



MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST

(Revised: 09/23/13)

Board Clerk Use Only

Meeting Date: 7/31/14
Agenda Item #: R.1
Est. Start Time: 9:30 am
Date Submitted: 6/25/14

Agenda Title: Public Hearing and First Reading of an Ordinance Amending MCC Chapters 33, 34 and 36 relating to Criteria for Approval of SEC-H Permit – Wildlife Habitat.

Note: Title should not be more than 2 lines but sufficient to describe the action requested. Title on APR must match title on Ordinance, Resolution, Order or Proclamation.

Requested

Meeting Date: July 31, 2014 **Time Needed:** 5-minutes
Department: Community Services **Division:** Land Use Planning
Contact(s): Adam Barber, Senior Planner
Phone: 503.988.3043 **Ext.** 22599 **I/O Address:** 455/1/116

Presenter

Name(s) & Title(s): Adam Barber, Senior Planner

General Information

1. What action are you requesting from the Board?

Conduct a public hearing and approve the proposed amendments to Multnomah County Zoning Code Chapters 33, 34 and 36. These amendments have been recommended to the Board for approval by Multnomah County's Planning Commission.

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

The purpose of the existing Significant Environmental Concern Wildlife Habitat regulations is to protect, conserve, enhance, restore and maintain significant natural habitat. This is accomplished through application of development standards attempting to cluster development so that natural areas between development areas are maintained for wildlife. Preserving the natural areas may require revegetation and other methods to maintain the natural space; this preservation is referred to as mitigation.

The proposed amendments provide two additional options for meeting county code. The first relates to new prescriptive standards for Wildlife Conservation Plans. A Wildlife Conservation Plan is currently required when the development standards either cannot be met or when an alternative approach will equally protect the site. The existing Wildlife Conservation Plan standards generally work well for most applicants. However, the existing mitigation standards are not specific regarding the size, spacing and type of the required

revegetation (trees vs. shrubs, for example). Occasionally, an applicant has retained services by a professional, such as a biologist, to provide these specifics which slows down application preparation and involves additional cost to the applicant. The community has voiced a desire for a “safe harbor” set of Wildlife Conservation Plan standards they are to follow, which this ordinance provides. These standards were largely borrowed from Metro model code and likely will be utilized most frequently by the applicant desiring specific direction on how to mitigate a site.

The second amendment proposes a new and optional Development Impact Area designation concept to avoid the need for future Significant Environmental Concern Wildlife Habitat permits each time development is proposed within an approved Development Impact Area site. An owner can propose to establish and clear one Development Impact Area so long as the development, including cleared areas, does not exceed one-acre and fits within a 400-foot maximum diameter circle. These thresholds help assure the intent of consolidating development is maintained.

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

None

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

Multnomah County is required by Oregon statewide Planning Goal 5 (Natural Resources, Scenic and Historic Areas, and Open Spaces) and by Multnomah County Comprehensive Plan Policy 16 (Natural Resources) to protect significant wildlife habitat areas. The proposed amendments provide additional options to the applicant applying for a Significant Environmental Concern Wildlife Habitat permit. No provision being proposed is either mandatory or more restrictive than existing Significant Environmental Concern for Wildlife Habitat provisions. Additionally, no provision being proposed compromises the county's ability to continue to protect significant wildlife habitat areas.

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

Multnomah County's Planning Commission considered the proposed revisions at work sessions in May and June of 2013, followed by a public hearing September 9, 2013. Notice of each Planning Commission meeting was placed in the Oregonian newspaper and notice of the meeting and the staff report explaining the proposal were posted on the County's Land Use Planning webpage. Each meeting was open to the public to attend and provide input.

Required Signature

**Elected
Official or
Department**

Director: Kim Peoples /s/

Date: 6/25/14

Note: Please submit electronically. Insert names of your approvers followed by /s/ - we no longer use actual signatures. Please insert date approved.