

ORDINANCE NO. **149178**

An Ordinance establishing M2 zoning in the recently annexed Tax Lots 25 and 78, Section 15, T1S, R2E; Tax Lots 1 and 7, Block 79, Mentone; Tax Lot 2, Block 79 and 80, Mentone; Tax Lot 4, Block 80, Mentone; Tax Lot 13, Block 81, Mentone; Tax Lots 1 and 5, Lots 1 and 2, Block 3, Garbade; and Tax Lot 4, Lot 2, Block 3, Garbade; M3 zoning in the recently annexed Tax Lots 3 through 6, and 9 and 10, Lots 5 and 6, Block 4, Garbade; and Tax Lots 7 and 8, Block 3, Garbade; C2 zoning in the recently annexed Tax Lots 67 and 298, Section 15, T1S, R2E; C4 zoning in the recently annexed Tax Lot 174, Section 15, T1S, R2E; and R10 zoning in the recently annexed Tax Lots 9, 96, 115, 53, 56, 57, and 119, Section 22, T1S, R2E, located at S.E. Foster Road, between S.E. 107th and S.E. 112th Avenues, and declaring an emergency.

The City of Portland ordains:

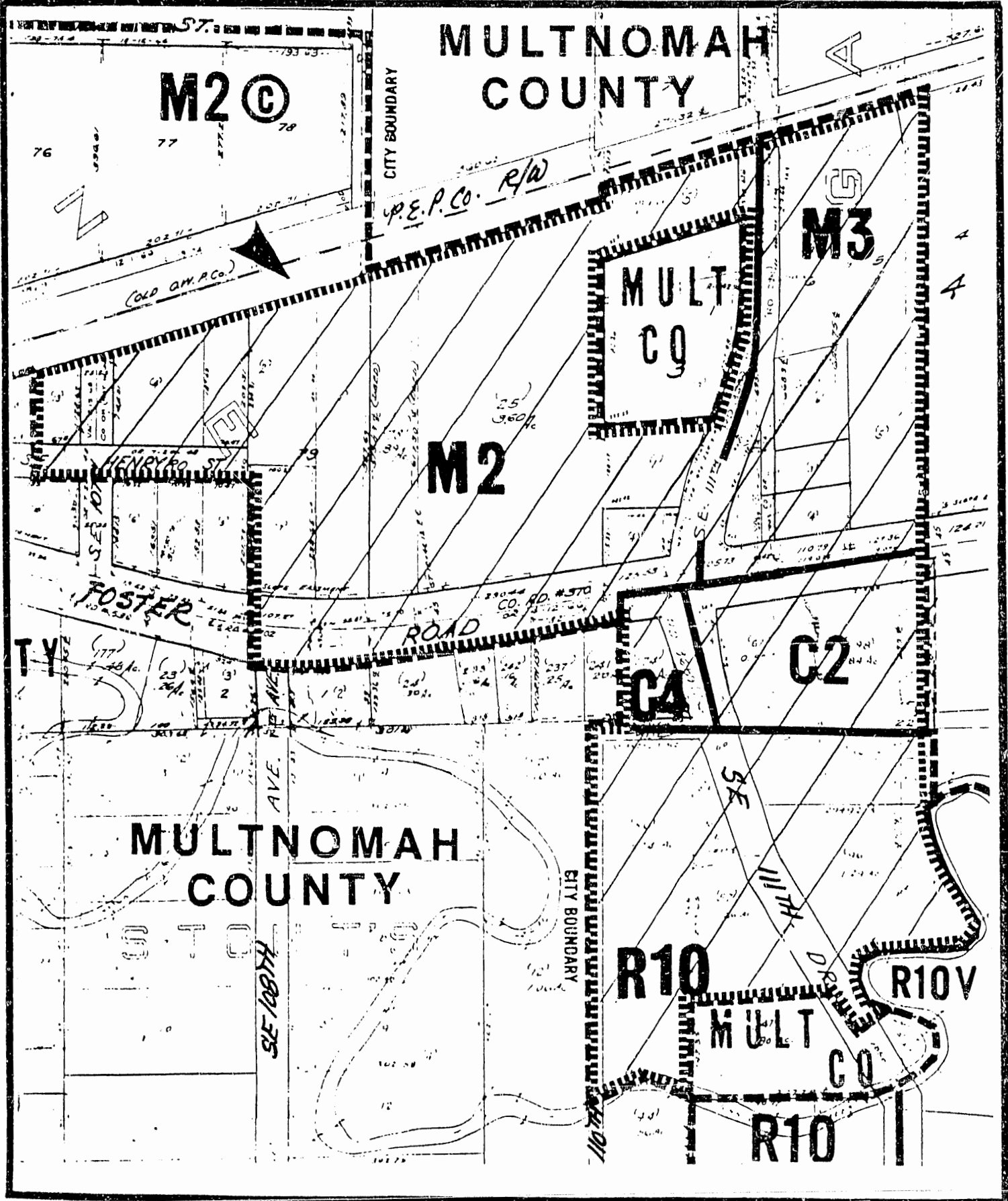
Section 1. The Council finds:

