

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

ORDINANCE NO. 1332

Amending Multnomah County's Zoning Code to Incorporate Amendments to the City of Portland's Zoning Code (Title 33) Allowing Adjustments as Part of the Housing Adjustment Compliance Project and Making Odor Code Updates; Amendments to the Portland Sign Code (Title 32) Increasing Flexibility in the Rose Quarter Sign Code; and Amendments to the Portland Tree Code (Title 11) Permanently Adopting the Large Tree Regulations; 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. 191942 (adopted by the Portland City Council on October 30, 2024, effective January 1, 2025), the Housing Adjustment Compliance Project amends the City of Portland Zoning Code, Title 33, to allow adjustments to development and design standards that were previously prohibited for residential projects, in compliance with the provisions of State Senate Bill 1537 (2024 Regular Session).
- D. Through Ordinance No. 191959 (adopted by the Portland City Council on November 13, 2024, effective March 1, 2025), amendments to the current Sign Code, Title 32, provide greater sign allowances and flexibility for signs within a mapped designated area called the Rose Quarter Entertainment subdistrict.
- E. Through Ordinance No. 191961 (adopted by the Portland City Council on November 13, 2024, effective March 1, 2025), amendments to the Zoning Code, Title 33, remove odor regulations and delete requirements to document compliance with City Chapter 33.262, Off-Site Impacts, at the time of building permit review. Ordinance No. 191961 also amends portions of Title 29 that are not subject to the IGA and therefore those amendments are not proposed for adoption in this ordinance.

- F. Through Ordinance No. 191975 (adopted by the Portland City Council on November 20, 2024, effective December 20, 2024), amendments to the City tree regulations (City Title 11) permanently adopt large tree regulations.
- G. The City has requested that the County amend the County’s Zoning Code to incorporate the changes implemented in City Ordinance numbers 191942, 191959, 191961, and 191975.
- H. The Board of County Commissioners adopts the legislative intent and findings set forth in City of Portland Ordinances 191942, 191959, 191961, and 191975 as findings in support of this ordinance.
- I. Pursuant to State and City notice requirements, as well as the terms of the IGA, the City provided public notice of City Ordinance numbers 191942, 191959, 191961, and 191975. The City provided an opportunity for the public to be heard at public hearings, culminating with hearings before the City’s Planning Commission and the City Council.

Multnomah County Ordains as follows:

Section 1. The County’s Zoning Code is amended to incorporate the amendments in the ordinances listed in the table below, except for the amendments to Title 29 in Ordinance 191961 that are not being adopted as part of this ordinance.

Portland Ordinance No.	Title	County Effective Date
Ordinance 191942	Amend Planning and Zoning Code to revise development standards and comply with Senate Bill 1537 to allow adjustments as part of the Housing Adjustment Compliance Project (amend Title 33)	January 9, 2025
Ordinance 191959	Amend Signs and Related Regulations Code to allow greater flexibility for signage within the Rose Quarter Entertainment Sign District (amend Title 32)	March 1, 2025

Ordinance 191961	Amend Planning and Zoning Code and Property Maintenance Regulations Code to amend and update off-site odor impacts regulations (amend Title 33 and Title 29)	March 1, 2025
Ordinance 191975	Amend Tree Preservation Standards Code to continue current regulations for preservation of private trees (amend Code Section 11.50.040)	January 9, 2025

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 39.1210. The Board acknowledges, authorizes and agrees that the Portland Planning 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 Commission and City Council when legislative land use matters for the Unincorporated Urban Areas come before the Board for action.

Section 5. Under section 5.50 of the Charter of Multnomah County, 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 at the times listed below to ensure consistency with the City code amendments to the extent possible:

The amendments in Ordinance 191942 shall be effective immediately upon passage.

The amendments in Ordinance 191959 shall be effective March 1, 2025.

The amendments in Ordinance 191961, except for the amendments to Title 29 that are not being adopted as part of this ordinance, shall be effective March 1, 2025.

The amendments in Ordinance 191975 shall be effective immediately upon passage.

FIRST READING AND ADOPTION: January 9, 2025



BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Jessica Vega Pederson

Jessica Vega Pederson, Chair

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

By *Katherine Thomas*
Katherine Thomas, Senior Assistant County Attorney

SUBMITTED BY: Margi Bradway, Director, Department of Community Services