

## Objection to the Designation of the Multnomah Neighborhood as a Center in the City of Portland Comprehensive Plan Update

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Filed May 17, 2017

This is an objection filed with the Department of Land Conservation and Development (DLCD) on behalf of the Multnomah Neighborhood Association under Oregon Administrative Rules (OAR) Division 25, Periodic Review. Specifically, this objection conforms with OAR 660-025-0140(2)(a)-(d).

### Party of Record

***OAR 660-025-0140(2)(d) Demonstrate that the objecting party participated orally or in writing in the local process leading to the final decision.***

The Multnomah Neighborhood Association (MNA) has actively participated orally and in writing throughout the City of Portland's Periodic Review process. Examples of documented MNA participation include:

Testimony by James Peterson, MNA Land Use Chair on behalf of the neighborhood association in a letter dated October 28, 2014 to the Planning and Sustainability Commission (PSC) requesting change from Neighborhood Center to Neighborhood Corridor. Testimony by Carol McCarthy, Chair of Multnomah Neighborhood Association, on behalf of the neighborhood in letters and emails on the record of September 16, 2015, November 13, 2015, November 24, 2015, December 3, 2015, and January 15, 2016. Participation includes a letter from the MNA to Mayor Hales and City Commissioners regarding "City Council

Amendment P#45 to the Draft 2035 Comprehensive Plan,” dated April 14, 2016. This is not intended to be a complete list of participation by the MNA, which is more extensive than reported here. In addition to the official participation by the MNA, hundreds of residents of the MNA have participated orally and in writing.

## Objection

The Multnomah Neighborhood Association (MNA) has requested that the City of Portland (the City) designate the Multnomah Village as a “Neighborhood Corridor,” rather than as a “Neighborhood Center.” This request has been made on many occasions throughout the Periodic Review process and has been amplified by supporting testimony from hundreds of neighborhood residents.

In this objection, we show that the City failed to comply with State, regional, and local regulations guiding Periodic Review and land use planning. The City failed to adequately consider the weight of evidence and public testimony in making its designation, thus failing to comply with Statewide Planning Goal 1 (Citizen Involvement) of the Land Use Planning System. The City failed to provide adequate and timely public information about the meaning and implications of the *center* designation and failed to provide adequate mapping of center boundaries in violation of both Statewide Goal 1 and Goal 2 (Land Use Planning), as well as in violation of the City’s adopted Community Involvement Work Program. During the Periodic Review process the City repeatedly provided inaccurate and misleading information about the ultimate boundaries of proposed centers and the inclusion of single-family neighborhoods. The City failed to adequately justify and support their expansion of center boundaries with factual evidence, as required by Statewide Goal 2. In designating Multnomah Village as a *neighborhood center*, the City also failed to comply with prior regional planning, including the Metro Code and the Metro 2040 Growth Concept Map.

## Inadequate Response to Weight of Public Testimony

On January 14, 2014 the Portland Bureau of Planning and Sustainability (BPS) recommended in a staff report to the Planning and Sustainability Commission (PSC) entitled “Centers and Corridors Growth Strategy, January 27 PSC Work Session,” that the City’s proposed Multnomah Neighborhood Center designation be retained in spite of neighborhood testimony in opposition. This is addressed

in a single row in a table on page 9 of the 93-page report. This staff report was one of five memos considered at the January 27, 2014 PSC work session.<sup>1</sup>

The BPS staff report stated only that the Neighborhood's request was to remove the *center* designation and did not accurately characterize or explain the basis for the MNA's request. The BPS did not provide adequate rationale or basis for rejecting the request. The BPS failed to give sufficient weight to the testimony of the MNA and Southwest Neighborhood Inc. (SWNI), which both endeavor to provide informed and representative engagement in land use planning on behalf of the residents they represent.

In written comment on the record to the PSC by James Peterson, MNA Land Use Chair, on behalf of the neighborhood association in a letter dated October 28, 2014, he states:

The Multnomah Neighborhood Association requests that the Planning and Sustainability Commission change the designation of Multnomah Village from a Neighborhood Center to a Neighborhood Corridor in the Draft of the Comprehensive Plan. Multnomah Village is classified as Mainstreet in the current Comprehensive Plan. The regional planners have described Multnomah as the model Mainstreet. The village is more linear in nature and thus the characteristics are better defined by the Neighborhood Corridor designation. Since Multnomah Boulevard is designated a Neighborhood Corridor the change would make the business district of the Village contained within the Neighborhood Corridor designations of the intersection of Multnomah Boulevard and Capital Highway. The Neighborhood Center designation with the ½ mile radius defined in the Comprehensive Plan would overlap with the 1 mile radiuses of the two adjacent town centers leaving little room for the existing single family zoning. The Mainstreet designation had a prescribed depth of 180 ft which is more consistent with the definition of a Neighborhood Corridor. The Bureau of Planning and Sustainability has projected the capacity with their proposed changes to Mixed Use zoning in Multnomah Neighborhood to increase 28%, thus there is no need for the Neighborhood Center designation. Neighborhood Corridor designation better fits the design and character of the village.

Mr. Peterson subsequently submitted written comments into the record in a letter to the City of January 27, 2015 stating that the above reference letter was:

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<sup>1</sup> See: <http://www.portlandoregon.gov/bps/article/515430>

... endorsed in a letter from SWNI which is a coalition of Neighborhood Associations that comprises twenty percent of all Neighborhood Associations in the city of Portland.

As stated by Multnomah Neighborhood Association Chair, Carol McCarthy, in her City Council Testimony of Nov. 19, 2015:

"The sentiment that [Multnomah] Village needs protection was expressed by people from all over Portland and the US, in fact, from around the world, in the almost 700 written comments submitted as part of the attached online petition that was signed by over 1,800 people."

