



Multnomah County Oregon

Board of Commissioners & Agenda

connecting citizens with information and services

REVISED-2

BOARD OF COMMISSIONERS

Diane Linn, Chair

501 SE Hawthorne Boulevard, Suite 600
Portland, Or 97214

Phone: (503) 988-3308 FAX (503) 988-3093

Email: mult.chair@co.multnomah.or.us

Maria Rojo de Steffey, Commission Dist. 1

501 SE Hawthorne Boulevard, Suite 600
Portland, Or 97214

Phone: (503) 988-5220 FAX (503) 988-5440

Email: district1@co.multnomah.or.us

Serena Cruz Walsh, Commission Dist. 2

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Portland, Or 97214

Phone: (503) 988-5219 FAX (503) 988-5440

Email: serena@co.multnomah.or.us

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Email: district3@co.multnomah.or.us

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Phone: (503) 988-5213 FAX (503) 988-5262

Email: lonnie.j.roberts@co.multnomah.or.us

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Americans with Disabilities Act Notice: If you need this agenda in an alternate format, or wish to participate in a Board Meeting, please call the Board Clerk (503) 988-3277, or the City/County Information Center TDD number (503) 823-6868, for information on available services and accessibility.

JULY 20, 2006 BOARD MEETINGS FASTLOOK AGENDA ITEMS OF INTEREST

Pg 2	9:30 a.m. Public Comment Opportunity
Pg 2	9:30 a.m. Resolution Submitting to the Voters a Five-Year Rate Based Local Option Levy to Continue Library Services
Pg 3	9:57 a.m. First Reading of Proposed Ordinance Amending Various Zoning Codes
Pg 3	10:05 a.m. Proclaiming Probation, Parole and Community Supervision Officers' Week
Pg 3	10:30 a.m. Families with Special Needs Report and Special Needs Housing Committee Final Report
Pg 3	11:00 a.m. Report on the July 11, 2006 Project Homeless Family Connect Event
Pg 3	11:30 a.m. Natural Hazards Mitigation Plan
Pg 4	11:40 a.m. Executive Session

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Thursday, July 20, 2006 - 9:30 AM
Multnomah Building, First Floor Commissioners Boardroom 100
501 SE Hawthorne Boulevard, Portland

REGULAR MEETING

CONSENT CALENDAR - 9:30 AM **NON-DEPARTMENTAL**

- C-1 Re-appointments of Andrew Holtz, Geoffrey Kaiser, Greg Olson, Bill Ross, Joseph Ryan and Lee Wolbert to the Multnomah County BICYCLE AND PEDESTRIAN CITIZEN ADVISORY COMMITTEE

REGULAR AGENDA - 9:30 AM **PUBLIC COMMENT - 9:30 AM**

Opportunity for Public Comment on non-agenda matters. Testimony is limited to three minutes per person. Fill out a speaker form available in the Boardroom and turn it into the Board Clerk.

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- R-2 Budget Modification LIB-01 Reclassifying Three Positions at Central Library-Access Services of Department of Library Services, as Determined by the Class/Comp Unit of Central Human Resources

DEPARTMENT OF HEALTH - 9:50 AM

- R-3 NOTICE OF INTENT to Submit a Proposal to the Health Resources and Services Administration's Ryan White Title III HIV Early Intervention Services Program Grant Competition

DEPARTMENT OF COMMUNITY SERVICES - 9:55 AM

- R-4 Budget Modification DCS-01 Reclassifying One Position in the Bridge Section and One Position in Elections, as Determined by the Class/Comp Unit of Central Human Resources

- R-5 First Reading of an ORDINANCE Amending MCC Chapters 33, 34, 35 36, 37 and 38 to Make Technical Corrections, Update Code Relating to Forest Zones, Change Decision Maker for Certain New Dwellings in Forest Zones, Improve Consistency of Property Line Adjustment Review Procedures and Approval Criteria, Add Mandated State of Oregon Approval Criteria, and Correct the Plan and Zoning Designation for Two Properties

DEPARTMENT OF COMMUNITY JUSTICE - 10:05 AM

- R-6 PROCLAMATION Proclaiming July 16th through July 22nd, 2006 as Probation, Parole and Community Supervision Officers' Week in Multnomah County
-

Thursday, July 20, 2006 - 10:30 AM
(OR IMMEDIATELY FOLLOWING REGULAR MEETING)
Multnomah Building, First Floor Commissioners Boardroom 100
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BOARD BRIEFINGS

- B-2 **10:30 a.m. TIME CERTAIN:** Families with Special Needs Report and Special Needs Housing Committee Final Report. Presented by Commissioner Serena Cruz Walsh. 30 MINUTES REQUESTED.
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Thursday, July 20, 2006 - 11:40 AM
(OR IMMEDIATELY FOLLOWING BOARD BRIEFINGS)
Multnomah Building, First Floor Commissioners Conference Room 112
501 SE Hawthorne Boulevard, Portland

EXECUTIVE SESSION

- E-1 The Multnomah County Board of Commissioners will meet in Executive Session Pursuant to ORS 192.660(2)(d). Only Representatives of the News Media and Designated Staff are allowed to attend. News Media and All Other Attendees are Specifically Directed Not to Disclose Information that is the Subject of the Session. No Final Decision will be made in the Session. Presented by Agnes Sowle. 15-30 MINUTES REQUESTED.

BOGSTAD Deborah L

From: BOGSTAD Deborah L

Sent: Monday, July 17, 2006 11:57 AM

Subject: The July 18, 2006 Board Briefing and Executive Session meetings are cancelled due to lack of a quorum

The July 18, 2006 Board Briefing and Executive Session meetings are cancelled due to lack of a quorum.

Deb Bogstad, Board Clerk

Multnomah County Commissioners

501 SE Hawthorne Boulevard, Suite 600

Portland, Oregon 97214-3587

(503) 988-3277 phone

(503) 988-3013 fax

deborah.l.bogstad@co.multnomah.or.us

<http://www.co.multnomah.or.us/cc/index.shtml>

7/17/2006



Multnomah County Oregon

Board of Commissioners & Agenda

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Multnomah County Commissioner, District 1

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MEMORANDUM

TO: Chair Diane Linn
Commissioner Serena Cruz
Commissioner Lisa Naito
Commissioner Lonnie Roberts
Clerk of the Board Deb Bogstad

FROM: April Fernandes - Staff Assistant to Commissioner Maria Rojo de Steffey

DATE July 17, 2006

RE: July 20, 2006 Board Meeting Excuse

Commissioner Rojo de Steffey will be unable to attend the regular Board meeting on July 20, 2006 as she will be out of town on personal business.



MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST

Board Clerk Use Only

Meeting Date: 07/20/06
Agenda Item #: C-1
Est. Start Time: 9:30 AM
Date Submitted: 07/10/06

BUDGET MODIFICATION:

Agenda Title: Re-appointments of Andrew Holtz, Geoffrey Kaiser, Greg Olson, Bill Ross, Joseph Ryan and Lee Wolbert to the Multnomah County BICYCLE AND PEDESTRIAN CITIZEN ADVISORY COMMITTEE

Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title.

Date Requested:	7/20/2006	Time Requested:	Consent Calendar
Department:	Non-Departmental	Division:	Chair's Office
Contact(s):	Chair Diane Linn, Andy Smith		
Phone:	503/988-3308	Ext.	83308
I/O Address:	503/600		
Presenter(s):	N/A		

General Information

1. What action are you requesting from the Board?

Request the Board approve the reappointments of Andrew Holtz, Geoffrey Kaiser, Greg Olson, Bill Ross, Joseph Ryan and Lee Wolbert to the Multnomah County Bicycle and Pedestrian Citizen Advisory Committee

2. Please provide sufficient background information for the Board and the public to understand this issue.

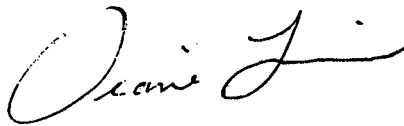
The Multnomah County Bicycle and Pedestrian Citizen Advisory Committee advises the Transportation and Land Use Planning Division on matters involving bicycle and pedestrian transportation. The Committee identifies issues, problems and opportunities and assists in evaluating projects for the Bicycle Capital Improvement Plan and Pedestrian Capital Improvement Plan. The Committee serves as a liaison between the Division and organizations represented and serves as a source of volunteers for assisting the Division at public events supporting bicycle and pedestrian issues. The Committee is composed of a minimum of 7 and a maximum of 14 members and up to five alternates all of whom will be appointed by the Chair of the Board with approval of the Board

of County Commissioners. Members are appointed to 2-year terms. Mark Ashby of the Department of Community Services, Land Use and Transportation Planning Division is liaison to the Multnomah County Bicycle and Pedestrian Citizen Advisory Committee.

3. Explain the fiscal impact (current year and ongoing).
4. Explain any legal and/or policy issues involved.
5. Explain any citizen and/or other government participation that has or will take place.

Required Signatures

Department/
Agency Director:



Date: 7/10/2006

Budget Analyst:

Date: _____

Department HR:

Date: _____

Countywide HR:

Date: _____

#1

**MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP**

Please complete this form and return to the Board Clerk

*****This form is a public record*****

MEETING DATE: 7.20.06

SUBJECT: Service animal attack and restraining order.

AGENDA NUMBER OR TOPIC: Public Comment - Non Agenda Item

FOR: _____ **AGAINST:** _____ **THE ABOVE AGENDA ITEM**

NAME: Paul Phillips

ADDRESS: 1212 SW Clay Apt 217

CITY/STATE/ZIP: Portland, OR 97201

PHONE: _____ **DAYS:** _____ **EVES:** _____

EMAIL: _____ **FAX:** _____

SPECIFIC ISSUE: Animal attacked 4 times, injured twice.

WRITTEN TESTIMONY: _____

IF YOU WISH TO ADDRESS THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Address the County Commissioners from the presenter table microphones. Please limit your comments to **3 minutes**.
3. State your name for the official record.
4. If written documentation is presented, please furnish one copy to the Board Clerk.

IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Written testimony will be entered into the official record.



MULTNOMAH COUNTY SHERIFF'S OFFICE
12240 NE GLISAN ST., • PORTLAND, OR 97230

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BERNIE GIUSTO
SHERIFF

(503) 255-3600 PHONE
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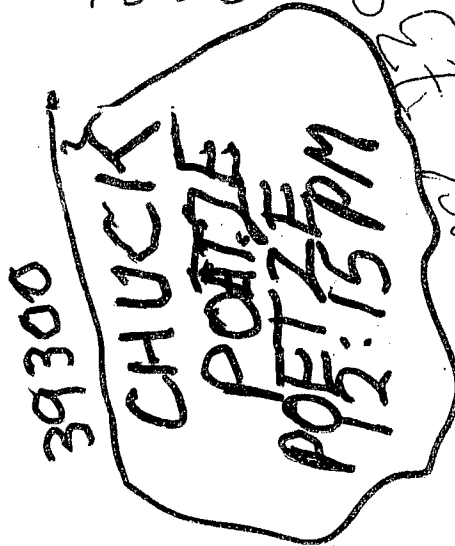
971-563-9555

County: MULTNOMAH
Court Case: 060666592
MCSO Case #: 2006-130290
Court: CIRCUIT

RE: PHILLIPS, PAUL ADOLPH

VS.

GALLARDO, SEVERA



I hereby certify that the attached

PETITION
RESTRAINING ORDER

was/were delivered to me for service on the 30 day of June, 2006, and was/were
duly certified to be true copy by COURT CLERK.

I further certify that I served the papers upon

GALLARDO, SEVERA

on the 03 day of July, 2006, at 2:20 pm, at 1212 SW CLAY ST # 311, PORTLAND.

I hereby declare that the above statement is true to the best of my knowledge and belief, and that I
understand it is made for use as evidence in court and is subject to

BERNIE GIUSTO, Sheriff
Multnomah County, Oregon

By:

SCHWEITZER, CRAIG EDWARD DPSST#: 31789

Oregon

DEPARTMENT OF
STATE POLICE

10526 SE Washington Street
Portland, Oregon 97216
(503) 731-3020 Ext. 286
Fax: (503) 731-3029
Voice/TTY: (503) 775-0548

Terri Cassebarth
Detective
Criminal Investigative
Division
www.osp.state.or.us



TRUE COPY
Multnomah County Sheriff's Office
BY: *[Signature]* 559
NOTICE TO LAW ENFORCEMENT:
Valid Orders appear in L.E.D.S. & N.C.I.C.
Confirm validity and terms by contacting

#2

**MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP**

Please complete this form and return to the Board Clerk

This form is a public record

MEETING DATE: 7/20/06

SUBJECT: Animal Services

AGENDA NUMBER OR TOPIC: _____

FOR: _____ AGAINST: _____ THE ABOVE AGENDA ITEM

NAME: Cynthia Eardley

ADDRESS: 1825 SW Evans ST

CITY/STATE/ZIP: Portland

PHONE: DAYS: (503) 245-9318

EVE: (503) 638-7500

EMAIL: AE

FAX: _____

SPECIFIC ISSUE: Urging Transparency at MCAS

WRITTEN TESTIMONY: yes

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IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:

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I am addressing my comments to the Chair, asking her to please exercise her authority to get to the bottom of what is going on at Multnomah County Animal Services.

It is about more than animals; it is about honest and transparent government. It is alarming that Sheriff Bernie Giusto had animal activist Gail O'Connell Babcock excluded from the Troutdale facility where she was exercising her statutory right to inspect public record directly. Giusto did this as a favor to MCAS director, Mike Oswald, without even asking for O'Connell-Babcock's side of the story. O'Connell-Babcock alleges that public records are being altered by the MCAS. I have seen this myself both when representing clients before the agency and when working with a rescue group that sometimes is able to pry animals from its clutches.

There are indications of deep problems that have been ignored for too long; Specifically:

> ORS 167.390(1) permitting trade in cat and dog fur if the animal was killed for another purpose; this statute was pushed through the Oregon legislature in 1999 without public hearings immediately after county citizens accused John Rowton of being in "another business".

- Ongoing refusal to comply with 2000 task force recommendations encompassing a public mandate to move in a pro-animal direction. A top priority of the task force was creating policy that kept animals out of the shelter in the first place. But since then, in 2001, the county enacted a "cat trespass" provision that permits people to trap their neighbors' cats and take them to the pound. Cat intake in Troutdale has increased by 70% since that time. This provision was promoted by the National Animal Interest Alliance, an animal use group, essentially the brainchild of president Patti Strand and past president, board member, and primary advisor, Adrian Morrison, a cat vivisectionist and self-described "media educator". The Oregonian has been "educated" to the point that it is permitting no discussion of the cat containment provision in its editorial forum, although cat confinement laws are not customary, and this one was pushed through without public discussion and is contrary to the vision of the task force.

Strand and the NAIA are "practiced in the art of deception" as the Stones might say. In 1993, when she applied for a position on the now defunct animal control advisory committee, Strand said she

represented an animal welfare, and later, a "responsible breeders' group. Cat vivisection and dissection were never mentioned. Later, someone falsely told the Humane Society of the United States that pound seizure (practice of releasing pound animals for research and education purposes) was illegal here. It isn't.

All of this is part of a history of humane deception that goes back, at least, to 1989 when the Oregon Humane Society was caught secretly euthanizing pet cats. The figurehead leadership has changed since then, but it is questionable as to how much else has changed.

Ted Wheeler made cleaning up MCAS a focus of his winning campaign, but since he is supported by the mean machine that has allowed the problems to continue for so long, I am not sure he will be able to follow through. Besides, the deception has been going on too long already. Back in 1999, the head of Environmental Services, Larry Nichols, spoke of a big bomb ready to explode at the agency. His successor, current director of Community Services, Cecelia Johnson, seems to be protecting Oswald and attempting to divert attention away from the task force recommendations

The packet I gave you, a letter I recently wrote, makes the case that an investigation is necessary, whether the local "humane gang" likes it or not.

Thank you.

#3

**MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP**

Please complete this form and return to the Board Clerk

This form is a public record

MEETING DATE: 7-20-06

SUBJECT: ANIMAL SERVICES

AGENDA NUMBER OR TOPIC: _____

FOR: _____ AGAINST: _____ THE ABOVE AGENDA ITEM

NAME: ROGIER TROEN

ADDRESS: 4226 N MONTANA AV.

CITY/STATE/ZIP: PORTLAND OR 97217

PHONE: DAYS: 503-287-7894 EVES: _____

EMAIL: _____ FAX: _____

SPECIFIC ISSUE: RARE-KILL OF COMPANION ANIMALS

WRITTEN TESTIMONY: _____

IF YOU WISH TO ADDRESS THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Address the County Commissioners from the presenter table microphones. Please limit your comments to **3 minutes**.
3. State your name for the official record.
4. If written documentation is presented, please furnish one copy to the Board Clerk.

IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Written testimony will be entered into the official record.

Companion Animal Advocates United

bringing rare-kill to Multnomah County

Rather than spending the time researching the history of Multnomah County Animal Services, a quick rough outline of how companion animals have been handled in this area will bring us to what is of vital importance.

As reported in a 1999 newspaper article, in 1899 the 50-year-old City of Portland handled and disposed of dogs as follows:

Visitors are not lacking at the city pound nowadays, when catchers are hot on the trail of every unlicensed canine. Mistresses whose Fidos have been licensed in due form and season but have had their beribboned collars tampered with and the tags thereof stolen, come daily to reclaim their pets. Nor is the pound such a disagreeable place to enter. The way leads through the city stables, which jointly occupy the Sixteenth Street site, and from the back of which is an inclined plane leads down into the room which is both prison and execution chamber for the dog catcher's victims. As the visitor enters the din ceases momentarily. cold noses eager to be rubbed, are poked through chinks in the boarding of the pen, and 50 tails are set a-wagging. One is relieved to find that the luckless inmates are regularly supplied with meat and water during their gloomy five days' wait: also that a separate compartment is provided for the sick and decrepit. The ominous asphyxiation tank, converted from its original use of receptacle for water of a sprinkling cart, stands in plain view, connected with the stove-like apparatus in which is generated the charcoal gas used in putting the dogs to death. However, any dog given his choice would probably prefer a bullet or administration of chloroform to being wedged in the tank with a howling pack of others of his kind.

The Oregon Humane Society was established about the same time so, as today, there was/is a mixed destiny for these animals in this area as this state-wide society primarily serves/d the Portland metro area.

In 1965 the city turned the fate of its companion animals over to the county where for a relatively long period the name fit its operation and goals...control.

For over twenty years cats, dogs, puppies and kittens were killed en masse in decompression chambers used by both the Oregon Humane Society and Animal Control.

Then private citizen Joan Dahlberg researched individual injection of sodium pentobarbital as a replacement for those barbaric chambers. They were, along with carbon monoxide used state and nation-wide.

Joan steeled herself to actually witness these chambers where groups of the animals suffered as they fought one another for the diminishing oxygen. It took over two years of bringing this information to the public for the pressure to force these "shelters" to admit they could actually handle each animal individually for this injection.

From this individual injection began to be used by other agencies across the state just as it has been (with some exceptions even today) across the nation.

Another step forward into the future was taken in 1995 in San Francisco at the first national No-Kill Conference, where it was advocated that readily adoptable, treatable, and re-habilitatable companion animals need not be killed if dedicated efforts were taken to bring this into reality.

The most recent part of this history was the task force selected by the county commissioners that convened in 2000 at a cost of \$40,000! It then presented goals to be reached by Multnomah County by 2005.

Briefly, these were the goals:

1. Community education about responsible pet ownership and marketing of MCAS services, including return-to-owner and adoption programs.
2. Maintenance of a healthy and humane shelter environment.
3. Strong return-to-owner and adoption programs coordinated with other providers.
4. Adequate management, staffing and training to best provide needed services and top quality, compassionate shelter environment.
5. A clear method and process for citizen input is established that is accountable and responsive to this input and demonstrates respect for public comment and involvement.
6. Kennel space is coordinated with other shelters, community groups and foster parents to maximize space for impounded animals.
7. Private/public partnership.

These suggestions are listed in the Task Force Findings! Virtually none of them have been instituted.

This is just a short summary of what was planned. Gary Hendel, executive director of the Maui Humane Society was selected and hired and began implementing some of the above. However, after the position Michael Oswald held in the county was eliminated, he needed another county job so Mr. Hendel was summarily let go so Mr. Oswald could return to the position of animal control director after over a decade.

Mr. Hendel, for a time served as director of the Dayton, Ohio Animal Services but has returned and now directs the Washington County animal Services.

The beginning of no-kill envisioned by the Multnomah County Task Force was virtually ignored and the killing escalated.

Until recently Multnomah County's "pound" was called Animal Control. It is now Animal Services. It has been suggested it should change its name to Animal Care and Concerns. That was rejected. Services are not much of what is provided to citizens and their animal companions from this government agency.

There is much confusion by the public as many believe Animal Services is the Oregon Humane Society located at 1067 N.E. Columbia Boulevard, whereas Animal Services' address is 1700 W. Historic Columbia River Highway.

Both organizations euthanize dogs and cats but more animals are killed at Animal Services because the Humane Society is able to refuse to accept animals while Animal Services cannot. Therefore dogs, cats, puppies and kittens are closer to being killed there and it should be the first place to visit for adopting animals.

Marketing animals is done better at OHS as they are in a new eight million dollar building and are inside the Portland city limits, while Animal Services is well off the beaten path at the furthestmost end of a narrow county. The address is also very confusing as the road is still called Old Historic Columbia River Highway and is difficult to find since the new freeway was built in the 1950's and bypasses this old section.

Good marketing would simply direct "customers" to drive out Halsey Street to 244th and turn north down 244th Av. You then run right into the facility where you would very likely save a life or two.

Longer hours and opening (finally) on Sundays has definitely made a difference as people are now able to use their days off to visit this remote location.

More than five directors over the last few years have made some improvements such as expanded hours, better health checks, somewhat better individual animal records including photos, etc.

The reality of the latest history of this county's animal services in the last three years under Michael oswald is that the death rates for dogs has risen. These rates have been established from records grudgingly provided by the agency to an independent citizen at her expense. The facts supporting this increase are evident in these records and are verifiable and are not attributable to "seasonal changes."

Given current trends, and lack of effective community outreaches at MCAS these death rates are expected to escalate even further.

Why is this important? Because as the global measure of death per 1000 indicates, the Portland community cares about its companion animals in significant ways by spaying and neutering to reduce the throwaway population; not allowing animals to roam at large; and the huge efforts by the Oregon Humane Society and many small hardworking rescue and fostering groups to place animals effectively, a reduction of the animals going to uncertain fates/death at the pound has occurred. BUT MCAS IS NOT PART OF THIS TREND. If the Portland area is in fact approaching "no-kill", it is in spite of the agency's policies and practices. MCAS has to honor this positive direction and change its management and operating procedures to meet community standards and values.

It has become obvious the internal workings of this agency are not going to solve the problems. These remaining shortcomings and problems will be overcome with the clear vision and conviction of private citizens eager to end the killing.

The following, in no particular order are some of the things that hinder this agency's overhaul.

1. Failure to educate people about options to abandonment.
2. Lack of expanding alternative adoption locations.
3. Limited vision of county and city leadership.
4. Not following through on goals set by the \$40,000 Task Force.
5. Lack of support of the annual National No-Kill Conferences.
6. ANTI animal rights national Animal Interest Alliance influence.
7. Improper statistical manipulation.
8. Failure to involve the greater community.
9. Inadequate use of media.
10. Outrageous temperment testing.
11. Discontinued Animal Control Advisory Cttee.

In no particular order or ranking here are some corrections to the above:

1. Having a clear vision and conviction toward improvement.
2. Following through with each deadline or goal.
3. Marshalling all resources.
4. Networking with like-minded groups and individuals.
5. Replacing any agency deadwood with visionary employees.
6. Replacing archaic temperment testing with modern assessment methods.
7. Building liaisons with the greater community.
8. Using ALL types of media resources.
9. Upgrading building spaces for more efficient use(s).
10. More mediation -- fewer "courts."
11. Institute lower fines and find more positive solutions for human "violators" instead of choosing expedient death for their animal companions.
12. More off-site volunteers.

The escalated killings have so much enraged the citizens who have been battling to save lives they have begun to focus their individual energies to bring this horror to an end.

Massive numbers of agency documentants have been retrieved at great expense of time, energy in addition to the monetary costs by these citizens that clearly expose these failures.

Now COMPANION ANIMAL ADVOCATES UNITED need more voices to create a critical mass to bring these county Commissioners to understand this agency must be turned around and get back on track with others nationally who are already accomplishing at least RARE-Kill.

If you care about companion animals in our community who might end up at this nearly inaccessible, frightening "shelter"* where they are very likely to be killed, please join us.

*shelter n. 1: "something that affords protection."

OUR MISSION:

End the killing of all readily adoptable, treatable, and re-habilitatable dogs, cats puppies, and kittens at Multnomah County Animal Services by 1 January 2008.

COMPANION ANIMAL ADVOCATES UNITED
4226 N. Montana Av.
Portland, OR 97217

A Life Affirming Vision of the 21st Century for the Companion Animals of Multnomah County

by Roger Troen

(The Multnomah County Citizen's
Involvement Committee representative on
the Multnomah County Animal Control
Advisory Committee.) *

**Six years from now we will enter the
21st Century! Imagine what it will be like
when every dog, cat, puppy, and kitten in
our county will have a loving home.**

This will happen because a critical
mass of caring visionary citizens will have
formed a vast coalition to work on every
aspect of today's challenge.

From breeders to breed rescuers and
veterinarians to journalists; from CEOs to
legislators and educators to students; plus
church leaders to congregations, **this goal
will energize every segment of our
community to realize this happy
achievement!**

Imagine the celebrations in our
churches, schools, businesses,
neighborhoods, social clubs, and festivals on
that happy day.

No longer will we be dismayed by the
prospect of homeless and abused companion
animals existing in our midst of plenty.

We are capable of reaching the minds
and hearts of every citizen through a diverse
educational system and media technology:

#4

**MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP**

Please complete this form and return to the Board Clerk

This form is a public record

MEETING DATE: 7/20/06

SUBJECT: Public Comment - clarifying budget decision
regarding Bienestar de la Familia

AGENDA NUMBER OR TOPIC: Public Comment

FOR: _____ AGAINST: _____ THE ABOVE AGENDA ITEM

NAME: Elizabeth Moreno

ADDRESS: 1425 NE Ainsworth St

CITY/STATE/ZIP: Portland OR 97211

PHONE: DAYS: 503-481-3846

EVES: 503-288-8927

EMAIL: eh.moreno@gmail.com

FAX: _____

SPECIFIC ISSUE: We're here to find out why the drug & alcohol
program was cut, when the rest of the program remains.

WRITTEN TESTIMONY: I would ask the Commissioners to
please re-consider their decision to cut the Alcohol & Drug
position at Bienestar. This is one of the most critical
positions, along with Mental Health, and should be the
last to go, not the first.

IF YOU WISH TO ADDRESS THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Address the County Commissioners from the presenter table microphones. Please limit your comments to **3 minutes**.
3. State your name for the official record.
4. If written documentation is presented, please furnish one copy to the Board Clerk.

IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Written testimony will be entered into the official record.

#5

MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP

Please complete this form and return to the Board Clerk

This form is a public record

MEETING DATE: 7/20/06

SUBJECT: _____

AGENDA NUMBER OR TOPIC: Public Comment

FOR: _____ AGAINST: _____ THE ABOVE AGENDA ITEM

NAME: Alex Babain

ADDRESS: 1312 SW Washington St

CITY/STATE/ZIP: Portland OR 97205

PHONE: _____ DAYS: 503-535-1150x111 EVES: _____

EMAIL: _____ FAX: _____

SPECIFIC ISSUE: Decision to cut drug and alcohol
portion at Buena Vista

WRITTEN TESTIMONY: _____

IF YOU WISH TO ADDRESS THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Address the County Commissioners from the presenter table microphones. Please limit your comments to **3 minutes**.
3. State your name for the official record.
4. If written documentation is presented, please furnish one copy to the Board Clerk.

IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Written testimony will be entered into the official record.

NOT HERE

**MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP**

Please complete this form and return to the Board Clerk

This form is a public record

MEETING DATE: 7/20/06

SUBJECT: Public Comment

AGENDA NUMBER OR TOPIC: Public Comment

FOR: _____ AGAINST: _____ THE ABOVE AGENDA ITEM

NAME: Claudia Gonzalez

ADDRESS: Villa de Clara Vista, Wendert Apartments

CITY/STATE/ZIP: Portland, OR 97218

PHONE: _____ DAYS: _____ EVES: _____

EMAIL: _____ FAX: _____

SPECIFIC ISSUE: Decision to cut Drug + Alcohol position @ Bienestar de la Familia

WRITTEN TESTIMONY: _____

IF YOU WISH TO ADDRESS THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Address the County Commissioners from the presenter table microphones. Please limit your comments to **3 minutes**.
3. State your name for the official record.
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IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Written testimony will be entered into the official record.



MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST

Board Clerk Use Only

Meeting Date: 07/20/06
Agenda Item #: R-1
Est. Start Time: 9:30 AM
Date Submitted: 07/12/06

BUDGET MODIFICATION: -

Agenda Title: RESOLUTION Submitting to the Voters a Five-Year Rate Based Local Option Levy to Continue Library Services

Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title.

Date Requested:	July 20, 2006	Time Requested:	5 minutes
Department:	Non-Departmental	Division:	Commissioner Naito, D3
Contact(s):	Terry Naito		
Phone:	503-988-4105	Ext.	84105
Presenter(s):	Lisa Naito		
I/O Address:	503/600		

General Information

1. What action are you requesting from the Board?

Approve resolution submitting to the voters for the November 2006 ballot a five-year rate based local option levy to continue library services, at a rate of 89 cents per thousand dollars assessed value, with the levy period beginning July 1, 2007. The resolution will also approve a ballot title (Caption, Question and Summary) and the explanatory statement.

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

The current five-year local option library levy (passed in November 2002) expires June 30, 2008. The levy provides over 50% of the operating funds for the county library system; that funding will be lost if the levy is not renewed. Over the life of this current levy, the General Fund contribution to the library has been less than projected in the levy plan and is showing a downward trend due to overall decreases in county revenues. The effect of compression on property tax collections continues to impact levy collections, and inflation has increased the cost of providing the same county services. To maintain the system, a levy rate of 89 cents is required over the coming five year period (an increase from the current rate of 75.5 cents). If approved by voters, the new levy

will replace the last year of the current levy.

The upcoming November 2006 election is the last general election ballot before the library levy expires. Measure 50 requires a double majority for all property tax levies that are not on general election ballots. In 2002, the library levy was on the May primary election ballot but failed to meet turnout requirements even though a majority of voters approved the levy. The measure was on the ballot again in November of that year and approved by the voters. Due to these turnout requirements, the November 2006 general election provides the best opportunity to successfully renew the levy before it expires and ensure library services are not interrupted.

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

Renewal of the library levy will maintain over half of the Library's funding for fiscal years 2008-12. It is anticipated to raise approximately \$33 million in 2007-08; \$34.1 million in 2008-09; \$35.3 million in 2009-10; \$36.5 million in 2010-11; and \$37.8 million in 2011-12. Financial projections are attached. Because the levy provides over half of the library's annual funding, if the levy does not pass, some library branches will have to close, others may have to cut their hours, and programs and services will be cut.

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

Financial projections for this levy period include an annual transfer from the County's General Fund. Though the Board of County Commissioners has the prerogative to set the amount of that transfer each year through the annual budget process, decreasing the amount of the General Fund contribution will impact the Library's ability to maintain current service levels throughout the life of the levy and to open planned branches in East County and North Portland.

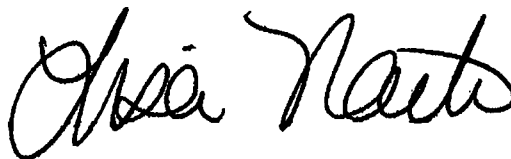
5. Explain any citizen and/or other government participation that has or will take place.

With each levy renewal election, Multnomah County voters have the opportunity to express their level of support for the Library. The 1997 and 2002 levies were approved by majorities of 51% and 58%, respectively.

The Library Advisory Board voted unanimously to adopt a statement of support that endorses the tenants of this levy.

Required Signatures

**Department/
Agency Director:**



Date: 07/12/06

Budget Analyst:

Date: _____

Department HR:

Date: _____

Countywide HR:

Date: _____

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. _____

Submitting to the Voters a Five-Year Rate Based Local Option Levy to Continue Library Services

The Multnomah County Board of Commissioners Finds:

- a. The Multnomah County Library Levy was approved by voters in the November 2002 general election. The levy and other revenues fund library services for five fiscal years beginning July 1, 2003.
- b. The Board considers funding for quality library services in Multnomah County necessary and in the public interest.
- c. The Board determines that for sufficient funding for the library services expected by County residents, it is necessary to renew and replace the 2002 levy, establishing a new County library tax levy.
- d. If a new levy is not approved in an even-numbered year general election, it must be passed by a majority vote at an election where at least 50% of registered voters cast a ballot. (Section 11(8), Article XI of Oregon Constitution)
- e. The Board determines it is in the public interest to replace the final year of the 2002 levy with a new County library tax levy and submit the measure to voters at the November 7, 2006, general election.
- f. The new levy is for five fiscal years commencing July 1, 2007. It is anticipated to raise \$33 million in 2007-08; \$34.1 million in 2008-09; \$35.3 million in 2009-10; \$36.5 million in 2010-11; and \$37.8 million in 2011-12.

The Multnomah County Board of Commissioners Resolves:

1. An election is called for the November 7, 2006, general election to submit the Ballot Title measure adopted as Exhibit A and the Explanatory Statement adopted as Exhibit B to the electors of Multnomah County for funding library services.

2. The Ballot Title and Explanatory Statement are certified, and will be filed with the County Director of Elections, and published in accordance with law.
3. The Library Local Option Levy will be outside the limitations of Article XI, Section 11, Oregon Constitution.

ADOPTED this 20th day of July 2006.

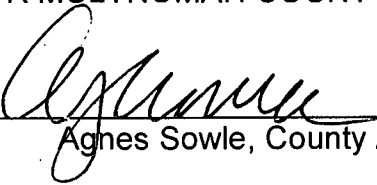
BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Diane M. Linn, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By



Agnes Sowle, County Attorney

EXHIBIT A

BALLOT TITLE

CAPTION:

MEASURE _____

Renew Five-Year Local Option Levy to Continue Library Services

QUESTION:

Shall Multnomah County continue library services with levy of 89.0 cents per \$1,000 assessed value for five years beginning 2007?

This measure may cause property taxes to increase more than three percent.

SUMMARY:

The library levy approved by voters in 2002 will expire in 2008. It provides over half of the library's funds. Renewal will keep libraries open, maintain hours and services, and open two planned branches. If not renewed, some libraries will close, others will be open fewer hours, and library services will be greatly reduced.

Renewing the levy will:

- Continue programs for school age children, story hours for babies and toddlers, summer reading, literacy services for children in child care, programs for teens.
- Help teachers and students use library resources; provide homework helpers to assist children with school work.
- Maintain free access to information; update books and materials.
- Continue book delivery to homebound seniors and nursing home residents.
- Open planned libraries in underserved neighborhoods of East County and North Portland.
- Keep libraries open, maintain current hours and services at Central and neighborhood libraries.

The levy raises approximately \$33 million in 2007-08; \$34.1 million in 2008-09; \$35.3 million in 2009-10; \$36.5 million in 2010-11; and \$37.8 million in 2011-12.

This levy replaces the current voter-approved library levy. The estimated cost to a homeowner of an average value single family home will be \$11.13 a month.

The estimated tax cost for this measure is an ESTIMATE ONLY based on the best information available from the county assessor at the time of estimate.

EXHIBIT B

EXPLANATORY STATEMENT

MEASURE _____

Continue Multnomah County Library Services

Measure ____ will replace the current library levy. Its cost will be 89 cents per \$1,000 assessed value per year. According to the County Department of Assessment and Taxation, the average single family home would pay about \$11.13 per month for this levy.

RESULT OF A 'YES' VOTE

Measure ____ provides over half the library's funds. Voting yes will renew funding for current library programs and services.

Library Services Expected To Be Maintained Include:

- Library services for young and school-aged children – story hours for babies and toddlers, homework help, summer reading, and services for children in child care;
- Multnomah County libraries open at least six days a week for an average of 53-58 hours each;
- Central Library and neighborhood libraries open Sunday afternoons;
- Services to seniors including computer classes and book delivery for those who are homebound;
- Library services for jobseekers, small business owners, and English language learners;
- Buying new books, magazines, and other library materials.

The library levy will also provide funds to operate planned branches in underserved neighborhoods of North Portland and East County, which will open during the course of this five-year levy.

Measure ____ will fund continued hours and services at Multnomah County libraries including Central Library and:

Albina
Belmont
Capitol Hill
Fairview/Columbia
Gregory Heights
Gresham
Hillsdale
Holgate
Hollywood

Midland
North Portland
Northwest
Rockwood
Sellwood-Moreland
St. Johns
Woodstock

How Are Libraries Used?

- 52,000 kids participated in the Library's Summer Reading program in 2005, which includes over half of the county's elementary school children.
- More than 300,000 people attend library programs and events for children and teens each year.
- Each day about 13,000 people visit the 17 libraries.
- An average of 28 books are checked out every year for every man, woman, and child in the county.
- Librarians and library staff provide personal help an average of 90,000 times each week – answering questions, reading stories, checking out books, assisting students after school, and more.
- The library provides 24/7 online access to information, learning resources, and the library catalog.
- Library outreach programs to schools make nearly 120,000 contacts with students and teachers during the school year;

RESULT OF A 'NO' VOTE

The library receives over 55% of its funding from the current voter-approved levy. If the library levy is not renewed, library services will be greatly reduced. New branches will not open, others will be open fewer hours, fewer books will be purchased, and many neighborhood libraries will close.

BOGSTAD Deborah L

From: SAMPLE Christopher E
Sent: Monday, July 17, 2006 9:39 AM
To: BOGSTAD Deborah L
Subject: Library measure

Hi Deb,

Wanted to check in with you early this week... I'm on vacation starting this Thursday and back on Wednesday.

It would help me if I can get the ballot title text/explanatory statement early by email... Today or tomorrow, if possible. I would only want the text of the title/explanatory statement, not the resolution. That way I can get the publication ready for Notice of Measure in the Oregonian.

Due to a ruling by the Secretary of State's office, our office won't be able to assign a measure number until Friday 7/21/06. Thursday at 5pm is the deadline for measure submission for the September Special election. If no measures are submitted for September, Metro will be assigned Measure #26-80, since they were the first to file for November. I do not believe there will be any measures submitted for September. So... if no measures are submitted for September, and no other measures are submitted for November (prior to the library filing), our staff will assign measure #26-81 to the Library measure. You can check with John Kauffman or Mary Shultz on Friday for the measure number.

Let me know if you have any questions.

Thanks.

Eric Sample
Multnomah County Elections Division
503-988-3720

7/17/2006

BOGSTAD Deborah L

From: SAMPLE Christopher E
Sent: Tuesday, July 18, 2006 10:46 AM
To: BOGSTAD Deborah L
Subject: RE: Library measure

Thanks Deb. Since I'll be out of the office, could you please fax the approved measure to John Kauffman x83719, after board approval on Thursday. Our office will assign the measure number on Friday morning, 7/21/06. The measure publication should run Tuesday 7/25.

Eric

-----Original Message-----

From: BOGSTAD Deborah L
Sent: Monday, July 17, 2006 10:31 AM
To: SAMPLE Christopher E
Subject: RE: Library measure
Importance: High

Hi Eric. Here you go – see pages 3-5 of the attached resolution for the ballot title and explanatory statement. Thank you for the heads up regarding the measure number. I hope you have a wonderful vacation!

Deb Bogstad, Board Clerk
Multnomah County Commissioners
501 SE Hawthorne Boulevard, Suite 600
Portland, Oregon 97214-3587
(503) 988-3277 phone
(503) 988-3013 fax
deborah.l.bogstad@co.multnomah.or.us
<http://www.co.multnomah.or.us/cc/index.shtml>

-----Original Message-----

From: SAMPLE Christopher E
Sent: Monday, July 17, 2006 9:39 AM
To: BOGSTAD Deborah L
Subject: Library measure

Hi Deb,

Wanted to check in with you early this week... I'm on vacation starting this Thursday and back on Wednesday.

It would help me if I can get the ballot title text/explanatory statement early by email... Today or tomorrow, if possible. I would only want the text of the title/explanatory statement, not the resolution. That way I can get the publication ready for Notice of Measure in the Oregonian.

Due to a ruling by the Secretary of State's office, our office won't be able to assign a measure number until Friday 7/21/06. Thursday at 5pm is the deadline for measure submission for the September Special election. If no measures are submitted for September, Metro will be assigned Measure #26-80, since they were the first to file for November. I do not believe there will be any measures submitted for September. So... if no measures are submitted for September, and no other measures are submitted for November

7/18/2006

(prior to the library filing), our staff will assign measure #26-81 to the Library measure. You can check with John Kauffman or Mary Shultz on Friday for the measure number.

Let me know if you have any questions.

Thanks.

Eric Sample
Multnomah County Elections Division
503-988-3720

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. 06-129

Submitting to the Voters a Five-Year Rate Based Local Option Levy to Continue Library Services

The Multnomah County Board of Commissioners Finds:

- a. The Multnomah County Library Levy was approved by voters in the November 2002 general election. The levy and other revenues fund library services for five fiscal years beginning July 1, 2003.
- b. The Board considers funding for quality library services in Multnomah County necessary and in the public interest.
- c. The Board determines that for sufficient funding for the library services expected by County residents, it is necessary to renew and replace the 2002 levy, establishing a new County library tax levy.
- d. If a new levy is not approved in an even-numbered year general election, it must be passed by a majority vote at an election where at least 50% of registered voters cast a ballot. (Section 11(8), Article XI of Oregon Constitution)
- e. The Board determines it is in the public interest to replace the final year of the 2002 levy with a new County library tax levy and submit the measure to voters at the November 7, 2006, general election.
- f. The new levy is for five fiscal years commencing July 1, 2007. It is anticipated to raise \$33 million in 2007-08; \$34.1 million in 2008-09; \$35.3 million in 2009-10; \$36.5 million in 2010-11; and \$37.8 million in 2011-12.

The Multnomah County Board of Commissioners Resolves:

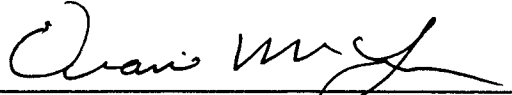
1. An election is called for the November 7, 2006, general election to submit the Ballot Title measure adopted as Exhibit A and the Explanatory Statement adopted as Exhibit B to the electors of Multnomah County for funding library services.

2. The Ballot Title and Explanatory Statement are certified, and will be filed with the County Director of Elections, and published in accordance with law.
3. The Library Local Option Levy will be outside the limitations of Article XI, Section 11, Oregon Constitution.

ADOPTED this 20th day of July 2006.




BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON



Diane M. Linn, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By 

Agnes Sowle, County Attorney

EXHIBIT A
BALLOT TITLE

CAPTION:

MEASURE _____

Renew Five-Year Local Option Levy to Continue Library Services

QUESTION:

Shall Multnomah County continue library services with levy of 89.0 cents per \$1,000 assessed value for five years beginning 2007?

This measure may cause property taxes to increase more than three percent.

SUMMARY:

The library levy approved by voters in 2002 will expire in 2008. It provides over half of the library's funds. Renewal will keep libraries open, maintain hours and services, and open two planned branches. If not renewed, some libraries will close, others will be open fewer hours, and library services will be greatly reduced.

Renewing the levy will:

- Continue programs for school age children, story hours for babies and toddlers, summer reading, literacy services for children in child care, programs for teens.
- Help teachers and students use library resources; provide homework helpers to assist children with school work.
- Maintain free access to information; update books and materials.
- Continue book delivery to homebound seniors and nursing home residents.
- Open planned libraries in underserved neighborhoods of East County and North Portland.
- Keep libraries open; maintain current hours and services at Central and neighborhood libraries.

The levy raises approximately \$33 million in 2007-08; \$34.1 million in 2008-09; \$35.3 million in 2009-10; \$36.5 million in 2010-11; and \$37.8 million in 2011-12.

This levy replaces the current voter-approved library levy. The estimated cost to a homeowner of an average value single family home will be \$11.13 a month.

The estimated tax cost for this measure is an ESTIMATE ONLY based on the best information available from the county assessor at the time of estimate.

EXHIBIT B

EXPLANATORY STATEMENT

MEASURE _____

Continue Multnomah County Library Services

Measure _____ will replace the current library levy. Its cost will be 89 cents per \$1,000 assessed value per year. According to the County Department of Assessment and Taxation, the average single family home would pay about \$11.13 per month for this levy.

RESULT OF A 'YES' VOTE

Measure _____ provides over half the library's funds. Voting yes will renew funding for current library programs and services.

Library Services Expected To Be Maintained Include:

- Library services for young and school-aged children – story hours for babies and toddlers, homework help, summer reading, and services for children in child care;
- Multnomah County libraries open at least six days a week for an average of 53-58 hours each;
- Central Library and neighborhood libraries open Sunday afternoons;
- Services to seniors including computer classes and book delivery for those who are homebound;
- Library services for jobseekers, small business owners, and English language learners;
- Buying new books, magazines, and other library materials.

The library levy will also provide funds to operate planned branches in underserved neighborhoods of North Portland and East County, which will open during the course of this five-year levy.

Measure _____ will fund continued hours and services at Multnomah County libraries including Central Library and:

Albina
Belmont
Capitol Hill
Fairview/Columbia
Gregory Heights
Gresham
Hillsdale

Holgate
Hollywood
Midland
North Portland
Northwest
Rockwood
Sellwood-Moreland
St. Johns
Woodstock

How Are Libraries Used?

- 52,000 kids participated in the Library's Summer Reading program in 2005, which includes over half of the county's elementary school children.
- More than 300,000 people attend library programs and events for children and teens each year.
- Each day about 13,000 people visit the 17 libraries.
- An average of 28 books are checked out every year for every man, woman, and child in the county.
- Librarians and library staff provide personal help an average of 90,000 times each week – answering questions, reading stories, checking out books, assisting students after school, and more.
- The library provides 24/7 online access to information, learning resources, and the library catalog.
- Library outreach programs to schools make nearly 120,000 contacts with students and teachers during the school year;

RESULT OF A 'NO' VOTE

The library receives over 55% of its funding from the current voter-approved levy. If the library levy is not renewed, library services will be greatly reduced. New branches will not open, others will be open fewer hours, fewer books will be purchased, and many neighborhood libraries will close.

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

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The Multnomah County Board of Commissioners Resolves:

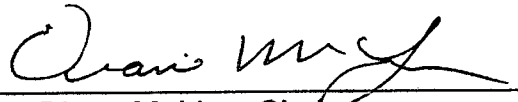
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ADOPTED this 20th day of July 2006.



BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

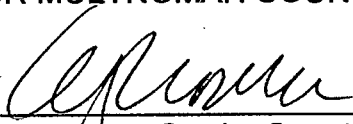


Diane M. Linn, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By



Agnes Sowle, County Attorney

EXHIBIT A
BALLOT TITLE

CAPTION:

MEASURE 26-81

Renew Five-Year Local Option Levy to Continue Library Services

QUESTION:

Shall Multnomah County continue library services with levy of 89.0 cents per \$1,000 assessed value for five years beginning 2007?

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SUMMARY:

The library levy approved by voters in 2002 will expire in 2008. It provides over half of the library's funds. Renewal will keep libraries open, maintain hours and services, and open two planned branches. If not renewed, some libraries will close, others will be open fewer hours, and library services will be greatly reduced.

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This levy replaces the current voter-approved library levy. The estimated cost to a homeowner of an average value single family home will be \$11.13 a month.

The estimated tax cost for this measure is an ESTIMATE ONLY based on the best information available from the county assessor at the time of estimate.

EXHIBIT B

EXPLANATORY STATEMENT

MEASURE 26-81

Continue Multnomah County Library Services

Measure 26-81 will replace the current library levy. Its cost will be 89 cents per \$1,000 assessed value per year. According to the County Department of Assessment and Taxation, the average single family home would pay about \$11.13 per month for this levy.

RESULT OF A 'YES' VOTE

Measure 26-81 provides over half the library's funds. Voting yes will renew funding for current library programs and services.

Library Services Expected To Be Maintained Include:

- Library services for young and school-aged children – story hours for babies and toddlers, homework help, summer reading, and services for children in child care;
- Multnomah County libraries open at least six days a week for an average of 53-58 hours each;
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The library levy will also provide funds to operate planned branches in underserved neighborhoods of North Portland and East County, which will open during the course of this five-year levy.

Measure 26-81 will fund continued hours and services at Multnomah County libraries including Central Library and:

Albina
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Capitol Hill
Fairview/Columbia
Gregory Heights
Gresham
Hillsdale

Holgate
Hollywood
Midland
North Portland
Northwest
Rockwood
Sellwood-Moreland
St. Johns
Woodstock

How Are Libraries Used?

- 52,000 kids participated in the Library's Summer Reading program in 2005, which includes over half of the county's elementary school children.
- More than 300,000 people attend library programs and events for children and teens each year.
- Each day about 13,000 people visit the 17 libraries.
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- The library provides 24/7 online access to information, learning resources, and the library catalog.
- Library outreach programs to schools make nearly 120,000 contacts with students and teachers during the school year;

RESULT OF A 'NO' VOTE

The library receives over 55% of its funding from the current voter-approved levy. If the library levy is not renewed, library services will be greatly reduced. New branches will not open, others will be open fewer hours, fewer books will be purchased, and many neighborhood libraries will close.



MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST

APPROVED : MULTNOMAH COUNTY
BOARD OF COMMISSIONERS
AGENDA # R-2 DATE 7-20-06
DEBORAH L. BOGSTAD, BOARD CLERK

Board Clerk Use Only

Meeting Date: 07/20/06
Agenda Item #: R-2
Est. Start Time: 9:45 AM
Date Submitted: 06/15/06

BUDGET MODIFICATION: LIB-01

Agenda Title: Budget Modification LIB-01 Reclassifying Three Positions at Central Library-
Access Services of Department of Library Services, as Determined by the
Class/Comp Unit of Central Human Resources

Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title.

Date Requested:	<u>July 20, 2006</u>	Time Requested:	<u>5 minutes</u>
Department:	<u>Library</u>	Division:	<u>Central Library</u>
Contact(s):	<u>Becky Cobb</u>		
Phone:	<u>503-988-5499</u>	Ext.	<u>85499</u>
I/O Address:	<u>317/LibAdm</u>		
Presenter(s):	<u>Leila Wrathall, Human Resources Manager or Ellen Ullrick, Senior HR Analyst</u>		

General Information

1. What action are you requesting from the Board?

Request board approval to reclassify 2.25 FTE library positions.

2. Please provide sufficient background information for the Board and the public to understand this issue.

This is a management request to realign positions with workload at the appropriate classification level within Access Services at Central Library. The following reclassification has been approved by County Class Comp Office:

Two 1.0 FTE vacant Library Clerk positions (706066, 706076) in Circulation Services are converted into two 1.0 and one 0.75 FTE Library Page positions in Stack Services. A Library Clerk position (700289) in Circulation Services is reduced from 0.75 to 0.5 FTE to help fund these conversions.

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

The conversion results in an additional cost of \$469 which is offset by reducing on-call hours from the Temporary budget line item. There is no net dollar amount change in expenditure.

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

Local 88 represented employees have a contractual right to appeal and arbitrate the outcome of a reclassification request, which would include Board action to disapprove the request. It is the policy of Multnomah County to make all employment decisions without regard to race, religion, color, national origin, sex, age, marital status, disability, political affiliations, sexual orientation, or any other nonmerit factor.

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

N/A

ATTACHMENT A

Budget Modification

If the request is a Budget Modification, please answer all of the following in detail:

- What revenue is being changed and why?
There is no change in revenue.
- What budgets are increased/decreased?
Personnel budget including indirect for Circulation Services decreases by \$111,809 and personnel budget including indirect for Stack Services increases by the same amount. There is no net dollar amount change in expenditure within Access Services at Central Library.
- What do the changes accomplish?
The conversion allows management to shift staff from Circulation Services to Stack Services in order to meet workload demand at the appropriate skill level with a less costly classification.
- Do any personnel actions result from this budget modification? Explain.
This is a management request to realign positions with workload at the appropriate classification level within Access Services at Central Library. The following reclassification has been approved by County Class Comp Office:
Two 1.0 FTE vacant Library Clerk positions (706066, 706076) in Circulation Services are converted into two 1.0 and one 0.75 FTE Library Page positions in Stack Services. A Library Clerk position (700289) in Circulation Services is reduced from 0.75 to 0.5 FTE to help fund these conversions.
- How will the county indirect, central finance and human resources and departmental overhead costs be covered?
There is no change to the indirect budget as there is no net dollar amount change in expenditure.
- Is the revenue one-time-only in nature? Will the function be ongoing? What plans are in place to identify a sufficient ongoing funding stream?
NA
- If a grant, what period does the grant cover?
NA.
- If a grant, when the grant expires, what are funding plans?
NA

ATTACHMENT B

BUDGET MODIFICATION: LIB-01

Required Signatures

Department/
Agency Director:



Date: 06/14/06

Molly Raphael

Budget Analyst:



Date: 06/15/06

Julie Neburka

Department HR:



Date: 06/13/06

Leila Wrathall

Countywide HR:



Date: 06/15/06

Leon Oswalt

Budget Modification or Amendment ID: **07-LIB-BM-01****EXPENDITURES & REVENUES**

Please show an increase in revenue as a negative value and a decrease as a positive value for consistency with MERLIN.

Budget/Fiscal Year: 05-06

Line No.	Fund Center	Fund Code	Func. Area	Accounting Unit		Cost Element	Current Amount	Revised Amount	Change Increase/ (Decrease)	Subtotal	Description
				Internal Order	Cost Center						
1	80-20	1510			802110	60000	1,138,069	1,074,430	(63,639)		Permanent
2	80-20	1510			802110	60130	363,272	342,850	(20,422)		Salary Related Expense
3	80-20	1510			802110	60140	371,437	347,051	(24,386)		Insurance Benefits
4	80-20	1510			802110	60350	47,481	44,813	(2,668)		Central Indirect @ 2.46%
5	80-20	1510			802110	60355	12,353	11,659	(694)	(111,809)	Department indirect @ 0.64%
6								0			
7	80-20	1510			802120	60000	1,371,224	1,432,436	61,212		Permanent
8	80-20	1510			802120	60100	10,000	9,531	(469)		Temporary
9	80-20	1510			802120	60130	436,078	453,879	17,801		Salary Related Expense
10	80-20	1510			802120	60140	543,475	573,378	29,903		Insurance Benefits
11	80-20	1510			802120	60350	63,865	66,533	2,668		Central Indirect @ 2.46%
12	80-20	1510			802120	60355	16,615	17,309	694	111,809	Department indirect @ 0.64%
13								0			
14								0			
15								0			
16								0			
17								0			
18								0			
19								0			
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26								0			
27								0			
28								0			
29								0			
									0	0	Total - Page 1
									0	0	GRAND TOTAL

ANNUALIZED PERSONNEL CHANGE

Change on a full year basis even though this action affects only a part of the fiscal year (FY).

[illegible]

CURRENT YEAR PERSONNEL DOLLAR CHANGE

Calculate costs/savings that will take place in this FY; these should explain the actual dollar amounts being changed by this Bud Mod.

[illegible]



MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST

APPROVED : MULTNOMAH COUNTY
BOARD OF COMMISSIONERS
AGENDA # R-3 DATE 7.20.06
DEBORAH L. BOGSTAD, BOARD CLERK

Board Clerk Use Only

Meeting Date: 07/20/06
Agenda Item #: R-3
Est. Start Time: 9:50 AM
Date Submitted: 06/23/06

BUDGET MODIFICATION: -

Agenda Title: NOTICE OF INTENT to Submit a Proposal to the Health Resources and Services Administration's Ryan White Title III HIV Early Intervention Services Program Grant Competition

Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title.

Date Requested: July 20, 2006 Time Requested: 5 minutes
Department: Health Department Division: Integrated Clinical Services
Contact(s): Jodi Davich
Phone: 503-988-3663 Ext. 26561 I/O Address: 160/9
Presenter(s): Jodi Davich and Deborah Cockrell

General Information

1. What action are you requesting from the Board?

The Multnomah County Health Department (MCHD) requests approval to submit a proposal to the Health Resources and Services Administration's Ryan White Title III HIV Early Intervention Services Program grant competition to secure funding for a five year period that begins January 1, 2007. The Health Department recommends that this request be approved.

2. Please provide sufficient background information for the Board and the public to understand this issue.

As a Ryan White CARE Act grantee, MCHD serves a six-county area that includes Multnomah, Washington, Clackamas, Columbia, Yamhill and Clark counties—the Portland EMA. According to Oregon Health Services As of 12/31/04, 3,665 individuals were estimated as living in the Portland EMA diagnosed with AIDS (2,013) or living with HIV (1,652). 383 new AIDS cases were reported during the past two years (2003 and 2004), a 2.1% increase over the previous two-year reporting period (2002 and 2003). Although HIV is still primarily a disease of gay men in the EMA, the proportion of new HIV-positive cases in women is increasing.

Multnomah County Health Department (MCHD) has operated Section 330 Primary Care Clinics for underinsured and low-income county residents since 1977. MCHD has provided medical care to HIV infected individuals from the onset of HIV disease, through its primary care clinics. To respond to the growing number of HIV/AIDS clients, and the demand for specialized care from "expert" providers, MCHD applied for and was awarded Ryan White Title III Early Intervention funds in 1990. MCHD is the only agency in Oregon with Ryan White Title III Early Intervention funds. These funds established the HIV Health Services Center in 1990, and the clinic has been in operation since that time. This Center serves a six-county area that includes Multnomah, Washington, Clackamas, Columbia, Yamhill and Clark counties.

The HIV Health Services Center (HHSC) is a major provider of HIV-specific care in the state of Oregon. The Center has existing linkages and partnerships with many community-based-agencies. All clinical providers at HHSC have a minimum of 5 years experience in HIV care and treatment, and support staff have specialized in HIV services. All clinic staff have chosen to work in the HIV service field, and bring great passion and commitment to their work. HHSC is recognized locally and nationally as a center of excellence.

