



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us



NOTICE OF ADOPTED AMENDMENT

01/09/2012

TO: Subscribers to Notice of Adopted Plan
or Land Use Regulation Amendments

FROM: Plan Amendment Program Specialist

SUBJECT: Multnomah County Plan Amendment
DLCD File Number 003-11

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A Copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: Thursday, January 26, 2012

This amendment was submitted to DLCD for review prior to adoption pursuant to ORS 197.830(2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

*NOTE: The Acknowledgment or Appeal Deadline is based upon the date the decision was mailed by local government. A decision may have been mailed to you on a different date than it was mailed to DLCD. As a result, your appeal deadline may be earlier than the above date specified. NO LUBA Notification to the jurisdiction of an appeal by the deadline, this Plan Amendment is acknowledged.

Cc: Lisa Estrin, Multnomah County
Jon Jinings, DLCD Community Services Specialist
Jennifer Donnelly, DLCD Regional Representative
Amanda Punton, DLCD Natural Resources Specialist

<paa> YA



FORM 2

DLCD

Notice of Adoption

This Form 2 must be mailed to DLCD within **5-Working Days after the Final Ordinance is signed** by the public Official Designated by the jurisdiction and all other requirements of ORS 197.615 and OAR 660-018-000

In person electronic mailed

DATE
STAMP

1 DEPT OF
JAN 06 2012
LAND CONSERVATION
AND DEVELOPMENT
For Office Use Only

Jurisdiction: **Multnomah County**

Local file number: **PC 2011-1400**

Date of Adoption: **11/17/2011**

Date Mailed: **1/5/2012**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? Yes No Date: **7/27/2011**

Comprehensive Plan Text Amendment

Comprehensive Plan Map Amendment

Land Use Regulation Amendment

Zoning Map Amendment

New Land Use Regulation

Other:

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".

This is a zoning code "housekeeping" ordinance that includes amendments to wildlife habitat area fencing standards to allow security fencing for utilities, amends campground related provisions regarding recreation vehicles, clarifies access requirements, and clarifies limits on permits that can be processed for properties that have unresolved code violations.

Does the Adoption differ from proposal? Please select one

Yes. Stormwater applicability amendments originally proposed were not adopted. Length of stay in campgrounds located in exception zones was extended from proposed 30 day maximum to 90 days.

Plan Map Changed from:

to:

Zone Map Changed from:

to:

Location:

Acres Involved:

Specify Density: Previous:

New:

Applicable statewide planning goals:

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Was an Exception Adopted? YES NO

Did DLCD receive a Notice of Proposed Amendment...

35-days prior to first evidentiary hearing?

Yes No

If no, do the statewide planning goals apply?

Yes No

If no, did Emergency Circumstances require immediate adoption?

Yes No

DLCD File NO. 003-11 (18915) [16886]

DLCD file No. _____

Please list all affected State or Federal Agencies, Local Governments or Special Districts:

Local Contact: **Lisa Estrin**

Phone: **(503) 988-5050** Extension: **22597**

Address: **1600 SE 190th Ave**

Fax Number: **503-988-3389**

City: **Portland**

Zip: **97233-**

E-mail Address: **lisa.m.estrin@multco.us**

ADOPTION SUBMITTAL REQUIREMENTS

This Form 2 must be received by DLCD no later than 5 working days after the ordinance has been signed by the public official designated by the jurisdiction to sign the approved ordinance(s) per ORS [197.615](#) and OAR Chapter 660, Division 18

1. This Form 2 must be submitted by local jurisdictions only (not by applicant).
2. When submitting the adopted amendment, please print a completed copy of Form 2 on **light green paper if available**.
3. Send this Form 2 and one complete paper copy (documents and maps) of the adopted amendment to the address below.
4. Submittal of this Notice of Adoption must include the final signed ordinance(s), all supporting finding(s), exhibit(s) and any other supplementary information ([ORS 197.615](#)).
5. Deadline to appeals to LUBA is calculated **twenty-one (21) days** from the receipt (postmark date) by DLCD of the adoption ([ORS 197.830 to 197.845](#)).
6. In addition to sending the Form 2 - Notice of Adoption to DLCD, please also remember to notify persons who participated in the local hearing and requested notice of the final decision. ([ORS 197.615](#)).
7. Submit **one complete paper copy** via United States Postal Service, Common Carrier or Hand Carried to the DLCD Salem Office and stamped with the incoming date stamp.
8. Please mail the adopted amendment packet to:

**ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540**

9. **Need More Copies?** Please print forms on **8½ -1/2x11 green paper only if available**. If you have any questions or would like assistance, please contact your DLCD regional representative or contact the DLCD Salem Office at (503) 373-0050 x238 or e-mail plan.amendments@state.or.us.

