

1 BEFORE THE BOARD OF COUNTY COMMISSIONERS
2 FOR MULTNOMAH COUNTY, OREGON
3 ORDINANCE NO. 812
4

5 An Ordinance Amending the Multnomah County Comprehensive Plan Map and
6 Sectional Zoning Maps and Correcting Errors in Ordinance 745

7
8 Multnomah County Ordains as follows:
9

10 Section I. **Findings.**

11 (A) In 1992, the County amended its comprehensive plan and zoning maps in response
12 to the Statewide Goal 4 rules for Forest lands [reference Ordinance 745, adopted December 8,
13 1992]. Certain moorage and marina properties east of Highway 30 were erroneously
14 designated CFU on the Plan and Zoning maps during this process. The specific properties
15 affected are listed in Sections II and III below and depicted on the Vicinity Map included with
16 the Notice of Public Hearing. (reference: Exhibit A).
17

18 (B) The map revisions adopted in 1992 were intended to change the plan and zone
19 designations for forest lands subject to the amended Statewide Planning Goal 4. The maps
20 adopted by the County under Ordinance 745 included certain moorages and marina properties
21 along the west bank of Multnomah Channel in the areas which were changed to a Commercial
22 Forest Use (CFU) plan and zone designation.
23

24 (C) The Multnomah County Planning Commission recommends revisions to the plan
25 map to return the subject area to the Multiple Use Agriculture (MUA) designation which was
26 first applied by the County in 1977. The MUA designation on the plan map was acknowledged

1 by the State Land Conservation and Development Commission in 1980 and 1983. The
2 proposed plan map revision would correct errors made in 1992 and change the designation of
3 the moorage and marina properties east of Highway 30 from CFU to MUA. (reference: Exhibit
4 B; Planning Commission Resolution C 1-95; 1/23/95)

5
6 (D) Comprehensive Framework Plan Policy 3: Citizen Involvement, specifies that
7 public information and involvement on planning issues shall occur, consistent with Statewide
8 Planning Goal 1. On January 23, 1995, the Planning Commission held a public hearing to
9 review the proposed map revisions. Notice of the hearing was mailed to 64 addresses,
10 including interested groups and agencies, and all owners of floating property in the subject area
11 listed in County Assessor's moorage reports for 1994. Notices of the hearings on this matter
12 were published in the newspaper of general circulation in Multnomah County, and all interested
13 persons were given opportunity to appear and be heard at the hearings before the Planning
14 Commission and Board.

15
16 Section II. **Amendment of Framework Plan Map.**

17 (A). The Multnomah County Comprehensive Framework Plan map is hereby amended
18 to designate the following properties Multiple Use Agriculture (MUA) as depicted in Exhibit D
19 — *Proposed Comprehensive Plan Designations, C 1-95*: Tax Lots 6, 8, 10, 11, 13, 16, 23, 44,
20 47, 50, 51, 64, 65, 66 & 90 of Township 2-North, Range 1-West, Section 28; Tax Lots 16, 24,
21 30 & 31 of Township 2-North, Range 1-West, Section 33; Tax Lot 3 of Township 2-North,
22 Range 1-West, Section 34; and Tax Lot 1 of Lot C of Lucerne Subdivision.

23
24 Section III. **Amendment of Zoning Maps.**

25 (A). Amendments to Sectional Zoning Maps (67, 69, 70, 85, & 88) changing the
26 zoning of the following properties from CFU to MUA-20 are hereby adopted as depicted in

1 Exhibit E — *Proposed Zoning Map Designations, C 1-95*: Tax Lots 6, 8, 10, 11, 13, 16, 23, 44,
2 47, 50, 51, 64, 65, 66 & 90 of Township 2-North, Range 1-West, Section 28; Tax Lots 16, 24,
3 30 & 31 of Township 2-North, Range 1-West, Section 33; Tax Lot 3 of Township 2-North,
4 Range 1-West, Section 34; and Tax Lot 1 of Lot C of Lucerne Subdivision. The *Willamette*
5 *River Greenway* (WRG), *Flood Fringe* (FF), and *Floodway* (FW) overlay districts are not
6 affected by the proposal.

