellness, especially on local language-specific radio.</li> <li>• Provide readily available nutrition, health and meal preparation classes for parents.</li> <li>• All programs for children include physical activity and provide healthy snacks (e.g. child care, services and schools).</li> <li>• Increase access to community physical activities and play parks for children.</li> </ul>
6. Families with challenges or risks are identified and receive needed services.	<ul style="list-style-type: none"> <li>• Adopt a developmental screening tool to be used consistently by community providers to increase the number of children screened.</li> <li>• Health providers routinely conduct developmental screening for all children seen, and follow through with coordination of referrals and services.</li> <li>• Provide home visiting to families with identified risks or challenges, for follow-up, coordination of services and education and strengthening the family.</li> </ul>
7. Families have access to services that support healthy physical, mental and emotional behaviors.	<ul style="list-style-type: none"> <li>• Increase awareness among providers that health and mental health are linked, and that both should be addressed concurrently.</li> <li>• Provide readily available alcohol and drug and mental health information and treatment, and link with health care providers.</li> <li>• Reduce barriers to successful treatment (e.g. homelessness, waiting lists, institutional bias, lack of appropriate diagnosis) and increase supports for recovery.</li> </ul>
8. Health practitioners link families to needed services and support.	<ul style="list-style-type: none"> <li>• Connect health care providers to early childhood settings and elementary school.</li> <li>• Health care providers all receive training on early child development.</li> </ul>
9. Environments for children are healthy and hazard-free.	<ul style="list-style-type: none"> <li>• Increase screenings in child care settings and family homes for substances that impact children's health and development, e.g. lead, asthma triggers.</li> </ul>



# EARLY CHILDHOOD SYSTEM

**GOAL: The formal system provides the support that all children and families need for success.**

Desired Outcomes	Representative Strategies over next 6 years to achieve these Outcomes
1. Every sector of the community is engaged in supporting families with young children.	<ul style="list-style-type: none"> <li>• Develop a public information message that it is cost-effective to support young children, i.e. "invest early or invest often."</li> </ul>
2. Families are involved in decisions about services and systems.	<ul style="list-style-type: none"> <li>• Design ways to involve family representatives on advisory councils and decision-making boards.</li> </ul>
3. The early childhood system of care and education addresses the full spectrum of child and family needs, challenges and risks.	<ul style="list-style-type: none"> <li>• Design ways to involve communities in planning about the programs and services they need and how these will be delivered.</li> </ul>
4. Programs and resources have the capacity to meet community needs, and are available to meet the needs of families of any background.	<ul style="list-style-type: none"> <li>• Adequately fund 211, so that county residents have full access to information about needed services.</li> <li>• Adequately fund elements of the early childhood system of care and education, so that services are available when needed.</li> </ul>
5. Programs are respectful of families and their needs and cultural identity.	<ul style="list-style-type: none"> <li>• Providers successfully serve families of multiple cultures and languages, e.g. through use of bicultural/same culture staff, and respond to changing populations.</li> </ul>
6. Planning, implementation and delivery of services are well-coordinated among system partners.	<ul style="list-style-type: none"> <li>• Design systems so that all early childhood services are integrated around the child and family in a single plan.</li> </ul>
7. The highest quality of services as we understand them today are used across the system of care.	<ul style="list-style-type: none"> <li>• Universities and community colleges expand their mission of recruitment and training of high quality teachers, social workers, and all kinds of early childhood education and service providers.</li> <li>• Continue collaborative education and multi-disciplinary cross-training across all service systems, including public safety, social services, education and health.</li> </ul>





## How this Framework was developed

Growing out of work envisioned in 2000 by a group formed by County Commissioner Lisa Naito, Portland Commissioner Dan Saltzman and Gresham Mayor Charles Becker, the first version of this Framework was developed by the Early Childhood Council of the Multnomah County Commission on Children, Families and Community (CCFC) and adopted by the Multnomah County Board in 2001.

In 2006, the State's Early Childhood Team led development of Oregon's Early Childhood Comprehensive Systems Plan, a broad vision of the strategies needed to "equip young children for school, work and life."

Given the many changes occurring within the early childhood field, the Early Childhood Council (ECC), a standing committee of the CCFC, undertook this amendment of the Framework to align goals with the State Plan, and update desired outcomes and strategies. Input on these proposed changes was obtained from a variety of groups and at a public meeting in fall 2007 before final adoption by the ECC and CCFC.

The next phase of this project will be for early childhood organizations and family representatives to collaboratively develop implementation strategies, partnerships and action plans that move us forward toward these goals.



**MULTNOMAH  
COUNTY**

## JOIN US!

Contact the Commission on Children, Families and Community

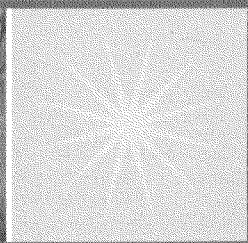
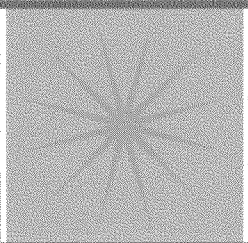
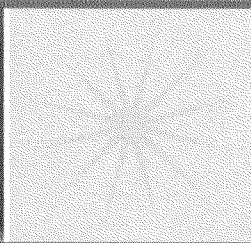
421 SW Oak St. Suite 200, Portland, OR 97204

503.988.4502

or go to [www.ourcommission.org](http://www.ourcommission.org)

**The Early Childhood Council has sub-committees for our four goals:**

Early Care and Education, Family Support, Social/Emotional Development, and Health and Wellness. These committees are open and welcome your participation.





## Education and Early Childhood Framework

### Early Care and Education-

**Goal:** All children benefit from developmentally appropriate active learning opportunities.

### Family Support-

**Goal:** All parents and families have the ability and support they need to nurture their children.

### Social Emotional Development-

**Goal:** All children develop social and emotional bonds and skills to support their continuing mental health.

### Health and Wellness-

**Goal:** All children are physically healthy and grow to their full potential.

### Early Childhood System-

**Goal:** The formal system provides the support that all children and families need for success.

### School Age Services-

**Goal:** All children have the educational, recreational, social and health services to achieve educational success and lifelong self-sufficiency.

Health	40013A Early Childhood Services for First Time Parents			
	40013B Early Childhood Services for High Risk Prenatal, Infants & Children			
	40014 Immunizations			
	40018 Women, Infants and Children (WIC)			
	40024 School Based Health Centers			
	40017 Dental Services			
DCHS- Mental Health and Addiction	25067 Community Based MH Services for Children and Families			
	25070 Bienestar Mental Health and Addiction Services			
	25075 School Based Mental Health Services			
DCHS- SUN Service System	25145 SUN Community Schools			
	25147 Child and Family Hunger Relief			
	25149 Social and Support Services for Education Success			
	25151 Parent Child Development Services			
	25154 Alcohol, Tobacco and Other Drug Services			
	25155 Services for Sexual Minority Youth			
CCFC	10008 NonD- Commission on Children, Families & Community			
	10009 NonD- Commission on Children, Families & Community			





# MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST

(revised 08/02/10)

## Board Clerk Use Only

Meeting Date: 2/8/2011  
Agenda Item #: B-2  
Est. Start Time: 11:00 a.m.

**Agenda Title:** **Informational Board Briefing on Juvenile System of Care and Funding Sources**

*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: 2/8/11 Amount of Time Needed: 1 hour  
Department: Non-Departmental Division: District 1  
Contact(s): Beckie Lee  
Phone: 988-6796 Ext. 86796 I/O Address: 503/6<sup>th</sup>  
Presenter Name(s) & Title(s): Scott Taylor, Kathy Tinkle, Karl Brimmer

## General Information

**1. What action are you requesting from the Board?**

Informational Board briefing.

**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.**

The County has a variety of systems of care that are funded with a mix of state, general, and federal funds. In preparation for the 2011 Legislative Session and the FY11-12 Budget, the Board is requesting a set of work sessions that focus on the systems of care and their funding streams. The Board should be able to walk away from these work sessions with an understanding of systems of care including what programs are state funded and where and how county funding is used. In addition, the Board should have a good understanding of how and where these systems are vulnerable to state cuts.

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

None.

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

Agenda Placement Request  
Submit to Board Clerk



None.

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

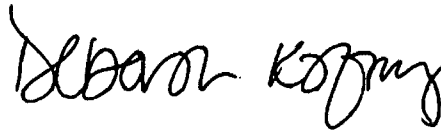
None.

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**Required Signature**

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Elected Official or  
Department/  
Agency Director:



Date: 12/30/10

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**Agenda Placement Request  
Submit to Board Clerk**





**Department of Community Justice**  
**MULTNOMAH COUNTY, OREGON**

**Juvenile Services Division**

1401 NE 68<sup>th</sup> Avenue  
Portland, OR 97213

**Principles of Effective Juvenile Justice Interventions**

Correctional research supports several principles for effective offender interventions. These eight principles of "evidence-based policy and practice" are adapted from *Juvenile Delinquency Guidelines: Improving Court Practice in Juvenile Delinquency Cases*, a joint effort of the National Council of Juvenile and Family Court Judges and Office of Juvenile Justice and Delinquency Prevention. They are listed below in developmental sequence.

**Assess Actuarial Risk/Needs** - Assessing offenders' risk and needs (focusing on dynamic and static risk factors and criminogenic needs) at the individual and aggregate levels is essential for implementing the principles of best practice.

**Enhance Intrinsic Motivation** - Research strongly suggests that "motivational interviewing" techniques, rather than persuasion tactics, effectively enhance motivation for initiating and maintaining behavior changes

**Target Interventions:**

- **Risk Principle** - Prioritize supervision and treatment resources for higher risk offenders.
- **Need Principle** - Target interventions to criminogenic needs.
- **Responsivity Principle** - Be responsive to adolescent development, temperament, learning style, motivation, gender, and culture when assigning to programs.
- **Dosage** - Structure 40% to 70% of high-risk offenders' time for 3 to 9 months.
- **Treatment Principle** - Integrate treatment into full disposition/sanctions requirements.

**Skill Train with Directed Practice** - Provide evidence-based programming that emphasizes cognitive-behavior strategies and is delivered by well-trained staff.

**Increase Positive Reinforcement** - Apply four positive reinforcements for every one negative reinforcement for optimal behavior change results.

**Engage Ongoing Support in Natural Communities** - Realign and actively engage pro-social support for offenders in their communities for positive reinforcement of desired new behaviors.

**Measure Relevant Processes/Practices** - An accurate and detailed documentation of case information and staff performance, along with a formal and valid mechanism for measuring outcomes, is the foundation of evidence-based practice.

**Provide Measurement Feedback** - Providing feedback builds accountability and maintains integrity, ultimately improving outcomes.



# ***Oregon's Juvenile Justice System***

What Every County  
Commissioner Should Know



## ***ORS 419C.001 Purposes of Juvenile Justice System***

In delinquency cases, the purposes of the Oregon juvenile justice system from apprehension forward are:

- to protect the public and reduce juvenile delinquency; and
- to provide fair and impartial procedures for the initiation, adjudication and disposition of allegations of delinquent conduct.

The system is founded on the principles of personal responsibility, accountability and reformation within the context of public safety and restitution to the victims and to the community.

The system shall provide a continuum of services that emphasize prevention of further criminal activity by the use of early and certain sanctions, reformation and rehabilitation programs and swift and decisive intervention in delinquent behavior.



## ***ORS 419A.050 Juvenile Detention***

- Any county may acquire in any lawful manner, equip and maintain within the county suitable facilities for the shelter or detention of children, wards, youths and youth offenders confined pursuant to a judicial commitment or order pending final adjudication of the case by the juvenile court
- The juvenile court of each county shall designate the place or places in which children, wards, youths or youth offenders are to be placed in detention or shelter care when taken into temporary custody
- Juvenile Detention facilities are subject to the standards and specifications found in ORS 169.740 and 419A.052
- Juvenile offenders may not be housed within sight and sound of adults who may be detained in the same facility



## ***State Funding Streams***

- **OYA Diversion** - Funds services aimed at diverting higher risk youth from commitment to state youth correctional facilities.
- **Juvenile Crime Prevention-Basic Services** – Funds help counties prevent juvenile recidivism by providing probation supervision, treatment, detention, shelter, and graduated sanctions, etc.
- **Juvenile Crime Prevention** – Funds are targeted toward intervening with youth exhibiting one or more identified delinquency risk factors – without intervention this would lead to imminent or increased involvement in the juvenile justice system.
- **Multnomah Youth Gang Intervention** – Funds are only allocated to Multnomah County and in DCJ go toward provision of probation supervision and contracted services through culturally specific providers. A portion of the funding is earmarked for the East Multnomah Gang Enforcement Team (EMGET) a multi-jurisdiction effort aimed at gang suppression.

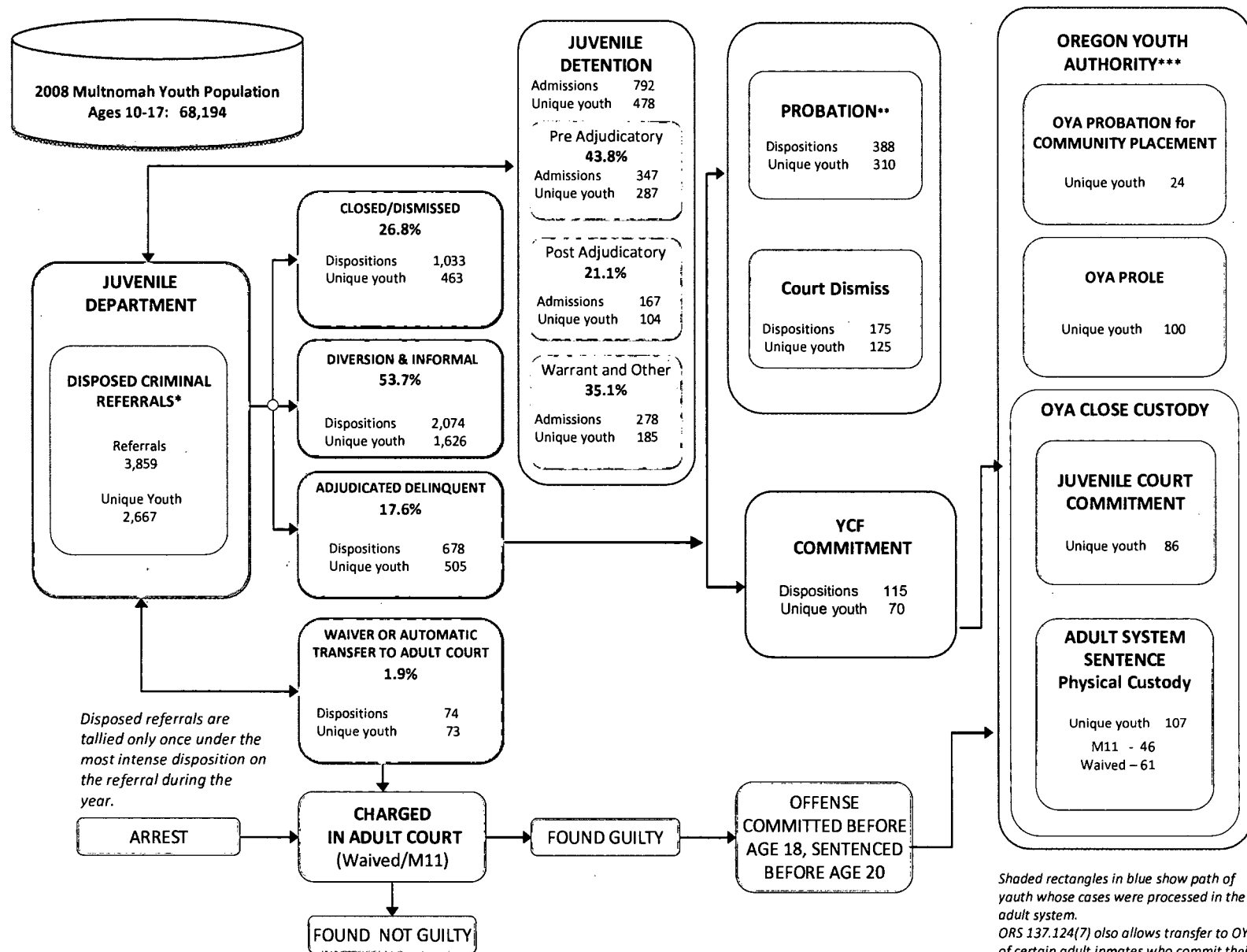


## ***SB 267 – Evidence Based Practice***

- ORS 185.515-525 – Mandates that certain state-funded programs use treatment practices shown by research to reduce the risk of recidivism (commission of a new crime)
- Agencies (including juvenile departments) are required to demonstrate that 75% of state funds received are spent on evidence-based practices, as of 2009-11
- State funds allocated to Multnomah County are directed to services shown to reduce the risk of recidivism – 80% fund evidence-based treatment and culturally specific services



# Multnomah County CY 2009 Disposed Referrals (Criminal Referrals Only)



\* Criminal = Felony & Misdemeanor. Disposed Referrals may have been received prior to the beginning of the year.

\*\* Include a few probation dispositions assigned to DHS or OYA

\*\*\* Based on the snapshot data reported by OYA in December 2009, a good estimate of average daily population.





# Multnomah County Juvenile Detention

## About JDH:

The Donald E. Long Juvenile Detention Home (JDH) was rebuilt in 1995 as a safe and secure setting to detain youth ages 12 – 17. The facility is staffed 24 hours per day, 7 days weekly. JDH maintains a staff-to-youth ratio of 1:8, with 16 youth in each unit. In 2009, 755 youth were screened for admission and 478 were admitted. The average length of stay per youth is 14 days but the range can run anywhere between 1 to 260 days.

## Profiles of Detained Youth:

On an average day, there are 5 active units at JDH with a daily population of 64 youth. The average age of a youth is 16 years. While most detained youth are male (78%), the female population (22%) fluctuates regularly. Approximately 67% of admitted youth belong to a racial or ethnic minority.

## Funding Sources:

JDH is a regional facility. Currently, Washington and Clackamas County each lease 18 beds. Both counties contributed funding to the construction of the facility and are guaranteed access to bed leases. JDH relies solely on county funding as no state general funds are used to operate or maintain the facility.

## Services Available:

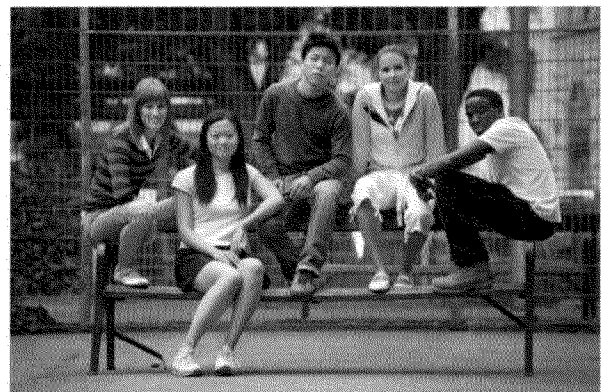
Many youth who are placed in detention arrive in crisis and frequently require wraparound services. JDH offers mental health screening and counseling on-site, six days per week with a multi-disciplinary team. All youth receive basic health services including screening for sexually-transmitted diseases and domestic violence exposure. Our educational programming allows youth to continue their educational pursuits throughout their stay in detention. Weekly cognitive skills groups as well as drug and alcohol groups are offered for detained teens struggling with addiction issues. In addition, an 18-bed secure residential substance abuse treatment program (RAD) occupies space at JDH.

## Commitment to Public Safety:

JDH provides a vital public safety response when youth are involved in a serious crime. In accordance with county policy, JDH automatically detains youth awaiting a court date for charges of homicide, rape, burglary, class A and B felonies. JDH takes gun possession and gun violence very seriously. With regards to firearms, Multnomah County detention policy is actually stronger than current Oregon state law. Youth brought to Multnomah County detention with firearm possession charges will be held in detention at least until they appear before a judge in court.

## Impact of Measure 11:

On any given day at JDH, about 60% of detained Multnomah County youth are being held on a Measure 11 charge. In 2008, the Multnomah County Board of Commissioners voted unanimously to pass a resolution designating JDH as the presumptive placement for youth being housed pretrial for Measure 11 offenses. The Measure 11 population fluctuates but averages around 20 per day. The average age of a Measure 11 youth is 16 years and 87% are male. Approximately 75% of Measure 11 youth belong to a racial or ethnic minority.



For more information, please visit our website:

<http://web.multco.us/dcj-juvenile>





## Performance Benchmarks:

- The number of youth being placed on room-lock status has fallen from 266 (2007) to 124 (2010).
- The use of physical restraints has dropped by 50% since 2007.

## Evidence-based Practices at JDH:

The Donald E. Long Juvenile Detention Home is committed to offering evidence-based practices (EBP) throughout its operations and interventions with detained youth. Our staff are continually researching what experts consider to be the most promising and effective practices for juvenile detention services. Our commitment to excellence has led us to implement many EBPs, including:

- Cognition groups that correct anti-social thinking and promote pro-social attitudes;
- Behavior Management System in which youth are supported in choosing pro-social behaviors;
- Series of validated risk assessment tools for monitoring and sorting our population;
- Highly structured daily regimen that fully engages detained youth.

## Time Spent in Detention:

### Typical Day for Youth in Detention

7:30am	Youth wake to begin their day.
8:00am	Breakfast service from a kiosk in the common area where youth are encouraged to recycle and use the compost receptacles. Youth complete personal hygiene activities and morning chores.
8:30am	Youth transition to the classroom as the school day begins. During the school day, there is an hour set aside for physical exercise (contributes to physical education requirements).
Noon	Lunch is served and then the school day continues until 3pm.
3:30pm	Youth participate in Cognitive Skills Groups to learn how to think about situations in a more positive way as well as develop problem-solving and coping skills.
4:30pm	Youth engage in an organized activity like the writing program, art classes or games.
5-6pm	Dinner is served.
6-8pm	Visiting hours are held. Youth without visitors have structured free time such as reading a book or writing in their personal journal.
8pm	Youth participate in the Daily Goals meeting where they reflect on what they accomplished during the day and set personal goals for the next day.
9pm	Youth transition to their individually assigned rooms and the lights are turned down.

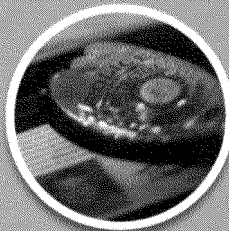




## Placing the Right Youth in the Right Place:

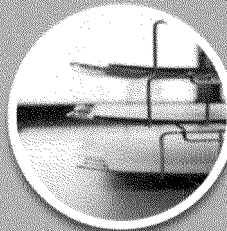
The decision to detain a youth is a critical one that requires a rigorous analysis of many factors. Juveniles may be held because of the seriousness of their offense, a history of criminal offenses, the juvenile is a threat to others, or to insure that the juvenile returns to court. Detained youth are ones whose offenses are so serious that release would endanger public safety or the welfare of the child. To help ensure that all youth placed in the facility are appropriate, the Multnomah County public safety partners initially came together in 1995 and developed a county-wide set of policies to aid staff in making placement decisions. System partners have updated these criteria as needed, including the external validation of the detention risk assessment tool (RAI). Youth who are not detained will await their day in court while placed on GPS/electronic monitoring, placed in secure shelter, or monitored in the community by juvenile court counselors.

## How Youth Arrive in Detention:



### Step 1: Police Arrest Youth

- Police detain youth and decide which youth are taken to custody
- Youth delivered to detention reception center or to parent/guardian



### Step 2: Detention Screening

- Charges are reviewed for public safety risk
- Staff review policy guidelines
- Detention intake staff complete a full risk assessment on youth



### Step 3: Placement Decisions

- Youth is admitted if found to be high-risk and/or has been referred for a serious crime meeting policy criteria
- If not admitted, a safety plan is developed and youth is closely monitored in the community until the court date

## Pioneers in a National Reform Effort:

For more than a decade, JDH has served as a model site in the Annie E. Casey Foundation's Juvenile Detention Alternatives Initiative (JDAI) – the largest juvenile detention reform effort in U.S. history. The JDAI philosophy is simple: Use detention beds for the most dangerous youth and place low-risk youth in more cost-effective, community-based settings. Since participating in JDAI, the Multnomah County public safety partners have been working together to determine the best methods for implementing this philosophy locally. Multnomah County results have been impressive: Re-offense rates and failure-to-appear rates among youth have steadily declined as we increase the number of youth being served in detention alternatives. Our track record continues to bring hundreds of visitors each year from across the nation to tour our facilities, review our policies and explore our programming.







# Juvenile Justice Board Briefing

## FY11 Program Offers - Summary

PO Number	Program Offer Name	FTE CGF	FTE Other	Intervention	Prevention	Sanctions	Treatment	Program Description	Total Expenditures	Program Revenue Source					
										CGF	CGF Match	State & Fed (Inc. ARRA)	OHP/ Medical Fees	Other	Total
50011B	Juvenile Detention Services 16 Beds	6.00				X		Juvenile Detention, also known as the Donald E. Long Home (DELH), protects the community by holding youth in custody when they have been determined to be a serious risk to public safety and/or are high risk to not appear for court. This offer will fund 16 of the 64 beds required to meet the county's daily detention needs. (\$348 per youth per day)	\$707,420	\$707,420					\$707,420
50012A	Juvenile Community Detention/Electronic Monitoring	2.00	2.00	X		X		Multnomah County Juvenile Services Division (JSD) has adopted the national model, Juvenile Detention Alternatives Initiative (JDAI). One of the key components to support JDAI practices and principles is the supervision of pre-adjudicated, at-risk youth who remain at home or in community placements while awaiting the court process. The Community Detention / Electronic Monitoring (CD/EM) program provides supervision and support to assure public safety and that the youth will appear for court. The program also supports the prioritizing of youth being held in detention. These practices ensure that regardless of race or gender, only the most dangerous youth or those most likely to not appear for court are held in custody. The research published by the Office of Juvenile Justice and Delinquency Prevention (OJJDP) shows that detaining low risk offending youth makes it more likely they will re-offend after they return to the community. (\$46. per youth per day)	\$457,570	\$251,770		\$205,800			\$457,570
50013	Juvenile Shelter & Residential Placements			X			X	Juvenile detention alternatives in the form of short-term shelter and residential placements protect the public by safely supervising identified high risk youth in the community. Many of these youth are Latino and African American juvenile offenders. By placing these youth in culturally appropriate placements (short-term shelter care or treatment foster care), the disproportionate confinement of minority youth drops significantly. Juvenile Shelter and Residential Placements save the county significant funding each year while ensuring public protection. (Funds 19 beds)	\$890,049	\$376,411		\$513,638			\$890,049
50014	Juvenile Delinquency Intake & Assessment	9.00		X				Juvenile Delinquency Intake and Risk Assessment Center (JDIRAC) conducts daily intakes, facilitates daily Court delinquency dockets and annually assesses 1300 children (under 12 years of age) and youth (12-18 years of age) to identify those who are at imminent risk of becoming chronic juvenile offenders. JDIRAC provides comprehensive risk assessments and services to prevent children and youth from penetrating further into the juvenile justice system and allows for effective use of scarce, public resources. JDIRAC holds youth accountable for delinquent behaviors and funnels the highest risk youth to adjudication and probation services. Judges rely heavily on JDIRAC staff to provide critical information and technical support for daily court hearings. The District Attorney's Office relies on JDIRAC staff to provide probable cause reviews of divertible misdemeanors and felony cases.	\$872,699	\$872,699					\$872,699
50015	Juvenile Probation Services for Young Men	7.42	0.52	X		X		Juvenile Probation Services (JPS) for Young Men promotes public safety by annually supervising approximately 300 youthful offenders, ages 12 to 18 years old. The use of evidence-based practices enables probation officers to hold youth accountable, reduce recidivism, repair harm to victims, prevent school drop-outs and improve public safety.	\$1,563,515	\$1,387,167	\$5,568	\$170,780			\$1,563,515
50016	Juvenile Probation Services for Young Women	3.00		X		X		Juvenile Probation Services (JPS) for Young Women promotes public safety by annually supervising about 100 high and medium risk offenders, ages 12 to 18 years old. By using appropriate gender-specific approaches to hold youth responsible for their actions and prevent them from committing new crimes, JPS improves public safety.	\$300,562	\$300,562					\$300,562



# Juvenile Justice Board Briefing

## FY11 Program Offers - Summary

PO Number	Program Offer Name	FTE CGF	FTE Other	Intervention	Prevention	Sanctions	Treatment	Program Description	Total Expenditures	Program Revenue Source					
										CGF	CGF Match	State & Fed (Inc. ARRA)	OHP/ Medical Fees	Other	Total
50017	Juvenile Sex Offender Probation Supervision	6.00		X		X	X	Juvenile Sex Offender Probation Supervision (JSOPS) protects public safety by holding approximately 80 adolescent sex offenders responsible for their actions. These youth are predominantly males 12-18 years of age. They have appeared before a judge or referee and received special court ordered conditions and sanctions pertaining to their sexual offending behavior. The court may order these youth to be supervised either by JSOPS or by juvenile and adult probation officers simultaneously for a duration that extends into an offender's early 20s. The Department of Community Justice (DCJ) provides specialized services that enhance public safety and protect victims. Juvenile probation officers regularly communicate with schools and law enforcement about the status of these offenders.	\$706,563	\$706,563					\$706,563
50018	Juvenile Gang Resource Intervention Team (GRIT)	0.22	7.78	X		X		Studies have shown that if young people can successfully leave a gang within a year or two of joining, they are likely to avoid a variety of negative life outcomes, including chronic reoffending (Greene and Pranis 2007). The Gang Resource Intervention Team (GRIT) supervises approximately 250 high risk gang affiliated youth offenders. GRIT's work promotes public safety by reducing juvenile crime, preventing disproportionate numbers of minority youth from entering a correctional facility and assisting youth gang members and high risk youth of color to change their lives. The Chair's Executive budget includes funding for a pilot project. The Youth Thrift Store will provide training and employment for high risk youth who will work in all aspects of the business, using donated items.	\$1,613,077	\$159,711	\$33,333	\$1,420,033			\$1,613,077
50019	Juvenile Community Service and Project Payback Program	6.00				X		The Community Service and Project Payback (CSPP) Program includes a number of components and services that together constitute an effective public safety investment that serves approximately 850 juveniles per year. The program's purpose is to hold juvenile offenders accountable and provide them with opportunities to repair harm to victims and the community. CSPP provides youth with opportunities to earn money to repay victims and give back to the community. In FY 2009 CSPP youth performed over 7400 hours of community services.	\$755,269	\$650,701			\$104,568		\$755,269
50020	Juvenile Secure Residential A&D Treatment (RAD)		8.00			X	X	The Residential Alcohol and Drug (RAD) Program is an important public safety program that serves the county's juvenile justice population. RAD is a secure treatment program for high risk probation youth with serious drug and alcohol abuse, chronic offending behaviors, and mental health issues. RAD is a "last chance" resource for youth who have been unsuccessful in community-based treatment and are facing commitment to a youth correctional facility. In FY 2009, 6 out of 10 youth did not recidivate one year after leaving the program. (\$327 per youth per day)	\$2,029,471	\$578,076		\$701,638	\$749,757		\$2,029,471
50021	Juvenile Youth Development Services	7.60	4.20	X	X			Youth Development Services (YDS) provides a continuum of services to connect probation youth with education and employment and develop pro-social thinking and behavior. Evidence shows these connections and skills contribute to youth becoming successful, self-sufficient, crime-free adults. YDS provides educational assessments, credit recovery, GED preparation/referrals, educational advocacy and liaison functions with local school districts, employment services and cognitive behavioral skill building courses. Programming includes school reconnection for 200 youth, behavioral and academic school reentry programming for 150 youth, employment readiness training and work experience for 100 youth and cognitive-behavioral skill building courses for 200 youth. This program serves the highest risk youth in the juvenile justice system.	\$1,299,322	\$780,523	\$53,756	\$303,775		\$161,268	\$1,299,322
50022	Juvenile Assessment & Treatment for Youth and Families (ATYF)	2.23	9.77	X			X	Assessment and Treatment for Youth and Families (ATYF) is a unique public safety program serving medium and high risk probation youth with substance abuse, mental health and/or behavioral problems who cannot be effectively treated in community-based programs because of severe delinquency. ATYF provides clinical assessments and outpatient treatment to 200 probationers per year. In conjunction with these services, this program also provides mental health care coordination and intervention to over 300 detained youth each year. In FY 2008, approximately 70% of youth did not recidivate one year after ATYF program involvement—closely matching the overall recidivism rate for juveniles, despite serving a more challenging population. (\$127. per youth per day)	\$1,442,354	\$235,687		\$1,041,667	\$165,000		\$1,442,354



# Juvenile Justice Board Briefing

## FY11 Program Offers - Summary

									Program Revenue Source						
PO Number	Program Offer Name	FTE CGF	FTE Other	Intervention	Prevention	Sanctions	Treatment	Program Description	Total Expenditures	CGF	CGF Match	State & Fed (Inc. ARRA)	OHP/ Medical Fees	Other	Total
50023	Juvenile Culturally Specific Intervention Services			X			X	Research suggests that providing culturally competent juvenile services and supervision to young people of color makes it more likely that interventions will reduce reoffending (Cabaniss 2007). Culturally Specific Intervention Services (CSIS) improve public safety by providing integrated services to medium and high risk juvenile probationers 12-18 years old whose ethnic/cultural backgrounds are disproportionately represented in the juvenile justice system. CSIS provides culturally specific services to higher risk youth of color to help reduce reoffending. This program serves 80 youth annually. Since 1997, commitments of Multnomah County minority youth to state youth correctional facilities are down 78%.	\$443,802	\$75,931		\$367,871			\$443,802
50024	Juvenile Informal Intervention and Prevention	2.00		X	X			Juvenile Delinquency Intervention and Sanctions (JDIS) holds carefully identified juvenile offenders accountable by providing supervision and services which help reduce recidivism, repair harm to victims, prevent school drop-outs, maximize public resources for better public safety outcomes and assist juvenile offenders develop the skills necessary for success and behavioral change. This program offer provides supervision and services to 300 juvenile offenders annually. JDIS is highly effective; in the first six months of FY 2009, 80% of JDIS youth did not reoffend. Judges rely on JDIS staff to provide supervision and services to youth who are placed on Alternative Disposition by the court.	\$389,414	\$237,024		\$152,390			\$389,414



FY11 Program Offers - Summary

<b>Most at Risk of State General Fund Reduction</b>
\$51,923 CCFC funds already eliminated FY10- 11 - reduced gender specific services
\$189,475 CCFC funds slated for elimination FY11-12 - will close entire shelter



FY11 Program Offers - Summary

Most at Risk of State General Fund Reduction
OYA GTS Funding
OYA GTS Funding
OYA Flex and Fed/State JBAG



FY11 Program Offers - Summary

Most at Risk of State General Fund Reduction
State OYA GTS & Fed/State OCCF Mentoring Grant
JCP Diversion
JCP Basic & Diversion
JCP Basic & Prevention



FY11 Program Offers - Summary

Most at Risk of State General Fund Reduction
OYA GTS
OCCF for CASA

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# Juvenile Justice Board Briefing

## FY11 Program Offers - Summary

PO Number	Program Offer Name	FTE CGF	FTE Other	Intervention	Prevention	Sanctions	Treatment	Program Description	Total Expenditures	Program Revenue Source					
										CGF	CGF Match	State & Fed (inc. ARRA)	OHP/ Medical Fees	Other	Most at Risk of State General Fund Reduction
50011B	Juvenile Detention Services 16 Beds	6.00				X		Juvenile Detention, also known as the Donald E. Long Home (DELH), protects the community by holding youth in custody when they have been determined to be a serious risk to public safety and/or are high risk to not appear for court. This offer will fund 16 of the 64 beds required to meet the county's daily detention needs. (\$348 per youth per day)	\$707,420	\$707,420					\$707,420
50012A	Juvenile Community Detention/Electronic Monitoring	2.00	2.00	X		X		Multnomah County Juvenile Services Division (JSD) has adopted the national model, Juvenile Detention Alternatives Initiative (JDAI). One of the key components to support JDAI practices and principles is the supervision of pre-adjudicated, at-risk youth who remain at home or in community placements while awaiting the court process. The Community Detention / Electronic Monitoring (CD/EM) program provides supervision and support to assure public safety and that the youth will appear for court. The program also supports the prioritizing of youth being held in detention. These practices ensure that regardless of race or gender, only the most dangerous youth or those most likely to not appear for court are held in custody. The research published by the Office of Juvenile Justice and Delinquency Prevention (OJJDP) shows that detaining low risk offending youth makes it more likely they will re-offend after they return to the community. (\$46. per youth per day)	\$457,570	\$251,770		\$205,800			\$457,570 OYA GTS Funding
50013	Juvenile Shelter & Residential Placements			X			X	Juvenile detention alternatives in the form of short-term shelter and residential placements protect the public by safely supervising identified high risk youth in the community. Many of these youth are Latino and African American juvenile offenders. By placing these youth in culturally appropriate placements (short-term shelter care or treatment foster care), the disproportionate confinement of minority youth drops significantly. Juvenile Shelter and Residential Placements save the county significant funding each year while ensuring public protection. (Funds 19 beds)	\$890,049	\$376,411		\$513,638			\$890,049 OYA GTS Funding
50014	Juvenile Delinquency Intake & Assessment	9.00		X				Juvenile Delinquency Intake and Risk Assessment Center (JDIRAC) conducts daily intakes, facilitates daily Court delinquency dockets and annually assesses 1300 children (under 12 years of age) and youth (12-18 years of age) to identify those who are at imminent risk of becoming chronic juvenile offenders. JDIRAC provides comprehensive risk assessments and services to prevent children and youth from penetrating further into the juvenile justice system and allows for effective use of scarce, public resources. JDIRAC holds youth accountable for delinquent behaviors and funnels the highest risk youth to adjudication and probation services. Judges rely heavily on JDIRAC staff to provide critical information and technical support for daily court hearings. The District Attorney's Office relies on JDIRAC staff to provide probable cause reviews of divertible misdemeanors and felony cases.	\$872,699	\$872,699					\$872,699
50015	Juvenile Probation Services for Young Men	7.42	0.52	X		X		Juvenile Probation Services (JPS) for Young Men promotes public safety by annually supervising approximately 300 youthful offenders, ages 12 to 18 years old. The use of evidence-based practices enables probation officers to hold youth accountable, reduce recidivism, repair harm to victims, prevent school drop-outs and improve public safety.	\$1,563,515	\$1,387,167	\$5,568	\$170,780			\$1,563,515 OYA Flex and Fed/State JBAG
50016	Juvenile Probation Services for Young Women	3.00		X		X		Juvenile Probation Services (JPS) for Young Women promotes public safety by annually supervising about 100 high and medium risk offenders, ages 12 to 18 years old. By using appropriate gender-specific approaches to hold youth responsible for their actions and prevent them from committing new crimes, JPS improves public safety.	\$300,562	\$300,562					\$300,562
50017	Juvenile Sex Offender Probation Supervision	6.00		X		X	X	Juvenile Sex Offender Probation Supervision (JSOPS) protects public safety by holding approximately 80 adolescent sex offenders responsible for their actions. These youth are predominantly males 12-18 years of age. They have appeared before a judge or referee and received special court ordered conditions and sanctions pertaining to their sexual offending behavior. The court may order these youth to be supervised either by JSOPS or by juvenile and adult probation officers simultaneously for a duration that extends into an offender's early 20s. The Department of Community Justice (DCJ) provides specialized services that enhance public safety and protect victims. Juvenile probation officers regularly communicate with schools and law enforcement about the status of these offenders.	\$706,563	\$706,563					\$706,563



# Juvenile Justice Board Briefing

## FY11 Program Offers - Summary

Page 1 of 2

		Program Revenue Source														
PO Number	Program Offer Name	FTE CGF	FTE Other	Intervention	Prevention	Sanctions	Treatment	Program Description	Total Expenditures	CGF	CGF Match	State & Fed (inc. ARRA)	OHP/ Medical Fees	Other	Total	Most at Risk of State General Fund Reduction
Department of County Human Services - Community Services Division																
25123A	Youth Gang Prevention	1.00			X			Youth Gang Prevention (YGP) supports community based, culturally, and gender specific prevention services to young people and their families at highest risk of gang membership, or who are already involved with gangs but have not yet entered the juvenile justice system. Services are subject to the provisions of a Strategic Plan for a Comprehensive and Coordinated Response to Youth and Gang Violence, which is currently in process by Multnomah County's Local Public Safety Coordinating Council (LPSCC). Approximately 100 young people and their families will be served. It is expected that 90% of these youth served increase their academic achievement, and avoid or reduce subsequent juvenile justice system involvement.	\$386,324	\$334,401		\$51,923			\$386,324	\$51,923 CCFC funds already eliminated FY10-11 - reduced gender specific services
25123B	Youth Gang Prevention – Scale				X			This program offer restores the Youth Gang Prevention (YGP) program to current FY 09-10 service levels. Funds will provide an additional 500 young people and their families with community based, culturally, and gender specific services. Utilizing an identified program model that is proven best practice, intensive family support and intervention will be provided to young people and their families at highest risk of gang membership, or who are already involved with gangs but have not yet entered the juvenile justice system. It is expected that 90% of these young people will increase their academic achievement, and avoid or reduce subsequent juvenile justice system involvement.	\$937,878	\$937,878					\$937,878	
25136A	Homeless Youth System	1.33			X			The Homeless Youth System (HYS) is a highly collaborative system comprised of four non-profit agencies that provide a continuum of screening, crisis intervention, safety services, shelter, assertive engagement, housing, education, employment and health services to approximately 1,000 homeless youth up to age 25 annually. This system is integrated with the public safety system and is a jointly funded collaboration among DCHS, DCJ, the city of Portland, Portland Police Bureau, Citizens Crime Commission, Portland Business Alliance, the State, Outside In, New Avenues for Youth, Janus Youth Programs, Native American Youth & Family Center and the community. Services ensure that up to 75% of those served exit to safe stable housing and that 75% of those remain in safe, stable housing for at least six months post exit.	\$3,246,211	\$2,142,163		\$200,578	\$903,470	\$3,246,211		
25138	Runaway Youth Services	0.17			X			Runaway Youth Services provide 24/7 Reception Center, crisis line, shelter, support services, family counseling and reunification services, and gender specific transitional housing services for approximately 2,250 youth ages 12-17 who have run away, as well as their families. This program is a collaboration among DCHS, DCJ and DHS. About 85% of those served return home or to another stable living environment at exit.	\$933,529	\$744,054		\$189,475			\$933,529	\$189,475 CCFC funds slated for elimination FY11-12 - will close entire shelter
Department of Community Justice - Juvenile																
50009	Family Court Services	1.00	8.60		X			Exposure to parental conflict and the potential loss of a parent through divorce and separation places children at risk for delinquency, teen pregnancy and poor school performance, all of which can lead to a cycle of dysfunction and offending behavior. Family Court Services (FCS) helps keep children safe, parents healthy, families stable and promotes public safety through services to approximately 1,000 at risk families as they go through separation and divorce. Through parent education, mediation, evaluation, information and referral services, and support to the dependency court, FCS stabilizes families involved with the Family Court and plays a critical role in preventing family dysfunction and juvenile delinquency.	\$1,256,114	\$115,994		\$37,645		\$1,102,475	\$1,256,114	
50011A	Juvenile Detention Services 48 Beds	58.00				X		Juvenile Detention, also known as the Donald E. Long Home (DELH), protects the community by holding youth in custody when they have been determined to be a serious risk to public safety and/or are high risk to not appear for court. In FY 2009, over 1,500 youth were brought to DELH for intake screening. This offer will fund 48 of the 64 beds required to meet the county's daily detention needs. (\$348 per youth per day)	\$7,433,448	\$7,281,448		\$150,000		\$2,000	\$7,433,448	



**Education and Early Childhood Board Briefing**

**FY11 Program Offers - Summary**

										Program Revenue Source								
PO Number	Program Offer Name	FTE CGF	FTE Other	Early Care and Education	Family Support	Social Emotional Development	Health and Wellness	Early Childhood System	School Age Services	Program Description	Total Expenditures	CGF	CGF Match	State & Fed (inc. ARRA)	OHP/ Medical Fees	Other	Total	Most at Risk of State General Fund Reduction
Health Department																		
40013A	Early Childhood Services for First Time Parents	13.65	15.60	X	X	X	X	X		First-time parents can receive a range of services, including home visits, hospital visits, classes and groups. Services begin in early pregnancy and continue through infancy to assure optimal maternal and infant health and assist parents in meeting their infant's basic health and developmental needs. 2,800 parents will receive hospital Welcome Baby visits. 925 parents will receive intensive home visit services.	\$6,545,569	\$2,678,375	\$379,199	\$1,812,522	\$1,675,473		\$6,545,569	Health Start funds screening and home visiting services. A 25% cut = 200 fewer hospital screenings and the subsequent home visits.
40013B	Early Childhood Services for High Risk Prenatal, Infants & Children	23.10	30.10	X	X	X	X	X		The conditions of our early life have a profound impact on our long-term health and stability. ECS provides home based services to pregnant women and families with young children to assure optimal maternal and infant health and assist parents in meeting their child's basic health and developmental needs.	\$7,428,508	\$2,516,834	\$628,785	\$1,210,541	\$3,072,348		\$7,428,508	
40014	Immunizations		2.00	X			X			The Community Immunization Program (CIP) implements the federally subsidized Vaccines for Children (VFC) Program which provides childhood vaccinations at little or no cost to uninsured and underinsured children. This ensures children's readiness to learn and makes the classroom safe for all by preventing communicable diseases.	\$3,480,895	\$94,367		\$3,198,764	\$187,764		\$3,480,895	Operational funding cut completely compromising school exclusion and immunization services
40018	Women, Infants and Children (WIC)	2.53	32.61	X	X		X			The Women, Infants and Children Program (WIC) serves lower-income pregnant, postpartum and breastfeeding women, infants and children under age five who have health or nutrition risks. WIC sees every participant at least four times per year to provide individual growth and health assessments, education on nutrition and physical activity, nutritious foods purchased with WIC vouchers, breastfeeding education and support and referrals to other preventive health and support services. Other support services include prenatal and other medical care, immunizations, Head Start, housing and day care assistance, social services, etc. The recent change to a centrally managed program allows for increased participation (over 19,373 active clients compared with 17,298 this time last year) and a significant increase in State allocated funding. WIC served over 31,000 clients in 2009. This included over 35% of all pregnant women in Multnomah County (MC). The WIC Program strengthens MC's economy which leverages federal funds to pay for almost 78% of the program's costs. The end result is WIC brought in over \$12 million dollars to local grocery stores and, through the Farm Direct Nutrition Program (Farmer's Market), over \$70,000 to local farmers. WIC is one of the few health promotion programs the federal government has sponsored and it has been the most successful. It is estimated that for every \$1 spent on WIC over \$3 is saved in Medicaid expenses. This defines the prevention potential of WIC. The emphasis on health promotion and community access is what makes WIC such a valuable program. With such a large client base, programs like Oral Health, Lead Screening, H1N1, Head Start and others are realizing the tremendous access WIC provides to the community. Since it is a federal mandate that WIC provide referral services to other valuable community programs, for the individual client, WIC becomes the web that connects all the programs together for easy access – seamless service.	\$4,131,752	\$1,287,286		\$2,844,466			\$4,131,752	Federal allocation not at risk, but cut to Farm Direct Nutrition vouchers for Farmers Markets would mean families loose this benefit which splplements their WIC vouchers
40024	School Based Health Centers	10.51	25.25				X		X	The School-Based Health Center program provides access to comprehensive preventive, primary, and mental healthcare for Multnomah County school-aged youth to keep them healthy and ready to learn. Without this safety net many school age youth would not receive necessary health care. The 13 School-Based and School-Linked sites provide critical points of access to health care regardless of insurance status. SBHC contribute to learning readiness through optimizing the learning environment by linking health and education for student success in school and life. This work is achieved through partnerships with schools, families, healthcare providers and community agencies	\$5,204,087	\$1,868,119		\$1,100,824	\$2,235,144		\$5,204,087	Governor's budget cuts all State General Fund from SBHC= 10% of our total base funding



# Education and Early Childhood Board Briefing

## FY11 Program Offers - Summary

PO Number	Program Offer Name	FTE CGF	FTE Other	Early Care and Education	Family Support	Social Emotional Development	Health and Wellness	Early Childhood System	School Age Services	Program Description	Total Expenditures	Program Revenue Source						Most at Risk of State General Fund Reduction
												CGF	CGF Match	State & Fed (inc. ARRA)	OHP/ Medical Fees	Other	Total	
40017	Dental Services		87.36	X			X		X	Dental Services provides Multnomah County residents with essential, urgent, routine, and preventive services in clinic settings and school-based programs. The Dental Program works with many community partners, targeting un-served populations, treating nearly 15,000 uninsured children in Multnomah County. The Dental Program is the largest Safety Net provider for vital dental care in Multnomah County. We provide unique child based services to uninsured and underinsured and focus on access for pregnant women due to the link with early childhood cavity prevention, using evidence based practice guidelines. The Dental Services program is supported in part by MultiCare Dental plan one of several dental contractor organizations that serve patients in the tri-county area under the Oregon Health Plan. MultiCare Dental is funded entirely by OHP revenue and most members receive their dental care from Multnomah County Dental Clinics along with two other partner Health Clinics in the tri-County area.	\$15,738,515	\$100,544		\$177,500	\$15,460,471		\$15,738,515	School and Community Dental funded with County General Fund
<b>Department of County Human Services</b>																		
<b>Mental Health and Addiction Services</b>												\$0					\$0	
25067	Community Based MH Services for Children and Families	9.90	8.35	X		X				This mental health service array serves children and youth up to age 21. Services range from prevention/early intervention in the Early Childhood and Head Start program that serves 4,511 children annually, to a comprehensive outpatient system that successfully maintains over 4,200 children in the community, to the Intensive Community Based Treatment program that has successfully reduced the average length of stay in psychiatric residential facilities over the last three years.	\$14,333,834	\$1,456,486		\$889,308	\$11,654,129	\$333,911	\$14,333,834	Early childhood Mental Health to Head Start could be impacted somewhat if loss of State Dollars
25070	Bienestar Mental Health and Addiction Services	2.80				X			X	Bienestar de La Familia (Wellbeing of the Family) is a multidisciplinary approach serving a large Latino community. Bienestar provides culturally specific, linguistically appropriate direct mental health and addiction treatment services to children, adolescents, adults and families at sites throughout Multnomah County. Qualified mental health professionals and an Addiction Specialist served 530 Hispanic children and families in their homes and in the community last year. Service sites include schools, Headstarts, CARES NW, and La Clinica Health Clinic. About 93% of individuals served are uninsured. Bienestar strives for health equity by providing services to traditionally underserved populations of Spanish speaking Latino families who experience significant barriers to service access.	\$319,547	\$319,547					\$319,547	
25075	School Based Mental Health Services	4.02	9.22						X	School Based Mental Health is an essential component of the mental health system of care for children and families. This program serves 924 children and teens with serious mental health disorders in over 88 school settings throughout the county. Mental health professionals provide culturally competent, family focused, evidence based treatment. Children and teens receive service that decreases the risk of hospitalization or other restrictive and costly services. Additional children with emotional and behavioral needs are helped through 12,381 preventative consultation contacts with school based health center staff and others that averted need for higher level of care. Sustainability efforts has been focused on improving the program's OHP billing reimbursement, which increased 30% in the last year.	\$1,515,354	\$531,914		\$575,176		\$408,264	\$1,515,354	School Based could be impacted
<b>SUN Service System</b>												\$0					\$0	
25145	SUN Community Schools	1.00	1.75		X	X	X		X	SUN Community Schools (SUN CS) provide school-based educational, recreational, social and health services focusing on school-age children at risk of academic failure and their families. The 45 county-supported full-service sites in this offer serve approximately 13,000 students, 71% of whom receive free or reduced lunch (FRL). SUN's nationally award-winning program removes barriers for students and families so that they can achieve educational success and lifelong self-sufficiency. Last year, participants had a 95% school attendance rate and 75% improved academic benchmark scores. SUN CS is part of the SUN Service System, a countywide integrated and coordinated system of care for school-aged youth and their families.	\$3,560,661	\$2,957,668		\$201,290		\$401,703	\$3,560,661	



**Education and Early Childhood Board Briefing**

FY11 Program Offers - Summary

										Program Revenue Source									
PO Number	Program Offer Name	FTE CGF	FTE Other	Early Care and Education	Family Support	Social Emotional Development	Health and Wellness	Early Childhood System	School Age Services	Program Description	Total Expenditures	CGF	CGF Match	State & Fed (inc. ARRA)	OHP/ Medical Fees	Other	Total	Most at Risk of State General Fund Reduction	
25147	Child and Family Hunger Relief	0.50			X		X		X	The Child & Family Hunger Relief program is a one-time request for a CGF investment to lessen food insecurity and improve healthy eating by allowing SUN Community School (SUN CS) sites to increase the number of meals served to hungry children and families and developing on-going capacity for food support. The offer will serve an additional 100,000 meals to over 3,500 children and 600 parents/guardians at SUN CS sites and an additional 800 families through a weekend "backpack" food program. The program is a partnership between the SUN Service System, six school districts, Oregon Hunger Relief Task Force and the Commission on Children, Families and Community.	\$186,043	\$186,043					\$186,043		
25149	Social and Support Services for Education Success	1.00				X			X	Social and Support Services for Educational Success program (SSSES) fosters academic achievement by providing year round school-linked, age appropriate and culturally specific academic support, case management, family engagement, and skill building groups. The SSSES serves nearly 1,800 high-risk youth, 85% of whom are ethnic minorities. SSSES is part of the SUN Service System, a countywide integrated and coordinated system of care for school-aged youth and their families.	\$2,237,887	\$1,915,056		\$322,831			\$2,237,887	case management & skill building groups	
25151	Parent Child Development Services	1.00		X	X	X		X		Parent Child Development Services (PCDS) provides services for young children (birth through age 5) and their parents to promote positive parenting, healthy child development and school readiness. In FY 2009, the program served over 740 families, 75% of whom were at or below the Federal Poverty Level. PCDS uses a nationally recognized evidence-based curriculum, Parents As Teachers. This program aligns with the Early Childhood Framework and is part of the SUN Service System, a countywide integrated and coordinated system of care for school-aged youth and their families.	\$1,453,627	\$1,301,274		\$152,353			\$1,453,627	parent ed, child play groups, home visits	
25154	Alcohol, Tobacco and Other Drug Services					X	X		X	The Alcohol Tobacco and Other Drug program offers early intervention through screening, assessment, referral and education. Screening is a review of drug and alcohol use to determine behaviors and patterns that may require further assessment. Assessment involves a more in depth interview with the youth and his/her family about drug and alcohol use. This results in a rapid referral and connection to treatment, if necessary; the program leverages third party insurance to cover treatment. Prevention activities include skill-building groups (teaching refusal skills, for example) and groups for youth who are at risk for (but not yet demonstrating) substance abuse, such as children from drug-affected families.	\$203,000	\$203,000						\$203,000	
25155	Services for Sexual Minority Youth					X			X	The Sexual Minority Youth Services (SMYS) program offers counseling, skill building and support services to over 300 sexual minority youth. Its direct service impact is enhanced through technical assistance and training to approximately 500 SUN Service System, school and other direct service staff so that they may work more effectively with sexual minority youth. SMYS is part of the SUN Service System, a countywide integrated and coordinated system of care for school-aged youth and their families.	\$106,940	\$106,940					\$106,940		
Commission on Children, Families & Community																			
10008	NonD- Commission on Children, Families & Community	0.00	0.51	X	X	X		X		A portion of the CCFC's Community Engagement and Planning program offer funds .5 FTE Early Childhood Coordinator position. This position is in charge of staffing the Early Childhood Council and the subcommittees structured around the early childhood framework. In FY12 there is a 50% reduction in staffing as the PDS Sr Early Childhood Coordinate position was vacated and has not been filled in anticipation of state cuts.	\$62,529	\$0	\$0	\$62,529			\$62,529		
10009	NonD- Commission on Children, Families & Community	0.00	0.00		X	X				Pass through dollars to Children's Relief Nurseries and the Volunteers of America Relief Nurseries.	\$238,725	\$0	\$0	\$238,725			\$238,725		



Education and Early Childhood Framework

Early Care and Education-

Goal: All children benefit from developmentally appropriate active learning opportunities.

Family Support-

Goal: All parents and families have the ability and support they need to nurture their children.

Social Emotional Development-

Goal: All children develop social and emotional bonds and skills to support their continuing mental health.

Health and Wellness-

Goal: All children are physically healthy and grow to their full potential.

Early Childhood System-

Goal: The formal system provides the support that all children and families need for success.

School Age Services-

Goal: All children have the educational, recreational, social and health services to achieve educational success and lifelong self-sufficiency.

Health

40013A Early Childhood Services for First Time Parents

40013B Early Childhood Services for High Risk Prenatal, Infants & Children

40014 Immunizations

40018 Women, Infants and Children (WIC)

40024 School Based Health Centers

40017 Dental Services

DCHS-  
Mental Health  
and Addiction

25067 Community Based MH Services for Children and Families

25070 Bienestar Mental Health and Addiction Services

25075 School Based Mental Health Services

DCHS- SUN Service System

25145 SUN Community Schools

25147 Child and Family Hunger Relief

25149 Social and Support Services for Education Success

25151 Parent Child Development Services

25154 Alcohol, Tobacco and Other Drug Services

25155 Services for Sexual Minority Youth

CCFC

10008 NonD- Commission on Children, Families & Community

10009 NonD- Commission on Children, Families & Community



Agenda  
BCC Briefing - Juvenile  
2/08/11

- |    |   |               |
|----|---|---------------|
| 1. | Introductions and Briefing Overview (10 minutes)  | Joanne Fuller |
| 2. | Scope of System (20 minutes) <ul style="list-style-type: none"><li>• How the system fits together between departments</li><li>• Overview of funding sources: what money is flexible what's not, what obligations are tied to funding sources</li><li>• Overview of services: e.g. # of beds and # of kids supervised, strategies and philosophies, kids per capita serviced, violent vs. non-violent population, etc.</li></ul> | Dave/Scott    |
| 3. | Overview of DCHS prevention/treatment programs (10 mins)  | Mary Li       |
| 4. | System Program Details ( <i>funding overview &amp; flexibility and State "at risk"</i> ) <ul style="list-style-type: none"><li>• Juvenile (10 mins)</li></ul>   | Dave/Scott    |
| 5. | Wrap Up and Questions   | Joanne Fuller |

Handouts  
System Overview  
Funding Matrix



# ***Oregon's Juvenile Justice System***

What Every County  
Commissioner Should Know



## ***ORS 419C.001 Purposes of Juvenile Justice System***

In delinquency cases, the purposes of the Oregon juvenile justice system from apprehension forward are:

- to protect the public and reduce juvenile delinquency; and
- to provide fair and impartial procedures for the initiation, adjudication and disposition of allegations of delinquent conduct.

The system is founded on the principles of personal responsibility, accountability and reformation within the context of public safety and restitution to the victims and to the community.

The system shall provide a continuum of services that emphasize prevention of further criminal activity by the use of early and certain sanctions, reformation and rehabilitation programs and swift and decisive intervention in delinquent behavior.



## ***ORS 419A.050 Juvenile Detention***

- Any county may acquire in any lawful manner, equip and maintain within the county suitable facilities for the shelter or detention of children, wards, youths and youth offenders confined pursuant to a judicial commitment or order pending final adjudication of the case by the juvenile court
- The juvenile court of each county shall designate the place or places in which children, wards, youths or youth offenders are to be placed in detention or shelter care when taken into temporary custody
- Juvenile Detention facilities are subject to the standards and specifications found in ORS 169.740 and 419A.052
- Juvenile offenders may not be housed within sight and sound of adults who may be detained in the same facility



## ***State Funding Streams***

- **OYA Diversion** - Funds services aimed at diverting higher risk youth from commitment to state youth correctional facilities.
- **Juvenile Crime Prevention-Basic Services** – Funds help counties prevent juvenile recidivism by providing probation supervision, treatment, detention, shelter, and graduated sanctions, etc.
- **Juvenile Crime Prevention** – Funds are targeted toward intervening with youth exhibiting one or more identified delinquency risk factors – without intervention this would lead to imminent or increased involvement in the juvenile justice system.
- **Multnomah Youth Gang Intervention** – Funds are only allocated to Multnomah County and in DCJ go toward provision of probation supervision and contracted services through culturally specific providers. A portion of the funding is earmarked for the East Multnomah Gang Enforcement Team (EMGET) a multi-jurisdiction effort aimed at gang suppression.

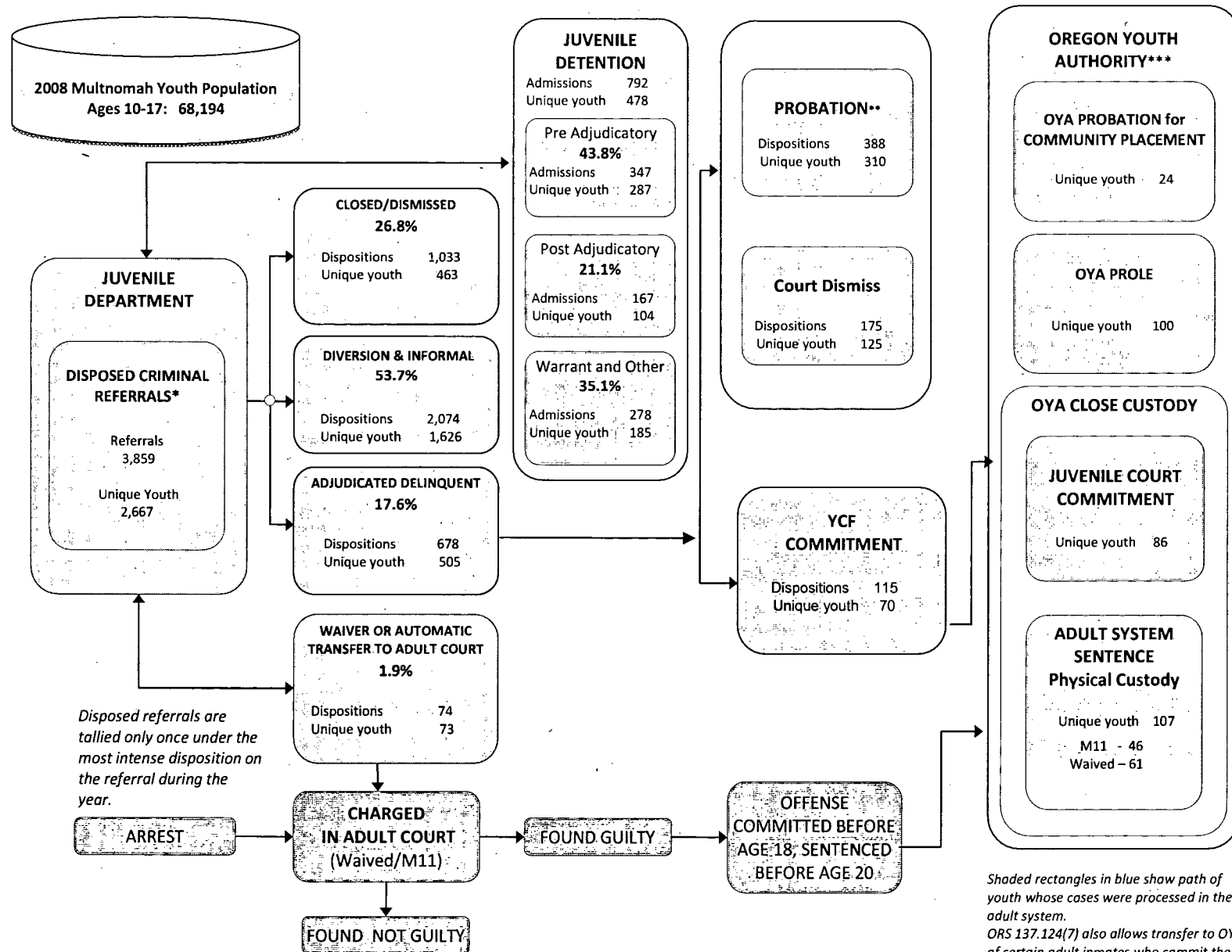


## ***SB 267 – Evidence Based Practice***

- ORS 185.515-525 – Mandates that certain state-funded programs use treatment practices shown by research to reduce the risk of recidivism (commission of a new crime)
- Agencies (including juvenile departments) are required to demonstrate that 75% of state funds received are spent on evidence-based practices, as of 2009-11
- State funds allocated to Multnomah County are directed to services shown to reduce the risk of recidivism – 80% fund evidence-based treatment and culturally specific services



# Multnomah County CY 2009 Disposed Referrals (Criminal Referrals Only)



\* Criminal = Felony & Misdemeanor. Disposed Referrals may have been received prior to the beginning of the year.

\*\* Include a few probation dispositions assigned to DHS or OYA

\*\*\* Based on the snapshot data reported by OYA in December 2009, a good estimate of average daily population.





# MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST

(revised 12/31/09)

## Board Clerk Use Only

Meeting Date: 2/10/2011  
Agenda Item #: C-1  
Est. Start Time: 9:30 a.m.

**Agenda Title:** ORDER Authorizing the Public Sale of Tax Foreclosed Property and Execution of Sale Documents

*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.*

<b>Requested Meeting Date:</b>	February 10, 2011	<b>Amount of Time Needed:</b>	Consent
<b>Department:</b>	County Management	<b>Division:</b>	Assessment, Recording & Taxation / Tax Title
<b>Contact(s):</b>	Sally Brown		
<b>Phone:</b>	503-988-3349	<b>Ext.</b>	22349
<b>Presenter(s):</b>	Sally Brown		
<b>I/O Address:</b>	503/1		

## General Information

### 1. What action are you requesting from the Board?

The County Assessor is requesting the Board to approve the sale of 21 Tax Foreclosed Real Properties at public auction. The attached Exhibit A provides a map and photo of each property. Exhibit B provides a detailed surplus property list including the minimum bid price of each parcel. The Department of County Management recommends that the public auction be approved in order to assure the fiscal stability of Special Programs Tax Foreclosed Property fund.

### 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.

The Department, in order to assure the fiscal stability of Special Programs Tax Foreclosed Property fund, may identify properties to be sold at public auction and not available for donation to governments or non-profit housing sponsors or open space preservation sponsors per Multnomah County Code Chapter 7.401(B).

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

The sale of these properties removes them from the County's ownership and maintenance requirements. The proceeds reimburse the County for any applicable Tax Foreclosed Property expenditures; reimburses any local municipalities for outstanding liens owing per the IGA and the remaining proceeds are distributed to the taxing districts.

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



No legal issues are expected. The parcels will be sold "As Is" without guarantee of clear title.

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

Special Programs will send notification of the sale to all adjacent property owners prior to the sale.  
Notification of the sale will also be sent to the City Auditor per ORS 275.130.

