

ORDINANCE No. 184046

Create Planning and Sustainability Commission; dissolve Planning Commission and Sustainable Development Commission (Ordinance; amend Title 3, 17 and 33)

The City of Portland Ordains:

Section 1. The Council finds:

General Findings

1. In 1918, the Portland City Council adopted Ordinance No. 34870, establishing the Portland Planning Commission. The first Portland Planning Commission meeting was held in 1919.
2. In 1993, the City created the Energy and Environment Commission by merging the Energy Commission (created in 1979) and the Environmental Commission (created in 1991). In 1995, the Energy and Environment Commission became the Sustainable Portland Commission with its mission broadened to include issues of sustainable development. In 2002, the Commission became a joint commission of the City and Multnomah County, and was renamed the Sustainable Development Commission.
3. The duties and powers of the Portland Planning Commission are set out in the Zoning Code as follows: "The Planning Commission must hold hearings and make recommendations on all policy matters related to the Comprehensive Plan; the zoning code; significant transportation policies, projects, and issues; and the subdivision and partitioning code. The Planning Commission also advises the City Council on land use plans and policies regarding such issues as zoning, housing, alternative energy, transportation, urban renewal plans, public buildings, land use goals, and other land use policies of City-wide interest." [33.710.040.D]
4. As set out in Chapter 3.112 of City Code, the mission of the Portland/Multnomah County Sustainable Development Commission is to ". . .develop and advocate for programs, policies, and actions by government, citizens, and businesses leading to sustainable communities in the Portland metropolitan area, including those that: A. Support a diverse and vibrant economy; B. Promote an equitable distribution of resources; C. Protect and restore the integrity of the natural systems that support life, including air, water, and land; D. Preserve the diversity of plant and animal life; and E. Reduce human impacts on local and worldwide ecosystems."
5. In January 2009, City Council merged the Bureau of Planning and the Office of Sustainable Development, recognizing that sustainability is an integral part of all planning, and should be part of management of the City.
6. Creating a new Planning and Sustainability Commission (PSC) will continue the efforts and strong traditions of both the Portland Planning Commission and the Portland/Multnomah County Sustainable Development Commission.
7. Because the City is currently in Periodic Review, a state-required process to update our Comprehensive Plan, creation of the new Commission must be reviewed by the Oregon Department of Land Conservation and Development as an amendment to the City's Community Involvement Program.
8. The changes proposed affect the Comprehensive Plan and three City Titles: Title 3, Administration; Title 17, Public Improvements; and Title 33, Planning and Zoning.

9. On April 27, 2010, the Mayor met with the Planning Commission at a public meeting to discuss the proposed Commission with them. On the same day, he also met with the Sustainable Development Commission at a public meeting to discuss the proposed Commission with them.
10. During the week of June 7, 2010, the Mayor's Office sent letters to nearly 900 people, including members of both Commissions, to inform them of the proposed new Commission.
11. On June 11, 2010, notice of the proposed Commission and amendments to City Code was mailed to more than 500 people and organizations, including all neighborhood associations and coalitions and business associations in the City of Portland. The notice informed them of the proposal, the availability of *Planning and Sustainability Commission—Proposed Draft*, and the public hearing before the Planning Commission.
12. On June 14, 2010, the same notice was emailed to more than 800 people.
13. On June 21, 2010, *Planning and Sustainability Commission—Proposed Draft* was published. It was made available to the public, posted on the Bureau's website, and mailed to those who requested copies.
14. On July 13, 2010, the Planning Commission held a hearing on the proposal for a new Planning and Sustainability Commission. Staff from the Bureau of Planning and Sustainability presented the proposal, and public testimony was received. The Commission voted to forward the proposal to City Council.
15. On July 21, 2010 notice of the City Council hearing was mailed to 130 people and organizations, including all those who had testified at the Planning Commission hearing in person or in writing, and those who had requested notice. The notice informed them of the availability of the *Planning and Sustainability Commission—Recommended Draft*, and the public hearing before the City Council.
16. On July 21, 2010, the *Planning and Sustainability Commission—Recommended Draft* was published. It was made available to the public, posted on the Bureau's website, and mailed to those who requested copies.
17. On August 4, 2010, City Council held a hearing on the Planning Commission recommendation for a new Planning and Sustainability Commission. Staff from the Bureau of Planning and Sustainability presented the proposal, and public testimony was received.
18. On August 11, 2010 City Council voted to adopt this ordinance to create a new Planning and Sustainability Commission and dissolve both the Planning Commission and the Sustainable Development Commission.