7

8 Section IV. **Adoption**

9 This ordinance being necessary for the health, safety, and general welfare of the people
10 of Multnomah County, shall take effect on the thirtieth (30th) day after its adoption, pursuant to
11 Section 5.50 of the Charter of Multnomah County.

12

13 ADOPTED THIS 9th day of March, 1995, being the date of its
14 second reading before the Board of County Commissioners of Multnomah County.

15

16

17

18

19

20

21

22

23

24

25

26



By Beverly Stein
Beverly Stein, County Chair
MULTNOMAH COUNTY, OREGON

REVIEWED:

John DuBay
John DuBay, Deputy County Counsel
of Multnomah County, Oregon



DEPARTMENT OF ENVIRONMENTAL SERVICES
 DIVISION OF PLANNING AND DEVELOPMENT
 2115 SE Morrison Street
 Portland, Oregon 97214 (503) 248-3043

NOTICE OF A PUBLIC HEARING

POSTPONED TO: MARCH 2, 1995 @ 9:30 A.M.

Case File: C 1-95
Scheduled Before: Board of County Commissioners
Hearing Date, Time, & Place: ~~February 28, 1995, at 1:30 p.m.~~ POSTPONED to 3/2/95
 Multnomah County Courthouse, Room 602
 1021 SW 4th Avenue, Portland

Proposal Summary: The Planning Commission unanimously recommends the Board of County Commissioners consider a revision of the Multnomah County Comprehensive Plan Map and amendments to Sectional Zoning Maps (67, 69, 70, 85, & 88) for nine (9) moorage/marina properties located between Highway 30 and the Multnomah Channel in the vicinity of the Sauvie Island Bridge. In 1992, the County amended its comprehensive plan and zoning maps in response to the Statewide Goal 4 rule imposed by the Land Conservation and Development Commission [Mult. Co. Ord. #745]. The properties described below (see Location section) were erroneously designated CFU on the Plan and Zoning maps during this process. This proposal would change the subject properties to their original plan map designation of Multiple Use Agriculture (MUA) and the corresponding Zoning map designation of MUA. The original MUA Plan map designation was applied to the subject area because these lands are not valued for either Exclusive Farm Use (EFU) or Commercial Forest Use as acknowledged by the Land Conservation and Development Commission (LCDC) in 1980 and again in 1983.

After conducting a public hearing on January 23, 1995, the Planning Commission found the proposal consistent with Statewide Planning Goals and Multnomah County Comprehensive Framework Plan policies and unanimously approved Resolution C 1-95 in support of the proposed plan map and zone changes.

Location or Areas which may be Affected: The proposed plan and zoning map changes will affect nine (9) moorage/marina properties between Highway 30 and Multnomah Channel and the submerged lands, floating structures, and water areas adjacent to these properties extending to the center of the channel from the west bank, in the vicinity of the Sauvie Island Bridge. Specific properties affected include: Tax Lots 6, 8, 10, 11, 13, 16, 23, 44, 47, 50, 51, 64, 65, 66 & 90 of T2N, R1W, Section 28; Tax Lots 16, 24, 30 & 31 of T2N, R1W, Section 33; Tax Lot 3 of T2N, R1W, Section 34; and Tax Lot 1 of Lot C of Lucerne Subdivision.

EXHIBIT A

Notice of Postponed Hearing;
Board of County Commissioners:
Case File: C 1-95
Page 2

Public Participation and Hearing Process: The case file and other information related to this proposal is available for inspection at the Division of Planning and Development, located at 2115 SE Morrison, Portland. Copies may be purchased for 30-cents per page. The Planning Commission Resolution (C 1-95) and associated Staff Report is available at least 7 days before the scheduled Board Hearing. To obtain further information on this case, or to request a copy of the resolution or staff report, call Mark Hess at (503) 248-3043 [M-F, 8:30-4:30].