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

Multnomah County Health Department will request approximately \$862,188 from the Health Resources and Services Administration for the first budget period of January 1, 2007 through December 31, 2007. This grant requires an annual application. We anticipate requesting a minimum of \$862,188 for each of the four subsequent budget periods.

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

No legal or policy issues are involved.

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

Citizen stakeholders are represented on the MCHD's Community Health Council, the HIV Planning Council and the HIV Health Services Center's Client Advisory Board.

ATTACHMENT A

Grant Application/Notice of Intent

If the request is a Grant Application or Notice of Intent, please answer all of the following in detail:

- **Who is the granting agency?**

Health Resources and Services Administration HIV/AIDS Bureau

- **Specify grant (matching, reporting and other) requirements and goals.**

The purpose of the Ryan White Comprehensive AIDS Resources Emergency (CARE) Act Title III Program is to provide HIV primary care in the outpatient setting. Primary care for persons with HIV disease should start as early in the course of the infection as possible. However, entry into a Title III EIS program may take place at any point in the spectrum of the disease or the patient's lifespan.

The goals of the program are:

- To provide early intervention services, including primary care and HIV specific treatment, to HIV-infected county residents, with an emphasis on services to low income, underserved populations; and
- To ensure that the HIV Health Services Center clients are receiving coordinated, high quality, state of the art HIV medical care.

As a Title III grantee, the Health Department must provide a comprehensive continuum of outpatient HIV primary care services in the Portland EMA including: HIV counseling, testing, and referral; medical evaluation and clinical care; other primary care services; and referrals to other health services. Title III-funded programs much also address issues related to access to care, continuous quality improvement, and community involvement.

- **Explain grant funding detail – is this a one time only or long term commitment?**

Multnomah County Health Department will request approximately \$862,188 for Year One of the project period. No new county funds are needed to support this proposal; grant funds shall not be used to take the place of current funding for activities described in the application. Although this grant has the federal standard Maintenance of Effort requirements, in some instances this requirement may be waived.

- **What are the estimated filing timelines?**

The grant application is due August 18, 2006.

- **If a grant, what period does the grant cover?**

January 1, 2007 through December 31, 2011.

- **When the grant expires, what are funding plans?**

We will reapply for additional Title III funds.

- **How will the county indirect, central finance and human resources and departmental overhead costs be covered?**

These costs will be incorporated into the project budget.

ATTACHMENT B

Required Signatures

Department/
Agency Director:



Date: 06/23/06

Budget Analyst:



Date: 06/26/06

Department HR:

Date:

Countywide HR:

Date:



MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST

APPROVED : MULTNOMAH COUNTY
BOARD OF COMMISSIONERS
AGENDA # R-4 DATE 7-20-06
DEBORAH L. BOGSTAD, BOARD CLERK

Board Clerk Use Only

Meeting Date: 07/20/06
Agenda Item #: R-4
Est. Start Time: 9:55 AM
Date Submitted: 06/29/06

BUDGET MODIFICATION: DCS - 01

Agenda Title: **Budget Modification DCS-01 Reclassifying One Position in the Bridge Section and One Position in Elections, as Determined by the Class/Comp Unit of Central Human Resources**

Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title.

Date Requested:	<u>July 20, 2006</u>	Time Requested:	<u>5 Minutes</u>
Department:	<u>Community Services</u>	Division:	<u>Director's Office</u>
Contact(s):	<u>Jerry Elliott</u>		
Phone:	<u>(503) 988-4624</u>	Ext.	<u>84624</u>
Presenter(s):	<u>Jerry Elliott</u>	I/O Address:	<u>455/2/224</u>

General Information

1. What action are you requesting from the Board?

The Department is requesting the Board approve a budget modification for the reclassification of two positions; one in the Bridge Section and one in Elections.

2. Please provide sufficient background information for the Board and the public to understand this issue.

In the Bridge Section, position number 701430 is currently in the ENGINEERING TECHNICIAN 3 classification. Management and the employee requested a review of the classification of this position. County Human Resources determined that the position fits best within the TRANSPORTATION PROJECT SPECIALIST classification effective 11/16/05. This position administers and/or assists other project managers administer public works contracts for the Bridge Section. The incumbent will be reclassified with the position, as he has performed the duties of a TRANSPORTATION PROJECT SPECIALIST for at least six months.

In Elections, position number 705220 is currently in the PROGRAM COORDINATOR classification. The employee requested a review of the classification of this position. County Human Resources determined that the position best fits within the PROGRAM DEVELOPMENT SPECIALIST SENIOR classification effective 9/28/05. The incumbent will be reclassified with the

position, as she has performed the duties of a PROGRAM DEVELOPMENT SPECIALIST SENIOR for at least six months.

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

Budget modification detail is attached. For the Bridge Section the overall Personnel increase for FY 2007 is \$6,455; it is matched with a decrease in Building Improvements. For Elections the overall Personnel increase for FY 2007 is \$29,317: it is matched with decreases in Professional Services, Postage and Supplies. In future years these positions will have increases due to COLA, step increases and increased benefit costs.

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

Management and employees have the right to request evaluation of the appropriateness of classifications. The Classification/Compensation Unit has a formal process for evaluating these requests. The reclassifications for which approval is sought in this request have been reviewed by the Classification/Compensation Unit, and the positions have been found to be wrongly classed. By contract and under our personnel rules, we are required to compensate employees appropriately based on these finding.

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

NA

ATTACHMENT A

Budget Modification

If the request is a **Budget Modification**, please answer all of the following in detail:

- What revenue is being changed and why?

NA

- What budgets are increased/decreased?

There is zero net increase or decrease. The total increase of \$35,772 in Personnel budget is offset by an equal decrease in Professional Services, Postage, Supplies and Building Improvements.

- What do the changes accomplish?

This budget modification implements budget change and position changes as described in this document.

- Do any personnel actions result from this budget modification? Explain.

Reclassification of existing positions.

- How will the county indirect, central finance and human resources and departmental overhead costs be covered?

Any changes will be covered within existing departmental resources.

- Is the revenue one-time-only in nature? Will the function be ongoing? What plans are in place to identify a sufficient ongoing funding stream?

These changes are ongoing, contingent upon Board approval of future program offers related to these programs

- If a grant, what period does the grant cover?

NA

- If a grant, when the grant expires, what are funding plans?

NA

ATTACHMENT B

BUDGET MODIFICATION: DCS - 01

Required Signatures

Department/
Agency Director:



Date: 06/22/06

Budget Analyst:



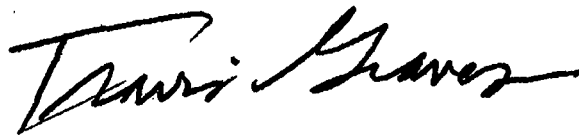
Date: 06/26/06

Department HR:



Date: 06/26/06

Countywide HR:



Date: 06/26/06

Budget Modification or Amendment ID:

DCS - 01

EXPENDITURES & REVENUES

Please show an increase in revenue as a negative value and a decrease as a positive value for consistency with MERLIN.

Budget/Fiscal Year: 07

Line No.	Fund Center	Fund Code	Func. Area	Accounting Unit		Cost Element	Current Amount	Revised Amount	Change Increase/ (Decrease)	Subtotal	Description
				Internal Order	Cost Center						
1	91-50	1509	80		905600	60000	1,457,599	1,462,207	4,608		Increase Permanent
2	91-50	1509	80		905600	60130	465,688	467,166	1,478		Increase Salary Related Exp
3	91-50	1509	80		905600	60140	357,006	357,375	369		Increase Insurance Ben
4	91-50	1509	80			6700R 60530	24,000	17,545	(6,455)		Decrease Building Improv.
5											
6	91-40	1000	20		908000	60000	696,544	717,003	20,459		Increase Permanent
7	91-40	1000	20		908000	60130	223,521	230,087	6,566		Increase Salary Related Exp
8	91-40	1000	20		908000	60140	201,920	204,212	2,292		Increase Insurance Ben
9	91-40	1000	20		908000	60170	105,000	95,000	(10,000)		Decrease Professional Svcs
10	91-40	1000	20		908000	60230	42,000	32,000	(10,000)		Decrease Postage
11	91-40	1000	20		908000	60240	40,000	30,683	(9,317)		Decrease Supplies
12											
13								0			
14	72-10	3500	20		705210	50316		(2,661)	(2,661)		Risk Fund
15	72-10	3500	20		705210	60330		2,661	2,661		Risk Fund
16								0			
17								0			
18								0			
19								0			
20								0			
21								0			
22								0			
23								0			
24								0			
25								0			
26								0			
27								0			
28								0			
29								0			
									0	0	Total - Page 1
									0	0	GRAND TOTAL

Change on a full year basis even though this action affects only a part of the fiscal year (FY).

CURRENT YEAR PERSONNEL DOLLAR CHANGE									
Calculate costs/savings that will take place <u>in this FY</u> ; these should explain the actual dollar amounts being changed by this Bud Mod.									
						CURRENT YEAR			
Fund	Job #	HR Org Unit	Position Title	Position Number	FTE	BASE PAY	FRINGE	INSUR	TOTAL
1000	6233	61791	Engineering Technician 3	701430	(1.00)	(61,118)	(19,613)	(15,332)	(96,063)
1000	6234	61791	Trans. Project Specialist	701430	1.00	65,726	21,091	15,701	102,518
									0
1000	6022	61355	Program Coordinator	705220	(1.00)	(43,706)	(14,025)	(13,284)	(71,015)
1000	6088	61355	Program Development Special. SR	705220	1.00	64,165	20,591	15,576	100,332
									0
									0
									0
									0
									0
									0
									0
									0
									0
									0
									0
			TOTAL CURRENT FY CHANGES		0.00	25,067	8,044	2,661	35,772



MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST

Board Clerk Use Only

Meeting Date: 07/20/06
Agenda Item #: R-5
Est. Start Time: 10:00 AM
Date Submitted: 06/26/06

BUDGET MODIFICATION: -

Agenda Title: First Reading of an ORDINANCE Amending MCC Chapters 33, 34, 35 36, 37 and 38 to Make Technical Corrections, Update Code Relating to Forest Zones, Change Decision Maker for Certain New Dwellings in Forest Zones, Improve Consistency of Property Line Adjustment Review Procedures and Approval Criteria, Add Mandated State of Oregon Approval Criteria, and Correct the Plan and Zoning Designation for Two Properties

Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title.

Date Requested: July 20, 2006 Time Requested: 15 minutes
Department: Community Services Division: Land Use and Transportation
Contact(s): Gary Clifford, Karen Schilling
Phone: 503-988-3043 Ext. 26782 I/O Address: 455/116
Presenter(s): Gary Clifford

General Information

1. What action are you requesting from the Board?

Adopt proposed Ordinance. Planning Commission Resolutions PC 04-002, PC 04-005, PC 05-001, PC 05-003, PC 06-003 and PC 06-005 recommend adoption of housekeeping and administrative improvement amendments to all the rural Zoning Code Chapters.

2. Please provide sufficient background information for the Board and the public to understand this issue.

These proposed Zoning Code amendments combine six different Code improvement projects. No new zoning regulations that restrict land uses more than those already existing are proposed. The proposed changes strive to reduce review procedures where appropriate, clarify and consolidate the organization of certain regulations, and make minor technical corrections (housekeeping).

The changes in PC 05-001 and PC 05-003 make the following two permit review changes:

(1) The present approval procedure for new houses on vacant properties in the forest zones includes a public hearing before a Hearings Officer. There is usually only one Hearings Officer meeting a month and there are public notice requirements prior to the meeting which push the meeting date more into the future. Those factors generally result in a longer time frame for a decision on a house application than if the application was reviewed and decided by the Planning Director. As such, this proposal is to make the decision maker on these applications the Planning Director. For most of these applications this should shorten the time to get a decision. There will still be public notice and opportunity for appeal of the Planning Director decision, but if there is no appeal for review by a Hearings Officer, then the Planning Director decision will be the final one at an earlier date than today's process. This change in review procedure is from a "Type 3 Permit" to a "Type 2 Permit."

(2) The second change in review procedures is the addition of an optional set of numerical site development standards that could be used by an applicant for siting a proposed new house. Those approval criteria are specific dimensional requirements that direct locating a new house on the part of a property that will most reduce potential impacts on nearby farm and forestry production, that will allow wildfire safety zones to be maintained, and will give assurance that fire fighting apparatus can reach the dwelling. By meeting this new option, an applicant will not be required to address several more difficult house location approval criteria.

The changes in PC 04-005 primarily clarify how "forest practices setbacks" and "fire safety zones" regulations in the Commercial Forest Use zones are applied to certain land use applications. The improvements include adding a chart that lists by type of structure how the regulations apply to each. "Forest practices setback" is the distances from a structure to a property boundary that is needed to assure that forestry practices being carried out on adjacent properties are unlikely to be impacted by the presence of the structure. "Fire safety zones" are areas extending in all directions around a structure in which vegetation is reduced in order to give sufficient separation to reduce the chance of wildfires either reaching the structure or spread from the structure.

The code amendments in PC 04-002 and PC 06-005 are "housekeeping" in nature that make technical corrections that are discovered while using the code in application reviews.

The amendments in case number PC 06-003 amend the code sections related to property line adjustments which is the review of proposals to shift a common property line between two adjacent parcels. The proposed amendments: (a) Consolidate the approval criteria for property line adjustments into the regulations for each zoning district leaving application procedures in the land division regulation part of the code; (b) Change the approval criteria to be more uniform between all the zoning districts; and (c) Add a clarification to one of the approval criteria regarding required access to a street (recognizing that certain pre-existing Lots of Record may not have direct access to a street and should not be required to obtain direct access)

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

No fiscal impact.

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

No new regulations are proposed. Purpose of amendments are to improve implementation of existing regulations, most of which are required by State of Oregon Administrative Rules.

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

Planning Commission work sessions have been held that were open to the public. Copies of all proposed code changes have been sent to the State Department of Land Conservation and Development as required to give that agency an opportunity to comment on the proposals. No comments were returned by the State agency.

Six public hearings, (one for each project), have been held before the Planning Commission where the public was invited to speak. Public notice in the Oregonian newspaper was given for all work sessions and public hearings. A total of six citizens spoke on these topics before the Planning Commission. The Planning Commission's vote at all six public hearings was unanimous for recommendation of approval to the Board of County Commissioners.

Required Signatures

**Department/
Agency Director:**

Robert A Maestre

Date: 07/07/06

Budget Analyst:

Date:

Department HR:

Date:

Countywide HR:

Date:

BEFORE THE PLANNING COMMISSION
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. PC 04-002

Recommend to the Board of County Commissioners the adoption of an ordinance amending MCC Chapters 33, 34, 35, and 36 by making technical corrections and "housekeeping" code changes.

The Planning Commission Finds:

- a. The Planning Commission is authorized by Multnomah County Code Chapter subsection 34.0140 and by ORS 215.110 to recommend to the Board of County Commissioners the adoption of Ordinances to implement the Multnomah County Comprehensive Plan.
- b. Periodic review and enactment of "housekeeping" amendments of the Zoning Code is needed as technical errors and unclear provisions are found.
- c. Proposed changes include numbering corrections, language changes and the addition of diagrams that increase understanding of certain development standards.
- d. It was determined that no regulations are being proposed that further restrict the use of property and no mailed notice to individual property owners is required ("Ballot Measure 56" notice). Notice of the Planning Commission hearing was published in the "Oregonian" newspaper and on the Land Use Programs web site.
- e. The Planning Commission held a public hearing on September 13, 2004 where all interested persons were given an opportunity to appear and be heard.

The Planning Commission Resolves:

The proposed Ordinance amending MCC Chapters 33, 35, and 36 is hereby recommended for adoption by the Board of County Commissioners.

ADOPTED this 13th day of September, 2004.

PLANNING COMMISSION
FOR MULTNOMAH COUNTY, OREGON


John Ingle, Chair

BEFORE THE PLANNING COMMISSION
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. PC 04-005

Recommend to the Board of County Commissioners the adoption of an ordinance amending the forest zoning districts by clarifying and reorganizing the forest practices setbacks, fire safety zones, and listing of applicable approval criteria for dwellings and accessory buildings in all Commercial Forest Use zones in MCC Chapters 33, 35, and 36.

The Planning Commission Finds:

- a. The Planning Commission is authorized by Multnomah County Code Chapter subsections 33.0140, 35.0140, 36.0140 and by ORS 215.110 to recommend to the Board of County Commissioners the adoption of Ordinances to implement the Multnomah County Comprehensive Plan.
- b. The individual Zoning Code chapters should be periodically updated and improvements adopted.
- c. The Planning Commission finds that the proposed Zoning Code amendments will improve the administration of forest practices setbacks, fire safety zones around structures, and assist staff and property owners in identifying applicable regulations in the review of proposed dwellings and accessory buildings.
- d. No regulations are being proposed that further restrict the use of property and no mailed notice to individual property owners is required ("Ballot Measure 56" notice).
- e. Notice of the Planning Commission hearing was published in the "Oregonian" newspaper and on the Land Use Program web site. The Planning Commission held a public hearing on October 4, 2004 where all interested persons were given an opportunity to appear and be heard.

The Planning Commission Resolves:

The proposed Ordinance amending MCC Chapters 33, 35, and 36 is hereby recommended for adoption by the Board of County Commissioners.

ADOPTED this 4th day of October, 2004.

PLANNING COMMISSION
FOR MULTNOMAH COUNTY, OREGON


John Ingle, Chair

BEFORE THE PLANNING COMMISSION
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. PC 05-001

Recommend to the Board of County Commissioners the adoption of an ordinance amending the forest resource zoning district regulations in MCC Chapters 33, 35, and 36 by changing the land use review classification for certain forest dwellings from "Conditional Uses" to "Review Uses."

The Planning Commission Finds:

- a. The Planning Commission is authorized by Multnomah County Code Chapter subsection 34.0140 and by ORS 215.110 to recommend to the Board of County Commissioners the adoption of Ordinances to implement the Multnomah County Comprehensive Plan.
- b. The individual Zoning Code chapters should be periodically updated and improvements adopted. While working on a program to improve the application process for forest dwellings, the staff and the Planning Commission saw an opportunity to improve the review procedures for new dwellings in the forest zones.
- c. Changing the review procedure for "large acreage," "template," and "heritage tract" dwellings from Conditional Uses (Type III permit) to Review Uses (Type II permit) will allow the decision maker to be the Planning Director instead of a Hearings Officer if there is no appeal. The time to reach the decision will be quicker and, if there is no appeal, a public hearing with all its costs and formality is avoided.
- d. Notice of all applications will continue to be given to all owners of property within 750 feet of the parcel proposed to be built upon, with the opportunity for any of them to appeal a decision of the Planning Director to a public hearing.
- e. No regulations are being proposed that further restrict the use of property and no mailed notice to individual property owners is required ("Ballot Measure 56" notice).
- f. Notice of the Planning Commission hearing was published in the "Oregonian" newspaper and on the Land Use Program web site. The Planning Commission held a public hearing on March 7, 2005 where all interested persons were given an opportunity to appear and be heard.

The Planning Commission Resolves:

The proposed Ordinance amending MCC Chapters 33, 35, and 36 is hereby recommended for adoption by the Board of County Commissioners.

ADOPTED this 7th day of March, 2005.

PLANNING COMMISSION
FOR MULTNOMAH COUNTY, OREGON


John Ingle, Chair

BEFORE THE PLANNING COMMISSION
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. PC 05-003

Recommend to the Board of County Commissioners the adoption of an ordinance amending development standards for dwellings and other structures in the Commercial Forest Use zoning districts in MCC Chapters 33, 34, 35, and 36.

The Planning Commission Finds:

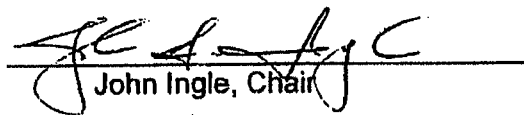
- a. The Planning Commission is authorized by Multnomah County Code Chapter subsection 33.0140 and by ORS 215.110 to recommend to the Board of County Commissioners the adoption of Ordinances to implement the Multnomah County Comprehensive Plan.
- b. The individual Zoning Code chapters should be periodically updated and improvements adopted.
- c. The Board of County Commissioners directed the Planning Commission to improve the forest dwelling application process.
- d. As part of that directive, the Planning Commission proposes adding non-discretionary approval criteria to the forest zones for certain dwellings and structures to reduce the time and resources needed for approval.
- e. No regulations are being proposed that further restrict the use of property and no mailed notice to individual property owners is required ("Ballot Measure 56" notice).
- f. Two work sessions and a public hearing were held for this review.
- g. Notice of the Planning Commission hearing was published in the "Oregonian" newspaper and on the Land Use Program web site. The Planning Commission held a public hearing on January 9, 2006 where all interested persons were given an opportunity to appear and be heard.

The Planning Commission Resolves:

The proposed Ordinance amending MCC Chapters 33, 34, 35, and 36 is hereby recommended for adoption by the Board of County Commissioners.

ADOPTED this 9th day of January, 2006.

PLANNING COMMISSION
FOR MULTNOMAH COUNTY, OREGON


John Ingle, Chair

BEFORE THE PLANNING COMMISSION
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. PC 06-003

Recommend to the Board of County Commissioners the adoption of an ordinance amending MCC Chapters 33, 34, 35, and 36 amending the property line adjustment sections of the rural Zoning Code Chapters.

The Planning Commission Finds:

- a. The Planning Commission is authorized by Multnomah County Code Chapter subsections 33.0140, 34.0140, 35.0140, 36.0140, and by ORS 215.110 to recommend to the Board of County Commissioners the adoption of Ordinances to implement the Multnomah County Comprehensive Plan.
- b. Periodic review of the Zoning Code is necessary in order to enact improvements.
- c. There is a need to make changes to the property line adjustment parts of the Zoning Code to eliminate duplicate and unnecessary approval criteria, better consolidate applicable approval criteria, add an approval criteria to the EFU zone that allows needed flexibility for large parcels, and adds property line adjustments as a review use in the Orient Commercial-Industrial zoning district.
- d. No regulations are being proposed that further restrict the use of property and no mailed notice to individual property owners is required ("Ballot Measure 56" notice). Notice of the Planning Commission hearing was published in the "Oregonian" newspaper and on the Land Use Programs web site.
- e. The Planning Commission held a public hearing on June 5, 2006 where all interested persons were given an opportunity to appear and be heard.

The Planning Commission Resolves:

The proposed Ordinance amending MCC Chapters 33, 34, 35, and 36 is hereby recommended for adoption by the Board of County Commissioners.

ADOPTED this 5th day of June, 2006.

PLANNING COMMISSION
FOR MULTNOMAH COUNTY, OREGON


John Ingle, Chair

BEFORE THE PLANNING COMMISSION
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. PC 06-005

Recommend to the Board of County Commissioners the adoption of an ordinance amending MCC Chapters 33, 34, 35, 36 and 37 by making technical corrections / "housekeeping" code changes and adding certain allowed uses to the OR and OCI zoning districts, and correcting the West of Sandy River plan and zoning maps.

The Planning Commission Finds:

- a. The Planning Commission is authorized by Multnomah County Code Chapter subsections 33.0140, 34.0140, 35.0140, 36.0140, 37.0710 and by ORS 215.110 to recommend to the Board of County Commissioners the adoption of Ordinances to implement the Multnomah County Comprehensive Plan.
- b. Periodic review and enactment of "housekeeping" amendments of the Zoning Code is needed as technical errors and unclear provisions are found.
- c. The changes included in this proposal include numbering corrections, language clarifications, updates required by state statute revisions, procedure improvements, the addition of four allowed land uses to the Orient Rural Center Residential and the Orient Commercial-Industrial zoning districts which were inadvertently omitted in the adoption of Ordinance #1001, and correction of the West of Sandy River plan and zoning map as shown on Exhibit B.
- d. No regulations are being proposed that further restrict the use of property and no mailed notice to individual property owners is required ("Ballot Measure 56" notice). Notice of the Planning Commission hearing was published in the "Oregonian" newspaper and on the Land Use Programs web site.
- e. The Planning Commission held a public hearing on June 5, 2006 where all interested persons were given an opportunity to appear and be heard.

The Planning Commission Resolves:

The proposed Ordinance amending MCC Chapters 33, 35, and 36, and amending the West of Sandy River plan and zoning map is hereby recommended for adoption by the Board of County Commissioners.

ADOPTED this 5th day of June, 2006.

PLANNING COMMISSION
FOR MULTNOMAH COUNTY, OREGON


John Ingle, Chair



Land Use
Planning
Division

Exhibit A
PC-06-005

Proposed Zoning

MUA-20

OR

1S4E20CC -01300

OCI

1S4E20CC -01200

SE Orient Drive

0 39 78 117 156 Feet

1"= 156 feet



1500 SE 190th Ave.
Portland, OR 97233
503.248.3043 Fax 503.248.3369
Email: land.use.planning@co.multnomah.or.us

This map is based on data from Metro
Multnomah County cannot accept responsibility
for errors, omissions or positional accuracy.
There are no warranties expressed or implied.

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

ORDINANCE NO. _____

Amending MCC Chapters 33, 34, 35 36, 37 and 38 to Make Technical Corrections, Update Code Relating to Forest Zones, Change Decision Maker for Certain New Dwellings in Forest Zones, Improve Consistency of Property Line Adjustment Review Procedures and Approval Criteria, Add Mandated State of Oregon Approval Criteria, and Correct the Plan and Zoning Designation for Two Properties

(Language ~~stricken~~ is deleted; double underlined language is new.)

The Multnomah County Board of Commissioners Finds:

- a. Periodically it is necessary to amend the Zoning Code to make technical corrections, clarifications, and change land use review procedures. This ordinance includes all of these code improvements.
- b. Technical corrections include numbering corrections; deleting references to superseded land use review procedures (historic building permits and special districts); removing non-conforming use related regulations that have been superseded by State Statutes (pre-existing communication facilities and non-conforming signs); updating the review procedure for certain historic building permits to be a Type 4 permit; deleting reference to message board signs because they are not allowed in the rural areas; and adding the definition of “regularly maintained” which was left out of amendments in Ordinance 1064.
- c. The majority of code clarifications involve how forest practices setbacks and fire safety zones are applied in the Commercial Forest Use zoning districts. The forest zone amendments in Part II of this ordinance include four new definitions, a new table showing how the setbacks and fire safety zones are to be applied to specific development proposals, and a reorganization of the forest district regulations by grouping like standards together.
- d. Other clarifications include describing where the mapped zoning district boundary falls in a public road; adding language to the definition of “same ownership” to prevent the inclusion of the seller of a “sales contract” from having “possessory interest” in a property; making corrections to specify that it is the County Road Official that determines the public right-of-way road widths during permit application reviews; removing the words “same ownership” in the approval criteria for a farm dwelling where using that term results in an unintended tie-in with the Lot of Record code section; clarifying the use of the word “adjacent” in a permit requirement; adding a purpose statement and diagram to a driveway location standard; and amending requirements for a “complete application” to match amendments adopted in Section 3 of Ordinance 1065.
- e. Amendments to land use review procedures include changing “Lots of Exception” in all “exception zones” (MUA-20, RR, RC OR and PH-RC) and certain forest dwelling application reviews (Large Acreage, Template, and Heritage Tract Dwellings) from a Type 3 Permit review to a Type 2 Permit review.

- f. Amendments to Zoning Code Chapters implement the concept of moving all approval criteria for property line adjustments to be within the regulations for each zoning districts and to retain the needed procedures and surveying requirements in the land division part of the code.
- g. This ordinance also amends all zoning districts to attain greater uniformity regarding review procedures and specific approval criteria for adjustments to property lines. In addition, a minor clarification to the “access” requirements makes clear that certain Lots of Record are not required to abut a street.
- h. In addition it is proposed to add four land uses to the listed allowed uses in the Orient Rural Center Residential (OR) and Orient Commercial-Industrial (OCI) zoning districts. Those uses were inadvertently omitted during the adoption of the districts in December 2002.
- i. Related to the OR and OCI zoning text corrections, included in this ordinance is a correction of the Comprehensive Plan Map and zoning map designation for two properties that received the OR and OCI zoning designations with the adoption of the West of Sandy River Rural Area Plan (Ordinance No. 1001).
- j. Public hearings on these amendments were held before the Planning Commission where all were approved for recommendation to the Board of County Commissioners.

Multnomah County Ordains as follows:

PART I – TECHNICAL/HOUSEKEEPING CORRECTIONS

Section 1. §§ 33.0005, 34.0005, 35.0005 and 36.0005, Definitions, are amended as follows:

33.0005 Definitions

As used in this Chapter, unless the context requires otherwise, the following words and their derivations shall have the meanings provided below.

* * *

(H) (1) **Habitable dwelling** – An existing dwelling that:

- (a) Has intact exterior walls and roof structure;
- (b) Has indoor plumbing consisting of a kitchen sink, toilet and bathing facilities connected to a sanitary waste disposal system;
- (c) Has interior wiring for interior lights; and
- (d) Has a heating system; and
- (e) Was lawfully established.

* * *

(8) **Home Occupation –**

* * *

(b) Type B home occupation is one where the residents use their home site as a place of work but exceeds the standards of the ~~†~~Type A home occupation. Type B home occupations shall be approved as per MCC 33.6300 ~~and through~~ 33.6650.

34.0005 Definitions

As used in this Chapter, unless the context requires otherwise, the following words and their derivations shall have the meanings provided below.

* * *

(H) (1) **Habitable dwelling** – An existing dwelling that:

- (a) Has intact exterior walls and roof structure;
- (b) Has indoor plumbing consisting of a kitchen sink, toilet and bathing facilities connected to a sanitary waste disposal system;
- (c) Has interior wiring for interior lights; ~~and~~
- (d) Has a heating system; and
- (e) Was lawfully established.

* * *

(8) **Home Occupation –**

* * *

(b) Type B home occupation is one where the residents use their home site as a place of work but exceeds the standards of the ~~†~~Type A home occupation. Type B home occupations shall be approved as per MCC 34.6300 ~~and through~~ 34.6650.

* * *

35.0005 Definitions

As used in this Chapter, unless the context requires otherwise, the following words and their derivations shall have the meanings provided below.

* * *

(H) (1) **Habitable dwelling** – An existing dwelling that:

- (a) Has intact exterior walls and roof structure;
- (b) Has indoor plumbing consisting of a kitchen sink, toilet and bathing facilities connected to a sanitary waste disposal system;
- (c) Has interior wiring for interior lights; ~~and~~
- (d) Has a heating system; and
- (e) Was lawfully established.

* * *

(8) Home Occupation –

* * *

(b) Type B home occupation is one where the residents use their home site as a place of work but exceeds the standards of the ~~†~~Type A home occupation. Type B home occupations shall be approved as per MCC 35.6300 ~~and through~~ 35.6650.

* * *

36.0005 Definitions

As used in this Chapter, unless the context requires otherwise, the following words and their derivations shall have the meanings provided below.

* * *

(H) (1) Habitable dwelling – An existing dwelling that:

- (a) Has intact exterior walls and roof structure;
- (b) Has indoor plumbing consisting of a kitchen sink, toilet and bathing facilities connected to a sanitary waste disposal system;
- (c) Has interior wiring for interior lights; ~~and~~
- (d) Has a heating system; and
- (e) Was lawfully established.

* * *

(8) Home Occupation –

* * *

(b) Type B home occupation is one where the residents use their home site as a place of work but exceeds the standards of the ~~†~~Type A home occupation. Type B home occupations shall be approved as per MCC 36.6300 ~~and through~~ 36.6650.

* * *

Section 2. §§ 33.0015, 34.0015, 35.0015 and 36.0015, Zoning Map, are amended as follows:

(A) The designations, locations and boundaries of the respective districts and certain combinations thereof described in this Chapter are established as shown by appropriate color designations, symbol or short title identification upon the *Multnomah County Zoning Map*. The *Zoning Map* consists of a series of bound and indexed Sectional Zoning Maps numbered sheets ~~1 through 828~~ until such time as the districts and subdistricts depicted on each respective Sectional Zoning Map are replaced by maps generated as electronic layers within a Geographic Information System (GIS). All GIS Zoning Maps replacing the Sectional Zoning Maps shall be legislatively adopted. The GIS-generated Zoning Maps depicting districts and subdistricts shall be periodically readopted to reflect more accurate mapping information as it becomes available. The Zoning Map and all pertinent information shown thereon is incorporated herein and is to be deemed as much a part of this Chapter as if fully set forth; however, if a conflict appears between the Zoning Map and the written portion of this Chapter, the written portion shall control.

(B) A paper version of the Zoning Map and each amendment thereto shall be and remain on file in the office of the Planning Director of the Division of Land Use Planning.

(1) The set of paper Zoning Maps with the cover page dated the 15th of November, 1962 and signed by the Board of ~~County Commissioners~~ shall be deemed to be the accurate depiction of:

(a) ~~the~~ The Zoning Maps first adopted for successive geographic areas from April 19, 1955 through December 11, 1958; and

(b) The Zoning Maps in effect from the date of first adoption through November 15, 1962.

(2) Unless clearly shown otherwise, a zoning district boundary that follows a public right-of way shall be deemed to follow the centerline of the public right-of-way.

Section 3. §§ 33.0520, 34.0520, 35.0520 and 36.0520, Historical Structures and Site Permits, are amended as follows:

* * *

(C) An application for a permit to remove or demolish a building or structure described in this Section shall be subject to the following:

(1) The permit shall not be issued for 120 days following the date of filing, unless otherwise authorized by the Board under subpart (7) of this subsection.

(2) The permit application shall be considered ~~an action~~ a Type IV decision to be initiated by the record owner or the owner's agent, under MCC 33.0705 (B).

(3) Except as otherwise provided in this subsection, the application shall be subject to the applicable provisions of MCC Chapter 33.0700 through 33.0745 and MCC 33.0770 through 33.0775.

(4) A hearing on the application shall be held by the Planning Commission.

(5) The decision of the Planning Commission shall be in the form of a recommendation to the Board.

(a) The Planning Commission may recommend measures to preserve the building or structure, with or without conditions, including by purchase, trade, relocation or by approval of a change of use notwithstanding the use limitations of the district;

(b) The Planning Commission may recommend removal or demolition of the building or structure based upon a finding that practical preservation measures are inadequate or unavailable.

(c) The Planning Commission recommendation shall be based upon findings in relation to the applicable policies of the Comprehensive Plan.

(6) The Planning Commission decision shall be submitted to the Clerk of the Board by the Planning Director not later than ten days after the decision is announced.

(7) The Board shall conduct a de novo hearing on the application under the notice and review procedures of a type IV decision and the approval criteria in (5) above provisions of MCC 33.0770 through 33.0775. The Board may affirm, reverse, or modify the recommendation of the Planning Commission. The approval criteria of MCC 37.0705 shall not apply to the decision.

(8) In the event the Board fails to act on the application within the 120-day period specified in subpart (C) (1) of this subsection, the Building Official may issue the permit.

* * *

Section 4. §§ 33.2010, 33.2210, 33.2410, 33.2610, 34.2610, 35.2010, 35.2210, 35.2610, 36.2010 and 36.2610, Definitions, are amended as follows:

* * *

Same Ownership - Refers to greater than possessory interests held by the same person or persons, spouse, minor age child, same partnership, corporation, trust or other entity, separately, in tenancy in common or by other form of title. Ownership shall be deemed to exist when a person or entity owns or controls ten percent or more of a lot or parcel, whether directly or through ownership or control or an entity having such ownership or control. For the purposes of this subsection, the seller of a property by sales contract shall be considered to not have possessory interest.

* * *

Section 5. §§ 33.2630(F), 34.2630(F), 35.2630(F) and 36.2030(D), Conditional Uses are amended as follows:

* * *

- (1) That no sale of merchandise is made from the premise; ~~and~~
- (2) That noise, odor, smoke, gases, fallout, vibration, heat or glare resulting from the activity is not detectable at any property line; ~~and~~
- (3) That ~~A~~-a home occupation located on high-value farmland may employ only residents of the home;
- (4) That the home occupation is operated substantially in the dwelling or other buildings normally associated with uses permitted in the zoning district; and
- (5) That the home occupation will not unreasonably interfere with other uses permitted in the EFU zoning district.

Section 6. §§ 33.2660, 33.2855, 33.3155, 33.3355, 34.2660, 34.2855, 34.3155, 34.3355, 35.2660, 35.2855, 35.3155, 35.3355, 36.2660, 36.2855 and 36.3155, Dimensional Requirements, are amended as follows:

* * *

(D) The minimum yard requirement shall be increased where the yard abuts a street having insufficient right-of-way width to serve the area. The ~~Planning Commission~~county Road Official shall determine the necessary right-of-way widths based upon the county "Design and Construction

Manual” and the Planning Director shall determine any additional yard requirements in consultation with the Road Official not otherwise established by Ordinance.

* * *

Section 7. §§ 33.6660, 34.6660, 35.6660 and 36.6660, Criteria for Approval are amended as follows:

* * *

(K) No structure is proposed to be constructed that would not otherwise be allowed in the zoning district.

Section 8. §§ 36.3355, 36.3455 and 36.3550, Dimensional Standards and Development Requirements, are amended as follows:

* * *

(C) The minimum yard requirement shall be increased where the yard abuts a street having insufficient right-of-way width to serve the area. The ~~Planning Commission~~ county Road Official shall determine the necessary right-of-way widths based upon the county “Design and Construction Manual” and the Planning Director shall determine any additional yard requirements in consultation with the Road Official not otherwise established by ordinance.

* * *

Section 9. §§ 33.2670, 33.2860, 33.3160, 33.3360, 34.2670, 34.2860, 34.3160, 34.3360, 35.2670, 35.2860, 35.3160, 35.3360, 36.2670, 36.2860, 36.3160, 36.3360, 36.3460 and 36.3560 are amended as follows:

[EFU]

33.2670 Lot Line Adjustment; Property Line Adjustment

(A) Pursuant to the applicable provisions in MCC 33.7790, A an adjustment of the common lot line between contiguous Lots of Record may be authorized based on a finding that:

(1) All dwellings that were situated on the same lot prior to the adjustments must remain together on the reconfigured lot; and

(2) The following dimensional and access requirements of MCC 33.2660 (A) and (C) are met; or

(a) The relocated common property line is in compliance with all minimum yard and minimum front lot line length requirements; and

(b) If the properties abut a street, the required access requirements of MCC 33.2690 are met after the relocation of the common property line; and

(3) The reconfigured lot areas will each:

(a) Be a minimum of 80 acres, or

(b) retain Retain the same lot area that existed prior to the exchange.

[MUA-20]

33.2860 Lots of Exception and Property Line Adjustments

* * *

(B) Property Line Adjustment

Pursuant to the applicable provisions in MCC 33.7790 ~~the Multnomah County Land Division Ordinance~~, the approval authority may grant a property line adjustment between two contiguous Lots of Record upon finding that the approval criteria in (1) and (2) are met. The intent of the criteria is to ensure that the property line adjustment will not increase the potential number of lots or parcels in any subsequent land division proposal over that which could occur on the entirety of the combined lot areas before the adjustment.

~~(C) The approval authority may attach conditions to the approval of any Lot of Exception to insure that the use is consistent with the Comprehensive Plan and the purposes described in MCC 33.2800.~~

~~(D) The approval authority may grant a Lot of Exception based on a finding that the permitted number of dwellings will not thereby be increased above that otherwise allowed in this district.~~

~~(E) Pursuant to the applicable provisions in the Multnomah County Land Division Ordinance, the approval authority may grant a property line adjustment between two contiguous lots or parcels upon finding that the approval criteria in (1) and (2) are met. The intent of the criteria is to ensure that the property line adjustment will not increase the potential number of lots or parcels in any subsequent land division proposal over that which could occur on the entirety of the combined lot areas before the adjustment.~~

(1) No additional lot or parcel is created; The following dimensional and access requirements are met:

(a) The relocated common property line is in compliance with all minimum yard and minimum front lot line length requirements;

(b) If the properties abut a street, the required access requirements of MCC 33.2885 are met after the relocation of the common property line; and

* * *

[RR]

33.3160 Lots of Exception and Property Line Adjustments

* * *

(B) Property Line Adjustment

Pursuant to the applicable provisions in MCC 33.7790 ~~the Multnomah County Land Division Ordinance~~, the approval authority may grant a property line adjustment between two contiguous Lots of Record upon finding that the approval criteria in (1) and (2) are met. The intent of the criteria is to ensure that the property line adjustment will not increase the potential number of lots or parcels in any subsequent land division proposal over that which could occur on the entirety of the combined lot areas before the adjustment.

(1) No additional lot or parcel is created; The following dimensional and access requirements are met:

(a) The relocated common property line is in compliance with all minimum yard and minimum front lot line length requirements;

(b) If the properties abut a street, the required access requirements of MCC 33.3185 are met after the relocation of the common property line; and

* * *

[RC]

33.3360 Lots of Exception and Property Line Adjustments

* * *

(B) Property Line Adjustment

Pursuant to the applicable provisions in MCC 33.7790~~the Multnomah County Land Division Ordinance~~, the approval authority may grant a property line adjustment between two contiguous Lots of Record upon finding that the approval criteria in (1) and (2) are met. The intent of the criteria is to ensure that the property line adjustment will not increase the potential number of lots or parcels in any subsequent land division proposal over that which could occur on the entirety of the combined lot areas before the adjustment.

(1) No additional lot or parcel is created; The following dimensional and access requirements are met:

(a) The relocated common property line is in compliance with all minimum yard and minimum front lot line length requirements;

(b) If the properties abut a street, the required access requirements of MCC 33.3385 are met after the relocation of the common property line; and

* * *

[EFU]

34.2670 Lot Line Adjustment; Property Line Adjustment

(A) Pursuant to the applicable provisions in MCC 34.7790, ~~A~~an adjustment of the common lot line between contiguous Lots of Record may be authorized based on a finding that:

(1) All dwellings that were situated on the same lot prior to the adjustments must remain together on the reconfigured lot; and

(2) The following dimensional and access requirements of MCC 34.2660 (A) and (C) are met; ~~or~~

(a) The relocated common property line is in compliance with all minimum yard and minimum front lot line length requirements; and

(b) If the properties abut a street, the required access requirements of MCC 34.2690 are met after the relocation of the common property line; and

(3) The reconfigured lot areas will each:

(a) Be a minimum of 80 acres, or

(b) ~~retain~~ Retain the same lot area that existed prior to the exchange.

[MUA-20]

34.2860 Lots of Exception and Property Line Adjustments

* * *

(B) Property Line Adjustment

Pursuant to the applicable provisions in ~~MCC 34.7790~~ the Multnomah County Land Division Ordinance, the approval authority may grant a property line adjustment between two contiguous Lots of Record upon finding that the approval criteria in (1) and (2) are met. The intent of the criteria is to ensure that the property line adjustment will not increase the potential number of lots or parcels in any subsequent land division proposal over that which could occur on the entirety of the combined lot areas before the adjustment.

(1) ~~No additional lot or parcel is created;~~ The following dimensional and access requirements are met:

(a) The relocated common property line is in compliance with all minimum yard and minimum front lot line length requirements;

(b) If the properties abut a street, the required access requirements of MCC 34.2885 are met after the relocation of the common property line; and

* * *

[RR]

34.3160 Lots of Exception and Property Line Adjustments

* * *

(B) Property Line Adjustment

Pursuant to the applicable provisions in ~~MCC 34.7790~~ the Multnomah County Land Division Ordinance, the approval authority may grant a property line adjustment between two contiguous Lots of Record upon finding that the approval criteria in (1) and (2) are met. The intent of the criteria is to ensure that the property line adjustment will not increase the potential number of lots or parcels in any subsequent land division proposal over that which could occur on the entirety of the combined lot areas before the adjustment.

(1) ~~No additional lot or parcel is created;~~ The following dimensional and access requirements are met:

(a) The relocated common property line is in compliance with all minimum yard and minimum front lot line length requirements;

(b) If the properties abut a street, the required access requirements of MCC 34.3185 are met after the relocation of the common property line; and

* * *

[RC]

34.3360 Lots of Exception and Property Line Adjustments

* * *

(B) Property Line Adjustment

Pursuant to the applicable provisions in MCC 34.7790 ~~the Multnomah County Land Division Ordinance~~, the approval authority may grant a property line adjustment between two contiguous Lots of Record upon finding that the approval criteria in (1) and (2) are met. The intent of the criteria is to ensure that the property line adjustment will not increase the potential number of lots or parcels in any subsequent land division proposal over that which could occur on the entirety of the combined lot areas before the adjustment.

(1) ~~No additional lot or parcel is created;~~ The following dimensional and access requirements are met:

(a) The relocated common property line is in compliance with all minimum yard and minimum front lot line length requirements;

(b) If the properties abut a street, the required access requirements of MCC 34.3385 are met after the relocation of the common property line; and

* * *

[EFU]

35.2670 Lot Line Adjustment; Property Line Adjustment

(A) Pursuant to the applicable provisions in MCC 35.7790, ~~An~~ adjustment of the common lot line between contiguous Lots of Record may be authorized based on a finding that:

(1) All dwellings that were situated on the same lot prior to the adjustments must remain together on the reconfigured lot; and

(2) The following dimensional and access requirements of MCC 35.2660(A) and (C) are met; ~~or~~

(a) The relocated common property line is in compliance with all minimum yard and minimum front lot line length requirements; and

(b) If the properties abut a street, the required access requirements of MCC 35.2690 are met after the relocation of the common property line; and

(3) The reconfigured lot areas will each:

(a) Be a minimum of 80 acres, or

(b) retain ~~Retain~~ the same lot area that existed prior to the exchange.

[MUA-20]

35.2860 Lots of Exception and Property Line Adjustments

* * *

(B) Property Line Adjustment

Pursuant to the applicable provisions in MCC 35.7790~~the Multnomah County Land Division Ordinance~~, the approval authority may grant a property line adjustment between two contiguous Lots of Record upon finding that the approval criteria in (1) and (2) are met. The intent of the criteria is to ensure that the property line adjustment will not increase the potential number of lots or parcels in any subsequent land division proposal over that which could occur on the entirety of the combined lot areas before the adjustment.

(1) ~~No additional lot or parcel is created;~~ The following dimensional and access requirements are met:

(a) The relocated common property line is in compliance with all minimum yard and minimum front lot line length requirements;

(b) If the properties abut a street, the required access requirements of MCC 35.2885 are met after the relocation of the common property line; and

* * *

[RR]

35.3160 Lots of Exception and Property Line Adjustments

* * *

(B) Property Line Adjustment

Pursuant to the applicable provisions in MCC 35.7790~~the Multnomah County Land Division Ordinance~~, the approval authority may grant a property line adjustment between two contiguous Lots of Record upon finding that the approval criteria in (1) and (2) are met. The intent of the criteria is to ensure that the property line adjustment will not increase the potential number of lots or parcels in any subsequent land division proposal over that which could occur on the entirety of the combined lot areas before the adjustment.

(1) ~~No additional lot or parcel is created;~~ The following dimensional and access requirements are met:

(a) The relocated common property line is in compliance with all minimum yard and minimum front lot line length requirements;

(b) If the properties abut a street, the required access requirements of MCC 35.3185 are met after the relocation of the common property line; and

* * *

[RC]

35.3360 Lots of Exception and Property Line Adjustments

* * *

(B) Property Line Adjustment

Pursuant to the applicable provisions in MCC 35.7790~~the Multnomah County Land Division Ordinance~~, the approval authority may grant a property line adjustment between two contiguous Lots of Record upon finding that the approval criteria in (1) and (2) are met. The intent of the criteria is to ensure that the property line adjustment will not increase the potential number of lots or parcels in any subsequent land division proposal over that which could occur on the entirety of the combined lot areas before the adjustment.

(1) ~~No additional lot or parcel is created;~~ The following dimensional and access requirements are met:

(a) The relocated common property line is in compliance with all minimum yard and minimum front lot line length requirements;

(b) If the properties abut a street, the required access requirements of MCC 35.3385 are met after the relocation of the common property line; and

* * *

[EFU]

36.2670 Lot Line Adjustment; Property Line Adjustment

(A) Pursuant to the applicable provisions in MCC 36.7790, ~~An~~ adjustment of the common lot line between contiguous Lots of Record may be authorized based on a finding that:

(1) All dwellings that were situated on the same lot prior to the adjustments must remain together on the reconfigured lot; and

(2) The following dimensional and access requirements of MCC 36.2660 (A) and (C) are met; ~~or~~

(a) The relocated common property line is in compliance with all minimum yard and minimum front lot line length requirements; and

(b) If the properties abut a street, the required access requirements of MCC 36.2690 are met after the relocation of the common property line; and

(3) The reconfigured lot areas will each:

(a) Be a minimum of 80 acres, or

(b) retain ~~Retain~~ the same lot area that existed prior to the exchange.

[MUA-20]

36.2860 Lots of Exception and Property Line Adjustments

* * *

(B) Property Line Adjustment

Pursuant to the applicable provisions in MCC 36.7790~~the Multnomah County Land Division Ordinance~~, the approval authority may grant a property line adjustment between two contiguous Lots of Record upon finding that the approval criteria in (1) and (2) are met. The intent of the criteria is to ensure that the property line adjustment will not increase the potential number of lots or parcels in any subsequent land division proposal over that which could occur on the entirety of the combined lot areas before the adjustment.

(1) ~~No additional lot or parcel is created;~~ The following dimensional and access requirements are met:

(a) The relocated common property line is in compliance with all minimum yard and minimum front lot line length requirements;

(b) If the properties abut a street, the required access requirements of MCC 36.2885 are met after the relocation of the common property line; and

* * *

[RR]

36.3160 Lots of Exception and Property Line Adjustments

* * *

(B) Property Line Adjustment

Pursuant to the applicable provisions in MCC 36.7790~~the Multnomah County Land Division Ordinance~~, the approval authority may grant a property line adjustment between two contiguous Lots of Record upon finding that the approval criteria in (1) and (2) are met. The intent of the criteria is to ensure that the property line adjustment will not increase the potential number of lots or parcels in any subsequent land division proposal over that which could occur on the entirety of the combined lot areas before the adjustment.

(1) ~~No additional lot or parcel is created;~~ The following dimensional and access requirements are met:

(a) The relocated common property line is in compliance with all minimum yard and minimum front lot line length requirements;

(b) If the properties abut a street, the required access requirements of MCC 36.3185 are met after the relocation of the common property line; and

* * *

[PH-RC]

36.3360 Lots of Exception and Property Line Adjustments

* * *

(B) Property Line Adjustment

Pursuant to the applicable provisions in MCC 36.7790~~the Multnomah County Land Division Ordinance~~, the approval authority may grant a property line adjustment between two contiguous Lots of Record upon finding that the approval criteria in (1) and (2) are met. The intent of the criteria is to ensure that the property line adjustment will not increase the potential number of lots or parcels in any subsequent land division proposal over that which could occur on the entirety of the combined lot areas before the adjustment.

(1) ~~No additional lot or parcel is created;~~ The following dimensional and access requirements are met:

(a) The relocated common property line is in compliance with all minimum yard and minimum front lot line length requirements;

(b) If the properties abut a street, the required access requirements of MCC 36.3385 are met after the relocation of the common property line; and

* * *

[OR]

36.3460 Lots of Exception and Property Line Adjustments

* * *

(B) Property Line Adjustment

Pursuant to the applicable provisions in MCC 36.7790~~the Multnomah County Land Division Ordinance~~, the approval authority may grant a property line adjustment between two contiguous Lots of Record upon finding that the approval criteria in (1) and (2) are met. The intent of the criteria is to ensure that the property line adjustment will not increase the potential number of lots or parcels in any subsequent land division proposal over that which could occur on the entirety of the combined lot areas before the adjustment.

(1) The following dimensional and access requirements are met:

(a) The relocated common property line is in compliance with all minimum yard and minimum front lot line length requirements;

(b) If the properties abut a street, the required access requirements of MCC 36.3485 are met after the relocation of the common property line; and

(2) At least one of the following situations occurs:

(a) The lot or parcel proposed to be reduced in area is larger than 1 acre prior to the adjustment and remains 1 acre or larger in area after the adjustment, or

(b) The lot or parcel proposed to be enlarged in area is less than 2 acres in area prior to the adjustment and remains less than 2 acres in area after the adjustment.

[OCI]

36.3560 Property Line Adjustments

(A) Pursuant to the applicable provisions in MCC 36.7790~~the Multnomah County Land Division Ordinance~~, the approval authority may grant a property line adjustment between two contiguous Lots of Record upon finding that the approval criteria in (1) and (2) are met. The intent of the criteria is to ensure that the property line adjustment will not increase the potential number of lots or parcels in any subsequent land division proposal over that which could occur on the entirety of the combined lot areas before the adjustment.

(1) No additional lot or parcel is created; The following dimensional and access requirements are met:

(a) The relocated common property line is in compliance with all minimum yard and minimum front lot line length requirements;

(b) If the properties abut a street, the required access requirements of MCC 36.3585 are met after the relocation of the common property line; and

* * *

Section 10. §§ 33.7970, 34.7970, 35.7970 and 36.7970, Property Line Adjustment, are renumbered and amended as follows:

33.7970~~33.7790~~ Property Line Adjustment

34.7970~~34.7790~~ Property Line Adjustment

35.7970~~35.7790~~ Property Line Adjustment

36.7970~~36.7790~~ Property Line Adjustment

A property line adjustment is the relocation of a common property line between two abutting properties. (A) The Planning Director may approve a property line adjustment based upon findings that the following standards are met: between two properties, in the Rural Area, where an additional lot or parcel is not created and where the existing lot or parcel reduced in size by the adjustment is not reduced below the minimum lot size established by the applicable zoning designation.

(B) The Planning Director may approve a property line adjustment between two properties in the Rural Area where an additional lot or parcel is not created but where one or both of the adjusted properties are below the minimum lot size established by the applicable zoning district designation. Such an adjustment shall comply with any applicable zoning district standards for a Property Line Adjustment or Lot Line Adjustment.

(C) Property line adjustments approved under subsections (A) and (B) above shall meet the following additional standards:

(1)(A) No additional lot or parcel shall be created from any parcel by the property line adjustment; and

(2)(B) Owners of both properties involved in the property line adjustment shall consent in writing to the proposed adjustment and record a conveyance or conveyances conforming to the approved property line adjustment; and

~~(3)(C)~~ The adjusted properties shall meet the approval criteria for a property line adjustment as given all dimensional requirements in the underlying zoning district designation except for lot area; and

~~(4) The right-of-way width between the front line of each adjusted property and the centerline of any adjacent County road shall comply with the applicable provisions of the Street Standards Code and Rules as determined by the County Engineer.~~

(D) The procedure and forms shall be submitted for obtaining approval of a property line adjustment shall be as provided for by the Planning Director.

Section 11. §§ 33.2690, 33.2885, 33.3185, 33.3385, 34.2690, 34.2885, 34.3185, 34.3385, 35.2690, 35.2885, 35.3185, 35.3385, 36.2690, 36.2885, 36.3185, 36.3385, 36.3485, and 36.3585, Access, are amended as follows:

[EFU]

33.2690 Access

~~Any~~ All lots and parcels in this district shall abut a street, or shall have other access determined by the ~~Hearings Officer~~ approval authority to be safe and convenient for pedestrians and for passenger and emergency vehicles, except as provided for Lots of Record at MCC 33.2675(C).

[MUA-20]

33.2885 Access

~~Any~~ All lots and parcels in this district shall abut a street or shall have other access deemed by the approval authority to be safe and convenient for pedestrians and for passenger and emergency vehicles, except as provided for Lots of Record at MCC 33.2870(B).

[RR]

33.3185 Access

~~Any~~ All lots and parcels in this district shall abut a street, or shall have other access determined by the approval authority to be safe and convenient for pedestrians and passenger and emergency vehicles, except as provided for Lots of Record at MCC 33.3170(B).

[RC]

33.3385 Access

~~Any~~ All lots and parcels in this district shall abut a street, or shall have other access determined by the approval authority to be safe and convenient for pedestrians and passenger and emergency vehicles, except as provided for Lots of Record at MCC 33.3370(B).

[EFU]

34.2690 Access

~~Any~~ All lots and parcels in this district shall abut a street, or shall have other access determined by the ~~Hearings Officer~~ approval authority to be safe and convenient for pedestrians and for passenger and emergency vehicles, except as provided for Lots of Record at MCC 34.2675(C).

[MUA-20]

34.2885 Access

~~Any~~ All lots and parcels in this district shall abut a street or shall have other access determined by the approval authority to be safe and convenient for pedestrians and for passenger and emergency vehicles, except as provided for Lots of Record at MCC 34.2870(B).

[RR]

34.3185 Access

~~Any~~ All lots and parcels in this district shall abut a street, or shall have other access determined by the approval authority to be safe and convenient for pedestrians and passenger and emergency vehicles, except as provided for Lots of Record at MCC 34.3170(B).

[RC]

34.3385 Access

~~Any~~ All lots and parcels in this district shall abut a street, or shall have other access determined by the approval authority to be safe and convenient for pedestrians and passenger and emergency vehicles, except as provided for Lots of Record at MCC 34.3370(B).

[EFU]

35.2690 Access

~~Any~~ All lots and parcels in this district shall abut a street, or shall have other access determined by the ~~Hearings Officer~~ approval authority to be safe and convenient for pedestrians and for passenger and emergency vehicles, except as provided for Lots of Record at MCC 35.2675(C).

[MUA-20]

35.2885 Access

~~Any~~ All lots and parcels in this district shall abut a street or shall have other access determined by the approval authority to be safe and convenient for pedestrians and for passenger and emergency vehicles, except as provided for Lots of Record at MCC 35.2870(B).

[RR]

35.3185 Access

~~Any~~ All lots and parcels in this district shall abut a street, or shall have other access determined by the approval authority to be safe and convenient for pedestrians and passenger and emergency vehicles, except as provided for Lots of Record at MCC 35.3170(B).

[RC]

35.3385 Access

~~Any~~ All lots and parcels in this district shall abut a street, or shall have other access determined by the approval authority to be safe and convenient for pedestrians and passenger and emergency vehicles, except as provided for Lots of Record at MCC 35.3370(B).

[EFU]

36.2690 Access

~~Any~~ All lots and parcels in this district shall abut a street, or shall have other access determined by the ~~Hearings Officer~~ approval authority to be safe and convenient for pedestrians and for passenger and emergency vehicles, except as provided for Lots of Record at MCC 36.2675(C).

[MUA-20]

36.2885 Access

~~Any~~ All lots and parcels in this district shall abut a street or shall have other access determined by the approval authority to be safe and convenient for pedestrians and for passenger and emergency vehicles, except as provided for Lots of Record at MCC 36.2870(B).

