



## MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST

(revised 08/02/10)

### Board Clerk Use Only

Meeting Date: 5/12/11  
Agenda Item #: R.2  
Est. Start Time: 9:35 am  
Date Submitted: 5/4/11

**Agenda Title:** **ORDINANCE Approving Second Amendment to Intergovernmental Agreement with Portland to Transfer Land Use Planning Responsibilities and Amending County Land Use Code to Adopt Portland's Recent Land Use Code Revisions related to Airport Futures City Land Use Plan and Citywide Tree Policy Review and Regulatory Improvement Project in Compliance with Metro's Functional Plan and Declaring an Emergency.**

*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:** May 12, 2011 **Amount of Time Needed:** 10 minutes  
**Department:** Community Services **Program:** Land Use & Transportation  
**Contact(s):** Kevin Cook  
**Phone:** 503-988-3043 **Ext.** 26782 **I/O Address:** 455/116  
**Presenter Name(s) & Title(s):** Kevin Cook, Planner

### General Information

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

Approve Second Amendment to IGA and Adopt the ordinance as recommended by the Portland Planning Commission and Portland City Council.

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

The County has entered into an intergovernmental agreement with the City to transfer land use planning responsibilities, and it is appropriate to amend that agreement to address the administration of tree-related regulations that require a development permit. The City approved the amendment by its Ordinance No. 184523.

The proposed ordinance also incorporates into the Multnomah County Code, two legislative initiatives adopted by the City of Portland. These are the Airport Futures Land Use Plan that includes a long range master plan for Portland International Airport, and the Citywide Tree Policy Review and Regulatory Improvement Project that improves the City tree preservation and regulatory

program. The tree related initiative also includes an ordinance authorizing the second amendment to the City of Portland and Multnomah County Intergovernmental Agreement (IGA) to add tree-related regulations to the list describing the development regulations to be administered under the IGA.

On October 11, 2001 the Board adopted Ordinance 967 (effective date January 1, 2002) adopting, in summary, the Portland Comprehensive Plan and zoning ordinance. The County and the City of Portland have been engaged in agreements enabling the City of Portland to provide planning services to achieve compliance with the Metro Functional Plan for those areas outside the City limits, but within the urban growth boundary and urban service boundary of Portland. Since the adoption of Ordinance 967 and subsequently Ordinance 997, the attached ordinances have been passed by the Portland City Council and therefore the County must adopt them pursuant to our intergovernmental agreement to keep the code up to date. Multnomah County and the City of Portland entered into an Intergovernmental Agreement (IGA) to transfer land use planning responsibilities on January 1, 2002. The IGA lays out a process requiring the County to ensure that any amendments to the City's comprehensive plan, zoning code and other regulations adopted by the City Council will be considered by the County Board of Commissioners at the earliest possible meeting. It also states "The County Board of Commissioners shall enact all comprehensive plan and code amendments so that they take effect on the same date specified by the City's enacting ordinance" (unless adopted by emergency). The City will have taken action on all of the above items by the hearing date of this ordinance. If the County does not adopt these amendments, the IGA will be void and the County will be required to resume responsibility for planning and zoning administration within the affected areas.

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

No impact. The City of Portland has found in Ordinance No. 184523 that the minimal additional cost of administering the tree-related regulations under the IGA will be covered through development fees charged by Portland.

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

State law requires a notice be placed in a newspaper of general circulation 10 days prior (05/02/11) to the BCC hearing. The County Attorney's office was involved in the drafting of the original IGA and has been involved in coordinating our compliance effort through adoption of these code amendments.

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

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

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## Required Signatures

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Department/  
Agency Director:



Date: 5/4/11

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