

187366    *As Amended*

**ORDINANCE No.**

Waive Title 33, Planning and zoning, to allow short-term, temporary public use of an indoor track and field facility at 2400 NW Front Avenue from December 1, 2015 through February 28, 2016 (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. The International Association of Athletics Federation (IAAF) is an international athletics organization that was founded in 1912 in Stockholm, Sweden as the world governing body for the sport of track and field athletics. For one hundred years, the IAAF has fulfilled the need for a world governing authority, for a competition program, for standardized technical equipment and for a list of official world records.
2. TrackTown USA, dba Track Town Events, LLC, based in Eugene, Oregon, is a non-profit organization committed to setting a standard of excellence in the sports of track and field and running by hosting premier events, creating a supportive environment for elite athletic performances, improving facilities and inspiring the next generation of track and field athletes and fans.
3. TrackTown USA is the sponsoring organization and is responsible for organizing the USA Track & Field National Indoor Championships and the IAAF World Indoor Championships Portland 2016, March 11-12 and March 18-20, respectively. This will be the first time the IAAF World Indoor Championships, a global event, has been held in the United States in over 20 years.
4. The event will bring the best track and field athletes in the world to Portland for four days of competition at the Oregon Convention Center, where a purpose built track and field arena will be installed, and at the Moda Center. Extensive activities and youth and public engagement programs are planned at Pioneer Courthouse Square and in the competition venues during the periods of the events.
5. BES intends to sell the site, but in the meantime it is unlikely otherwise to be able to find other short-term lease opportunities. Entering into a short-term lease with Track Town Events, LLC with terms acceptable to BES for a rental amount that will cover BES Expenses provides useful community benefits and is consistent with relevant City Code and Charter requirements.
6. As part of the overall lead up to the March 2016 events, Track Town USA intends to implement extensive youth programs involving public and private partners including the City of Portland, Oregon Sports Authority, Portland Public Schools, Oregon School Activities Associations, youth groups and organizations, and non-profit and corporate sponsors, and will specifically work to engage under-

privileged youth in East Portland by working closely with the Parkrose, Reynolds, Gresham-Barlow and other East Portland schools and communities.

7. Conducting such activities will also call attention to an upcoming world-class track and field event to be attended by thousands of citizens and worldwide visitors and athletes.
8. Track Town USA through a third party vendor, Beynon Sports Surfaces, is contracting for construction of the purpose built, indoor track and field structure consisting of a 200M, 6-Lane oval and infield with 8 lane, 60-meter sprint track and various field event venues. Completion of the construction of the indoor track and field structure, including erection, surfacing and certification by the IAAF, will occur in Portland commencing on or about October 1, 2015. The structure will be disassembled and moved to the Oregon Convention Center starting on or about February 25, 2016 for use during the USA Track & Field National Indoor Championships on March 11 and 12, 2016 and the IAAF World Championships Portland 2016 on March 18-20, 2016.
9. By Ordinance No. 187295 (August 19, 2015), the Council waived certain requirements of Title 33, Planning and Zoning, to allow the production and manufacturing of the track and field structure as a temporary manufacturing use at the former Terminal 1 Warehouse 3 located at 2400 NW Front Avenue.
10. Track Town USA proposes to enter into a short-term lease of the former Terminal 1 Warehouse 3 located at 2400 NW Front Avenue with the Bureau of Environmental Services (BES) in order to produce and manufacture the indoor track and field structure that will be used for Portland 2016 at the Oregon Convention Center.
11. Leasing Terminal 1 Warehouse 3 for this purpose and on terms to be negotiated with and acceptable to BES is consistent with relevant code and charter requirements.
12. From approximately December 1, 2015 to February, 15, 2015, TrackTown USA further proposes to utilize the completed track and field structure and the entire Terminal 1 Warehouse 3 as a “pop up” track and field facility to conduct track and field meets for Portland area youth, high school students, collegiate runners and others, along with clinics and other activities to encourage participation in running and track and field and healthy lifestyles.
13. The site is located in the Heavy Industrial (IH) zone, with an “i” or Greenway River Industrial overlay zone, and within the Guilds Lake Industrial Sanctuary Plan District. Regulations of Title 33 (Planning and Zoning) that apply to the site include those of the IH zone (33.140), regulations applying to non-conforming situations (33.258), parking and loading (33.266), the Greenway Overlay Zone (33.440), and the Guilds Lake Industrial Sanctuary Plan District (33.531).

14. The proposed “pop up” track and field facility is classified as a community service use and is allowed subject to a land use review in the IH zone. Certain provisions of Title 33 either prevent or present difficulties in the allowing this site to be used for a temporary, short-term community service use at this location. These include:
- a. The Heavy Industrial zone limits the primary use of the site to certain industrial uses. Public use of the track, as described, is a community service use and is significantly limited under the zone (33.140.100).
  - b. Parking and loading requirements apply to this use (33.266).
  - c. Depending on the value of any proposed or required improvements to the site, non-conforming upgrades may apply (33.258).
  - d. The Greenway overlay zone requires a Greenway Review for non river dependent or river-related uses on sites with an “i” River Industrial Overlay zone (33.440.100 and 310)
  - e. Depending on proposed or required improvements to the site, the development standards of the Greenway Overlay may apply (33.440.210 through 270).
15. Given the short-term, temporary use of the subject property as proposed, it is in the public interest to waive the application of certain City regulations to this particular situation. This will allow temporary use of the site to generate youth involvement in track and field and generate public awareness and interest to support the USA Track & Field Indoor National Championships and the IAAF World Indoor Track & Field Championships. This City Council action is not a precedent for any future action.