[RR]

36.3185 Access

~~Any~~ All lots and parcels in this district shall abut a street, or shall have other access determined by the approval authority to be safe and convenient for pedestrians and passenger and emergency vehicles, except as provided for Lots of Record at MCC 36.3170(B).

[PH-RC]

36.3385 Access

~~Any~~ All lots and parcels in this district shall abut a street, or shall have other access determined by the approval authority to be safe and convenient for pedestrians and passenger and emergency vehicles, except as provided for Lots of Record at MCC 36.3370(B).

[OR]

36.3485 Access

Any All lots and parcels in this district shall about a street, or shall have other access determined by the approval authority to be safe and convenient for pedestrians and passenger and emergency vehicles, except as provided for Lots of Record at MCC 36.3470(B).

[OCI]

36.3585 Access

Any All lots and parcels in this district shall about a street, or shall have other access determined by the approval authority to be safe and convenient for pedestrians and passenger and emergency vehicles, except as provided for Lots of Record at MCC 36.3570(B).

Section 12. §§ 33.2625, 34.2625 and 35.2625, Review Uses, are amended as follows:

* * *

(D) A dwelling, including a mobile or modular home, customarily provided in conjunction with a farm use:

(1) High-value farmland soils, \$80,000 income. On lands identified as high-value farmland, a dwelling may be considered customarily provided in conjunction with farm use if:

(a) The subject tract is currently employed for the farm use, as defined in ORS 215.203, that produced at least \$80,000 in gross annual income from the sale of farm products in the last two years or three of the last five years; and

(b) Except as permitted in ORS 215.283 (1) (p) (1999 Edition) (i.e. seasonal farmworker housing), there is no other dwelling on land designated for exclusive farm use that is owned by the farm or ranch operator, or that is on the farm or ranch operation. "Farm or ranch operation" shall mean all lots or parcels of land ~~in the same ownership~~ owned by the farm or ranch operator that are used by the farm or ranch operator for farm use as defined in ORS 215.203; and

* * *

(4) Not high-value farmland soils, \$40,000 income or mid-point of median income range. On land not identified as high-value farmland a dwelling may be considered customarily provided in conjunction with farm use if:

* * *

(b) Except as permitted in ORS 215.283(1)(p) (1999 Edition) (i.e. seasonal farmworker housing), there is no other dwelling on lands designated for exclusive farm use pursuant to ORS 215 owned by the farm or ranch operator or on the farm or ranch operation. "Farm or ranch operation" shall mean all lots or parcels of land ~~in the same ownership~~ owned by the farm or ranch operator that are used by the farm or ranch operator for farm use as defined in ORS 215.203; and

* * *

Section 13. § 36.2625 is amended as follows:

36.2625 Review Uses.

(D) A dwelling, including a mobile or modular home, customarily provided in conjunction with a farm use:

(1) High-value farmland soils, \$80,000 income. On lands identified as high-value farmland, a dwelling may be considered customarily provided in conjunction with farm use if:

* * *

(b) Except as permitted in ORS 215.283 (1) (p) (1999 Edition) (i.e. seasonal farmworker housing), there is no other dwelling on land designated for exclusive farm use that is owned by the farm or ranch operator, or that is on the farm or ranch operation. "Farm or ranch operation" shall mean all lots or parcels of land ~~in the same ownership~~ owned by the farm or ranch operator that are used by the farm or ranch operator for farm use as defined in ORS 215.203; and

* * *

(4) Not high-value farmland soils, \$40,000 income or mid-point of median income range. On land not identified as high-value farmland a dwelling may be considered customarily provided in conjunction with farm use if:

* * *

(b) Except as permitted in ORS 215.283(1)(p) (1999 Edition) (i.e. seasonal farmworker housing), there is no other dwelling on lands designated for exclusive farm use pursuant to ORS 215 owned by the farm or ranch operator or on the farm or ranch operation. "Farm or ranch operation" shall mean all lots or parcels of land ~~in the same ownership~~ owned by the farm or ranch operator that are used by the farm or ranch operator for farm use as defined in ORS 215.203; and

* * *

(O) One manufactured dwelling in conjunction with an existing dwelling as a temporary use for the term of a hardship suffered by the existing resident or a relative of the resident. A manufactured dwelling allowed under this provision is a temporary use for the term of the hardship suffered by the existing resident or relative as defined in ORS Chapter 215. The manufactured dwelling shall use the same subsurface sewage disposal system used by the existing dwelling, if that disposal system is adequate to accommodate the additional dwelling. If the manufactured home will use a public sanitary sewer system, such condition will not be required. The Planning Director shall review the permit authorizing such manufactured homes every two years. Within three months of the end of the hardship, the Planning Director shall require the removal of such manufactured homes. A temporary residence approved under this section is not eligible for replacement under MCC 36.2620(J), (L), and (M). Oregon Department of Environmental Quality review and removal requirements also apply. As used in this subsection "hardship" means a medical hardship or hardship for the care of an aged or infirm person or persons.

(1) The health hardship will not:

(a) Force a significant change in accepted farm or forest practices on surrounding lands devoted to farm or forest use; or

(b) Significantly increase the cost of accepted farm or forest practices on lands devoted to farm or forest use.

* * *

Section 14. §§ 33.2825, 33.3125, 33.3325, 34.2825, 34.3125, 34.3325, 35.2825, 35.3125, 35.3325, 36.2825, 36.3125, 36.3425, 36.3325 and 36.3525, Review Uses, are amended as follows:

[MUA-20]

33.2825 Review Uses

* * *

(H) Lots of Exception pursuant to the provisions of MCC 33.2860:

(I) Wireless communication facilities that employ concealment technology or co-location as described in MCC 33.6177(B) pursuant to the applicable approval criteria of MCC 33.6175 through 33.6188.

[RR]

33.3125 Review Uses

* * *

(H) Lots of Exception pursuant to the provisions of MCC 33.3160:

(I) Wireless communication facilities that employ concealment technology or co-location as described in MCC 33.6177(B) pursuant to the applicable approval criteria of MCC 33.6175 through 33.6188.

[RC]

33.3325 Review Uses

* * *

(H) Lots of Exception pursuant to the provisions of MCC 33.3360:

(I) Wireless communication facilities that employ concealment technology or co-location as described in MCC 33.6177(B) pursuant to the applicable approval criteria of MCC 33.6175 through 33.6188.

[MUA-20]

34.2825 Review Uses

* * *

(H) Lots of Exception pursuant to the provisions of MCC 34.2860:

(I) Wireless communication facilities that employ concealment technology or co-location as described in MCC 34.6177(B) pursuant to the applicable approval criteria of MCC 34.6175 through 34.6188.

[RR]

34.3125 Review Uses

* * *

(H) Lots of Exception pursuant to the provisions of MCC 34.3160:

(I) Wireless communication facilities that employ concealment technology or co-location as described in MCC 34.6177(B) pursuant to the applicable approval criteria of MCC 34.6175 through 34.6188.

[RC]

34.3325 Review Uses

* * *

(H) Lots of Exception pursuant to the provisions of MCC 34.3360:

(I) Wireless communication facilities that employ concealment technology or co-location as described in MCC 34.6177(B) pursuant to the applicable approval criteria of MCC 34.6175 through 34.6188.

[MUA-20]

35.2825 Review Uses

* * *

(H) Lots of Exception pursuant to the provisions of MCC 35.2860:

(I) Wireless communication facilities that employ concealment technology or co-location as described in MCC 35.6177(B) pursuant to the applicable approval criteria of MCC 35.6175 through 35.6188.

[RR]

35.3125 Review Uses

* * *

(H) Lots of Exception pursuant to the provisions of MCC 35.3160:

(I) Wireless communication facilities that employ concealment technology or co-location as described in MCC 35.6177(B) pursuant to the applicable approval criteria of MCC 35.6175 through 35.6188.

[RC]

35.3325 Review Uses

* * *

(H) Lots of Exception pursuant to the provisions of MCC 35.3360:

(I) Wireless communication facilities that employ concealment technology or co-location as described in MCC 35.6177(B) pursuant to the applicable approval criteria of MCC 35.6175 through 35.6188.

[MUA-20]

36.2825 Review Uses.

* * *

(F) Wireless communications facilities ~~when found to satisfy the requirements that employ~~ concealment technology or co-location as described in MCC 36.6177(B) pursuant to the applicable approval criteria of MCC 36.6175 through 36.6188.

* * *

(H) Lots of Exception pursuant to the provisions of MCC 36.2860:

[RR]

36.3125 Review Uses.

* * *

(F) Wireless communications facilities when found to satisfy the requirements that employ concealment technology or co-location as described in MCC 36.6177(B) pursuant to the applicable approval criteria of MCC 36.6175 through 36.6188.

* * *

(H) Lots of Exception pursuant to the provisions of MCC 36.3160:

[PH-RC]

36.3325 Review Uses.

* * *

(H) Lots of Exception pursuant to the provisions of MCC 36.3360:

(I) Wireless communications facilities when found to satisfy the requirements that employ concealment technology or co-location as described in MCC 36.6177(B) pursuant to the applicable approval criteria of MCC 36.6175 through 36.6188.

[OR]

36.3425 Review Uses.

* * *

(F) Wireless communications facilities when found to satisfy the requirements that employ concealment technology or co-location as described in MCC 36.6177(B) pursuant to the applicable approval criteria of MCC 36.6175 through 36.6188.

* * *

(H) Lots of Exception pursuant to the provisions of MCC 36.3460:

[OCI]

36.3525 Review Uses.

* * *

(E) Wireless communications facilities when found to satisfy the requirements that employ concealment technology or co-location as described in MCC 36.6177(B) pursuant to the applicable approval criteria of MCC 36.6175 through 36.6188. This use shall not be subject to the Review Uses approval criteria in 36.3527 below.

* * *

(H) Property Line Adjustment pursuant to all applicable approval criteria, including but not limited to the provisions of MCC 36.3560.

Section 15. §§ 33.2830, 34.2830, 35.2830 and 36.2830, Conditional Uses, are amended to delete subsection (F) as follows:

* * *

~~(F) Lots of Exception pursuant to the provisions of MCC~~

Section 16. §§ 33.3130, 34.3130, 35.3130 and 36.3130, Conditional Uses, are amended to delete subsection (E) as follows:

* * *

~~(E) Lots of Exception pursuant to the provisions of MCC....~~

Section 17. §§ 33.3330, 34.3330 and 35.3330, Conditional Uses, are amended to delete subsection (G) as follows:

* * *

~~(G) Lots of Exception pursuant to the provisions of MCC....~~

Section 18. § 36.3330 is amended as follows:

36.3330 Conditional Uses.

* * *

(B) The following small-scale low impact Conditional Uses pursuant to the provisions of MCC 36.6300 through 36.6660:

* * *

~~(9) Lots of Exception pursuant to the provisions of MCC 36.3360.~~

Section 19. § 36.3430 is amended as follows:

36.3430 Conditional Uses.

* * *

~~(C) Lots of Exception pursuant to the provisions of MCC 36.3460.~~

Section 20. Subsection (H) of §§ 36.2855, 36.3155, 36.3355, 36.3455 and 36.3550, Dimensional Standards and Development Requirements, is amended as follows:

* * *

(H) New, replacement, or expansion of existing dwellings shall minimize impacts to existing farm uses on adjacent land (contiguous or across the street) by:

* * *

Section 21. §§ 33.4000, 34.4000 and 35.4000 are amended as follows:

33.4000- Classification of Special Districts

In addition to classification as a base district as provided in MCC 33.2000 through 33.3385 of this Chapter, land may also be classified in one or more of the following special districts. Such classification shall be made in accordance with the provisions of MCC Chapter 37, Administration and Procedures 33.0700 through 33.0790. Land so classified shall be shown on the Multnomah County Zoning Map by a combination of color designations, symbols, or short title identification, as for example: LF, OP, SEC.

34.4000- Classification of Special Districts

In addition to classification as a base district as provided in MCC 34.2000 through 34.3385 of this Chapter, land may also be classified in one or more of the following special districts. Such classification shall be made in accordance with the provisions of MCC Chapter 37, Administration and Procedures 34.0700 through 34.0790. Land so classified shall be shown on the Multnomah County Zoning Map by a combination of color designations, symbols, or short title identification, as for example: LF, OP, SEC.

35.4000- Classification of Special Districts

In addition to classification as a base district as provided in MCC 35.2000 through 35.3385 of this Chapter, land may also be classified in one or more of the following special districts. Such classification shall be made in accordance with the provisions of MCC Chapter 37, Administration and Procedures 35.0700 through 35.0790. Land so classified shall be shown on the Multnomah County Zoning Map by a combination of color designations, symbols, or short title identification, as for example: LF, OP, SEC.

Section 22. § 36.4560 is amended as follows:

36.4560 Criteria for Approval of SEC-h Permit -Wildlife Habitat.

Development within areas designated SEC-h shall comply with the provisions of this section. An application shall not be approved unless it contains the information in 36.4540(A) and (D).

* * *

(B) Wildlife Conservation Plan. An applicant shall propose a wildlife conservation plan if one of two situations exist.

(1) The applicant cannot meet the development standards of Section (BA) because of physical characteristics unique to the property. The applicant must show that the wildlife conservation plan results in the minimum departure from the standards required in order to allow the use; or

(2) The applicant can meet the development standards of Section (BA), but demonstrates that the alternative conservation measures exceed the standards of Section (BA) and will result in the proposed development having a less detrimental impact on forested wildlife habitat than the standards in Section (BA).

* * *

Section 23. Subsection (B) of §§ 33.4570, 34.4570 and 35.4570, Criteria for approval of SEC-h Permit – Wildlife Habitat, is amended as follows:

* * *

(B) Development standards:

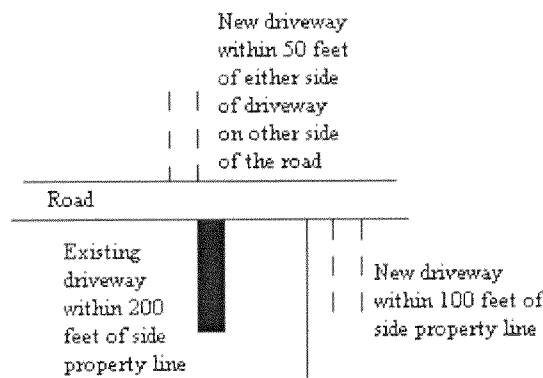
(1) Where a parcel contains any non-forested "cleared" areas, development shall only occur in these areas, except as necessary to provide access and to meet minimum clearance standards for fire safety.

- (2) Development shall occur within 200 feet of a public road capable of providing reasonable practical access to the developable portion of the site.
- (3) The access road/driveway and service corridor serving the development shall not exceed 500 feet in length.
- (4) For the purpose of clustering access road/driveway approaches near one another, one of the following two standards shall be met:

(a) The access road/driveway approach onto a public road shall be located within 100 feet of the side property boundary line if adjacent property on the same side of the road has an existing access road or driveway approach within 200 feet of the side property boundary line; or

(b) The access road/driveway approach onto a public road shall be located within 50 feet of either side of an existing access road/driveway on the opposite side of the road.

(c) Diagram showing the standards in (a) and (b) above.



For illustrative purposes only.

(d) The standards in this subsection (4) may be modified upon a determination by the County Road Official that the new access road/driveway approach would result in an unsafe traffic situation using the standards in the Multnomah County "Design and Construction Manual," adopted June 20, 2000, (or all updated versions of the manual). Standards to be used by the Road Official from the County manual include Table 2.3.2, Table 2.4.1, and additional referenced sight distance and minimum access spacing standards in the publication A Policy on Geometric Design of Highways and Streets by the American Association of State Highway and Transportation Officials (AASHTO) and the Traffic Engineering Handbook by the Institute of Transportation Engineers (ITE).

1. The modification shall be the minimum necessary to allow safe access onto the public road.
2. The County Road Official shall provide written findings supporting the modification.

(5) The development shall be within 300 feet of the side property line if adjacent property has structures and developed areas within 200 feet of the common side property line.

Section 24. §§ 33.6130, 34.6130, 35.6130 and 36.6130 are deleted as follows:

33.6130 Pre-existing Communication Facilities.

~~Communication facilities, including radio and television transmission towers, common carrier and cellular telephone towers, microwave towers, satellite ground stations and accessories thereto (the *Facilities*) which were legally established prior to August 19, 1982, or any addition to, reconstruction or modification of the facilities shall be deemed conforming and not subject to the provisions of MCC 33.7200 or MCC 33.6005 through 33.6125, provided that:~~

- ~~(A) The use shall comply with the NIER standard of MCC 33.6125 (A);~~
- ~~(B) The use shall comply with MCC 33.6115 (D), (G), and (H); and~~
- ~~(C) Any addition to or modification of the facilities shall not create an unusually onerous visual impact that would dominate and alter the visual character of the area when compared to the impact of other existing towers.~~

34.6130 Pre-existing Communication Facilities.

~~Communication facilities, including radio and television transmission towers, common carrier and cellular telephone towers, microwave towers, satellite ground stations and accessories thereto (the *Facilities*) which were legally established prior to August 19, 1982, or any addition to, reconstruction or modification of the facilities shall be deemed conforming and not subject to the provisions of MCC 34.7200 or MCC 34.6005 through 34.6125, provided that:~~

- ~~(A) The use shall comply with the NIER standard of MCC 34.6125 (A);~~
- ~~(B) The use shall comply with MCC 34.6115 (D), (G), and (H); and~~
- ~~(C) Any addition to or modification of the facilities shall not create an unusually onerous visual impact that would dominate and alter the visual character of the area when compared to the impact of other existing towers.~~

35.6130 Pre-existing Communication Facilities.

~~Communication facilities, including radio and television transmission towers, common carrier and cellular telephone towers, microwave towers, satellite ground stations and accessories thereto (the *Facilities*) which were legally established prior to August 19, 1982, or any addition to, reconstruction or modification of the facilities shall be deemed conforming and not subject to the provisions of MCC 35.7200 or MCC 35.6005 through 35.6125, provided that:~~

- ~~(A) The use shall comply with the NIER standard of MCC 35.6125 (A);~~
- ~~(B) The use shall comply with MCC 35.6115 (D), (G), and (H); and~~

~~(C) Any addition to or modification of the facilities shall not create an unusually onerous visual impact that would dominate and alter the visual character of the area when compared to the impact of other existing towers.~~

36.6130 Pre-existing Communication Facilities.

~~Communication facilities, including radio and television transmission towers, common carrier and cellular telephone towers, microwave towers, satellite ground stations and accessories thereto (the Facilities) which were legally established prior to August 19, 1982, or any addition to, reconstruction or modification of the facilities shall be deemed conforming and not subject to the provisions of MCC 36.7200 or MCC 36.6005 through 36.6125, provided that:~~

~~(A) The use shall comply with the NIER standard of MCC 36.6125 (A);~~

~~(B) The use shall comply with MCC 36.6115 (D), (G), and (H); and~~

~~(C) Any addition to or modification of the facilities shall not create an unusually onerous visual impact that would dominate and alter the visual character of the area when compared to the impact of other existing towers.~~

Section 25. §§ 33.6325, 34.6325 and 35.6325 are amended as follows:

33.6325 Design Review

Uses authorized under this section shall be subject to design review approval under MCC 33.7000 through 33.70657060.

34.6325 Design Review

Uses authorized under this section shall be subject to design review approval under MCC 34.7000 through 34.70657060.

35.6325 Design Review

Uses authorized under this section shall be subject to design review approval under MCC 35.7000 through 35.70657060.

Section 26. §§ 33.7435, 34.7435, 35.7435 and 36.7435 are deleted as follows:

33.7435 Non-Conforming Signs

~~Non-conforming signs are not subject to the provisions of MCC 33.7200, Non-Conforming Uses. Unless previously approved through an exception process, signs not conforming to the regulations of this Chapter are subject to the following provisions:~~

~~(A) Permanent signs in all zones~~

~~In all zones lawfully erected non-conforming signs may continue to exist and are subject to the following regulations:~~

~~(1) Maintenance, repairs and changing of sign faces, when no structural alterations are made, are allowed.~~

~~(2) Signs and sign structures which are moved, replaced or structurally altered shall be brought into conformance with the current sign regulations.~~

~~(B) Temporary Signs~~

~~Non-conforming temporary signs shall be removed.~~

34.7435 Non-Conforming Signs

~~Non-conforming signs are not subject to the provisions of MCC 34.7200, Non-Conforming Uses. Unless previously approved through an exception process, signs not conforming to the regulations of this Chapter are subject to the following provisions:~~

~~(A) Permanent signs in all zones~~

~~In all zones lawfully erected non-conforming signs may continue to exist and are subject to the following regulations:~~

~~(1) Maintenance, repairs and changing of sign faces, when no structural alterations are made, are allowed.~~

~~(2) Signs and sign structures which are moved, replaced or structurally altered shall be brought into conformance with the current sign regulations.~~

~~(B) Temporary Signs~~

~~Non-conforming temporary signs shall be removed.~~

35.7435 Non-Conforming Signs

~~Non-conforming signs are not subject to the provisions of MCC 35.7200, Non-Conforming Uses. Unless previously approved through an exception process, signs not conforming to the regulations of this Chapter are subject to the following provisions:~~

~~(A) Permanent signs in all zones~~

~~In all zones lawfully erected non-conforming signs may continue to exist and are subject to the following regulations:~~

~~(1) Maintenance, repairs and changing of sign faces, when no structural alterations are made, are allowed.~~

~~(2) Signs and sign structures which are moved, replaced or structurally altered shall be brought into conformance with the current sign regulations.~~

(B) Temporary Signs

Non-conforming temporary signs shall be removed.

36.7435 Non-Conforming Signs.

Non-conforming signs are not subject to the provisions of MCC 36.7200, Non-Conforming Uses. Unless previously approved through an exception process, signs not conforming to the regulations of this Chapter are subject to the following provisions:

(A) Permanent signs in all zones

In all zones lawfully erected non-conforming signs may continue to exist and are subject to the following regulations:

(1) Maintenance, repairs and changing of sign faces, when no structural alterations are made, are allowed.

(2) Signs and sign structures which are moved, replaced or structurally altered shall be brought into conformance with the current sign regulations.

(B) Temporary Signs

Non-conforming temporary signs shall be removed.

Section 27. Subsection (B) of §§ 33.7470, 34.7470, 35.7470 and 36.7470, Fascia Signs, is amended as follows:

* * *

(B) Extensions

No point on the face of a fascia sign may extend more than 18 inches from the wall to which it is attached, except for electronic message signs which may be up to 24 inches in thickness. Fascia signs may not extend beyond the corner of buildings.

Section 28. §§ 33.6600, 34.6600, 35.6600 and 36.6600, Definitions are amended as follows:

* * *

(B) *Motor Vehicle of Special Interest* – A motor vehicle satisfying the criteria of a “vehicle of special interest” as defined in the Oregon Vehicle Code (ORS Chapter 801, 2006) paragraph (a) of subsection (4) or paragraph (c) of subsection (6) of ORS 481.205 or otherwise unique due to limited production, original production, mechanical or styling oddities, high intrinsic value or produced by a company no longer in existence.

* * *

Section 29. §§ 33.7800, 34.7800, 35.7800 and 36.7800, Criteria for Approval, Category 1 Tentative Plan are amended as follows:

33.7800 Criteria for Approval, Category 1 Tentative Plan.

34.7800 Criteria for Approval, Category 1 Tentative Plan.

35.7800 Criteria for Approval, Category 1 Tentative Plan.

* * *

(C) The tentative plan complies with the applicable provisions, including the purposes and intent of ~~this Chapter~~ the Multnomah County Land Division Ordinance.

* * *

36.7800 Criteria for Approval, Category 1 Tentative Plan.

* * *

(C) The tentative plan complies with the applicable provisions, including the purposes and intent of ~~this Chapter~~ the Multnomah County Land Division Ordinance, and the applicable General Standards and Requirements of MCC 36.7885 through 36.7965.

* * *

Section 30. § 36.2620, Allowed Uses is amended as follows:

* * *

(O) Churches and cemeteries in conjunction with churches, consistent with ORS 215.441, wholly within an EFU district may be maintained, enhanced or expanded:

* * *

Section 31. § 36.4525, Existing Uses is amended as follows:

Uses that legally existed on January 1, 2003 ~~the effective date of this ordinance~~ that are not included as Exceptions in section 36.4520, may utilize the provisions of this section. This section is intended to define the circumstances under which existing development can be improved or replaced under limited requirements in recognition of the pre-existing status. The SEC provisions are also not intended to make existing uses non-conforming. However, approval of proposals for alteration of uses that were non-conforming prior to the SEC ordinance, must obtain an SEC permit in addition to demonstrating compliance with the non-conforming use provisions of this Chapter.

* * *

Section 32. §§ 36.3420 and 36.3520, Allowed Uses are amended as follows:

[OR]

36.3420 Allowed Uses

The following uses and their accessory uses are allowed, subject to all applicable supplementary regulations contained in this ordinance.

* * *

(E) Type A home occupations pursuant to the definition and restrictions of MCC 36.0005.

(F) Other structures or uses customarily accessory or incidental to any use permitted or approved in this district.

(G) Family Day Care.

(H) Actions taken in response to an emergency/disaster event as defined in MCC 36.0005 pursuant to the provisions of MCC 36.0535.

[OCI]

36.3520 Allowed Uses

* * *

(E) Type A home occupations pursuant to the definition and restrictions of MCC 36.0005.

(F) Other structures or uses customarily accessory or incidental to any use permitted or approved in this district.

(G) Family Day Care.

(H) Actions taken in response to an emergency/disaster event as defined in MCC 36.0005 pursuant to the provisions of MCC 36.0535.

Section 33. § 37.0530, Summary of Decision Making Processes is amended as follows:

37.0530 Summary of Decision Making Processes.

The following decision making processes chart shall control the County's review of the indicated permits:

* * *

Permit Types

* * *

(B) Type II decisions involve the exercise of some interpretation and discretion in evaluating approval criteria. Applications evaluated through this process are assumed to be allowable in the underlying zone. County Review typically focuses on what form the use will take, where it will be located in relation to other uses and natural features and resources, and how it will look. However, an application shall not be approved unless it is consistent with the applicable siting standards and in compliance with approval requirements. Upon receipt of a complete application, notice of application and an invitation to comment is mailed to the applicant, recognized neighborhood associations and property owners within 750 feet of the subject tract. The Planning Director accepts comments for 14 days after the notice of application is mailed and renders a decision. The Planning Director's decision is appealable to the Hearings Officer. If no appeal is filed the Planning Director's decision shall become final at the close of business on the 14th day after the date on the decision.

(1) If there is an appeal of the Planning Director's decision, the Hearings Officer shall conduct a public hearing on the application pursuant to MCC 37.0610. After the Hearings Officer issues a signed decision, the Planning Director may appeal the decision to the Board within seven days. If there is no appeal by the Planning Director, the signed Hearings Officer decision and the information required in MCC 37.0660(D)(1) through (7) shall be mailed to those who submitted written comment, those who requested the decision in writing or provided oral testimony at a hearing on the matter, and DLCD at the discretion of the applicant~~persons entitled to notice of a Type III Permit decision under MCC 37.0660(D).~~ The mailed decision is the county's final

decision on the application and may be appealed to the Land Use Board of Appeals (LUBA) within 21 days of the date the decision is mailed.

* * *

Section 34. § 37.0560, Code Compliance and Applications is amended as follows:

37.0560 Code Compliance and Applications.

Except as provided in subsection (A), the County shall not make a land use decision, or issue a building permit approving development, including land divisions and property line adjustments, for any property that is not in full compliance with all applicable provisions of the Multnomah County Land Use Code and/or any permit approvals previously issued by the County.

* * *

Section 35. § 37.0590 is amended as follows:

§ 37.0590 Complete Application - Required Information.

Unless stated elsewhere in the Multnomah County Code, a complete application includes all the materials listed in this subsection. The Planning Director may waive the submission of any of these materials if not deemed to be applicable to the specific review sought. Likewise, within 30 days of when the application is first submitted, the Planning Director may require additional information, beyond that listed in this subsection or elsewhere in the County Code, such as a traffic study or other report prepared by an appropriate expert, where needed to address relevant approval criteria. In any event, the applicant is responsible for the completeness and accuracy of the application and all of the supporting documentation. The County will not deem the application complete until all information required by the Planning Director has been submitted. Unless specifically waived by the Planning Director, the following must be submitted:

(A) One copy of a completed county application form that includes the following information:

(1) An accurate legal description, tax account number(s), map and location of all properties that are the subject of the application.

(2) Name, address, telephone number and authorization signature of all record property owners or contract owners or a representative for the government agency that has the power of eminent domain, and the name, address and telephone number of the applicant, if different from the property owner(s) or the government agency.

* * *

Section 36. § 37.0700, Expiration and Extension of Type II or Type III Decisions in Exception Areas and Lands Within the UGB is amended as follows:

37.0700 Expiration and Extension of Type II or Type III Decisions in Exception Areas and Lands Within the UGB.

* * *

(C) The Planning Director may extend, ~~prior to its expiration,~~ any approved decision for a period of six months up to an aggregate period of one year; provided, however, that there has been substantial implementation of the permit and the request is submitted prior to the expiration of the approval period. Any request for an extension shall be reviewed and decided upon by the Planning Director as a Type II decision.

* * *

Section 37. § 37.0705, Type IV Quasi-Judicial Plan and Zone Change Approval Criteria is amended as follows:

37.0705 Type IV Quasi-Judicial Plan and Zone Change Approval Criteria.

* * *

(B) Quasi-Judicial Zone Change. The burden of proof is upon the person initiating a zone change request. That burden shall be to persuade that:

* * *

(4) Proof of change in a neighborhood or community or mistake in the planning or zoning for the property under consideration are additional relevant factors to be considered under this subsection. The existence of home occupations shall not be used as justification for a zone change.

Section 38. § 38.0015 is amended as follows:

As used in MCC Chapter 38, unless otherwise noted, the following words and their derivations shall have the following meanings:

* * *

Property line adjustment: The transfer of a portion of a parcel from one owner to the owner of an adjacent parcel resulting in no increase in the number of parcels.

* * *

~~**Property line adjustment:** The transfer of a portion of a parcel from one owner to the owner of an adjacent parcel resulting in no increase in the number of parcels.~~ **Regularly maintained:** An area of land that has been previously disturbed and where periodic actions have been taken to:

- (a) keep the area clear of vegetation (e.g., shoulders, utility yards),
- (b) limit the height and type of vegetation (e.g., utility rights-of-way), and/or
- (c) establish and retain non-native vegetation (e.g., landscaped medians, rest area grounds).

* * *

Section 39. Amendment of the Comprehensive Plan Map and Zoning Map of the West of Sandy River Rural Area Plan to correct the designations for two properties.

All applicable maps adopted by Ordinance 1001, in particular the Geographic Information System produced map Exhibit E, are amended to make the following correction to the Comprehensive Plan and Zoning District designations for the following two properties:

1. The Plan and Zoning designation of 8141 SE Orient Drive (Map and Tax Lot # 1S4E20CC-01300, Alternate Tax Acct. # R994201760) is changed from Orient Commercial-Industrial (OCI) to Orient Residential (OR) as shown on Exhibit A.
2. The Plan and Zoning designation of 8231 SE Orient Drive (Map and Tax Lot # 1S4E20CC-01200, Alternate Acct # R994200950) is changed from Orient Residential (OR) to Orient Commercial-Industrial (OCI) as shown on Exhibit A.

PART II – FOREST ZONES

Code Clarification & Change Decision Maker for Certain New Dwellings in Forest Zones from Hearings Officer (Type III Review) to Planning Director (Type II Review)

Section 40. §§ 33.0005, 35.0005 and 36.0005, Definitions, are amended as follows:

As used in this Chapter, unless the context requires otherwise, the following words and their derivations shall have the meanings provided below.

* * *

(A)(8) **Alteration (Structural)** – Any change or repair which would tend to prolong the life of the supporting members of a building or structure, such as alteration of bearing walls, foundation, columns, beams or girders. ~~In addition, any change in the external dimensions of the building shall be considered a structural alteration.~~

* * *

~~(E)(7) **Expansion** – Any change in the external dimensions of the building or structure and any change to the external footprint.~~

* * *

~~(M) (1) **Maintenance** – An activity that restores the size, scope, configuration, and design of a serviceable structure to its previously authorized and undamaged condition. Activities that change the size, scope and configuration of a structure beyond its original design are not included.~~

~~(2) **Manufactured Homes** – See Mobile home.~~

~~(23) **May** – May is permissive.~~

~~(34) **Mobile Home** – A structure transportable in one or more sections, which is designed to be used for permanent occupancy as a dwelling and which is not constructed to the standards of the uniform building code (the State of Oregon Structural Specialty Code and Fire and Life Safety Regulations). Mobile homes include residential trailers and manufactured homes subject to the siting provisions as specified within the district:~~

(45) **Mortgage Lot** – An area of land created solely for the purposes of financing a dwelling. A Mortgage Lot is not a Lot of Record and shall not be conveyed separate from the Lot of Record out of which it was described. The tax roll accounts of the Mortgage Lot and the parent Lot of Record shall be consolidated into one account when title to both is secured. A Mortgage Lot may be created only in the EFU and CFU districts.

(56) **Motel** – Same as Hotel.

(67) **Multi-Plex Dwelling Structure** – A row house or town house apartment structure.

(78) **Museum** – A building, room, etc. for preserving and exhibiting artistic, historical or scientific objects.

* * *

(R) (9) **Restoration** – To reconstruct a dwelling, building or structure after it has been damaged by fire, other casualty or natural disaster.

(10) **Replacement** – The construction of a new dwelling, building or structure to replace or substitute for the lawfully established dwelling, building or structure. The removal of over 75% of the standing walls and roof structure of an existing dwelling, building or structure qualifies the rebuilding as a replacement dwelling, building or structure.

(911) **Road (County)** – Every public way, thoroughfare, road, street or easement within the County used or intended for use by the general public for vehicular travel, but excluding private driveways.

* * *

Section 41. §§ 33.2220, 33.2020, 33.2420, 35.2020, 35.2220 and 36.2020 are amended as follows:

[CFU-2]

33.2220 Allowed Uses

* * *

(D) Alteration, ~~and maintenance, or expansion~~ of an existing lawfully established *habitable dwelling* ~~subject to the following: as defined in MCC 33.0005.~~

~~(1) The dimensional standards of MCC 33.2260 are satisfied; and~~

~~(2) The development standards of MCC 33.2305(A)(5) and (B) are satisfied if the expansion exceeds 400 square feet of ground coverage.~~

~~(E) Replacement of an existing lawfully established *habitable dwelling* on the same lot, subject to the following:~~

~~(1) The replacement dwelling will be located within 200 feet of the existing dwelling; and~~

~~(2) The existing dwelling is removed, demolished or converted to an allowable nonresidential use within three months of the completion of the replacement dwelling; and~~

~~(3) The replacement dwelling shall satisfy the dimensional standards of MCC 33.2260 and the development standards of MCC 33.2305.~~

(~~FE~~) Uses to conserve soil, air and water quality and to provide for wildlife and fisheries resources, including a public or private wildlife and fisheries resources conservation area;

(~~GE~~) An uninhabitable structure accessory to fish and wildlife enhancement;

(~~HG~~) A caretaker residence for a public park or a fish hatchery;

(~~HI~~) Local distribution lines (e.g., electric, telephone, natural gas, etc.) and accessory equipment (e.g., electric distribution transformers, poles, meter cabinets, terminal boxes, pedestals), or equipment which provides service hookups, including water service hookups;

(~~JI~~) Climbing and passing lanes within the right of way existing as of July 1, 1987;

(~~KJ~~) Reconstruction or modification of public roads and highways, not including the addition of vehicular travel lanes, where no removal or displacement of buildings will occur, or no new land parcels result;

(~~LK~~) Temporary public road and highway detours that will be abandoned and restored to original condition or use at such time as no longer needed;

(~~ML~~) Minor betterment of existing public roads and highway related facilities such as maintenance yards, weigh stations and rest areas, within a right-of-way existing as of July 1, 1987, and contiguous public-owned property utilized to support the operation and maintenance of public roads and highways;

(~~NM~~) A lookout tower for forest fire protection;

(~~ON~~) A water intake facility, canal and distribution lines for farm irrigation and ponds;

(~~PO~~) A temporary forest labor camp;

(~~QP~~) Exploration for mineral and aggregate resources as defined in ORS Chapter 517;

(~~RQ~~) Exploration for geothermal resources;

(~~SR~~) A site for the disposal of solid waste that has been ordered to be established by the Environmental Quality Commission under ORS 459.049, together with equipment, facilities or buildings necessary for its operation;

(~~TS~~) Type A home occupations pursuant to the definition and restrictions of MCC 33.0005 (~~H~~)(~~6~~)(~~a~~) and 33.2245. Home occupations as defined by MCC 33.0005 (~~H~~)(~~6~~)(~~a~~) do not allow the level of activity defined in ORS 215.448;

(~~UT~~) Other structures or uses determined by the Planning Director to be customarily accessory or incidental to any use permitted or approved in this district.

(~~VU~~) Actions taken in response to an emergency/disaster event as defined in MCC 33.0005 pursuant to the provisions of MCC 33.0535.

33.2020 Allowed Uses

* * *

(D) Alteration, and maintenance, ~~or expansion~~ of an existing lawfully established *habitable dwelling* subject to the following: as defined in MCC 33.0005.

~~(1) The dimensional standards of MCC 33.2060 are satisfied; and~~

~~(2) The development standards of MCC 33.2105 (A) (5) and (B) are satisfied if the expansion exceeds 400 square feet of ground coverage.~~

~~(E) Replacement of an existing lawfully established habitable dwelling on the same lot, subject to the following:~~

~~(1) The replacement dwelling will be located within 200 feet of the existing dwelling; and~~

~~(2) The existing dwelling is removed, demolished or converted to an allowable nonresidential use within three months of the completion of the replacement dwelling; and~~

~~(3) The replacement dwelling shall satisfy the dimensional standards of MCC 33.2060 and the development standards of MCC 33.2105.~~

(FE) Uses to conserve soil, air and water quality and to provide for wildlife and fisheries resources, including a public or private wildlife and fisheries resources conservation area;

(GF) An uninhabitable structure accessory to fish and wildlife enhancement;

(HG) A caretaker residence for a public park or a fish hatchery;

(HH) Local distribution lines (e.g., electric, telephone, natural gas, etc.) and accessory equipment (e.g., electric distribution transformers, poles, meter cabinets, terminal boxes, pedestals), or equipment which provides service hookups, including water service hookups;

(JI) Climbing and passing lanes within the right of way existing as of July 1, 1987;

(KJ) Reconstruction or modification of public roads and highways, not including the addition of vehicular travel lanes, where no removal or displacement of buildings will occur, or no new land parcels result;

(LK) Temporary public road and highway detours that will be abandoned and restored to original condition or use at such time as no longer needed;

(ML) Minor betterment of existing public roads and highway related facilities such as maintenance yards, weigh stations and rest areas, within a right-of-way existing as of July 1, 1987, and contiguous public-owned property utilized to support the operation and maintenance of public roads and highways;

(NM) A lookout tower for forest fire protection;

(ON) A water intake facility, canal and distribution lines for farm irrigation and ponds;

(PQ) A temporary forest labor camp;

(QP) Exploration for mineral and aggregate resources as defined in ORS Chapter 517;

(RQ) Exploration for geothermal resources;

(SR) A site for the disposal of solid waste that has been ordered to be established by the Environmental Quality Commission under ORS 459.049, together with equipment, facilities or buildings necessary for its operation;

(FS) Type A home occupations pursuant to the definition and restrictions of MCC 33.0005 (H)(6)(a) and 33.2045. Home occupations as defined by MCC 33.0005 (H)(6)(a) do not allow the level of activity defined in ORS 215.448;

(UT) Other structures or uses determined by the Planning Director to be customarily accessory or incidental to any use permitted or approved in this district.

(VU) Actions taken in response to an emergency/disaster event as defined in MCC 33.0005 pursuant to the provisions of MCC 33.0535.

[CFU-5]

33.2420 Allowed Uses

* * *

(D) Alteration, ~~and maintenance, or expansion~~ of an existing lawfully established *habitable dwelling* subject to the following: as defined in MCC 33.0005.

~~(1) The dimensional standards of MCC 33.2460 are satisfied; and~~

~~(2) The development standards of MCC 33.2505(A)(5) and (B) are satisfied if the expansion exceeds 400 square feet of ground coverage.~~

~~(E) Replacement of an existing lawfully established *habitable dwelling* on the same lot, subject to the following:~~

~~(1) The replacement dwelling will be located within 200 feet of the existing dwelling; and~~

~~(2) The existing dwelling is removed, demolished or converted to an allowable nonresidential use within three months of the completion of the replacement dwelling; and~~

~~(3) The replacement dwelling shall satisfy the dimensional standards of MCC 33.2460 and the development standards of MCC 33.2505.~~

(FE) Uses to conserve soil, air and water quality and to provide for wildlife and fisheries resources, including a public or private wildlife and fisheries resources conservation area;

(GE) An uninhabitable structure accessory to fish and wildlife enhancement;

(HG) A caretaker residence for a public park or a fish hatchery;

~~(H)~~ Local distribution lines (e.g., electric, telephone, natural gas, etc.) and accessory equipment (e.g., electric distribution transformers, poles, meter cabinets, terminal boxes, pedestals), or equipment which provides service hookups, including water service hookups;

~~(J)~~ Climbing and passing lanes within the right of way existing as of July 1, 1987;

~~(K)~~ Reconstruction or modification of public roads and highways, not including the addition of vehicular travel lanes, where no removal or displacement of buildings will occur, or no new land parcels result;

~~(L)~~ Temporary public road and highway detours that will be abandoned and restored to original condition or use at such time as no longer needed;

~~(M)~~ Minor betterment of existing public roads and highway related facilities such as maintenance yards, weigh stations and rest areas, within a right-of-way existing as of July 1, 1987, and contiguous public-owned property utilized to support the operation and maintenance of public roads and highways;

~~(N)~~ A lookout tower for forest fire protection;

~~(O)~~ A water intake facility, canal and distribution lines for farm irrigation and ponds;

~~(P)~~ A temporary forest labor camp;

~~(Q)~~ Exploration for mineral and aggregate resources as defined in ORS Chapter 517;

~~(R)~~ Exploration for geothermal resources;

~~(S)~~ A site for the disposal of solid waste that has been ordered to be established by the Environmental Quality Commission under ORS 459.049, together with equipment, facilities or buildings necessary for its operation;

~~(T)~~ Type A home occupations pursuant to the definition and restrictions of MCC 33.0005 ~~(H)(6)(a)~~ and 33.2445. Home occupations as defined by MCC 33.0005 ~~(H)(6)(a)~~ do not allow the level of activity defined in ORS 215.448;

~~(U)~~ Other structures or uses determined by the Planning Director to be customarily accessory or incidental to any use permitted or approved in this district.

~~(V)~~ Actions taken in response to an emergency/disaster event as defined in MCC 33.0005 pursuant to the provisions of MCC 33.0535.

[CFU-3]

35.2020 Allowed Uses

* * *

~~(D) Alteration, and maintenance, or expansion of an existing lawfully established *habitable dwelling* subject to the following: as defined in MCC 35.0005.~~

~~(1) The dimensional standards of MCC 35.2060 are satisfied; and~~

~~(2) The development standards of MCC 35.2105(A)(5) and (B) are satisfied if the expansion exceeds 400 square feet of ground coverage.~~

~~(E) Replacement of an existing lawfully established *habitable dwelling* on the same lot, subject to the following:~~

~~(1) The replacement dwelling will be located within 200 feet of the existing dwelling; and~~

~~(2) The existing dwelling is removed, demolished or converted to an allowable nonresidential use within three months of the completion of the replacement dwelling; and~~

~~(3) The replacement dwelling shall satisfy the dimensional standards of MCC 35.2060 and the development standards of MCC 35.2105.~~

~~(FE)~~ Uses to conserve soil, air and water quality and to provide for wildlife and fisheries resources, including a public or private wildlife and fisheries resources conservation area;

~~(GF)~~ An uninhabitable structure accessory to fish and wildlife enhancement;

~~(HG)~~ A caretaker residence for a public park or a fish hatchery;

~~(IH)~~ Local distribution lines (e.g., electric, telephone, natural gas, etc.) and accessory equipment (e.g., electric distribution transformers, poles, meter cabinets, terminal boxes, pedestals), or equipment which provides service hookups, including water service hookups;

~~(JI)~~ Climbing and passing lanes within the right of way existing as of July 1, 1987;

~~(KJ)~~ Reconstruction or modification of public roads and highways, not including the addition of vehicular travel lanes, where no removal or displacement of buildings will occur, or no new land parcels result;

~~(LK)~~ Temporary public road and highway detours that will be abandoned and restored to original condition or use at such time as no longer needed;

~~(ML)~~ Minor betterment of existing public roads and highway related facilities such as maintenance yards, weigh stations and rest areas, within a right-of-way existing as of July 1, 1987, and contiguous public-owned property utilized to support the operation and maintenance of public roads and highways;

~~(NM)~~ A lookout tower for forest fire protection;

~~(ON)~~ A water intake facility, canal and distribution lines for farm irrigation and ponds;

~~(PO)~~ A temporary forest labor camp;

~~(QP)~~ Exploration for mineral and aggregate resources as defined in ORS Chapter 517;

~~(RQ)~~ Exploration for geothermal resources;

~~(R)~~ ORS 459.049, together with equipment, facilities or buildings necessary for its operation.

(FS) Type A home occupations pursuant to the definition and restrictions of MCC 35.0005 (H)(6)(a) and 35.2045. Home occupations as defined by MCC 35.0005 (H)(6)(a) do not allow the level of activity defined in ORS 215.448.

(UT) Other structures or uses determined by the Planning Director to be customarily accessory or incidental to any use permitted or approved in this district.

(VU) Actions taken in response to an emergency/disaster event as defined in MCC 35.0005 pursuant to the provisions of MCC 35.0535.

[CFU-4]

35.2220 Allowed Uses

* * *

(D) Alteration, and maintenance, or expansion of an existing lawfully established *habitable dwelling* subject to the following: as defined in MCC 35.0005.

(1) The dimensional standards of MCC 35.2260 are satisfied; and

(2) The development standards of MCC 35.2305(A)(5) and (B) are satisfied if the expansion exceeds 400 square feet of ground coverage.

(E) Replacement of an existing lawfully established *habitable dwelling* on the same lot, subject to the following:

(1) The replacement dwelling will be located within 200 feet of the existing dwelling; and

(2) The existing dwelling is removed, demolished or converted to an allowable nonresidential use within three months of the completion of the replacement dwelling; and

(3) The replacement dwelling shall satisfy the dimensional standards of MCC 35.2260 and the development standards of MCC 35.2305.

(FE) Uses to conserve soil, air and water quality and to provide for wildlife and fisheries resources, including a public or private wildlife and fisheries resources conservation area;

(GF) An uninhabitable structure accessory to fish and wildlife enhancement;

(HG) A caretaker residence for a public park or a fish hatchery;

(HH) Local distribution lines (e.g., electric, telephone, natural gas, etc.) and accessory equipment (e.g., electric distribution transformers, poles, meter cabinets, terminal boxes, pedestals), or equipment which provides service hookups, including water service hookups;

(II) Climbing and passing lanes within the right of way existing as of July 1, 1987;

(KJ) Reconstruction or modification of public roads and highways, not including the addition of vehicular travel lanes, where no removal or displacement of buildings will occur, or no new land parcels result;

(~~LK~~) Temporary public road and highway detours that will be abandoned and restored to original condition or use at such time as no longer needed;

(~~ML~~) Minor betterment of existing public roads and highway related facilities such as maintenance yards, weigh stations and rest areas, within a right-of-way existing as of July 1, 1987, and contiguous public-owned property utilized to support the operation and maintenance of public roads and highways;

(~~NM~~) A lookout tower for forest fire protection;

(~~ON~~) A water intake facility, canal and distribution lines for farm irrigation and ponds;

(~~PO~~) A temporary forest labor camp;

(~~QP~~) Exploration for mineral and aggregate resources as defined in ORS Chapter 517;

(~~RQ~~) Exploration for geothermal resources;

(~~SR~~) A site for the disposal of solid waste that has been ordered to be established by the Environmental Quality Commission under ORS 459.049, together with equipment, facilities or buildings necessary for its operation.

(~~FS~~) Type A home occupations pursuant to the definition and restrictions of MCC 35.0005 (~~H~~)(~~6~~)(~~a~~) and 35.2045. Home occupations as defined by MCC 35.0005 (~~H~~)(~~6~~)(~~a~~) do not allow the level of activity defined in ORS 215.448.

(~~UT~~) Other structures or uses determined by the Planning Director to be customarily accessory or incidental to any use permitted or approved in this district.

(~~VU~~) Actions taken in response to an emergency/disaster event as defined in MCC 35.0005 pursuant to the provisions of MCC 35.0535.

[CFU]

36.2020 Allowed Uses.

* * *

(~~D~~) Alteration, and maintenance, or expansion of an existing lawfully established *habitable dwelling* subject to the following as defined in MCC 36.0005.

(~~1~~) The dimensional requirements of MCC 36.2060 are satisfied; and

(~~2~~) The development standards of MCC 36.2105(A)(5)(e) and (B) are satisfied to the extent possible within the area of an approved yard if the expansion exceeds 400 square feet of ground coverage.

* * *

(~~S~~) Type A home occupations pursuant to the definition and restrictions of MCC 36.0005 (~~H~~)(~~6~~)(~~a~~) and 36.2045. Home occupations as defined by MCC 36.0005 (~~H~~)(~~6~~)(~~a~~) do not allow the level of activity defined in ORS 215.448.

(~~T~~) Other structures or uses determined by the Planning Director to be customarily accessory or incidental to any use permitted or approved in this district.

(U) Actions taken in response to an emergency/disaster event as defined in MCC 36.0005 pursuant to the provisions of MCC 36.0535.

(V) Wildlife Habitat Conservation and Management Plan pursuant to ORS 215.800 to 215.802 and ORS 215.806 to 215.808. (Note: A proposed single family dwelling in conjunction with a wildlife habitat conservation and management plan is not authorized by this section.) Ord 977 2/7/02.

Section 42. §§ 33.2025, 33.2225, 33.2425, 35.2025, 35.2225 and 36.2025 are amended as follows:

[CFU-1]

33.2025 Review Uses

The following uses may be permitted when found by the approval authority to satisfy the applicable standards of this Chapter

(A) Expansion, replacement or restoration of an existing lawfully established habitable dwelling.

(1) In the case of a replacement dwelling, the existing dwelling is removed, demolished or converted to an allowable nonresidential use within three months of the completion or occupancy of the replacement dwelling.

(2) Restoration or replacement due to fire, other casualty or natural disaster shall commence within one year from the occurrence of the fire, casualty or natural disaster.

~~Replacement of an existing lawfully established habitable dwelling on the same lot more than 200 feet from the existing dwelling, subject to the following:~~

~~(1) The existing dwelling is removed, demolished or converted to an allowable nonresidential use within three months of the completion of the replacement dwelling; and~~

~~(2) The location of the replacement dwelling shall satisfy the dimensional standards of MCC 33.2060 and the development standards of MCC 33.2105.~~

(B) A Large Acreage Dwelling pursuant to all applicable approval criteria, including but not limited to MCC 33.2035.

~~Restoration or replacement of a lawfully established habitable dwelling on the same lot when the restoration or replacement is made necessary by fire, other casualty or natural disaster, subject to the following:~~

~~(1) Restoration or replacement shall be commenced within one year from the occurrence of the fire, casualty or natural disaster; and~~

~~(2) A replacement dwelling located more than 200 feet from the prior dwelling location shall satisfy the dimensional standards of MCC 33.2060 and the development standards of MCC 33.2105.~~

(C) A mobile home, in conjunction with an existing dwelling, upon obtaining an annual Temporary Health Hardship Permit pursuant to all applicable approval criteria, including but not limited to MCC 33.0515, and 33.2045 and 33.2056.

(D) An asphalt and concrete batch plant accessory to a specific highway project pursuant to MCC 33.2045.

(E) A mobile home during the construction or reconstruction of a residence allowed under MCC 33.2020 (D) or ~~(E)~~, 33.2025 (A) or (B), or 33.2030 (A) provided that the mobile home is removed, demolished or converted to an allowable nonresidential use within three months of the completion of the dwelling pursuant to all applicable approval criteria, including but not limited to MCC 33.2045, 33.2056 and 33.2061.

(F) Signs, pursuant to the provisions of MCC 33.7400 through 33.7505.

(G) Off-street parking and loading as required by MCC 33.4100 through 33.4220.

(H) Lot Line Adjustment pursuant to all applicable approval criteria, including but not limited to the provisions of MCC 33.2070.

* * *

(J) Wireless communications facilities ~~when found to satisfy the requirements that employ concealment technology or co-location as described in MCC 33.6177(B)~~ pursuant to the applicable approval criteria of MCC 33.6175 through 33.6188.

(K) Lots of Exception pursuant to all applicable approval criteria, including but not limited to MCC 33.2065, 33.2073 and 33.7700 et seq.

[CFU-2]

33.2225 Review Uses

The following uses may be permitted when found by the approval authority to satisfy the applicable standards of this Chapter:

(A) Expansion, replacement or restoration of an existing lawfully established habitable dwelling.

(1) In the case of a replacement dwelling, the existing dwelling is removed, demolished or converted to an allowable nonresidential use within three months of the completion or occupancy of the replacement dwelling.

(2) Restoration or replacement due to fire, other casualty or natural disaster shall commence within one year from the occurrence of the fire, casualty or natural disaster.

~~Replacement of an existing lawfully established habitable dwelling on the same lot more than 200 feet from the existing dwelling, subject to the following:~~

~~(1) The existing dwelling is removed, demolished or converted to an allowable nonresidential use within three months of the completion of the replacement dwelling; and~~

~~(2) The location of the replacement dwelling shall satisfy the dimensional standards of MCC 33.2260 and the development standards of MCC 33.2305.~~

(B) The following dwellings:

(1) A Large Acreage Dwelling pursuant to all applicable approval criteria, including but not limited to MCC 33.2235;

(2) A Template Dwelling pursuant to all applicable approval criteria, including but not limited to MCC 33.2240(A);

(3) A Heritage Tract Dwelling pursuant to all applicable approval criteria, including but not limited to MCC 33.2240(B).

~~Restoration or replacement of a lawfully established *habitable dwelling* on the same lot when the restoration or replacement is made necessary by fire, other casualty or natural disaster, subject to the following:~~

~~(1) Restoration or replacement shall be commenced within one year from the occurrence of the fire, casualty or natural disaster; and~~

~~(2) A replacement dwelling located more than 200 feet from the prior dwelling location shall satisfy the dimensional standards of MCC 33.2260 and the development standards of MCC 33.2305.~~

(C) A mobile home, in conjunction with an existing dwelling, upon obtaining an annual Temporary Health Hardship Permit pursuant to all applicable approval criteria, including but not limited to MCC 33.0515, and 33.2245 and 33.2256.

(D) An asphalt and concrete batch plant accessory to a specific highway project pursuant to MCC 33.2245.

(E) A mobile home during the construction or reconstruction of a residence allowed under MCC 33.2220 (D) or ~~(E)~~; 33.2225 (A) or (B), ~~or 33.2230 (A), (B) or (C)~~ provided that the mobile home is removed, demolished or converted to an allowable nonresidential use within three months of the completion of the dwelling pursuant to all applicable approval criteria, including but not limited to MCC 33.2245, 33.2256 and 33.2261.

(F) Signs, pursuant to the provisions of MCC 33.7400 through 33.7505.

(G) Off-street parking and loading as required by MCC 33.4100 through 33.4220.

(H) Lot Line Adjustment pursuant to all applicable approval criteria, including but not limited to the provisions of MCC 33.2270.

* * *

(J) Wireless communications facilities ~~when found to satisfy the requirements that employ concealment technology or co-location as described in MCC 33.6177(B) pursuant to the applicable approval criteria of MCC 33.6175 through 33.6188.~~

(K) Lots of Exception pursuant to all applicable approval criteria, including but not limited to MCC 33.2265, 33.2273 and 33.7700 et seq.

33.2425 Review Uses

The following uses may be permitted when found by the approval authority to satisfy the applicable standards of this Chapter:

(A) Expansion, replacement or restoration of an existing lawfully established habitable dwelling,

(1) In the case of a replacement dwelling, the existing dwelling is removed, demolished or converted to an allowable nonresidential use within three months of the completion or occupancy of the replacement dwelling.

(2) Restoration or replacement due to fire, other casualty or natural disaster shall commence within one year from the occurrence of the fire, casualty or natural disaster.

~~Replacement of an existing lawfully established *habitable dwelling* on the same lot more than 200 feet from the existing dwelling, subject to the following:~~

~~(1) The existing dwelling is removed, demolished or converted to an allowable nonresidential use within three months of the completion of the replacement dwelling; and~~

~~(2) The location of the replacement dwelling shall satisfy the dimensional standards of MCC 33.2460 and the development standards of MCC 33.2505.~~

(B) A *Template Dwelling* pursuant to all applicable approval criteria, including but not limited to MCC 33.2440.

~~Restoration or replacement of a lawfully established *habitable dwelling* on the same lot when the restoration or replacement is made necessary by fire, other casualty or natural disaster, subject to the following:~~

~~(1) Restoration or replacement shall be commenced within one year from the occurrence of the fire, casualty or natural disaster; and~~

~~(2) A replacement dwelling located more than 200 feet from the prior dwelling location shall satisfy the dimensional standards of MCC 33.2460 and the development standards of MCC 33.2505.~~

(C) A mobile home, in conjunction with an existing dwelling, upon obtaining an annual Temporary Health Hardship Permit pursuant to all applicable approval criteria, including but not limited to MCC 33.0515, and 33.2445 and 33.2456.

(D) An asphalt and concrete batch plant accessory to a specific highway project pursuant to MCC 33.2445.

(E) A mobile home during the construction or reconstruction of a residence allowed under MCC 33.2420 (D) or ~~(E)~~, 33.2425 (A) or (B), ~~or 33.2430 (A)~~ provided that the mobile home is removed, demolished or converted to an allowable nonresidential use within three months of the completion of the dwelling pursuant to all applicable approval criteria, including but not limited to MCC 33.2445, 33.2456 and 33.2461.