<http://www.oregon.gov/LCD/forms.shtml>

Updated December 30, 2011

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

ORDINANCE NO. 1187

Housekeeping Amendments to MCC Chapters 33-38 and 11.15 Relating to Significant Environmental Concern for Wildlife Habitat, Code Compliance and Applications, Access, and Campground Requirements

(Language ~~stricken~~ is deleted; underlined language is new.)

The Multnomah County Board of Commissioners Finds:

- a. The Planning Commission is authorized by Multnomah County Code Chapter subsections 33.0140, 34.0140, 35.0140, 36.0140, 37.0710, 38.0710 and by ORS 215.110 to recommend to the Board of County Commissioners the adoption of Ordinances to implement the Multnomah County Comprehensive Plan.
- b. Periodically there is a need to amend the County Land Use Planning Code (Zoning Code) provisions due to changing circumstances or for general housekeeping purposes. Such an update of the Zoning Code has become necessary for technical corrections, clarifications and consistency. This ordinance incorporates the amendments recommended by the Planning Commission: PC-2011-1400, *Amendments Relating to Significant Environmental Concern for Wildlife Habitat, Code Compliance and Applications, Access, and Campground Requirements*.
- c. The Planning Commission conducted a public hearing for PC-2011-1400 on September 12, 2011. All interested persons were given an opportunity to appear and be heard. Notice of the Planning Commission hearing, was published in the "Oregonian" newspaper and on the County Land Use Planning Program website.
- d. As stated in Planning Commission Resolution, the Planning Commission has found that the proposed amendments and additions to Multnomah County Code Chapters 33-38 and 11.15 in this Ordinance are needed and recommends approval. The Board agrees with the Planning Commission's recommendations.

Multnomah County Ordains as Follows:

Section 1. MCC 33.4570 and 34.4570 are amended as follows:

33.4570 Criteria for Approval of SEC-h Permit -Wildlife Habitat

(B) Development standards:

(6) Fencing within a required setback from a public road shall meet the following criteria:

(f) Fencing standards do not apply where needed for security of utility facilities.

* * * * *

Section 2. MCC 37.0560 AND 38.0560 are amended as follows:

37.0560 Code Compliance and Applications.

Except as provided in subsection (A), the County shall not make a land use decision approving development, including land divisions and property line adjustments, or issue a building permit ~~approving development, including land divisions and property line adjustments~~, for any property that is not in full compliance with all applicable provisions of the Multnomah County Land Use Code and/or any permit approvals previously issued by the County.

* * * * *

38.0560 Code Compliance and Applications.

Except as provided in subsection (A), the County shall not make a land use decision approving development, including land divisions and property line adjustments, or issue a building permit ~~approving development, including land divisions and property line adjustments~~, for any property that is not in full compliance with all applicable provisions of the Multnomah County Land Use Code and/or any permit approvals previously issued by the County.

* * * * *

Section 3. MCC 33.2073, 33.2273, 33.2473, 33.2690, 33.2885, 33.3185, 33.3385, 34.2690, 34.2885, 34.3185, 34.3385, 35.2073, 35.2273, 35.2690, 35.2885, 35.3185, 35.3385, 36.2073, 36.2690, 36.2885, 36.3185, 36.3385, 36.3485, 36.3585 are amended as follows:

33.2073 Access

All lots and parcels in this district shall abut a public street, or shall have other access deemed by the approval authority to be safe and convenient for pedestrians and for passenger and emergency vehicles, ~~except as provided for~~. This access requirement does not apply to a pre-existing lot and parcel that constitutes a Lots of Record at described in MCC 33.2075(C).

33.2273 Access

All lots and parcels in this district shall abut a public street, or shall have other access deemed by the approval authority to be safe and convenient for pedestrians and for passenger and emergency vehicles. This access requirement does not apply to a pre-existing lot and parcel that constitutes a, ~~except as provided for~~ Lots of Record at described in MCC 33.2275(C).