**Required Signature**

**Elected Official or  
Department/  
Agency Director:**

*Mindy Harris*

**Date:** 1/24/11

**Exhibit A**

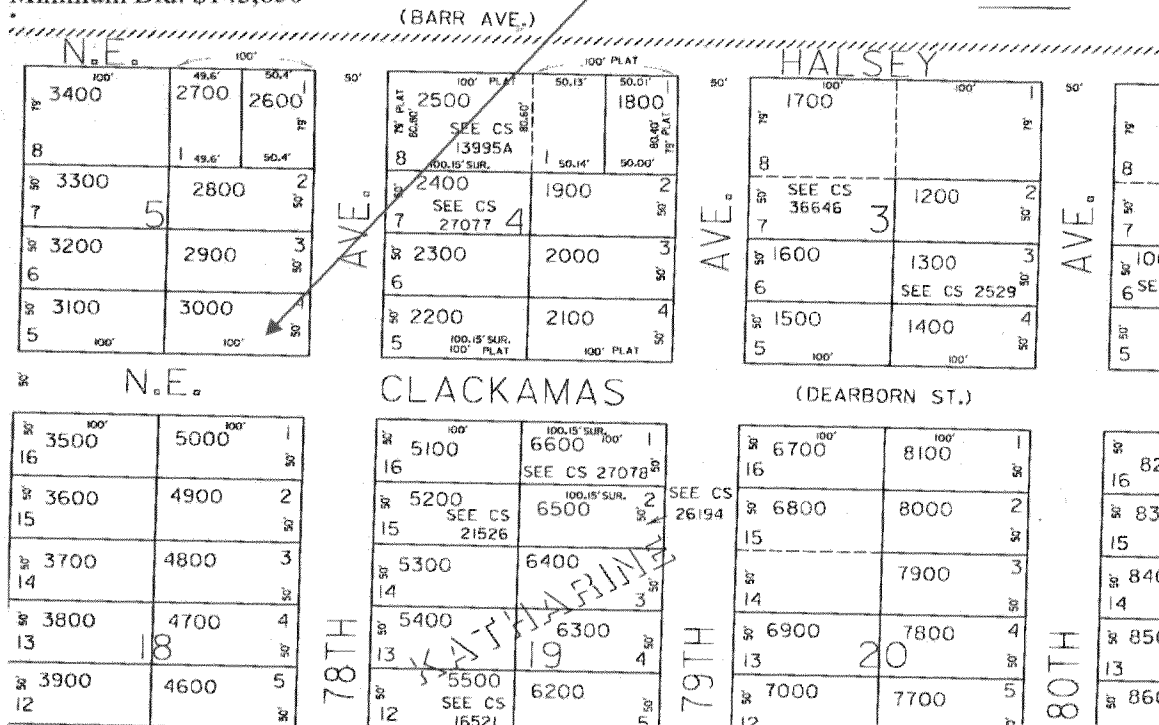


Property No.: 1

Tax Account Number R194869

Location: 1405 NE 78<sup>th</sup> Ave Portland OR 97213

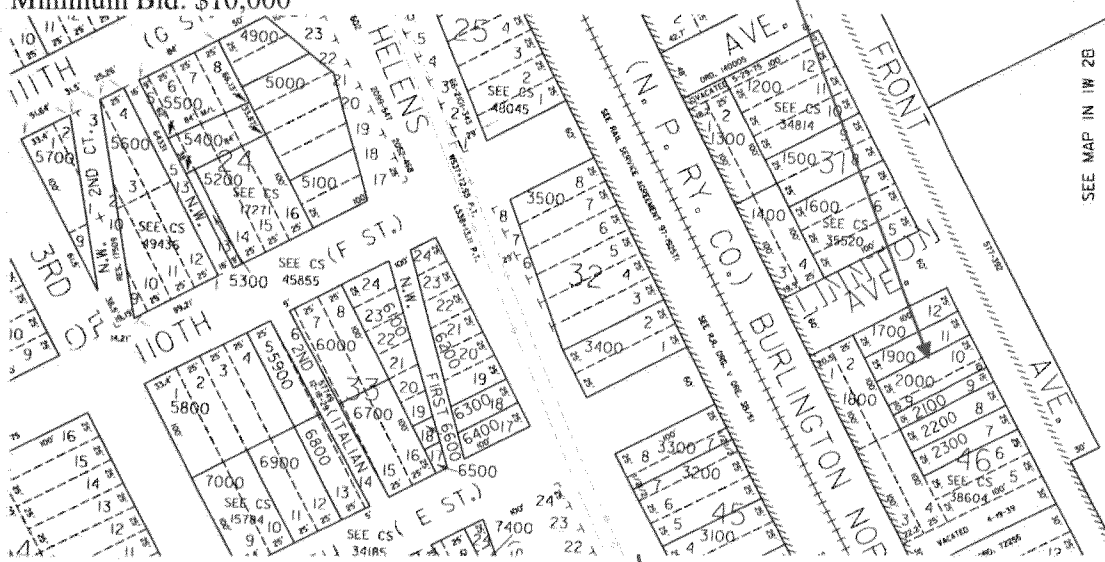
Minimum Bid: \$143,850



Property No.: 2



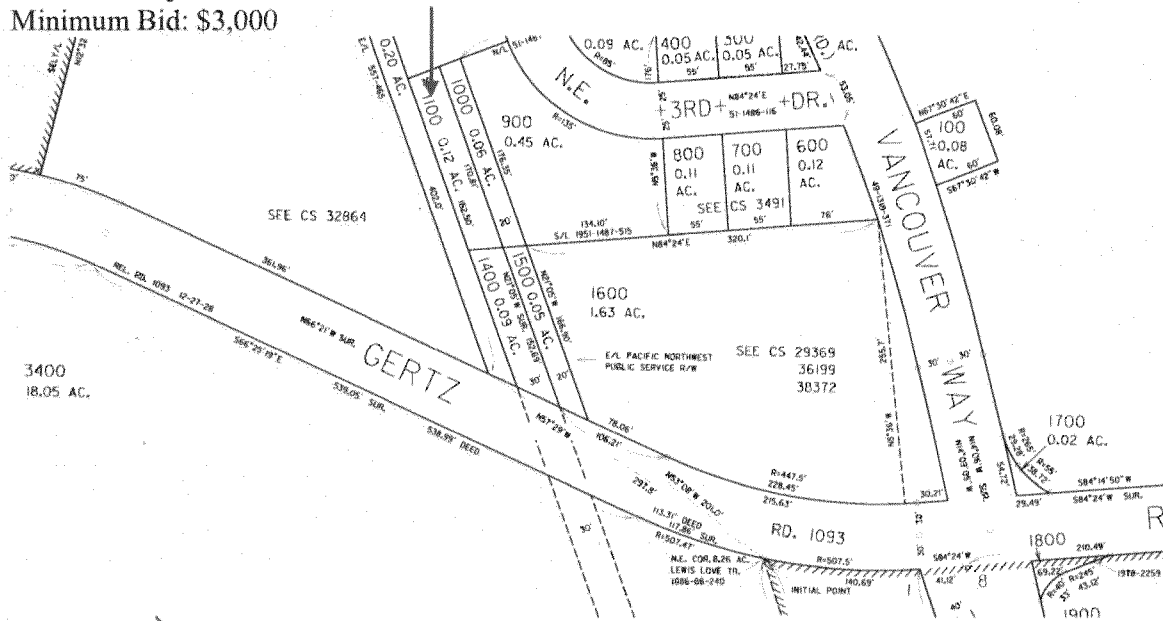
**Minimum Bid: \$10,000**



**Agenda Placement Request**  
**Page- 4**



Minimum Bid: \$3,000



## Subject



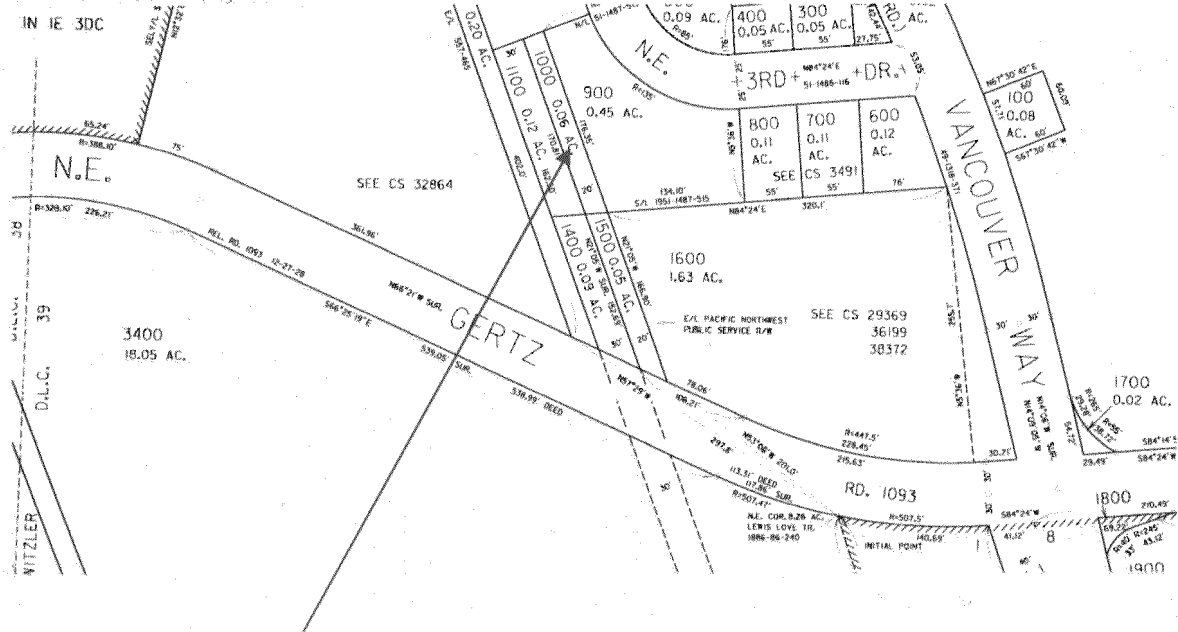


**Property No.: 4**

Tax Account Number R315016

Location: Adjacent to 9451 NE 3<sup>rd</sup> DR Portland OR 97211

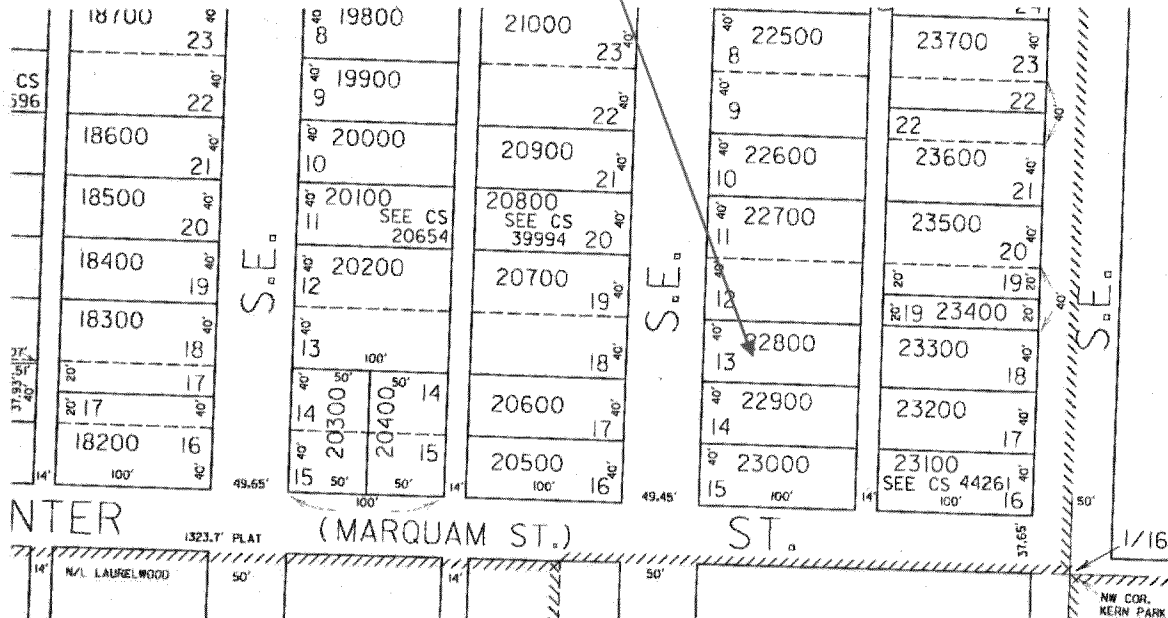
Minimum Bid: \$1,500



**Property No.: 5**



Tax Account Number R204880  
 Location 3916 SE 66<sup>th</sup> Ave Portland OR 97206  
 Minimum Bid: \$85,000



Property No.: 6



Tax Account Number R141935

Location: 2240 NE Hogan Dr Gresham OR 97030

Minimum Bid: \$45,000



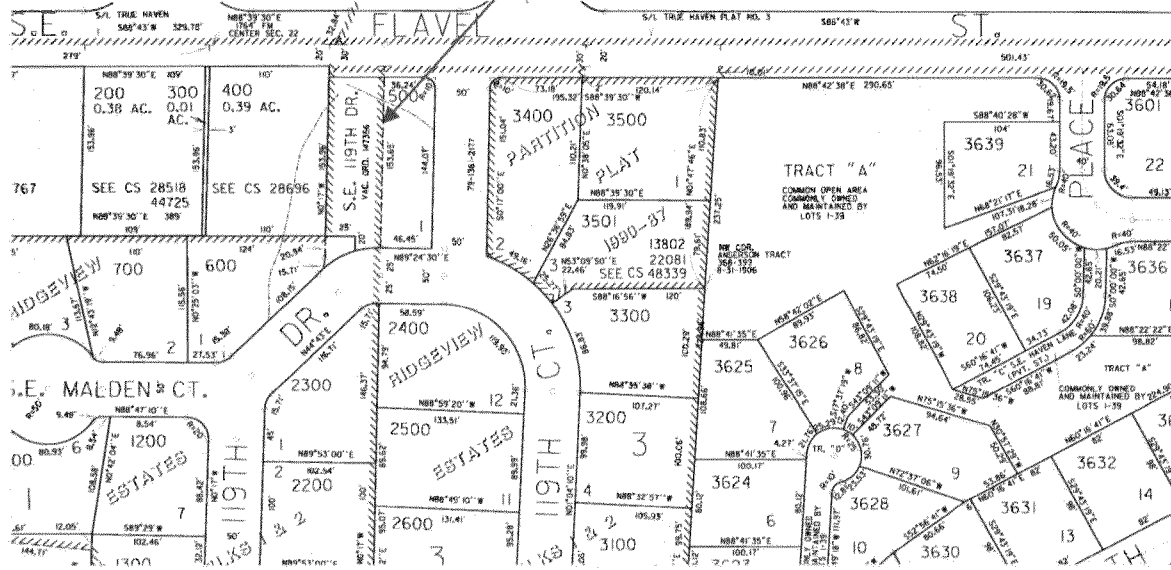
Property No.: 7



Tax Account Number R255548

Location: Adjacent to 11830 SE Flavel ST Portland OR 97266

Minimum Bid: \$20,000



SW Corner of SE 119<sup>th</sup> Drive and SE Flavel



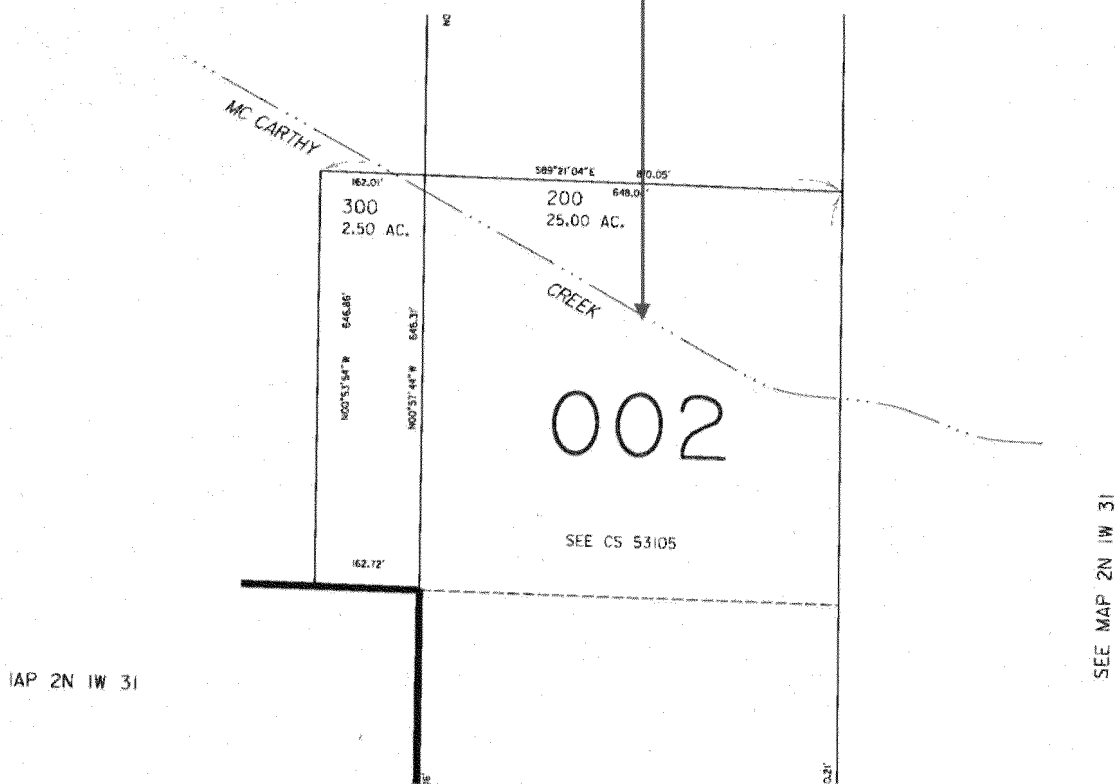
Property No.: 8



Tax Account Number R325352

Location: NW Skyline Blvd (Near Quarry Road) Portland OR 97231

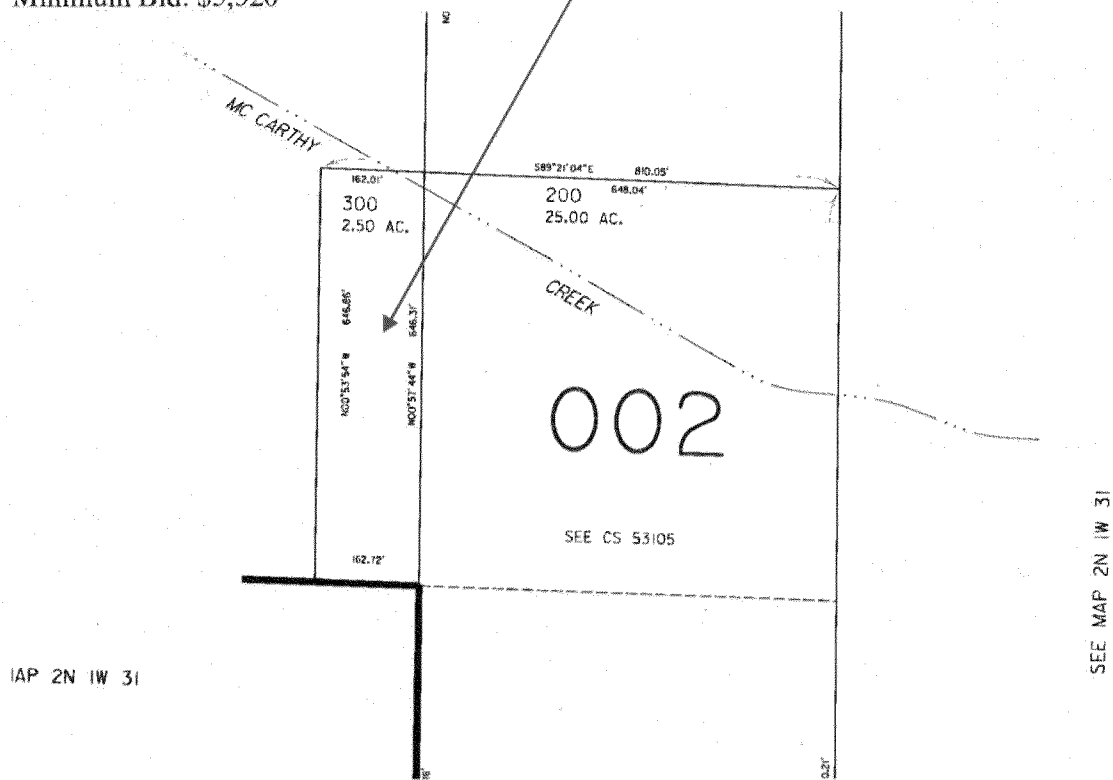
Minimum Bid: \$55,260



Property No.: 9



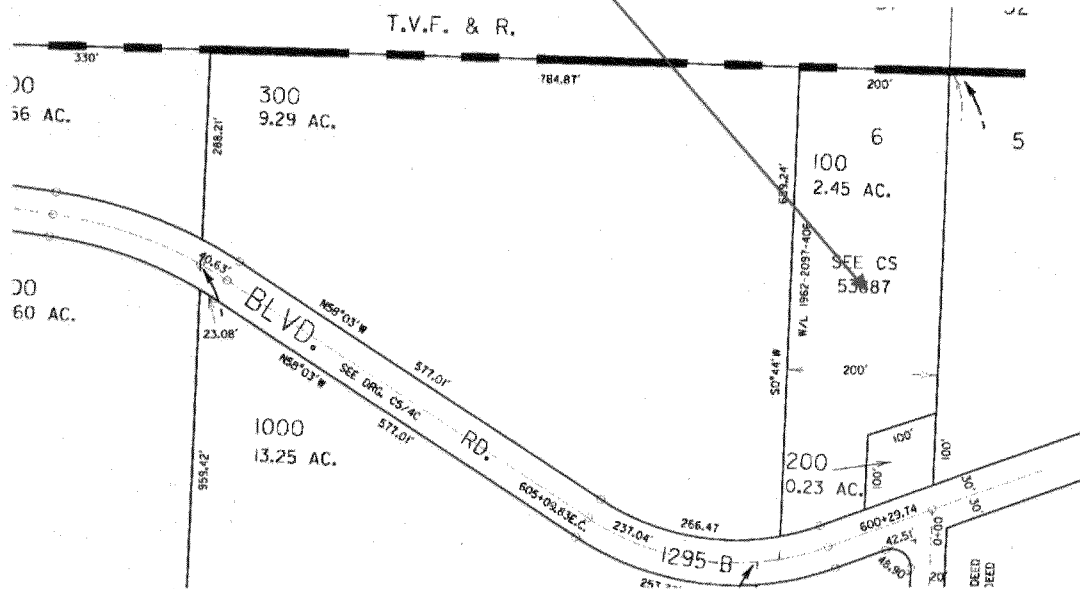
Tax Account Number R325351  
Location: NW Skyline Blvd Portland OR 97231  
Minimum Bid: \$5,520



Property No.: 10



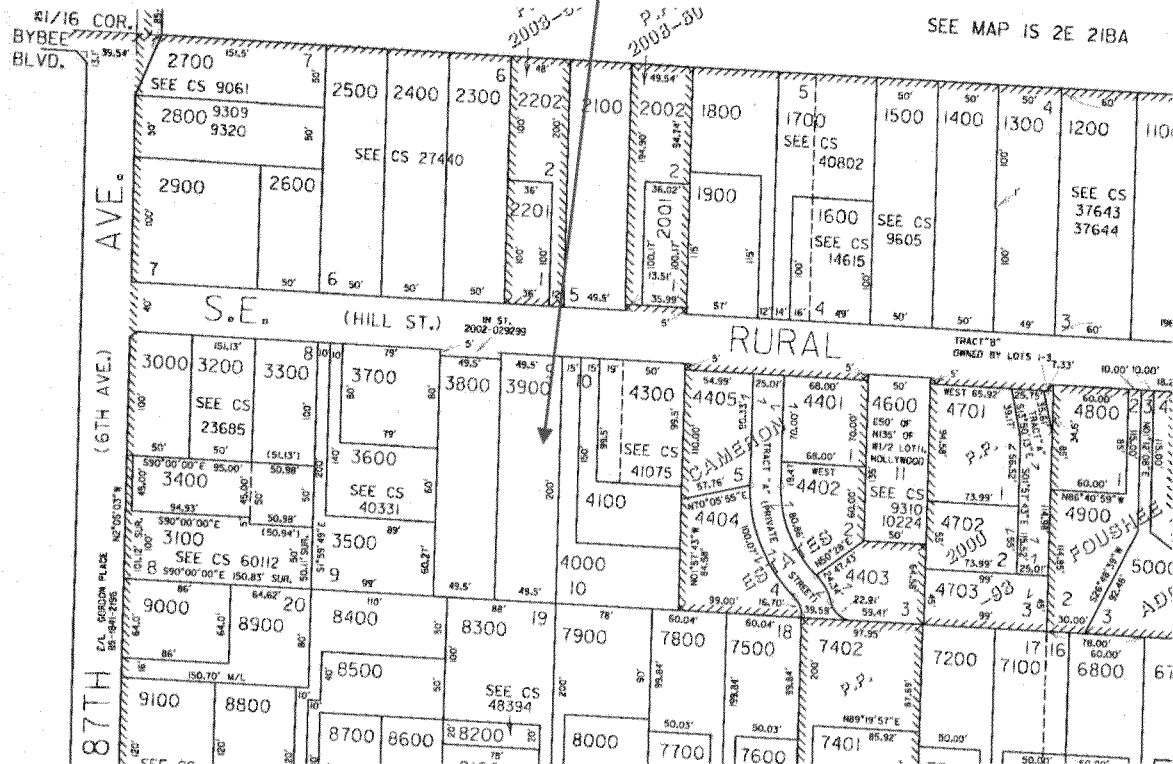
Minimum Bid: \$96,000



**Agenda Placement Request**  
**Page- 12**



Tax Account Number R183121  
 Location: 8744 SE Rural ST Portland OR 97266  
 Minimum Bid: \$60,000



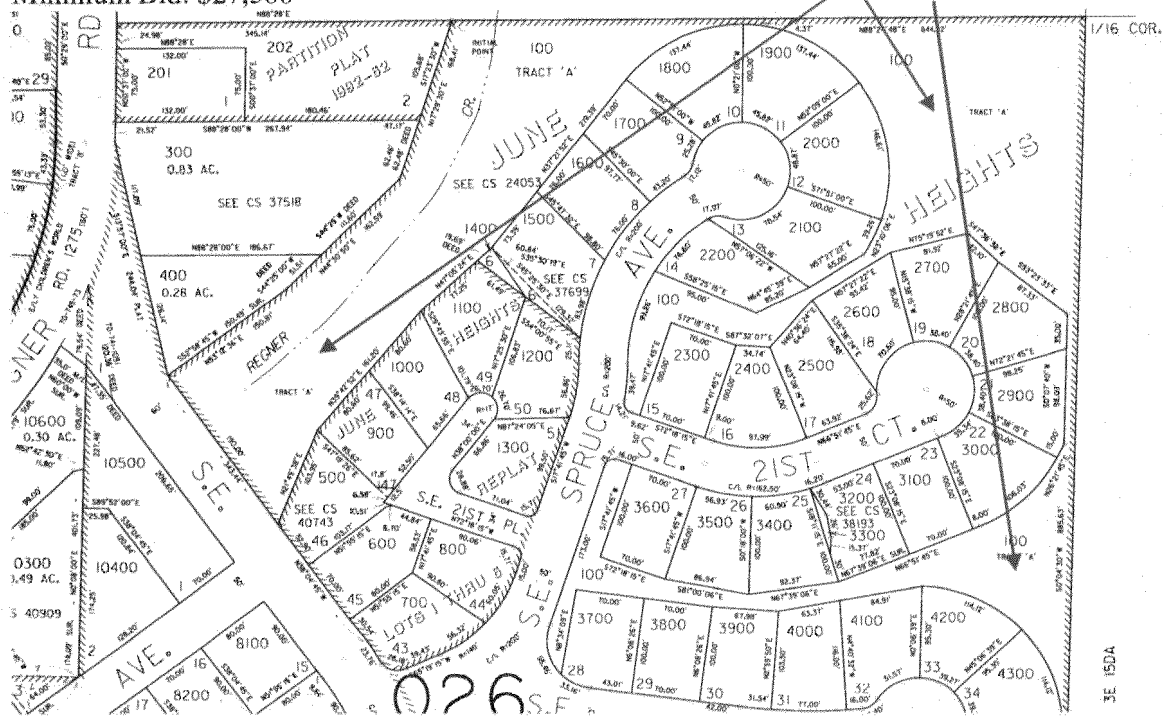
Property No.:12



Tax Account Number R194512

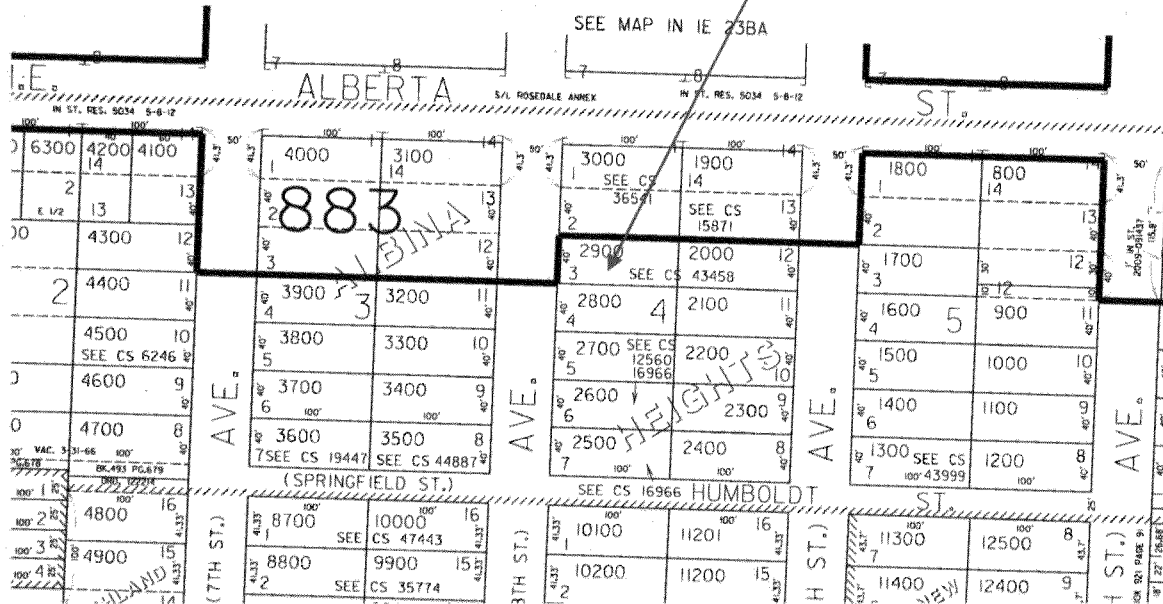
Location: Common Area Mountain View Estates Gresham OR 97080

Minimum Bid: \$27,500





Minimum Bid: \$38,150



**Agenda Placement Request**  
**Page- 15**



Minimum Bid: \$5,000



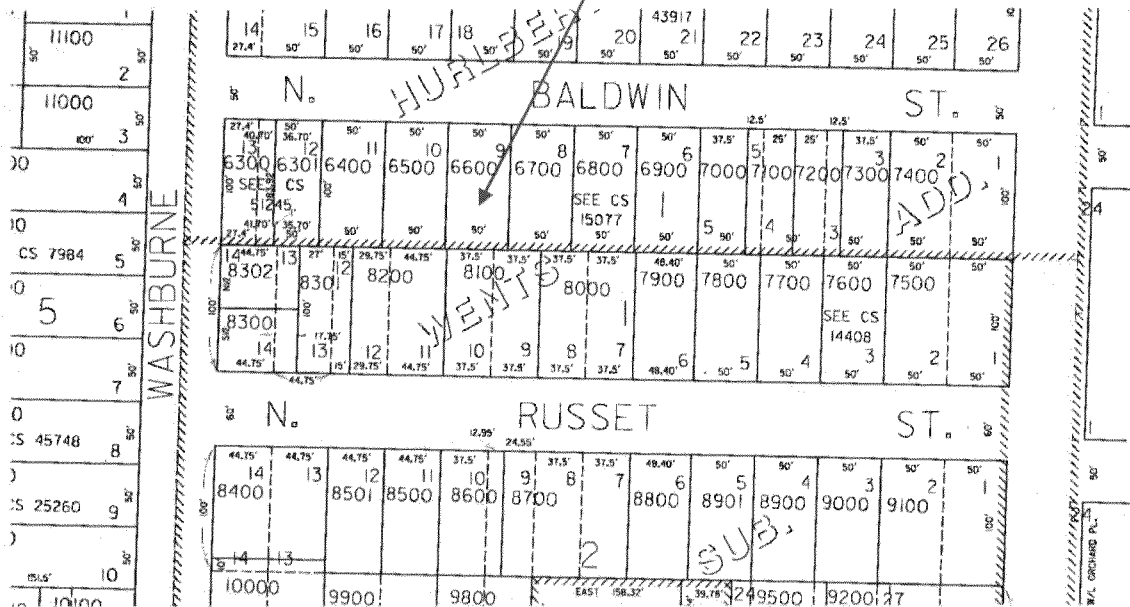
**Agenda Placement Request**  
**Page- 16**



Tax Account Number R241392

Location: 3644 N Baldwin ST Portland OR 97217

Minimum Bid: \$125,000



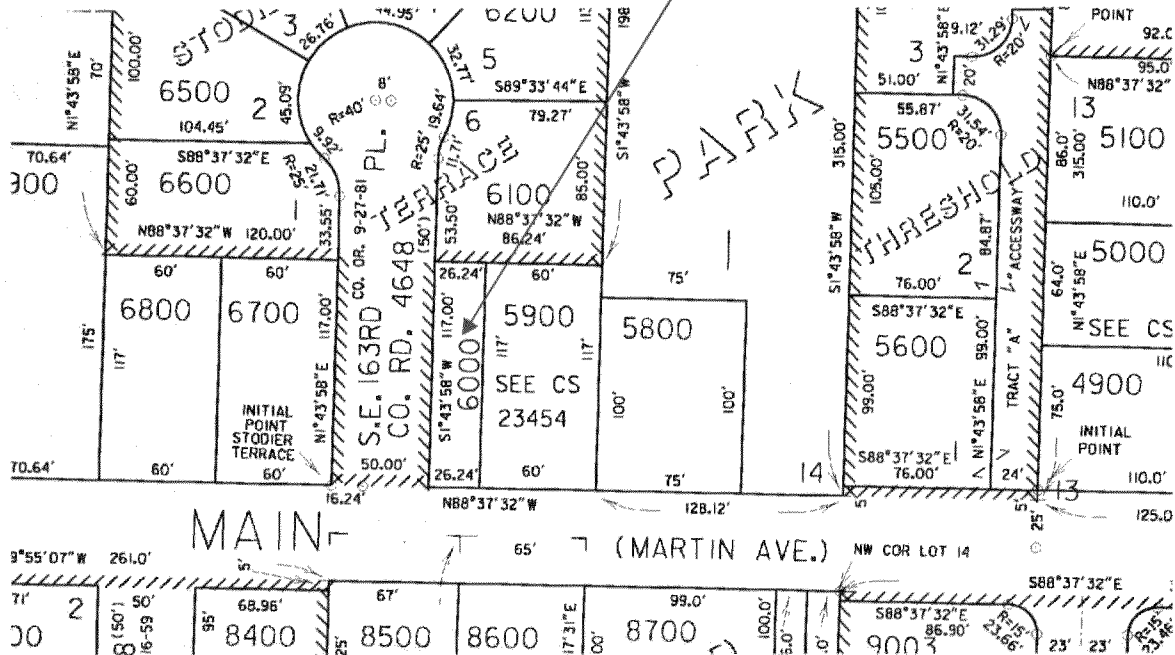
Property No.: 16



Tax Account Number R258638

Location: At corner of 163<sup>rd</sup> and Main Portland OR 97233

Minimum Bid: \$1,000



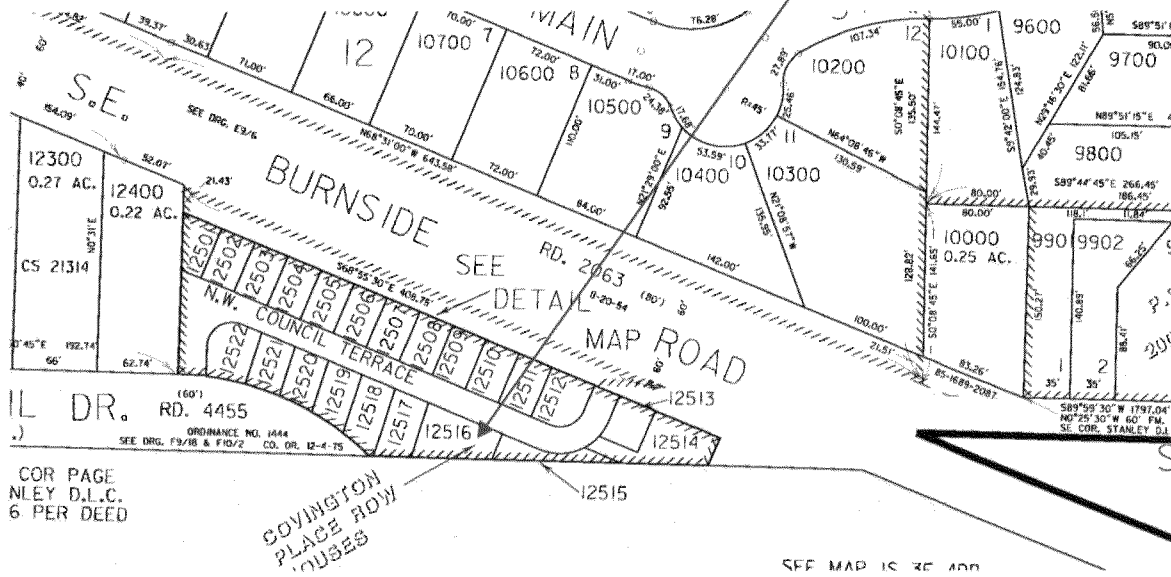


Property No.: 17

Tax Account Number R142304

Location: Adjacent to 1063 NW Council Drive Gresham OR 97030

Minimum Bid: \$5,100



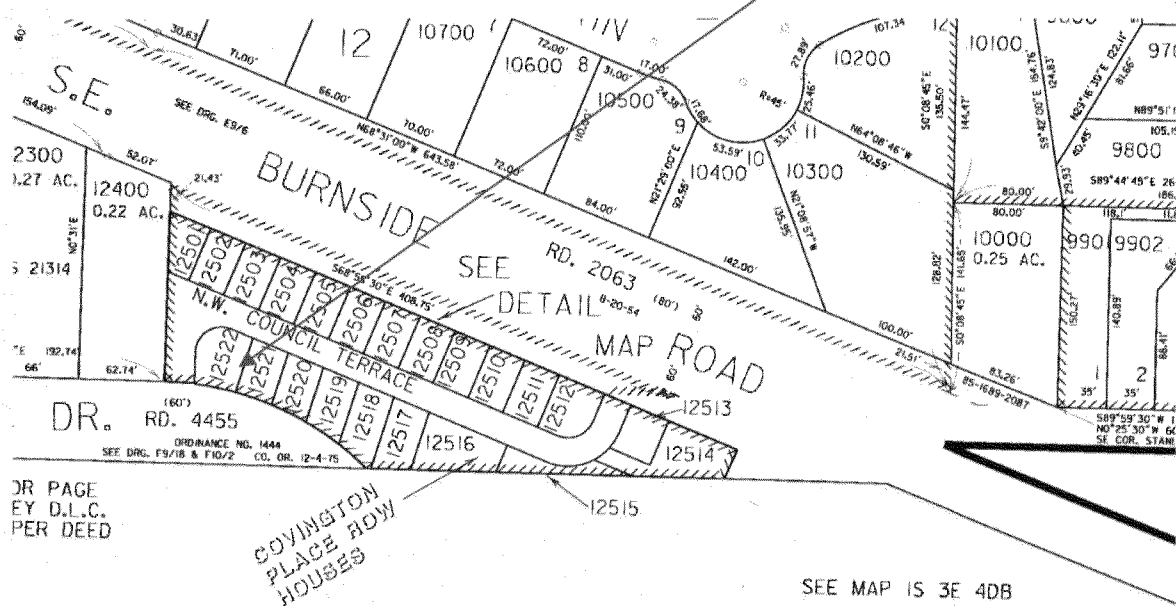
Property No.: 18



Tax Account Number R142310

Location: Adjacent to 1063 NW Council Drive Gresham OR 97030

Minimum Bid: \$5,100



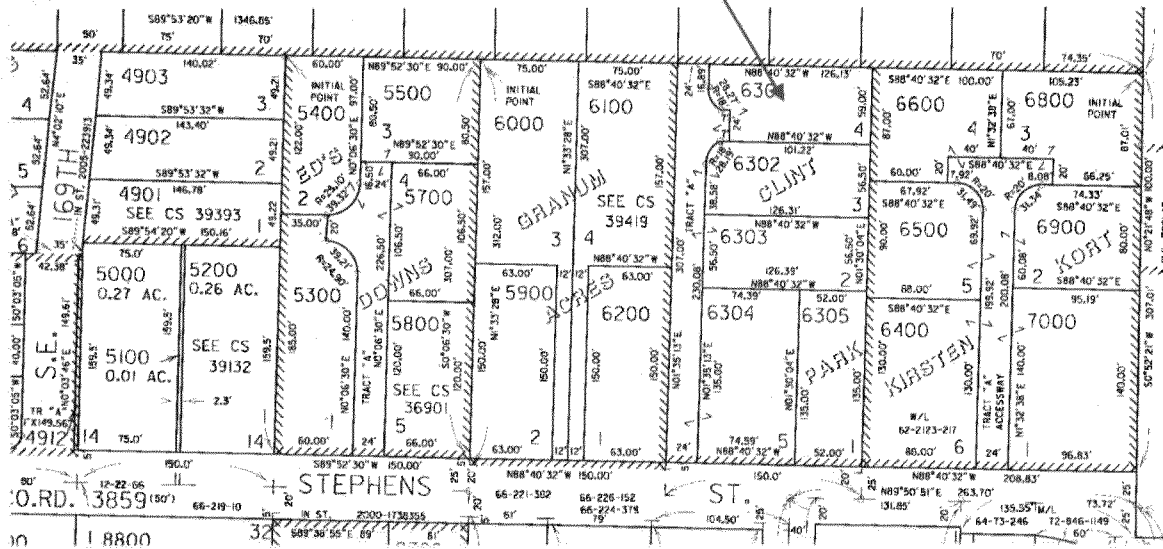
Property No.: 19



Tax Account Number R136127

Location: 17043 SE Stephens ST Portland OR 97233

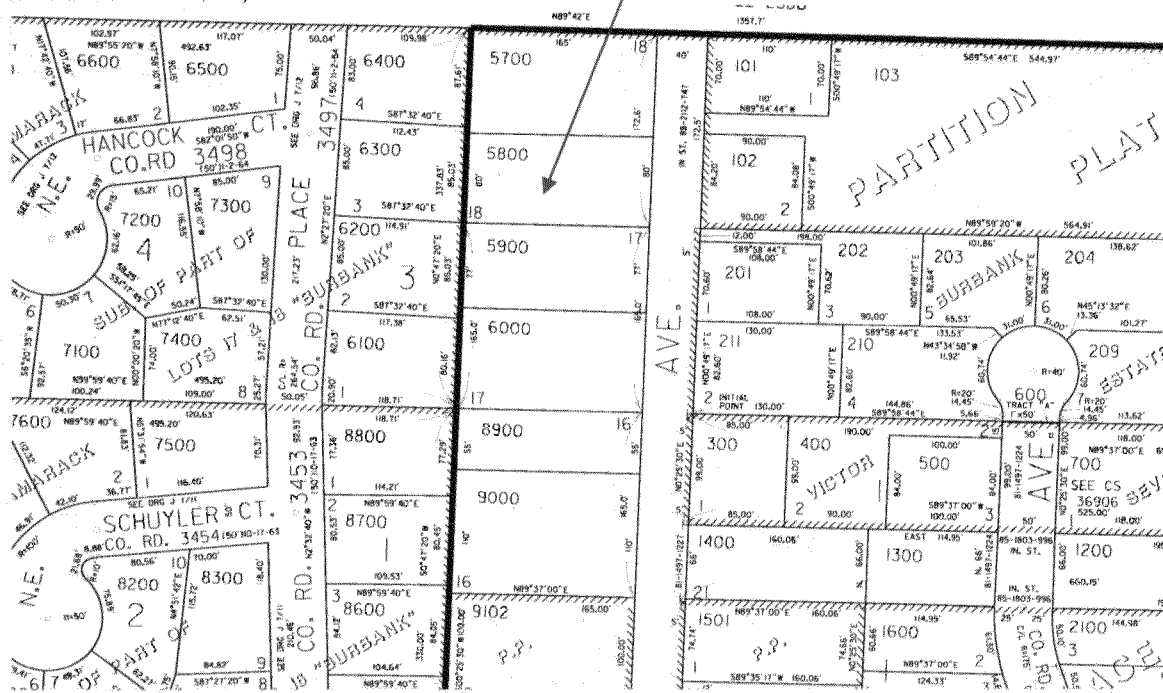
Minimum Bid: \$138,500



Property No.: 20



Tax Account Number R123564  
Location: 1935 NE 155<sup>th</sup> Ave Portland OR 97230  
Minimum Bid: \$86,500





Property No.: 21  
 Tax Account Number R258636  
 Location: 16207 SE Main St Portland OR 97233  
 Minimum Bid: \$125,000





## Exhibit B

### PROPERTY LIST:

ITEM #	TAX ACCT NO/ STATE ID MAP NO.	PROPERTY LOCATION	1/1/2010 ROLL VALUE	ESTIMATED VALUE	MINIMUM BID
1.	R-43960-0720 R194869  1N2E32AA Parcel 03000	1405 NE 78 <sup>th</sup> Avenue Portland OR 97213  Structure	\$204,920	\$191,740	\$143,850
2.	R-83940-2620 R288397  1N1W03AD Parcel 02000	Adjacent to 10829 NW Front Avenue Portland OR 97231	\$24,690	\$24,690	\$10,000
3.	R-94110-1300 R314947  1N1E10AA Parcel 01100	Adjacent to 9451 NE 3 <sup>RD</sup> Drive Portland OR 97211	\$6,000	\$6,000	\$3,000
4.	R-94110-2000 R315016  1N1E10AA Parcel 01000	Adjacent to 9451 NE 3 <sup>RD</sup> Drive Portland OR 97211	\$3,000	\$3,000	\$1,500
5.	R-48080-1680 R204880  1S2E08CB Parcel 22800	3916 SE 66 <sup>th</sup> Avenue Portland OR 97206  Structure	\$170,790	\$148,520	\$85,000
6.	R-18190-0180 R141935  1S3E02C Parcel 90008	2240 NE Hogan Drive Gresham OR 97030  Condo	\$119,900	\$71,930	\$45,000
7.	R-70510-1000 R255548  1S2E22DA Parcel 00500	Adjacent to 11830 SE Flavel Street Portland OR 97266	\$82,500	\$65,000	\$20,000



ITEM #	TAX ACCT NO/ STATE ID MAP NO.	PROPERTY LOCATION	1/1/2010 ROLL VALUE	ESTIMATED VALUE	MINIMUM BID
8.	R-97131-0180 R325352  2N1W31D Parcel 00200	NW Skyline Blvd Near Quarry Road Portland OR 97231	\$92,100	\$92,100,	\$55,260
9.	R-97131-0170 R325351  2N1W31D Parcel 00300	Off of NW Skyline Boulevard Portland OR 97231	\$9,200	\$9,200	\$5,520
10.	R-96106-0290 R323935  1N1W06A Parcel 00100	NW Skyline Blvd (at Quarry Road) Portland OR 97231	\$210,000	\$160,000	\$96,000
11.	R-39820-0770 R183121  1S2E21BD Parcel 03900	8744 SE Rural Street Portland OR 97266  Structure	\$113,910	\$82,820	\$60,000
12.	R-48730-0010 R194512  1S3E15DB Parcel 00100	Tract "A", June Heights Gresham OR 97080  Mountain View Estates Common Area	\$45,900	\$45,900	\$27,500
13.	R-01020-0510 R102803  1N1E23BD Parcel 02900	Adjacent to 4926 NE 12 <sup>th</sup> Avenue Portland OR 97211	\$27,030	\$63,580	\$38,150
14.	R-94216-0320 R317180  1N2E16CD Parcel 01000	Adjacent to 5858 NE 87 <sup>th</sup> Avenue Portland OR 97220  Railroad Spur	\$64,910	\$39,640	\$5,000
15.	R-65360-0100 R241392  1N1E08DD Parcel 06600	3644 N Baldwin Street Portland OR 97217  Structure	\$216,320	\$182,990	\$125,000



ITEM #	TAX ACCT NO/ STATE ID MAP NO.	PROPERTY LOCATION	1/1/2011 ROLL VALUE	ESTIMATED VALUE	MINIMUM BID
16.	R-71610-2790 R258638  1S3E06BC Parcel 06000	Adjacent to 16335 SE Main St Portland OR 97233	\$5,000	\$5,000	\$1,000
17.	R-18284-0700 R142304  1S3E04AC Parcel 12516	Adjacent to 1043 NW Council Drive Gresham OR 97030  Surface Parking	\$61,500	\$8,500	\$5,100
18.	R-18284-1000 R142310  1S3E04AC Parcel 12522	Adjacent to 1063 NW Council Drive Gresham OR 97030  Landscaped Common Area	\$61,500	\$8,500	\$5,100
19.	R-16460-0200 R136127  1S3E06CA Parcel 06301	17043 SE Stephens Street Portland OR 97233  Structure	\$174,770	\$163,980	\$138,500
20.	R-11760-2000 R123564  1N2E25DC Parcel 05800	1935 NE 155 <sup>th</sup> Avenue Portland OR 97230  Structure	\$144,490	\$134,740	\$86,500
21.	R-71610-2750 R258636  1S3E06BC Parcel 07200	16207 SE Main Street Portland OR 97233  Structure	\$191,950	\$158,860	\$125,000



BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

ORDER NO. \_\_\_\_\_

Authorizing the Public Sale of Tax Foreclosed Property and Execution of Sale Documents

**The Multnomah County Board of Commissioners Finds:**

- a. Multnomah County has acquired through the foreclosure of liens for delinquent real property taxes, 21 real property parcels as more particularly described in the attached Exhibit A (the "Property").
- b. Title to the Property is now vested in Multnomah County as provided under ORS 312.270.
- c. The County does not need the Property for County purposes or uses; it is in the best interest of the County to offer the Property at a public sale in accordance with the provisions of ORS 275.110 through 275.190.

**The Multnomah County Board of Commissioners Orders:**

1. The Multnomah County Sheriff (MCSO) is directed to conduct a public sale of the Property in compliance with ORS 275.110 through ORS 275.190; for not less than the minimum bid/price set for each separate parcel as provided in Exhibit A.
2. MCSO shall coordinate with the County's Special Programs Group to determine the date and time of the public sale in compliance with ORS 275.140.
3. MCSO shall provide for notice of the public sale in compliance with ORS 275.120.
4. All parcel's sold at the public sale will be for cash, including the option of an earnest money agreement that requires payment of an earnest money deposit upon execution and payment of the outstanding balance in one additional payment as allowed under ORS 275.188 and ORS 275.190.
5. With respect to the 21 parcels described in Exhibit A, the County Chair is authorized to execute an earnest money agreement if applicable; in substantial conformance with the form of agreement attached as Exhibit B; and a deed in substantial conformance with the deed attached as Exhibit C for the specific parcel purchased at the public sale.

ADOPTED this 10th day of February, 2011.

BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

\_\_\_\_\_  
Jeff Cogen, Chair

REVIEWED:  
HENRY H. LAZENBY, JR, COUNTY ATTORNEY  
FOR MULTNOMAH COUNTY, OREGON

By \_\_\_\_\_  
Matthew O. Ryan, Assistant County Attorney

SUBMITTED BY: Mindy Harris, Interim Director; Dept. of County Management



1.	Legal Description:	Lot 4, Block 5, Katharine
	Approximate Location:	1405 NE 78 <sup>th</sup> Avenue Portland OR 97213
	Tax Account Number:	R194869
	Minimum Bid/Price:	\$143,850
	Expenses:	\$1738
	City Liens:	\$0
2.	Legal Description:	Lot 10 and the Northwesterly 10 feet of Lot 9 Block 46 Town of Linnton
	Approximate Location:	Adjacent to 10829 NW Front Avenue Portland OR 97231
	Tax Account Number:	R288397
	Minimum Bid/Price:	\$10,000
	Expenses:	\$864
	City Liens:	\$67,882
3.	Legal Description:	See Attached Exhibit A-1
	Approximate Location:	Adjacent to 9451 NE 3 <sup>RD</sup> Drive Portland OR 97211
	Tax Account Number:	R314947
	Minimum Bid/Price:	\$3,000
	Expenses:	\$827
	City Liens:	\$0
4.	Legal Description:	See Attached Exhibit A-2
	Approximate Location:	Adjacent to 9451 NE 3 <sup>rd</sup> Drive Portland OR 97211
	Tax Account Number:	R315016
	Minimum Bid/Price:	\$1,500
	Expenses:	\$818
	City Liens:	\$0
5.	Legal Description:	Lot 13, Block 6, Laurelwood Park
	Approximate Location:	3916 SE 66 <sup>th</sup> Avenue Portland OR 97206
	Tax Account Number:	R204880
	Minimum Bid/Price:	\$85,000
	Expenses:	\$1,395
	City Liens:	\$2,616
6.	Legal Description:	Unit 8, Country Club Estate Townhouse Condominium
	Approximate Location:	2240 NE Hogan Drive, Gresham OR 97030
	Tax Account Number:	R141935
	Minimum Bid/Price:	\$45,000
	Expenses:	\$990
	City Liens:	\$0



**Exhibit A**  
**21 Tax Foreclosed Properties**  
**Proposed For Public Sale By Multnomah County**

7. Legal Description: See Attached Exhibit A-3
- Approximate Location: Adjacent to 11830 SE Flavel Street Portland OR 97266  
Tax Account Number: R255548  
Minimum Bid/Price: \$20,000  
Expenses: \$1,363  
City Liens: \$0
8. Legal Description: See Attached Exhibit A-4
- Approximate Location: NW Skyline Boulevard (Near Quarry Road) Portland OR 97231  
Tax Account Number: R325352  
Minimum Bid/Price: \$55,260  
Expenses: \$500  
City Liens: \$0
9. Legal Description: See Attached Exhibit A-5
- Approximate Location: NW Skyline Boulevard Portland OR 97231  
Tax Account Number: R325351  
Minimum Bid/Price: \$5,520  
Expenses: \$500  
City Liens: \$0
10. Legal Description: See Attached Exhibit A-6
- Approximate Location: NW Skyline Boulevard Portland OR 97231  
Tax Account Number: R323935  
Minimum Bid/Price: \$96,000  
Expenses: \$500  
City Liens: \$0
11. Legal Description: The East One-Half of the East One-Half of Lot 9, Hollywood
- Approximate Location: 8744 SE Rural Street Portland OR 97266  
Tax Account Number: R183121  
Minimum Bid/Price: \$60,000  
Expenses: \$8,200  
City Liens: \$25,968
12. Legal Description: Tract "A", June Heights
- Approximate Location: Common Area Mountain View Estates Gresham OR 97080  
Tax Account Number: R194512  
Minimum Bid/Price: \$27,500  
Expenses: \$500  
City Liens: \$0
13. Legal Description: Lot 3, Block 4, Albina Heights
- Approximate Location: Adjacent to 1206 NE Alberta Street Portland OR 97211  
Tax Account Number: R102803  
Minimum Bid/Price: \$38,150  
Expenses: \$500  
City Liens: \$0



**Exhibit A**  
**21 Tax Foreclosed Properties**  
**Proposed For Public Sale By Multnomah County**

- |     |                       |   |
|-----|-----------------------|---|
| 14. | Legal Description:    | See Attached Exhibit A-7  |
|     | Approximate Location  | Adjacent to 5858 NE 87 <sup>th</sup> Avenue Portland OR 97220             |
|     | Tax Account Number:   | R317180   |
|     | Minimum Bid/Price:    | \$5,000   |
|     | Expenses:             | \$650   |
|     | City Liens:           | \$0   |
| 15. | Legal Description:    | Lot 9, Block 1, Peddicord and Hurlbert's Addition                         |
|     | Approximate Location  | 3644 N Baldwin Street Portland OR 97217                                   |
|     | Tax Account Number:   | R241392   |
|     | Minimum Bid/Price:    | \$125,000   |
|     | Expenses:             | \$1,740   |
|     | City Liens:           | \$108,554   |
| 16. | Legal Description:    | See Attached Exhibit A-8  |
|     | Approximate Location  | Adjacent to 16335 SE Main Street Portland OR 97233                        |
|     | Tax Account Number:   | R258638   |
|     | Minimum Bid/Price:    | \$1,000   |
|     | Expenses:             | \$7,850   |
|     | City Liens:           | \$0   |
| 17. | Legal Description:    | Lot 14, Covington Place Row Houses  |
|     | Approximate Location: | Adjacent to 1043 NW Council Drive Gresham OR 97030                        |
|     | Tax Account Number:   | R142304   |
|     | Minimum Bid/Price:    | \$5,100   |
|     | Expenses:             | \$500   |
|     | City Liens:           | \$00  |
| 18. | Legal Description:    | Lot 20, Covington Place Row Houses  |
|     | Approximate Location: | Adjacent to 1063 NW Council Drive Gresham OR 97030                        |
|     | Tax Account Number:   | R142310   |
|     | Minimum Bid/Price:    | \$5,100   |
|     | Expenses:             | \$500   |
|     | City Liens:           | \$00  |
| 19. | Legal Description:    | Lot 4, Clint Park<br>Together with an undivided 1/4 interest in Tract "A" |
|     | Approximate Location: | 17043 SE Stephens St Portland OR 97233                                    |
|     | Tax Account Number:   | R136127   |
|     | Minimum Bid/Price:    | 138,500   |
|     | Expenses:             | \$1,131   |
|     | City Liens:           | \$00  |
| 20. | Legal Description:    | The South 80 feet of the East 165 feet of Lot 18,<br>Burbank              |
|     | Approximate Location: | 1935 NE 155 <sup>th</sup> Avenue Portland OR 97230                        |
|     | Tax Account Number:   | R123564   |
|     | Minimum Bid/Price:    | \$86,500  |
|     | Expenses:             | \$500   |
|     | City Liens:           | \$30,121  |



**Exhibit A**  
**21 Tax Foreclosed Properties**  
**Proposed For Public Sale By Multnomah County**

21.	Legal Description:	ROCKWOOD PK, BLOCK 1, W 100' OF S 105' OF LOT 14 EXC PT IN ST
	Approximate Location:	16207 SE Main Street Portland OR 97233
	Tax Account Number:	R258636
	Minimum Bid/Price:	\$125,000
	Expenses:	\$500
	City Liens:	\$696

**EXHIBIT A-1**

**Tax Account R314947**

**Legal Description:**

A tract of land in the Northeast quarter of the Northeast quarter of Section 10, Township 1 North, Range 1 South, Willamette Meridian, County of Multnomah, State of Oregon, said parcel being more particularly described as follows:

That portion of the former Portland Electric Power Company's vacated right-of-way conveyed to T.G. Donaca by deed recorded on July 12, 1944 in Book 851, page 194 Deed Records, lying between a Westerly extension of the most Northerly line and a Westerly extension of the most Southerly line of the foregoing described property:

Beginning at the Northeast corner of the 8.26 acre tract of land conveyed to Lewis Love by deed recorded June 4, 1886, in Book 86, page 240, Deed records of Multnomah County, Oregon; thence North 53°08' West to the intersection of the North line of Gertz Road (County Road No. 1093) and the east line of the Pacific Northwest Public Service right-of-way; thence North 21°05' West along the East line of said right-of-way 166.9 feet to the true point of beginning; thence North 84°24' East 134.1 feet; thence North 5°36' West 176 feet; thence North 36°02'30" West 44.89 feet; thence South 68°55' West 163.11 feet to the East line of said right-of-way; thence South 21° of' West along said East line 176.35 feet to the true point of beginning, excepting that portion within the boundary of NE 3<sup>rd</sup> Drive, dedicated to the public by deed recorded July 10, 1951 in Book 1486 page 116 Deed records.

**EXHIBIT A-2**

**Tax Account R315016**

**Legal Description:**

A tract of land in the Northeast quarter of the Northeast quarter of Section 10, Township 1 North, Range 1 South, Willamette Meridian, County of Multnomah, State of Oregon, said parcel being more particularly described as follows:

Commencing at the intersection of the East line of the Pacific Northwest Public Service right-of-way and the North line of NE Gertz Rd. (County Rd. No. 1093) thence running North 21°05' West 166.9 feet to the true point of beginning; thence continuing North 21°05' West 176.35 feet; thence South 68° 55' East 170.81 feet; thence North 84°24' East 20 feet, more or less, to the true point of beginning.



### EXHIBIT A-3

**Tax Account R255548**

**Legal Description:**

Lot 1, Block 3, RIDGEVIEW ESTATES, in the City of Portland, County of Multnomah and State of Oregon.

ALSO, a tract of land in the Southeast one-quarter of Section 22, Township 1 South, Range 2 East, of the Willamette Meridian, in the City of Portland, County of Multnomah and State of Oregon, more particularly described as follows:

Beginning at the Southwest corner of Lot 1, Block 3, RIDGEVIEW ESTATES, a duly recorded subdivision in Multnomah County; thence North along the West line of said Lot 1 to the Northwest corner thereof; thence West parallel with and 30 feet South of the North line of said Southeast one-quarter section a distance of 50 feet; thence South parallel with and 50 feet West of said West line of said Lot 1, Block 3, a distance of 143.96 feet to the Northeast corner of Lot 1, Block 1, RIDGEVIEW ESTATES; thence East along the extension of Lot 1, Block 1, RIDGEVIEW ESTATES, a distance of 25 feet; thence South parallel with the West line of said Lot 1, Block 3 a distance of 20 feet, more or less, to a point on a 70 foot radius, non-tangent curve to the right; thence Easterly along the arc of said curve to the Southwest corner of said Lot 1, Block 3 and the point of beginning.

### EXHIBIT A-4

**Tax Account: R325352**

**Legal Description:**

The Southwest One-Quarter of the Northeast One-Quarter of the Southeast One-Quarter and the Northwest One-Quarter of the Southeast One-Quarter of the Southeast One-Quarter and the North One-Half of the Southwest One-Quarter of the Southeast One-Quarter of the Southeast One-Quarter of Section 31, Township 2 North, Range 1 West, of the Willamette Meridian, in Multnomah County, Oregon.

### EXHIBIT A-5

**Tax Account: R325351**

**Legal Description:**

The East One-Half of the East One-Half of the Southeast One-Quarter of the Northwest One-Quarter of the Southeast One-Quarter of Section 31, Township 2 North, Range 1 West, of the Willamette Meridian, in Multnomah County, Oregon.

### EXHIBIT A-6

**Tax Account: R323935**

**Legal Description:**

A tract of land in the Northeast One-Quarter of Section 6, Township 1 North, Range 1 West, of the Willamette Meridian, Multnomah County, Oregon described as follows:

Commencing at a point in the North line of Skyline Boulevard, where the same intersects the East line of said Northeast One-Quarter of Section 6; thence North, along the East line of said Section 6, a distance of 100 feet to the true point of beginning of the tract of land herein described: thence Westerly, and parallel with the North line of said Skyline Boulevard, a distance of 100 feet to a point; thence South and parallel with the East line of said Section 6, a distance of 100 feet to the North line of said Skyline Boulevard; thence Westerly, along the North line of said Skyline Boulevard, such sufficient distance to reach a point on said North line of said Skyline Boulevard, located a distance of 200 feet distant from the East line of said Section 6, (when measured at right angles thereto); thence North, to a point on the North line of Section 6 which is 200 feet West of the Northeast corner of said Section 6; thence East, along said



North line, a distance of 200 feet to the Northeast corner of said Section 6; thence South along the East line of Section 6, to the point of beginning.

Excepting from the above described, all minerals, except coal and iron, as contained in instrument recorded December 6, 1895 in Book 229 Page 259 Multnomah County Deed records and also by instrument recorded April 27, 1893 in Book 196 Page 300 Multnomah County Deed Records.

#### **EXHIBIT A-7**

**Tax Account R317180**

**Legal Description:**

A parcel of land situated in Section 16, Township 1 North Range 2 East of the Willamette Meridian, in the County of Multnomah and State of Oregon, described as follows:

Commencing at a the Southwest corner of said Section 16; thence N74°32'33"E a distance of 1704.21 feet; thence N00°01'31"E, a distance of 531.42 feet to the Northwest corner of that parcel of land described in Book 2100 Page 1102, recorded May 3, 1988 Multnomah County Deed Records, said corner being North 72°29'20" West, a distance of 970.43 feet from the Northeast corner of the aforesaid tract and a point on the West line of N.E. 92<sup>nd</sup> Avenue; thence South 0°06' West, a distance of 266.39 feet to the true point of beginning of the herein described parcel of land; thence continuing South 0°06' West to a point 322.26 feet from the North line of N.E. Columbia Boulevard; thence Northwesterly following and along the Northeasterly line of the tract conveyed to A.J. Donahue, et al, recorded February 1, 1966 in Book 462 Page 371, Multnomah County Deed Records, to the Northwest corner of said A.J. Donahue et al, tract and a point on the East line of N.E. 87<sup>th</sup> Avenue; thence North 0°06' East 26.19 feet to a point; thence South 72°31'50" East 307.03 feet to the true point of beginning.

#### **EXHIBIT A-8**

**Tax Account 258638**

**Legal Description:**

**A tract of land in Lot 14 Block 1 ROCKWOOD PARK a recorded subdivision in Multnomah County, State of Oregon described as follows:**

Commencing at the Southeast corner of said Lot 14; thence West, along the South line of said Lot 14, 188.12 feet to the true point of beginning of the tract to be described; thence North, parallel to the East line of said Lot 14, 117 feet to the South line of STODIER TERRACE, a recorded subdivision in said County; thence West, along the said South line, 26.28 feet to the East line of SE 163rd Place; thence South, along the said East line, 117 feet to the South line of said Lot 14; thence East, along the said South lot line, 26.28 feet to the true point of beginning.



**EXHIBIT B**  
**EARNEST MONEY AGREEMENT**

**DATE:** MARCH 30, 2011

**SELLER:** MULTNOMAH COUNTY, OREGON by and through its Division of Assessment, Recording and Taxation (DART), 501 S.E. Hawthorne Blvd., Rm. 175, Portland, Oregon, 97214-3560, ("County").

**BUYER:** Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_

**Recitals**

1. On March 30, 2011, County conducted a public auction consistent with ORS 275.110 to 275.250 of tax-foreclosed real properties, including the property described herein.
2. Buyer was the highest bidder at the auction for certain real property, located in Multnomah County, Oregon, more particularly described as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(The "Property").

**Agreement**

Now, therefore, for valuable consideration, the parties agree as follows:

1. **Sale and Purchase.** Buyer agrees to purchase the Property from County and County agrees to sell the Property to Buyer for the sum of \$\_\_\_\_\_ (the "Purchase Price").

2. **Earnest Money.** County hereby acknowledges receipt of the sum of \$\_\_\_\_\_ paid by Buyer as earnest money. The earnest money shall be applied to the Purchase Price on the Closing Date, as that term is defined herein.

3. **Payment of Purchase Price.** The Purchase Price shall be paid as follows:  
At closing, the earnest money shall be credited to the purchase price and the Buyer shall pay the balance of the purchase price in cash.

4. **Closing.** Closing shall take place on or before May 6, at 1 PM; (the "Closing Date"), at the offices of Multnomah County DART Special Programs, 501 SE Hawthorne, Rm.175, Portland, Oregon, 97214-3560.

5. **Lead Based Paint Inspection.** Buyer shall have an opportunity to conduct a risk-assessment or inspection to determine the presence of lead-based paint or lead-based paint hazards on the property. Buyer may terminate this sale by delivering to County written notice of Buyer's disapproval of risk-assessment or inspection within ten (10) days of the date of this Agreement unless Buyer has waived the opportunity. The disclosure statement on lead-based



paint and lead-based paint hazards, which is attached as Exhibit A, is incorporated in this Agreement. If Buyer delivers to County a timely notice of disapproval, this Agreement terminates and will be cancelled and County will promptly refund Buyer's earnest money deposit. Buyer shall indemnify, hold harmless and defend County from all liens, costs, claims, demands, suits and expenses including reasonable attorney fees and expert fees, arising from or relating to Buyer's entry on or inspection of the property as provided under this paragraph. This covenant to indemnify, hold harmless and defend seller shall survive closing or any termination of this agreement.

**6. Right of Entry.** If the conditions described in Paragraph 5 above are satisfied or waived by Buyer, Buyer or its agents may prior to closing enter the Property from time to time to inspect the Property, as needed. Buyer shall indemnify, hold harmless and defend County from all liens, costs, claims, demands, suits and expenses including reasonable attorney fees and expert fees, arising from or relating to Buyer's entry on or inspection of (including any additional environmental inspection or testing) the property; or any other work performed or allowed by Buyer on the property prior to closing. This covenant to indemnify, hold harmless and defend seller shall survive closing or any termination of this agreement.

**7. Deed.** On the Closing Date, upon payment of the purchase price as provided herein, the County shall execute and deliver to Buyer a statutory bargain and sale deed conveying the Property to Buyer.

**8. Title Insurance.** County does not provide title insurance.

**9. Possession.** Buyer shall be entitled to possession immediately upon closing.

**10. Property Sold "AS IS, WHERE IS".** Buyer agrees that it has accepted and executed this Agreement on the basis of its own examination and personal knowledge of the Property; County makes no representations or warranties with respect to the physical condition or any other aspect of the Property, including, without limitation, that the Property may have conformed to past, current, or future applicable zoning or building code requirements, the existence of soil and stability, past soil repair, soil additions, or conditions of soil fill of susceptibility to land slides, the sufficiency of any undershoring, the sufficiency of any drainage, whether the Property is located either wholly or partially in a flood plain or a flood hazard boundary or similar area, or any other matter affecting the stability or integrity of the Property. Buyer expressly acknowledges that the Property is being sold and accepted "**AS IS, WHERE IS**", and Buyer hereby unconditionally and irrevocably waives any and all actual or potential rights Buyer may have regarding any form of warranty, except as set forth in this Agreement, express or implied, of any kind or type, relating to the Property. Such waiver is absolute, complete, total, and unlimited in any way.

**11. Binding Effect/Assignment Restricted.** This Agreement is binding on and will inure to the benefit of County, Buyer, and their respective heirs, legal representatives, successors, and assigns. Nevertheless, Buyer will not assign its rights under this Agreement without County's prior written consent which consent shall not be unreasonably withheld.

**12. Remedies. TIME IS OF THE ESSENCE REGARDING THIS AGREEMENT.**

(a) If the conditions described in Paragraph 5 above are satisfied or waived by Buyer and the transaction does not thereafter close, through no fault of County, before the close of business



on the Closing Date, Buyer shall forfeit the [earnest money deposit \_\_\_\_\_] to County as liquidated damages.

(b) If County fails to deliver the deed described in Paragraph 7 above on the Closing Date or otherwise fails to consummate this transaction, the earnest money deposit shall be refunded to Buyer.

(c) The parties agree the remedies for the failure to close this transaction, shall be limited to the remedies set forth above and the parties waive any further remedies, which may be available to either.

(d) Provided, nothing herein shall be interpreted to limit the Buyer's obligations under Paragraphs 5 and 6 as applicable, to defend, hold harmless and indemnify the County.

**13. Notices.** All notices and communications in connection with this Agreement shall be given in writing and shall be transmitted by certified or registered mail, return receipt requested, to the appropriate party at the address first set forth above. Any notice so transmitted shall be deemed effective on the date it is placed in the United States mail, postage prepaid. Either party may, by written notice, designate a different address for purposes of this Agreement.

**14. Severability:** If any term or provision of this Agreement or the application thereof to any person or circumstances shall to any extent be invalid or unenforceable, the remainder of this Agreement and the application of such term or provision to person or circumstances other than those as to which it is held invalid or unenforceable shall not be affected thereby, and each term or provision of this Agreement shall be valid and enforceable to the fullest extent permitted by law.

**15. Entire Agreement.** This Agreement sets forth the entire understanding of the parties with respect to the purchase and sale of the Property. This Agreement supersedes any and all prior negotiations, discussions, agreements, and understandings between the parties. This Agreement may not be modified or amended except by a written agreement executed by both parties.

**16. Applicable Law.** This Agreement shall be construed, applied, and enforced in accordance with the laws of the state of Oregon.

**17. Statutory Warning.** THE PROPERTY DESCRIBED IN THIS INSTRUMENT MAY NOT BE WITHIN A FIRE PROTECTION DISTRICT PROTECTING STRUCTURES. THE PROPERTY IS SUBJECT TO LAND USE LAWS AND REGULATIONS THAT, IN FARM OR FOREST ZONES, MAY NOT AUTHORIZE CONSTRUCTION OR SITING OF A RESIDENCE AND THAT LIMIT LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930, IN ALL ZONES. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301, AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO VERIFY THE EXISTENCE OF FIRE PROTECTION FOR STRUCTURES AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301, AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009.



