



Bureau of Planning and Sustainability  
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## MEMO

AUDITOR 11/04/13 PM 3:55

**DATE:** November 1, 2013  
**TO:** City Council  
**FROM:** Tom Armstrong, Bureau of Planning and Sustainability  
**CC:** Joe Zehnder, Steve Kountz, Joan Frederiksen and Deborah Stein, Bureau of Planning and Sustainability; Sylvia Cate and Rebecca Esau, Bureau of Development Services  
**SUBJECT:** LU 13-182710 CP ZC - 1900 NW 18<sup>th</sup> Ave - Comprehensive Plan Map and Zone Map Amendment request

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The Bureau of Planning and Sustainability (BPS) has reviewed the Hearings Officer report and accepts the recommendation to approve the proposed comprehensive map and zone change for this site.

While the adopted 2012 Economic Opportunity Analysis (EOA) identified a significant shortfall in industrial land capacity that prompts careful consideration of requests to convert industrial land to other uses, BPS concurs that this is a small site in terms of industrial lands and will likely have in and of itself a minimal impact on the industrial land capacity. The site was not included in the 2012 Buildable Lands Inventory.

This case has been useful in highlighting some of the conflicts in our current policies for some industrial areas in NW Portland and BPS will address these issues in the current Comprehensive Plan Update work.

For more information or questions please contact Tom Armstrong at [tom.armstrong@portlandoregon.gov](mailto:tom.armstrong@portlandoregon.gov) or 503-823-3527.



City of Portland, Oregon | Bureau of Planning and Sustainability | [www.portlandoregon.gov/bps](http://www.portlandoregon.gov/bps)  
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Portland, Oregon  
**FINANCIAL IMPACT and PUBLIC INVOLVEMENT STATEMENT**  
**For Council Action Items**

(Deliver original to City Budget Office. Retain copy.)

1. Name of Initiator Sylvia Cate		2. Telephone No. 503 823 7771	3. Bureau/Office/Dept. BDS/Land Use Services
4a. To be filed (hearing date): November 14, 2013, 2:00 TC	4b. Calendar (Check One)  <div style="display: flex; justify-content: space-around;"> <span>Regular <input checked="" type="checkbox"/></span> <span>Consent <input type="checkbox"/></span> <span>4/5ths <input type="checkbox"/></span> </div>		5. Date Submitted to Commissioner's office and CBO Budget Analyst: October 30, 2013
6a. Financial Impact Section: <input checked="" type="checkbox"/> Financial impact section completed		6b. Public Involvement Section: <input checked="" type="checkbox"/> Public involvement section completed	

**1) Legislation Title:**

The request is not for a legislative action, but instead is a Type III Quasi-Judicial Comprehensive Plan Map amendment from Industrial Sanctuary to Central Employment, and current Zoning Map Amendment from IG1 to EXd.

**2) Purpose of the Proposed Legislation:**

The request is not for a legislative action, but instead is a Type III Quasi-Judicial Comprehensive Plan Map amendment from Industrial Sanctuary to Central Employment and concurrent Zoning Map Amendment from IG1 to EXd for a 10,000 sq ft parcel at 1900 NW 18<sup>th</sup> Avenue.

Legislative Procedures described in Zoning Code Chapter 33.740 are handled by the Bureau of Planning & Sustainability. Quasi-Judicial Procedures described in Zoning Code Chapter 33.730, commonly known as "Land Use Reviews" are handled by the Bureau of Development Services. Quasi-judicial procedures specifically describe the City Council as the decision-maker for Type III Comprehensive Plan Map Amendment and concurrent review requests, per 33.730.030.E.3.

In this case, the Land Use Review includes a Comprehensive Plan Map Amendment and concurrent Zoning Map Amendment. The Hearings Officer has submitted a recommendation of approval. Staff will be presenting the Hearings Officer's recommendation at the hearing.

**3) Which area(s) of the city are affected by this Council item? (Check all that apply—areas are based on formal neighborhood coalition boundaries)?**

- |   |                                    |   |                                |
|---|------------------------------------|---|--------------------------------|
| <input type="checkbox"/> City-wide/Regional | <input type="checkbox"/> Northeast | <input checked="" type="checkbox"/> Northwest | <input type="checkbox"/> North |
| <input type="checkbox"/> Central Northeast  | <input type="checkbox"/> Southeast | <input type="checkbox"/> Southwest            | <input type="checkbox"/> East  |
| <input type="checkbox"/> Central City       |                                    |   |                                |

**FINANCIAL IMPACT**

**4) Revenue:** Will this legislation generate or reduce current or future revenue coming to the City? If so, by how much? If so, please identify the source.