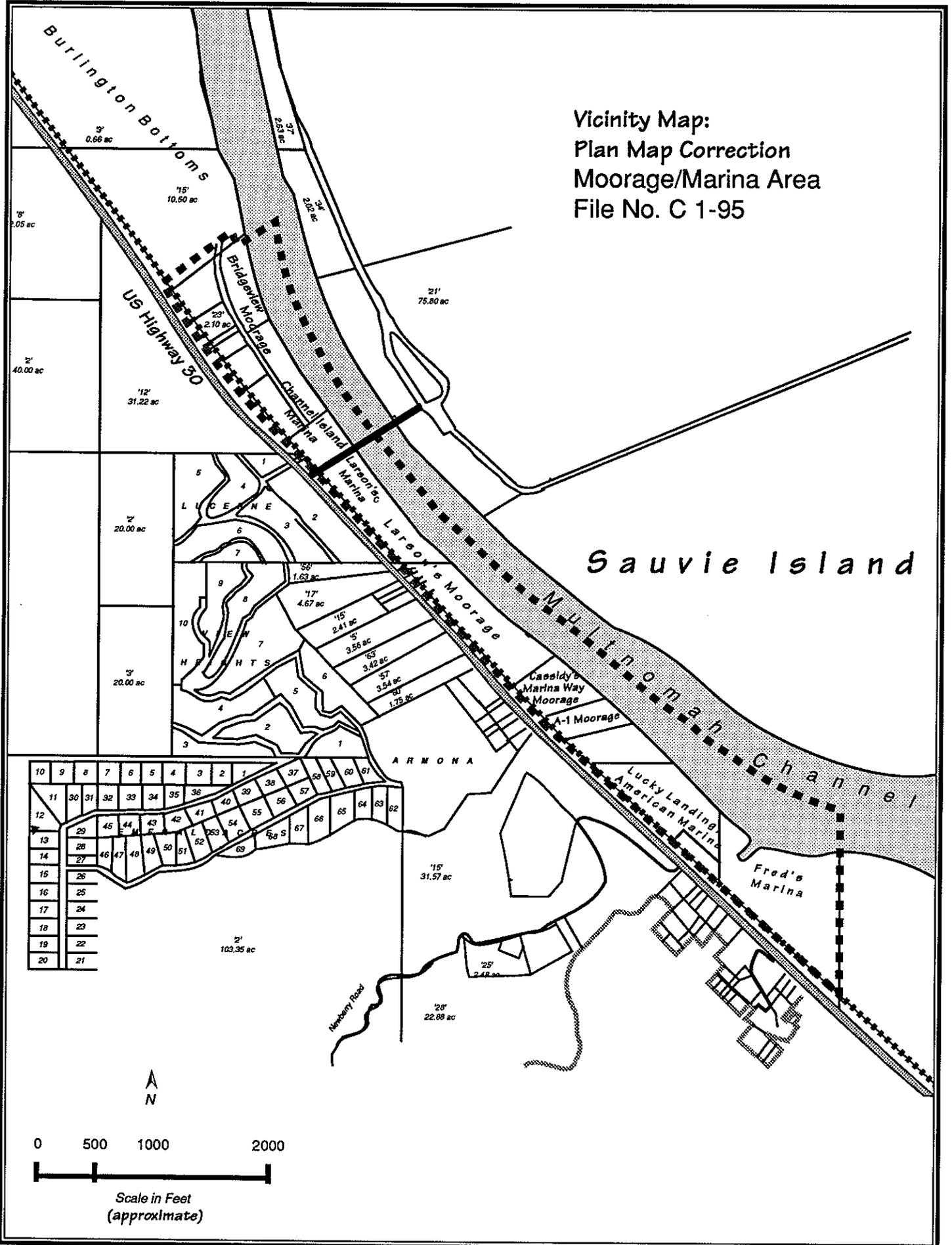
To comment on this proposal, you may write to the Board of County Commissioners in c/o Planning Division, or attend and speak at the hearing (refer to top of notice for time and location). All written comments received at the Planning Division office by 4:30 P.M. on the day preceding the hearing will be compiled and distributed to the Board at or before the hearing.