FOR MULTNOMAH COUNTY:

\_\_\_\_\_

Dated: \_\_\_\_\_, 2011

FOR BUYER:

/s/ \_\_\_\_\_

Dated: \_\_\_\_\_, 2011

/s/ \_\_\_\_\_

Dated: \_\_\_\_\_, 2011



Until a change is requested, all tax statements shall be sent to the following address:

By Matthew O. Ryan, Assistant County Attorney  
Page 12 of 12- Order Authorizing Public Sale – Exhibit C





# MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST BUDGET MODIFICATION

(revised 08/02/10)

APPROVED: MULTNOMAH COUNTY  
BOARD OF COMMISSIONERS  
AGENDA # C-2 DATE 2/10/11  
MARINA BAKER, ASST BOARD CLERK

## Board Clerk Use Only

Meeting Date: 2/10/2011  
Agenda Item #: C-2  
Est. Start Time: 9:30 a.m.

BUDGET MODIFICATION: LIB-04

**Agenda Title:** BUDGET MODIFICATION # LIB-04 Reclassifying One Vacant Position in the Library Neighborhood Libraries Division

*Note: For all other submissions (i.e. Notices of Intent, Ordinances, Resolutions, Orders or Proclamations) please use the APR short form.*

Requested Meeting Date: February 10, 2011 Amount of Time Needed: Not Applicable  
Department: Library Division: Neighborhood Libraries  
Contact(s): Shelly Kent  
Phone: 503-988-3908 Ext.          I/O Address: 317/ADM/SUPSV  
Presenter Name(s) & Title(s): Consent Agenda

## General Information

### 1. What action are you requesting from the Board?

Requesting Board approval to reclassify one .75 FTE vacant Library Page position to a .50 FTE Library Clerk position.

### 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.

Classification Request #1644 has been approved by Shelly Kent, Human Resources Manager for the Department of Libraries and the Class/Comp Unit of Central HR to reclassify existing position 707703 from Library Page (7203) to Library Clerk (7202).

Reason for Classification Decision:

This position located at Capitol Hill will provide assistance to internal and external customers by checking in an out library materials, issuing library cards, creating and updating patron records, taking fines and payments for lost materials, negotiating fine and fee payment plans or waiving charges, providing information on policies and procedures; balancing and reconciling cash amounts and maintaining and processing cash records. Library Page positions are not responsible for the above customer service, circulation and cash handling duties. The overall scope and responsibilities

Budget Modification APR  
Submit to Board Clerk



outlined in this position are consistent with the duties performed by other Library Clerks and best fit the criteria of the Library Clerk (7202) classification.

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

For the current year there is a net savings of \$3,738 in the Library Fund, which will be budgeted in Temporary Personnel in Neighborhood Libraries Management (805110), and a \$1,135 decrease in Fund 3500 for insurance reimbursement.

On an ongoing basis there is a savings of \$8,900 in the Library Fund.

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

Not applicable.

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

Not applicable.



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## ATTACHMENT A

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### Budget Modification

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If the request is a **Budget Modification**, please answer all of the following in detail:

- **What revenue is being changed and why? If the revenue is from a federal source, please list the Catalog of Federal Assistance Number (CFDA).**  
There is no change in revenue in the Library Fund.
- **What budgets are increased/decreased?**  
There is a decrease of \$3,738 in the personnel expenditures budget in Capitol Hill Library, cost center 805230, offset by an increase of \$3,738 in the personnel expenditures budget of Neighborhood Libraries Management, cost center 805110.
- **What do the changes accomplish?**  
The change in classification more accurately reflects the level and scope of the job duties.
- **Do any personnel actions result from this budget modification? Explain.**  
In Capitol Hill Library a .75 FTE Library Page position will be reclassified to a .50 FTE Library Clerk position.
- **If a grant, is 100% of the central and department indirect recovered? If not, please explain why.**  
Not applicable.
- **Is the revenue one-time-only in nature? Will the function be ongoing? What plans are in place to identify a sufficient ongoing funding stream?**  
Not applicable.
- **If a grant, what period does the grant cover? When the grant expires, what are funding plans? Are there any particular stipulations required by the grant (i.e. cash match, in kind match, reporting requirements etc)?**  
Not applicable.

<p><i>NOTE: If a Budget Modification or a Contingency Request attach a Budget Modification Expense &amp; Revenues Worksheet and/or a Budget Modification Personnel Worksheet.</i></p>
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## ATTACHMENT B

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**BUDGET MODIFICATION: LIB-04**

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### Required Signatures

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Elected  
Official or  
Department/  
Agency  
Director:



Date:

2/1/2011

Vailey Oehlke

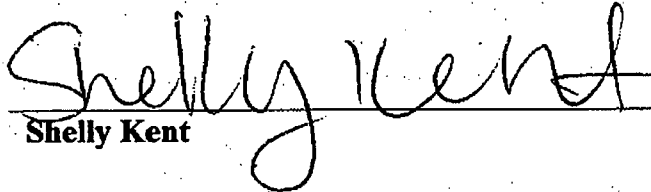
Budget  
Analyst:



Date: 2/1/2011

Ching Hay

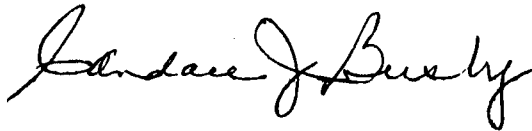
Department  
HR:



Date: 2/1/2011

Shelly Kent

Countywide  
HR:



Date: 2/1/2011

Candace Busby

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Budget Modification APR  
Submit to Board Clerk



Budget Modification ID: **BM-LIB-04****EXPENDITURES & REVENUES**

Please show an increase in revenue as a negative value and a decrease as a positive value for consistency with SAP.

Budget/Fiscal Year: 2011

Line No.	Fund Center	Fund Code	Program #	Func. Area	Internal Order	Accounting Unit		Cost Element	Current Amount	Revised Amount	Change Increase/ (Decrease)	Subtotal	Description
						Cost Center	WBS Element						
1	80-50	1510	80002	70		805230		60000	383,706	381,566	(2,140)		Permanent
2	80-50	1510	80002	70		805230		60130	117,534	117,071	(463)		Salary Expenses
3	80-50	1510	80002	70		805230		60140	146,273	145,138	(1,135)		Insurance Benefits
4	80-50	1510	80016	70		805110		60100	0	3,738	3,738	0	
5												0	
6	72-10	3500		20		705210		50316			1,135		Insurance Revenue
7	72-10	3500		20		705210		60330			(1,135)		Offsetting Expenditure
8												0	
9													
10													Insurance Revenue
11													Offsetting Expenditure
12										0			
13										0			
14										0			
15										0			
16										0			
17										0			
18										0			
19										0			
20										0			
21										0			
22										0			
23										0			
24										0			
25										0			
26										0			
27										0			
28										0			
29										0			
											0	0	Total - Page 1
											0	0	GRAND TOTAL



MULTNOMAH COUNTY  
**LIBRARY**



205 N.E. Russell Street • Portland, OR 97212-3796 • PHONE: 503.988.5402 • FAX: 503.988.5441

Vailey Oehlke, Director of Libraries

To: Patti Vincent  
From: Shelly Kent, Human Resources Manager, Department of Libraries  
Date: December 15, 2010  
Subject: Classification Request – Library Clerk (7202)

I have completed our review of your request and the decision is outlined below.

**Request Information:**

Date Request Received: 12/8/10	Position Number: 707703
Current Classification: Library Page	Requested Classification: Library Clerk
Job Class Number: 7203	Job Class Number: 7202
Pay Grade: 1	Pay Grade: 9
Request is: <input checked="" type="checkbox"/> Approved as Requested	Effective Date: 12/13/10

Allocated Classification: Library Clerk	Job Class Number: 7202
Pay Range: \$30,735.36 - \$37,751.04	Pay Grade: 9
Annually	

This classification decision is subject to all applicable requirements stated in MC Personnel Rule 5-50 including the provision that Central HR may re-evaluate the classification decision up to one year from the date of issue to ensure duties and work are being carried out as originally described. Further, this allocation may require Board of County Commissioners' approval, so this decision is considered preliminary until such approval is received.

**Position Information:**

- ☒ Vacant - see New/Vacant Section
- ☒ Filled & incumbent reclassified - see Employee Information Section
- ☒ Filled & incumbent not reclassified with position - see New/Vacant Section

**New/Vacant Position Information:**

If the position is vacant or incumbent not reclassified with position, position must be filled in accordance with the normal appointment procedures. If position is reclassified due to reorganization, a limited recruitment process may be conducted. Please consult with the Library Human Resources Unit for assistance.

**Reason for Classification Decision:**

This position located at Capital Hill will provide assistance to internal and external customers by checking in and out library materials, issuing library cards, creating and updating patron records, taking fines and payment for lost material, negotiating fine and fee payment plans or waive charges, providing information on policies and procedures; balancing and reconciling cash amounts and maintain and process cash records. Library Page positions are not responsible for the above customer service, circulation and cash handling duties. The overall scope and responsibilities outlined in this position are consistent with the duties performed by other Library Clerks and best fit the criteria of the Library Clerk (7202) classification.

If you have any questions, please feel free to contact me at 503-988-3908.

cc: Olga Ward, Class Comp  
Vicki Cornwell, HR Maintainer  
Bryan Lally,





## MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST

APPROVED: MULTNOMAH COUNTY  
BOARD OF COMMISSIONERS  
AGENDA # C-3 DATE 2/10/11  
MARINA BAKER, ASST BOARD CLERK

### Board Clerk Use Only

Meeting Date: 2/10/11  
Agenda Item #: C-3  
Est. Start Time: 9:30 am  
Date Submitted: 1/31/11

**Agenda Title:** **Approval of Omnibus Inter-County Mutual Aid Agreement, 2010 Revision**

*Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title.*

<b>Requested Meeting Date:</b>	<u>February 10, 2011</u>	<b>Amount of Time Needed:</b>	<u>Consent Agenda</u>
<b>Department:</b>	<u>Non D</u>	<b>Division:</b>	<u>Office of Emergency Mgmt.</u>
<b>Contact(s):</b>	<u>Dave Houghton</u>		
<b>Phone:</b>	<u></u>	<b>Ext.</b>	<u>84580</u>
<b>Presenter(s):</b>	<u>Dave Houghton</u>	<b>I/O Address:</b>	<u>503/400</u>

### General Information

**1. What action are you requesting from the Board?**

Approval of the 2010 revision of the Omnibus Inter-County Mutual Aid Agreement

**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.**

Mutual aid agreements (MAAs) provide a legal framework for county-to-county resource requests during and after emergencies. The Board approved the original MAA in 2007. Twelve Oregon counties are signatory to that agreement. The Federal Emergency Management Agency (FEMA) requires jurisdictions lending resources to neighboring jurisdictions to be party to agreements of this type as a condition of their receipt of federal disaster reimbursement.

The Omnibus Inter-County Mutual Aid Agreement, 2010 Revision, will allow Multnomah County to seek reimbursement from borrowing counties for loaned equipment and personnel after the first twelve hours of deployment. No county party to the agreement is bound to lend resources when requested. The County Director of the Office of Emergency Management or his/her designee will serve the primary contact person for initiating or responding to requests for assistance from other party counties.

Experience with the original agreement and changes in state law relative to emergency



service volunteers led to changes found in the Omnibus Inter-County Mutual Aid Agreement, 2010 Revision presented to the Board for approval. The 2010 Revision is substantively similar to the original but contains several operational and administrative changes as well as several editorial improvements.

Changes of note in the revision include: 1) Removal of "volunteers" as personnel that can be loaned between counties, and moving away from the term "personnel" to the term "employees," 2) Changing the time the lender provides assistance without charge from eight hours to twelve hours to more closely match a probable operational shift period in an emergency, 3) Changing the term "Director of Emergency Management" to "Emergency Program Manager" to be consistent with state law, 4) Clarifying the roles of the Party County Emergency Program Managers (individually and collectively), 5) Recognizing that donations can be made outside of the agreement, 6) Clarifying the non-exclusivity of the agreement, 7) Clarifying some parts of the indemnification and liability provisions, 8) Overhauling the modifications section, and 9) Revising the text to note that this is a revision of a prior agreement.

The revised agreement will become effective once signed by two-thirds of the original agreement signatories. At last report, 7 of the 12 original agreement signatories had signed. This agreement is available to all Oregon counties for execution.

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

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

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

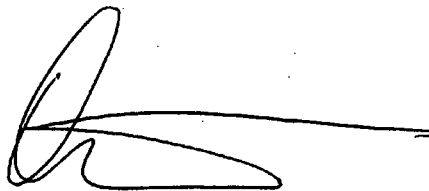
Extensive review and revision process including input from emergency managers, attorneys and risk managers from several party counties including Multnomah County.

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## **Required Signatures**

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**Elected Official or  
Department/  
Agency Director:**



**Date:** 1/31/2011



# MULTNOMAH COUNTY CONTRACT APPROVAL FORM

## Check all that apply

☒ County Attorney email approval attached

☐ Retro Memo attached

☐ Proof of insurance attached

☐ EEO Exhibit 5 attached (contracts over \$75,000)

☒ Expenditure ☒ Revenue ☐ Non-Financial Agreement

Contract Number: 4600008577

Amendment Number: 0

Vendor Number: 42872

Date: 2/2/11

☐ Inter-Departmental

## CAF Purpose

☒ New Contract

☐ Renewal

☐ Date Change

☐ Funding Change

☐ Service Change

Department: Non-Departmental

Division/Program: Office of Emergency Management

Originator: David Houghton

Phone: x84580

Mail Stop: 503/4/400

Contact: Alicia Boris

Phone: x24527

Mail Stop: 503/5/531

## Contract/Amendment Procurement Details

Procurement No.(s):

Effective Date:

End Date:

Exemption or Citation No.(s): 46-0130F1

Effective Date:

End Date:

Check all that apply to contractor: ☐ MBE ☐ WBE ☐ ESB ☐ QRF State Cert No.: ☐ Non-Profit ☒ N/A

Contractor: Marion County (as Contract Coordinator for the Multi-Party Agreement)

Address: 5155 Siverton Road NE

City/State/Zip: Salem, Oregon 97305

Telephone: (503) 588-5108

### Payment Schedule/Terms:

☐ Lump Sum

\$

☐ Due on Receipt

☐ Monthly

\$

☐ Net 30

☐ Quarterly

\$

☐ Other

☐ Other

\$

Contract Effect Date: 2/15/11

Term Date: 6/30/16

Amend Effect Date:

New Term Date:

☒ Price Agreement or Requirements Funding Information:

Original Contract Amount: \$ 0 + Requirements

Original PA/Requirements Amt: \$ 1.00

Total Amount Previous Amend: \$

Total Amount Previous Amend: \$

Amount of Amendment: \$

Requirements Amount Amend: \$

Total Amount of Agreement: \$ 0 + Requirements

Total Amount of PA/Requirements: \$ 1.00

## Required Signatures

Dept Director or Designee:

Date:

County Chair:

Date:

## Vendor Contact Information

☐ Changed from Previous CAF

Name:

Title:

email:

Name:

Title:

email:

Name:

Title:

email:

## Contract/Amendment Description Or Comments

This Inter-Governmental Agreement establishes the Omnibus Multi-County Partner Mutual Assistance Agreement for Emergency Management for Multnomah County and other Partner Counties throughout the state of Oregon.



INTER-COUNTY MUTUAL AID AGREEMENT  
Omnibus Agreement  
2010 Revision

This OMNIBUS AGREEMENT is made and entered into by the undersigned counties (hereinafter referred to as "Party Counties") to enable them to provide Emergency Assistance to each other during an Emergency.

WHEREAS, the Party Counties have expressed mutual interest in the establishment of an Omnibus Agreement to facilitate and encourage Emergency Assistance among counties; and

WHEREAS, in the event of an Emergency, a Party County who has executed this Omnibus Agreement may need Emergency Assistance in the form of supplemental personnel, equipment, materials or other support; and

WHEREAS, each Party County may own and maintain equipment, supplies, and materials and employ trained personnel for a variety of public services and is willing, under certain conditions, to lend its supplies, materials, equipment, and/or personnel to other Party Counties in the event of an emergency; and

WHEREAS, the original version of this Omnibus Agreement became effective in August 2005; and

WHEREAS, based on subsequent use and review of the Omnibus Agreement, representatives of the Party Counties have drafted revised language to clarify the agreement's terms and conditions.

NOW THEREFORE, in consideration of the mutual covenants and agreements hereinafter set forth, each undersigned County agrees as follows:

Article I – APPLICABILITY

This Omnibus Agreement is available for execution by all counties in Oregon. Execution of the Omnibus Agreement by a County will occur when the County signs an identical version of this Omnibus Agreement.

Article II – DEFINITIONS

- A. Assistance Costs are the costs associated with providing Emergency Assistance and include costs for equipment, personnel, services, materials, and supplies. For loaned equipment and personnel, Assistance Costs are those that extend beyond the first twelve (12) hours (usual and customary costs) incurred by the Lender in providing



any asset requested. Further agreements regarding Assistance Costs appear in Articles X, XI and XII, which address loans of equipment, materials and supplies, and personnel respectively.

- B. Borrower means a Party County who has made a request for Emergency Assistance and has received a commitment(s) from another Party County to deliver Emergency Assistance pursuant to the terms of this Omnibus Agreement.
- C. Contact Person(s) means the person or persons designated by each Party County to request Emergency Assistance from or grant Emergency Assistance to another Party County pursuant to the terms of this Omnibus Agreement.
- D. County means an entire county government. Though the point of contact for this agreement is the Emergency Program Manager, all functions or departments of county government are included in this Omnibus Agreement, as Emergency Assistance could be provided by any discipline or department including, but not limited to, law enforcement, public works, health services, social services, building officials, engineers, information services, adult detention, and craft or tradesmen.
- E. Emergency includes, but is not limited to, a human-caused or natural event or circumstances within the area of operation of any Party County causing or threatening loss of life, damage to the environment, injury to person or property, and/or human suffering or financial loss, such as: fire, explosion, flood, severe weather, drought, earthquake, volcanic activity, spills or releases of hazardous materials, contamination, utility or transportation emergencies, disease, infestation, civil disturbance, riots, acts of terrorism or sabotage, and use of weapons of mass destruction; and said event or circumstance is or is likely to be beyond the capacity of an affected Party County or Party Counties, in terms of personnel, equipment, materials, and/or supplies, thereby requiring Emergency Assistance.
- F. Emergency Assistance means personnel, services, equipment, materials, and/or supplies offered during an Emergency by a Lender and accepted by a Borrower to assist in providing or restoring county government services when those services have been disrupted by the Emergency.
- G. Emergency Contact Information Form is the form to be submitted by each Party County that lists names, addresses, and 24-hour numbers for the County's Contact Person(s). The phone number of a dispatch office



or other facility staffed 24 hours-a-day that is capable of contacting the Contact Person(s) is also required.

- H. Emergency Program Manager means the sheriff or other person appointed by the executive officer or governing body of a Party County pursuant to ORS 401.305.
- I. Lender means a Party County who has agreed to deliver Emergency Assistance to another Party County pursuant to the terms and conditions of this Omnibus Agreement.
- J. Omnibus Agreement means this Inter-County Mutual Aid Agreement, which includes identical agreements executed in counterparts binding the executing counties to its terms and conditions to provide and receive Emergency Assistance. To be effective for purposes of receiving Emergency Assistance, this Omnibus Agreement must be fully executed and received by each Party County's Emergency Program Manager.
- K. Termination Date is the date upon which this Omnibus Agreement terminates pursuant to Articles V and XVI.

### Article III – PARTICIPATION

Participation in this Omnibus Agreement is purely voluntary as is the provision of Emergency Assistance. No Party County shall be liable to another Party County, or be considered to be in breach of or default under this Omnibus Agreement, on account of any delay in or failure to perform any obligation, except to make payment as specified in this Omnibus Agreement. However, each Party County who executes this Omnibus Agreement is expected to:

- A. Ensure that every other Party County is provided the County's most current Emergency Contact Information Form in a timely manner;
- B. Participate in scheduled meetings to coordinate operational and administrative issues to the maximum extent possible; and
- C. Participate in exercises intended to test and evaluate the operational and administrative procedures developed to implement this Omnibus Agreement.

### Article IV – ROLES OF EMERGENCY PROGRAM MANAGERS OF PARTY COUNTIES

- A. Each Party County agrees that its Emergency Program Manager or designee will serve as its representative in any meeting to address administration and implementation of this Omnibus Agreement.



B. The Emergency Program Managers from the Party Counties shall together:

1. Identify the Emergency Program Manager or designee from one of the Party Counties to serve as the administrator of this Omnibus Agreement.
2. Meet annually or more often as necessary to review this Omnibus Agreement, develop and maintain procedures for implementation and administration, and evaluate lessons learned from actual use of this Omnibus Agreement.
3. Identify industry standard rates pursuant to Article X of this Omnibus Agreement.
4. Develop planning details associated with being a Borrower or Lender under the terms of this Omnibus Agreement.

C. The Emergency Program Manager or designee of each Party County shall, to the extent reasonably possible:

1. Participate in any meetings convened to address administration and implementation of this Omnibus Agreement.
2. Ensure appropriate staff of the Party County are informed of pertinent implementation and coordination decisions and procedures.
3. Maintain a manual containing a master copy of this Omnibus Agreement (as amended or revised), a list of Party Counties, and a copy of each Party County's Emergency Contact Information Form.
4. Provide the Emergency Program Manager or designee of the Party County selected to serve as the administrator of this Omnibus Agreement with a copy of the County's Emergency Contact Information Form at the annual meeting of the Emergency Program Managers or whenever information in the form changes.
5. Notify all Party Counties if the County terminates its participation in this Omnibus Agreement.



D. The Emergency Program Manager or designee of the Party County selected to serve as the administrator of this Omnibus Agreement shall, to the extent reasonably possible:

1. Notify all Party Counties whenever a new County executes the Omnibus Agreement.
2. Provide each Party County with a copy of the signature page of each newly executed Omnibus Agreement.
3. Provide each Party County with a copy of any new or updated Emergency Contact Information Form submitted by a Party County.
4. Maintain and distribute checklists and other implementing procedures developed by the Party County Emergency Program Managers to assist Party Counties with the details of being a Borrower or Lender under the terms of this Omnibus Agreement.
5. Organize and facilitate the annual meetings of the Party County Emergency Program Managers.
6. Maintain a record of official documents associated with the development, adoption, implementation, and maintenance of this Omnibus Agreement including signed original agreements, Emergency Contact Information Forms, implementing procedures, and meeting agendas and minutes.

#### Article V – TERMS AND TERMINATION

- A. This Omnibus Agreement, which is the first revision of the original agreement, is effective upon execution by two-thirds of the counties party to the original Omnibus Agreement as outlined in Article XVI, Modifications.
- B. A Party County opting to terminate its participation in this Omnibus Agreement shall provide written notice to the Emergency Program Manager of each Party County. Notice of termination becomes effective upon receipt by the Emergency Program Managers. Any Party County terminating its participation remains liable for all obligations incurred during its period of participation, until the obligation is satisfied.

#### Article VI – PAYMENT FOR EMERGENCY ASSISTANCE

- A. A Borrower shall pay a Lender for all valid and invoiced costs associated with Emergency Assistance provided by the Lender within sixty (60)



days of receipt of the Lender's invoice. The Lender, in its sole discretion, may elect to extend the repayment deadline upon written request of the Borrower.

- B. In the event a Lender provides equipment, supplies or materials, the Lender shall have the option to accept cash or in-kind payment for the equipment, supplies or materials provided.

#### Article VII – INDEPENDENT CONTRACTOR

- A. Each Lender shall be and operate as an independent contractor of the Borrower in the provision of any Emergency Assistance. Employees of the Lender shall, at all times while performing Emergency Assistance, continue to be employees of the Lender and shall not be deemed employees of the Borrower for any purpose. Wages, hours, and other terms and conditions of employment of the Lender shall remain applicable to all of its employees who perform Emergency Assistance. Each Lender shall be solely responsible for payment of its employees' wages, any required payroll taxes and any benefits or other compensation. A Borrower shall not be responsible for paying any wages, benefits, taxes, or other compensation directly to a Lender's employees. The costs associated with borrowed employees are subject to the reimbursement process outlined in Article XII.
- B. In no event shall a Lender or its officers, employees, agents, or representatives be authorized (or represent that they are authorized) to make any representation, enter into any agreement, waive any right, or incur any obligation in the name of, on behalf of or as agent for a Borrower under or by virtue of this Omnibus Agreement.

#### Article VIII – REQUESTS FOR EMERGENCY ASSISTANCE

Requests for Emergency Assistance shall be directed to the designated Contact Person(s) on the Emergency Contact Information Forms provided by the Party Counties. The extent to which a Lender provides any Emergency Assistance shall be at the Lender's sole discretion. In the event an Emergency impacts a large geographical area that activates either federal or state emergency laws, this Omnibus Agreement shall remain in effect until or unless it conflicts with such federal and/or state laws.

#### Article IX – GENERAL NATURE OF EMERGENCY ASSISTANCE

Emergency Assistance will be in the form of resources, such as equipment, supplies, materials, and personnel or the direct provision of services. Execution of the Omnibus Agreement shall not create any duty to respond on the part of any Party County. A Party County shall not be held liable for failing to provide



Emergency Assistance. A Party County has the absolute discretion to decline to provide any requested Emergency Assistance and to withdraw resources it has provided at any time without incurring any liability. Resources are "loaned" and "borrowed" with reimbursement and terms of exchange varying with the type of resource as defined in Articles X through XII. The Party Counties recognize that time is critical during an Emergency and diligent efforts will be made to respond to a request for resources as rapidly as possible, including any notification(s) that requested resources are not available.

#### Article X – LOANS OF EQUIPMENT

At the sole discretion of the Lender, equipment such as construction equipment, vehicles, tools, pumps, motors, etc., may be made available upon request of a Party County. The first twelve (12) hours of use will be without cost to the Borrower. After the first twelve (12) hours, the cost to the Borrower for use of equipment shall be the Lender's actual costs or the Lender's costs based on current equipment rates. If no written rates have been established, the cost to the Borrower shall be based on the hourly operating costs set forth in an industry standard publication as selected by the Party County Emergency Program Managers, or as mutually agreed between the Borrower and Lender. For this Omnibus Agreement, equipment use begins at a time mutually agreed to by the Borrower and the Lender.

Equipment loans are subject to the following conditions:

- A. At the option of the Lender, equipment may be loaned with an operator. See Article XII for terms and conditions applicable to use of borrowed personnel.
- B. Each Lender shall endeavor to provide equipment in good working order. All equipment is provided "as is," with no representations or warranties as to its fitness for a particular purpose or its general condition.
- C. Each Borrower shall, at its own expense, supply all fuel, lubrication and necessary maintenance for loaned equipment. The Borrower will take proper precaution in the operation, storage and maintenance of the Lender's equipment.
- D. Loaned equipment shall be returned to the Lender upon release by the Borrower, or immediately upon the Borrower's receipt of an oral or written request from the Lender for the return of the equipment. When requested to return equipment to the Lender, the Borrower shall make every effort to return the equipment to the Lender within 24 hours of the request. In all cases, the Borrower shall notify the Lender when the Lender's equipment is released.



- E. Lender's costs related to the transportation, handling, and loading/unloading of equipment shall be chargeable to the Borrower. Lender shall provide copies of invoices for such charges where provided by outside sources and shall provide hourly accounting of charges for the Lender's employees who perform such services.
- F. Without prejudice to a Lender's right to indemnification under Article XIV, in the event loaned equipment is lost or damaged while in the custody and/or use of the Borrower, or while being returned by the Borrower to the Lender, the Borrower shall reimburse the Lender for the reasonable cost of replacing or repairing said equipment. If the damaged equipment cannot be repaired within a time period specified by the Lender, then the Borrower shall reimburse the Lender for the cost of replacing such equipment with equipment which is of equal condition and capability. Any determinations of what constitutes "equal condition and capability" shall be at the discretion of the Lender. If the Lender must lease or rent a piece of equipment while its equipment is being repaired or replaced, the Borrower shall reimburse the Lender for such costs. The Borrower shall have the right of subrogation for all claims against persons other than parties to this Omnibus Agreement who may be responsible in whole or in part for damage to the equipment. The Borrower shall not be liable for damage caused by the sole negligence of the Lender's operators.

#### Article XI – LOANS OF MATERIALS AND SUPPLIES

A Borrower shall reimburse a Lender in-kind or at the Lender's actual replacement cost, plus handling charges, for use of partially consumed or non-returnable materials and supplies, as mutually agreed between the Borrower and Lender. Other reusable materials and supplies, which are returned (unused) to the Lender in clean, damage-free, condition, shall not be charged to the Borrower and no rental fee will be charged. The Lender shall determine whether items returned are "clean and damage-free" and items shall be treated as partially consumed or non-returnable if they are found to be damaged.

#### Article XII – LOANS OF PERSONNEL

- A. A Lender may, at its option, make its employees available to a Borrower. Employees will be provided without cost to the Borrower for the first twelve (12) hours of service, after which they will be loaned at the Borrower's expense equal to the Lender's full costs, including employee salary or hourly wages, call back or overtime costs, benefits, and overhead. For this Omnibus Agreement, employee service begins at a time mutually agreed to by the Borrower and the Lender. All costs shall be consistent with Lender's personnel union contracts, if any, or other conditions of employment. Costs to feed and house loaned employees,



if necessary, shall be chargeable to and paid by the Borrower. The Borrower is responsible for assuring arrangements are made, as necessary, to provide for the safety, housing, meals, and transportation to and from job sites/housing sites for loaned employees.

- B. Loaned employees shall remain under the administrative control of the Lender, but will be under the operational control of the emergency management authorities of the Borrower. The Lender shall not be liable for cessation or slowdown of work if the Lender's employees decline or are reluctant to perform any assigned task if said employees judge such task to be unsafe. A request for loaned employees to direct the activities of others during a particular response operation does not relieve the Borrower of any responsibility or create any liability on the part of the Lender for decisions and/or consequences of the response operation. When supervisory employees are loaned, the Lender may make stipulations on the scope and duties of those employees.
- C. Any valid licenses issued to loaned employees by the Lender relating to the skills required for the emergency work may be recognized by the Borrower during the period of the Emergency and for purposes related to the Emergency.
- D. When requested to return employees to the Lender, the Borrower shall make every effort to return the employees to the Lender immediately upon receipt of the request. The Borrower shall notify the Lender when the Lender's employees are released.

#### Article XIII – RECORD KEEPING

Time sheets and/or daily logs showing hours worked and equipment, supplies and materials used or provided by the Lender will be recorded on a shift-by-shift basis by the Lender and/or the loaned employee(s) and will be provided to the Borrower as needed. If no employees are loaned, the Lender will provide shipping records for materials, supplies and equipment, and the Borrower is responsible for any required documentation of use of materials, supplies and equipment for state or federal reimbursement. Under all circumstances, the Borrower remains responsible for ensuring that the amount and quality of all documentation is adequate to enable disaster reimbursement.

#### Article XIV – INDEMNIFICATION AND LIMITATION OF LIABILITY

- A. INDEMNIFICATION. Except as provided in Paragraph B below, to the fullest extent permitted by applicable law, the Borrower releases and shall indemnify, hold harmless and defend each Lender and its officers, employees and agents from and against any and all costs, including costs of defense, claims, judgments, or awards of damages asserted or



arising directly or indirectly from, on account of, or in connection with providing Emergency Assistance to the Borrower, whether arising before, during or after performance of the Emergency Assistance and whether suffered by any of the Party Counties or any person or entity.

The Borrower agrees that its obligation under this section extends to any claim, demand and/or cause of action brought by or on behalf of any of its employees or agents. For this purpose, the Borrower, hereby waives, as respects any indemnity only, any immunity that would otherwise be available against such claims under the workers' compensation coverage requirements of ORS Chapter 656.

- B. **ACTIVITIES IN BAD FAITH OR BEYOND SCOPE.** No Party County shall be required under this Omnibus Agreement to indemnify, hold harmless and defend any other Party County from any claim, loss, harm, liability, damage, cost, or expense caused by or resulting from the activities of any Party County's officers, employees, or agents acting in bad faith or performing activities beyond the scope of the duties assigned by the Borrower or a person granted supervisory authority by the Borrower.
- C. **LIABILITY FOR PARTICIPATION.** In the event of any liability, claim, demand, action, or proceeding, of whatever kind or nature, arising from the rendering of Emergency Assistance through this Omnibus Agreement, the Borrower agrees to indemnify, hold harmless, and defend, to the fullest extent of the law, each signatory to this Omnibus Agreement whose only involvement in the transaction or occurrence, which is the subject of such claim, action, demand, or proceeding, is the execution and approval of this Omnibus Agreement.
- D. **DELAY/FAILURE TO RESPOND.** No Party County shall be liable to another Party County for, or be considered in breach of or default under this Omnibus Agreement on account of any delay in or failure to perform any obligation under this Omnibus Agreement, except to make payment as specified in this Omnibus Agreement.
- E. **COUNTY LITIGATION PROCEDURES.** Each Party County seeking to be released, indemnified, held harmless, or defended under this article with respect to any claim shall promptly notify the Borrower of such claim and shall not settle such claim without prior consent of the Borrower, which consent shall not be unreasonably withheld. Such Party County shall have the right to participate in the defense of said claim to the extent of its own interest. Party County personnel shall cooperate and participate in legal proceedings if requested by the Borrower and/or required by a court of competent jurisdiction.



#### Article XV – WORKERS' COMPENSATION AND EMPLOYEE CLAIMS

All Lender employees made available to a Borrower shall remain the general employees of the Lender while engaged in and carrying out duties, functions or activities pursuant to this Omnibus Agreement, and each Party County shall remain fully responsible as the employer for all taxes, assessments, fees, premiums, wages, withholdings, workers' compensation, and other direct and indirect compensation, benefits, and related obligations with respect to its employees. Likewise, each Party County shall provide workers' compensation in compliance with statutory requirements of the state of Oregon.

#### Article XVI – MODIFICATIONS

No provision of this Omnibus Agreement may be modified, altered, or rescinded by a Party County without two-thirds concurrence of the Party Counties. Proposed modifications to this Omnibus Agreement must be made in writing and will not become effective until approved by two-thirds of the Party Counties. Each Party County must either approve a modification or notify all other Party Counties of its decision not to approve the modification. Approved modifications must be signed by an authorized representative of each Party County. The currently approved version of the Omnibus Agreement remains in force if a proposed modification is not ratified by two-thirds of the Party Counties. If and when a proposed modification is ratified by two-thirds of the Party Counties, the prior version of the agreement is terminated.

#### Article XVII – NON-EXCLUSIVENESS AND OTHER AGREEMENTS

- A. This Omnibus Agreement is not intended to be exclusive among the Party Counties. Any Party County may enter into separate Emergency Assistance agreements with any other entity. No such separate agreement shall terminate any responsibility under this Omnibus Agreement.
- B. Other agreements for Emergency Assistance between any Party Counties are unaffected by this Omnibus Agreement and remain in effect until separately terminated. When another agreement exists at the time a request for Emergency Assistance is made, the Borrower and Lender should be clear about the agreement under which the request is being made and by which the Assistance Costs will be paid.
- C. Any Party County may donate resources to or share resources with any other Party County outside the terms of this Omnibus Agreement subject to any terms or conditions negotiated by the Party Counties at the time the resources are provided.



#### Article XVIII – GOVERNMENTAL AUTHORITY

This Omnibus Agreement is subject to the laws, rules, regulations, orders, and other requirements, now or as amended, of all governmental authorities having jurisdiction over any Emergency covered by this Omnibus Agreement.

#### Article XIX – NO DEDICATION OF FACILITIES

- A. No undertaking by a Party County to another Party County under any provision of this Omnibus Agreement shall constitute a dedication of the facilities or assets of such Party County, or any portion thereof, to the public or to the other Party County.
- B. Nothing in this Omnibus Agreement shall be construed to give a Party County any right of ownership, possession, use, or control of the facilities or assets of another Party County.

#### Article XX – NO PARTNERSHIP

This Omnibus Agreement shall not be interpreted or construed to create an association, joint venture or partnership among the Party Counties or to impose any partnership obligation or liability upon any Party County. Further, no Party County shall be considered an agent of any other Party County or otherwise have authority to bind any other Party County.

#### Article XXI – NO THIRD PARTY BENEFICIARY

Nothing in this Omnibus Agreement shall be construed to create any rights in or duties to any third party, nor any liability to or standard of care in reference to any third party. This Omnibus Agreement shall not confer any right or remedy upon any person other than the Party Counties. This Omnibus Agreement shall not release or discharge any obligation or liability of any third party to any Party County.

#### Article XXII – ENTIRE AGREEMENT

This Omnibus Agreement constitutes the entire agreement, though other existing agreements of the Party Counties may take precedence over certain concepts outlined in this Omnibus Agreement.

#### Article XXIII – SUCCESSORS AND ASSIGNS

This Omnibus Agreement is not transferable or assignable, in whole or in part, and any Party County may terminate its participation in this Omnibus Agreement subject to Article V.



#### Article XXIV – GOVERNING LAW

This Omnibus Agreement shall be interpreted, construed, and enforced in accordance with the laws of the state of Oregon.

#### Article XXV – VENUE

Any action arising from this Omnibus Agreement shall be brought in a County where the Emergency occurred.

#### Article XXVI – TORT CLAIMS

It is not the intention of this Omnibus Agreement to remove from any of the Party Counties any protection provided by applicable tort claims laws. However, between a Borrower and a Lender, the Borrower retains full liability to the Lender for any claims brought against the Lender as described in other provisions of this Omnibus Agreement.

#### Article XXVII – WAIVER OF RIGHTS

Any waiver at any time by any Party County of its rights with respect to a default under this Omnibus Agreement, or with respect to any other matter arising in connection with this Omnibus Agreement, shall not constitute or be deemed a waiver with respect to any subsequent default or other matter arising in connection with this Omnibus Agreement. Any delay in asserting or enforcing any right, except those related to the statutes of limitations, shall not constitute or be deemed a waiver.

#### Article XXVIII – INVALID PROVISION

The invalidity or unenforceability of any provision of this Omnibus Agreement shall be construed in all respects as if such invalid or unenforceable provision was omitted.

#### Article XXIX – NOTICES

Any notice, demand, information, report, or item otherwise required, authorized, or provided for in this Omnibus Agreement shall be given in writing and shall be deemed properly given if (i) delivered personally, (ii) transmitted and received by telephone facsimile device, or electronically, and confirmed by telephone, or (iii) sent by United States Mail, postage prepaid, to the Party County Emergency Program Managers at the address designated in each Party County's Emergency Contact Information Form.



**SIGNATURE PAGE**  
**OMNIBUS INTER-COUNTY MUTUAL AID AGREEMENT**  
**2010 REVISION**

IN WITNESS WHEREOF, the PUBLIC ENTITY MULTNOMAH COUNTY  
(PARTY COUNTY) has caused this OMNIBUS AGREEMENT for Emergency Assistance to be executed by  
duly authorized representatives as of the date of their signatures below:

_____ Signature of Officer	_____ Date	_____ Officer's Title
_____ Signature of Officer	_____ Date	_____ Officer's Title
_____ Signature of Officer	_____ Date	_____ Officer's Title
_____ Signature of Counsel	_____ Date	_____ Counsel's Title

<p>Name and title of primary Contact Representative: _____</p> <p>Address: _____ _____</p> <p>Phone: _____</p> <p>Fax: _____</p> <p>E-mail: _____</p>	<p>Name and title of alternate Contact Representative: _____</p> <p>Address: _____ _____</p> <p>Phone: _____</p> <p>Fax: _____</p> <p>E-mail: _____</p>
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1. Send the **original OMNIBUS AGREEMENT Signature Page** (this page) for further distribution, to:  
    Krista Rowland, Emergency Management Program Coordinator  
    Marion County  
    5155 Silverton Road NE, Salem, Oregon 97305  
    (503) 588-5108  
    [krowland@co.marion.or.us](mailto:krowland@co.marion.or.us)
  
2. Retain a **second original OMNIBUS AGREEMENT Signature Page** for your records (two sets are required)





## MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST

APPROVED: MULTNOMAH COUNTY  
BOARD OF COMMISSIONERS  
AGENDA # C-4 DATE 2/10/11  
MARINA BAKER, ASST BOARD CLERK

### Board Clerk Use Only

Meeting Date: 2/10/11  
Agenda Item #: C-4  
Est. Start Time: 9:30 am  
Date Submitted: 1/27/11

**Agenda Title:** RESOLUTION Authorizing Cancellation of Uncollectible Personal Property Taxes for Tax Years 1995/96 through 2010/11

*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:	<u>February 10, 2011</u>	Amount of Time Needed:	<u>N/A</u>
Department:	<u>DCM</u>	Division:	<u>Assessment, Recording &amp; Taxation</u>
Contact(s):	<u>Richard Teague</u>		
Phone:	<u>503-988-3326</u>	Ext.	<u>26702</u>
Presenter(s):	<u>Consent Calendar</u>	I/O Address:	<u>503/200 PP Collections</u>

### General Information

**1. What action are you requesting from the Board?**

The Division of Assessment, Recording and Taxation is requesting the Board approve the cancellation of Uncollectible Personal Property Taxes for 1995/96 through 2010/11 in the amount of \$225,457.21. The Department of County Management recommends 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.**

Certain personal property taxes have been delinquent. The Multnomah County Tax Collector has determined that these taxes are wholly uncollectible and is requesting the Board for an order directing that the taxes be cancelled pursuant to ORS 311.790. The Write Off List is attached.

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

Uncollected or canceled taxes decrease the amount of revenue available for distribution to taxing districts. The majority of these uncollectible taxes are attributable to defunct corporations and limited liability companies (\$149,893.73) for which the officers/members have no liability, and bankruptcies (\$63,445.01) which are protected from collection actions.

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

No legal issues are expected.



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

No citizen participation is anticipated. The taxes will be canceled once Board approval is received.

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**Required Signature**

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**Elected Official or  
Department/  
Agency Director:**



**Date:** 1/27/2011

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**Mindy L. Harris**



BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

**RESOLUTION NO. \_\_\_\_\_**

Authorizing Cancellation of Uncollectible Personal Property Taxes for Tax Years  
1995/96 through 2010/11

**The Multnomah County Board of Commissioners Finds:**

- a. Certain personal property taxes have been delinquent and the Multnomah County Tax Collector and County Attorney have determined that said taxes are wholly uncollectible and have requested the Board for an order directing that the taxes be cancelled pursuant to ORS 311.790.

**The Multnomah County Board of Commissioners Resolves:**

1. That the Multnomah County Tax Collector is directed to cancel those certain personal property taxes which are listed and appended hereto and incorporated herein, for tax years 1995/96 through 2010/11 for the reason that the same are found to be uncollectible.

ADOPTED this 10th day of February, 2011.

BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

\_\_\_\_\_  
Jeff Cogen, Chair

REVIEWED:  
HENRY H. LAZENBY, JR., COUNTY ATTORNEY  
FOR MULTNOMAH COUNTY, OREGON

By \_\_\_\_\_  
John Thomas, Deputy County Attorney

SUBMITTED BY:  
Mindy Harris – Interim Director, Department of County Management





**Multnomah County**  
**Department of County Management**  
**Assessment, Recording & Taxation Division**  
**Office Memorandum**

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**DATE:** January 26, 2011

**TO:** Randy Walruff, Director Division of Assessment, Recording and Taxation

**FROM:** Richard Teague, Program Manager

**RE:** Tax Write Off Criteria

The personal property collection staff is responsible for collection of delinquent taxes on centrally assessed utilities, industrial machinery and equipment, business personal property, manufactured homes, and floating home accounts.

Collection enforcement begins as soon as an account becomes delinquent. Notification is sent stating if taxes are not paid a warrant will be recorded. If the taxes are not paid the warrant is recorded, becoming a lien on any real property. Under Oregon law warrants act as judgments allowing the County to garnish bank accounts and employers. The collectors continue to attempt to contact the taxpayers in an effort to collect the taxes. Bank accounts are garnished. Tax refunds from the Department of Revenue are garnished including both tax and kicker refunds. In the case of individuals, we search for any employers so we can garnish the taxpayer's paychecks. Research is done to locate any assets that may be seized and sold to recover taxes. We search for property they may own in other counties and record our warrant there. Businesses or individuals that have relocated out of state, or are headquartered out of state, and have a significant amount of delinquent taxes are referred to the County Attorney for possible legal action.

Taxes are determined to be uncollectible when a corporation has dissolved and the personal property has been removed from the site and it cannot be located. Under Oregon law the County cannot pursue corporate officers individually for delinquent property taxes. For an individual, taxes are deemed to be uncollectible when the person is deceased or the judgment warrant is more than twenty years old and the location of any property is unknown. In the case of mobile homes and floating homes, Oregon statutes require us to write off taxes when the home has gone through the statutory abandonment process and it is either demolished or donated. Bankruptcy action will stop all collection activity until it is settled. The amount of taxes that can be collected can be reduced by the Bankruptcy Court and the remainder would be uncollectible.

There is no set period of time that needs to pass before taxes may be written off. In the case of an account in bankruptcy or a manufactured home that is abandoned, the taxes may be determined to be uncollectible quickly. With an individual, taxes can remain on the tax roll until the warrant expires after twenty years. All enforcement options are exhausted before taxes are written off.



## PERSONAL PROPERTY TAX DETERMINED UNCOLLECTIBLE, 2010

1/18/2011

	<u>Property</u>	<u>Report Cd</u>	<u>Warrant Num</u>	<u>Tax, Int. &amp; Fees</u>	<u>Unpaid Tax</u>	<u>Owner Name</u>
1	P606412	WRO	070862	2,395.70	1,616.07	SKALAK, WILLIAM & ELIZABETH
2	P598049	WRO	081153	55.10	32.00	VUONG, NINH V
3	P561221	WRO	090905	9.30	8.51	KONG, SHU KUAN
4	P517580	WRO	040826	1,359.58	678.92	NERELL, KENNETH A
5	P516520	WRO	040568	2,033.94	1,008.67	HONG, VAN PHAN
6	P501130	WRO	092134	5.74	5.25	REEP, HARLAN D
7	P498890	WRO	090695	112.32	26.76	GULBRANDSON, DANIEL C
8	P435382	WRO	080357	29.84	11.84	FORD, STUART ET AL 2
9	P419955	WRO	000582	2,252.91	828.16	FLORES, ALFREDO
10	P419831	WRO	950593	239.99	50.10	ALDRICH, JAMES E
11	P385779	WRO	980279	2,935.71	997.02	NGO, TERESA
12	P351746	WRO	961731	413.11	112.69	WALT, JAMES
13	P350154	WRO	051033	3,125.41	1,468.53	PAPE, WALTER
14	P349803	WRO	002148	1,973.82	630.94	JAMES, WALT
15	P349370	WRO	002147	2,694.90	854.60	JAMES, WALT
16	M546859	WRO	2007	552.04	349.72	CHUTE, NANCY
17	M361907	WRO	2007	486.57	302.45	CRICKET FLAT DEVELOPMENT, LLC
18	M358729	WRO	2010	335.15	333.66	CIFUENTES, CRISTINA DE JESUS
19	M357560	WRO	1997	37.66	12.45	LEE, PAMELA G
20	M357281	WRO	2007, 2008	386.81	217.01	BECKER, ALEX
21	M356938	WRO	2006 - 2010	553.57	210.98	BORTON, WILLIAM DANIEL
22	M356587	WRO	2007, 2008, 2009	417.18	156.89	HENDRICKS, POLLY
23	M356424	WRO	2006, 2007, 2008	799.34	422.07	WESTPHAL, EDWARD E
24	M356063	WRO	2003 - 2010	1,218.78	467.50	MOSER, TANYA G, ROTHROCK, MARK
25	M355863	WRO	2006, 2007, 2008, 2009	654.13	286.03	RUSSELL, LYLE
26	M355799	WRO	2009	346.33	233.24	RYAN, DAN J
27	M355298	WRO	2008, 2009	699.32	446.97	STOCKWELL, PAUL & OLIVE
28	M355050	WRO	2007 & 2008	393.27	184.95	KENNERSON, DORIS D & RICHARD
29	M353389	WRO	2009	217.69	119.78	BORTON, SHARON D
30	M353136	WRO	081948	100.90	34.71	DOUCET, PATRICIA ANN
				26,836.11	12,108.47	Individuals



1	U345244	WRO B11	2001 & 2002	50,404.91	21,755.70	WINSTAR WIRELESS INC
2	P408163	WRO B13	040845	6,777.96	3,412.51	NORTHWEST CAR CARE CENTERS INC
3	P433645	WRO B7	001215	800.97	287.17	NGUYEN,KIM
4	P431959	WRO B7	020800	440.36	340.49	MOTHER'S CAKE & COOKIE CO INC
5	M354718	WRO B7	041206	504.17	260.77	VAZQUEZ,ERIN MARJORIE
6	U528948	WRO B7	081752	1,890.98	1,327.74	PACIFIC TELECOM CABLE, INC
7	U574261	WRO B7	081753	16,763.07	10,839.99	PACIFIC TELECOM CABLE, INC
8	U343737	WRO B7	081754	22,694.44	13,537.05	PACIFIC TELECOM CABLE, INC
9	U343738	WRO B7	081755	405.47	211.07	PACIFIC TELECOM CABLE, INC
10	P582069	WRO B7	091563	1,029.54	836.07	SNOWMAN, INC
11	P583973	WRO B11	071312	12,925.58	8,386.30	OLD WORLDBAKERY, WHOLESALE INC
12	P595535	WRO B7	070618	2,269.77	1,519.11	MILER COASTER SERVICE LLC
13	P421290	WRO B7	010949	1,799.56	741.04	HEILIG-MEYERS CO INC
				118,706.78	63,455.01	Bankruptcies

1	P606211	WRO CORP	080749	1,149.47	840.81	NINE-SPEIS INC
2	P508475	WRO CORP	041214	3,136.58	1,528.09	VILLA DEL SOL LLC
3	M355142	WRO CORP	2006-2009	856.40	516.56	LSE-CROWN ZELLERBACH
4	P544931	WRO CORP	060712	1,994.95	1,163.51	RICHARDSON & FARRELL PC
5	P606567	WRO CORP	070789	884.76	576.44	RICHARDSON & FARRELL PC
6	P502347	WRO CORP	010004	723.88	274.26	7 UNDER PAR INC
7	P379245	WRO CORP	010758	931.68	352.56	FLOOR DOCTORS OF THE NW INC
8	P512096	WRO CORP	011505	916.32	354.00	NSP DEVELOPMENT, INC
9	P456358	WRO CORP	020053	437.41	166.60	ASSOCIATES LEASING INC
10	P371357	WRO CORP	021084	1,223.80	509.10	SKINNER BONDING OF OREGON INC
11	P380275	WRO CORP	032151	1,982.56	857.97	DAVE'S AUTOMOTIVE SERVICE INC
12	P504726	WRO CORP	032482	1,687.59	702.70	SAL'S INC.
13	P529624	WRO CORP	032637	1,810.20	820.77	KEY LARGO ACQUISITION GROUP LLC
14	P556517	WRO CORP	040706	1,315.15	648.18	LISA BRADFORD SALON LLC
15	P520561	WRO CORP	041941	1,360.42	639.53	FLOSYS LLC
16	P570426	WRO CORP	050983	935.87	492.78	NISS-CESSITY IMPORT AUTOMOTIVE INC
17	P542495	WRO CORP	051042	777.50	395.22	PARSLEY BROUWERS DESIGN INC



18	P561599	WRO CORP	051338	1,580.91	856.53	SUZUKI OF GRESHAM, INC.
19	P572945	WRO CORP	060165	427.55	226.58	CNW INC
20	P575590	WRO CORP	060208	1,401.97	821.14	DANNER'S HOME RENOVATIONS, INC
21	P404685	WRO CORP	060283	825.06	472.97	FOSTER ROAD DOOR & WINDOW INC
22	P406076	WRO CORP	060285	5,288.34	2,794.62	FOUR SEASONS HEATING & AIR
23	P516945	WRO CORP	060456	2,576.54	1,442.96	KEVINS AUTO SERVICE INC
24	P546471	WRO CORP	060512	570.36	305.67	LOLA INC
25	P575764	WRO CORP	060548	916.14	529.43	MDK INC
26	P541741	WRO CORP	060687	2,672.20	1,627.19	QP3 LLC
27	P554289	WRO CORP	060839	19.54	12.42	STELLA ENTERTAINMENT INC
28	P385692	WRO CORP	060886	7.41	5.91	TRAN,DUC V
29	P530683	WRO CORP	070014	549.12	324.71	AFFORDABLE CELLULAR,INC
30	U589386	WRO CORP	070053	85,540.27	52,943.97	ARROW AIR INC
31	P606258	WRO CORP	070165	626.83	367.71	CHARITY AUTO SALES INC
32	P575225	WRO CORP	070283	97.62	58.46	EVOLUTION AUTO SERVICES, LLC
33	P508651	WRO CORP	070323	1,122.97	712.68	GBR CORPORATION
34	P540945	WRO CORP	070481	1,090.42	707.63	JOHN MILLER CONSTRUCTION INC
35	P606278	WRO CORP	070658	481.23	302.34	NATUROPATHIC BODY WORKS INC
36	P600350	WRO CORP	070724	1,955.80	1,303.08	PDRG HOLDINGS INC
37	P568513	WRO CORP	070737	396.90	230.43	PERFECT CUP ESPRESSO INC
38	P582261	WRO CORP	070743	1,218.26	771.08	PHOENIX AGENCY CORP
39	P558584	WRO CORP	070812	2,132.34	1,431.57	RYAN OLSEN DEVELOPMENT INC
40	P559885	WRO CORP	071011	573.55	358.50	WATCH THIS DVD,LLC
41	P545883	WRO CORP	071307	2,293.54	1,538.85	NOB HILL DENTAL, PC
42	P561568	WRO CORP	080002	413.17	271.28	2ND AVE BAR & GRILL, INC
43	P502310	WRO CORP	080030	86.73	57.23	AMERICAN COMPOST AND RECYCLING LI
44	P563759	WRO CORP	080031	2,113.95	1,586.30	AMERICAN ELITE GYMNASTICS LLC
45	P532575	WRO CORP	080089	887.62	638.13	BELLA MUSE LLC
46	P535175	WRO CORP	080118	400.50	269.21	BOLIGHUS ARCHITECTURE INC
47	P590868	WRO CORP	080179	637.68	416.26	CENTRISOFT CORP
48	P435594	WRO CORP	080193	1,305.70	992.99	CIRCLE S LANDSCAPE SUPPLIES LTD INC
49	P611580	WRO CORP	080236	566.85	390.34	CREATIVE FLOORING SOLUTIONS LLC
50	P612274	WRO CORP	080268	366.89	235.73	DB CLAY INC
51	P564198	WRO CORP	080442	883.60	586.25	HEAVY METAL PRODUCTS INC
52	P599472	WRO CORP	080451	7,147.72	5,510.92	HERO IMAGE ARTS



53	P516839	WRO CORP	080495	1,031.60	726.09	INTERNATIONAL HARDWOODS INC.
54	P594168	WRO CORP	080507	1,685.02	1,243.06	JADORTWAH INC
55	P402093	WRO CORP	080560	490.98	319.85	KIM'S AUTO CENTER INC
56	P598729	WRO CORP	080582	2,643.87	1,999.80	LA FIESTA CORP
57	P594398	WRO CORP	080591	775.83	551.93	LANMARK INC
58	P532699	WRO CORP	080606	78.96	63.00	LEE KYUNG HEE DMD PC
59	P561626	WRO CORP	080628	1,585.63	1,177.82	LUCAS PARDO, INC
60	P606883	WRO CORP	080713	1,316.07	953.93	MT HOOD ROOFING CO INC
61	P545284	WRO CORP	080765	513.75	349.05	NWM INC
62	P579229	WRO CORP	080812	967.08	687.96	PALMER & ASSOCIATES, INC
63	P432890	WRO CORP	080835	376.31	231.17	PERFECT CUP ESPRESSO INC
64	P614444	WRO CORP	080836	1,023.39	743.34	PERFECT CUP ESPRESSO INC
65	P494011	WRO CORP	080886	527.84	348.35	R J & CO PROPERTY MAINTENANCE LLC
66	P614199	WRO CORP	080917	1,174.43	848.28	RIM SEMICONDUCTOR COMPANY
67	P545374	WRO CORP	081020	1,977.39	1,480.72	SPORTS LAB LLC
68	P616614	WRO CORP	081036	258.38	151.84	STERLING PAYPHONES LLC
69	P559281	WRO CORP	081078	573.34	406.96	THE 720 ROOM LLC
70	P523182	WRO CORP	081105	17,203.53	13,265.36	TOM & SEAN LEAHY SPECIALTY
71	P615592	WRO CORP	081506	1,584.20	1,176.95	FALALI BEAUTY SALON INC
72	P600189	WRO CORP	090095	1,698.16	1,408.10	BAHNER ENTERPRISES INC
73	P597795	WRO CORP	090139	4,540.62	3,934.08	BELLA VISTA CONSTRUCTION LLC
74	P595586	WRO CORP	090280	220.46	122.17	CHESTERFIELD FINANCIAL CORP
75	P598867	WRO CORP	090674	619.26	456.11	GRESHAM MOTOR SPORTS LLC
76	P595550	WRO CORP	090853	3,161.87	2,274.42	JRM SUBCONTRACTOR INC
77	P625232	WRO CORP	091372	659.02	509.14	R & G AUTOMOTIVE SERVICES INC
78	P612144	WRO CORP	091485	394.65	257.94	SALVAGED MILLWORKS INC
79	P524008	WRO CORP	091677	664.80	590.31	THREE PARTNERS, INC
80	P595382	WRO CORP	091692	556.61	405.26	TRAKTIR INC
81	P587982	WRO CORP	091711	1,189.50	855.31	UNITED EXPRESS FOODS COMPANY
82	P603220	WRO CORP	091712	3,144.56	2,461.28	UNITED PRESSURE INC.
83	P613422	WRO CORP	091741	1,904.00	1,463.48	VIDEO TRANSFER CENTER INC
84	P565085	WRO CORP	091745	2,166.37	1,839.15	VIRTUALDESIGN.NET INC
85	P401271	WRO CORP	091802	994.54	674.88	WILLIAM ELAINE CORP
86	P444271	WRO CORP	993445	1,541.21	541.17	COGINLINK INC
87	P523467	WRO CORP	2003	1,749.48	835.74	ARCHWAY SYSTEMS INC



88	P592230	WRO CORP	2008	49.50	39.49	BIG O TIRES, INC
89	R627389	WRO CORP	2010	5,221.06	5,197.96	TPL METALS NORTHWEST INC
90	P617105	WRO CORP	091691	4,432.71	4,054.31	TPL METALS NORTHWEST INC
91	P613314	WRO CORP	2009	6.72	6.15	LOVELY HULA HANDS INC
92	P608256	WRO CORP	092013	7.03	6.43	ALLEN2 LAW LLC
93	P593633	WRO CORP	091107	27.33	25.00	MENO MYERS LLC
94	P589737	WRO CORP	091842	17.67	16.16	YUMMYBUMMY INC
95	P585448	WRO CORP	090262	95.82	87.64	CC MCKENZIE SHOES & APPAREL
96	P578680	WRO CORP	2008	21.26	16.96	WILLAMETTE LANDING INVESTMENTS INC
97	P575297	WRO CORP	080053	7.29	5.82	ART4ORM INC
98	P566958	WRO CORP	2009	40.44	36.99	OREGON TRAIL WINE LLC
99	P558954	WRO CORP	071554	93.16	22.05	KUNZWEILER INC
100	P554435	WRO CORP	092072	18.17	16.62	HERITAGE ROCK LLC
101	P543695	WRO CORP	2009	8.30	7.59	THE PRIVATE CONSULTING GROUP INC
102	P543161	WRO CORP	060020	1,047.42	571.48	AMERICAN HOMEFIRES LIMITED
103	P542078	WRO CORP	090239	27.88	25.50	CARLYLE LLC
104	P431005	WRO CORP	090377	16.13	14.75	CUSTOM SPRINKLING SPECIALISTS INC
105	P427618	WRO CORP	090215	26.81	24.52	C E SNODGRASS CONSTRUCTION INC
106	P415765	WRO CORP	051763	1,479.97	581.77	THE DANDA CORP
107	P414824	WRO CORP	020200	915.37	372.31	CELEBRITY CATERING INC
108	P390219	WRO CORP	080149	22.03	5.61	C C T ENTERPRISES INC
109	P377271	WRO CORP	090712	36.13	33.05	HALSEY & COMPANY INC
110	P626626	WRO CORP	091370	712.35	556.19	QUALITY VEGAN LLC
111	P508475	WRO CORP	041214 032493	3,136.58	875.23	VILLA DEL SOL LLC
				229,759.66	149,893.73	Corporations, LLC's, etc.

154 Accounts

375,302.55

\$225,457.21

Total tax to cancel





# MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST

(Revised 08/02/10)

## Board Clerk Use Only

Meeting Date: 2/10/11  
Agenda Item #: R-1  
Est. Start Time: 9:30 am

**Agenda Title:** Presentation by Louanne Moldovan to Board of Commissioners and Lillian Shirley, Health Department Director, in honor of Marcy Sugarman

*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:** 2/10/2011 **Amount of Time Needed:** 10 minutes  
**Department:** Public Affairs Office **Division:**  
**Contact(s):** David Austin, Public Affairs Director  
**Phone:** 988-4746 **Ext.:** **I/O Address:** 503/6  
**Presenter Name(s) & Title(s):** Louanne Moldovan, Citizen; Lillian Shirley, Health Department Director

## General Information

### 1. What action are you requesting from the Board?

None

### 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.

Louanne Moldovan and her daughter were helped by the Multnomah County Health Department's Marcy Sugarman, who was a fierce advocate for Louanne's family in getting services. Marcy died and Louanne wrote a guest column that appeared in The Oregonian's editorial pages on Dec. 22, 2010. Louanne was approached by people who help contribute to her getting her newspaper column framed and she wanted to present it to the Board and Lillian Shirley.

### 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 framed column would be hung in the offices of the Health Department.

## Required Signature

Elected Official or  
Department/  
Agency Director:

Date: 1/24/2011





# MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST

(revised 08/02/10)

APPROVED: MULTNOMAH COUNTY  
BOARD OF COMMISSIONERS  
AGENDA # R-2 DATE 2/10/11  
MARINA BAKER, ASST BOARD CLERK

## Board Clerk Use Only

Meeting Date: 2/10/11  
Agenda Item #: R-2  
Est. Start Time: 9:40 am  
Date Submitted: 2/2/11

**Agenda Title:** **RESOLUTION Approving the Transfer of Tax-Foreclosed Property R141935 to Community Vision, Inc., a Non-profit Corporation, for Low Income Housing Purposes**

*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:** 2/10/2011 **Amount of Time Needed:** 3 minutes  
**Department:** County Management **Division:** Assessment, Recording and Taxation / Special Programs  
**Contact(s):** Sally Brown and Becky Grace  
**Phone:** 503-988-3349 **Ext.** 22349 **I/O Address:** 503/1  
**Presenter Name(s) & Title(s):** Randy Walruff, Division Director

## General Information

### 1. What action are you requesting from the Board?

Approve the transfer of tax-foreclosed property to Community Vision, Inc., a non-profit corporation, for low income housing purposes.

### 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.

The County has obtained title to certain real property through foreclosure for failure to pay lawfully imposed taxes and assessments. The property was put on Public Auction on May 24<sup>th</sup>, with a minimum bid of \$91,500. No bids were received at the auction. Since the auction the property has been available to purchase on our web site.

Under ORS 271.330, the County may elect to donate the property to a qualified, non-profit corporation; provided such non-profit uses it for low income housing. Community Vision, Inc. (CVI) is a qualified non-profit under ORS 271.330, and CVI has agreed to develop the Property after transfer under the terms of the attached agreement.

Agenda Placement Request  
Submit to Board Clerk



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

NA

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

NA

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

NA

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### Required Signature

Elected Official or  
Department/  
Agency Director:



Date: 2/2/2011

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Agenda Placement Request  
Submit to Board Clerk



BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

**RESOLUTION NO. \_\_\_\_\_**

Approving the Transfer of Tax-Foreclosed Property to Community Vision, Inc., a Non-profit Corporation, for Low Income Housing Purposes

**The Multnomah County Board of Commissioners Finds:**

- a. The County has obtained title to certain real property more particularly described as:  
  
Unit 8, Country Club Estate Townhouse Condominium  
  
(the "Property") through foreclosure for failure to pay lawfully imposed taxes and assessments.
- b. Under ORS 271.330 (2), the County may elect to donate property acquired through tax-foreclosure to qualified, non-profit corporations; provided such non-profits use the property for low income housing.
- c. Community Vision, Inc. (CVI) is a qualified non-profit under ORS 271.330, and CVI has agreed to use and or further develop the Property for the purposes of low income housing after transfer under the terms of the attached Low Income Housing Development Agreement (Agreement).

**The Multnomah County Board of Commissioners Resolves:**

1. The transfer of the Property to CVI and development of the Property in accordance with the attached Agreement is approved.
2. The Chair is authorized to execute all documentation required to complete said transfer, including a deed and the Agreement in a form substantially in conformance with the terms and conditions of the attached Agreement.
3. The County shall cause all appropriate documentation relating to the transfer to be recorded in the County Deed Records.

ADOPTED this 10<sup>th</sup> day of February 2011.

BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

\_\_\_\_\_  
Jeff Cogen, Chair

REVIEWED:  
HENRY H. LAZENBY, JR., COUNTY ATTORNEY  
FOR MULTNOMAH COUNTY, OREGON

By \_\_\_\_\_  
Matthew O. Ryan, Assistant County Attorney

SUBMITTED BY:  
Mindy Harris, Interim Director, Dept. of County Management



Until a change is requested, all tax statements  
Shall be sent to the following address:  
**COMMUNITY VISION, INC.**  
1750 SW Skyline Blvd., Suite 102  
Portland, OR 97221  
After recording return to:  
Multnomah County Special Programs 503/2

**Deed D112232 for R141935**

MULTNOMAH COUNTY, a political subdivision of the State of Oregon, **Grantor**, conveys to COMMUNITY VISION, INC., an Oregon non-profit corporation, **Grantee**, certain real property located in Multnomah County, Oregon more particularly described as follows:

**Unit 8, Country Club Estate Townhouse Condominium**

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009.

The true consideration paid for this transfer is \$0, but consists of other consideration the receipt whereof is hereby acknowledged.

IN WITNESS WHEREOF, The Multnomah County Board of Commissioners by authority of a Resolution of the Board, entered of record: has caused this deed to be executed by the chair of the County Board.

Dated this 10<sup>th</sup> day of February, 2011.

BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

\_\_\_\_\_  
Jeff Cogen, Chair

STATE OF OREGON                    )  
  ) ss  
COUNTY OF MULTNOMAH         )

This Deed was acknowledged before me this 10<sup>th</sup> day of February 2011, by Jeff Cogen, to me personally known, as Chair of the Multnomah County Board of Commissioners, on behalf of the County by authority of the Multnomah County Board of Commissioners.

\_\_\_\_\_  
Marina A Baker  
Notary Public for Oregon  
My Commission expires: 7/14/2014

REVIEWED: HENRY H. LAZENBY, JR., COUNTY ATTORNEY  
FOR MULTNOMAH COUNTY, OREGON

By \_\_\_\_\_  
Matthew O. Ryan, Assistant County Attorney



AFTER RECORDING RETURN TO:  
MULTNOMAH COUNTY, OREGON  
DART Special Programs  
501 SE Hawthorne Blvd  
Portland, Oregon 97214

## LOW INCOME HOUSING DEVELOPMENT AGREEMENT

**Dated:** \_\_\_\_\_, 2011

### **The Parties:**

**COMMUNITY VISION, INC.;** an Oregon non-profit corporation, headquartered 1750 SW Skyline Blvd., Suite 102; Portland, OR 97221("CVI"); and **MULTNOMAH COUNTY, OREGON**, a Political Subdivision of the State of Oregon; located at 501 SE Hawthorne, Portland, Oregon 97214 ("County"); collectively referred to herein as the "Parties".

### **Recitals:**

A. The County as required under state law obtains title to real property that is foreclosed for failure to pay lawfully imposed taxes and assessments.

B. As authorized under ORS 271.330, the County may elect to donate property acquired through tax-foreclosure to qualified, non- profit corporations; provided such non-profits use the donated property for low income housing. For purposes of this Agreement, "Low income housing" means either providing low income rental unit(s) or home ownership opportunities to eligible persons or families with incomes adjusted for family size at or below 80% of the median income in Multnomah County, Oregon ("Eligible Buyers" or "Eligible Individuals").

C. CVI is an Oregon non-profit corporation, and is qualified under ORS 271.330 to receive the donation of tax-foreclosed property by the County for the use as low income housing.

D. The County and CVI have agreed to the transfer of certain real property "AS IS, WHERE IS"; that is located in Multnomah County, Oregon and more particularly described as:

#### **Unit 8, Country Club Estate Townhouse Condominium**

hereinafter referred to as "the Property."

E. The consideration for the donation of the Property is CVI's stipulation and commitment as evidenced by its duly authorized representative's signature below, to use the Property solely for low income housing purposes for a period of not less than thirty (30) years from the date of transfer.

F. The restrictions contained herein are intended to limit the use of the Property to the use as the primary residence of Eligible Individual(s) and to require for a period of 30 years and those



subsequent buyers of the Property only resell it to Eligible Buyers who occupy the Property as their primary residence. It is the policy of the County to ensure that safe, decent and affordable housing is made available to qualifying individuals at affordable prices throughout the entire term of this Agreement in order to ensure the long-term availability of affordable housing in Multnomah County, Oregon.

G. Further, the Parties stipulate that the Property and its improvements has not been the subject of any examinations or inspections at the time of this transfer and their existing condition are unknown, and that the transfer of the Property is "AS IS, WHERE IS".

### **Agreement**

Therefore, in consideration of the promises and covenants set forth herein and of other valuable consideration, the receipt and sufficiency of which is acknowledged, CVI and the County agree as follows:

#### **Section 1: Incorporation of Recitals.**

1. Recitals. The foregoing recitals are incorporated into this Agreement by this reference.

#### **Section 2: Representations and Warranties of CVI.**

2. Representations and Warranties. The CVI represents and warrants as follows:

2.1 Non-Profit. The CVI is (i) a duly organized non-profit corporation under the laws of the state of Oregon, (ii) qualified to transact business in the state of Oregon, (iii) has the power and authority to own its properties and assets and to carry on its business as now being conducted, and (iv) has the full legal right, power, and authority to execute and deliver this Declaration.

