

BEFORE THE PLANNING COMMISSION  
for MULTNOMAH COUNTY, OREGON

**RESOLUTION NO. PC-10-004**

In the matter of recommending that the Board of Commissioners amend Multnomah County Code Chapters 33, 35, and 36 to clarify

**The Planning Commission of Multnomah County Finds:**

- a. The Planning Commission is authorized by Multnomah County Code (MCC) Chapters 11.05, and 33 through 36, to recommend to the Board of County Commissioners the adoption, revision, or repeal of regulations intended to carry out all or part of a plan adopted by the Board.
- b. The individual Zoning Code and Code chapters should be periodically updated and amendments adopted. Review and enactment of “housekeeping” amendments of the Zoning Code is needed as technical errors and unclear provisions are found.
- c. The provisions in MCC Chapters 33, 35, and 36 need to be amended to reconcile the procedure and standards which County Land Use Planning uses to process permits for changes to existing dwellings and new accessory structures. Thee CFU regulations should be amended to permit as an allowed use, expansion, replacement or restoration of an existing dwelling or a new accessory structure, if located within 100 feet of the existing dwelling location as a Type 1 non-discretionary review. Amend the code to require a Type II discretionary review of applications for replacement or restoration of an existing dwelling or new accessory structure if located more than 100 feet from the existing dwelling location.
- d. The provisions in CFU zoning code Table 1 of MCC Chapters 33, 35, and 36 regarding Forest Setbacks and Fire Safety Zones need to be amended to further clarify setbacks and safety zones for accessory buildings, and to allow existing nonconforming setbacks for additions to existing accessory buildings.
- e. The CFU provisions in MCC Chapters 33, 35, and 36 should be amended to reconcile the access standards in those chapters with the Fire Apparatus Standards in Chapter 29 by deleting the CFU standards and incorporating appropriate access standards within Chapter 29. Removal of the CFU access standards should occur at the same time as the Chapter 29 amendments.
- f. The provisions in Multnomah County Code Chapters 33, 35, and 36 in the CFU Districts need to be amended to add the Lot of Exception option to the Review Uses in the CFU-3 Zone District.
- g. The provisions in Multnomah County Code Chapters 33, 34, 35, and 36 Definitions section needs to be amended to add a definition for “access easement.”
- 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”).

- i. Notice of the Planning Commission hearing was published in the Oregonian newspaper and on the Land Use Planning Program internet pages.

**The Planning Commission of Multnomah County Resolves:**

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

ADOPTED this 7th day of June, 2010.

PLANNING COMMISSION  
FOR MULTNOMAH COUNTY, OREGON

  
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John Ingle, Chair