The hearing shall be conducted pursuant to the Board of County Commissioners rules and procedures. The Board will deliberate the Planning Commission's recommendation after receiving public comment(s). A decision may be announced by the Board at the hearing, or, if continued, at a subsequent Board meeting. Persons or organizations that received this notice will also be notified of the Board's final decision(s) on this matter.

This building is Wheel-Chair Accessible. Multnomah County TDD Line - 248-5040

EXHIBIT A

Vicinity Map:
Plan Map Correction
Moorage/Marina Area
File No. C 1-95



**BEFORE THE PLANNING COMMISSION
FOR MULTNOMAH COUNTY**

In the Matter of Recommending Adoption of an)
Ordinance Amending the Comprehensive)
Framework Plan Map and Sectional Zoning)
Maps and Correcting Errors in Ordinance 745)

**RESOLUTION
C 1-95**

WHEREAS, The Planning Commission is authorized by Multnomah County Code, Chapter 11.05 and by ORS 215.110, to recommend to the Board of County Commissioners the adoption of Ordinances to carry out and amend the Multnomah County Comprehensive Plan and its implementing ordinances; and

WHEREAS, In 1992, the Board of Commissioners revised the Multnomah County Comprehensive Plan Map and Sectional Zoning Maps under Ordinance 745; and,

WHEREAS, The map revisions adopted were intended to change the plan and zone designations for forest lands subject to the amended Statewide Planning Goal 4; and,

WHEREAS, The maps adopted by the County under Ordinance 745 included certain moorages and marina properties along the west bank of Multnomah Channel in the areas changed to Commercial Forest Use (CFU) plan and zone designations; and,

WHEREAS, The Multnomah County Planning Director recommends revisions to the plan map and zoning designation because a Multiple Use Agriculture (MUA) plan designation was applied by the County in 1977; and,

WHEREAS, The Multnomah County Comprehensive Plan was acknowledged by the State Land Conservation and Development Commission in 1980 and 1983; and,

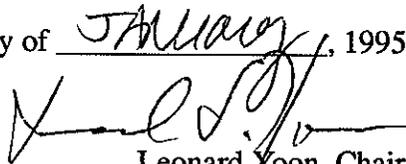
WHEREAS, The proposed plan map revision would correct map errors from 1992 by changing the designation of the moorage and marina properties east of Highway 30 from CFU to MUA; and,

WHEREAS, The proposed zoning map changes would correct map errors from 1992 and change the designation of the moorage and marina properties east of Highway 30 from CFU to MUA-20; and,

WHEREAS, The Planning Commission considered this Ordinance at a public hearing on January 23, 1995, where all interested persons were given an opportunity to appear and be heard,

NOW, THEREFORE BE IT RESOLVED that the Ordinance captioned "...An Ordinance Amending the Multnomah County Comprehensive Plan Map and Sectional Zoning Maps and Correcting Errors in Ordinance 745...", is hereby recommended for adoption by the Board of County Commissioners.

Approved this 23 day of January, 1995


Leonard Yoon, Chair
Multnomah County Planning Commission



MULTNOMAH COUNTY OREGON

DEPARTMENT OF ENVIRONMENTAL SERVICES
 DIVISION OF PLANNING
 AND DEVELOPMENT
 2115 S.E. MORRISON STREET
 PORTLAND, OREGON 97214
 (503) 248-3043

BOARD OF COUNTY COMMISSIONERS
 BEVERLY STEIN • CHAIR OF THE BOARD
 DAN SALTZMAN • DISTRICT 1 COMMISSIONER
 GARY HANSEN • DISTRICT 2 COMMISSIONER
 TANYA COLLIER • DISTRICT 3 COMMISSIONER
 SHARRON KELLEY • DISTRICT 4 COMMISSIONER

