

1 BEFORE THE BOARD OF COUNTY COMMISSIONERS

2 FOR MULTNOMAH COUNTY, OREGON

3 ORDINANCE NO. 852

4
5 An Ordinance amending the Comprehensive Framework Plan Volume 1 Findings to include the
6 West Hills Reconciliation Report, as revised and amended by the Board, in fulfillment of the Periodic
7 Review Work Program tasks for Statewide Planning Goal 5 resources in the West Hills rural area..

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9 Multnomah County Ordains as follows:

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11 Section I. Findings.

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13 (A) On September 22, 1994, the Multnomah County Board of Commissioners adopted
14 Ordinance #797, which adopted the "West Hills Reconciliation Report" as part of the Multnomah
15 County Comprehensive Framework Plan.

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17 (B) The "West Hills Reconciliation Report" includes significance determinations, ESEE analy-
18 ses, protection programs, and other requirements for implementing Goal 5 of the Oregon Statewide
19 Planning Program specified in ORS 660-16 Division 33 in regards to significant scenic views, streams,
20 mineral and aggregate resources, and wildlife habitat in the West Hills rural area.

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22 (C) On October 21, 1994, this ordinances were transmitted to the Oregon Department of Land
23 Conservation and Development for their consideration in fulfilling the requirements of Periodic
24 Review.

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26 (D) On February 7, 1995, the Director of the Oregon Department of Land Conservation and

1 Development issued a report citing specific deficiencies in Multnomah County's submitted ordinance.

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3 (E) On February 28, 1995, the Director of the Oregon Department of Land Conservation and
4 Development issued a supplemental report which, after considering Multnomah County's responses to
5 the issues raised in the February 7, 1995 report, maintained that the County's ordinance was deficient in
6 meeting the requirements of Periodic Review.

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8 (F) In March, 1995, Multnomah County agreed to participate in a mediation process in order to
9 resolve issues relating to the West Hills Reconciliation Report.

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11 (G) The mediation process, in which the main participants were the Angell Brothers quarry and
12 the Friends of Forest Park, resulted in a draft agreement to resolve disputes over expansion of the quar-
13 ry.

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15 (H) As a result of the mediation process, Multnomah County adopted Ordinance No. 831 on
16 September 7, 1995, which amended the West Hills Reconciliation Report to reflect the results of the
17 mediation process.

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19 (I) On March 7, 1995, the Oregon Land Conservation and Development Commission acknowl-
20 edged the West Hills Reconciliation Report as consistent with Statewide Planning Goal 5, except that
21 the Commission directed a revision to the report to omit approximately 55 acres from the area designat-
22 ed as significant wildlife habitat.

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24 (J) As a result, Multnomah County must revise the West Hills Reconciliation Report to reflect
25 the Land Conservation and Development Commission's direction.

Section II Amendment of Framework Plan Text

Multnomah County Comprehensive Framework Plan Volume 1 Findings -- West Hills

Reconciliation Report is hereby amended, the amended pages of which are attached hereto as Exhibit A (deletions struck-out, additions underlined, map revised).

ADOPTED THIS 16 day of May, 1996, being the date of its second reading before the Board of County Commissioners of Multnomah County.



BOARD OF COUNTY COMMISSIONERS
MULTNOMAH COUNTY, OREGON


Beverly Stein, Chair

REVIEWED:

LAURENCE KRESSEL, COUNTY COUNSEL
MULTNOMAH COUNTY, OREGON


Sandra N. Duffy, Chief Assistant

On October 21, 1994, Multnomah County transmitted the completed Reconciliation Report to the Department of Land Conservation and Development. The Department received two objections to the West Hills Reconciliation Report, one from an attorney representing the Angell Brothers and the Oregon Concrete & Aggregate Producers Association, and one from Dan McKenzie, a property owner in the West Hills. On February 7, 1995, the Director of the Department of Land Conservation & Development issued a report which found significant flaws in the West Hills Reconciliation Report. In response to County and objector comments, the Director issued a revised report on February 28, 1995, which did not change the staff recommendation regarding the West Hills Reconciliation Report.

Given this set of circumstances, Multnomah County agreed to enter a mediation process with the Department of Land Conservation and Development. The results of that mediation process are presented as revisions to the Reconciliation Report in the attached document. The Multnomah County Board of Commissioners adopted this document on September 7, 1995. On March 7, 1996, the Land Conservation and Development Commission approved this document with one minor change required -- removal of properties adjacent to the Bonny Slope subdivision. This final document reflects these changes.

Impacted wildlife habitat areas support a much narrower range of animal species, and from barriers to the movement of many forest species. Impacted wildlife habitat areas are those which do not have forests. Such areas typically are adjacent to primary or secondary habitat areas, but have been adversely affected (impacted) by residential development. Impacted areas were determined based on analysis of aerial photographs, vegetative cover maps, and zoning. Generally, an area is considered "impacted" if it (a) has developed residential densities of one unit per five acres or greater, (b) includes developed areas along Highway 30, (c) is predominately agricultural in character, or (d) is a large quarry. Human and pet impacts, roads, lawns, gardens, and fences associated with rural residential development in these impact areas can adversely affect resource quality. The Bonny Slope area and permanently cleared (pastures and cultivated land) portions of the agricultural area between Laidlaw Road and Rock Creek Road on the west side of the West Hills are considered to be "impacted wildlife habitat areas." The West Hills Rural Area has "patches" of land in this category, which are usually zoned rural residential and are located along roads.

The Map entitled *West Hills Wildlife Habitat Area Map* indicates primary, secondary, and impacted wildlife habitat areas within the West Hills Rural Area. This map was developed based upon field work, a detailed review of 1993 aerial photographs, METRO vegetative cover maps, and a review of Multnomah County data regarding the location of housing units.

5. CONCLUSION

OAR 660-16-000(3) Include on Plan Inventory: When information is available on location, quantity and quality, and the local government has determined a site to be significant or important as a result of the data collection and analysis process, the local government must include the site on its plan inventory and indicate the location, quality and quantity of the resource site (see above. Items included on this inventory must proceed through the remainder of the Goal 5 process.

This report, when combined with information already available to Multnomah County, describes the location, quality and quantity of wildlife habitat in the West Hills rural area in sufficient detail to support a determination of significance. Thus, the primary and secondary wildlife habitat areas in the West Hills Rural area are a 1C resource.

The only exception to this determination of significance lies within the area of the Bonny Slope Subdivision and adjacent lands north of the Forest Heights development in the City of Portland and north of the Bonny Slope subdivision along Northwest 124th St. (approximately ~~400~~ 450 acres). This area is ~~entirely~~ mostly designated and zoned for rural residential use, with approximately 50 of the acres designated and zoned for commercial forest use. It consists primarily of impacted habitat areas with some secondary habitat areas interspersed. This area is bounded on three sides by lands within the Urban Growth Boundary which are planned for residential densities of four units per acre or greater. It is not directly adjacent to any significant primary wildlife habitat areas. For these reasons, this area should be designated "1-A" (not significant) as wildlife habitat, and should be removed from any further study.

BONNY SLOPE AREA

WEST HILLS RURAL AREA PLAN

AREA DESIGNATED "1-A"
NOT SIGNIFICANT
WILDLIFE HABITAT

LEGEND

STUDY AREA BOUNDARY

ROADAREA DESIGNATED "1-A)
NOT SIGNIFICANT FOR
WILDLIFE HABITAT

NORTH

1"=1700 ft.

