

BEFORE THE PLANNING COMMISSION
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. PC 2018-10281

Recommend to the Board of Commissioners the adoption of one or more ordinances amending MCC Chapters 37 and 38 relating to Type I permit procedures.

The Planning Commission Finds:

- a. The Planning Commission is authorized by Multnomah County Code Chapters 37.0710, 38.0710 and by ORS 215.110 to recommend to the Board of County Commissioners the adoption of Ordinances to amend the County Comprehensive Plan and land use regulations.
- b. The recommended changes are intended to make the Type I permit process clearer, more efficient, and shorter.
- c. The ordinance would clarify that a Type I application shall not be approved unless all of the approval criteria are met. It would also apply the goal-post rule to Type I applications, which means a Type I application would be reviewed under the standards in effect on the date the application is submitted. Those changes are consistent with what the procedure for Type II through IV permit applications.
- d. The ordinance would add a completeness review procedure for Type I applications similar to what is required for Type II through IV permit applications, which will provide timely communication to applicants who have not provided all of the information required in order to process the application. An applicant would have a 180-day timeframe to make a Type I application complete.
- e. The ordinance would add a permit expiration timeframe, which would give applicants six years to establish the use or development authorized under the Type I permit, with the opportunity to extend the permit if it is tied to a higher order permit with a later expiration date.
- f. The ordinance would also address existing incomplete Type I applications and Type I permits for uses or developments that have not yet been established. The ordinance would allow applicants with existing incomplete Type I applications 180 days from the effective date of the ordinance to make the application complete, or the application would become void. That change addresses Type I applications that are currently incomplete, some of which have been in incomplete status for years. That provision would be repealed when it is no longer operative. The ordinance would also allow those with Type I permits that were issued prior to the effective date of the ordinance, but for which the use or development has not been established, six years from the effective date of the ordinance to establish the use or development, or the permit would expire.
- g. Finally, the ordinance would add Type I permits to the list of permit types that can be revoked (through a hearing) if the permit is not being complied with.

- h. 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 was published in the Oregonian newspaper and on the Land Use Planning Program internet pages. The Planning Commission held a hearing on July 2, 2018 where all interested persons were given an opportunity to appear and be heard.

The Planning Commission resolves:

The adoption of one or more ordinances amending MCC Chapters 37 and 38, in a form substantially similar to that approved by the Planning Commission, is hereby recommended for adoption by the Board of County Commissioners.

ADOPTED this 2nd day of July, 2018

PLANNING COMMISSION
FOR MULTNOMAH COUNTY, OREGON



John Ingle, Chair