

ORDINANCE No. 185611 *As Amended*

Amend Portland's Comprehensive Plan Map and Zoning Map for properties along and near the Cully Boulevard Commercial Corridor (Ordinance; amend Title 33, Comprehensive Plan Map)

The City of Portland Ordains:

Section 1. The Council finds:

1. Portland's *Comprehensive Plan* was adopted on October 16, 1980, acknowledged for compliance with Statewide Planning Goals on May 3, 1981, and again on January 25, 2000, and updated as a result of periodic review in June 1988, January 1991, March 1991, September 1992, and May 1995.
2. Oregon Revised Statute (ORS) 197.628 requires cities and counties to review their comprehensive plans and land use regulations periodically and make changes necessary to keep plans and regulations up-to-date and in compliance with Statewide Planning Goals and State laws. Portland is also required to coordinate its review and update of the *Comprehensive Plan* and land use regulations with State plans and programs.
3. Portland *Comprehensive Plan* Goal 10, Plan Review and Administration, states that the *Comprehensive Plan* will undergo periodic review to ensure that it remains an up-to-date and workable framework for land use development.
4. Portland *Comprehensive Plan* Policy 10.2, Comprehensive Plan Map Review, establishes a community and neighborhood planning process for the review and update of the Portland Comprehensive Plan Map.
5. NE Cully Boulevard and NE Killingsworth Street are designated as the Cully Boulevard main street in the *Metro Region 2040 Growth Concept Plan* (1994) and herein after referred to as the Cully Commercial Corridor.
6. In April 2012, City Council adopted (Resolution #18525) the Neighborhood Prosperity Initiative's Cully Boulevard Alliance focus area, to promote (re)development of this small business district, which aligns with the Cully Boulevard commercial corridor area.
7. The Cully Boulevard commercial corridor area map amendments are intended to promote a pattern of land use that encourages and contributes to the economic, social, and physical health, welfare, and safety of the neighborhood and the city; in a neighborhood that is underserved in commercial zoning and businesses that provide goods and services to the local community.
8. Information used for the formulation of the map amendments for the Cully Boulevard commercial corridor area was based on a review of existing land uses and historic zoning pattern, public comments from meetings, presentations, and internet and email comments, as well as a transportation analysis.
9. The Bureau of Planning and Sustainability developed the map amendment recommendations for the Cully Boulevard commercial corridor area that are found in the Recommended *Cully Boulevard Commercial Corridor and Local Street Plan* report with

- participation from interested neighborhood and business associations, property owners, business persons, and community members with cooperation from other City bureaus and agencies.
10. Public involvement and outreach activities included three public events attended by about 200 people. Staff also participated at neighborhood, business association and community meetings.
 11. The Cully Boulevard commercial corridor area map amendments in the *Recommended Cully Boulevard Commercial Corridor and Local Street Plan* report implement or are consistent with the Statewide Planning Goals, the Oregon Transportation Planning Rule, the Metro Region 2040 Growth Concept Plan, the Metro Urban Growth Management Functional Plan, and the Portland Comprehensive Plan, as explained in the *Cully Boulevard Commercial Corridor Map Amendments : Findings* report attached as Exhibit B and incorporated as part of this ordinance. These rules, policies, plans, provide a basis for integrating new commercial, employment and residential activities into the study area.
 12. The Notice of Proposed Action and copies of the Proposed Draft of the *Cully Boulevard Main Street and Local Street Plans Implementation Report* were mailed to the Oregon Department of Land Conservation and Development as required by ORS 197.610 on April 13, 2012.
 13. Written notice of the May 22, 2012, Portland Planning and Sustainability Commission public hearing on the Proposed Draft of the *Cully Boulevard Main Street and Local Street Plans Implementation Report* was mailed to 928 interested parties on April 20, 2012. Measure 56 notification of the May 22, 2012, Portland Planning and Sustainability Commission public hearing on the Proposed Draft of the *Cully Boulevard Main Street and Local Street Plans Implementation Report* was also mailed to all property owners affected by changes to the base zone or allowed uses of property on April 20, 2012.
 14. On May 22, 2012, the Portland Planning and Sustainability Commission held a public hearing on the Proposed Draft of the *Cully Boulevard Main Street and Local Street Plans Implementation Report*. At the hearing, the Planning and Sustainability Commission accepted public testimony, discussed the rezoning proposal, and unanimously recommended that City Council adopt the *Recommended Cully Boulevard Main Street and Local Street Plan* report.
 15. Written notice of the August 29, 2012 City Council public hearing on the *Cully Boulevard Commercial Corridor and Local Street Plan - Recommended Draft* report was mailed to all owners of properties in the study area, the legislative mailing list, the Planning Commission, and other interested individuals on August 13, 2012.
 16. It is in the public interest that the map amendment recommendations contained in the *Cully Boulevard Commercial Corridor and Local Street Plan – Recommended Draft* report be adopted to direct change in the study area. These recommendations are consistent with Statewide Planning Goals, Metro’s Functional Plan and the City’s Comprehensive Plan for the reasons stated in the findings in Exhibit B.

NOW, THEREFORE, the Council directs:

- a. The Planning and Sustainability Commission's *Cully Boulevard Commercial Corridor and Local Street Plan – Recommended Draft*, dated August 2012, and contained in the attached Exhibit A, is hereby adopted.
- b. The Portland *Comprehensive Plan* Map and the Zoning Map of the City of Portland are amended, as shown on the Recommended Zoning Map for Project Area in Appendix B of Exhibit A.
- c. The commentary in Exhibit A is adopted as legislative intent and as further findings.
- d. The *Cully Boulevard Commercial Corridor Map Amendments, Exhibit B: Findings*, dated August 2012, which contains findings of compliance with applicable statewide planning goals, the Transportation Planning Rule, the Metro functional plans, and Portland *Comprehensive Plan*, is adopted as findings of fact to support the actions in the above directives.

Passed by the Council,

SEP 12 2012

Mayor Sam Adams
D. Bischoff
August 2012

LaVonne Griffin-Valade
Auditor of the City of Portland

By *Gayla Jennings*

Deputy

Agenda No. **ORDINANCE NO. 185611** As Amended
Title

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INTRODUCED BY Commissioner/Auditor: Mayor Adams	CLERK USE: DATE FILED <u>AUG 24 2012</u>
COMMISSIONER APPROVAL Mayor—Finance and Administration - Adams	LaVonne Griffin-Valade Auditor of the City of Portland By: <u>[Signature]</u> Deputy
Position 1/Utilities - Fritz	
Position 2/Works - Fish	
Position 3/Affairs - Saltzman	
Position 4/Safety - Leonard	ACTION TAKEN:
BUREAU APPROVAL Bureau: Planning and Sustainability Bureau Head: Susan Anderson	AUG 29 2012 PASSED TO SECOND READING As Amended SEP 05 2012 9:30 A.M.
Prepared by: Debbie Bischoff Date Prepared: August 15, 2012	SEP 05 2012 PASSED TO SECOND READING As Amended SEP 12 2012 9:30 A.M.
Financial Impact & Public Involvement 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"/>	
Council Meeting Date August 29, 2012	
City Attorney Approval: required for contract, code, easement, franchise, comp plan, charter	

AGENDA	
TIME CERTAIN <input checked="" type="checkbox"/>	1 of 3
Start time: 6:00 PM	
Total amount of time needed: 2 (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	✓	
2. Fish	✓	
3. Saltzman	✓	
4. Leonard	✓	
Adams	✓	