2.2 No Violation of Law or Contract. The execution and performance of this Agreement by the CVI (i) will not violate or, as applicable, has not violated any provision of law, rule or regulation, or any order of any court or other agency or governmental body, (ii) will not violate or, as applicable, has not violated any provision of any indenture, agreement, mortgage, mortgage note, or other instrument to which the CVI is a party or by which it or the Project is bound, and (iii) will not result in the creation or imposition of any prohibited encumbrance of any nature.

2.3 Financial Status. There is no action, suit, or proceeding at law or in equity, or by or before any governmental instrumentality or other agency now pending, or to the knowledge of the CVI, threatened against or affecting it, or any of its properties or rights, which if adversely determined, would materially impair its right to carry on business substantially as now conducted and as now contemplated by this Agreement or would materially adversely affect its financial condition.

2.4 Property. CVI covenants that it will forever defend rights hereunder and the priority of this Agreement against the adverse claims and demands of all persons.

2.5 Impositions. CVI will pay when due all taxes, assessments, fees, and other governmental and nongovernmental charges of every nature now or hereafter assessed against any part of the



Property (the "Impositions"); however, if by law any such Imposition may be paid in installments, CVI may pay the same in installments, together with accrued interest on the unpaid balance thereof, as they become due. CVI will furnish to County promptly on request satisfactory evidence of the payment of all Impositions. County is hereby authorized to request and receive from the responsible governmental and nongovernmental personnel written statements with respect to the accrual and payment of all Impositions. As of the date of transfer there are no ad valorem real property tax liens against the Property.

2.6 Liens. CVI will pay when due all claims for labor and materials that, if unpaid, might become a lien on the Property.

### **Section 3: Property Use.**

3.1 Low Income Housing. As soon as practicable upon transfer to CVI the Property shall be used for low income housing purposes.

3.2 Renovation or New Construction. If CVI in its reasonable best judgment determines the existing improvements at the Property need major renovation, CVI shall renovate the single-family residence on the Property to a safe and sanitary standard in compliance with all applicable codes and regulations in a timely and responsible manner. If CVI in its reasonable best judgment determines the existing improvements at the Property are in such condition that renovation is infeasible, then CVI shall pursue the timely and safe removal of all or any portion of the existing improvements and shall reconstruct residential dwelling unit(s) to a safe and sanitary standard in compliance with all applicable codes and regulations in a timely and responsible manner.

3.3 Resale. Any resale of the Property by CVI during the 30 year term of this Agreement shall be to one or more individual purchasers whose aggregate income is equal to or less than eighty percent (80%) of the area median income, as adjusted for family size, for Multnomah County, Oregon as established from time to time during the term of this Agreement by the United States Department of Housing and Urban Development, or any successor agency ("Area Median Income"). During the 30 year term of this Agreement, all subsequent owners who desire to sell the Property may sell the Property provided, however, that the Property is sold for occupancy as the principal residence of the purchaser or purchasers and then only to one or more individuals whose aggregate income is at or below eighty percent (80%) of the then current Area Median Income.

3.4 Occupancy. During the term of this Agreement, at least one of the then current owners or occupants of the Property, except for CVI, shall at all times occupy the Property as his or her primary personal residence, except for such periods of time that repair, renovation, demolition or reconstruction or similar activities shall make occupancy impractical; provided that this exception shall be based on a reasonable schedule for completion of such activities, and that any undue period of vacancy shall be deemed a default.

#### 3.5 Inspections and Documentation.

3.5.1. CVI shall permit the County, or any duly authorized representative of the County, during normal business hours and upon reasonable notice to inspect the Property.



3.5.2. CVI shall submit any other information, documents, or certifications requested by the County that the County in its reasonable discretion shall deem necessary or appropriate to substantiate the CVI's continuing compliance with the provisions of this Agreement.

3.6 Maintenance. The CVI shall maintain the Property in good repair, working order and condition, including without limitation maintaining the Property in compliance with any nuisance abatement standards which may apply to the Property. CVI will not commit or suffer any waste or strip of the Property.

3.7 Damage or Destruction. If the improvements on the Property are damaged or destroyed, the CVI shall use its best efforts, subject to the rights of any mortgagee, to repair and restore improvements on the Property to substantially the same condition as existed prior to the event causing such damage or destruction, and specifically with respect to damage or takings in Condemnation as provided in Section 8; and thereafter to operate the Property in accordance with the terms of this Agreement.

3.8 Environmental Compliance.

3.8.1. For purposes of this section, *Environmental Law* means any federal, state, or local law or regulation now or hereafter at any time pertaining to Hazardous Substances or environmental conditions. For purposes of this section, *Hazardous Substance* includes, without limitation, any substance that is or becomes classified as hazardous, dangerous, or toxic under any federal, state, or local law or regulation.

3.8.2. CVI will not use, generate, store, release, discharge, or dispose of on, under, or about the Trust Property or the groundwater thereof any Hazardous Substance and will not permit any other person to do so, except for storage and use of Hazardous Substances (and in such quantities) as may commonly be used for household purposes, as long as those substances are stored and used in compliance with all Environmental Laws. CVI will keep and maintain the Property in compliance with all Environmental Laws.

3.8.3 If any investigation, monitoring, containment, cleanup, or other remedial work of any kind is required on the Property under any applicable Environmental Law or by any governmental agency or person in connection with a release of a Hazardous Substance, CVI will promptly complete all that work at CVI's expense.

3.8.4 All representations, warranties, and covenants in this Section 3.8 are to survive beyond the term of the Agreement.

3.9 Limitations of Use. CVI will not initiate or consent to any replatting, partitioning, or rezoning of the Property or any change in any covenant or other public or private restrictions limiting or defining the uses that may be made of the Property without the prior written consent of County, which shall not be unreasonably withheld.

**Section 4: Recording and Filing; Covenants To Run With the Land.**



4. Recording and Filing. This Agreement shall be recorded and filed in the Deed Records of Multnomah County, Oregon.

4.1 Covenants to Run With the Land. Upon recording and for the duration of the thirty (30) year term of this Agreement; the terms and conditions set forth in this Agreement regulating and restricting the use, occupancy and transfer of the Property (i) shall be and are covenants running with the Property, including all improvements on the Property, encumbering the Property for the term of this Agreement, binding upon the CVI's successors in title and all subsequent owners; (ii) are not merely personal covenants of the CVI and its successors and assigns; and (iii) shall bind the CVI and its successors and assigns during the term of this Agreement with the benefits inuring to the County.

4.2. Compliance with Law. CVI agrees that any and all requirements of the laws of the state of Oregon to be satisfied in order for the provisions of this Agreement to constitute deed restrictions and covenants running with the land shall be deemed to be satisfied in full, and that any requirements or privileges of estate are intended to be satisfied, or in the alternate, that an equitable servitude has been created to insure that these restrictions run with the Property, including all improvements thereon, for the term of this Agreement. The covenants contained herein shall survive and be effective regardless of whether such contract, deed, or other instrument hereafter executed conveying the Property, or a portion thereof, provides that such conveyance is subject to this Agreement.

#### **Section 5: Default.**

5.1 Defined. The failure by the CVI to perform or comply with any term, covenant or condition of this Agreement within 30 days after written notice from the County to perform or satisfy the term, covenant or condition, or if the performance or compliance cannot be completed within such 30-day period through the exercise of reasonable diligence, the failure to commence the required performance or compliance with diligence to completion shall constitute an event of default ("Event of Default").

5.2 Remedies. Upon the occurrence of an Event of Default, the County, its successors and assigns may institute and prosecute any proceeding at law or in equity to abate, prevent or enjoin any such violation or attempted violation, or to recover monetary damages caused by such violation or attempted violation, such damages to include but not be limited to all costs, expenses including but not limited to staff and administrative expense, fees including but not limited to all reasonably attorneys' fees which may be incurred by the County or any other party in enforcing or attempting to enforce this Agreement following such Event of Default on the part of the CVI or its successors, whether the same shall be enforced by suit or otherwise.

#### **Section 6: Term.**

The term of this Agreement commenced as of the date first set forth above and shall end at 11:59 p.m. on March 1, 2041.

#### **Section 7: Insurance.**



7.1 Property and Other Insurance. CVI will obtain and maintain during the term of this Agreement Basic Form property insurance, in an amount not less than the amount of the full replacement cost of the Property, without reduction for coinsurance.

7.2. Insurance Companies and Policies. All insurance must (a) be written by a company or companies reasonably acceptable to County, (b) require 10 days' prior written notice to County of cancellation or reduction in coverage. CVI will furnish to County on request a certificate evidencing the coverage required under this Agreement and a copy of each policy.

7.3 Casualty/Loss Restoration.

7.3.1. After the occurrence of any casualty to the Property, whether or not covered by insurance, CVI will give prompt written notice thereof to County. County may make proof of loss if CVI fails to do so promptly and to County's satisfaction.

7.3.2. All insurance proceeds with respect to the Property must be applied to the renovation, repair, restoration or reconstruction of the Property for the purpose of reinstating the authorized use of the Property. Provided, CVI shall have reasonable discretion to renovate or rebuild improvements differently than the existing structure on site in a manner in its professional judgment, best suited to accomplish viable, sustainable low income housing at the Property.

**Section 8: Condemnation.**

If the Property or any part of it is taken or damaged by reason of any public improvement, eminent domain, condemnation proceeding, or in any other manner (a "Condemnation"), or if CVI receives any notice or other information regarding such action, CVI will give immediate notice thereof to County. All compensation, awards, relocation assistance and other payments or relief therefore ("Condemnation Proceeds") up to the full amount of the value of the Property shall be applied first to the restoration of the Property and the intended use thereof as low income housing; provided, that if the intended use of the Property is no longer reasonably capable as a direct result of the Condemnation; towards the purchase of suitable residential property to relocate the then occupants for the purpose to continue the provision of low income housing at such new residential property.

**Section 9: General Provisions.**

9.1 Severability. The invalidity of any clause, part, or provision of this Agreement shall not affect the validity of the remains provisions thereof.

9.2 Amendment. The County, together with the CVI and the then current CVI of the Property, if other than the CVI, may execute and record any amendment to, or modification of, this Agreement, and such amendment or modification shall be binding on parties and their successors and assigns.

9.3 Notices. All notices or other communications to be given pursuant to the Agreement, shall be in writing and shall be deemed given when mailed by certified or registered mail, return



receipt requested, to the recipient at the address first set forth above, or to such other address as a party may from time to time designate by notice given as provided in this Section.

9.4 Governing Law. This Agreement shall be governed by the laws of the State of Oregon without regard to the conflict of law provisions.

9.5 Venue. Venue for any suit or action commenced to enforce or interpret this Agreement shall be in the Circuit Court of Multnomah County, Oregon.

9.6 Indemnity. CVI will, to the fullest extent allowed by law, hold County, its respective, officers, employees, agents, and lawyers harmless from and indemnify them for any and all claims, demands, damages, liabilities, and expenses, including but not limited to attorney fees and court costs, arising out of or in connection with County's interests and rights under this Agreement.

9.7 Time is of the Essence. Time is of the essence with respect to all covenants, terms and conditions of CVI under this Agreement.

IN WITNESS WHEREOF, the parties have signed this Agreement as of the date first set forth above.

**FOR COMMUNITY VISION, INC.:**

**FOR MULTNOMAH COUNTY:**

By: \_\_\_\_\_  
Joe Wykowski, Executive Director  
of Community Vision, Inc.

BOARD OF COMMISSIONERS  
MULTNOMAH COUNTY, OREGON

By: \_\_\_\_\_  
Jeff Cogen, Chair

**REVIEWED:**

\_\_\_\_\_  
Matthew O. Ryan, Assistant County Attorney



Acknowledgments

STATE OF OREGON            )  
  )ss.  
County of Multnomah        )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2011, by Joe Wykowski, as Executive Director of Community Vision, Inc., an Oregon non-profit corporation, on behalf of its Board of Directors.

\_\_\_\_\_  
Notary Public for Oregon  
My Commission expires:

STATE OF OREGON            )  
  )ss.  
County of Multnomah        )

This instrument was acknowledged before me on this \_\_\_\_\_ day of \_\_\_\_\_, 2011, by Jeff Cogen, Chair, Board of Commissioners, Multnomah County, Oregon, on behalf of its Board of County Commissioners; and that the said instrument is the free act and deed of said County.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first in this, my certificate, written.

\_\_\_\_\_  
Marina A Baker  
Notary Public for Oregon  
My Commission expires: 7/14/2014





# MULTNOMAH COUNTY

## AGENDA PLACEMENT REQUEST (short form)

Revised 4

### Board Clerk Use Only

Meeting Date: 2/10/11  
Agenda Item #: R-3  
Est. Start Time: 10:10 am  
Date Submitted: 1/31/11

**Agenda Title:** Presentation of Multnomah County's Comprehensive Annual Financial Report, Component Unit Financial Reports, and Schedule of Expenditures of Federal Awards for the year ending June 30, 2010

*Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title.*

**Requested Meeting Date:** February 10, 2011 **Amount of Time Needed:** 30 minutes  
**Department:** Non Departmental **Division:** Auditors Office  
**Contact(s):** Judy Rosenberger  
**Phone:** 83320 **Ext.:** **I/O Address:** 503/601  
**Presenter(s):** The Multnomah County Audit Committee represented by Steve March, Mindy Harris, and Craig Stroud and by Moss Adams represented by Jim Lanzarotta and Kevin Mullerleile

### General Information

#### 1. What action are you requesting from the Board?

Board briefing for the external audit of the County's Comprehensive Annual Financial Report (CAFR) and the Report for the Schedule of Expenditures of Federal for the year ending June 30, 2010 included in the CAFR. The Financial reports can be accessed via the internet at the following URL: <http://www.co.multnomah.or.us/reports>

#### 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.

The County's Comprehensive Annual Financial Report (CAFR) provides a summary of the County's overall financial condition, the status of each fund managed by the County for the fiscal year ending June 30, 2010. The report for the Schedule of Expenditures of Federal Awards notes the County's level of compliance with federal requirements for grant funded programs for the fiscal year ending June 30, 2010 is included in the CAFR this year.

The highlights of the reports are:



- a. The County received an unqualified opinion from the auditors, indicating that the financial statements fairly represent the financial position of Multnomah County.
- b. The auditors and management did not encounter any disagreements.
- c. The financial reports were prepared according to generally accepted accounting principles.
- d. The auditors did not determine any audit adjustments.
- e. The County complied with:
  - i. The legal requirements related to debt.
  - ii. The appropriate laws pertaining to programs funded by other governmental agencies.
  - iii. ORS 279 regarding awarding of public contracts.
  - iv. Cost accounting guidelines
- f. In connection with the financial statement audit, there were no significant deficiencies..
- g. In connection with the audit of the County's expenditures of Federal awards, the auditors identified findings and related questioned costs. Additional information on the findings and questioned costs is noted in the report for the schedule of expenditures of Federal awards included in the CAFR..

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

No fiscal impact.

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

The Audit Committee is established under MCC Section 3.5 to serve as liaison between the BOCC, external auditor and management.

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

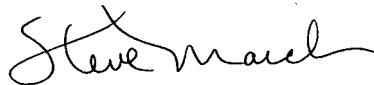
Craig Stroud, CPA, is the Audit Committee Chair and is a citizen appointee to the Audit Committee. Four additional citizens serve by recommendation of the Citizen Involvement Committee.

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**Required Signature**

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**Elected Official or  
Department/  
Agency Director:**



**Date:** 1/3/11





# MULTNOMAH COUNTY

## AGENDA PLACEMENT REQUEST (short form)

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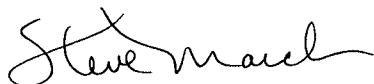
Craig Stroud, CPA, is the Audit Committee Chair and is a citizen appointee to the Audit Committee. Four additional citizens serve by recommendation of the Citizen Involvement Committee.

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**Required Signature**

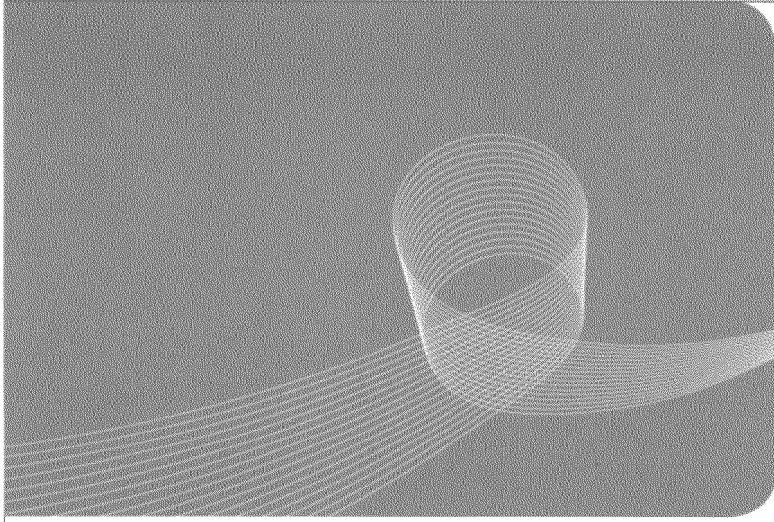
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**Elected Official or  
Department/  
Agency Director:**



**Date:** 1/3/11





# Multnomah County Board Meeting Presentation of Audit Results

February 10, 2011

Jim Lanzarotta, Partner

Kevin Mullerleile, Senior Manager

Debbie Gregg, Senior Manager

MOSS-ADAMS<sub>LLP</sub>

MOSS-ADAMS<sub>LLP</sub>  
Certified Public Accountants | Business Consultants

*Acumen. Agility. Answers.*

Presentation for R-3  
2-10-11 Board Mtg  
Rec'd 2-8-11





# WHAT WE WILL COVER

- Nature of services provided
- Auditor's opinion and reports
- SAS 114 required communications
- Best practices observations and recommendations
- New accounting and auditing standards
- Comments





## NATURE OF SERVICES PROVIDED

- Audit of the financial statements
- Testing for Oregon Legal Compliance
- Testing County compliance with Federal Grant requirements
- Technical review of the County's Comprehensive Annual Financial Report





# AUDIT OPINION & REPORTS

- Unqualified (clean) opinion, pages 13-14
- Report on State Legal Compliance, pages 174-175
  - No instances of State noncompliance to report





# AUDIT OPINION & REPORTS

- Report on compliance and internal controls required by Government Audit Standards
  - Significant control deficiency for depreciation expense previously reported for right-of-ways





# AUDIT OPINION & REPORTS

- Report on compliance and internal controls over Major Federal Grant Programs
  - Clean opinion on Federal grant compliance
  - Significant control deficiency and noncompliance finding for :
    - Payroll reporting for the Social Services Block grant and Weatherization Assistance for Low-Income Persons
    - Eligibility documentation lacking for ARRA Grants to Health Center Programs
  - Noncompliance finding over internal service costs charged to the Consolidated Health Centers grant. Questioned costs of approximately \$120,000.





# SAS 114 REQUIRED COMMUNICATIONS

- Significant difficulties encountered in the audit
  - none
- Corrected and uncorrected misstatements –  
none
- Disagreements with management - none





# BEST PRACTICES / RECOMMENDATIONS

- Prior year observations addressed by management
  - Review of SAP user access for inappropriate roles
  - Improve controls over approved vendor contract prices
  - Improve communication of non-routine capital asset transactions with finance management staff
  - Improve internal communications controls over possible pollution remediation projects
  - Continued emphasis on improving 'time and effort' studies over payroll charged to federal grants
  - Improve reporting of federal CFDA#'s to grant subrecipients





# BEST PRACTICES / RECOMMENDATIONS

- Current year observations and recommendations
  - Improve external reporting of interfund loans
  - Improve capitalization policies and procedures for internally developed software
  - Exclude distorting items in the indirect cost base
  - Provide supervisory review and approval of federal award cash draws
  - Improve supervisory review and timely submission of federal grant reports
  - Improve supervisory review of payroll timecards
  - Formalize policies and procedures to adequately implement GASB Statement No. 54.





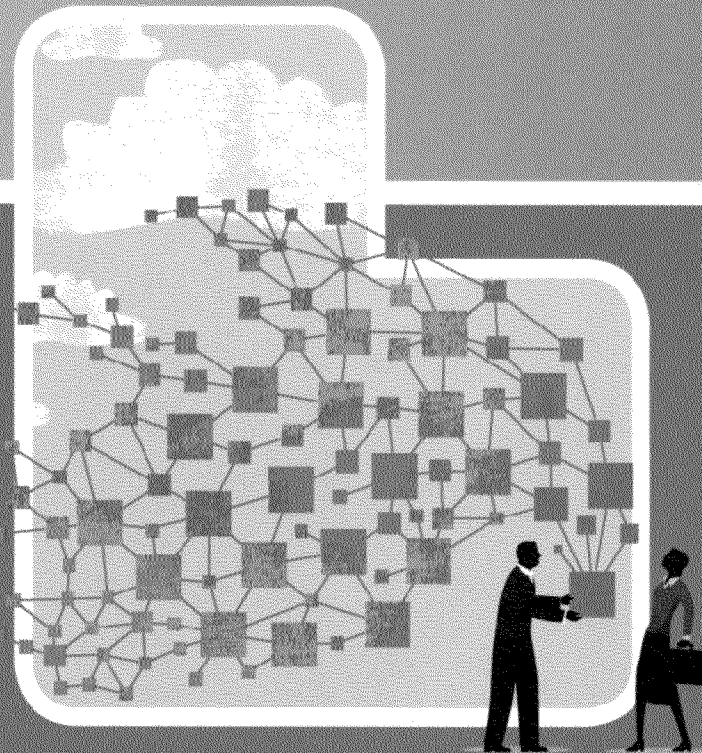
# THE ACCOUNTING STANDARDS

- New accounting standards
  - GASB 54 – Fund balance accounting, effective FYE 6/30/11
  - GASB 61 – Re-examination of component unit reporting
- New auditing standards
  - Group audits – primary auditor responsibility, effective FYE 6/30/12



# COMMENTS

## Questions?



**MOSS ADAMS** LLP

Certified Public Accountants | Business Consultants

*Acumen. Agility. Answers.*

**MOSS ADAMS** LLP

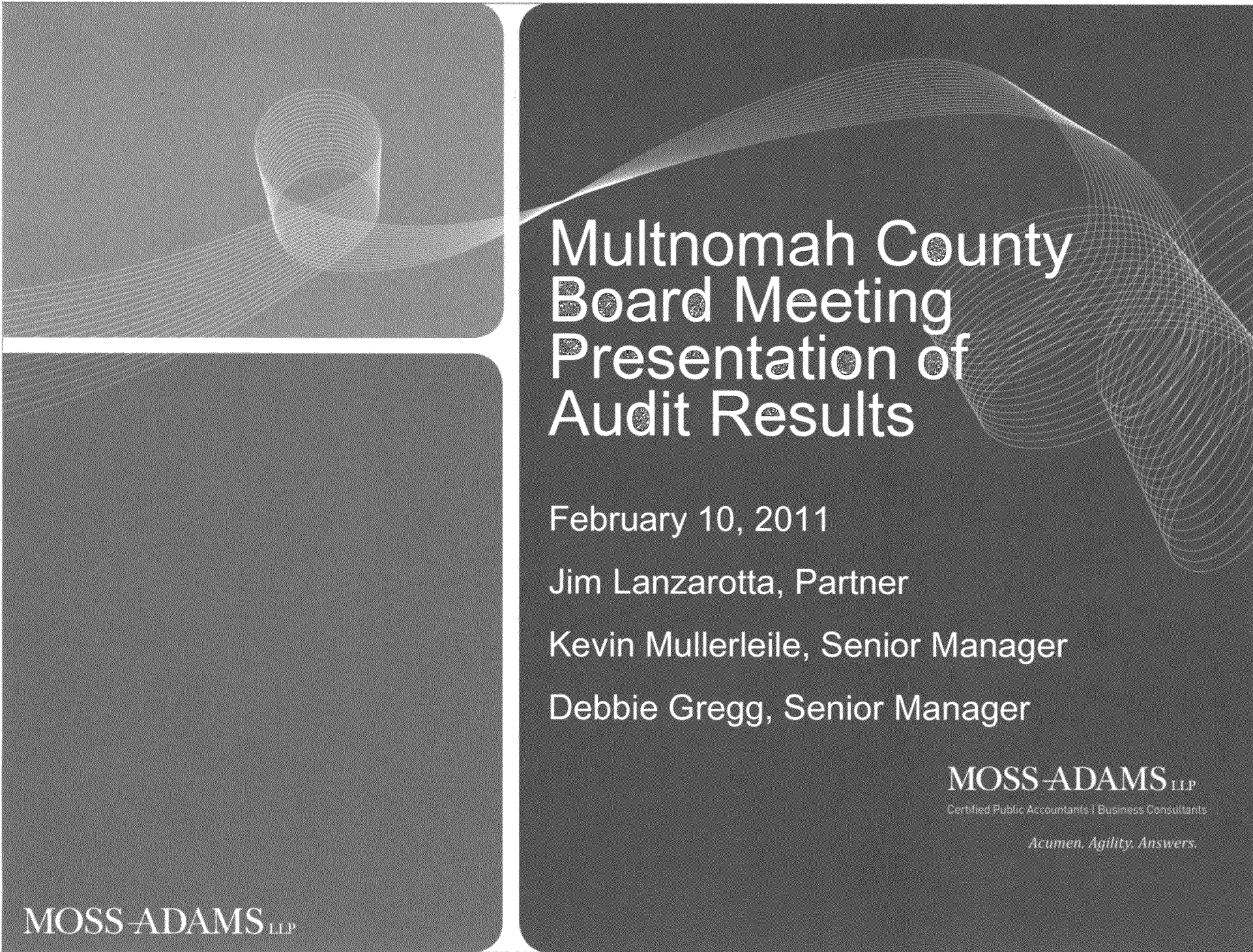




## ACKNOWLEDGEMENTS

- Thanks to Mindy Harris and Mark Campbell for their leadership; Cara Fitzpatrick & Susan Luce and their technical accounting team for their excellent facilitation of our audit procedures; and Steve March, Judith Devilliers and members of the Audit Committee for their guidance and oversight





# Multnomah County Board Meeting Presentation of Audit Results

February 10, 2011

Jim Lanzarotta, Partner

Kevin Mullerleile, Senior Manager

Debbie Gregg, Senior Manager

MOSS-ADAMS<sub>LLP</sub>

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Certified Public Accountants | Business Consultants

*Acumen. Agility. Answers.*





# MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST

(revised 08/02/10)

## Board Clerk Use Only

Meeting Date: 2/10/11  
Agenda Item #: R-4  
Est. Start Time: 10:15 am  
Date Submitted: 2/1/11

**Agenda Title:** Informational Board Briefing on Playworks

*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: 2/10/2011 Amount of Time Needed: 30 min  
Department: Non-Departmental Division: Commissioner Kafoury  
Contact(s): Aaron Ridings (District 1)  
Phone: 503-988-5220 Ext. 85220 I/O Address: 503/6th  
Presenter Name(s) & Title(s): Jonathan Blasher, City Executive Director, Playworks Oregon

## General Information

1. What action are you requesting from the Board?  
Informational Board briefing.
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.

Playworks is a national nonprofit organization that supports learning by providing safe, healthy and inclusive play and physical activity to schools at recess and throughout the entire school day. The organization provides effective solutions that address the academic achievement gap, childhood obesity, and bullying.

Research shows that play is essential to child development and an invaluable tool for improving school climate. Quality recess and playtime also helps children return to the classroom more focused and ready to learn. (more information is available at: <http://www.playworks.org/why-play-matters/studies>)

Agenda Placement Request  
Submit to Board Clerk



Playworks is the only nonprofit organization in the country to send trained, full-time coaches to low-income, urban schools, where they transform recess and play into a positive experience that helps kids and teachers get the most out of every learning opportunity throughout the school day. These coaches become part of the school community, working full-time to provide organized play and physical activity through the five components of the Playworks program. They organize games and activities during recess, provide individual class game times and run a leadership development program during school hours. They also run Playworks tutoring and physical activity programs and developmental sports leagues during after school hours.

Playworks Portland currently provides full-day on-site programming to 14 low-income public elementary schools in Portland, serving nearly 6,000 students daily, including students who attend Beach School, Bridger School, Cesar Chavez School, Grout Elementary School, King School, Jason Lee School, Markham Elementary School, Marysville Elementary School, , Ockley Green School, Rigler School, Rosa Parks Elementary School, Sitton Elementary School, Woodlawn School, Woodmere Elementary School.

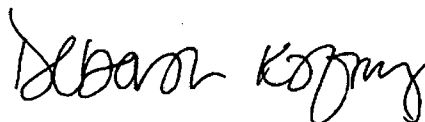
3. Explain the fiscal impact (current year and ongoing).
4. Explain any legal and/or policy issues involved.
5. Explain any citizen and/or other government participation that has or will take place.

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**Required Signature**

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Elected Official or  
Department/  
Agency Director:

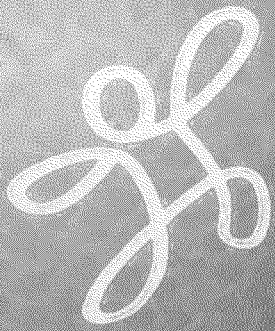


Date: 2/1/2011

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Agenda Placement Request  
Submit to Board Clerk





“Before Playworks we had two types of students at recess; those who loved it, and those who hated it. Many students didn't enjoy and didn't want to play because they didn't know how to play.

This created a tough situation. Before Playworks there were a lot of conflicts at recess between students. Many arguments would come back inside the school with kids lined up in the office waiting for administrative staff to intervene, rather than being in the classroom learning. Even when students went back to the classroom there were outbursts between students.

**Since Playworks, most days the office is empty after recess. This means academics aren't interrupted;** students go directly back to class without the need for conflict resolution by teachers or staff.

Recess is an important time when students can practice meeting the expectations we're trying to teach them. Rock-Paper-Scissors is an honorable way to teach them to walk away and be respected. It's an essential tool to be successful. They don't have to fight through every situation, they can save face and keep respect. It's really an important life skill.

The thing that is most surprising for me about Playworks is this: It didn't take months, it didn't take weeks, we saw change within days and **that's a program worth keeping!**”

*Tamala M. W. Newsome*

Tamala Newsome  
Principal  
Rosa Parks School  
Portland, Oregon







PLAYWORKS

EDUCATION ENERGIZED

## Playworks Portland

---

### Can 4-Square save a school? Can kickball improve the learning in the classroom? Yes!

Since 1996, Playworks has worked on-site exclusively with low-income schools, engineering a powerful system of play making a daily difference where it's most needed. With energy and imagination, high fives and hula hoops, **Playworks stops the chaos and builds play and physical activity into a positive school environment.** And by improving school climate, Playworks improves learning.

Playworks debuted in Portland in 2009, placing trained full-time coaches in each of our nine partner public schools. Here's a sample of what school staff reported:

- 89 percent reported a decrease in the number of *conflicts originating on the playground and spilling over to class*
- 92 percent reported an increase in the level of *participation in academic activities*
- 85 percent reported a decrease in *bullying at recess*
- 89 percent reported an increase in *class attendance*
- 89 percent reported a decrease in *disciplinary referrals*
- 88 percent reported an increase in *physical activity*

Playworks now brings play to **14** low-income Portland elementary schools serving **5,800** students in 2010-11, *including all nine of our original school partners.*

⌘ Beach School	⌘ Marysville School
⌘ Bridger School	⌘ Ockley Green School
⌘ Cesar Chavez School	⌘ Rigler School
⌘ Grout Elementary School	⌘ Rosa Parks Elementary School
⌘ King School	⌘ Sitton Elementary School
⌘ Jason Lee School	⌘ Woodlawn School
⌘ Markham Elementary School	⌘ Woodmere Elementary School

In addition, Playworks provides recess training, support and technical assistance to all four Parkrose Elementary Schools and their 1,600 students.

⌘ Prescott	⌘ Sacramento
⌘ Russell Academy	⌘ Shaver

Join the movement for safe, healthy play in the Great Northwest and help us serve more schools and students and grow our reach in the Portland area. To learn more and get involved, visit [www.playworks.org/portland](http://www.playworks.org/portland) or contact:

Jonathan Blasher| Executive Director| Playworks Portland|  
1507 NW 23rd Avenue, Suite A, Portland, OR 97210  
[jblasher@playworks.org](mailto:jblasher@playworks.org) | (503) 928-8686





## PORTLAND PUBLIC SCHOOLS

501 North Dixon Street / Portland, OR 97227  
Telephone: (503) 916-3200 / Fax: (503) 916-3110  
Mailing Address: P. O. Box 3107/97208-3107  
Email: [csmith1@pps.k12.or.us](mailto:csmith1@pps.k12.or.us)

**Carole Smith**  
Superintendent

### OFFICE OF THE SUPERINTENDENT

January 19, 2011

To Whom It May Concern:

I am pleased to offer this letter of support on behalf of Deputy Superintendents Mark Davalos, Cynthia Gilliam, Toni Hunter and myself to demonstrate Portland Public Schools' commitment to Playworks Portland. Physical activity and play are both integral components of our educational offerings. Each component promotes students' health and well-being and makes them more enthusiastic about coming to school. We have found that after engaging in a safe, healthy and inclusive recess, students return to the classroom focused and ready to learn. Teachers can then do what they do best—teach!

Playworks and its approach aligns well with our major educational goal, which is to enable every student to meet or exceed academic benchmarks and be able to make good choices and decisions throughout their lives. Playworks' innovative approach to physical activity and play, and its capacity for teaching students communication and conflict resolution skills, has carried over from recess into the classroom. Our partnership with Playworks began in the fall of 2009 and already there is evidence of impressive results. Principal and teacher surveys collected from Playworks' nine initial schools at the end of May 2010 reported the following:

- 89% reported a decrease in the number of conflicts originating on the playground and spilling over to class
- 88% reported that students showed an increase in *physical activity*
- 92% reported an increase in the level of participation in academic activities
- 85% reported a decrease in bullying at recess
- 89% reported an increase in class attendance
- 89% reported a decrease in disciplinary referrals
- 96% reported they would like Playworks to return to their school next year

Helping students build a solid foundation of academic, social and emotional skills, and promoting their physical health and development at the elementary school level is key to helping them develop into well-rounded and capable students as they enter their middle, high school and post-secondary years. That is why we've identified Playworks as a complementary and critical partner in enabling us to achieve our district goals—particularly for our academic priority zone schools. Principals have identified a need for more support around recess. Playworks is the only nonprofit organization in Portland maximizing recess for learning, and we have seen positive changes after just one year. As budgets allow, we support its expansion in additional public schools in Portland.

Sincerely,

Carole Smith  
Superintendent

Mark Davalos  
Deputy Superintendent

Cynthia Gilliam  
Deputy Superintendent

Toni Hunter  
Deputy Superintendent





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## PORTLAND PUBLIC SCHOOLS

### **Daniel A. Grout Elementary School**

3119 S.E. Holgate Boulevard Portland, Oregon 97202

Phone: (503) 916-6209 Fax: (503) 916-2632

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April 8, 2010

To Whom It May Concern::

The principals at Bridger, Grout, King, Lee, Markham, Rigler, Rosa Parks, Sitton, and Woodlawn Elementary Schools are pleased to submit this letter in support of Playworks Portland. Physical activity and play is an integral component of our educational offerings. Both help students become enthusiastic about learning and coming to school, as well as making an academic impact.

This is the first year of our experience with Playworks here in Portland Public Schools. Playworks had an immediate impact on school climate. Coaches work with teachers and students to teach non-competitive activities and conflict resolution skills that change the culture of a school. Mentorships and leadership opportunities compliment these activities and provide a common skill set that allows children to play and resolve issues themselves in a variety of settings.

The schools have seen a decrease in discipline incidents, particularly right after recess. Teachers are able to begin instruction immediately and students are not waiting in line to see the principal. As a result of the positive changes we all have seen we are committed to maintaining the program and support Playworks' grant request to keep this amazing program in Portland Public Schools

Sincerely,

Susan McElroy, D. A. Grout Elementary Principal on behalf of the Playworks Portland Principals



Teacher Principal Survey 2009-2010  
Portland Results

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Total Responses: 129

**According to school staff, Playworks has had the following impact on:**

*Student behavior during recess:*

- 87% Report an increase in the *level of cooperation among students*
- 85% Report an increase in the *use of conflict resolution strategies*
- 88% Report that students showed an increase in *physical activity*
- 87% Report that students showed an increase in the *intensity of physical activity*
- 85% Report a decrease in the *incidents of bullying*
- 84% Report a decrease in the *number of conflicts (physical or verbal)*
- 89% Report a decrease in the *number of disciplinary referrals*
- 73% Report a decrease in the number of *students sitting or talking*

*Student behavior in the classroom:*

- 89% Report a decrease in the number of conflicts originating on the playground and spilling over to class
- 88% Report a decrease in the amount of class time spent resolving conflicts from recess
- 86% Report a decrease in the amount of time transitioning from recess to classroom instruction
- 85% Report a decrease in the number of disruptive events
- 92% Report an increase in the level of participation in academic activities
- 92% Report an increase in the level of cooperation with others during class
- 88% Report an increase in the students' abilities to focus on class activities
- 89% Report an increase in class attendance
- 94% Report an increase in the ease with which student's engage with other students in class

**Additional Information**

- 93% of staff report that Junior Coaches take on a leadership role during recess
- 96% of staff said they would like Playworks to return to their school next year



Teacher Principal Survey 2009-2010  
Portland Results

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**What impacts has Playworks had on recess activities and behaviors?**

Playworks has been extraordinary in its impact on our recess. I supervise recess every day, each year. Students know the rules. They cooperate more. They are focused in their play. The types of games they play are more varied. The amount of bullying has dramatically decreased. I may have had only one referral all year. This is a dramatic difference.

I have been on duty for recess every day for 4 years. This year, with the introduction of Playworks I have not had a single fight to break up, minimal arguments and MUCH improved skills in quick and effective conflict resolution that allows kids to get on with play and enjoy their recess. I have written ONLY ONE referral this entire year. I used to write one per week. This program is powerful, transformative and completely AMAZING!!

Students who are new or shy have an activity they can join. There is a real purpose to recess. The playground resembles stations in a classroom, where there are activity options set up. This results in nearly all students feeling included.

Playworks is a fantastic program. I strongly believe that it really benefits all students in learning new games and social resources he/she can use all their lives.

As a classroom teacher I am no longer dealing with problems that come in from recess. In the past I had daily problems I was trying to solve and figure out during instructional time. This year I would say I have had little to NONE of that!

**Examples of how student's benefitted from Playworks programming**

I work with a special needs child who is wheel chair bond. Coach John facilitates games that include all students to play. This has made the students open and accepting of special needs children and many of these students have become good friends. I believe Coach John's inclusive attitude encourages our students to be accepting of other students, rather than bullying or developing clicks.

I had a student in my class who did not want to engage in any activity with other students. After having Playworks, it has opened that child up and he is now very willing to engage in group work/activities that take place in the school setting.

We are a special education class that focuses on children with social/emotional behavior issues. A lot of times our students are left out, but this year 2 of our students are Jr. Coaches. This has not only helped them socialize with the mainstream, but has given them a huge amount of confidence in their ability to fit in.

**How has Playworks changed the school environment?**

Playworks has made the school environment calmer. Students interact more peacefully and know how to solve conflicts in a peaceful manner rather than with violence.

I think that Playworks has changed the school environment by giving students, young and old, something to look forward to each day and each week. So many students get caught up in the video game world that it is important for students to learn that there are other fun and exciting ways for students to spend their free time. It also gives the students a chance to learn how to work together, as a team, which also spills over into the classroom.



## Teacher Principal Survey 2009-2010

### Portland Results

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The overall feel in the hallways, at recess, and after school is significantly more positive than last year. The students have positive activities to be a part of. That means the world to our students.

The students have strategies to solve conflicts, and USE them! Students are better sports (all throughout the day). They understand that you don't always have to "win", to have fun playing.

I feel the kids are engaged with activities that help them develop a healthy attitude, modeling for positive behavior and intrinsic rewards for being a team player. It seems more kids get turns and inclusive for all. It's fun to have Coach Matt as part of our school team, and the kids love the games. I like to play with them, too.

It is a healthier, more understanding, more peaceful place filled with kids who LOVE to play all different kinds of games. I am indebted to this program for making my life as a teacher more FUN and easier. :) Thank you!





## PLAYWORKS

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### National Board of Directors – 2010-11

**Randy Drake, Chair**

Senior Vice President of Community  
& Business Development  
24 Hour Fitness

**V. Toni Adams**

Director, Student Programs and Services  
Alameda County Office of Education

**Dru DeSantis**

Principal  
DeSantis Breindel

**Marlon Evans**

Executive Director  
All Stars Helping Kids

**Roger King**

Consultant

**Sue Levin**

Business Consultant

**Aenor Sawyer, MD**

Orthopaedic Surgeon

**Mark Seiler, Treasurer**

Metrovation

**Kim Tanner**

Jenesis Group

### Portland Board of Directors – 2010-11

**Jennifer Day-Burget**

Social Media Account Executive  
Prichard Communication

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Chief Operating Officer  
Oregon Sports Authority

**Richard Lambert**

Enterprise Account Manager  
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Department of Athletics-Marketing Director  
University of Portland

**Gregg Olson**

Senior Vice President and CFO  
Portland Trailblazers

**Pamela Welch**

Vice President Finance & Operations  
SPARQ Training

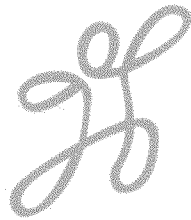
**Brian Zappitello**

Vice President, Global Sportswear  
Nike

Aside from the national board, each Playworks city has a local board to advise in the areas of strategic growth, financial planning and community outreach. Playworks strives to have a diverse board composed of both men and women, community leaders, educators, parents, and leaders in the field of sports, physical activity, and/or play.

100% of Playworks Board Members make financial contributions to the organization.





**PLAYWORKS**

EDUCATION ENERGIZED

**Multnomah County Board  
Briefing- February 10, 2011**





# Agenda

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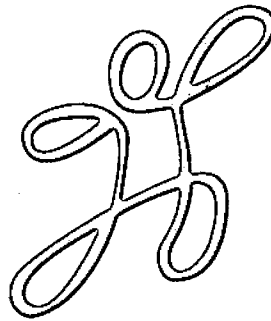
***Today, we would like to discuss...***

- Our Organization
- A Critical Issue Impacting Youth
- Our Solution
- Local Partnerships and Engagement



## Who We Are

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PLAYWORKS

EDUCATION ENERGIZED

***Our Mission:*** *To improve the health and well-being of children by increasing opportunities for physical activity and safe, meaningful play.*

***Our Vision:*** *One day all children will play at school every day.*



# What We Do

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*Playworks brings the Power of Play to Schools by...*

## Facilitating Play

- Playworks mobilizes recess coaches in **14 low-income schools** across Portland, to maximize the value of recess for learning and health, reaching nearly **6,000 students** every school day

## Leading Play

- Playworks is the **only organization** in the country leveraging the power of play for schools; we are **sought out as experts** on the issue of play and improving the school environment

## Inspiring Play

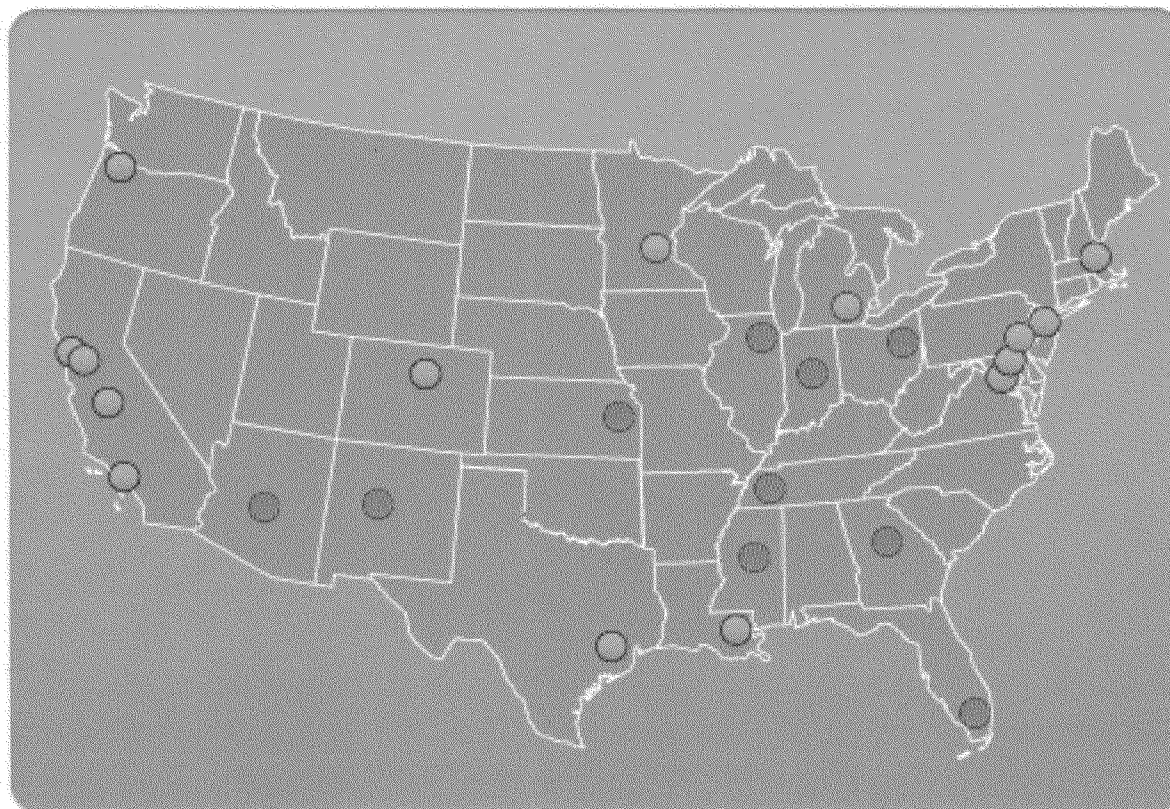
- Playworks is **building a movement among teachers, parents and communities** in support of play through various community engagement initiatives



## Where We Are



In 2011-12 Playworks is providing full-day on-site programming to 15 cities serving 250 schools and over 100,000 children each day.





## Where We Are Locally



In 2010-11 Playworks Portland is providing full-day on-site programming to 14 low-income public elementary schools in Portland, serving nearly 6,000 students daily.

### Portland Public Schools:

Beach School (K-8)

Bridger School (K-8)

Cesar Chavez School (K-8)

Grout Elementary School

King School (PK-8)

Jason Lee School (K-8)

Markham Elementary School

Marysville Elementary School (K-8)

Ockley Green School (K-8)

Rigler School (K-7)

Rosa Parks Elementary School

Sitton Elementary School

Woodlawn School (PK-8)

Woodmere Elementary School

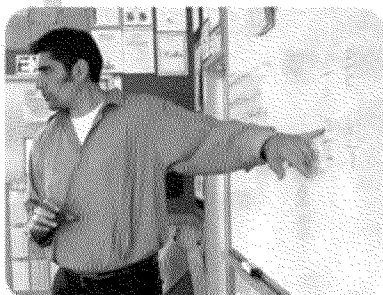




# Who We Reach



## 1. Principals/Teachers



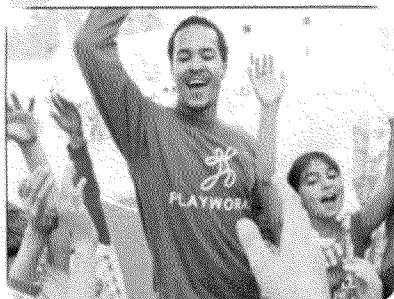
...reclaim precious class time and are able to teach students who are more focused and ready to learn

## 2. Families



...benefit from safer and more positive school environments for their children

## 3. Coaches



...gain leadership and community-building skills as our frontline staff bring the power of play to schools across the country

## 4. Students



...reclaim recess and realize the power of play for learning, health and positive youth development



## We're Leading the Movement



changemakers



Recognized as a top “Changemaker” by Nike and Ashoka



Robert Wood Johnson Foundation



Awarded an **\$18 million grant** from the Robert Wood Johnson Foundation to extend to 650 additional schools and 27 cities by 2012



NATIONAL HEAD START ASSOCIATION



Partnered with the **National Head Start Association (NHSA)** to provide Playworks support to its centers on the east and west coasts



Hosted **Play On**, the first-ever national conference on play, in San Francisco, convening 300 of the country's leading experts on play



Jill VIAlet, the founder of Playworks, attended the launch of **Michelle Obama's Let's Move** campaign at the White House





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**A Critical Issue Impacting Youth**





**In many schools, recess has become a chaotic time filled with conflicts and commotion that ripple into the classroom and throughout the school day...**



**Instances of bullying are on the rise**

**Budget cuts impact staff capacity during recess**

**Many schools are cutting recess altogether**

**Kids are losing the opportunity to play and be active**



## ***The State of Play***

**Principals report that most discipline-related problems occur outside of class time with the majority occurring during recess or lunch (89%).**

**On average kids receive only 22 minutes per day of recess.**

**One in four elementary schools no longer provide recess to all grades.**







## *Impacting Our Youth*

***More than two-thirds of children do not meet doctors' recommendations for physical activity***

***Each day, more than 160,000 children miss school because they are afraid of bullies***

***More than 70% of children have trouble focusing and paying attention in school***





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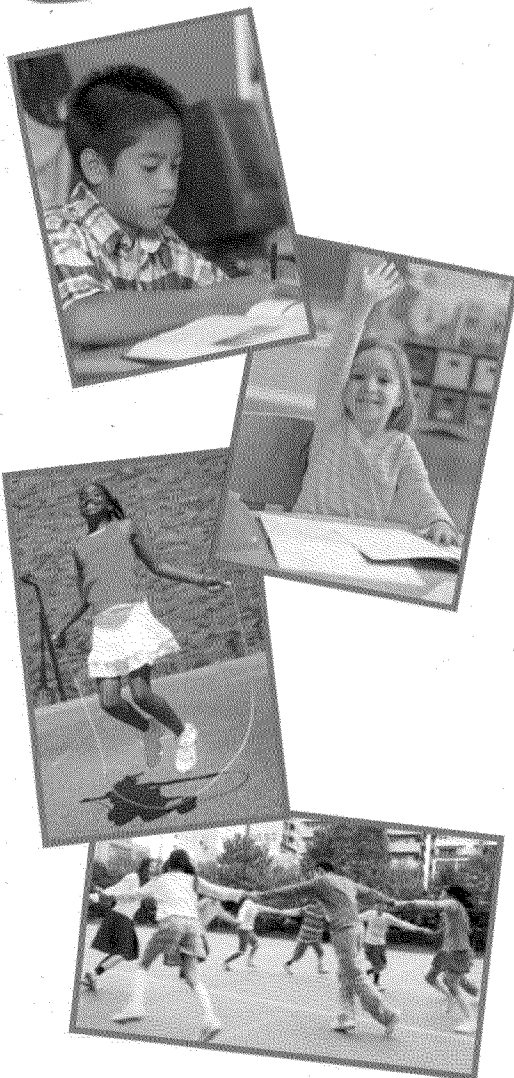


**Our Solution**





# Bringing The Power of Play To Schools



*Two-thirds of principals report students who have opportunities to play during the school day are **more focused in class***

*Studies show that play is **essential to the social and emotional development** of every child, and helps build leadership, teamwork and conflict resolution skills*

*Play is the single most effective strategy for **increasing physical activity** among children*

*If kids are fit, they are more likely to be **fit to learn***

*By making safe and healthy play a part of every school day, we can **prepare kids to succeed in school and in life***



## In Playworks Schools...



**8 in 10** teachers and principals say that **bullying has decreased** during recess

**95%** of principals report that **students are engaged in physical activity**

Most teachers report recovering at least **19 hours** of **valuable class time**

**71%** of principals and teachers report students **use conflict resolution strategies** in the classroom and **68%** say there are **fewer conflicts** during class time

**65%** of teachers and principals say more students have **on-task behavior** in the classroom

**72%** of students want to **attend school more often**





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## Local Partnerships and Engagement





## **Growing Partnerships**



***Since launching Playworks Portland in July 2009 we've been building community partnerships with:***

- Portland Public Schools (14 schools)***
- SUN (Schools Uniting Neighborhoods)***
- Boys and Girls Club (Regence Club)***
- Parkrose School District (4 schools)***
- Portland State University Athletics***
- AmeriCorps (National Direct and State)***
- Multnomah County (Healthy Active Schools)***
- Portland Bureau of Transportation (Sunday Parkways)***
- Portland Children's Museum***



## **Volunteering, Campaigns and Events**



### **Volunteering:**

***Oregon Food Bank, Forest Park Conservancy, Portland Children's Museum, Big Brothers Big Sisters, Sunday Parkways, Union Gospel Mission, Celebration Tabernacle, Potluck in the Park, American Legion, Ronald McDonald House, Providence, Skate America, Metro***

### **Campaigns and Events:**

***Oregon Youth in Action Forum; Save Portland PE Coalition; Celebration Tabernacle PROPER Festival; Sunday Parkways; Oregon Volunteers AmeriCorps Kick-off; Willamette Week Give!Guide; Community & Parents for Public Schools (Parent Leadership Conference); Multnomah County 'It Starts Here'; President's Council on Fitness, Sports & Nutrition- PALA (Presidential Active Lifestyle Award)***





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Thank You!  
&  
Play On!!







# MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST

(Revised 08/02/10)

APPROVED: MULTNOMAH COUNTY  
BOARD OF COMMISSIONERS

AGENDA # R-5 DATE 2/10/11  
MARINA BAKER, ASST BOARD CLERK

## Board Clerk Use Only

Meeting Date: 2/10/11  
Agenda Item #: R-5  
Estimated Time: 10:45 am

### Agenda Title:

Public Hearing and Second Reading of an ORDINANCE amending MCC Chapters 33, West Hills Rural Area Plan, and 35, East of Sandy River Rural Area Plan, the County Comprehensive Plan, Rural Area Plans, Community Plans, and Sectional Zoning Maps to Adopt Amendments to the Rural Center Districts for the Burlington and Springdale Communities Consistent with Division 22, Unincorporated Communities, of the Oregon Administrative Rules

*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:	<u>February 10, 2011</u>	Amount of Time Needed:	<u>10 minutes</u>
Department:	<u>Department of Community Services</u>	Division:	<u>Land Use Planning</u>
Contact(s):	<u>George Plummer</u>		
Phone:	<u>503-988-3043</u>	Ext.	<u>29152</u>
Presenter Name(s) & Title(s):	<u>I/O Address: 455/1/116</u> <u>George Plummer, Planner and Joanna Valencia, Transportation Planning Specialist</u>		

## General Information

### 1. What action are you requesting from the Board?

Conduct a public hearing, and approve the proposed amendments to the Multnomah County Comprehensive Framework Plan East of Sandy River and West Hills Rural Area Plan components, and amendments to the Multnomah County Zoning Code Chapters 33 and 35. These amendments have been recommended to the Board for approval by the Planning Commission.

### 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.

The amendments to policies and zoning regulations for the Burlington and Springdale communities are to meet the Oregon Administrative Rules. The OARs direct counties to plan for areas that have developed outside of urban growth boundaries to an extent that they are not entirely rural in nature. The rule requires that only communities that were recognized as unincorporated communities prior to the adoption of the state rule in 1994 can qualify. Both the Burlington and Springdale communities are recognized as unincorporated rural communities in the County Comprehensive Plan and were zoned Rural Center in 1977. A similar ordinance and plan was adopted by the county for the Orient and Pleasant Home communities in 2002. In addition to addressing the OARs, the proposed amendments also takes into consideration community input received during public meetings indicating a preference to maintain and preserve the rural character of the community.



Policy amendments address community development, transportation, design, and residential, commercial and industrial development. The policies and strategies include addressing the types of desired community development in terms development density, square footage, and lot coverage limitations, the incorporation of design elements to reflect the rural character of the communities, and the addition of policies addressing transportation options for the communities.

The proposed Zoning Code amendments include revisions to the Rural Center Zoning Districts. The Springdale and Burlington areas are currently zoned as Rural Center, which allows single family residential uses outright and requires a conditional use review to establish some community service uses, commercial and industrial uses. As part of this task, staff worked with stakeholders of the community to amend the existing zoning to reflect these new policies. Proposed revisions to the current Rural Center zoning district in Multnomah County Code Chapters 33 and 35 include revisions for consistency with the state rule, clarification of small scale low impact commercial and industrial uses, addition of on-site sewage disposal system requirements, and development standards for off-street parking requirements and stormwater drainage systems.

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

None.

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

Proposed amendments are included for portions of the Comprehensive Framework Plan for the West Hills Rural Area Plan and the East of Sandy River Rural Area Plan. The proposed policies address community development, transportation, design, and residential, commercial and industrial development and reflect community input received to maintain and preserve the rural character of the communities.

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

The public outreach program for the project included a number of different methods including mailed and emailed notification, conducting a community survey, and holding meetings near the communities. A series of three public meetings were held for each community. These meetings included staff presentations and community stakeholder input sessions.

In addition, the Planning Commission conducted a work session and a public hearing for each of the communities on each of the ordinance amendments. Public notice of these proceedings, and of the Board hearings, has been and will be provided as required in the Multnomah County Code.

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**Required Signature**

**Elected Official or  
Department/  
Agency Director:**



**Date:**

**1/14/11**



BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

**ORDINANCE NO. \_\_\_\_\_**

Amending MCC Chapters 33, West Hills Rural Area Plan, and 35, East of Sandy River Rural Area Plan, the County Comprehensive Plan, Rural Area Plans, Community Plans, and Sectional Zoning Maps to Adopt Amendments to the Rural Center Districts for the Burlington and Springdale Communities Consistent with Division 22, Unincorporated Communities, of the Oregon Administrative Rules

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

**The Multnomah County Board of Commissioners Finds:**

- a. Multnomah County is required to plan for unincorporated communities within its jurisdiction in compliance with the Oregon Administrative Rule (OARs) 660-022-000 to 660-022-0070, or to demonstrate that all use are rural pursuant to state rules. This ordinance is in compliance with the state rule, and the amendments meet the applicable requirements in OAR Chapter 660, Division 22, the Unincorporated Communities Rule.
- b. This ordinance incorporates two Planning Commission amendments, PC-10-009: *Burlington Community Plan and Zoning Amendments* and PC-10-010: *Springdale Community Plan and Zoning Amendments*, that include plan and zoning amendments to the West Hills and East of Sandy River Rural Area Plans and Multnomah County Code Chapters 33 and 35.
- c. The Planning Commission is authorized by Multnomah County Code Chapter subsections 33.0140, 34.0140, 35.0140, 36.0140, 37.0710, and by ORS 215.110 to recommend to the Board of County Commissioners the adoption of Ordinances to implement the Multnomah County Comprehensive Plan.
- d. A public hearing was held for the amendments in PC-10-009 on December 6, 2010, and for PC-10-010 on November 1, 2010, before the Planning Commission. All interested persons were given an opportunity to appear and be heard. Notice of the Planning Commission hearing was published in the "Oregonian" newspaper and on the County Land Use Planning Program website.
- e. As stated in Planning Commission Resolutions for each of these cases, the Planning Commission has found that the proposed amendments and additions to the West Hills and East of Sandy River Rural Area Plans, and Multnomah County Code Chapters 33 and 35 in this Ordinance are needed and recommends approval.
- f. Ordinance No. 1161, adopted May 6, 2010, amended the Multnomah County Comprehensive Framework Plan, and the Multnomah County Plan and Sectional Zoning Maps relating to Urban and Rural Reserves. All of the West Hills Rural Area Plan, including the Burlington Community, was designated as Rural Reserve. No new uses or increases in density are proposed in the plan and zoning amendments thus meeting Policy 6A for Rural Reserves.



- g. Ballot Measure 56 notice was mailed to individual property owners for PC 10-009 on October 29, 2010, and for PC 10-010 on October 7, 2010. Notice of the Planning Commission hearing and the Board of County Commissioners hearing was published in the "Oregonian" newspaper and on the County Land Use Planning Program's web site.

**Multnomah County Ordains as follows:**

**PART I – WEST HILLS RURAL AREA PLAN – BURLINGTON RURAL CENTER**

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**Section 1.** The Rural Center section of the West Hills Rural Area Plan, a portion of the Comprehensive Framework Plan, is amended as follows, and the policies will be renumbered as shown on the attached Exhibit A:

\* \* \* \* \*

**BURLINGTON RURAL CENTER**

Burlington is a small rural community located approximately 2.5 miles from the city of Portland, and is located along Highway 30. The elevation of the Burlington area ranges from close to sea level to 200 feet above sea level. Elevation rises steeply from Highway 30 to the Burlington Northern Cornelius Pass Line railroad tracks.

Burlington is the only identified rural center in the West Hills rural area. It was the subject of a land use study in 1981, which identified the current rural center boundaries (approximately 30 acres). The remainder of the 90 acre Burlington area (analyzed in the 1981 land use study) is was designated Commercial Forest Use, and is virtually undeveloped to this day. This study area sits at the base of the Tualatin Mountains, and lies between the Burlington Northern Astoria line railroad tracks to the east of Highway 30, and the Burlington Northern Cornelius Pass line railroad tracks to the south and west. The 1981 study was not adopted as an ordinance by the Board of Commissioners.

On October 28, 1994, the Oregon Land Conservation and Development Commission adopted new administrative rules and goal amendments establishing planning and zoning requirements for unincorporated communities (OAR 660, Division 22, Unincorporated Communities). Planning for Burlington must conform to these new rules.

Burlington has the distinction of being quite rural despite being near the Urban Growth Boundary of Portland. Burlington is comprised primarily of residential uses, with some commercial uses. Commercial uses include a tavern and a utility building for Qwest Communications. The community also includes the Native American Rehabilitation Association of the Northwest (NARA) Facility. There is no sewer service for the area; properties are served by individual on-site septic systems. Provisions of water are available through the Burlington Water District. Fire protection is contracted out to the City of Portland by the Water District. The study area contains four businesses, two public service facilities, and 41 homes, 11 of which are outside of the existing rural center boundary. Additionally, the eleven acre Holbrook School site, located at the north end of Burlington, at the intersection of Highway 30 and Cornelius Pass Rd, has been purchased for use as a residential care facility. No new residences have been constructed within the Burlington Rural Center since 1981. Based upon OAR 660-22, Burlington qualifies as a "Rural Community," since it consists of residential uses and at least two other land uses that provide commercial, industrial, or public uses to the community, the surrounding rural area, or to persons traveling through the area.



The elevation of the Burlington area ranges from close to sea level to 200 feet above sea level. Elevation rises severely from Highway 30 to the Burlington Northern Cornelius Pass line railroad tracks to the south, and more gently to the north. Property beyond the Burlington Northern Astoria line railroad tracks to the north and east is subject to flooding from high water levels in Multnomah Channel.

State Highway 30 and Cornelius Pass Rd. provide major access to Burlington. The remaining roads in the area, Burlington, Wapato, and McNamee, provide access to homes and properties abutting them. Many unbuilt "paper" roads criss-cross the area, in some cases these roads are unbuildable due to topography.

Public services available in Burlington include schools, water, police, and fire protection. Students attend schools in the Portland School District. Provision of water and fire services are available through the Burlington Water District. The water district purchases water from the City of Portland and holds the water supply in a reservoir located southwest of the highway on property owned by the District. Due to infrastructure age and maintenance delay, the Water District is experiencing a 38% leakage in water transmission. Also, due to undersizing of the infrastructure and residential development in excess of initial design, there is inadequate water pressure to meet the needs of some residents. However, the affected residents are not within the boundaries of the current rural center, all of which has an adequate existing water supply. The Water District currently serves 293 people and an additional 65 to 69 people who live outside the district. Fire protection is contracted out to the City of Portland by the Water District, at a cost in Fiscal Year 1993-94 of \$38,000. Police service is provided by the Multnomah County Sheriff.

Most of the area within the community, with the exception of the northern portion, is within the Burlington Subdivision, platted in 1909, with an average lot size at 8,000 square feet. This subdivision extends west and south of the Burlington Northern Cornelius Pass line railroad tracks into commercial forest lands. Most of the subdivision located outside of the existing rural center boundary is under a single ownership.

The Burlington community has both positive and negative aspects to be considered as part of any expansion of the Burlington Rural Center. Positive aspects which would lead to a conclusion of allowing expansion include:

2. Expansion of the Burlington rural center would provide a concentrated focus for the local commercial needs of West Hills residents, as well as road-oriented commercial needs of Highway 30 motorists.
3. Allowing additional residential development in Burlington would provide an opportunity for rural lifestyles which is much in demand for the West Hills rural area.
4. Due to its location and the amount of existing development, Burlington has little significant value in relation to identified Goal 5 resources such as wildlife habitat, significant streams, or scenic views.
5. Burlington has a water district in place to provide public water service to a more concentrated population, as opposed to the use of individual wells. However, the district's current system is antiquated and inadequate to serve additional development outside of the rural center—see #3 under negatives below.

Negative aspects which would lead to a conclusion of maintaining the existing rural center boundary include:



~~2. Burlington is severely constrained geographically by the Tualatin Mountains which rise steeply from Highway 30.~~

~~3. Residential development is less desirable here compared to other areas of the West Hills due to the geographic constraints and the proximity to the heavy traffic on Highway 30.~~

~~4. The Burlington Water District has antiquated facilities which are incapable of serving a significant influx of new residents and businesses outside of the existing rural center.~~

~~5. The Burlington Rural Center does not currently include the types of businesses which would serve the West Hills Rural Area — its function is to mainly serve traffic along Highway 30. It is questionable whether, even if local services were available, West Hills residents would use Burlington as a rural center.~~

Any future expansion of the rural center boundaries in Burlington is dependent upon 1) a community public facility plan prepared pursuant to OAR 660 Division 11 for improvements to the facilities of the Burlington Water District, 2) evidence of increased demand for new housing in Burlington, and 3) market analysis indicating that an expansion of the Burlington Rural Center is necessary to serve the commercial and institutional land use needs of the West Hills Rural Area and not merely to serve Highway 30 traffic. If these three criteria can be met, expansion of the rural center zoning district in Burlington should be considered for the remainder of the 90-acre Burlington community. Until then, no expansion of the Burlington Rural Center is proposed.

\* \* \* \* \*

#### ***Other Potential Rural Centers***

As mentioned above, the West Hills Rural Area is not served by the Burlington Rural Center. West Hills Rural Area residents have no community focus. Commercial needs are met by nearby communities -- Northwest Portland, Tanasbourne, West Union, Cedar Mill, and Bethany to the south, and Scappoose to the north. A small nucleus of uses near the intersection of Skyline Blvd. and Cornelius Pass Rd. -- a grocery store, an auto garage, Skyline Elementary School, the American Legion Post, and a church, do provide a potential focus for a future rural center. However, the current population of the West Hills shows no great desire for an enhanced community focus area which would be provided by a rural center in this location. Should the community show a need or desire for such a rural center, planning studies should focus on the area near the intersection of Skyline Blvd. and Cornelius Pass Rd. for its establishment.

\* \* \* \* \*

POLICY 4: Do not designate additional "Exception" lands in the rural West Hills.  
*[Amended 1999, Ord. 924 § II]*

STRATEGY: Consider redesignation of approximately 80 acres at the intersection of U.S. Highway 30 and Watson Road, adjacent to the Columbia County line, from Commercial Forest Use CFU-2 to CFU-5. *[Amended 1999, Ord. 924 § II]*

POLICY 5: Promote a community core in the rural West Hills through establishment of a rural center which serves the local needs of West Hills residents.

STRATEGY: Consider a limited area near the intersection of Cornelius Pass Road and Skyline Blvd. for designation as a Rural Center if justified by a county-



initiated assessment of the need for additional commercial or other uses to support public needs in the rural West Hills.

STRATEGY: Do not consider expansion of the existing Burlington Rural Center unless 1) existing facilities of the Burlington Water District are upgraded, 2) evidence of increased demand for housing and commercial or institutional services in Burlington exists in the form of construction on vacant lots within the existing rural center boundaries, and 3) a market analysis indicates that the expansion of the Burlington Rural Center is necessary to serve West Hills Rural Area needs.

#### **POLICY 6:**

Implement a Plan for the Burlington Community that is consistent with the Community Vision reflecting the input received indicating the community's satisfaction with the community the way it is. Key elements of the vision are to maintain the rural character of the community, and to ensure that new businesses support the needs of residents.

#### **Strategies**

- The County should adopt plan policies and ordinances that meet the state Unincorporated Community Rule codified as Oregon Administrative Rule OAR 660-022-0000 through 0070.
  - Burlington should be designated and planned as a Rural Community because it is composed primarily of permanent residential uses with at least two other land uses present (such as commercial, industrial or public uses).
  - Revise the Rural Center zoning ordinance to reflect the needs of the Burlington community consistent with the Division 22 OAR for Unincorporated Communities.

### **Commercial and Industrial Development**

#### **POLICY 7:**

New commercial and industrial uses within the Burlington Rural Community need to be small-scale and low impact in nature as defined by the State Unincorporated Communities Rule and to be consistent with the rural nature of the community. These uses will not adversely impact agriculture or forestry uses and will reinforce the rural nature of the Burlington Community.

#### **Strategies**

- Multnomah County will update county codes to implement the Unincorporated Communities Rule for small-scale, low impact commercial and industrial uses. Due to the proximity of the communities to the Urban Growth Boundary (UGB), the plan does not justify new uses that are larger than the small-scale, low impact limits in the State Rule.
  - Existing commercial uses may expand up to the small-scale, low impact limit of 4,000 square feet subject to approval criteria in the ordinance.
  - Expansion of existing industrial uses shall be subject to the small-scale, low impact limit of 10,000 square feet and to approval criteria in the ordinance.



- Multnomah County will update its implementing regulations to ensure that new or expanded commercial and industrial development will not result in public health hazards or adverse environmental impacts.
- The County will update its implementing regulations to ensure that new or expanded commercial and industrial development will not exceed the carrying capacity of the soil or of existing water supply and waste disposal services.
- The County will ensure that new and expanded commercial or industrial uses are subject to Design Review in order to ensure compatibility with the community character and vision.