(F) Signs, pursuant to the provisions of MCC 33.7400 through 33.7505.

(G) Off-street parking and loading as required by MCC 33.4100 through 33.4220.

(H) Lot Line Adjustment pursuant to all applicable approval criteria, including but not limited to the provisions of MCC 33.2470.

* * *

(J) Wireless communications facilities ~~when found to satisfy the requirements that employ concealment technology or co-location as described in MCC 33.6177(B) pursuant to the applicable approval criteria of MCC 33.6175 through 33.6188.~~

(K) Lots of Exception pursuant to all applicable approval criteria, including but not limited to MCC 33.2465, 33.2473 and 33.7700 et seq.

[CFU-3]

35.2025 Review Uses

The following uses may be permitted when found by the approval authority to satisfy the applicable standards of this Chapter:

(A) Expansion, replacement or restoration of an existing lawfully established habitable dwelling.

(1) In the case of a replacement dwelling, the existing dwelling is removed, demolished or converted to an allowable nonresidential use within three months of the completion or occupancy of the replacement dwelling.

(2) Restoration or replacement due to fire, other casualty or natural disaster shall commence within one year from the occurrence of the fire, casualty or natural disaster.

~~Replacement of an existing lawfully established habitable dwelling on the same lot more than 200 feet from the existing dwelling, subject to the following:~~

~~(1) The existing dwelling is removed, demolished or converted to an allowable nonresidential use within three months of the completion of the replacement dwelling; and~~

~~(2) The location of the replacement dwelling shall satisfy the dimensional standards of MCC 35.2060 and the development standards of MCC 35.2105.~~

~~(B) Restoration or replacement of a lawfully established habitable dwelling on the same lot when the restoration or replacement is made necessary by fire, other casualty or natural disaster, subject to the following:~~

~~(1) Restoration or replacement shall be commenced within one year from the occurrence of the fire, casualty or natural disaster; and~~

~~(2) A replacement dwelling located more than 200 feet from the prior dwelling location shall satisfy the dimensional standards of MCC 35.2060 and the development standards of MCC 35.2105.~~

~~(CB) A mobile home, in conjunction with an existing dwelling, upon obtaining an annual Temporary Health Hardship Permit pursuant to all applicable approval criteria, including but not limited to MCC 35.0515, and 35.2045 and 35.2056.~~

(~~DC~~) An asphalt and concrete batch plant accessory to a specific highway project pursuant to MCC 35.2045.

(~~ED~~) A mobile home during the construction or reconstruction of a residence allowed under MCC 35.2020 (D) or (~~E~~), 35.2025 (A) or (B), ~~or 35.2030 (A)~~ provided that the mobile home is removed, demolished or converted to an allowable nonresidential use within three months of the completion of the dwelling pursuant to all applicable approval criteria, including but not limited to MCC 35.2045, 35.2056 and 35.2061.

(~~FE~~) Signs, pursuant to the provisions of MCC 35.7400 through 35.7505.

(~~GF~~) Off-street parking and loading as required by MCC 35.4100 through 35.4220.

(~~HG~~) Lot Line Adjustment pursuant to all applicable approval criteria, including but not limited to the provisions of MCC 35.2070.

(~~HH~~) Placement of structures necessary for continued public safety, or the protection of essential public services or protection of private or public existing structures, utility facilities, roadways, driveways, accessory uses and exterior improvements damaged during an emergency/disaster event. This includes replacement of temporary structures erected during such events with permanent structures performing an identical or related function. Land use proposals for such structures shall be submitted within 12 months following an emergency/disaster event. Applicants are responsible for all other applicable local, state and federal permitting requirements.

(~~JI~~) Wireless communications facilities ~~when found to satisfy the requirements that employ concealment technology or co-location as described in MCC 35.6177(B) pursuant to the applicable approval criteria of MCC 35.6175 through 35.6188..~~

[CFU-4]

35.2225 Review Uses

The following uses may be permitted when found by the approval authority to satisfy the applicable standards of this Chapter:

(A) Expansion, replacement or restoration of an existing lawfully established habitable dwelling.

(1) In the case of a replacement dwelling, the existing dwelling is removed, demolished or converted to an allowable nonresidential use within three months of the completion or occupancy of the replacement dwelling.

(2) Restoration or replacement due to fire, other casualty or natural disaster shall commence within one year from the occurrence of the fire, casualty or natural disaster.

Replacement of an existing lawfully established habitable dwelling on the same lot more than 200 feet from the existing dwelling, subject to the following:

(1) The existing dwelling is removed, demolished or converted to an allowable nonresidential use within three months of the completion of the replacement dwelling; and

(2) The location of the replacement dwelling shall satisfy the dimensional standards of MCC 35.2260 and the development standards of MCC 35.2305.

(B) The following dwellings:

(1) A Large Acreage Dwelling pursuant to all applicable approval criteria, including but not limited to MCC 35.2235;

(2) A Template Dwelling pursuant to all applicable approval criteria, including but not limited to MCC 35.2240(A);

(3) A Heritage Tract Dwelling pursuant to all applicable approval criteria, including but not limited to MCC 35.2240(B).

~~Restoration or replacement of a lawfully established *habitable dwelling* on the same lot when the restoration or replacement is made necessary by fire, other casualty or natural disaster, subject to the following:~~

~~(1) Restoration or replacement shall be commenced within one year from the occurrence of the fire, casualty or natural disaster; and~~

~~(2) A replacement dwelling located more than 200 feet from the prior dwelling location shall satisfy the dimensional standards of MCC 35.2260 and the development standards of MCC 35.2305.~~

(C) A mobile home, in conjunction with an existing dwelling, upon obtaining an annual Temporary Health Hardship Permit pursuant to all applicable approval criteria, including but not limited to MCC 35.0515, and 35.2245 and 35.2256.

(D) An asphalt and concrete batch plant accessory to a specific highway project pursuant to 35.2245.

(E) A mobile home for a period not to exceed two years when in conjunction with the construction or reconstruction of a residence allowed under MCC 35.2220 (D) or ~~(E)~~, 35.2225 (A) or (B), ~~or 35.2230 (A), (B) or (C)~~ provided that the mobile home is removed, demolished or converted to an allowable nonresidential use which satisfies all applicable dimensional and locational standards within three months of the completion of the dwelling pursuant to all applicable approval criteria, including but not limited to MCC 35.2245, 35.2256 and 35.2261.

(F) Signs, pursuant to the provisions of MCC 35.7400 through 35.7505.

(G) Off-street parking and loading as required by MCC 35.4100 through 35.4220.

(H) Lot Line Adjustment pursuant to all applicable approval criteria, including but not limited to the provisions of MCC 35.2270.

* * *

(J) Wireless communications facilities ~~when found to satisfy the requirements that employ concealment technology or co-location as described in MCC 35.6177(B) pursuant to the applicable approval criteria of MCC 35.6175 through 35.6188.~~

(K) Lots of Exception pursuant to all applicable approval criteria, including but not limited to MCC 35.2265, 35.2273 and 35.7700 et seq.

[CFU]

36.2025 Review Uses.

The following uses may be permitted when found by the approval authority to satisfy the applicable standards of this Chapter:

(A) Expansion, replacement or restoration of an existing lawfully established habitable dwelling.

(1) In the case of a replacement dwelling, the existing dwelling is removed, demolished or converted to an allowable nonresidential use within three months of the completion or occupancy of the replacement dwelling.

(2) Restoration or replacement due to fire, other casualty or natural disaster shall commence within one year from the occurrence of the fire, casualty or natural disaster.

~~Replacement of an existing lawfully established habitable dwelling on the same lot, subject to the following:~~

~~(1) The existing dwelling is removed, demolished or converted to an allowable nonresidential use within three months of the completion of the replacement dwelling;~~

~~(2) The location of the replacement dwelling shall satisfy the dimensional requirements of MCC 36.2060 and the development standards of MCC 36.2105.~~

(B) The following dwellings:

(1) A Large Acreage Dwelling pursuant to all applicable approval criteria, including but not limited to MCC 36.2035;

(2) A Template Dwelling pursuant to all applicable approval criteria, including but not limited to MCC 36.2040(A);

(3) A Heritage Tract Dwelling pursuant to all applicable approval criteria, including but not limited to MCC 36.2040(B).

~~Restoration or replacement of a lawfully established habitable dwelling on the same lot when the restoration or replacement is made necessary by fire, other casualty or natural disaster, subject to the following:~~

~~(1) Restoration or replacement shall be commenced within one year from the occurrence of the fire, casualty or natural disaster; and~~

~~(2) A replacement dwelling located more than 200 feet from the prior dwelling, location shall satisfy the dimensional requirements of MCC 36.2060 and the development standards of MCC 36.2105.~~

~~(3) A replacement dwelling located within 200 feet of the original dwelling location shall satisfy the dimensional requirements of MCC 36.2060, and the fire protection standards in MCC 36.2105(A)(5)(c) and (B).~~

(C) A mobile home, in conjunction with an existing dwelling, upon obtaining an annual Temporary Health Hardship Permit pursuant to all applicable approval criteria, including but not limited to MCC 36.0515, and 36.2045 and 36.2056.

(D) An asphalt and concrete batch plant accessory to a specific highway project pursuant to MCC 36.2045.

(E) A mobile home during the construction or reconstruction of a residence allowed under MCC 36.2020 (D); or 36.2025 (A) or (B), or 36.2030 (A) or (B) or (C) provided that the mobile home is removed, demolished or converted to an allowable nonresidential use within three months of the completion of the dwelling pursuant to all applicable approval criteria, including but not limited to MCC 36.2045, 36.2056 and 36.2061.

(F) Signs, pursuant to the provisions of MCC 36.7400 through 36.7505.

(G) Off-street parking and loading as required by MCC 36.4100 through 36.4215.

(H) Lot Line Adjustment pursuant to all applicable approval criteria, including but not limited to the provisions of MCC 36.2070.

* * *

(J) Wireless communications facilities ~~when found to satisfy the requirements that employ concealment technology or co-location as described in MCC 35.6177(B)~~ pursuant to the applicable approval criteria of MCC 36.6175 through 36.6188.

(K) Lots of Exception pursuant to all applicable approval criteria, including but not limited to MCC 36.2065, 36.2073 and 36.7700 et seq.

Section 43. §§ 33.2030, 33.2230, 33.2430, 35.2030, 35.2230 and 36.2030 are amended as follows:

[CFU-1]

33.2030 Conditional Uses

The following uses may be permitted when found by the approval authority to satisfy the applicable standards of this Chapter:

(A) ~~A Large Acreage Dwelling pursuant to the provisions of MCC 33.2035 and 33.2105.~~

(~~BA~~) The following Community Service Uses pursuant to all applicable approval criteria, including but not limited to the provisions of MCC 33.2045, 33.2050, 33.2056, 33.2105, 33.2061, 33.6000 through 33.6010, and 33.6100 through 33.6230:

* * *

(~~CB~~) The following uses pursuant to all applicable approval criteria, including but not limited to the provisions of MCC 33.2045, 33.2050, 33.2056, 33.2105, 33.2061, 33.6300 through 33.6315, 33.6325 through 33.6340, 33.6500 through 33.6535.

* * *

(~~DC~~) Type B home occupations pursuant to all applicable approval criteria, including but not limited to MCC 33.6650 through 33.6660 and provided:

(1) That no sale of merchandise is made from the premise; ~~and~~

(2) That noise, odor, smoke, gasses, fallout, vibration, heat or glare resulting from the activity is not detectable at any property line;

(3) That the home occupation is operated substantially in the dwelling or other buildings normally associated with uses permitted in the zoning district; and

(4) That the home occupation will not unreasonably interfere with other uses permitted in the CFU-1 zoning district.

~~(E) Lots of Exception pursuant to the provisions of MCC 33.2065.~~

[CFU-2]

33.2230 Conditional Uses

The following uses may be permitted when found by the approval authority to satisfy the applicable standards of this Chapter:

~~(A) A Large Acreage Dwelling pursuant to the provisions of MCC 33.2235 and 33.2305.~~

~~(B) A Template Dwelling pursuant to the provisions of MCC 33.2240 (A), and 33.2305.~~

~~(C) A Heritage Tract Dwelling pursuant to the provisions of MCC 33.2240 (B), and 33.2305.~~

~~(D)~~ (A) The following Community Service Uses pursuant to all applicable approval criteria, including but not limited to the provisions of MCC 33.2245, 33.2250, 33.2256, 33.2305, 33.2261, 33.6000 through 33.6010, and 33.6100 through 33.6230.

* * *

~~(E)~~ (B) The following uses pursuant to all applicable approval criteria, including but not limited to the provisions of MCC 33.2245, 33.2250, 33.2256, 33.2305, 33.2261, 33.6300 through 33.6315, 33.6325 through 33.6340, 33.6500 through 33.6535.

* * *

~~(F)~~ (C) Type B home occupation pursuant to all applicable approval criteria, including but not limited to MCC 33.6650 through 33.6660 and provided:

(1) That no sale of merchandise is made from the premise; and

(2) That noise, odor, smoke, gases, fallout, vibration, heat or glare resulting from the activity is not detectable at any property line;

(3) That the home occupation is operated substantially in the dwelling or other buildings normally associated with uses permitted in the zoning district; and

(4) That the home occupation will not unreasonably interfere with other uses permitted in the CFU-2 zoning district.

* * *

~~(G) Lots of Exception pursuant to the provisions of MCC 33.2265.~~

[CFU-5]

33.2430 Conditional Uses

The following uses may be permitted when found by the approval authority to satisfy the applicable standards of this Chapter:

(A) ~~A Template Dwelling pursuant to the provisions of MCC 33.2440, and 33.2505.~~

(BA) The following Community Service Uses pursuant to all applicable approval criteria, including but not limited to the provisions of MCC 33.2445, 33.2450, 33.2456, 33.2505, 33.2461, 33.6000 through 33.6010, and 33.6100 through 33.6230:

* * *

(CB) The following uses pursuant to all applicable approval criteria, including but not limited to the provisions of MCC 33.2445, 33.2450, 33.2456, 33.2505, 33.2461, 33.6300 through 33.6315, 33.6325, 33.6330, and 33.6500 through 33.6535:

* * *

(D) Type B home occupation pursuant to all applicable approval criteria, including but not limited to MCC 33.6650 through 33.6660 and provided:

- (1) That no sale of merchandise is made from the premise; ~~and~~
- (2) That noise, odor, smoke, gases, fallout, vibration, heat or glare resulting from the activity is not detectable at any property line;
- (3) That the home occupation is operated substantially in the dwelling or other buildings normally associated with uses permitted in the zoning district; and
- (4) That the home occupation will not unreasonably interfere with other uses permitted in the CFU-5 zoning district.

(E) ~~Lots of Exception pursuant to the provisions of MCC 33.2465.~~

[CFU-3]

35.2030 Conditional Uses

The following uses may be permitted when found by the approval authority to satisfy the applicable standards of this Chapter:

(A) The following Community Service Uses pursuant to the all applicable approval criteria, including but not limited to the provisions of MCC 35.2045, 35.2050, 35.2056, 35.2105, 35.2061, 35.6000 through 35.6010, and 35.6100 through 35.6230:

* * *

(B) The following uses pursuant to the all applicable approval criteria, including but not limited to the provisions of MCC 35.2045, 35.2050, 35.2056, 35.2105, 35.2061, 35.6300 through 35.6315, 35.6325 through 35.6340, and 35.6500 through 35.6535:

* * *

(C) Type B home occupations pursuant to all applicable approval criteria, including but not limited to MCC 35.6650 through 35.6660 and provided:

- (1) That no sale of merchandise is made from the premise; ~~and~~
- (2) That noise, odor smoke, gasses, fallout, vibration, heat or glare resulting from the activity is not detectable at any property line;

(3) That the home occupation is operated substantially in the dwelling or other buildings normally associated with uses permitted in the zoning district; and

(4) That the home occupation will not unreasonably interfere with other uses permitted in the CFU-3 zoning district.

[CFU-4]

35.2230 Conditional Uses

The following uses may be permitted when found by the approval authority to satisfy the applicable standards of this Chapter:

~~(A) A Large Acreage Dwelling pursuant to the provisions of MCC 35.2235, 35.2245 (B) and 35.2305.~~

~~(B) A Template Dwelling pursuant to the provisions of MCC 35.2240 (A), 35.2245 (B) and 35.2305.~~

~~(C) A Heritage Tract Dwelling pursuant to the provisions of MCC 35.2240 (B), 35.2245 (B) and 35.2305.~~

~~(D)~~ (A) The following Community Service Uses pursuant to all applicable approval criteria, including but not limited to the provisions of MCC 35.2245, 35.2250, 35.2256, 35.2305, 35.2261, 35.6000 through 35.6010, and 35.6100 through 35.6230.

* * *

~~(E)~~ (B) The following uses pursuant to all applicable approval criteria, including but not limited to the provisions of MCC 35.2245, 35.2250, 35.2256, 35.2305, 35.2261, 35.6300 through 35.6315, 35.6325 through 35.6340, and 35.6500 through 35.6535.

* * *

~~(F)~~ (C) Type B home occupation pursuant to all applicable approval criteria, including but not limited to MCC 35.6650 through 35.6660 and provided:

(1) That no sale of merchandise is made from the premise; and

(2) That noise, odor, smoke, gases, fallout, vibration, heat or glare resulting from the activity is not detectable at any property line;

(3) That the home occupation is operated substantially in the dwelling or other buildings normally associated with uses permitted in the zoning district; and

(4) That the home occupation will not unreasonably interfere with other uses permitted in the CFU-4 zoning district.

* * *

~~(G) Lots of Exception pursuant to the provisions of MCC 35.2265.~~

[CFU]

36.2030 Conditional Uses.

The following uses may be permitted when found by the approval authority to satisfy the applicable standards of this Chapter:

~~(A) A Large Acreage Dwelling pursuant to the provisions of MCC 36.2035 and 36.2105.~~

~~(B) A Template Dwelling pursuant to the provisions of MCC 36.2040 (A) and 36.2105.~~

~~(C) A Heritage Tract Dwelling pursuant to the provisions of MCC 36.2040 (B) and 36.2105.~~

~~(D)~~ The following Community Service Uses pursuant to the all applicable approval criteria, including but not limited to the provisions of MCC 36.2045, 36.2050, 36.2056, 36.2105, 36.2061, and 36.6000 through 36.6020. The applicable criteria of 36.6010 shall be limited to (A) through (H) for uses in this section.

* * *

~~(E)~~ The following uses pursuant to the all applicable approval criteria, including but not limited to the provisions of MCC 36.2045, 36.2050, 36.2056, 36.2105, 36.2061, 36.6300 through 36.6335, and 36.6500 through 36.6535. The applicable criteria of 36.6315 shall be limited to (1) through (7) for the uses in this section:

* * *

~~(F)~~ Type B home occupations pursuant to all applicable approval criteria, including but not limited to MCC 36.6650 through 36.6660 and provided:

(1) That no sale of merchandise is made from the premise; and

(2) That noise, odor smoke, gasses, fallout, vibration, heat or glare resulting from the activity is not detectable at any property line;

(3) That the home occupation is operated substantially in the dwelling or other buildings normally associated with uses permitted in the zoning district; and

(4) That the home occupation will not unreasonably interfere with other uses permitted in the CFU zoning district.

Section 44. §§ 33.2235, 33.2035, 35.2235 and 36.2035 are amended as follows:

[CFU-2]

33.2235 Large Acreage Dwellings

A large acreage dwelling may be sited on a tract, subject to the following:

* * *

(1) The dwelling meets the applicable development standards of MCC 33.2256 and 33.2261.

[CFU-1]

33.2035 Large Acreage Dwellings

A large acreage dwelling may be sited on a tract or tracts, subject to the following:

* * *

(I) The dwelling meets the applicable development standards of MCC 33.2056 and 33.2061.

[CFU-4]

35.2235 Large Acreage Dwellings

A large acreage dwelling may be sited on a tract, subject to the following:

* * *

(I) The dwelling meets the applicable development standards of MCC 35.2256 and 35.2261.

[CFU]

36.2035 Large Acreage Dwellings

A large acreage dwelling may be sited on a tract, subject to the following:

* * *

(I) The dwelling meets the applicable development standards of MCC 36.2056 and 36.2061.

Section 45. §§ 33.2240, 33.2440, 35.2240 and 36.2040 are amended as follows:

[CFU-2]

33.2240 Template and Heritage Tract Dwellings

(A) A template dwelling may be sited on a tract, subject to the following:

(1) The lot or lots in the tract shall meet the lot of record standards of MCC 33.2275;

(2) The tract shall be of sufficient size to accommodate siting the dwelling in accordance with MCC 33.2256 and 33.2261~~33.2305~~ with minimum yards of 60 feet to the centerline of any adjacent public or private road serving two or more properties and 130 feet to all other property lines. Exceptions to this standard shall be pursuant to MCC 33.2310, as applicable;

* * *

(7) The dwelling meets the applicable development standards of MCC 33.2256 and 33.2261~~33.2305~~;

* * *

(B) A *heritage tract dwelling* may be sited, subject to the following:

* * *

(5) The dwelling meets the applicable standards of MCC MCC 33.2256 and 33.2261~~33.2305~~.

[CFU-5]

33.2440 Template Dwellings

(A) A template dwelling may be sited on a tract, subject to the following:

- (1) The lot or lots in the tract shall meet the lot of record standards of MCC 33.2475;
- (2) The tract shall be of sufficient size to accommodate siting the dwelling in accordance with MCC 33.2456 and 33.2461~~33.2505~~ with minimum yards of 60 feet to the centerline of any adjacent public or private road serving two or more properties and 130 feet to all other property lines. Exceptions to this standard shall be pursuant to MCC 33.2510, as applicable;

* * *

- (7) The dwelling meets the applicable development standards of MCC 33.2456 and 33.2461~~33.2505~~;

* * *

[CFU-4]

35.2240 Template and Heritage Tract Dwellings

(A) A template dwelling may be sited on a tract, subject to the following:

- (1) The lot or lots in the tract shall meet the lot of record standards of MCC 35.2275;
- (2) The tract shall be of sufficient size to accommodate siting the dwelling in accordance with the development standards of MCC 35.2256 and 35.2261~~35.2305~~ with minimum yards of 60 feet to the centerline of any adjacent public or private road serving two or more properties and 130 feet to all other property lines. Exceptions to this standard shall be pursuant to MCC 35.2310, as applicable;

* * *

- (7) The dwelling meets the applicable development standards of MCC 35.2256 and 35.2261~~35.2305~~;

* * *

(B) A *heritage tract dwelling* may be sited, subject to the following:

* * *

- (5) The dwelling meets the applicable development standards of MCC 35.2256 and 35.2261~~33.2305~~.

[CFU]

36.2040 Template and Heritage Tract Dwellings.

(A) A template dwelling may be sited on a tract, subject to the following:

- (1) The lot or lots in the tract shall meet the lot of record standards of MCC 36.2075;
- (2) The tract shall be of sufficient size to accommodate siting the dwelling in accordance with the development standards of MCC 36.2036 and 36.2061~~36.2105~~ with minimum yards of 60 feet to the centerline of any adjacent public or private road serving two or more properties and 130 feet

to all other property lines. Exceptions to this standard shall be pursuant to MCC ~~36.2110~~, as applicable;

* * *

(7) The dwelling meets the applicable development standards of MCC ~~36.2056 and 36.2061~~~~36.2105~~;

* * *

(B) A heritage tract dwelling may be sited, subject to the following:

* * *

(5) The dwelling meets the applicable development standards of MCC ~~36.2056 and 36.2061~~~~36.2105~~.

Section 46. §§ 33.2250, 33.2050, 33.2450, 35.2050, 35.2250 and 36.2050, Building Height Requirements, are added as follows:

33.2250 Building Height Requirements

33.2050 Building Height Requirements

33.2450 Building Height Requirements

35.2050 Building Height Requirements

35.2250 Building Height Requirements

36.2050 Building Height Requirements

(A) Maximum structure height – 35 feet.

(B) Structures such as barns, silos, windmills, antennae, chimneys, or similar structures may exceed the height requirements.

Section 47. §§ 33.2256, 33.2056, 33.2456, 35.2056, 35.2256 and 36.2056 are added as follows:

[CFU-2]

§ 33.2256 Forest Practices Setbacks & Fire Safety Zones

The Forest Practice Setbacks and applicability of the Fire Safety Zones is based upon existing conditions, deviations are allowed through the exception process and the nature and location of the proposed use. The following requirements apply to all structures as specified:

Table 1

<u>Use</u>	<u>Forest Practice Setbacks</u>		<u>Fire Safety Zones</u>	
<u>Description of use and location</u>	<u>Nonconforming Setbacks</u>	<u>Front Property Line Adjacent to County Maintained Road (feet)</u>	<u>All Other Setbacks (feet)</u>	<u>Fire Safety Zone Requirements (FSZ)</u>
<u>Replaced or restored dwelling in same location &/or less than 400 sq. ft. additional ground coverage; Alteration and maintenance of dwelling</u>	<u>May maintain current nonconforming setback(s) if less than 30 ft. to property line</u>	<u>30</u>	<u>30</u>	<u>Property owner is encouraged to establish Primary to the extent possible</u>
<u>Replaced or restored dwelling in same location & greater than 400 sq. ft. additional ground coverage; Alteration and maintenance of dwelling</u>	<u>May maintain current nonconforming setback(s) if less than 30 ft. to property line</u>	<u>30</u>	<u>30</u>	<u>Primary is required to the extent possible within the existing setbacks</u>
<u>At least a portion of the replaced or restored dwelling is within 100 ft. of existing dwelling</u>	<u>May maintain current nonconforming setback but shall increase to 30 ft. if less than 30 ft.</u>	<u>30</u>	<u>30</u>	<u>Primary required; Maintenance of vegetation in the Secondary is required to the extent possible</u>
<u>Replaced or restored dwelling over 100 ft. from existing dwelling</u>	<u>Meet current setback standards</u>	<u>30</u>	<u>130</u>	<u>Primary & Secondary required</u>
<u>At least a portion of the Temporary Health Hardship Dwelling is within 100 ft. of existing dwelling</u>	<u>N/A</u>	<u>30</u>	<u>30</u>	<u>Primary required</u>
<u>Temporary Heath Hardship farther than 100 ft. from existing dwelling</u>	<u>N/A</u>	<u>30</u>	<u>130</u>	<u>Primary and Secondary required</u>

<u>Use</u>	<u>Forest Practice Setbacks</u>			<u>Fire Safety Zones</u>
<u>Description of use and location</u>	<u>Nonconforming Setbacks</u>	<u>Front Property Line Adjacent to County Maintained Road (feet)</u>	<u>All Other Setbacks (feet)</u>	<u>Fire Safety Zone Requirements (FSZ)</u>
<u>At least a portion of the mobile home during construction or reconstruction of a residence is within 100 ft. of dwelling</u>	<u>N/A</u>	<u>30</u>	<u>30</u>	<u>Primary required</u>
<u>Mobile home during construction or reconstruction of a residence farther than 100 ft. of dwelling</u>	<u>N/A</u>	<u>30</u>	<u>130</u>	<u>Primary and Secondary required</u>
<u>Template Dwelling</u>	<u>N/A</u>	<u>30</u>	<u>130</u>	<u>Primary & Secondary required</u>
<u>Heritage Tract Dwelling</u>	<u>N/A</u>	<u>30</u>	<u>130</u>	<u>Primary & Secondary required</u>
<u>Large Acreage Dwelling</u>	<u>N/A</u>	<u>30</u>	<u>130</u>	<u>Primary & Secondary required</u>
<u>Accessory structures within 100 ft. of dwelling</u>	<u>N/A</u>	<u>30</u>	<u>30</u>	<u>Primary required</u>
<u>Other Accessory structures</u>	<u>N/A</u>	<u>30</u>	<u>130</u>	<u>Primary & Secondary required</u>
<u>Other Structures</u>	<u>N/A</u>	<u>30</u>	<u>130</u>	<u>Primary & Secondary required</u>
<u>Property Line Adjustment; Lot of Exception; Land Divisions.</u>	<u>May maintain current nonconforming setback to existing structures</u>	<u>30</u>	<u>30</u>	<u>On tracts with required Primary & Secondary FSZ as part of a land use decision, both shall be maintained.</u>

(A) Reductions to a Forest Practices Setback dimension shall only be allowed pursuant to approval of an adjustment or variance.

(B) Exception to the Secondary Fire Safety Zone shall be pursuant to MCC 33.2310 only. No reduction is permitted for a required Primary Fire Safety Zone through a nonconforming, adjustment or variance process.

(C) The minimum forest practices setback requirement shall be increased where the setback abuts a street having insufficient right-of-way width to serve the area. The county Road Official shall determine the necessary right-of-way widths based upon the county "Design and Construction

Manual” and the Planning Director shall determine any additional setback requirements in consultation with the Road Official.

(D) Fire Safety Zones on the Subject Tract

(1) Primary Fire Safety Zone

(a) A primary fire safety zone is a fire break extending a minimum of 30 feet in all directions around a dwelling or structure. Trees within this safety zone shall be spaced with greater than 15 feet between the crowns. The trees shall also be pruned to remove low branches within 8 feet of the ground as the maturity of the tree and accepted silviculture practices may allow. All other vegetation should be kept less than 2 feet in height.

(b) On lands with 10 percent or greater slope the primary fire safety zone shall be extended down the slope from a dwelling or structure as follows:

<u>Percent Slope</u>	<u>Distance In Feet</u>
<u>Less than 10</u>	<u>Not additional required</u>
<u>Less than 20</u>	<u>50 additional</u>
<u>Less than 25</u>	<u>75 additional</u>
<u>Less than 40</u>	<u>100 additional</u>

(c) The building site must have a slope less than 40 percent.

(2) Secondary Fire Safety Zone

A secondary fire safety zone is a fire break extending a minimum of 100 feet in all directions around the primary safety zone. The goal of this safety zone is to reduce fuels so that the overall intensity of any wildfire is lessened. Vegetation should be pruned and spaced so that fire will not spread between crowns of trees. Small trees and brush growing underneath larger trees should be removed to prevent the spread of fire up into the crowns of the larger trees. Assistance with planning forestry practices which meet these objectives may be obtained from the State of Oregon Department of Forestry or the local Rural Fire Protection District. The secondary fire safety zone required for any dwelling or structure may be reduced under the provisions of 33.2310.

(3) No requirement in (1) or (2) above may restrict or contradict a forest management plan approved by the State of Oregon Department of Forestry pursuant to the State Forest Practice Rules; and

(4) Required Primary and Secondary Fire Safety Zones shall be established within the subject tract as required by Table 1 above.

(5) Required Primary and Secondary Fire Safety Zones shall be maintained by the property owner in compliance with the above criteria listed under (1) and (2).

[CFU-1]

§ 33.2056 Forest Practices Setbacks & Fire Safety Zones

The Forest Practice Setbacks and applicability of the Fire Safety Zones is based upon existing conditions, deviations are allowed through the exception process and the nature and location of the proposed use. The following requirements apply to all structures as specified:

Table 1

<u>Use</u>	<u>Forest Practice Setbacks</u>			<u>Fire Safety Zones</u>
<u>Description of use and location</u>	<u>Nonconforming Setbacks</u>	<u>Front Property Line Adjacent to County Maintained Road (feet)</u>	<u>All Other Setbacks (feet)</u>	<u>Fire Safety Zone Requirements (FSZ)</u>
<u>Replaced or restored dwelling in same location &/or less than 400 sq. ft. additional ground coverage; Alteration and maintenance of dwelling</u>	<u>May maintain current nonconforming setback(s) if less than 30 ft. to property line</u>	<u>30</u>	<u>30</u>	<u>Property owner is encouraged to establish Primary to the extent possible</u>
<u>Replaced or restored dwelling in same location & greater than 400 sq. ft. additional ground coverage; Alteration and maintenance of dwelling</u>	<u>May maintain current nonconforming setback(s) if less than 30 ft. to property line</u>	<u>30</u>	<u>30</u>	<u>Primary is required to the extent possible within the existing setbacks</u>
<u>At least a portion of the replaced or restored dwelling is within 100 ft. of existing dwelling</u>	<u>May maintain current nonconforming setback but shall increase to 30 ft. if less than 30 ft.</u>	<u>30</u>	<u>30</u>	<u>Primary required; Maintenance of vegetation in the Secondary is required to the extent possible</u>
<u>Replaced or restored dwelling over 100 ft. from existing dwelling</u>	<u>Meet current setback standards</u>	<u>30</u>	<u>130</u>	<u>Primary & Secondary required</u>
<u>At least a portion of the Temporary Health Hardship Dwelling is within 100 ft. of existing dwelling</u>	<u>N/A</u>	<u>30</u>	<u>30</u>	<u>Primary required</u>

<u>Use</u>	<u>Forest Practice Setbacks</u>			<u>Fire Safety Zones</u>
<u>Description of use and location</u>	<u>Nonconforming Setbacks</u>	<u>Front Property Line Adjacent to County Maintained Road (feet)</u>	<u>All Other Setbacks (feet)</u>	<u>Fire Safety Zone Requirements (FSZ)</u>
<u>Temporary Heath Hardship farther than 100 ft. from existing dwelling</u>	<u>N/A</u>	<u>30</u>	<u>130</u>	<u>Primary and Secondary required</u>
<u>At least a portion of the mobile home during construction or reconstruction of a residence is within 100 ft. of dwelling</u>	<u>N/A</u>	<u>30</u>	<u>30</u>	<u>Primary required</u>
<u>Mobile home during construction or reconstruction of a residence farther than 100 ft. of dwelling</u>	<u>N/A</u>	<u>30</u>	<u>130</u>	<u>Primary and Secondary required</u>
<u>Large Acreage Dwelling</u>	<u>N/A</u>	<u>30</u>	<u>130</u>	<u>Primary & Secondary required</u>
<u>Accessory structures within 100 ft. of dwelling</u>	<u>N/A</u>	<u>30</u>	<u>30</u>	<u>Primary required</u>
<u>Other Accessory structures</u>	<u>N/A</u>	<u>30</u>	<u>130</u>	<u>Primary & Secondary required</u>
<u>Other Structures</u>	<u>N/A</u>	<u>30</u>	<u>130</u>	<u>Primary & Secondary required</u>
<u>Property Line Adjustment; Lot of Exception; Land Divisions.</u>	<u>May maintain current nonconforming setback to existing structures</u>	<u>30</u>	<u>30</u>	<u>On tracts with required Primary & Secondary FSZ as part of a land use decision, both shall be maintained.</u>

(A) Reductions to a Forest Practices Setback dimension shall only be allowed pursuant to approval of an adjustment or variance.

(B) Exception to the Secondary Fire Safety Zone shall be pursuant to MCC 33.2110 only. No reduction is permitted for a required Primary Fire Safety Zone through a nonconforming, adjustment or variance process.

(C) The minimum forest practices setback requirement shall be increased where the setback abuts a street having insufficient right-of-way width to serve the area. The county Road Official shall determine the necessary right-of-way widths based upon the county "Design and Construction

Manual” and the Planning Director shall determine any additional setback requirements in consultation with the Road Official.

(D) Fire Safety Zones on the Subject Tract

(1) Primary Fire Safety Zone

(a) A primary fire safety zone is a fire break extending a minimum of 30 feet in all directions around a dwelling or structure. Trees within this safety zone shall be spaced with greater than 15 feet between the crowns. The trees shall also be pruned to remove low branches within 8 feet of the ground as the maturity of the tree and accepted silviculture practices may allow. All other vegetation should be kept less than 2 feet in height.

(b) On lands with 10 percent or greater slope the primary fire safety zone shall be extended down the slope from a dwelling or structure as follows:

<u>Percent Slope</u>	<u>Distance In Feet</u>
<u>Less than 10</u>	<u>Not additional required</u>
<u>Less than 20</u>	<u>50 additional</u>
<u>Less than 25</u>	<u>75 additional</u>
<u>Less than 40</u>	<u>100 additional</u>

(c) The building site must have a slope less than 40 percent.

(2) Secondary Fire Safety Zone

A secondary fire safety zone is a fire break extending a minimum of 100 feet in all directions around the primary safety zone. The goal of this safety zone is to reduce fuels so that the overall intensity of any wildfire is lessened. Vegetation should be pruned and spaced so that fire will not spread between crowns of trees. Small trees and brush growing underneath larger trees should be removed to prevent the spread of fire up into the crowns of the larger trees. Assistance with planning forestry practices which meet these objectives may be obtained from the State of Oregon Department of Forestry or the local Rural Fire Protection District. The secondary fire safety zone required for any dwelling or structure may be reduced under the provisions of 33.2110.

(3) No requirement in (1) or (2) above may restrict or contradict a forest management plan approved by the State of Oregon Department of Forestry pursuant to the State Forest Practice Rules; and

(4) Required Primary and Secondary Fire Safety Zones shall be established within the subject tract as required by Table 1 above.

(5) Required Primary and Secondary Fire Safety Zones shall be maintained by the property owner in compliance with the above criteria listed under (1) and (2).

§ 33.2456 Forest Practices Setbacks & Fire Safety Zones

The Forest Practice Setbacks and applicability of the Fire Safety Zones is based upon existing conditions, deviations are allowed through the exception process and the nature and location of the proposed use. The following requirements apply to all structures as specified:

Table 1

<u>Use</u>		<u>Forest Practice Setbacks</u>		<u>Fire Safety Zones</u>
<u>Description of use and location</u>	<u>Nonconforming Setbacks</u>	<u>Front Property Line Adjacent to County Maintained Road (feet)</u>	<u>All Other Setbacks (feet)</u>	<u>Fire Safety Zone Requirements (FSZ)</u>
Replaced or restored dwelling in same location &/or less than 400 sq. ft. additional ground coverage; Alteration and maintenance of dwelling	May maintain current nonconforming setback(s) if less than 30 ft. to property line	30	30	Property owner is encouraged to establish Primary to the extent possible
Replaced or restored dwelling in same location & greater than 400 sq. ft. additional ground coverage; Alteration and maintenance of dwelling	May maintain current nonconforming setback(s) if less than 30 ft. to property line	30	30	Primary is required to the extent possible within the existing setbacks
At least a portion of the replaced or restored dwelling is within 100 ft. of existing dwelling	May maintain current nonconforming setback but shall increase to 30 ft. if less than 30 ft.	30	30	Primary required; Maintenance of vegetation in the Secondary is required to the extent possible
Replaced or restored dwelling over 100 ft. from existing dwelling	Meet current setback standards	30	130	Primary & Secondary required
At least a portion of the Temporary Health Hardship Dwelling is within 100 ft. of existing dwelling	N/A	30	30	Primary required

<u>Use</u>	<u>Forest Practice Setbacks</u>			<u>Fire Safety Zones</u>
<u>Description of use and location</u>	<u>Nonconforming Setbacks</u>	<u>Front Property Line Adjacent to County Maintained Road (feet)</u>	<u>All Other Setbacks (feet)</u>	<u>Fire Safety Zone Requirements (FSZ)</u>
<u>Temporary Heath Hardship farther than 100 ft. from existing dwelling</u>	<u>N/A</u>	<u>30</u>	<u>130</u>	<u>Primary and Secondary required</u>
<u>At least a portion of the mobile home during construction or reconstruction of a residence is within 100 ft. of dwelling</u>	<u>N/A</u>	<u>30</u>	<u>30</u>	<u>Primary required</u>
<u>Mobile home during construction or reconstruction of a residence farther than 100 ft. of dwelling</u>	<u>N/A</u>	<u>30</u>	<u>130</u>	<u>Primary and Secondary required</u>
<u>Template Dwelling</u>	<u>N/A</u>	<u>30</u>	<u>130</u>	<u>Primary & Secondary required</u>
<u>Accessory structures within 100 ft. of dwelling</u>	<u>N/A</u>	<u>30</u>	<u>30</u>	<u>Primary required</u>
<u>Other Accessory structures</u>	<u>N/A</u>	<u>30</u>	<u>130</u>	<u>Primary & Secondary required</u>
<u>Other Structures</u>	<u>N/A</u>	<u>30</u>	<u>130</u>	<u>Primary & Secondary required</u>
<u>Property Line Adjustment; Lot of Exception; Land Divisions.</u>	<u>May maintain current nonconforming setback to existing structures</u>	<u>30</u>	<u>30</u>	<u>On tracts with required Primary & Secondary FSZ as part of a land use decision, both shall be maintained.</u>

(A) Reductions to a Forest Practices Setback dimension shall only be allowed pursuant to approval of an adjustment or variance.

(B) Exception to the Secondary Fire Safety Zone shall be pursuant to MCC 33.2510 only. No reduction is permitted for a required Primary Fire Safety Zone through a nonconforming, adjustment or variance process.

(C) The minimum forest practices setback requirement shall be increased where the setback abuts a street having insufficient right-of-way width to serve the area. The county Road Official shall determine the necessary right-of-way widths based upon the county "Design and Construction

Manual” and the Planning Director shall determine any additional setback requirements in consultation with the Road Official.

(D) Fire Safety Zones on the Subject Tract

(1) Primary Fire Safety Zone

(a) A primary fire safety zone is a fire break extending a minimum of 30 feet in all directions around a dwelling or structure. Trees within this safety zone shall be spaced with greater than 15 feet between the crowns. The trees shall also be pruned to remove low branches within 8 feet of the ground as the maturity of the tree and accepted silviculture practices may allow. All other vegetation should be kept less than 2 feet in height.

(b) On lands with 10 percent or greater slope the primary fire safety zone shall be extended down the slope from a dwelling or structure as follows:

<u>Percent Slope</u>	<u>Distance In Feet</u>
<u>Less than 10</u>	<u>Not additional required</u>
<u>Less than 20</u>	<u>50 additional</u>
<u>Less than 25</u>	<u>75 additional</u>
<u>Less than 40</u>	<u>100 additional</u>

(c) The building site must have a slope less than 40 percent.

(2) Secondary Fire Safety Zone

A secondary fire safety zone is a fire break extending a minimum of 100 feet in all directions around the primary safety zone. The goal of this safety zone is to reduce fuels so that the overall intensity of any wildfire is lessened. Vegetation should be pruned and spaced so that fire will not spread between crowns of trees. Small trees and brush growing underneath larger trees should be removed to prevent the spread of fire up into the crowns of the larger trees. Assistance with planning forestry practices which meet these objectives may be obtained from the State of Oregon Department of Forestry or the local Rural Fire Protection District. The secondary fire safety zone required for any dwelling or structure may be reduced under the provisions of 33.2510.

(3) No requirement in (1) or (2) above may restrict or contradict a forest management plan approved by the State of Oregon Department of Forestry pursuant to the State Forest Practice Rules; and

(4) Required Primary and Secondary Fire Safety Zones shall be established within the subject tract as required by Table 1 above.

(5) Required Primary and Secondary Fire Safety Zones shall be maintained by the property owner in compliance with the above criteria listed under (1) and (2).

§ 35.2056 Forest Practices Setbacks & Fire Safety Zones

The Forest Practice Setbacks and applicability of the Fire Safety Zones is based upon existing conditions, deviations are allowed through the exception process and the nature and location of the proposed use. The following requirements apply to all structures as specified:

Table 1

<u>Use</u>		<u>Forest Practice Setbacks</u>		<u>Fire Safety Zones</u>
<u>Description of use and location</u>	<u>Nonconforming Setbacks</u>	<u>Front Property Line Adjacent to County Maintained Road (feet)</u>	<u>All Other Setbacks (feet)</u>	<u>Fire Safety Zone Requirements (FSZ)</u>
<u>Replaced or restored dwelling in same location &/or less than 400 sq. ft. additional ground coverage; Alteration and maintenance of dwelling</u>	<u>May maintain current nonconforming setback(s) if less than 30 ft. to property line</u>	<u>30</u>	<u>30</u>	<u>Property owner is encouraged to establish Primary to the extent possible</u>
<u>Replaced or restored dwelling in same location & greater than 400 sq. ft. additional ground coverage; Alteration and maintenance of dwelling</u>	<u>May maintain current nonconforming setback(s) if less than 30 ft. to property line</u>	<u>30</u>	<u>30</u>	<u>Primary is required to the extent possible within the existing setbacks</u>
<u>At least a portion of the replaced or restored dwelling is within 100 ft. of existing dwelling</u>	<u>May maintain current nonconforming setback but shall increase to 30 ft. if less than 30 ft.</u>	<u>30</u>	<u>30</u>	<u>Primary required; Maintenance of vegetation in the Secondary is required to the extent possible</u>
<u>Replaced or restored dwelling over 100 ft. from existing dwelling</u>	<u>Meet current setback standards</u>	<u>30</u>	<u>130</u>	<u>Primary & Secondary required</u>
<u>At least a portion of the Temporary Health Hardship Dwelling is within 100 ft. of existing dwelling</u>	<u>N/A</u>	<u>30</u>	<u>30</u>	<u>Primary required</u>

<u>Use</u>	<u>Forest Practice Setbacks</u>			<u>Fire Safety Zones</u>
<u>Description of use and location</u>	<u>Nonconforming Setbacks</u>	<u>Front Property Line Adjacent to County Maintained Road (feet)</u>	<u>All Other Setbacks (feet)</u>	<u>Fire Safety Zone Requirements (FSZ)</u>
<u>Temporary Heath Hardship farther than 100 ft. from existing dwelling</u>	<u>N/A</u>	<u>30</u>	<u>130</u>	<u>Primary and Secondary required</u>
<u>At least a portion of the mobile home during construction or reconstruction of a residence is within 100 ft. of dwelling</u>	<u>N/A</u>	<u>30</u>	<u>30</u>	<u>Primary required</u>
<u>Mobile home during construction or reconstruction of a residence farther than 100 ft. of dwelling</u>	<u>N/A</u>	<u>30</u>	<u>130</u>	<u>Primary and Secondary required</u>
<u>Accessory structures within 100 ft. of dwelling</u>	<u>N/A</u>	<u>30</u>	<u>30</u>	<u>Primary required</u>
<u>Other Accessory structures</u>	<u>N/A</u>	<u>30</u>	<u>130</u>	<u>Primary & Secondary required</u>
<u>Other Structures</u>	<u>N/A</u>	<u>30</u>	<u>130</u>	<u>Primary & Secondary required</u>
<u>Property Line Adjustment; Land Divisions.</u>	<u>May maintain current nonconforming setback to existing structures</u>	<u>30</u>	<u>30</u>	<u>On tracts with required Primary & Secondary FSZ as part of a land use decision, both shall be maintained.</u>

(A) Reductions to a Forest Practices Setback dimension shall only be allowed pursuant to approval of an adjustment or variance.

(B) Exception to the Secondary Fire Safety Zone shall be pursuant to MCC 35.2110 only. No reduction is permitted for a required Primary Fire Safety Zone through a nonconforming, adjustment or variance process.

(C) The minimum forest practices setback requirement shall be increased where the setback abuts a street having insufficient right-of-way width to serve the area. The county Road Official shall determine the necessary right-of-way widths based upon the county "Design and Construction Manual" and the Planning Director shall determine any additional setback requirements in consultation with the Road Official.

(D) Fire Safety Zones on the Subject Tract

(1) Primary Fire Safety Zone

(a) A primary fire safety zone is a fire break extending a minimum of 30 feet in all directions around a dwelling or structure. Trees within this safety zone shall be spaced with greater than 15 feet between the crowns. The trees shall also be pruned to remove low branches within 8 feet of the ground as the maturity of the tree and accepted silviculture practices may allow. All other vegetation should be kept less than 2 feet in height.

(b) On lands with 10 percent or greater slope the primary fire safety zone shall be extended down the slope from a dwelling or structure as follows:

<u>Percent Slope</u>	<u>Distance In Feet</u>
<u>Less than 10</u>	<u>Not additional required</u>
<u>Less than 20</u>	<u>50 additional</u>
<u>Less than 25</u>	<u>75 additional</u>
<u>Less than 40</u>	<u>100 additional</u>

(c) The building site must have a slope less than 40 percent.

(2) Secondary Fire Safety Zone

A secondary fire safety zone is a fire break extending a minimum of 100 feet in all directions around the primary safety zone. The goal of this safety zone is to reduce fuels so that the overall intensity of any wildfire is lessened. Vegetation should be pruned and spaced so that fire will not spread between crowns of trees. Small trees and brush growing underneath larger trees should be removed to prevent the spread of fire up into the crowns of the larger trees. Assistance with planning forestry practices which meet these objectives may be obtained from the State of Oregon Department of Forestry or the local Rural Fire Protection District. The secondary fire safety zone required for any dwelling or structure may be reduced under the provisions of 35.2110.

(3) No requirement in (1) or (2) above may restrict or contradict a forest management plan approved by the State of Oregon Department of Forestry pursuant to the State Forest Practice Rules; and

(4) Required Primary and Secondary Fire Safety Zones shall be established within the subject tract as required by Table 1 above.

(5) Required Primary and Secondary Fire Safety Zones shall be maintained by the property owner in compliance with the above criteria listed under (1) and (2).

[CFU-4]

§ 35.2256 Forest Practices Setbacks & Fire Safety Zones

The Forest Practice Setbacks and applicability of the Fire Safety Zones is based upon existing conditions, deviations are allowed through the exception process and the nature and location of the proposed use. The following requirements apply to all structures as specified:

Table 1

<u>Use</u>	<u>Forest Practice Setbacks</u>		<u>Fire Safety Zones</u>	
<u>Description of use and location</u>	<u>Nonconforming Setbacks</u>	<u>Front Property Line Adjacent to County Maintained Road (feet)</u>	<u>All Other Setbacks (feet)</u>	<u>Fire Safety Zone Requirements (ESZ)</u>
<u>Replaced or restored dwelling in same location &/or less than 400 sq. ft. additional ground coverage; Alteration and maintenance of dwelling</u>	<u>May maintain current nonconforming setback(s) if less than 30 ft. to property line</u>	<u>30</u>	<u>30</u>	<u>Property owner is encouraged to establish Primary to the extent possible</u>
<u>Replaced or restored dwelling in same location & greater than 400 sq. ft. additional ground coverage; Alteration and maintenance of dwelling</u>	<u>May maintain current nonconforming setback(s) if less than 30 ft. to property line</u>	<u>30</u>	<u>30</u>	<u>Primary is required to the extent possible within the existing setbacks</u>
<u>At least a portion of the replaced or restored dwelling is within 100 ft. of existing dwelling</u>	<u>May maintain current nonconforming setback but shall increase to 30 ft. if less than 30 ft.</u>	<u>30</u>	<u>30</u>	<u>Primary required; Maintenance of vegetation in the Secondary is required to the extent possible</u>
<u>Replaced or restored dwelling over 100 ft. from existing dwelling</u>	<u>Meet current setback standards</u>	<u>30</u>	<u>130</u>	<u>Primary & Secondary required</u>
<u>At least a portion of the Temporary Health Hardship Dwelling is within 100 ft. of existing dwelling</u>	<u>N/A</u>	<u>30</u>	<u>30</u>	<u>Primary required</u>
<u>Temporary Heath Hardship farther than 100 ft. from existing dwelling</u>	<u>N/A</u>	<u>30</u>	<u>130</u>	<u>Primary and Secondary required</u>

<u>Use</u>	<u>Forest Practice Setbacks</u>			<u>Fire Safety Zones</u>
<u>Description of use and location</u>	<u>Nonconforming Setbacks</u>	<u>Front Property Line Adjacent to County Maintained Road (feet)</u>	<u>All Other Setbacks (feet)</u>	<u>Fire Safety Zone Requirements (FSZ)</u>
<u>At least a portion of the mobile home during construction or reconstruction of a residence is within 100 ft. of dwelling</u>	<u>N/A</u>	<u>30</u>	<u>30</u>	<u>Primary required</u>
<u>Mobile home during construction or reconstruction of a residence farther than 100 ft. of dwelling</u>	<u>N/A</u>	<u>30</u>	<u>130</u>	<u>Primary and Secondary required</u>
<u>Template Dwelling</u>	<u>N/A</u>	<u>30</u>	<u>130</u>	<u>Primary & Secondary required</u>
<u>Heritage Tract Dwelling</u>	<u>N/A</u>	<u>30</u>	<u>130</u>	<u>Primary & Secondary required</u>
<u>Large Acreage Dwelling</u>	<u>N/A</u>	<u>30</u>	<u>130</u>	<u>Primary & Secondary required</u>
<u>Accessory structures within 100 ft. of dwelling</u>	<u>N/A</u>	<u>30</u>	<u>30</u>	<u>Primary required</u>
<u>Other Accessory structures</u>	<u>N/A</u>	<u>30</u>	<u>130</u>	<u>Primary & Secondary required</u>
<u>Other Structures</u>	<u>N/A</u>	<u>30</u>	<u>130</u>	<u>Primary & Secondary required</u>
<u>Property Line Adjustment; Lot of Exception; Land Divisions.</u>	<u>May maintain current nonconforming setback to existing structures</u>	<u>30</u>	<u>30</u>	<u>On tracts with required Primary & Secondary FSZ as part of a land use decision, both shall be maintained.</u>

(A) Reductions to a Forest Practices Setback dimension shall only be allowed pursuant to approval of an adjustment or variance.

(B) Exception to the Secondary Fire Safety Zone shall be pursuant to MCC 35.2310 only. No reduction is permitted for a required Primary Fire Safety Zone through a nonconforming, adjustment or variance process.

(C) The minimum forest practices setback requirement shall be increased where the setback abuts a street having insufficient right-of-way width to serve the area. The county Road Official shall determine the necessary right-of-way widths based upon the county "Design and Construction

Manual” and the Planning Director shall determine any additional setback requirements in consultation with the Road Official.

(D) Fire Safety Zones on the Subject Tract

(1) Primary Fire Safety Zone

(a) A primary fire safety zone is a fire break extending a minimum of 30 feet in all directions around a dwelling or structure. Trees within this safety zone shall be spaced with greater than 15 feet between the crowns. The trees shall also be pruned to remove low branches within 8 feet of the ground as the maturity of the tree and accepted silviculture practices may allow. All other vegetation should be kept less than 2 feet in height.

(b) On lands with 10 percent or greater slope the primary fire safety zone shall be extended down the slope from a dwelling or structure as follows:

<u>Percent Slope</u>	<u>Distance In Feet</u>
<u>Less than 10</u>	<u>Not additional required</u>
<u>Less than 20</u>	<u>50 additional</u>
<u>Less than 25</u>	<u>75 additional</u>
<u>Less than 40</u>	<u>100 additional</u>

(c) The building site must have a slope less than 40 percent.

(2) Secondary Fire Safety Zone

A secondary fire safety zone is a fire break extending a minimum of 100 feet in all directions around the primary safety zone. The goal of this safety zone is to reduce fuels so that the overall intensity of any wildfire is lessened. Vegetation should be pruned and spaced so that fire will not spread between crowns of trees. Small trees and brush growing underneath larger trees should be removed to prevent the spread of fire up into the crowns of the larger trees. Assistance with planning forestry practices which meet these objectives may be obtained from the State of Oregon Department of Forestry or the local Rural Fire Protection District. The secondary fire safety zone required for any dwelling or structure may be reduced under the provisions of 35.2310.

(3) No requirement in (1) or (2) above may restrict or contradict a forest management plan approved by the State of Oregon Department of Forestry pursuant to the State Forest Practice Rules; and

(4) Required Primary and Secondary Fire Safety Zones shall be established within the subject tract as required by Table 1 above.

(5) Required Primary and Secondary Fire Safety Zones shall be maintained by the property owner in compliance with the above criteria listed under (1) and (2).

[CFU]

§ 36.2056 Forest Practices Setbacks & Fire Safety Zones

The Forest Practice Setbacks and applicability of the Fire Safety Zones is based upon existing conditions, deviations are allowed through the exception process and the nature and location of the proposed use. The following requirements apply to all structures as specified:

Table 1

<u>Use</u>	<u>Forest Practice Setbacks</u>			<u>Fire Safety Zones</u>
<u>Description of use and location</u>	<u>Nonconforming Setbacks</u>	<u>Front Property Line Adjacent to County Maintained Road (feet)</u>	<u>All Other Setbacks (feet)</u>	<u>Fire Safety Zone Requirements (FSZ)</u>
<u>Replaced or restored dwelling in same location &/or less than 400 sq. ft. additional ground coverage; Alteration and maintenance of dwelling</u>	<u>May maintain current nonconforming setback(s) if less than 30 ft. to property line</u>	<u>30</u>	<u>30</u>	<u>Property owner is encouraged to establish Primary to the extent possible</u>
<u>Replaced or restored dwelling in same location & greater than 400 sq. ft. additional ground coverage; Alteration and maintenance of dwelling</u>	<u>May maintain current nonconforming setback(s) if less than 30 ft. to property line</u>	<u>30</u>	<u>30</u>	<u>Primary is required to the extent possible within the existing setbacks</u>
<u>At least a portion of the replaced or restored dwelling is within 100 ft. of existing dwelling</u>	<u>May maintain current nonconforming setback but shall increase to 30 ft. if less than 30 ft.</u>	<u>30</u>	<u>30</u>	<u>Primary required; Maintenance of vegetation in the Secondary is required to the extent possible</u>
<u>Replaced or restored dwelling over 100 ft. from existing dwelling</u>	<u>Meet current setback standards</u>	<u>30</u>	<u>130</u>	<u>Primary & Secondary required</u>
<u>At least a portion of the Temporary Health Hardship Dwelling is within 100 ft. of existing dwelling</u>	<u>N/A</u>	<u>30</u>	<u>30</u>	<u>Primary required</u>

Use	Forest Practice Setbacks			Fire Safety Zones
Description of use and location	Nonconforming Setbacks	Front Property Line Adjacent to County Maintained Road (feet)	All Other Setbacks (feet)	Fire Safety Zone Requirements (FSZ)
Temporary Heath Hardship farther than 100 ft. from existing dwelling	N/A	30	130	Primary and Secondary required
At least a portion of the mobile home during construction or reconstruction of a residence is within 100 ft. of dwelling	N/A	30	30	Primary required
Mobile home during construction or reconstruction of a residence farther than 100 ft. of dwelling	N/A	30	130	Primary and Secondary required
Template Dwelling	N/A	30	130	Primary & Secondary required
Heritage Tract Dwelling	N/A	30	130	Primary & Secondary required
Large Acreage Dwelling	N/A	30	130	Primary & Secondary required
Accessory structures within 100 ft. of dwelling	N/A	30	30	Primary required
Other Accessory structures	N/A	30	130	Primary & Secondary required
Other Structures	N/A	30	130	Primary & Secondary required
Property Line Adjustment; Lot of Exception; Land Divisions.	May maintain current nonconforming setback to existing structures	30	30	On tracts with required Primary & Secondary FSZ as part of a land use decision, both shall be maintained.