33.2473 Access

All lots and parcels in this district shall abut a public street, or shall have other access deemed by the approval authority to be safe and convenient for pedestrians and for passenger and emergency vehicles. This access requirement does not apply to a pre-existing lot and parcel that constitutes a, ~~except as provided for~~ Lots of Record at described in MCC 33.2475(C).

33.2690 Access

All lots and parcels in this district shall abut a public street, or shall have other access determined by the approval authority to be safe and convenient for pedestrians and for passenger and emergency vehicles. This access requirement does not apply to a pre-existing lot and parcel that constitutes a ~~except as provided for~~ Lots of Record at described in MCC 33.2675(C).

33.2885 Access

All lots and parcels in this district shall abut a public street or shall have other access deemed by the approval authority to be safe and convenient for pedestrians and for passenger and emergency vehicles. This access requirement does not apply to a pre-existing lot and parcel that constitutes a ~~except as provided for~~ Lots of Record at described in MCC 33.2870(B).

33.3185 Access

All lots and parcels in this district shall abut a public street, or shall have other access determined by the approval authority to be safe and convenient for pedestrians and passenger and emergency vehicles, ~~except as provided for~~. This access requirement does not apply to a pre-existing lot and parcel that constitutes a Lots of Record at described in MCC 33.3170(B).

33.3385 Access

All lots and parcels in this district shall abut a public street, or shall have other access determined by the approval authority to be safe and convenient for pedestrians and passenger and emergency vehicles. This access requirement does not apply to a pre-existing lot and parcel that constitutes a ~~except as provided for~~ Lots of Record at described in MCC 33.3370(B).

34.2690 Access

All lots and parcels in this district shall abut a public street, or shall have other access determined by the approval authority to be safe and convenient for pedestrians and for passenger and emergency vehicles. This access requirement does not apply to a pre-existing lot and parcel that constitutes a ~~except as provided for~~ Lots of Record at described in MCC 34.2675(C).

34.2885 Access

All lots and parcels in this district shall abut a public street or shall have other access determined by the approval authority to be safe and convenient for pedestrians and for passenger and emergency vehicles. This access requirement does not apply to a pre-existing lot and parcel that constitutes a ~~except as provided for~~ Lots of Record at described in MCC 34.2870(B).

34.3185 Access

All lots and parcels in this district shall abut a public street, or shall have other access determined by the approval authority to be safe and convenient for pedestrians and passenger and emergency vehicles, ~~except as provided for~~. This access requirement does not apply to a pre-existing lot and parcel that constitutes a ~~except as provided for~~ Lots of Record at described in MCC 34.3170(B).

34.3385 Access

All lots and parcels in this district shall abut a public street, or shall have other access determined by the approval authority to be safe and convenient for pedestrians and passenger and emergency vehicles. This access requirement does not apply to a pre-existing lot and parcel that constitutes a ~~except as provided for~~ Lots of Record at described in MCC 34.3370(B).

35.2073 Access

All lots and parcels in this district shall abut a public street, or shall have other access deemed by the approval authority to be safe and convenient for pedestrians and for passenger and emergency vehicles. This access requirement does not apply to a pre-existing lot and parcel that constitutes a ~~except as provided for~~ Lots of Record at described in MCC 35.2075(C).

35.2273 Access

All lots and parcels in this district shall abut a public street, or shall have other access deemed by the approval authority to be safe and convenient for pedestrians and for passenger and emergency vehicles. This access requirement does not apply to a pre-existing lot and parcel that constitutes a ~~except as provided for~~ Lots of Record at described in MCC 35.2275(C).

35.2690 Access

All lots and parcels in this district shall abut a public street, or shall have other access determined by the approval authority to be safe and convenient for pedestrians and for passenger and emergency vehicles. This access requirement does not apply to a pre-existing lot and parcel that constitutes a ~~except as provided for~~ Lots of Record at described in MCC 35.2675(C).

35.2885 Access

All lots and parcels in this district shall abut a public street or shall have other access determined by the approval authority to be safe and convenient for pedestrians and for passenger and emergency vehicles. This access requirement does not apply to a pre-existing lot and parcel that constitutes a ~~except as provided for~~ Lots of Record at described in MCC 35.2870(B).

35.3185 Access

All lots and parcels in this district shall abut a public street, or shall have other access determined by the approval authority to be safe and convenient for pedestrians and passenger and emergency vehicles. This access requirement does not apply to a pre-existing lot and parcel that constitutes a ~~except as provided for~~ Lots of Record at described in MCC 35.3170(B).