As stated by the MNA in written testimony to Mayor Hales and City Commissioners regarding "City Council Amendment P#45 to the Draft 2035 Comprehensive Plan," dated April 14, 2016:

Hundreds of Multnomah Village residents and taxpayers, the Multnomah Neighborhood Association and Southwest Neighborhoods, Inc. have all considered and specifically requested that the Portland City Council change the proposed designation of Multnomah Village from a Neighborhood Center to a Neighborhood Corridor in the 2035 Comprehensive Plan.

... The Neighborhood Corridor designation better fits with the extant design and character of Multnomah Village and is more in keeping with the prevalent semi-rural character of the neighborhood that we currently live in and enjoy.

The BPS placed the issue of designating Multnomah Village as a Neighborhood Center before the City Council in its Comprehensive Plan Council Work Session Agenda for February 2, 2016.<sup>2</sup> However, once again the BPS failed to describe the weight of public testimony received, failed to describe, characterize, or qualify the basis for the MNA's opposition to the *center* designation, failed to mention or present to the Council the MNA's desired alternative *corridor* designation, failed to provide a neutral, objective, and balanced analysis of the issue, and presented only the Bureau's strident advocacy position favoring centers.

Over a period of more than two years, the MNA and its members have diligently and repeatedly testified in opposition to the *center* designation and in favor of

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<sup>2</sup> See page three of the agenda at <http://www.portlandoregon.gov/bps/article/563068>

the *corridor* designation. **The failure of the City to adequately respond to such clear and extensive public input and input from its official neighborhood associations indicates a failure to comply with Statewide Planning Goal 1 and the City's adopted Community Involvement Work Program.**

## Confusing and Uncoordinated Policies

Public concerns about the boundaries for *centers* and the designation of Multnomah Village as a *center* were compounded by the last-minute introduction of "amendment P45," which became Comprehensive Plan Policy 5.6 (Middle Housing Policy). Our specific objections to Middle Housing Policy 5.6 are reported in a separate objection filed with the DLCDC and are incorporated by reference herein as an integral part of this objection.

The nature of the *center* designation was described in general and broad terms in the Comprehensive Plan update with Policy 5.5 in the final June 2016 version of the **2035 Comprehensive Plan**, Page GP5-6:

**Policy 5.5 Housing in centers.** Apply zoning in and around centers that allows for and supports a diversity of housing that can accommodate a broad range of households, including multi-dwelling and family-friendly housing options.

While Policy 5.5 indicates that areas in and around Centers will be targeted to support a diversity of housing options, it does not indicate which specific areas, nor does it identify what specific changes would be proposed. Thus, it is a generalized policy statement typical of comprehensive plans.

The late introduction of amendment P45 on March 18, 2016,<sup>3</sup> which became Policy 5.6, adds specific language that, taken together with Policy 5.5, would create a large-scale up-designation, and eventual up-zoning, of the residential areas in and around neighborhoods designated as *centers*.

For reference, the middle housing policy is provided below from the adopted June 2016 2035 Comprehensive Plan, page GP5-6:

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<sup>3</sup> Late in the comprehensive planning process on March 18, 2016, the BPS introduced a new policy along with a large group of proposed amendments that included 109 policy amendments and new policies along with many other amendments in a 112-page document. Initially referred to as "amendment P45," this became the new Middle Housing Policy, Policy 5.6.

**Policy 5.6 Middle housing.** Enable and encourage development of middle housing. This includes multi-unit or clustered residential buildings that provide relatively smaller, less expensive units; more units; and a scale transition between the core of the mixed use center and surrounding single family areas. Where appropriate, apply zoning that would allow this within a quarter mile of **designated centers**, corridors with frequent service transit, high capacity transit stations, and within the Inner Ring around the Central City.

Policy 5.6 compounds the impact of a *center* designation by specifically allowing increased densities in the residential areas in and around a center. The language “within a quarter mile of designated centers” has been interpreted by the City to not refer to ¼ mile from a single point at the midpoint of a center, but rather ¼ mile from the center boundaries – a much larger area. Furthermore, Policy 5.6 adds the area within ¼ mile of corridors with frequent service transit and high capacity transit stations to the up-designation of centers, creating a larger, overlapping area.

A third policy related to housing in centers – which is inexplicably located in *Chapter 3: Urban Form* of the Comp Plan, rather than *Chapter 5: Housing* – further expands the *centers* designation by implicitly allowing up-designation and up-zoning of residential areas within one-half mile of centers.

**Policy 3.15 Housing in centers.** Provide housing capacity for enough population to support a broad range of commercial services, focusing higher-density housing within a half-mile of the center core.