## **Residential Development**

### **POLICY 8:**

Maintain existing density allowed under current zoning.

#### **Strategies**

- The County will update the zoning ordinance to implement the Unincorporated Communities Rule for consistency for residential development while maintaining existing density allowed currently.
- Include provisions in the residential zone that allow for Type A home occupations outright, and Type B home occupations through a conditional use process and design review.
- The zoning code for new residential parcels in the Rural Center will be at least two acres in order to not increase residential density and to ensure that the carrying capacity of public services and the environment is not exceeded.

## **Design**

### **POLICY 9:**

Accommodate the changing conditions within the Burlington community while preserving their rural function and appearance

#### **Strategies**

- The County should allow flexibility of setback and parking requirements to accommodate irregular lots and existing developments to help preserve the rural character of the area.

## **Transportation**

### **POLICY 10:**

Enhance all modes of travel in a manner consistent with the rural character of the Burlington Community.

#### **Strategies**

- Provide pedestrian and bicycle access throughout the Burlington Community consistent with the rural character of the area.
- Review the existing parking standards to ensure sufficient parking is provided to meet demand.

\* \* \* \* \*



**Section 2.** The Burlington Community Plan Document attached as Exhibit B and the Zoning Map attached as Exhibit C are adopted as a portion of the Multnomah County Comprehensive Framework Plan.

**Section 3.** The following Sectional Zoning Maps are amended to show the areas designated as Burlington Rural Center as shown on Exhibit C: 36 and 48.

**Section 4.** MCC 33.0005 is amended as follows:

**33.0005 Definitions.**

As used in this Chapter, unless the context requires otherwise, the following words and their derivations shall have the meanings provided below.

\* \* \* \* \*

**Small-scale Low Impact Commercial or Industrial Use** - As used in the rural community Burlington, these terms have the following meanings:

(a) A small-scale low impact commercial use is one which takes place in a building or buildings not exceeding 4,000 square feet of floor space.

(b) A small-scale low impact industrial use is one which takes place in a building or buildings not exceeding 10,000 square feet of floor space with a maximum footprint of 5,000 square feet.

\* \* \* \* \*

**Section 5.** MCC 33.3300- is amended as follows:

**BURLINGTON RURAL CENTER - BRC**

**33.3300- Purpose**

~~The purposes of the Rural Center District are to provide standards and review procedures which will encourage concentrations of rural residential development, together with limited local and tourist commercial uses which satisfy area and regional needs; to provide for local employment through light industrial uses consistent with rural character and to manage the location and extent of public service centers and limit the extension of public services.~~

The purposes of the Burlington Rural Center District are to provide standards and review procedures which will encourage concentrations of rural residential development, together with small-scale low impact commercial and industrial uses that primarily serve the population of the immediate surrounding rural area and tourists traveling through the area.



**Section 6.** MCC 33.3305 is amended as follows:

**33.3305 Area Affected**

MCC 33.3300 through 33.3385 shall apply to those lands designated BRC on the Multnomah County Zoning Map.

**Section 7.** MCC 33.3320 is amended as follows:

**33.3320 Allowed Uses**

(A) Farm use, as defined in ORS 215.203(2)(a), for the following purposes only:

- (1) Raising and harvesting of crops;
- (2) Raising of livestock and honeybees; or
- (3) Any other agricultural or horticultural purpose or animal husbandry purpose or combination thereof, except as provided in MCC 33.3330. This subsection does not permit the raising of fowl or fur-bearing animals for sale, the keeping of swine, or a feed lot.

(B) The propagation or harvesting of forest products.

(C) Residential use consisting of a single family dwelling constructed on a Lot of Record or a single family dwelling constructed off-site, including a mobile or modular home placed on a Lot of Record, subject to the following conditions:

- (1) Construction shall comply with the standards of the Building Code or as prescribed in ORS 446.002 through 446.200, relating to mobile homes.
- (2) The dwelling shall be attached to a foundation for which a building permit has been obtained.
- (3) The dwelling shall have a minimum floor area of 600 square feet.

(D) Public and private conservation areas and structures for the protection of water, soil, open space, forest and wildlife resources.

\* \* \* \* \*

**Section 8.** MCC 33.3325 is amended as follows:

**33.3325 Review Uses**

~~(A) Residential use, consisting of a single family dwelling constructed off-site, including a mobile or modular home placed on a Lot of Record, subject to the following conditions:~~

- ~~(1) Construction shall comply with the standards of the Building Code or as prescribed in ORS 446.002 through 446.200, relating to mobile homes.~~
- ~~(2) The dwelling shall be attached to a foundation for which a building permit has been obtained.~~



~~(3) The dwelling shall have a minimum floor area of 600 square feet.~~

(BA) Temporary uses when approved pursuant to MCC 33.0510 and 33.0515.

(CB) Wholesale or retail sales, limited to those products raised or grown on the premises, subject to the following condition:

The location and design of any building, stand, or sign in conjunction with wholesale or retail sales shall be subject to approval of the Planning Director on a finding that the location and design are compatible with the character of the area; provided that the decision of the Planning Director may be appealed to the approval authority pursuant to MCC 33.0785 and 33.0790.

(DC) Off-street parking and loading;

(ED) Property Line Adjustment pursuant to the provisions of MCC 33.3360.

(FE) Placement of structures necessary for continued public safety, or the protection of essential public services or protection of private or public existing structures, utility facilities, roadways, driveways, accessory uses and exterior improvements damaged during an emergency/disaster event. This includes replacement of temporary structures erected during such events with permanent structures performing an identical or related function. Land use proposals for such structures shall be submitted within 12 months following an emergency/disaster event. Applicants are responsible for all other applicable local, state and federal permitting requirements.

(GF) Lots of Exception pursuant to the provisions of MCC 33.3360.

(HG) Wireless communication facilities that employ concealment technology or co-location as described in MCC 33.6177(B) pursuant to the applicable approval criteria of MCC 33.6175 through 33.6188.

(IH) Consolidation of Parcels and Lots pursuant to MCC 33.7794 and Replatting of Partition and Subdivision Plats pursuant to MCC 33.7797.

(JI) Structures or uses customarily accessory or incidental to any use permitted or approved in this district, which do not meet the "accessory structures" standard in MCC 33.3320 Allowed Uses.

**Section 9.** MCC 33.3330 is amended as follows:

#### **33.3330 Conditional Uses**

The following uses may be permitted when found by the approval authority to satisfy the applicable ordinance standards: Commercial and industrial uses shall be limited to small-scale low impact as defined in MCC 33.0005.

(A) Community Service Uses pursuant to the provisions of MCC 33.6000 through 33.6230.

(B) The following small-scale low impact Conditional Uses pursuant to the provisions of MCC 33.6300 through 33.6660:



(1) Rural service commercial uses such as local stores, shops, offices, repair shops, and similar uses including:

- (a) Automobile Repair,
- (b) Restaurant,
- (c) Tavern
- (d) Professional Office,
- (e) Garden supply store,
- (f) Hardware store,
- (g) Retail bakery,
- (h) Service station,
- (i) Hair salon,
- (j) Electronic media rental (i.e. DVD),

(2) The following industrial uses conducted within an enclosed building that entail the manufacturing and processing of:

- (a) Apparel and other finished products made from fabric;
- (b) Millwork, veneer, plywood, and structural wood members;
- (c) Wood containers;
- (d) Wood products, not elsewhere classified;
- (e) Furniture and fixtures;
- (f) Stone, clay, glass products except: cement, ready-mix concrete, and minerals and earths ground or otherwise treated;
- (g) Fabricated metal products;
- (h) Household appliances;
- (i) Electric lighting and wiring equipment;
- (j) Communications equipment;
- (k) Electronic components and accessories;
- (l) Motor vehicle parts and accessories;



(m) Laboratory apparatus and analytical, optical, measuring, and controlling instruments;

(n) Food and kindred products.

~~(1) Limited rural service commercial uses such as local stores, shops, offices, repair shops, and similar uses;~~

~~(2) Tourist commercial uses such as restaurants, taverns, gas stations, motels, guest ranches, and similar uses;~~

~~(3) The following Light Manufacturing Uses conducted within an enclosed building which require the daily employment of twenty or fewer persons;~~

~~(a) The manufacture, compounding, processing, packaging, treatment, storage or wholesale distribution of such products as bakery goods, fruits, vegetables, sea foods, dairy products, candy, confections, beverages including brewing and bottling, miscellaneous food products, ice and cold storage plant, drugs, pharmaceuticals, perfumes, toilet soaps, toiletries, barber and beauty supplies, and similar items, but not sauerkraut, vinegar or pickles manufacture;~~

~~(b) The manufacture, compounding, assembling, treatment, storage or wholesale distribution of articles or merchandise from previously prepared materials such as bone, cellophane, canvas, cloth, cork, feathers, felt, fur, glass, hair, foam, lacquer, leather (but not tanning), paper or paperboard, plastics, precious or semi-precious metals or stones, shell, textiles, tobacco, wood (except as provided in the GM and HM districts), yarns and paints;~~

~~(c) The manufacture, assembly, packaging, repair, storage or wholesale distribution of articles such as electrical appliances, lighting and communication equipment, electronic, radio or television equipment, parts or accessories, professional, scientific, optical, photographic or controlling instruments, amusement devices, small parts assembly, jewelry, musical instruments, toys, sporting goods, novelties, rubber or metal stamps;~~

~~(d) The manufacture, finishing, refinishing, repair, storage or wholesale distribution of furniture, office or store fixtures, small boats, upholstery, cabinets, office, computing or accounting machines, electric and neon signs, billboards and other signs;~~

~~(e) Business, professional, executive, administrative, wholesale, contractor or similar office, clinic, service or studio, trade, business or commercial school, research, experimental or testing laboratory;~~

~~(f) Printing, publishing, bookbinding, graphic or photographic reproduction, blueprinting, or photo-processing;~~

~~(g) Building, building maintenance, plumbing, electrical, heating, roofing, glass, landscaping, painting or similar contractor's office, shop, warehouse, equipment sales or maintenance;~~

~~(h) Retail or wholesale lumber, building materials, garden supplies sales and tools, or small equipment sales, rental, repair or servicing;~~

~~(i) Laundry for carpets, uniforms, linens, rags, rugs and similar items, dyeing plant, dry cleaning not using explosive or inflammable materials;~~



(j) Automobile, light truck, motorcycle and recreational vehicle repair or maintenance, body and fender work, painting, parts and glass replacement, upholstery, engine, radiator or battery rebuilding, tire recapping, commercial, industrial or fleet vehicle parking and auto detailing;

(k) Metal or sheet metal shop, ornamental iron works, welding, blacksmithing, electroplating, tool and hardware manufacture, machine shop not using a drop hammer or large capacity punch press;

(l) Warehouse, furniture and household goods storage, moving equipment rental, distribution plant, parcel delivery, wholesaling of durable and non-durable goods, light and heavy equipment sales, rental or repair, fuel and ice distribution;

(m) Manufacture of non-structural clay products, ornamental clay, concrete, plaster or plastics casting, stone and purchased glass products cutting, polishing or installation; and

(n) Collection, recycling, sorting, baling or processing of previously used materials such as rags, paper, metals, glass or plastics;

(43) Commercial processing of agricultural or forestry products primarily grown in the vicinity.

~~(C) Planned Development pursuant to the provisions of MCC 33.4300 through 33.4360. If the property is outside of an "acknowledged unincorporated community", then the applicable current "planned unit development" standards within the Oregon Administrative Rules Chapter 660, Division 004 shall also be satisfied.~~

~~(D)~~ Existing legally established small-scale low impact light industrial uses permitted by MCC 33.3330 (B) (3) may be expanded up to a daily total of 40 employees, based on findings that:

(1) The proposed expansion is a result of normal growth of the existing use and not required as a result of diversification of the business;

(2) The use provides a public benefit to the rural center by employing primarily persons who reside within the rural center or surrounding rural area, and this same employment pattern will continue with the proposed expansion;

(3) The proposed expansion satisfies the applicable elements of Comprehensive Framework Plan Policies:

(a) No. 20 – Arrangement of Land Uses;

(b) No. 30 – Industrial Location (Isolated Light Industrial);

(c) No. 36 – Transportation System Development Requirements;

(d) No. 37 – Utilities; and

(e) No. 38 – Facilities.

(4) The proposed expansion satisfies the Design Review provisions of MCC 33.7000 through 33.7070.



(ED) Type B home occupation as provided for in MCC 33.6650.

(F) ~~Large Fills as provided for in MCC 33.6700 through 33.6720.~~

**Section 10.** MCC 33.3355 is amended as follows:

**33.3355 Dimensional Requirements**

(A) Except as provided in MCC 33.3360, 33.3370, 33.3375 and 33.4300 through 33.4360, the minimum lot size for new parcels or lots shall be one two acres, for those RC-zoned lands inside the boundary of an “acknowledged unincorporated community”. For RC-zoned properties outside an “acknowledged unincorporated community” the minimum lot size is two acres except for those properties within one mile of the Urban Growth Boundary and then the minimum lot size shall be as currently required in the Oregon Administrative Rules Chapter 660, Division 004 (20-acre minimum as of October 4, 2000).

(B) That portion of a street which would accrue to an adjacent lot if the street were vacated shall be included in calculating the area of such lot.

(C) Minimum Yard Dimensions – Feet

Front	Side	Street Side	Rear
30	10	30	30

Maximum Structure Height – 35 feet

Minimum Front Lot Line Length – 50 feet.

(D) The minimum yard requirement shall be increased where the yard abuts a street having insufficient right-of-way width to serve the area. The county Road Official shall determine the necessary right-of-way widths based upon the county “Design and Construction Manual” and the Planning Director shall determine any additional yard requirements in consultation with the Road Official.

(E) Structures such as barns, silos, windmills, antennae, chimneys, or similar structures may exceed the height requirement if located at least 30 feet from any property line.

(F) On-site sewage disposal, storm water/drainage control, water systems unless these services are provided by public or community source, required parking, and yard areas shall be provided on the contiguous ownership.

(1) Sewage and stormwater disposal systems for existing development may be off-site in easement areas reserved for that purpose.

(2) Stormwater/drainage control systems are required for new impervious surfaces that are greater than 400 square feet in area. The system shall be adequate to ensure that the rate of runoff from the lot for the 10 year 24-hour storm event is no greater than that before the development.



(G) Grading and erosion control measures sufficient to ensure that visible or measurable erosion does not leave the site shall be maintained during development. A grading and erosion control permit shall be obtained for development that is subject to MCC Chapter 29.

(H) New, replacement or expansion of existing industrial use buildings shall minimize stormwater drainage impacts by limiting the footprint of the building or buildings to 5,000 square feet of the maximum 10,000 square feet.

**Section 11.** MCC 33.3380 is amended as follows:

**33.3380 Off-Street Parking and Loading**

Off-street parking and loading shall be provided as required by MCC 33.4100 through 33.4220 except as identified below for Review Uses and Conditional Uses.

New, replacement or expansion of existing commercial, industrial, or community service developments shall minimize stormwater drainage impacts for off-street parking by:

(A) Surfacing:

(1) All areas used for parking, loading or maneuvering of vehicles shall either be hard surfaced with two inches of blacktop on a four inch crushed rock base or six inches of portland cement or other material providing a durable and dustless surface capable of carrying a wheel load of 4,000 pounds, or ~~all areas used for parking, loading or maneuvering of vehicles~~ shall be surfaced with a gravel "mix," wherein the fine particles are removed at the production yard, ~~that~~ which provides a durable and dustless surface capable of carrying a wheel load of 4,000 pounds.

(2) Approaches to public rights-of-way shall be paved for a minimum distance of 21' from the fog line, or for a greater distance when required by the County Engineer.

(B) A stormwater drainage system shall be installed for parking lots, that is designed and certified by an Oregon Registered Professional Engineer to ensure that the rate of runoff at the property line for the 10 year 24 hour storm event is no greater than that which existed prior to development.

(C) Off-street parking for new, replacement or expansion of existing commercial or industrial developments shall provide a minimum of 10 foot landscaped front yard setback. All other minimum yard dimensions for parking shall be as required in the Off-Street Parking and Loading Code Section.

**Section 12.** All references to RC within the Multnomah County Code and other county documents relating to the Burlington Community must be changed to BRC as appropriate.



## PART II – EAST OF SANDY RIVER RURAL AREA PLAN - SPRINGDALE RURAL CENTER

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**Section 13.** The Rural Center section of the East of Sandy River Rural Area Plan, a portion of the Comprehensive Framework Plan, is amended as follows, and the policies will be renumbered as shown on the attached Exhibit D:

\* \* \* \* \*

### **SPRINGDALE RURAL CENTER**

The Rural Center zoning district applies to approximately 73 acres in the Springdale Community, along the Historic Columbia River Highway. This district is intended to encourage concentrations of rural residential development, together with limited local and tourist commercial uses, light industrial uses, and public service uses and centers such as churches, fire stations, schools, etc. ~~The Springdale rural center currently has 55 existing residences with 12 vacant and developable parcels.~~ Springdale is comprised of 81 parcels. Existing uses include 57 residences, 6 commercial uses, and 3 public uses. There are 15 vacant parcels that are either in agricultural use, parking areas, back yards of residences or just simply public uses that include the Fire District #14 fire station, county owned property occupied by Multnomah County Road Services, and the currently closed Springdale Elementary School. ~~The rural center also contains several commercial uses and other community-serving uses, including two churches, a fire station, a County road shop, and until 1995 the Springdale Elementary School (now closed).~~

The Springdale Rural Center zoning district permits residences and under a hearing's officer's decision may permit 1) limited rural service commercial uses such as local stores, shops, offices, repair shops and similar uses, 2) tourist commercial uses such as restaurants, taverns, gas stations, motels, guest ranches, and similar uses, 3) ~~light manufacturing uses that employ fewer than 20 people,~~ 4) 3) commercial processing of agricultural or forestry products primarily grown in the vicinity, and 5) 4) community service uses such as schools and churches. All new lots must be at least one acre in size.

Multnomah County originally analyzed the Springdale Community in the 1981 Rural Centers Study, which was not adopted as an ordinance by the Board of Commissioners. That study did not identify any significant problems in the provision of water, fire, or school service to the community, nor any specific problems with on-site sewage disposal systems. Local service providers indicate that there are still no problems with service provisions. The study noted that about 40% of the land area of the Springdale rural center was vacant, either in agricultural use, or as back lots of residences. The study noted that Springdale was at a relative disadvantage to Corbett as a site for rural community-serving and commercial uses because of Corbett's larger size, more central location, and flatter topography. Since then, Springdale has not experienced significant new non-residential development. Problems identified in 1981 included a lack of off-street parking for commercial and community-serving uses, and the fact that if a commercial building is vacant for more than one year the new tenant must obtain a new conditional use permit from the County before establishing a business.

Based upon the amount of vacant land and the lack of new development within the past 15 years, the current size of the Springdale Rural Center is adequate and no expansion should be studied unless new development within the existing Rural Center boundaries justifies an analysis. Disposition and re-use of the Springdale School site will be a key issue in Springdale in the near future.



It should be noted that Corbett was originally a rural center designated by the Multnomah County Comprehensive Framework Plan, but is now part of the Columbia Gorge National Scenic Area, where it is also designated as a rural center. Planning for the Corbett Rural Center occurs within the Columbia Gorge National Scenic Area Management Plan review process. It contains a greater variety of land uses than the Springdale Rural Center. Planning for the Corbett Rural Center will occur within the Columbia Gorge National Scenic Area Management Plan review process.

### **Rural Center Policies**

#### **13. Encourage commercial and civic uses that serve local needs within the Springdale rural center.**

**STRATEGY:** Multnomah County shall implement this policy through the review process for conditional commercial and civic uses within Springdale.

#### **14. Study reuse of the closed Springdale Elementary School as a possible multi-purpose community and cultural center.**

**STRATEGY:** Multnomah County shall consider the results of a re-use study during the review any conditional use permit proposing re-use of the Springdale Elementary School site.

#### **~~15. Consider additional community and economic development planning for the Corbett Rural Center as part of a review of the National Scenic Area by Multnomah County.~~**

**~~STRATEGY:~~** ~~Subsequent to the completion of this plan, Multnomah County shall include a review of land use issues regarding farm lands in the Columbia Gorge National Scenic Area as part of the Division of Transportation and Land Use Planning work program.~~

#### **15. Implement a Plan for the Springdale Community that considers the input received from the community indicating the community's satisfaction with the existing community the way it is. Key elements of the community input are to maintain the rural character of the community, and to ensure that new businesses support the needs of residents and tourism.**

#### **Strategies**

The County should adopt plan policies and ordinances that meet the state Unincorporated Community Rule codified as Oregon Administrative Rule OAR 660-022-0000 through 0070.

- Springdale should be designated and planned as a Rural Community (RC) because it is composed primarily of permanent residential uses with at least two other land uses present (such as commercial, industrial or public uses).
- Revise the RC zoning ordinance to reflect the needs of the Springdale community consistent with the Division 22 OAR for Unincorporated Communities.

Ensure that new or expanding uses minimize impacts to Exclusive Farm Use (EFU) zoned land that is adjacent to the RC zone by requiring "right to farm" measures to be implemented. These measures can be in the form of maintaining a larger setback between the new development and the zone boundary and/or requiring recordation of a covenant that recognizes the rights of adjacent farm managers to farm their land.



## **Commercial and Industrial Development**

16. New commercial and industrial uses within the Springdale Rural Community will be small-scale and low impact in nature as defined by the State Unincorporated Communities Rule. These uses will not adversely impact agriculture or forestry uses and will reinforce the rural nature of the Springdale Community.

### **Strategies**

- Multnomah County will update county codes to implement the Unincorporated Communities Rule for small-scale, low impact commercial and industrial uses. Due to the proximity of the communities to the Urban Growth Boundary (UGB), the plan does not justify new uses that are larger than the small-scale, low impact limits in the State Rule.
  - Existing commercial uses may expand up to the small-scale, low impact limit of 4,000 square feet subject to approval criteria in the ordinance.
  - Expansion of existing industrial uses shall be subject to the small-scale, low impact limit of 15,000 square feet and to approval criteria in the ordinance.
- Multnomah County will update its implementing regulations to ensure that new or expanded commercial and industrial development will not result in public health hazards or adverse environmental impacts.
- The County will update its implementing regulations to ensure that new or expanded commercial and industrial development will not exceed the carrying capacity of the soil or of existing water supply and waste disposal services through the inclusion of development standards.
- The County will ensure that new and expanded commercial or industrial uses are subject to Design Review in order to ensure compatibility with the community character and vision.
- Multnomah County will develop zoning ordinance standards for lot coverage of commercial and industrial development that allow adequate development area while ensuring the rural character of these areas is retained.

## **Residential Development**

17. New residential development within the Springdale Community will continue to reinforce the rural nature of the areas through the zoning code.

### **Strategies**

- The County will update the zoning ordinance to implement the Unincorporated Communities Rule for residential development.
- Include provisions in the residential zone that allow for Type A home occupations outright, and Type B home occupations through a conditional use process and design review.
- The zoning code for new residential parcels in the Rural Center will be at least one acre in order to not increase residential density and to ensure that the carrying capacity of public services and the environment is not exceeded.



## **Design**

**18. Accommodate the changing conditions within the Springdale community while preserving their rural function and appearance**

### **Strategies**

- The County should allow flexibility of setback and parking requirements to accommodate irregular lots and existing developments to help preserve the rural character of the area.

## **Transportation**

**19. Enhance all modes of travel in a manner consistent with the rural character of the Springdale Community.**

### **Strategies**

- Provide pedestrian and bicycle access to schools, transit and commercial activities within the Springdale Community consistent with the rural character of the area.
- Review the existing parking standards to ensure sufficient parking is provided to meet demand.

\* \* \* \* \*

**Section 14.** The Springdale Community Plan Document attached as Exhibit E and the Zoning Map attached as Exhibit F are adopted as a portion of the Multnomah County Comprehensive Framework Plan.

**Section 15.** The following Sectional Zoning Maps are amended to show the areas designated as Springdale Rural Center as shown on Exhibit F: 656, 657, 672, and 675.

**Section 16.** MCC 35.0005 is amended as follows:

### **35.0005 Definitions**

As used in this Chapter, unless the context requires otherwise, the following words and their derivations shall have the meanings provided below.

\* \* \* \* \*

**Small-Scale Low Impact Commercial or Industrial Use** - As used in the rural community of Springdale, these terms have the following meanings:

(a) A small-scale low impact commercial use is one which takes place in a building or buildings not exceeding 4,000 square feet of floor space.

(b) A small-scale low impact industrial use is one which takes place in a building or buildings not exceeding 15,000 square feet of floor space with a maximum footprint of 7,500 square feet.

\* \* \* \* \*



**Section 17.** MCC 35.3300- is amended as follows:

**SPRINGDALE RURAL CENTER - SRC**

**35.3300- Purpose**

The purposes of the Springdale Rural Center District are to provide standards and review procedures which will encourage concentrations of rural residential development, together with small-scale low impact commercial and industrial uses that primarily serve the population of the immediate surrounding rural area and tourists traveling through the area.

~~The purposes of the Rural Center District are to provide standards and review procedures which will encourage concentrations of rural residential development, together with limited local and tourist commercial uses which satisfy area and regional needs; to provide for local employment through light industrial uses consistent with rural character and to manage the location and extent of public service centers and limit the extension of public services.~~

**Section 18.** MCC 35.3305 is amended as follows:

**35.3305 Area Affected**

MCC 35.3300 through 35.3385 shall apply to those lands designated SRC on the Multnomah County Zoning Map.

**Section 19.** MCC 35.3320 is amended as follows:

**35.3320 Allowed Uses**

(A) Farm use, as defined in ORS 215.203(2)(a), for the following purposes only:

- (1) Raising and harvesting of crops;
- (2) Raising of livestock and honeybees; or
- (3) Any other agricultural or horticultural purpose or animal husbandry purpose or combination thereof, except as provided in MCC 35.3330. This subsection does not permit the raising of fowl or fur-bearing animals for sale, the keeping of swine, or a feed lot.

(B) The propagation or harvesting of forest products.

(C) Residential use consisting of a single family dwelling constructed on a Lot of Record or a single family dwelling constructed off-site, including a mobile or modular home placed on a Lot of Record, subject to the following conditions:-

(1) Construction shall comply with the standards of the Building Code or as prescribed in ORS 446.002 through 446.200, relating to mobile homes.

(2) The dwelling shall be attached to a foundation for which a building permit has been obtained.

(3) The dwelling shall have a minimum floor area of 600 square feet.



(D) Public and private conservation areas and structures for the protection of water, soil, open space, forest and wildlife resources.

\* \* \* \* \*

**Section 20.** MCC 35.3325 is amended as follows:

**35.3325 Review Uses**

~~(A) Residential use, consisting of a single family dwelling constructed off site, including a mobile or modular home placed on a Lot of Record, subject to the following conditions:~~

~~(1) Construction shall comply with the standards of the Building Code or as prescribed in ORS 446.002 through 446.200, relating to mobile homes.~~

~~(2) The dwelling shall be attached to a foundation for which a building permit has been obtained.~~

~~(3) The dwelling shall have a minimum floor area of 600 square feet.~~

~~(BA)~~ Temporary uses when approved pursuant to MCC 35.0510 and 35.0515.

~~(CB)~~ Wholesale or retails sales, limited to those products raised or grown on the premises, subject to the following condition:

The location and design of any building, stand, or sign in conjunction with wholesale or retail sales shall be subject to approval of the Planning Director on a finding that the location and design are compatible with the character of the area; provided that the decision of the Planning Director may be appealed to the approval authority pursuant to MCC 35.0785 and 35.0790.

~~(DC)~~ Off-street parking and loading;

~~(ED)~~ Property Line Adjustment pursuant to the provisions of MCC 35.3360.

~~(FE)~~ Placement of Structures necessary for continued public safety, or the protection of essential public services or protection of private or public existing structures, utility facilities, roadways, driveways, accessory uses and exterior improvements damaged during an emergency/disaster event. This includes replacement of temporary structures erected during such events with permanent structures performing an identical or related function. Land use proposals for such structures shall be submitted within 12 months following an emergency/disaster event. Applicants are responsible for all other applicable local, state and federal permitting requirements.

~~(GF)~~ Lots of Exception pursuant to the provisions of MCC 35.3360.

~~(HG)~~ Wireless communication facilities that employ concealment technology or co-location as described in MCC 35.6177(B) pursuant to the applicable approval criteria of MCC 35.6175 through 35.6188.

~~(IH)~~ Consolidation of Parcels and Lots pursuant to MCC 35.7794 and Replatting of Partition and Subdivision Plats pursuant to MCC 35.7797.



(H) Structures or uses customarily accessory or incidental to any use permitted or approved in this district, which do not meet the "accessory structures" standard in MCC 35.3320 Allowed Uses.

**Section 21.** MCC 35.3330 is amended as follows:

### **35.3330 Conditional Uses**

The following uses may be permitted when found by the approval authority to satisfy the applicable ordinance standards. Commercial and industrial uses shall be limited to small-scale low impact as defined in MCC 35.0005.:

(A) Community Service Uses pursuant to the provisions of MCC 35.6000 through 35.6230.

(B) The following small-scale low impact Conditional Uses pursuant to the provisions of MCC 35.6300 through 35.6660:

(1) Rural service commercial uses such as local stores, shops, offices, repair shops, and similar uses including;

(a) Automobile Repair,

(b) Restaurant,

(c) Tavern

(d) Professional Office,

(e) Garden supply store,

(f) Hardware store,

(g) Retail bakery,

(h) Service station,

(i) Beauty and hair salon,

(j) Electronic media rental (i.e. DVD, electronic games),

(2) The following industrial uses conducted within an enclosed building that entails the manufacturing and processing of:

(a) Apparel and other finished products made from fabric;

(b) Millwork, veneer, plywood, and structural wood members;

(c) Wood containers;

(d) Wood products, not elsewhere classified;



(e) Furniture and fixtures;

(f) Stone, clay, glass products except: cement, ready-mix concrete, and minerals and earths ground or otherwise treated;

(g) Fabricated metal products;

(h) Household appliances;

(i) Electric lighting and wiring equipment;

(j) Communications equipment;

(k) Electronic components and accessories;

(l) Motor vehicle parts and accessories;

(m) Laboratory apparatus and analytical, optical, measuring, and controlling instruments;

(n) Food and kindred products.

(3) Commercial or industrial uses allowable in the EFU or CFU district, and agricultural support services. These uses shall not be subject to the small-scale low impact requirement that defines the commercial or industrial uses of this section.

~~(1) Limited rural service commercial uses such as local stores, shops, offices, repair shops, and similar uses;~~

~~(2) Tourist commercial uses such as restaurants, taverns, gas stations, motels, guest ranches, and similar uses;~~

~~(3) The following Light Manufacturing Uses conducted within an enclosed building which require the daily employment of twenty or fewer persons;~~

~~(a) The manufacture, compounding, processing, packaging, treatment, storage or wholesale distribution of such products as bakery goods, fruits, vegetables, sea foods, dairy products, candy, confections, beverages including brewing and bottling, miscellaneous food products, ice and cold storage plant, drugs, pharmaceuticals, perfumes, toilet soaps, toiletries, barber and beauty supplies, and similar items, but not sauerkraut, vinegar or pickles manufacture;~~

~~(b) The manufacture, compounding, assembling, treatment, storage or wholesale distribution of articles or merchandise from previously prepared materials such as bone, cellophane, canvas, cloth, cork, feathers, felt, fur, glass, hair, foam, lacquer, leather (but not tanning), paper or paperboard, plastics, precious or semi-precious metals or stones, shell, textiles, tobacco, wood (except as provided in the GM and HM districts), yarns and paints;~~

~~(c) The manufacture, assembly, packaging, repair, storage or wholesale distribution of articles such as electrical appliances, lighting and communication equipment, electronic, radio or television equipment, parts or accessories, professional, scientific, optical, photographic or controlling instruments, amusement devices, small parts assembly, jewelry, musical instruments, toys, sporting goods, novelties, rubber or metal stamps;~~



~~(d) The manufacture, finishing, refinishing, repair, storage or wholesale distribution of furniture, office or store fixtures, small boats, upholstery, cabinets, office, computing or accounting machines, electric and neon signs, billboards and other signs;~~

~~(e) Business, professional, executive, administrative, wholesale, contractor or similar office, clinic, service or studio, trade, business or commercial school, research, experimental or testing laboratory;~~

~~(f) Printing, publishing, bookbinding, graphic or photographic reproduction, blueprinting, or photo processing;~~

~~(g) Building, building maintenance, plumbing, electrical, heating, roofing, glass, landscaping, painting or similar contractor's office, shop, warehouse, equipment sales or maintenance;~~

~~(h) Retail or wholesale lumber, building materials, garden supplies sales and tools, or small equipment sales, rental, repair or servicing;~~

~~(i) Laundry for carpets, uniforms, linens, rags, rugs and similar items, dyeing plant, dry cleaning not using explosive or inflammable materials;~~

~~(j) Automobile, light truck, motorcycle and recreational vehicle repair or maintenance, body and fender work, painting, parts and glass replacement, upholstery, engine, radiator or battery rebuilding, tire recapping, commercial, industrial or fleet vehicle parking and auto detailing;~~

~~(k) Metal or sheet metal shop, ornamental iron works, welding, blacksmithing, electroplating, tool and hardware manufacture, machine shop not using a drop hammer or large capacity punch press;~~

~~(l) Warehouse, furniture and household goods storage, moving equipment rental, distribution plant, parcel delivery, wholesaling of durable and non-durable goods, light and heavy equipment sales, rental or repair, fuel and ice distribution;~~

~~(m) Manufacture of non-structural clay products, ornamental clay, concrete, plaster or plastics casting, stone and purchased glass products cutting, polishing or installation; and~~

~~(n) Collection, recycling, sorting, baling or processing of previously used materials such as rags, paper, metals, glass or plastics;~~

~~(4) Commercial processing of agricultural or forestry products primarily grown in the vicinity.~~

~~(C) Planned Development pursuant to the provisions of MCC 35.4300 through 35.4360. If the property is outside of an "acknowledged unincorporated community", then the applicable current "planned unit developments" standards within the Oregon Administrative Rules Chapter 660, Division 004 shall also be satisfied.~~

~~(DC) Existing legally established small-scale low impact light-industrial uses permitted by MCC 35.3330 (B) (3) may be expanded up to a daily total of 40 employees, based on findings that:~~

~~(1) The proposed expansion is a result of normal growth of the existing use and not required as a result of diversification of the business;~~



(2) The use provides a public benefit to the rural center by employing primarily persons who reside within the rural center or surrounding rural area, and this same employment pattern will continue with the proposed expansion;

(3) The proposed expansion satisfies the applicable elements of Comprehensive Framework Plan Policies:

- (a) No. 20 – Arrangement of Land Uses;
- (b) No.30 – Industrial Location (Isolated Light Industrial);
- (c) No. 36 – Transportation System Development Requirements;
- (d) No. 37 – Utilities; and
- (e) No. 38 – Facilities.

(4) The proposed expansion satisfies the Design Review provisions of MCC 35.7000 through 35.7070.

~~(ED)~~ Type B home occupation as provided for in MCC 35.6650.

~~(F) Large Fills as provided for in MCC 35.6700, through 35.6720.~~

**Section 22.** MCC 35.3355 is amended as follows:

**35.3355 Dimensional Requirements**

(A) Except as provided in MCC 35.3360, 35.3370, 35.3375 and 35.4300 through 35.4360, the minimum lot size for new parcels or lots shall be one acre, ~~for those RC-zoned lands inside the boundary of an “acknowledged unincorporated community”.~~ For RC-zoned properties outside an “acknowledged unincorporated community” the minimum lot size is two acres except for those properties within one mile of the Urban Growth Boundary and then the minimum lot size shall be as currently required in the Oregon Administrative Rules Chapter 660, Division 004 (20-acre minimum as of October 4, 2000).

(B) That portion of a street which would accrue to an adjacent lot if the street were vacated shall be included in calculating the area of such lot.

(C) Minimum Yard Dimensions - Feet

Front	Side	Street Side	Rear
30	10	30	30

Maximum Structure Height – 35 feet

Minimum Front Lot Line Length – 50 feet.

(D) The minimum yard requirement shall be increased where the yard abuts a street having insufficient right-of-way width to serve the area. The county Road Official shall determine the



necessary right-of-way widths based upon the county "Design and Construction Manual" and the Planning Director shall determine any additional yard requirements in consultation with the Road Official.

(E) Structures such as barns, silos, windmills, antennae, chimneys, or similar structures may exceed the height requirement if located at least 30 feet from any property line.

(F) On-site sewage disposal, storm water/drainage control, water systems unless these services are provided by public or community source, required parking, and yard areas shall be provided on the contiguous ownership.

(1) Sewage and stormwater disposal systems for existing development may be off-site in easement areas reserved for that purpose.

(2) Stormwater/drainage control systems are required for new impervious surfaces that are greater than 400 square feet in area. The system shall be adequate to ensure that the rate of runoff from the lot for the 10 year 24-hour storm event is no greater than that before the development.

(G) Grading and erosion control measures sufficient to ensure that visible or measurable erosion does not leave the site shall be maintained during development. A grading and erosion control permit shall be obtained for development that is subject to MCC Chapter 29.

(H) New, replacement, or expansion of existing dwellings shall minimize impacts to existing farm uses on adjacent land (contiguous or across the street) by:

(1) Recording a covenant that implements the provisions of the Oregon Right to Farm Law in ORS 30.936 where the farm use is on land in the EFU zone; or

(2) Where the farm use does not occur on land in the EFU zone, the owner shall record a covenant that states he recognizes and accepts that farm activities including tilling, spraying, harvesting, and farm management activities during irregular times, occur on adjacent property and in the general area.

(I) New, replacement or expansion of existing industrial use buildings shall minimize stormwater drainage impacts by limiting the footprint of the building or buildings to 7,500 square feet of the maximum 15,000 square feet.

**Section 23.** MCC 35.3380 is amended as follows:

### **35.3380 Off-Street Parking and Loading**

Off-street parking and loading shall be provided as required by MCC 35.4100 through 35.4220 except as identified below for Review Uses and Conditional Uses.

New, replacement or expansion of existing commercial, industrial, or community service developments shall minimize stormwater drainage impacts for off-street parking by:



(A) Surfacing

(1a) All areas used for parking, loading or maneuvering of vehicles shall either be hard surfaced with two inches of blacktop on a four inch crushed rock base or six inches of portland cement or other material providing a durable and dustless surface capable of carrying a wheel load of 4,000 pounds or shall be surfaced with a gravel "mix," wherein the fine particles are removed at the production yard, that which provides a durable and dustless surface capable of carrying a wheel load of 4,000 pounds.

(2b) Approaches to public rights-of-way shall be paved for a minimum distance of 21' from the fog line, or for a greater distance when required by the County Engineer.

(B) A stormwater drainage system, shall be installed for parking lots, that is designed and certified by an Oregon Registered Professional Engineer to ensure that the rate of runoff at the property line for the 10 year 24 hour storm event is no greater than that which existed prior to development.

(C) Off-street parking for new, replacement or expansion of existing commercial or industrial developments shall provide a minimum of 10 foot landscaped front yard setback. All other minimum yard dimensions for parking shall be as required in the Off-Street Parking and Loading Code Section.

**Section 24.** All references to RC within the Multnomah County Code and other county documents relating to the Springdale Community must be changed to SRC as appropriate.

FIRST READING:

February 3, 2011

SECOND READING AND ADOPTION:

February 10, 2011

BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

Jeff Cogen, Chair

REVIEWED:

HENRY H. LAZENBY, JR., COUNTY ATTORNEY  
FOR MULTNOMAH COUNTY, OREGON

By \_\_\_\_\_  
Jed Tomkins, Assistant County Attorney

SUBMITTED BY:

M. Cecilia Johnson, Director, Department of Community Services



# SPRINGDALE

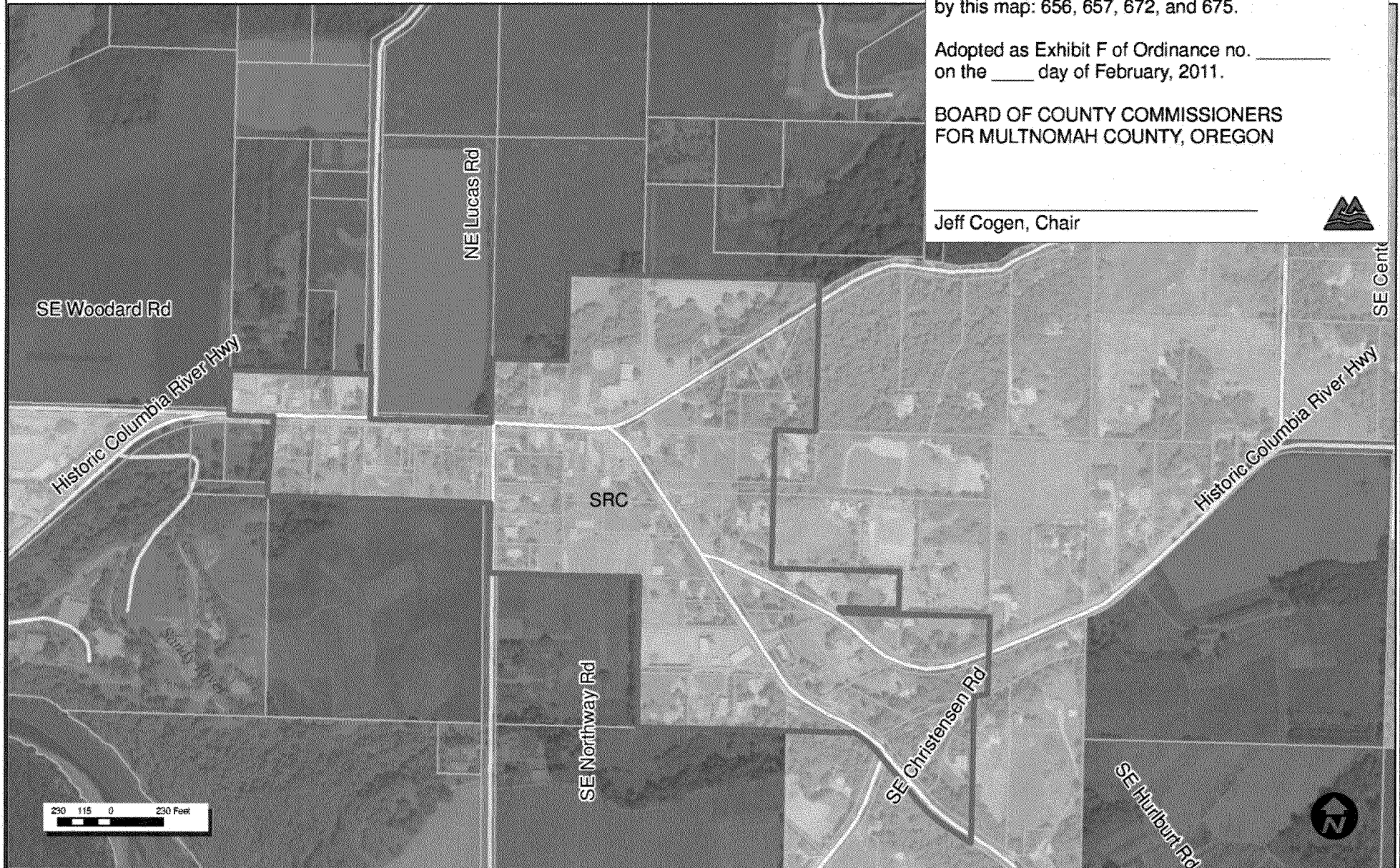
## Multnomah County Springdale Rural Community Plan Comprehensive Plan and Zoning Map

The following Sectional Zoning Maps are amended  
by this map: 656, 657, 672, and 675.

Adopted as Exhibit F of Ordinance no. \_\_\_\_\_  
on the \_\_\_\_ day of February, 2011.

BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

Jeff Cogen, Chair



ZONE	EFU	RR	Roads
CFU	MUA20	Community Boundary	
CFU4	SRC	Taxlot Boundary	

Aerial Photographs: Metro, 2008.



# BURLINGTON

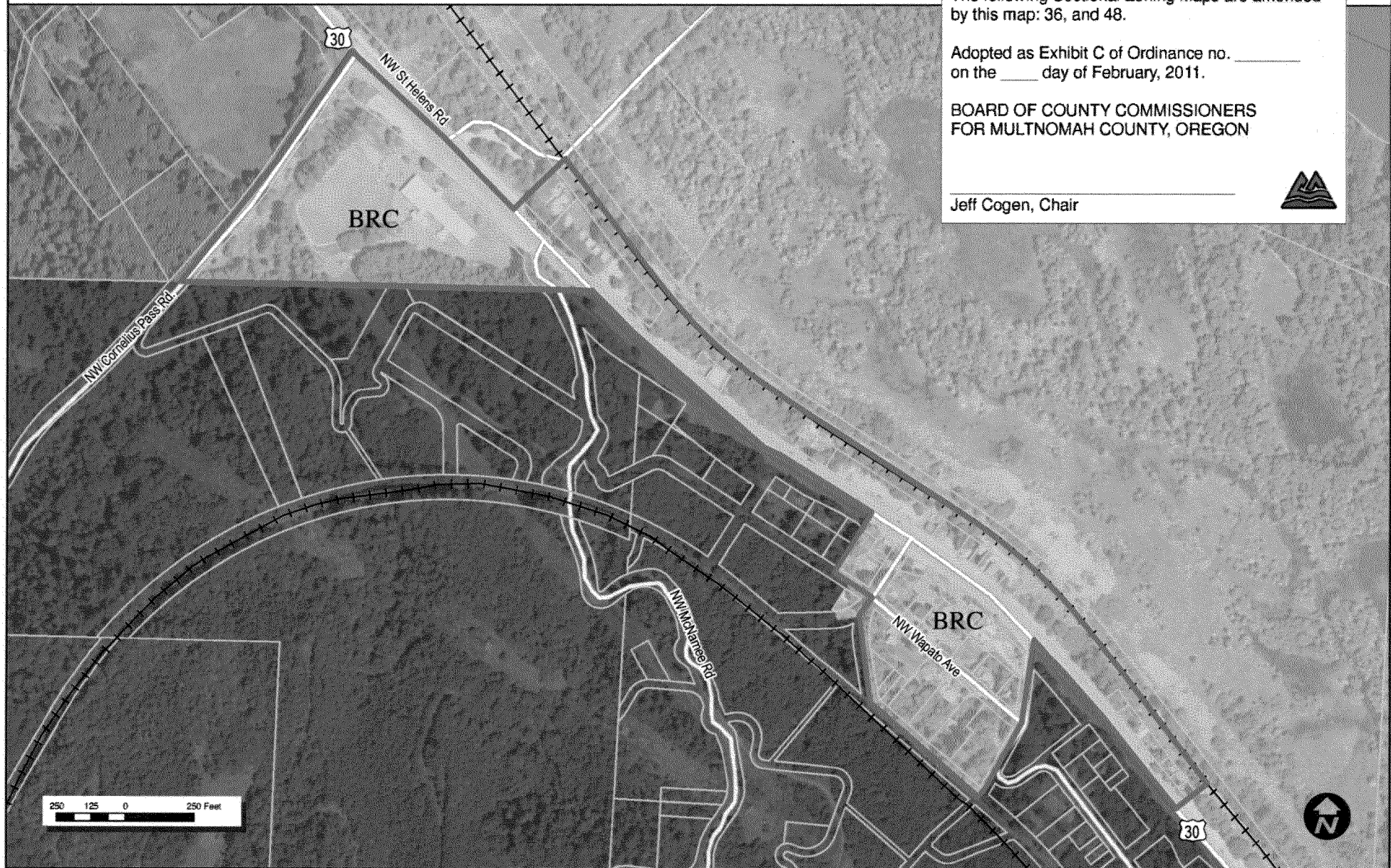
## Multnomah County Burlington Rural Community Plan Comprehensive Plan and Zoning Map

The following Sectional Zoning Maps are amended  
by this map: 36, and 48.

Adopted as Exhibit C of Ordinance no. \_\_\_\_\_  
on the \_\_\_\_ day of February, 2011.

BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

Jeff Cogen, Chair



	Community Boundary		Roads	<b>ZONE</b>		MUA20
	Railroad		CFU1		BRC	
	Taxlots		CFU2			

Aerial Photographs: Metro, 2008.



## EXHIBIT A

- The West Hills Rural Area Plan Policies are renumbered as follows

Old Policy Number	New Policy Number
Policy 1 to 5	No changes
6	6 (new policy)
7	7 (new policy)
8	8 (new policy)
9	9 (new policy)
10	10 (new policy)
6	11
7	12
8	13
9	14
10	15
11	16
12	17
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26	31
27	32
28	33



## EXHIBIT D

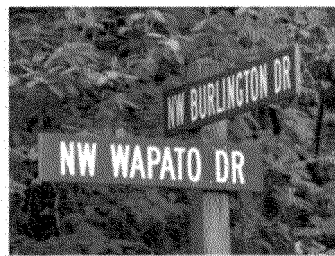
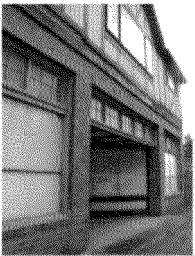
- The East of Sandy River Rural Area Plan Policies are renumbered as follows

Old Policy Number	New Policy Number
Policy 1 to 14	No changes
15 (deleted old policy)	15 (new policy)
16	16 (new policy)
17	17 (new policy)
18	18 (new policy)
19	19 (new policy)
16	20
17	21
18	22
19	23
20	24
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22	26
23	27
24	28
25	29
26	30
27	31
28	32
29	33
30	34
31	35
32	36
33	37
34	38

Old Policy Number	New Policy Number
35	39
36	40
37	41
38	42
39	43
40	44
41	45
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47	51
48	52
49	53
50	54
51	55
52	56
53	57
54	58
55	59
56	60
57	61
58	62
59	63
60	64



## Burlington Unincorporated Community Plan





## **Table of Contents**

- I. Background**
    - a. Location and Community Description**
    - b. Planning of Unincorporated Communities**
    - c. Plan Process**
  
  - II. Land Use Planning**
    - a. Land Use and Zoning**
    - b. Changes to Zoning and Development Requirements**
    - c. Potential Growth Scenarios**
  
  - III. Public Facilities**
    - a. Septic Conditions**
    - b. Water System**
    - c. Transportation System**
  
  - IV. Appendices**
    - Appendix 1. Zoning Code**
    - Appendix 2. Policies**
    - Appendix 3. Maps**
      - Map 1: Community Boundary
      - Map 2: Land Use
      - Map 3: Zoning
      - Map 4: Zoning Overlay
      - Map 5: Transportation
      - Map 6: Range of Parcel Sizes (Acres)
    - Appendix 4. Inventory/Data Table**
    - Appendix 5. Public Involvement and Process**
    - Appendix 6. April 20, 2010 Community Meeting**
      - Handouts
      - PowerPoint Presentation
      - Community Input
      - Surveys and Written Comments
    - Appendix 7. June 30, 2010 Community Meeting**
      - Handouts
      - PowerPoint Presentation
      - Community Input
    - Appendix 8. Findings**
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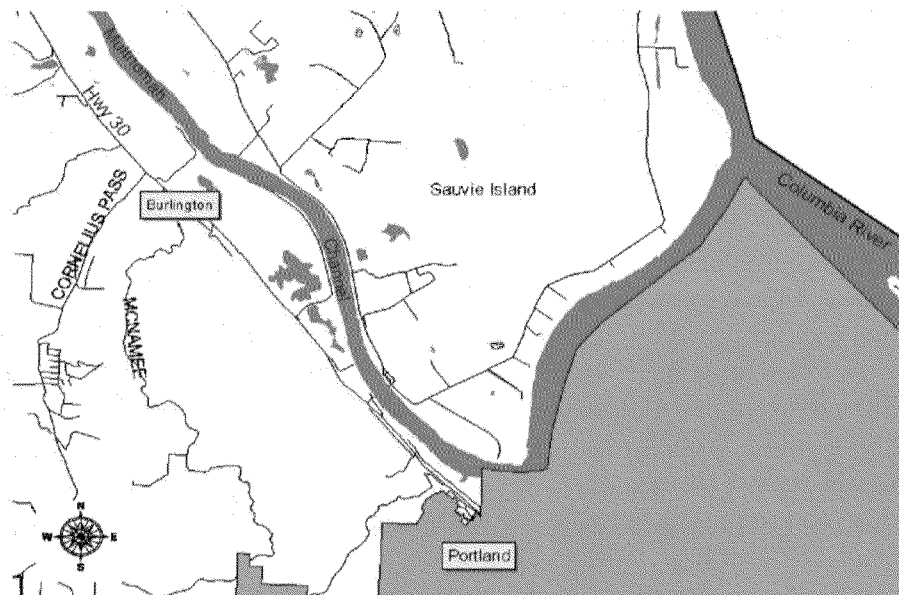


## I. Background

### a. Location and Community Description

Burlington is a small rural community located approximately 2.5 miles from the city of Portland, and is located along Highway 30. Burlington is comprised primarily of residential uses, with some commercial uses. Commercial uses include a tavern and a utility building for Qwest Communications. The community also includes the Native American Rehabilitation Association of the Northwest (NARA) Facility. There is no sewer service for the area; properties are served by individual on-site septic systems. Provisions of water are available through the Burlington Water District. Fire protection is contracted out to the City of Portland by the Water District.

The elevation of the Burlington area ranges from close to sea level to 200 feet above sea level. Elevation rises steeply from Highway 30 to the Burlington Northern Cornelius Pass Line railroad tracks. Property beyond the Burlington Northern Astoria Line railroad tracks to the northeast is subject to flooding from high water levels in Multnomah Channel. This area is outside the Burlington Community Boundary.



### b. Planning for Unincorporated Communities

In December of 1994, the State of Oregon's Land Conservation Development Commission (LCDC) adopted Oregon Administrative Rule (OAR) Chapter 660, Division 22, or the Unincorporated Communities Rule (the "Rule"). The Rule provides a framework for counties to use in identifying and designating unincorporated communities outside established Urban Growth Boundaries (UGB), and establishes planning rules for unincorporated communities pertaining to development standards, allowed land uses and public facilities.

New state rules affecting the Rural Center have been implemented since the County's last plan was prepared. These new regulations are referred to as the Unincorporated Communities Rule as discussed above. Due to the characteristics of the Burlington Rural Center area, county staff has



determined that it should be designated as a "Rural Community". As defined by the state rule a Rural Community is one that consists of primarily of permanent residential dwellings, with at least two other land uses present, such as commercial, industrial or public uses. Specific provisions for a Rural Community require that the County adopt rural community zoning designations for the uses within the area. The type and extent of specific uses permitted are subject to provisions outlined in the Rule.

Burlington was recognized as an unincorporated rural community in the Multnomah County Comprehensive Plan and was zoned Rural Center in 1977. The established Rural Center zoning district applied to approximately 30 acres for the Burlington Community. This zoning district is intended to encourage concentrations of rural residential development, together with limited local and tourist commercial uses, light industrial uses, and public service uses and centers such as churches, fire stations, schools, etc.

The state Unincorporated Communities Rule (OAR 660-022) requires counties to adopt land use and zoning measures specific to unincorporated communities in order to ensure that cumulative development in the communities will not:

- Result in public health hazards or adverse environmental impacts that violate state or federal water quality regulations, or
- Exceed the carrying capacity of the soil or of existing water supply resources and sewer services.

The Unincorporated Communities Rule limits the types of land that can be included in an officially designated Unincorporated Community. Lands identified as "exception areas" (i.e., rural lands that are zoned for commercial, industrial or residential use, not farm or forest use) can be included if they have historically been considered part of the community. The land included must represent a "contiguous concentration" of commercial, industrial, public use, or residential land. Residential land to be included must be of a greater density than residential exception lands that are outside of identified Unincorporated Communities. Further, the designated community must have been identified in a county's acknowledged comprehensive plan as a "rural community," "service center," "rural center," "resort community," or similar term before the adoption of the Rule (October 28, 1994), or the community is listed in the Department of Land Conservation and Development's January 30, 1997 "Survey of Oregon's Unincorporated Communities."

Land zoned for farm or forest use may only be included in the Unincorporated Community if it is adjacent to exception lands included in the community boundary and was occupied on October 28, 1994 (the date of the Unincorporated Community Rule) by one or more of the following public uses: church, cemetery, school, park, playground, community center, fire station, museum, golf course, or utility facility.

The Burlington Unincorporated Community is consistent with these requirements. The community boundary encircles a contiguous area of "exception land," specifically properties that are currently zoned Rural Center. Additionally, the proposed boundary does not include any properties which are currently zoned Commercial Forest Use-2 (CFU-2), Commercial Forest Use-1 (CFU-1), or exception lands such as Multiple Use Agriculture-20 (MUA-20) low density residential land.

#### **c. Plan Process**

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Multnomah County Land Use Planning formulated a process preparing for the Burlington Unincorporated Community Plan and completing the unincorporated community planning requirements for the State Rule. The process included public outreach with a series of three public meetings held in the community, and distribution of a community survey to gather community input. The results of these meetings and community input are provided in the Appendices of this plan.

As part of the planning project, the following tasks were undertaken:

- Identified the community boundary recognizing the extent of the established Rural Center zoning boundary
- Inventoried and analyzed data and information about the community related to the existing land uses, available public services, parcel sizes, and current plan policies and zoning regulations
- Reviewed the characteristics of the community and existing zoning regulations for consistency with the State Rule

A series of three public meetings were held in the community. An introductory meeting was held on April 27th, 2010 where approximately 15 citizens attended. During this introductory meeting, staff introduced the project, explained the goals of the project, went over the state rule, and covered the process. In addition, a community survey was distributed asking the community what they liked about their community, what issues were important to the community, and what suggestions they have for improving their community. During the meeting staff also led a large group discussion with the attendees gathering community input on the same three questions asked on the survey.

The second community meeting was held on June 30, 2010. During this meeting staff distributed drafts of the Community Plan and Policies, and proposed Zoning changes. These three documents were handed out and discussed during the meeting which had approximately five members of the public in attendance. Electronic copies of the documents were also made available for download on the project website. Comments were encouraged and collected, and were due by July 14th, 2010. In addition, staff distributed a Memo addressing the community comments received and raised during the first meeting. This memo addressed questions and comments received regarding the community boundary, septic requirements and small lots, lack of services such as a grocery store, gas station, and restaurant in the community, bus service, and transportation concerns regarding Highway 30.

The third community meeting is scheduled for September 14, 2010. Staff will bring the revised proposed drafts of the Community Plan, Policies and Zoning. Multnomah County Land Use Planning has been working on putting together land use and zoning plans for the Burlington community after the second community meeting in June. We've considered over the input received during the community meetings held on April 27 and June 30th, in addition to the input received from the community surveys. Staff has taken this information and has combined this with the information gathered by staff for the community inventory with the goal being to better understand your community and to plan for its future under the guidance of Oregon State Planning Goals and Guidelines.

## **II. Land Use Planning**

### **a. Land Use**

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In order to determine the appropriate designation for the Burlington area consistent with the Rule, county staff conducted a parcel-by-parcel inventory of the area. The inventory included an analysis of County Assessment Data, site visits, and inspections of aerial photographs. In addition, staff conducted an inventory and observation of area businesses. The findings from this inventory are illustrated in Maps 1, 2, and 6, which appears at the end of this report. Information on land uses are also provided in Table 1 below, which illustrates the types and acreage of land inventoried.

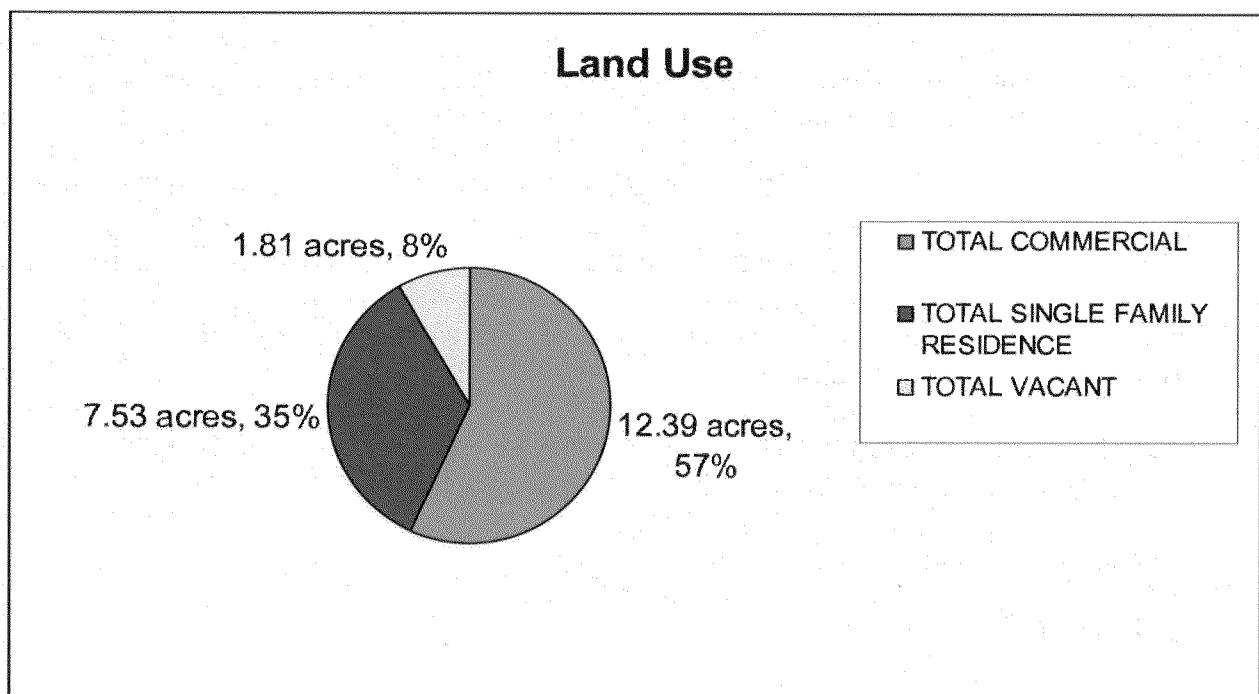
Burlington is comprised of 40 parcels. A majority of the acreage is in Single Family Use, with a small number in commercial use or vacant land. Existing uses include 22 residences, and 3 commercial uses.

### Burlington

Table 1

		LANDUSE DESIGNATION			
Range of Parcel Sizes (Acres)	Data	Commercial	SFR (Single Family Residence)	Vacant	Grand Total
0.0-.5	Total Acres	0.36 ac	3.69 ac	1.81 ac	5.86 ac
	Number of Parcels	2	17	13	32
.51-1.99	Total Acres	1.04	3.84 ac	0	4.88 ac
	Number of Parcels	2	5	0	7
2.00-11.00	Total Acres	10.99	0	0	10.99
	Number of Parcels	1	0	0	1
Total Acres		12.39	7.53	1.81	21.73 *
Number of Parcels		5	22	13	40

\*Doesn't include acreage in right-of-way  
 Updated 4/22/10





### Chart 1: Land Use Acres and Percentages

None of the parcels within the community boundary are in a farm or forest tax deferral program. A total of 37.7 acres is located within the identified community boundary, with 21.73 acres of which is private property, minus the public right-of-way. A vast majority of the land within Burlington has been divided into lots or parcels of less than two acres, with the only parcel larger than two acres being the NARA Facility parcel at 10.99 acres. Most of the lots in the Community of Burlington were created by the Burlington Subdivision, platted in 1909, with an average lot size at 8,000 square feet. This subdivision extends west and south of the Burlington Northern Cornelius Pass Line railroad tracks zoned as commercial forest lands. Most of the Burlington Subdivision, lots are located outside of the existing rural center boundary and most are owned by Metro.

#### **b. Zoning and Development Requirements**

##### **Residential Uses**

The Unincorporated Communities Rule identifies that county plans and regulations may permit any residential use and density as long as the density of residential development is greater than that of surrounding rural areas, and as long as it will not exceed the carrying capacity of the soil for waste disposal and of existing water supply resources.

Residential uses are permitted outright in the current Rural Center (RC) zoning designation for the area. Under the zoning regulations the minimum lot size for new parcels or lots shall be one acre for lands inside the boundary of an "acknowledged unincorporated community." Dimensional requirements consist of front, side, and rear setback requirements. Listed Conditional Uses include more intensive commercial and industrial uses require demonstration of adequate parcel size for approval.

##### **Commercial Uses**

The Unincorporated Communities Rule sets restrictions on the size and type of commercial uses that counties may allow in unincorporated communities. Specifically, the rule allows new commercial uses that are:

- Authorized under Goals 3 (Agricultural Lands) or 4 (Forest Lands);
- Considered "small-scale" and "low-impact;" or
- Intended to serve the community and surrounding rural area or the travel needs of people passing through the area.

In rural unincorporated communities, a commercial use is considered "small-scale, low-impact" if it takes place "in a building or buildings not exceeding 4,000 square feet of floor space."

Additionally, hotels and motels of up to 35 units may be authorized in any unincorporated community that is at least 10 miles from any urban growth boundary bordering Interstate Highway 5 and is served by a community sewer system. In this instance, the Burlington Community doesn't fit this criterion and therefore the zoning regulation will need be revised to not allow development of hotels and motels. Currently, the only commercial uses that are permitted outright in the Rural Center zone are farming and forestry uses and home occupations. Other uses are permitted only as a

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Review Use or Conditional Use. Listed Review Uses are limited to wholesale and retail sales of products raised or grown in the area, with the location and building standards subject to review and permits. Conditional Uses in the Rural Center zone include local stores, shops, offices, repair shops, restaurants, and gas stations.

### **Industrial Uses**

Per the State guidelines for Rural Communities, permitted industrial uses include:

- Uses authorized under Goals 3 and 4 (farm or forest related);
- Expansion of a use legally existing on the date of this rule (December 5, 1994);
- Small-scale, low-impact uses;
- Uses that require proximity to rural resource, as defined in OAR 660-004-0022(3)(a), such as geothermal wells, mineral or aggregate deposits, water reservoirs and natural features; or
- New uses that will not exceed the capacity of water and sewer service available to the site on the effective date of this rule, or, if such services are not available to the site, the capacity of the site itself to provide water and absorb sewage.

Uses that are more intensive than those identified above may be allowed provided an analysis set forth in the comprehensive plan demonstrates, and land use regulations ensure:

1. That such uses are necessary to provide employment that does not exceed the total projected work force within the community and the surrounding rural area;
2. That such uses would not rely upon a work force employed by uses within urban growth boundaries; and
3. That the determination of the work force of the community and surrounding rural area considers the total industrial and commercial employment in the community and is coordinated with employment projections for nearby urban growth boundaries.

Current county zoning permits light industrial activities as a Conditional Use. These uses should require no more than 20 daily employees and include uses such as wholesale distribution of bakery goods, photo processing, building maintenance, and automobile repair work. Uses may be expanded up to 40 daily employees when it is found that the use:

1. The proposed expansion is a result of normal growth of the existing use and not required as a result of diversification of the business;
  2. The use provides a public benefit to the rural center by employing primarily persons who reside within the rural center or surrounding rural area, and this same employment pattern will continue with the proposed expansion;
  3. The proposed expansion satisfies the applicable elements of Comprehensive Framework Plan Policies:
    - No. 20 – Arrangement of Land Uses;
    - No. 30 – Industrial Location (Isolated Light Industrial);
    - No. 36 – Transportation System Development Requirements;
    - No. 37 – Utilities; and
    - No. 38 – Facilities
  4. The proposed expansion satisfies the Design Review provisions of County Code.
-



**c. Potential Growth Scenario**

Under the identified zoning regulations of Multnomah County Code 35.3355 for the Rural Center Zone the minimum lot size for new parcels or lots shall be one acre for lands inside the boundary of an "acknowledged unincorporated community."

As an "acknowledged unincorporated community," one parcel that could possibly be further divided to one acre lots has been identified as part of the land use inventory and analysis. Under this scenario the 10.99 acres parcel could potentially be further divided into one acre lots for a potential of 10 additional lots, contingent on being able to meet county code requirements, including on-site septic requirements.

**III. Public Facilities**

OAR 660-022-0050 requires that unincorporated community plans assess the capacity of the local public facility infrastructure (i.e., sewer system or septic conditions, water, and transportation systems), and determine if they will be adequate to serve future growth anticipated or planned in the unincorporated community. If the public facilities are found to be inadequate to serve future growth, then the unincorporated plan must identify the improvements needed to accommodate the growth and establish a procedure to limit growth in the community until the necessary public facility improvements have been made.

**a. On-Site Sewage Conditions**

The Burlington area is not served by a community sewer district or system. All wastewater treatment in the area is accomplished through on-site septic systems. The Unincorporated Communities Rule requires counties to adopt public facilities plans for unincorporated communities with a population over 2,500. The current population of the area is significantly smaller than this; therefore this criterion does not apply.

The Rule further requires that sewer and water community public facility plans are required in any of the following circumstances:

- Existing sewer or water facilities are insufficient for current needs, or are projected to become insufficient due to physical conditions, financial circumstances or changing state or federal standards; or
- The plan for the unincorporated community provides for an amount, type or density of additional growth or infill that cannot be adequately served with individual water or sanitary systems or by existing community facilities and services; or
- The community relies on groundwater and is within a groundwater limited or groundwater critical area as identified by the Oregon Department of Water Resources; or
- Land in the community has been declared a health hazard or has a history of failing septic systems or wells.

The land use and density analysis conducted finds that a minimal number of lots could potentially be developed under the zoning standard of a one acre minimum lot size. All new parcels would have to be served with on-site septic and reviewed to meet the Department of Environmental Quality

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standards and stormwater control systems designed by an Oregon Registered Engineer to meet a standard of no increase of off property flow for up to 10 year 24 hour storm event. Two main factors will influence the growth potential of the area, one being the desire to develop the parcels, and the other being the ability to support an on-site septic system and control stormwater on-site. In considering these factors, the potential for additional growth may be limited.

In taking a look at these factors, staff determined that a public facility plan is not needed for the Burlington Community. The size and location would require a costly system to serve a small number of lots in the area. Review of the area's carrying capacity is already being reviewed by the City of Portland Bureau of Development Services Sanitation and Site Development Office with the office being able to deny or approve building permits based on percolation tests and site inspections. County requirements currently address stormwater management, and the area is served by the Burlington Water District.