(A) Reductions to a Forest Practices Setback dimension shall only be allowed pursuant to approval of an adjustment or variance.

(B) Exception to the Secondary Fire Safety Zone shall be pursuant to MCC 36.2110 only. No reduction is permitted for a required Primary Fire Safety Zone through a nonconforming, adjustment or variance process.

(C) The minimum forest practices setback requirement shall be increased where the setback abuts a street having insufficient right-of-way width to serve the area. The county Road Official shall determine the necessary right-of-way widths based upon the county "Design and Construction Manual" and the Planning Director shall determine any additional setback requirements in consultation with the Road Official.

(D) Fire Safety Zones on the Subject Tract

(1) Primary Fire Safety Zone

(a) A primary fire safety zone is a fire break extending a minimum of 30 feet in all directions around a dwelling or structure. Trees within this safety zone shall be spaced with greater than 15 feet between the crowns. The trees shall also be pruned to remove low branches within 8 feet of the ground as the maturity of the tree and accepted silviculture practices may allow. All other vegetation should be kept less than 2 feet in height.

(b) On lands with 10 percent or greater slope the primary fire safety zone shall be extended down the slope from a dwelling or structure as follows:

<u>Percent Slope</u>	<u>Distance In Feet</u>
<u>Less than 10</u>	<u>Not additional required</u>
<u>Less than 20</u>	<u>50 additional</u>
<u>Less than 25</u>	<u>75 additional</u>
<u>Less than 40</u>	<u>100 additional</u>

(c) The building site must have a slope less than 40 percent.

(2) Secondary Fire Safety Zone

A secondary fire safety zone is a fire break extending a minimum of 100 feet in all directions around the primary safety zone. The goal of this safety zone is to reduce fuels so that the overall intensity of any wildfire is lessened. Vegetation should be pruned and spaced so that fire will not spread between crowns of trees. Small trees and brush growing underneath larger trees should be removed to prevent the spread of fire up into the crowns of the larger trees. Assistance with planning forestry practices which meet these objectives may be obtained from the State of Oregon Department of Forestry or the local Rural Fire Protection District. The secondary fire safety zone required for any dwelling or structure may be reduced under the provisions of 36.2110.

(3) No requirement in (1) or (2) above may restrict or contradict a forest management plan approved by the State of Oregon Department of Forestry pursuant to the State Forest Practice Rules; and

(4) Required Primary and Secondary Fire Safety Zones shall be established within the subject tract as required by Table 1 above.

(5) Required Primary and Secondary Fire Safety Zones shall be maintained by the property owner in compliance with the above criteria listed under (1) and (2).

Section 48. §§33.2260, 33.2060, 33.2460, 35.2060, 35.2260 and 36.2060 are deleted as follows:

33.2260 Dimensional Requirements

(A) Except as provided in MCC 33.2265, 33.2270, 33.2275, and 33.2280, the minimum lot size for new parcels or lots shall be 80 acres.

(B) That portion of a street which would accrue to an adjacent lot if the street were vacated shall be included in calculating the size of such lot.

(C) Minimum Forest Practices Setback Dimensions from tract boundary—Feet:

Road Frontage	Other Front	Side	Rear
60 from centerline of road from which access is gained	130	130	130

Maximum Structure Height—35 feet

Minimum Front Lot Line Length—50 feet.

Forest practices setback dimensions shall not be applied to the extent they would have the effect of prohibiting a use permitted outright. Exceptions to forest practices setback dimensions shall be pursuant to MCC 33.2310, as applicable, but in no case shall they be reduced below the minimum primary fire safety zone required by MCC 33.2305 (A) (5) (c) 2.

(D) The minimum forest practices setback requirement shall be increased where the yard abuts a street having insufficient right of way width to serve the area. The Planning Commission shall determine the necessary right of way widths and additional yard requirements not otherwise established by ordinance.

(E) Structures such as barns, silos, windmills, antennae, chimneys, or similar structures may exceed the height requirements.

(F) Yards for the alteration, replacement or restoration of dwellings under MCC 33.2220 (D) and (E) and 33.2225 (B) need not satisfy the development standards of MCC 33.2305 if originally legally established to a lesser standard than that required by MCC 33.2305, but in no case shall they be less than those originally established.

(G) Agricultural buildings, as specified in ORS 455.315 (2) and allowed under MCC 33.2220 (C), may have minimum side and rear yard setbacks of 30 feet, but in no case shall any setback be less than the minimum primary fire safety zone required by MCC 33.2305 (A) (5) (c) 2.

33.2060 Dimensional Requirements

(A) Except as provided in MCC 33.2065, 33.2070, 33.2075, and 33.2080, the minimum lot size for new parcels or lots shall be 80 acres.

~~(B) That portion of a street which would accrue to an adjacent lot if the street were vacated shall be included in calculating the size of such lot.~~

~~(C) Minimum Forest Practices Setback Dimensions From Tract Boundary—Feet:~~

Road Frontage	Other Front	Side	Rear
60 from centerline of road from which access is gained	130	130	130

~~Maximum Structure Height—35 feet~~

~~Minimum Front Lot Line Length—50 feet.~~

~~Forest practices setback dimensions shall not be applied to the extent they would have the effect of prohibiting a use permitted outright. Exceptions to forest practices setback dimensions shall be pursuant to MCC 33.2110, as applicable, but in no case shall they be reduced below the minimum primary fire safety zone required by MCC 33.2105 (A) (5) (c) 2.~~

~~(D) The minimum forest practices setback requirement shall be increased where the yard abuts a street having insufficient right of way width to serve the area. The Planning Commission shall determine the necessary right of way widths and additional yard requirements not otherwise established by ordinance.~~

~~(E) Structures such as barns, silos, windmills, antennae, chimneys, or similar structures may exceed the height requirements.~~

~~(F) Yards for the alteration, replacement or restoration of dwellings under 33.2020 (D) and (E) and 33.2025 (B) need not satisfy the development standards of MCC 33.2105 if originally legally established to a lesser standard than that required by MCC 33.2105, but in no case shall they be less than those originally established.~~

~~(G) Agricultural buildings, as specified in ORS 455.315 (2) and allowed under MCC 33.2020 (C), may have minimum side and rear yard setbacks of 30 feet, but in no case shall any setback be less than the minimum primary fire safety zone required by MCC 33.2105 (A) (5) (c) 2.~~

33.2460 Dimensional Requirements

~~(A) Except as provided in MCC 33.2465, 33.2470, 33.2475, and 33.2480, the minimum lot size for new parcels or lots shall be 80 acres.~~

~~(B) That portion of a street which would accrue to an adjacent lot if the street were vacated shall be included in calculating the size of such lot.~~

~~(C) Minimum Forest Practices Setback Dimensions from tract boundary—Feet:~~

Road Frontage	Other Front	Side	Rear
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60 from centerline of road from which access is gained	130	130	130
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Maximum Structure Height—35 feet

Minimum Front Lot Line Length—50 feet.

Forest practices setback dimensions shall not be applied to the extent they would have the effect of prohibiting a use permitted outright. Exceptions to forest practices setback dimensions shall be pursuant to MCC 33.2510, as applicable, but in no case shall they be reduced below the minimum primary fire safety zone required by MCC 33.2505 (A) (5) (e) (2).

(D) The minimum forest practices setback requirement shall be increased where the yard abuts a street having insufficient right-of-way width to serve the area. The Planning Commission shall determine the necessary right-of-way widths and additional yard requirements not otherwise established by ordinance.

(E) Structures such as barns, silos, windmills, antennae, chimneys, or similar structures may exceed the height requirements.

(F) Yards for the alteration, replacement or restoration of dwellings under MCC 33.2420 (D) and (E) and 33.2425 (B) need not satisfy the development standards of MCC 33.2505 if originally legally established to a lesser standard than that required by MCC 33.2505, but in no case shall they be less than those originally established.

(G) Agricultural buildings, as specified in ORS 455.315 (2) and allowed under MCC 33.2420 (C), may have minimum side and rear yard setbacks of 30 feet, but in no case shall any setback be less than the minimum primary fire safety zone required by MCC 33.2505 (A) (5) (e) (2).

35.2060 Dimensional Requirements

(A) Except as provided in MCC 35.2070, 35.2075, and 35.2080, the minimum lot size for new parcels or lots shall be 80 acres.

(B) That portion of a street which would accrue to an adjacent lot if the street were vacated shall be included in calculating the size of such lot.

(C) Minimum Forest Practices Setback Dimensions From Tract Boundary—Feet:

Road Frontage	Other Front	Side	Rear
60 from centerline of road from which access is gained	130	130	130

Maximum Structure Height—35 feet

Minimum Front Lot Line Length—50 feet.

~~Forest practices setback dimensions shall not be applied to the extent they would have the effect of prohibiting a use permitted outright. Exceptions to forest practices setback dimensions shall be pursuant to MCC 35.2110, as applicable, but in no case shall they be reduced below the minimum primary fire safety zone required by MCC 35.2105 (A) (5) (e) 2.~~

~~(D) The minimum forest practices setback requirement shall be increased where the yard abuts a street having insufficient right-of-way width to serve the area. The Planning Commission shall determine the necessary right-of-way widths and additional yard requirements not otherwise established by ordinance.~~

~~(E) Structures such as barns, silos, windmills, antennae, chimneys, or similar structures may exceed the height requirements.~~

~~(F) Yards for the alteration, replacement or restoration of dwellings under 35.2020 (D) and (E) and 35.2025 (B) need not satisfy the development standards of MCC 35.2105 if originally legally established to a lesser standard than that required by MCC 35.2105, but in no case shall they be less than those originally established.~~

~~(G) Agricultural buildings, as specified in ORS 455.315 (2) and allowed under MCC 35.2020 (C), may have minimum side and rear yard setbacks of 30 feet, but in no case shall any setback be less than the minimum primary fire safety zone required by MCC 35.2105 (A) (5) (e) 2.~~

35.2260 Dimensional Requirements

~~(A) Except as provided in MCC 35.2265, 35.2270, 35.2275, and 35.2280, the minimum lot size for new parcels or lots shall be 80 acres.~~

~~(B) That portion of a street which would accrue to an adjacent lot if the street were vacated shall be included in calculating the size of such lot.~~

~~(C) Minimum Forest Practices Setback Dimensions From Tract Boundary Feet:~~

Road Frontage	Other Front	Side	Rear
60 from centerline of road from which access is gained	130	130	130

~~Maximum Structure Height — 35 feet~~

~~Minimum Front Lot Line Length — 50 feet.~~

~~Forest practices setback dimensions shall not be applied to the extent they would have the effect of prohibiting a use permitted outright. Exceptions to forest practices setback dimensions shall be pursuant to MCC 35.2310, as applicable, but in no case shall they be reduced below the minimum primary fire safety zone required by MCC 35.2305 (A) (5) (e) 2.~~

~~(D) The minimum forest practices setback requirement shall be increased where the yard abuts a street having insufficient right-of-way width to serve the area. The Planning Commission shall~~

determine the necessary right-of-way widths and additional yard requirements not otherwise established by ordinance.

(E) Structures such as barns, silos, windmills, antennae, chimneys, or similar structures may exceed the height requirements.

(F) Yards for the alteration, replacement or restoration of dwellings under MCC 35.2220 (D) and (E); and 35.2225 (B) need not satisfy the development standards of MCC 35.2305 if originally legally established to a lesser standard than that required by MCC 35.2305, but in no case shall they be less than those originally established.

(G) Agricultural buildings, as specified in ORS 455.315 (2) and allowed under MCC 35.2220 (C), may have minimum side and rear yard setbacks of 30 feet, but in no case shall any setback be less than the minimum primary fire safety zone required by MCC 35.2305 (A) (5) (c) 2.

36.2060 Dimensional Requirements.

(A) Except as provided in MCC 36.2065, 36.2070, 36.2075, and 36.2080, the minimum lot size shall be 80 acres.

(B) That portion of a street which would accrue to an adjacent lot if the street were vacated shall be included in calculating the size of such lot.

(C) Minimum Forest Practices Setback Dimensions From Tract Boundary—Feet:

Road Frontage	Other Front	Side	Rear
60 from centerline of road from which access is gained	130	130	130

Maximum Structure Height—35 feet

Minimum Front Lot Line Length—50 feet.

Forest practices setback dimensions shall not be applied to the extent they would have the effect of prohibiting a use permitted outright. Exceptions to forest practices setback dimensions shall be pursuant to MCC 36.2110, as applicable, but in no case shall they be reduced below the minimum primary fire safety zone required by MCC 36.2105 (A) (5) (c) 2.

(D) The minimum forest practices setback requirement shall be increased where the yard abuts a street having insufficient right-of-way width to serve the area. The Planning Commission shall determine the necessary right-of-way widths and additional yard requirements not otherwise established by ordinance.

(E) Structures such as barns, silos, windmills, antennae, chimneys, or similar structures may exceed the height requirements.

(F) Yards for the alteration, replacement or restoration of dwellings under 36.2020 (D) and (E) and 36.2025 (B) need not satisfy the development standards of MCC 36.2105 if originally legally

established to a lesser standard than that required by MCC 36.2105, but in no case shall they be less than those originally established.

~~(G) Agricultural buildings, as specified in ORS 455.315 (2) and allowed under MCC 36.2020 (C), may have minimum side and rear yard setbacks of 30 feet, but in no case shall any setback be less than the minimum primary fire safety zone required by MCC 36.2105 (A) (5) (e) 2.~~

~~(H) On-site sewage disposal, storm water/drainage control, water systems unless these services are provided by public or community source shall be provided on the lot.~~

~~(1) Sewage and stormwater disposal systems for existing development may be off site in easement areas reserved for that purpose.~~

~~(2) Stormwater/drainage control systems are required for new impervious surfaces. The system shall be adequate to ensure that the rate of runoff from the lot for the 10 year 24-hour storm event is no greater than that before the development.~~

~~(I) Grading and erosion control measures sufficient to ensure that visible or measurable erosion does not leave the site shall be maintained during development. A grading and erosion control permit shall be obtained for development that is subject to MCC Chapter 29.~~

Section 49. § 36.2095 is added as follows:

[CFU]

36.2095 Sewage, Storm Water, Water Systems and Grading Requirements

(A) On-site sewage disposal, storm water/drainage control, water systems unless these services are provided by public or community source shall be provided on the lot.

(1) Sewage and storm water disposal systems for existing development may be off-site in easement areas reserved for that purpose.

(2) Storm water/drainage control systems are required for new impervious surfaces. The system shall be adequate to ensure that the rate of runoff from the lot for the 10 year 24-hour storm event is no greater than that before the development.

(B) Grading and erosion control measures sufficient to ensure that visible or measurable erosion does not leave the site shall be maintained during development. A grading and erosion control permit shall be obtained for development that is subject to MCC Chapter 29.

Section 50. §§ 33.2305, 33.2105, 33.2505, 35.2105, 35.2305 and 36.2105 are renumbered and amended to read as follows:

[CFU-2]

33.2305-2261 Development Standards for Dwellings and Structures

All dwellings and structures shall comply with the approval criteria in (B) through (E) below except as provided in (A):

(A) For the uses listed in this subsection, the applicable development standards are limited as follows:

(1) Expansion of existing dwelling.

(a) Expansion of 400 square feet or less additional ground coverage to an existing dwelling: Not subject to development standards of MCC 33.2261;

(b) Expansion of more than 400 square feet additional ground coverage to an existing dwelling: Shall meet the development standards of MCC 33.2261(C);

(2) Replacement or restoration of a dwelling.

(a) Replacement or restoration of a dwelling that is within the same footprint of the original dwelling and includes less than 400 square feet of additional ground coverage: Not subject to development standards of MCC 33.2261;

(b) Replacement or restoration of a dwelling that is within the same footprint of the original dwelling with more than 400 square feet of additional ground coverage: Shall meet the development standards of MCC 33.2261(C);

(c) Replacement or restoration of a dwelling that is not located within the footprint of the original dwelling but it is located where at least a portion of the replacement dwelling is within 100 feet of the original dwelling: Shall meet the development standards of MCC 33.2261(C) and the applicable driveway/road requirements of 33.2261(E);

(3) Accessory buildings.

(a) Accessory buildings within 100 feet of the existing dwelling: Shall meet the development standards of MCC 33.2261(C);

(b) Accessory buildings located farther than 100 feet from the existing dwelling: Shall meet the development standards of MCC 33.2261(B)&(C);

(4) Temporary dwellings.

(a) A temporary health hardship mobile home located within 100 feet of the existing dwelling: Not subject to development standards of MCC 33.2261;

(b) A temporary health hardship mobile home located farther than 100 feet from the existing dwelling: Shall meet the development standards of MCC 33.2261(B)&(C);

(c) A temporary mobile home used during construction or reconstruction of a dwelling located within 100 feet of the dwelling under construction: Not subject to development standards of MCC 33.2261;

(d) A temporary mobile home used during construction or reconstruction of a dwelling located farther than 100 feet of the dwelling under construction: Shall meet the development standards of MCC 33.2261(B)&(C);

(B) New dwellings, replacement dwellings greater than 100-feet from an existing dwelling, and accessory buildings (or similar structures) greater than 100-feet from a dwelling shall meet the following standards in (1) and (3) or (2) and (3):

(1) The structure shall satisfy the following Option 1, Non-discretionary Type 1 Permit requirements:

(a) To meet the Forest Practices Setback, the structure shall be located a minimum of 30-feet from a front property line adjacent to a county maintained road and 130-feet from all other property lines;

(b) The structure shall be located in a cleared area of at least 10,000 square feet that meets the tree spacing standards of a primary fire safety zone;

(c) The entirety of the development site is less than 30,000 square feet in total cleared area, not including the driveway;

(d) The structure is sited within 300-feet of frontage on a public road and the driveway from the public road to the structure is a maximum of 500-feet in length;

(e) The local Fire Protection District verifies that their fire apparatus are able to reach the structure using the proposed driveway; or

(2) The structure shall satisfy the following Option 2, Discretionary Type 2 Permit requirements:

(a) It has the least impact on nearby or adjoining forest or agricultural lands and satisfies the standards in MCC 33.2256;

(b) Adverse impacts on forest operations and accepted farming practices on the tract will be minimized;

(c) The amount of forest land used to site the dwelling or other structure, access road, and service corridor is minimized;

(d) Any access road or service corridor in excess of 500 feet in length is demonstrated by the applicant to be necessary due to physical limitations unique to the property and is the minimum length required; and

(3) The risks associated with wildfire are minimized. Provisions for reducing such risk shall include:

(a) The proposed dwelling will be located upon a tract within a fire protection district or the dwelling shall be provided with residential fire protection by contract;

(b) Access for a pumping fire truck to within 15 feet of any perennial water source of 4,000 gallons or more within 100 feet of the driveway or road on the lot. The access shall meet the driveway standards of MCC 33.2261(E) with permanent signs posted along the access route to indicate the location of the emergency water source;

(C) The dwelling or structure shall:

- (1) Comply with the standards of the applicable building code or as prescribed in ORS 446.002 through 446.200 relating to mobile homes;
- (2) If a mobile home, have a minimum floor area of 600 square feet and be attached to a foundation for which a building permit has been obtained;
- (3) Have a fire retardant roof; and
- (4) Have a spark arrester on each chimney.

(D) The applicant shall provide evidence that the domestic water supply is from a source authorized in accordance with the Department of Water Resources Oregon Administrative Rules for the appropriation of ground water (OAR 690, Division 10) or surface water (OAR 690, Division 20) and not from a Class 1 stream as defined in the Forest Practices Rules.

- (1) If the water supply is unavailable from public sources, or sources located entirely on the property, the applicant shall provide evidence that a legal easement has been obtained permitting domestic water lines to cross the properties of affected owners.
- (2) Evidence of a domestic water supply means:
 - (a) Verification from a water purveyor that the use described in the application will be served by the purveyor under the purveyor's rights to appropriate water; or
 - (b) A water use permit issued by the Water Resources Department for the use described in the application; or
 - (c) Verification from the Water Resources Department that a water use permit is not required for the use described in the application. If the proposed water supply is from a well and is exempt from permitting requirements under ORS 537.545, the applicant shall submit the well constructor's report to the county upon completion of the well.

(E) A private road (including approved easements) accessing two or more dwellings, a driveway accessing a single dwelling, a Forest Practices road that is utilized as a private road/driveway accessing a dwelling(s), or a new driveway constructed to access a replacement/restored dwelling, shall be designed, built, and maintained to:

- (1) Support a minimum gross vehicle weight (GVW) of 52,000 lbs. Written verification of compliance with the 52,000 lb. GVW standard from an Oregon Professional Engineer shall be provided for all bridges or culverts;
- (2) Provide an all-weather surface of at least 20 feet in width for a private road and 12 feet in width for a driveway;
- (3) Provide minimum curve radii of 48 feet or greater;
- (4) Provide an unobstructed vertical clearance of at least 13 feet 6 inches;

(5) Provide grades not exceeding 8 percent, with a maximum of 12 percent on short segments, except as provided below:

(a) Rural Fire Protection District No. 14 requires approval from the Fire Chief for grades exceeding 6 percent;

(b) The maximum grade may be exceeded upon written approval from the fire protection service provider having responsibility;

(6) Provide a turnaround with a radius of 48 feet or greater at the end of any access exceeding 150 feet in length;

(7) Provide for the safe and convenient passage of vehicles by the placement of:

(a) Additional turnarounds at a maximum spacing of 500 feet along a private road; or

(b) Turnouts measuring 20 feet by 40 feet along a driveway in excess of 200 feet in length at a maximum spacing of 1/2 the driveway length or 400 feet whichever is less.

(8) An existing driveway currently being utilized by the habitable dwelling may be extended to a replacement dwelling without compliance with the roadway standards above. However, nothing in this exemption removes the requirements under the county's Fire Apparatus means of Approach Standards contained in MCC 29.012.

[CFU-1]

33.2105-2061 Development Standards for Dwellings and Structures

All dwellings and structures shall comply with the approval criteria in (B) through (E) below except as provided in (A):

(A) For the uses listed in this subsection, the applicable development standards are limited as follows:

(1) Expansion of existing dwelling.

(a) Expansion of 400 square feet or less additional ground coverage to an existing dwelling: Not subject to development standards of MCC 33.2061;

(b) Expansion of more than 400 square feet additional ground coverage to an existing dwelling: Shall meet the development standards of MCC 33.2061(C);

(2) Replacement or restoration of a dwelling.

(a) Replacement or restoration of a dwelling that is within the same footprint of the original dwelling and includes less than 400 square feet of additional ground coverage: Not subject to development standards of MCC 33.2061;

(b) Replacement or restoration of a dwelling that is within the same footprint of the original dwelling with more than 400 square feet of additional ground coverage: Shall meet the development standards of MCC 33.2061(C);

(c) Replacement or restoration of a dwelling that is not located within the footprint of the original dwelling but it is located where at least a portion of the replacement dwelling is within 100 feet of the original dwelling: Shall meet the development standards of MCC 33.2061(C) and the applicable driveway/road requirements of 33.2061(E);

(3) Accessory buildings.

(a) Accessory buildings within 100 feet of the existing dwelling: Shall meet the development standards of MCC 33.2061(C);

(b) Accessory buildings located farther than 100 feet from the existing dwelling: Shall meet the development standards of MCC 33.2061(B)&(C);

(4) Temporary dwellings.

(a) A temporary health hardship mobile home located within 100 feet of the existing dwelling: Not subject to development standards of MCC 33.2061;

(b) A temporary health hardship mobile home located farther than 100 feet from the existing dwelling: Shall meet the development standards of MCC 33.2061(B)&(C);

(c) A temporary mobile home used during construction or reconstruction of a dwelling located within 100 feet of the dwelling under construction: Not subject to development standards of MCC 33.2061;

(d) A temporary mobile home used during construction or reconstruction of a dwelling located farther than 100 feet of the dwelling under construction: Shall meet the development standards of MCC 33.2061(B)&(C);

(B) New dwellings, replacement dwellings greater than 100-feet from an existing dwelling, and accessory buildings (or similar structures) greater than 100-feet from a dwelling shall meet the following standards in (1) and (3) or (2) and (3):

(1) The structure shall satisfy the following Option 1, Non-discretionary Type 1 Permit requirements:

(a) To meet the Forest Practices Setback, the structure shall be located a minimum of 30-feet from a front property line adjacent to a county maintained road and 130-feet from all other property lines;

(b) The structure shall be located in a cleared area of at least 10,000 square feet that meets the tree spacing standards of a primary fire safety zone;

(c) The entirety of the development site is less than 30,000 square feet in total cleared area, not including the driveway;

(d) The structure is sited within 300-feet of frontage on a public road and the driveway from the public road to the structure is a maximum of 500-feet in length;

(e) The local Fire Protection District verifies that their fire apparatus are able to reach the structure using the proposed driveway; or

(2) The structure shall satisfy the following Option 2, Discretionary Type 2 Permit requirements:

(a) It has the least impact on nearby or adjoining forest or agricultural lands and satisfies the standards in MCC 33.2056;

(b) Adverse impacts on forest operations and accepted farming practices on the tract will be minimized;

(c) The amount of forest land used to site the dwelling or other structure, access road, and service corridor is minimized;

(d) Any access road or service corridor in excess of 500 feet in length is demonstrated by the applicant to be necessary due to physical limitations unique to the property and is the minimum length required; and

(3) The risks associated with wildfire are minimized. Provisions for reducing such risk shall include:

(a) The proposed dwelling will be located upon a tract within a fire protection district or the dwelling shall be provided with residential fire protection by contract;

(b) Access for a pumping fire truck to within 15 feet of any perennial water source of 4,000 gallons or more within 100 feet of the driveway or road on the lot. The access shall meet the driveway standards of MCC 33.2061(E) with permanent signs posted along the access route to indicate the location of the emergency water source;

(C) The dwelling or structure shall:

(1) Comply with the standards of the applicable building code or as prescribed in ORS 446.002 through 446.200 relating to mobile homes;

(2) If a mobile home, have a minimum floor area of 600 square feet and be attached to a foundation for which a building permit has been obtained;

(3) Have a fire retardant roof; and

(4) Have a spark arrester on each chimney.

(D) The applicant shall provide evidence that the domestic water supply is from a source authorized in accordance with the Department of Water Resources Oregon Administrative Rules for the appropriation of ground water (OAR 690, Division 10) or surface water (OAR 690, Division 20) and not from a Class 1 stream as defined in the Forest Practices Rules.

(1) If the water supply is unavailable from public sources, or sources located entirely on the property, the applicant shall provide evidence that a legal easement has been obtained permitting domestic water lines to cross the properties of affected owners.

(2) Evidence of a domestic water supply means:

(a) Verification from a water purveyor that the use described in the application will be served by the purveyor under the purveyor's rights to appropriate water; or

(b) A water use permit issued by the Water Resources Department for the use described in the application; or

(c) Verification from the Water Resources Department that a water use permit is not required for the use described in the application. If the proposed water supply is from a well and is exempt from permitting requirements under ORS 537.545, the applicant shall submit the well constructor's report to the county upon completion of the well.

(E) A private road (including approved easements) accessing two or more dwellings, a driveway accessing a single dwelling, a Forest Practices road that is utilized as a private road/driveway accessing a dwelling(s), or a new driveway constructed to access a replacement/restored dwelling, shall be designed, built, and maintained to:

(1) Support a minimum gross vehicle weight (GVW) of 52,000 lbs. Written verification of compliance with the 52,000 lb. GVW standard from an Oregon Professional Engineer shall be provided for all bridges or culverts;

(2) Provide an all-weather surface of at least 20 feet in width for a private road and 12 feet in width for a driveway;

(3) Provide minimum curve radii of 48 feet or greater;

(4) Provide an unobstructed vertical clearance of at least 13 feet 6 inches;

(5) Provide grades not exceeding 8 percent, with a maximum of 12 percent on short segments, except as provided below:

(a) Rural Fire Protection District No. 14 requires approval from the Fire Chief for grades exceeding 6 percent;

(b) The maximum grade may be exceeded upon written approval from the fire protection service provider having responsibility;

(6) Provide a turnaround with a radius of 48 feet or greater at the end of any access exceeding 150 feet in length;

(7) Provide for the safe and convenient passage of vehicles by the placement of:

(a) Additional turnarounds at a maximum spacing of 500 feet along a private road; or

(b) Turnouts measuring 20 feet by 40 feet along a driveway in excess of 200 feet in length at a maximum spacing of 1/2 the driveway length or 400 feet whichever is less.

(8) An existing driveway currently being utilized by the habitable dwelling may be extended to a replacement dwelling without compliance with the roadway standards above. However, nothing in this exemption removes the requirements under the county's Fire Apparatus means of Approach Standards contained in MCC 29.012.

[CFU-5]

33.2505 2461 Development Standards for Dwellings and Structures

All dwellings and structures shall comply with the approval criteria in (B) through (E) below except as provided in (A):

(A) For the uses listed in this subsection, the applicable development standards are limited as follows:

(1) Expansion of existing dwelling.

(a) Expansion of 400 square feet or less additional ground coverage to an existing dwelling: Not subject to development standards of MCC 33.2461;

(b) Expansion of more than 400 square feet additional ground coverage to an existing dwelling: Shall meet the development standards of MCC 33.2461(C);

(2) Replacement or restoration of a dwelling.

(a) Replacement or restoration of a dwelling that is within the same footprint of the original dwelling and includes less than 400 square feet of additional ground coverage: Not subject to development standards of MCC 33.2461;

(b) Replacement or restoration of a dwelling that is within the same footprint of the original dwelling with more than 400 square feet of additional ground coverage: Shall meet the development standards of MCC 33.2461(C);

(c) Replacement or restoration of a dwelling that is not located within the footprint of the original dwelling but it is located where at least a portion of the replacement dwelling is within 100 feet of the original dwelling: Shall meet the development standards of MCC 33.2461(C) and the applicable driveway/road requirements of 33.2461(E);

(3) Accessory buildings.

(a) Accessory buildings within 100 feet of the existing dwelling: Shall meet the development standards of MCC 33.2461(C);

(b) Accessory buildings located farther than 100 feet from the existing dwelling: Shall meet the development standards of MCC 33.2461(B)&(C);

(4) Temporary dwellings.

(a) A temporary health hardship mobile home located within 100 feet of the existing dwelling: Not subject to development standards of MCC 33.2461;

(b) A temporary health hardship mobile home located farther than 100 feet from the existing dwelling: Shall meet the development standards of MCC 33.2461(B)&(C);

(c) A temporary mobile home used during construction or reconstruction of a dwelling located within 100 feet of the dwelling under construction: Not subject to development standards of MCC 33.2461;

(d) A temporary mobile home used during construction or reconstruction of a dwelling located farther than 100 feet of the dwelling under construction: Shall meet the development standards of MCC 33.2461(B)&(C);

(B) New dwellings, replacement dwellings greater than 100-feet from an existing dwelling, and accessory buildings (or similar structures) greater than 100-feet from a dwelling shall meet the following standards in (1) and (3) or (2) and (3):

(1) The structure shall satisfy the following Option 1, Non-discretionary Type 1 Permit requirements:

(a) To meet the Forest Practices Setback, the structure shall be located a minimum of 30-feet from a front property line adjacent to a county maintained road and 130-feet from all other property lines;

(b) The structure shall be located in a cleared area of at least 10,000 square feet that meets the tree spacing standards of a primary fire safety zone;

(c) The entirety of the development site is less than 30,000 square feet in total cleared area, not including the driveway;

(d) The structure is sited within 300-feet of frontage on a public road and the driveway from the public road to the structure is a maximum of 500-feet in length;

(e) The local Fire Protection District verifies that their fire apparatus are able to reach the structure using the proposed driveway; or

(2) The structure shall satisfy the following Option 2, Discretionary Type 2 Permit requirements:

(a) It has the least impact on nearby or adjoining forest or agricultural lands and satisfies the standards in MCC 33.2456;

(b) Adverse impacts on forest operations and accepted farming practices on the tract will be minimized;

(c) The amount of forest land used to site the dwelling or other structure, access road, and service corridor is minimized;

(d) Any access road or service corridor in excess of 500 feet in length is demonstrated by the applicant to be necessary due to physical limitations unique to the property and is the minimum length required; and

(3) The risks associated with wildfire are minimized. Provisions for reducing such risk shall include:

(a) The proposed dwelling will be located upon a tract within a fire protection district or the dwelling shall be provided with residential fire protection by contract;

(b) Access for a pumping fire truck to within 15 feet of any perennial water source of 4,000 gallons or more within 100 feet of the driveway or road on the lot. The access shall meet the driveway standards of MCC 33.2461(E) with permanent signs posted along the access route to indicate the location of the emergency water source;

(C) The dwelling or structure shall:

(1) Comply with the standards of the applicable building code or as prescribed in ORS 446.002 through 446.200 relating to mobile homes;

(2) If a mobile home, have a minimum floor area of 600 square feet and be attached to a foundation for which a building permit has been obtained;

(3) Have a fire retardant roof; and

(4) Have a spark arrester on each chimney.

(D) The applicant shall provide evidence that the domestic water supply is from a source authorized in accordance with the Department of Water Resources Oregon Administrative Rules for the appropriation of ground water (OAR 690, Division 10) or surface water (OAR 690, Division 20) and not from a Class 1 stream as defined in the Forest Practices Rules.

(1) If the water supply is unavailable from public sources, or sources located entirely on the property, the applicant shall provide evidence that a legal easement has been obtained permitting domestic water lines to cross the properties of affected owners.

(2) Evidence of a domestic water supply means:

(a) Verification from a water purveyor that the use described in the application will be served by the purveyor under the purveyor's rights to appropriate water; or

(b) A water use permit issued by the Water Resources Department for the use described in the application; or

(c) Verification from the Water Resources Department that a water use permit is not required for the use described in the application. If the proposed water supply is from a well and is exempt from permitting requirements under ORS 537.545, the applicant shall submit the well constructor's report to the county upon completion of the well.

(E) A private road (including approved easements) accessing two or more dwellings, a driveway accessing a single dwelling, a Forest Practices road that is utilized as a private road/driveway accessing a dwelling(s), or a new driveway constructed to access a replacement/restored dwelling, shall be designed, built, and maintained to:

(1) Support a minimum gross vehicle weight (GVW) of 52,000 lbs. Written verification of compliance with the 52,000 lb. GVW standard from an Oregon Professional Engineer shall be provided for all bridges or culverts;

(2) Provide an all-weather surface of at least 20 feet in width for a private road and 12 feet in width for a driveway;

(3) Provide minimum curve radii of 48 feet or greater;

(4) Provide an unobstructed vertical clearance of at least 13 feet 6 inches;

(5) Provide grades not exceeding 8 percent, with a maximum of 12 percent on short segments, except as provided below:

(a) Rural Fire Protection District No. 14 requires approval from the Fire Chief for grades exceeding 6 percent;

(b) The maximum grade may be exceeded upon written approval from the fire protection service provider having responsibility;

(6) Provide a turnaround with a radius of 48 feet or greater at the end of any access exceeding 150 feet in length;

(7) Provide for the safe and convenient passage of vehicles by the placement of:

(a) Additional turnarounds at a maximum spacing of 500 feet along a private road; or

(b) Turnouts measuring 20 feet by 40 feet along a driveway in excess of 200 feet in length at a maximum spacing of 1/2 the driveway length or 400 feet whichever is less.

(8) An existing driveway currently being utilized by the habitable dwelling may be extended to a replacement dwelling without compliance with the roadway standards above. However, nothing in this exemption removes the requirements under the county's Fire Apparatus means of Approach Standards contained in MCC 29.012.

[CFU-3]

35.2405-2061 Development Standards for Dwellings and Structures

All dwellings and structures shall comply with the approval criteria in (B) through (E) below except as provided in (A):

(A) For the uses listed in this subsection, the applicable development standards are limited as follows:

(1) Expansion of existing dwelling.

(a) Expansion of 400 square feet or less additional ground coverage to an existing dwelling: Not subject to development standards of MCC 35.2061;

(b) Expansion of more than 400 square feet additional ground coverage to an existing dwelling: Shall meet the development standards of MCC 35.2061(C);

(2) Replacement or restoration of a dwelling.

(a) Replacement or restoration of a dwelling that is within the same footprint of the original dwelling and includes less than 400 square feet of additional ground coverage: Not subject to development standards of MCC 35.2061;

(b) Replacement or restoration of a dwelling that is within the same footprint of the original dwelling with more than 400 square feet of additional ground coverage: Shall meet the development standards of MCC 35.2061(C);

(c) Replacement or restoration of a dwelling that is not located within the footprint of the original dwelling but it is located where at least a portion of the replacement dwelling is within 100 feet of the original dwelling: Shall meet the development standards of MCC 35.2061(C) and the applicable driveway/road requirements of 35.2061(E);

(3) Accessory buildings.

(a) Accessory buildings within 100 feet of the existing dwelling: Shall meet the development standards of MCC 35.2061(C);

(b) Accessory buildings located farther than 100 feet from the existing dwelling: Shall meet the development standards of MCC 35.2061(B)&(C);

(4) Temporary dwellings.

(a) A temporary health hardship mobile home located within 100 feet of the existing dwelling: Not subject to development standards of MCC 35.2061;

(b) A temporary health hardship mobile home located farther than 100 feet from the existing dwelling: Shall meet the development standards of MCC 35.2061(B)&(C);

(c) A temporary mobile home used during construction or reconstruction of a dwelling located within 100 feet of the dwelling under construction: Not subject to development standards of MCC 35.2061;

(d) A temporary mobile home used during construction or reconstruction of a dwelling located farther than 100 feet of the dwelling under construction: Shall meet the development standards of MCC 35.2061(B)&(C);

(B) New dwellings, replacement dwellings greater than 100-feet from an existing dwelling, and accessory buildings (or similar structures) greater than 100-feet from a dwelling shall meet the following standards in (1) and (3) or (2) and (3):

(1) The structure shall satisfy the following Option 1, Non-discretionary Type 1 Permit requirements:

- (a) To meet the Forest Practices Setback, the structure shall be located a minimum of 30-feet from a front property line adjacent to a county maintained road and 130-feet from all other property lines;
- (b) The structure shall be located in a cleared area of at least 10,000 square feet that meets the tree spacing standards of a primary fire safety zone;
- (c) The entirety of the development site is less than 30,000 square feet in total cleared area, not including the driveway;
- (d) The structure is sited within 300-feet of frontage on a public road and the driveway from the public road to the structure is a maximum of 500-feet in length;
- (e) The local Fire Protection District verifies that their fire apparatus are able to reach the structure using the proposed driveway; or

(2) The structure shall satisfy the following Option 2, Discretionary Type 2 Permit requirements:

- (a) It has the least impact on nearby or adjoining forest or agricultural lands and satisfies the standards in MCC 35.2056;
- (b) Adverse impacts on forest operations and accepted farming practices on the tract will be minimized;
- (c) The amount of forest land used to site the dwelling or other structure, access road, and service corridor is minimized;
- (d) Any access road or service corridor in excess of 500 feet in length is demonstrated by the applicant to be necessary due to physical limitations unique to the property and is the minimum length required; and

(3) The risks associated with wildfire are minimized. Provisions for reducing such risk shall include:

- (a) The proposed dwelling will be located upon a tract within a fire protection district or the dwelling shall be provided with residential fire protection by contract;
- (b) Access for a pumping fire truck to within 15 feet of any perennial water source of 4,000 gallons or more within 100 feet of the driveway or road on the lot. The access shall meet the driveway standards of MCC 35.2061(E) with permanent signs posted along the access route to indicate the location of the emergency water source;

(C) The dwelling or structure shall:

- (1) Comply with the standards of the applicable building code or as prescribed in ORS 446.002 through 446.200 relating to mobile homes;

(2) If a mobile home, have a minimum floor area of 600 square feet and be attached to a foundation for which a building permit has been obtained;

(3) Have a fire retardant roof; and

(4) Have a spark arrester on each chimney.

(D) The applicant shall provide evidence that the domestic water supply is from a source authorized in accordance with the Department of Water Resources Oregon Administrative Rules for the appropriation of ground water (OAR 690, Division 10) or surface water (OAR 690, Division 20) and not from a Class 1 stream as defined in the Forest Practices Rules.

(1) If the water supply is unavailable from public sources, or sources located entirely on the property, the applicant shall provide evidence that a legal easement has been obtained permitting domestic water lines to cross the properties of affected owners.

(2) Evidence of a domestic water supply means:

(a) Verification from a water purveyor that the use described in the application will be served by the purveyor under the purveyor's rights to appropriate water; or

(b) A water use permit issued by the Water Resources Department for the use described in the application; or

(c) Verification from the Water Resources Department that a water use permit is not required for the use described in the application. If the proposed water supply is from a well and is exempt from permitting requirements under ORS 537.545, the applicant shall submit the well constructor's report to the county upon completion of the well.

(E) A private road (including approved easements) accessing two or more dwellings, a driveway accessing a single dwelling, a Forest Practices road that is utilized as a private road/driveway accessing a dwelling(s), or a new driveway constructed to access a replacement/restored dwelling, shall be designed, built, and maintained to:

(1) Support a minimum gross vehicle weight (GVW) of 52,000 lbs. Written verification of compliance with the 52,000 lb. GVW standard from an Oregon Professional Engineer shall be provided for all bridges or culverts;

(2) Provide an all-weather surface of at least 20 feet in width for a private road and 12 feet in width for a driveway;

(3) Provide minimum curve radii of 48 feet or greater;

(4) Provide an unobstructed vertical clearance of at least 13 feet 6 inches;

(5) Provide grades not exceeding 8 percent, with a maximum of 12 percent on short segments, except as provided below:

(a) Rural Fire Protection District No. 14 requires approval from the Fire Chief for grades exceeding 6 percent;

- (b) The maximum grade may be exceeded upon written approval from the fire protection service provider having responsibility;
- (6) Provide a turnaround with a radius of 48 feet or greater at the end of any access exceeding 150 feet in length;
- (7) Provide for the safe and convenient passage of vehicles by the placement of:
 - (a) Additional turnarounds at a maximum spacing of 500 feet along a private road; or
 - (b) Turnouts measuring 20 feet by 40 feet along a driveway in excess of 200 feet in length at a maximum spacing of 1/2 the driveway length or 400 feet whichever is less.
- (8) An existing driveway currently being utilized by the habitable dwelling may be extended to a replacement dwelling without compliance with the roadway standards above. However, nothing in this exemption removes the requirements under the county's Fire Apparatus means of Approach Standards contained in MCC 29.012.

[CFU-4]

35.2305-2261 Development Standards for Dwellings and Structures

All dwellings and structures shall comply with the approval criteria in (B) through (E) below except as provided in (A):

(A) For the uses listed in this subsection, the applicable development standards are limited as follows:

(1) Expansion of existing dwelling.

(a) Expansion of 400 square feet or less additional ground coverage to an existing dwelling; Not subject to development standards of MCC 35.2261;

(b) Expansion of more than 400 square feet additional ground coverage to an existing dwelling; Shall meet the development standards of MCC 35.2261(C);

(2) Replacement or restoration of a dwelling.

(a) Replacement or restoration of a dwelling that is within the same footprint of the original dwelling and includes less than 400 square feet of additional ground coverage; Not subject to development standards of MCC 35.2261;

(b) Replacement or restoration of a dwelling that is within the same footprint of the original dwelling with more than 400 square feet of additional ground coverage; Shall meet the development standards of MCC 35.2261(C);

(c) Replacement or restoration of a dwelling that is not located within the footprint of the original dwelling but it is located where at least a portion of the replacement dwelling is within 100 feet of the original dwelling; Shall meet the development standards of MCC 35.2261(C) and the applicable driveway/road requirements of 35.2261(E);

(3) Accessory buildings.

(a) Accessory buildings within 100 feet of the existing dwelling: Shall meet the development standards of MCC 35.2261(C);

(b) Accessory buildings located farther than 100 feet from the existing dwelling: Shall meet the development standards of MCC 35.2261(B)&(C);

(4) Temporary dwellings.

(a) A temporary health hardship mobile home located within 100 feet of the existing dwelling: Not subject to development standards of MCC 35.2261;

(b) A temporary health hardship mobile home located farther than 100 feet from the existing dwelling: Shall meet the development standards of MCC 35.2261(B)&(C);

(c) A temporary mobile home used during construction or reconstruction of a dwelling located within 100 feet of the dwelling under construction: Not subject to development standards of MCC 35.2261;

(d) A temporary mobile home used during construction or reconstruction of a dwelling located farther than 100 feet of the dwelling under construction: Shall meet the development standards of MCC 35.2261(B)&(C);

(B) New dwellings, replacement dwellings greater than 100-feet from an existing dwelling, and accessory buildings (or similar structures) greater than 100-feet from a dwelling shall meet the following standards in (1) and (3) or (2) and (3):

(1) The structure shall satisfy the following Option 1, Non-discretionary Type 1 Permit requirements:

(a) To meet the Forest Practices Setback, the structure shall be located a minimum of 30-feet from a front property line adjacent to a county maintained road and 130-feet from all other property lines;

(b) The structure shall be located in a cleared area of at least 10,000 square feet that meets the tree spacing standards of a primary fire safety zone;

(c) The entirety of the development site is less than 30,000 square feet in total cleared area, not including the driveway;

(d) The structure is sited within 300-feet of frontage on a public road and the driveway from the public road to the structure is a maximum of 500-feet in length;

(e) The local Fire Protection District verifies that their fire apparatus are able to reach the structure using the proposed driveway; or

(2) The structure shall satisfy the following Option 2, Discretionary Type 2 Permit requirements:

(a) It has the least impact on nearby or adjoining forest or agricultural lands and satisfies the standards in MCC 35.2256;

(b) Adverse impacts on forest operations and accepted farming practices on the tract will be minimized;

(c) The amount of forest land used to site the dwelling or other structure, access road, and service corridor is minimized;

(d) Any access road or service corridor in excess of 500 feet in length is demonstrated by the applicant to be necessary due to physical limitations unique to the property and is the minimum length required; and

(3) The risks associated with wildfire are minimized. Provisions for reducing such risk shall include:

(a) The proposed dwelling will be located upon a tract within a fire protection district or the dwelling shall be provided with residential fire protection by contract;

(b) Access for a pumping fire truck to within 15 feet of any perennial water source of 4,000 gallons or more within 100 feet of the driveway or road on the lot. The access shall meet the driveway standards of MCC 35.2261(E) with permanent signs posted along the access route to indicate the location of the emergency water source;

(C) The dwelling or structure shall:

(1) Comply with the standards of the applicable building code or as prescribed in ORS 446.002 through 446.200 relating to mobile homes;

(2) If a mobile home, have a minimum floor area of 600 square feet and be attached to a foundation for which a building permit has been obtained;

(3) Have a fire retardant roof; and

(4) Have a spark arrester on each chimney.

(D) The applicant shall provide evidence that the domestic water supply is from a source authorized in accordance with the Department of Water Resources Oregon Administrative Rules for the appropriation of ground water (OAR 690, Division 10) or surface water (OAR 690, Division 20) and not from a Class 1 stream as defined in the Forest Practices Rules.

(1) If the water supply is unavailable from public sources, or sources located entirely on the property, the applicant shall provide evidence that a legal easement has been obtained permitting domestic water lines to cross the properties of affected owners.

(2) Evidence of a domestic water supply means:

(a) Verification from a water purveyor that the use described in the application will be served by the purveyor under the purveyor's rights to appropriate water; or

(b) A water use permit issued by the Water Resources Department for the use described in the application; or

(c) Verification from the Water Resources Department that a water use permit is not required for the use described in the application. If the proposed water supply is from a well and is exempt from permitting requirements under ORS 537.545, the applicant shall submit the well constructor's report to the county upon completion of the well.

(E) A private road (including approved easements) accessing two or more dwellings, a driveway accessing a single dwelling, a Forest Practices road that is utilized as a private road/driveway accessing a dwelling(s), or a new driveway constructed to access a replacement/restored dwelling, shall be designed, built, and maintained to:

(1) Support a minimum gross vehicle weight (GVW) of 52,000 lbs. Written verification of compliance with the 52,000 lb. GVW standard from an Oregon Professional Engineer shall be provided for all bridges or culverts;

(2) Provide an all-weather surface of at least 20 feet in width for a private road and 12 feet in width for a driveway;

(3) Provide minimum curve radii of 48 feet or greater;

(4) Provide an unobstructed vertical clearance of at least 13 feet 6 inches;

(5) Provide grades not exceeding 8 percent, with a maximum of 12 percent on short segments, except as provided below:

(a) Rural Fire Protection District No. 14 requires approval from the Fire Chief for grades exceeding 6 percent;

(b) The maximum grade may be exceeded upon written approval from the fire protection service provider having responsibility;

(6) Provide a turnaround with a radius of 48 feet or greater at the end of any access exceeding 150 feet in length;

(7) Provide for the safe and convenient passage of vehicles by the placement of:

(a) Additional turnarounds at a maximum spacing of 500 feet along a private road; or

(b) Turnouts measuring 20 feet by 40 feet along a driveway in excess of 200 feet in length at a maximum spacing of 1/2 the driveway length or 400 feet whichever is less.

(8) An existing driveway currently being utilized by the habitable dwelling may be extended to a replacement dwelling without compliance with the roadway standards above. However, nothing in this exemption removes the requirements under the county's Fire Apparatus means of Approach Standards contained in MCC 29.012.

[CFU]

36.2105-2061 Development Standards for Dwellings and Structures

All dwellings and structures shall comply with the approval criteria in (B) through (E) below except as provided in (A):

(A) For the uses listed in this subsection, the applicable development standards are limited as follows:

(1) Expansion of existing dwelling.

(a) Expansion of 400 square feet or less additional ground coverage to an existing dwelling: Not subject to development standards of MCC 36.2061;

(b) Expansion of more than 400 square feet additional ground coverage to an existing dwelling: Shall meet the development standards of MCC 36.2061(C);

(2) Replacement or restoration of a dwelling.

(a) Replacement or restoration of a dwelling that is within the same footprint of the original dwelling and includes less than 400 square feet of additional ground coverage: Not subject to development standards of MCC 36.2061;

(b) Replacement or restoration of a dwelling that is within the same footprint of the original dwelling with more than 400 square feet of additional ground coverage: Shall meet the development standards of MCC 36.2061(C);

(c) Replacement or restoration of a dwelling that is not located within the footprint of the original dwelling but it is located where at least a portion of the replacement dwelling is within 100 feet of the original dwelling: Shall meet the development standards of MCC 36.2061(C) and the applicable driveway/road requirements of 36.2061(E);

(3) Accessory buildings.

(a) Accessory buildings within 100 feet of the existing dwelling: Shall meet the development standards of MCC 36.2061(C);

(b) Accessory buildings located farther than 100 feet from the existing dwelling: Shall meet the development standards of MCC 36.2061(B)&(C);

(4) Temporary dwellings.

(a) A temporary health hardship mobile home located within 100 feet of the existing dwelling: Not subject to development standards of MCC 36.2061;

(b) A temporary health hardship mobile home located farther than 100 feet from the existing dwelling: Shall meet the development standards of MCC 36.2061(B)&(C);

(c) A temporary mobile home used during construction or reconstruction of a dwelling located within 100 feet of the dwelling under construction: Not subject to development standards of MCC 36.2061;

(d) A temporary mobile home used during construction or reconstruction of a dwelling located farther than 100 feet of the dwelling under construction: Shall meet the development standards of MCC 36.2061(B)&(C);

(B) New dwellings, replacement dwellings greater than 100-feet from an existing dwelling, and accessory buildings (or similar structures) greater than 100-feet from a dwelling shall meet the following standards in (1) and (3) or (2) and (3):

(1) The structure shall satisfy the following Option 1, Non-discretionary Type 1 Permit requirements:

(a) To meet the Forest Practices Setback, the structure shall be located a minimum of 30-feet from a front property line adjacent to a county maintained road and 130-feet from all other property lines;

(b) The structure shall be located in a cleared area of at least 10,000 square feet that meets the tree spacing standards of a primary fire safety zone;

(c) The entirety of the development site is less than 30,000 square feet in total cleared area, not including the driveway;

(d) The structure is sited within 300-feet of frontage on a public road and the driveway from the public road to the structure is a maximum of 500-feet in length;

(e) The local Fire Protection District verifies that their fire apparatus are able to reach the structure using the proposed driveway; or

(2) The structure shall satisfy the following Option 2, Discretionary Type 2 Permit requirements:

(a) It has the least impact on nearby or adjoining forest or agricultural lands and satisfies the standards in MCC 36.2056;

(b) Adverse impacts on forest operations and accepted farming practices on the tract will be minimized;

(c) The amount of forest land used to site the dwelling or other structure, access road, and service corridor is minimized;

(d) Any access road or service corridor in excess of 500 feet in length is demonstrated by the applicant to be necessary due to physical limitations unique to the property and is the minimum length required; and

(3) The risks associated with wildfire are minimized. Provisions for reducing such risk shall include:

(a) The proposed dwelling will be located upon a tract within a fire protection district or the dwelling shall be provided with residential fire protection by contract;

(b) Access for a pumping fire truck to within 15 feet of any perennial water source of 4,000 gallons or more within 100 feet of the driveway or road on the lot. The access shall meet the

driveway standards of MCC 36.2061(E) with permanent signs posted along the access route to indicate the location of the emergency water source;

(C) The dwelling or structure shall:

(1) Comply with the standards of the applicable building code or as prescribed in ORS 446.002 through 446.200 relating to mobile homes;

(2) If a mobile home, have a minimum floor area of 600 square feet and be attached to a foundation for which a building permit has been obtained;

(3) Have a fire retardant roof; and

(4) Have a spark arrester on each chimney.

(D) The applicant shall provide evidence that the domestic water supply is from a source authorized in accordance with the Department of Water Resources Oregon Administrative Rules for the appropriation of ground water (OAR 690, Division 10) or surface water (OAR 690, Division 20) and not from a Class 1 stream as defined in the Forest Practices Rules.

(1) If the water supply is unavailable from public sources, or sources located entirely on the property, the applicant shall provide evidence that a legal easement has been obtained permitting domestic water lines to cross the properties of affected owners.

(2) Evidence of a domestic water supply means:

(a) Verification from a water purveyor that the use described in the application will be served by the purveyor under the purveyor's rights to appropriate water; or

(b) A water use permit issued by the Water Resources Department for the use described in the application; or

(c) Verification from the Water Resources Department that a water use permit is not required for the use described in the application. If the proposed water supply is from a well and is exempt from permitting requirements under ORS 537.545, the applicant shall submit the well constructor's report to the county upon completion of the well.

(E) A private road (including approved easements) accessing two or more dwellings, a driveway accessing a single dwelling, a Forest Practices road that is utilized as a private road/driveway accessing a dwelling(s), or a new driveway constructed to access a replacement/restored dwelling, shall be designed, built, and maintained to:

(1) Support a minimum gross vehicle weight (GVW) of 52,000 lbs. Written verification of compliance with the 52,000 lb. GVW standard from an Oregon Professional Engineer shall be provided for all bridges or culverts;

(2) Provide an all-weather surface of at least 20 feet in width for a private road and 12 feet in width for a driveway;

(3) Provide minimum curve radii of 48 feet or greater;

- (4) Provide an unobstructed vertical clearance of at least 13 feet 6 inches;
- (5) Provide grades not exceeding 8 percent, with a maximum of 12 percent on short segments, except as provided below:
- (a) Rural Fire Protection District No. 14 requires approval from the Fire Chief for grades exceeding 6 percent;
- (b) The maximum grade may be exceeded upon written approval from the fire protection service provider having responsibility;
- (6) Provide a turnaround with a radius of 48 feet or greater at the end of any access exceeding 150 feet in length;
- (7) Provide for the safe and convenient passage of vehicles by the placement of:
- (a) Additional turnarounds at a maximum spacing of 500 feet along a private road; or
- (b) Turnouts measuring 20 feet by 40 feet along a driveway in excess of 200 feet in length at a maximum spacing of 1/2 the driveway length or 400 feet whichever is less.
- (8) An existing driveway currently being utilized by the habitable dwelling may be extended to a replacement dwelling without compliance with the roadway standards above. However, nothing in this exemption removes the requirements under the county's Fire Apparatus means of Approach Standards contained in MCC 29.012.

Section 51. §§ 33.2263, 33.2063, 33.2463, 35.2063, 35.2263 and 36.2063 are added as follows:

[CFU-2]

§ 33.2263 Lot Size Requirements

- (A) The minimum lot size for new parcels or lots shall be 80 acres, except as provided in MCC 33.2265, 33.2270, 33.2275, and 33.2280.
- (B) That portion of a street which would accrue to an adjacent lot if the street were vacated shall be included in calculating the size of such lot.
- (C) The minimum Front Lot Line Length is 50 feet, except for flag lots as provided in MCC 33.7895(D).

[CFU-1]

§ 33.2063 Lot Size Requirements

- (A) The minimum lot size for new parcels or lots shall be 80 acres, except as provided in MCC 33.2065, 33.2070, 33.2075, and 33.2080.
- (B) That portion of a street which would accrue to an adjacent lot if the street were vacated shall be included in calculating the size of such lot.

(C) The minimum Front Lot Line Length is 50 feet, except for flag lots as provided in MCC 33.7895(D).

[CFU-5]

§ 33.2463 Lot Size Requirements

(A) The minimum lot size for new parcels or lots shall be 80 acres, except as provided in MCC 33.2465, 33.2470, 33.2475, and 33.2480.

(B) That portion of a street which would accrue to an adjacent lot if the street were vacated shall be included in calculating the size of such lot.

(C) The minimum Front Lot Line Length is 50 feet, except for flag lots as provided in MCC 33.7895(D).

[CFU-3]

§ 35.2063 Lot Size Requirements

(A) The minimum lot size for new parcels or lots shall be 80 acres, except as provided in MCC 35.2070, 35.2075, and 35.2080.

(B) That portion of a street which would accrue to an adjacent lot if the street were vacated shall be included in calculating the size of such lot.

(C) The minimum Front Lot Line Length is 50 feet, except for flag lots as provided in MCC 35.7895(D).

[CFU-4]

§ 35.2263 Lot Size Requirements

(A) The minimum lot size for new parcels or lots shall be 80 acres, except as provided in MCC 35.2265, 35.2270, 35.2275, and 35.2280.

(B) That portion of a street which would accrue to an adjacent lot if the street were vacated shall be included in calculating the size of such lot.