35.3385 Access

All lots and parcels in this district shall abut a public street, or shall have other access determined by the approval authority to be safe and convenient for pedestrians and passenger and emergency vehicles. This access requirement does not apply to a pre-existing lot and parcel that constitutes a ~~except as provided for~~ Lots of Record at described in MCC 35.3370(B).

36.2073 Access

All lots and parcels in this district shall abut a public street, or shall have other access deemed by the approval authority to be safe and convenient for pedestrians and for passenger and emergency vehicles. This access requirement does not apply to a pre-existing lot and parcel that constitutes a, ~~except as provided for~~ Lots of Record at described in MCC 36.2075(C).

36.2690 Access

All lots and parcels in this district shall abut a public street, or shall have other access determined by the approval authority to be safe and convenient for pedestrians and for passenger and emergency vehicles. This access requirement does not apply to a pre-existing lot and parcel that constitutes a, ~~except as provided for~~ Lots of Record at described in MCC 36.2675(C).

36.2885 Access

All lots and parcels in this district shall abut a public street or shall have other access determined by the approval authority to be safe and convenient for pedestrians and for passenger and emergency vehicles. This access requirement does not apply to a pre-existing lot and parcel that constitutes a, ~~except as provided for~~ Lots of Record at described in MCC 36.2870(B).

36.3185 Access

All lots and parcels in this district shall abut a public street, or shall have other access determined by the approval authority to be safe and convenient for pedestrians and passenger and emergency vehicles. This access requirement does not apply to a pre-existing lot and parcel that constitutes a, ~~except as provided for~~ Lots of Record at described in MCC 36.3170(B).

36.3385 Access

All lots and parcels in this district shall abut a public street, or shall have other access determined by the approval authority to be safe and convenient for pedestrians and passenger and emergency vehicles. This access requirement does not apply to a pre-existing lot and parcel that constitutes a, ~~except as provided for~~ Lots of Record at described in MCC 36.3370(B).

36.3485 Access

All lots and parcels in this district shall abut a public street, or shall have other access determined by the approval authority to be safe and convenient for pedestrians and passenger and emergency vehicles, ~~except as provided for.~~ This access requirement does not apply to a pre-existing lot and parcel that constitutes a Lots of Record at described in MCC 36.3470(B).

36.3585 Access

All lots and parcels in this district shall abut a public street, or shall have other access determined by the approval authority to be safe and convenient for pedestrians and passenger and emergency vehicles. This access requirement does not apply to a pre-existing lot and parcel that constitutes a, ~~except as provided for~~ Lots of Record at described in MCC 36.3570(B).

Section 4. The following definitions are added and deleted from MCC 33.0005, 34.0005, 35.0005, 36.0005 and 11.15.0010:

- 33.0005 Definitions.**
- 34.0005 Definitions.**
- 35.0005 Definitions.**
- 36.0005 Definitions.**
- 11.15.0010 Definitions.**

Campground – An area improved with a campsite and/or used for an overnight temporary stay for vacation, recreational or emergency purposes that may be occupied by a tent, travel trailer or recreational vehicle or other similar piece of equipment, but not for residential purposes.

Camp – See Campground.

Campsite - An area improved for the purpose of locating a tent, travel trailer or recreational vehicle or other similar piece of equipment used for vacation, recreational or emergency purposes, but not for residential purposes. A campsite may include such improvements as picnic benches, water, electrical & sewage hook-ups, grills, fire rings, etc. or as otherwise allowed in the general district.

Recreational Vehicle Park — Any place where two or more vehicles designed and used for temporary human occupancy are located within 500 feet of each other on a lot, parcel or tract which is rented or kept for rent for periods of one month or less.

Section 5. MCC 33.6015, 34.6015, 35.6015 and 11.15.7020, Uses, are amended as follows:

(A) *****

(2) ~~Camp, or campground or recreational vehicle park.~~

Section 6. MCC 33.6020, 34.6020, 35.6020 and 11.15.7025 are amended as follows:

33.6020 Restrictions

A building or use approved under MCC 33.6015 through 33.6050 shall meet the following requirements:

(F) In the MUA-20, RR, and BRC districts, the length of stay by a person or vehicle in a camp, campground or campsite shall not exceed a total of 60 90 days during any consecutive 12 month period by an individual, group or family.