#### **b. Water System**

The Burlington area is served by the Burlington Water District. Community input indicates no issues with the service.

#### **c. Transportation System**

The Rule requires that county plans and land use regulations shall allow only those uses which are consistent with the identified function, capacity and level of service of transportation facilities serving the community, pursuant to OAR 660-012-0060(1)(a) through (c), requiring that where an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation would significantly affect an existing or planned transportation facility, the local government shall put in place measures as provided consistent with OAR 660-012-0060(2) to assure that allowed land uses are consistent with the identified function, capacity, and performance standards (e.g. level of service, volume to capacity ratio, etc.) of the facility. As identified in the State Guidelines a plan or land use regulation amendment significantly affects a transportation facility if it would:

- (a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);
- (b) Change standards implementing a functional classification system; or
- (c) As measured at the end of the planning period identified in the adopted transportation system plan:
  - (A) Allow land uses or levels of development that would result in types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;
  - (B) Reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in the TSP or comprehensive plan; or
  - (C) Worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the TSP or comprehensive plan.

According to county policies and zoning regulations in place, results from the community inventory and analysis, and staff discussions with the Oregon Department of Transportation, it is found that the

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Rural Community Plan for the Burlington Community will not affect the existing or planned transportation facilities. According to ODOT staff and county transportation plan road classifications roads in the area are adequate to accommodate existing and future traffic levels. State Highway 30 and Cornelius Pass Rd. provide major access to Burlington. The remaining roads in the area, Burlington, and Wapato provide access to homes and properties abutting them. Many "paper" roads, unbuilt and in some cases unbuildable, criss-cross the area. Burlington and Wapato are classified as Rural Local Roads and are addressed in the county policies. Highway 30 is addressed as part of the Oregon Highway Plan administered by the Oregon Department of Transportation (ODOT). Improvements to existing local streets and/or construction of new internal local streets to support specific developments could be required as part of a future subdivision approval process and would be addressed on a site-specific basis.

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#### IV. Appendices

##### Appendix 1: Zoning

###### 33.0005 Definitions.

As used in this Chapter, unless the context requires otherwise, the following words and their derivations shall have the meanings provided below.

\* \* \* \* \*

Small-scale Low Impact Commercial or Industrial Use - As used in the rural community Burlington, these terms have the following meanings:

(a) A small-scale low impact commercial use is one which takes place in a building or buildings not exceeding 4,000 square feet of floor space.

(b) A small-scale low impact industrial use is one which takes place in a building or buildings not exceeding 10,000 square feet of floor space with a maximum footprint of 5,000 square feet.

\* \* \* \* \*

##### **BURLINGTON RURAL CENTER - BRC**

###### 33.3300- Purpose

~~The purposes of the Rural Center District are to provide standards and review procedures which will encourage concentrations of rural residential development, together with limited local and tourist commercial uses which satisfy area and regional needs; to provide for local employment through light industrial uses consistent with rural character and to manage the location and extent of public service centers and limit the extension of public services.~~

The purposes of the Burlington Rural Center District are to provide standards and review procedures which will encourage concentrations of rural residential development, together with small-scale low impact commercial and industrial uses that primarily serve the population of the immediate surrounding rural area and tourists traveling through the area.

**Section 1.** MCC 33.3305 is amended as follows:

###### 33.3305 Area Affected

MCC 33.3300 through 33.3385 shall apply to those lands designated BRC on the Multnomah County Zoning Map.

**Section 2.** MCC 33.3320 is amended as follows:

###### 33.3320 Allowed Uses

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(A) Farm use, as defined in ORS 215.203(2)(a), for the following purposes only:

- (1) Raising and harvesting of crops;
- (2) Raising of livestock and honeybees; or
- (3) Any other agricultural or horticultural purpose or animal husbandry purpose or combination thereof, except as provided in MCC 33.3330. This subsection does not permit the raising of fowl or fur-bearing animals for sale, the keeping of swine, or a feed lot.

(B) The propagation or harvesting of forest products.

(C) Residential use consisting of a single family dwelling constructed on a Lot of Record or a single family dwelling constructed off-site, including a mobile or modular home placed on a Lot of Record, subject to the following conditions:

- (1) Construction shall comply with the standards of the Building Code or as prescribed in ORS 446.002 through 446.200, relating to mobile homes.
- (2) The dwelling shall be attached to a foundation for which a building permit has been obtained.
- (3) The dwelling shall have a minimum floor area of 600 square feet.

(D) Public and private conservation areas and structures for the protection of water, soil, open space, forest and wildlife resources.

\* \* \* \* \*

**Section 3.** MCC 33.3325 is amended as follows:

**33.3325 Review Uses**

~~(A) Residential use, consisting of a single family dwelling constructed off-site, including a mobile or modular home placed on a Lot of Record, subject to the following conditions:~~

- ~~(1) Construction shall comply with the standards of the Building Code or as prescribed in ORS 446.002 through 446.200, relating to mobile homes.~~
- ~~(2) The dwelling shall be attached to a foundation for which a building permit has been obtained.~~
- ~~(3) The dwelling shall have a minimum floor area of 600 square feet.~~

~~(B)~~ (A) Temporary uses when approved pursuant to MCC 33.0510 and 33.0515.



(~~CB~~) Wholesale or retails sales, limited to those products raised or grown on the premises, subject to the following condition:

The location and design of any building, stand, or sign in conjunction with wholesale or retail sales shall be subject to approval of the Planning Director on a finding that the location and design are compatible with the character of the area; provided that the decision of the Planning Director may be appealed to the approval authority pursuant to MCC 33.0785 and 33.0790.

(~~DC~~) Off-street parking and loading;

(~~ED~~) Property Line Adjustment pursuant to the provisions of MCC 33.3360.

(~~FE~~) Placement of structures necessary for continued public safety, or the protection of essential public services or protection of private or public existing structures, utility facilities, roadways, driveways, accessory uses and exterior improvements damaged during an emergency/disaster event. This includes replacement of temporary structures erected during such events with permanent structures performing an identical or related function. Land use proposals for such structures shall be submitted within 12 months following an emergency/disaster event. Applicants are responsible for all other applicable local, state and federal permitting requirements.

(~~GF~~) Lots of Exception pursuant to the provisions of MCC 33.3360.

(~~HG~~) Wireless communication facilities that employ concealment technology or co-location as described in MCC 33.6177(B) pursuant to the applicable approval criteria of MCC 33.6175 through 33.6188.

(~~IH~~) Consolidation of Parcels and Lots pursuant to MCC 33.7794 and Replatting of Partition and Subdivision Plats pursuant to MCC 33.7797.

(~~JI~~) Structures or uses customarily accessory or incidental to any use permitted or approved in this district, which do not meet the "accessory structures" standard in MCC 33.3320 Allowed Uses.

**Section 4.** MCC 33.3330 is amended as follows:

**33.3330 Conditional Uses**

The following uses may be permitted when found by the approval authority to satisfy the applicable ordinance standards: Commercial and industrial uses shall be limited to small-scale low impact as defined in MCC 33.0005.

(A) Community Service Uses pursuant to the provisions of MCC 33.6000 through 33.6230.

(B) The following small-scale low impact Conditional Uses pursuant to the provisions of MCC 33.6300 through 33.6660:

(1) Rural service commercial uses such as local stores, shops, offices, repair shops, and similar uses including:

(a) Automobile Repair,



- (b) Restaurant,
- (c) Tavern
- (d) Professional Office,
- (e) Garden supply store,
- (f) Hardware store,
- (g) Retail bakery,
- (h) Service station,
- (i) Hair salon,
- (j) Electronic media rental (i.e. DVD),

(2) The following industrial uses conducted within an enclosed building that entail the manufacturing and processing of:

- (a) Apparel and other finished products made from fabric;
- (b) Millwork, veneer, plywood, and structural wood members;
- (c) Wood containers;
- (d) Wood products, not elsewhere classified;
- (e) Furniture and fixtures;
- (f) Stone, clay, glass products except: cement, ready-mix concrete, and minerals and earths ground or otherwise treated;
- (g) Fabricated metal products;
- (h) Household appliances;
- (i) Electric lighting and wiring equipment;
- (j) Communications equipment;
- (k) Electronic components and accessories;
- (l) Motor vehicle parts and accessories;
- (m) Laboratory apparatus and analytical, optical, measuring, and controlling instruments;
- (n) Food and kindred products.

(1) Limited rural service commercial uses such as local stores, shops, offices, repair shops, and similar uses;



~~(2) Tourist commercial uses such as restaurants, taverns, gas stations, motels, guest ranches, and similar uses;~~

~~(3) The following Light Manufacturing Uses conducted within an enclosed building which require the daily employment of twenty or fewer persons;~~

~~(a) The manufacture, compounding, processing, packaging, treatment, storage or wholesale distribution of such products as bakery goods, fruits, vegetables, sea foods, dairy products, candy, confections, beverages including brewing and bottling, miscellaneous food products, ice and cold storage plant, drugs, pharmaceuticals, perfumes, toilet soaps, toiletries, barber and beauty supplies, and similar items, but not sauerkraut, vinegar or pickles manufacture;~~

~~(b) The manufacture, compounding, assembling, treatment, storage or wholesale distribution of articles or merchandise from previously prepared materials such as bone, cellophane, canvas, cloth, cork, feathers, felt, fur, glass, hair, foam, lacquer, leather (but not tanning), paper or paperboard, plastics, precious or semi-precious metals or stones, shell, textiles, tobacco, wood (except as provided in the GM and HM districts), yarns and paints;~~

~~(c) The manufacture, assembly, packaging, repair, storage or wholesale distribution of articles such as electrical appliances, lighting and communication equipment, electronic, radio or television equipment, parts or accessories, professional, scientific, optical, photographic or controlling instruments, amusement devices, small parts assembly, jewelry, musical instruments, toys, sporting goods, novelties, rubber or metal stamps;~~

~~(d) The manufacture, finishing, refinishing, repair, storage or wholesale distribution of furniture, office or store fixtures, small boats, upholstery, cabinets, office, computing or accounting machines, electric and neon signs, billboards and other signs;~~

~~(e) Business, professional, executive, administrative, wholesale, contractor or similar office, clinic, service or studio, trade, business or commercial school, research, experimental or testing laboratory;~~

~~(f) Printing, publishing, bookbinding, graphic or photographic reproduction, blueprinting, or photo processing;~~

~~(g) Building, building maintenance, plumbing, electrical, heating, roofing, glass, landscaping, painting or similar contractor's office, shop, warehouse, equipment sales or maintenance;~~

~~(h) Retail or wholesale lumber, building materials, garden supplies sales and tools, or small equipment sales, rental, repair or servicing;~~

~~(i) Laundry for carpets, uniforms, linens, rags, rugs and similar items, dyeing plant, dry cleaning not using explosive or inflammable materials;~~

~~(j) Automobile, light truck, motorcycle and recreational vehicle repair or maintenance, body and fender work, painting, parts and glass replacement, upholstery, engine, radiator or battery rebuilding, tire recapping, commercial, industrial or fleet vehicle parking and auto detailing;~~

~~(k) Metal or sheet metal shop, ornamental iron works, welding, blacksmithing, electroplating, tool and hardware manufacture, machine shop not using a drop hammer or large capacity punch press;~~



~~(l) Warehouse, furniture and household goods storage, moving equipment rental, distribution plant, parcel delivery, wholesaling of durable and non-durable goods, light and heavy equipment sales, rental or repair, fuel and ice distribution;~~

~~(m) Manufacture of non-structural clay products, ornamental clay, concrete, plaster or plastics casting, stone and purchased glass products cutting, polishing or installation; and~~

~~(n) Collection, recycling, sorting, baling or processing of previously used materials such as rags, paper, metals, glass or plastics;~~

(43) Commercial processing of agricultural or forestry products primarily grown in the vicinity.

~~(C) Planned Development pursuant to the provisions of MCC 33.4300 through 33.4360. If the property is outside of an "acknowledged unincorporated community", then the applicable current "planned unit development" standards within the Oregon Administrative Rules Chapter 660, Division 004 shall also be satisfied.~~

~~(DC)~~ Existing legally established small-scale low impact light industrial uses permitted by MCC 33.3330 (B) (3) may be expanded up to a daily total of 40 employees, based on findings that:

(1) The proposed expansion is a result of normal growth of the existing use and not required as a result of diversification of the business;

(2) The use provides a public benefit to the rural center by employing primarily persons who reside within the rural center or surrounding rural area, and this same employment pattern will continue with the proposed expansion;

(3) The proposed expansion satisfies the applicable elements of Comprehensive Framework Plan Policies:

(a) No. 20 – Arrangement of Land Uses;

(b) No. 30 – Industrial Location (Isolated Light Industrial);

(c) No. 36 – Transportation System Development Requirements;

(d) No. 37 – Utilities; and

(e) No. 38 – Facilities.

(4) The proposed expansion satisfies the Design Review provisions of MCC 33.7000 through 33.7070.

~~(ED)~~ Type B home occupation as provided for in MCC 33.6650.

~~(F) Large Fills as provided for in MCC 33.6700 through 33.6720.~~

**Section 5.** MCC 33.3355 is amended as follows:

### **33.3355 Dimensional Requirements**



(A) Except as provided in MCC 33.3360, 33.3370, 33.3375 and 33.4300 through 33.4360, the minimum lot size for new parcels or lots shall be ~~one two acres, for those RC-zoned lands inside the boundary of an "acknowledged unincorporated community". For RC-zoned properties outside an "acknowledged unincorporated community" the minimum lot size is two acres except for those properties within one mile of the Urban Growth Boundary and then the minimum lot size shall be as currently required in the Oregon Administrative Rules Chapter 660, Division 004 (20 acre minimum as of October 4, 2000).~~

(B) That portion of a street which would accrue to an adjacent lot if the street were vacated shall be included in calculating the area of such lot.

(C) Minimum Yard Dimensions – Feet

Front	Side	Street Side	Rear
30	10	30	30

Maximum Structure Height – 35 feet

Minimum Front Lot Line Length – 50 feet.

(D) The minimum yard requirement shall be increased where the yard abuts a street having insufficient right-of-way width to serve the area. The county Road Official shall determine the necessary right-of-way widths based upon the county "Design and Construction Manual" and the Planning Director shall determine any additional yard requirements in consultation with the Road Official.

(E) Structures such as barns, silos, windmills, antennae, chimneys, or similar structures may exceed the height requirement if located at least 30 feet from any property line.

(F) On-site sewage disposal, storm water/drainage control, water systems unless these services are provided by public or community source, required parking, and yard areas shall be provided on the contiguous ownership.

(1) Sewage and stormwater disposal systems for existing development may be off-site in easement areas reserved for that purpose.

(2) Stormwater/drainage control systems are required for new impervious surfaces that are greater than 400 square feet in area. The system shall be adequate to ensure that the rate of runoff from the lot for the 10 year 24-hour storm event is no greater than that before the development.

(G) Grading and erosion control measures sufficient to ensure that visible or measurable erosion does not leave the site shall be maintained during development. A grading and erosion control permit shall be obtained for development that is subject to MCC Chapter 29.

(H) New, replacement or expansion of existing industrial use buildings shall minimize stormwater drainage impacts by limiting the footprint of the building or buildings to 5,000 square feet of the maximum 10,000 square feet.

**Section 6.** MCC 33.3380 is amended as follows:



### 33.3380 Off-Street Parking and Loading

Off-street parking and loading shall be provided as required by MCC 33.4100 through 33.4220 except as identified below for Review Uses and Conditional Uses.

New, replacement or expansion of existing commercial, industrial, or community service developments shall minimize stormwater drainage impacts for off-street parking by:

(A) Surfacing:

(1) All areas used for parking, loading or maneuvering of vehicles shall either be hard surfaced with two inches of blacktop on a four inch crushed rock base or six inches of portland cement or other material providing a durable and dustless surface capable of carrying a wheel load of 4,000 pounds, or ~~all areas used for parking, loading or maneuvering of vehicles~~ shall be surfaced with a gravel "mix," wherein the fine particles are removed at the production yard, ~~that which~~ provides a durable and dustless surface capable of carrying a wheel load of 4,000 pounds.

(2) Approaches to public rights-of-way shall be paved for a minimum distance of 21' from the fog line, or for a greater distance when required by the County Engineer.

(B) A stormwater drainage system shall be installed for parking lots, that is designed and certified by an Oregon Registered Professional Engineer to ensure that the rate of runoff at the property line for the 10 year 24 hour storm event is no greater than that which existed prior to development.

(C) Off-street parking for new, replacement or expansion of existing commercial or industrial developments shall provide a minimum of 10 foot landscaped front yard setback. All other minimum yard dimensions for parking shall be as required in the Off-Street Parking and Loading Code Section.



## Appendix 2: Policies

### WEST HILLS RURAL AREA PLAN – BURLINGTON RURAL CENTER

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#### BURLINGTON RURAL CENTER

Burlington is a small rural community located approximately 2.5 miles from the city of Portland, and is located along Highway 30. The elevation of the Burlington area ranges from close to sea level to 200 feet above sea level. Elevation rises steeply from Highway 30 to the Burlington Northern Cornelius Pass Line railroad tracks.

Burlington is the only identified rural center in the West Hills rural area. It was the subject of a land use study in 1981, which identified the current rural center boundaries (approximately 30 acres). The remainder of the 90 acre Burlington area (analyzed in the 1981 land use study) is was designated Commercial Forest Use, and is virtually undeveloped to this day. This study area sits at the base of the Tualatin Mountains, and lies between the Burlington Northern Astoria line railroad tracks to the east of Highway 30, and the Burlington Northern Cornelius Pass line railroad tracks to the south and west. The 1981 study was not adopted as an ordinance by the Board of Commissioners.

On October 28, 1994, the Oregon Land Conservation and Development Commission adopted new administrative rules and goal amendments establishing planning and zoning requirements for unincorporated communities (OAR 660, Division 22, Unincorporated Communities). Planning for Burlington must conform to these new rules.

Burlington has the distinction of being quite rural despite being near the Urban Growth Boundary of Portland. Burlington is comprised primarily of residential uses, with some commercial uses. Commercial uses include a tavern and a utility building for Qwest Communications. The community also includes the Native American Rehabilitation Association of the Northwest (NARA) Facility. There is no sewer service for the area; properties are served by individual on-site septic systems. Provisions of water are available through the Burlington Water District. Fire protection is contracted out to the City of Portland by the Water District. The study area contains four businesses, two public service facilities, and 41 homes, 11 of which are outside of the existing rural center boundary. Additionally, the eleven acre Holbrook School site, located at the north end of Burlington, at the intersection of Highway 30 and Cornelius Pass Rd, has been purchased for use as a residential care facility. No new residences have been constructed within the Burlington Rural Center since 1981. Based upon OAR 660-22, Burlington qualifies as a "Rural Community," since it consists of residential uses and at least two other land uses that provide commercial, industrial, or public uses to the community, the surrounding rural area, or to persons traveling through the area.

The elevation of the Burlington area ranges from close to sea level to 200 feet above sea level. Elevation rises severely from Highway 30 to the Burlington Northern Cornelius Pass line railroad tracks to the south, and more gently to the north. Property beyond the Burlington Northern Astoria line railroad tracks to the north and east is subject to flooding from high water levels in Multnomah Channel.

State Highway 30 and Cornelius Pass Rd. provide major access to Burlington. The remaining roads in the area, Burlington, Wapato, and McNamee, provide access to homes and properties abutting them. Many unbuilt "paper" roads criss-cross the area, in some cases these roads are unbuildable due to topography.

Public services available in Burlington include schools, water, police, and fire protection. Students attend schools in the Portland School District. Provision of water and fire services are available through the Burlington Water



District. The water district purchases water from the City of Portland and holds the water supply in a reservoir located southwest of the highway on property owned by the District. Due to infrastructure age and maintenance delay, the Water District is experiencing a 38% leakage in water transmission. Also, due to undersizing of the infrastructure and residential development in excess of initial design, there is inadequate water pressure to meet the needs of some residents. However, the affected residents are not within the boundaries of the current rural center, all of which has an adequate existing water supply. The Water District currently serves 293 people and an additional 65 to 69 people who live outside the district. Fire protection is contracted out to the City of Portland by the Water District, at a cost in Fiscal Year 1993-94 of \$38,000. Police service is provided by the Multnomah County Sheriff.

Most of the area within the community, with the exception of the northern portion, is within the Burlington Subdivision, platted in 1909, with an average lot size at 8,000 square feet. This subdivision extends west and south of the Burlington Northern Cornelius Pass line railroad tracks into commercial forest lands. Most of the subdivision located outside of the existing rural center boundary is under a single ownership.

The Burlington community has both positive and negative aspects to be considered as part of any expansion of the Burlington Rural Center. Positive aspects which would lead to a conclusion of allowing expansion include:

2. Expansion of the Burlington rural center would provide a concentrated focus for the local commercial needs of West Hills residents, as well as road-oriented commercial needs of Highway 30 motorists.
3. Allowing additional residential development in Burlington would provide an opportunity for rural lifestyles which is much in demand for the West Hills rural area.
4. Due to its location and the amount of existing development, Burlington has little significant value in relation to identified Goal 5 resources such as wildlife habitat, significant streams, or scenic views.
5. Burlington has a water district in place to provide public water service to a more concentrated population, as opposed to the use of individual wells. However, the district's current system is antiquated and inadequate to serve additional development outside of the rural center—see #3 under negatives below.

Negative aspects which would lead to a conclusion of maintaining the existing rural center boundary include:

2. Burlington is severely constrained geographically by the Tualatin Mountains which rise steeply from Highway 30.
3. Residential development is less desirable here compared to other areas of the West Hills due to the geographic constraints and the proximity to the heavy traffic on Highway 30.
4. The Burlington Water District has antiquated facilities which are incapable of serving a significant influx of new residents and businesses outside of the existing rural center.
5. The Burlington Rural Center does not currently include the types of businesses which would serve the West Hills Rural Area—its function is to mainly serve traffic along Highway 30. It is questionable whether, even if local services were available, West Hills residents would use Burlington as a rural center.

Any future expansion of the rural center boundaries in Burlington is dependent upon 1) a community public facility plan prepared pursuant to OAR 660 Division 11 for improvements to the facilities of the Burlington Water District, 2) evidence of increased demand for new housing in Burlington, and 3) market analysis indicating that an expansion of the Burlington Rural Center is necessary to serve the commercial and institutional land use needs of



~~the West Hills Rural Area and not merely to serve Highway 30 traffic. If these three criteria can be met, expansion of the rural center zoning district in Burlington should be considered for the remainder of the 90-acre Burlington community. Until then, no expansion of the Burlington Rural Center is proposed.~~

\* \* \* \* \*

### ***Other Potential Rural Centers***

As mentioned above, the West Hills Rural Area is not served by the Burlington Rural Center. West Hills Rural Area residents have no community focus. Commercial needs are met by nearby communities -- Northwest Portland, Tanasbourne, West Union, Cedar Mill, and Bethany to the south, and Scappoose to the north. A small nucleus of uses near the intersection of Skyline Blvd. and Cornelius Pass Rd. -- a grocery store, an auto garage, Skyline Elementary School, the American Legion Post, and a church, do provide a potential focus for a future rural center. However, the current population of the West Hills shows no great desire for an enhanced community focus area which would be provided by a rural center in this location. Should the community show a need or desire for such a rural center, planning studies should focus on the area near the intersection of Skyline Blvd. and Cornelius Pass Rd. for its establishment.

\* \* \* \* \*

POLICY 4: Do not designate additional "Exception" lands in the rural West Hills. [*Amended 1999, Ord. 924 § II*]

STRATEGY: Consider redesignation of approximately 80 acres at the intersection of U.S. Highway 30 and Watson Road, adjacent to the Columbia County line, from Commercial Forest Use CFU-2 to CFU-5. [*Amended 1999, Ord. 924 § II*]

POLICY 5: Promote a community core in the rural West Hills through establishment of a rural center which serves the local needs of West Hills residents.

STRATEGY: Consider a limited area near the intersection of Cornelius Pass Road and Skyline Blvd. for designation as a Rural Center if justified by a county-initiated assessment of the need for additional commercial or other uses to support public needs in the rural West Hills.

STRATEGY: Do not consider expansion of the existing Burlington Rural Center unless 1) existing facilities of the Burlington Water District are upgraded, 2) evidence of increased demand for housing and commercial or institutional services in Burlington exists in the form of construction on vacant lots within the existing rural center boundaries, and 3) a market analysis indicates that the expansion of the Burlington Rural Center is necessary to serve West Hills Rural Area needs.

### **POLICY 6:**

Implement a Plan for the Burlington Community that is consistent with the Community Vision reflecting the input received indicating the community's satisfaction with the community the way it is. Key elements of the vision are to maintain the rural character of the community, and to ensure that new businesses support the needs of residents.

### **Strategies**

- The County should adopt plan policies and ordinances that meet the state Unincorporated Community Rule codified as Oregon Administrative Rule OAR 660-022-0000 through 0070.



- Burlington should be designated and planned as a Rural Community because it is composed primarily of permanent residential uses with at least two other land uses present (such as commercial, industrial or public uses).
- Revise the Rural Center zoning ordinance to reflect the needs of the Burlington community consistent with the Division 22 OAR for Unincorporated Communities.

## **Commercial and Industrial Development**

### **POLICY 7:**

New commercial and industrial uses within the Burlington Rural Community need to be small-scale and low impact in nature as defined by the State Unincorporated Communities Rule and to be consistent with the rural nature of the community. These uses will not adversely impact agriculture or forestry uses and will reinforce the rural nature of the Burlington Community.

### **Strategies**

- Multnomah County will update county codes to implement the Unincorporated Communities Rule for small-scale, low impact commercial and industrial uses. Due to the proximity of the communities to the Urban Growth Boundary (UGB), the plan does not justify new uses that are larger than the small-scale, low impact limits in the State Rule.
  - Existing commercial uses may expand up to the small-scale, low impact limit of 4,000 square feet subject to approval criteria in the ordinance.
  - Expansion of existing industrial uses shall be subject to the small-scale, low impact limit of 10,000 square feet and to approval criteria in the ordinance.
- Multnomah County will update its implementing regulations to ensure that new or expanded commercial and industrial development will not result in public health hazards or adverse environmental impacts.
- The County will update its implementing regulations to ensure that new or expanded commercial and industrial development will not exceed the carrying capacity of the soil or of existing water supply and waste disposal services.
- The County will ensure that new and expanded commercial or industrial uses are subject to Design Review in order to ensure compatibility with the community character and vision.

## **Residential Development**

### **POLICY 8:**

Maintain existing density allowed under current zoning.

### **Strategies**

- The County will update the zoning ordinance to implement the Unincorporated Communities Rule for consistency for residential development while maintaining existing density allowed currently.
- Include provisions in the residential zone that allow for Type A home occupations outright, and Type B home occupations through a conditional use process and design review.
- The zoning code for new residential parcels in the Rural Center will be at least two acres in order to not increase residential density and to ensure that the carrying capacity of public services and the environment is not exceeded.

## **Design**

### **POLICY 9:**



Accommodate the changing conditions within the Burlington community while preserving their rural function and appearance

**Strategies**

- The County should allow flexibility of setback and parking requirements to accommodate irregular lots and existing developments to help preserve the rural character of the area.

**Transportation**

**POLICY 10:**

Enhance all modes of travel in a manner consistent with the rural character of the Burlington Community.

**Strategies**

- Provide pedestrian and bicycle access throughout the Burlington Community consistent with the rural character of the area.
- Review the existing parking standards to ensure sufficient parking is provided to meet demand.

\* \* \* \* \*

---



**Appendix 3: Maps**  
**Map 1: Community Boundary**



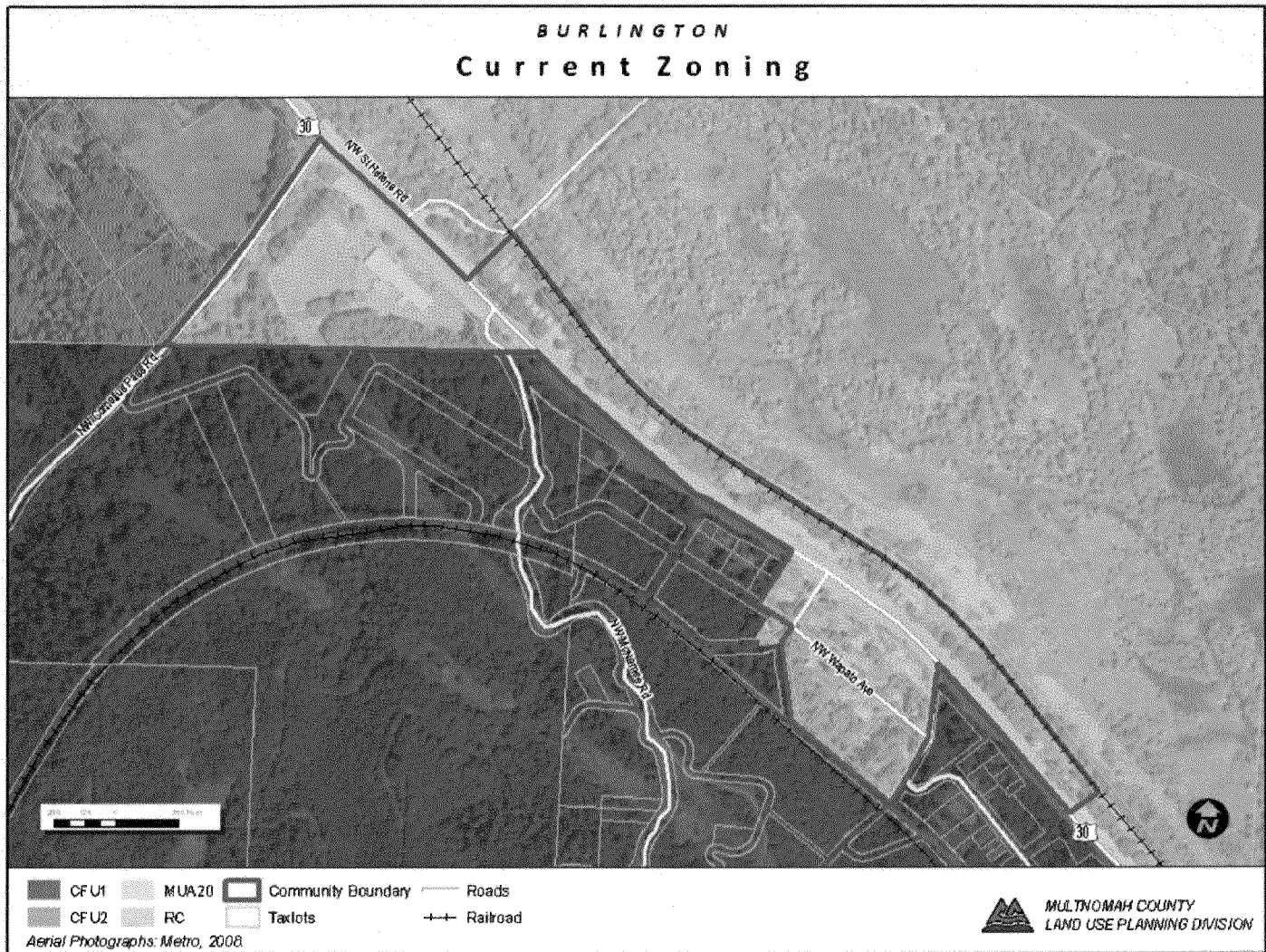


## Map 2: Land Use





Map 3: Zoning



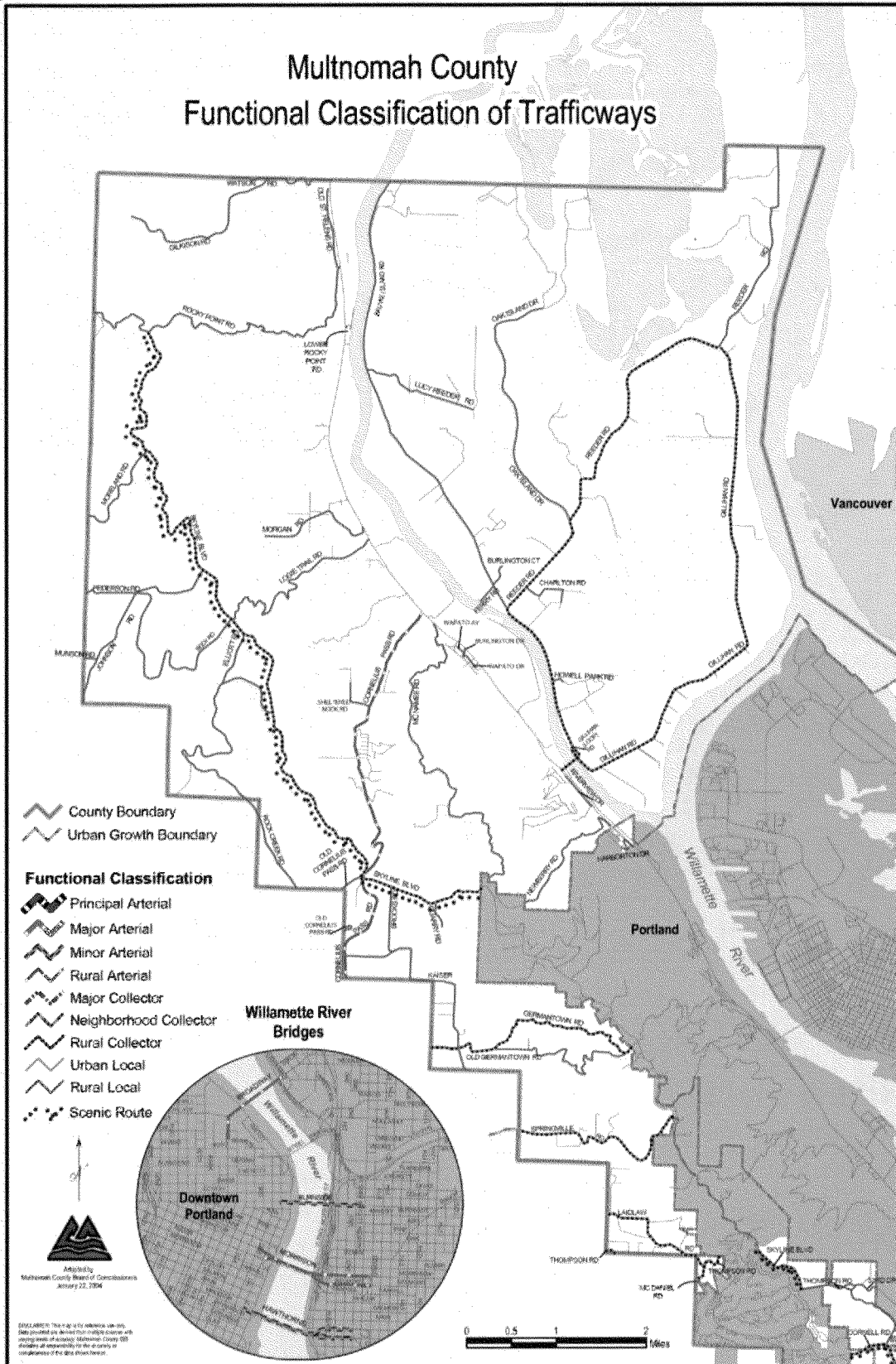


Map 4: Zoning Overlay



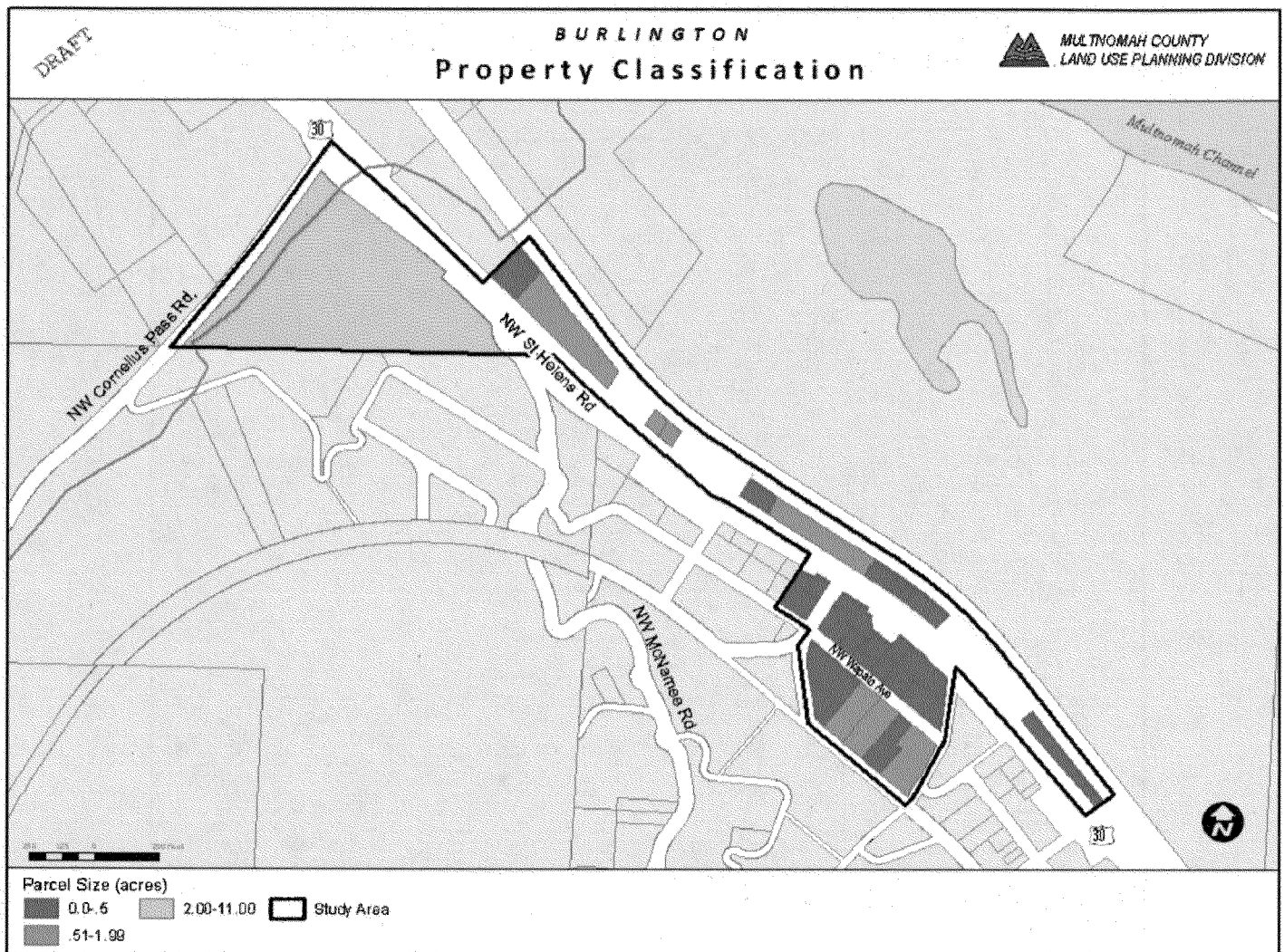


### Map 5: Transportation





Map 6: Range of Parcel Sizes (Acres)





**Appendix 4: Inventory/Data Table**

RNO	Parcel Size Class	LANDUSE
R119900060	.51-1.99	COM
R119900080	.51-1.99	COM
R119900210	0.0-.5	SFR
R119900250	.51-1.99	SFR
R119900410	0.0-.5	SFR
R119900430	0.0-.5	SFR
R119900440	0.0-.5	COM
R119900470	0.0-.5	COM
R119900640	0.0-.5	VAC
R119900660	0.0-.5	VAC
R119900690	0.0-.5	SFR
R119900740	0.0-.5	SFR
R119900750	0.0-.5	SFR
R119900760	0.0-.5	VAC
R119901640	0.0-.5	VAC
R119901650	0.0-.5	VAC
R119901670	0.0-.5	VAC
R119901680	0.0-.5	VAC
R119901690	0.0-.5	SFR
R119901720	0.0-.5	VAC
R119901740	0.0-.5	VAC
R119901770	0.0-.5	SFR
R119901800	0.0-.5	SFR
R119901820	0.0-.5	SFR
R119901880	0.0-.5	SFR
R119901920	0.0-.5	VAC
R119902130	0.0-.5	SFR
R119902150	0.0-.5	SFR
R119903080	0.0-.5	VAC
R119903100	0.0-.5	VAC
R119903110	0.0-.5	VAC
R119903120	.51-1.99	SFR
R119903150	.51-1.99	SFR
R119903180	0.0-.5	SFR
R119903210	.51-1.99	SFR
R119903370	0.0-.5	SFR
R649862770	0.0-.5	SFR
R649875730	0.0-.5	SFR
R649875740	.51-1.99	SFR
R971180070	2.00-11.00	COM

SFR: Single Family Residence

VAC: Vacant

COM: Commercial



## Appendix 5: Public Involvement and Process

- Fliers
- Website



# COME JOIN US!

## BURLINGTON RURAL COMMUNITY PLANNING MEETING

**Location: Skyline Grange**  
**11275 NW Skyline Blvd, Portland, OR 97231**  
**Date and Time: April 27, 2010 from 7:00 pm to 8:30 pm**

*Note: From 5:30-7:00 pm, a separate Open House is being held to share general information on the county land use, code compliance, and transportation programs. This event is not a part of the Burlington meeting.*

Multnomah County Land Use Planning is beginning work on a zoning plan for Burlington. You're invited to come and share your views. Our goal is to better understand your Community and to plan for its future under the guidance of Oregon State Planning Goals and Guidelines. Come join us to learn about the process, review data and information about the area, and give us your feedback.

Burlington was recognized as an unincorporated rural community in the Multnomah County Comprehensive Plan and was zoned Rural Center in 1977. State rules recognize that areas of residential and commercial land uses which are more intensive than is allowed on rural land existed outside of urban growth boundaries when the statewide planning goals were adopted in 1973. State Administrative Rules in OAR 660-022-0000 to 660-022-0070 include requirements for counties to implement to help plan for these areas.

### **Why are we going through this process?**

Community plans are required under statewide regulations for unincorporated communities, such as Burlington. The rules generally require that zoning provide for appropriate uses and level of development to ensure that nearby agricultural or forestry uses are not adversely affected, that the capacity and function of transportation facilities is maintained, and that water quality and the carrying capacity of soil and water supplies is maintained. This allows the County to maintain appropriate zoning regulations for its unincorporated areas outside of the regional Urban Growth Boundary (UGB).

### **What is the timeline for the project?**

Our goal is to adopt any needed plan and zoning amendments by the end of this calendar year. A series of three community meetings will be scheduled throughout the year starting with the introductory meeting in April. Future meetings will be scheduled in June and September of this year to review drafts and provide feedback on the community plan.

### **How can I participate in the process?**

If you want more information, if you cannot attend, or if you want to sign up for email updates, please see below for more information on how to participate.

Send us comments:

Attention: Burlington Rural Community Planning



1600 SE 190<sup>th</sup> Ave, Suite 116  
Portland, OR 97202  
Email: [burlingtonplan@co.multnomah.or.us](mailto:burlingtonplan@co.multnomah.or.us)  
Fax: 503-988-3389

Sign-up for email notices: [burlingtonplan@co.multnomah.or.us](mailto:burlingtonplan@co.multnomah.or.us)

**Where can I get more information?**

Check online for upcoming dates of future community meetings and posted documents and information at [www.multco.us/burlingtonplan](http://www.multco.us/burlingtonplan)

**Who do I contact if I have questions?**

George Plummer  
Phone: 503-988-3043 extension 29152  
Email: [george.a.plummer@co.multnomah.or.us](mailto:george.a.plummer@co.multnomah.or.us)

Joanna Valencia  
Phone: 503-988-3043 extension 29637  
Email: [joanna.valencia@co.multnomah.or.us](mailto:joanna.valencia@co.multnomah.or.us)

**BURLINGTON**  
**Community Boundary**



 Community Boundary       Roads

Aerial Photographs: Metro, 2008

0 100 200 300 Feet



MULTNOMAH COUNTY  
LAND USE PLANNING DIVISION





# Informational Handout

## Why are we going through this process?

The Oregon Statewide Planning Goals and guidelines require planning for all the communities in the state. The Oregon Administrative Rules (OAR's) provide supporting legislation for communities working to implement the applicable Statewide Planning Goals. The OAR that applies specifically to land use planning for Unincorporated Communities is OAR 660-022, also known as the Unincorporated Communities Rule.

The Unincorporated Communities Rule requires that established communities outside of urban growth boundaries be designated and planned as one of the four types of communities described in the Rule. Due to the characteristics of the Burlington Rural Center area, county staff has determined that it should be designated as a Rural Community. Specific provisions for Rural Communities require that counties adopt rural community zoning designations for the uses within the area. The type and extent of specific uses permitted are subject to provisions outlined in the Rule.

The Burlington area is currently zoned as Rural Center, which allows single family residential uses outright and requires a conditional use review to establish some community service uses and commercial uses. State rules for rural communities acknowledge that some concentrated areas of residential and commercial activities have come to exist outside of urban growth boundaries. State guidelines for these areas help counties plan for these areas. The state rule requires that counties identify and designate such areas, plan for permitted and prohibited uses, and anticipate future facility needs. This task aims to accomplish this and identify the appropriate designations for this area.

## What is the Unincorporated Communities Rule?

Through the Unincorporated Communities Rule, the State has acknowledged that some communities have developed outside of urban growth boundaries to an extent that they are not entirely rural in nature. State guidelines for these areas have been implemented to help counties plan for these areas and bypass a stringent "exceptions" process (detailed in statewide Goal 2, land use planning) in their planning efforts. The rule requires that counties identify and designate such areas, plan for permitted and prohibited uses, and anticipate current and future facilities needs.

The rule provides, first, for areas to be designated as either Urban Unincorporated Communities or one of three rural types of unincorporated communities. An Urban Unincorporated Community contains over 150 permanent residential dwellings and a mixture of land uses, and is served by a community sewer and water system.

According to the State Rule, Rural Unincorporated Communities may be defined as one of the three following types:

- Resort Communities- established primarily for recreation and resort purposes.
- Rural Communities- consisting primarily of permanent residential dwellings, with at least two other land uses present (such as commercial, industrial or public uses).
- Rural Service Centers- consisting primarily of commercial or industrial uses. They provide goods and services to the surrounding rural area and to persons travelling through the area.

In order to determine the appropriate designation for the Burlington area, county staff conducted a parcel-by-parcel inventory of the area. The inventory included site visits, inspections of aerial



photographs and Assessor data, and a land use overview. The current area of the Burlington Rural Center is defined by the extent of the Rural Center zoning district. The findings from this inventory are illustrated in the land use map we have provided.

#### **What does this task accomplish?**

This task will determine the type of community Burlington is and guide us in planning for that type of community. Data collection including an inventory of existing uses, services and infrastructure is being conducted. We will be doing community outreach to discover issues, concerns, and the vision of the community of Burlington. The final product of this task includes a community plan and zoning consistent with the findings of the public process-our research, and state requirements.

The goal of this project is to provide for appropriate zoning for the Community of Burlington and to achieve compliance with Division Oregon Administrative Rule Division 22, Unincorporated Communities Rule. The project will be tailored and focused to follow an approach that achieves compliance.

Our goal is to adopt a community type designation, a community plan and zoning amendments for Burlington. A series of three community meetings will be scheduled: an introductory meeting in April and future meetings will be scheduled in June and September of this year to review drafts and provide feedback on the community plan.

#### **Next Steps**

- Future community meetings tentatively scheduled for June and September
- Opportunity to review and comment on Preliminary Plan
- Planning Commission in October/November
- Board of Commissioners in December
- Target to adopt by the end of calendar year

#### **How can I participate in the process?**

Send us comments:

Attention: Burlington Rural Community Project  
1600 SE 190<sup>th</sup> Ave, Suite 116  
Portland, OR 97233  
Email: [burlingtonplan@co.multnomah.or.us](mailto:burlingtonplan@co.multnomah.or.us)  
Fax: 503-988-3389

Sign-up for email notices: [burlingtonplan@co.multnomah.or.us](mailto:burlingtonplan@co.multnomah.or.us)

Survey available online at: [www.multco.us/burlingtonplan](http://www.multco.us/burlingtonplan)

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Email: [george.a.plummer@co.multnomah.or.us](mailto:george.a.plummer@co.multnomah.or.us)

Joanna Valencia  
Phone: 503-988-3043 extension 29637  
Email: [joanna.valencia@co.multnomah.or.us](mailto:joanna.valencia@co.multnomah.or.us)





# Burlington

## *Summary and Inventory*

### Introduction

Burlington is approximately 2.5 miles from the city of Portland, and is located along Highway 30. The community is comprised primarily of residential uses, with some commercial uses.

### History

Burlington was recognized as an unincorporated rural community in the Multnomah County Comprehensive Plan and was zoned Rural Center in 1977. The established Rural Center zoning district applied to approximately 30 acres in the Burlington Community. This zoning district is intended to encourage concentrations of rural residential development, together with limited local and tourist commercial uses, light industrial uses, and public service uses and centers such as churches, fire stations, schools, etc.

### Land Use and Inventory

Table 1 below provides data on the number of parcels and acreage per Land Use designation and three parcel size classifications. A majority of the acreage is in Single Family Use, with a small number in commercial use or vacant land. Burlington is comprised of 40 parcels totaling approximately 21.73 acres.

Burlington  
Table 1

		LANDUSE			
Parcel Size Class	Data	Commercial	SFR	Vacant	Grand Total
0.0-.5	Total Acres	0.36	3.69	1.81	5.86
	Number of Parcels	2	17	13	32
.51-1.99	Total Acres	1.04	3.84		4.88
	Number of Parcels	2	5		7
2.00-11.00	Total Acres	10.99			10.99
	Number of Parcels	1			1
Total Acres		12.39	7.53	1.81	21.73
Number of Parcels		5	22	13	40

\*Doesn't include acreage in right-of-way  
Updated 4/22/10

### Zoning

The current zoning of the parcels located within the Burlington Community Boundary is Rural Center. The Rural Center zoning district permits residences outright, and under a Conditional Use Permit may permit 1) limited rural service commercial uses such as local stores, shops, offices, repair shops and similar uses, 2) tourist commercial uses such as restaurants, taverns, gas stations, motels, guest ranches, and similar uses, 3) light manufacturing uses that employ fewer than 20 people, 4) commercial processing of agricultural or forestry products primarily grown in the vicinity, and 5) community service uses such as schools and churches. All new lots must be at least two acres in size.





[County Home](#) » [Departments](#) » [Community Services](#) » [Land Use & Transportation](#) » [Land Use Planning](#) » [Codes & Plans](#) » [Burlington Rural Community Planning Meeting](#)

### Burlington Rural Community Planning Meeting

Upcoming Community Meeting to review draft Community Plan, Policies and Zoning  
Tuesday, September 14th, 6:00 pm to 7:00 pm

Location: Skyline Grange  
11275 NW Skyline Blvd, Portland OR 97231  
Elier

Meeting Documents:  
[Plan](#) | [Policy](#) | [Zoning](#)

#### Documents:

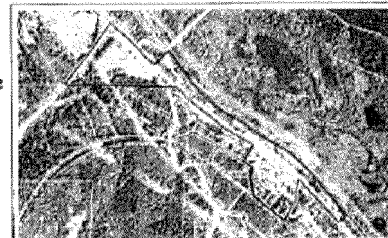
- Handouts: [Summary and Inventory](#) | [Informational Handout](#)
- Maps: [Land Use](#) | [Zoning](#) | [Zoning Overlays](#)
- June 30 Meeting Handouts: [DRAFT Burlington Unincorporated Community Plan](#) | [Memo: Response to community comments raised for Burlington Community](#) | [Burlington Policies Document](#) | [Burlington Zoning Document](#)

Multnomah County Land Use Planning is beginning work on a zoning plan for Burlington. You're invited to share your views. Our goal is to better understand your Community and to plan for its future under the guidance of Oregon State Planning Goals and Guidelines. Learn about the process, review data and information about the area, and give us your feedback.

Burlington was recognized as an unincorporated rural community in the Multnomah County Comprehensive Plan and was zoned Rural Center in 1977. State rules recognize that areas of residential and commercial land uses which are more intensive than is allowed on rural land existed outside of urban growth boundaries when the statewide planning goals were adopted in 1973. State Administrative Rules in OAR 660-022-0000 to 660-022-0070 include requirements for counties to implement to help plan for these areas.

#### Why are we going through this process?

Community plans are required under statewide regulations for unincorporated communities, such as Burlington. The rules generally require that zoning provide for appropriate uses and level of development to ensure that nearby agricultural or forestry uses are not adversely affected, that the capacity and function of transportation facilities is maintained, and that water quality and the carrying capacity of soil and water supplies is maintained. This allows the County to maintain appropriate zoning regulations for its unincorporated areas outside of the regional Urban Growth Boundary (UGB).



Burlington Community Boundary Map  
[Click here for full-sized map](#)

#### What is the timeline for the project?

Our goal is to adopt any needed plan and zoning amendments by the end of this calendar year. A series of three community meetings will be scheduled throughout the year. The first was held on April 27. Future meetings will be scheduled in June and September of this year to review drafts and provide feedback on the community plan.

#### How can I participate in the process?

If you want more information, or if you want to sign up for email updates, please see below for more information on how to participate.

#### Send us comments:

Attention: Burlington Rural Center Project  
1600 SE 190th Ave, Suite 116



<http://www2.co.multnomah.or.us/Public/EntryPoint?ch=d0a30e0ce5b67...>

Portland, OR 97233  
Email: [burlingtonplan@co.multnomah.or.us](mailto:burlingtonplan@co.multnomah.or.us)  
Fax: 503-988-3389  
Sign-up for email notices: [burlingtonplan@co.multnomah.or.us](mailto:burlingtonplan@co.multnomah.or.us)

Attachment D. Public Outreach Materials  
PC-10-009, Burlington

Who do I contact if I have questions?

George Plummer  
Phone: 503-988-3043 extension 29152  
Email: [george.a.plummer@co.multnomah.or.us](mailto:george.a.plummer@co.multnomah.or.us)

Joanna Valencia  
Phone: 503-988-3043 extension 29637  
Email: [joanna.valencia@co.multnomah.or.us](mailto:joanna.valencia@co.multnomah.or.us)

Portland, OR 97214 | Phone: 503.823.4000 | TDD: 503.823.6868  
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## Appendix 6: April 27, 2010 Community Meeting

- Handouts
- PowerPoint Presentation
- Community Input

The April 27<sup>th</sup> Community Meeting, included a staff presentation and a staff led Community Input Session. The staff facilitated Community Input Session involved a large group discussion with those in attendance. Staff posed the three questions below and initiated discussion and noted the feedback received during the input session. The information below reflects the community input received in response to the three questions asked by staff.

### Community Input Session

Burlington Community Meeting  
April 27, 2010  
Skyline Grange, 7-8:30pm

#### 1. What aspects of the Burlington Community do you like? What is important to you?

Preserve what's there. Preserve the community

Like location and proximity to cities but still be in the county (rural)

It's a walkable community

Community feel

Good water service

Like the current density

Feel safe

Neighborhood

#### 2. What issues are important to the Burlington Community?

Why was the boundary set where it is?

Can it be expanded to include lots currently outside of Rural Center zoning?

Small lots

Sewer and water service on small lots

Want a place to live. Being able to replace home if destroyed.

Septic regulations

Concerned about being able to maintain current residence

Make sure that we preserve the interest of the community while meeting state laws



METRO owns approximately 20 lots. METRO interested in expanding boundary. Current CFU zoning is restricting. METRO is interested in getting rid of smaller lots in their ownership.

Being able to develop vacant lots with setback and septic requirements

Would like a grocery store, gas station, restaurant in the community

No TriMet bus service. Can we get service?

Columbia County Riders Service? Commuting. Can we collaborate to establish service?

Traffic congestion- commuters from Columbia County

What about a commuter rail line?

Difficult at times to get on Highway 30

We don't have enough room for services (grocery stores, etc.)

Access to Highway 30 (safety)

Burlington Avenue intersection to Highway 30- sight distance concerns

Explore reduction of speed limit

**3. What suggestions do you have for improving the Burlington Community?**

Look into expanding community boundary to recognize "de facto" community boundary. Smaller lots not currently in boundary.

---



Survey and Comment Letters Received

05/05/2010 16:43 FAX 5038464489

Health Clinic Hillsboro

002/002



## Burlington Community Survey

Please fill out and return to the Multnomah County Land Use and Transportation Program Office by May 7, 2010. Attach additional sheets if needed. The survey is also available online at [www.multco.us/burlingtonplan](http://www.multco.us/burlingtonplan).

1. What aspects of the Burlington Community do you like? What is important to you?

That it is a forested area/sim. community ~~close~~ to pt (incl. close)

2. What issues are important to the Burlington Community?

Traffic, clean H<sub>2</sub>O, ~~not~~ minimal ~~and~~ increase in development, keeping Metro areas in mind (greenspace and opening individual lots to purchase from adjacent home owners)

3. What suggestions do you have for improving the Burlington Community?

TRIMET!!  
Public transit is VERY MUCH needed in this part of Multnomah County to join up c MAX Lines both downtown & Hills-

Your Name:	Beth Doyle	When completed, please return to:
Mailing Address:	116017 NW St. Helens Rd. <sup>pt-61</sup> 97231	Attention: Burlington Rural Community Project
Phone Number:	(503) 621-9854	1600 SE 190 <sup>th</sup> Ave, Suite 116
Email:	scupcat@earthlink.net	Portland, OR 97233
		Email: <a href="mailto:burlingtonplan@co.multnomah.or.us">burlingtonplan@co.multnomah.or.us</a>
		Fax: 503-988-3389
		Phone: 503-988-3043
		Staff Contacts: George Plummer or Joanna Valencia

4. Include any additional comments, suggestions or questions you may have:

We live in an area of Multnomah county that has been ignored by the county for a long time. That's not entirely bad, we don't need a lot of attention, but an organized plan for development is a good thing. Getting public transit to our area would be a VERY good thing.

Thank You



RECEIVED

10 MAY -6 AM 10:10

MULTNOMAH COUNTY  
PLANNING SECTION

Georgé Plummer  
Joanna Valencia  
Multnomah County Land Use Planning  
1600 SE 190<sup>th</sup> Ave, Suite 116  
May 5, 2010

Dear Joanna and George,

Thank you for the opportunity to provide our input at the recent Burlington Neighborhood meeting. On behalf of my wife Julie and myself I would like to recap the most important points we attempted to make at the meeting.

First, the neighborhood boundary should reflect the actual residential neighborhood that exists now, rather than excluding existing homes in this contiguous geographic area. The actual Burlington neighborhood is well separated from any other residential area by substantial stretches of open or forested land. It makes little sense – even from a land use perspective – to exclude residences in this clearly distinct area from the neighborhood boundary. Although we can in all possibility never reconstruct the process that led to the boundary drawn in 1977, I would respectfully submit that the process that led to the present boundary excluding then-existing homes was flawed at best. This should be an opportunity to correct that error. If necessary I can provide you with a list of the addresses currently outside the boundary which should be included although 5 minutes with one of your GIS technicians would produce the same results. I suspect that a property by property search of the tax records would confirm that most, if not all of these homes existed when the 1977 boundary was established.

Second, the zoning within the ultimate boundary should reflect its residential use. We would like to make it clear that we do not necessarily seek to increase development or density within the neighborhood but rather to increase the likelihood that existing homes on undersized lots might have a means to improve or repair their properties should the occasion arise. As was repeatedly pointed out during the meeting, wastewater disposal is a primary concern for any rural property, and septic systems are to a significant degree limited by the space available to install them. METRO is the owner of most of the property in the Burlington area that does not have a home presently situated on it. They would of course play a prominent role in facilitating this idea of continuance of any individual residence adjacent to land METRO currently owns, but establishing the neighborhood identity might lend significant weight to their future decisions on the disposition of such properties.

Our final point concerns Multnomah County's role in embracing the needs of its citizens. Public hearings may provide an opportunity to voice our concerns, but we are a very small and isolated constituency – we need advocates. When members of your staff meet with other departments or agencies to discuss issues that concern or affect us, how do we make our little voice heard over the cacophony of ever increasing bureaucratic infrastructure which act as a barrier to public agencies being able to serve the needs of their citizens?



Think of us as a pedestrian on a sidewalk. The sidewalk is for walking. We have a right to walk. But other uses have begun to encroach onto the sidewalk: utility poles, signal boxes, fire hydrants, bike racks, paper boxes, sidewalk cafes, etc. Each of these is legitimate too, and each has an advocacy of sorts, but collectively and without oversight they can begin to displace the primary purpose of the sidewalk: to facilitate pedestrian transportation.



Allow me to cite one example of this. The Burlington area is not served by TRIMET. If we wanted to take the bus, we would have to walk two miles to a stop which offered infrequent service at best. The St Helens based transit agency *Columbia County Rider* goes by our neighborhood several times a day but does not stop – apparently can't stop – in Burlington. Why? Is it because it would be poaching on potential TRIMET turf? Is it because all transit agencies are subsidized to some extent by taxes of their home jurisdiction and Burlington is out of that jurisdiction? We don't know really, and we're not suggesting that it's Multnomah County's problem to solve, but we feel that anything we can do to strengthen our neighborhood identity also strengthens our chance of solving the problem in the future.

Meanwhile, anything your office can do to support our cause would be very much appreciated.

Respectfully,

Charles Morrow  
16501 NW Wapato Drive  
Portland, OR 97231

By way of a postscript, one of my neighbors who couldn't attend the meeting asks that you add him to the e-mail update list. His name is Lee Heckman, his e-mail address is <mailto:hummingbirdprojector@gmail.com>  
Thanks again. CM



## Appendix 7: June 30, 2010 Community Meeting

The June 30th Community Meeting, included a staff presentation and a staff led Community Input Session. The staff facilitated Community Input Session involved a large group discussion with those in attendance. Staff initiated discussion and noted the feedback received during the input session. The information below reflects the community input received.

### Community Input Session

Burlington Community Meeting

June 30, 2010

Linnton Community Center, 6-7:30pm

#### Community Comment

Take a look at setback requirements.

Reduce to allow more use of lots.

33.5'X100' deep lots limit development with setbacks that are currently 30' for the front, 30' for the rear, and 10' for sides.

Setbacks encumber a majority of the property.

Support for 10' parking lot setback on front

Take a look at gravel versus paved parking.

Explore zoning options/changes for development standards for commercial and/or residential uses.



## Appendix 8: Findings

### Findings

Statewide Planning Goals Compliance  
and Compliance with OAR Chapter 660, Division 22, the Unincorporated Communities Rule

#### Burlington Community Plan, PC-10-009

##### Statewide Planning Goals Compliance

MCC Chapter 11.05.180 Standards for Plan and Revisions requires legislative plan amendments comply with the applicable Statewide Planning goals pursuant to ORS 197.175(2)(a). These findings show that the Burlington Community Plan amendments are consistent with and comply with the applicable goals which include: Goal 1: Citizen Involvement, Goal 2: Land Use Planning, Goal 3: Agricultural Lands, Goal 4: Forest Lands, Goal 5: Natural Resources, Scenic and Historic Areas, and Open Spaces, Goal 6: Air, Water and Land Resources Quality, Goal 11: Public Facilities and Services and Goal 14: Urbanization.

##### GOAL 1: CITIZEN INVOLVEMENT

To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

***Finding:** The public outreach program for the project included a number of different methods including mailed and emailed notification, conducting a community survey, and holding meetings in the community. A series of three public meetings were held for the community, with one being held in the nearby community of Linnton and the other two meetings held at the Skyline Grange Hall. The first meetings included staff presentations and community input sessions. The second and third meeting, staff met with individuals that attended. Results from these meetings were that the citizens are generally happy with their community and enjoy the neighborhood, and they want to preserve the community as it is. Concerns raised included septic requirements and small lots, lack of services such as a grocery store, gas station and restaurant in the community, concerns with traffic on Highway 30, expansion of the community boundary, and lack of transportation alternatives especially bus service in particular. Public hearings were held before the Planning Commission and Board of Commissioners, where the public had opportunity to provide testimony.*

##### GOAL 2: LAND USE PLANNING

To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions.

***Finding:** The Burlington Community plan and map, policies and zoning amendments put in place the framework needed to carry out the objectives of the Unincorporated Communities Rule by:*

- *Identifying the community boundary,*
- *Inventorizing and analyzing data and information about the community related to the existing land uses, available public services, parcel sizes, and current plan policies and zoning regulations, and*
- *Reviewing the characteristics of the community, preparing a plan, proposing policies and amending the existing zoning regulations for consistency with the State Rule*

##### GOAL 3: AGRICULTURAL LANDS

To preserve and maintain agricultural lands.

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**Finding:** *The proposed boundary does not include any properties which are currently zoned Exclusive Farm Use (EFU) nor is the community adjacent to any lands zoned EFU. Agricultural lands in the county are protected for farm use by existing zoning and plan policies, and these are unchanged by the proposed amendments. The community boundary encircles a contiguous area of "exception land," specifically properties that are currently zoned Rural Center.*

#### GOAL 4: FOREST LANDS

To conserve forest lands by maintaining the forest land base and to protect the state's forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture.

**Finding:** *Forest lands in the county are protected for forest use by existing zoning and plan policies that are unchanged by the proposed amendments. The community boundary encircles a contiguous area of "exception land," specifically properties that are currently zoned Rural Center. Additionally, the proposed boundary does not include any properties which are currently zoned or Commercial Forest Use-1 (CFU-1) or Commercial Forest Use-2 (CFU-2).*

#### GOAL 5: NATURAL RESOURCES, SCENIC AND HISTORIC AREAS, AND OPEN SPACES

To protect natural resources and conserve scenic and historic areas and open spaces.

**Finding:** *The Goal 5 resources in the county are protected by existing zoning and plan policies that are unchanged by the proposed amendments. The community planning efforts recognize the historic Burlington Community, and include policies recognizing the rural character of the area.*

*The only identified Goal 5 resources within Burlington is one stream and associated wetland along the western boundary of the community along Cornelius Pass Road and following the west property line of the NARA facility property. This stream is protected through the existing Significant Environmental Concern Overlay Zone.*

#### GOAL 6: AIR, WATER AND LAND RESOURCES QUALITY

To maintain and improve the quality of the air, water and land resources of the state.

**Finding:** *The OAR Division 22 rule requires that unincorporated community plans assess the capacity of the local public facility infrastructure (i.e., sewer system or septic conditions, water, and transportation systems), and determine if they will be adequate to serve future growth anticipated or planned in the unincorporated community.*

*The Burlington area is not served by a community sewer system. All wastewater treatment in the area is accomplished through on-site septic systems. The Unincorporated Communities Rule requires counties to adopt public facilities plans for unincorporated communities with a population over 2,500, or when expected density or potential health hazard indicates a need for such plans. The current population of the area is significantly below the threshold, and there is no known potential health hazard thus there is no indication of a need for a public facility plan, therefore this rule provision does not apply.*

*The land use and density analysis conducted by staff finds that a minimal number of lots could potentially be developed under the zoning standard of a two acre minimum lot size. All new parcels will have to be served with on-site septic systems that meet Department of Environmental Quality standards. Stormwater control systems designed by an Oregon Registered Engineer to meet no increase of off property flow for up to a 10 year -24 hour rain event are also required. County requirements currently address stormwater management through an engineer's certification of ability of the property to process stormwater. The area is served by the Burlington Water District.*

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*The carrying capacity for on-site sewage disposal is already reviewed by the City of Portland Bureau of Development Services Sanitation and Site Development Office with the office being able to approve or deny building permits based on percolation tests and site inspections.*

*The scale of the existing and potential development allowed through the plan for the Community does not affect air quality.*

#### GOAL 11: PUBLIC FACILITIES AND SERVICES

To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

***Finding:** Public facilities and services are addressed through the findings below for OAR 660-022-0050 of the Division 22 rule for unincorporated communities.*

#### GOAL 14: URBANIZATION

To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.

***Finding:** Two Oregon Administrative Rule divisions that implement elements of Goal 14 are relevant to the Burlington plan. The most important is Division 22, the Unincorporated Communities Rule, the other is Division 27, Urban and Rural Reserves in the Portland Metropolitan Area. The Unincorporated Communities Rule provides a framework for counties to use in identifying and designating unincorporated communities outside established Urban Growth Boundaries (UGB) consistent with Goal 14. The Burlington planning effort recognizes the community as an Unincorporated Community under the rule, and incorporates the requirements to plan and zone for this community type into the county's regulations. Establishing planning rules as proposed for the community of Burlington is consistent with this goal.*

*Multnomah County adopted Comprehensive Plan policy 6A, and amended the county plan and zoning map, in June of 2010 to designate certain areas of the county as Rural Reserve pursuant to the Division 27 Reserves Rule. Areas designated as rural reserve are protected from urbanization for 50 years, and are subject to other limitations. Most relevant to the Burlington plan amendments are the provisions in OAR 660-027-0070(3) and (4)(d) that prohibit the county from amending the plan to allow new uses or smaller lots unless allowed by state rules prior designation of the area as rural reserve. The proposed amendments do not add any new uses, do not increase density, and continue to apply the land division rules in effect when Burlington was designated rural reserve. Thus the proposed plan, policies and zoning code are consistent with Policy 6A, Rural Reserves and OAR Division 27.*

#### **Compliance with OAR Chapter 660, Division 22, the Unincorporated Communities Rule**

The findings below demonstrate that the proposed zoning and comprehensive plan amendments meet the applicable requirements in OAR Chapter 660, Division 22, the Unincorporated Communities Rule.

#### **OAR 660-022-0010**

##### **Definitions**

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(7) "Rural Community" is an unincorporated community which consists primarily of permanent residential dwellings but also has at least two other land uses that provide commercial, industrial, or public uses (including but not limited to

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schools, churches, grange halls, post offices) to the community, the surrounding rural area, or to persons traveling through the area.

