

ORDINANCE No. 176141

*Amend Ordinance No. 176024, which adopted Zoning Code changes that increase development potential for sites in the area of the West End south of Salmon Street, to change the effective date to February 1, 2002. (Ordinance; amend Ordinance No. 176024)

The City of Portland ordains:

Section 1. The Council finds:

1. On June 21, 2001 the Portland City Council held a public hearing on the Planning Commission's *West End Recommendation*. The recommendation consists of a new *Central City Plan* policy, Zoning Code, and zoning map changes designed to foster the West End's revitalization. Testimony came from diverse interests and continued beyond the normal scheduled time for adjournment of the City Council. The hearing was continued.
2. On July 18, 2001 the City Council reconvened to complete testimony on the Planning Commission's recommendation. At the close of this hearing the City Council noted that the bulk of the controversy was focused on the portion of the West End that lies north of SW Salmon Street and west of SW 11th Avenue. The Council directed the Planning Director to create a new proposal for the RX-zoned area north of Salmon Street that would address the conflicting issues raised in testimony.
3. On September 26, 2001 the City Council met again to consider the results of the Planning Director's work. An outline of a new approach to zoning in the area in question was presented and supported by a number of interests present.
4. At the City Council's September 26, 2001 hearing, representatives of the Association for Portland Progress and Portland's Planning Director, Gil Kelley, jointly requested an additional six weeks to finalize outstanding details of the proposal. The City Council agreed, directing that a final proposal be brought for conceptual approval in three weeks.
5. Also, at the City Council's September 26, 2001 hearing, there was a discussion of the area of the West End that is south of SW Salmon Street. Several projects currently proceeding toward building permits were noted with the understanding that some or all of these projects' economic viability would be enhanced if the Planning Commission's recommendation for the area south of Salmon Street were implemented at an early date. In response, the City Council directed that an Ordinance implementing those of the Planning Commission's recommendations that were not linked to the controversy present in the north of Salmon area, be brought back in three weeks for their consideration and possible action.

6. On October 18, 2001 the City Council held a public hearing on an Ordinance to implement the Planning Commission's recommendations for the part of the West End that is south of SW Salmon Street. These had been broadly supported in the City Council's earlier hearings on the Planning Commission's *West End Recommendation* and are supported by the existing policies of the *Comprehensive Plan*.
7. On October 18, 2001, the City Council considered and adopted Resolution No. 36037. That resolution directed Bureau of Planning staff to craft an alternative regulatory proposal for the portion of the West End north of SW Salmon Street and west of SW 11th Avenue.
8. On October 24, 2001 the City Council adopted Ordinance No. 176024. This Ordinance had been introduced on October 18, 2001 for the area south of Salmon Street. Council acted on it prior to the bulk of the actions recommended by the Planning Commission to assure developers of residential and mixed-use projects of Council's intentions regarding the area of the West End that is south of SW Salmon Street. A delayed effective date of January 1, 2002 was established for Ordinance No. 176024. This delay was intended to allow all provisions of the Council's action affecting the City's Zoning Code to take effect simultaneously.
9. On November 21, 2001, the City Council held a public hearing to hear additional testimony on the amendments requested to the Planning Commission's recommendations on the new West End Action Chart and additions to other *Central City Plan* action charts. The presentation of the new proposed changes requested by City Council for the area north of SW Salmon Street and west of SW 11th Avenue was delayed until January 10, 2002 due to the complexity of drafting the new code regulations for this area. Council also delayed action on requested amendments to the new West End Policy to be added to the *Central City Plan*.
10. It is in the public interest that the Zoning Code changes for the area south of Salmon Street become effective the same date as the new *Central City Plan* West End Policy and the remaining Zoning Code and map amendments of the Planning Commission's *West End Recommendation*, as enhanced by the Portland City Council, for purposes of administering the code.

NOW, THEREFORE, the Council Directs:

- a. Ordinance No. 176024 is amended to change its effective date from January 1, 2002 to February 1, 2002 so that all Zoning Code changes that implement the new *Central City Plan* West End Policy become effective on the same date.

Section 2. The Council declares that an emergency exists because the difference in effective dates of the Zoning Code changes for the areas south and north of Salmon Street could adversely affect their administration in the West End. Therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council, DEC 19 2001

Mayor Vera Katz
Graham Clark
December 13, 2001

Gary Blackmer
Auditor of the City of Portland

By /S/ Terry Reisz

Deputy

BACKING SHEET INFORMATION

AGENDA NO. 1446-2001

ORDINANCE/RESOLUTION/COUNCIL DOCUMENT NO. 176141

COMMISSIONERS VOTED AS FOLLOWS:		
	YEAS	NAYS
FRANCESCONI	X	
HALES	X	
SALTZMAN	X	
STEN	X	
KATZ	X	