(C) The minimum Front Lot Line Length is 50 feet, except for flag lots as provided in MCC 35.7895(D).

[CFU]

§ 36.2063 Lot Size Requirements

(A) The minimum lot size for new parcels or lots shall be 80 acres, except as provided in MCC 36.2065, 36.2070, 36.2075, and 36.2080.

(B) That portion of a street which would accue to an adjacent lot if the street were vacated shall be included in calculating the size of such lot.

(C) The minimum Front Lot Line Length is 50 feet, except for flag lots as provided in MCC 36.7895(D).

Section 52. §§ 33.2265, 33.2065, 33.2465, 35.2265 and 36.2065 are amended as follows:

[CFU-2]

33.2265 Lots of Exception

An exception to permit the creation of a lot of less than the minimum specified in MCC 33.22602263(A) may be authorized as provided in (A) or (B) below, subject to the following:

(A) A small parcel for an existing dwelling may be established subject to the following:

- (1) The Lot of Record to be divided exceeds the area requirements of MCC 33.22602263(A);
- (2) The Lot of Exception will contain a dwelling which existed prior to January 25, 1990;
- (3) The Lot of Exception will be no larger than 5 acres, except as necessary to recognize physical factors such as roads or streams, in which case the parcel shall not be larger than 10 acres;
- (4) The division will create no more than one lot which is less than the minimum area required in MCC 33.22602263(A);
- (5) The division complies with the dimensional requirements of MCC 33.22562260 ~~(C)~~ through ~~(E)~~; and
- (6) The parcel not containing the dwelling is not entitled to a dwelling. A condition of approval shall require that covenants, conditions and restrictions which preclude future siting of a dwelling on the parcel shall be recorded with the county Division of Records. The covenants, conditions and restrictions are irrevocable, unless a statement of release is signed by an authorized representative of Multnomah County. That release may be given if the parcel is no longer subject to protection under Statewide Planning Goals for forest or agricultural lands.

(B) A parcel that contains two dwellings may be divided provided that:

* * *

(5) The new property line proposed to divide the existing parcel shall be located such that:

- (a) Forest Practices Setback dimensional requirements in MCC 33.2260~~(C)~~33.2256 are met as nearly as possible considering parcel size and location of existing dwellings and other structures;
- (b) Adverse impacts on forest practices will be minimized. Factors to consider in that evaluation include the location of: existing and potential logging access roads, existing and potential log landing areas, steep topography, and the size of the respective timber management areas.

(6) The development standards for dwellings and structures in MCC 33.2305~~2261~~, the exception standards for secondary fire safety zones in MCC 33.2310, and the land division requirement that “the tentative plan complies with the area and dimensional requirements of the underlying zoning district” shall not apply as approval criteria. The land division shall be reviewed as either a Category 1 or 3 land division, as applicable;

* * *

[CFU-1]

33.2065 Lots of Exception

An exception to permit the creation of a lot of less than the minimum specified in MCC 33.2060-2063(A) may be authorized as provided in (A) or (B) below, subject to the following:

(A) A small parcel for an existing dwelling may be established subject to the following:

- (1) The Lot of Record to be divided exceeds the area requirements of MCC 33.2060-2063(A);
- (2) The Lot of Exception will contain a dwelling which existed prior to January 25, 1990;
- (3) The Lot of Exception will be no larger than 5 acres, except as necessary to recognize physical factors such as roads or streams, in which case the parcel shall not be larger than 10 acres;
- (4) The division will create no more than one lot which is less than the minimum area required in MCC 33.2060-2063(A);
- (5) The division complies with the dimensional requirements of MCC 33.2060-2056 ~~(C)~~ through ~~(E)~~; and
- (6) The parcel not containing the dwelling is not entitled to a dwelling. A condition of approval shall require that covenants, conditions and restrictions which preclude future siting of a dwelling on the parcel shall be recorded with the county Division of Records. The covenants, conditions and restrictions are irrevocable, unless a statement of release is signed by an authorized representative of Multnomah County. That release may be given if the parcel is no longer subject to protection under Statewide Planning Goals for forest or agricultural lands.

(B) A parcel that contains two dwellings may be divided provided that:

* * *

(5) The new property line proposed to divide the existing parcel shall be located such that:

(a) Forest Practices Setback dimensional requirements in MCC 33.2060~~(C)~~2056 are met as nearly as possible considering parcel size and location of existing dwellings and other structures;

(b) Adverse impacts on forest practices will be minimized. Factors to consider in that evaluation include the location of: existing and potential logging access roads, existing and potential log landing areas, steep topography, and the size of the respective timber management areas.

(6) The development standards for dwellings and structures in MCC 33.2105~~2061~~, the exception standards for secondary fire safety zones in MCC 33.2110, and the land division requirement that

“the tentative plan complies with the area and dimensional requirements of the underlying zoning district” shall not apply as approval criteria. The land division shall be reviewed as either a Category 1 or 3 land division, as applicable;

* * *

[CFU-5]

33.2465 Lots of Exception

An exception to permit the creation of a lot of less than the minimum specified in MCC 33.2460-2463(A) may be authorized as provided in (A) or (B) below, subject to the following:

(A) A small parcel for an existing dwelling may be established subject to the following:

- (1) The Lot of Record to be divided exceeds the area requirements of MCC 33.2460-2463(A);
- (2) The Lot of Exception will contain a dwelling which existed prior to January 25, 1990;
- (3) The Lot of Exception will be no larger than 5 acres, except as necessary to recognize physical factors such as roads or streams, in which case the parcel shall not be larger than 10 acres;
- (4) The division will create no more than one lot which is less than the minimum area required in MCC 33.2460-2463(A);
- (5) The division complies with the dimensional requirements of MCC 33.2460-2456(C) through (E); and
- (6) The parcel not containing the dwelling is not entitled to a dwelling. A condition of approval shall require that covenants, conditions and restrictions which preclude future siting of a dwelling on the parcel shall be recorded with the county Division of Records. The covenants, conditions and restrictions are irrevocable, unless a statement of release is signed by an authorized representative of Multnomah County. That release may be given if the parcel is no longer subject to protection under Statewide Planning Goals for forest or agricultural lands.

(B) A parcel that contains two dwellings may be divided provided that:

* * *

(5) The new property line proposed to divide the existing parcel shall be located such that:

(a) Forest Practices Setback dimensional requirements in MCC 33.2460-2456(C) are met as nearly as possible considering parcel size and location of existing dwellings and other structures;

(b) Adverse impacts on forest practices will be minimized. Factors to consider in that evaluation include the location of: existing and potential logging access roads, existing and potential log landing areas, steep topography, and the size of the respective timber management areas.

(6) The development standards for dwellings and structures in MCC 33.2505-2461, the exception standards for secondary fire safety zones in MCC 33.2510, and the land division requirement that “the tentative plan complies with the area and dimensional requirements of the underlying zoning

district" shall not apply as approval criteria. The land division shall be reviewed as either a Category 1 or 3 land division, as applicable;

* * *

[CFU-4]

35.2265 Lots of Exception

An exception to permit the creation of a lot of less than the minimum specified in MCC 35.2260-2263(A) may be authorized as provided in (A) or (B) below, subject to the following:

(A) A small parcel for an existing dwelling may be established subject to the following:

- (1) The Lot of Record to be divided exceeds the area requirements of MCC 35.2260-2263(A);
- (2) The Lot of Exception will contain a dwelling which existed prior to January 25, 1990;
- (3) The Lot of Exception will be no larger than 5 acres, except as necessary to recognize physical factors such as roads or streams, in which case the parcel shall not be larger than 10 acres;
- (4) The division will create no more than one lot which is less than the minimum area required in MCC 35.2260-2263(A);
- (5) The division complies with the dimensional requirements of MCC 35.2260-2256(C) through (E); and
- (6) The parcel not containing the dwelling is not entitled to a dwelling. A condition of approval shall require that covenants, conditions and restrictions which preclude future siting of a dwelling on the parcel shall be recorded with the county Division of Records. The covenants, conditions and restrictions are irrevocable, unless a statement of release is signed by an authorized representative of Multnomah County. That release may be given if the parcel is no longer subject to protection under Statewide Planning Goals for forest or agricultural lands.

(B) A parcel that contains two dwellings may be divided provided that:

* * *

(5) The new property line proposed to divide the existing parcel shall be located such that:

(a) Forest Practices Setback dimensional requirements in MCC 35.2260-2256(C) are met as nearly as possible considering parcel size and location of existing dwellings and other structures;

(b) Adverse impacts on forest practices will be minimized. Factors to consider in that evaluation include the location of: existing and potential logging access roads, existing and potential log landing areas, steep topography, and the size of the respective timber management areas.

(6) The development standards for dwellings and structures in MCC 35.2305-2261, the exception standards for secondary fire safety zones in MCC 35.2310, and the land division requirement that "the tentative plan complies with the area and dimensional requirements of the underlying zoning district" shall not apply as approval criteria. The land division shall be reviewed as either a Category 1 or 3 land division, as applicable;

* * *

[CFU]

36.2065 Lots of Exception.

An exception to permit the creation of a lot of less than the minimum 80 acre parcel size for new parcels may be authorized as provided in (A) or (B) below and subject to the following:

(A) A small parcel for an existing dwelling may be established subject to the following:

- (1) The Lot of Record to be divided is larger than 80 acres;
- (2) The Lot of Exception will contain a dwelling which lawfully existed prior to January 25, 1990;
- (3) The Lot of Exception will be no larger than 5 acres;
- (4) The division will create no more than one lot which is less than 80 acres;
- (5) The division complies with the dimensional requirements of MCC 36.2060-2056(C) through (E); and
- (6) The parcel not containing the dwelling is not entitled to a dwelling. A condition of approval shall require that covenants, conditions and restrictions which preclude future siting of a dwelling on the parcel shall be recorded with the county Division of Records. The covenants, conditions and restrictions are irrevocable, unless a statement of release is signed by an authorized representative of Multnomah County. That release may be given if the parcel is no longer subject to protection under Statewide Planning Goals for forest or agricultural lands.

(B) A parcel that contains two dwellings may be divided provided that:

* * *

(6) The new property line proposed to divide the existing parcel shall be located such that:

- (a) Forest Practices Setback dimensional requirements in MCC 36.2060-2056(C) are met as nearly as possible considering parcel size and location of existing dwellings and other structures;
- (b) Adverse impacts on forest practices will be minimized. Factors to consider in that evaluation include the location of: existing and potential logging access roads, existing and potential log landing areas, steep topography, and the size of the respective timber management areas; and
- (7) The development standards for dwellings and structures in MCC 36.2105-2061, the exception standards for secondary fire safety zones in MCC 36.2110, and the land division requirement that "the tentative plan complies with the area and dimensional requirements of the underlying zoning district" shall not apply as approval criteria. The land division shall be reviewed as either a Category 1 or 3 land division, as applicable;

* * *

Section 53. §§ 33.2070, 33.2270, 33.2470, 35.2070, 35.2270, and 36.2070 are amended as follows:

[CFU-1]

33.2070 Lot Line Adjustment; Property Line Adjustment

(A) Pursuant to the applicable provisions in MCC 33.7790, ~~An~~ an adjustment of the common lot line between contiguous Lots of Record may be authorized based on a finding that:

- (1) The permitted number of dwellings will not thereby be increased above that otherwise allowed in this district;
- (2) The resulting lot configuration is at least as appropriate for the continuation of the existing commercial forest practices in the area as the lot configuration prior to adjustment;
- (3) The new lot line is in compliance with the dimensional requirements of MCC 33.20602056~~(C)~~ through ~~(E)~~; and
- (4) Neither of the properties is developed with a dwelling approved under the provisions for a mobile home on a Health Hardship, or a dwelling for the housing of help required to carry out a farm or forest use; and
- (5) If the properties abut a street, the required access requirements of MCC 33.2073 are met after the relocation of the common property line.

[CFU-2]

33.2270 Lot Line Adjustment; Property Line Adjustment

(A) Pursuant to the applicable provisions in MCC 33.7790, ~~An~~ an adjustment of the common lot line between contiguous Lots of Record may be authorized based on a finding that:

- (1) The permitted number of dwellings will not thereby be increased above that otherwise allowed in this district;
- (2) The resulting lot configuration is at least as appropriate for the continuation of the existing commercial forest practices in the area as the lot configuration prior to adjustment;
- (3) The new lot line is in compliance with the dimensional requirements of MCC 33.22602256~~(C)~~ through ~~(E)~~; and
- (4) Neither of the properties is developed with a dwelling approved under the provisions for a mobile home on a Health Hardship, or a dwelling for the housing of help required to carry out a farm or forest use; and
- (5) If the properties abut a street, the required access requirements of MCC 33.2273 are met after the relocation of the common property line.

[CFU-5]

33.2470 Lot Line Adjustment; Property Line Adjustment

(A) Pursuant to the applicable provisions in MCC 33.7790, ~~An~~ an adjustment of the common lot line between contiguous Lots of Record may be authorized based on a finding that:

- (1) The permitted number of dwellings will not thereby be increased above that otherwise allowed in this district;
- (2) The resulting lot configuration is at least as appropriate for the continuation of the existing commercial forest practices in the area as the lot configuration prior to adjustment;
- (3) The new lot line is in compliance with the dimensional requirements of MCC 33.24602456(C) through (E); and
- (4) Neither of the properties is developed with a dwelling approved under the provisions for a mobile home on a Health Hardship, or a dwelling for the housing of help required to carry out a farm or forest use; and
- (5) If the properties abut a street, the required access requirements of MCC 33.2473 are met after the relocation of the common property line.

[CFU-3]

35.2070 Lot Line Adjustment; Property Line Adjustment

(A) Pursuant to the applicable provisions in MCC 35.7790, ~~An~~ an adjustment of the common lot line between contiguous Lots of Record may be authorized based on a finding that:

- (1) The permitted number of dwellings will not thereby be increased above that otherwise allowed in this district;
- (2) The resulting lot configuration is at least as appropriate for the continuation of the existing commercial forest practices in the area as the lot configuration prior to adjustment;
- (3) The new lot line is in compliance with the dimensional requirements of MCC 35.20602056(C) through (E); and
- (4) Neither of the properties is developed with a dwelling approved under the provisions for a mobile home on a Health Hardship, or a dwelling for the housing of help required to carry out a farm or forest use; and
- (5) If the properties abut a street, the required access requirements of MCC 35.2073 are met after the relocation of the common property line.

[CFU-4]

35.2270 Lot Line Adjustment; Property Line Adjustment

(A) Pursuant to the applicable provisions in MCC 35.7790, ~~An~~ an adjustment of the common lot line between contiguous Lots of Record based on a finding that:

- (1) The permitted number of dwellings will not thereby be increased above that otherwise allowed in this district;
- (2) The resulting lot configuration is at least as appropriate for the continuation of the existing commercial forest practices in the area as the lot configuration prior to adjustment;
- (3) The new lot line is in compliance with the dimensional requirements of MCC 35.2260~~2256(C)~~ through (D); and
- (4) Neither of the properties is developed with a dwelling approved under the provisions for a mobile home on a Health Hardship, or a dwelling for the housing of help required to carry out a farm or forest use; and
- (5) If the properties abut a street, the required access requirements of MCC 35.2273 are met after the relocation of the common property line.

[CFU]

36.2070 Lot Line Adjustment; Property Line Adjustment

(A) Pursuant to the applicable provisions in MCC 33.7790, ~~An~~ an adjustment of the common lot line between contiguous Lots of Record may be authorized based on a finding that:

- (1) The permitted number of dwellings will not thereby be increased above that otherwise allowed in this district;
- (2) The resulting lot configuration is at least as appropriate for the continuation of the existing commercial forest practices in the area as the lot configuration prior to adjustment;
- (3) The new lot line is in compliance with the dimensional requirements of MCC 36.2060~~2056(C)~~ through (E); and
- (4) Neither of the properties is developed with a dwelling approved under the provisions for a mobile home on a Health Hardship, or a dwelling for the housing of help required to carry out a farm or forest use; and
- (5) If the properties abut a street, the required access requirements of MCC 36.2073 are met after the relocation of the common property line.

Section 54. §§ 33.2290, 33.2090, 33.2490, 35.2090, 35.2290 and 36.2090 are renumbered and amended as follows:

[CFU-2]

33.2290-2273 Access

~~Any~~All lots and parcels in this district shall abut a street, or shall have other access deemed by the approval authority to be safe and convenient for pedestrians and for passenger and emergency vehicles, except as provided for Lots of Record at MCC 33.2275(C).

[CFU-1]

33.2090-2073 Access

~~Any~~All lots and parcels in this district shall abut a street, or shall have other access deemed by the approval authority to be safe and convenient for pedestrians and for passenger and emergency vehicles, except as provided for Lots of Record at MCC 33.2075(C).

[CFU-5]

33.2490-2473 Access

~~Any~~All lots and parcels in this district shall abut a street, or shall have other access deemed by the approval authority to be safe and convenient for pedestrians and for passenger and emergency vehicles, except as provided for Lots of Record at MCC 33.2475(C).

[CFU-3]

35.2090-2073 Access

~~Any~~All lots and parcels in this district shall abut a street, or shall have other access deemed by the approval authority to be safe and convenient for pedestrians and for passenger and emergency vehicles, except as provided for Lots of Record at MCC 35.2075(C).

[CFU-4]

35.2290-2273 Access

~~Any~~All lots and parcels in this district shall abut a street, or shall have other access deemed by the approval authority to be safe and convenient for pedestrians and for passenger and emergency vehicles, except as provided for Lots of Record at MCC 35.2275(C).

[CFU]

36.2090-2073 Access

~~Any~~All lots and parcels in this district shall abut a street, or shall have other access deemed by the approval authority to be safe and convenient for pedestrians and for passenger and emergency vehicles, except as provided for Lots of Record at MCC 36.2075(C).

Section 55. §§ 33.2275, 33.2075, 33.2475, 35.2075, 35.2275 and 36.2075 are amended as follows:

[CFU-2]

33.2275 Lot of Record

* * *

(C) A Lot of Record which has less than the minimum lot size for new parcels, less than the front lot line minimums required, or which does not meet the access requirements of MCC 33.2290~~2273~~, may be occupied by any allowed use, review use or conditional use when in compliance with the other requirements of this district.

* * *

[CFU-1]

33.2075 Lot of Record

* * *

(C) A Lot of Record which has less than the minimum lot size for new parcels, less than the front lot line minimums required, or which does not meet the access requirements of MCC 33.2090~~2073~~, may be occupied by any allowed use, review use or conditional use when in compliance with the other requirements of this district.

* * *

[CFU-5]

33.2475 Lot of Record

* * *

(C) A Lot of Record which has less than the minimum lot size for new parcels, less than the front lot line minimums required, or which does not meet the access requirements of MCC 33.2490~~2473~~, may be occupied by any allowed use, review use or conditional use when in compliance with the other requirements of this district.

* * *

[CFU-3]

35.2075 Lot of Record

* * *

(C) A Lot of Record which has less than the minimum lot size for new parcels, less than the front lot line minimums required, or which does not meet the access requirements of MCC 35.2090~~2073~~, may be occupied by any allowed use, review use or conditional use when in compliance with the other requirements of this district.

* * *

[CFU-4]

35.2275 Lot of Record

* * *

(C) A Lot of Record which has less than the minimum lot size for new parcels, less than the front lot line minimums required, or which does not meet the access requirements of MCC 35.2290~~2273~~, may be occupied by any allowed use, review use or conditional use when in compliance with the other requirements of this district.

* * *

[CFU]

36.2075 Lot of Record.

* * *

(C) A Lot of Record which has less than the minimum lot size for new parcels, less than the front lot line minimums required, or which does not meet the access requirements of MCC 36.2090~~2073~~, may be occupied by any allowed use, review use or conditional use when in compliance with the other requirements of this district.

* * *

Section 56. §§ 33.2280, 33.2080, 33.2480, 35.2080, 35.2280 and 36.2080 are amended as follows:

[CFU-2]

33.2280 Lot Size for Conditional Uses

Lots less than the minimum specified in MCC 33.2260-2263(A) may be created for the uses listed in MCC 33.2220~~(S)~~(R) and 33.2230~~(D)~~(A)(1) through (6), (9) through (13), and (16) and ~~(E)~~(B)(1) through (4), after approval is obtained pursuant to MCC 33.2245 and based upon:

- (A) A finding that the new lot is the minimum site size necessary for the proposed use;
- (B) The nature of the proposed use in relation to its impact on nearby properties; and
- (C) Consideration of the purposes of this district.

[CFU-1]

33.2080 Lot Size for Conditional Uses

Lots less than the minimum specified in MCC 33.2060-2063(A) may be created for the uses listed in MCC 33.2020~~(S)~~(R) and 33.2030~~(B)~~(A)(1) through (6), (9) through (13), and (16) and ~~(C)~~(B)(1) through (4), after approval is obtained pursuant to MCC 33.2045 and based upon:

- (A) A finding that the new lot is the minimum site size necessary for the proposed use;
- (B) The nature of the proposed use in relation to its impact on nearby properties; and
- (C) Consideration of the purposes of this district.

[CFU-5]

33.2480 Lot Size for Conditional Uses

Lots less than the minimum specified in MCC 33.2460-2463(A) may be created for the uses listed in MCC 33.2420~~(S)~~(R) and 33.2430~~(B)~~(A)(1) through (6), (9) through (13), (16), and ~~(C)~~(B)(1) through (4), after approval is obtained pursuant to MCC 33.2445 and based upon:

- (A) A finding that the new lot is the minimum site size necessary for the proposed use;

- (B) The nature of the proposed use in relation to its impact on nearby properties; and
- (C) Consideration of the purposes of this district.

[CFU-3]

35.2080 Lot Size for Conditional Uses

Lots less than the minimum specified in MCC 35.2060-2063(A) may be created for the uses listed in MCC 35.2020(~~S~~)(R) and 35.2030(A)(1) through (6), (9) through (13), and (16) and (B)(1) through (4), after approval is obtained pursuant to MCC 35.2045 and based upon:

- (A) A finding that the new lot is the minimum site size necessary for the proposed use;
- (B) The nature of the proposed use in relation to its impact on nearby properties; and
- (C) Consideration of the purposes of this district.

[CFU-4]

35.2280 Lot Size for Conditional Uses

Lots less than the minimum specified in MCC 35.2260-2263(A) may be created for the uses listed in MCC 35.2220(~~S~~)(R) and 35.2230(~~D~~)(A)(1) through (6), (9) through (13), and (16) and (~~E~~)(B)(1) through (4), after approval is obtained pursuant to MCC 35.2245 and based upon:

- (A) A finding that the new lot is the minimum site size necessary for the proposed use;
- (B) The nature of the proposed use in relation to its impact on nearby properties; and
- (C) Consideration of the purposes of this district.

[CFU]

36.2080 Lot Size for Conditional Uses.

Lots less than the minimum specified in MCC 36.2060-2063(A) may be created for the uses listed in MCC 36.2020(~~S~~)(R) and 36.2030(~~A~~)(D)(1) through (6), (9) through (13), and (16) and (~~B~~)(E)(1) through (4), after approval is obtained pursuant to MCC 36.2045 and based upon:

- (A) A finding that the new lot is the minimum site size necessary for the proposed use;
- (B) The nature of the proposed use in relation to its impact on nearby properties; and
- (C) Consideration of the purposes of this district.

Section 57. **§§ 33.2255, 33.2055, 33.2455, 35.2055, 35.2255, and 36.2055 are renumbered as follows:**

[CFU-2]

33.2255-2307 Single Family Dwellings Condition of Approval - Prohibition on Claims Alleging Injury From Farm or Forest Practices

* * *

[CFU-1]

33.2055-2107 Single Family Dwellings Condition of Approval – Prohibition on Claims Alleging Injury From Farm or Forest Practices

* * *

[CFU-5]

33.2455-2507 Single Family Dwellings Condition of Approval – Prohibition on Claims Alleging Injury From Farm or Forest Practices

* * *

[CFU-3]

35.2055-2107 Single Family Dwellings Condition of Approval – Prohibition on Claims Alleging Injury From Farm or Forest Practices

* * *

[CFU-4]

35.2255-2307 Single Family Dwellings Condition of Approval - Prohibition on Claims Alleging Injury From Farm or Forest Practices

* * *

[CFU]

36.2055-2107 Single Family Dwellings Condition of Approval - Prohibition on Claims Alleging Injury From Farm or Forest Practices

* * *

Section 58. **§§ 33.2310, 33.2110, 33.2510, 35.2110, 35.2310 and 36.2110 are amended as follows:**

[CFU-2]

33.2310 Exceptions to Secondary Fire Safety Zones and Forest Practices ~~Setbacks~~

(A) The secondary fire safety zone and forest practices tract setbacks for dwellings and structures may be reduced pursuant to the provisions of 33.2310 (B) when:

- (1) The tract on which the dwelling or structure is proposed has an average lot width or depth of 330 feet or less, or
- (2) The dwelling or structure is proposed to be located within 130 feet of the centerline of a public or private road serving two or more properties including the subject site; or
- (3) The proposed dwelling or structure is intended to be located within 130 feet of a legally existing dwelling or structure.

(B) Exceptions to secondary fire safety zones and forest practices setbacks shall only be granted upon satisfaction of the following standards:

- (1) If the proposed secondary fire safety zone is between 50 and 100 feet, the dwelling or structure shall be constructed in accordance with the International Fire Code Institute Urban-Wildland Interface Code Section 505 Class 2 Ignition Resistant Construction as adopted August, 1996, or as later amended, or
- (2) If the proposed secondary fire safety zone is less than fifty feet, the dwelling or structure shall be constructed in accordance with the International Fire Code Institute Urban-Wildland Interface Code Section 504 Class 1 Ignition Resistant Construction as adopted August, 1996, or as later amended, and
- (3) There shall be no combustible fences within 12 feet of the exterior surface of the dwelling or structure; and
- (4) A dwelling shall have a central station monitored alarm system if the secondary fire safety zone equivalents of MCC 33.2310 (B) (1) are utilized, or
- (5) A dwelling shall have a central station monitored 13D sprinkler system if the secondary fire safety zone equivalents of MCC 33.2310 (B) (2) are utilized.

Exception: Expansions of existing single family dwellings as allowed by MCC 33.2220
~~(D) 33.2225(A)~~ shall not be required to meet this standard, but shall satisfy the standard of MCC 33.2305-2261(B)(C)(3) above.

(6) All accessory structures within the fire safety zone setbacks required by MCC 33.2305-33.2256 shall have a central monitored alarm system.

(7) All accessory structures within 50 feet of a building containing shall:

~~(a) Have a central monitored alarm system;~~

~~(b) Have exterior walls constructed with materials approved for a minimum of one-hour-rated fire-resistive construction, heavy timber, log wall construction or constructed with noncombustible materials on the exterior side.~~

(8) When a detached accessory structure is proposed to be located so that the structure or any portion thereof projects over a descending slope surface greater than 10 percent, the area below the structure shall have all underfloor areas enclosed to within 6 inches of the ground, with exterior wall construction in accordance with Section 504.5 of the International Fire Code Institute Urban-Wildland Interface Code Class 1 Ignition Resistant Construction as adopted August, 1996, or as later amended, or underfloor protection in accordance with Section 504.6 of that same publication.

Exception: The enclosure may be omitted where the underside of all exposed floors and all exposed structural columns, beams and supporting walls are protected as required for exterior one-hour-rated fire-resistive construction or heavy-timber construction.

[CFU-1]

33.2110 Exceptions to Secondary Fire Safety Zones and Forest Practices Setbacks

(A) The secondary fire safety zone and forest practices tract setbacks for dwellings and structures may be reduced pursuant to the provisions of 33.2110 (B) when:

- (1) The tract on which the dwelling or structure is proposed has an average lot width or depth of 330 feet or less, or
- (2) The dwelling or structure is proposed to be located within 130 feet of the centerline of a public or private road serving two or more properties; or
- (3) The proposed dwelling or structure is proposed to be clustered with a legally existing dwelling or structure.

(B) Exceptions to secondary fire safety zones and forest practices setbacks shall only be granted upon satisfaction of the following standards:

- (1) If the proposed secondary fire safety zone is between 50 and 100 feet, the dwelling or structure shall be constructed in accordance with the International Fire Code Institute Urban-Wildland Interface Code Section 505 Class 2 Ignition Resistant Construction as adopted August, 1996, or as later amended, or
- (2) If the proposed secondary fire safety zone is less than fifty feet, the dwelling or structure shall be constructed in accordance with the International Fire Code Institute Urban-Wildland Interface Code Section 504 Class 1 Ignition Resistant Construction as adopted August, 1996, or as later amended, and
- (3) There shall be no combustible fences within 12 feet of the exterior surface of the dwelling or structure; and
- (4) A dwelling shall have a central station monitored alarm system if the secondary fire safety zone equivalents of MCC 33.2110 (B) (1) are utilized, or
- (5) A dwelling shall have a central station monitored 13D sprinkler system if the secondary fire safety zone equivalents of MCC 33.2110 (B) (2) are utilized.

Exception: Expansions of existing single family dwellings as allowed by MCC 33.2020 2025(DA) shall not be required to meet this standard, but shall satisfy the standard of MCC 33.21052061(B)(C)(3) above.

- (6) All accessory structures within the fire safety zone setbacks required by MCC 33.21052056, and all accessory structures within 50 feet of a dwelling, shall have a central monitored alarm system.
- (7) All accessory structures within 50 feet of a building shall:

(a) Have a central monitored alarm system;

(b) Have exterior walls constructed with materials approved for a minimum of one-hour-rated fire-resistive construction, heavy timber, log wall construction or constructed with noncombustible materials on the exterior side.

(8) When a detached accessory structure is proposed to be located so that the structure or any portion thereof projects over a descending slope surface greater than 10 percent, the area below the structure shall have all underfloor areas enclosed to within 6 inches of the ground, with exterior wall construction in accordance with Section 504.5 of the International Fire Code Institute Urban– Wildland Interface Code Class 1 Ignition Resistant Construction as adopted August, 1996, or as later amended, or underfloor protection in accordance with Section 504.6 of that same publication.

Exception: The enclosure may be omitted where the underside of all exposed floors and all exposed structural columns, beams and supporting walls are protected as required for exterior one-hour-rated fire-resistive construction or heavy-timber construction.

[CFU-5]

33.2510 Exceptions to Secondary Fire Safety Zones and Forest Practices Setbacks

(A) The secondary fire safety zone and forest practices tract setbacks for dwellings and structures may be reduced pursuant to the provisions of MCC 33.2510 (B) when:

- (1) The tract on which the dwelling or structure is proposed has an average lot width or depth of 330 feet or less, or
- (2) The dwelling or structure is proposed to be located within 130 feet of the centerline of a public or private road serving two or more properties including the subject site; or
- (3) The proposed dwelling or structure is intended to be located within 130 feet of a legally existing dwelling or structure.

(B) Exceptions to secondary fire safety zones and forest practices setbacks shall only be granted upon satisfaction of the following standards:

- (1) If the proposed secondary fire safety zone is between 50 and 100 feet, the dwelling or structure shall be constructed in accordance with the International Fire Code Institute Urban– Wildland Interface Code Section 505 Class 2 Ignition Resistant Construction as adopted August, 1996, or as later amended, or
- (2) If the proposed secondary fire safety zone is less than fifty feet, the dwelling or structure shall be constructed in accordance with the International Fire Code Institute Urban-Wildland Interface Code Section 504 Class 1 Ignition Resistant Construction as adopted August, 1996, or as later amended, and
- (3) There shall be no combustible fences within 12 feet of the exterior surface of the dwelling or structure; and
- (4) A dwelling shall have a central station monitored alarm system if the secondary fire safety zone equivalents of MCC 33.2510 (B) (1) are utilized, or

(5) A dwelling shall have a central station monitored 13D sprinkler system if the secondary fire safety zone equivalents of MCC 33.2510 (B) (2) are utilized.

Exception: Expansions of existing single family dwellings as allowed by MCC 33.2420(D) ~~2425(A)~~ shall not be required to meet this standard, but shall satisfy the standard of MCC 33.2505 ~~33.2461(B)(C)(3)~~ above.

(6) All accessory structures within the fire safety zone setbacks required by MCC ~~33.2505~~ 33.2456 shall have a central monitored alarm system.

(7) All accessory structures within 50 feet of a building shall:

(a) ~~Have a central monitored alarm system;~~

(b) ~~Have~~ exterior walls constructed with materials approved for a minimum of one-hour-rated fire-resistive construction, heavy timber, log wall construction or constructed with noncombustible materials on the exterior side.

(8) When a detached accessory structure is proposed to be located so that the structure or any portion thereof projects over a descending slope surface greater than 10 percent, the area below the structure shall have all underfloor areas enclosed to within 6 inches of the ground, with exterior wall construction in accordance with Section 504.5 of the International Fire Code Institute Urban-Wildland Interface Code Class 1 Ignition Resistant Construction as adopted August, 1996, or as later amended, or underfloor protection in accordance with Section 504.6 of that same publication.

Exception: The enclosure may be omitted where the underside of all exposed floors and all exposed structural columns, beams and supporting walls are protected as required for exterior one-hour-rated fire-resistive construction or heavy-timber construction.

[CFU-3]

35.2110 Exceptions to Secondary Fire Safety Zones and Forest Practices Setbacks

(A) The secondary fire safety zone and forest practices tract setbacks for dwellings and structures may be reduced pursuant to the provisions of 35.2110 (B) when:

(1) The tract on which the dwelling or structure is proposed has an average lot width or depth of 330 feet or less, or

(2) The dwelling or structure is proposed to be located within 130 feet of the centerline of a public or private road serving two or more properties; or

(3) The proposed dwelling or structure is proposed to be clustered with a legally existing dwelling or structure.

(B) Exceptions to secondary fire safety zones and forest practices setbacks shall only be granted upon satisfaction of the following standards:

(1) If the proposed secondary fire safety zone is between 50 and 100 feet, the dwelling or structure shall be constructed in accordance with the International Fire Code Institute Urban-Wildland Interface Code Section 505 Class 2 Ignition Resistant Construction as adopted August, 1996, or as later amended, or

(2) If the proposed secondary fire safety zone is less than fifty feet, the dwelling or structure shall be constructed in accordance with the International Fire Code Institute Urban-Wildland Interface Code Section 504 Class 1 Ignition Resistant Construction as adopted August, 1996, or as later amended, and

(3) There shall be no combustible fences within 12 feet of the exterior surface of the dwelling or structure; and

(4) A dwelling shall have a central station monitored alarm system if the secondary fire safety zone equivalents of MCC 35.2110 (B) (1) are utilized, or

(5) A dwelling shall have a central station monitored 13D sprinkler system if the secondary fire safety zone equivalents of MCC 35.2110 (B) (2) are utilized.

Exception: Expansions of existing single family dwellings as allowed by MCC 35.2020-2025 (DA) shall not be required to meet this standard, but shall satisfy the standard of MCC 35.2110 2061(B)(C)(3)-above.

(6) All accessory structures within the fire safety zone setbacks required by MCC 35.21052056, and all accessory structures within 50 feet of a dwelling, shall have a central monitored alarm system.

(7) All accessory structures within 50 feet of a building shall:

(a) Have a central monitored alarm system;

(b) Have exterior walls constructed with materials approved for a minimum of one-hour-rated fire-resistive construction, heavy timber, log wall construction or constructed with noncombustible materials on the exterior side.

(8) When a detached accessory structure is proposed to be located so that the structure or any portion thereof projects over a descending slope surface greater than 10 percent, the area below the structure shall have all underfloor areas enclosed to within 6 inches of the ground, with exterior wall construction in accordance with Section 504.5 of the International Fire Code Institute Urban-Wildland Interface Code Class 1 Ignition Resistant Construction as adopted August, 1996, or as later amended, or underfloor protection in accordance with Section 504.6 of that same publication.

Exception: The enclosure may be omitted where the underside of all exposed floors and all exposed structural columns, beams and supporting walls are protected as required for exterior one-hour-rated fire-resistive construction or heavy-timber construction.

[CFU-4]

35.2310 Exceptions to Secondary Fire Safety Zones and Forest Practices Setbacks

(A) The secondary fire safety zone and forest practices tract setbacks for dwellings and structures may be reduced pursuant to the provisions of 35.2310 (B) when:

- (1) The tract on which the dwelling or structure is proposed has an average lot width or depth of 330 feet or less, or
- (2) The dwelling or structure is proposed to be located within 130 feet of the centerline of a public or private road serving two or more properties; or
- (3) The proposed dwelling or structure is proposed to be clustered with a legally existing dwelling or structure.

(B) Exceptions to secondary fire safety zones and forest practices setbacks shall only be granted upon satisfaction of the following standards:

- (1) If the proposed secondary fire safety zone is between 50 and 100 feet, the dwelling or structure shall be constructed in accordance with the International Fire Code Institute Urban-Wildland Interface Code Section 505 Class 2 Ignition Resistant Construction as adopted August, 1996, or as later amended, or
- (2) If the proposed secondary fire safety zone is less than fifty feet, the dwelling or structure shall be constructed in accordance with the International Fire Code Institute Urban-Wildland Interface Code Section 504 Class 1 Ignition Resistant Construction as adopted August, 1996, or as later amended, and
- (3) There shall be no combustible fences within 12 feet of the exterior surface of the dwelling or structure; and
- (4) A dwelling shall have a central station monitored alarm system if the secondary fire safety zone equivalents of MCC 35.2310 (B) (1) are utilized, or
- (5) A dwelling shall have a central station monitored 13D sprinkler system if the secondary fire safety zone equivalents of MCC 35.2310 (B) (2) are utilized.

Exception: Expansions of existing single family dwellings as allowed by MCC 35.2220-2225 (D A) shall not be required to meet this standard, but shall satisfy the standard of MCC 35.2305 2261(B)(C)(3)-above.

(6) All accessory structures within the fire safety zone setbacks required by MCC 35.2305 2256, and all accessory structures within 50 of a dwelling, shall have a central monitored alarm system.

(7) All accessory structures within 50 feet of a building shall:

(a) Have a central monitored alarm system;

(b) Have exterior walls constructed with materials approved for a minimum of one-hour-rated fire-resistive construction, heavy timber, log wall construction or constructed with noncombustible materials on the exterior side.

(8) When a detached accessory structure is proposed to be located so that the structure or any portion thereof projects over a descending slope surface greater than 10 percent, the area below the structure shall have all underfloor areas enclosed to within 6 inches of the ground, with exterior wall construction in accordance with Section 504.5 of the International Fire Code Institute Urban– Wildland Interface Code Class 1 Ignition Resistant Construction as adopted August, 1996, or as later amended, or underfloor protection in accordance with Section 504.6 of that same publication.

Exception: The enclosure may be omitted where the underside of all exposed floors and all exposed structural columns, beams and supporting walls are protected as required for exterior one-hour-rated fire-resistive construction or heavy-timber construction.

[CFU]

36.2110 Exceptions to Secondary Fire Safety Zones and Forest Practices Setbacks

(A) The secondary fire safety zone and forest practices tract setbacks for dwellings and structures may be reduced pursuant to the provisions of 36.2110 (B) when:

- (1) The tract on which the dwelling or structure is proposed has an average lot width or depth of 330 feet or less, or
- (2) The dwelling or structure is proposed to be located within 130 feet of the centerline of a public or private road serving two or more properties; or
- (3) The proposed dwelling or structure is proposed to be clustered with a legally existing dwelling or structure.

(B) Exceptions to secondary fire safety zones and forest practices setbacks shall only be granted upon satisfaction of the following standards:

- (1) If the proposed secondary fire safety zone is between 50 and 100 feet, the dwelling or structure shall be constructed in accordance with the International Fire Code Institute Urban-Wildland Interface Code Section 505 Class 2 Ignition Resistant Construction as adopted August, 1996, or as later amended, or
- (2) If the proposed secondary fire safety zone is less than fifty feet, the dwelling or structure shall be constructed in accordance with the International Fire Code Institute Urban-Wildland Interface Code Section 504 Class 1 Ignition Resistant Construction as adopted August, 1996, or as later amended, and
- (3) There shall be no combustible fences within 12 feet of the exterior surface of the dwelling or structure; and
- (4) A dwelling shall have a central station monitored alarm system if the secondary fire safety zone equivalents of MCC 36.2110 (B) (1) are utilized, or
- (5) A dwelling shall have a central station monitored 13D sprinkler system if the secondary fire safety zone equivalents of MCC 36.2110 (B) (2) are utilized.

Exception: Expansions of existing single family dwellings as allowed by MCC 36.2020-2025 (DA) shall not be required to meet this standard, but shall satisfy the standard of MCC 36.2140 2061(B)(C)(3)-above.

(6) All accessory structures within the fire safety zone setbacks required by MCC 36.21052056, and all accessory structures within 50 feet of a dwelling, shall have a central monitored alarm system.

(7) All accessory structures within 50 feet of a building shall:

(a) ~~Have a central monitored alarm system;~~

(b) ~~Have~~ exterior walls constructed with materials approved for a minimum of one-hour-rated fire-resistive construction, heavy timber, log wall construction or constructed with noncombustible materials on the exterior side.

(8) When a detached accessory structure is proposed to be located so that the structure or any portion thereof projects over a descending slope surface greater than 10 percent, the area below the structure shall have all underfloor areas enclosed to within 6 inches of the ground, with exterior wall construction in accordance with Section 504.5 of the International Fire Code Institute Urban-Wildland Interface Code Class 1 Ignition Resistant Construction as adopted August, 1996, or as later amended, or underfloor protection in accordance with Section 504.6 of that same publication.

Exception: The enclosure may be omitted where the underside of all exposed floors and all exposed structural columns, beams and supporting walls are protected as required for exterior one-hour-rated fire-resistive construction or heavy-timber construction.

Section 59. §§ 33.2620, 33.2820, 33.3120, 33.3320, 33.4755, 34.2620, 34.2820, 34.3120, 34.3320, 34.4755, 35.2620, 35.2820, 35.3120, 35.3320, 35.4755, 36.2620, 36.2820, 36.3120, 36.3320, and 38.1010 are amended as follows:

33.2620 Allowed Uses

* * *

(R) Type A home occupation pursuant to the definition and restrictions of MCC 33.0005-(H)-(6)-(a). Home occupations as defined by MCC 33.0005 (H)-(6)-(a) do not allow the level of activity defined in ORS 215.448.

* * *

33.2820 Allowed Uses

* * *

(E) Type A home occupations pursuant to the definition and restrictions of MCC 33.0005-(H)-(6)-(a).

* * *

33.3120 Allowed Uses

* * *

(E) Type A home occupations pursuant to the definition and restrictions of MCC 33.0005-(H)-(6)-(a);

* * *

33.3320 Allowed Uses

* * *

(E) Type A home occupations pursuant to the definition and restrictions of MCC 33.0005-(H)-(6)-(a).

* * *

33.4755 Definition

Historical Landmark means any building, structure, or physical object and the premises on which it is located which is recognized to be of particular cultural, aesthetic, educational, or historical significance under the Historical Site Criteria of the Comprehensive Plan. See also *Historical Building* definition at MCC 33.0005-(H)-(4).

34.2620 Allowed Uses

* * *

(R) Type A home occupation pursuant to the definition and restrictions of MCC 34.0005-(H)-(6)-(a). Home occupations as defined by MCC 34.0005-(H)-(6)-(a) do not allow the level of activity defined in ORS 215.448.

* * *

34.2820 Allowed Uses

* * *

(E) Type A home occupations pursuant to the definition and restrictions of MCC 34.0005-(H)-(6)-(a);

* * *

34.3120 Allowed Uses

* * *

(E) Type A home occupations pursuant to the definition and restrictions of MCC 34.0005-(H)-(6)-(a); and,

* * *

34.3320 Allowed Uses

* * *

(E) Type A home occupations pursuant to the definition and restrictions of MCC 34.0005-(H)-(6)-(a).

* * *

34.4755 Definition

Historical Landmark means any building, structure, or physical object and the premises on which it is located which is recognized to be of particular cultural, aesthetic, educational, or historical significance under the Historical Site Criteria of the Comprehensive Plan. See also *Historical Building* definition at MCC 34.0005-(H)-(4).

35.2620 Allowed Uses

* * *

(R) Type A home occupation pursuant to the definition and restrictions of MCC 35.0005-(H)-(6)-(a). Home occupations as defined by MCC 35.0005-(H)-(6)-(a) do not allow the level of activity defined in ORS 215.448.

* * *

35.2820 Allowed Uses

* * *

(E) Type A home occupations pursuant to the definition and restrictions of MCC 35.0005-(H)-(6)-(a);

* * *

35.3120 Allowed Uses

* * *

(E) Type A home occupations pursuant to the definition and restrictions of MCC 35.0005-(H)-(6)-(a);

* * *

35.3320 Allowed Uses

* * *

(E) Type A home occupations pursuant to the definition and restrictions of MCC 35.0005-(H)-(6)-(a).

* * *

35.4755 Definition

Historical Landmark means any building, structure, or physical object and the premises on which it is located which is recognized to be of particular cultural, aesthetic, educational, or historical significance under the Historical Site Criteria of the Comprehensive Plan. See also *Historical Building* definition at MCC 35.0005-(H)-(4).

36.2620 Allowed Uses.

* * *

(R) Type A home occupation pursuant to the definition and restrictions of MCC 36.0005-(H)-(6)-(a). Home occupations as defined by MCC 36.0005-(H)-(8)-(a) do not allow the level of activity defined in ORS 215.448.

* * *

36.2820 Allowed Uses.

* * *

(E) Type A home occupations pursuant to the definition and restrictions of MCC 36.0005-(H)-(8)-(a).

* * *

36.3120 Allowed Uses.

* * *

(F) Type A home occupations pursuant to the definition and restrictions of MCC 36.0005-(H)-(8)-(a);
and,

* * *

36.3320 Allowed Uses

* * *

(E) Type A home occupations pursuant to the definition and restrictions of MCC 36.0005-(H)-(8)-(a).
* * *

38.1010 Expedited Uses.

(A) The following development may be reviewed using the expedited process listed in MCC 38.0530(B), and are permitted when found to satisfy the applicable approval criteria pursuant to the provisions of MCC 38.7100.

* * *

(21) Replace an existing mobile home in a mobile home space within a mobile home park,
provided:

(a) The mobile home to be replaced, the mobile home space and the mobile home park are
existing uses, as defined in MCC 38.0015-(E)-(7);

FIRST READING:

July 20, 2006

SECOND READING AND ADOPTION:

July 27, 2006

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Diane M. Linn, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By Sandra N. Duffy
Sandra N. Duffy, Assistant County Attorney



MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST

Board Clerk Use Only

Meeting Date: 07/20/06
Agenda Item #: R-6
Est. Start Time: 10:05 AM
Date Submitted: 06/14/06

BUDGET MODIFICATION: -

Agenda Title: **PROCLAMATION** Proclaiming July 16th through July 22nd, 2006 as Probation, Parole and Community Supervision Officers' Week in Multnomah County, Oregon

Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title.

Date Requested:	<u>July 20, 2006</u>	Time Requested:	<u>20 minutes</u>
Department:	<u>Dept. of Community Justice</u>	Division:	<u>Director's Office</u>
Contact(s):	<u>Robb Freda-Cowie</u>		
Phone:	<u>503-988-5820</u>	Ext.	<u>85820</u>
		I/O Address:	<u>305250</u>
Presenter(s):	<u>Joanne Fuller and DCJ staff</u>		

General Information

1. What action are you requesting from the Board?

We request that the Board proclaim July 16th, 2006 through July 22nd, 2006 as Probation, Parole and Community Supervision Officers' Week in Multnomah County, Oregon.

2. Please provide sufficient background information for the Board and the public to understand this issue.

During the week of July 16th through July 22nd, 2006, the American Probation and Parole Association is sponsoring 2006 Probation, Parole & Community Supervision Officers' Week. This celebration recognizes the work that probation, parole and community supervision officers do to protect public safety and help offenders become productive citizens.

The Department of Community Justice's probation and parole officers, juvenile court counselors, juvenile custody services specialists, corrections counselors and technicians (and all the other staff that make their work possible) – as well as our volunteers and interns – play an essential role in our

public safety system. They hold offenders accountable for their behavior, address the factors that drive criminal activity and they put juvenile and adult offenders back on the road to being contributing members of society. These county employees selflessly put themselves in potential danger when they visit offenders in the community or supervise offenders in detention.

Over the past year, DCJ staff have discovered and stopped the operation of meth labs, arrested violent absconders, helped break-up a major downtown theft and drug-selling ring, coordinated fugitive sweeps with Portland Police and the US Marshals Service and taken countless more actions that have made our county safer. They have also been catalysts that have helped juveniles graduate from school and adult offenders obtain GEDs, go to college and find employment. They have helped addicted and mentally ill offenders obtain needed treatment, victims receive restitution and community members find information they can use to keep their neighborhoods safe.

The work that community supervision officers do is often unacknowledged, but without them, our communities would be much less safe and our criminal justice system would be much more expensive.

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

None.

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

None.

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

N/A

Required Signatures

**Department/
Agency Director:**



Date: June 14, 2006

Budget Analyst:

Date: _____

Department HR:

Date: _____

Countywide HR:

Date: _____

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

PROCLAMATION NO. _____

Proclaiming July 16th through July 22nd, 2006 as Probation, Parole and Community Supervision Officers' Week in Multnomah County, Oregon

The Multnomah County Board of Commissioners Finds:

- a. Community corrections is an essential part of the criminal justice system; and
- b. Department of Community Justice (DCJ) professionals uphold the law with dignity and affirm the right of the public to be safe-guarded from criminal activity; and
- c. DCJ staff are responsible for supervising approximately 9,000 adult and 650 juvenile offenders in Multnomah County; and
- d. DCJ staff hold adult and juvenile offenders accountable; and
- e. DCJ staff protect public safety with care and concern – they are trained professionals who provide prevention, intervention and behavior-change services (including mental health and drug and alcohol abuse services) to offenders, which are effective in reducing criminal behavior and recidivism; and
- f. DCJ staff work in partnership with law enforcement partners and community agencies and groups; and
- g. DCJ staff provide services, support, and protection for victims; and
- h. DCJ staff advocate for community and restorative justice.

The Multnomah County Board of Commissioners Proclaims:

July 16th through 22nd, 2006 is proclaimed PROBATION, PAROLE and COMMUNITY SUPERVISION OFFICERS' WEEK in Multnomah County, Oregon, in honor, recognition and respect for the dedication and contributions of the County's Community Justice officers and staff.

ADOPTED this 20th day of July, 2006.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Diane M. Linn, Chair

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

PROCLAMATION NO. 06-132

Proclaiming July 16th through July 22nd, 2006 as Probation, Parole and Community Supervision Officers' Week in Multnomah County, Oregon

The Multnomah County Board of Commissioners Finds:

- a. Community corrections is an essential part of the criminal justice system; and
- b. Department of Community Justice (DCJ) professionals uphold the law with dignity and affirm the right of the public to be safe-guarded from criminal activity; and
- c. DCJ staff are responsible for supervising approximately 9,000 adult and 650 juvenile offenders in Multnomah County; and
- d. DCJ staff hold adult and juvenile offenders accountable; and
- e. DCJ staff protect public safety with care and concern – they are trained professionals who provide prevention, intervention and behavior-change services (including mental health and drug and alcohol abuse services) to offenders, which are effective in reducing criminal behavior and recidivism; and
- f. DCJ staff work in partnership with law enforcement partners and community agencies and groups; and
- g. DCJ staff provide services, support, and protection for victims; and
- h. DCJ staff advocate for community and restorative justice.

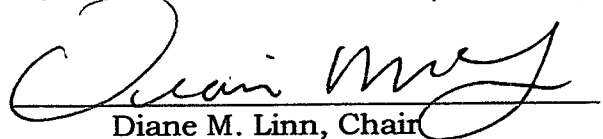
The Multnomah County Board of Commissioners Proclaims:

July 16th through 22nd, 2006 is proclaimed PROBATION, PAROLE and COMMUNITY SUPERVISION OFFICERS' WEEK in Multnomah County, Oregon, in honor, recognition and respect for the dedication and contributions of the County's Community Justice officers and staff.

ADOPTED this 20th day of July, 2006.



BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON


Diane M. Linn, Chair



MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST

Board Clerk Use Only

Meeting Date: 07/20/06
Agenda Item #: B-2
Est. Start Time: 10:30 AM
Date Submitted: 07/12/06

BUDGET MODIFICATION: -

Agenda Title: **Briefing on the Families With Special Needs Report and a Final Report from the Special Needs Housing Committee**

Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title.

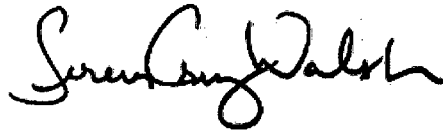
Date Requested:	<u>July 20, 2006</u>	Time Requested:	<u>30 min.</u>
Department:	<u>Non-Departmental</u>	Division:	<u>Commissioner District 2</u>
Contact(s):	<u>Mary Carroll</u>		
Phone:	<u>503-988-5275</u>	Ext.	<u>85275</u>
Presenter(s):	<u>Commissioner Serena Cruz Walsh</u>		
I/O Address:	<u>503/600</u>		

General Information

1. What action are you requesting from the Board?
None - informational briefing only.
2. Please provide sufficient background information for the Board and the public to understand this issue.
The Special Needs Housing Committee, a subcommittee of the Housing and Community Development Commission (HCD) recommends policy to meet the housing and service needs of people with special needs. These include a broad range of disabilities. The Committee is presenting their final report and recommendations which deal specifically with families.
3. Explain the fiscal impact (current year and ongoing).
4. Explain any legal and/or policy issues involved.
5. Explain any citizen and/or other government participation that has or will take place.

Required Signatures

**Department/
Agency Director:**



Date: July 12, 2006

Budget Analyst:

Date: _____

Department HR:

Date: _____

Countywide HR:

Date: _____

*Housing and Community
Development Commission*

**Special Needs
Committee Report**



June 2006
*Final Report and
Recommendations*

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Housing and Community Development Commission

Special Needs Committee

Final Report and Recommendations

June 2006

Background

In 2001 the **Special Needs Committee (SNC)** of the Housing and Community Development Commission (HCDC) was created to:

- Assess the need for special needs housing countywide, including the specific needs of individual special needs populations.
- Coordinate housing and service resources to stimulate development of special needs housing.
- Develop hard, realistic, and measurable targets for additional housing for persons with special needs.
- Leverage new resource streams for special needs housing development and operations.
- Create models for special needs housing development and operation.
- Make policy recommendations to advance the development of special needs housing.

In 2002, the SNC was given a formal charge from the Multnomah County Commission, Portland City Council, and the Housing Authority of Portland (HAP) Board. In July of 2003, the *Special Needs Committee Report* was issued to address the findings and recommendations requested by this formal charge. The report included a set of action steps for the SNC to accomplish between 2003 and 2005.

The *Special Needs Committee Report* focused mostly on the needs of adults without children. When the report was adopted in 2003, the SNC was charged with creating the Families with Special Needs Subcommittee (FWSN) to develop a similar report for families with children. The *Supplemental Report on Families With Special Needs* was completed in 2005 and will be presented to the Portland City Commission, Multnomah County, and HAP boards for adoption along with this report in 2006.

In late 2005, the SNC voted to create a final report to review the action steps from the 2003 report, detail accomplishments since 2003 in special needs housing, and make recommendations for future staff and committee work to continue to advance the development of special needs housing. This final report will be presented to HCDC, the Portland City Commission, Multnomah County Commission, and Housing Authority of Portland Board for adoption once completed. Once the report is adopted, the SNC will disband.

Overview

The SNC spurred unprecedented collaboration between the City of Portland, Multnomah County, affordable housing developers, and social service providers. The SNC is responsible for creating the relationships that led to numerous new initiatives and funding streams including *Home Again, A 10 year plan to end homelessness in Portland and Multnomah County*, ending chronic homelessness programs funded by grants from the United States Interagency Council on Homelessness and HUD/DOL, The **Corporation for Supportive Housing Taking Healthcare Home Initiative**, and **Bridges to Housing**. As this report will detail, virtually all of the recommendations and goals of the SNC have either been met or work toward meeting them will be continued by staff and committees once the SNC disbands. All of the accomplishments described in this report have not been attained by direct work of the SNC but the SNC provided the relationship and political capital needed to produce these results.

The ultimate accomplishment of the Special Needs Committee has been the fact that it sparked broad based, multi-jurisdictional acceptance of the notion that providing affordable housing and services together for special needs populations is more efficient and effective for everyone.

Report Format

The Special Needs Committee Final Report shows the following:

- ♦ Overview of Accomplishments
- ♦ Recommendations
- ♦ Stated Goals from the *SNC Implementation Plan* (2003)
- ♦ Desired Outcomes from the *SNC Implementation Plan* (2003)
- ♦ Results to date (June 2006)

The report will begin with an overview of some of the key accomplishments of the committee, followed by a set of recommendations that the committee wants to insure are continued. Appendices include a matrix of ongoing workgroups and committees, a list of housing units developed or added to the pipeline during the work of the SNC, and a list of the participants for the Special Needs Committee.

