

## ORDINANCE No. 183728

\*Approve a Statewide Planning Goal Exception, Greenway Goal Exception and associated Comprehensive Plan Amendment to authorize the placement of fill within the Willamette Greenway setback area generally at the west end of the Sellwood Bridge (Ordinance; LU 09-160242 GE CP)

The City of Portland ordains:

Section 1. Council finds:

1. The Applicant seeks, in the vicinity of Sellwood Bridge, approval of a Statewide Planning Goal Exception, Greenway Goal Exception and associated Comprehensive Plan Amendment to authorize the placement of fill within the Willamette Greenway Setback area generally consistent with Exhibit C.17, attached hereto, for the purposes of construction of a new Sellwood Bridge and connecting ramps, relocation of the trolley track line right-of-way, and construction of an 18-foot multi-use trail.
2. An application complying with all requirements of Title 33, Planning and Zoning, of the Code of the City of Portland seeking approval of a Statewide Planning Goal Exception, Greenway Goal Exception and associated Comprehensive Plan Amendment has been received with the proper fee for filing paid.
3. The Hearings Officer held a duly noticed public hearing on February 1, 2010, and a Recommendation was issued on March 17, 2010 (LU 09-160242 GE CP). The Hearings Officer recommended approval of the requested Approval of a Statewide Planning Goal Exception, Greenway Goal Exception, and associated Comprehensive Plan Amendment.
4. The request for approval of a Statewide Planning Goal Exception, Greenway Goal Exception and associated Comprehensive Plan Amendment, based on the findings contained in the Recommendation of the Hearings Officer, are found to be in conformance with Title 33 approval criteria and the relevant Comprehensive Plan policies.

NOW THEREFORE, the Council directs:

- a. City Council adopts the facts, findings, conclusions and recommendations of the Hearings Officer in LU 09-160242 GE CP.
- b. Approval of a Statewide Planning Goal Exception, Greenway Goal Exception and associated Comprehensive Plan Amendment to authorize the placement of fill within the Willamette Greenway Setback area, generally consistent with Exhibit C.17, associated with
  - (1) construction of the new Sellwood Bridge and connecting ramps; and
  - (2) relocation of the trolley track line right-of-way; and

- (3) construction of the 18-foot multi-use trail;
- c. Approvals are subject to the following conditions:
- (1) Retaining wall(s) along the bike trail shall be designed, engineered and constructed in a manner that provides wildlife friendly vegetation and visual relief; and
  - (2) Mitigation activities required to occur at Willamette Moorage Park and Powers Marine Park shall be made consistent with Exhibits H.12b and H.12c to the Hearings Officer's Recommendation.

Section 2. The Council declares an emergency exists because there should be no delay in the beneficial use of the above-described properties; therefore, this ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council: **APR 28 2010**  
Introduced by City Auditor LaVonne Griffin-Valade  
Gregory J. Frank/rs  
April 19, 2010

**LAVONNE GRIFFIN-VALADE**  
Auditor of the City of Portland  
By   
Deputy

Agenda No.  
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INTRODUCED BY	CLERK USE: DATE FILED <u>APR 23 2010</u>
<i>LaVonne Griffin-Valade</i>	LaVonne Griffin-Valade Auditor of the City of Portland
NOTED BY COMMISSIONER	By: <i>Paula</i> Deputy
Affairs	ACTION TAKEN:
Finance and Administration	
Safety	
Utilities	
Works	
BUREAU APPROVAL	
Bureau: Auditors Office/Hearings	
Prepared by: Gregory J. Frank/cb Date: April 19, 2010 <i>GJF</i>	
Financial Impact Statement ___ Completed ___ Amends Budget <u>X</u> Not Required	
Portland Policy Document ___ Yes <u>X</u> No	
Council Meeting Date: April 28, 2010	
Bureau Head: LaVonne Griffin-Valade	

AGENDA		FOUR-FIFTHS AGENDA		COMMISSIONERS VOTED AS FOLLOWS:	
Consent	Regular - X			YEAS	NAYS
NOTED BY		1. Fritz	1. Fritz	✓	
City Attorney <i>LFR</i>		2. Fish	2. Fish	✓	
		3. Saltzman	3. Saltzman	✓	
		4. Leonard	4. Leonard	✓	
		Adams	Adams	✓	