

BEFORE THE PLANNING COMMISSION
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. PC-04-011

Recommend to the Board of Commissioners the adoption of an ordinance amending Parts 1, 3 and 4, and creating a new Part 7 of Chapter 38 of the Multnomah County Code to implement changes in the revised Management Plan for the Columbia River Gorge National Scenic Area.

The Planning Commission Finds:

- a. Multnomah County is committed to implementing revisions to the Management Plan for the Columbia River Gorge National Scenic Area, as outlined in a letter to the Gorge Commission from the Multnomah County Board of Commissioners, dated October 21, 2004.
- b. Section 7, of the Scenic Area Act requires counties that choose to implement, adopt ordinances that are consistent with the revised Management Plan within nine (9) months of date it was delivered. The Plan was delivered to the County on September 8, 2004, meaning that the County must adopt an implementing ordinance by June of 2005.
- c. That in the interest in meeting this deadline and providing meaningful public involvement in crafting an implementing ordinance, Multnomah County has held two public workshops in Corbett, on December 8, 2004 and March 30, 2005, and formed a Citizen Advisory Committee (CAC) to provide feedback on the proposed revisions. While the CAC did not provide a recommendation, their comments were attributed and tracked in an "Issue Bin" document presented to Commission along with the staff report.
- d. Proposed amendments to Parts 1, 3, and 4 of Chapter 38 of the Multnomah County Code and new Part 7, discussed in the April 18, 2005 staff report, are a product of the work with the CAC and effectively implement corresponding sections of the revised Management Plan. The County cannot adopt rules that are less stringent than the Management Plan, but can adopt rules that provide greater protection to scenic, natural, cultural and recreation resources of the gorge. The proposed amendments respect these constraints.
- e. Considering the pace at which these amendments must be crafted and evaluated, it is expected that minor changes to these parts of the Code will be needed prior to their being presented to the Board of Commissioners and the Planning Commission supports staff making such changes where they are necessary to implement the revised Management Plan.
- f. Notice of this hearing to consider the proposed amendments was published in the Oregonian newspaper and copies were mailed to the Gorge Commission, Forest Service, Indian tribal governments, the State Historic Preservation Office, Oregon

Department of Transportation, and Oregon Department of Fish and Wildlife. Notice was also mailed to persons owning property within the Multnomah County portion of the National Scenic Area.

- g. The Planning Commission held a public hearing on April 18, 2005 where all interested persons were given an opportunity to appear and be heard. A second public hearing is scheduled for May 2, 2005 to consider additional changes to the Multnomah County Code needed to implement the revised Management Plan.

The Planning Commission Resolves:

The Multnomah County Planning Commission hereby recommends that changes to Parts 1, 3, and 4 and a new Part 7 of Chapter 38 of the Multnomah County Code, as discussed in the staff report dated April 18, 2005 and illustrated in Exhibit A to this resolution, be adopted by the Multnomah County Board of Commissioners.

Adopted this 18th day of April, 2005

PLANNING COMMISSION
FOR MULTNOMAH COUNTY, OREGON



John Ingle, Chair

BEFORE THE PLANNING COMMISSION
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO 2. PC-04-011

Recommend to the Board of Commissioners adoption of an ordinance amending Parts 2, 5, 6, and creating a new Part 8 of Chapter 38 of the Multnomah County Code to implement changes in the revised Management Plan for the Columbia River Gorge National Scenic Area; that the new Rural Area Plan Policy document and amended Policy 41 of the Comprehensive Framework Plan be adopted; and that County zoning maps be amended to reflect General Management Area land use designations that the Forest Service has applied to properties that were not purchased as part of the Section 8(o) process.

New Part 7, recommended at the April 18, 2005 hearing, has been revised to include criteria for forest practices in the Special Management Area, consistent with the revised Management Plan. This change is incorporated in the resolution.

