



MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST

(Revised: Feb. 2017)

Board Clerk Use Only

Meeting Date: 10/11/18
Agenda Item #: R.4
Est. Start Time: 9:55 a.m.
Date Submitted: 9/25/18

Agenda Title: Ordinance Adopting Multnomah County Code Chapter 39, Zoning Code of Multnomah County, Oregon; Repealing Multnomah County Code Chapters 11.05, 11.10, 11.12, 11.15, 11.45, 33, 34, 35, 36 and 37, Except to the Extent Continued Herein; and Amending Chapters 29 and 38 Accordingly.

Requested

Meeting Date: October 11, 2018 **Time Needed:** 15 minutes

Department: Community Services **Division:** Land Use Planning

Contact(s): Kevin Cook, Senior Planner

Phone: 503.988.0188 **Ext.** 80188 **Email:** kevin.c.cook@multco.us

Presenters: Kevin Cook, Senior Planner; Michael Cerbone, Planning Director

General Information

1. What action are you requesting from the Board?

Conduct a public hearing and adopt a new consolidated zoning code, MCC Chapter 39 ("Consolidated Code"), and repeal ten chapters of existing zoning code. In addition, adopt conforming amendments to MCC Chapter 29 (Building Regulations) and MCC Chapter 38 (Columbia River Gorge National Scenic Area). The proposed ordinance has been recommended by the Multnomah County Planning Commission for adoption by the Board.

2. Please provide sufficient background information for the Board and the public to understand this issue. Please note which Program Offer(s) this action affects and how it impacts the results.

The Code Consolidation and Reorganization Project began in 2015 as a parallel task to the County Comprehensive Plan update. The primary objectives of the Project are to make the zoning code more streamlined, easier to navigate, and easier to amend and update.

The Consolidated Code combines ten existing chapters of land use regulations into one chapter, new Chapter 39. In addition to consolidation of the ten chapters, the Grading and Erosion Control and Flood Hazard provisions of Chapter 29 (Building Regulations) have been merged into the Consolidated Code to more closely tie those provisions to the related topics addressed in the Large Fill and Geologic Hazards provisions.

Existing Chapter 38, Columbia River National Scenic Area zoning code, has not been merged into the Consolidated Code because the standards in Chapter 38 implement and derive from the Columbia River National Scenic Area Management Plan, as opposed to the state and local laws that provide the framework for the other chapters. However, cross-references in Chapter 38 to standards in the Consolidated Code are updated.

In summary, the Consolidated Code:

1. Eliminates redundant text, resulting in a more concise zoning code and significantly reducing the page count;
2. Eliminates defunct zones that no longer apply due to annexations.
3. Reconciles sections with similar, but slightly different, standards by merging those sections and retaining the more permissive standard; and
4. Retains area-specific standards where appropriate (e.g., environmental standards applicable only in the West of Sandy River Planning Area).

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

None.

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

Although the proposed ordinance repeals ten chapters of existing county code, it does not affect any violation committed or penalty incurred or any right established prior to the effective date of the ordinance.

Ordinances enacted since the Planning Commission recommended adoption of the Consolidated Code in 2017 have been incorporated into the Consolidated Code, consistent with the Planning Commission's intent.

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

Neighborhood Outreach: Planning staff attended a total of four neighborhood meetings in the Spring and Summer of 2017 to brief community members and answer questions on the code consolidation and reorganization project. The meetings were held in both east and west County. The proposal was positively received and no concerns related to the proposal were raised.

Email List: Staff has maintained an email list of over 80 interested individuals and sends out periodic updates as needed.

Mailed Public Notice and Planning Commission Hearing: Prior to the September 11, 2017, Planning Commission hearing on this proposed ordinance, and in accordance with ORS 215.503, public notice (known as "Measure 56 notice") was mailed on August 18, 2017 to the owner of record of each lot or parcel in the County potentially affected by these amendments. In addition to the mailed Measure 56 notice, notice of the hearing was published in *The Oregonian* on August 19, 2017. The September 11, 2017 hearing provided an opportunity for all interested persons to appear and be heard. In addition, that hearing was continued to October 2, 2017.

Dedicated Website: Notice of the public hearing was also posted on the project website along with project documents and an online comment form that could be used to submit testimony concerning the reorganized code.

Required Signature

**Elected
Official or
Department**

Director: Kim Peoples /s/

Date: September 25, 2018