

ORDINANCE No. 89762

An Ordinance changing from Zone II to Zone III, all of Block "B" (Lots 1 to 9 inclusive), Gannon Addition, located on the south side of N.E. Halsey Street, north of the O.W.R. & N. railroad right-of-way and west of N.E. 84th Avenue (petitioned for by Michael H. and Irene C. Dolan, 3152 N.E. 102nd Avenue, Portland, Oregon), under certain terms and conditions, and declaring an emergency.

The City of Portland does ordain as follows:

Section 1. It appearing to the Council that due notification and hearings have been had for the rezoning of the property herein described from Zone II to Zone III, petitioned for by Michael H. and Irene C. Dolan, 3152 N.E. 102nd Avenue, Portland, Oregon; that the City Planning Commission has recommended that the said petition be granted, and that all remonstrances made or filed against the said change have been overruled and are by this reference specifically overruled; that such rezoning as herein provided will not adversely affect the peace, health, safety or convenience of the public and will not be detrimental to the neighborhood but will be beneficial to both the neighborhood and the general public and a rezoning should be made as herein stated, subject to certain conditions herein-after more specifically recited; now, therefore, subject to the conditions herein named and pursuant to the Planning and Zoning Code (Ordinance No. 77953), the following described property hereby is changed from Zone II to Zone III, to wit:

(Zone Change No. 956): All of Block "B" (Lots 1 to 9 inclusive), Gannon Addition, in the City of Portland, Multnomah County, State of Oregon, located on the south side of N.E. Halsey Street, north of the O.W.R. & N. railroad right-of-way and west of N.E. 84th Avenue.

This change of zone is granted upon the following express conditions, which have been accepted by the petitioners, to wit:

- (a) That no building be built closer than 20 feet to the property line of N.E. Halsey Street.

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- (b) That off-street parking facilities proportionately equal to those maintained by the lumber yard on the north side of N.E. Halsey Street be maintained by any commercial use of said Block "B".
- (c) That the provisions of the Building Code of the City and, generally, all other applicable code and ordinance provisions and regulations of the City, whether presently existing or hereafter enacted, be complied with.

In the event of a failure to comply with the terms and provisions herein stated, or any thereof, the Council may in its discretion repeal this ordinance and restore said property to Zone II or otherwise rezone the same as it may determine. This ordinance shall not be effective and no change shall be made in the zoning maps of the City until a certified copy of this ordinance shall have been recorded in the appropriate deed record file in the office of the county clerk for Multnomah County. No recording shall be effected until the petitioners shall have filed with the City Auditor, in a form approved by the City Attorney, a document in writing accepting the terms and conditions of this ordinance and shall have paid the required fee for filing. The Auditor of the City of Portland hereby is directed to file a certified copy of this ordinance as above provided when the conditions above recited have been met. The Auditor hereby is directed to change the maps provided for in Section 6-601 of the Planning and Zoning Code by designating on said maps said property as being in said Zone III.

Section 2. Inasmuch as this ordinance is necessary for the immediate preservation of the public health, peace and safety of the City of Portland in this: In order that there may be no unnecessary delay in the beneficial use of the property; therefore, an emergency hereby is declared to exist and this ordinance shall be in force and effect from and after its passage by the Council.

Passed by the Council, JUL 7 1949

Lowell McCullough
Mayor of the City of Portland
Attest: *Will Gibrow.*

Auditor of the City of Portland

Calendar No. 4228

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Title

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THURSDAY

THE COMMISSIONERS VOTED AS FOLLOWS:

	Yeas	Nays
Bean	/	
Bowes	/	
Cooper	/	
Peterson	/	
Lec	/	

FOUR-FIFTHS CALENDAR

Bean	
Bowes	
Cooper	
Peterson	
Lec	

Filed JUL 11 1949

Will Sibson.
Auditor of the CITY OF PORTLAND

By ELBERT G. ROME
Deputy

INTRODUCED BY

Order of Council

DRAWN BY

AGB:vw

Date 6/30/49

NOTED BY THE COMMISSIONER

Affairs
Finance
Safety
Utilities
Works

City Attorney AGB

NOTED FOR CITY AUDITOR

RSI

APPROVED

Date

By

Chief Civil Engineer

Date

By

City Engineer