

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON**

ORDINANCE NO. _____

Amending Multnomah County's Land Use Code as it Applies to the Unincorporated Urban Areas to Incorporate the New Chinatown/Japantown Historic District Design Guidelines and Declaring an Emergency.

The Multnomah County Board of Commissioners Finds:

- a. 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").
- b. 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 as they relate to the Unincorporated Urban Areas to incorporate applicable City land use policies and regulations, and all subsequent amendments thereto.
- c. Through Ordinance No. 188623, the City Council adopted the New Chinatown/Japantown Historic District Design Guidelines, which provide land use approval criteria that protect the architectural integrity and cultural significance of Portland's New Chinatown/Japantown Historic District. Although Ordinance No. 188623 does not directly impact the Unincorporated Urban Areas, the City has requested that the County amend the County land use code as it relates to the Unincorporated Urban Areas to incorporate the changes implemented in Ordinance No. 188623.
- d. 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. 188623. The City provided an opportunity for the public to be heard at several public hearings, culminating with hearings before the City's Planning and Sustainability Commission and the City Council.
- e. The City Council adopted Ordinance No. 188623 on September 27, 2017. This Ordinance is being adopted by emergency to best coordinate the effective date of this Ordinance with the effective date of the City's Ordinance.

Multnomah County Ordains as Follows:

Section 1. The Multnomah County Land Use Code is amended to incorporate the City of Portland's New Chinatown/Japantown Historic District Design Guidelines adopted through City Ordinance No. 188623.

Section 2. In accordance with ORS 215.427(3), the changes resulting from Section 1 of this ordinance shall not apply to any decision on an application that is submitted before the applicable effective date of this ordinance and that is made complete prior to the applicable effective date of this ordinance or within 180 days of the initial submission of the application.

Section 3. In accordance with ORS 92.040(2), for any subdivisions for which the initial application is submitted before the applicable effective date of this ordinance, the subdivision application and any subsequent application for construction shall be governed by the County's land use regulations in effect as of the date the subdivision application is first submitted.

Section 4. Any future amendments to the legislative matters listed in Section 1 above are exempt from the requirements of MCC 37.0710. The Board acknowledges, authorizes and agrees that the Portland City Planning and Sustainability Commission will act instead of the Multnomah County Planning Commission for the Unincorporated Urban Areas by employing the City's own legislative procedures, including providing notice to, and facilitating participation from, property owners within Unincorporated Urban Areas. The Board will consider the recommendations of the Portland Planning and Sustainability Commission and City Council when legislative land use matters for the Unincorporated Urban Areas come before the Board for action.

Section 5. An emergency is declared in that it is necessary for the health, safety, and general welfare of the people of Multnomah County for this ordinance to take effect immediately to best ensure consistency with the City code, plan and map amendments. Under Section 5.50 of the Charter of Multnomah County, the amendments in Ordinance No. 188623 shall be effective immediately.

FIRST READING AND ADOPTION: _____ ***(type in meeting date)***

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Deborah Kafoury, Chair

REVIEWED:
JENNY M. MADKOUR, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By _____
Katherine Thomas, Assistant County Attorney

SUBMITTED BY: Kim E. Peoples, Director, Department of Community Services.