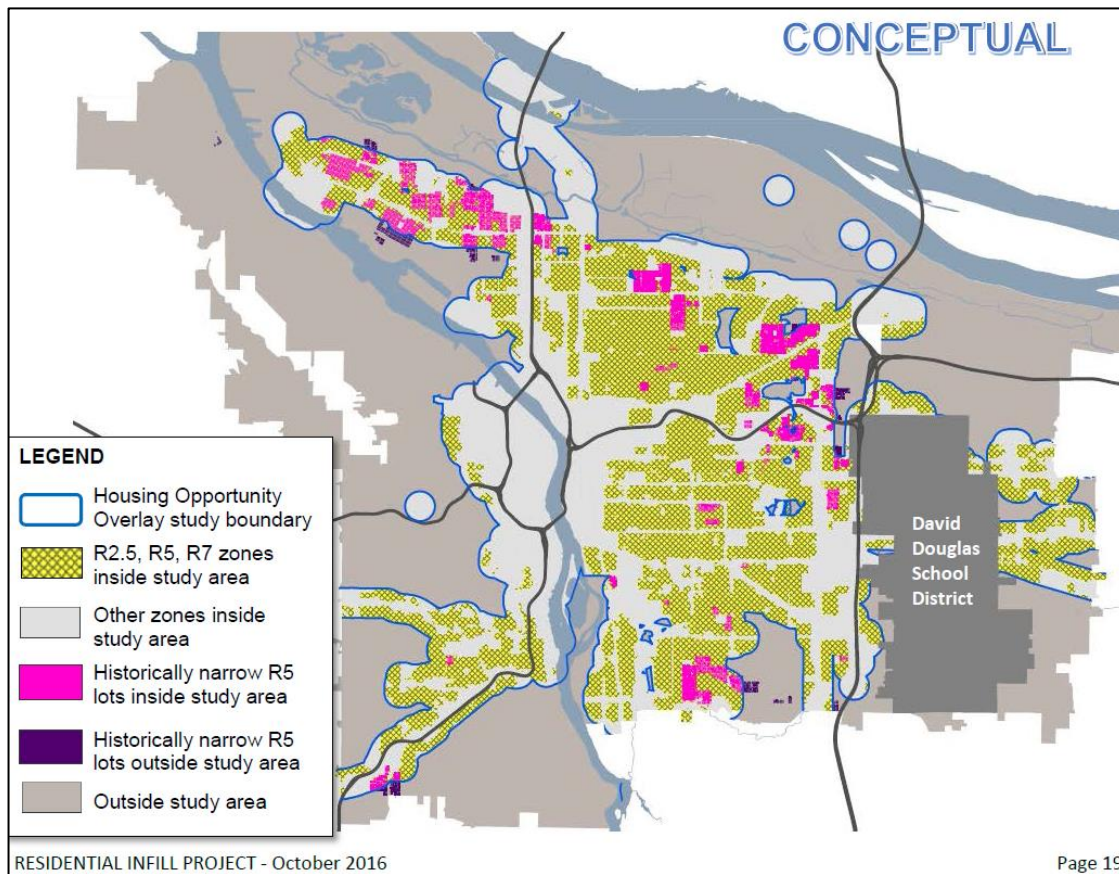
The result of combining two disparate policies in different chapters of the Comp Plan (Policy 3.15 and Policy 5.5) with a new policy (Policy 5.6) introduced late in the Periodic Review process, is a major policy change to a large, overlapping area affecting a large portion of the single-family residential land in the City of Portland. Such a sweeping overhaul of residential areas, impacting so many people, could not be reasonably anticipated by an astute person closely following the Periodic Review process.

We now know that these three policies, when combined, include an area so large that it includes 65% of all single-family-zoned lots within the City of Portland. This area has been termed the “Housing Opportunity Overlay” area by the BPS and includes almost 100,000 single-family-zone properties (see Figure 1).



Unfortunately, information about the potential consequences and implications of these policies was not made available to citizens and did not become apparent to the public until after the Comprehensive Plan was adopted by the City Council on June 15, 2016.

**Figure 1: Residential Infill Project, Concept Report to City Council**



It is clear from the record of correspondence with the City that the MNA has done its due diligence in both requesting and gathering information, and in informing the City Council and BPS staff about the preferences of the Neighborhood for a “neighborhood corridor” designation and not a “neighborhood center” designation.

Unfortunately, this considerable effort by the MNA and its members went unheeded by the City. Instead, the BPS pursued an abstract, idealistic, and dogmatic version of reality that had its own vision of centers placed conveniently around the city like a checkerboard. The citizens who actually live in these areas and know them best were given short shrift because of a myopic view by BPS regarding what is best for the greater good of the City. This is heavy-handed,

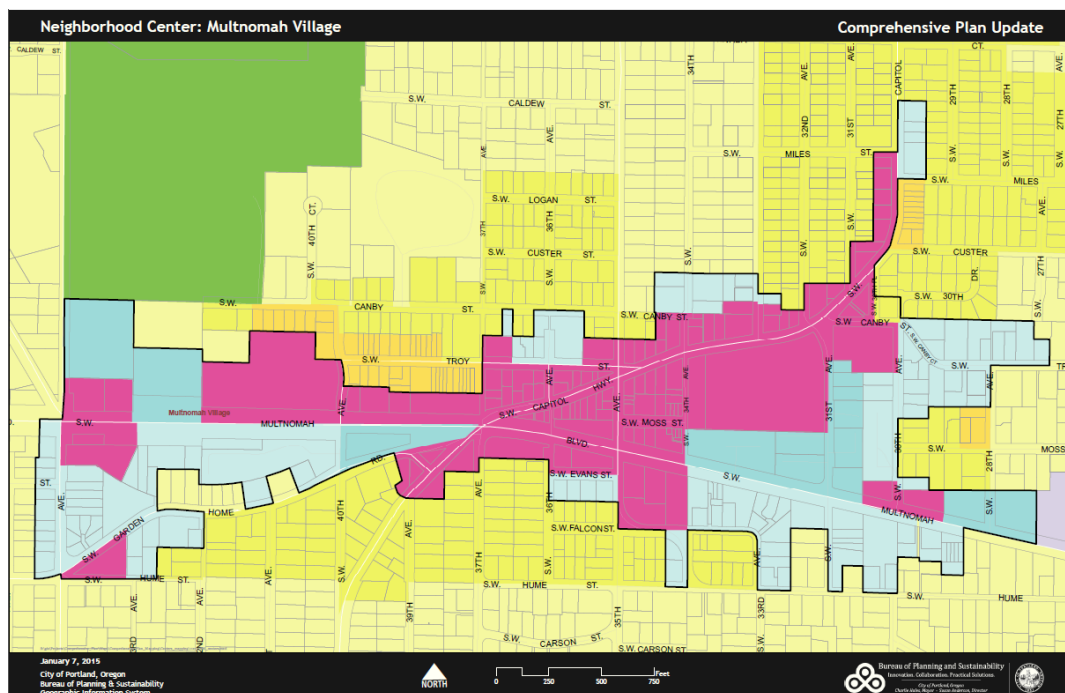
top-down planning that fails to respect and honor Portland's established, cherished, stable, and high-functioning neighborhoods. In short, the BPS would destroy much of what is best about Portland in order to pursue their vision of urban centers and so-called "complete neighborhoods."