MEMORANDUM

To: Multnomah County Planning Commission

FROM: Mark R. Hess, Planner

DATE: January 13, 1995

SUBJECT: **PROPOSED REVISIONS TO THE COMPREHENSIVE PLAN MAP & ZONING MAPS:
 CORRECT ERRORS ON THE PLAN AND ZONING MAPS FOR LAND BETWEEN
 HIGHWAY 30 AND MULTNOMAH CHANNEL**

The Planning Director recommends a revision of the Comprehensive plan map and proposes changes on corresponding zoning maps for about 65 acres of land located on the west bank of Multnomah Channel, east of Highway 30, both north and south of the Sauvie Island Bridge. A draft resolution and proposed Ordinance is attached to this memorandum for consideration by the Planning Commission. A public hearing on this matter is scheduled at 6:00 P.M., on January 23, 1994 (NOTE: hearing will be held at the Planning Office on Morrison Street).

1. Summary of the Proposal:

The Planning Director proposes a revision of the Multnomah County Comprehensive Plan Map to remove the *Commercial Forest Use* (CFU) plan designation and again designate the subject properties Multiple Use Agriculture (MUA). The proposal includes amendments to Sectional Zoning Maps (67,69,70,85, & 88) to change the zoning of the properties from CFU to MUA-20. Existing *Willamette River Greenway* (WRG), *Flood Fringe* (FF), and *Floodway* (FW) overlays are not affected by the proposal.

2. Site and Vicinity Information:

The area of the proposed plan map and zone change is approximately 65 acres of land situated along the west bank of Multnomah Channel, immediately north and south of the Sauvie Island Bridge. The Burlington Northern rail-line is near the west

boundary of the area proposed to be changed on the plan and zoning maps. Highway 30 (St. Helens Road) forms the west boundary. The land between the Channel and the highway, north of the Portland city limits is generally flat with some portions below the 100-year flood elevation. Most of the properties in this reach are developed with river-related recreation and/or residential (houseboat) development. The area of the proposed map revisions is one of only two river reaches in unincorporated Multnomah County designated as *suitable for houseboats* [reference Policy 26, Houseboats].

North of the subject site is the Burlington Bottoms wetlands. East of the site is Multnomah Channel. The Channel is about 600 to 800 feet wide at the site. Sauvie Island agricultural lands dominate the area across the Channel from the subject site. The Alder Creek Lumber facility is located at the south tip of the Island. Lands west of Highway-30 are generally forest resource lands, with scattered rural residences. The Angel Brothers rock quarry site lies to the northwest.

3. Background and Recommendation:

In 1992, the County amended its comprehensive plan and zoning maps in response to the Statewide Goal 4 rules for Forest lands [reference Ordinance 745, adopted December 8, 1992]. Certain moorage and marina properties east of Highway 30 were erroneously designated CFU on the Plan and Zoning maps during this process. These are described in the Public Notice for C 1-95 mailed December 30, 1994 (see Location section).

The County first designated the subject area MUA in 1977 because these lands are not primarily valued for agricultural or forest uses. The MUA plan designation of this area was acknowledged by the Land Conservation and Development Commission (LCDC) in 1980 and again in 1983. However, the base zone applied in 1977 was *Multiple Use Forest* (MUF), not *Multiple Use Agriculture* (MUA). Former Staff explain that this area had characteristics of both MUF and MUA lands and two zoning districts had few substantive differences. The area was zoned MUF-19 in 1980.

A mapping error in 1992 included the subject properties in the plan and zone changes which converted all lands subject to Statewide Goal 4 to a CFU plan and zone designation. The mapping error probably occurred because this area was zoned MUF-19 and the zone was erroneously assumed to correspond to a forest designation on the plan map. Whatever the case, Ordinance 745 changed the plan and zone designations to CFU for the area between Multnomah Channel and St. Helens Road (Highway 30), extending from the Portland city limits on the south, to about one-half mile north of the Sauvie Island Bridge.