**Finding:** *The unincorporated community of Burlington is comprised of 40 parcels. Existing uses include 22 residences, and 3 commercial uses. The community also includes the Native American Rehabilitation Association of the Northwest (NARA) Facility. A vast majority of the land within Burlington has been divided into lots or parcels of less than two acres, with the only parcel larger than two acres being the NARA Facility parcel at 10.99 acres. Most of the lots in the Community of Burlington were created by the Burlington Subdivision, platted in 1909, with an average lot size at 8,000 square feet. This subdivision extends west and south of the Burlington Northern Cornelius Pass Line railroad tracks zoned as commercial forest lands. Most of the Burlington Subdivision, lots are located outside of the existing rural center boundary and most are under a single ownership. The community therefore meets the definition of a rural community, and the plan adopts provisions applicable to that community type.*

(10) "Unincorporated Community" means a settlement with all of the following characteristics:

(a) It is made up primarily of lands subject to an exception to Statewide Planning Goal 3, Goal 4 or both;

**Finding:** *The Burlington community is composed solely of state exception lands as described below in the findings for OAR 660-022-0020(3)).*

(b) It was either identified in a county's acknowledged comprehensive plan as a "rural community", "service center", "rural center", "resort community", or similar term before this division was adopted (October 28, 1994), or it is listed in the Department of Land Conservation and Development's January 30, 1997 "Survey of Oregon's Unincorporated Communities";

**Finding:** *Burlington is listed in the Department of Land Conservation and Development (DLCD) January 30, 1997 "Survey of Oregon's Unincorporated Communities." It also is identified as a rural center in the Multnomah County Comprehensive Framework Plan.*

(c) It lies outside the urban growth boundary of any city;

**Finding:** *Burlington is not within a UGB.*

(d) It is not incorporated as a city; and

**Finding:** *Burlington is not incorporated as a city.*

(e) It met the definition of one of the four types of unincorporated communities in sections (6) through (9) of this rule, and included the uses described in those definitions, prior to the adoption of this division (October 28, 1994).

**Finding:** *Burlington satisfies the definition of Rural Community under OAR 660-022-0010(7) (see findings for subsection 7 above).*

**CONCLUSION:** The Burlington Community satisfies the rule definitions of unincorporated community and Rural Community.

660-022-0020

**Designation of Community Areas**

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(1) Except as provided in OAR 660-022-0070, county comprehensive plans shall designate and identify unincorporated communities in accordance with the definitions in OAR 660-022-0010. Counties may amend these designations as circumstances change over time.

***Finding:*** *Adoption of the Burlington Community Plan as part of the Multnomah County Comprehensive Framework Plan will designate and plan for Burlington as a rural unincorporated community in accordance with the rule.*

(2) Counties shall establish boundaries of unincorporated communities in order to distinguish lands within the community from exception areas, resource lands and other rural lands. The boundaries of unincorporated communities shall be shown on the county comprehensive plan map at a scale sufficient to determine accurately which properties are included.

***Finding:*** *The Burlington Community Plan Map includes a boundary that distinguishes the unincorporated community from surrounding exception areas, resource lands, and other rural land. The map shows the Community boundary at a scale that clearly indicates the properties that are included within the boundary.*

(3) Only land meeting the following criteria may be included within an unincorporated community boundary:

(a) Land which has been acknowledged as a Goal 3 or 4 exception area and historically considered to be part of the community provided the land only includes existing, contiguous concentrations of:

(A) Commercial, industrial, or public uses; and/or

(B) Dwelling units and associated residential lots at a greater density than exception lands outside rural communities.

(b) Land planned and zoned for farm or forest use provided such land meets the criteria in section (4) of this rule.

***Finding:*** *The land included within the Burlington unincorporated community boundary includes no Goal 3 or 4 land, but only exception lands that have historically been considered part of the community and consist of commercial, industrial, residential, or public uses. Land within the Burlington community historically has been zoned at a higher density than surrounding lands zoned for commercial forest use.*

\* \* \*

(5) Site specific unincorporated community boundaries that are shown on an acknowledged plan map on October 28, 1994, are deemed to comply with subsections (2) and (3) of this rule unless the boundary includes land designated for farm or forest use that does not meet the criteria in section (4) of this rule.

***Finding:*** *The Multnomah County Comprehensive Framework Plan and zoning map defines the Burlington unincorporated community boundary through the "RC" Rural Center plan and zone designation. This zoning was applied to the exception lands area prior to 1982.*

**CONCLUSION: The Burlington Community Plan is part of the Multnomah County Comprehensive Framework Plan and meets the applicable designation requirements under OAR 660-022-0020.**

660-022-0030

#### **Planning and Zoning of Unincorporated Communities**

(1) For rural communities, resort communities and urban unincorporated communities, counties shall adopt individual plan and zone designations reflecting the projected use for each property (e.g., residential, commercial, industrial, public) for all land in each community. Changes in plan or zone designation shall follow the requirements to the applicable post-acknowledgment provisions of ORS 197.610 through 197.625.

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**Finding:** Land within the Burlington Community Plan is proposed to continue to be zoned similarly to the current Rural Center zoning. Proposed key amendments to the zoning code address commercial and industrial development consistent with the provisions of the OAR, revised off-street parking requirements, and amendments to the dimensional standards.

(2) County plans and land use regulations may authorize any residential use and density in unincorporated communities, subject to the requirements of this division.

**Finding:** The plan, policies and zoning code authorizes a continuance of the two acre minimum lot size for new lot creation.

(3) County plans and land use regulations may authorize only the following new or expanded industrial uses in unincorporated communities:

- (a) Uses authorized under Goals 3 and 4;
- (b) Expansion of a use existing on the date of this rule;
- (c) Small-scale, low impact uses;
- (d) Uses that require proximity to rural resource, as defined in OAR 660-004-0022(3)(a);
- (e) New uses that will not exceed the capacity of water and sewer service available to the site on the effective date of this rule, or, if such services are not available to the site, the capacity of the site itself to provide water and absorb sewage;

\* \* \*

**Finding:** The Burlington Rural Center (BRC) zoning designation permits the uses identified in OAR 660-022-0030(3). In recognition of feedback received from the community, a limitation to the square footage of floor space has been reduced to 10,000 square feet from the 40,000 allowed for small-scale low impact industrial uses.

(4) County plans and land use regulations may authorize only the following new commercial uses in unincorporated communities:

- (a) Uses authorized under Goals 3 and 4;
- (b) Small-scale, low impact uses;
- (c) Uses intended to serve the community and surrounding rural area or the travel needs of people passing through the area.

**Finding:** The Burlington Rural Center (BRC) zoning designation permits the uses identified in OAR 660-022-0030(4). This zone includes a limit on building sizes consistent with the definition of small-scale, low impact uses (maximum of 4,000 square feet of floor space) as defined by OAR 660-022-0030(10).

\* \* \*



(6) County plans and land use regulations shall ensure that new or expanded uses authorized within unincorporated communities do not adversely affect agricultural or forestry uses.

**Finding:** *Forest lands in the county are protected for forest use by existing zoning and plan policies, and these are unchanged by the proposed amendments. The community boundary encircles a contiguous area of existing "exception land," specifically properties that are currently zoned Rural Center.*

(7) County plans and land use regulations shall allow only those uses which are consistent with the identified function, capacity, and level of service of transportation facilities serving the community, pursuant to OAR 660-012-0060(1)(a) through (c).

**Finding:** *The land use regulations contained in the Burlington Community Plan and other applicable County planning documents are consistent with the function, capacity, and level of service identified for the transportation facilities serving the community. According to county policies and zoning regulations in place, results from the community inventory and analysis, and staff discussions with the Oregon Department of Transportation, it is found that the Rural Community Plan for the Burlington Community will not affect the existing or planned transportation facilities. According to ODOT staff and county transportation plan road classifications roads in the area are adequate to accommodate existing and future traffic levels. State Highway 30 and Cornelius Pass Rd. provide major access to Burlington. The remaining roads in the area, Burlington, and Wapato provide access to homes and properties abutting them. There are several unbuilt "paper" roads that are in some cases unbuildable that criss-cross the community. Burlington and Wapato are classified as Rural Local Roads and are addressed in the county policies. Highway 30 is addressed as part of the Oregon Highway Plan administered by the Oregon Department of Transportation (ODOT). Improvements to existing local streets and/or construction of new internal local streets to support specific developments could be required as part of a future subdivision approval process and would be addressed on a site-specific basis.*

*The existing transportation network is capable of accommodating the two acre minimum lot size density. According to ODOT staff and county transportation plan road classifications, roads in the area are adequate to accommodate existing and future traffic levels resulting from existing uses and potential build out. Improvements to existing local streets and/or construction of new internal local streets to support specific developments could be required as part of a future subdivision approval process and would be addressed on a site-specific basis.*

(8) Zoning applied to lands within unincorporated communities shall ensure that the cumulative development:

(A) Will not result in public health hazards or adverse environmental impacts that violate state or federal water quality regulations; and

(B) Will not exceed the carrying capacity of the soil or of existing water supply resources and sewer services.

**Finding:** *The community of Burlington is not within a designated health hazard area nor is it served by a public sanitary sewage system. Currently, wastewater can only be treated through individual septic or other on-site sewage treatment systems. Review of the area's carrying capacity is already been conducted by the City of Portland Bureau of Development Services Sanitation and Site Development Office with the office being able to deny or approve permits for new systems for new development based on percolation tests and site inspections. County requirements currently address stormwater management through an engineer review and design of stormwater detention systems, and the area is served by the Burlington Water District. Proposed developments require on-site sewage disposal and stormwater review. These provisions ensure that the cumulative development will not result in public health hazards or adverse environmental impacts that violate state or federal water quality regulations and that development will not exceed carrying capacity of the soil or of existing water supply resources and sewer services.*

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\* \* \*

(10) For purposes of subsection (b) of section (4) of this rule, a small-scale, low impact commercial use is one which takes place in an urban unincorporated community in a building or building not exceeding 8,000 square feet of floor space, or in any other type of unincorporated community in a building or buildings not exceeding 4, 000 square feet of floor space.

***Finding:** The Burlington community Burlington Rural Center (BRC) zone includes the 4,000 square foot size limit for small-scale, low-impact buildings in commercial use within rural unincorporated communities.*

(11) For purposes of subsection (c) of section (3) of this rule, a small-scale, low impact industrial use is one which takes place in an urban unincorporated community in a building or buildings not exceeding 60,000 square feet of floor space, or in any other type of unincorporated community in a building or buildings not exceeding 40,000 square feet of floor space.

***Finding:** The Burlington Rural Center (BRC) zoning designation permits the uses identified in OAR 660-022-0030(3). In recognition of feedback received from the community, a limitation to the square footage of floor space has been reduced to 10,000 square feet from the 40,000 allowed in the State Rule.*

**CONCLUSION: The Burlington Community Plan is implemented through the Burlington Rural Center Zone. The proposed amendments together with the existing zoning regulations results in compliance with the state rule.**

**660-022-0050**

#### **Community Public Facility Plans**

(1) In coordination with special districts, counties shall adopt public facility plans meeting the requirements of OAR 660, division 11, and include them in the comprehensive plan for unincorporated communities over 2,500 in population. A community public facility plan addressing sewer and water is required if the unincorporated community is designated as an urban unincorporated community under OAR 660-022-0010 and 660-022-0020. For all communities, a sewer and water community public facility plan is required if:

(a) Existing sewer or water facilities are insufficient for current needs, or are projected to become insufficient due to physical conditions, financial circumstances or changing state or federal standards; or

(b) The plan for the unincorporated community provides for an amount, type or density of additional growth or infill that cannot be adequately served with individual water or sanitary systems or by existing community facilities and services; or

(c) The community relies on groundwater and is within a groundwater limited or groundwater critical area as identified by the Oregon Department of Water Resources; or

(d) Land in the community has been declared a health hazard or has a history of failing septic systems or wells.

\* \* \*

**CONCLUSION: Burlington is a rural unincorporated community with a population less than 2,500. The community is served by the Burlington Water District. The area has not been officially designated as a health hazard. Therefore, none of the conditions cited in (a) through (d) are met and the Burlington Community Plan is note required to include a sewer and water community public facility plan.**

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660-022-0060

**Coordination and Citizen Involvement**

ORS 660-022-0060 requires that counties shall ensure that residents of unincorporated communities have adequate opportunities to participate in all phases of the planning process.

***Finding:** Multnomah County Land Use Planning staff formulated a process for preparing the Burlington Unincorporated Community Plan and completing the unincorporated community planning requirements for the State Rule. The process included public outreach that consisted of a series of three public meetings held nearby in Skyline and Linnton, web pages for each community that included information on the project and process as well as served as a resource to download electronic copies of the project documents, mailed property owner notification, emailed notifications to interested parties list, and distribution of a community survey to gather community input. Public hearings will be held before the County's Planning Commission and Board of Commissioners. Public notice and other procedures associated with these hearings comply with the applicable requirements listed above.*

*This project has involved coordination with the Burlington Water District, Portland Bureau of Development Services, County Transportation Planning, Oregon Department of Transportation, and the local Fire District. In addition coordination with the Portland Bureau of Development Services has occurred. Portland Bureau of Development of Services conducts on-site sewage reviews for this area. Notices proposing to designate Burlington as an unincorporated community were mailed to these agencies prior to the first adoption hearing.*

**CONCLUSION: The Burlington Community planning process satisfies the applicable requirements of OAR 660-022-0060.**

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# Springdale Unincorporated Community Plan





## **Table of Contents**

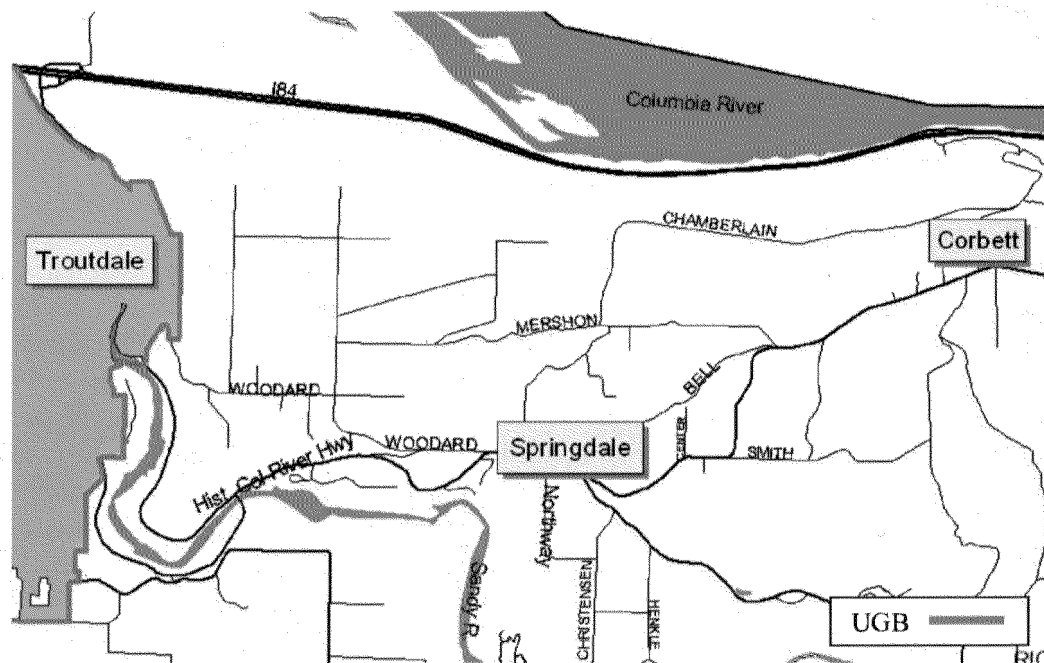
- I. Background**
    - a. Location and Community Description**
    - b. Planning for Unincorporated Communities**
    - c. Plan Process**
  
  - II. Land Use Planning**
    - a. Land Use and Zoning**
    - b. Changes to Zoning and Development Requirements**
    - c. Density Analysis**
  
  - III. Public Facilities**
    - a. Septic Conditions**
    - b. Water System**
    - c. Transportation System**
  
  - IV. Appendices**
    - Appendix 1. Zoning Code**
    - Appendix 2. Policies**
    - Appendix 3. Maps**
      - Map 1: Community Boundary
      - Map 2: Land Use
      - Map 3: Zoning
      - Map 4: Zoning Overlay
      - Map 5: Transportation
      - Map 6: Range of Parcel Sizes (Acres)
    - Appendix 4. Inventory/Data Table**
    - Appendix 5. Public Involvement and Process**
    - Appendix 6. April 20, 2010 Community Meeting**
      - Handouts
      - PowerPoint Presentation
      - Community Input
      - Surveys and Written Comments
    - Appendix 7. June 22, 2010 Community Meeting**
      - Handouts
      - PowerPoint Presentation
      - Community Input
    - Appendix 8. Findings**
-



## I. Background

### a. Location and Community Description

Springdale is small rural community located in east Multnomah County about 1000 feet northeast of the Sandy River Canyon. Springdale is approximately three miles southeast from the city of Troutdale, along the Historic Columbia River Highway. The community is also located approximately 2 miles southwest of the community of Corbett. Springdale is comprised primarily of residential uses, and commercial uses with some community service uses that include a church, a fire station and government buildings. The commercial uses include offices for businesses, a barbershop, a tavern, and a market with a deli. The community service uses includes the Fire District #14 fire station and county owned property occupied by Multnomah County Road Services. There is no sewer service for the area with properties served by individual on-site septic systems. Water service is provided by the Corbett Water District.



### b. Planning for Unincorporated Communities

In December of 1994, the State of Oregon's Land Conservation Development Commission (LCDC) adopted Oregon Administrative Rule (OAR) Chapter 660, Division 22, or the Unincorporated Communities Rule ("the Rule"). The Rule provides a framework for counties to use in identifying and designating unincorporated communities outside established Urban Growth Boundaries (UGB), and establishes planning rules for unincorporated communities pertaining to development standards, allowed land uses and public facilities.

New state rules affecting the Rural Center have been implemented since the County's last plan was prepared. Due to the characteristics of the Springdale Rural Center area, county staff has determined that it should be designated as a "Rural Community". As defined by the state rule a Rural Community is one that consists of primarily of permanent residential dwellings, with at least two



other land uses present, such as commercial, industrial or public uses. Specific provisions for a Rural Community require that the County adopt rural community zoning designations for the uses within the area. The type and extent of specific uses permitted are subject to provisions outlined in the Rule.

Springdale was recognized as an unincorporated rural community in the Multnomah County Comprehensive Plan and was zoned Rural Center in 1977. The established Rural Center zoning district applied to approximately 73 acres for the Springdale Community. This zoning district is intended to encourage concentrations of rural residential development, together with limited local and tourist commercial uses, light industrial uses, and public service uses and centers such as churches, fire stations, schools, etc.

The state Unincorporated Communities Rule (OAR 660-022) requires counties to adopt land use and zoning measures specific to unincorporated communities in order to ensure that cumulative development in the communities will not:

- Result in public health hazards or adverse environmental impacts that violate state or federal water quality regulations, or
- Exceed the carrying capacity of the soil or of existing water supply resources and sewer services.

The Unincorporated Communities Rule limits the types of land that can be included in an officially designated Unincorporated Community. Lands identified as "exception areas" (i.e., rural lands that are zoned for commercial, industrial or residential use, not farm or forest use) can be included if they have historically been considered part of the community. The land included must represent a "contiguous concentration" of commercial, industrial, public use, or residential land. Residential land to be included must be of a greater density than residential exception lands that are outside of identified Unincorporated Communities. Further, the designated community must have been identified in a county's acknowledged comprehensive plan as a "rural community," "service center," "rural center," "resort community," or similar term before the adoption of the Rule (October 28, 1994), or the community is listed in the Department of Land Conservation and Development's January 30, 1997 "Survey of Oregon's Unincorporated Communities."

Land zoned for farm or forest use may only be included in the Unincorporated Community if adjacent to exception lands included in the community boundary and was occupied on October 28, 1994 (the date of the Unincorporated Community Rule) by one or more of the following public uses: church, cemetery, school, park, playground, community center, fire station, museum, golf course, or utility facility.

The Springdale Unincorporated Community is consistent with these requirements. The community boundary encircles a contiguous area of "exception land," specifically properties that are currently zoned Rural Center. Additionally, the proposed boundary does not include any properties which are currently zoned Exclusive Farm Use (EFU) and Commercial Forest Use-4 (CFU-4) or other exception lands such as Multiple Use Agriculture-20 (MUA-20) low density residential land.

### **c. Plan Process**



Multnomah County Land Use Planning formulated a process for preparing the Springdale Unincorporated Community Plan and completing the unincorporated community planning requirements of the State Rule. The process included public outreach with a series of three public meetings held in the community, and distribution of a community survey to gather community input. The results of these meetings and community input are provided in the Appendices of this plan.

As part of the planning project, the following tasks were undertaken:

- Identified the community boundary recognizing the extent of the established Rural Center zoning boundary
- Inventoried and analyzed data and information about the community related to the existing land uses, available public services, parcel sizes, and current plan policies and zoning regulations
- Reviewed the characteristics of the community and existing zoning regulations for consistency with the State Rule

A series of three public meetings were held in the community. An introductory meeting was held on April 20<sup>th</sup>, 2010 where approximately 45 citizens attended. During this introductory meeting, staff introduced the project, explained the goals of the project, went over the state rule, and covered the process. In addition, a community survey was distributed asking the community what they liked about their community, what issues were important to the community, and what suggestions they have for improving their community. During the meeting staff also led a large group discussion with the attendees gathering community input on the same three questions asked on the survey.

The second community meeting was held on June 22, 2010. During this meeting staff distributed drafts of the Community Plan and Policies, and proposed Zoning changes. These three documents were handed out and discussed during the meeting which had approximately 15 members of the public in attendance. Electronic copies of the documents were also made available for download on the project website. Comments were encouraged and collected, and were due by July 9<sup>th</sup>, 2010. In addition, staff distributed a Memo addressing the community comments received and raised during the first meeting. This memo address questions and comments received regarding water service, transportation the use of the Springdale Community School Building, and off-street parking.

The third community meeting is scheduled for September 7, 2010. Staff will bring the revised proposed drafts of the Community Plan, Policies and Zoning. Multnomah County Land Use Planning has been working on putting together land use and zoning plans for the Springdale community after the second community meeting in June. We've considered over the input received during the community meetings held on April 20<sup>th</sup> and June 22<sup>nd</sup>, in addition to the input received from the community surveys. Staff has taken this information and has combined this with the information gathered by staff for the community inventory with the goal being to better understand your community and to plan for its future under the guidance of Oregon State Planning Goals and Guidelines.

## **II. Land Use Planning**

### **a. Land Use**

In order to determine the appropriate designation for the Springdale area consistent with the Rule, county staff conducted a parcel-by-parcel inventory of the area. The inventory included an analysis

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of County Assessment data, site visits, and inspection of aerial photographs. In addition, staff conducted an inventory and observation of area businesses. The findings from this inventory are illustrated in Maps 1, 2 and 6, which appears at the end of this report. Information on land uses are also provided in Table 1 below, which illustrates the types and acreage of land inventoried.

Springdale is comprised of 81 parcels. Existing uses include 57 residences, 6 commercial uses, and 3 public uses. There are 15 vacant parcels that are either in agricultural use, parking areas, back yards of residences or just simply public uses that include the Fire District #14 fire station, county owned property occupied by Multnomah County Road Services, and the currently closed Springdale Elementary School.

### Springdale

Table 1

		LANDUSE DESIGNATION				
Range of Parcel Sizes (Acres)	Data	COMMERCIAL	PUBLIC	SFR (Single Family Residence)	VACANT	Grand Total
0-1.99	Total Acres	2.2 ac	2.07 ac	41.44 ac	3.23 ac	48.94ac
	Number of Parcels	8	2	55	11	76
2-3.99	Total Acres	0	2.12 ac	4.52 ac	3.15 ac	9.79 ac
	Number of Parcels	0	1	2	1	4
4-15	Total Acres	0	0	0	5.02 ac	5.02 ac
	Number of Parcels	0	0	0	1	1
Total Acres		2.2 ac	4.19 ac	45.96 ac	11.4 ac	63.75 ac
Number of Parcels		8	3	57	13	81

\*Doesn't include acreage in right-of-way

Updated 5/10/10



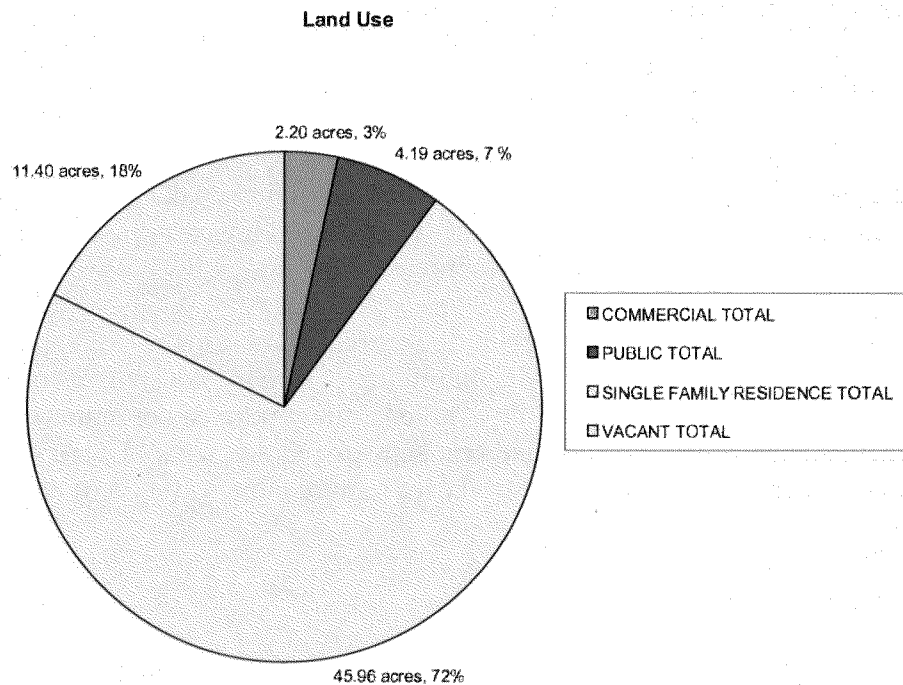
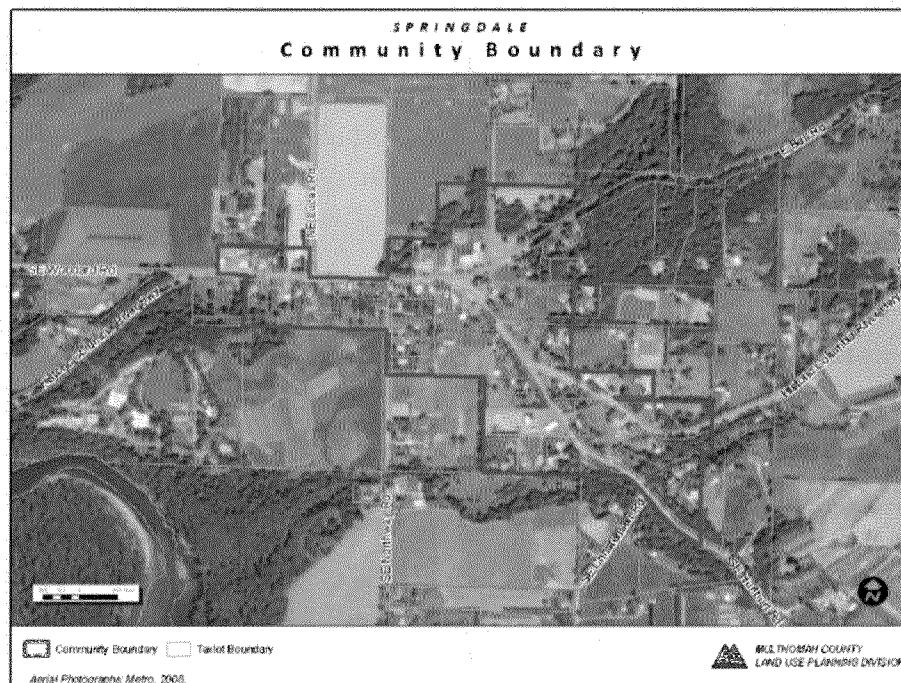


Chart 1: Land Use Acres and Percentages

None of the parcels within the community boundary are in a farm or forest tax deferral program. A total of 73.3 acres is located within the identified community boundary, 63.75 acres of which are the total number of acres for just the parcels, minus the right-of-way. A vast majority of the parcels are less than 2 acres. Four parcels range in size between 2-3.99 acres, with one vacant parcel being 3.15 acres. The largest vacant parcel is 5.02 acres.





## **b. Zoning and Development Requirements**

### **Residential Uses**

The Unincorporated Communities Rule identifies that county plans and regulations may permit any residential use and density as long as the density of residential development is greater than that of surrounding rural areas, and as long as it will not exceed the carrying capacity of the soil for waste disposal and of existing water supply resources.

Residential uses are permitted outright in the current Rural Center (RC) zoning designation for the area. Under the zoning regulations the minimum lot size for new parcels or lots shall be one acre for lands inside the boundary of an "acknowledged unincorporated community." Dimensional requirements consist of front, side, and rear setback requirements. Listed Conditional Uses include more intensive commercial and industrial uses require demonstration of adequate parcel size for approval.

### **Commercial Uses**

The Unincorporated Communities Rule sets restrictions on the size and type of commercial uses that counties may allow in unincorporated communities. Specifically, the rule allows new commercial uses that are:

- Authorized under Goals 3 (Agricultural Lands) or 4 (Forest Lands);
- Considered "small-scale" and "low-impact;" or
- Intended to serve the community and surrounding rural area or the travel needs of people passing through the area.

In rural unincorporated communities, a commercial use is considered "small-scale, low-impact" if it takes place "in a building or buildings not exceeding 4,000 square feet of floor space." Additionally, hotels and motels of up to 35 units may be authorized in any unincorporated community that is at least 10 miles from any urban growth boundary bordering Interstate Highway 5 and is served by a community sewer system. In this instance, the Springdale Community doesn't fit this criterion and therefore the zoning regulation will need to be revised to not allow development of hotels and motels. Currently, the only commercial uses that are permitted outright in the Rural Center zone are farming and forestry uses and home occupations. Other uses are permitted only as a Review Use or Conditional Use. Listed Review Uses are limited to wholesale and retail sales of products raised or grown in the area, with the location and building standards subject to review and permits. Conditional Uses in the Rural Center zone include local stores, shops, offices, repair shops, restaurants, and gas stations.

### **Industrial Uses**

Per the State guidelines for Rural Communities, permitted industrial uses include:

- Uses authorized under Goals 3 and 4 (farm or forest related);
  - Expansion of a use legally existing on the date of this rule (December 5, 1994);
  - Small-scale, low-impact uses;
-



- Uses that require proximity to rural resource, as defined in OAR 660-004-0022(3)(a), such as geothermal wells, mineral or aggregate deposits, water reservoirs and natural features; or
- New uses that will not exceed the capacity of water and sewer service available to the site on the effective date of this rule, or, if such services are not available to the site, the capacity of the site itself to provide water and absorb sewage.

Uses that are more intensive than those identified above may be allowed provided an analysis set forth in the comprehensive plan demonstrates, and land use regulations ensure:

1. That such uses are necessary to provide employment that does not exceed the total projected work force within the community and the surrounding rural area;
2. That such uses would not rely upon a work force employed by uses within urban growth boundaries; and
3. That the determination of the work force of the community and surrounding rural area considers the total industrial and commercial employment in the community and is coordinated with employment projections for nearby urban growth boundaries.

Current county zoning permits light industrial activities as a Conditional Use. These uses should require no more than 20 daily employees and include uses such as wholesale distribution of bakery goods, photo processing, building maintenance, and automobile repair work. Uses may be expanded up to 40 daily employees when it is found that:

1. The proposed expansion is a result of normal growth of the existing use and not required as a result of diversification of the business;
2. The use provides a public benefit to the rural center by employing primarily persons who reside within the rural center or surrounding rural area, and this same employment pattern will continue with the proposed expansion;
3. The proposed expansion satisfies the applicable elements of Comprehensive Framework Plan Policies:
  - No. 20 – Arrangement of Land Uses;
  - No. 30 – Industrial Location (Isolated Light Industrial);
  - No. 36 – Transportation System Development Requirements;
  - No. 37 – Utilities; and
  - No. 38 – Facilities
4. The proposed expansion satisfies the Design Review provisions of County Code.

#### **c. Density Analysis**

Under the identified zoning regulations of Multnomah County Code 35.3355 for the Rural Center Zone the minimum lot size for new parcels or lots shall be one acre for lands inside the boundary of an “acknowledged unincorporated community.”

As an “acknowledged unincorporated community,” there are two identified scenarios for possible minor density increases based on information provided in the table below. This assumes that the currently developed lots will remain developed under the current use and will not be further developed. Development of additional lots may be contingent on being able to meet county code requirements, including on-site septic requirements.

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**Springdale Density Analysis**

Table 2

		LANDUSE DESIGNATION	
Range of Parcel Sizes (Acres)	Data	VACANT	Grand Total
2-3.99	Total Acres	3.15 ac	9.79 ac
	Number of Parcels	1	4
4-15	Total Acres	5.02 ac	5.02 ac
	Number of Parcels	1	1
Total Acres		8.17 ac	14.81 ac *
Number of Parcels		2 lots	5 lots

\*Doesn't include acreage in right-of-way

Updated 6/2/10

*Scenario 1- Vacant lots*

Two vacant parcels that could possibly be further divided to one acre lots have been identified totaling 8.17 acres. Under this scenario the 8.17 acres could potentially be further divided into one acre lots for a potential of 8 additional lots.

*Scenario 2- Total acres of parcels greater than 2 acres in size*

In looking at the total number of acres of parcels that are greater than 2 acres in size and lots that could be further divided to one acre lots, a potential of 5 lots totaling 14.81 acres could be divided for a potential of 14 additional lots.

**III. Public Facilities**

OAR 660-022-0050 requires that unincorporated community plans assess the capacity of the local public facility infrastructure (i.e., sewer system or septic conditions, water, and transportation systems), and determine if they will be adequate to serve future growth anticipated or planned in the unincorporated community. If the public facilities are found to be inadequate to serve future growth, then the unincorporated plan must identify the improvements needed to accommodate the growth and establish a procedure to limit growth in the community until the necessary public facility improvements have been made.

**a. On-Site Sewage Disposal Conditions**

The Springdale area is not served by a community sewer district or system. All wastewater treatment in the area is accomplished through on-site septic systems. The Unincorporated Communities Rule requires counties to adopt public facilities plans for unincorporated communities with a population over 2,500. The current population of the area is significantly smaller than this; therefore this rule provision does not apply.

The Rule further requires that sewer and water community public facility plans are required in any of the following circumstances:



- Existing sewer or water facilities are insufficient for current needs, or are projected to become insufficient due to physical conditions, financial circumstances or changing state or federal standards; or
- The plan for the unincorporated community provides for an amount, type or density of additional growth or infill that cannot be adequately served with individual water or sanitary systems or by existing community facilities and services; or
- The community relies on groundwater and is within a groundwater limited or groundwater critical area as identified by the Oregon Department of Water Resources; or
- Land in the community has been declared a health hazard or has a history of failing septic systems or wells.

The land use and density analysis conducted by staff finds that a minimal number of lots could potentially be developed under the zoning standard of a one acre minimum lot size. All new parcels would have to be served with on-site septic review to meet Department of Environmental Quality standards and stormwater control systems designed by an Oregon Registered Engineer to meet no increase of off property flow for up to a 10 year -24 hour rain event. Two main factors will influence the growth potential of the area, one being the desire to develop the parcels, and the other being the ability to support an on-site septic system and control stormwater on-site. In considering these factors, the potential for additional growth may be limited.

In taking a look at these factors, staff determined that a public facility plan is not needed for the Springdale Community. The size and location would require a costly system to serve a small number of lots in the area. Review of the area's carrying capacity is already being reviewed by the City of Portland Bureau of Development Services Sanitation and Site Development Office with the office being able to deny or approve building permits based on percolation tests and site inspections. County requirements currently address stormwater management, and the area is served by the Corbett Water District.

#### **b. Water System**

The Springdale area is served by the Corbett Water District. Service is available with water service lines located along the Historic Columbia River Highway, and down Northway and Lucas Roads. Staff discussions with the water district indicates that the district has the ability to service the minor amount of possible growth that could be result within the Springdale Community and it service area.

#### **c. Transportation System**

The Rule requires that county plans and land use regulations shall allow only those uses which are consistent with the identified function, capacity and level of service of transportation facilities serving the community, pursuant to OAR 660-012-0060(1)(a) through (c), requiring that where an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation would significantly affect an existing or planned transportation facility, the local government shall put in place measures as provided consistent with OAR 660-012-0060(2) to assure that allowed land uses are consistent with the identified function, capacity, and performance standards (e.g. level of service, volume to capacity ratio, etc.) of the facility. As identified in the State Guidelines a plan or land use regulation amendment significantly affects a transportation facility if it would:

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- (a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);
- (b) Change standards implementing a functional classification system; or
- (c) As measured at the end of the planning period identified in the adopted transportation system plan:
  - (A) Allow land uses or levels of development that would result in types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;
  - (B) Reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in the TSP or comprehensive plan; or
  - (C) Worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the TSP or comprehensive plan.

According to county policies and zoning regulations in place, results from the community inventory and analysis, and staff discussions with the Oregon Department of Transportation, it is found that the Rural Community Plan for the Springdale Community will not affect the existing or planned transportation facilities. According to ODOT staff and county transportation plan road classifications roads in the area are adequate to accommodate existing and future traffic levels. Bell, Northway and Lucas Roads are classified as Rural Local Roads and are addressed in the county policies. The Historic Columbia River Highway is addressed as part of the Historic Columbia River Highway Master Plan administered by the Oregon Department of Transportation (ODOT). Improvements to existing local streets and/or construction of new internal local streets to support specific developments could be required as part of a future subdivision approval process and would be addressed on a site-specific basis.

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#### IV. Appendices

##### Appendix 1: Zoning Code

##### SPRINGDALE RURAL CENTER - SRC

##### 35.3300- Purpose

The purposes of the Springdale Rural Center District are to provide standards and review procedures which will encourage concentrations of rural residential development, together with small-scale low impact commercial and industrial uses that primarily serve the population of the immediate surrounding rural area and tourists traveling through the area.

~~The purposes of the Rural Center District are to provide standards and review procedures which will encourage concentrations of rural residential development, together with limited local and tourist commercial uses which satisfy area and regional needs; to provide for local employment through light industrial uses consistent with rural character and to manage the location and extent of public service centers and limit the extension of public services.~~

**Section 1.** MCC 35.3305 is amended as follows:

##### 35.3305 Area Affected

MCC 35.3300 through 35.3385 shall apply to those lands designated SRC on the Multnomah County Zoning Map.

**Section 2.** MCC 35.3320 is amended as follows:

##### 35.3320 Allowed Uses

(A) Farm use, as defined in ORS 215.203(2)(a), for the following purposes only:

- (1) Raising and harvesting of crops;
- (2) Raising of livestock and honeybees; or
- (3) Any other agricultural or horticultural purpose or animal husbandry purpose or combination thereof, except as provided in MCC 35.3330. This subsection does not permit the raising of fowl or fur-bearing animals for sale, the keeping of swine, or a feed lot.

(B) The propagation or harvesting of forest products.

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(C) Residential use consisting of a single family dwelling constructed on a Lot of Record or a single family dwelling constructed off-site, including a mobile or modular home placed on a Lot of Record, subject to the following conditions:-

(1) Construction shall comply with the standards of the Building Code or as prescribed in ORS 446.002 through 446.200, relating to mobile homes.

(2) The dwelling shall be attached to a foundation for which a building permit has been obtained.

(3) The dwelling shall have a minimum floor area of 600 square feet.

(D) Public and private conservation areas and structures for the protection of water, soil, open space, forest and wildlife resources.

\* \* \* \* \*

**Section 3.** MCC 35.3325 is amended as follows:

**35.3325 Review Uses**

~~(A) Residential use, consisting of a single family dwelling constructed off-site, including a mobile or modular home placed on a Lot of Record, subject to the following conditions:~~

~~(1) Construction shall comply with the standards of the Building Code or as prescribed in ORS 446.002 through 446.200, relating to mobile homes.~~

~~(2) The dwelling shall be attached to a foundation for which a building permit has been obtained.~~

~~(3) The dwelling shall have a minimum floor area of 600 square feet.~~

~~(B)~~ Temporary uses when approved pursuant to MCC 35.0510 and 35.0515.

~~(C)~~ Wholesale or retail sales, limited to those products raised or grown on the premises, subject to the following condition:

The location and design of any building, stand, or sign in conjunction with wholesale or retail sales shall be subject to approval of the Planning Director on a finding that the location and design are compatible with the character of the area; provided that the decision of the Planning Director may be appealed to the approval authority pursuant to MCC 35.0785 and 35.0790.

~~(D)~~ Off-street parking and loading;

~~(E)~~ Property Line Adjustment pursuant to the provisions of MCC 35.3360.

~~(F)~~ Placement of Structures necessary for continued public safety, or the protection of essential public services or protection of private or public existing structures, utility facilities, roadways, driveways, accessory uses and exterior improvements damaged during an emergency/disaster event. This includes replacement of temporary structures erected during such events with permanent structures performing an identical or related function. Land use proposals



for such structures shall be submitted within 12 months following an emergency/disaster event. Applicants are responsible for all other applicable local, state and federal permitting requirements.

(GF) Lots of Exception pursuant to the provisions of MCC 35.3360.

(HG) Wireless communication facilities that employ concealment technology or co-location as described in MCC 35.6177(B) pursuant to the applicable approval criteria of MCC 35.6175 through 35.6188.

(IH) Consolidation of Parcels and Lots pursuant to MCC 35.7794 and Replatting of Partition and Subdivision Plats pursuant to MCC 35.7797.

(JI) Structures or uses customarily accessory or incidental to any use permitted or approved in this district, which do not meet the "accessory structures" standard in MCC 35.3320 Allowed Uses.

**Section 4.** MCC 35.3330 is amended as follows:

**35.3330 Conditional Uses**

The following uses may be permitted when found by the approval authority to satisfy the applicable ordinance standards. Commercial and industrial uses shall be limited to small-scale low impact as defined in MCC 35.0005.:

(A) Community Service Uses pursuant to the provisions of MCC 35.6000 through 35.6230.

(B) The following small-scale low impact Conditional Uses pursuant to the provisions of MCC 35.6300 through 35.6660:

(1) Rural service commercial uses such as local stores, shops, offices, repair shops, and similar uses including:

(a) Automobile Repair,

(b) Restaurant,

(c) Tavern

(d) Professional Office,

(e) Garden supply store,

(f) Hardware store,

(g) Retail bakery,

(h) Service station,

(i) Beauty and hair salon,

(j) Electronic media rental (i.e. DVD, electronic games),



(2) The following industrial uses conducted within an enclosed building that entails the manufacturing and processing of:

- (a) Apparel and other finished products made from fabric;
- (b) Millwork, veneer, plywood, and structural wood members;
- (c) Wood containers;
- (d) Wood products, not elsewhere classified;
- (e) Furniture and fixtures;
- (f) Stone, clay, glass products except: cement, ready-mix concrete, and minerals and earths ground or otherwise treated;
- (g) Fabricated metal products;
- (h) Household appliances;
- (i) Electric lighting and wiring equipment;
- (j) Communications equipment;
- (k) Electronic components and accessories;
- (l) Motor vehicle parts and accessories;
- (m) Laboratory apparatus and analytical, optical, measuring, and controlling instruments;
- (n) Food and kindred products.

(3) Commercial or industrial uses allowable in the EFU or CFU district, and agricultural support services. These uses shall not be subject to the small-scale low impact requirement that defines the commercial or industrial uses of this section.

- ~~(1) Limited rural service commercial uses such as local stores, shops, offices, repair shops, and similar uses;~~
- ~~(2) Tourist commercial uses such as restaurants, taverns, gas stations, motels, guest ranches, and similar uses;~~
- ~~(3) The following Light Manufacturing Uses conducted within an enclosed building which require the daily employment of twenty or fewer persons;~~

~~(a) The manufacture, compounding, processing, packaging, treatment, storage or wholesale distribution of such products as bakery goods, fruits, vegetables, sea foods, dairy products, candy, confections, beverages including brewing and bottling, miscellaneous food products, ice and cold storage plant, drugs, pharmaceuticals, perfumes, toilet soaps, toiletries, barber and beauty supplies, and similar items, but not sauerkraut, vinegar or pickles manufacture;~~

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- (b) The manufacture, compounding, assembling, treatment, storage or wholesale distribution of articles or merchandise from previously prepared materials such as bone, cellophane, canvas, cloth, cork, feathers, felt, fur, glass, hair, foam, lacquer, leather (but not tanning), paper or paperboard, plastics, precious or semi-precious metals or stones, shell, textiles, tobacco, wood (except as provided in the GM and HM districts), yarns and paints;
  - (c) The manufacture, assembly, packaging, repair, storage or wholesale distribution of articles such as electrical appliances, lighting and communication equipment, electronic, radio or television equipment, parts or accessories, professional, scientific, optical, photographic or controlling instruments, amusement devices, small parts assembly, jewelry, musical instruments, toys, sporting goods, novelties, rubber or metal stamps;
  - (d) The manufacture, finishing, refinishing, repair, storage or wholesale distribution of furniture, office or store fixtures, small boats, upholstery, cabinets, office, computing or accounting machines, electric and neon signs, billboards and other signs;
  - (e) Business, professional, executive, administrative, wholesale, contractor or similar office, clinic, service or studio, trade, business or commercial school, research, experimental or testing laboratory;
  - (f) Printing, publishing, bookbinding, graphic or photographic reproduction, blueprinting, or photo processing;
  - (g) Building, building maintenance, plumbing, electrical, heating, roofing, glass, landscaping, painting or similar contractor's office, shop, warehouse, equipment sales or maintenance;
  - (h) Retail or wholesale lumber, building materials, garden supplies sales and tools, or small equipment sales, rental, repair or servicing;
  - (i) Laundry for carpets, uniforms, linens, rags, rugs and similar items, dyeing plant, dry cleaning not using explosive or inflammable materials;
  - (j) Automobile, light truck, motorcycle and recreational vehicle repair or maintenance, body and fender work, painting, parts and glass replacement, upholstery, engine, radiator or battery rebuilding, tire recapping, commercial, industrial or fleet vehicle parking and auto detailing;
  - (k) Metal or sheet metal shop, ornamental iron works, welding, blacksmithing, electroplating, tool and hardware manufacture, machine shop not using a drop hammer or large capacity punch press;
  - (l) Warehouse, furniture and household goods storage, moving equipment rental, distribution plant, parcel delivery, wholesaling of durable and non-durable goods, light and heavy equipment sales, rental or repair, fuel and ice distribution;
  - (m) Manufacture of non-structural clay products, ornamental clay, concrete, plaster or plastics casting, stone and purchased glass products cutting, polishing or installation; and
  - (n) Collection, recycling, sorting, baling or processing of previously used materials such as rags, paper, metals, glass or plastics;
- (4) Commercial processing of agricultural or forestry products primarily grown in the vicinity.
-



~~(C) Planned Development pursuant to the provisions of MCC 35.4300 through 35.4360. If the property is outside of an "acknowledged unincorporated community", then the applicable current "planned unit developments" standards within the Oregon Administrative Rules Chapter 660, Division 004 shall also be satisfied.~~

~~(DC) Existing legally established small-scale low impact light industrial uses permitted by MCC 35.3330 (B) (3) may be expanded up to a daily total of 40 employees, based on findings that:~~

(1) The proposed expansion is a result of normal growth of the existing use and not required as a result of diversification of the business;

(2) The use provides a public benefit to the rural center by employing primarily persons who reside within the rural center or surrounding rural area, and this same employment pattern will continue with the proposed expansion;

(3) The proposed expansion satisfies the applicable elements of Comprehensive Framework Plan Policies:

(a) No. 20 – Arrangement of Land Uses;

(b) No.30 – Industrial Location (Isolated Light Industrial);

(c) No. 36 – Transportation System Development Requirements;

(d) No. 37 – Utilities; and

(e) No. 38 – Facilities.

(4) The proposed expansion satisfies the Design Review provisions of MCC 35.7000 through 35.7070.

~~(ED) Type B home occupation as provided for in MCC 35.6650.~~

~~(F) Large Fills as provided for in MCC 35.6700, through 35.6720.~~

**Section 5.** MCC 35.3355 is amended as follows:

**35.3355 Dimensional Requirements**

(A) Except as provided in MCC 35.3360, 35.3370, 35.3375 and 35.4300 through 35.4360, the minimum lot size for new parcels or lots shall be one acre, ~~for those RC-zoned lands inside the boundary of an "acknowledged unincorporated community". For RC-zoned properties outside an "acknowledged unincorporated community" the minimum lot size is two acres except for those properties within one mile of the Urban Growth Boundary and then the minimum lot size shall be as currently required in the Oregon Administrative Rules Chapter 660, Division 004 (20 acre minimum as of October 4, 2000).~~

(B) That portion of a street which would accrue to an adjacent lot if the street were vacated shall be included in calculating the area of such lot.



(C) Minimum Yard Dimensions - Feet

Front	Side	Street Side	Rear
30	10	30	30

Maximum Structure Height – 35 feet

Minimum Front Lot Line Length – 50 feet.

(D) The minimum yard requirement shall be increased where the yard abuts a street having insufficient right-of-way width to serve the area. The county Road Official shall determine the necessary right-of-way widths based upon the county "Design and Construction Manual" and the Planning Director shall determine any additional yard requirements in consultation with the Road Official.

(E) Structures such as barns, silos, windmills, antennae, chimneys, or similar structures may exceed the height requirement if located at least 30 feet from any property line.

(F) On-site sewage disposal, storm water/drainage control, water systems unless these services are provided by public or community source, required parking, and yard areas shall be provided on the contiguous ownership.

(1) Sewage and stormwater disposal systems for existing development may be off-site in easement areas reserved for that purpose.

(2) Stormwater/drainage control systems are required for new impervious surfaces that are greater than 400 square feet in area. The system shall be adequate to ensure that the rate of runoff from the lot for the 10 year 24-hour storm event is no greater than that before the development.

(G) Grading and erosion control measures sufficient to ensure that visible or measurable erosion does not leave the site shall be maintained during development. A grading and erosion control permit shall be obtained for development that is subject to MCC Chapter 29.

(H) New, replacement, or expansion of existing dwellings shall minimize impacts to existing farm uses on adjacent land (contiguous or across the street) by:

(1) Recording a covenant that implements the provisions of the Oregon Right to Farm Law in ORS 30.936 where the farm use is on land in the EFU zone; or

(2) Where the farm use does not occur on land in the EFU zone, the owner shall record a covenant that states he recognizes and accepts that farm activities including tilling, spraying, harvesting, and farm management activities during irregular times, occur on adjacent property and in the general area.

(I) New, replacement or expansion of existing industrial use buildings shall minimize stormwater drainage impacts by limiting the footprint of the building or buildings to 7,500 square feet of the maximum 15,000 square feet.



**Section 6.** MCC 35.3380 is amended as follows:

**35.3380 Off-Street Parking and Loading**

Off-street parking and loading shall be provided as required by MCC 35.4100 through 35.4220 except as identified below for Review Uses and Conditional Uses.

New, replacement or expansion of existing commercial, industrial, or community service developments shall minimize stormwater drainage impacts for off-street parking by:

(A) Surfacing

(1a) All areas used for parking, loading or maneuvering of vehicles shall either be hard surfaced with two inches of blacktop on a four inch crushed rock base or six inches of portland cement or other material providing a durable and dustless surface capable of carrying a wheel load of 4,000 pounds or shall be surfaced with a gravel "mix," wherein the fine particles are removed at the production yard, thatwhich provides a durable and dustless surface capable of carrying a wheel load of 4,000 pounds.

(2b) Approaches to public rights-of-way shall be paved for a minimum distance of 21' from the fog line, or for a greater distance when required by the County Engineer.

(B) A stormwater drainage system, shall be installed for parking lots, that is designed and certified by an Oregon Registered Professional Engineer to ensure that the rate of runoff at the property line for the 10 year 24 hour storm event is no greater than that which existed prior to development.

(C) Off-street parking for new, replacement or expansion of existing commercial or industrial developments shall provide a minimum of 10 foot landscaped front yard setback. All other minimum yard dimensions for parking shall be as required in the Off-Street Parking and Loading Code Section.

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## Appendix 2: Policies

### EAST OF SANDY RIVER RURAL AREA PLAN - SPRINGDALE RURAL CENTER

\* \* \* \* \*

#### SPRINGDALE RURAL CENTER

The Rural Center zoning district applies to approximately 73 acres in the Springdale Community, along the Historic Columbia River Highway. This district is intended to encourage concentrations of rural residential development, together with limited local and tourist commercial uses, light industrial uses, and public service uses and centers such as churches, fire stations, schools, etc. ~~The Springdale rural center currently has 55 existing residences with 12 vacant and developable parcels.~~ Springdale is comprised of 81 parcels. Existing uses include 57 residences, 6 commercial uses, and 3 public uses. There are 15 vacant parcels that are either in agricultural use, parking areas, back yards of residences or just simply public uses that include the Fire District #14 fire station, county owned property occupied by Multnomah County Road Services, and the currently closed Springdale Elementary School. ~~The rural center also contains several commercial uses and other community-serving uses, including two churches, a fire station, a County road shop, and until 1995 the Springdale Elementary School (now closed).~~

The Springdale Rural Center zoning district permits residences and under a hearing's officer's decision may permit 1) limited rural service commercial uses such as local stores, shops, offices, repair shops and similar uses, 2) tourist commercial uses such as restaurants, taverns, gas stations, motels, guest ranches, and similar uses, 3) ~~light manufacturing uses that employ fewer than 20 people,~~ 4) 3) commercial processing of agricultural or forestry products primarily grown in the vicinity, and 5) 4) community service uses such as schools and churches. All new lots must be at least one acre in size.

Multnomah County originally analyzed the Springdale Community in the 1981 Rural Centers Study, which was not adopted as an ordinance by the Board of Commissioners. That study did not identify any significant problems in the provision of water, fire, or school service to the community, nor any specific problems with on-site sewage disposal systems. Local service providers indicate that there are still no problems with service provisions. The study noted that about 40% of the land area of the Springdale rural center was vacant, either in agricultural use, or as back lots of residences. The study noted that Springdale was at a relative disadvantage to Corbett as a site for rural community-serving and commercial uses because of Corbett's larger size, more central location, and flatter topography. Since then, Springdale has not experienced significant new non-residential development. Problems identified in 1981 included a lack of off-street parking for commercial and community-serving uses, and the fact that if a commercial building is vacant for more than one year the new tenant must obtain a new conditional use permit from the County before establishing a business.

Based upon the amount of vacant land and the lack of new development within the past 15 years, the current size of the Springdale Rural Center is adequate and no expansion should be studied unless new development within the existing Rural Center boundaries justifies an analysis. Disposition and re-use of the Springdale School site will be a key issue in Springdale in the near future.

It should be noted that Corbett was originally a rural center designated by the Multnomah County Comprehensive Framework Plan, but is now part of the Columbia Gorge National Scenic Area, where it is also designated as a rural center. Planning for the Corbett Rural Center occurs within the Columbia Gorge National Scenic Area Management Plan review process. ~~It contains a greater variety of land uses than the Springdale Rural Center.~~

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~~Planning for the Corbett Rural Center will occur within the Columbia Gorge National Scenic Area Management Plan review process.~~

### **Rural Center Policies**

#### **13. Encourage commercial and civic uses that serve local needs within the Springdale rural center.**

**STRATEGY:** Multnomah County shall implement this policy through the review process for conditional commercial and civic uses within Springdale.

#### **14. Study reuse of the closed Springdale Elementary School as a possible multi-purpose community and cultural center.**

**STRATEGY:** Multnomah County shall consider the results of a re-use study during the review any conditional use permit proposing re-use of the Springdale Elementary School site.

#### **~~15. Consider additional community and economic development planning for the Corbett Rural Center as part of a review of the National Scenic Area by Multnomah County.~~**

~~**STRATEGY:** Subsequent to the completion of this plan, Multnomah County shall include a review of land use issues regarding farm lands in the Columbia Gorge National Scenic Area as part of the Division of Transportation and Land Use Planning work program.~~

#### **15. Implement a Plan for the Springdale Community that considers the input received from the community indicating the community's satisfaction with the existing community the way it is. Key elements of the community input are to maintain the rural character of the community, and to ensure that new businesses support the needs of residents and tourism.**

##### **Strategies**

The County should adopt plan policies and ordinances that meet the state Unincorporated Community Rule codified as Oregon Administrative Rule OAR 660-022-0000 through 0070.

- Springdale should be designated and planned as a Rural Community (RC) because it is composed primarily of permanent residential uses with at least two other land uses present (such as commercial, industrial or public uses).
- Revise the RC zoning ordinance to reflect the needs of the Springdale community consistent with the Division 22 OAR for Unincorporated Communities.

Ensure that new or expanding uses minimize impacts to Exclusive Farm Use (EFU) zoned land that is adjacent to the RC zone by requiring "right to farm" measures to be implemented. These measures can be in the form of maintaining a larger setback between the new development and the zone boundary and/or requiring recordation of a covenant that recognizes the rights of adjacent farm managers to farm their land.

### **Commercial and Industrial Development**

#### **16. New commercial and industrial uses within the Springdale Rural Community will be small-scale and low impact in nature as defined by the State Unincorporated Communities Rule. These uses will not adversely impact agriculture or forestry uses and will reinforce the rural nature of the Springdale Community.**

##### **Strategies**



- Multnomah County will update county codes to implement the Unincorporated Communities Rule for small-scale, low impact commercial and industrial uses. Due to the proximity of the communities to the Urban Growth Boundary (UGB), the plan does not justify new uses that are larger than the small-scale, low impact limits in the State Rule.
  - Existing commercial uses may expand up to the small-scale, low impact limit of 4,000 square feet subject to approval criteria in the ordinance.
  - Expansion of existing industrial uses shall be subject to the small-scale, low impact limit of 15,000 square feet and to approval criteria in the ordinance.
- Multnomah County will update its implementing regulations to ensure that new or expanded commercial and industrial development will not result in public health hazards or adverse environmental impacts.
- The County will update its implementing regulations to ensure that new or expanded commercial and industrial development will not exceed the carrying capacity of the soil or of existing water supply and waste disposal services through the inclusion of development standards.
- The County will ensure that new and expanded commercial or industrial uses are subject to Design Review in order to ensure compatibility with the community character and vision.
- Multnomah County will develop zoning ordinance standards for lot coverage of commercial and industrial development that allow adequate development area while ensuring the rural character of these areas is retained.

### **Residential Development**

17. New residential development within the Springdale Community will continue to reinforce the rural nature of the areas through the zoning code.

#### **Strategies**

- The County will update the zoning ordinance to implement the Unincorporated Communities Rule for residential development.
- Include provisions in the residential zone that allow for Type A home occupations outright, and Type B home occupations through a conditional use process and design review.
- The zoning code for new residential parcels in the Rural Center will be at least one acre in order to not increase residential density and to ensure that the carrying capacity of public services and the environment is not exceeded.

### **Design**

18. Accommodate the changing conditions within the Springdale community while preserving their rural function and appearance

#### **Strategies**

- The County should allow flexibility of setback and parking requirements to accommodate irregular lots and existing developments to help preserve the rural character of the area.

### **Transportation**

19. Enhance all modes of travel in a manner consistent with the rural character of the Springdale Community.

#### **Strategies**

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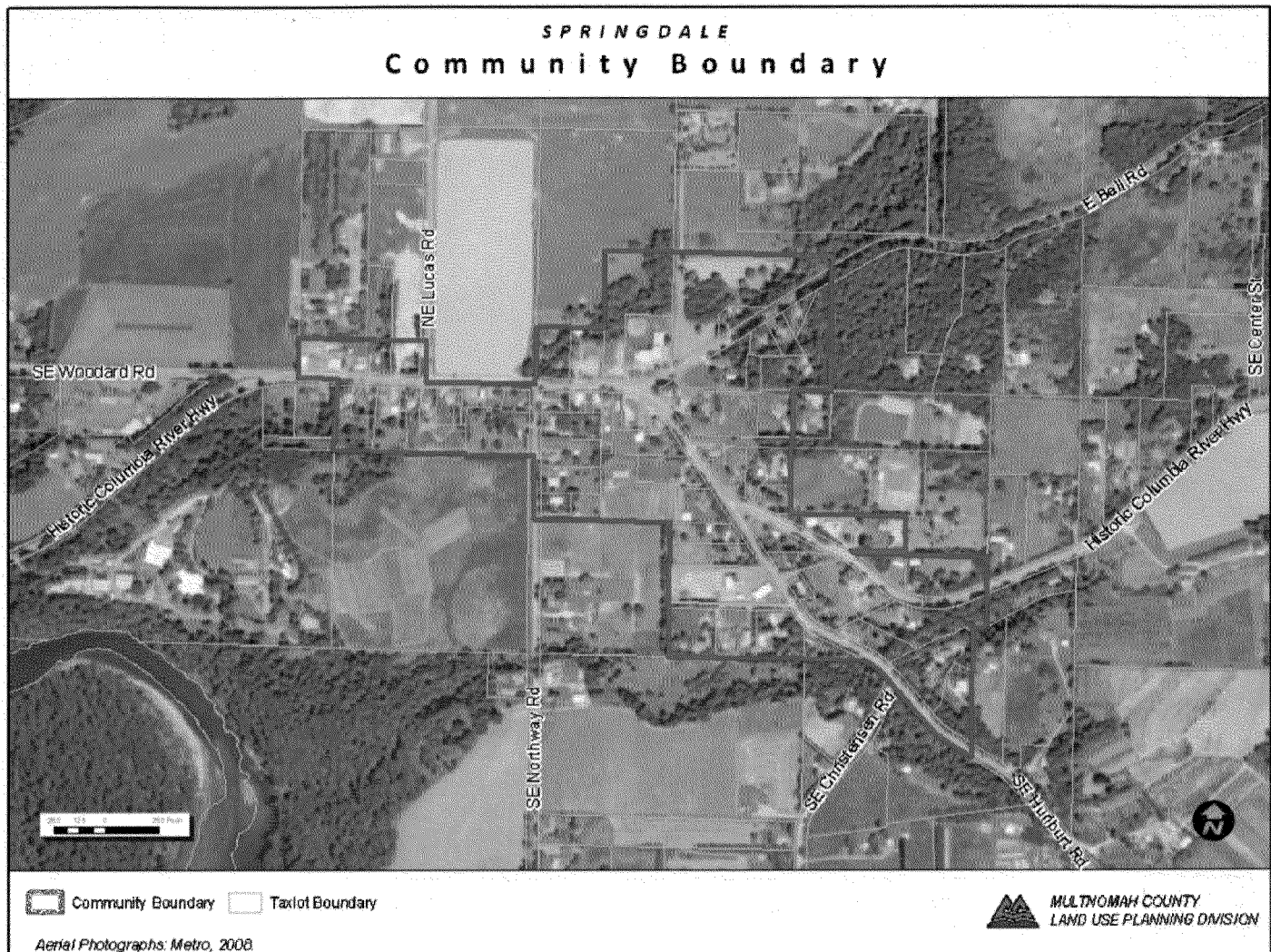


- Provide pedestrian and bicycle access to schools, transit and commercial activities within the Springdale Community consistent with the rural character of the area.
- Review the existing parking standards to ensure sufficient parking is provided to meet demand.

