

## SUBSTITUTE

# ORDINANCE No. 187831

Adopt new and amended supporting documents for an update of Portland's Comprehensive Plan; accept report of the Citizen Involvement Committee; and amend certain Ordinances (Ordinance; amend Ordinance Nos. 185657 and 161770)

The City of Portland ordains:

Section 1. The Council finds:

1. Portland's *Comprehensive Plan* describes how the City can accommodate future growth and development. To do this well, the plan must be regularly updated and these updates must be based on good facts and sound analysis.
2. Ordinance No. 150580 adopted Portland's Comprehensive Plan almost 36 years ago, on October 16, 1980. All three parts of the *Comprehensive Plan*, the Plan Map, the Plan Policies, and the List of Significant Projects, are in need of update.
3. Extensive community involvement is required and has been conducted for the update of all components of the City's *Comprehensive Plan*.

### Fulfillment of Periodic Review Requirements

4. Portland's *Comprehensive Plan* is being updated within the structure of a state-mandated process called "periodic review."
5. The City undertook a self-evaluation and determined updates were warranted for all three parts of the *Comprehensive Plan*: the policies, the map and the list of projects. The City Council adopted Resolution No. 36626 on August 6, 2008, which forwarded a proposed periodic review work program to the Oregon Department of Land Conservation and Development (DLCD). The Land Conservation and Development Commission (LCDC) approved the City's proposal with minor modifications on September 30, 2009.
6. Portland's work program is organized into the following five tasks.
  - Task I, Community Involvement Plan
  - Task II, Inventory and Analysis
  - Task III, Consideration of Alternatives
  - Task IV, Policy Choices
  - Task V, Implementation

7. Under Periodic Review Task I – Community Involvement Plan, a Community Involvement Committee (CIC) was established with a continuing obligation to help “ensure, meaningful, timely, and sufficient community participation in all phases of plan update.” The CIC was charged with submitting a report to the City Council as each periodic review task is proposed for adoption (Task 1, Subtask C). With this ordinance, the City Council accepts the required report from the committee, which is a combined report for Periodic Review Tasks III and IV.
8. Task II – Inventory and Analysis requires adoption of supporting documents that provide a sufficient factual basis for updating the *Comprehensive Plan*. The LCDC approved all of the City’s Task II submittal, except for five withdrawn *Economic Opportunities Analysis* documents. See LCDC Order No. 001850 (May 23, 2014). With this ordinance, the City Council is adopting five official *Comprehensive Plan* supporting documents, which in total comprise a revised *Economic Opportunities Analysis* (now Task III, Subtask D).
9. The LCDC-acknowledged Task II supporting documents included maps depicting buildable housing land, buildable employment land, and natural hazards (Task II, Subtask A). After the City’s adoption and State’s approval of these maps the Oregon Department of Geology and Mineral Industries provided the City better information on slope and landslide hazards and completely new information on the extent of historic landside deposits. The City used this information to update its hazard maps, which in turn required recalculation of the buildable lands inventories. Accordingly, new and revised Task II maps are adopted by this ordinance.
10. Task III - Consideration of Alternatives requires a consequence analysis of alternative patterns of housing and job growth (Task III, Subtasks A, B and C). With this ordinance, the City Council is adopting a *Growth Scenario Report* as an official *Comprehensive Plan* supporting document to fulfill these periodic review obligations.
11. Task IV - Policy Choices requires a new public facilities plan to meet service requirements of both existing development and twenty years of new development allowed by the *Comprehensive Plan* map (Task IV, Subtask D). With this ordinance, the City Council is adopting a *Citywide Systems Plan* as an official *Comprehensive Plan* supporting document that contains complete public facilities plan elements for water, sewer, and drainage, but not for transportation. This plan replaces and supersedes the *Public Facilities Plan* adopted by Ordinance No. 161770 on April 5, 1989. The City Council is not adopting Chapters 9 and 10 of the *Citywide Systems Plan* as *Comprehensive Plan* supporting documents because parks facilities and other essential facilities and systems are not required elements of a public facilities plan under ORS Chapter 197. This ordinance adopts Chapters 9 and 10 as part of the CSP, however, in the interest of promoting more comprehensive and integrated public facilities planning.

12. The acknowledged documents, reports and maps approved by LCDC Order No. 001850, along with the additional documents reports and maps adopted by this Ordinance constitute an adequate factual base for all three components of Portland's *Comprehensive Plan*.

#### Further Findings of Fact

13. The Comprehensive Plan supporting documents adopted by this ordinance must comply with all applicable provisions of Oregon land use law, the regional *Urban Growth Management Functional Plan*, the *Regional Transportation Functional Plan*, and Title 33 of the *Municipal Code of the City of Portland Oregon*. These requirements have been met as explained in the findings contained in Exhibit A, which is attached and made a part of this ordinance by this reference.

#### Conclusion

14. For the reasons stated in the findings above, and the further findings in Exhibit A, this ordinance adopts several technical amendments to Task II, Subtask A of the City's periodic review work order, fulfills all requirements of Task III, Subtasks A through D, and fulfills the water, sewer and drainage requirement of Task IV, Subtask D.