*C 1-95 Staff Recommendation
January 13, 1995
Page Three*

The proposed plan map revision from Commercial Forest Use to Multiple Use Agriculture and zone change from CFU to MUA-20 are recommended to correct the 1992 changes and are consistent with the County's acknowledged Plan.

Background materials enclosed include:

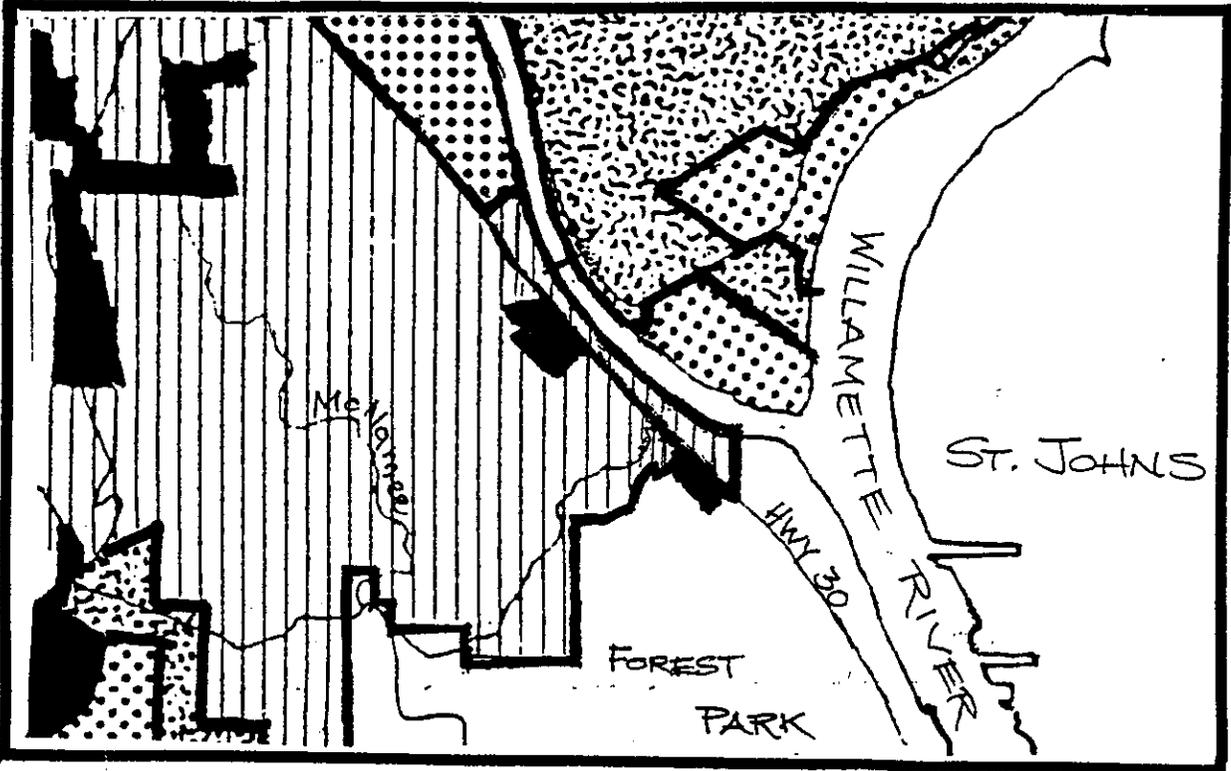
1. The Public Notice of the Planning Commission hearing on C 1-95;
2. Vicinity Map of affected properties
3. Existing Comprehensive Plan Map designations;
4. Proposed Comprehensive Plan Map designations;
5. Existing Zoning Map designations;
6. Proposed Zoning Map designations;
7. Draft Planning Commission Resolution for C 1-95; and,
8. Draft Ordinance text to adopt proposed plan map revision and zone change;

If you have questions on these materials, please call (503) 248-3043.



