

1366-67 Amend Comp Plan Map and Title 33
Re Specified Unincorporated Mult. Co. Areas

176114

IF YOU WISH TO SPEAK TO CITY COUNCIL, **PRINT** YOUR NAME & ADDRESS

NAME

ADDRESS & ZIP CODE

✓ Linda Bauer

6732 SE 150

Subj: OPDR issuess PERMIT to remove "A" quality resources
Date: Tuesday, November 27, 2001 8:45:02 PM

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66

176114

Here is a color Ariel photo of the area that you are talking about today. As you can see from this Healthy Streams project map, the area around the large triangle is all an "A" quality resource. An essential part of this project is the designation of the triangle as a "P" zone.

OPDR gave the Water Bureau a permit to remove all of the "A" quality resource on the strip of land approximately 7 years before the Water Bureau's proposed project on this site. This permit gave the Water Bureau permission to remove the resources without any environmental review, as would be required for any one else who wanted to remove an "A" quality resource. OPDR told the Water Bureau to just call it maintenance and OPDR would not require the proper review. MAINTENANCE, IN THIS CASE, WAS REMOVING ALL OF THE VEGETATION FROM THE STEEP SLOPES OF POWELL BUTTE PARK RESULTING IN SUBSTANTIAL "EROSION".

Recently BES wanted to restore the banks of Johnson Creek on new property that they had just purchased. They were required to go through a type 3 process and pay thousands in fees to OPDR. Is the message here that environmental review is required to restore resources but is not required to destroy "A" quality resources?

OPDR allowing public agencies to do this kind of damage to fragile resources sets a terrible example for developers and private land owners. Anger and resentment are the result when developers and homeowners are required to go to extra effort to preserve natural resources while public agencies are permitted to damage or destroy part of those same natural resources. It is considered bad parenting to have a "do as I say, not as I do" attitude. Isn't that also true of our government?

The Healthy Streams concept holds the promise of substantial future benefits for the entire region on many levels. Allowing any exemption to the current requirements dilutes and degrades all efforts to preserve the functional resources. Whether it's public bureaus removing resources on the recommended pretext of maintenance, or whether it's developers ignoring their conditions of approval because no one's watching, the damage to the integrity and potential benefits of the project is just as devastating. When only some of us have to follow the rules while government or public bureau are allowed to sidestep the regulations, we are undermining the willingness of the public to help and

risking the potential for success of the Healthy Streams project. The cost, in the long run, is much more substantial than the temporary savings created by avoiding the current regulations.

176114

City of Portland, Oregon

BUDGET/FINANCIAL COUNCIL ACTION IMPACT STATEMENT

INITIATOR'S SUMMARY OF COUNCIL ACTION (Deliver original to the Bureau of Financial Planning. Retain Copy.)

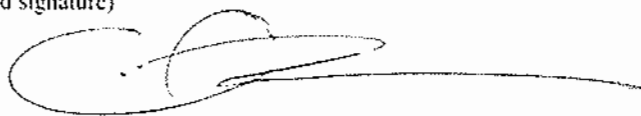
1. Name of Initiator KARL LISLE	2. Bldg/Room No. 299/4100	3. Tele No. 503 823 4286	4. <u>Bureau</u> /Office/Dept. PLANNING
5a. To Be Filed (date): 11-19-01		6. Date Submitted to OF&A Budget Analyst: 11-13-01	
5b. Calendar (Circle One) <u>Regular</u> Consent 4/5ths			
Category 2 Routine and Budgeted Items <input type="checkbox"/> Please check appropriate box and list \$ amount.		7. Fund Name	

Category 3 Non-Routine or Unbudgeted Items ☒

(Please see opposite page.)

APPROPRIATION UNIT HEAD (Typed name and signature)

GIL KELLEY, PLANNING DIRECTOR





CITY OF PORTLAND, OREGON
PLANNING COMMISSION

176114
EXHIBIT A

TELEPHONE: (503) 823-7708
FAX: (503) 823-7800

November 13, 2001
Portland City Council
City Hall
1221 SW Fourth Avenue
Portland, OR 97204

Re: Proposed Comprehensive Plan and Zoning Code Amendments related to the transfer of planning and zoning administration for urban unincorporated areas from Multnomah County to the City of Portland.

Dear Mayor Katz and City Commissioners:

On behalf of the Portland Planning Commission, I am forwarding to you the Commission's recommendation on the proposed Comprehensive Plan and Zoning Code amendments related to the Multnomah County Compliance Project. These amendments include one text change and seven Plan District map updates in Title 33, Planning and zoning, and five Comprehensive Plan map amendments intended to allow the smooth transfer of planning and zoning authority for certain urban unincorporated areas from Multnomah County to the City.

At the hearing on October 9, 2001, there was no citizen testimony to the Planning Commission on this package of map and Code amendments. After some discussion of how the transfer of services from the County to the City will work, the Commission voted 5-1 to forward to City Council a favorable recommendation on the proposed amendments.

The Planning Commission recommends that Council adopt the Code and map amendments as outlined in the attached *Planning Commission Recommended Report and Recommendation* to enable the upcoming transfer of planning and zoning administration for the urban unincorporated areas of Multnomah County within Portland's Urban Services Boundary. This is consistent with the stated directives of the longstanding Urban Planning Area Agreement between the County and the City and Resolution A, confirming that urban services should be provided by the City of Portland.

Sincerely,

A handwritten signature in dark ink, appearing to read "Rick Michaelson", is written over a horizontal line.

Rick Michaelson, President
Portland Planning Commission

att.



CITY OF PORTLAND, OREGON

BUREAU OF PLANNING

176114

VERA KATZ, MAYOR
GIL KELLEY, DIRECTOR
1900 S.W. FOURTH AVENUE, ROOM 1100
PORTLAND, OREGON 97201-5350
TELEPHONE (503) 823-7700
FAX (503) 823-7800
E-mail: pdsplan@ci.portland.or.us

Date: November 5, 2001
To: Portland City Council
From: Karl Lisle, Bureau of Planning (503) 823-4286
Re: **PLANNING COMMISSION REPORT AND RECOMMENDATION ON
COMPREHENSIVE PLAN AND ZONING CODE AMENDMENTS
RELATED TO THE MULTNOMAH COUNTY COMPLIANCE PROJECT**

Hearing: November 28, 2001 9:30AM

This staff report provides an overview of the seven legislative actions proposed to allow a smooth transition of planning and zoning administration for unincorporated areas within Portland's Urban Services Boundary from Multnomah County to the City of Portland. The intergovernmental agreement to enact this transition will come before Council at the same hearing under a separate ordinance.

Planning Commission Recommendation:

On October 9, 2001, the Planning Commission voted 5-1 to forward the following actions to the City Council for adoption:

1. Amend Portland's Comprehensive Plan Map designations to be consistent with the recommended zoning in the areas shown on the maps in Exhibit B of the ordinance as UIAs 16 and 17.
2. Establish Portland Comprehensive Plan Map designations equivalent to recommended City zoning shown on maps in Exhibit C of the ordinance for all unincorporated areas within the Urban Services Boundary that are not currently covered by a City community plan. (UIA #s 0,2,5,7,8,10,11, 31, 35 (portion north of HWY 26), 41 and 42)
3. Amend Portland's Urban Services Boundary to include the 11 acres (three parcels) shown as UIA # 42 on Exhibit C, Map B of the ordinance.
4. Reconfirm and verify the location of the Urban Services Boundary as shown on the Maps in Exhibit D of the ordinance as an element of the Portland Comprehensive Plan Map.
5. Amend Portland's Zoning Maps to include proposed zoning (maps in Exhibit C of the ordinance) and Portland Comprehensive Plan designations (if different - as established under Portland community plans) in unincorporated areas of Multnomah County within Portland's Urban Services Boundary.
6. Amend Portland's Zoning Code as documented in Exhibit E of the ordinance to establish a different appeals process when quasi-judicial land use decisions are administered for land use cases in unincorporated Multnomah County.
7. Amend the Skyline and Johnson Creek Basin Plan District Maps in Portland's Zoning Code to include unincorporated areas within Plan Districts as dictated

November 5, 2001
Page 2

**by the new zoning maps adopted by the County Board of Commissioners.
New maps are included in Exhibit F of the ordinance.**

Background:

Under an intergovernmental agreement, Portland's Bureau of Planning is providing urban planning services to Multnomah County for the Multnomah County-Portland Compliance Project. The purpose of this project is to bring unincorporated areas of Multnomah County that lie within the Urban Growth Boundary (UGB) and within Portland's Urban Services Boundary (USB) into compliance with the requirements of Metro's Urban Growth Management Functional Plan. The unincorporated areas will achieve compliance by using the City of Portland's Zoning Code and related development regulations.

On October 11, 2001 the Multnomah County Board of Commissioners adopted Portland's Comprehensive Plan and Comprehensive Plan Map, Titles 10, 32, 33 and 34 of the City's Code and new zoning maps for the unincorporated areas within the City's USB.

These legislative amendments are necessary to enable effective implementation of the accompanying agreement (under separate ordinance) between the City and Multnomah County to transfer planning and zoning administration for unincorporated areas (UIAs) within Portland's USB from the County to the City. Portland's Zoning Code will apply to these areas when the transition occurs.

In order to coincide with the anticipated transfer of planning and zoning administration from the County to the City, the effective date of these amendments will be 30 days from Council adoption.

Seven recommended legislative changes in detail:

- 1. Amend Portland's Comprehensive Plan Map designations to be consistent with the existing zoning on approximately 50 acres of land in unincorporated Multnomah County but within Portland's Urban Service Boundary.** This proposed amendment affects UIAs 16 and 17 and would change the Comprehensive Plan designation established under the Outer Southeast Community Plan from the current R10 to match the zoning designations on this proposed map. The zoning designations shown on the proposed map (Exhibit B to the ordinance) are the City equivalents of the current County zoning in this area.

This action is necessary to avoid a "Baker Case" violation of State law. The Baker vs. the City of Milwaukie decision established that Comprehensive Plan Designations may not be more restrictive than current zoning designations. Because the Portland Comprehensive plan will apply to the area upon transition of planning and zoning administration to the City, the Comprehensive Plan must be changed from R10 as established under the Outer Southeast Community Plan to match the proposed current zoning of R5, R7 and EG1. The proposed current zoning in this area is the closest city equivalent to existing County zoning.

November 5, 2001

Page 3

2. **Establish Portland Comprehensive Plan Map designations for all unincorporated areas within the Urban Services Boundary that are not currently covered by a City community or neighborhood plan.** Approximately 50% of the unincorporated areas within the USB currently have no Portland Comprehensive Plan designation. In these areas the Comprehensive Plan designation will be the same as the current zoning shown on the proposed zoning maps.

This action is required because the Portland Zoning Code may not be applied to areas not included on the Portland Comprehensive Plan Map. Currently, approximately half of the UIAs are included in Portland's Comprehensive Plan Map Area through the Outer Southeast Community Plan and the pending Southwest Community Plan. The remaining UIAs must be added to the Portland Comprehensive Plan Map. In these areas, staff proposes that the Portland Comprehensive Plan Designation be consistent with the zoning designations shown on the proposed zoning maps.

One set of photocopied Proposed Zoning Maps is included as Exhibit C to the ordinance. Larger color maps are available for review at the Bureau of Planning. UIA #s 0,2,5,7,8,10,11, 31, part of 35 (north of HWY 26), 41 and 42 have not been included in Portland Community Plans.

3. **Amend Portland's Urban Services Boundary to include 11 acres (three parcels) currently within the Urban Growth Boundary but outside the Urban Services Boundary.** This is a technical correction and would make the USB contiguous with the Urban Growth Boundary in the Balch Creek vicinity. It involves bringing 11 acres (3 parcels) into the Urban Services Boundary. There is currently one single family home on the 11 acres. Given the extensive proposed environmental zoning in this area and a proposed zoning designation of RF, it is unlikely that significant new development will occur in this area. Metro staff has expressed support for this action.

The area affected is area UIA #42 (Exhibit C of the ordinance, Map B).

4. **Reconfirm and verify the Urban Services Boundary as an element of the Portland Comprehensive Plan Map.** As this legislative project will extend the Comprehensive Plan Map to cover all areas within the USB, staff feels it is worthwhile to reconfirm and verify the current location of the USB as recognized element of the official Portland Comprehensive Plan Map.

A series of maps showing the current location of the Urban Services Boundary is included as Exhibit D of the ordinance. In areas not covered by the maps in Exhibit D, the Urban Services Boundary is the same as the City Boundary.

5. **Amend Portland's Zoning Maps to include existing zoning and Comprehensive Plan designations (if different) in unincorporated areas of Multnomah County within Portland's Urban Services Boundary.** If adopted by the County Board of Commissioners and approved by the City Council, the zoning designations shown on the enclosed maps will be added to Portland's Official Zoning Maps.

Proposed zoning to be added to Portland Zoning Maps is depicted on the series of maps in Exhibit C.

- 6. Amend Portland's Zoning Code to establish a different appeals process when quasi-judicial land use decisions are administered for land use cases in unincorporated Multnomah County.** Appeals on Type III quasi-judicial reviews on cases within the unincorporated Multnomah County areas shown on the enclosed maps (Exhibit C to the ordinance) will be heard by the Land Use Board of Appeals (LUBA) rather than the Portland City Council. Language would be added to the Portland Zoning Code Chapter 33.730.030 "Quasi-Judicial Procedures, Type III Procedure" to clarify this distinction. The proposed amendments to the Portland Zoning Code are included in Exhibit E to the ordinance.

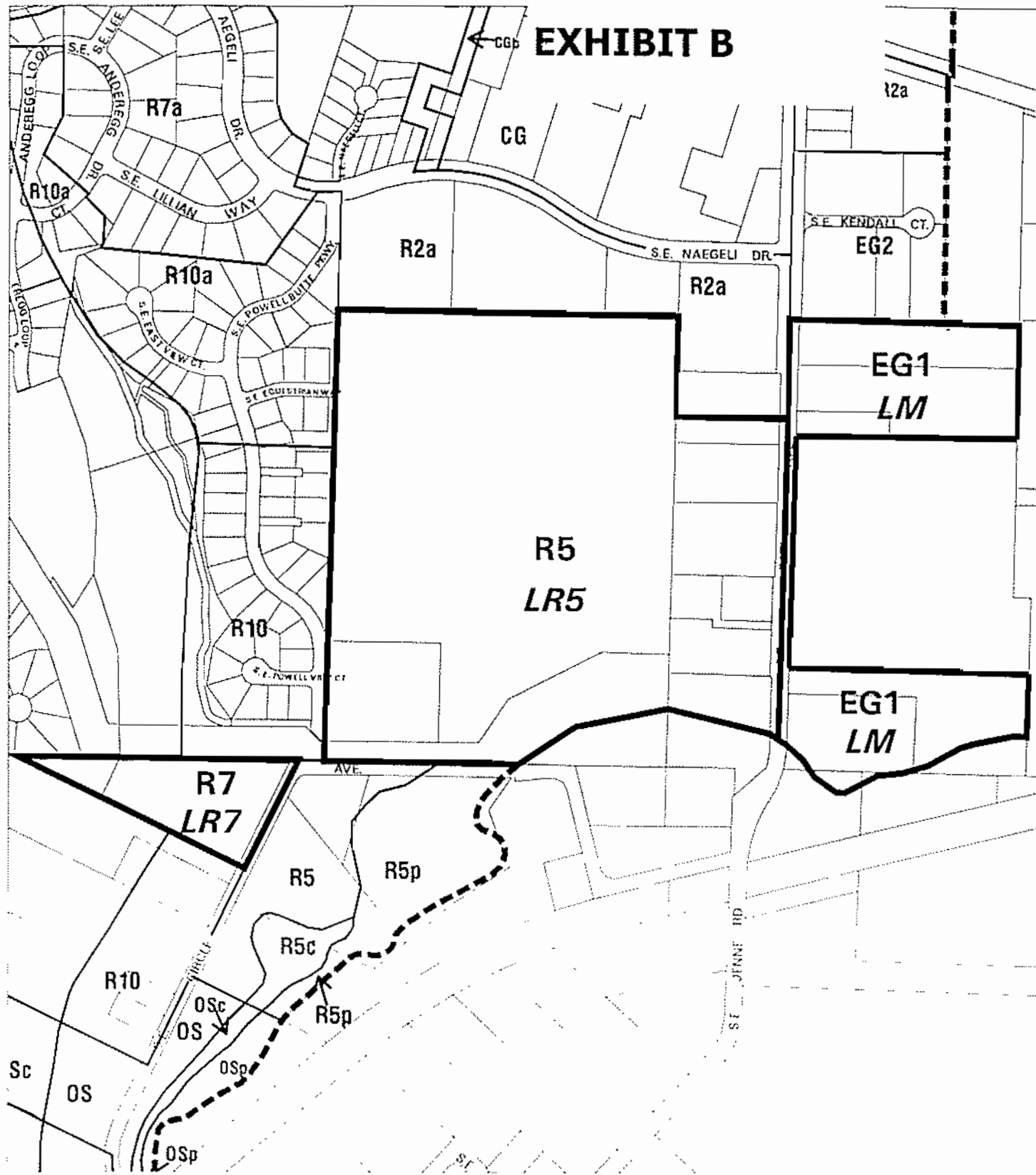
This action removes the City Council from the politically undesirable position of making decisions regarding land use decisions on properties outside the City's jurisdictional boundaries. In addition, sending Type III appeals directly to LUBA is consistent with the County's current land use appeal practices.

- 7. Amend the Skyline and Johnson Creek Basin Plan District Maps in Portland's Zoning Code to include unincorporated areas within Plan Districts as dictated by the new zoning maps adopted by the County Board of Commissioners.** New maps are included in Exhibit F to the ordinance. Portions of several UIAs are to be included within the Skyline or Johnson Creek Plan Districts. The maps in Title 33 need to be updated to accurately reflect this change.

List of Exhibits to the Ordinance:

- A. This Planning Commission Report and Recommendation.
- B. Maps explaining proposed change to the Portland Comprehensive Plan Map designation sent to property owners and neighborhood associations in UIAs 16 & 17.
- C. Recommended City Zoning & Comprehensive Plan Designation maps for Multnomah County UIAs.
- D. Portland Urban Services Boundary Maps.
- E. Proposed amendments to Portland Zoning Code Section 33.730.030.
- F. Proposed updated Plan District Maps for Portland Zoning Code.