This is not a legislative action. There are no anticipated changes to revenue coming to the City associated with this Quasi-Judicial land use review.

**5) Expense:** What are the costs to the City as a result of this legislation? What is the source of funding for the expense? *(Please include costs in the current fiscal year as well as costs in future year, including Operations & Maintenance (O&M) costs, if known, and estimates, if not known. If the action is related to a grant or contract please include the local contribution or match required. If there is a project estimate, please identify the level of confidence.)*

This is not a legislative action. There are no costs to the City associated with this Quasi-Judicial land use review. The City resources necessary to review the Comprehensive Plan Map Amendment, Zoning Map Amendment and Environmental Review are fully covered by the land use review fees paid by the applicant.

**6) Staffing Requirements:**

This is not a legislative action, and so there are no staffing “requirements”. No positions will be created, eliminated or reclassified as a result of this quasi-judicial land use review.

Staff/responsibilities involved in processing Land Use Reviews include: The assigned Planner from BDS/Land Use Services (LUS) Division, Records Management staff from LUS, supervisory oversight, staff from PBOT, BES, BPS and potentially other city agencies who have been involved in this land use review.

- **Will any positions be created, eliminated or re-classified in the current year as a result of this legislation?** *(If new positions are created please include whether they will be part-time, full-time, limited term, or permanent positions. If the position is limited term please indicate the end of the term.)*

No.

- **Will positions be created or eliminated in future years as a result of this legislation?**

No.

*(Complete the following section only if an amendment to the budget is proposed.)*

None.

**7) Change in Appropriations** *(If the accompanying ordinance amends the budget please reflect the dollar amount to be appropriated by this legislation. Include the appropriate cost elements that are to be loaded by accounting. Indicate “new” in Fund Center column if new center needs to be created. Use additional space if needed.)*

Fund	Fund Center	Commitment Item	Functional Area	Funded Program	Grant	Sponsored Program	Amount
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**[Proceed to Public Involvement Section — REQUIRED as of July 1, 2011]**

## PUBLIC INVOLVEMENT

**8) Was public involvement included in the development of this Council item (e.g. ordinance, resolution, or report)? Please check the appropriate box below:**

☒ **YES:** Please proceed to Question #9.

☐ **NO:** Please, explain why below; and proceed to Question #10.

**9) If “YES,” please answer the following questions:**

**a) What impacts are anticipated in the community from this proposed Council item?**

The impacts from this proposal are what the Comprehensive Plan Map and Zoning Map Amendment Review will allow, as considered in this review. Staff and the Hearings Officer have analyzed the anticipated impacts. The Hearings Officer’s recommendation speaks to these under the applicable approval criteria. In summary, the Hearings Officer found the requested amendment was, on balance, equally or more supportive of the relevant Comprehensive Plan goals and policies than the existing designation on the site. The Hearings Officer found the request will have no impacts to public services.

**b) Which community and business groups, under-represented groups, organizations, external government entities, and other interested parties were involved in this effort, and when and how were they involved?**

The Zoning Code requires for a Type III Land Use Review that public notice be mailed to property owners within 400 feet of the subject site and that the site be posted for a minimum of 30 days prior to the first hearing before the Hearings Officer. The notice also goes to the neighborhood association and any city-recognized business associations. Notice of the City Council hearing was also mailed to all the individuals and organizations described above. Hearings are also posted on the BDS website. There are no other public involvement efforts on the part of city staff.

**c) How did public involvement shape the outcome of this Council item?** Interested persons were encouraged to write and/or testify at the first public hearing conducted before the Hearings Officer. Public input is also welcome at the hearing before City Council.

**d) Who designed and implemented the public involvement related to this Council item?** City Council adopted the procedures outlined in the Zoning Code. The Bureau of Development Services implements these land use review procedures.

**e) Primary contact for more information on this public involvement process (name, title, phone, email):** Sylvia Cate, Senior Planner is the assigned planner for this quasi-

judicial land use review. Staff prepared the public notices used for mailing and posting. Sylvia can be contacted by phone at 503-823-7771, her e-mail address is: [sylvia.cate@portlandoregon.gov](mailto:sylvia.cate@portlandoregon.gov). However, these procedural activities are not a public involvement process per se.

**10) Is any future public involvement anticipated or necessary for this Council item? Please describe why or why not.**

No. Once City Council conducts the hearing and makes their decision, the official maps will be changed, if approved. If the City Council decision is appealed it will be heard by the State Land Use Board of Appeals (LUBA). Public involvement is not a component of the review done by the higher review bodies.



Paul L. Scarlett, Director, Bureau of Development Services

APPROPRIATION UNIT HEAD (Typed name and signature)