

Portland, Oregon

## FINANCIAL IMPACT and PUBLIC INVOLVEMENT STATEMENT For Council Action Items

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

1. Name of Initiator Matt Wickstrom		2. Telephone No. 503-823-6825	3. Bureau/Office/Dept. BDS/Land Use Services
4a. To be filed (hearing date): May 28, 2014 at 3:00 PM 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: May 15, 2014
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 Medium Density Multi-Dwelling to Mixed Employment, and a Zoning Map Amendment from R1 (Residential 1,000) to EG2 (General Employment 2).

**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 Medium Density Multi-Dwelling to Mixed Employment, and a Zoning Map Amendment from R1 (Residential 1,000) to EG2 (General Employment 2) for property located at 2730 SW Multnomah Boulevard. 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, 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 checked="" type="checkbox"/> Southwest | <input type="checkbox"/> East  |
| <input checked="" 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, but rather a Type III quasi-judicial land use review to change the Comprehensive Plan Map and Zoning Map designations on the site. This zoning change will have no impact on generating or reducing revenue coming to the City.

**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, it is a quasi-judicial land use review. As the City of Portland Office of Finance and Management is the applicant, expenses resulted from fees paid for the land use review and consultants who prepared materials for the application. The Bureau of Emergency Management will operate an Auxiliary Emergency Operations Center at the site which will ultimately incur expenses related to site and building improvements and on-going operations; however, these expenses are not specific to this quasi-judicial land use review.

**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(s) from BDS/Land Use Services (LUS) Division; Records Management staff from LUS; LUS supervisory oversight; staff from Portland Bureau of Transportation, Bureau of Environmental Services, the Water Bureau 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.)*

<b>Fund</b>	<b>Fund Center</b>	<b>Commitment Item</b>	<b>Functional Area</b>	<b>Funded Program</b>	<b>Grant</b>	<b>Sponsored Program</b>	<b>Amount</b>

**[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?**

Any impacts associated with the requested Comprehensive Plan Map and Zoning Map Amendments are identified in the Hearings Officers recommendation on this land use review, which was forwarded to the City Council (LU 14-104931 CP ZC). 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 Comprehensive Plan Map 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 for a Zoning Map Amendment, with conditions, will have no impacts to public services. And, the Hearings Officer found that, with conditions, the approval criteria will be met.

**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 Bureau of Development Services 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.

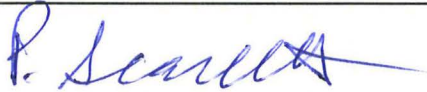
**d) Who designed and implemented the public involvement related to this Council item?** City Council adopted the procedures outlined in the Zoning Code. The Bureau of Development Services implements these land use review procedures.

**e) Primary contact for more information on this public involvement process (name, title, phone, email):**

Matt Wickstrom, City Planner II  
503-823-6825  
[Matt.wickstrom@portlandoregon.gov](mailto:Matt.wickstrom@portlandoregon.gov)

**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)



**City of Portland, Oregon**  
**Bureau of Development Services**  
**Office of the Director**  
FROM CONCEPT TO CONSTRUCTION

Amanda Fritz, Commissioner  
Paul L. Scarlett, Director  
Phone: (503) 823-7308  
Fax: (503) 823-7250  
TTY: (503) 823-6868  
[www.portlandoregon.gov/bds](http://www.portlandoregon.gov/bds)

**MEMORANDUM**

186711

DATE: May 28, 2014

TO: Mayor Charlie Hales  
Commissioner Nick Fish  
Commissioner Amanda Fritz  
Commissioner Steve Novick  
Commissioner Dan Saltzman

FROM: Paul L. Scarlett, Director  
Bureau of Development Services

PLS

RE: City Council hearing on LU 14-104931 CP ZC (Auxiliary Emergency Operations Center)

The purpose of this memorandum is to provide a summary and brief description of the land use review that will be presented to you at a public hearing on May 28, 2014 at 3:00 PM, time certain.

**Site Address:** 2730 SW Multnomah Boulevard

**BDS Representatives:** Sylvia Cate, Senior Planner and Matt Wickstrom, City Planner II

- 1. Land Use Reviews Requested:** Comprehensive Plan Map Amendment and Zoning Map Amendment from the Medium Density Multi-Dwelling Residential designation and R1 (Residential 1,000) zone to the Mixed Employment and the EG2 zone.
- 2. Key Elements of Proposal:**  
In 2012, the City of Portland acquired the former Sears Armory for use as an Auxiliary Emergency Operations Center on Portland's west side to augment the City's primary emergency management facility in southeast Portland. The site is approximately 4 acres and is accessed from SW Multnomah Boulevard. Emergency management facilities are classified by the Portland Zoning Code as a Basic Utility. The applicant, Rich Attridge of the Office of Finance and Management, has requested to change the zoning to EG2 (General Employment 2) zone. Basic Utilities are an allowed use in the EG2 zone. The City has completed a four-phase master plan to show how emergency services can begin to occupy the former Sears Armory site. This involves first phasing in simple upgrades such as meeting the Americans with Disabilities Act (ADA) standard, then adding roadway de-icing and fueling facilities, and finally large-scale building upgrades to meet "Essential Facility" seismic requirements. Analysis of the impacts of the proposed zoning change was based on the four-phase master plan although some elements of the master plan may be subject to change based on availability of funding and other considerations.
- 3. Staff and Hearings Officer Recommendation:** The Staff Report to the Hearings Officer and the Hearings Officer's recommendation to City Council is to approve the request with conditions.
- 4. Requested Council Action:** Accept the Hearings Officer's recommendation.



#710

6/26/14  
Submitted by BureauAmendments

\*Ordinance to amend comprehensive plan map and zoning map for property at 2730 SW Multnomah Boulevard (LU14-104931 CP ZC)

1. Amend Directive a. as follows:

- a. City Council adopts the facts, findings, conclusions and recommendations of the Hearings Officer in BDS File No. LU 14-104931 CP ZC except as Condition ~~E~~ <sup>D</sup> is added by this ordinance. City Council also adopts supplemental findings to address Policy 12.6 Preserve Neighborhoods and Criterion 33.855.050.A.1 Zoning Map Amendment as follows:

City Council received a letter from the Multnomah Neighborhood Association dated May 19, 2014. The letter expressed concern with the application of EG2 zoning for the site, specifically related to the allowed *unlimited* height in the zone.

The City Council has considered the concerns raised by the Multnomah Neighborhood Association as well as information submitted by the applicant's representative. To address the concerns expressed related to the allowed height in the EG2 zone and in order to ensure that future long-term development of the site respects the fabric and height allowances in surrounding zones, Council finds that a height limit of 45 feet is appropriate for this site. Council finds that the 25-foot front building setback and 15-foot setback required when a site abuts the rear lot line of an R zoned lot along with the 45-foot height limit, contribute to an allowed building envelope that respects the fabric of the established neighborhood and preserves and supports the qualities that make the neighborhood an attractive place. If future operational and/or emergency response needs show compelling justification for height adjustments exceeding 45 feet, Council also finds that any such request to increase building height beyond 45 feet shall be subject to a Type II Adjustment Review. Council also finds that the 45 foot height limit should not apply to the development of emergency communications structures (i.e. free-standing communications towers) as installation of such a structure may be a result of an urgent need that should not be subject to the land use review process.

2. Council directs staff to include the following Condition D to directive b.3:

**Condition D.** New buildings are limited to a maximum of 45'. The Applicant may request to increase the maximum height by means of a Type II Adjustment. This maximum height does not apply to free-standing communication towers that are regulated by Chapter 33.274, Radio Frequency Transmission Facilities.