

ANNOTATED MINUTES

Tuesday, August 25, 1992 - 9:30 AM
Multnomah County Courthouse, Room 602

PLANNING ITEMS

Chair Gladys McCoy convened the meeting at 9:30 a.m., with Vice-Chair Sharron Kelley, Commissioners Pauline Anderson, Rick Bauman and Gary Hansen present.

The Following Decisions of the Planning and Zoning Hearings Officer are Reported to the Board for Review and Affirmation:

P-1 CU 10-92
 SEC 19-92 July 6, 1992 Decision APPROVING, SUBJECT TO CONDITIONS, Requested Conditional Use Approval for a Non-Farm Single Family Dwelling in the EFU Zoning District; and APPROVE Requested SEC Permit for the Design and Location of the Residence and Out-Building, Subject to Conditions, for Property Located at 33101 NE MERSHON ROAD

UPON MOTION OF COMMISSIONER KELLEY, SECONDED BY COMMISSIONER HANSEN, THE DECISION WAS UNANIMOUSLY AFFIRMED.

P-2 CS 11-92 August 3, 1992 Decision APPROVING, SUBJECT TO CONDITIONS, Community Service Designation for Boundary Expansion and Building Additions and Site Work, for Property Located at 11505 SW SUMMERVILLE AVENUE

UPON MOTION OF COMMISSIONER KELLEY, SECONDED BY COMMISSIONER HANSEN, THE DECISION WAS UNANIMOUSLY AFFIRMED.

P-3 CS 12-92 August 3, 1992 Decision APPROVING, SUBJECT TO CONDITIONS, Change in Zone Designation from LR-10, FF to LR-10, FF, C-S, Community Service, to Allow the use of the Existing Single Family Residence for a "Not for Profit" Organization (God's Kids Caring) , for Property Located at 12920 SE HOLGATE BLVD.

UPON MOTION OF COMMISSIONER KELLEY, SECONDED BY COMMISSIONER HANSEN, THE DECISION WAS UNANIMOUSLY AFFIRMED.

P-4 CS 13-92 August 3, 1992 Decision APPROVING, SUBJECT TO CONDITIONS, Change in Zone Designation for LR-7 to LR-7, C-S, Community Service, to Allow Expanded Facilities for the Lynch Baptist Church, for Property Located at 3130 SE 148TH AVENUE

UPON MOTION OF COMMISSIONER KELLEY, SECONDED BY COMMISSIONER HANSEN, THE DECISION WAS UNANIMOUSLY AFFIRMED.

- P-5 CU 13-92
SEC 20-92 August 3, 1992 Decision APPROVING, SUBJECT TO CONDITIONS, Conditional Use Request for Commercial Uses in the RC District and Requested SEC Permit for Proposed Commercial Uses, for Property Located at 35905-35381 EAST CROWN POINT HIGHWAY
- UPON MOTION OF COMMISSIONER KELLEY, SECONDED BY COMMISSIONER HANSEN, THE DECISION WAS UNANIMOUSLY AFFIRMED.
- P-6 CU 15-92 August 3, 1992 Decision APPROVING, SUBJECT TO CONDITIONS Conditional Use Request to Allow Conversion of a Single Family Residence to an Insurance Agent's Office in the MR-3 Zoning District, for Property Located at 16521 SE POWELL BLVD.
- UPON MOTION OF COMMISSIONER KELLEY, SECONDED BY COMMISSIONER HANSEN, THE DECISION WAS UNANIMOUSLY AFFIRMED.
- P-7 MC 2-92
LD 25-92 August 3, 1992 Decision APPROVING, SUBJECT TO CONDITIONS a Tentative Plan for a Type I Land Division, a Partition Resulting in Two Lots and Use of Easements as the Means of Access to the New Lot Instead of Providing Frontage on a Dedicated Street, for Property Located at 7025 NW SUMMITVIEW COURT
- PLANNING STAFF WAS NOT PRESENT AT THIS TIME. THE APPLICANT ADVISED THAT HE FILED A NOTICE OF REVIEW. UPON MOTION OF COMMISSIONER KELLEY, SECONDED BY COMMISSIONER BAUMAN, IT WAS UNANIMOUSLY APPROVED THAT A PUBLIC HEARING, ON THE RECORD, WITH TESTIMONY LIMITED TO 10 MINUTES PER SIDE, BE SCHEDULED FOR 9:30 AM, TUESDAY, SEPTEMBER 22, 1992.
- P-8 HDP 3-92a August 3, 1992 Decision DENYING an Appeal of the Appellant and Upholding the Planning Director Decision, APPROVING HDP 3-92, SUBJECT TO CONDITIONS, a Hillside Development Permit for Proposed Terracing, Grading and Fill Work for Property Located at 12040 NW TUALATIN AVENUE
- UPON MOTION OF COMMISSIONER KELLEY, SECONDED BY COMMISSIONER BAUMAN, THE DECISION WAS UNANIMOUSLY AFFIRMED.
- P-9 PRE 3-92 FINAL ORDER in the Matter of the Review of the Hearings Officer Decision on PRE 3-92
- PLANNING STAFF ARRIVED LATE AND DID NOT EXPLAIN THE FINAL ORDER. APPLICANT, LYNNE CHAUNCEY REQUESTED CLAIRIFICATION OF THE THREE CRITERIA INCLUDED IN THIS FINAL ORDER. STAFF WAS NOT ABLE TO ANSWER THESE QUESTIONS. CHAIR MCCOY REQUESTED PLANNING STAFF WITH COUNTY

