

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

**ORDINANCE NO. 1274**

Amending Multnomah County's Comprehensive Plan and Zoning Map to Incorporate Amendments to the City of Portland's Comprehensive Plan Map and Official Zoning Map Implementing the 82nd Avenue Study 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. 189522, the City Council adopted amendments to the City of Portland's Comprehensive Plan Map and Official Zoning Map implementing the 82nd Avenue Study: Understanding Barriers to Development ("82nd Avenue Study"). The 82nd Avenue Study was intended to offer an updated understanding of the development potential of properties along 82nd Avenue and identify barriers that can be addressed in the near-term, but also with an eye toward long-term solutions. Although none of the properties affected by the map amendments are located in the Unincorporated Urban Areas, the City has nonetheless requested that the County amend the County's Comprehensive Plan and Zoning Map to incorporate the changes implemented in Ordinance No. 189522.
- d. Pursuant to State and City notice requirements, as well as the terms of the IGA, the City provided public notice of its pending action on City Ordinance No. 189522. The City provided an opportunity for the public to be heard at several public hearings, culminating with hearings before the City's Planning and Sustainability Commission and the City Council.
- e. The City Council adopted Ordinance No. 189522 on May 29, 2019, and it went into effect on June 29, 2019.

**Multnomah County Ordains as Follows:**

**Section 1.** The Multnomah County Comprehensive Plan and Zoning Map is amended to incorporate amendments to the City of Portland's Comprehensive Plan Map and Official Zoning Map adopted through City Ordinance No. 189522.

**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 and Sustainability 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 and Sustainability Commission and City Council when legislative land use matters for the Unincorporated Urban Areas come before the Board for action.

**Section 5.** This ordinance being necessary for the health, safety, and general welfare of the people of Multnomah County, an emergency is declared and this ordinance will take effect immediately upon being signed pursuant to Section 5.50 of the Multnomah County Home Rule Charter.

FIRST READING AND ADOPTION:

August 29, 2019



BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

*Deborah Kafoury*

Deborah Kafoury, Chair

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

By *Katherine Thomas*  
Katherine Thomas, Assistant County Attorney

**SUBMITTED BY:** Jamie Waltz, Deputy Director, Department of Community Services.