**Therefore, the City has failed to adequately inform and engage the public in the land use planning process, as required by Statewide Planning Goal 1 and the City's adopted Community Involvement Work Program.**

## Inadequate Mapping of Centers

An essential piece of public information regarding the designation of centers is the map showing the proposed center boundaries. The earliest record of the proposed boundaries of neighborhood centers is found in the memo from Eric Engstrom, Principal Planner at BPS, to the Planning and Sustainability Commission (PSC) on January 14, 2014 titled, "Centers and Corridors Growth Strategy, January 27 PSC Work Session." The Multnomah Neighborhood Center is shown with boundaries limited to the existing commercial areas of Multnomah Village (See Figure 2).

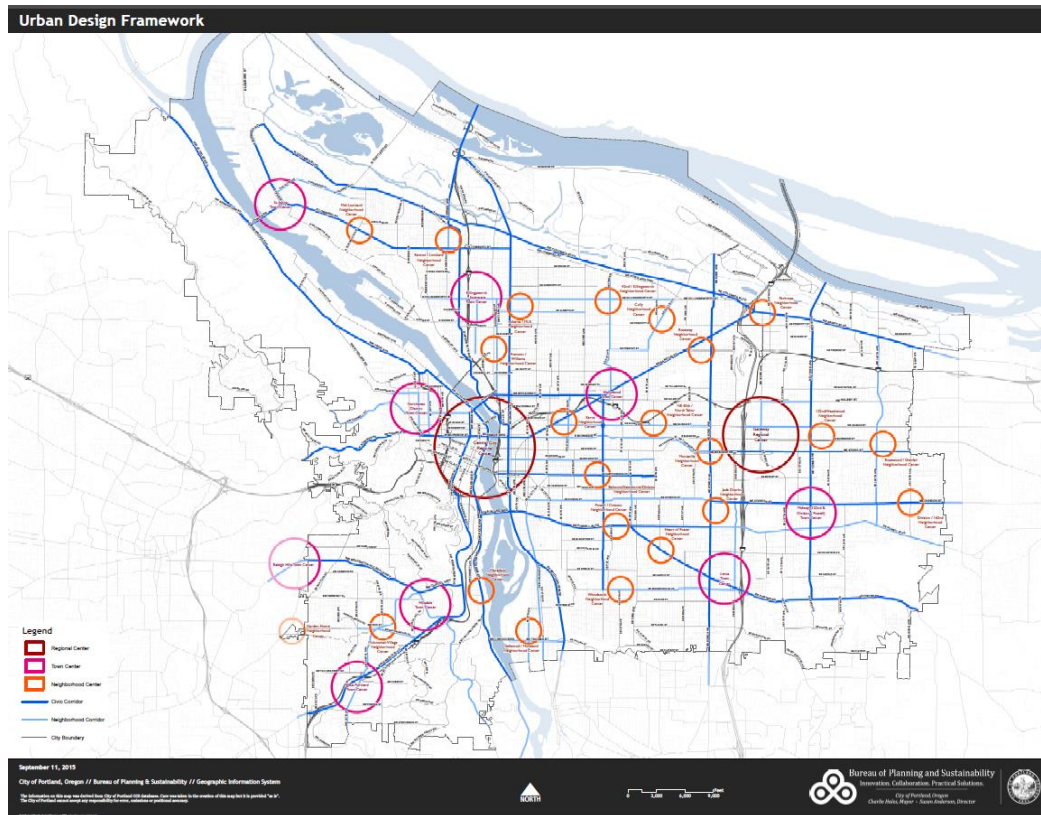
**Figure 2: Map of Multnomah Neighborhood Center as of January 14, 2014.**





The City also used another map to show proposed centers (see Figure 3). It showed circles around proposed centers that were vague and generalized and raised concerns from the public about where the actual boundaries were located.

**Figure 3: City map of centers dated September 11, 2015.**



According to a February 3, 2015 email from Joan Frederiksen, West District Liaison for BPS, in response to an inquiry from the MNA about the different maps showing center boundaries:

The half a mile radius circle ("circle") has always been meant to be a symbol for centers, not a map boundary. In response to testimony and feedback conveying confusion and concern about the implication of the circle on single family zoned areas adjacent to or near the commercial area, staff has proposed provisional center boundaries to underscore that the intended concentration of growth is in the existing commercial and multi-dwelling zoned areas.

The commercial and multi dwelling zones already in place are a key element of centers. The provisional boundaries recently proposed reflect this in that

they are drawn fairly strictly as an outline of these existing zones and properties.

With the exception of one property that has an existing non-conforming situation, the Comp Plan proposal does not include any expansion of mixed use or multi-dwelling beyond existing commercial and multi-dwelling designated properties in Multnomah Village.

According to an email of 8/11/15 in response to inquiries from the MNA, Principal Planner Deborah Stein of Portland Bureau of Planning & Sustainability states:

A Neighborhood Center is our local implementation of Metro's "main street" designation and best reflects the status quo in terms of scale, development capacity and amenities. Zoning that is proposed to apply to this designation corresponds to the zoning now in place in the Village. Staff intends to avoid applying commercial/mixed use zoning that would render existing businesses in the Village as nonconforming uses due to their size or the nature of the business.