COUNSEL TO MEET IN CONFERENCE WITH MS. CHAUNCEY FOR CLAIRIFICATION OF THIS MATTER. COUNTY COUNSEL ADVISED THAT MS. CHAUNCEY NOT BE PERMITTED TO REBUT THE FINAL ORDER ANY FURTHER DUE TO THE APPELLANT NOT BEING PRESENT. UPON MOTION OF COMMISSIONER ANDERSON, SECONDED BY COMMISSIONER HANSEN, ORDER 92-157 WAS APPROVED, WITH COMMISSIONERS ANDERSON, BAUMAN, HANSEN AND McCOY VOTING AYE AND COMMISSIONER KELLEY VOTING NO.

P-10 SEC 6-91a
 HDP 4-91a Reconsideration of Scope of Review for a Notice
 of Review Hearing, Scheduled for September 22, 1992

PRESENTATION AND RESPONSE TO BOARD QUESTIONS BY MARK HESS AND PETER LIVINGSTON. THEY ALSO EXPLAINED THE HISTORY OF THIS ITEM AND HOW THE CLASSIFICATION OF THE STREAM RELATES TO IT.

MOTION OF COMMISSIONER KELLEY, SECONDED BY COMMISSIONER HANSEN, TO EXPAND THE SCOPE OF REVIEW ON SEPTEMBER 22, 1992, FAILED WITH COMMISSIONER KELLEY VOTING AYE AND COMMISSIONERS ANDERSON, BAUMAN, HANSEN AND McCOY VOTING NO.

UPON MOTION OF COMMISSIONER ANDERSON, SECONDED BY COMMISSIONER BAUMAN, IT WAS UNANIMOUSLY APPROVED THAT A HEARING BE HELD, THIS DATE, WITH TESTIMONY LIMITED TO 5 MINUTES PER SIDE, TO DETERMINE THE SCOPE OF INFORMATION AND REVIEW TO BE ALLOWED AT THE SEPTEMBER 22, 1992 HEARING.

FOLLOWING THE HEARING, THE BOARD APPROVED A MOTION TO EXPAND THE SCOPE OF REVIEW TO INCLUDE ADDITIONAL EVIDENCE AND TESTIMONY RELATING TO THE STREAM CLASSIFICATION OF THOMPSON CREEK, AT THE SEPTEMBER 22, 1992 HEARING, WITH COMMISSIONERS ANDERSON, HANSEN AND McCOY VOTING AYE AND COMMISSIONERS BAUMAN AND KELLEY VOTING NO.

P-11 CU 11-92 HEARING, ON THE RECORD PLUS ADDITIONAL
 TESTIMONY, WITH ADDITIONAL TESTIMONY TO BE RESTRICTED TO
 THE PHYSICAL CONSTRAINTS OF THE SITE RELATIVE TO THE
 PLACEMENT OF THE DWELLING, 10 MINUTES PER SIDE, in the
 Matter of an Appeal of a July 6, 1992 Planning and Zoning
 Hearings Officer Decision APPROVING, SUBJECT TO CONDITIONS,
 Development of a Non-Resource Related Single Family
 Dwelling on 7.80 Acre Lot of Record in the MUF-19, Multiple
 Use Forest Zoning District, for Property Located at 43640 E
 LARCH MOUNTAIN ROAD - 20 MINUTES REQUESTED

PLANNER BOB HALL PRESENTED THE STAFF REPORT
AND RESPONDED TO BOARD QUESTIONS. ATTORNEY

DALE BURKHOLDER TESTIFIED IN OPPOSITION TO THE CONDITIONS PLACED ON THE JULY 6, 1992 HEARINGS OFFICER DECISION AND RESPONDED TO BOARD QUESTIONS. DONALD HORN TESTIFIED IN SUPPORT OF THE JULY 6, 1992 HEARINGS OFFICER DECISION AND IN OPPOSITION TO APPLICANTS' TESTIMONY, AND RESPONDED TO BOARD QUESTIONS. STAFF DISCUSSION AND RESPONSE TO BOARD QUESTIONS. COMMISSIONER BAUMAN MOVED, SECONDED BY COMMISSIONER ANDERSON, TO UPHOLD THE HEARINGS OFFICER DECISION. FOLLOWING DISCUSSION, MOTION APPROVED WITH COMMISSIONERS ANDERSON, BAUMAN, HANSEN AND McCOY VOTING AYE AND COMMISSIONER KELLEY VOTING NO. CHAIR McCOY DIRECTED STAFF TO PROVIDE SLIDES FOR FUTURE LAND USE HEARINGS BEFORE THE BOARD.