Findings on Statewide Planning Goals

19. State planning statutes require cities to adopt and amend comprehensive plans and land use regulations in compliance with state land use goals. Only the state goals addressed below apply.
20. **Goal 1, Citizen Involvement**, requires provision of opportunities for citizens to be involved in all phases of the planning process. The preparation of these amendments has provided numerous opportunities for public involvement as described below.
21. On April 27, 2010, the Mayor met with the Planning Commission at a public meeting to discuss the proposed Commission with them. On the same day, he also met with the Sustainable Development Commission at a public meeting to discuss the proposed Commission with them.
22. On June 11, 2010, notice of the proposed Commission and amendments to City Code was mailed to more than 500 people and organizations, including all neighborhood associations and coalitions and

business associations in the City of Portland. The notice informed them of the proposal, the availability of *Planning and Sustainability Commission—Proposed Draft*, and the public hearing before the Planning Commission.

23. On June 14, 2010, the same notice was emailed to more than 800 people.
24. During the week of June 7, 2010, the Mayor's Office sent letters to nearly 900 people, including members of both Commissions, to inform them of the proposed new Commission.
25. On June 21, 2010, *Planning and Sustainability Commission—Proposed Draft* was published. It was made available to the public, posted on the Bureau's website, and mailed to those who requested copies.
26. On July 13, 2010, the Planning Commission held a hearing on the proposal for a new Planning and Sustainability Commission. Staff from the Bureau of Planning and Sustainability presented the proposal, and public testimony was received. The Commission voted to forward the proposal to City Council.
27. On July 21, notice of the City Council hearing was mailed to 130 people and organizations, including all those who had testified at the Planning Commission hearing in person or in writing, and those who had requested notice. The notice informed them of the availability of *Planning and Sustainability Commission—Recommended Draft*, and the public hearing before the City Council.
28. On July 21, 2010, *Planning and Sustainability Commission—Recommended Draft* was published. It was made available to the public, posted on the Bureau's website, and mailed to those who requested copies.
29. August 4, 2010, City Council held a hearing on the Planning Commission recommendation for a new Planning and Sustainability Commission. Staff from the Bureau of Planning and Sustainability presented the proposal, and public testimony was received.
30. **Goal 2, Land Use Planning**, requires the development of a process and policy framework that acts as a basis for all land use decisions and assures that decisions and actions are based on an understanding of the facts relevant to the decision. The amendments also support this goal because development of the recommendations followed established city procedures for legislative actions. See also findings for Portland Comprehensive Plan **Policy 1.4, Intergovernmental Coordination**.

Findings on Portland's Comprehensive Plan Goals

31. Only the Comprehensive Plan goals addressed below apply.
32. **Policy 1.4, Intergovernmental Coordination**, requires continuous participation in intergovernmental affairs with public agencies to coordinate metropolitan planning and project development and maximize the efficient use of public funds. The amendments support this policy because a number of other government agencies were notified of this proposal and given the opportunity to comment. These agencies include Metro and Multnomah County.
33. **Goal 9, Citizen Involvement**, calls for improved methods and ongoing opportunities for citizen involvement in the land use decision-making process, and the implementation, review, and amendment of the Comprehensive Plan. This project followed the process and requirements specified in Chapter 33.740, Legislative Procedure. The amendments support this goal for the reasons found in the findings for Statewide Planning Goal 1, Citizen Involvement.