So clearly, as of August 2015, there is no indication of a plan to expand center boundaries into the residential areas, nor is there an indication that residential areas would be up-designated or up-zoned. In fact, the City has made repeated assurances that this would not be the case.

These are a few of what appear to be many instances in which the engaged residents of the MNA were offered misleading and ultimately false assurances that their neighborhood would not be significantly impacted or affected by the proposed *center* designation. These actions constitute not merely a failure to provide adequate public information, but actually the provision of inaccurate information that could cynically be interpreted as an effort by the City to downplay the planned changes to avoid upsetting citizens and fostering unwanted public opposition to the BPS's predetermined outcomes.

It was not until the MNA requested and received a map dated June 13, 2016, titled "Residential Infill Project – Concept Report," that it was possible to see the magnitude and potential impact of the latest center boundaries applied by the City (See Figure 4). This map was supplied just two days before the Council approved the Comprehensive Plan on June 15, in violation of the 21-day advance reporting require by the Community Involvement Work Program. Maps for the



Attentive neighborhood associations, including the MNA, seemed to be aware that the vague policies in the Comprehensive Plan could lead to unexpected and undesirable outcomes. They requested a time extension back in 2014 so that Plan implementation (through zoning and code development) could catch up with the new Comp Plan policies, and so that the public would be able to see how these policies would be interpreted before they became final. Their concerns were rejected in a September 18, 2014 memo from Eric Engstrom, Principal BPS Planner, to the Planning and Sustainability Commission where he states:

Within the written testimony you received this month on the Comprehensive Plan are several letters from recognized neighborhood associations requesting a 90-day extension of the comment period. The letters express a desire to know the specifics of potential new code provisions before closing testimony on the proposed Comprehensive Plan Goals and Policies and Comprehensive Plan Map.

However, before specific code provisions can be proposed, the Comprehensive Plan needs to first define desired outcomes through goals and policies, and the plan map. Establishing goals and policies and directional maps before developing more detailed implementing actions is essential. The specifics of any zoning changes that will be adopted to implement the new Comprehensive Plan will be subject to additional public hearings before final action by the PSC and City Council.

The Comprehensive Plan is the guiding document for zoning and ORS 197.010(1)(c) requires that comprehensive plans ***“Shall be the basis for more specific rules and land use regulations which implement the policies expressed through the comprehensive plans.”*** The vague and overly-flexible nature of the Plan policies and map designations related to centers does not sufficiently define and guide implementation through zoning code in a manner that is clear, understandable, and predictable to the public, as required.

The refusal by BPS to provide information about the zoning code implications of the proposed policies related to centers, represent a failure to comply with Statewide Goal 2: Land Use Planning. Goal 2 specifically states:

**The various implementation measures which will be used to carry out the plan should be considered during each of the planning phases.**

Goal 2 also states:

**Techniques to carry out the goals and plans should be considered during the preparation of the plan.**

Full citations are provided under the section "Applicable Statutes, Goals, and Administrative Rules Violated."

## **Compliance with Metro Code**

The City's proposed designation of Multnomah Village as a "Neighborhood Center" is not consistent with Metro regional planning for the area. According to the Urban Growth Management Functional Plan (Metro Code, Chapter 3.07.010):

**The comprehensive plan changes and related actions, including implementing regulations, required by this functional plan as a component of the Regional Framework Plan, shall be complied with by cities and counties as required by Section 5(e)(2) of the Metro Charter.**

The Plan specifically addresses centers and corridors in Section 3.07.650:

### **3.07.650 Centers, Corridors, Station Communities and Main Streets Map**

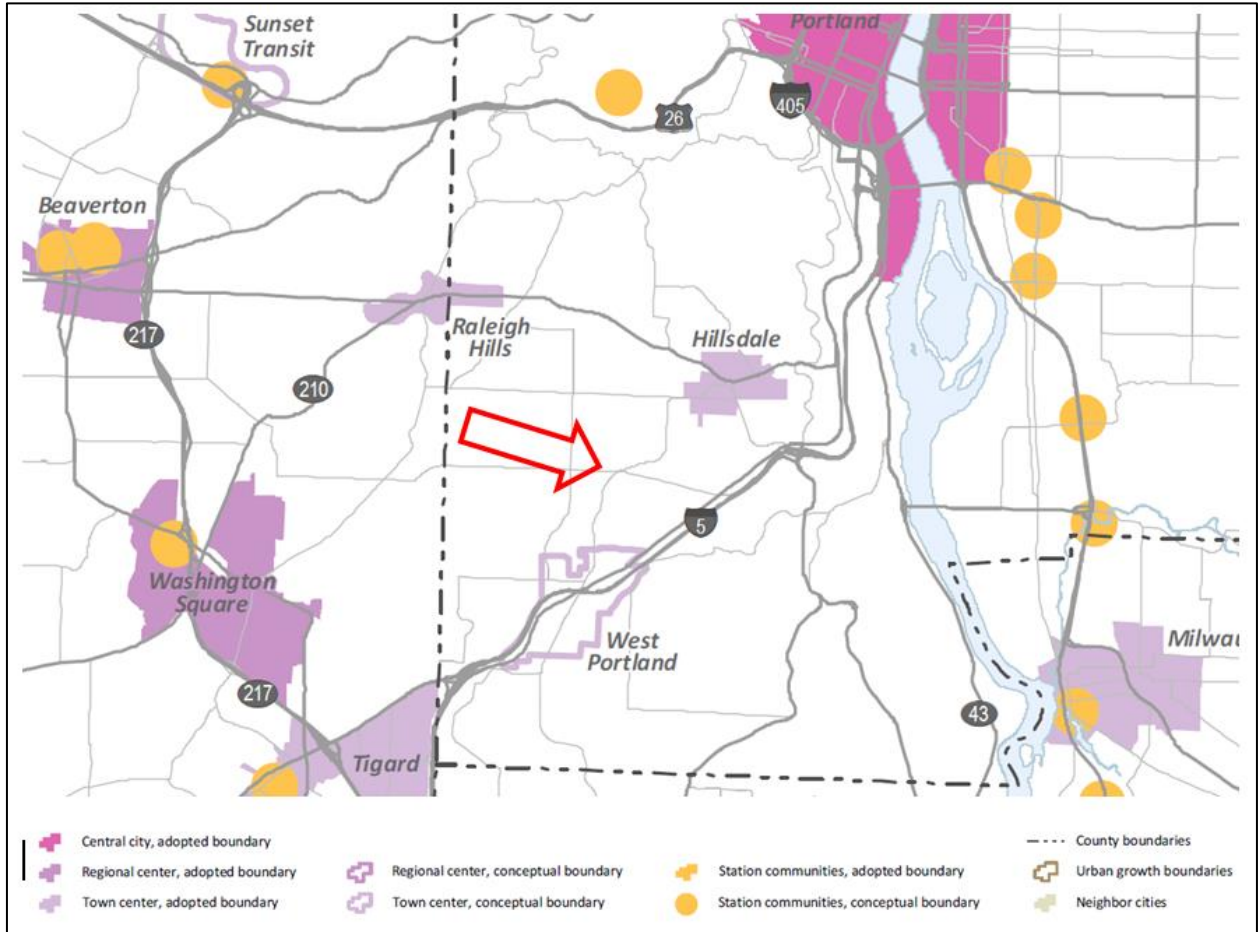
**(a) The Centers, Corridors, Station Communities and Main Streets Map is incorporated in this title and is Metro's official depiction of their boundaries. The map shows the boundaries established pursuant to this title.**

**(b) A city or county may revise the boundary of a Center, Corridor, Station Community or Main Street so long as the boundary is consistent with the general location on the 2040 Growth Concept Map in the RFP. The city or county shall provide notice of its proposed revision as prescribed in subsection (b) of section 3.07.620.**

The map referred to in Metro Code Section 3.07.650(a) is provided below in Figure 5. The location of Multnomah Village is indicated with an added red arrow for reference. There is no official depiction of a "center" designation on this map.



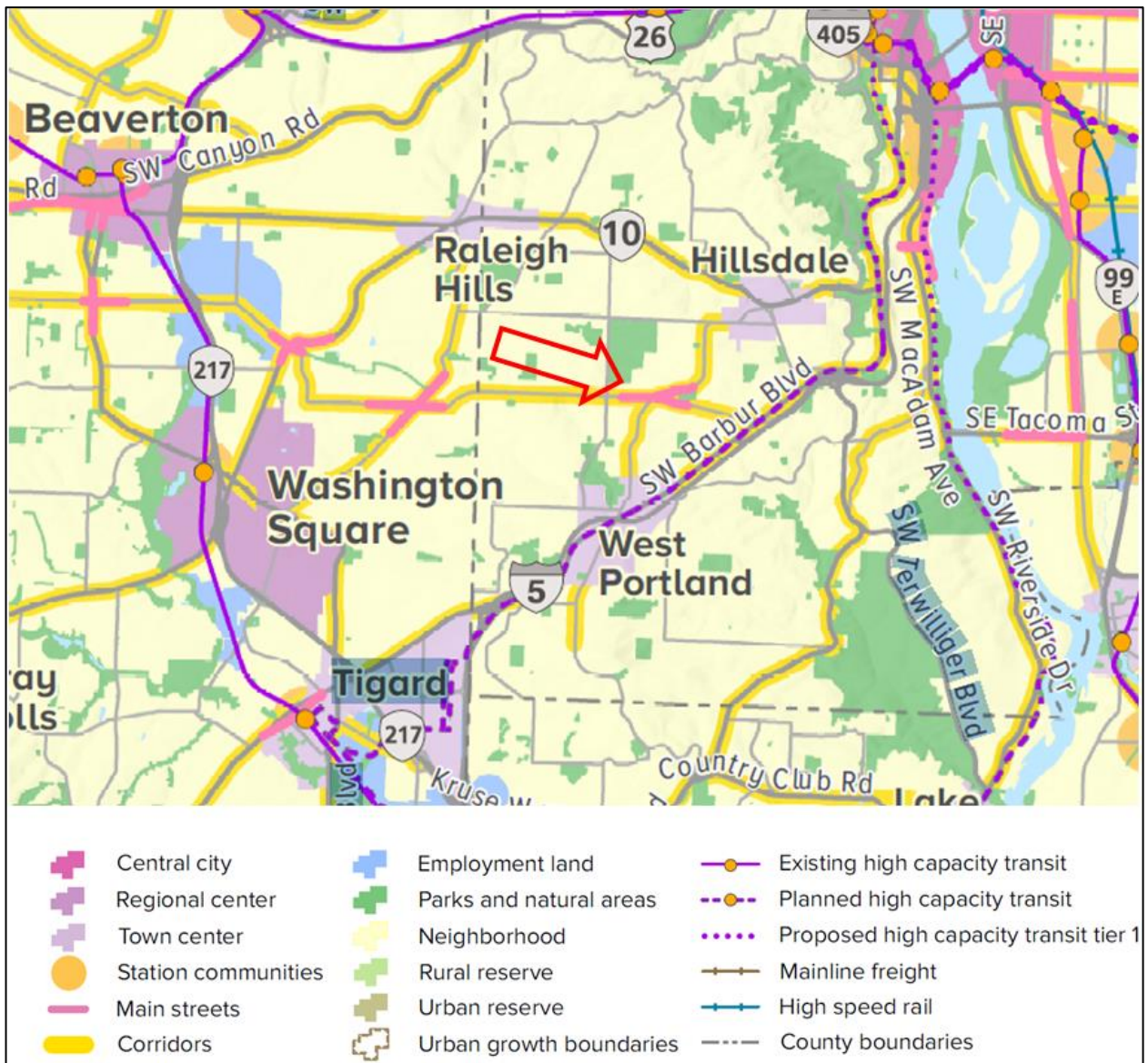
**Figure 5: Title 6, Centers, Corridors, Station Communities and Main Streets, Adopted Boundaries** [expanded view showing Multnomah Village with red arrow] October 29, 2014