The Planning Commission Finds:

- a. Multnomah County is committed to implementing revisions to the Management Plan for the Columbia River Gorge National Scenic Area, as outlined in a letter to the Gorge Commission from the Multnomah County Board of Commissioners, dated October 21, 2004.
- b. Section 7, of the Scenic Area Act requires counties that choose to implement, adopt ordinances that are consistent with the revised Management Plan within nine (9) months of date it was delivered. The Plan was delivered to the County on September 8, 2004, meaning that the County must adopt an implementing ordinance by June of 2005.
- c. That in the interest of meeting this deadline and providing meaningful public involvement in crafting an implementing ordinance, Multnomah County has held two public workshops in Corbett, on December 8, 2004 and March 30, 2005, and formed a Citizen Advisory Committee (CAC) to provide feedback on the proposed revisions. While the CAC did not provide a recommendation, their comments were attributed and tracked in an "Issue Bin" document presented to Commission along with the staff report.
- d. Proposed amendments to Parts 2, 5, and 6 of Chapter 38 of the Multnomah County Code and new Part 8, discussed in the May 2, 2005 staff report, are a product of the work with the CAC and effectively implement corresponding sections of the revised Management Plan. The County cannot adopt rules that are less stringent than the Management Plan, but can adopt rules that provide greater protection to scenic, natural, cultural and recreation resources of the gorge. The proposed amendments respect these constraints.

- e. While the Management Plan is the primary land use planning and policy document for the National Scenic Area, it does not expressly cover all land use regulations administered by the County. This has led to a "gap" in policy direction that is addressed with a new Rural Area Plan for the National Scenic Area (Exhibit B). The new Rural Area Plan serves an important role by explaining how the County conducts land use planning in the Scenic Area; identifying various sources of the County's authority; and describing the roles of the various agencies that the County partners with in carrying out its land use planning responsibilities. Policy 41 of the Comprehensive Framework Plan contains the County's existing land use planning policies for the Scenic Area and must be amended to make the Rural Area Plan a part of the Comprehensive Framework Plan.
- f. Section 8(o) of the Scenic Area Act authorized the U.S. Forest Service to acquire Special Management Area lands within three years of the date the agency received a bona fide sales offer. When the agency failed to purchase property, they were required to change the land use designation to one or more appropriate General Management Area designations. This de facto rezoning of properties by the Forest Service was done by letter and has caused confusion as the new designations conflict with County adopted zoning maps. The map attached as Exhibit C shows County equivalents for the designations given by the Forest Service. The Planning Commission recommends that County maps be updated to reflect these designations to eliminate any confusion as to the land use rules that apply to these properties.
- g. The revised Management Plan contains specific submittal requirements and approval criteria for forest practices on lands within the Special Management Area. On April 18, 2005 the Planning Commission considered a new Part 7 for Special Uses. Rules for forest practices were not considered at that time. The new rules for forest practices in the Special Management Area are the minimum necessary to implement the Management and are appropriately included in the new Part 7 of the code.
- h. Considering the pace at which these amendments must be crafted and evaluated, it is expected that minor changes to these parts of the Code will be needed prior to their being presented to the Board of Commissioners and the Planning Commission supports staff making such changes where they are necessary to implement the revised Management Plan.
- i. Notice of this hearing to consider the proposed amendments was published in the Oregonian newspaper and copies were mailed to the Gorge Commission, Forest Service, Indian tribal governments, the State Historic Preservation Office, Oregon Department of Transportation, and Oregon Department of Fish and Wildlife. Notice was also mailed to persons owning property within the Multnomah County portion of the National Scenic Area.
- j. The Planning Commission held a public hearing on April 18, 2005 at which amendments to Parts 1, 3, and 4 of Chapter 38 of the Multnomah County Code and new Part 7, discussed in the April 18, 2005 staff report, were considered and

recommended to the Board of Commissioners. At the second public hearing, held May 2, 2005, the Commission considered the balance of the revisions to County rules necessary to implement the revised Management Plan. All interested persons were given an opportunity to appear and be heard at these hearings.

The Planning Commission Resolves:

The Multnomah County Planning Commission hereby recommends the Board of Commissioner's take the following action on the items presented and discussed at the hearing and described in the staff report dated May 2, 2005:

1. Revise Parts 2, 5, and 6 and adopt new Parts 7 and 8 of Chapter 38 of the Multnomah County Code, as described in Exhibit A to this resolution; and
2. Adopt the new Rural Area Plan Policy document and amended Policy 41 of the Comprehensive Framework Plan, as shown in Exhibit B to this resolution; and
3. Amend County zoning maps to reflect General Management Area land use designations that the Forest Service has applied to properties that were not purchased as part of the Section 8(o) process, as illustrated on the map attached as Exhibit C to this resolution.

Adopted this 2nd day of May, 2005

PLANNING COMMISSION
FOR MULTNOMAH COUNTY, OREGON



John Ingle, Chair