Accomplishments (2003-2006)

- ♦ The *Special Needs Committee Report* provided a template for the needs and recommendations regarding special needs housing. This document has been a roadmap and resource generating aid since it was written.
- ♦ The *Supplemental Report on Families with Special Needs* provided research to document the number of homeless families, the number of homeless children, and the inadequate supply of housing linked to services for families with Special Needs. The *Supplemental Report on Families with Special Needs* will be presented to City of Portland and Multnomah County Commissions.
- ♦ **Corporation for Supportive Housing Taking Healthcare Home Initiative** provided \$700,000 over two years for systems change efforts, then was renewed at a reduced funding level for two more years.
- ♦ *Home Again, the City of Portland/Multnomah County 10 Year Plan to End Homelessness*, was created and adopted by the City of Portland and Multnomah County Commissions.
- ♦ The Interagency Council on Homelessness and HUD/DOL grants provided \$9.2 million for housing and services to chronically homeless adults.
- ♦ **The Fresh Start Program and Landlord Guarantee Fund** were implemented to encourage landlords to rent to persons with poor rental histories with a guarantee of supportive services from a designated agency and compensate landlords in case of unit damages or failure to pay rent.
- ♦ In 2004, 2005, and 2006, the City of Portland issued approximately \$5 million in HOME and CDBG funds with an emphasis on permanent supportive housing. The solicitations were designed collaboratively with Multnomah County and HAP and combined capital resources with Project Based Section 8, Weatherization funds, and Multnomah County service commitments.
- ♦ Training for housing providers, service providers, and underwriters about how to develop and operate PSH.
- ♦ Short term rent assistance consolidated under a single agency.
- ♦ Multnomah County provided funding for intensive community services and 55 units of supportive housing in the **Community Engagement Program** of Central City Concern.
- ♦ **Homeless Management Information Systems (HMIS)** implemented in 37 agencies serving homeless persons and families.
- ♦ During 2005, the first year of the *10 Year Plan to End Homelessness*, 660 homeless adults and 407 homeless families were placed into permanent housing.
- ♦ 436 units of PSH in pipeline with another 122 in development, project examples include:

- **Midland Commons** – 44 units for severely mentally ill adults built on land made available by Multnomah County.
- **Prescott Terrace** – 47 units developed for severely mentally ill adults coming from chronic homelessness, state psychiatric hospitals, or prisons. Services co-funded by Multnomah County Mental Health and Addictions Services Division Department of Community Justice.
- ♦ A **Key Not A Card** initiative provided \$850,000 in City of Portland General Funds for tenant based rent assistance to house chronically homeless adults and families.
- ♦ The **Bridges to Housing** program is in development. Multnomah County committed \$1 million in general funds for services and the City of Portland committed \$5 million in HOME and CDBG for capital over a five-year period. Neighborhood Partnership Fund was selected as the administrative entity to seek foundation funding to expand the program.
- ♦ The **Community Development Network (CDN) Permanent Supportive Housing Project** will create strategies for removing technical, legal, and systemic barriers to the development of PSH and unify funders and developers in the goal of increasing PSH production.
- ♦ **Project Homeless Connect** served over 900 homeless persons in January 2006 and Project Homeless Families Connect is planning to serve 300 homeless families in July 2006.

Recommendations

1. **Resources** must be expanded for Services and Housing for Persons and Families with Special Needs.
 - Advocate at state and federal level for service dollars for persons and families with special needs. This must continue to be a priority, particularly for the Multnomah County agencies that administer the service programs and rely heavily on State and Federal funding for critical services.
 - Increase the amount of tenant and project based rent subsidies available for Permanent Supportive Housing.
 - ♦ Develop new funding for permanent supportive housing for hard to house families with special needs.
 - ♦ Expand and continue funding for permanent rent subsidies. This is a **Key Finding**.

Careful analysis of the costs of permanent supportive housing has demonstrated that even a debt free affordable housing project cannot afford to operate on the amount of rent a person or family with only SSI or TANF as income without a rent subsidy. In other words, we can buy a residence for persons and families at very low income and they still cannot afford to live in it without additional subsidy.

Many individuals and families have been placed into permanent housing with rent subsidies that are not permanent. Resources must be made available to insure that these individuals and families do not lose their housing in the future.

- ✓ Increase resources to help individuals and families obtain increased income from employment and/or entitlements so rent can be paid after subsidies end, AND...
- ✓ Increase resources to extend rent subsidies permanently for individuals and families unable to generate enough income to sustain unsubsidized rent payments.

- ♦ Explore ways to use current housing and services resources more efficiently by pairing them together in Permanent Supportive Housing.
 - ♦ Expand local funding sources for permanent supportive housing including State Housing Trust Fund, City of Portland Housing Investment Fund, and Multnomah County Bridges to Housing.
2. **Policy** direction must support the development of a continuum of supportive housing options for persons and families with Special Needs.
- ♦ Insure that persons and families with special needs who don't meet chronically homeless definitions also have access to Permanent Supportive Housing. Many of the current federal resources for housing and service efforts are focused on chronically homeless individuals. The broader group of people and families with special needs includes this group but is not limited to it.
 - ♦ Guarantee local representation on the State Interagency Homeless Council created by Governor Kulongoski on April 4th, 2006.
 - ♦ Continue to align Multnomah County funded services with affordable housing whenever possible and prioritize funding for services aligned with affordable housing during budget deliberations.
 - ♦ Prevent homelessness for families at risk through short term economic and service interventions. This is much less costly than re-housing homeless families and provides more stable environments for children.
 - ♦ Insure that populations that have not been specifically studied with regard to homelessness and the need for permanent supportive housing receive attention and that the systems that serve them are engaged. This includes unaccompanied youth and seniors.
 - ♦ Preserve shelter and transitional housing. Shelter and transitional housing are critical components of a continuum of strategies for ending homelessness in persons and families with special needs. It is important that the current capacity be maintained while new resources are directed toward permanent supportive housing.
3. **Collaboration** between agencies and partners responsible for Persons and Families with Special Needs in order to develop the needed continuum of supportive housing options.
- ♦ Expand relationships with State agencies. State agencies such as the Department of Human Services, the Office of Medical Assistance Programs, and Seniors and Persons with Disabilities are critical partners in local efforts to end homelessness for persons and families with special needs that have not been directly engaged in local special needs housing planning efforts to the degree that is necessary for success in meeting our goals.
 - ♦ Partner effectively with the Housing Authority of Portland (HAP). The Housing Authority is the largest provider of long term rent assistance and affordable housing in our community. HAP is critical to maintain as an active partner in creating Permanent Supportive Housing.
 - ♦ Preserve the existing network of services and housing for persons and families with special needs. The current environment of collaboration between housing and services entities is critical to efforts to create permanent supportive housing for persons and families with special needs.

Plan for Implementing Special Needs Committee Recommendations & Corporation for Supportive Housing Systems Change Grant 2003

The Special Needs Committee will:

1. *Meet 6 times in next 12 months;*
 - ♦ *Oversee implementation of SNC Report Recommendations;*
 - ♦ *Provide accountability for implementation of SNC Report recommendations;*
 2. *Accept progress reports on the following activities, described in more detail below, and evaluate progress towards goals:*
 - ♦ *Accelerate Pipeline for Development of Supportive Housing for the Hardest to House*
 - ♦ *Expand Services Financing*
 - ♦ *Develop and Strengthen Housing and Services Partnerships*
 - ♦ *Rent Assistance Review*
 - ♦ *Public Education and Advocacy*
 - ♦ *Improve Access to Housing & Services*
 - ♦ *Increase Income Supports for the Hardest-to-House*
 - ♦ *Needs Assessment for Families with Special Needs Member(s)*
 - ♦ *Needs Assessment for Unaccompanied Minors with Special Needs***
- **Need to assess interest of homeless youth system in this effort before making commitment to it.*
3. *Build political relationships, so that it will have the ability to bring political pressure to bear to address barriers to implementation;*
 4. *Link with Citizens Commission to End Homelessness, as a resource and through a structural integration of a core group of SNC members and the Coordinating Committee of the Ending Homelessness Initiative;*
 5. *Link with the Resource Development Blue Ribbon Panel, by providing data on need, assisting in advocating for additional resources, and in other ways to be determined;*
 6. *Report to HCDC;*
 7. *Continue public education and advocacy efforts;*
 8. *Coordinate data collection with CSH efforts.*

Co-chairs Linda Kaeser and Jim McConnell; lead Staff: Beth Kaye

Accelerate Pipeline for Development of Special Needs Units for the Hardest to House

Stated Goals

...July 2003

- ♦ *Produce 400 new units of supportive housing in two years.*
- ♦ *Ensure that housing development pipeline will address estimated need for creation of additional supportive housing.*
- ♦ *Identify the best ways to spend BHCD capital, project-based Section 8, other City of Portland and state resources (e.g. TIF, new resources) etc. to develop new units as quickly as possible. Production goals, financing protocols, RFP's.*
- ♦ *Identify what it takes to underwrite hard-to-house development.*
- ♦ *Explore rent buy-downs to meet need for affordable supportive housing.*

Desired Outcomes

...July 2003

An increase in the number of supportive housing units; an increase in the number of people with special needs who are housed (focus on hardest-to- house first).

Results

...June 2006

By March 2006, 436 units of permanent supportive housing had been created or were in the pipeline. The *Home Again Ten Year Plan to End Homelessness* contains larger permanent supportive housing goals of 1600 units for adults and 600 units for families that will be closely tracked for nine more years. Since 2004, the City of Portland's spring RFP for capital development funds has been coordinated with Multnomah County in an effort to steer the funds toward permanent supportive housing. In 2005, the City of Portland issued a permanent supportive housing bond that made \$11 million in capital dollars available beyond the usual federal HOME and CDBG resources. In 2005, the HUD McKinney Bonus allocation process that provides rental subsidy dollars for chronically homeless adults was coordinated with Multnomah County and with the 2005 City of Portland spring RFP. Local providers were awarded two grants to provide a Housing First model for chronically homeless adults called the **Community Engagement Program (CEP)**. Multnomah County funded a third CEP team. Together, the teams have placed over 200 persons into permanent supportive housing.

In 2004, the City of Portland, with multiple partners from SNC, was awarded \$700,000 over two years from the Corporation for Supportive Housing to conduct systems change activities in the way services and housing are funded in order to create more permanent supportive housing. This grant contained a goal of creating 400 units of permanent supportive housing and was a vehicle for implementing the recommendations of the SNC. After two successful years, the grant has been renewed for two more years through 2008.

In late 2005, the Community Development Network (CDN), an association of community development agencies in the Portland/Multnomah County area, hired a consultant, with funds from the CSH grant, to lead the **CDN Permanent Supportive Housing Project**. The CDN PSH Project is a series of workgroups on the creation of permanent supportive housing. The purpose of the workgroups is to create templates for overcoming the barriers to the creation of permanent supportive housing and provide technical assistance to CDN members in this regard. In February 2006, CSH provided training on the underwriting of permanent supportive housing to Oregon Housing and Community Services (OHCS), the Portland Development Commission (PDC), HAP, City of Portland, and Multnomah County staff. The Funders Committee will be formed in 2006 in order to insure that the City of Portland, Multnomah County, State, and PDC

move toward better coordination of housing, services, and rental subsidy funds and the unified goal of creating permanent supportive housing.

By January 2006, **Bridges to Housing** had pledges of over \$8 million for housing and services to special needs families. The City of Portland of Portland and Multnomah County provided the majority of this funding. Additional funds for Bridges to Housing will be sought from local and national foundations including the Gates Foundation and Meyer Memorial Trust.

The recommendation to use rent subsidy to buy down the rent of private market and 50-60% units for PSH has been widely implemented. The City of Portland's Key Not a Card program of 2005 released \$850,000 in general funds for tenant based rental subsidy funds. This, along with Shelter Plus Care, has been used to place 235 individuals and families into private market and other units not affordable to persons with very low or no income. Rent buy down is also an eligible use of the City of Portland spring affordable rental housing RFPs for 50-60% units willing to serve lower income populations.

Prescott Terrace is a unique PSH project that opened in late 2004. Prescott Terrace is a 47-unit project serving severely mentally ill adults from chronic homelessness, prisons, and state psychiatric hospitals. **Prescott Terrace** had service dollars and target populations in place before the property was identified and capital budget in place. The project is a unique collaboration using services funds from Multnomah County Department of Community Justice and Mental Health and Addictions Services.

The SNC was extremely effective at starting the permanent supportive housing movement locally. The 10 year plan, work of the CDN consultant, and continuation of the CSH grant all provide the infrastructure needed to insure that this work will continue for many years.

Expand Services Financing

Stated Goals

...July 2003

- *Identify and implement new ways to leverage Medicaid, Federally Qualified Health Center (FQHC), VA services, and other state and federal resources to provide services for the hardest-to-house and improve access to housing + services.*
- *Take FQHC to scale to provide outreach and treatment (including ACT teams) coordinated with housing for all homeless persons with disabling health conditions.*
- *Oversee CSH 'bridge' grant for FQHC expansion.*

Desired Outcomes

...July 2003

An increase in the number of people who receive wrap-around services to support their housing; an increase in federal Medicaid dollars flowing to Multnomah County; an increase in the number of chronically homeless people who are in supportive housing.

Results

...June 2006

Led by Multnomah County and funded by the CSH grant, the Oregon Technical Assistance Corporation (OTAC) was hired to examine options for expanding services funding for special needs housing. During this effort, Multnomah County experienced significant reductions in the amount of Medicaid funds received due to large State and Federal cuts. This created a climate where the expansion of Medicaid funds through FQHC or Targeted Case Management was simply not possible.

The work of the committee and OTAC was successful at outlining ways to leverage Medicaid funds for supportive housing in the future as funding constraints resolve. Recommendations included working to expand the Medicaid Provider Tax for Mental

Health Organizations, working with the State to increase rates for Medicaid mental health services through the Oregon Health Plan, and looking at ways to use Developmental Disability Services to support their clients in housing.

One of the actions taken with the CSH Grant was to fund a Federally Qualified Health Center expansion at the Bridgeview Community. The program was unable to generate self-sustaining Medicaid funding due to the state cuts that dramatically reduced the number of persons covered by the Oregon Health Plan. This is another good template for future efforts that might be more successful in better funded times.

Bridges to Housing received a \$1 million commitment from Multnomah County to fund services in the first Bridges to Housing projects for homeless Special Needs Families. These funds will be used as leverage to solicit financial participation from foundations.

Despite the obstacles caused by federal and State cuts, there have been significant gains in funding for services in permanent supportive housing:

- The Multnomah County I-Tax was a temporary backfill for the loss of state funding that supported the following programs:

"Tina" was referred to Central City Concern's **Community Engagement Program** in February 2005 when she was being evicted from her housing due to disruptive behaviors. In the year prior to entering **CEP**, Tina had moved 10 times between the streets, hotels (mostly publicly subsidized) and permanent residences until she was placed into permanent supportive housing by **CEP**.

Tina had a history of more than 15 psychiatric hospitalizations including a suicide attempt that left her legally blind, numerous emergency room visits, and legal problems. Tina's **CEP** case manager began meeting with her daily, going to her residence and walking with her to and from the program for groups and activities. Within a few months, Tina began regularly attending treatment groups, utilizing community supports, and stopped using substances. During the year that she has been with **CEP**, she has maintained her permanent housing with no problems, reunited with her children, has had no psychiatric hospitalizations, no emergency room visits, and has facilitated peer run groups at the **CEP**. She became friends with another program participant; they began dating and are now engaged.

- ✓ Increase in supportive services at Cascadia's Bridgeview Community.
- ✓ Multnomah County funding for one of Central City Concern's Community Engagement Program Assertive Community Treatment (ACT) teams.
- ✓ The creation of an indigent mental health services program to serve homeless mentally ill persons and prevent mentally ill persons from becoming homeless, incarcerated, or hospitalized.
- ✓ In-home services through the Aging and Disability Services Division for persons at risk of losing their housing due to physical disabilities.
- ✓ Flexible funds for medication, or short term rent assistance to prevent loss of housing for mentally ill or physically disabled adults.
- ✓ The Community Based Services Team was created to do outreach, treatment readiness, and care coordination for chronically homeless persons who are frequently arrested.
- Creation of four ACT teams using existing Medicaid funds.
- Creation of the Home-based Stabilization Program to provide intensive in-home supports to prevent loss of housing for mentally ill adults at risk of hospitalization.
- Two federal grants for housing and services to chronically homeless adults in a Housing First model.
- Increase of 27 units of PSH for special needs families bringing the total to 136.

In 2005...

An amazing 660 chronically homeless adults and 407 homeless families moving off the streets of Portland and Multnomah County.

The creation of the Multnomah County housing team, the DCHS permanent Supportive Housing Coordinators, the development of Bridges to Housing, and the involvement of the Multnomah County housing director guarantee that this valuable work will continue.

Develop and Strengthen Housing and Services Partnerships

Stated Goals

...July 2003

- ♦ *Provide oversight in the expansion of Fresh Start.*
- ♦ *Manage Technical Assistance resources for housing providers interested in hard-to-house capacity building.*
- ♦ *Develop cross-training curriculum for service and housing provider management and staff to promote successful housing of hardest-to-house.*
- ♦ *Promote Housing Provider/Multnomah County Manager joint planning/ info sharing.*
- ♦ *Develop strategies for bridging homeless people into newly developed projects.*
- ♦ *Build capacity/disburse CSH funding.*
- ♦ *Devise ways to share information about hardest-to-house individuals to improve their access to services and success in housing while respecting their right to privacy.*

Desired Outcomes

...July 2003

Affordable housing providers serve larger numbers of hardest-to-house. Housing and service provider staff develop skills to improve housing success of hardest-to-house tenants. Information about clients can be shared in a way that supports their success in housing and respects their privacy.

Results

...June 2006

Four tasks were completed by the Housing and Services Partnership Committee before it disbanded in 2004.

- ♦ The Fresh Start program is now adopted with 10 agencies certified as Fresh Start agencies and 15 persons whose placements were secured using the landlord guarantee fund. The program was not utilized as much as was originally thought, and reasons for that are being considered along with some changes to the program to increase utilization. The soft rental market might be one of the reasons for the low utilization.
- ♦ Trainings were held in 2004 and 2005 on coordinating property management and services in permanent supportive housing, outreach to the hardest to reach homeless, and fair housing.
- ♦ Matchmaking events were held in 2004 to bring housing and service providers together, and this work continues in the CDN Permanent Supportive Housing (PSH) planning process.
- ♦ Capacity grants went to 5 housing providers in 2004 and 2 service providers in 2005. One more service provider was given a capacity grant in 2006.

The relationships needed to create PSH are being developed on an ongoing basis by the DCHS PSH Coordinators, Multnomah County Housing Director, and CDN PSH planning group.

Information sharing is being fostered through the implementation of HMIS and the Multnomah County staffing of the Homeless Alcohol and Drug Intervention Network (HADIN) meetings. HADIN is a meeting where homeless persons with barriers to successful treatment and housing are discussed between the agencies involved in their

care. Summary reports and systems issues are forwarded to the Outreach and Engagement Workgroup for further discussion and recommendations. The Vulnerable and Homeless Outreach Network (VAHON), another interagency meeting between outreach workers serving homeless persons, meets semi-monthly and is exploring ways to be able to share information about specific individuals served by multiple agencies. A similar information-sharing group should be created for agencies serving homeless families.

The CDN PSH workgroup is developing strategies for integrating more homeless persons and families into housing developed by CDCs.

Short-term Rent Assistance Review

Stated Goals ...July 2003	<i>Rental assistance programs are flexible and responsible, and funds are deployed to prevent homelessness.</i>
Desired Outcomes ...July 2003	<i>Increase in number of households that do not become homeless and achieve housing stability as a result of receiving short-term rent assistance.</i>
Results ...June 2006	The Short Term Rent Assistance committee created a report with recommendations to improve and streamline the many rent assistance programs. An inter-jurisdictional group worked to select a single provider to manage all rent assistance programs. HAP was selected for this and the programs are currently being transitioned to them for management. An RFP for rent assistance resources is being designed for release in fall 2006 for implementation July 1, 2007.

Public Education and Advocacy

Stated Goals ...July 2003	<ul style="list-style-type: none">♦ <i>Develop a public information strategy to increase public support for housing the hardest-to-house.</i>♦ <i>Continued advocacy about need for SN housing and for resources to house the hardest-to-house.</i>♦ <i>Break the information barrier between housing and services.</i>
Desired Outcomes ...July 2003	<i>Increase public support for housing the hardest-to-house; consensus that we can end homelessness; increased public support for new resources for housing the hardest-to-house.</i>
Results ...June 2006	Project Homeless Connect served over 900 homeless persons in January 2006 with over 400 community volunteers. Project Homeless Connect is an opportunity for the larger community to interact with and provide help to homeless people. Many jurisdictions have used this model to solicit community, local business, and local political support for ending homelessness. The Mayor of Portland, Multnomah County Sheriff, County and City Commissioners, and State representatives and Senators were among the volunteers alongside community and business leaders. Services included medical, vision, legal, dental, housing, mental health, and many other critical services for homeless persons. Multnomah County is leading the effort to follow this event with the nation's first Project Homeless Families Connect using the homeless connect event model to serve homeless families. This event will be held in July 2006. Plans include holding each event once annually in the future.

Many groups currently advocate for special needs housing. These include Affordable Housing Now, the Housing Alliance, HAP 504 disability advisory board, the Coalition for Homeless Families, Community Alliance of Tenants, and the workgroups of the 10-year plan.

There is concern that advocacy for public support for people with special needs will not continue at the level needed without a specific group dedicated to this. Multnomah County needs to continue to advocate for the service dollars for special needs populations. HCDC and Multnomah County staff need to continue to make this a priority.

Improve Access to Housing and Services

Stated Goals

...July 2003

- ♦ Discharge planning
- ♦ Outreach
- ♦ Prevention

Desired Outcomes

...July 2003

Increase in number of people with special needs who are discharged from institutions (including hospitals and jail) into permanent affordable housing, with a culturally competent comprehensive service plan. Increase in number of people who are able to access Housing and Services. Increase in number of people who have access to benefits from state, federal, and V.A..

Results

...June 2006

The Discharge Planning Group met for several months and had a very broad membership. A series of brown bag lunches were held to have presentations from multiple agencies that do forms of discharge planning. The group shared best practices for discharge planning and developed minimum standards for discharge planning, including the development of a universal discharge planning form.

The Outreach and Engagement Workgroup continues to meet to coordinate outreach efforts and address systemic barriers to moving homeless people off the streets. The new Short Term Rent Assistance program managed by HAP will provide resources and flexibility that allows agencies to greatly improve their ability to prevent homelessness in their service populations.

The Community Based Services Team of Multnomah County Mental Health and Addictions Services Division provides outreach, prevention, and discharge planning for chronically homeless persons frequently booked into the Multnomah County Jail. The Community Based Services Team has been successful in connecting some of the hardest to serve persons with housing and services.

Ms. A is a forty five year old African American woman. She was first contacted by the **Community Based Services Team (CBS)** in January of 2004. Ms. A had ninety arrests over a ten-year period prior to contact with **CBS**. Ms. A suffers from crack cocaine addiction and a brain injury resulting from a gunshot wound. CBS began contacting Ms. A on the streets, Community Court, and her primary healthcare clinic that serves homeless persons. Ms. A was connected with mental health and addictions treatment at Cascadia Behavioral Healthcare Inc. and her family arranged for her to have a social security payee. Ms. A was placed into permanent supportive housing in 2005 and has only had 1 arrest since then.

Increase Income Supports for the Hardest-to-House

Stated Goals

...July 2003

- ♦ *Improve success rate of applications for SSI, SSDI, Veteran's pensions services, and other income maintenance programs for hardest-to-house individuals.*
- ♦ *Decrease time for qualification for these benefits.*
- ♦ *Maximize use of Department of Agriculture food and nutrition programs for programs serving hardest-to-house.*
- ♦ *Maximize use of Vocational Rehab and Employment and Training programs for hardest-to-house.*

Desired Outcomes

...July 2003

An increased number of people with special needs who are unable to work receive income supports that can be spent to support good nutrition and housing stability. Individuals with special needs who are able to work receive targeted training; join the work force and progress towards economic self-sufficiency.

Results

...June 2006

The proposed committee was never formed but three significant efforts were implemented that continue today. The TANF Work Group did form to begin to address these issues but the group has not met recently.

The three significant efforts are the **Joint Access to Benefits** program, the chronic homelessness working group's oversight of the HUD/Department of Labor grant to Worksystems Inc. and Central City Concern, and BHCD's economic opportunity grants.

- ♦ **Joint Access to Benefits** is a partnership between Multnomah County service providers, the criminal justice system, and the Social Security Administration. The Multnomah County Department of Community Justice has taken the lead on this project, which has streamlined access to medical coverage and SSI for persons with special needs with a focus on persons leaving institutions. To further this effort statewide, the State Office of Mental Health and Addictions Services received a federal grant to train case managers around the state on how to help their clients access Social Security benefits efficiently.
- ♦ The Chronic Homelessness Working Group provides project oversight to Worksystems Inc. and Central City Concern in their federally funded effort to employ chronically homeless adults. In addition, SE Works received a Department of Labor grant to provide employment, services, and housing to offenders with special needs transitioning from prisons.
- ♦ BHCD has given economic opportunity grants to 32 projects. Fifteen of these projects serve homeless or at-risk populations by providing supported employment opportunities, training programs, and micro-enterprise grants.

Needs Assessment for Families with Special Needs Member(s)

Stated Goals

...July 2003

Assess number of extremely low-income families with special needs in Multnomah County; identify their distinctive housing and service needs; identify resources.

Desired Outcomes

...July 2003

Make detailed recommendations for meeting the Housing & Services needs of this population. Integrate those recommendations into SNC Recommendations and, where appropriate, into 10 Year Plan to End Homelessness.

Results

...June 2006

In March 2004, the Special Needs Families Work Group was formed. It included eighteen members and was chaired by Jean Demaster of Human Solutions. By June 2005, the group completed a supplemental report to the original Special Needs Committee

Beginning August 2003, a group of staff from Multnomah County, Clark County, the City of Portland and the Housing Authority of Portland came together to explore creating a totally new concept – a regional program to help high need homeless families overcome their barriers to stability.

Shortly thereafter **Bridges To Housing** was born, and the planning began to include all four counties in the Portland region. Research showed that there is a cohort of homeless families that struggle with significant barriers that cause them to become homeless repeatedly. Typically these barriers include Special Needs, or disabilities. The families' success is increasingly compromised over time by repeated evictions, criminal histories and medical concerns.

Bridges to Housing has evolved into a program concept that *intervenes with high resource using (special needs) families by providing permanent affordable housing coupled with intensive transitional (two-year) case management services and child care.*

Multnomah County has dedicated \$1 million to Bridges To Housing, which will be allocated to housing+service providers during 06-07. Other jurisdictions have committed to contributing to Bridges to Housing. We look forward to developing *region-wide capacity to house and serve special needs homeless families* during the next ten years. ♪

Report of July 2003. The "Supplemental Report: Families with Special Needs" provided an estimate the number of homeless families in Multnomah County with special needs, a description of the needs of homeless families with special needs, and a series of recommendations specific to the needs of homeless parents and children. The report attempted to identify the number of homeless families with special needs who have involvement in the foster care system and strengthen relationships with the networks that assist survivors of domestic violence.

The "Supplemental Report: Families with Special Needs" was completed in July 2005 but has not yet been approved by the Multnomah County Board. Presentations will be made to both Portland City Council and Multnomah County Commission to request that they approve the report and incorporate it into adopted policy as part of the "Ten year Plan to End Homelessness."

Bridges to Housing, which will provide housing and services to high resource using homeless families, has a Multnomah County commitment of \$1 million in funding for services. The Neighborhood Partnership Fund has been chosen as the administrative entity and foundation dollars are currently being solicited. The City of Portland has pledged \$1 million per year for five years for capital development of Bridges to Housing projects.

Needs Assessment for Unaccompanied Minors with Special Needs

Stated Goals

...July 2003

Assess number of extremely low-income unaccompanied minors with special needs in Multnomah County; identify their distinctive housing and service needs; identify resources.

Desired Outcomes

...July 2003

Make detailed recommendations for meeting the Housing & Services needs of this population. Integrate those recommendations into SNC Recommendations and, where appropriate, into 10 year Plan to End Homelessness.

Results

...June 2006

It appears unclear whether there is the will, the need, or the resources needed to do a specific assessment of the needs of this population at this time. Other specific populations such as seniors have not been specifically assessed either. It is clear that the efforts described in this report that will continue when the SNC dissolves need to be committed to addressing all special needs populations in their ongoing work.

Appendix I
Permanent Supportive Housing Units Pipeline from April 2004 – May 2006

Developer	Project	Singles	Familles	Totals
Cascadia	11th Emerson	4	0	4
Northwest Housing Alternatives	Headwaters	5	0	5
CPAH	Bertha Station	8	0	8
Catholic Charities	Kateri Park	10	0	10
Cascadia	Prescott Terrace/Always Welcome	15	0	15
Cascadia	Midland Commons	44	0	44
Central City Concern	Hotel Alder	49	0	49
Central City Concern	8 NW 8	60	0	60
Catholic Charities	Howard House	8	4	12
Transition Projects	Clark Center Annex	22	0	22
HAP	Civic/Morrison Apts.	45	0	45
Central City Concern	Rose Quarter	80	0	80
PCRI	Morris Green Plexes	0	1	1
Rose CDC	Leander Court	0	5	5
Hacienda CDC	Miraflores	0	5	5
Human Solutions	Lincoln Woods	0	14	14
Northwest Housing Alternatives	Weidler Commons	5	0	5
G & B Real Estate Services (private)	Pioneer Abodes	10	0	10
Innovative Housing Inc.	Bridgeview	12	0	12
Human Solutions	Greentree	0	11	11
PCRI	Urban League Plaza	0	9	9
Human Solutions	Raintree Apts.	0	15	15
Charles Iheanacho (private)	Roselyn Villa	0	1	1
Our House	Our House	2	0	2
Totals		379	65	444

Appendix II

Committees with missions that overlap the SNC

Committee Name & function	Status	Who is represented?	Staff	Reports to Whom
Citizens' Commission on Homelessness	On-going, meet 2x/year	Elected, business, Sheriff, Police, Meyer Foundation, HAP Board member, formerly homeless person	City (Heather Lyons, Ruth Benson)	Portland City Council, County Commission
Coordinating Committee to End Homelessness (PTEHCC): where the Continuum of Care and the 10 Year Plan come together	On-going, monthly	Staff to elected officials, BHCD staff, DSCP staff, HAP staff, County Human Services, Health Dept., homeless service providers, developers, United Way, homeless and formerly homeless people, advocates, Oregon Law Center	City (Sally Erickson, Ruth Benson)	Continuum of Care (McKinney) sub-group reports to HCDC PTEHCC reports to CCOH
E-Comm (formerly the McKinney Advisory Committee), a sub-committee of HCDC	On-going.	HCDC Commissioners and other community representatives who do not have a conflict of interest.	City (Sally Erickson)	Reports to HCDC and PTEHCC.
Chronic Homelessness working group	Meets monthly	Homeless and formerly homeless people, advocates, community reps	Central City Concern	Oversight committee for ICH and HUD/DOL grants; CCEH
Housing & Services Partnership sub-committee	On hiatus, will be reconstituted if needed		Had been staffed by City	Housing and service agency staff
Pipeline/Funders Committee	Will begin 2006		Staffed by City (Andrea Sanchez)	Staff to Elected Officials
PSH Production Committee	Meets as needed with staff of agencies requesting funds for PSH. Certifies PSH projects seeking funding for capital, operations, or services	BHCD, Multnomah County	Andrea Sanchez of BHCD, Seth Lyon of Multnomah County	Pipeline/Funders Committee
CSH Grant team	Meets periodically	City and County staff	City (Heather Lyons), County (Diane Luther)	CSH
CDN PSH Project	Steering Committee meets monthly. Subcommittees include Legal, Regulatory, and Partnerships. Goal is to increase the supply of PSH by developing underwriting standards and financing models for PSH.	BHCD, CDN members, HDC. Will involve broader stakeholders including County, HAP, PDC as project moves forward.	City (Andy Miller), CDN (Sam Chase), Kris Smock, Consultant to City	CDN Board, BHCD
Bridges to Housing	B2H has become a project of the Neighborhood Partnership Fund. B2H has its own steering committee.	Clark, Washington, Multnomah and Clackamas Counties, housing providers, service providers, housing authorities, Vancouver Council for the Homeless, CDN, City of Portland and Vancouver.	Neighborhood Partnership Fund	Regional team composed of housing managers; individual jurisdictions.
AIDS Housing Committee	Meets regularly to work to increase the supply of supportive housing for PLWH/A	7 County Consortium	City (Dawn Martin)	BHCD, HCDC
Downtown Housing Occupancy Group	Meets monthly to update inventory and address barriers to full occupancy of downtown SRO by mostly homeless and special needs populations	Downtown service providers and managers of downtown buildings.	Staffed by Ruth Benson until April 2006. Now staffed by NWPP (Rebecca Childs)	Itself
SHIP (Street Homeless Issues and Progress)	Meets monthly to identify and eliminate barriers to housing the most chronically homeless and to track progress.	Providers of homeless services, police, others	City (Will White), County (Ray Hudson)	CCOH, Elected Officials

Housing and Community Development Commission

Special Needs Committee

Participants

Trell Anderson
E.V. Armitage
Karen Barton
Neal Beroz
Karen Brown-Wilson
Mary Carroll
Rosanne Costanzo
Peter Davidson
Philip Deas
Susan Dietsche
Joyce Dougherty
Rachael Duke
Tiffany Fleischer
Joanne Fuller
Bernie Giusto
Leah Greenwood
Nancy Harp
Janet Hawkins
Ray Hudson
Liv Jenssen
Linda Kaeser
Eric King

Mary Li
Diane Luther
Heather Lyons
Seth Lyon
Tanya McGee
Roger Meyer
Susan Montgomery
Terri Naito
Ruth Pitts-London
Marshall Runkel
Emily Schelling
Donna Shackelford
Vicki Skryha
Phyllis Spaulding
Susan Stoltenberg
Kim Tierney
Andree Tremoulet
Bill Van Vliet
Will White
Sherry Willmschen
Nancy Wilton
Jim Wrigley

*Housing and Community Development Commission
Special Needs Committee
June 2006*



Housing and Community Development Commission

Special Needs Committee Report

June 2006

Final Report and Recommendations



New Partnerships

- Bridges to Housing
- Project Homeless Connect
- 10 Year Plan to End Homelessness
- Capital Development Funding RFPs

New Resources

- Taking Healthcare Home Initiative
- Chronic Homelessness Initiative
- Bridges to Housing
- Key Not a Card
- Affordable Housing Bond

Measurable Results

- Persons and families with Special Needs placed into permanent housing. 660 adults and 407 families placed in first year of 10 Year Plan
- Short Term Rent Assistance consolidated into one program with inter-jurisdictional oversight
- Homeless Connect Events served 900 adults and 350 families in first year
- 548 units of Permanent Supportive Housing developed or in pipeline

Special Needs Committee

Final Recommendations



Recommendations Resources for Special Needs Housing

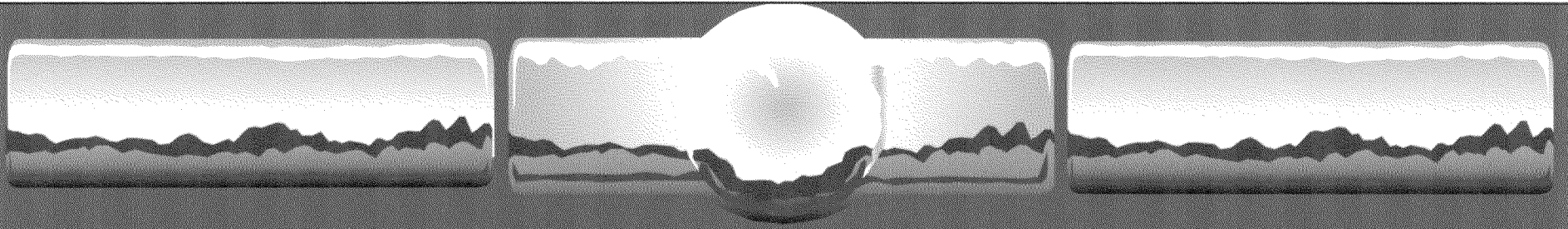
- Continue to advocate for State resources for critical services for persons and families with special needs
- Increase tenant and project based rent subsidies
 - Households on SSI or TANF cannot afford even debt free housing without a permanent subsidy
- Increase pairing of existing housing and services resources together in PSH
- Expand local funding sources for PSH

Recommendations Policy

- Ensure that Special Needs households that are not Chronically Homeless also have access to PSH.
- Guarantee local representation on State Homeless Council.
- Prevent Homelessness through short term interventions.
- Preserve Shelter and Transitional Housing.
- Ensure that all Special Needs populations have resources including unaccompanied youth and seniors.

Recommendations Collaboration

- Expand relationships with State Agencies
- Continue to work with the Housing Authority of Portland
- Preserve the current climate of collaboration between housing and service funders and providers



Families with Special Needs

July 2006 Report



Special Needs Families Work Group

❖ Jean DeMaster, Chair

Human Solutions

❖ Bruce Barnes, OR DHS

❖ Neal Beroz, Cascadia

❖ Jeanine Carr, MC HD

❖ Cathy Clay-Eckton, MC
DHS

❖ Philip Deas, MC ADS

❖ Linda Kaeser, HCDC

❖ Janet Hawkins, MC CCF

❖ Beth Kaye, Staff BHCD

❖ Laurie Lockert, Cascadia

❖ Diane Luther, MC
Housing Director

❖ Seth Lyon, MC DHS, MH

❖ Roger Meyer, HCDC

❖ Donna Shackelford, DSCP

❖ Phyllis Spalding, SEI

❖ Susan Stoltenberg,
Portland Impact

❖ Kerry Tintera, PPS

❖ Sherry Willmschen, DHS
DD

Families with Special Needs are:

- ❖ Homeless or at high risk of homelessness
- ❖ Households with one or more adults and one or more children (under 21) in which at least one member has a special need.



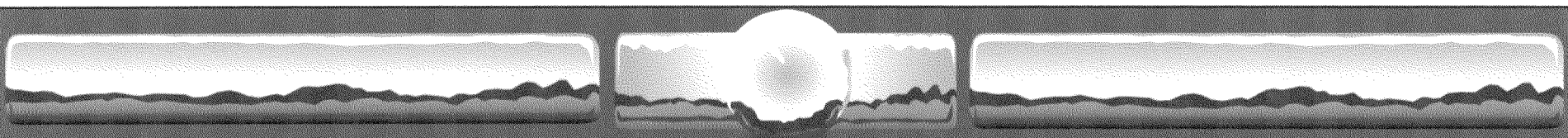
Special Needs Include:

- ❖ Serious mental health issues
- ❖ Alcohol/drug addiction
- ❖ Developmental delay/severe cognitive disorder
- ❖ Serious physical disability or a combination of any of these



How Many Homeless Families are there in Mult. County?

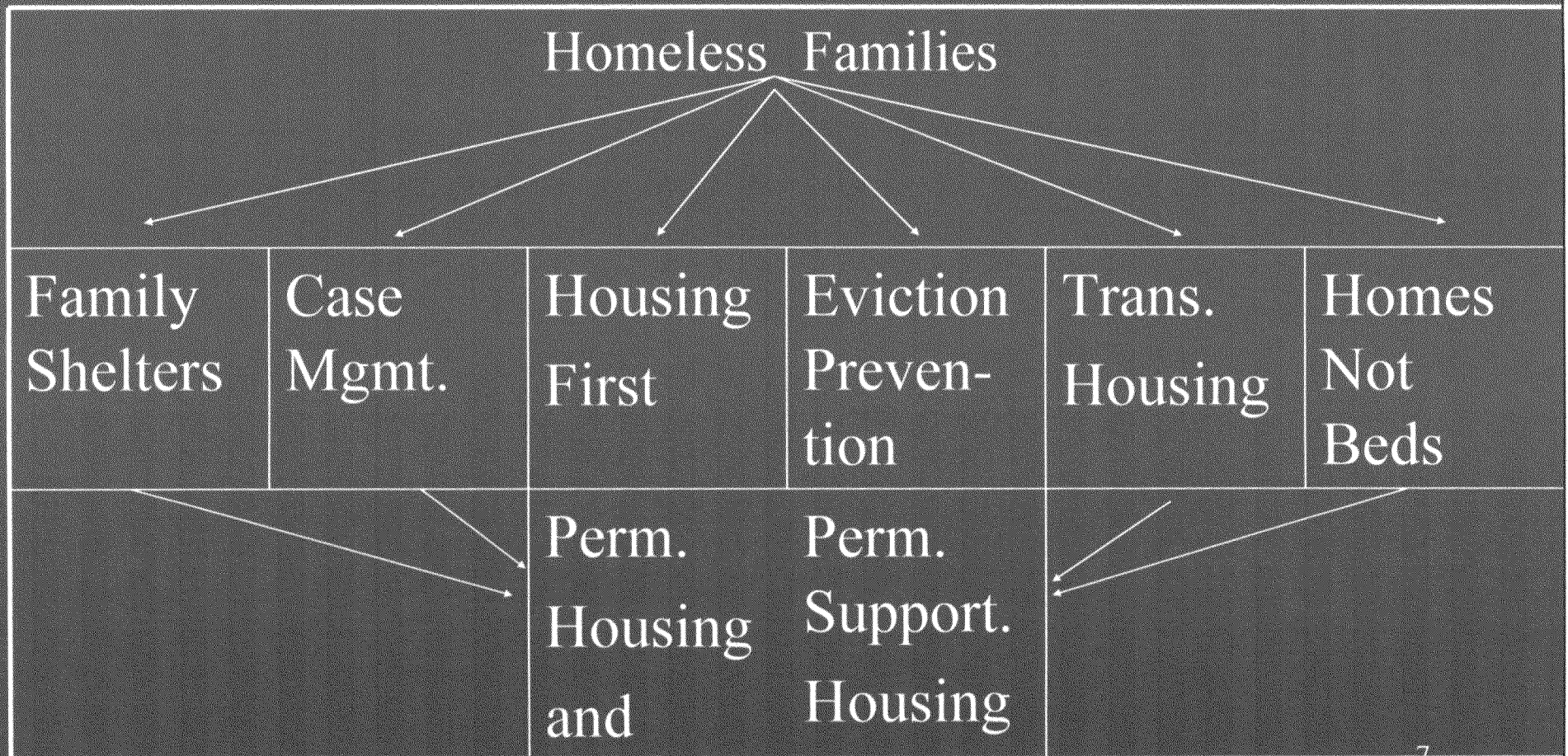
Date of Count	Total Seeking Shelter	Total Turned Away	Turned away, in families	Sheltered or housed in family	Children sheltered or housed
1/2005	2,752	1,020	253	452	871
3/2004	2,524	465	316	987	565
11/2003	2,665	375	269	1,148	678
3/2003	2,557	337	226	1,230	756
11/2002	2,526	394	274	1,008	608
3/2002	2,502	445	285	850	498



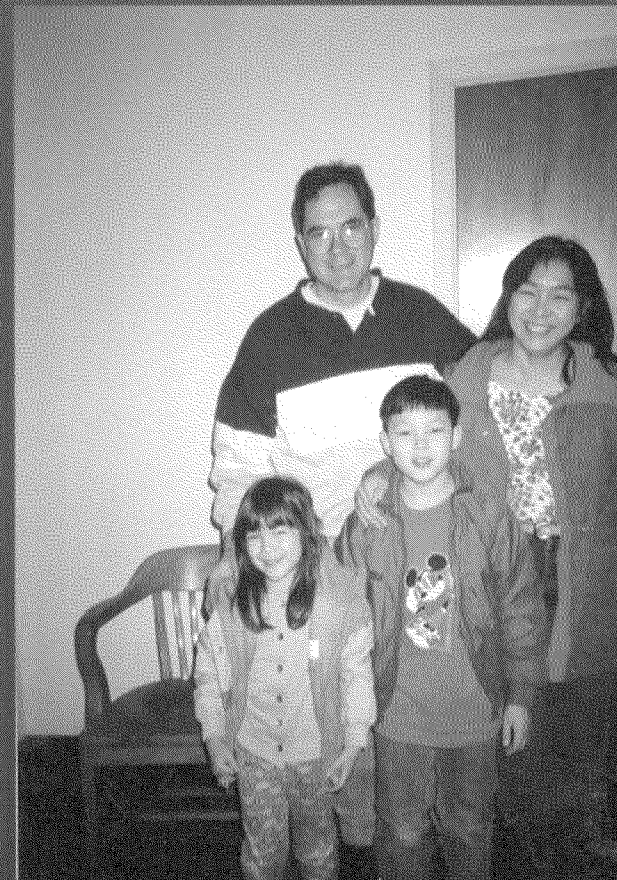
Estimated Number Homeless Children Enrolled in School, 2003-2004

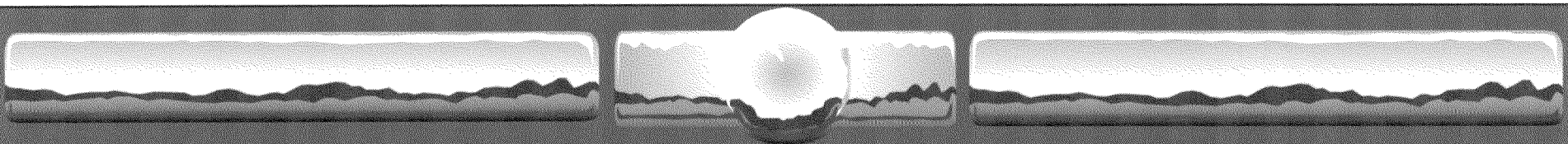
District	K-5	6-8	9-12	Total
Centennial	8	2	6	16
Corbett	0	0	0	0
D. Douglas	54	15	17	86
Gresham- Barlow	6	10	8	24
Parkrose	60	9	44	113
Portland	787	434	824	2,045
Reynolds	200	100	100	400
Total	1,115	570	999	2,674 ⁶

Overview of System



**The best estimate from
the Special Needs
Families Report is
that between 836 and
1,950 families with
special needs need
housing and services.**





What is available for homeless and at risk families with special needs?

Service	Capacity	Notes
Homeless Family Shelters	77 families	236 people
Transitional Housing	83 2+ bedroom units	Up to 24 months
Permanent Supportive Housing	105 2+ bedroom units	Permanent housing with rent subsidy

SNF Report Recommendations



Good data is necessary for sound planning and outcome evaluation. Good data is not currently available on Families with Special Needs. Adequate funding to collect and monitor need and performance data should be provided to agencies.

Recommendations #1 & 2

Homeless families with special needs

- ❖ Should be kept together or, in some cases, reunited.
- ❖ Require Case Management and an Action Plan to lead to:
 - ❖ Housing stability
 - ❖ Family unity
 - ❖ Economic stability
 - ❖ Mental and physical health of each member



- ❖ Children's social, emotional and educational growth

Recommendation #3



As new housing is developed, prioritize housing for families with special needs

- ❖ Appropriate size units
- ❖ Affordable
- ❖ Available

Recommendation #4

A continuum of housing alternatives is needed to address the needs of Special Needs Families

- ❖ **Shelter**
- ❖ **Transitional Housing**
- ❖ **Rent Subsidy and Eviction Prevention**
- ❖ **Specialized programs**

**All leading to
PERMANENT HOUSING**



Recommendations #5, 6 & 7

Housing must be accessible for persons with disabilities.



Homeless families with special needs require:

- ❖ Appropriate housing
- ❖ Case Management
- ❖ Treatment to address special needs
- ❖ Services to address children's needs

Families with special needs require culturally appropriate services.

Recommendation #8

Additional resources are desperately needed to ensure that

- ❖ services are available to address the special needs
- ❖ housing is available for families with special needs
- ❖ Case Managers are available to make this work effectively and efficiently.



**MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP**

Please complete this form and return to the Board Clerk

This form is a public record

MEETING DATE: 7/20/06

SUBJECT: A Families with Special Needs Report
City of Portland support for

AGENDA NUMBER OR TOPIC: _____

FOR: ☒ AGAINST: _____ THE ABOVE AGENDA ITEM

NAME: Beth Kaye

ADDRESS: BHCD 421 SW 6th Ave

CITY/STATE/ZIP: Portland OR 97204

PHONE: _____ DAYS: 823 2393 EVES: _____

EMAIL: bkaye@ci.portland.or.us FAX: _____

SPECIFIC ISSUE: need for resources

WRITTEN TESTIMONY: _____

IF YOU WISH TO ADDRESS THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Address the County Commissioners from the presenter table microphones. Please limit your comments to **3 minutes**.
3. State your name for the official record.
4. If written documentation is presented, please furnish one copy to the Board Clerk.

IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Written testimony will be entered into the official record.



MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST

Board Clerk Use Only

Meeting Date: 07/20/06
Agenda Item #: B-3
Est. Start Time: 11:00 AM
Date Submitted: 06/12/06

BUDGET MODIFICATION: -

Agenda Title: Report on the July 11, 2006 Project Homeless Families Connect Event

Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title.

Date Requested:	July 20, 2006	Time Requested:	30 min.
Department:	Non-Departmental	Division:	Commissioner Cruz Walsh
Contact(s):	Mary Carroll		
Phone:	503-988-5275	Ext.	85275
		I/O Address:	503/600
Presenter(s):	Commissioner Serena Cruz Walsh		

General Information

1. What action are you requesting from the Board?

This is a briefing to the Board on the County-City sponsored "Project Homeless Families Connect" which will be held on Tuesday, July 11, 2006 at the Memorial Coliseum.

2. Please provide sufficient background information for the Board and the public to understand this issue.

Project Homeless Families Connect is a public engagement part of the "Ten Year Plan to End Homelessness". The first "Project Homeless Connect" was held in January, 2006 and served homeless single adults.

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

N/A

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

The County is a partner in the Ten Year Plan to End Homelessness and has realigned services, including Rent Assistance to achieve the goals of the Ten Year Plan.

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

Over 800 volunteers and city and county staff provide an array of services to an estimated 350 homeless families and households.

Required Signatures

**Department/
Agency Director:**



Date: July 12, 2006

Budget Analyst:

Date: _____

Department HR:

Date: _____

Countywide HR:

Date: _____

PROJECT HOMELESS FAMILIES CONNECT

July 11, 2006



**NATIONAL
PROJECT
HOMELESS
CONNECT**



**Report to Multnomah County
Board of Commissioners
July 20, 2006**

PLANNING TEAM MEMBERS

Hunter Belgard, Bureau of Housing and Community Services
Becky Blumer, Hands On Portland
Tara Bowen-Biggs, Office of Commissioner Serena Cruz Walsh
Veronica Bucio, Portland Housing Center
Paul Carlson, U.S. Interagency Council on Homelessness
Mary Carroll, Office of Commissioner Serena Cruz Walsh
Sara Culp, Office of Mayor Tom Potter
Jean DeMaster, Human Solutions Inc
Sean Derrickson, Multnomah County Department of County
Human Services
Rachel Devlin, Housing Authority of Portland
Tom Gonsiew, TriMet
Kathleen Gardipee, Office of City Commissioner Erik Sten
Monica Goracke, Oregon Law Center
Kathy Gordon, Office of Commissioner Serena Cruz Walsh
Janet Hawkins, Multnomah County Commission on Children,
Families and Community
Tiffany Kingery, Multnomah County Department of Schools and
Community Partnerships
Mary Li, Multnomah County Department of Schools and
Community Partnerships
Diane Luther, Multnomah County Housing Director
Seth Lyon, Multnomah County Department of County Human
Services
Julie Massa, Oregon Food Bank
Althea Milechman, Multnomah County Public Affairs Office
Clover Mow, WorkSystems Inc
Susan Montgomery, Multnomah County Department of County
Human Services
Ashley Maceachern, Volunteer
Scott Nance, Portland Impact
Lois Orner, Portland Impact
Rochelle Rosenberg, Volunteer
Kim Tierney, Multnomah County Health Department
Keith Van, Poverty Advisory Committee

HISTORY

Project Homeless Connect is a nationwide movement to increase access to services for homeless people and engage the community in finding a solution for homelessness.

There are three goals for Project Homeless Connect:

1. Improve access to services for the homeless in Multnomah County.
2. Engage and increase the involvement of individual volunteers, the business and non-profit community to work together to provide access to services for the homeless.
3. To leverage private, corporate and foundation money and in-kind support to augment city and county efforts to increase housing options and expand service capacity for the homeless in Multnomah County.

Multnomah County and the City of Portland sponsored the first ***Portland Homeless Connect*** in January 2006, which utilized 400 volunteers and dozens of business and non-profit agencies to reach 900 homeless single adults.

Project Homeless Families Connect, was held on July 11, 2006 and again sponsored by Multnomah County and the City of Portland was the first event of its kind in the nation aimed specifically at helping homeless families.

Over 800 individual volunteers, 120 sponsoring businesses and non-profit agencies worked together to serve over 350 families or households at Project Homeless Families Connect. Fifty families, selected by lottery, received immediate housing placements.

THE SERVICES

Benefits:

- Social Security Administration: Disability and SSI assessment and referrals
- Oregon Department of Human Services: Food stamp intake, TANF, Oregon Health Plan intake, temporary aid to domestic violence survivors screening
- Multnomah County Aging and Disability Services: Medicaid and Food Stamp screening for persons who are elderly and/or disabled
- Child Welfare: Information and referral on issues relating to child abuse. Linkage to counseling through LifeWorks Northwest -- specifically for families where child abuse is, or has been, present
- Oregon Department of Motor Vehicles: Information about Oregon IDs and assistance re-instating Oregon Drivers Licenses

Dental Services:

- Fluoride treatment and sealant treatment
- Examinations and cleaning

Domestic Violence:

- Crisis Intervention and referrals to services
- Calls to shelters or VOA Home Free
- Information and assistance to file a restraining order and safety planning

Employment: Partners: Worksystems, Inc.; Oregon Employment Department; Central City Concern; SE Works; Mt. Hood Community College; Portland Community College; Goodwill; Oregon Vocational Rehabilitation; Veterans Administration; Oregon Advocacy Center; Department of Human Resources: Steps to Success

- Assistance with filling out applications for Worksource/One Stop Core services
- Follow up appointment with Vocational Rehabilitation Counselor
- PHC and Goodwill Program Applications
- Informational Workshops on: I-match System; Resume building; Career Mapping; Interviewing skills; One Stop/Worksource Orientation; Overview of Vocational Rehab services
- Benefits and Employment - Overview of the SS application process and social security work incentives
- Ex Offender and Employment - Overcoming criminal histories as a barrier to employment
- Worksource Computer Lab – Computers available for job search and L-Match registration.

Housing: Information & Referral Services for housing and shelter for all participants

- Housing placements for 50 families selected by lottery
- Follow-up agency appointments for 20% of participants
- Energy Assistance for limited participants who are renting or own their own homes and need assistance with energy bills.

Legal:

- Legal consultation, information and referrals regarding criminal and civil matters
- Assistance with restraining orders

Medical:

- Vitals
- WIC
- Lead testing
- West Nile/Food Safety Education
- Diabetes Screening
- Immunizations
- Medical Examinations
- Outside In medical van
- Acupuncture and Chiropractic Care
- Child Developmental Screening
- DD Eligibility
- Hearing Tests
- Asthma Action Plans

Pet Care:

- Vaccines and de-worming
- Identifications and Licenses
- Rabies shots
- Collars and leashes and food
- Vouchers for spay and neuter

Resource Room:

- The Beehive - Interns to assist with computer access and web resources.
- Title Wave Bookstore and Multnomah County Library - Free used books
- Information on free lunch sites for children and youth
- Food Stamp/Nutrition Outreach
- Community Cycling Center - Referrals for free bikes for children and families
- Information on free tax assistance and tax credits
- Information on free/low-cost Portland Parks Programs
- Information on emission waivers and repairs for older vehicles
- Information on environmental health. Free insect repellent and sun screen
- Advocacy for affordable housing
- Information/support for individuals interested in drug/alcohol recovery
- Information on programs and services for homeless teens
- Safety information on poison prevention
- Early childhood program services
- Free cell phone use

Vision

- Hearing and Vision screening for children
- Vision testing for adults; Vision testing vouchers for children (off -site)

- Eye glass vouchers for children and adults following a complete eye exam
- Reading glasses for anyone in need

The Numbers:

Numbers of Families and Households served: 350

Housing and Shelter:

220 Families served
 12-20 Singles served
 50-60 families selected by lottery for housing placement
 67 people filled out applications for public housing
 2 Cascade AIDS Project slots were filled
 More than 100 families were helped in energy assistance

Six housing agencies were on site and able to provide immediate housing assistance to 50 families selected by lottery, including permanent housing with short term rental assistance, transitional housing, project- based Section 8, and shelter placement with follow- up permanent housing with rental assistance. \$50,000 for housing assistance was raised by the PHC organizers, including \$30,000 from the Oregon Community Foundation, and service providers donated case management services.

Employment

41 people filled out application for core services
 6-8 requested Voc Rehab, 4 got follow-up appointments for orientation or meeting with a counselor
 6 were seen by the Oregon Advocacy Center
 6-8 new I-match users
 2 individuals went through career mapping

Child Care :

44 kids over the course of the day . Rec and Roll bus had 20 kids during the day

Benefits

150 people were seen in the Benefits section
 50 new cases were opened

Resource Room

Oregon Hunger Relief Task Force – 30-40 contacts
 Books2U (Multnomah County Library) – 25 contacts, lost of free books given away
 CASH Oregon – 5 contacts
 DEQ Enhanced Waiver Program – 40 contacts
 Environmental Health (Multnomah County Health Dept.)
 OHSU Poison Center (“Mr. Yuck was a big success!”) – 30 contacts
 Mt. Hood Community College Head Start – 15 “pre-applications”
 Community Alliance of Tenants

Project Homeless Families Connect
Report to the Board of County Commissioners
July 20, 2006

PPS Project Return

Salvation Army – 10 contacts

211info – 15 contacts

Dress for Success – 20 contacts

Community Transitional School – 30 contacts

Aging & Disability Services – 10 contacts

Veterans Administration

Morrison Center for Children & Families – 40 contacts

Developmental Disabilities Program (Multnomah County)

Five cell phones donated by Nextel were used for long distance calls

Transportation

Free TriMet tickets were issued to all families with follow-up appointments. TriMet provided bus maps and trip planning assistance.

Food

Volunteers and Guests were provided a breakfast buffet upon arrival at the event.

At 11:30, volunteers and guests were served a buffet style lunch.

Over 1000 meals served.

Food left over at the end of the day was bagged and boxed for families to take home.

Domestic Violence

40 women were helped either by information and referral or direct intervention.

MH/Addictions and Crisis team

12 Households were seen

2 with family members who were actively psychotic

5 came seeking mental health referrals

5 seeking A & D services—one went immediately into detox

Volunteers

Approximately 750 volunteers participated

Vision

Served 92 people

11 kids were screened

Gave out 74 vouchers for free prescription glasses

Clothing and Personal Hygiene items

All families who came to intake received personal hygiene bags containing NIKE clothing, sunscreen, deodorant, disposable razors, soap, shampoo, feminine hygiene items.

Families were also given free passes to the zoo, bus passes and vouchers for NIKE clothing and shoes at the Helping Hands Clothing store.

Legal

34 people were seen. 33 completed the whole process

Project Homeless Families Connect

Report to the Board of County Commissioners

July 20, 2006

40 issues were addressed: benefits, consumer questions, criminal, employment, family law, housing.

Medical/Dental

Dental:

- 33 people were seen on the vans
- 5 kids got sealants
- 7 kids had Fluoride Varnish
- 28 were given follow up appointments at SE Dental.
- Of those, 20 arrived for follow up the next day.