\* \* \* \* \*

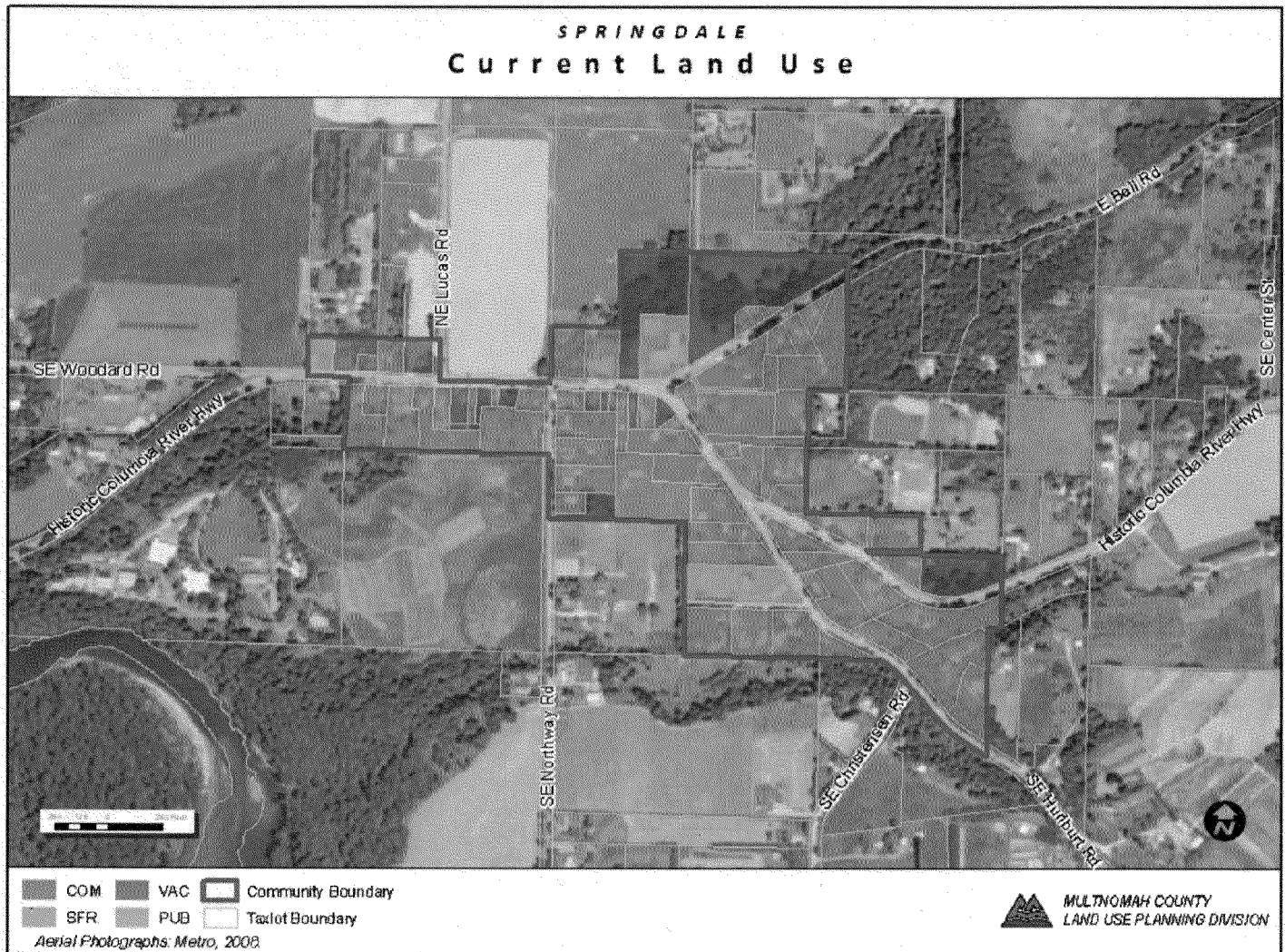


**Appendix 3: Maps**  
**Map 1: Community Boundary**



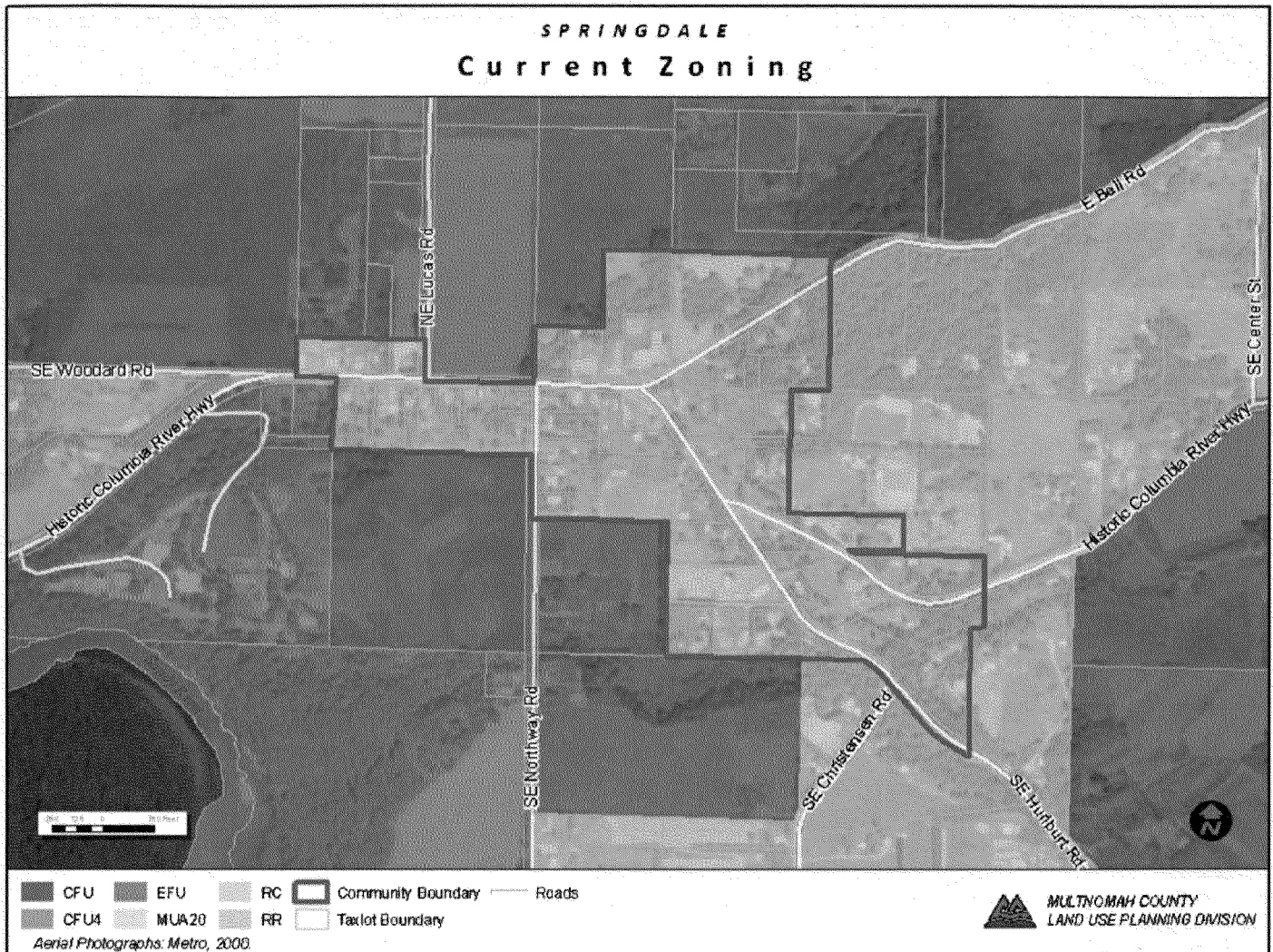


Map 2: Land Use



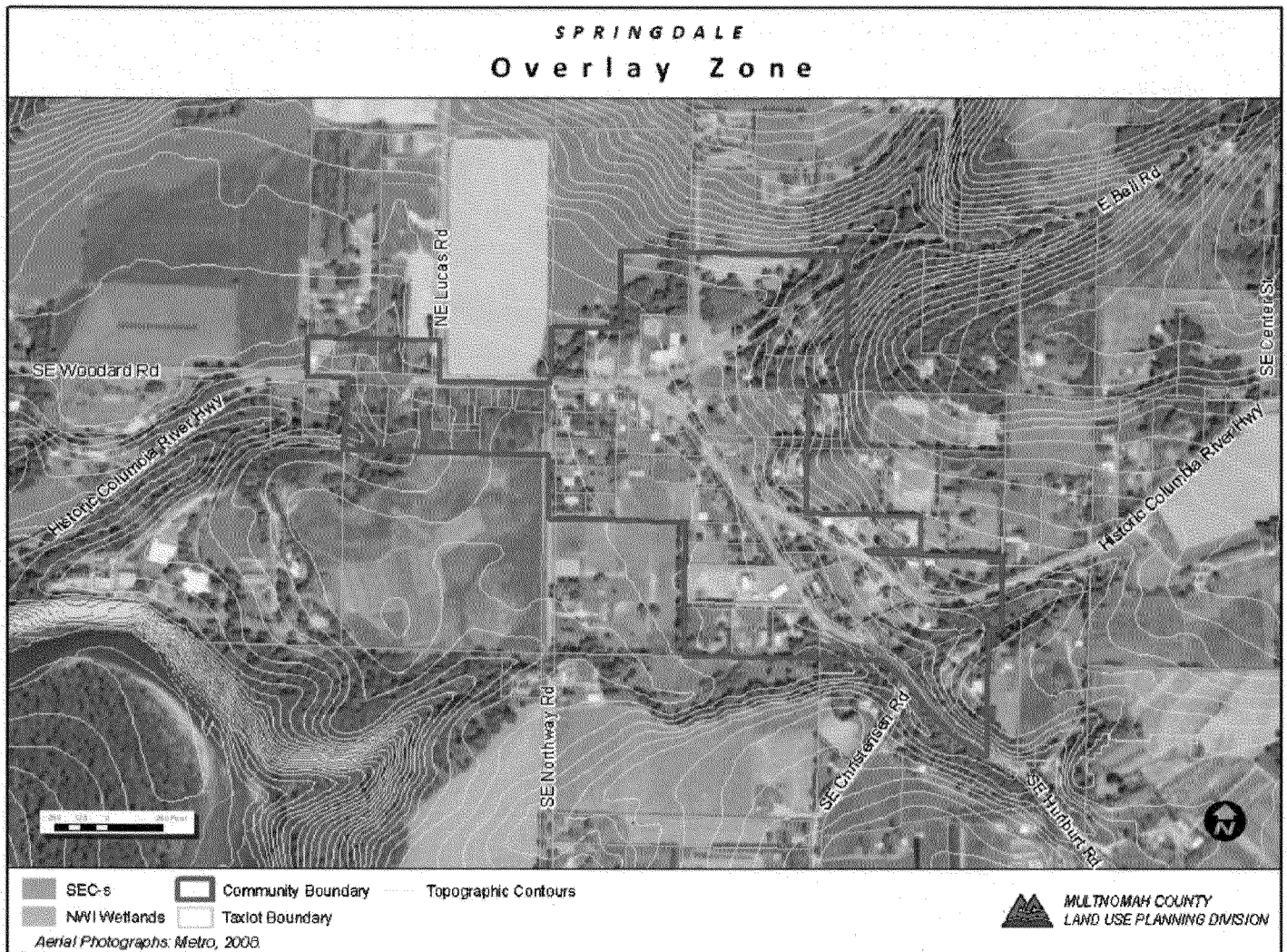


Map 3: Zoning



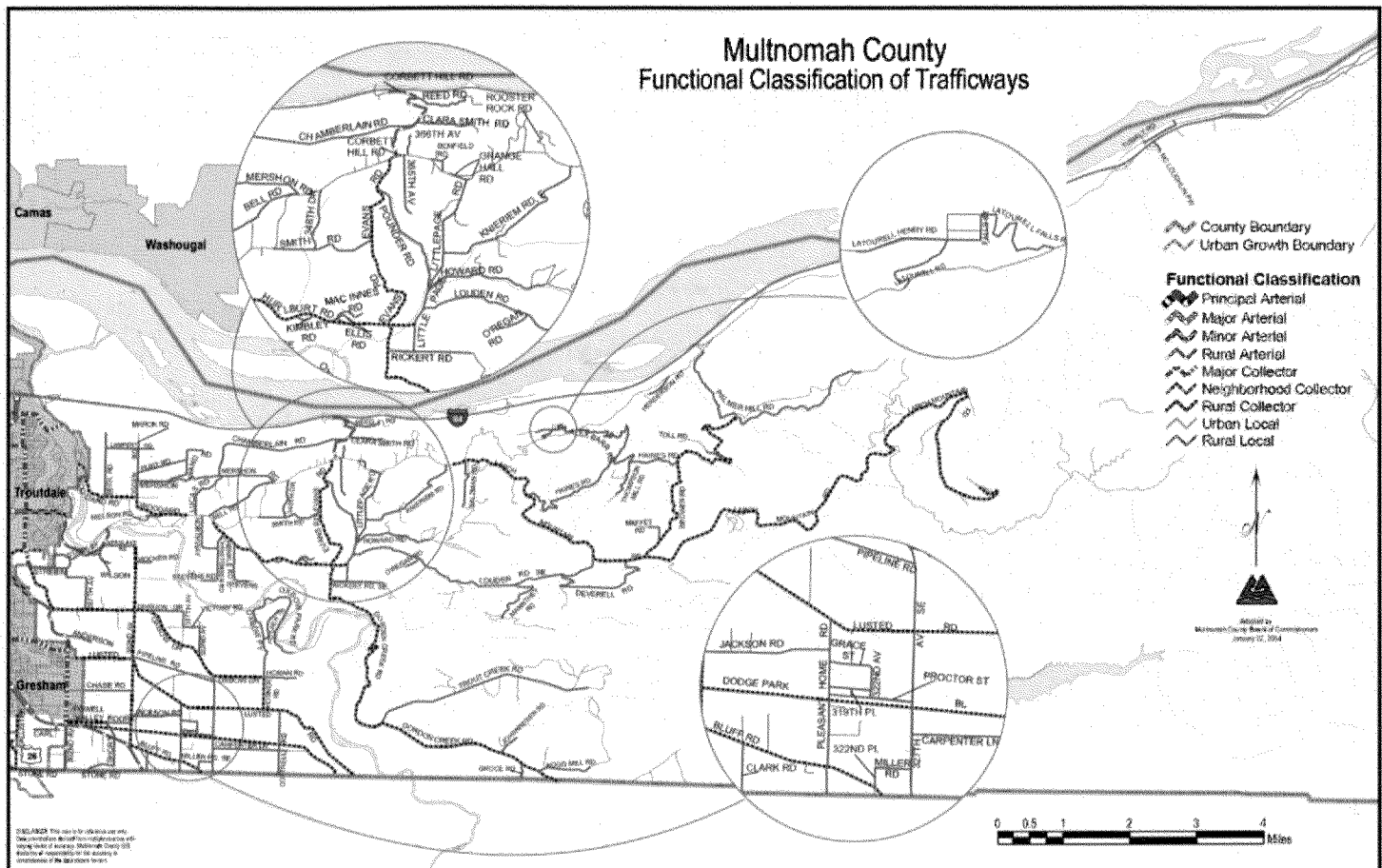


Map 4: Zoning Overlay



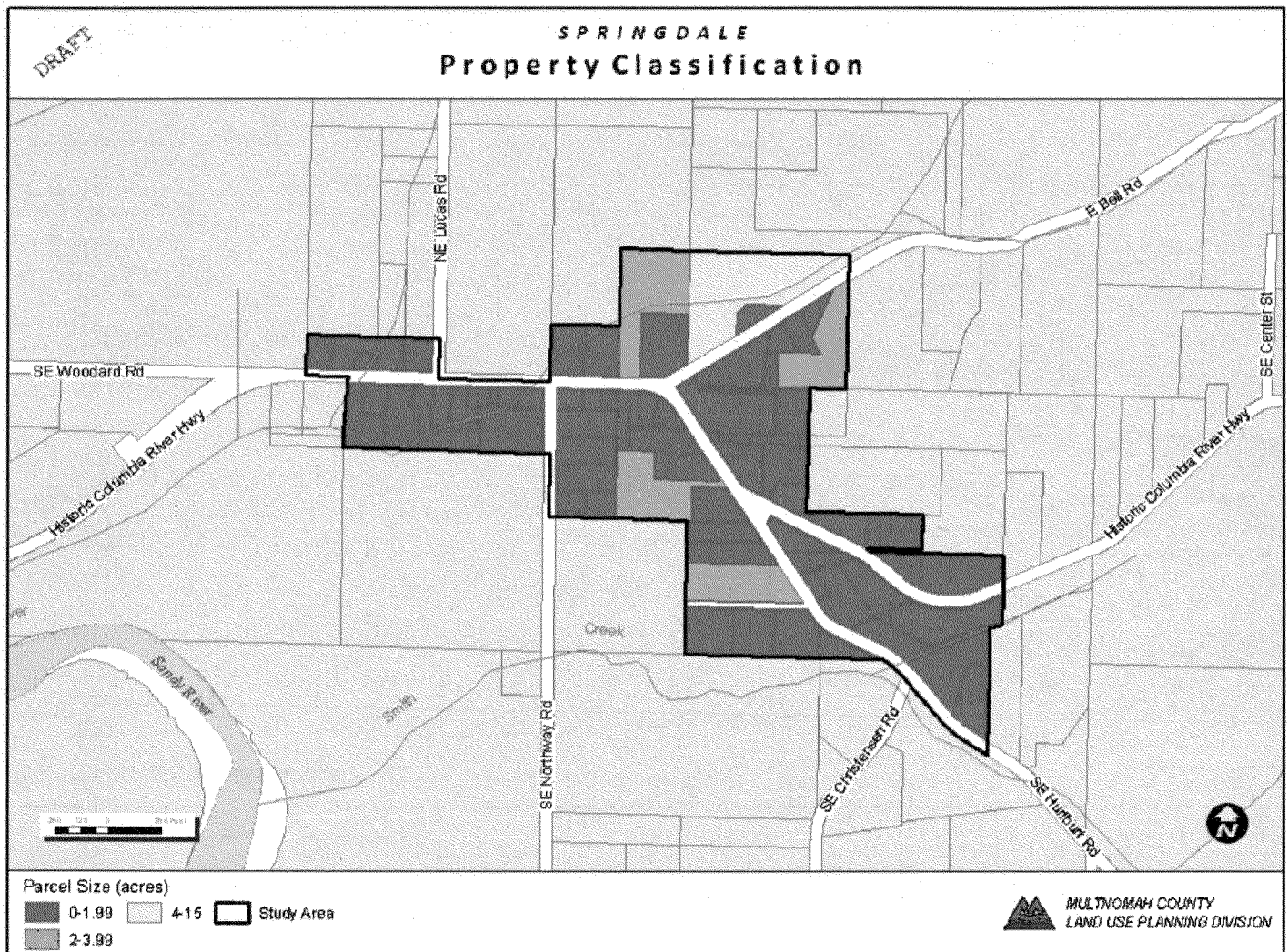


### Map 5: Transportation





Map 6: Range of Parcel Sizes (Acres)





#### Appendix 4: Inventory/Data Table

RNO	ACRES	Parcel Size Class	LANDUSE
R944330220	5.02	4-15	VAC
R944320120	0.47	0-1.99	COM
R944330600	3.15	2-3.99	VAC
R944320070	0.42	0-1.99	SFR
R944330690	2.30	2-3.99	SFR
R944330290	0.33	0-1.99	SFR
R944330760	0.38	0-1.99	SFR
R944330470	0.46	0-1.99	SFR
R944330190	1.60	0-1.99	PUB
R944330460	0.38	0-1.99	SFR
R649711720	0.95	0-1.99	SFR
R649711700	0.94	0-1.99	SFR
R944330200	1.24	0-1.99	SFR
R944320140	0.47	0-1.99	PUB
R944320150	0.63	0-1.99	COM
R649791920	0.39	0-1.99	SFR
R944320130	0.18	0-1.99	COM
R649791900	1.00	0-1.99	SFR
R649791880	1.98	0-1.99	SFR
R994050190	1.08	0-1.99	SFR
R994050320	0.39	0-1.99	SFR
R994050440	0.38	0-1.99	SFR
R994050330	0.43	0-1.99	SFR
R994050400	1.13	0-1.99	SFR
R994050590	0.39	0-1.99	SFR
R994050230	0.35	0-1.99	COM
R994050500	0.15	0-1.99	SFR
R994050170	0.20	0-1.99	VAC
R994050470	0.07	0-1.99	SFR
R994050160	0.22	0-1.99	VAC
R994050030	0.30	0-1.99	SFR
R994040370	0.31	0-1.99	SFR
R994040550	0.18	0-1.99	COM
R994040090	0.52	0-1.99	SFR
R994040460	0.09	0-1.99	COM
R994040570	0.08	0-1.99	COM
R994040120	0.36	0-1.99	SFR
R994040110	0.22	0-1.99	COM
R994040100	0.33	0-1.99	SFR
R994040490	0.24	0-1.99	VAC

R994050670	1.53	0-1.99	SFR
R994040380	0.91	0-1.99	SFR
R994041320	0.12	0-1.99	SFR
R994050640	0.01	0-1.99	VAC
R994050650	0.06	0-1.99	VAC
R994050700	0.04	0-1.99	VAC
R994040130	0.90	0-1.99	SFR
R994050620	0.30	0-1.99	VAC
R994040930	0.87	0-1.99	SFR
R994040420	0.01	0-1.99	VAC
R994040580	0.19	0-1.99	SFR
R994040080	0.65	0-1.99	SFR
R994040770	1.08	0-1.99	SFR
R649730070	2.22	2-3.99	SFR
R649730050	0.90	0-1.99	SFR
R994040410	0.88	0-1.99	SFR
R994041030	0.48	0-1.99	SFR
R649730060	0.86	0-1.99	SFR
R994040400	0.37	0-1.99	SFR
R994040920	0.51	0-1.99	VAC
R994040350	0.75	0-1.99	SFR
R994040780	1.00	0-1.99	SFR
R994040390	0.67	0-1.99	SFR
R994040650	0.80	0-1.99	SFR
R994040680	1.00	0-1.99	SFR
R994040450	0.52	0-1.99	SFR
R994040620	0.53	0-1.99	SFR
R994040530	1.63	0-1.99	VAC
R994040740	1.01	0-1.99	SFR
R994040600	1.17	0-1.99	SFR
R994040750	2.12	2-3.99	PUB
R994040730	0.26	0-1.99	SFR
R994040630	1.96	0-1.99	SFR
R994041250	0.01	0-1.99	VAC
R994040720	1.21	0-1.99	SFR
R994041190	1.09	0-1.99	SFR
R994041240	1.17	0-1.99	SFR
R994040670	0.80	0-1.99	SFR
R994040640	0.52	0-1.99	SFR
R649812540	1.86	0-1.99	SFR
R649812530	1.07	0-1.99	SFR

SFR: Single Family Residence  
VAC: Vacant  
COM: Commercial  
PUB: Public



## Appendix 5: Public Involvement and Process

- Fliers
- Website



# COME JOIN US!

## SPRINGDALE RURAL COMMUNITY PLANNING MEETING

**Location: Corbett High School Cafeteria, Multi-Purpose Building  
35800 Historic Columbia River Highway, Corbett, OR 97019  
Date and Time: April 20, 2010 from 7:00 pm to 8:30 pm**

*Note: From 5:30-7:00 pm, a separate Open House is being held to share general information on the county land use, code compliance, and transportation programs. This event is not a part of the Springdale meeting.*

Multnomah County Land Use Planning is beginning work on a zoning plan for Springdale. You're invited to come and share your views. Our goal is to better understand your Community and to plan for its future under the guidance of Oregon State Planning Goals and Guidelines. Come join us to learn about the process, review data and information about the area, and give us your feedback.

Springdale was recognized as an unincorporated rural community in the Multnomah County Comprehensive Plan and was zoned Rural Center in 1977. State rules recognize that areas of residential and commercial land uses which are more intensive than is allowed on rural land existed outside of urban growth boundaries when the statewide planning goals were adopted in 1973. State Administrative Rules in OAR 660-022-0000 to 660-022-0070 include requirements for counties to implement to help plan for these areas.

### **Why are we going through this process?**

Community plans are required under statewide regulations for unincorporated communities, such as Springdale. The rules generally require that zoning provide for appropriate uses and level of development to ensure that nearby agricultural or forestry uses are not adversely affected, that the capacity and function of transportation facilities is maintained, and that water quality and the carrying capacity of soil and water supplies is maintained. This allows the County to maintain appropriate zoning regulations for its unincorporated areas outside of the regional Urban Growth Boundary (UGB)

### **What is the timeline for the project?**

Our goal is to adopt any needed plan and zoning amendments by the end of this calendar year. A series of three community meetings will be scheduled throughout the year starting with the introductory meeting in April. Future meetings will be scheduled in June and September of this year to review drafts and provide feedback on the community plan.

### **How can I participate in the process?**

If you want more information, if you cannot attend, or if you want to sign up for email updates, please see below for more information on how to participate.

Send us comments:

Attention: Springdale Rural Center Project



1600 SE 190<sup>th</sup> Ave, Suite 116  
Portland, OR 97202  
Email: [springdaleplan@co.multnomah.or.us](mailto:springdaleplan@co.multnomah.or.us)  
Fax: 503-988-3389

Sign-up for email notices: [springdaleplan@co.multnomah.or.us](mailto:springdaleplan@co.multnomah.or.us)

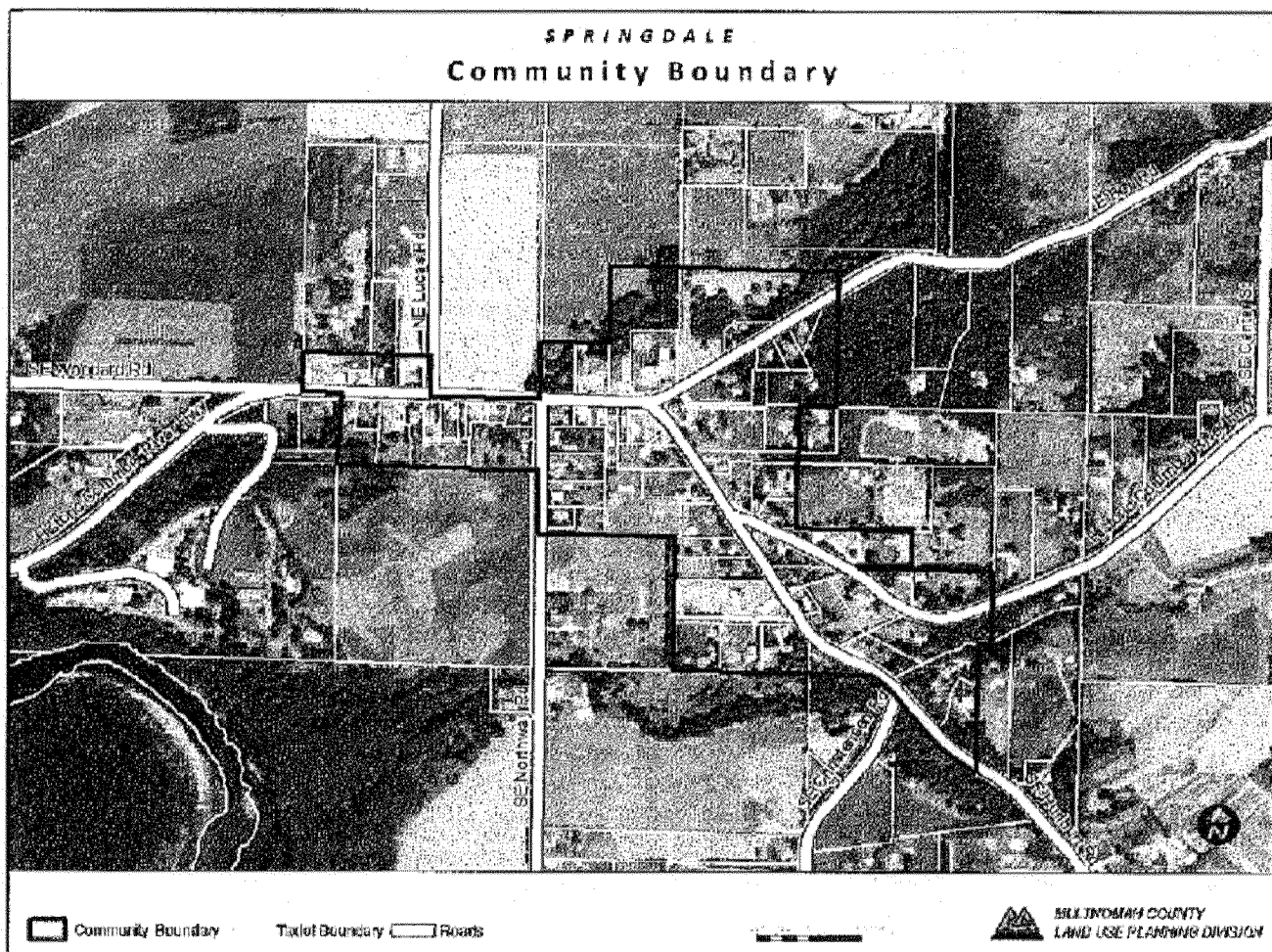
**Where can I get more information?**

Check online for upcoming dates of future community meetings and posted documents and information at [www.multco.us/springdaleplan](http://www.multco.us/springdaleplan)

### Who do I contact if I have questions?

George Plummer  
Phone: 503-988-3043 extension 29152  
Email: [george.a.plummer@co.multnomah.or.us](mailto:george.a.plummer@co.multnomah.or.us)

Joanna Valencia  
Phone: 503-988-3043 extension 29637  
Email: joanna.valencia@co.multnomah.or.us







# Informational Handout

## Why are we going through this process?

The Oregon Statewide Planning Goals and guidelines require planning for all the communities in the state. The Oregon Administrative Rules (OAR's) provide supporting legislation for communities working to implement the applicable Statewide Planning Goals. The OAR that applies specifically to land use planning for Unincorporated Communities is OAR 660-022, also known as the Unincorporated Communities Rule.

The Unincorporated Communities Rule requires that established communities outside of urban growth boundaries be designated and planned as one of the four types of communities described in the Rule. Due to the characteristics of the Springdale Rural Center area, county staff has determined that it should be designated as a Rural Community. Specific provisions for Rural Communities require that counties adopt rural community zoning designations for the uses within the area. The type and extent of specific uses permitted are subject to provisions outlined in the Rule.

The Springdale area is currently zoned as Rural Center, which allows single family residential uses outright and requires a conditional use review to establish some community service uses and commercial uses. State rules for rural communities acknowledge that some concentrated areas of residential and commercial activities have come to exist outside of urban growth boundaries. State guidelines for these areas help counties plan for these areas. The state rule requires that counties identify and designate such areas, plan for permitted and prohibited uses, and anticipate future facility needs. This task aims to accomplish this and identify the appropriate designations for this area.

## What is the Unincorporated Communities Rule?

Through the Unincorporated Communities Rule, the State has acknowledged that some communities have developed outside of urban growth boundaries to an extent that they are not entirely rural in nature. State guidelines for these areas have been implemented to help counties plan for these areas and bypass a stringent "exceptions" process (detailed in statewide Goal 2, land use planning) in their planning efforts. The rule requires that counties identify and designate such areas, plan for permitted and prohibited uses, and anticipate current and future facilities needs.

The rule provides, first, for areas to be designated as either Urban Unincorporated Communities or one of three rural types of unincorporated communities. An Urban Unincorporated Community contains over 150 permanent residential dwellings and a mixture of land uses, and is served by a community sewer and water system.

According to the State Rule, Rural Unincorporated Communities may be defined as one of the three following types:

- Resort Communities- established primarily for recreation and resort purposes.
- Rural Communities- consisting primarily of permanent residential dwellings, with at least two other land uses present (such as commercial, industrial or public uses).
- Rural Service Centers- consisting primarily of commercial or industrial uses. They provide goods and services to the surrounding rural area and to persons travelling through the area.

In order to determine the appropriate designation for the Springdale area, county staff conducted a parcel-by-parcel inventory of the area. The inventory included site visits, inspections of aerial photographs and Assessor data, and a land use overview. The current area of the Springdale Rural Center is defined by the extent of the Rural Center zoning district. The findings from this inventory are illustrated in the land use map we have provided.



### **What does this task accomplish?**

This task will determine the type of community Springdale is and guide us in planning for that type of community. Data collection including an inventory of existing uses, services and infrastructure is being conducted. We will be doing community outreach to discover issues, concerns, and the vision of the community of Springdale. The final product of this task includes a community plan and zoning consistent with the findings of the public process-our research, and state requirements.

The goal of this project is to provide for appropriate zoning for the Community of Springdale and to achieve compliance with Division Oregon Administrative Rule Division 22, Unincorporated Communities Rule. The project will be tailored and focused to follow an approach that achieves compliance.

Our goal is to adopt a community type designation, a community plan and zoning amendments for Springdale. A series of three community meetings will be scheduled: an introductory meeting in April and future meetings will be scheduled in June and September of this year to review drafts and provide feedback on the community plan.

### **Next Steps**

- Future community meetings tentatively scheduled for June and September
- Opportunity to review and comment on Preliminary Plan
- Planning Commission in October/November
- Board of Commissioners in December
- Target to adopt by the end of calendar year

### **How can I participate in the process?**

Send us comments:

Attention: Springdale Rural Community Project  
1600 SE 190<sup>th</sup> Ave, Suite 116  
Portland, OR 97233  
Email: [springdaleplan@co.multnomah.or.us](mailto:springdaleplan@co.multnomah.or.us)  
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Joanna Valencia  
Phone: 503-988-3043 extension 29637  
Email: [joanna.valencia@co.multnomah.or.us](mailto:joanna.valencia@co.multnomah.or.us)





# Springdale

## *Summary and Inventory*

### Introduction

Springdale is approximately 3 miles from the city of Troutdale, and is located along the Historic Columbia River Highway. The community is comprised primarily of residential uses, with some community service uses that include churches, commercial uses, and a fire station.

### History

Springdale was recognized as an unincorporated rural community in the Multnomah County Comprehensive Plan and was zoned Rural Center in 1977. The established Rural Center zoning district applied to approximately 73 acres in the Springdale Community. This zoning district is intended to encourage concentrations of rural residential development, together with limited local and tourist commercial uses, light industrial uses, and public service uses and centers such as churches, fire stations, schools, etc.

### Land Use and Inventory

Table 1 below provides data on the number of parcels and acreage per Land Use designation and three parcel size classifications. A majority of the acreage is in Single Family Use, with a small number in commercial use or vacant land. Springdale is comprised of 81 parcels. There are number of vacant parcels, with the inventory finding that these lots were either in agricultural use, used as a parking area or were back lots of residences.

Springdale  
Table 1

Parcel Size Class	Data	Land Use Designation			
		Commercial	SFR	Vacant	Grand Total
0 to 1.99 acres	Total Acres	3.8	41.81	3.23	48.94
	Number of Parcels	9	56	11	76
2 to 3.99 acres	Total Acres	2.12	4.52	3.15	9.79
	Number of Parcels	1	2	1	4
4 to 15 acres	Total Acres			5.1	5.1
	Number of Parcels			1	1
Total Acres		5.92	46.43	11.48	63.83
Number of Parcels		10	58	13	81

\*Doesn't include acreage in right-of-way

Updated 4/15/10

### Zoning

The current zoning of the parcels located within the Springdale Community Boundary is Rural Center. The Rural Center zoning district permits residences outright, and under a Conditional Use Permit may permit 1) limited rural service commercial uses such as local stores, shops, offices, repair shops and similar uses, 2) tourist commercial uses such as restaurants, taverns, gas stations, motels, guest ranches, and similar uses, 3) light manufacturing uses that employ fewer than 20 people, 4) commercial processing of agricultural or forestry products primarily grown in the vicinity, and 5) community service uses such as schools and churches. All new lots must be at least two acres in size.



## Springdale Planning Meeting

County Home » Departments » Community Services » Land Use & Transportation » Land Use Planning » Codes & Plans » Springdale Rural Community Planning Meeting

PC-10-010, Springdale

### Springdale Rural Community Planning Meeting

Upcoming Community Meeting to review draft Community Plan, Policies and Zoning  
Tuesday, September 7th, 6:00 pm to 7:30 pm

Location: Corbett High School Cafeteria, Multi-Purpose Building  
35800 Historic Columbia River Highway, Corbett, OR 97019

Flier  
Meeting Documents:  
[Plan](#) | [Policies](#) | [Zoning](#)

#### Documents:

- Handouts: [Summary and Inventory](#) | [Informational Handout](#)
- Maps: [Land Use](#) | [Zoning](#) | [Zoning Overlays](#)
- June 22 Meeting Handouts: [DRAFT Springdale Unincorporated Community Plan](#) | [Memo: Response to community comments raised for Springdale Community](#) | [Springdale Policies Document](#) | [Springdale Zoning Document](#)

Multnomah County Land Use Planning is beginning work on a zoning plan for Springdale. You're invited to share your views. Our goal is to better understand your community and to plan for its future under the guidance of Oregon State Planning Goals and Guidelines. Learn about the process, review data and information about the area, and give us your feedback.

Springdale was recognized as an unincorporated rural community in the Multnomah County Comprehensive Plan and was zoned Rural Center in 1977. State rules recognize that areas of residential and commercial land uses which are more intensive than is allowed on rural land existed outside of urban growth boundaries when the statewide planning goals were adopted in 1973. State Administrative Rules in OAR 660-022-0000 to 660-022-0070 include requirements for counties to implement to help plan for these areas.

#### Why are we going through this process?

Community plans are required under statewide regulations for unincorporated communities, such as Springdale. The rules generally require that zoning provide for appropriate uses and level of development to ensure that nearby agricultural or forestry uses are not adversely affected, that the capacity and function of transportation facilities is maintained, and that water quality and the carrying capacity of soil and water supplies is maintained. This allows the County to maintain appropriate zoning regulations for its unincorporated areas outside of the regional Urban Growth Boundary (UGB).

#### What is the timeline for the project?

Our goal is to adopt any needed plan and zoning amendments by the end of this calendar year. A series of three community meetings will be scheduled throughout the year starting with the introductory meeting that was held on April 20. Future meetings will be scheduled in June and September of this year to review drafts and provide feedback on the community plan.

#### How can I participate in the process?

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Attention: Springdale Rural Center Project  
1600 SE 190th Ave, Suite 115  
Portland, OR 97233  
Email: [springdaleplan@co.multnomah.or.us](mailto:springdaleplan@co.multnomah.or.us)  
Fax: 503-988-3389



Springdale Community Boundary Map  
[Click here for full-sized map.](#)



<http://www2.co.multnomah.or.us/Public/EntryPoint?ch=eea30e0ee5b672...>

Sign-up for email notices: [springdaleplan@co.multnomah.or.us](mailto:springdaleplan@co.multnomah.or.us)

**Attachment D. Public Outreach Materials**  
PC-10-010, Springdale

Who do I contact if I have questions?

George Plummer  
Phone: 503-988-3043 extension 29152  
Email: [george.a.plummer@co.multnomah.or.us](mailto:george.a.plummer@co.multnomah.or.us)

Joanna Valencia  
Phone: 503-988-3043 extension 29637  
Email: [joanna.valencia@co.multnomah.or.us](mailto:joanna.valencia@co.multnomah.or.us)

Portland, OR 97214 | Phone: 503.823.4000 | TDD: 503.823.6868  
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## **Appendix 6: April 20, 2010 Community Meeting**

- Handouts
- PowerPoint Presentation
- Community Input

The April 20<sup>th</sup> Community Meeting, included a staff presentation and a staff led Community Input Session. The staff facilitated Community Input Session involved a large group discussion with those in attendance. Staff posed the three questions below and initiated discussion and noted the feedback received during the input session. The information below reflects the community input received in response to the three questions asked by staff.

### **Community Input Session**

Springdale Community Meeting  
April 20, 2010  
Corbett High School, 7-8:30pm

#### **1. What aspects of the Springdale Community do you like? What is important to you?**

It's our home.

We should leave it alone.

It's a small community.

Community Center

Its swell!

We like the way it is. \*\*\*\*

Walking the area

Natural Resources

Places for large animals (i.e. horses)

Wildlife

Like the Community Boundary location as it is.

#### **2. What issues are important to the Springdale Community?**

Road Infrastructure

Water Service

Off-Street Parking

Lack of services

Lots are small

---



ODOT Requirements and Right-of-way

Transportation and Safety (speed limits)

Drainage

Roadway Run-Off

Seasonal increases in traffic, especially in the summer when visitors come to the Gorge.

Additional traffic generated from charter school.

**3. What suggestions do you have for improving the Springdale Community?**

Consideration of boundary location

Job Corps Site- adding site within community boundary

Re-evaluate Commercial Forest Use (west of community)

Springdale Community School Building and use of property and maintaining it as a community use

Parking options- improvement

**Survey and Comment Letters Received**



**Springdale Community Survey**

Please fill out and return to the Multnomah County Land Use and Transportation Program Office by May 7, 2010. Attach additional sheets if needed. The survey is also available online at [www.multco.us/springdaleplan](http://www.multco.us/springdaleplan).

1. What aspects of the Springdale Community do you like? What is important to you?

I love having the historic Springdale School to use as a community center. I like having a market & deli in Springdale.

2. What issues are important to the Springdale Community?

Keeping the Springdale school viable as a meeting space for the community.

3. What suggestions do you have for improving the Springdale Community?

Buying the Springdale School and improving it to be able to be used for even more community use. Developing the "Blue House" back into a cafe/bakery. Getting another business in between the Tavern and Gloria's hair salon.

Your Name:	Jennifer Prince	When completed, please return to: Attention: Springdale Rural Community Project 1600 SE 190 <sup>th</sup> Ave, Suite 116 Portland, OR 97202 Email: <a href="mailto:springdaleplan@co.multnomah.or.us">springdaleplan@co.multnomah.or.us</a> Fax: 503-988-3389 Phone: 503-988-3043 Staff Contacts: George Plummer or Joanna Valencia
Mailing Address:	P.O. Box 237 Corbett OR 97019	
Phone Number:		
Email:	<a href="mailto:jprince@cascadeaccess.com">jprince@cascadeaccess.com</a>	





## Springdale Community Survey

Please fill out and return to the Multnomah County Land Use and Transportation Program Office by May 7, 2010. Attach additional sheets if needed. The survey is also available online at [www.multco.us/springdaleplan](http://www.multco.us/springdaleplan).

- What aspects of the Springdale Community do you like? What is important to you?  
I've lived in this community for almost 63 years. It has been & still is a wonderful community. Friendly, non-invasive - helpful when needed.
- What issues are important to the Springdale Community?  
We need to make the Springdale School a Permitted Bldg. The school is a resource for families, & for children to have a safe place to play. Organic gardening has been encouraged - It is a place for community gatherings - picnics, celebrations for family gatherings - historical society - a great "Garden" business. It should be encouraged to maintain & grow.
- What suggestions do you have for improving the Springdale Community?  
Save our school bldg center for the community - Corbett uses it, as much as residents - We need - support each other. Please reign in the bureaucratic demands - parking, etc. Be part of the solution, not the multiple problems. Work together to keep Springdale a safe & healthy place. The scenery is what we need to keep it -

Your Name:	Jean E. Driver	When completed, please return to: Attention: Springdale Rural Community Project 1600 SE 190 <sup>th</sup> Ave, Suite 116 Corbett Portland, OR 97202 Community we love. Email: <a href="mailto:springdaleplan@co.multnomah.or.us">springdaleplan@co.multnomah.or.us</a> Fax: 503-988-3389 Phone: 503-988-3043 Staff Contacts: George Plummer or Joanna Valencia
Mailing Address:	1105 SE Christensen Bld	
Phone Number:	503-695-5190 Corbett OK 9/10/10	
Email:	Don't have	

- Include any additional comments, suggestions or questions you may have:  
For example We need to encourage more businesses - it was a shame to have to give up the "Blue House" restaurant - largely due to parking restrictions. There is what is needed - draws, not shuffling blocks. A positive outlook - not always a negative one.

We need money & services from the County.  
The first Monday of the month, at the Fire Hall, for Safety action, is a positive force, & is highly appreciated. Ending my comment, on a positive note.

MULTNOMAH COUNTY  
PLANNING SECTION  
10 APR 23 PM 2:59

RECEIVED





## Springdale Community Survey

Please fill out and return to the Multnomah County Land Use and Transportation Program Office by May 7, 2010. Attach additional sheets if needed. The survey is also available online at [www.multco.us/springdaleplan](http://www.multco.us/springdaleplan).

1. What aspects of the Springdale Community do you like? What is important to you?

BEING A RURAL community  
Satisfied AS IT IS

2. What issues are important to the Springdale Community?

To Keep it AS IT IS.

3. What suggestions do you have for improving the Springdale Community?

IT IS IMPORTANT TO NOT HAVE ANY  
MORE HOMES - NO LAND FOR THEM

Your Name:	Kirby	<b>When completed, please return to:</b> Attention: Springdale Rural Community Project 1600 SE 190 <sup>th</sup> Ave, Suite 116 Portland, OR 97202 Email: <a href="mailto:springdaleplan@co.multnomah.or.us">springdaleplan@co.multnomah.or.us</a> Fax: 503-988-3389 Phone: 503-988-3043 Staff Contacts: George Plummer or Joanna Valencia
Mailing Address:	708 SE NORTHWAY RD	
Phone Number:		
Email:		

RECEIVED  
10 APR 30 PM 2:31  
MULTNOMAH COUNTY  
PLANNING SECTION

Dear Janice, 4/21/10  
Thanks for your time to  
come to Springdale/Corbett last  
night. You can tell that  
people are pretty happy about  
the way things are out here  
when they complain about  
parking on the street (a small  
issue in the big picture). I  
think the meeting went well  
and the folks were  
positive.

Regards,

Karen Deane





## Springdale Community Survey

Please fill out and return to the Multnomah County Land Use and Transportation Program Office by May 7, 2010. Attach additional sheets if needed. The survey is also available online at [www.multco.us/springdaleplan](http://www.multco.us/springdaleplan).

1. What aspects of the Springdale Community do you like? What is important to you?

I live on the highway & have for 164 years. I love the traffic & the visitors! I see bikers & car clubs & horses!! It is great! People come from all over the world & ask

2. What issues are important to the Springdale Community? Be for director as I work in

Keep it the same. My yard! —————> over  
Enforce the speed limit through town.

3. What suggestions do you have for improving the Springdale Community?

Allow us to save that beautiful IOWA on the highway - the Old Springdale School as in, make it easy for the Community, etc.

Your Name:	Karen Schaaf	When completed, please return to: Attention: Springdale Rural Community Project 1600 SE 190 <sup>th</sup> Ave, Suite 116 Portland, OR 97202 Email: <a href="mailto:springdaleplan@co.multnomah.or.us">springdaleplan@co.multnomah.or.us</a> Fax: 503-988-3389 Phone: 503-988-3043 Staff Contacts: George Plummer or Joanna Valencia
Mailing Address:	32201 E. Hirth Col. Rv. Hwy	
Phone Number:	503-695-5652	
Email:	KESchaaf@gmail.com	

4. Include any additional comments, suggestions or questions you may have:

People from all over the world stop & take pictures of the field & pasture next to my house. People from all over the world stop & take pictures of my flower stand & flowers at my house & the flowers @ Springdale School.

One time a tour bus of visitors from the Orient stopped to video & take pictures of the "cowboys" riding their horses among the cows behind my house!!



Springdale Community Survey

1. We love living in Springdale, it's a nice little area.  
We don't want to be incorporate with Troutdale.  
Leave troutdale the same and leave Springdale the same. Why change every thing

2 If you want to do something, help us get the old Springdale school fixed up as a community center where we can have all kinds of activities that every one can enjoy.

Stephen Kenney, Jr.  
31841 E. Hist. Col. R. Hwy.  
Troutdale, OR 97060

HOME 503-695-5151

*Stephen & Patricia  
Kenney*

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10 APR 30 AM 8:03  
MULTNOMAH COUNTY  
PLANNING SECTION



**Nevalln Scott**  
31700 Historic Columbia  
Troutdale, OR 97060-9376

## SPRINGDALE

I have a passion for Springdale. My family bought the garage and filling station in 1959 and we would still be doing business there if the County would have let us. OK.

I cannot imagine living anywhere else. I believe in the folks here and my fondest wish is to continue to help them.

What do we need from the County? Mostly, just let us live and continue to function as a community.

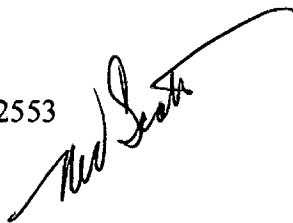
The County Road department does an excellent job, our water district is working to keep us healthy (at a hefty price), our Volunteer Fire Department is second to none, PGE (even though they would rather pay insurance to keep us supplied in the winter rather than putting the wiring underground) does fair, ODOT pretty well does as they see fit with the Historic Columbia River Highway newly named Historic Highway 30 (surprise), the Springdale Country Market and Deli with new owners are doing a truly great job, we have Perfect Climate (employing a number of local folks), a barber, two churches, and the Springdale Pub taking up the slack, with new owners cooperating with the rest of the community.

What we really need and are trying diligently to accomplish IS TO RECLAIM OUR IDENTITY via the Springdale School Community Association. We have the Historical Museum, Art Gallery, Framing shop, Boy Scouts, meeting rooms, community garden, covered building for community functions (the Bob Scott Memorial Pigout, garage sales, Night Out Potluck, Springdale Christmas Tree, Lighted Christmas Parade, and any and all functions that come our way).

So, anything the County can do to help us regain our identity, please do. If the County plans on making things more difficult, please be aware that I make a really good friend or a powerful, unforgiving enemy.

Sincerely,

Nev Scott  
(504)695-2553



RECEIVED  
10 APR 28 PM 2:01  
MULTNOMAH COUNTY  
PLANNING SECTION



## Appendix 7: June 22, 2010 Community Meeting

The June 22<sup>nd</sup> Community Meeting, included a staff presentation and a staff led Community Input Session. The staff facilitated Community Input Session involved a large group discussion with those in attendance. Staff initiated discussion and noted the feedback received during the input session. The information below reflects the community input received.

### Community Input Session

Springdale Community Meeting

June 22, 2010

Corbett Grade School Cafeteria, 6-7:30pm

Community Input
Recommendation Strong community support for use of gravel surface for parking and access
Issue of flooding on Southside of Historic Columbia River Highway. Concern with impact of possible additional commercial and/or industrial development. Impact to drainage and additional run-off from developments.  There are underground springs that affect drainage. Issues with flooding on lots.
Drainage Existing drainage has issues; we need to make sure that we don't add to it.
1 acre vs. 2 acre lot size for new lots. Community support for 1 acre lot sizes.
Sidewalks. Is it possible to require? Community support and recommendation to ODOT for sidewalks.
Industrial Uses. 10,000 (current county code) vs. 40,000 (maximum allowed according to State Rule). <ul style="list-style-type: none"><li>• Comments were received regarding the possibility of not having industry. Some support received for it, but community members still felt that some form of industry is still appropriate for the community.</li><li>• Consideration for a 5,000 square foot limit was suggested by some community members.</li><li>• It was also suggested that we should look at the list of Review Uses and Conditional Uses in the zone, and explore whether or not some of the uses should be removed or whether or not some conditional uses should be moved to a review use or vice versa.</li></ul>
Develop a list of existing uses and sizes (i.e. size of Perfect Climate Structure)
Explore drafting code: <ul style="list-style-type: none"><li>• Less than 5,000 square feet would be a Review Use</li><li>• Greater than 5,000 to 40,000 square feet would be Conditional Use</li></ul>
Is 5,000 square feet sufficient?
Take a look at 10,000 square feet with a 5,000 square feet footprint limitation (lot coverage). Less impact to drainage due to less potential of creating additional impervious surfaces.
Community support for limiting Commercial Uses consistent with State Rule limitation of 4,000 square feet
Attendees identified creeks in the community: Dairy Creek and Springdale Creek.



## Appendix 8: Findings

### Findings

Statewide Planning Goals Compliance  
and Compliance with OAR Chapter 660, Division 22, the Unincorporated Communities Rule

#### Springdale Community Plan, PC-10-010

##### Statewide Planning Goals Compliance

MCC Chapter 11.05.180 Standards for Plan and Revisions requires legislative plan amendments comply with the applicable Statewide Planning goals pursuant to ORS 197.175(2)(a). These findings show that the Springdale Community Plan amendments are consistent with and comply with the applicable goals which include: Goal 1: Citizen Involvement, Goal 2: Land Use Planning, Goal 3: Agricultural Lands, Goal 4: Forest Lands, Goal 5: Natural Resources, Scenic and Historic Areas, and Open Spaces, Goal 6: Air, Water and Land Resources Quality, Goal 11: Public Facilities and Services and Goal 14: Urbanization.

##### GOAL 1: CITIZEN INVOLVEMENT

To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

***Finding:** The public outreach program for the project included a number of different methods including mailed and emailed notification, conducting a community survey, and holding meetings in the community. A series of three public meetings were held in Corbett. These meetings included staff presentations and community dialog sessions. Results from these meetings found that the citizens are generally happy with their community and enjoy the neighborhood, and they want to preserve the community as it is. Concerns raised included ensuring adequate water service, increases in traffic, drainage and run-off, off-street parking and the use of the Springdale Community Building. Public hearings were held before the Planning Commission and Board of Commissioners, where the public had opportunity to provide testimony.*

##### GOAL 2: LAND USE PLANNING

To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions.

***Finding:** The Springdale Community plan and map, policies and zoning amendments put in place the framework needed to carry out the objectives of the Unincorporated Communities Rule by:*

- *Identifying the community boundary,*
- *Inventorizing and analyzing data and information about the community related to the existing land uses, available public services, parcel sizes, and current plan policies and zoning regulations, and*
- *Reviewing the characteristics of the community, preparing a plan, proposing policies and amending the existing zoning regulations for consistency with the State Rule*

##### GOAL 3: AGRICULTURAL LANDS

To preserve and maintain agricultural lands.

***Finding:** Agricultural lands in the county are protected for farm use by existing zoning and plan policies, and these are unchanged by the proposed amendments. The community boundary encircles a contiguous area of "exception land," specifically properties that are currently zoned Rural Center. Additionally, the proposed boundary does not include any properties which are currently zoned Exclusive Farm Use (EFU). Proposed*

---



*policies and zoning code amendments include provisions to protect farm use and encourage continued farm use by ensuring that new or expanding uses minimize impacts to Exclusive Farm Use (EFU) zoned land that is adjacent to the Springdale Rural Center zone by requiring "right to farm" measures to be implemented. These measures require recordation of a covenant that recognizes the rights of adjacent farm managers to farm their land.*

#### GOAL 4: FOREST LANDS

To conserve forest lands by maintaining the forest land base and to protect the state's forest economy by making possible economically efficient forest practices that assure

the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture.

***Finding:** Forest lands in the county are protected for forest use by existing zoning and plan policies that are unchanged by the proposed amendments. The community boundary encircles a contiguous area of "exception land," specifically properties that are currently zoned Rural Center. Additionally, the proposed boundary does not include any properties which are currently zoned Exclusive Farm Use (EFU) or Commercial Forest Use-4 (CFU-4).*

#### GOAL 5: NATURAL RESOURCES, SCENIC AND HISTORIC AREAS, AND OPEN SPACES

To protect natural resources and conserve scenic and historic areas and open spaces.

***Finding:** The Goal 5 resources in the county are protected by existing zoning and plan policies that are unchanged by the proposed amendments. The community planning efforts recognize the historic Springdale Community, and include policies recognizing the rural character of the area. The only identified Goal 5 resources within Springdale are two streams running through the eastern half the Community which are protected through the existing Significant Environmental Concern Overlay Zone.*

#### GOAL 6: AIR, WATER AND LAND RESOURCES QUALITY

To maintain and improve the quality of the air, water and land resources of the state.

***Finding:** The OAR Division 22 rule requires that unincorporated community plans assess the capacity of the local public facility infrastructure (i.e., sewer system or septic conditions, water, and transportation systems), and determine if they will be adequate to serve future growth anticipated or planned in the unincorporated community.*

*The Springdale area is not served by a community sewer system. All wastewater treatment in the area is accomplished through on-site septic systems. The Unincorporated Communities Rule requires counties to adopt public facilities plans for unincorporated communities with a population over 2,500, or when expected density or potential health hazard indicates a need for such plans. The current population of the area is significantly below the threshold, and there is no known potential health hazard thus there is no indication of a need for a public facility plan, therefore this rule provision does not apply.*

*The land use and density analysis conducted by staff finds that a minimal number of lots could potentially be developed under the zoning standard of a one acre minimum lot size. All new parcels will have to be served with on-site septic systems that meet Department of Environmental Quality standards. Stormwater control systems designed by an Oregon Registered Engineer to meet no increase of off property flow for up to a 10 year -24 hour rain event are also required.*

*The carrying capacity is already reviewed by the City of Portland Bureau of Development Services Sanitation and Site Development Office with the office being able to deny or approve building permits based on percolation*

---



tests and site inspections. County requirements currently address stormwater management, and the area is served by the Corbett Water District.

The scale of the existing and potential development allowed through the plan for the Community does not affect air quality.

#### GOAL 11: PUBLIC FACILITIES AND SERVICES

To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

**Finding:** Public facilities and services are addressed through the findings below for OAR 660-022-0050 of the Division 22 rule for unincorporated communities.

#### GOAL 14: URBANIZATION

To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.

**Finding:** The Springdale planning effort recognizes the community as an Unincorporated Community under State Rule OAR Chapter 660, Division 22, the Unincorporated Communities Rule. The Rule provides a framework for counties to use in identifying and designating unincorporated communities outside established Urban Growth Boundaries (UGB) consistent with Goal 14. Establishing planning rules as proposed for the unincorporated community of Springdale is consistent with this goal.

#### Compliance with OAR Chapter 660, Division 22, the Unincorporated Communities Rule

The findings below demonstrate that the proposed zoning and comprehensive plan amendments meet the applicable requirements in OAR Chapter 660, Division 22, the Unincorporated Communities Rule.

#### OAR 660-022-0010

##### Definitions

\*\*\*

(7) "Rural Community" is an unincorporated community which consists primarily of permanent residential dwellings but also has at least two other land uses that provide commercial, industrial, or public uses (including but not limited to schools, churches, grange halls, post offices) to the community, the surrounding rural area, or to persons traveling through the area.

**Finding:** The unincorporated community of Springdale is comprised of 81 parcels. Existing uses include 57 residences, 6 commercial uses, and 3 public uses. There are 15 vacant parcels that are either in agricultural use, parking areas, back yards of residences or just simply public uses that include the Fire District #14 fire station, county owned property occupied by Multnomah County Road Services, and the currently closed Springdale Elementary School. The community therefore meets the definition of a rural community, and the plan adopts provisions applicable to that community type.

---



(10) "Unincorporated Community" means a settlement with all of the following characteristics:

(a) It is made up primarily of lands subject to an exception to Statewide Planning Goal 3, Goal 4 or both;

***Finding:** The Springdale community is composed solely of state exception lands as described below in the findings for OAR 660-022-0020(3)).*

(b) It was either identified in a county's acknowledged comprehensive plan as a "rural community", "service center", "rural center", "resort community", or similar term before this division was adopted (October 28, 1994), or it is listed in the Department of Land Conservation and Development's January 30, 1997 "Survey of Oregon's Unincorporated Communities";

***Finding:** Springdale is listed in the Department of Land Conservation and Development (DLCD) January 30, 1997 "Survey of Oregon's Unincorporated Communities." It also is identified as a rural center in the Multnomah County Comprehensive Framework Plan.*

(c) It lies outside the urban growth boundary of any city;

***Finding:** Springdale is not within a UGB.*

(d) It is not incorporated as a city; and

***Finding:** Springdale is not incorporated as a city.*

(e) It met the definition of one of the four types of unincorporated communities in sections (6) through (9) of this rule, and included the uses described in those definitions, prior to the adoption of this division (October 28, 1994).

***Finding:** Springdale satisfies the definition of Rural Community under OAR 660-022-0010(7) (see findings for subsection 7 above).*

**CONCLUSION: The Springdale community satisfies the rule definitions of unincorporated community and Rural Community.**

**660-022-0020**

### **Designation of Community Areas**

(1) Except as provided in OAR 660-022-0070, county comprehensive plans shall designate and identify unincorporated communities in accordance with the definitions in OAR 660-022-0010. Counties may amend these designations as circumstances change over time.

***Finding:** Adoption of the Springdale Community Plan as part of the Multnomah County Comprehensive Framework Plan will designate and plan for Springdale as a rural unincorporated community in accordance with the rule.*

(2) Counties shall establish boundaries of unincorporated communities in order to distinguish lands within the community from exception areas, resource lands and other rural lands. The boundaries of unincorporated communities shall be shown on the county comprehensive plan map at a scale sufficient to determine accurately which properties are included.

***Finding:** The Springdale Community Plan Map includes a boundary that distinguishes the unincorporated community from surrounding exception areas, resource lands, and other rural land. The map shows the Community boundary at a scale that clearly indicates the properties that are included within the boundary.*

---



- (3) Only land meeting the following criteria may be included within an unincorporated community boundary:
- (a) Land which has been acknowledged as a Goal 3 or 4 exception area and historically considered to be part of the community provided the land only includes existing, contiguous concentrations of:
    - (A) Commercial, industrial, or public uses; and/or
    - (B) Dwelling units and associated residential lots at a greater density than exception lands outside rural communities.
  - (b) Land planned and zoned for farm or forest use provided such land meets the criteria in section (4) of this rule.

***Finding:** The land included within the Springdale unincorporated community boundary includes only Goal 3 or 4 exception areas that have historically been considered part of the community and consist of commercial, industrial, residential, or public uses. Land within the Springdale community historically has been zoned at a higher density than surrounding lands zoned for exclusive farm use.*

\* \* \*

- (5) Site specific unincorporated community boundaries that are shown on an acknowledged plan map on October 28, 1994, are deemed to comply with subsections (2) and (3) of this rule unless the boundary includes land designated for farm or forest use that does not meet the criteria in section (4) of this rule.

***Finding:** The Multnomah County Comprehensive Framework Plan and zoning map defines the Springdale unincorporated community boundary through the "RC" Rural Center plan and zone designation. This zoning was applied to the area prior to 1982.*

**CONCLUSION: The Springdale Community Plan is part of the Multnomah County Comprehensive Framework Plan and meets the applicable designation requirements under OAR 660-022-0020.**

**660-022-0030**

#### **Planning and Zoning of Unincorporated Communities**

- (1) For rural communities, resort communities and urban unincorporated communities, counties shall adopt individual plan and zone designations reflecting the projected use for each property (e.g., residential, commercial, industrial, public) for all land in each community. Changes in plan or zone designation shall follow the requirements to the applicable post-acknowledgment provisions of ORS 197.610 through 197.625.

***Finding:** Land within the Springdale Community Plan is proposed to continue to be zoned similarly to the current Rural Center zoning. Proposed key amendments to the zoning code address commercial and industrial development consistent with the provisions of the OAR, revised off-street parking requirements, and amendments to the dimensional standards. In addition, the amendments include the changes of the minimum lot size from 2 acres to a 1 acre minimum lot size.*

- (2) County plans and land use regulations may authorize any residential use and density in unincorporated communities, subject to the requirements of this division.

***Finding:** The plan, policies and zoning code authorizes a one acre minimum lot size for new lot creation.*

- (3) County plans and land use regulations may authorize only the following new or expanded industrial uses in unincorporated communities:



- (a) Uses authorized under Goals 3 and 4;
- (b) Expansion of a use existing on the date of this rule;
- (c) Small-scale, low impact uses;
- (d) Uses that require proximity to rural resource, as defined in OAR 660-004-0022(3)(a);
- (e) New uses that will not exceed the capacity of water and sewer service available to the site on the effective date of this rule, or, if such services are not available to the site, the capacity of the site itself to provide water and absorb sewage;

\* \* \*

**Finding:** The Springdale Rural Center (SRC) zoning designation permits the uses identified in OAR 660-022-0030(3). In recognition of feedback received from the community, a limitation to the square footage of floor space has been reduced to 15,000 square feet from the 40,000 allowed for small-scale low impact industrial uses.

(4) County plans and land use regulations may authorize only the following new commercial uses in unincorporated communities:

- (a) Uses authorized under Goals 3 and 4;
- (b) Small-scale, low impact uses;
- (c) Uses intended to serve the community and surrounding rural area or the travel needs of people passing through the area.

**Finding:** The Springdale Rural Center (SRC) zoning designation permits the uses identified in OAR 660-022-0030(4). This zone includes a limit on building sizes consistent with the definition of small-scale, low impact uses (maximum of 4,000 square feet of floor space) as defined by OAR 660-022-0030(10).

\* \* \*

(6) County plans and land use regulations shall ensure that new or expanded uses authorized within unincorporated communities do not adversely affect agricultural or forestry uses.

**Finding:** Agricultural lands in the county are protected for farm use by existing zoning and plan policies, and these are unchanged by the proposed amendments. The community boundary encircles a contiguous area of "exception land," specifically properties that are currently zoned Rural Center. In addition, proposed policies and zoning code amendments includes provisions to protect farm use and encourages continued adjacent farm use through the addition by ensuring that new or expanding uses minimize impacts to Exclusive Farm Use (EFU) zoned land that is adjacent to the Springdale Rural Center zone by requiring "right to farm" measures to be implemented. These measures require recording of a covenant that recognizes the rights of adjacent farm managers to farm their land.

(7) County plans and land use regulations shall allow only those uses which are consistent with the identified function, capacity and level of service of transportation facilities serving the community, pursuant to OAR 660-012-0060(1)(a) through (c).

---



**Finding:** Bell, Northway and Lucas Roads are classified as Rural Local Roads and are addressed in the county policies. The Historic Columbia River Highway is addressed as part of the Historic Columbia River Highway Master Plan administered by the Oregon Department of Transportation (ODOT).

The land use regulations contained in the Springdale Community Plan and other applicable County planning documents are consistent with the function, capacity, and level of service identified for the transportation facilities serving the community. According to county policies and zoning regulations in place, results from the community inventory and analysis, and staff discussions with the Oregon Department of Transportation, it is found that the Rural Community Plan for the Springdale Community will not affect the existing or planned transportation facilities.

The existing transportation network is capable of accommodating the one acre minimum lot size density. According to ODOT staff and county transportation plan road classifications, roads in the area are adequate to accommodate existing and future traffic levels resulting from existing uses and potential build out. Improvements to existing local streets and/or construction of new internal local streets to support specific developments could be required as part of a future subdivision approval process and would be addressed on a site-specific basis.

(8) Zoning applied to lands within unincorporated communities shall ensure that the cumulative development:

(A) Will not result in public health hazards or adverse environmental impacts that violate state or federal water quality regulations; and

(B) Will not exceed the carrying capacity of the soil or of existing water supply resources and sewer services.

**Finding:** The community of Springdale is not within a designated health hazard area nor is it served by a public sanitary system. Currently, wastewater can only be treated through individual septic or other on-site treatment systems. Review of the area's carrying capacity is already being conducted by the City of Portland Bureau of Development Services Sanitation and Site Development Office with the office being able to deny or approve permits for new systems for new development based on percolation tests and site inspections. County requirements currently address stormwater management through an engineer review and design of stormwater detention systems, and the area is served by the Corbett Water District. Proposed developments require on-site sewage disposal and stormwater review. These provisions ensure that the cumulative development will not result in public health hazards or adverse environmental impacts that violate state or federal water quality regulations and that development will not exceed carrying capacity of the soil or of existing water supply resources and sewer services.

\* \* \*

(10) For purposes of subsection (b) of section (4) of this rule, a small-scale, low impact commercial use is one which takes place in an urban unincorporated community in a building or building not exceeding 8,000 square feet of floor space, or in any other type of unincorporated community in a building or buildings not exceeding 4, 000 square feet of floor space.

**Finding:** The Springdale community Springdale Rural Center (SRC) zone includes the 4,000 square foot size limit for small-scale, low-impact buildings in commercial use within rural unincorporated communities.

(11) For purposes of subsection (c) of section (3) of this rule, a small-scale, low impact industrial use is one which takes place in an urban unincorporated community in a building or buildings not exceeding 60,000 square feet of floor space, or in any other type of unincorporated community in a building or buildings not exceeding 40,000 square feet of floor space.



***Finding:** The Springdale Rural Center (SRC) zoning designation permits the uses identified in OAR 660-022-0030(3). In recognition of feedback received from the community, a limitation to the square footage of floor space has been reduced to 15,000 square feet from the 40,000 allowed in the State Rule.*

**CONCLUSION:** The Springdale Community Plan is implemented through the Springdale Rural Center Zone. The proposed amendments together with the existing zoning regulations results in compliance with the state rule.

**660-022-0050**

#### **Community Public Facility Plans**

(1) In coordination with special districts, counties shall adopt public facility plans meeting the requirements of OAR 660, division 11, and include them in the comprehensive plan for unincorporated communities over 2,500 in population. A community public facility plan addressing sewer and water is required if the unincorporated community is designated as an urban unincorporated community under OAR 660-022-0010 and 660-022-0020. For all communities, a sewer and water community public facility plan is required if:

- (a) Existing sewer or water facilities are insufficient for current needs, or are projected to become insufficient due to physical conditions, financial circumstances or changing state or federal standards; or
- (b) The plan for the unincorporated community provides for an amount, type or density of additional growth or infill that cannot be adequately served with individual water or sanitary systems or by existing community facilities and services; or
- (c) The community relies on groundwater and is within a groundwater limited or groundwater critical area as identified by the Oregon Department of Water Resources; or
- (d) Land in the community has been declared a health hazard or has a history of failing septic systems or wells.

\* \* \*

**CONCLUSION:** Springdale is a rural unincorporated community with a population less than 2,500. The community is served by the Corbett Water District. The area has not been officially designated as a health hazard. Therefore, none of the conditions cited in (a) through (d) are met and the Springdale Community Plan is not required to include a sewer and water community public facility plan.

**660-022-0060**

#### **Coordination and Citizen Involvement**

ORS 660-022-0060 requires that counties shall ensure that residents of unincorporated communities have adequate opportunities to participate in all phases of the planning process.

***Finding:** Multnomah County Land Use Planning staff formulated a process for preparing the Springdale Unincorporated Community Plan and completing the unincorporated community planning requirements for the State Rule. The process included public outreach that consisted of a series of three public meetings held nearby in Corbett, web pages for each community that included information on the project and process as well as served as a resource to download electronic copies of the project documents, mailed property owner notification, emailed notifications to interested parties list, and distribution of a community survey to gather community input. Public hearings will be held before the County's Planning Commission and Board of*

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*Commissioners. Public notice and other procedures associated with these hearings comply with the applicable requirements listed above.*

*This project has involved coordination with the Corbett Water District, Portland Bureau of Development Services, County Transportation Planning, Oregon Department of Transportation, the local Fire District, and the Corbett School District. In addition coordination with the Portland Bureau of Development Services has occurred. Portland Bureau of Development of Services conducts on-site sewage reviews for this area. Notices proposing to designate Springdale as an unincorporated community were mailed to these agencies prior to the first adoption hearing.*

**CONCLUSION: The Springdale Community planning process satisfies the applicable requirements of OAR 660-022-0060.**

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## **Staff Report to the Board of County Commissioners**

### **Burlington and Springdale Rural Community Plan and Ordinance Amendments Case File # PC-10-009 and PC-10-010**

#### **I. Introduction and Purpose**

The proposed Burlington and Springdale Community Plans amend the West Hills Rural Area Plan, East of Sandy River Rural Area Plan, and Multnomah County Code Chapters 33 and 35. The proposed ordinance incorporates plan policies and zoning code amendments needed to complete planning for the communities consistent with the Oregon Administrative Rules for Unincorporated Communities (OAR Division 22) and each community's preferences. The Oregon Administrative Rules (OAR's) provide supporting legislation for counties to plan for communities that are developed to a greater extent than is allowed on rural land. This task involved public outreach to the communities, inventorying of land uses, and drafting of a community plan, policies, and zoning code amendments.

Due to the characteristics of the Burlington and Springdale Communities, staff has determined that the communities are most appropriately designated as Rural Communities. This is further detailed in Section II of the staff report below. Specific provisions for Rural Communities require that counties adopt zoning designations for the uses within the area. The type and extent of specific uses permitted are subject to provisions outlined in the OAR. As part of this process, staff proposes amendments to the West Hills Rural Area Plan, East of Sandy River Rural Area Plan, and Multnomah County Code Chapters 33 and 35 to incorporate policies and zoning code amendments needed to complete planning for these communities consistent with the Oregon Administrative Rules for Unincorporated Communities (OAR Division 22). These amendments are detailed in the proposed ordinance.

Section II of this staff report also includes a brief summary of the State Rule. Section III includes information about the planning process undertaken for this project, and Section IV includes information on the Community Outreach process. Full copies of the plan document for the communities are attached to the Ordinance as exhibits. The plan document includes findings and data from the community inventory and community input received and is intended to support the proposed policy amendments for the West Hills Rural Area Plan and East of Sandy River Rural Area Plan.

#### **II. State Rule- Division 22**

Through the Unincorporated Communities Rule, the State has acknowledged that some communities have developed outside of urban growth boundaries to an extent that they are not entirely rural in nature. The Unincorporated Communities Rule requires that established communities outside of urban growth



boundaries be designated as either an Urban Unincorporated Community or one of three rural types of unincorporated communities. An Urban Unincorporated Community contains over 150 permanent residential dwellings and a mixture of land uses, and is served by a community sewer and water system. Rural Unincorporated Communities are, defined as one of the three following types:

1. Resort Communities- established primarily for recreation and resort purposes.
2. Rural Communities- consisting primarily of permanent residential dwellings, with at least two other land uses present (such as commercial, industrial or public uses).
3. Rural Service Centers- consisting primarily of commercial or industrial uses. They provide goods and services to the surrounding rural area and to persons travelling through the area.

The state Unincorporated Communities Rule requires that counties adopt land use and zoning measures specific to unincorporated communities in order to ensure that cumulative development in the communities will not:

- Result in public health hazards or adverse environmental impacts that violate state or federal water quality regulations, or
- Exceed the carrying capacity of the soil or of existing water supply resources and sewer services, and
- Adversely affect agriculture or forestry uses.

The Unincorporated Communities Rule limits the types of land that can be included in an officially designated Unincorporated Community. Lands identified as "exception areas" (i.e., rural lands that are zoned for commercial, industrial or residential use, not farm or forest use) can be included if they have historically been considered part of the community. The land included must represent a "contiguous concentration" of commercial, industrial, public use, or residential land. Residential land to be included must be of a greater density than residential exception lands that are outside of identified Unincorporated Communities. Land zoned for farm or forest use may only be included in the Unincorporated Community if it is adjacent to exception lands included in the community boundary and was occupied on October 28, 1994 (the date of the Unincorporated Community Rule) by one or more of the following public uses - church, cemetery, school, park, playground, community center, fire station, museum, golf course, or utility facility. The Rule further limits this by allowing only the portion of the lot or parcel that is occupied by the public use(s) to be included in the Unincorporated Community boundary, and requiring that the remainder of the property must continue to be planned and zoned as farm or forestland.

Staff has conducted an inventory of the community identifying the land uses, lot sizes and services within the community, and identifying the boundary as recognized under the current Rural Center designation for the Burlington and Springdale Communities. This is all documented and included in the community plan documents. As previously mentioned, staff has determined that both the Burlington and Springdale communities are most appropriately designated as Rural Communities. As defined above, the Burlington and Springdale communities both consist primarily of permanent residential dwellings, with some commercial, industrial and public uses.

### **III. Plan Process**

Multnomah County Land Use Planning staff formulated a process preparing for the Burlington and Springdale Unincorporated Community Plans and completing the unincorporated community planning requirements for the State Rule. The process included public outreach that consisted of a series of three public meetings held for each community, development of web pages for each community that included information on the project and process as well as serving as a resource to download electronic copies of the project documents, mailed property owner notifications, emailed notifications to interested parties lists, and



distribution of community surveys to gather community input. The results of these meetings and community involvement are discussed below and are provided in the plan document.

As part of the planning project, the following tasks were undertaken. The findings of the task are included and further addressed in the plan document.

- Identified the community boundary recognizing the extent of the established Rural Center zoning boundary
- Inventoried and analyzed data and information about the community related to the existing land uses, available public services, parcel sizes, and current plan policies and zoning regulations
- Reviewed the characteristics of the community and existing zoning regulations for consistency with the State Rule

In addition to the above tasks, the County engaged in an extensive public process to involve residents and landowners in the unincorporated community planning effort.

#### **IV. Public Outreach and Community Input**

The public outreach program for the project included a number of different methods including mailed and emailed notification, conducting a community survey, and holding community meetings. These meetings included staff presentations and community input sessions. Results from these meetings were that the citizens are generally happy with their communities and enjoy the neighborhood, and they want to preserve the community as it is. Concerns raised by the community for Springdale included ensuring adequate water service, increases in traffic, drainage and run-off, off-street parking and the use of the Springdale Community Building. For Burlington, the community concerns raised included septic requirements and small lots, lack of services such as a grocery store, desire for a gas station and restaurant in the community, concerns with traffic on Highway 30, expansion of the community boundary, and lack of transportation alternatives especially bus service in particular.