NOW, THEREFORE, the Council directs:

- a. The Further Findings of Fact attached as Exhibit A are adopted.
- b. The *Community Involvement Report*, which is attached as Exhibit B, is accepted in fulfillment of the City's responsibilities under Task I (Subtask C) of the periodic review work program.
- c. Three maps that were adopted as official *Comprehensive Plan* supporting documents by Ordinance No. 185657 as Exhibits A-11, B-21, and B-23 (October 3, 2012) are replaced and superseded by the following maps:
  - *Inventory of Buildable Employment Land - Revision 1*, which is attached as Exhibit C of this ordinance;
  - *Flood, Slope and Slide Hazards-HAZ-01 - Revision 1*, which is attached as Exhibit D of this ordinance; and
  - *Landslide Hazard Areas, HAZ-03 - Revision 1*, which is attached as Exhibit E of this ordinance



- d. The Residential Buildable Lands Inventory Map adopted as an official *Comprehensive Plan* supporting document by Ordinance No. 185657 as Exhibit A-10 (October 3, 2012) is replaced and superseded by the following two Maps:
  - *Inventory of All Residential Land - Revision 1*, which is attached as Exhibit F; and
  - *Inventory of Sufficient Buildable Residential Land for Purposes of ORS 197.307*, which is attached as Exhibit G of this ordinance.
- e. Two additional maps are adopted as official *Comprehensive Plan* supporting documents; they are:
  - *Steep Slopes (25% or More)-HAZ-08*, which is attached as Exhibit H; and
  - *Historic Landslide Deposits-HAZ-09*, which is attached as Exhibit I.
- f. The document *Buildable Lands Inventory Growth Allocation Model* adopted as Exhibit A7 by Ordinance No. 185657 as an official *Comprehensive Plan* supporting document is revised and replaced by the document *Buildable Lands Inventory and Growth Allocation Model, Revised, April 2016*, which is attached as Exhibit J.
- g. The *Growth Scenarios Report*, which is attached as Exhibit K, is adopted as an official *Comprehensive Plan* supporting document.
- h. The four documents comprising a revised *Economic Opportunities Analysis*, which are attached as Exhibit L, are adopted as official *Comprehensive Plan* supporting documents and replace and supersede all earlier versions of these documents adopted by Ordinance No. 185657 (October 3, 2012).
- i. The *Citywide Systems Plan*, which is attached as Exhibit M, with the exception of Chapters 9 and 10 and Appendices A, B and C, is adopted as a *Comprehensive Plan* supporting document, and replaces and supersedes the *Public Facilities Plan* adopted by Ordinance No. 161770 (April 5, 1989).
- j. Chapters 9 and 10 of the *Citywide Systems Plan*, which is attached as Exhibit M, are adopted as binding City policy as defined in City Code Chapter 1.07.
- k. The population forecast and distribution adopted by Metro Council Ordinance No. 12-1292A on November 29, 2012 for Portland (including unincorporated areas within Portland's Urban Services Boundary) is adopted in lieu of directive "g" of Ordinance No. 185657 (October 3, 2012). This forecast states that 123,000 additional households and 142,000 jobs are expected in Portland during the planning horizon of the new *Comprehensive Plan* (2010-2035). The plan will include a land use map, policies, and public facilities as needed to accommodate that amount of growth.
- l. The Bureau of Planning and Sustainability shall submit to the DLCD the documents, maps, reports and modifications referenced in directives "a" through "i" above as completed periodic review work products.

## Section 2. Severability

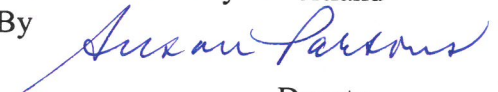
If any section, subsection, sentence, clause, phrase, diagram or drawing contained in this ordinance, or the map, report, inventory, analysis, or document it adopts or amends, is held to be deficient, invalid or unconstitutional, that shall not affect the validity of the remaining portions. The Council declares that it would have adopted the map, report, , inventory, analysis, or document each section, subsection, sentence, clause, phrase, diagram and drawing thereof, regardless of the fact that any one or more sections, subsections, sentences, clauses, phrases, diagrams or drawings contained in this Ordinance, may be found to be deficient, invalid or unconstitutional.

Passed by the Council: JUN 15 2016

Commissioner Mayor Hales  
Prepared by: Al Burns, Eric Engstrom  
Date Prepared: May 31, 2016

Mary Hull Caballero  
Auditor of the City of Portland

By



Deputy

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<p style="text-align: center;"><b>INTRODUCED BY</b> Commissioner/Auditor: <b>Mayor Hales</b></p>	<p>CLERK USE: DATE FILED <u>MAY 31 2016</u></p>
<p style="text-align: center;"><b>COMMISSIONER APPROVAL</b></p> <p>Mayor - Finance and Administration - Hales</p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Novick</p>	<p style="text-align: center;">Mary Hull Caballero Auditor of the City of Portland</p> <p>By: <u><i>Susan Parsons</i></u> Deputy</p>
<p style="text-align: center;"><b>BUREAU APPROVAL</b></p> <p>Bureau: Planning and Sustainability Bureau Head: Susan Anderson</p> <p>Prepared by: Al Burns Date Prepared: May 31, 2016</p> <p>Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/></p> <p>Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <p><b>City Auditor Office Approval:</b> required for Code Ordinances</p> <p><b>City Attorney Approval:</b> <i>KS Beaumont</i> required for contract, code, easement, franchise, comp plan, charter</p> <p>Council Meeting Date <b>June 9, 2016</b></p>	<p><b>ACTION TAKEN:</b></p> <p style="font-size: 1.2em; color: blue;">JUN 09 2016 SUBSTITUTE PASSED TO SECOND READING JUN 15 2016 2 P.M TIME CERTAIN</p>

**AGENDA**

**TIME CERTAIN**   
**Start time: 3:00 PM**

**Total amount of time needed: 2 Hours**  
 (for presentation, testimony and discussion)

**CONSENT**

**REGULAR**

**Total amount of time needed:**  
 (for presentation, testimony and discussion)

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:		
		YEAS	NAYS
1. Fritz	1. Fritz	✓	
2. Fish	2. Fish	✓	
3. Saltzman	3. Saltzman	✓	
4. Novick	4. Novick	✓	
Hales	Hales	✓	