NOW, THEREFORE, the Council directs:

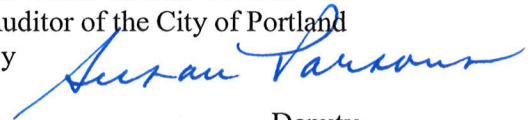
- a. Adopt Exhibit A, *Planning and Sustainability Commission—Recommended Draft*, dated July 2010.
- b. Amend the Portland Comprehensive Plan by amending Policies 3.5 Neighborhood Involvement, 10.6 Amendments to the Comprehensive Plan Goals, Policies, and Implementing Measures, and 10.7 Amendments to the Comprehensive Plan Map, and amend the definitions, as shown in Exhibit A, *Planning and Sustainability Commission—Recommended Draft*.
- c. Amend Title 3 Administration, by amending Chapter 3.33 Bureau of Planning and Sustainability, and deleting Chapter 3.112, Sustainable Development Commission, as shown in Exhibit A, *Planning and Sustainability Commission—Recommended Draft*.
- d. Amend Title 17 Public Improvements, by amending Chapter 17.84 Vacations and Chapter 17.93 Renaming City Streets, as shown in Exhibit A, *Planning and Sustainability Commission—Recommended Draft*.
- e. Amend Title 33 Planning and Zoning, by amending Chapter 33.710 Review Bodies, as shown in Exhibit A, *Planning and Sustainability Commission—Recommended Draft*.
- f. Change references in the Portland City Code from "Planning Commission," "Portland Planning Commission," "Sustainable Development Commission," and "Portland/Multnomah County Sustainable Development Commission" to "Planning and Sustainability Commission." This includes references in Titles 3, 17, 33, and all other Titles.
- g. Disband and dissolve the Portland Planning Commission.
- h. Disband and dissolve the Portland/Multnomah County Sustainable Development Commission. This is contingent on the Multnomah County Commission also adopting an ordinance directing the same action.
- i. If any section, subsection, sentence, clause, phrase, diagram 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 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: AUG 11 2010

Mayor Adams
Prepared by: J. Richman
Date Prepared: June 23, 2010

LaVonne Griffin-Valade
Auditor of the City of Portland

By



Deputy

Agenda No.
ORDINANCE NO. 184046
Title

✓ Create Planning and Sustainability Commission; dissolve Planning Commission and Sustainable Development Commission (Ordinance; Amend Title 3, 17, and 33)

<p>INTRODUCED BY Commissioner/Auditor: Mayor Sam Adams</p>	<p>CLERK USE: DATE FILED <u>JUL 30 2010</u></p>
<p>COMMISSIONER APPROVAL</p> <p>Mayor—Finance and Administration <u>Adams</u></p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Leonard</p>	<p>LaVonne Griffin-Valade Auditor of the City of Portland</p> <p>By: <u>[Signature]</u> Deputy</p>
<p>BUREAU APPROVAL</p> <p>Bureau: Planning and Sustainability Bureau Head: <u>Susan Anderson</u></p> <p>Prepared by: J Richman Date Prepared: July 21, 2010</p> <p>Financial Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/> Not Required <input type="checkbox"/></p> <p>Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Council Meeting Date August 4, 2010</p>	
<p>✓ City Attorney Approval <u>K. Beaumont</u></p>	<p>ACTION TAKEN:</p> <p>AUG 04 2010 PASSED TO SECOND READING AUG 11 2010 9:30 A.M.</p>

AGENDA
<p>TIME CERTAIN <input checked="" type="checkbox"/> 10P2 Start time: 3:30 pm</p> <p>Total amount of time needed: 30 minutes (for presentation, testimony and discussion)</p>
<p>CONSENT <input type="checkbox"/></p>
<p>REGULAR <input type="checkbox"/></p> <p>Total amount of time needed: _____ (for presentation, testimony and discussion)</p>

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