(FG) Other restrictions or limitations of use or development not required under this subsection shall be provided in the district.

34.6020 Restrictions

A building or use approved under MCC 34.6015 through 34.6050 shall meet the following requirements:

* * * * *

(F) In the MUA-20, RR, and RC districts, the length of stay by a person or vehicle in a camp, campground or campsite shall not exceed a total of 60 90 days during any consecutive 12 month period by an individual, group or family.

(FG) Other restrictions or limitations of use or development not required under this subsection shall be provided in the district.

35.6020 Restrictions

A building or use approved under MCC 35.6015 through 35.6050 shall meet the following requirements:

* * * * *

(F) In the MUA-20, RR, and SRC districts, the length of stay by a person or vehicle in a camp, campground or campsite shall not exceed a total of 60 90 days during any consecutive 12 month period by an individual, group or family.

(FG) Other restrictions or limitations of use or development not required under this subsection shall be provided in the district.

11.15.7025 Restrictions

A building or use approved under MCC .7020 through .7030 shall meet the following requirements:

* * * * *

~~G. Other restrictions or limitations of use or development not required under this subsection shall be provided in the district.~~ The length of stay by an individual, group or family in a camp, campground or campsite shall not exceed a total of 60 90 days during any consecutive 12 month period by an individual, group or family.

H. Other restrictions or limitations of use or development not required under this subsection shall be provided in the district.

* * * * *

Section 7. MCC 33.4205, 34.4205, 35.4205, 36.4205, 38.4205 and 11.15.6142 are amended as follows:

- 33.4205 Minimum Required Off-Street Parking Spaces**
- 34.4205 Minimum Required Off-Street Parking Spaces**
- 35.4205 Minimum Required Off-Street Parking Spaces**
- 36.4205 Minimum Required Off-Street Parking Spaces**

(A) Residential Uses

~~(4) Recreational Vehicle Park—One space for each vehicle site.~~

~~(54)~~ Group Care Facility, Home for Aged, or Children's Home – One space for each four beds.

(B) Public and Semi-Public Buildings and Uses

(9) Campground – One space for each campsite.

38.4205 Minimum Required Off-Street Parking Spaces

(A) Residential Uses

(1) Single Family Dwelling – Two spaces for each dwelling unit.

(2) Two Family Dwelling – Two spaces for each dwelling unit.

~~(3) Recreational Vehicle Park—One space for each vehicle site.~~

(B) Public and Semi-Public Buildings and Uses

(9) Campground – One space for each campsite.

11.15.6142 Minimum Required Off-Street Parking Spaces

A. Residential Uses

~~7. Recreational Vehicle Park—One space for each vehicle site.~~

~~87.~~ Group Care Facility, Home for Aged, or Children's Home One space for each four beds.

~~98.~~ A residential development designed and used exclusively for low income, elderly persons
One space for each eight dwelling units.

B. Public and Semi-Public Buildings and Uses

12. Campground One space for each campsite.

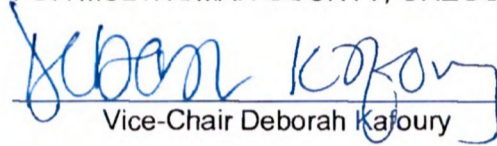
Section 8. The amendments to Chapter 38 Columbia River Gorge National Scenic Area shall be effective upon notification of approval by the Columbia River Gorge Commission and, if necessary, concurrence by the Secretary of Agriculture.

FIRST READING: _____ November 10, 2011

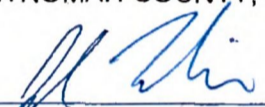
SECOND READING AND ADOPTION: _____ November 17, 2011



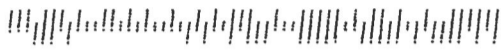
BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON


Vice-Chair Deborah Kafoury

REVIEWED:
JENNY M. MORF, ACTING COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By 
Jed Tomkins, Assistant County Attorney

SUBMITTED BY: M. Cecilia Collier, Director, Department of Community Services



M522
MULTNOMAH COUNTY
Land Use Planning Division
1600 SE 190th Ave.
Portland, OR 97233



First Class Mail
First Class Mail

ATTENTION PLAN AMENDMENT
SPECIALIST
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DEPT OF
JAN 06 2012
**LAND CONSERVATION
AND DEVELOPMENT**