1. Tax Lots 25 and 78, Section 15, T1S, R2E; Tax Lots 1 and 7, Block 79, Mentone; Tax Lot 2, Block 79 and 80, Mentone; Tax Lot 4, Block 80, Mentone, Tax Lot 13, Block 81, Mentone; Tax Lots 1 and 5, Lots 1 and 2, Block 3, Garbade; Tax Lot 4, Lot 2, Block 3, Garbade; Tax Lots 3 through 6, and 9 and 10, Lots 5 and 6, Block 4, Garbade; Tax Lots 7 and 8, Block 3, Garbade; Tax Lots 67 and 298, Section 15, T1S, R2E; Tax Lot 174, Section 15, T1S, R2E; Tax Lots 9, 96, 115, 53, 56, 57, and 119, Section 22, T1S, R2E, located at S.E. Foster Road, between S.E. 107th and S.E. 112th Avenues, have been annexed to the City.
2. In accordance with Title 22, Planning and Zoning, of the Code of the City of Portland, said area retains the zoning regulations of the former jurisdiction, Multnomah County, until City zoning is established.
3. The City's Hearings Officer by report and recommendation dated January 22, 1980 (Planning Commission File No. 6849), after and as a result of a duly authorized and conducted public hearing held January 21, 1980, has recommended adoption of R10, C4, C2, M3, and M2 zoning in said annexed area.
4. The City Auditor has complied with the notice requirements of the ordinance for the hearing before the Hearings Officer.
5. The City Council after due deliberation in open session adopted the report of the Hearings Officer.
6. The Zoning Code requires the initiation of City zoning on annexed property within six months of the annexation in order that all appropriate and pertinent City codes should become applicable to such property.

7. City policy is to establish City zoning that is equivalent to existing County zoning whenever possible, in accordance with existing land uses and the adjacent City zoning pattern.
8. This action, in essence a transition between County and City zones because of annexation, is not a "rezoning" in the usually accepted sense. Rather it is the application of a City zoning consistent with the pre-existing zoning scheme of the City of Portland.
9. There is a public need to affix this City zoning designation to the property in order to conform to the Code of the City of Portland and assure that appropriate and pertinent planning, zoning and building regulations of the City shall apply. The zoning designation is in accordance with generally accepted land use planning standards in that it reflects the use to which the property has previously been put and is consistent with the pre-existing zoning scheme of the City of Portland.

NOW, THEREFORE, the Council directs:

- a. The recently annexed Tax Lots 25 and 78, Section 15, T1S, R2E; Tax Lots 1 and 7, Block 79, Mentone; Tax Lot 2, Block 79 and 80, Mentone; Tax Lot 4, Block 80, Mentone; Tax Lot 13, Block 81, Mentone; Tax Lots 1 and 5, Lots 1 and 2, Block 3, Garbade; and Tax Lot 4, Lot 2, Block 3, Garbade, hereby are zoned M2. The recently annexed Tax Lots 3 through 6, and 9 and 10, Lots 5 and 6, Block 4, Garbade; and Tax Lots 7 and 8, Block 3, Garbade, hereby are zoned M3. The recently annexed Tax Lots 67 and 298, Section 15, T1S, R2E, hereby are zoned C2. The recently annexed Tax Lot 174, Section 15, T1S, R2E, hereby is zoned C4. The recently annexed Tax Lots 9, 96, 115, 53, 56, 57, and 119, Section 22, T1S, R2E, hereby are zoned R10; located at S.E. Foster Road, between S.E. 107th and S.E. 112th Avenues, as set forth on the map attached hereto and incorporated herein by this reference and thereby made a part of this ordinance.
- b. The City Auditor shall file a certified copy of this ordinance in the appropriate record file of the County in which said annexed property is located. The City Auditor shall enter the property zoned as set forth in Section 1 hereof, in the zoning maps of the City. Establishment of said zone classifications are for the benefit of the public and the requirement of acceptance of this ordinance by the property owners is hereby waived.



**Zoning
proposed**



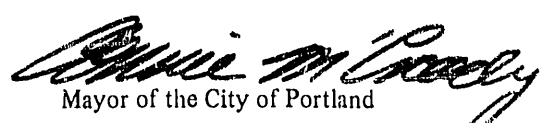
File No.	6849
1/4 Section	3641, 3741
Scale	1" = 200'
Request	Annex. Rezone
Exhibit	

ORDINANCE No.


Section 2. The Council declares that an emergency exists because there should be no delay in the establishment of zones for the annexed area; therefore, this ordinance shall be in force and effect from and after its passage by the Council.

Passed by the Council, FEB 20 1980

Mayor McCready
January 22, 1980
G.H.Fleerlage/ja


Mayor of the City of Portland

Attest:


Auditor of the City of Portland

Calendar No. 625

ORDINANCE No. 149178

Title

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THE COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
Ivancie		
Jordan		
Lindberg		
Schwab		
McCready		

FOUR-FIFTHS CALENDAR	
Ivancie	
Jordan	
Lindberg	
Schwab	
McCready	

Filed JAN 24 1990

GEORGE YERKOVICH
Auditor of the CITY OF PORTLAND
George Yerovich
By _____ Deputy

INTRODUCED BY
MAYOR McCREADY

NOTED BY THE COMMISSIONER
Affairs
Finance and Administration <i>Mose</i>
Safety
Utilities
Works

BUREAU APPROVAL
Bureau:
Hearings Office
Prepared By: <i>jo</i> Date: 1/22/80
G.H.Fleerlage/jc
Budget Impact Review:
<input type="checkbox"/> Completed <input checked="" type="checkbox"/> Not required
Bureau Head:

NOTED BY
City Attorney
City Auditor
City Engineer <i>[Signature]</i>