

FEBRUARY 9, 2017 MOTIONS/VOTES:**Agenda Items #122 and #123.**

122 Motion to accept the Hearings Officer's recommendation: Moved by Saltzman and seconded by Fritz. (No roll taken)

123 (Vote 1) Motion to add emergency clause because it's in the public interest to do this as expeditiously as possible: Moved by Fish and seconded by Fritz. (Y-5)

122 Roll to the main motion: (Y-5)

Recessed.

Reconvened.

Agenda Items #122 and #123 continued.

123 Motion to add emergency clause because expediting this approval will assist in addressing the City's housing emergency; therefore, this ordinance shall be in full force and effect on and after its passage: Moved by Fish and seconded by Fritz. (Y-4 Saltzman absent)

123 Roll on ordinance as amended: Y-5.

IMPACT STATEMENT

Legislation title: Amend the Comprehensive Plan Map designation and amend the Zoning Map for property at 6012 SE Yamhill Street at the request of Rudy Manziel (Ordinance; LU 15-280008 CP ZC)

Manziel

Contact name: Matt Wickstrom, Senior City Planner

Contact phone: 503-823-6825

Presenter name: Matt Wickstrom

Purpose of proposed legislation and background information:

The request is not for a legislative action, but instead is a Type III Quasi-Judicial Comprehensive Plan Map amendment High Density Single Dwelling Residential to Low Density Multi-Dwelling Residential, and a Zoning Map Amendment from R5 (Residential 5,000) to R2 (Residential 2,000) for property located at 6012 SE Yamhill. Legislative Procedures described in Zoning Code Chapter 33.740 are handled by the Bureau of Planning & Sustainability. Quasi-Judicial Procedures described in Zoning Code Chapter 33.730, commonly known as "Land Use Reviews" are handled by the Bureau of Development Services. Quasi-judicial procedures specifically describe the City Council as the decision-maker for Type III Comprehensive Plan Map Amendment and concurrent review requests, per 33.730.030.E.3.

In this case, the Land Use Review includes a Comprehensive Plan Map Amendment, Zoning Map Amendment. The Hearings Officer has submitted a recommendation of approval with conditions. Staff will be presenting the Hearings Officer's recommendation at the hearing.

Financial and budgetary impacts:

This is not a legislative action, but rather a Type III quasi-judicial land use review to change the Comprehensive Plan Map and Zoning Map designations on the site. The request comes from a representative of the property-owner of the subject site. As such, this request has no impact on generating or reducing revenue coming to the City

Community impacts and community involvement:

Any impacts associated with the requested Comprehensive Plan Map and Zoning Map Amendments are identified in the Hearings Officers recommendation on this land use review, which was forwarded to the City Council (LU 15-280008 CP ZC). Staff and the Hearings Officer have analyzed the anticipated impacts. The Hearings Officer's recommendation speaks to these under the applicable approval criteria. In summary, the Hearings Officer found the requested Comprehensive Plan Map Amendment was, on balance, equally or more supportive of the relevant Comprehensive Plan goals and policies than the existing designation on the site. The Hearings Officer found the request for a Zoning Map Amendment, with conditions, will have no impacts to public services.

The Zoning Code requires for a Type III Land Use Review that public notice be mailed to property owners within 400 feet of the subject site and that the site be posted for a minimum of 30 days prior to the first hearing before the Hearings Officer. The notice also goes to the

neighborhood association and any city-recognized business associations. Notice of the City Council hearing was also mailed to all the individuals and organizations described above. Hearings are also posted on the BDS website. Interested persons were encouraged to write and/or testify at the first public hearing conducted before the Hearings Officer. Public input is also welcome at the hearing before City Council. There are no other public involvement efforts on the part of city staff.

Budgetary Impact Worksheet

Does this action change appropriations?

☐ **YES:** Please complete the information below.

☒ **NO:** Skip this section

Fund	Fund Center	Commitment Item	Functional Area	Funded Program	Grant	Sponsored Program	Amount