- P-12 Second Reading and Possible Adoption of an ORDINANCE Amending the Bikeways Plan Map of the Comprehensive Framework Plan Policy 33C (Continued from August 18, 1992)

ORDINANCE READ BY TITLE ONLY. UPON MOTION OF COMMISSIONER ANDERSON, SECONDED BY COMMISSIONER KELLEY, ORDINANCE NO. 730 WAS UNANIMOUSLY APPROVED.

- P-13 RESOLUTION in the Matter of the Implementation of the East Multnomah County Bikeway Plan (Continued from August 18, 1992) (FOR CONSIDERATION WITH BIKEWAYS PLAN MAP ORDINANCE)

FOLLOWING BOARD DISCUSSION AND UPON MOTION OF COMMISSIONER KELLEY, SECONDED BY COMMISSIONER BAUMAN, RESOLUTION 92-158 AS AMENDED, WAS UNANIMOUSLY APPROVED.

There being no further business, the meeting was adjourned at 11:18 a.m.

OFFICE OF THE BOARD CLERK
for MULTNOMAH COUNTY, OREGON

By 

Tuesday, August 25, 1992 - 11:00 AM
Multnomah County Courthouse, Room 602

AGENDA REVIEW

- B-1 Review of Agenda for Regular Meeting of August 27, 1992

R-7 Request *11:00 AM TIME CERTAIN for Review of this Item.

Thursday, August 27, 1992 - 9:30 AM
Multnomah County Courthouse, Room 602

REGULAR MEETING

CONSENT CALENDAR

JUSTICE SERVICES

SHERIFF'S OFFICE

- C-1 In the Matter of a Package Store/Change of Ownership Liquor

License Application Submitted by the Sheriff's Office with Recommendation for APPROVAL, for GILL'S JACKPOT FOOD MART, Formerly Known as Mor Jackpot Food Mart, at 28210 SE ORIENT DRIVE, GRESHAM

APPROVED.

- C-2 In the Matter of a Package Store/Change of Ownership Liquor License Application Submitted by the Sheriff's Office with Recommendation for APPROVAL, for The Chinook Grocery and Gift, at 2609 NE CORBETT HILL ROAD, CORBETT

APPROVED.

REGULAR AGENDA

NON-DEPARTMENTAL

MANAGEMENT SUPPORT

- R-1 Ten and Fifteen Year Multnomah County Employee Recognition Presentation (9:30 AM TIME CERTAIN - 30 MINUTES REQUESTED)

AWARDS PRESENTED.

DEPARTMENT OF ENVIRONMENTAL SERVICES

- R-2 NOTICE OF INTENT Requesting Approval for Multnomah County, Parks Division to Apply for a \$25,845 Grant from the Metropolitan Service District for Wetland Enhancement at Beggars Tick Wildlife Refuge

APPROVED.

- R-3 ORDER in the Matter of the Sale of Property Acquired by Multnomah County Through the Foreclosure of Liens for Delinquent Taxes

ORDER 92-159 APPROVED.

- R-4 ORDER in the Matter of the Sale of County Real Property and Easement Upon County Real Property at N. Marine Drive and Force Avenue, Portland, Oregon to the Oregon Department of Transportation

PUBLIC TESTIMONY HEARD. ORDER 92-160
APPROVED.

- R-5 PUBLIC HEARING to Consider the Request by Various Public Non-Profit Agencies to Transfer the 8 Properties on the Attached Exhibit A Under the Provisions of Multnomah County Ordinance No. 672

PUBLIC TESTIMONY HEARD. ORDER 92-161
APPROVED.

- R-6 Second Reading and Possible Adoption of an ORDINANCE Relating to Animal Control, Creating a Notice of Infraction Procedure, Expanded Hearing and Appeal Process, and Penalties for Violations of Animal Control Regulations and Amending Chapter 8.10 of the Multnomah County Code (Continued from Thursday, July 30, 1992)

ORDINANCE READ BY TITLE ONLY. STAFF PRESENTED AND EXPLAINED AN AMENDED ORDINANCE. AMENDED ORDINANCE WAS APPROVED. PUBLIC TESTIMONY HEARD. CONTINUED SECOND READING SCHEDULED FOR THURSDAY, SEPTEMBER 3, 1992.

NON-DEPARTMENTAL

- R-7 RESOLUTION in the Matter of Developing County Integrated Community Service Districts and a Family Support System

RESOLUTION 92-162 APPROVED.

- R-8 Second Reading and Possible Adoption of an ORDINANCE Relating to the Imposition of an Excise Tax on the Provision of Utility Services; Providing for Administration and Collection; Dedicating the Revenues to a Special Fund for Library Purposes; and Related Matters

ORDINANCE READ BY TITLE ONLY. MOTION TO AMEND, PAGE 2, SECTION C, 3, LINE 16, TO READ: PROCEEDS FROM TRANSMISSION OR TRANSPORTATION SERVICES; WAS APPROVED. PUBLIC TESTIMONY HEARD. ORDINANCE NO. 731 APPROVED, WITH COMMISSIONER KELLEY AND COMMISSIONER HANSEN VOTING NO.