Metro Code Section 3.07.650(b) indicates that the boundary of a center may be changed ***“so long as the boundary is consistent with the general location on the 2040 Growth Concept Map.”*** The 2040 Growth Concept Map is shown in Figure 6 with the location of Multnomah Village again indicated with a red arrow added for reference. The map shows that Multnomah Village is not designated as a *center*, but that the main streets in the Village have been designated as “main streets.” This appears to be consistent with the MNA’s testimony requesting designation as a “Neighborhood Corridor,” rather than as a “Neighborhood Center.” It is not consistent with the City’s designation of the area as a *center*.



**Figure 6: 2040 Growth Concept Map, September 2014** [expanded view showing Multnomah Village with red arrow]



**Therefore, the City's proposed "Neighborhood Center" designation does not comply with Metro Code and the 2040 Growth Concept Map, as required.**

## Action Requested

The requested remedy to this objection is for the DLCD to partially remand Task #4 of Periodic Review to allow for proper public involvement in the designation of centers and corridors and their boundaries. Under this remand the City would be required to present the concept for centers and boundaries in its entirety so that the public can reasonably understand the complete proposal. This would include proposed maps, boundaries, land use changes, and potential implications in terms of zoning, density increases, and possible changes to single-family zones. The City would be required to provide factual evidence derived from Periodic Review Tasks #2 and #3 bearing on the issue of whether or not there is any real, significant, identified need for up-designating Multnomah Village as a *center*. The City would be required to evaluate potential impacts of a *center* designation, such as the impact on low income housing, on housing affordability, and the adequacy of public facilities, including transportation, parking, sewerage, parks and open space, etcetera (i.e., comprehensive planning). The City would address and demonstrate its compliance with Metro Code and the 2040 Growth Concept Map.

While this remand request reflects the minimum DLCD should require of the City, ideally the City would be required to present a full range of options to the public on centers, including the “no-change” option and the “neighborhood corridor” option requested by the MNA. We also request that the City endeavor to provide neutral, balanced, and objective information on this matter and avoid an advocacy role in which it stridently promotes a single outcome.

The remand would enable the public to fully engage with the City in compliance with Statewide Planning Goal 1: Citizen Involvement, Statewide Goal 2: Land Use Planning, in compliance with the City’s adopted Community Involvement Work Program, and in compliance with Metro Code and Regional Planning in the 2040 Growth Concept Map.

## Applicable Statutes, Goals, and Administrative Rules Violated

***OAR 660-025-0140(2)(b) Clearly identify an alleged deficiency in the work task or adopted comprehensive plan amendment sufficiently to identify the relevant section of the final decision and the statute, goal, or administrative rule the submittal is alleged to have violated;***

The specific statutes, goals, and administrative rules which were violated are listed below. This is not a stand-alone section. The highlighted text represents the specific regulations which were violated, as described previously in this Objection.

### Oregon Revised Statutes 197.250

**197.250 Compliance with goals required.** Except as otherwise provided in ORS 197.245, all comprehensive plans and land use regulations adopted by a local government to carry out those comprehensive plans and all plans, programs, rules or regulations affecting land use adopted by a state agency or special district shall be in compliance with the goals within one year after the date those goals are approved by the Land Conservation and Development Commission.

### Statewide Planning Goal 1: Citizen Involvement, OAR 660-015-0000(1)

The citizen involvement program shall be appropriate to the scale of the planning effort. The program shall provide for continuity of citizen participation and of information that enables citizens to identify and comprehend the issues.

#### D. TECHNICAL INFORMATION

2. Technical information should include, but not be limited to, energy, natural environment, political, legal, economic and social data, and places of cultural significance, as well as those maps and photos necessary for effective planning.

#### E. FEEDBACK MECHANISM

2. A process for quantifying and synthesizing citizens' attitudes should be developed and reported to the general public.

## Oregon Administrative Rules Division 25, Periodic Review

### OAR 660-025-0080

#### Notice and Citizen Involvement

(1) The local government must use its acknowledged citizen involvement program, or amend the program if necessary consistent with section (2) of this rule, to provide adequate participation opportunities for citizens and other interested persons in all phases of the local periodic review. Each local government must publish a notice in a newspaper of general circulation within the community informing citizens about the initiation of the local periodic review. The local government must also provide written notice of the initiation of the local periodic review to persons who request, in writing, such notice.

(2) Each local government must review its citizen involvement program at the beginning of its periodic review and, if necessary, amend the program to ensure it will provide adequate opportunities for citizen involvement in all phases of the periodic review process. Citizen involvement opportunities must, at a minimum, include:

(a) Interested persons must have the opportunity to review materials in advance and to comment in writing in advance of or at one or more hearings on the periodic review evaluation. Citizens and other interested persons must have the opportunity to present comments orally at one or more hearings on the periodic review evaluation. Citizens and other interested persons must have the opportunity to propose periodic review work tasks prior to or at one or more hearings. The local government must provide a response to comments at or following the hearing on the evaluation.

