

**AGENDA BILL 08-09-06**

**Subject:** CDC Amendments to Chapters 27 & 28 – Tualatin & Willamette River Protection

**For Council:** September 8, 2008

**Land Use Case Number:** CDC-07-04

**City Manager's Initials:** \_\_\_\_\_

**Attachments:**

- Planning staff memorandum to City Manager
- Proposed ordinance
- Councilor Burgess proposal
- Planning staff response to proposal
- Current CDC chapter 28 & 29 text

<b>Budget Impact:</b>		
<i>Expenditures Required:</i>	<i>Amount Budgeted:</i>	<i>Appropriation Needed:</i>
\$0	\$0	\$0

**Summary:**

- The purpose of this agenda item is to bring the Willamette River Greenway and the Tualatin River Protection Area standards into agreement with Title 13 of Metro's Urban Growth Management Functional Plan.
- To satisfy Title 13 requirements, cities and counties are required to adopt their own development code language that addresses Metro's requirements, or they may choose to adopt Metro's model ordinance.
- The Planning Commission recommended in favor of the proposed amendments.
- The City Council held a public hearing on August 11, 2008 on this case. Public testimony was received, and the record was left open through August 18, 2008.
- Staff received a written submittal from Councilor Burgess, and some changes were made in response to this submittal.
- While many of Councilor Burgess' changes were made, some language that he proposed changing was from the model ordinance, and had been approved by the Planning Commission and/or was endorsed by the Riverfront Homeowners Association (RHA).
- Because of the endorsements of the Planning Commission and RHA, staff was compelled to leave some of the model ordinance language relating to existing uses and private property rights "as is," and did not make some of the changes suggested by Councilor Burgess.

**Recommended Action:**

- Adopt the attached CDC language as modified by passing the proposed ordinance.

**Council Action Taken:**

- ☐ Approved
- ☐ Denied
- ☐ Continued