

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF MULTNOMAH COUNTY, OREGON**

ORDINANCE NO. 641

An ordinance amending Multnomah County Code Chapter 11.05 to comply with the Periodic Review requirements of the Oregon Department of Land Conservation and Development.

SECTION 1. FINDINGS

The Board of County Commissioners finds that certain amendments of the Multnomah County Code regarding the powers and duties of the Planning Commission are necessary to comply with the Periodic Review requirements of the Oregon Department of Land Conservation and Development.

SECTION 2. AMENDMENT

MCC 11.05 is amended as follows:

Note: Deleted language is bolded and struck thru (~~temporary daytime~~), and new language bolded and enlarged (**is distinguished**).

11.05.120(A)

- (A) If the Commission determines that a proposed plan revision or zoning map amendment requested in connection with a required plan revision entails a change of policy, **or the application of policy to a broad class of properties in a uniform manner**, the proposal shall be considered a legislative plan revision or legislative zoning map amendment.
- (B) Quasi-judicial zoning map amendments shall be considered by the Commission and Board as action proceedings in accordance with ~~subsections 12.20-12.37.5 of Ordinance No. 100 as amended~~, **MCC 11.15.8205-.8295**.

MCC 11.05.180 Standards for plan and revisions.

A plan adopted or revised under this chapter shall comply with ORS ~~197.755~~ **197.175(2)(a), 197.610-.625, and 197.732** if a goal exception is required, including any OAR's adopted pursuant to these statutes.

MCC 11.05.290

- ~~(1) Consistent with the standards in MCC 11.05.180~~
- ~~(2) In the public interest; and (3) In compliance with the applicable elements of the comprehensive plan.~~
- (1) Consistent with the procedures of ORS 197.610-.625 and the standards of ORS 197.732** if a goal exception is required, including any OAR's adopted pursuant to these statutes.

- (2) Evidence that the proposal conforms to the intent of relevant policies in the Comprehensive Plan or that the Plan policies do not apply. In the case of a land use Plan map amendment for a commercial, industrial, or public designation, evidence must also be presented that the plan does not provide adequate areas in appropriate locations for the proposed use; and
- (3) Evidence that the uses allowed by the proposed change will 1) not destabilize the land use pattern in the vicinity, 2) not conflict with existing or planned uses on adjacent lands, and 3) that necessary public services are or will be available to serve allowed uses.

SECTION 3. ADOPTION

This ordinance being necessary for the health, safety, and welfare of the people of Multnomah County, an emergency is declared to exist and this ordinance shall take effect on its passage, pursuant to Section 5.50 of the Charter of Multnomah County.

ADOPTED THIS 20th day of February, 19~~89~~⁹⁰, being the date of its second reading before the Board of County Commissioners of Multnomah County.

(SEAL)

BOARD OF COUNTY COMMISSIONERS OF MULTNOMAH COUNTY, OREGON

By


Gladys McCoy, County Chair

Reviewed:

Lawrence Kressel, Multnomah County Counsel

by:


John DuBay

Chief Deputy County Counsel