(b) Interested persons must have the opportunity to review materials in advance and to comment in writing in advance of or at one or more hearings on a periodic review work task. Citizens and other interested persons must have the opportunity to present comments orally at one or more hearings on a periodic review work task. The local government must respond to comments at or following the hearing on a work task.

(3) A local government proposing to change an acknowledged comprehensive plan or a land use regulation under a work task must provide notice of the proposed change to the department 35 days in advance of the first evidentiary hearing, as provided in ORS 197.610 and OAR 660-018-0020.

## Statewide Planning Goal 2: Land Use Planning, OAR 660-015-0000(2)

### PART I -- PLANNING

**To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions.**

City, county, state and federal agency and special district plans and actions related to land use shall be consistent with the comprehensive plans of cities and counties and regional plans adopted under ORS Chapter 268.

#### GUIDELINES

##### A. PREPARATION OF PLANS AND IMPLEMENTATION MEASURES

The various implementation measures which will be used to carry out the plan should be considered during each of the planning phases.

Sufficient time should be allotted for:

(3) incorporation of citizen needs and desires and development of broad citizen support

##### B. PLAN CONTENT

###### 1. Factual Basis for the Plan

Inventories and other forms of data are needed as the basis for the policies and other decisions set forth in the plan. This factual base should include data on the following as they relate to the goals and other provisions of the plan:

- (a) Natural resources, their capabilities and limitations
- (b) Man-made structures and utilities, their location and condition
- (c) Population and economic characteristics of the area
- (d) Roles and responsibilities of governmental units.

##### G. USE OF GUIDELINES FOR THE STATEWIDE PLANNING GOALS

Guidelines for most statewide planning goals are found in two sections-planning and implementation. Planning guidelines relate primarily to the process of developing plans that incorporate the provisions of the goals. Implementation guidelines should relate primarily to the process of carrying out the goals once they have been incorporated into the plans. Techniques to carry out the goals and plans should be considered during the preparation of the plan.

## **Community Involvement Work Program**

(Adopted by Council Ordinance No. 184047 on August 11, 2010)

Page 4 under "Guiding Principles" states:

The Portland Bureau of Planning and Sustainability will provide effective tools and information in order to make effective public participation possible.

Information needed to make decisions will be presented in a simplified and understandable form. Assistance will be provided to interpret and effectively use technical information. Copies of technical information will be available on the Internet, at public libraries, at neighborhood coalition offices and at other locations open to the public. Translations of key documents will be available.

Decisions will be open, transparent and accessible. Reports containing the facts and reasons necessary to make particular decisions will be available at least twenty-one days before any or City Council hearing, and these reports will be retained for the life of the plan. All hearings venues will be accessible.

Plans, supporting documents, and plan-implementing measures will be adopted by City Council ordinances and will be retained in City offices easily accessible to the public and made available on the Internet.

Page 14 under "IV: Plan Development" states:

The approved concept plan will be used as the basis for the final plan, which will include a "physical plan" component. The "physical plan" will be the more detailed basis for revision or replacement of the comprehensive



plan map. Since this map serves as the basis for land use regulations, the presentation of the draft "physical plan" may require individual notice to property owners whose development opportunities would be affected by the proposed plan.

## Metro Code

### Chapter 3.07

#### Urban Growth Management Functional Plan

<http://www.oregonmetro.gov/urban-growth-management-functional-plan>

##### 3.07.010 Purpose

The regional policies which are adopted by this Urban Growth Management Functional Plan recommend and require changes to city and county comprehensive plans and implementing ordinances. The purpose of this functional plan is to implement regional goals and objectives adopted by the Metro Council as the Regional Urban Growth Goals and Objectives (RUGGO) including the Metro 2040 Growth Concept and the Regional Framework Plan. The comprehensive plan changes and related actions, including implementing regulations, required by this functional plan as a component of the Regional Framework Plan, shall be complied with by cities and counties as required by Section 5(e)(2) of the Metro Charter.

Any city or county determination not to incorporate all required functional plan policies into comprehensive plans shall be subject to the conflict resolution and mediation processes included within the RUGGO, Goal I provisions, prior to the final adoption of inconsistent policies or actions.

##### 3.07.650 Centers, Corridors, Station Communities and Main Streets Map

(a) The Centers, Corridors, Station Communities and Main Streets Map is incorporated in this title and is Metro's official depiction of their boundaries. The map shows the boundaries established pursuant to this title.

(b) A city or county may revise the boundary of a Center, Corridor, Station Community or Main Street so long as the boundary is consistent with the general location on the 2040 Growth Concept Map in the RFP. The city or county shall provide notice of its proposed revision as prescribed in subsection (b) of section 3.07.620.

Also referenced directly in the text of the Objection:

- **Title 6, Centers, Corridors, Station Communities and Main Streets, Adopted Boundaries**, October 29, 2014
- **2040 Growth Concept Map**, September 2014

## City of Portland Code and Charter

<https://www.portlandoregon.gov/citycode/article/15050>

### 3.96.050 Responsibility of City Agencies.

- A.** City agencies shall notify all Neighborhood Associations affected by planning efforts or other actions affecting the livability of the Neighborhood(s).
- B.** City agencies shall include affected Neighborhood Associations and District Coalitions in planning efforts which affect neighborhood livability.
- C.** Notice of pending policy decisions affecting neighborhood livability shall be given to the Neighborhood Association(s) affected at least 30 days prior to final action on the decision by a City agency. If said 30 day period may injure or harm the public health, safety, welfare, or result in a significant financial burden to the City, this notice provision shall not apply.

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