



MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST

(Revised: Feb. 2017)

APPROVED: MULTNOMAH COUNTY
BOARD OF COMMISSIONERS
AGENDA # R.3 DATE 4/13/17
MARINA BAKER, ASST BOARD CLERK

Board Clerk Use Only

Meeting Date: 4/13/17
Agenda Item #: R.3
Est. Start Time: 10:40 am approx
Date Submitted: 3/31/17

Agenda Title: Amending County Land Use Code to Apply City of Portland Tree Code and Zoning Code Amendments (RICAP 8) to the Unincorporated Urban Areas and Declaring an Emergency

Requested Meeting April 13, 2017 **Time Needed:** 15 Minutes

Department: Community Services **Division:** Land Use Planning

Contact(s): Michael Cerbone, Planning Director

Phone: 503-988-0218 **Ext.** 80218 **Email:** michael.cerbone@multco.us
Michael Cerbone, Multnomah County Planning Director, and

Presenters: Kathryn Hartinger, Jeff Caudill, City Planners, City of Portland

General Information

1. What action are you requesting from the Board?

Conduct a public hearing and adopt the proposed Ordinance.

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

Pursuant to an intergovernmental agreement executed in 2002 (the "IGA"), the City of Portland, Oregon ("City"), provides, with certain exceptions, land use planning services for those areas of unincorporated Multnomah County located within the City's Urban Services Boundary (the "Unincorporated Urban Areas").

Because the County retains legislative authority over the Unincorporated Urban Areas, the County assumed an obligation in the IGA to amend County land use policies and regulations to apply applicable City land use policies and regulations, and all subsequent amendments thereto, to the Unincorporated Urban Areas.

As part of the City's Regulatory Improvement Workplan, which is an ongoing program to improve city land use regulations and procedures, the City adopted Regulatory Improvement Code Amendment Package ("RICAP") 8. RICAP 8 included amendments to multiple chapters of the Portland City Code, with changes that ranged from technical and minor corrections to ensure consistency within the code, to minor changes to current policy. As relevant to the County, through Ordinance No. 188259 the Portland City Council adopted revisions to Title 33 (Planning and Zoning). Through Ordinance No. 188278 the Portland City Council adopted revisions to Title 11 (Trees). Those legislative actions by the City fall within the scope of the IGA, and therefore are before the Board for adoption.

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

Adoption of the amendments to Title 33 and Title 11 into the County zoning code has no fiscal impact on the County. The City recoups its IGA-related planning service costs through collection of application fees.

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

Per the terms of the IGA, adoption of this Ordinance by emergency is requested in order to best coordinate the effective date of this Ordinance with the effective date of the City's regulations.

Under the IGA, if the Board chooses not to adopt the proposed Ordinance, the City may terminate the IGA; in such event, the County would resume responsibility for land use planning in the Unincorporated Urban Areas.

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

Pursuant to State and City notice requirements, as well as the terms of the IGA, the City provided public notice of its pending action on City Ordinance No. 188259 and City Ordinance No. 188278 and provided stakeholders an opportunity to be heard at public hearings before the City's Planning and Sustainability and Urban Forestry Commissions, culminating in hearings with the City Council.

The City's Planning and Sustainability Commission considered and recommended the legislative actions proposed in City Ordinance No. 188259 and City Ordinance No. 188278 in accordance with the City Planning and Sustainability Commission's public legislative process.

The City's Urban Forestry Commission considered and recommended the legislative actions proposed in City Ordinance 188278 in accordance with the City Urban Forestry Commission's public legislative process.

The City Council considered and took the legislative actions set forth in City Ordinance No. 188259 and City Ordinance No. 188278 in accordance with the City Council's public legislative process.

Further, the Board Clerk has published notice of this public hearing of this Ordinance in accordance with State and County notice requirements.

Required Signature

**Elected
Official or
Department
Director:**

/s/ Karyne Kieta

Date:

3/31/17