EXISTING COMPREHENSIVE PLAN DESIGNATIONS
CASE FILE: C 1-95

MULTNOMAH COUNTY



MULTIPLE USE AGRICULTURE



AGRICULTURE



COMMERCIAL FOREST USE



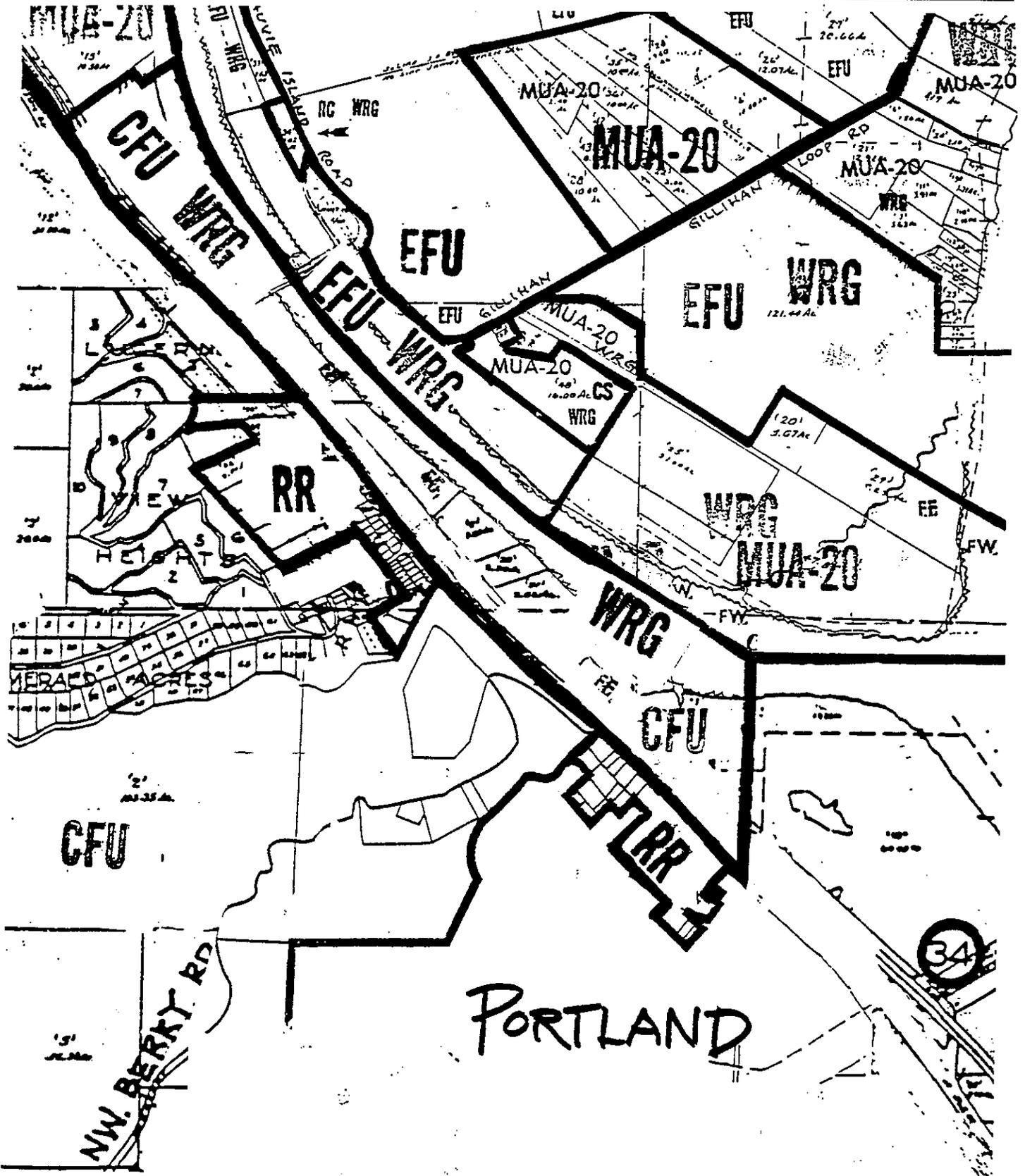
RURAL RESIDENTIAL





MULTNOMAH COUNTY

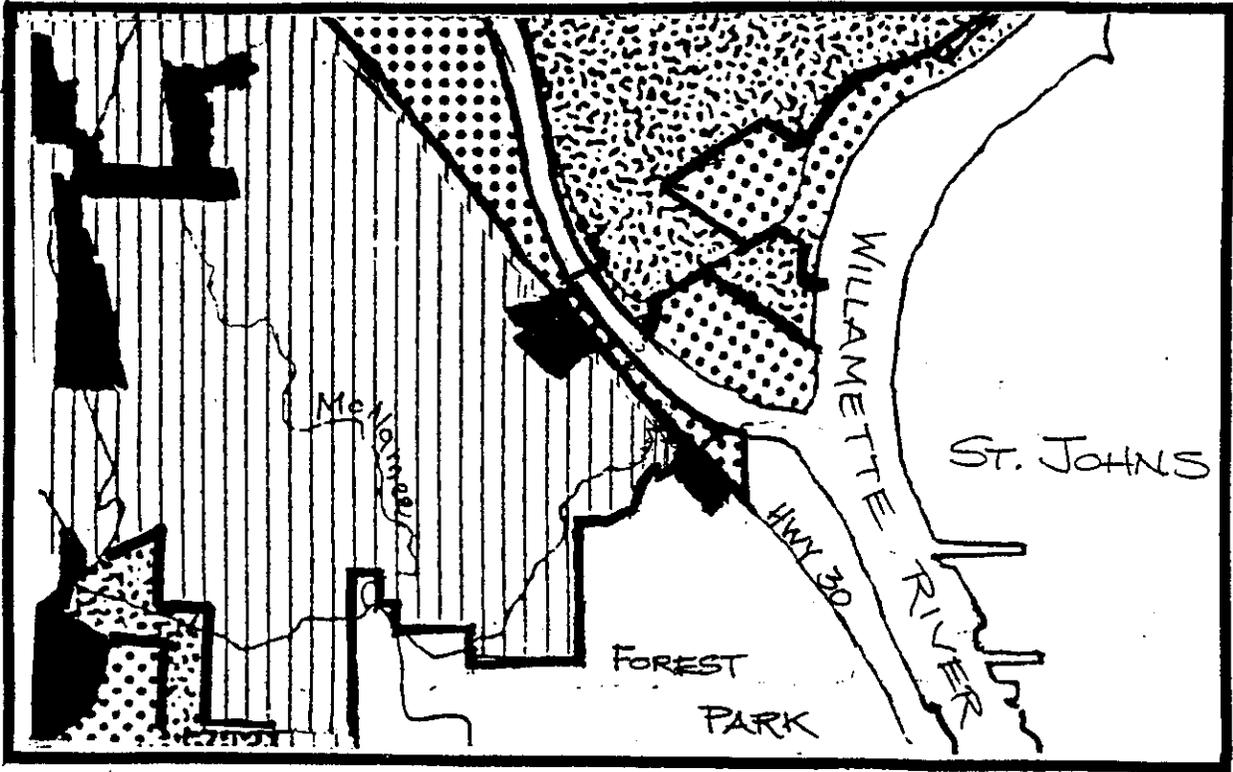
EXISTING ZONING MAP DESIGNATIONS
CASE FILE: C 1-95





PROPOSED COMPREHENSIVE PLAN DESIGNATIONS
CASE FILE: C 1-95

MULTNOMAH COUNTY



MULTIPLE USE AGRICULTURE



AGRICULTURE



COMMERCIAL FOREST USE



RURAL RESIDENTIAL





MULTNOMAH COUNTY

PROPOSED ZONING MAP AMENDMENTS
CASE FILE: C 1-95