EXHIBIT B



R5 Proposed Portland Zoning
for Unincorporated Pockets

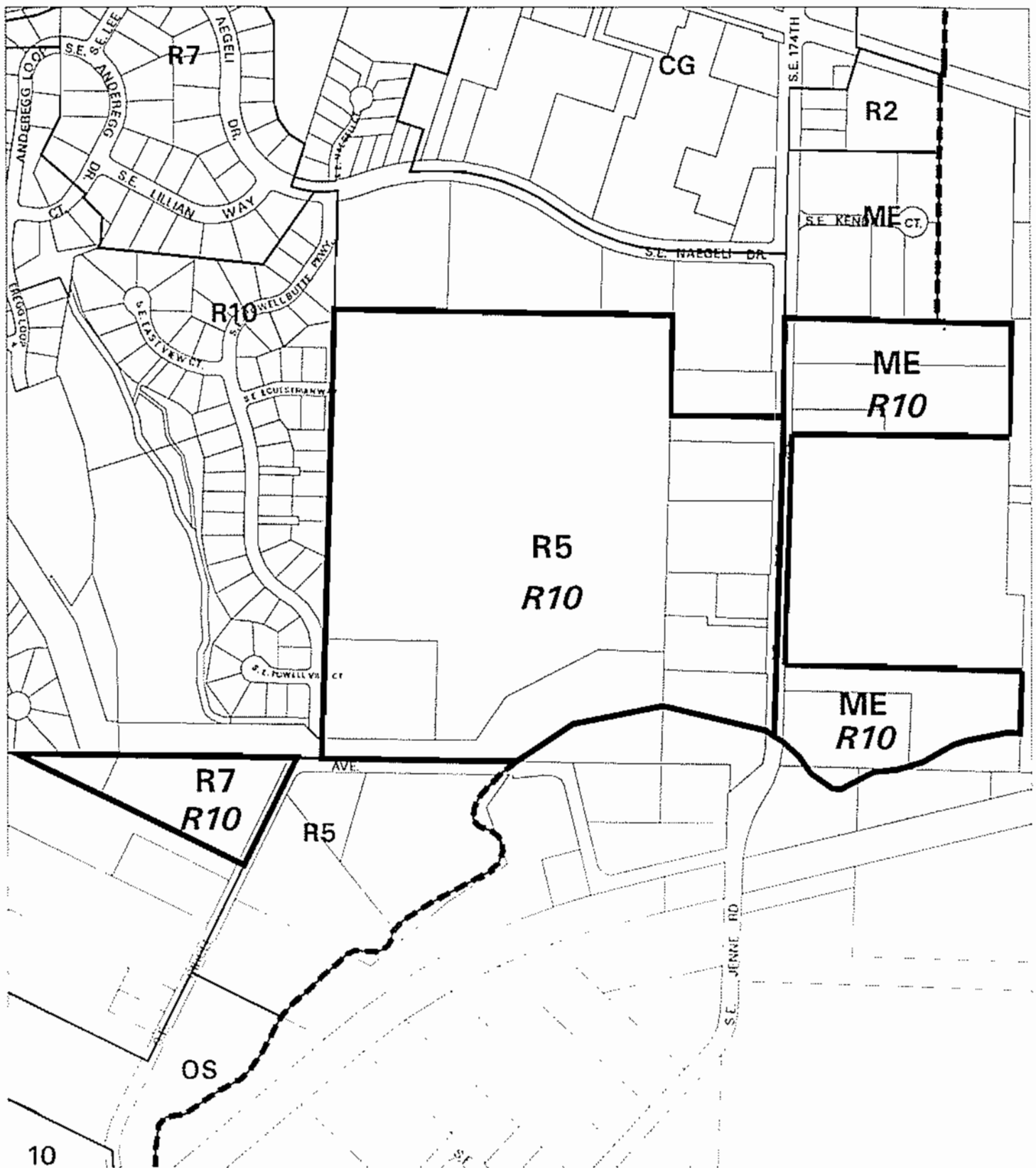
LR7 Existing Multnomah County Zoning

— Multnomah County Pocket Boundary
- - - City of Portland Boundary

Map 1: Zoning for Pockets 16 and 17

City of Portland
Bureau of Planning
August 2001





R5 Proposed Portland Comprehensive Plan Designations for Unincorporated Pockets
R10 Existing Portland Comprehensive Plan Designations Under Portland's Outer Southeast Community Plan

— Multnomah County Pocket Boundary
 - - - City of Portland Boundary

Scale 1" = 400'

0' 200' 400' 600'

Map 2: Comprehensive Plan Designations for Pockets 16 and 17



City of Portland
 Bureau of Planning
 August 2001



EXHIBIT C

* Proposed Comprehensive Plan Designations are the same as the proposed zoning designations except in areas included in a Portland community plan. Areas 33 and 35 (south of HWY 26) are included in the Southwest Community Plan and areas 16, 17, 18, 23, 24, 25, 26 & 27 are included in the Outer Southeast Community Plan. In these areas, the Portland Comprehensive Plan Designations are determined by the applicable community plan maps.

August 21, 2001

Multnomah County Map A
Unincorporated Areas 176114

Recommended City Zoning & Comprehensive Plan Designations *

Legend

- City Boundary
 - Urban Growth Boundary (UGB)
 - Unincorporated Area Boundary (UIA)
 - Stream
 - Plan District Boundary
- Recommended City Zoning Designations
- Open Space (OS)
 - Residential Farming (RF)
 - Single Dwelling Residential 20,000 (R20)
 - Single Dwelling Residential 10,000 (R10)
 - Single Dwelling Residential 7,000 (R7)
 - Single Dwelling Residential 5,000 (R5)
 - Office Commercial 1 (CO1)
 - General Employment 1 (EG1)
 - General Industrial 2 (IG2)
 - Environmental Conservation Overlay (c Zone)
 - Environmental Protection Overlay (p Zone)
 - Willamette River General Overlay (WRG)

Scale: 1" = 800'

0' 400' 800' 1200'

INFORMATION SOURCES:

Seismic: Originally produced by Oregon Dept. of Revenue. Modified and updated by Multnomah County Assessors & Seismic and Portland Dept. of Transportation. Updated through July 2001. Accuracy: +/- 3 feet.

Urban Growth Boundary: Source: Digitized by Metro, updated by Washington County (DLUT & Metro 8/01/97). Registered to local base. Updated by Metro Aug. 2001.

City Boundary: Digitized by Portland Department of Transportation. Updated by TDDT and Bureau of Planning, October 2000. Registered to local base maps.

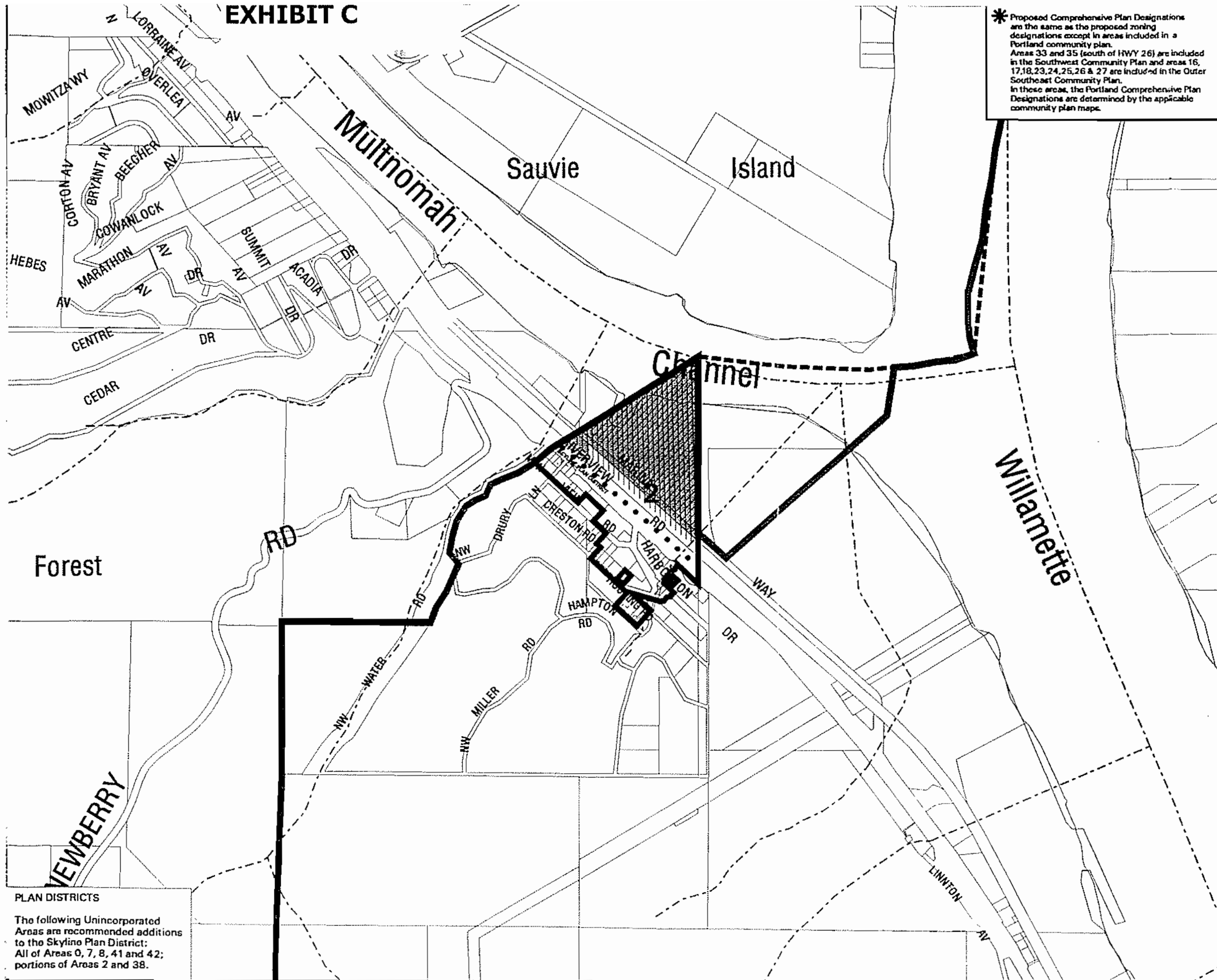
Zoning: Digitized from bureau zoning maps by Roy F. Weston, Inc. for Portland Planning Bureau. Registered to local base. Updated by Planning through June 2001.

All data compiled from source materials at different scales. For more detail, please refer to the source materials or City of Portland, Bureau of Planning.

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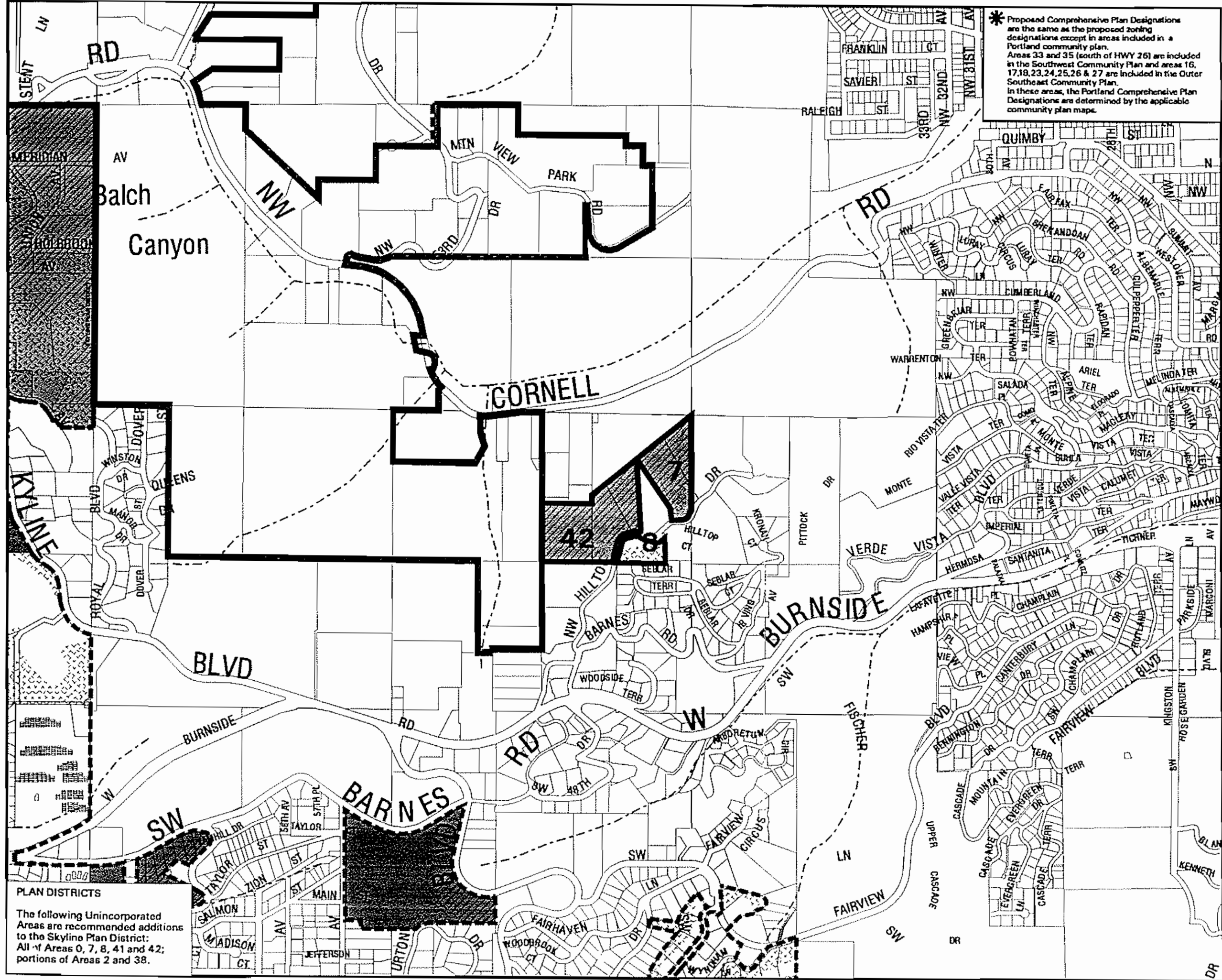


City of Portland
Bureau of Planning
Geographic
Information System



PLAN DISTRICTS

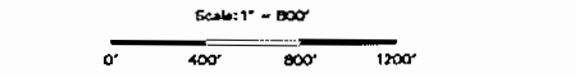
The following Unincorporated Areas are recommended additions to the Skyline Plan District: All of Areas 0, 7, 8, 41 and 42; portions of Areas 2 and 38.



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 - Single Dwelling Residential 7,000 (R7)
 - Single Dwelling Residential 5,000 (R5)
 - Office Commercial 1 (CO1)
 - General Employment 1 (EG1)
 - General Industrial 2 (IG2)
 - Environmental Conservation Overlay (c Zone)
 - Environmental Protection Overlay (p Zone)
 - Willamette River General Overlay (WRG)



THE ORIGINATOR SOURCE:

Unincorporated Areas: Originally produced by Oregon Dept. of Revenue, Modified and updated by Multnomah County Assessment & Taxation and Portland Dept. of Transportation. Updated through July 2001. Accuracy: ± 1/2 foot.

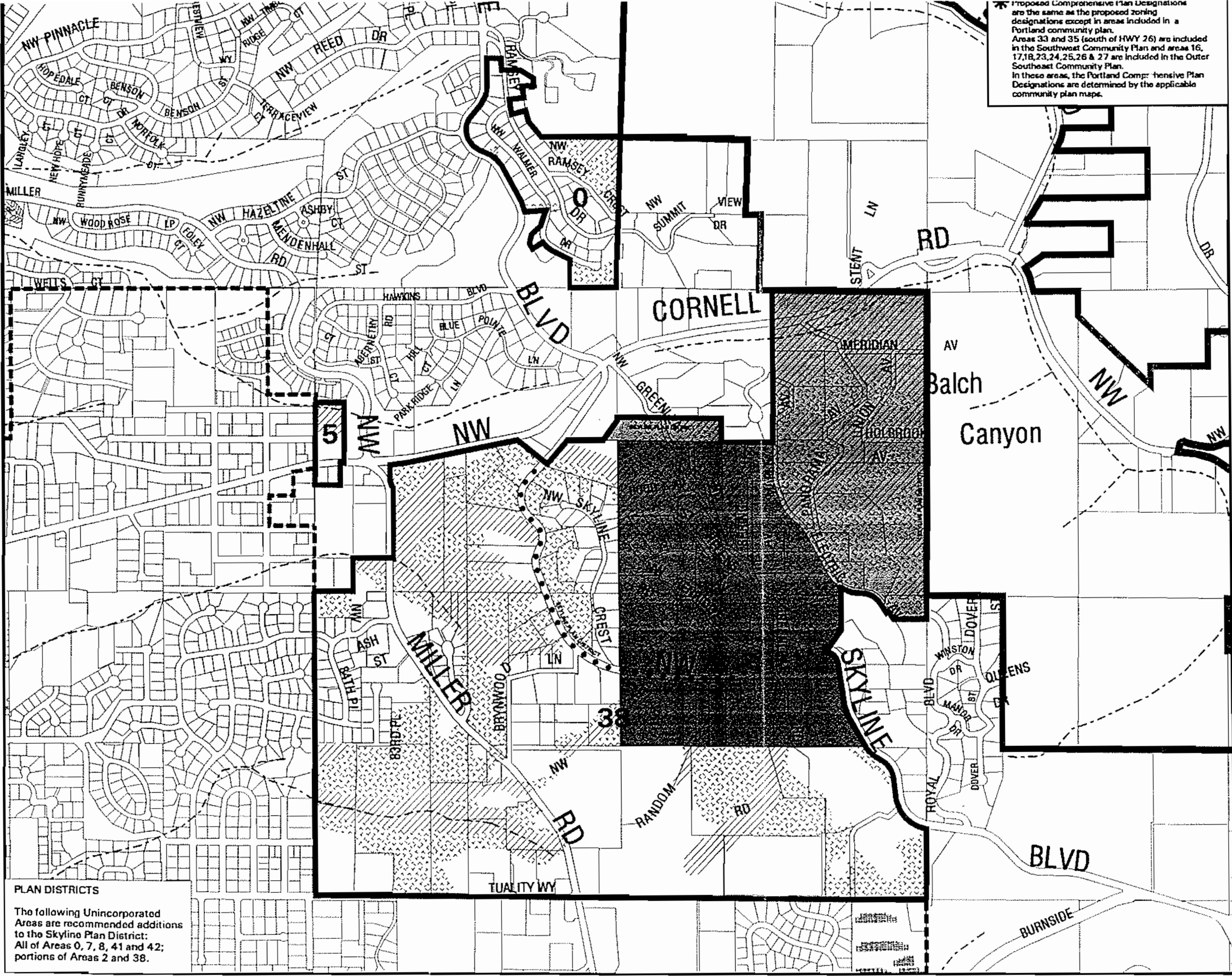
Urban Growth Boundary: Digitized by Metro, updated by Washington County (DLN 1 & 2, 1997). Registered to United States. Updated by Metro (Aug. 2000).

City Boundary: Digitized by Portland Department of Transportation. Updated by FDOT and Bureau of Planning, October 2000. Registered to United States.

Zoning: Digitized from various zoning maps by City of Portland, Inc. for Portland Planning Bureau. Registered to United States. Updated by Planning through June 2001.

All data compiled from source materials at 1:10,000 scale. For more detail, please refer to the source materials or City of Portland, Bureau of Planning.

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Multnomah County Map (Unincorporated Areas) 176114

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Scale: 1" = 800'

0' 400' 800' 1200'

THE INFORMATION SOURCE(S):

Source: Originally produced by Oregon Dept. of Revenue. Modified and updated by Multnomah County Assessment & Taxation and Portland Dept. of Transportation. Updated through July 2001. Accuracy: +/- 3 feet.

Urban Growth Boundary

Source: Digitized by Metro, updated by Washington County (CLUT & Metro Bldg. 33, 123). Registered to state base. Updated by Metro (Aug. 2000).

City Boundary

Digitized by Portland Department of Transportation. Updated by PDOT and Bureau of Planning, October 2000. Registered to state base maps.

Zoning

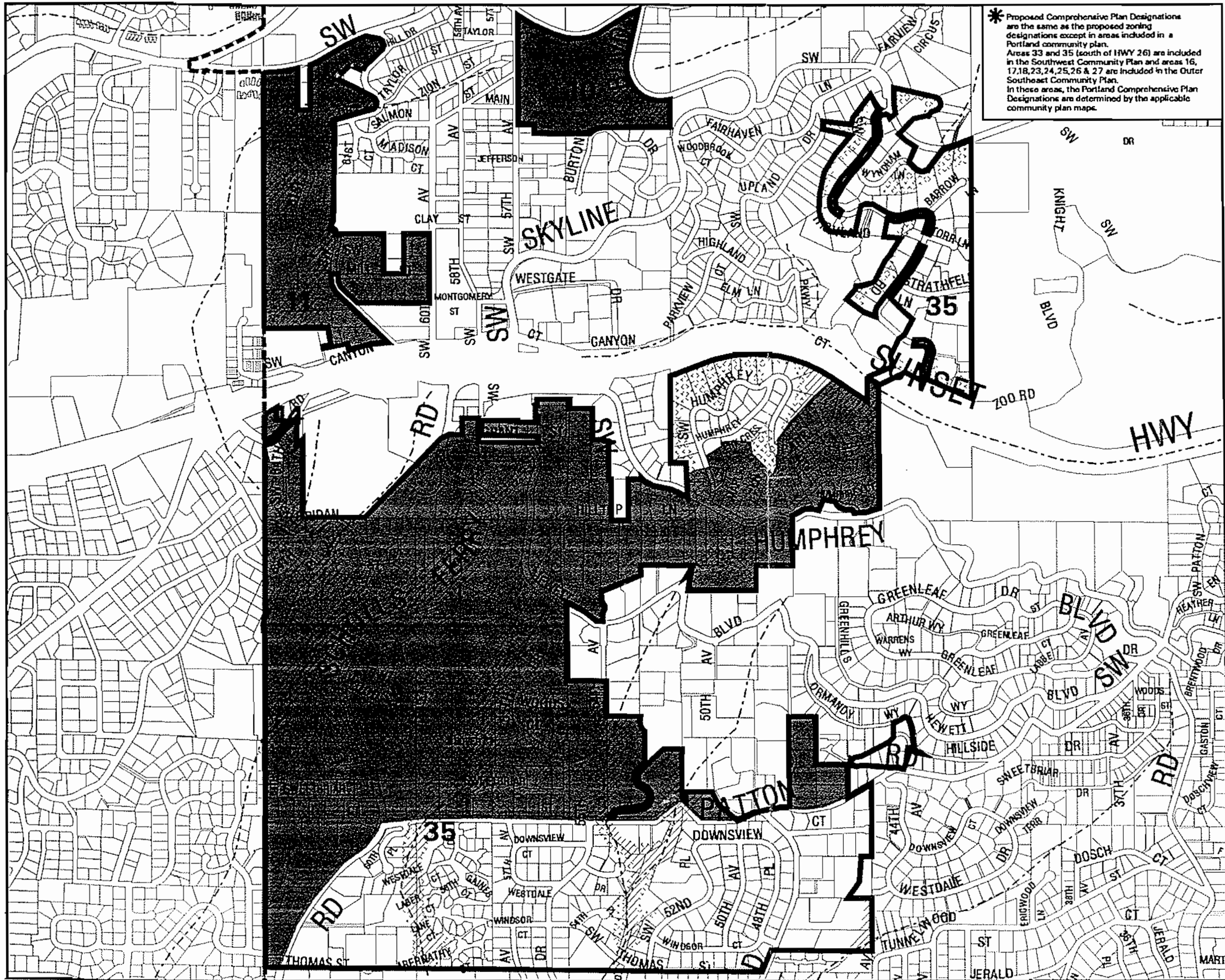
Digitized from bureau zoning maps by Roy F. Weston, Inc. for Portland Planning Bureau. Registered to tasks. Updated by Planning through June 2001.

All data compiled from source materials at different scales. For more detail, please refer to the source materials or City of Portland, Bureau of Planning.

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PLAN DISTRICTS

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Scale: 1" = 800'

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INFORMATION SOURCES:

Streets: Originally produced by Oregon Dept. of Revenue. Modified and updated by Multnomah County Assessor's & Taxation and Portland Dept. of Transportation. Updated through July 2001. Accuracy: +/- 5 feet.

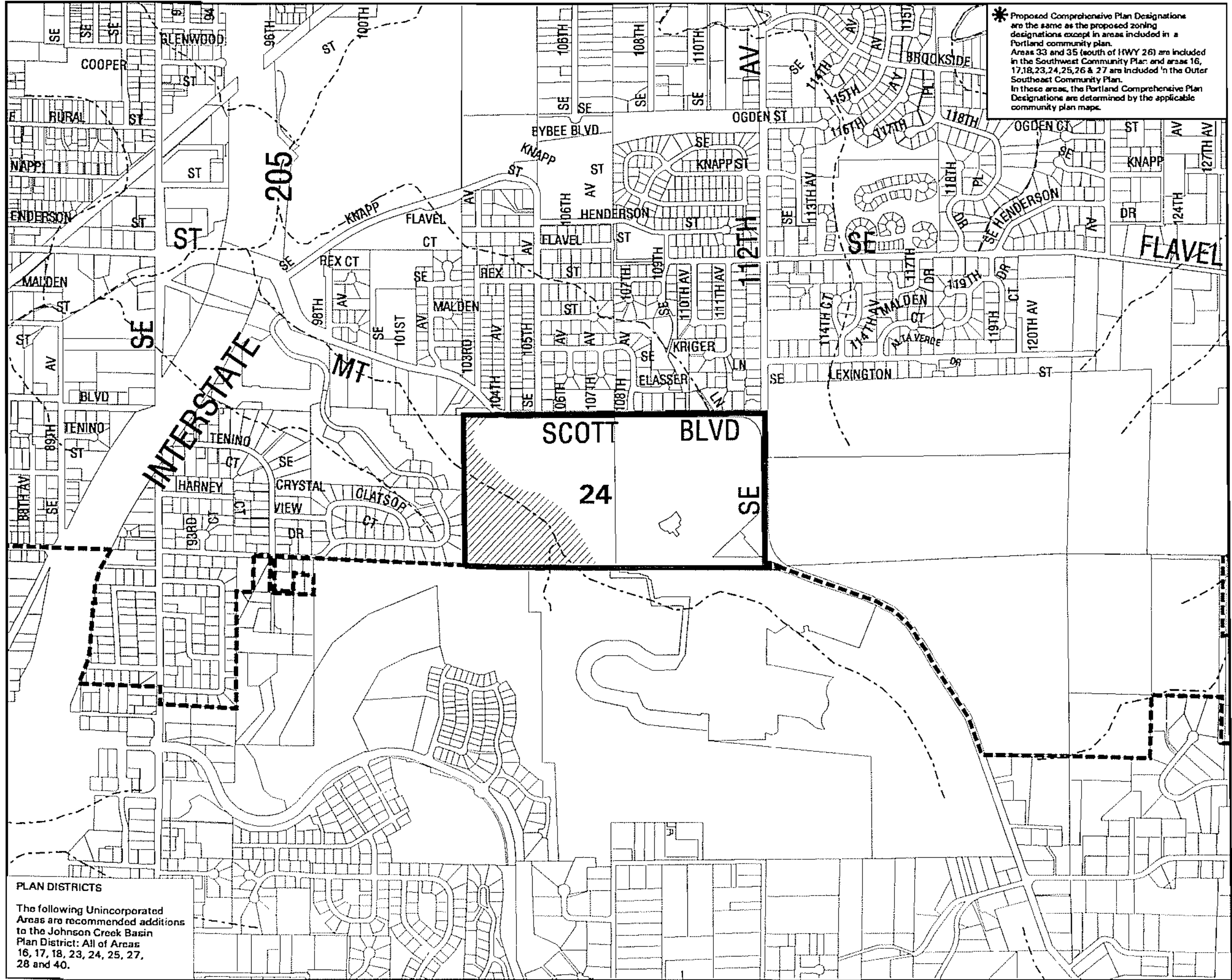
Urban Growth Boundary: Source: Digitized by Metro, updated by Washington County (DLUT & Metro Plac. 22, 1992). Registered to tablet base. Updated by Metro (Aug. 2000).

City Boundary: Digitized by Portland Department of Transportation. Updated by TPOD and Bureau of Planning, October 2000. Registered to tablet base maps.

Zoning: Digitized from Bureau zoning maps by Ray J. Wilson, Inc. for Portland Planning Bureau. Registered to tablets. Updated by Planning through June 2001.

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August 21, 2001

Multnomah County
Unincorporated Areas
Map E
176114

Recommended City Zoning & Comprehensive Plan Designations *

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INFORMATION SOURCES:

Unincorporated Areas: Originally produced by Oregon Dept. of Revenue. Modified and updated by Multnomah County Assessor & Taxation and Portland Dept. of Transportation. Updated through July 2001. Accuracy: +/- 3 feet.

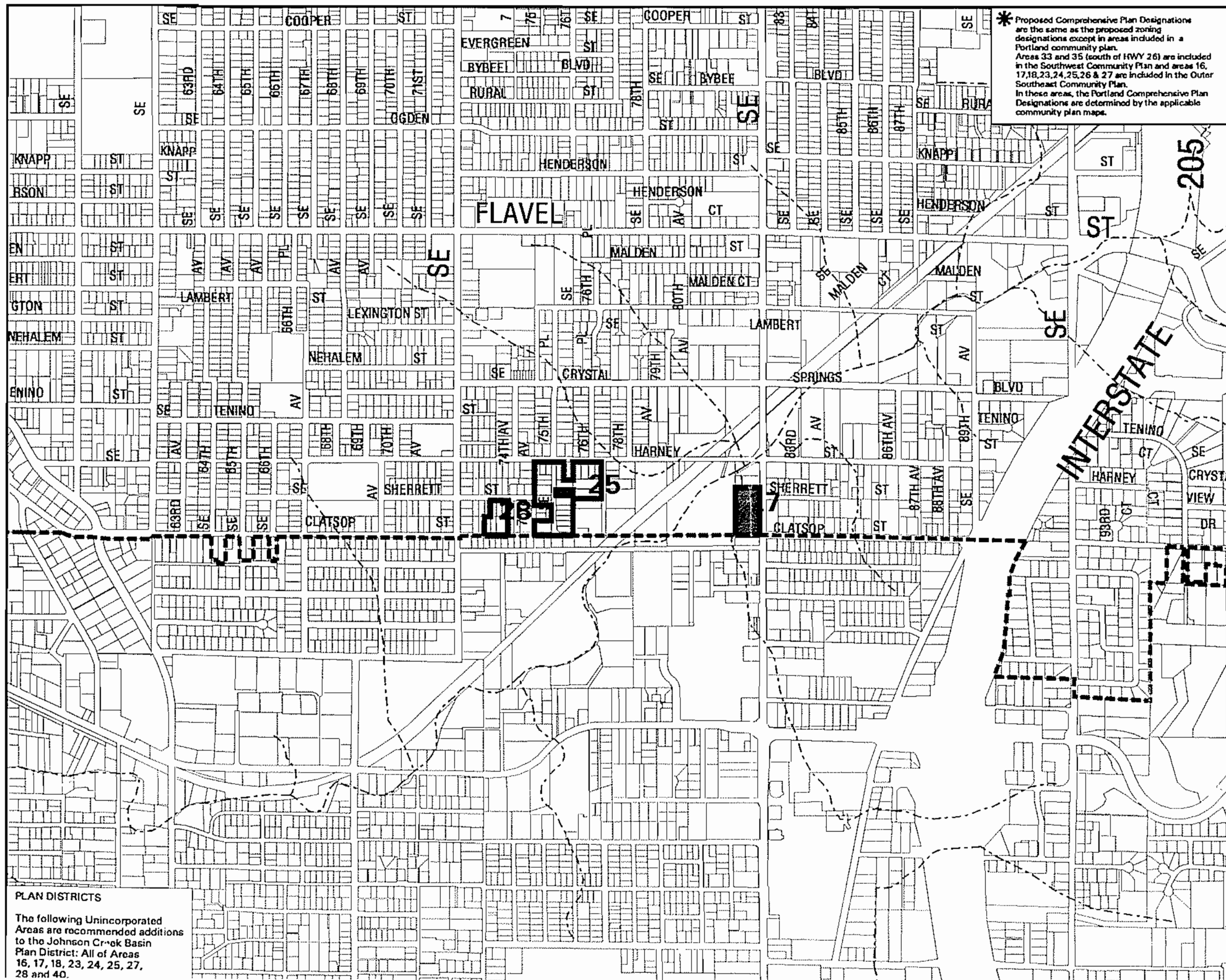
Urban Growth Boundary: Former: Digitized by Metro, updated by Washington County CLUT & Metro (Nov 23, 1992). Registered to local base. Updated by Metro (Aug. 2000).

City Boundary: Digitized by Portland Department of Transportation. Updated by PDOT and Bureau of Planning, October 2000. Registered to local base.

Zoning: Digitized from bureau zoning maps by Roy L. Weston, Inc. for Portland Planning Bureau. Registered to local base. Updated by Planning through June 2001.

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Multnomah County
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Map
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INFORMATION SOURCE:

Basemap: Originally produced by Oregon Dept. of Revenue. Modified and updated by Multnomah County Assessment & Taxation and Portland Dept. of Transportation. Updated through July 2001. Accuracy: ± 3 feet.

Urban Growth Boundary: Based on data by Metro, updated by Washington County (CLUT & Metro Plan 22, 1992). Registered to local base. Updated by Metro (Aug. 2000).

City Boundary: Digitized by Portland Department of Transportation. Updated by FDOT and Bureau of Planning, October 2000. Registered to local base maps.

Zoning: Digitized from bureau zoning maps by Ray F. Weston, Inc. for Portland Planning Bureau. Registered to basemap. Updated by Planning Bureau (June 2001).

All data compiled from various materials at different scales. For more detail, please refer to the source materials or City of Portland, Bureau of Planning.

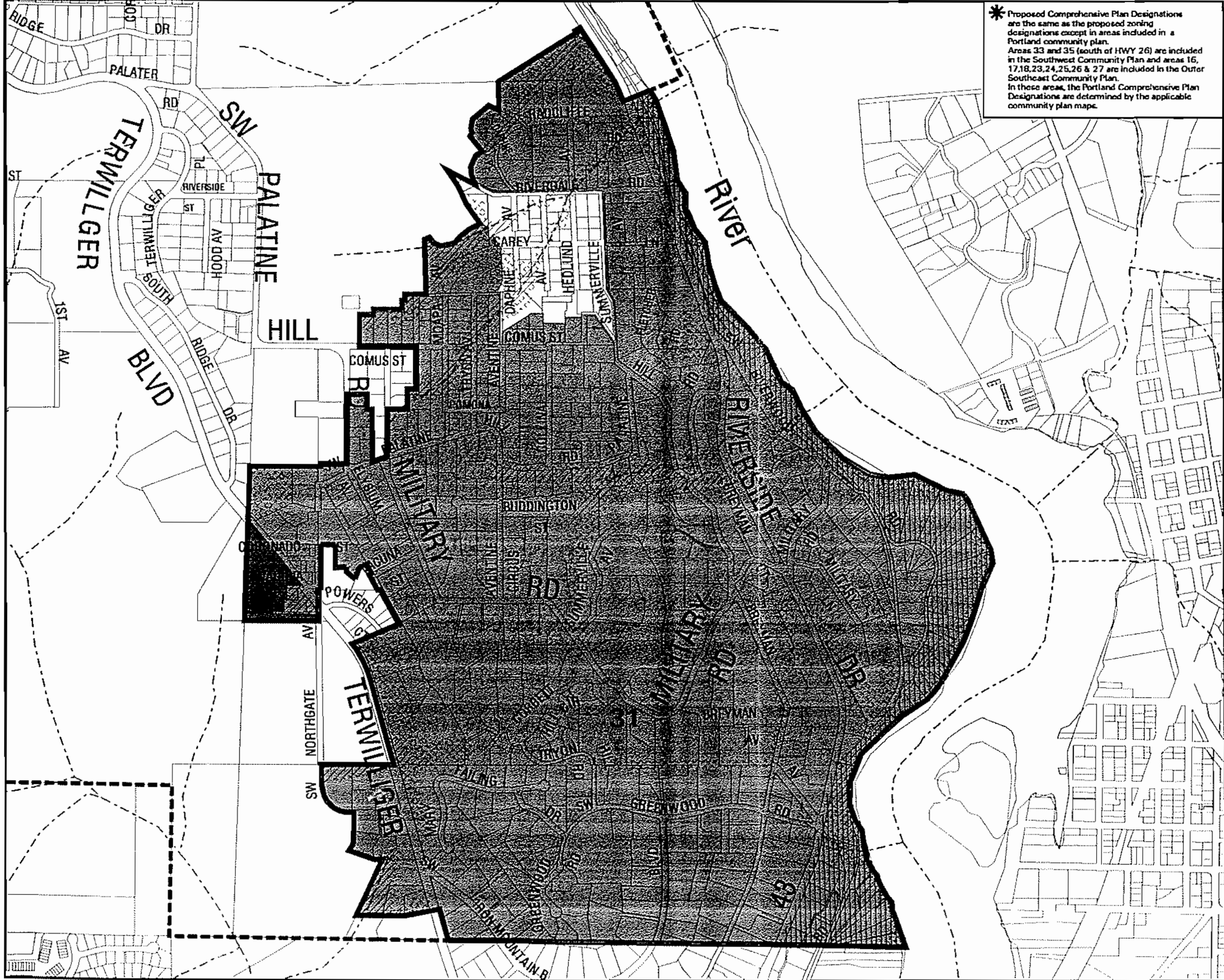
The information on this map was derived from digital data bases on the City of Portland, Bureau of Planning GIS. Care was taken in the preparation of this map but it is provided "as is". The City of Portland cannot accept any responsibility for errors, omissions, or positional accuracy, and therefore, there are no warranties which accompany this product. However, notification of any errors will be appreciated.



City of Portland
Bureau of Planning
Geographic
Information System

PLAN DISTRICTS

The following Unincorporated Areas are recommended additions to the Johnson Creek Basin Plan District: All of Areas 16, 17, 18, 23, 24, 25, 27, 28 and 40.



* Proposed Comprehensive Plan Designations are the same as the proposed zoning designations except in areas included in a Portland community plan. Areas 33 and 35 (south of HWY 26) are included in the Southwest Community Plan and areas 16, 17, 18, 23, 24, 25, 26 & 27 are included in the Outer Southeast Community Plan. In these areas, the Portland Comprehensive Plan Designations are determined by the applicable community plan maps.

Recommended City Zoning & Comprehensive Plan Designations *

- Legend**
- City Boundary
 - Urban Growth Boundary(UGB)
 - Unincorporated Area Boundary(UIA)
 - Stream
 - Plan District Boundary
- Recommended City Zoning Designations**
- Open Space (OS)
 - Residential Farming (RF)
 - Single Dwelling Residential 20,000 (R2C)
 - Single Dwelling Residential 10,000 (R10)
 - Single Dwelling Residential 7,000 (R7)
 - Single Dwelling Residential 5,000 (R5)
 - Office Commercial 1 (CO1)
 - General Employment 1 (EG1)
 - General Industrial 2 (IG2)
 - Environmental Conservation Overlay (c Zone)
 - Environmental Protection Overlay (p Zone)
 - Willamette River General Overlay (WRG)

Scale: 1" = 800'

0' 400' 800' 1200'

INFORMATION SOURCES:

Labels: Originally produced by Oregon Dept. of Revenue. Modified and updated by Multnomah County Assessor's Office & Taxation and Portland Dept. of Transportation. Updated through July 2001. Accuracy: ± 3 feet.

Urban Growth Boundary: Source: Digitized by Metro, captured by Washington County DRII 8 Miles (Nov. 22, 1997). Registered to local base. Updated by Metro (Aug. 2000).

City Boundary: Digitized by Portland Department of Transportation. Updated by PT211 and Bureau of Planning, October 2000. Registered to local base maps.

Zoning: Digitized from Bureau zoning maps by Roy J. Weston, Inc. for Portland Planning Bureau. Registered to local base. Updated by Planning through June 2001.

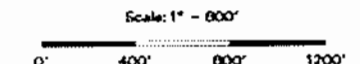
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Recommended City Zoning & Comprehensive Plan Designations *

Legend

- City Boundary
 - Urban Growth Boundary (UGB)
 - Unincorporated Area Boundary (UIA)
 - Stream
 - Plan District Boundary
- Recommended City Zoning Designations
- Open Space (OS)
 - Residential Farming (RF)
 - Single Dwelling Residential 20,000 (R20)
 - Single Dwelling Residential 10,000 (R10)
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 - Single Dwelling Residential 5,000 (R5)
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 - General Employment 1 (EG1)
 - General Industrial 2 (IG2)
 - Environmental Conservation Overlay (c Zone)
 - Environmental Protection Overlay (p Zone)
 - Willamette River General Overlay (WRG)



INFORMATION SOURCES:
Indices: Originally produced by Oregon Dept. of Revenue.
Modified and updated by Multnomah County Assessment &
Taxation and Portland Dept. of Transportation. Updated
through July 2001. Accuracy +/- 1 foot.

Urban Growth Boundary
Source: Digitized by Metro, updated by Washington
County (NUT & Metro Plan 22, 1992). Registered
in Public Domain. Updated by Metro (Aug. 2000).

City Boundary
Digitized by Portland Department of Transportation.
Updated by PDOT and Bureau of Planning, October 2000.
Registered in Public Domain.

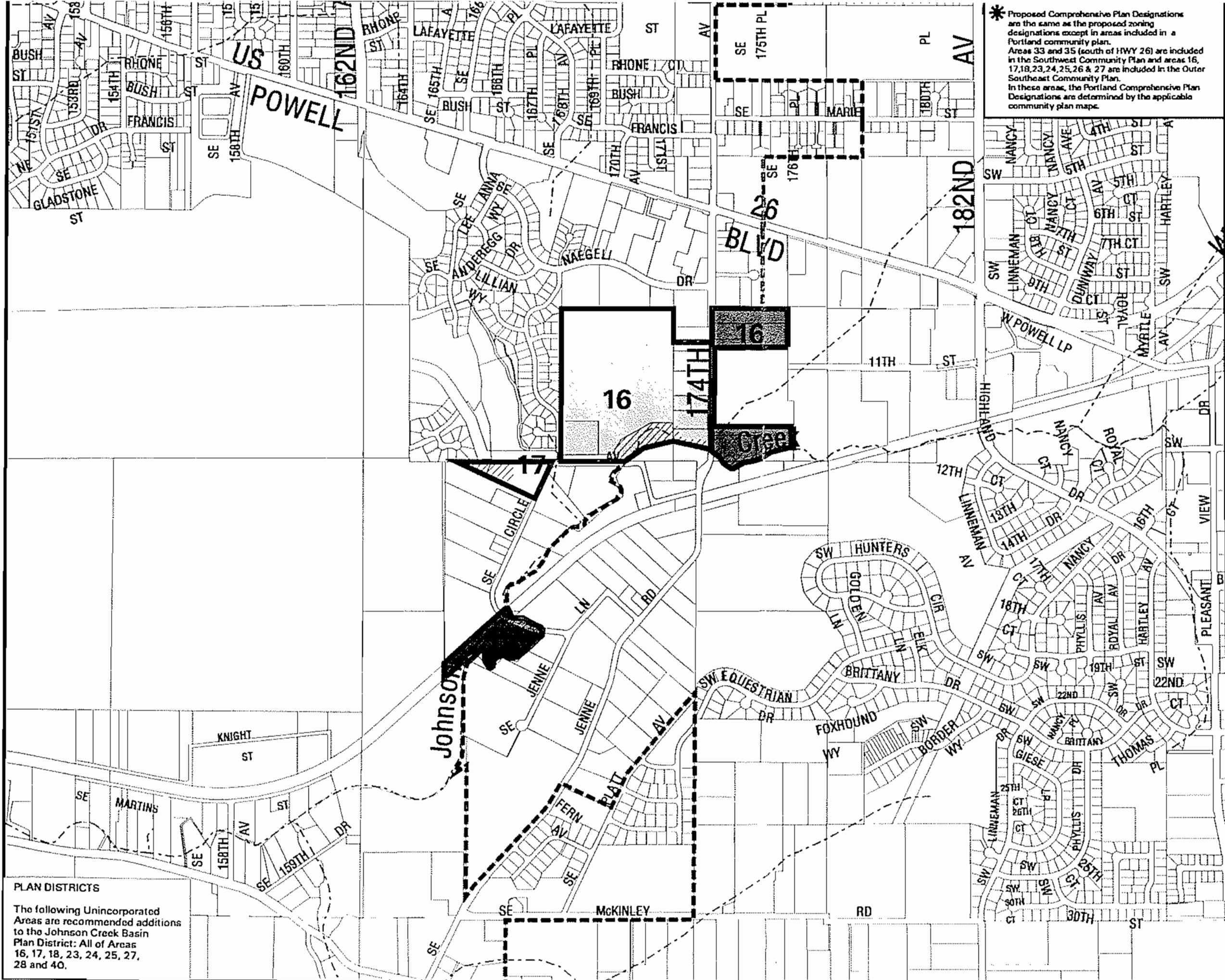
Zoning
Digitized from 1:25,000 zoning maps by Day & Wilson,
Inc. for Portland Planning Bureau. Registered in
Public Domain. Updated by Planning through June 2001.

All data compiled from source materials at different scales.
For more detail, please refer to the source materials or
City of Portland, Bureau of Planning.

The information on this map was derived from digital data
based on the City of Portland, Bureau of Planning GIS. Care
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PLAN DISTRICTS
The following Unincorporated
Areas are recommended additions
to the Johnson Creek Basin
Plan District: All of Areas
16, 17, 18, 23, 24, 25, 27,
28 and 40.

August 21, 2001

Multnomah County
Unincorporated
Areas

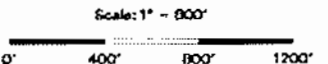
Map I

176114

Recommended City
Zoning & Comprehensive
Plan Designations *

Legend

- City Boundary
 - Urban Growth Boundary(UGB)
 - Unincorporated Area Boundary(UIA)
 - Stream
 - Plan District Boundary
- Recommended City Zoning Designations
- Open Space (OS)
 - Residential Farming (RF)
 - Single Dwelling Residential 20,000 (R20)
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 - General Industrial 2 (IG2)
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 - Environmental Protection Overlay (p Zone)
 - Willamette River General Overlay (WRG)



INFORMATION SOURCES

Indices: Originally produced by Oregon Dept. of Revenue. Modified and updated by Multnomah County Assessment & Taxation and Portland Dept. of Transportation. Updated through July 2001. Accuracy: 1/3 inch.

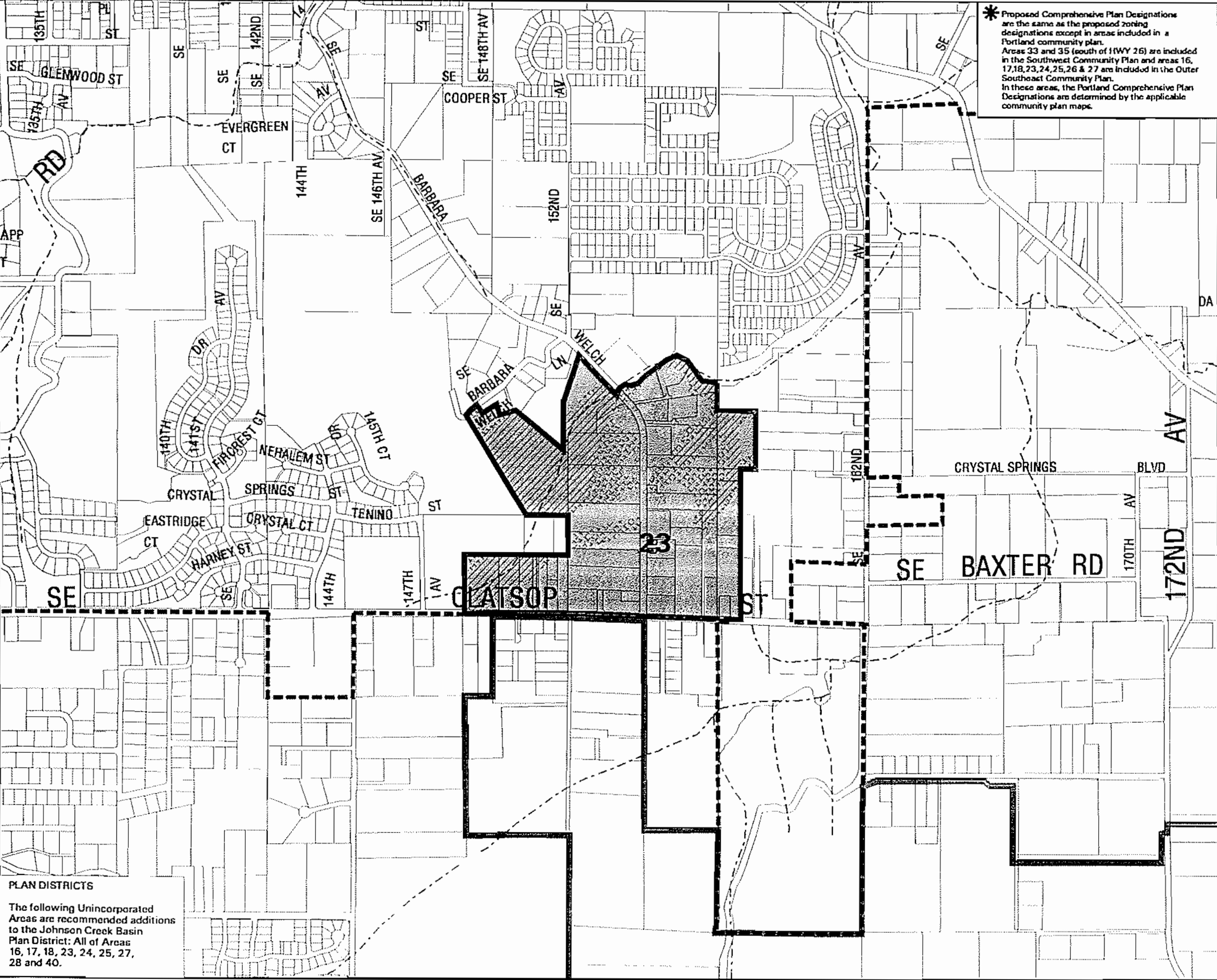
Urban Growth Boundary: Source: Digitized by Metro, updated by Washington County (LUT) & Metro (Nov. 20, 1997). Registered to local base. Updated by Metro (Aug. 2000).

City Boundary: Digitized by Portland Department of Transportation. Updated by PDOT and Bureau of Planning, October 2000. Registered to local base map.

Zoning: Digitized from historic zoning maps by City of Portland, Bureau of Planning. Registered to local base. Updated by Planning through June 2001.

All data compiled from source materials of different scales. For more detail, please refer to the source materials or City of Portland, Bureau of Planning.

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PLAN DISTRICTS

The following Unincorporated Areas are recommended additions to the Johnson Creek Basin Plan District: All of Areas 16, 17, 18, 23, 24, 25, 27, 28 and 40.

August 21, 2001

Multnomah County Unincorporated Areas

Map J
176114

Recommended City Zoning & Comprehensive Plan Designations *

Legend

- City Boundary
- Urban Growth Boundary(UGB)
- Unincorporated Area Boundary(UIA)
- - - Stream
- • • Plan District Boundary

Recommended City Zoning Designations

- Open Space (OS)
- Residential Farming (RF)
- Single Dwelling Residential 20,000 (R20)
- Single Dwelling Residential 10,000 (R10)
- Single Dwelling Residential 7,000 (R7)
- Single Dwelling Residential 5,000 (R5)
- Office Commercial 1 (CO1)
- General Employment 1 (EG1)
- General Industrial 2 (IG2)
- Environmental Conservation Overlay (c Zone)
- Environmental Protection Overlay (p Zone)
- Willamette River General Overlay (WRG)

Scale: 1" = 800'

0' 400' 800' 1200'

INFORMATION SOURCES

Indices: Originally produced by Oregon Dept. of Revenue. Modified and updated by Multnomah County Assessment & Taxation and Portland Dept. of Transportation. Updated through July 2000. Accuracy: +/- 3 feet.

Urban Growth Boundary: Source: Digitized by Metro, updated by Washington County (LUT & Metro Plan 23, 1997). Registered to tablet base. Updated by Metro (Aug. 2000).

City Boundary: Digitized by Portland Department of Transportation. Updated by PDOT and Bureau of Planning, October 2000. Registered to tablet base maps.

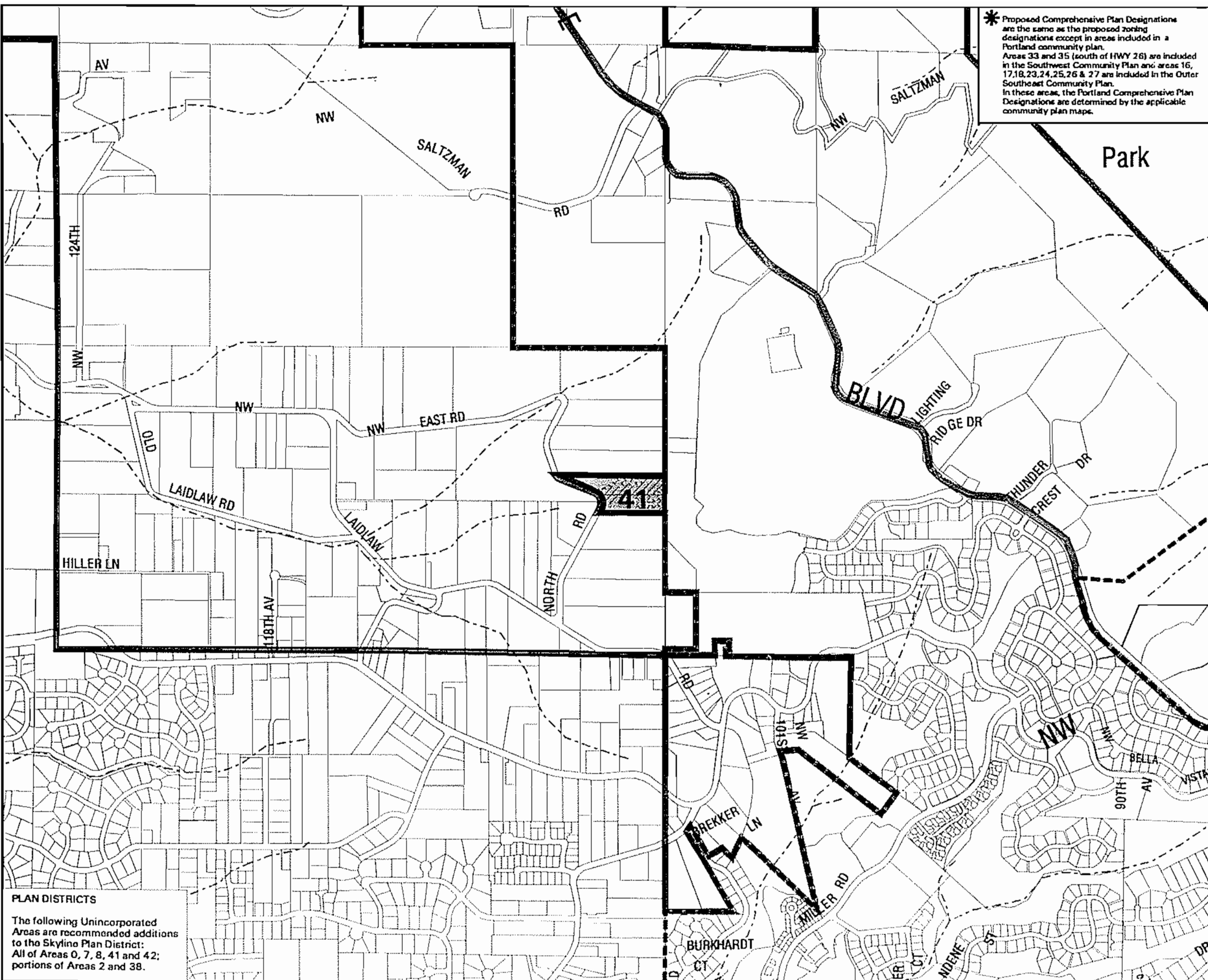
Zoning: Digitized from bureau zoning map, by Ray S. Weston, Inc. for Portland Planning Bureau. Registered to tablet. Updated by Planning through June 2001.

All data compiled from source materials at different scales. For more detail, please refer to the source materials or City of Portland, Bureau of Planning.

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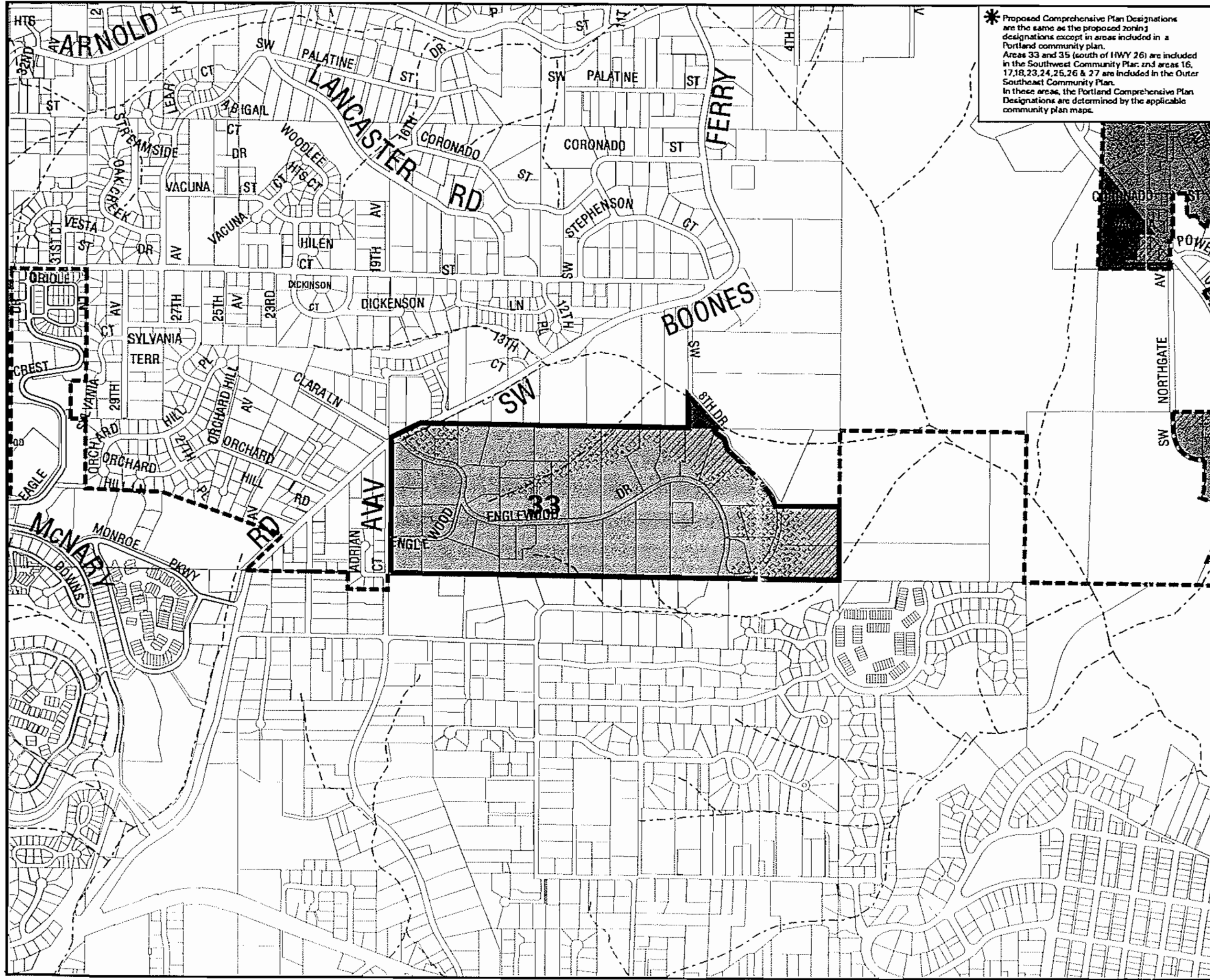


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PLAN DISTRICTS

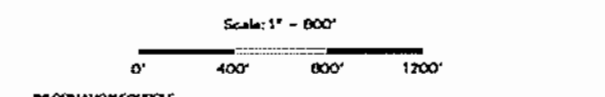
The following Unincorporated Areas are recommended additions to the Skyline Plan District:
All of Areas 0, 7, 8, 41 and 42;
portions of Areas 2 and 38.



* Proposed Comprehensive Plan Designations are the same as the proposed zoning designations except in areas included in a Portland community plan. Areas 33 and 35 (south of HWY 26) are included in the Southwest Community Plan. Areas 16, 17, 18, 23, 24, 25, 26 & 27 are included in the Outer Southeast Community Plan. In these areas, the Portland Comprehensive Plan Designations are determined by the applicable community plan maps.

Recommended City Zoning & Comprehensive Plan Designations *

- Legend**
- City Boundary
 - Urban Growth Boundary(UGB)
 - Unincorporated Area Boundary(UIA)
 - - - Stream
 - • • Plan District Boundary
- Recommended City Zoning Designations**
- Open Space (OS)
 - Residential Farming (RF)
 - Single Dwelling Residential 20,000 (R20)
 - Single Dwelling Residential 10,000 (R10)
 - Single Dwelling Residential 7,000 (R7)
 - Single Dwelling Residential 5,000 (R5)
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 - General Employment 1 (EG1)
 - General Industrial 2 (IG2)
 - Environmental Conservation Overlay (c Zone)
 - Environmental Protection Overlay (p Zone)
 - Willamette River General Overlay (WRG)



DATE OF INFORMATION SOURCES:

Utilities: Originally produced by Oregon Dept. of Revenue. Modified and updated by Multnomah County Assessment & Taxation and Portland Dept. of Transportation. Updated through July 2000. Accuracy: ± 1 foot.

Urban Growth Boundary: Source: Digitized by Metra, updated by Washington County DAUT & Metro (Rev. 22, 1997). Registered to tablet base. Updated by Metra (Aug. 2000).

City Boundary: Digitized by Portland Department of Transportation. Updated by FDOT and Bureau of Planning, October 2000. Registered to tablet base maps.

Zoning: Digitized from bureau zoning maps by Troy I. Weston, Inc. for Portland Planning Bureau. Registered to tablets. Updated by Planning through June 2001.

All data compiled from source materials at different scales. For more detail, please refer to the source materials at City of Portland, Bureau of Planning.

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EXHIBIT D

176114
City of Portland
Bureau of Planning

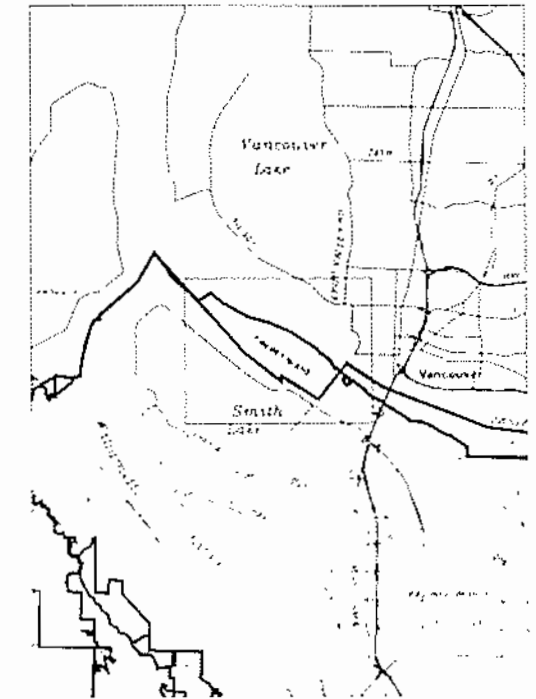
August 29, 2001

Portland Urban Services Boundary

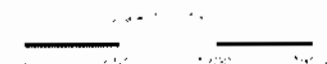
Map 1 of 7

Areas in the Portland Urban Services Boundary that are unincorporated. All areas incorporated in the City of Portland are also in the Portland Urban Services Boundary.

City Boundary
County Boundary



Area Mapped



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City of Portland
Bureau of Planning

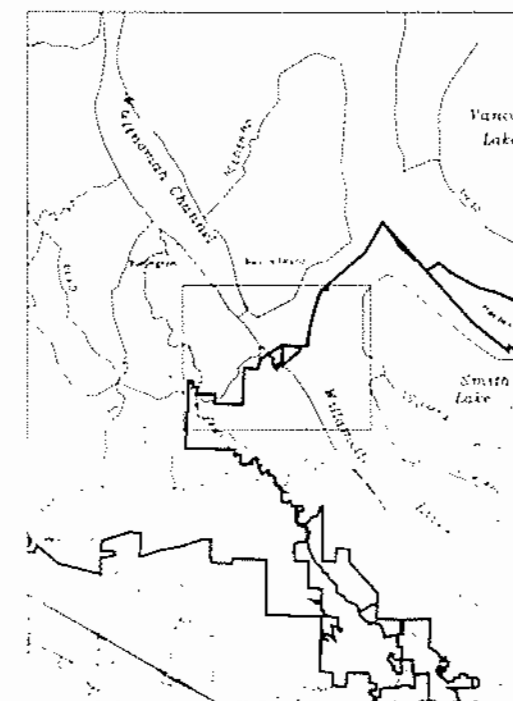
August 29, 2001

Portland Urban Services Boundary

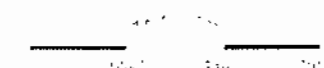
Map 2 of 7

Areas in the Portland Urban Services Boundary that are unincorporated. All areas incorporated in the City of Portland are also in the Portland Urban Services Boundary.

--- City Boundary
--- County Boundary



Area Mapped

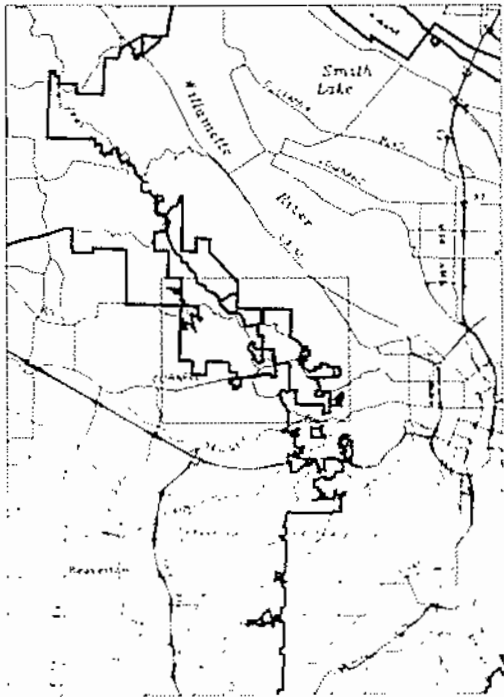


Portland Urban
Services Boundary

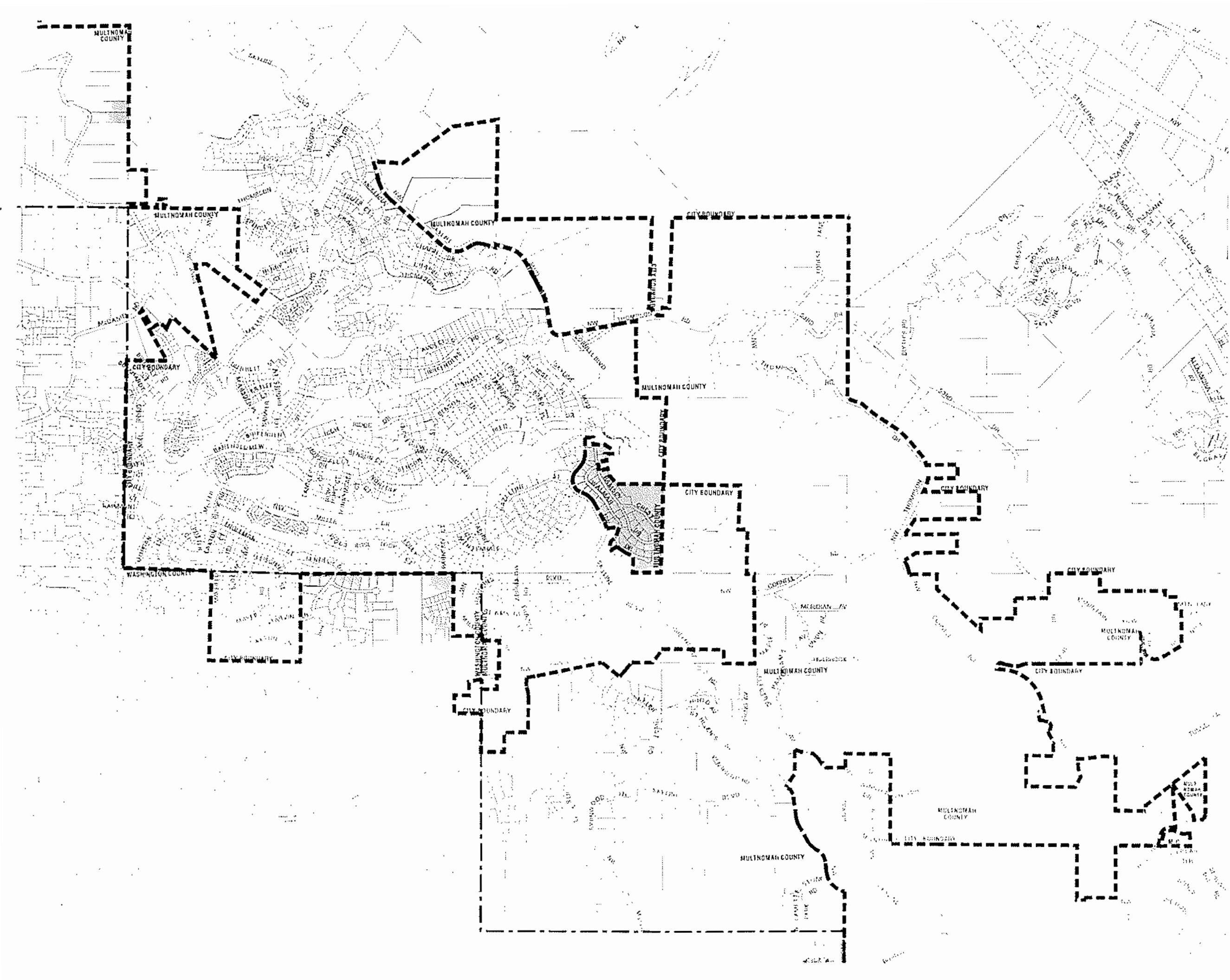
Map 3 of 7

Areas in the Portland Urban Services Boundary that are unincorporated. All areas incorporated in the City of Portland are also in the Portland Urban Services Boundary.

- City Boundary
- County Boundary



Area Mapped



176114

City of Portland
Bureau of Planning

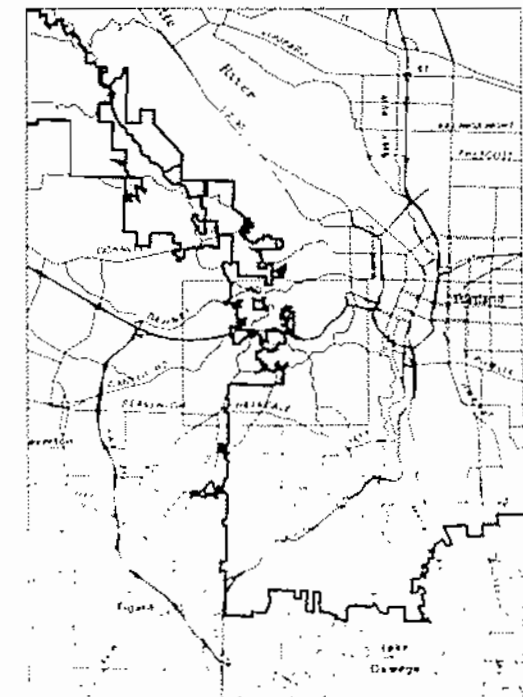
August 29, 2001

Portland Urban Services Boundary

Map 4 of 7

Areas in the Portland Urban Services Boundary that are unincorporated. All areas incorporated in the City of Portland are also in the Portland Urban Services Boundary.

- City Boundary
- County Boundary



Area Mapped



City of Portland
Bureau of Planning

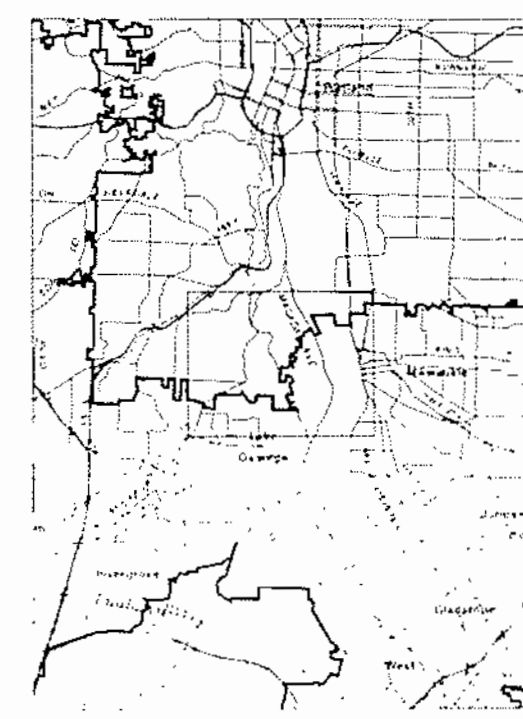
August 29, 2001

Portland Urban Services Boundary

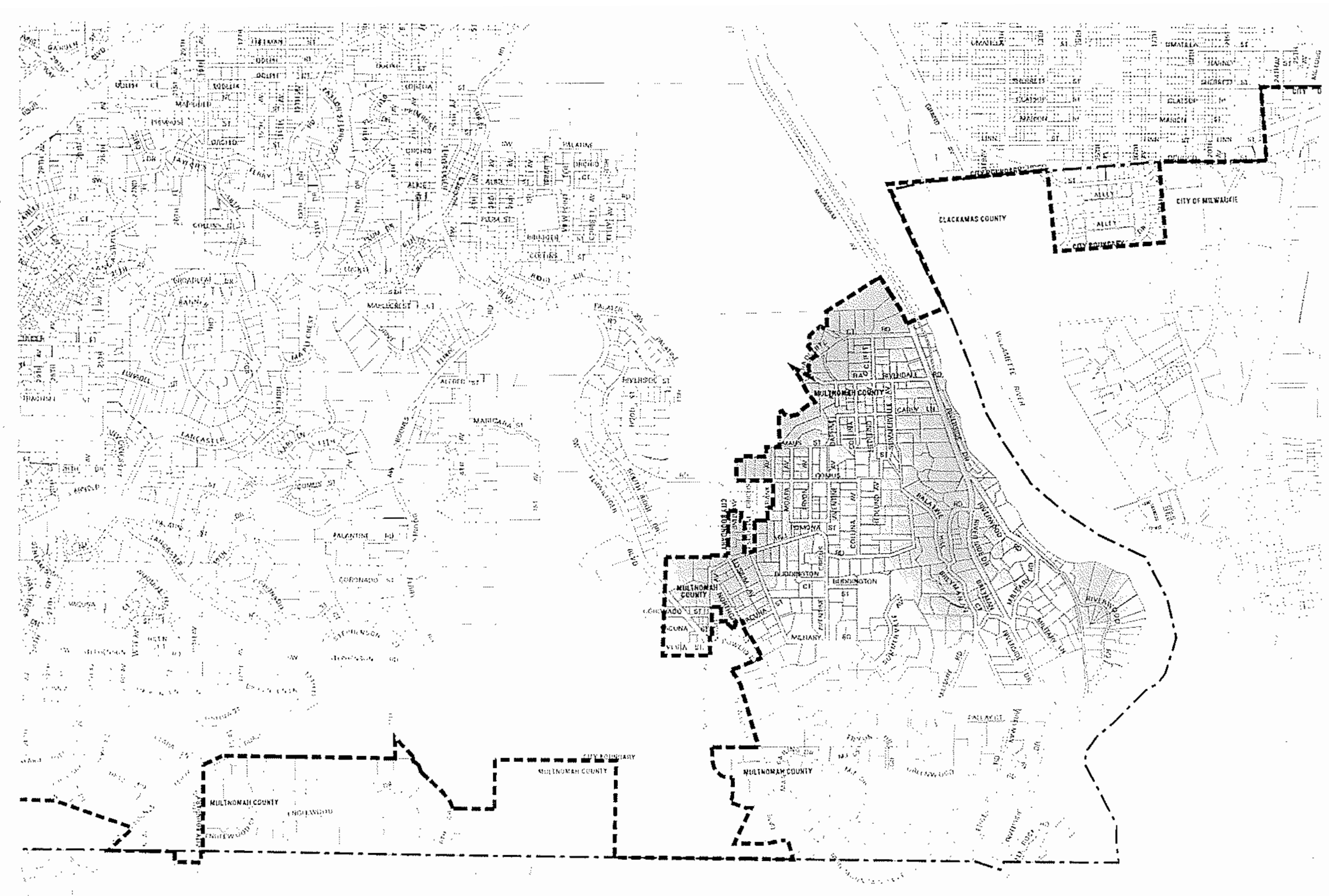
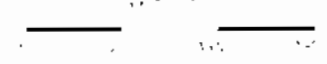
Map 5 of 7

Areas in the Portland Urban Services Boundary that are unincorporated. All areas incorporated in the City of Portland are also in the Portland Urban Services Boundary.

- City Boundary
- County Boundary



Area Mapped

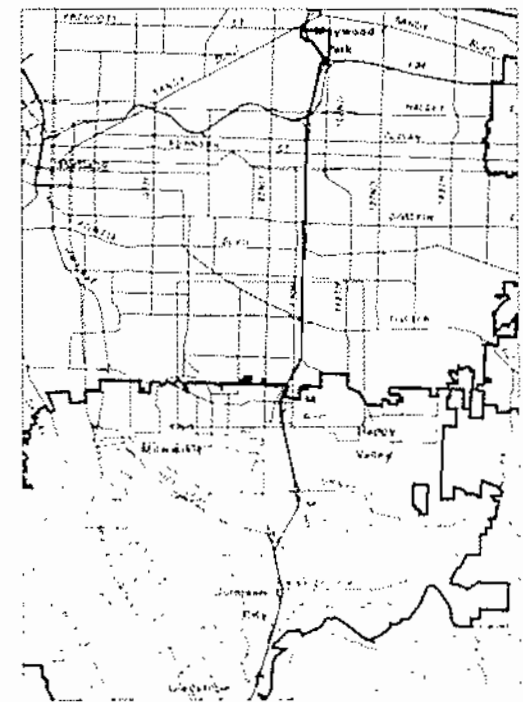


Portland Urban Services Boundary

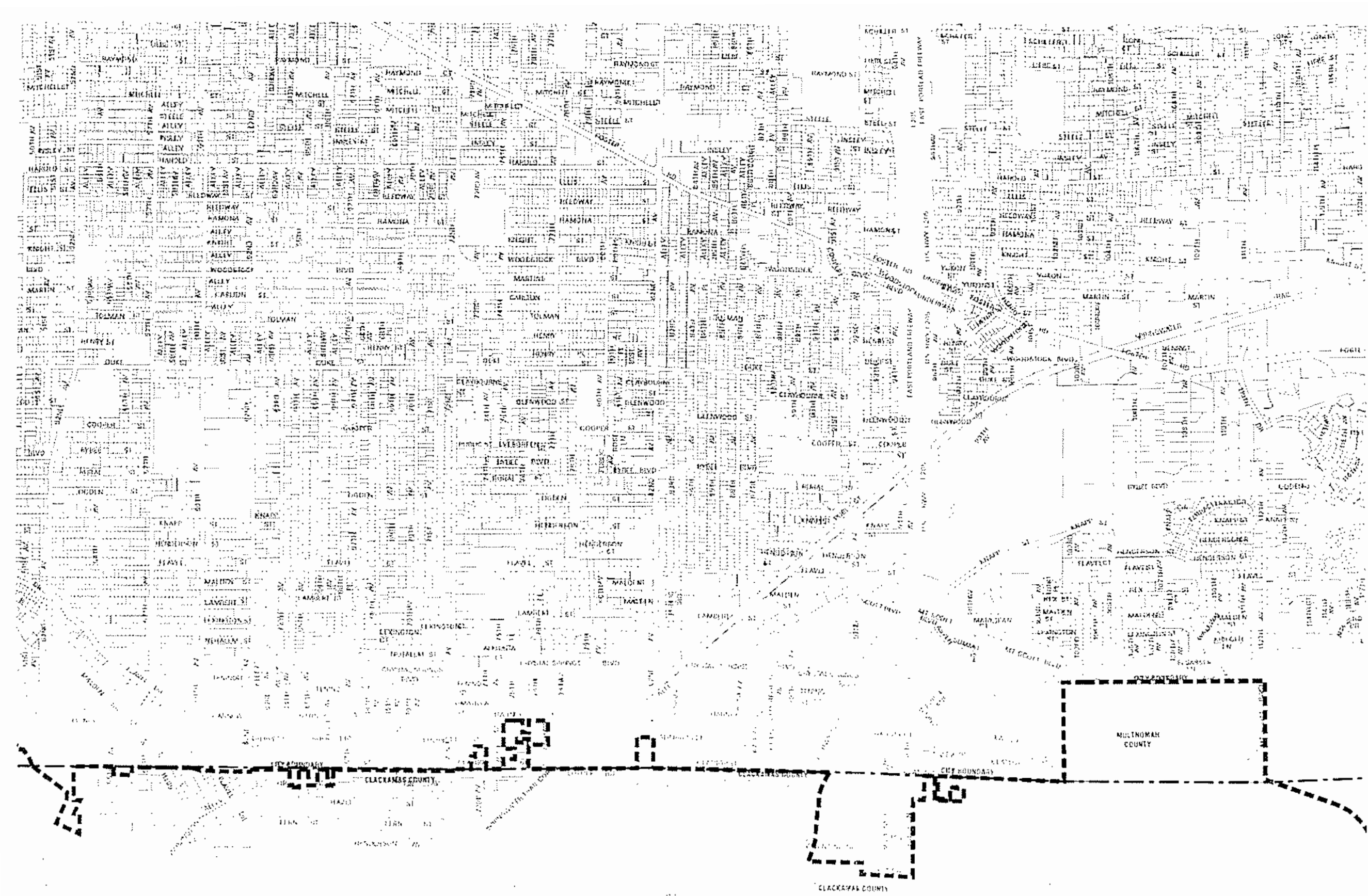
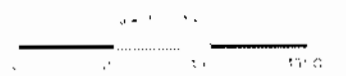
Map 6 of 7

Areas in the Portland Urban Services Boundary that are unincorporated. All areas incorporated in the City of Portland are also in the Portland Urban Services Boundary.

- City Boundary
- County Boundary



Area Mapped



176114

City of Portland
Bureau of Planning

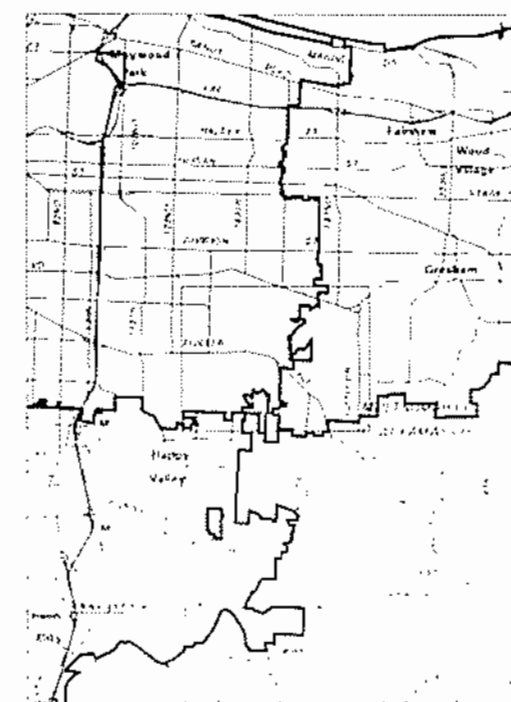
August 29, 2001

Portland Urban Services Boundary

Map 7 of 7

Areas in the Portland Urban Services Boundary that are unincorporated. All areas incorporated in the City of Portland are also in the Portland Urban Services Boundary.

- City Boundary
- County Boundary



Area Mapped

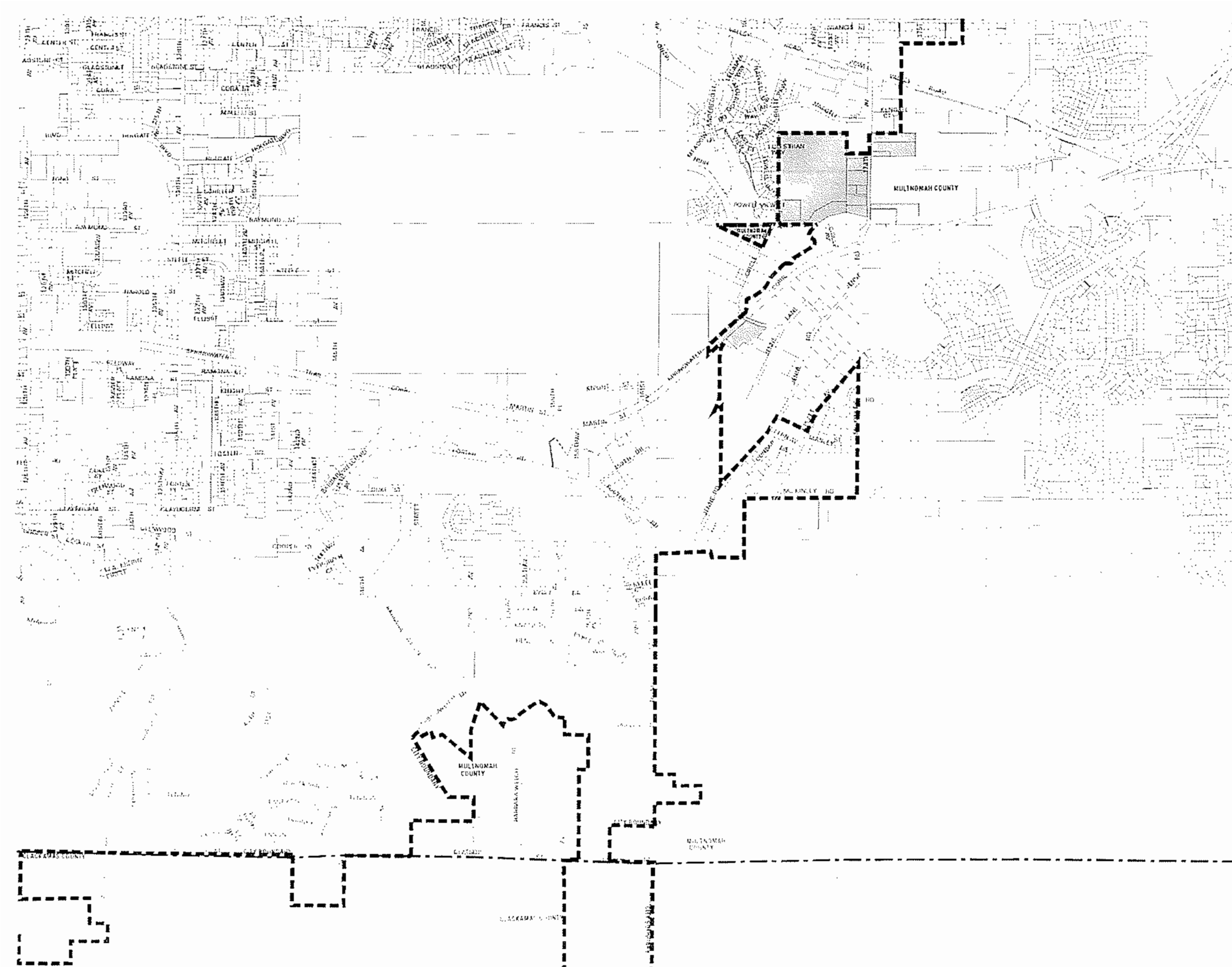


EXHIBIT E

August 30, 2001

**PROPOSED AMENDMENTS TO
PORTLAND ZONING CODE 33.730.030**

These proposed amendments would establish a separate appeals process for Type III quasi-judicial reviews in unincorporated areas of Multnomah County under the Portland Zoning Code. These amendments would remove the ability to appeal a decision by a review body on a Type III procedure to the City Council. Appeals of review body decisions on cases in unincorporated areas would go straight to the Oregon Land Use Board of Appeals (LUBA).

Proposed additions to the Code are underlined.

33.730.030 Type III Procedure

A Type III procedure requires a public hearing before an assigned review body. Subsections A through D apply to all sites. If the site is within the City of Portland, Subsections E through H also apply. If the site is in the portion of unincorporated Multnomah County that is subject to City zoning, Subsection I also applies.

- A. Pre-application conference.** A pre-application conference is required for all requests processed through a Type III procedure. See 33.730.050, Pre-Application Conference.
- B. Application.** The applicant must submit an application on the appropriate form and accompanied by the correct fee. The application must contain all information required by 33.730.060, Application Requirements, and any additional information required for the specific type of land use review.
- C. Processing time.** Upon determining that the application is complete, the Director of OPDR will schedule a public hearing to take place within 51 days. The applicant may extend the time limit.
- D. Notice of a request.**
 - 1. Mailed notice. At least 20 days before the scheduled hearing, the Director of OPDR will mail a notice of the request to the regional transit agency, Metro, the Oregon Department of Transportation, all properties within 400 feet of the site when inside the Urban Growth Boundary (UGB) and within 500 feet when outside the UGB, to the recognized organization(s) in which the lot is located, and to all recognized organizations within 1,000 feet of the lot. See 33.730.070 D, Type III notice of request.
 - 2. Posting notice on the site. The applicant must place a public notice about the request on the site. The posting must meet the standards of 33.730.080 below.
- E. Decision by review body if site is in City of Portland.**
 - 1. OPDR recommendation. The Director of OPDR will prepare a report with recommendations, and file the report with the review body and make the report available to the public at least 10 days prior to the hearing. A copy will be mailed to the applicant and to any recognized organizations whose boundaries include the site.
 - 2. Public hearing. The public hearing will be conducted by the assigned review body. It will be held in accordance with the requirements of 33.730.100, Public Hearing Requirements.
 - 3. Review body decision. The review body may adopt the Director of OPDR's report and recommendation, modify it, or reject it based on information presented at the hearing and in the record.
 - a. Hearings Officer. The Hearings Officer will make a written decision in the form of a report and mail notice of the decision within 17 days of the hearing.
 - b. Other review bodies. Other review bodies will make all deliberations and decisions at the hearing.

4. Amended decision report. If the review body modifies or rejects the Director of OPDR's report, an amended report with findings supporting the decision will be prepared. For review bodies other than the Hearings Officer, the Director of OPDR will prepare the amended decision report and mail notice of the decision within 17 days of the hearing. The report must comply with 33.730.090, Reports and Record Keeping.
5. Notice of decision (pending appeal). When the Hearings Officer is the review body, the Hearings Officer will mail notice of the decision. For other review bodies, the Director of OPDR will mail notice of the decision. Within 17 days of the hearing, the Hearings Officer or Director of OPDR will mail notice of the review body's decision (pending appeal) to the City Auditor, applicant, owner, and to any recognized organizations or persons who responded in writing to the appeal notice, testified at the hearing, or requested notice of the decision. In the case of multiple signatures on a letter or petition, the person who submitted the letter or petition or the first signature on the petition will receive the notice. See 33.730.070 G, Notice of decision (pending appeal).

F. Ability to appeal. The review body's decision is final unless appealed. The decision may be appealed by the applicant, the owner, and those who have testified orally or in writing at the hearing, provided that the testimony was directed to a specific approval criterion. The appeal must be submitted to the Director of OPDR within 14 days of the day the notice of decision is mailed. The review body for the appeal will be the City Council.

G. When no appeal is filed. If no one appeals the decision, an approved request takes effect on the day after the last day to appeal.

H. When an appeal is filed. Appeals must comply with this subsection.

1. Content of the appeal. The appeal must be submitted on forms provided by the Director of OPDR. All information requested on the form must be submitted in order for the appeal form to be accepted. The appeal request must include:
 - The file number and land use review(s) appealed;
 - The appellant's name, address, signature, phone number, and relationship to the land use action;
 - A statement of which approval criteria the decision violates; and
 - The required fee.
2. Notice of the appeal hearing. The Director of OPDR will file a copy of the appeal within 3 days of its receipt to the City Auditor and the applicant, unless the applicant is also the appellant. Within 5 days of the receipt of the appeal, the Director of OPDR will send a notice of the appeal hearing to the City Auditor, applicant, the review body, and all persons and recognized organizations which received the notice of the decision. See 33.730.070 H, Notice of an appeal hearing.
3. Scheduling of hearing. The City Auditor will schedule a public hearing to take place at least 21 days from the mailing of the notice of appeal.
4. Submit report to City Council. The Director of OPDR will forward the appeal as filed, the review body's decision report, and a transcript if requested and paid for, to City Council at least 7 days prior to the date of the hearing.
5. Appeal hearing. Appeal hearings must comply with the provisions of 33.730.100, Public Hearing Requirements, and 33.730.110, Ex Parte Contact. Appeals heard by City Council may be heard "on the record" and must also

conform to any rules of procedure adopted by Council for their use. The Director of OPDR will represent the review body in appeals heard by City Council.

6. Appeal decision and findings.
 - a. The City Council may adopt the review body's decision report, modify it, or reject it based on information presented at the hearing and in the record. If City Council modifies or rejects the decision report, an amended report with findings supporting the decision must be prepared as provided in Subparagraph b. below. The report must comply with 33.730.090, Reports and Record Keeping.
 - b. The Council may make a tentative action and direct that proposed findings and a decision be prepared. If the prevailing party is represented by a land use professional or attorney, the prevailing party must provide findings and conclusions to support the Council's decision. If the prevailing party is not represented by a planning professional or attorney, the Director of OPDR will provide findings and conclusions to support the Council's decision. Prior to final Council adoption, all findings must be reviewed and approved by the City Attorney. The findings and decision must be adopted by Council vote. An additional public hearing is not required if the vote is at a subsequent public meeting. City Council decisions are in the form of an Order of the Council except when an ordinance is required due to the type of land use request (Comprehensive Plan Map amendments or Statewide Planning Goal exceptions). In these instances, the ordinance serves in lieu of the Order of Council.
7. Notice of the final decision. Within 5 days of final Council action, the City Auditor will mail the notice of final decision to the applicant, owner, and to any recognized organizations or persons who responded in writing to the appeal notice, testified at the hearing, or requested notice of the decision. In the case of multiple signatures on a letter or petition, the person who submitted the letter or petition or the first signature on the petition will receive the notice. See 33.730.070 I, Notice of final decision.
8. Effective date of decision. The City Council's decision takes effect on the day the notice of decision is mailed by the City Auditor.
9. Appeal decision final. The appeal decision of City Council is final and may not be appealed to another review body in the City.

I. Decision by review body if site is not in City of Portland.

1. OPDR recommendation. The Director of OPDR will prepare a report with recommendations, and file the report with the review body and make the report available to the public at least 10 days prior to the hearing. A copy will be mailed to the applicant and to any recognized organizations whose boundaries include the site.
2. Public hearing. The public hearing will be conducted by the assigned review body. It will be held in accordance with the requirements of 33.730.100, Public Hearing Requirements.
3. Review body decision. The review body may adopt the Director of OPDR's report and recommendation, modify it, or reject it based on information presented at the hearing and in the record.

- a. Hearings Officer. The Hearings Officer will make a written decision in the form of a report and mail notice of the decision within 17 days of the hearing.
 - b. Other review bodies. Other review bodies will make all deliberations and decisions at the hearing.
4. Amended decision report. If the review body modifies or rejects the Director of OPDR's report, an amended report with findings supporting the decision will be prepared. For review bodies other than the Hearings Officer, the Director of OPDR will prepare the amended decision report and mail notice of the decision within 17 days of the hearing. The report must comply with 33.730.090, Reports and Record Keeping.
 5. Notice of final decision. When the Hearings Officer is the review body, the Hearings Officer will mail notice of the decision. For other review bodies, the Director of OPDR will mail notice of the decision. Within 17 days of the hearing, the Hearings Officer or Director of OPDR will mail notice of the review body's final decision to the City Auditor, applicant, owner, and to any recognized organizations or persons who commented in writing, testified at the hearing, or requested notice of the decision. In the case of multiple signatures on a letter or petition, the person who submitted the letter or petition or the first signature on the petition will receive the notice. See 33.730.070 I, Notice of final decision.
 6. Effective date of decision. The review body's decision takes effect on the day the notice is mailed.
 7. Decision final. The decision of the review body is final and may not be appealed to another review body within the City.

33.730.040 Final Council Action Required

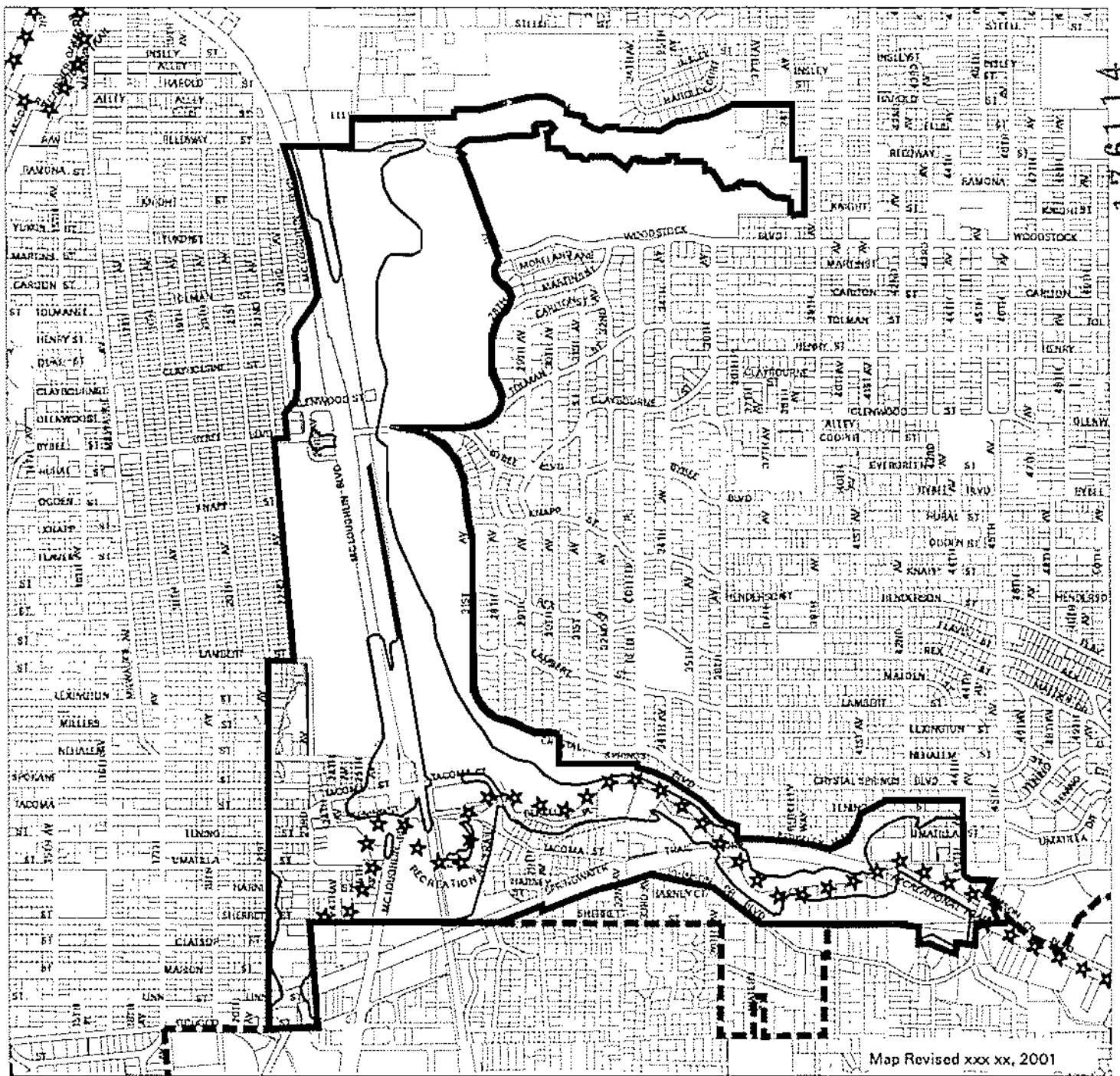
In the case of certain quasi-judicial land use reviews, such as Comprehensive Plan Map amendments and Statewide Planning Goal exceptions, final City Council action is required in addition to the normal Type III procedure. In these cases, the initial processing of the land use review is the same except the decision of the initial review body becomes a recommendation to Council. The post-acknowledgment procedures required by ORS 197.610 through 197.650 are followed, and the case is scheduled for a public hearing before City Council.

EXHIBIT F

November 15, 2001

**AMENDED PLAN DISTRICT MAPS FOR
PORTLAND ZONING CODE****(CHANGES PROPOSED TO SKYLINE PLAN
DISTRICT AND JOHNSON CREEK BASIN - MAPS
535 AND 575)**

These maps would replace the existing maps of the same numbers in Title 33 to reflect the inclusion of some unincorporated areas within the Plan Districts.



176114

Map 535-1

Johnson Creek Basin Plan District

Map 1 of 8

NORTH

0' 1050' 2100'

Scale in Feet

Plan District Boundary





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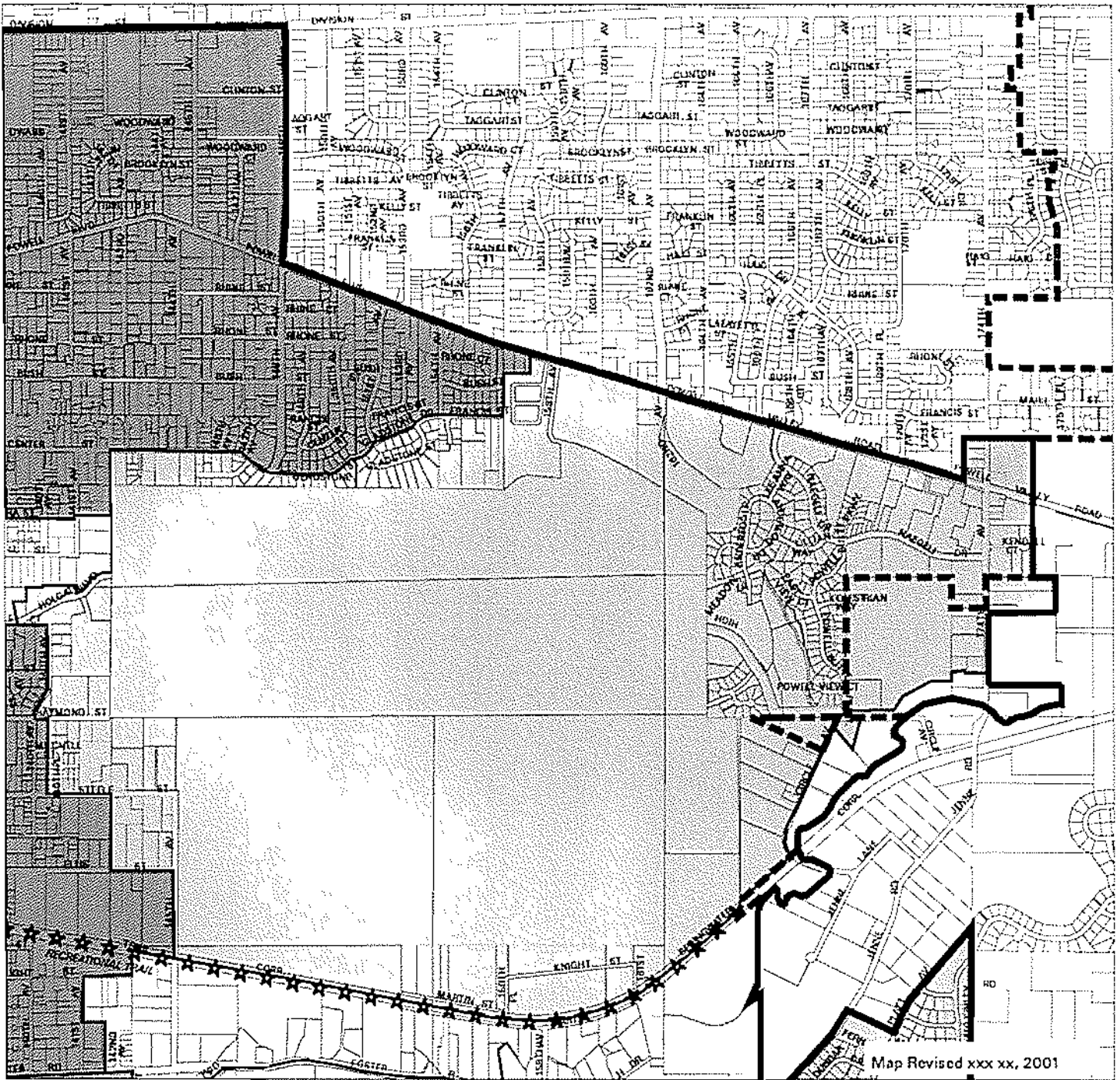
Recreational Trail

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City Boundary

LEGEND

-  Kelly Butte Subdistrict
-  Johnson Creek Flood Plain Subdistrict
-  South Subdistrict
-  Flood Risk Area



0' 1050' 2100'
Scale in Feet

- Plan District Boundary
- *****
Recreational Trail
- City Boundary

LEGEND

- Kelly Butte Subdistrict
- Johnson Creek Flood Plain Subdistrict
- South Subdistrict
- Flood Risk Area

Map 535-1

Johnson Creek Basin Plan District

Map 4 of 8

NORTH

Scale in Feet

Plan District Boundary

☆☆☆☆☆☆☆☆☆☆
Recreational Trail

1992 1993 1994 1995 1996 1997 1998 1999 2000 2001 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011 2012 2013 2014 2015 2016 2017 2018 2019 2020 2021 2022 2023 2024 2025 2026 2027 2028 2029 2030 2031 2032 2033 2034 2035 2036 2037 2038 2039 2040 2041 2042 2043 2044 2045 2046 2047 2048 2049 2050 2051 2052 2053 2054 2055 2056 2057 2058 2059 2060 2061 2062 2063 2064 2065 2066 2067 2068 2069 2070 2071 2072 2073 2074 2075 2076 2077 2078 2079 2080 2081 2082 2083 2084 2085 2086 2087 2088 2089 2090 2091 2092 2093 2094 2095 2096 2097 2098 2099 2100 2101 2102 2103 2104 2105 2106 2107 2108 2109 2110 2111 2112 2113 2114 2115 2116 2117 2118 2119 2120 2121 2122 2123 2124 2125 2126 2127 2128 2129 2130 2131 2132 2133 2134 2135 2136 2137 2138 2139 2140 2141 2142 2143 2144 2145 2146 2147 2148 2149 2150 2151 2152 2153 2154 2155 2156 2157 2158 2159 2160 2161 2162 2163 2164 2165 2166 2167 2168 2169 2170 2171 2172 2173 2174 2175 2176 2177 2178 2179 2180 2181 2182 2183 2184 2185 2186 2187 2188 2189 2190 2191 2192 2193 2194 2195 2196 2197 2198 2199 2200 2201 2202 2203 2204 2205 2206 2207 2208 2209 2210 2211 2212 2213 2214 2215 2216 2217 2218 2219 2220 2221 2222 2223 2224 2225 2226 2227 2228 2229 2230 2231 2232 2233 2234 2235 2236 2237 2238 2239 2240 2241 2242 2243 2244 2245 2246 2247 2248 2249 2250 2251 2252 2253 2254 2255 2256 2257 2258 2259 2260 2261 2262 2263 2264 2265 2266 2267 2268 2269 2270 2271 2272 2273 2274 2275 2276 2277 2278 2279 2280 2281 2282 2283 2284 2285 2286 2287 2288 2289 2290 2291 2292 2293 2294 2295 2296 2297 2298 2299 2300 2301 2302 2303 2304 2305 2306 2307 2308 2309 2310 2311 2312 2313 2314 2315 2316 2317 2318 2319 2320 2321 2322 2323 2324 2325 2326 2327 2328 2329 2330 2331 2332 2333 2334 2335 2336 2337 2338 2339 2340 2341 2342 2343 2344 2345 2346 2347 2348 2349 2350 2351 2352 2353 2354 2355 2356 2357 2358 2359 2360 2361 2362 2363 2364 2365 2366 2367 2368 2369 2370 2371 2372 2373 2374 2375 2376 2377 2378 2379 2380 2381 2382 2383 2384 2385 2386 2387 2388 2389 2390 2391 2392 2393 2394 2395 2396 2397 2398 2399 2400 2401 2402 2403 2404 2405 2406 2407 2408 2409 2410 2411 2412 2413 2414 2415 2416 2417 2418 2419 2420 2421 2422 2423 2424 2425 2426 2427 2428 2429 2430 2431 2432 2433 2434 2435 2436 2437 2438 2439 2440 2441 2442 2443 2444 2445 2446 2447 2448 2449 2450 2451 2452 2453 2454 2455 2456 2457 2458 2459 2460 2461 2462 2463 2464 2465 2466 2467 2468 2469 2470 2471 2472 2473 2474 2475 2476 2477 2478 2479 2480 2481 2482 2483 2484 2485 2486 2487 2488 2489 2490 2491 2492 2493 2494 2495 2496 2497 2498 2499 2500 2501 2502 2503 2504 2505 2506 2507 2508 2509 2510 2511 2512 2513 2514 2515 2516 2517 2518 2519 2520 2521 2522 2523 2524 2525 2526 2527 2528 2529 2530 2531 2532 2533 2534 2535 2536 2537 2538 2539 2540 2541 2542 2543 2544 2545 2546 2547 2548 2549 2550 2551 2552 2553 2554 2555 2556 2557 2558 2559 2560 2561 2562 2563 2564 2565 2566 2567 2568 2569 2570 2571 2572 2573 2574 2575 2576 2577 2578 2579 2580 2581 2582 2583 2584 2585 2586 2587 2588 2589 2590 2591 2592 2593 2594 2595 2596 2597 2598 2599 2600 2601 2602 2603 2604 2605 2606 2607 2608 2609 2610 2611 2612 2613 2614 2615 2616 2617 2618 2619 2620 2621 2622 2623 2624 2625 2626 2627 2628 2629 2630 2631 2632 2633 2634 2635 2636 2637 2638 2639 2640 2641 2642 2643 2644 2645 2646 2647 2648 2649 2650 2651 2652 2653 2654 2655 2656 2657 2658 2659 2660 2661 2662 2663 2664 2665 2666 2667 2668 2669 2670 2671 2672 2673 2674 2675 2676 2677 2678 2679 2680 2681 2682 2683 2684 2685 2686 2687 2688 2689 2690 2691 2692 2693 2694 2695 2696 2697 2698 2699 2700 2701 2702 2703 2704 2705 2706 2707 2708 2709 2710 2711 2712 2713 2714 2715 2716 2717 2718 2719 2720 2721 2722 2723 2724 2725 2726 2727 2728 2729 2730 2731 2732 2733 2734 2735 2736 2737 2738 2739 2740 2741 2742 2743 2744 2745 2746 2747 2748 2749 2750 2751 2752 2753 2754 2755 2756 2757 2758 2759 2760 2761 2762 2763 2764 2765 2766 2767 2768 2769 2770 2771 2772 2773 2774 2775 2776 2777 2778 2779 2780 2781 2782 2783 2784 2785 2786 2787 2788 2789 2790 2791 2792 2793 2794 2795 2796 2797 2798 2799 2800 2801 2802 2803 2804 2805 2806 2807 2808 2809 2810





City Boundary

Map 535-1

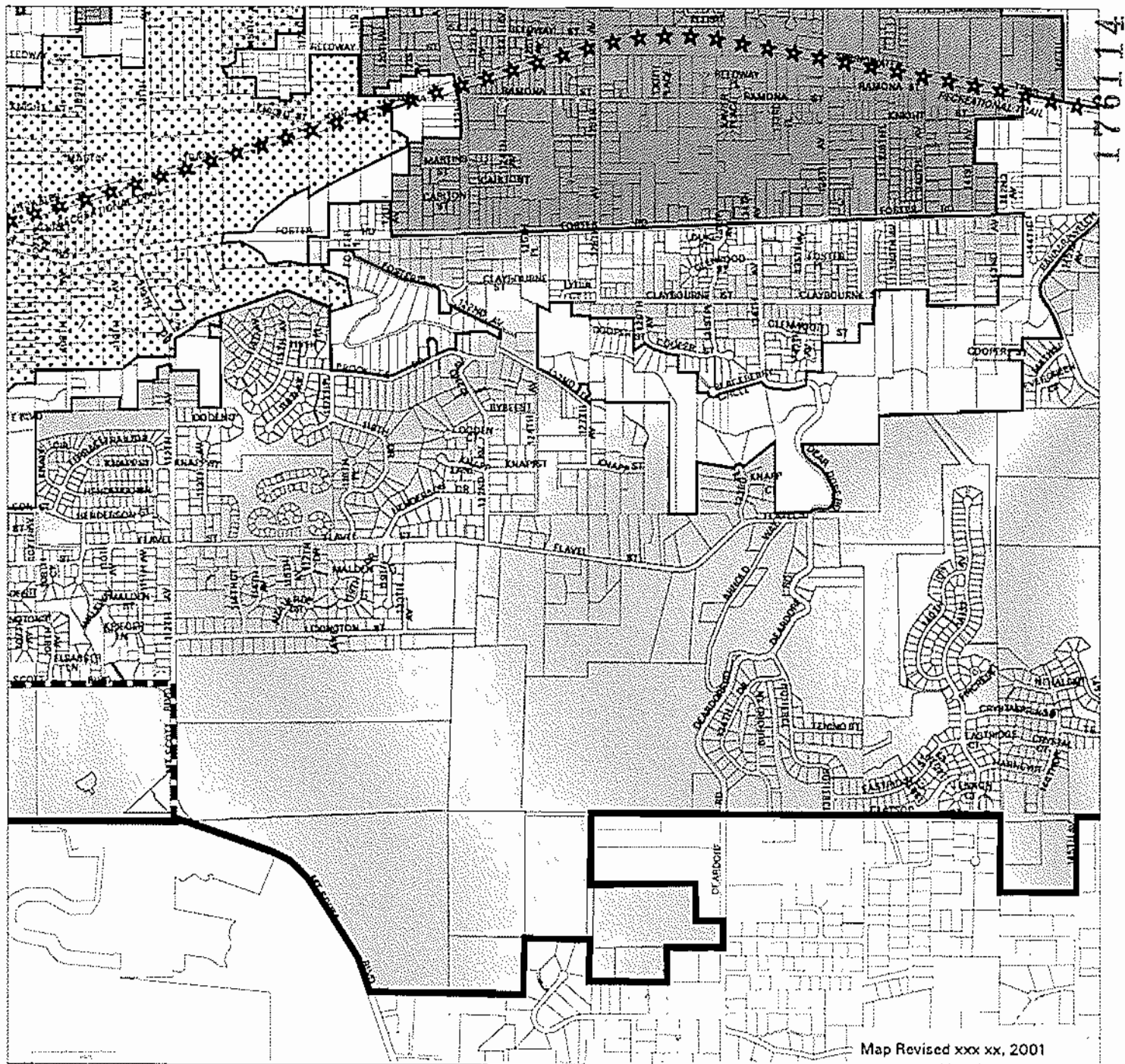
**Johnson Creek Basin
Plan District**

Map 5 of 8

LEGEND

-  Kelly Butte Subdistrict
 Johnson Creek Flood Plain Subdistrict
 South Subdistrict
 Flood Risk Area

Bureau of Planning • City of Portland, Oregon



176114



0' 1050' 2100'

Scale in Feet

Plan District Boundary





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Recreational Trail

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City Boundary

LEGEND

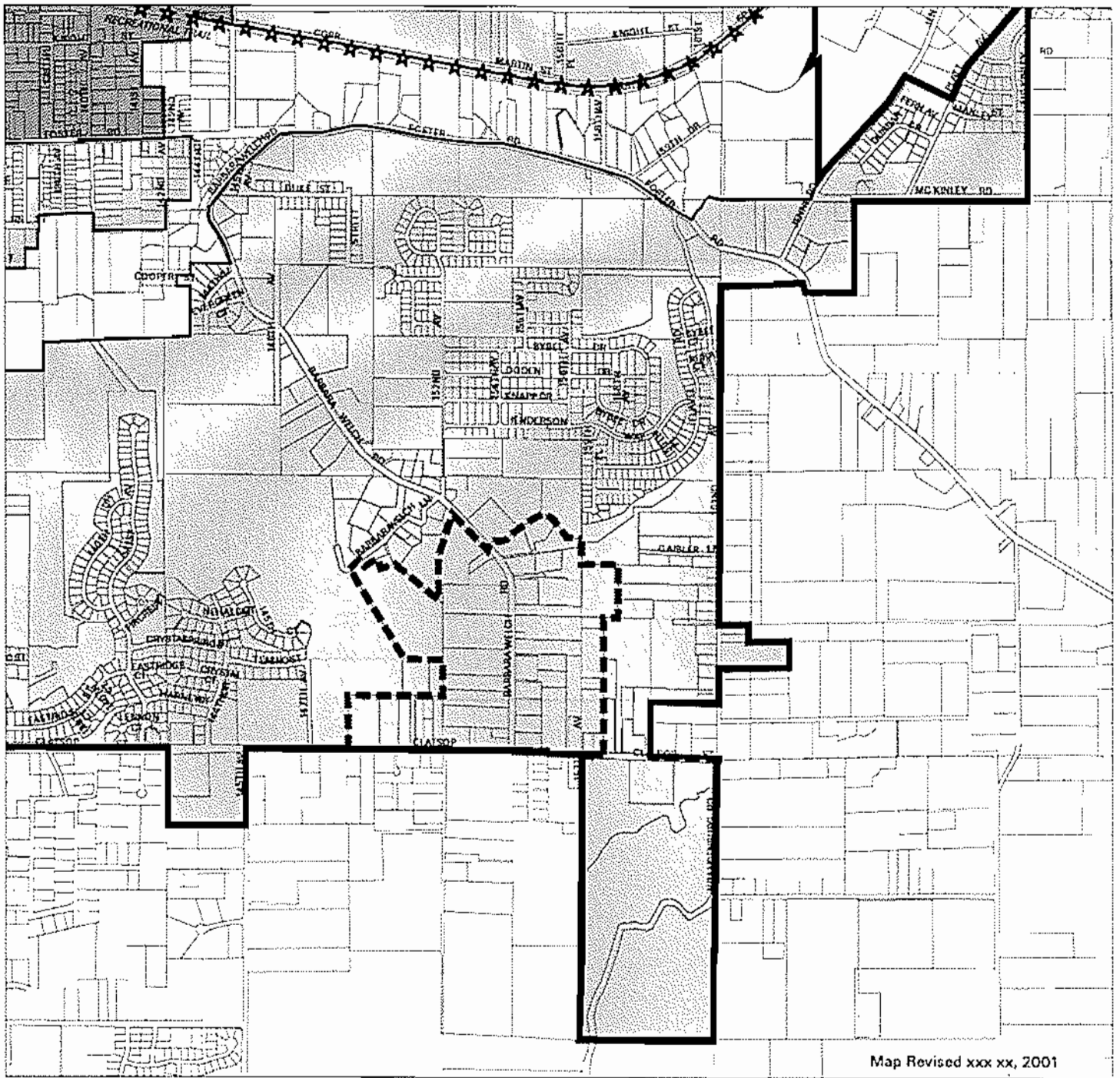
-  Kelly Butte Subdistrict
-  Johnson Creek Flood Plain Subdistrict
-  South Subdistrict
-  Flood Risk Area

Map 535-1

Johnson Creek Basin Plan District

Map 6 of 8

Bureau of Planning • City of Portland, Oregon



Map Revised xxx xx, 2001



0' 1050' 2100'

Scale in Feet





Plan District Boundary

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Recreational Trail

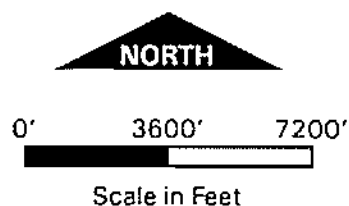
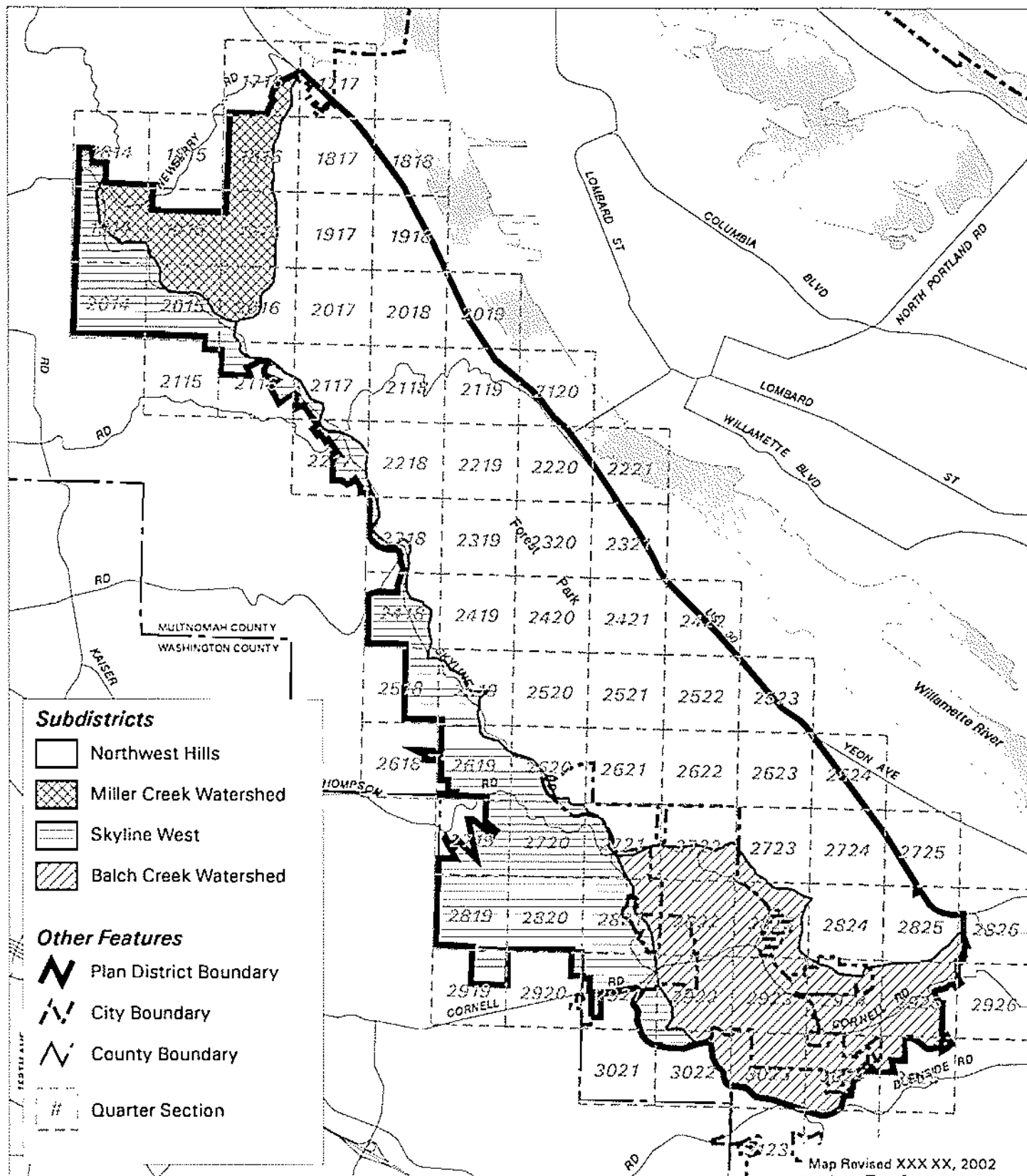
City Boundary

LEGEND

-  Kelly Butte Subdistrict
-  Johnson Creek Flood Plain Subdistrict
-  South Subdistrict
-  Flood Risk Area

Map 535-1 Johnson Creek Basin Plan District

Map 7 of 8



Map 575-1 Skyline Plan District

Bureau of Planning • City of Portland, Oregon

ORDINANCE No. 176114

Amend the *Portland Comprehensive Plan* map and Title 33, Planning and Zoning, to facilitate the transfer of planning and zoning code administration for specified unincorporated Multnomah County areas within Portland's Urban Services Boundary from the County to the City.
(Ordinance; amend Title 33)

The City of Portland ordains:

Section 1: The Council finds:

General Findings

1. In June 1979, City Council adopted Ordinance No. 147923 authorizing the City to enter into an Urban Planning Area Agreement (UPAA) with Multnomah County. This agreement fulfilled the requirement under OAR 660-03-010(2) (c) for a City/County urban growth management agreement prior to Comprehensive Plan Acknowledgment of Compliance by the Oregon Land Conservation and Development Commission.
2. In March 1983, Multnomah County passed Resolution A, which declared the County's intent to turn over urban service delivery to incorporated jurisdictions.
3. In February 1987, Multnomah County and the City of Portland amended the Multnomah County - City of Portland UPAA. First, the amendment set the location of the Urban Services Boundary between the two jurisdictions. Second, the amendment established the City's responsibility for public facilities planning within the Urban Services Boundary.
4. The UPAA was revised on January 14, 1998 to require the City to perform certain planning services required by the Metro 2040 Functional Plan for the County in areas within the City's Urban Services Boundary. The revision also expressed the intent that following this agreement the City would expect to assume full planning and zoning administration authority for these areas.
5. The City and County subsequently entered into an Intergovernmental Agreement (IGA No. 51023) that describes in greater detail the planning tasks the City would perform in implementing the amended UPAA.
6. Ordinance No. 173067, passed by the Council on February 3, 1999 expanded the public involvement process and extended the term of the IGA to expire on September 30, 1999.
7. Ordinance No. 175398, passed by the Council on March 14, 2001 replaced expired IGA No. 173067 and authorized continued work on the planning services required by the

Metro 2040 Functional Plan for the County in areas within the City's Urban Services Boundary.

8. As required by ORS 197.610 (1) and OAR 660-18-020 (1), notice of this proposed legislative action was sent to the Department of Land Conservation and Development on July 26, 2001.
9. County Ordinance No. 967, passed by the Multnomah County Board of Commissioners on October 11, 2001 completed the County legislative process required under the IGA.
10. The City will be adopting a new IGA has that sets forth the terms and conditions of the transfer of planning and zoning administration from the County to the City.
11. Several Portland legislative changes to the Comprehensive Plan Map and the City's Title 33, Planning and Zoning are required to allow a smooth transition of planning administration for the affected County areas. These changes will: 1) Amend Portland's Comprehensive Plan Map designations to be consistent with the existing zoning on approximately 50 acres of land in unincorporated Multnomah County. 2) Establish Portland Comprehensive Plan Map designations for all unincorporated areas within the Urban Services Boundary that are not currently covered. 3) Amend Portland's Urban Services Boundary to include 11 acres (three parcels) currently within the Urban Growth Boundary. 4) Reconfirm and verify the Urban Services Boundary as an element of the Portland Comprehensive Plan Map. 5) Amend Portland's Zoning Maps to include existing zoning and Comprehensive Plan designations (if different) in unincorporated areas of Multnomah County. 6) Amend Portland's Zoning Code to establish a different appeals process for land use cases in unincorporated Multnomah County. And 7) amend Portland's Zoning Code to include several unincorporated areas within the mapped boundaries of the Johnson Creek Basin and Skyline Plan District.
12. As indicated in the UPAA, it is in the best interest of the County and the City to enable this transfer of planning administration for specified unincorporated areas within the Urban Services Boundary.

Statewide Planning Goals Findings

13. State planning statutes require cities to adopt and amend comprehensive plans and land use regulations in compliance with the state land use goals. Because of the limited scope of the amendments in this ordinance, only the state goals addressed below apply.
14. **Goal 1, Citizen Involvement**, requires provision of opportunities for citizens to be involved in all phases of the planning process. The amendments are supportive of this goal because they will enable the application of new zoning maps and the City's development regulations to lands in the unincorporated project areas. The preparation of the new zoning maps for the unincorporated areas has provided numerous opportunities for public involvement. Portland Comprehensive Plan findings on Goal

9, Citizen Involvement, and its related policies and objectives also support this goal. The amendments are supportive of this goal because of the following public involvement activities during the process of formulating new zoning maps for the unincorporated areas:

- a. January 1999: an informational mailing was sent to all affected residents and property owners in the specified unincorporated areas of Multnomah County inside the Portland Urban Services Boundary.
- b. May 1999: three community open houses were held near the southwest, northwest and outer southeast project areas. Draft maps were on display and project information was available. County and City staff met with property owners, residents and other persons to explain and discuss the proposed changes, and public comments were collected.
- c. July 1999: two public hearings were held before the County Planning Commission. Public testimony was collected. The Commission agreed to forward the recommended proposal to the County Board of Commissioners.
- d. April 2001: an informational update mailer was sent to all affected residents and property owners explaining that work on the project had resumed and that public hearings before the County Planning Commission and the County Board of Commissioners would soon be held.
- e. April 2001: a Web page was created at www.multnomah.lib.or.us/lup for the project with all relevant documents available.
- f. May 2001: in accordance with ORS 227.186 (as amended by Ballot Measure 56 on November 3, 1998) all property owners in the project areas and interested parties received notice of the June 18, 2001 hearing before the County Planning Commission.
- g. June 18, 2001: a public hearing was held before the County Planning Commission. Public testimony was collected.
- h. August 29, 2001: in accordance with ORS 227.186 (as amended by Ballot Measure 56 on November 3, 1998) all property owners in the project areas and interested parties received notice of the September 20, 2001 hearing before the Board of County Commissioners.
- i. August 15, 2001: The City mailed a special notice of the proposed City Comprehensive Plan Map amendments in their area to all property owners within the unincorporated areas labeled No. 16 and No. 17 on the map in Exhibit B.
- j. September 20, 2001: a public hearing was held before the County Board of Commissioners to consider County adoption of the proposed land use zoning maps, the City of Portland Code Titles 10 (sediment and erosion control regulations), 32

(signs), 33 (zoning) and 34 (land division), the City of Portland Comprehensive Plan and Comprehensive Plan Maps (with the understanding that they will be amended to include all Multnomah County unincorporated areas within Portland's Urban Services Boundary), the proposed Region 2040 Design Type Maps for the unincorporated project areas, and the City of Portland Outer Southeast Community Plan and Plan Map and the Southwest Community Plan Draft Map and Vision, Policies, and Objectives. The County Board voted unanimously to adopt the above items.

- k. October 9, 2001: a public hearing was held before the City Planning Commission to consider seven legislative amendments to Portland's Comprehensive Plan Map and Title 33, Planning and Zoning in preparation for the transition of planning administration from the County to the City.
 - l. Throughout the project, County and City staff have met with numerous property owners with concerns about the environmental overlay zones proposed for their properties. Where appropriate, modifications to the proposal have been made.
15. **Goal 2, Land Use Planning**, requires the development of a process and policy framework which 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 technical Map and Zoning Code amendments are supportive of this goal because they are consistent with Portland Comprehensive Plan findings on Goal 1, Metropolitan Coordination, and its related policies and objectives.
 16. **Goal 5, Open Space, Scenic and Historic Areas, and Natural Resources**, requires the conservation of open space and the protection of natural and scenic resources. The amendments are consistent with this goal because they will enable the application of new zoning maps and the City's development regulations to lands in the unincorporated County project areas. The transfer from the County's code to the City's code will apply environmental overlay zones and bring the County into compliance with Goal 5 in many of these areas for the first time.
 17. **Goal 6, Air, Water and Land Resource Quality**, requires the maintenance and improvement of the quality of air, water and land resources. The amendments are consistent with this goal because they will enable the application of new zoning maps and the City's development regulations to lands in the unincorporated County project areas. Upon transition of planning administration from the County to the City, environmental overlay zones will protect significant natural resources in the project area contributing to improved air, water and land resource quality. The provisions of Title 10, Sediment and Erosion Control will also ensure improved land and water resource quality. Portland *Comprehensive Plan* findings on Goal 8, Environment, and its related policies and objectives also support this goal.
 18. **Goal 7, Areas Subject to Natural Disasters and Hazards**, requires the protection of life and property from natural disasters and hazards. The amendments are consistent

with this goal because they will enable the application of new zoning maps and the City's development regulations to lands in the unincorporated County project areas. Environmental overlay zones and the provisions of Title 10, Sediment and Erosion Control, will help reduce the hazards associated with development on steep slopes.

19. **Goal 10, Housing**, requires provision for the housing needs of citizens of the state. The amendments are consistent with this goal because they will enable the application of new zoning maps and the City's development regulations to lands in the unincorporated County project areas. The proposed zoning will increase opportunities for housing development in some areas with adequate infrastructure. Application of the City's development regulations will also allow construction of accessory dwelling units in all residential areas, thereby providing additional opportunities for housing development.
20. **Goal 11, Public Facilities and Services**, requires planning and development of timely, orderly and efficient public service facilities that serve as a framework for urban and rural development. The amendments are consistent with this goal because they will enable a transfer of planning and zoning administration to from the County to the City for the areas within the City's Urban Services Boundary. Because these areas may in the future seek annexation to Portland, the City is the logical provider of urban services such as planning and zoning. *Comprehensive Plan* findings on Goal 11A through I, Public Facilities, and related policies and objectives also support this goal.
21. **Goal 14, Urbanization**, requires provision of an orderly and efficient transition of rural lands to urban use. The amendments are consistent with this goal because they will enable a transfer of planning and zoning administration to from the County to the City for the areas within the City's Urban Services Boundary. This will increase development opportunities in areas with adequate public services and hold areas lacking adequate services in larger lots until such time as services become available. Portland *Comprehensive Plan* findings on Goal 2, Urban Development, and its related policies and objectives also support this goal.
22. **Goal 15, Willamette River Greenway**, requires the protection, conservation, enhancement, and maintenance of the natural, scenic, historic, agricultural, economic, and recreational qualities of land along the Willamette River. The amendments are consistent with this goal because they will enable a transfer of planning and zoning administration to from the County to the City for the areas within the City's Urban Services Boundary. The Willamette River Greenway overlay zones are included on the proposed zoning maps in unincorporated areas adjacent to the Willamette River.
23. The amendments do not affect **State Goals 8, 9, 12 & 13** because their scope is limited to preparing for a transfer of planning and zoning administration from the County to the City and do not involve major land use changes.
24. **Goals 16, 17, 18, and 19** deal with **Estuarine Resources, Coastal Shorelines, Beaches and Dunes, and Ocean Resources**, respectively, and are not applicable to the

amendments, as none of these resources are present within the Portland Urban Services Boundary.

Metro Urban Growth Management Functional Plan Findings

25. State planning statutes require cities and counties within the Metropolitan Service District boundary to amend their comprehensive plans and land use regulations in compliance with provisions of the *Metro Urban Growth Management Functional Plan* (UGMFP). The amendments will enable a transfer of planning and zoning administration to from the County to the City for the unincorporated areas within the City's Urban Services Boundary. The purpose of this transition of planning authority is to achieve compliance with the UGMFP. Compliance with **UGMFP Titles 1: Housing and Employment, 2: Parking, 3: Water Quality, Flood Management and Fish and Wildlife Conservation, 4: Retail in Employment and Industrial Areas, 7: Affordable Housing and 8: Compliance Procedures** will be achieved in the unincorporated project areas by the adoption of Portland's development regulations. Portland's development codes are either currently compliant with UGMFP requirements or are being updated to be compliant with UGMFP requirements.
26. **UGMFP Title 6: Regional Accessibility** has been addressed separately by the County and **UGMFP Title 7: Neighbor Cities and Rural Reserves** does not apply to the unincorporated areas as it deals with coordination among neighboring cities.

Portland *Comprehensive Plan* Goals and Policies

27. Portland's *Comprehensive Plan* was adopted by the Portland City Council on October 16, 1980, and was acknowledged as being in conformance with the Statewide Planning Goals by the Land Conservation and Development Commission (LCDC) on May 1, 1981. On January 25, 2000, the Department of Land Conservation and Development issued a determination of satisfactory completion of periodic review (Order # 001132) reaffirming the plan's compliance with the Statewide Planning Goals. Because of the limited scope of the amendments in this ordinance, only the *Comprehensive Plan* Goals and Policies addressed below apply.
28. **Goal 1, Metropolitan Coordination**, calls for the *Comprehensive Plan* to be coordinated with federal and state law and to support regional goals, objectives and plans. The proposed amendments are intended to enable County compliance with regional goals, objectives and plans as prescribed by the UGMFP. The project has been a joint effort of the City and the County and has entailed considerable coordination with Metro.
 - a. **Policy 1.1, Urban Growth Boundary**, calls for support of the concept of an Urban Growth Boundary for the Portland metropolitan area. The amendments support this policy because they will enable a transfer of planning and zoning administration to from the County to the City for the unincorporated areas within the City's Urban

Services Boundary. This will bring unincorporated areas within the Urban Growth Boundary into compliance with Metro's UGMFP. The amendments do not affect areas outside the Urban Growth Boundary.

- b. **Policy 1.2, Urban Planning Area Boundary**, calls for the identification and adoption of an Urban Planning Area Boundary outside the current city limits. The amendments are directly related to this policy as Portland will assume responsibility for planning and zoning administration for Multnomah County areas as shown on the maps in Exhibit C.
 - c. **Policy 1.3, Urban Services Boundary**, calls for the establishment and maintenance of an Urban Services Boundary for the City of Portland. The amendments are directly related to this policy as Portland will assume responsibility for planning and zoning administration for Multnomah County areas within the Urban Services Boundary as shown on the maps in Exhibit C. The amendments are consistent with this policy as they correct a technical mapping error by amending the location of the Urban Services Boundary to include the three parcels (11 acres) that compose the unincorporated area labeled No.42 in Exhibit C, Map B. The amendments are also consistent with this policy because they reconfirm the Urban Services Boundary as an element of the City's Comprehensive Plan Map.
 - d. **Policy 1.4, Intergovernmental Coordination**, calls for 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 directly support this policy as they are the product of a coordination project involving the City, the County and Metro.
 - e. **Policy 1.5, Compliance with Future Metro Planning Efforts**, calls for the review and update of Portland's Comprehensive Plan to comply with the Regional Framework Plan adopted by Metro. The amendments directly support this policy because they will allow the *Portland Comprehensive Plan* and *Zoning Code* to apply to specified unincorporated areas of Multnomah County for the purpose of compliance with Metro requirements.
41. **Goal 8, Environment**, calls for maintenance and improvement of the quality of Portland's air, water, and land resources, as well as protection of neighborhoods and business centers from noise pollution. The amendments are consistent with this goal because they will enable the application of new zoning maps and the City's development regulations to lands in the unincorporated project areas. The new zoning maps include environmental overlay zoning designed to protect identified significant natural resources. These areas have not had environmental protection under the County's current regulations.
42. **Goal 9, Citizen Involvement**, calls for improved methods and ongoing opportunities for citizen involvement in the land use decision-making process. The amendments are consistent with this goal because they will enable the implementation of a project that has included numerous opportunities for public involvement. See finding for State Planning

Goal 1.

43. **Goal 10, Plan Review and Administration**, requires that Portland's *Comprehensive Plan* undergo a periodic review. The amendments are consistent with this goal because this project updates Portland's *Comprehensive Plan* for this area of the city. Area plans are the current method the City of Portland is using to update the *Comprehensive Plan* map for specific geographic areas.
- a) **Policy 10.5, Corresponding Zones and Less Intense Zones**, require that base zones either correspond to the *Comprehensive Plan* map designation or be a zone less intensive than the corresponding zone. The amendments support this policy. In order to avoid a situation in which the base zoning in two unincorporated areas of the County is less intensive than the *Comprehensive Plan* designation, the proposed amendments to the *Comprehensive Plan* map will correspond to the proposed zoning in the specified unincorporated areas. This action applies to areas number 16 and 17 on the attached maps of Exhibit B.
 - b) **Policy 10.7, Amendments to the *Comprehensive Plan* map**, requires that all proposed amendments to the *Comprehensive Plan* map be reviewed by the Planning Commission prior to action by the City Council. The amendments support this policy because the *Comprehensive Plan* map amendments were reviewed and approved by the Portland Planning Commission at a public hearing on October 9, 2001, prior to City Council action.
 - c) **Policy 10.10, Amendments to the Zoning and Subdivision Regulations**, requires amendments to the zoning and subdivision regulations to be clear, concise, and applicable to the broad range of development situations faced by a growing, urban city. The single proposed text amendment to Title 33 is clear, concise and limited to the appeals process for cases in unincorporated areas. The new plan district maps including the unincorporated areas are clear and do not differ significantly in style from the existing plan district maps.
44. **Goal 11A, Public Facilities, General**, calls for provision of a timely, orderly and efficient arrangement of public facilities and services that support existing and planned land use patterns and densities. The amendments are consistent with this goal. Service bureaus have reviewed the plan, including changes in allowed land uses and densities, and have not indicated that services would be inadequate.
- a) **Policy 11.4, Capital Efficiency**, calls for supporting maximum use of existing public facilities and services by encouraging higher density development and development of vacant land within already developed areas. The amendments support this policy by encouraging infill development and redevelopment of underutilized sites in the plan area that have existing public facilities. The amendments also support this policy by recognizing that the City has the ability and expertise to efficiently provide urban planning services for urban areas and the County has the ability and expertise to provide rural planning and social services countywide.

NOW, THEREFORE, the Council directs:

- a. Adopt the Planning Commission's recommendations dated November 5, 2001, attached to and incorporated in this ordinance as Exhibit A.
- b. Amend the Portland *Comprehensive Plan* map of the City of Portland to reflect the proposed *Comprehensive Plan* zoning designations shown in Exhibit B.
- c. Amend the Portland *Comprehensive Plan* map of the City of Portland to establish designations equivalent to the recommended zoning shown on the maps in Exhibit C for all specified unincorporated areas within the Urban Services Boundary that are not currently covered by a City community plan (Areas No. 0, 2, 5, 7, 8, 10, 11, 31, 35 (portion north of HWY 26), 41 and 42.
- d. Amend Portland's Urban Services Boundary to include the 11 acres (three parcels) shown as Area No. 42 on Exhibit C, Map B.
- e. Reconfirm and verify the location of the Urban Services Boundary as shown on the maps in Exhibit D as an element of the *Comprehensive Plan* map.
- f. Amend the Official Zoning Maps of the City of Portland to reflect the zoning shown for the specified unincorporated areas on the maps in Exhibit C.
- g. Amend Title 33, Planning and Zoning, of the Municipal Code of the City of Portland, to incorporate the code amendments approved by the Council as shown in Exhibit E.
- h. Amend Title 33, Planning and Zoning, of the Municipal Code of the City of Portland, to replace the Skyline Plan District Map 575-1 and Johnson Creek Basin Plan District Maps 1,4,5,6 and 7 of 535-1 with the revised maps included in Exhibit F.

Passed by the Council, DEC 05 2001

Mayor Vera Katz
Karl Lisle
November 14, 2001

GARY BLACKMER
Auditor of the City of Portland
By  Deputy

~~1366~~ 1399

F/2296500

Agenda No.

ORDINANCE NO. 176114

Title

Amend the Portland Comprehensive Plan map and Title 33, Planning and Zoning, to facilitate the transfer of planning and zoning code administration for specified unincorporated Multnomah County areas within Portland's Urban Services Boundary from the County to the City. (Ordinance ; amend Title 33)

INTRODUCED BY Mayor Vera Katz	Filed: NOV 20 2001
	Gary Blackmer Auditor of the City of Portland
NOTED BY COMMISSIONER	
Affairs	By: <u>Susan Parsons</u> Deputy
Finance and Administration <u>W. E. A.</u>	
Safety	
Utilities	For Meeting of:
Works	
BUREAU APPROVAL	NOV 28 2001 PASSED TO SECOND READING DEC 05 2001 9:30 A.M.
Bureau: Planning	
Prepared by: Karl Lisle Date: November 14, 2001	Action Taken: ____ Amended ____ Passed to 2nd Reading ____ Continued to: _____
Budget Impact Review: X Completed Not Required	
Bureau Head: Gil Kelley, Planning Director <u>G. Kelley</u>	

AGENDA		FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:		
				YEAS	NAYS
Consent	Regular X	Francesconi	Francesconi	✓	
NOTED BY		Hales	Hales	✓	
City Attorney	<u>J. Rees</u>	Saltzman	Saltzman		
City Auditor		Sten	Sten	✓	
City Engineer		Katz	Katz	✓	