

Ordinance No. 189488 As Amended

Amend Title 33 to update the Neighborhood Contact regulations (Ordinance; amend Title 33)

The City of Portland Ordains:

Section 1. The Council finds:

General Findings

1. The *Neighborhood Contact Code Update Project – Recommended Draft* (Exhibit A) amends Title 33 to simplify, clarify and make more effective the existing Required Neighborhood Contact (33.700.025) rules.
2. Community involvement conducted for the Neighborhood Contact Code Update Project is outlined in Exhibit A.
3. On June 28, 2018, the Bureau of Planning and Sustainability published the *Neighborhood Contact Code Update – Proposed Draft* for review by the public and the Portland Planning and Sustainability Commission (PSC).
4. On July 2, 2018, notice of the proposed action was submitted to the Department of Land Conservation and Development in compliance with the post-acknowledgement review process required by OAR 660-018-0020 and ORS 197.610.
5. On July 10, 2018, notice of the proposal and the public hearings before the Planning and Sustainability Commission was mailed to all neighborhood associations, neighborhood coalitions, and business associations in the city of Portland, as well as other interested persons, as required by PCC 33.740.
6. On August 14, 2018 the Planning and Sustainability Commission held a public hearing on the *Neighborhood Contact Code Update Project - Proposed Draft*, and testimony was received. The Planning and Sustainability Commission held a work session on August 28, 2018 to address issues raised in testimony. The Commission voted to make several amendments to the proposal, and then voted to recommend approval of the amendments to Title 33 of the *Neighborhood Contact Code Update – Proposed Draft*, as amended by the Commission, to City Council for adoption.
7. On January 28, 2019, the Bureau of Planning and Sustainability published the Planning and Sustainability Commission’s *Neighborhood Contact Code Update – Recommended Draft*.

8. On February 13, 2019 notice of the March 6, 2019 2019 City Council hearing on the *Neighborhood Contact Code Update– Recommended Draft* was mailed to those who presented testimony orally or in writing to the Planning and Sustainability Commission and provided a name and address, and those who asked for notice.
9. The Finding of Facts Report, attached as Exhibit B, includes additional findings demonstrating consistency with the Statewide Planning Goals, Metro Urban Growth Management Functional Plan, and the City of Portland 2035 Comprehensive Plan.

NOW, THEREFORE, the Council directs:

- a. Title 33, the Zoning Code is hereby amended as described in Exhibit A.
- b. The commentary and discussion in Exhibit A *Neighborhood Contact Code Update – As-Amended Draft*, dated May 2019, are adopted as findings and legislative intent.
- c. The findings of fact contained in Exhibit B are adopted as findings and legislative intent.

Section 2. If any section, subsection, sentence, clause, phrase, diagram, designation, or drawing contained in this Ordinance, or the plan, map or code 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 plan, map, or code and each section, subsection, sentence, clause, phrase, diagram, designation, and drawing thereof, regardless of the fact that any one or more sections, subsections, sentences, clauses, phrases, diagrams, designations, or drawings contained in this Ordinance, may be found to be deficient, invalid or unconstitutional.

Section 3. The Council declares that the amendments to city code go into effect on December 2, 2019 to allow the Bureau of Development Services to conduct outreach and inform applicants about the new notice requirements.

Passed by the Council: MAY 08 2019

Mayor Ted Wheeler
Prepared by: Sara Wright
Date Prepared: February 13, 2019

Mary Hull Caballero
Auditor of the City of Portland
By  Deputy

214 314 353 382

408

Agenda No. **ORDINANCE NO. 189488** As Amended
Title

Amend Title 33 to update the Neighborhood Contact regulations (Ordinance; Amend Title 33)

INTRODUCED BY Commissioner/Auditor: Ted Wheeler	CLERK USE: DATE FILED <u>FEB 26 2019</u>
COMMISSIONER APPROVAL Mayor—Finance & Administration - Wheeler MA	Mary Hull Caballero Auditor of the City of Portland
Position 1/Utilities - Fritz	By: <u><i>[Signature]</i></u> Deputy
Position 2/Works - Fish	ACTION TAKEN:
Position 3/Affairs - Hardesty	MAR 06 2019 CONTINUED TO APR 11 2019 2 P.M. <i>Time Certain</i>
Position 4/Safety - Eudaly	APR 11 2019 CONTINUED TO APR 24 2019 9:30 A.M.
BUREAU APPROVAL Bureau: Planning and Sustainability Bureau Head: Joe Zehnder <i>[Signature]</i>	APR 24 2019 PASSED TO SECOND READING As Amended MAY 01 2019 9:30 A.M.
Prepared by: Sara Wright Date Prepared: February 13, 2019	MAY 01 2019 PASSED TO SECOND READING As Amended MAY 08 2019 9:30 A.M.
Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/>	
Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
City Auditor Office Approval: required for Code Ordinances	
City Attorney Approval: required for contract, code, easement, franchise, comp plan, charter AK	
Council Meeting Date March 6, 2019	

AGENDA
TIME CERTAIN <input checked="" type="checkbox"/> Start time: 2:00 pm
Total amount of time needed: 90 min (for presentation, testimony and discussion)
CONSENT <input type="checkbox"/>
REGULAR <input type="checkbox"/>
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. Hardesty	3. Hardesty _____	
4. Eudaly	4. Eudaly _____	
Wheeler	Wheeler ✓	