Medical

- 58 people were seen
- 40 were given follow-up appointments
- 2 pediatric follow-up appointments were made
- 10 immunizations

WIC and Lead Testing saw 50 people
12 families were enrolled in WIC

Miscellaneous

- 116 Haircuts
- 36 Family portraits
- 8 people got ID's – we will follow up with a dozen other people to get IDs.
- 300 family passes to the Zoo were distributed

Translation Services (Veronica Bucio)

A total of 85 volunteers registered with the Translation Service Team to translate for one or more of 20 languages.

DEMOGRAPHICS

Exit Interview Data from HMIS. Note: not all families attending Project Homeless Families Connect went through the Exit section.

Updated: 07/11/2006 FINAL

HOH Parent/Adult 1 Gender

Male	65
Female	136

HOH Parent/Adult 1 Race

Am Indian/Alaska Ntv	20
Asian	3
Black/Africn Amer	74
Ntv Hawaiian/Pac Islander	3
White	84
Other	6

HOH Parent/Adult 1 Ethnicity(Hispanic/Latino)

Hispanic/Latino	9
Non-Hispanic/Latino	79

Parent/Adult 2 Gender

Male	12
Female	15

Parent/Adult 2 Race

Am Indian/Alaska Ntv	0
Asian	1
Black/Africn Amer	5
Ntv Hawaiian/Pac Islander	0
White	21
Other	1

Parent/Adult 2 Ethnicity(Hispanic/Latino)

Hispanic/Latino	4
Non-Hispanic/Latino	12

FamilyStatus

2 Parent Family	27
Female Single Parent	88
Male Single Parent	7
Non Custodial	0
Grandparent & Child	4
Foster Parent	0
Other	16
Couple w/o Children	1
Single Individual	32

Number of Households

TOTAL 218

Size of Household

2	41
3	36
4	25
5+	12

ProjectHomelessConnectHousingSituation

Outdoors	28
Short term Shelter	26
Transitional Housing	20
Own apt/room/house	14
Someone else's apt/room/house	18
Hotel/Motel/Boarding Room	9
Halfway House/Residential Trtmnt	16
Insitution	1
Jail/Correctional Facility	0
Other	28

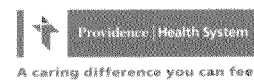


A Heartfelt

Thank You

to our

Project Homeless Families Connect Donors



As well as these donors and participating agencies...

211info
AFSCME Local 88
Albina Ministerial Alliance
Aramark Food Service
The Beehive
Bon Appetite
Bug AWAY
The Bus Project
Cascadia Behavioral Health Care
Cascade AIDS Project
Cascade Occupational Medicine
CASH Oregon
Central City Concern
Coalition for Homeless Families

Coalition of Community Health Clinics
Community Cycling Center
Cort Furniture
DEQ
DMV
Event Power & Lighting
First United Methodist Church
Friendly House
Goodwill
Hands On Portland
Harry's Fresh
Hanna Andersson
Housing Authority of Portland
Human Solutions

Insights Teen Parents Program
Joyful Noise Child Development Centers
Kaiser Permanente
Legal Aid Services of Oregon
Lenschrafters
Mercy and Wisdom Healing Center
MercyCorps
Metro West Ambulance Service
Memorial Coliseum
Morrison Center
Native American Rehabilitation Association
Neighborhood House
Noah's Bagels
Northwest Natural

NPC Research
NW Medical Teams
OMSI
Oregon Advocacy Center
Oregon Department of Human Services
Oregon Food Bank
Oregon Law Center
Oregon Health Division
Oregon Health & Science University
Oregon Humane Society
Oregon Hunger Relief Task Force
Oregon Law Center
Oregon Lions Club
Oregon Zoo

Oregon Food Service
Pacific University School of Optometry
Portland French Bakery
Pacific University
Portland Impact
PSU Pre Dental Student Organization
Portland Public Schools
Providence Health Systems
Recovery Association Project
Reser's Fine Foods
Ron Tonkin
Rose Quarter
Rosewood Clinic
St. Vincent de Paul

Sound Images
Southwest Community Clinic
State of Oregon
Stumptown Coffee
Supercuts
TriMet
Tzu Chi Foundation
Unite for Sight, OHSU Chapter
US Interagency Council on Homelessness
Veterans Administration
Wallace Medical Concern
West Burnside Chiropractic Care
Worksystems Inc.
YWCA Safe Haven



“Ordinary people doing extraordinary things”



July 11th, 2006









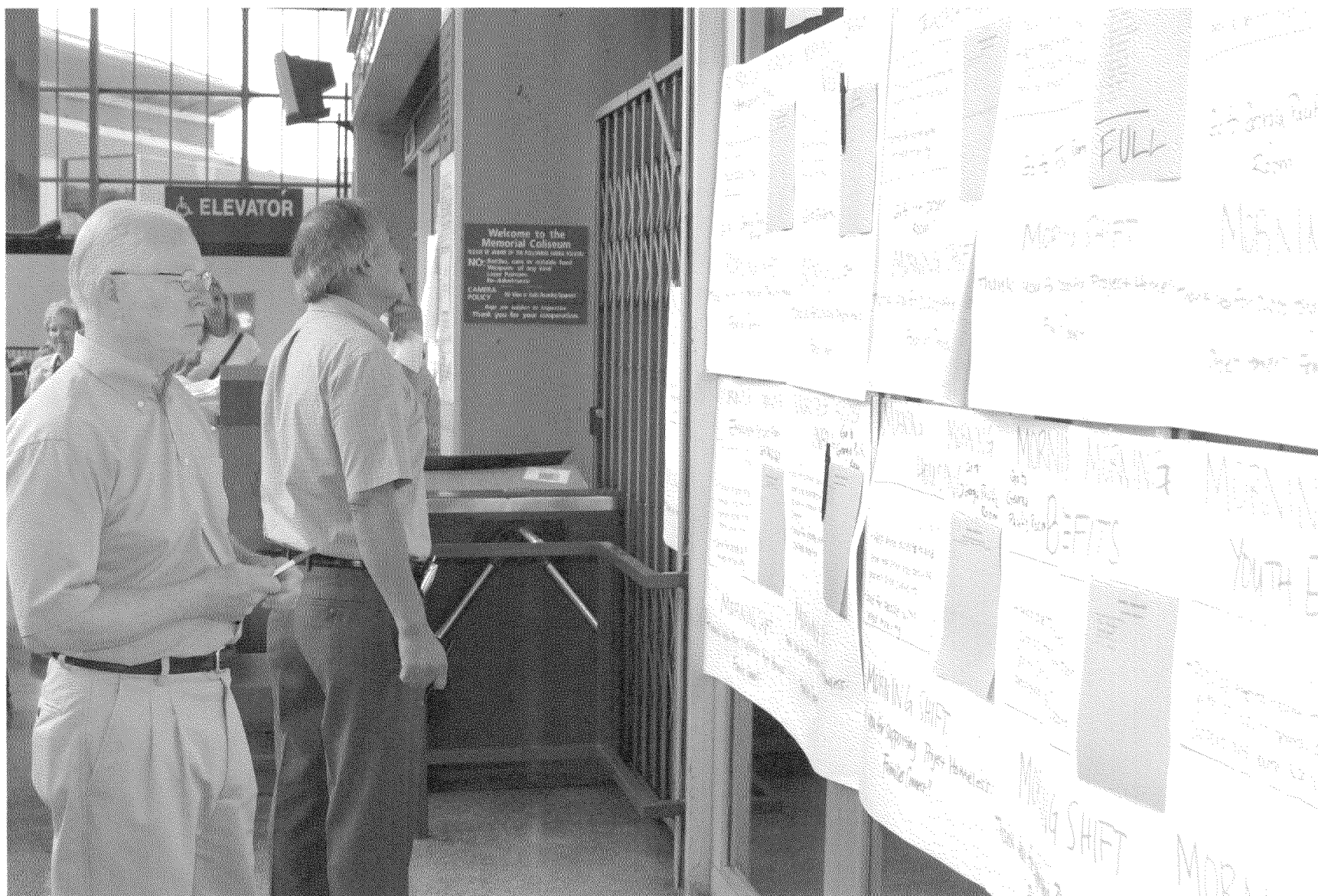












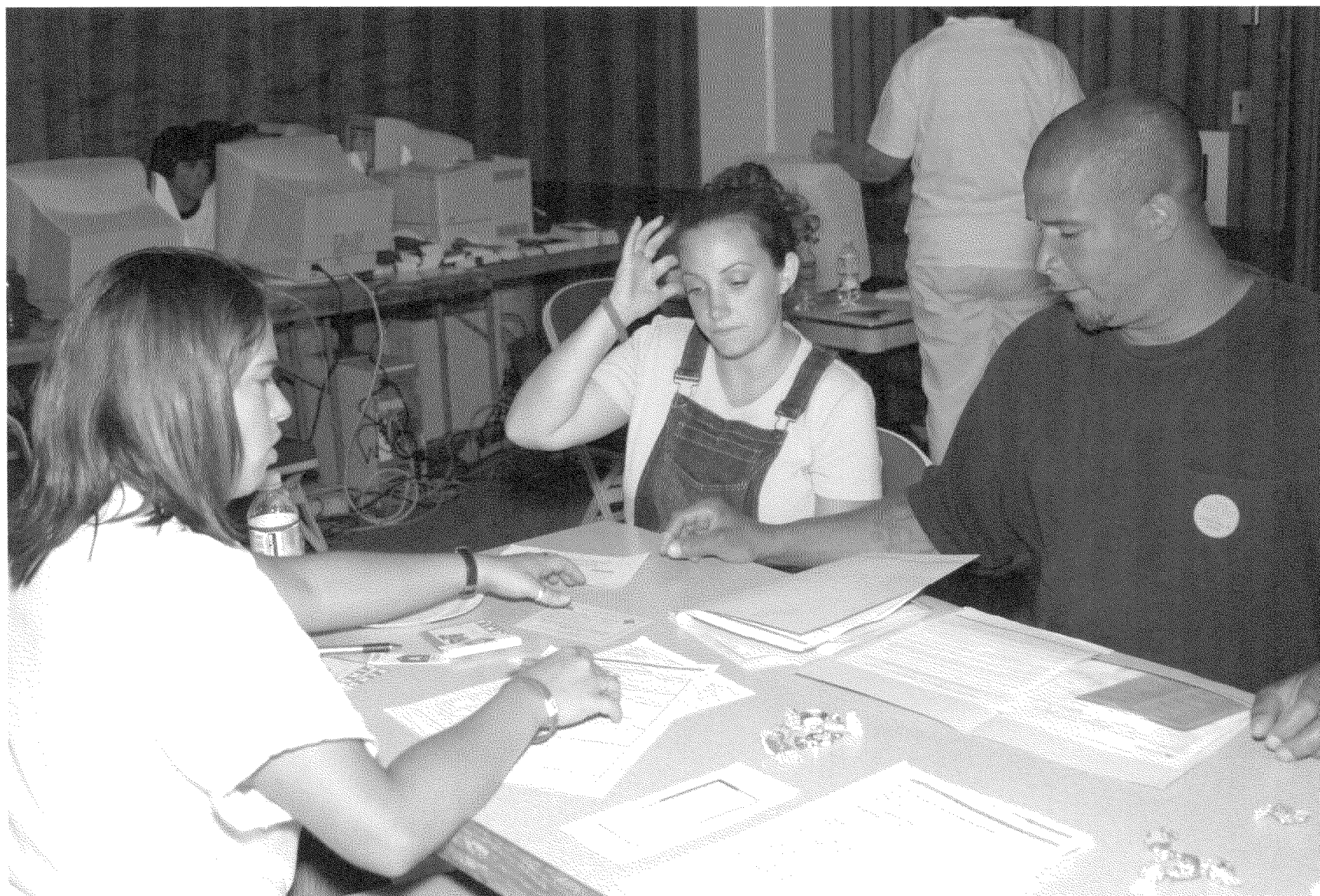










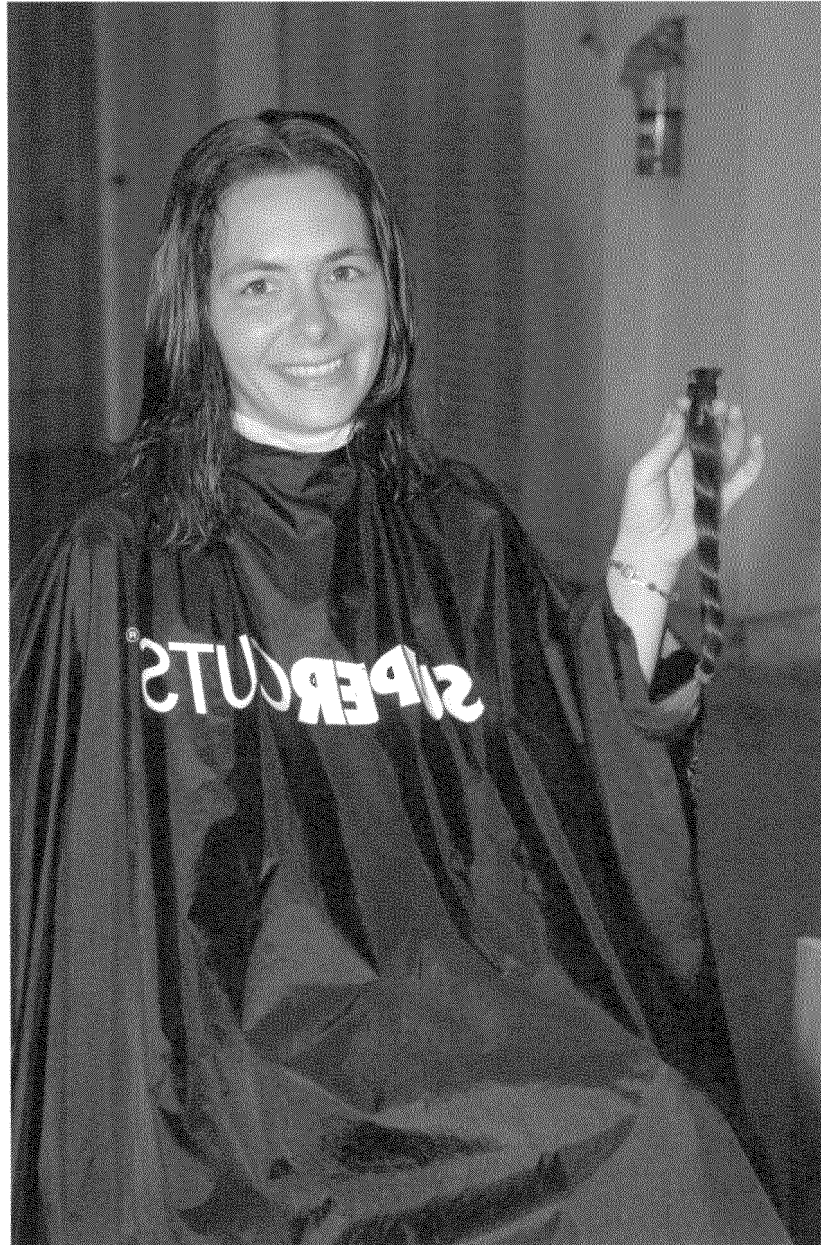






















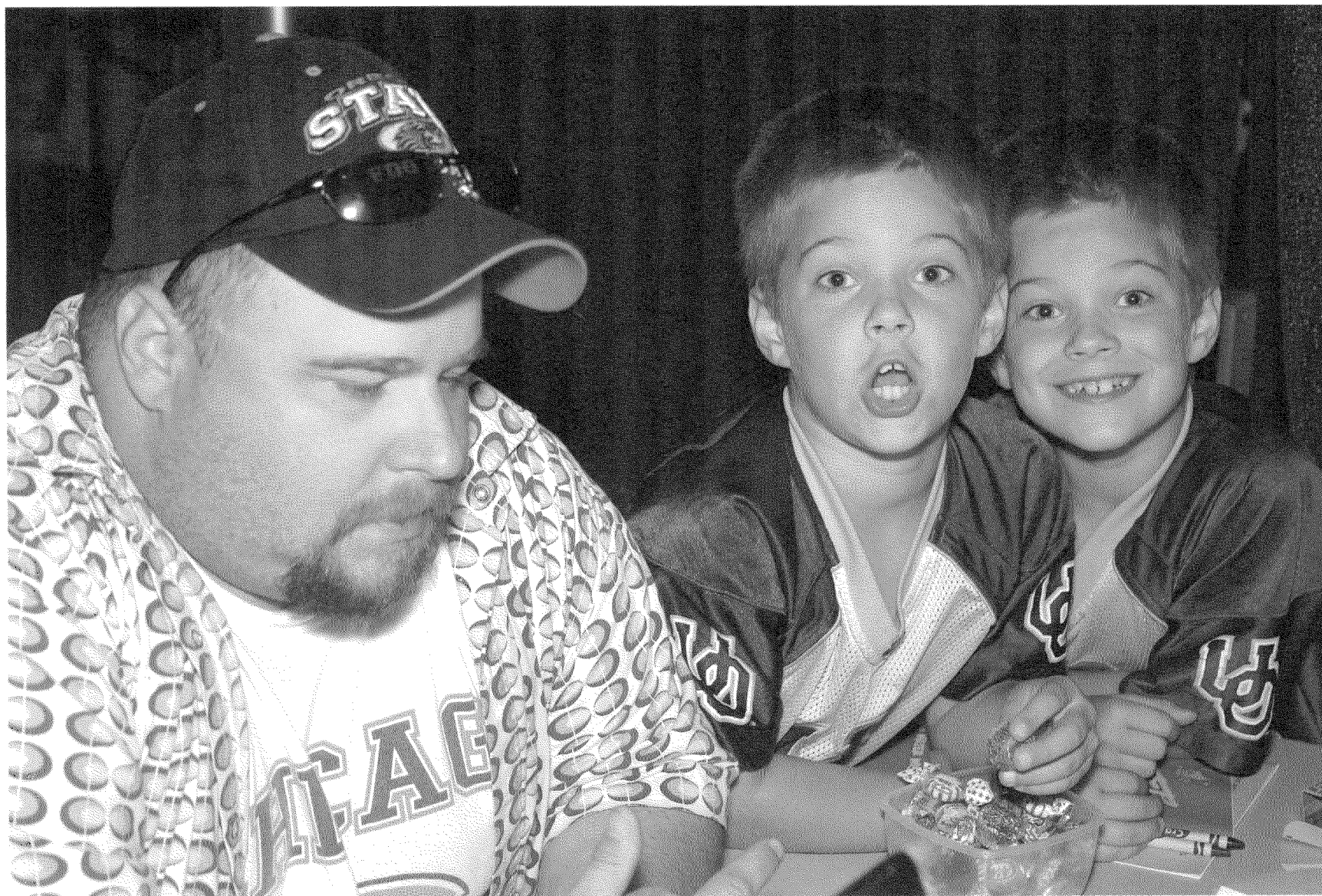








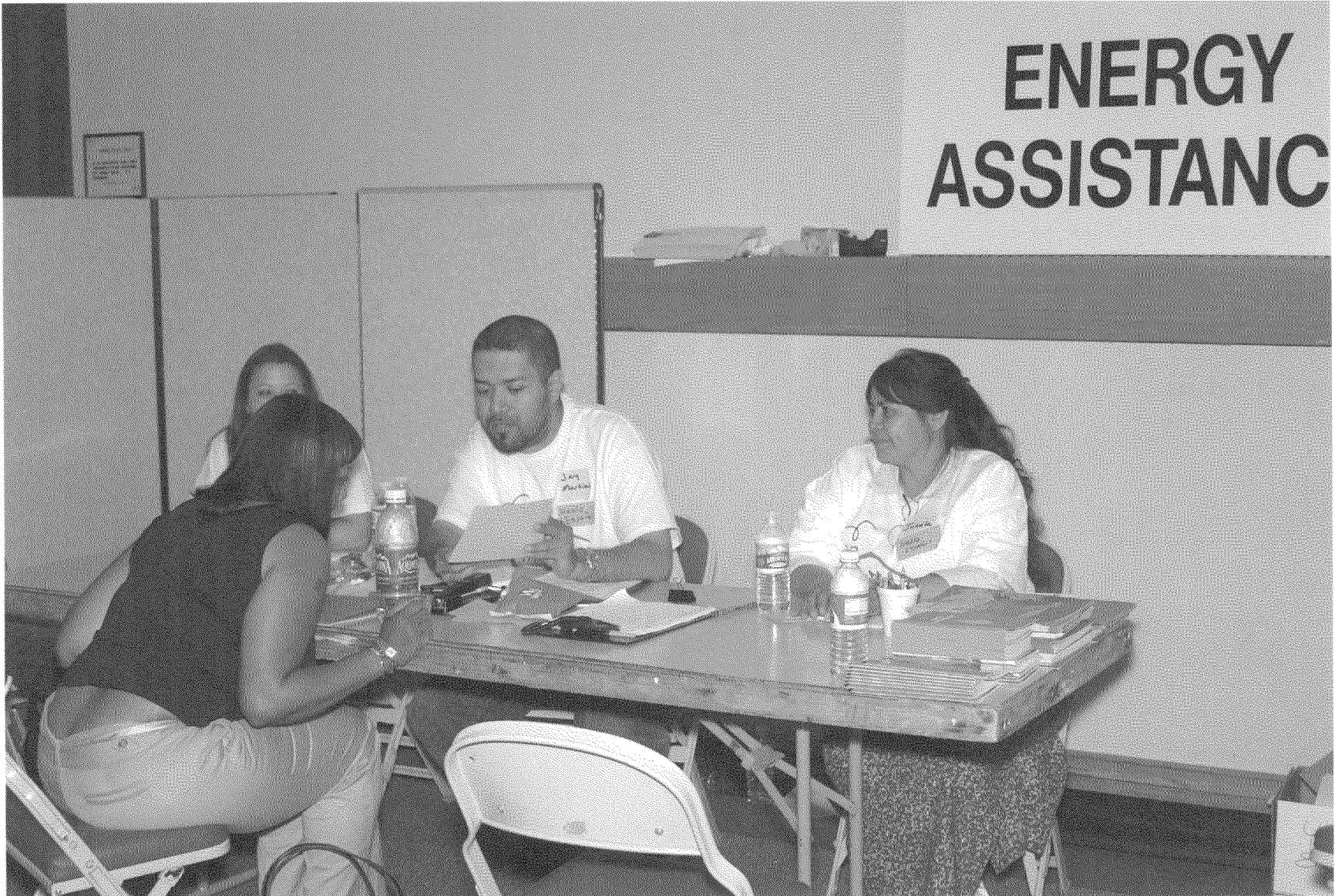








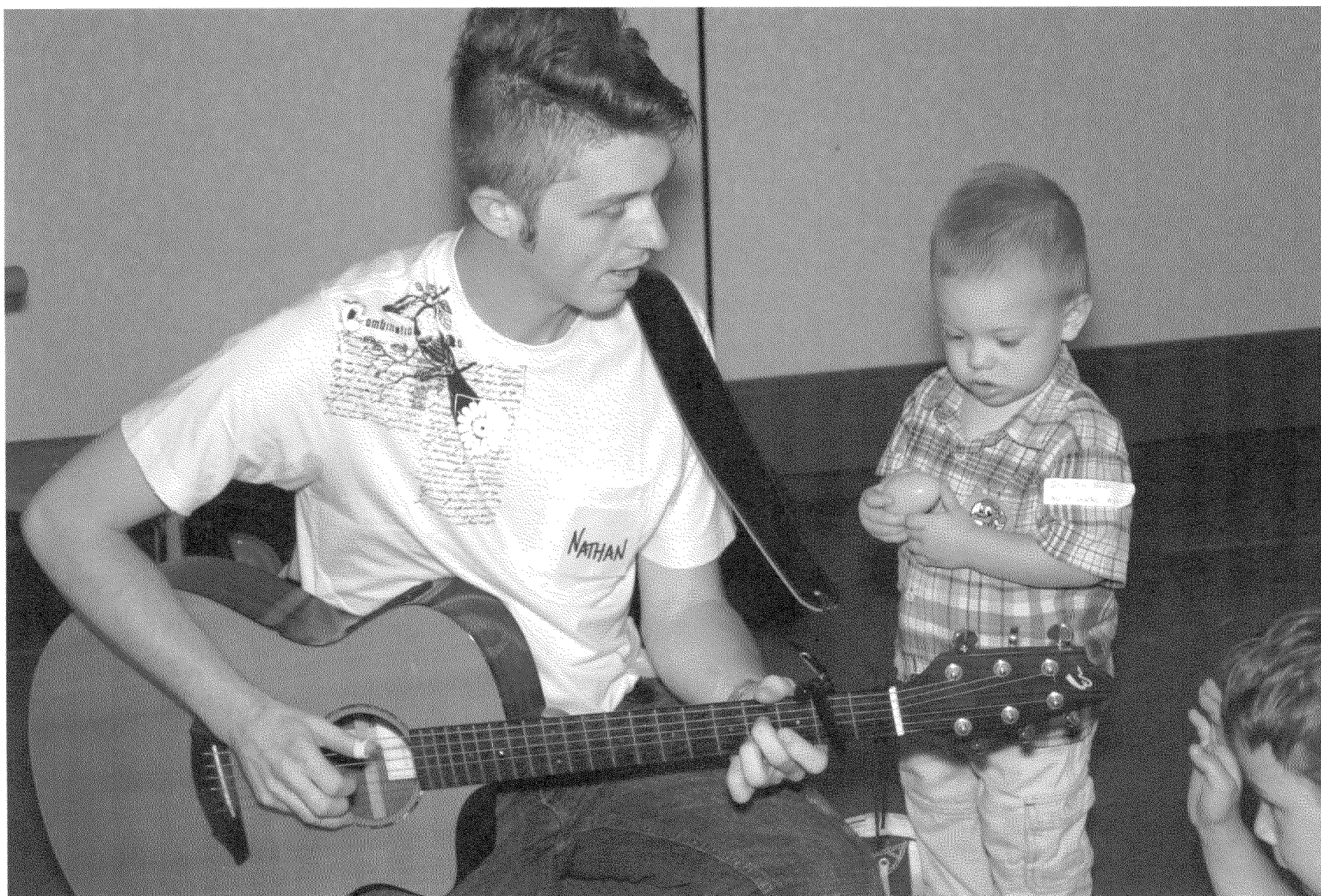
ENERGY ASSISTANC

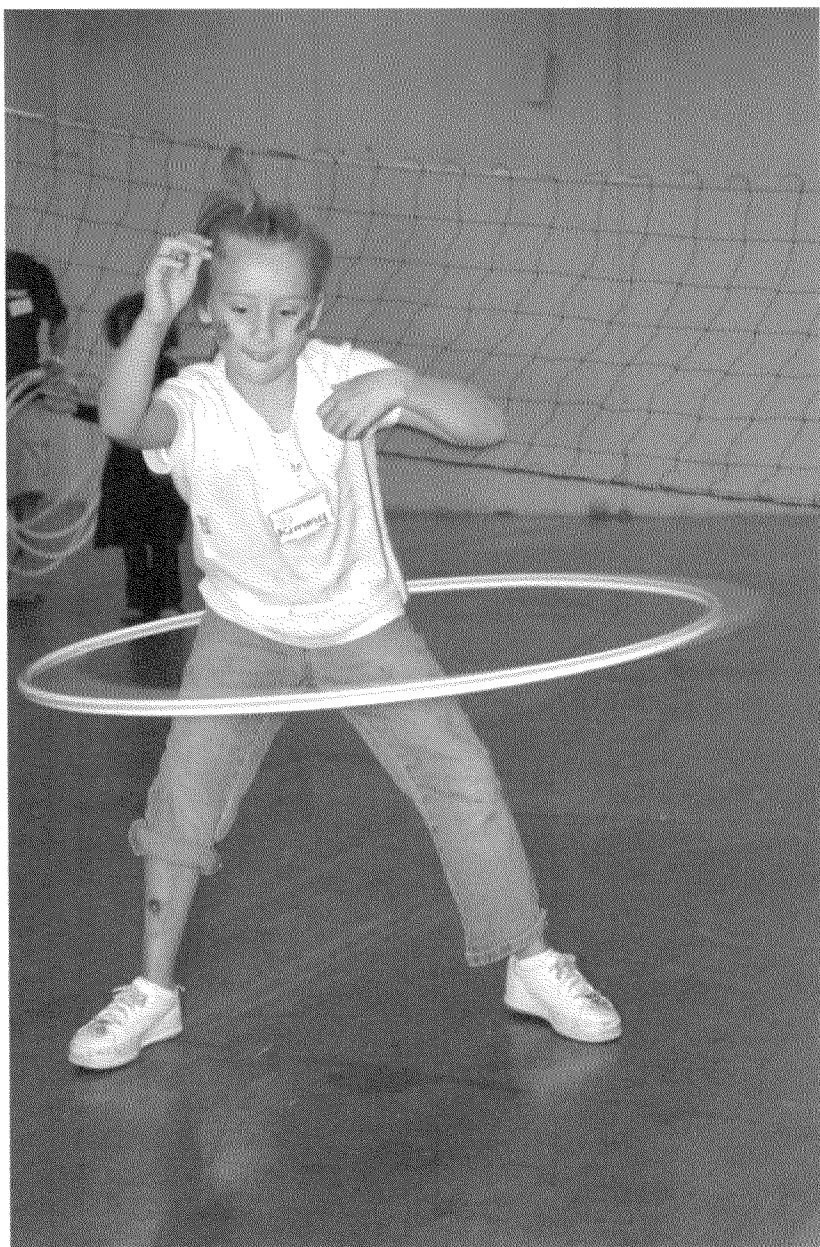










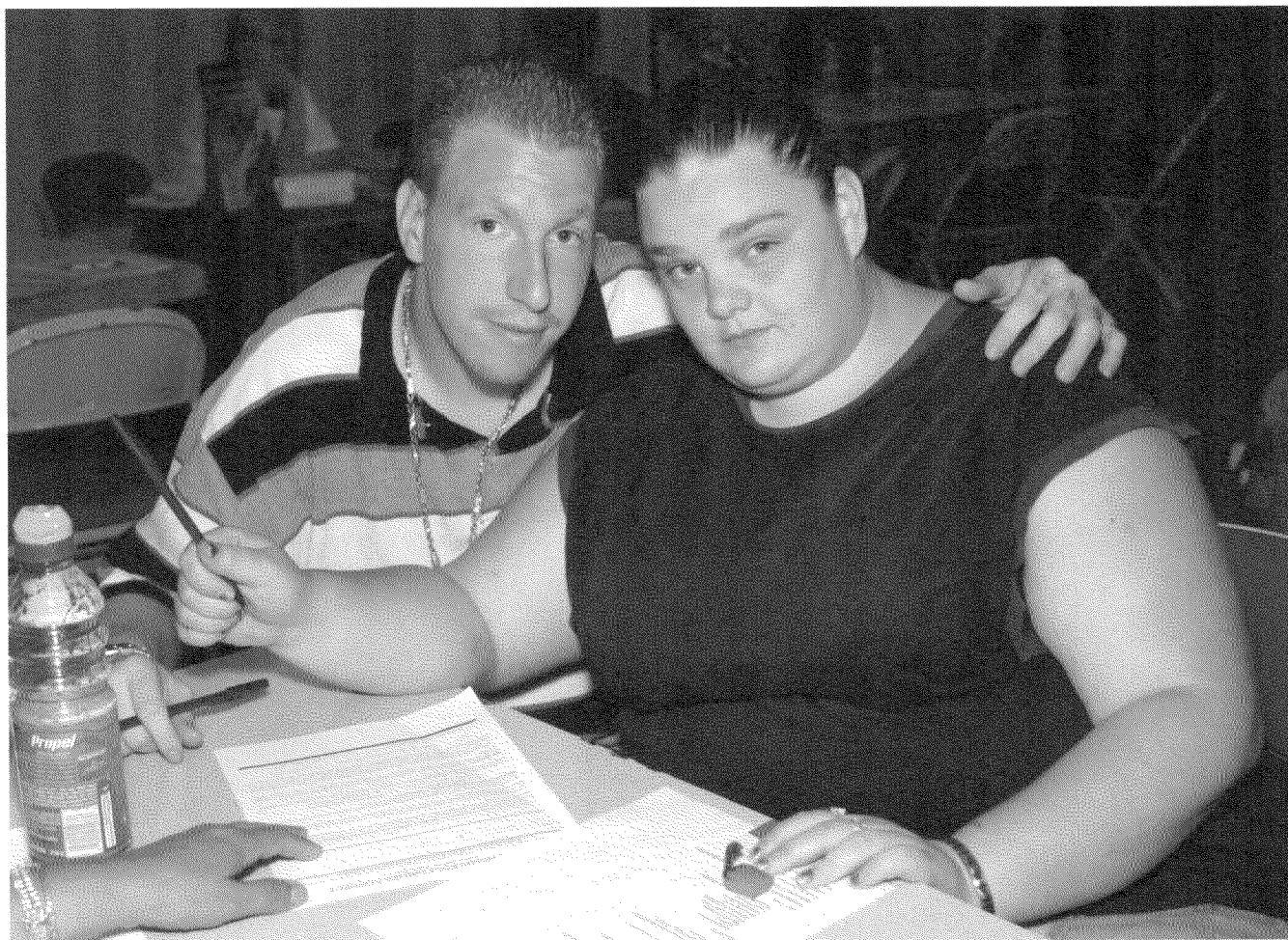




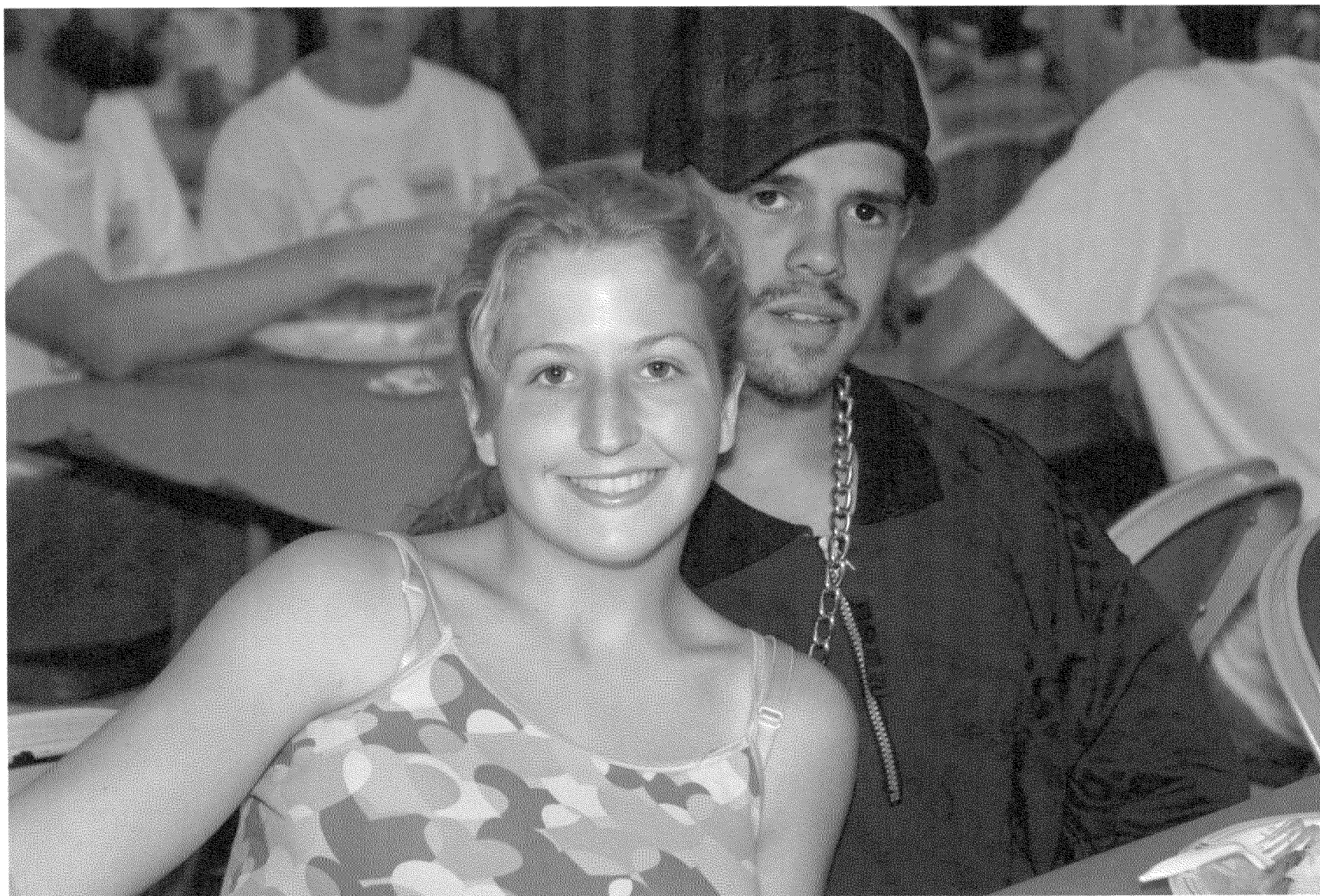


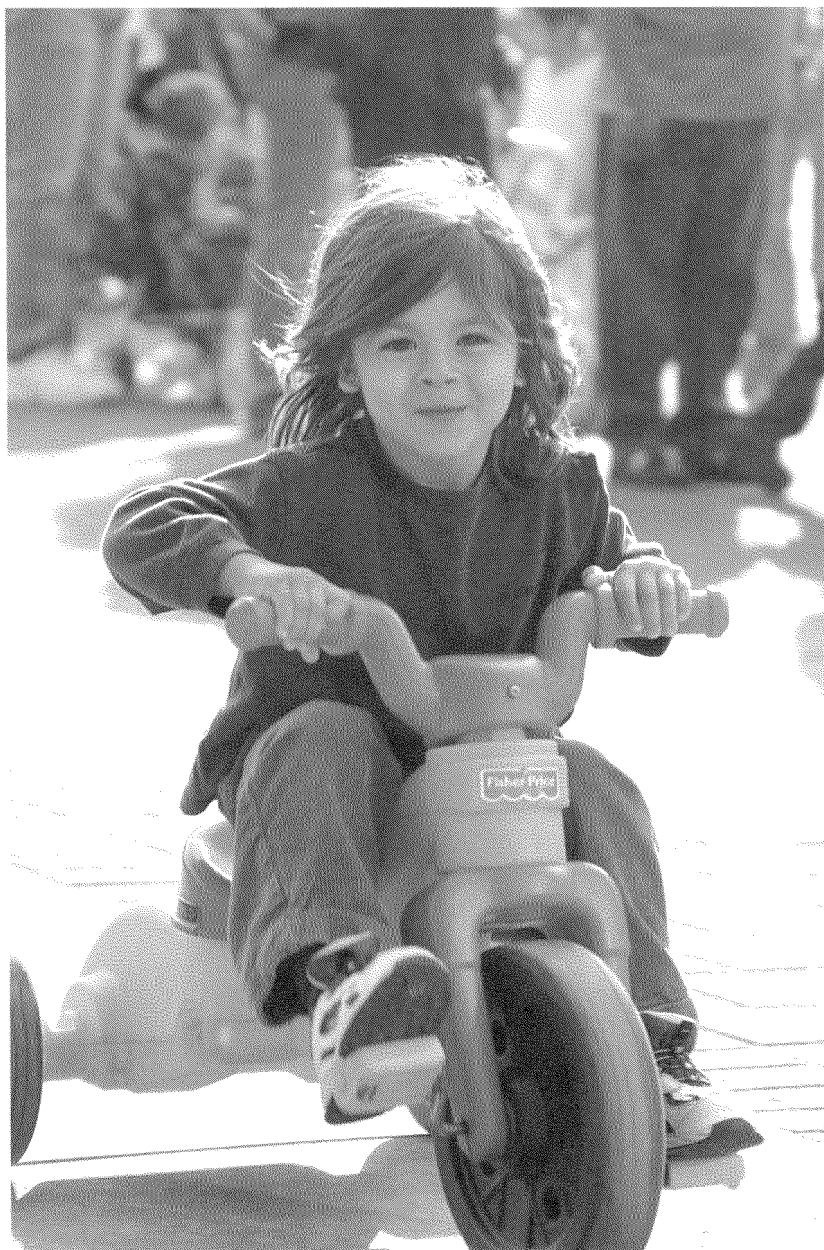




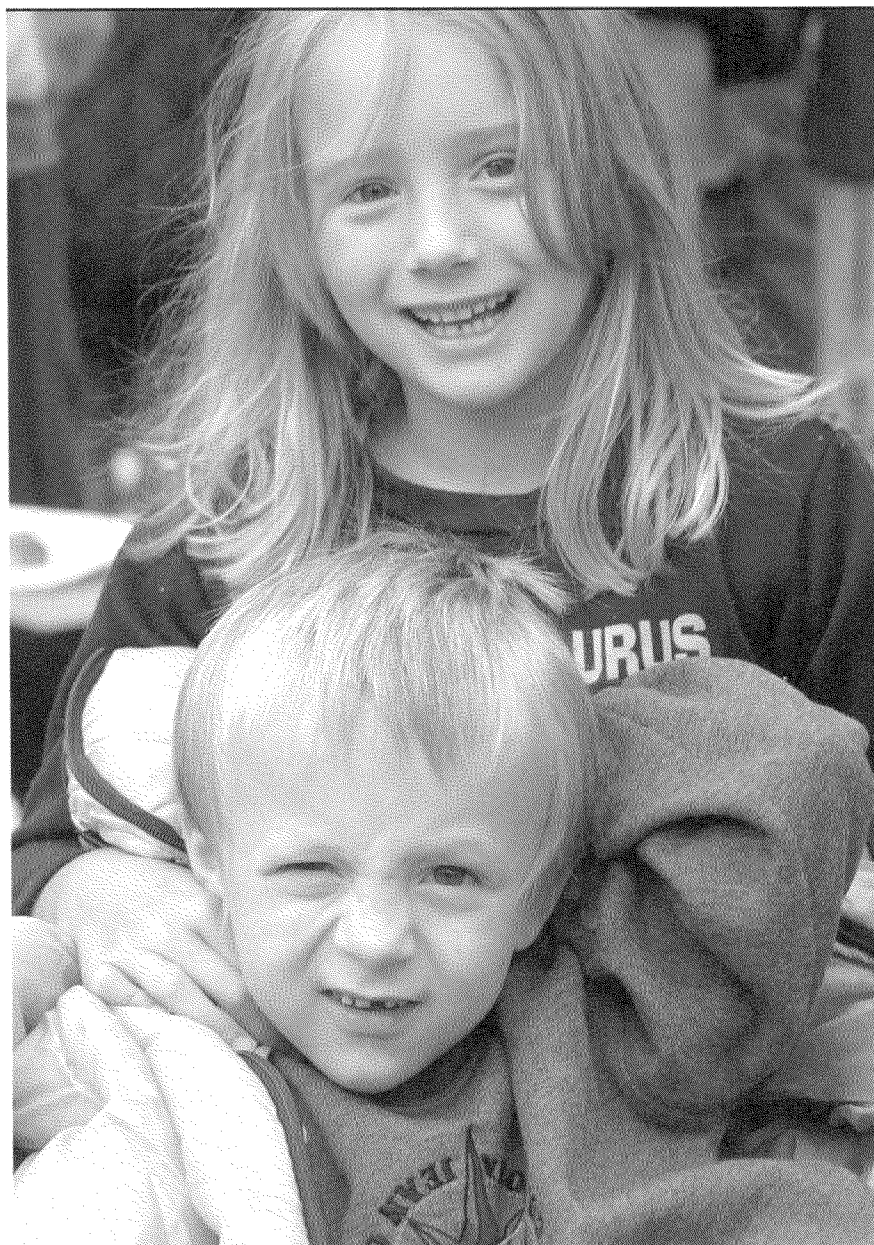






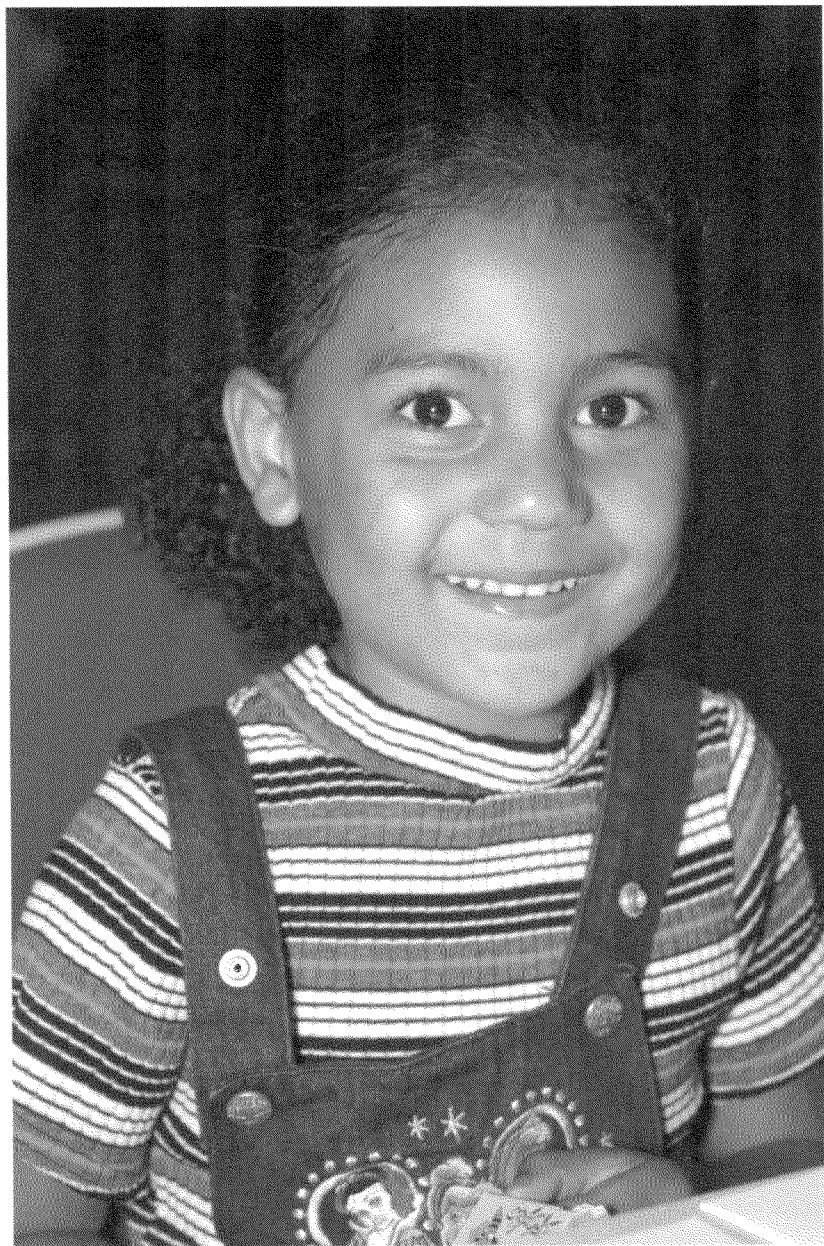


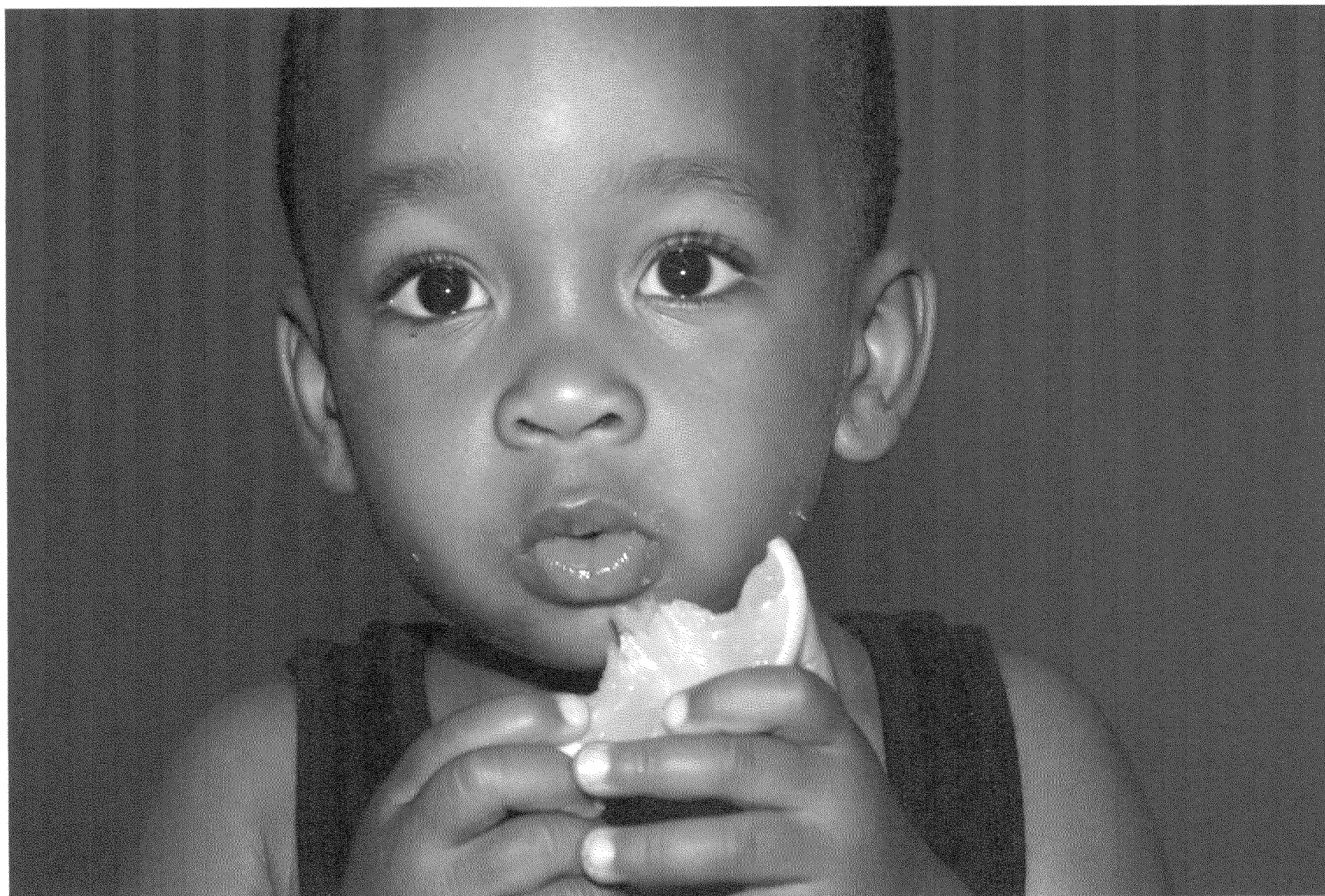


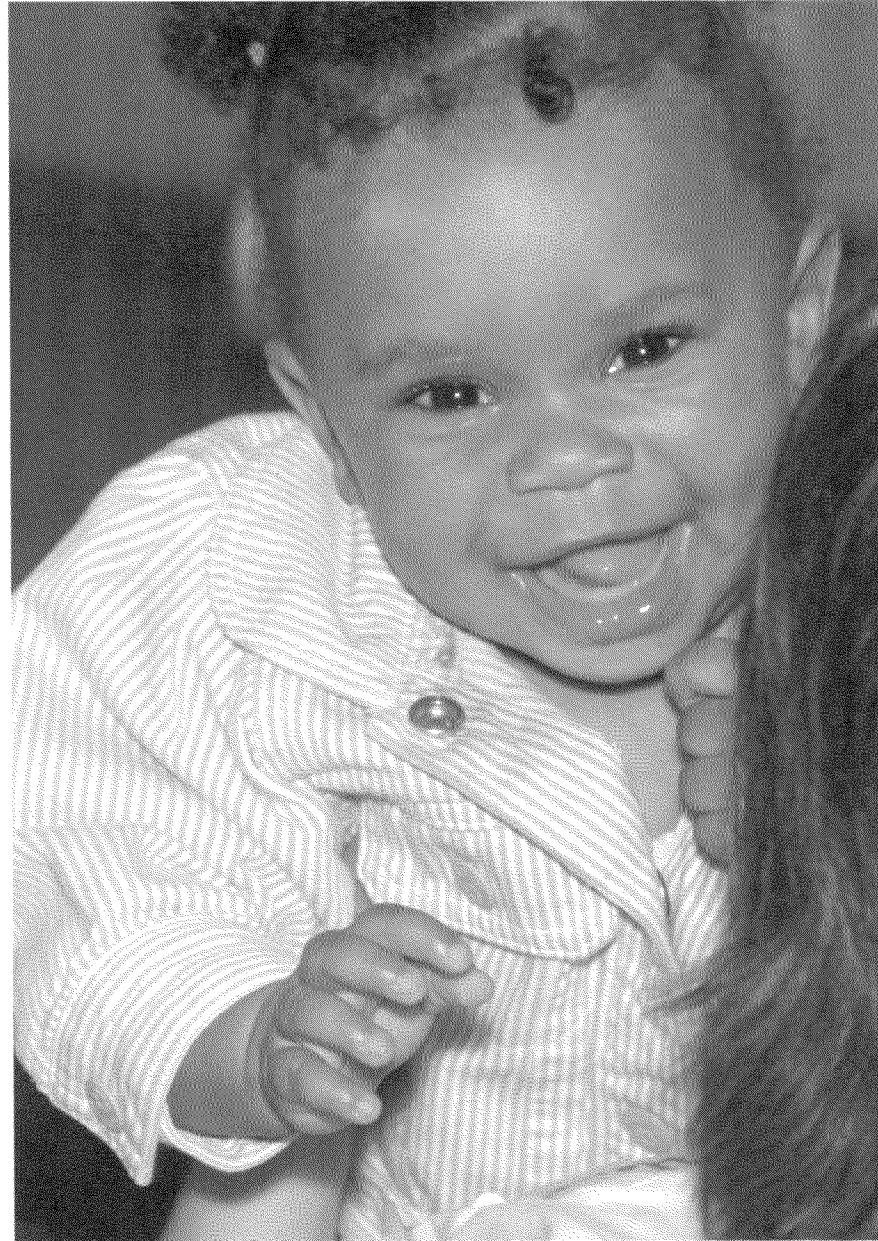












**Photography by
Melissa Hendricks**



MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST

Board Clerk Use Only

Meeting Date: 07/20/06
Agenda Item #: B-4
Est. Start Time: 11:30 AM
Date Submitted: 07/13/06

BUDGET MODIFICATION: -

Agenda Title: Briefing on Natural Hazards Mitigation Plan

Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title.

Date Requested:	7/20/2006	Time Requested:	10 minutes
Department:	Non-Departmental	Division:	Chair's Office
Contact(s):	Chair Diane Linn, Steve Bullock		
Phone:	503/988-3308	Ext.	83308
I/O Address:	503/600		
Presenter(s):	Steve Bullock, State FEMA personnel		

General Information

1. What action are you requesting from the Board?

No action. Information briefing only.

2. Please provide sufficient background information for the Board and the public to understand this issue.

Multnomah County, Oregon developed the Natural Hazards Mitigation Plan in an effort to reduce future loss of life and property resulting from natural disasters. It is impossible to predict exactly when these disasters will occur, or the extent to which they will affect the County. However, with careful planning and collaboration among public agencies, private sector organizations, and citizens within the County, it is possible to minimize the losses that can result from natural disasters. The Plan should be viewed as a living document that provides the County a system for long-term risk reduction from natural hazards. The Plan's architecture allows the County to review and update sections based on new data. The new data can be incorporated into the Plan through a simple process that does not require a full plan update, resulting in a plan that remains relevant and current. Additionally, the plan has been developed in a way that will allow and encourage the County's local jurisdictions, special districts, and other partners to build upon the Plan as they develop their own locally-specific addendums to the county plan.

Although non-regulatory in nature, the Plan:

- 1) provides a starting point or foundation for coordination and collaboration among agencies and the public in the County;
- 2) identifies and prioritizes future mitigation activities;
- 3) establishes an official process for future development and implementation of mitigation activities;
- 4) assists in meeting federal planning requirements and qualifying for assistance programs; and
- 5) works in conjunction with other County plans and programs, including the Multnomah County Comprehensive Plan, Capital Improvement Program, and emergency operations plan, as well as the State of Oregon Natural Hazards Mitigation Plan.

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

None.

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

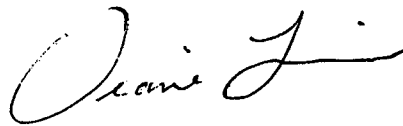
None.

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

N/A

Required Signatures

**Department/
Agency Director:**



Date: 7/13/2006

Budget Analyst:

Date: _____

Department HR:

Date: _____

Countywide HR:

Date: _____



MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST

Board Clerk Use Only

Meeting Date: 07/20/06
Agenda Item #: E-1
Est. Start Time: 11:40 AM
Date Submitted: 07/17/06

BUDGET MODIFICATION: -

Agenda Title: Executive Session Pursuant to ORS 192.660(2)(d)

Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title.

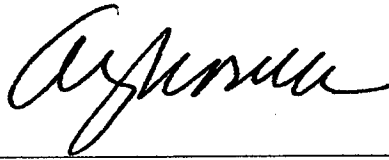
Date Requested:	<u>July 20, 2006</u>	Time Requested:	<u>15 -30 mins</u>
Department:	<u>Non-Departmental</u>	Division:	<u>County Attorney's Office</u>
Contact(s):	<u>Agnes Sowle</u>		
Phone:	<u>503 988-3138</u>	Ext.	<u>83138</u>
I/O Address:	<u>503/500</u>		
Presenter(s):	<u>Agnes Sowle and Invited Others</u>		

General Information

1. What action are you requesting from the Board?
No Final Decision will be made in the Executive Session.
2. Please provide sufficient background information for the Board and the public to understand this issue.
Only Representatives of the News Media and Designated Staff are allowed to Attend.
Representatives of the News Media and All Other Attendees are Specifically Directed Not to Disclose Information that is the Subject of the Executive Session.
3. Explain the fiscal impact (current year and ongoing).
4. Explain any legal and/or policy issues involved.
ORS 192.660(2)(d).
5. Explain any citizen and/or other government participation that has or will take place.

Required Signatures

**Department/
Agency Director:**



Date: 07/17/06

Budget Analyst:

Date:

Department HR:

Date:

Countywide HR:

Date: