



# Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

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## NOTICE OF ADOPTED AMENDMENT

08/04/2014

TO: Subscribers to Notice of Adopted Plan  
or Land Use Regulation Amendments

FROM: Plan Amendment Program Specialist

SUBJECT: City of Portland Plan Amendment  
DLCD File Number 001-14

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A Copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures\*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: Tuesday, August 19, 2014

This amendment was submitted to DLCD for review prior to adoption pursuant to ORS 197.830(2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

\*NOTE: The Acknowledgment or Appeal Deadline is based upon the date the decision was mailed by local government. A decision may have been mailed to you on a different date than it was mailed to DLCD. As a result, your appeal deadline may be earlier than the above date specified. NO LUBA Notification to the jurisdiction of an appeal by the deadline, this Plan Amendment is acknowledged.

Cc: Matt Wickstrom, City of Portland  
Gordon Howard, DLCD Urban Planning Specialist  
Anne Debbaut, DLCD Regional Representative

<paa> YA



# NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

**FOR DLCD USE** 001-14  
(20237)  
**File No.:** [17952]  
**Received:** 7/29/2014

Local governments are required to send notice of an adopted change to a comprehensive plan or land use regulation **no more than 20 days after the adoption.** (See [OAR 660-018-0040](#)). The rules require that the notice include a completed copy of this form. **This notice form is not for submittal of a completed periodic review task or a plan amendment reviewed in the manner of periodic review.** Use [Form 4](#) for an adopted urban growth boundary including over 50 acres by a city with a population greater than 2,500 within the UGB or an urban growth boundary amendment over 100 acres adopted by a metropolitan service district. Use [Form 5](#) for an adopted urban reserve designation, or amendment to add over 50 acres, by a city with a population greater than 2,500 within the UGB. Use [Form 6](#) with submittal of an adopted periodic review task.

Jurisdiction: City of Portland

Local file no.: **LU 14-104931 CP ZC**

Date of adoption: July 2, 2014

Date sent: July 29, 2014

Was Notice of a Proposed Change (Form 1) submitted to DLCD?

Yes: Date (use the date of last revision if a revised Form 1 was submitted): 2/20/14

No

Is the adopted change different from what was described in the Notice of Proposed Change? Yes No

If yes, describe how the adoption differs from the proposal:

No

Local contact (name and title): Matt Wickstrom, City Planner II

Phone: 503-823-6825

E-mail: matt.wickstrom@portlandoregon.gov

Street address: 1900 SW 4<sup>th</sup> Avenue, Ste 4000

City: Portland

Zip: 97201-

## PLEASE COMPLETE ALL OF THE FOLLOWING SECTIONS THAT APPLY

### For a change to comprehensive plan text:

Identify the sections of the plan that were added or amended and which statewide planning goals those sections implement, if any:

### For a change to a comprehensive plan map:

Identify the former and new map designations and the area affected:

Change from Medium Density Multi-Dwelling to Mixed Employment 3.96 - no goal exception acres.  
A goal exception was required for this change.

Change from to acres. A goal exception was required for this change.

Change from to acres. A goal exception was required for this change.

Change from to acres. A goal exception was required for this change.

Location of affected property (T, R, Sec., TL and address): 1S1E20DA 06900; R734301810; 2730 SW Multnomah Boulevard

The subject property is entirely within an urban growth boundary

The subject property is partially within an urban growth boundary

**If the comprehensive plan map change is a UGB amendment** including less than 50 acres and/or by a city with a population less than 2,500 in the urban area, indicate the number of acres of the former rural plan designation, by type, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

**If the comprehensive plan map change is an urban reserve** amendment including less than 50 acres, or establishment or amendment of an urban reserve by a city with a population less than 2,500 in the urban area, indicate the number of acres, by plan designation, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

**For a change to the text of an ordinance or code:**

Identify the sections of the ordinance or code that were added or amended by title and number:

**For a change to a zoning map:**

Identify the former and new base zone designations and the area affected:

Change from R1 (Residential 1,000 3.96 acres	to EG2 (General Employment 2	Acres:
Change from	to	Acres:
Change from	to	Acres:
Change from	to	Acres:

Identify additions to or removal from an overlay zone designation and the area affected:

Overlay zone designation:	Acres added:	Acres removed:
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Location of affected property (T, R, Sec., TL and address):

List affected state or federal agencies, local governments and special districts: Multnomah County, State of Oregon

Identify supplemental information that is included because it may be useful to inform DLCD or members of the public of the effect of the actual change that has been submitted with this Notice of Adopted Change, if any. If the submittal, including supplementary materials, exceeds 100 pages, include a summary of the amendment briefly describing its purpose and requirements.



**OFFICE OF CITY AUDITOR  
CITY OF PORTLAND**

**LaVonne Griffin-Valade, City Auditor  
Council/Contracts Division**

**Mailing Address:**

1221 SW 4th, Room 130

Portland, Oregon 97204-1900

Email: [Karla.Moore-Love@portlandoregon.gov](mailto:Karla.Moore-Love@portlandoregon.gov)

Phone: (503) 823-4086 Fax: (503) 823-4571

July 7, 2014

**NOTICE OF DECISION**

**RE CASE FILE: LU 14-104931 CP ZC**

Consider the proposal of Rich Attridge with the City of Portland Office of Management and Finance and the recommendation from the Hearings Officer for approval, to change the Comprehensive Plan Map designation from Medium Density Multi-Dwelling Residential to Mixed Employment and the Zoning Map designation from R1 (Residential 1,000) to EG2 (General Employment 2) at 2730 SW Multnomah Boulevard (Hearing; LU 14-104931 CP ZC)

To Whom It May Concern:

On July 2, 2014, at approximately 9:30 a.m., at a regularly scheduled meeting in Council Chambers, the Council voted 5-0 and passed Ordinance No.186711.

City Council's decision is the final review process available through the City. You may appeal this decision to the Oregon Land Use Board of Appeals (LUBA) by filing a Notice of Intent to Appeal with the Board within 21 days of the date of decision, as specified in the Oregon Revised Statute (ORS) 197.830. Among other things, ORS 197.830 requires that a petitioner at LUBA must have appeared orally or in writing during the City's proceedings on this land review. The Board's address is: DSL Building, 775 Summer Street NE, Suite 330, Salem, OR 97301-1283. You may call the Land Use Board of Appeals at 1-503-373-1265 or visit LUBA's website ([www.oregon.gov/LUBA](http://www.oregon.gov/LUBA)) for further information on filing an appeal.

Yours sincerely,

LaVonne Griffin-Valade  
Auditor of the City of Portland

By: 

Karla Moore-Love, Council Clerk

Enc.

ORDINANCE No. 186711 As Amended

Amend the Comprehensive Plan Map designation and amend the Zoning Map for property at 2730 SW Multnomah Boulevard at the request of City of Portland Office of Management and Finance, Rich Attridge (Ordinance; LU 14-104931 CP ZC)

The City of Portland ordains:

Section 1. Council finds:

1. The Applicant seeks, for property at 2730 SW Multnomah Boulevard, the following:
  - a. a Comprehensive Plan Map Amendment from Medium Density Multi-Dwelling Residential to Mixed Employment for the property identified as State ID No. 1S1E20DA 6900, legally described as “ Ryan Place, Block 6, 7, and 9, TL 6900” in Multnomah County (hereinafter referred to as the “Property”); and
  - b. a Zoning Map Amendment from Residential 1,000 to General Employment 2 (EG2) for the Property; and
2. An application complying with all requirements of Title 33, Planning and Zoning, of the Code of the City of Portland seeking amendment of the Comprehensive Plan Map and Zoning Map has been received with the proper fee for filing paid.
3. The Hearings Officer held a duly noticed public hearing on March 31, 2014, and a Recommendation was issued on April 28, 2014, (BDS File No. LU 14-104931 CP ZC). The Hearings Officer recommended approval of the requested Comprehensive Map Amendment and Zoning Map Amendment, with conditions.
4. The requested Comprehensive Plan Amendment and Zoning Map Amendment, based on the findings contained in the Recommendation of the Hearings Officer, are found to be in conformance with the Comprehensive Plan and relevant Title 33 approval criteria.

NOW THEREFORE, the Council directs:

- 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 D 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.

- b. The Comprehensive Plan Map Amendment and Zoning Map Amendment for the Property legally described as "Ryan Place, Block 6, 7 and 9, TL 6900" in Multnomah County, are approved as follows:
  1. A Comprehensive Plan Map Amendment from Medium Density Multi-Dwelling Residential to Mixed Employment for the Property.
  2. Zoning Map Amendment from Residential 1,000 (R1) to General Employment 2 (EG2) for the Property.
  3. The Comprehensive Plan Map and Zoning Map Amendments are subject to the conditions below. Any violation of these conditions shall be subject to the enforcement procedures in the City code, but will not void the Comprehensive Plan Map and Zoning Map Amendments:
    - A. Prior to the construction of proposed fuel station, the applicant will meet with a representative of the Police Bureau on the AEOC site to discuss potential safety and security measures, and based on this consultation and input from other City bureaus using the facility, the applicant will design appropriate security features and submit this security plan at time of Building Permit review for the facility for review by the Police Bureau.
    - B. Retail Sales and Services uses are prohibited.
    - C. No more than 80% of the site may be impervious. Any request to exceed 80% impervious surface area will be reviewed through a Type II Adjustment Review so that the Bureau of Environmental Services may review the proposal to ensure that the public storm sewer has capacity to handle the additional flows.

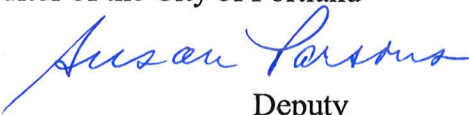
- D. New buildings are limited to a maximum of 45'. The Applicant may request to increase the maximum height by means of a Type II Adjustment. This maximum height does not apply to free-standing communication towers that are regulated by Chapter 33.274, Radio Frequency Transmission Facilities.

Passed by the Council: JUL 02 2014

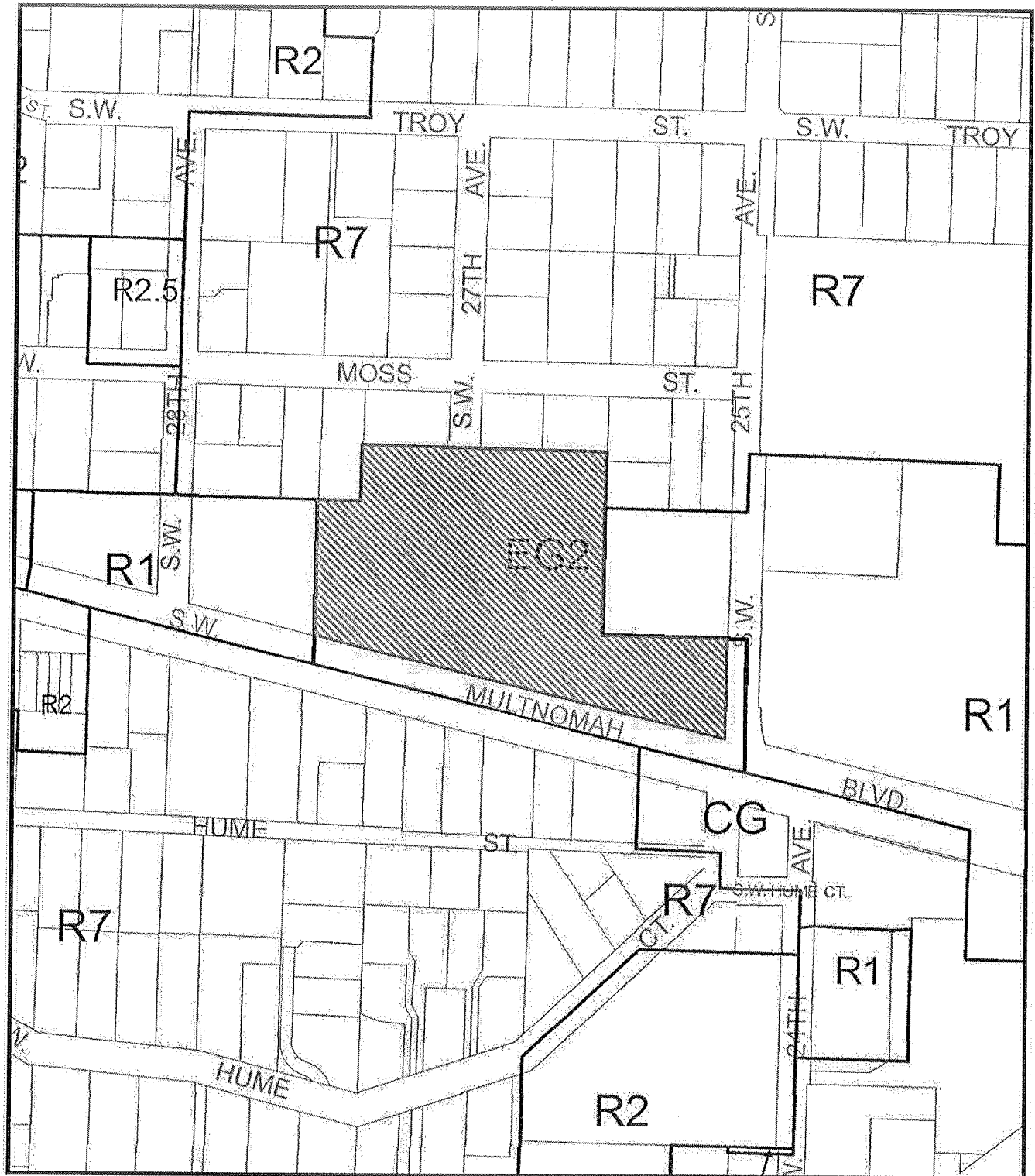
Commissioner Amanda Fritz  
Prepared by: Matt Wickstrom, City Planner II  
Date Prepared: May 5, 2014

**LaVonne Griffin-Valade**  
Auditor of the City of Portland

By



Deputy



# ZONING PROPOSED

 Site



File No. LU 14-104931 CP,ZC  
 1/4 Section 3826  
 Scale 1 inch = 200 feet  
 State Id 1S1E20DA 6900  
 Exhibit B.2 (Jan 15, 2014)