NOW THEREFORE, the Council directs:

- a. For the property located at 2400 NW Front Avenue, from December 1, 2015 through February 28, 2016:
  - 1. Waive PCC 33.140.100 to temporarily allow a “pop up” track and field facility as a community service use;
  - 2. Waive PCC 33.440.310 to temporarily exempt use of the subject property for a “pop up” track and field facility from Greenway Review and waive the requirement for the site to be used for river dependent uses;

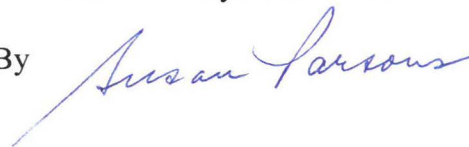
3. Waive PCC 33.266, 33.258, and 33.440.210-270 to temporarily exempt use of the property as a “pop up” track and field facility use and development regulations;
- b. Track Town USA must submit permit drawings for temporary, public use of the subject property for necessary approvals by the Bureau of Development Services consistent with the intent of this Ordinance.
- c. Except as specified in directive “a” above, all other elements of the proposed temporary “pop up” track and field facility will comply with all requirements of the applicable City of Portland codes.
- d. In recognition of the community benefit of opening the indoor track to the public and the expectation that BES will soon be selling the site in any case, the Council directs and authorizes the Director of BES to negotiate and execute a lease with Track Town Events, LLC for a portion of the site that provides payments to BES at least sufficient to cover BES’s expenses arising in connection with the property during the term of the lease, but in no case less than \$10,000 per month.

Passed by the Council: **OCT 07 2015**

Mayor Charlie Hales  
Prepared by: Diana Nuñez  
Date Prepared: 09/17/15

**Mary Hull Caballero**  
Auditor of the City of Portland

By



Deputy

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Agenda No.  
ORDINANCE  
Title

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<p><b>INTRODUCED BY</b> Commissioner/Auditor: <b>Mayor Charlie Hales</b></p> <hr/> <p><b>COMMISSIONER APPROVAL</b></p> <p>Mayor—Finance and Administration <i>Hales</i></p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Novick</p> <hr/> <p><b>BUREAU APPROVAL</b></p> <p>Bureau: Mayor's Office</p> <hr/> <p>Prepared by: Diana Nuñez Date Prepared: 09/17/15</p> <hr/> <p>Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/></p> <hr/> <p><b>City Auditor Office Approval:</b> required for Code Ordinances</p> <hr/> <p><b>City Attorney Approval:</b> <i>KS Beaumont</i> required for contract, code, easement, franchise, charter, Comp Plan</p> <hr/> <p>Council Meeting Date <b>10/01/15</b></p>	<p>CLERK USE: DATE FILED <u>SEP 25 2015</u></p> <hr/> <p style="text-align: right;">Mary Hull Caballero Auditor of the City of Portland</p> <p>By: <i>[Signature]</i> Deputy</p> <hr/> <p><b>ACTION TAKEN:</b> OCT 01 2015 <b>PASSED TO SECOND READING</b> <i>As Amended</i> OCT 07 2015 <b>9:30 A.M.</b></p>
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<p style="text-align: center;"><b>AGENDA</b></p> <hr/> <p><b>TIME CERTAIN</b> <input checked="" type="checkbox"/> <b>Start time: 2:00pm</b></p> <p><b>Total amount of time needed: 1 hr</b> <i>2 of 2</i> (for presentation, testimony and discussion)</p> <hr/> <p><b>CONSENT</b> <input type="checkbox"/></p> <hr/> <p><b>REGULAR</b> <input type="checkbox"/> <b>Total amount of time needed: _____</b> (for presentation, testimony and discussion)</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 30%;">FOUR-FIFTHS AGENDA</th> <th colspan="2">COMMISSIONERS VOTED AS FOLLOWS:</th> </tr> <tr> <th></th> <th style="width: 30%;">YEAS</th> <th style="width: 30%;">NAYS</th> </tr> <tr> <td>1. Fritz</td> <td style="text-align: center;">✓</td> <td></td> </tr> <tr> <td>2. Fish</td> <td colspan="2" style="text-align: center;"><i>[Signature]</i></td> </tr> <tr> <td>3. Saltzman</td> <td style="text-align: center;">✓</td> <td></td> </tr> <tr> <td>4. Novick</td> <td style="text-align: center;">✓</td> <td></td> </tr> <tr> <td>Hales</td> <td style="text-align: center;">✓</td> <td></td> </tr> </table>	FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:			YEAS	NAYS	1. Fritz	✓		2. Fish	<i>[Signature]</i>		3. Saltzman	✓		4. Novick	✓		Hales	✓	
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