

RESOLUTION No. **37192** As Amended

Approve and adopt zoning confirmation letter responding to request for zoning confirmation on SE 3rd and Harrison, submitted by Right 2 Dream Too (Resolution)

WHEREAS, the City allows an individual to request a zoning confirmation letter for the purpose of verifying the zoning use classification and other zoning regulations applicable to a specific site and seeking answers to specific questions consistent with ORS 227.160(2)(b); and

WHEREAS, Right 2 Dream Too submitted a request for zoning confirmation concerning the proposed use of property located at SE 3<sup>rd</sup> and Harrison for a rest area with tents for overnight and day use shelter for individuals experiencing homelessness; and

WHEREAS, the zoning applied to the property located at SE 3<sup>rd</sup> and Harrison is General Industrial, or IG1; and

WHEREAS, the Director of the Bureau of Development Services has prepared an advisory zoning confirmation letter in response to the questions posed in a zoning confirmation request, which is attached as Exhibit A; and

WHEREAS, the letter recommends that the proposed rest area, and the structures and other areas of use as described in the concept site plan attached as Exhibit B should be classified as a Community Services use under the zoning code which, is a permitted use on the property and does not require either design review or modification of any previous land use approvals; and

WHEREAS, the proposed use of this property for a rest area has received significant public attention and, as a result, it is appropriate for the City Council to review the Director's recommended zoning confirmation letter; and

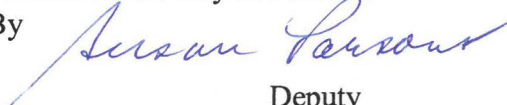
WHEREAS, Mayor Hales and Commissioner Fritz recommend that the Council confirm the Director's letter as having interpreted and applied the zoning code in a reasonable and plausible manner.

NOW, THEREFORE BE IT RESOLVED, that the City Council hereby approves and adopts the zoning confirmation letter attached as Exhibit A as the Council's final action interpreting and applying the zoning code in response to the zoning confirmation requested submitted by Right 2 Dream Too.

Adopted by the Council: FEB 24 2016

Mayor Hales/Commissioner Fritz  
Prepared by: R. Wiggins/C. Adamsick  
Date Prepared: January 25, 2016

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

By   
Deputy

Agenda No.

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Title

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<p><b>INTRODUCED BY</b> Commissioner/Auditor: <b>Mayor Hales/Commissioner Fritz</b></p> <p><b>COMMISSIONER APPROVAL</b></p> <p>Mayor—Finance and Administration - Hales <i>[Signature]</i></p> <p>Position 1/Utilities - Fritz <i>[Signature]</i></p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Novick <i>[Signature]</i></p> <p><b>BUREAU APPROVAL</b> Bureau: Hales/Fritz Office</p> <p>Prepared by: R.Wiggins/C.Adamsick Date Prepared: January 25, 2016</p> <p>Financial Impact &amp; Public Involvement Statement</p> <p>Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/></p> <p>Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p><b>City Auditor Office Approval:</b> required for Code Ordinances</p> <p><b>City Attorney Approval:</b> required for contract, code, easement, franchise, charter, Comp Plan</p> <p>Council Meeting Date <b>2/4/2016</b></p>	<p style="text-align: right;">JAN 26 2016</p> <p>CLERK USE: DATE FILED _____</p> <p style="text-align: right;">Mary Hull Caballero Auditor of the City of Portland</p> <p>By: <i>[Signature]</i> Deputy</p> <p><b>ACTION TAKEN:</b></p> <p>FEB 04 2016 <i>RESCHEDULED TO</i> FEB 18 2016 <b>2 P.M.</b> <i>TIME CERTAIN</i></p> <p>FEB 18 2016 <b>CONTINUED TO</b> FEB 24 2016 <b>2 P.M.</b> <i>As Amended TIME CERTAIN</i></p>
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<b>AGENDA</b>
<p><b>TIME CERTAIN</b> <input checked="" type="checkbox"/> Start time: 2:00 PM</p> <p><b>Total amount of time needed: 4 hours, 2 of 3</b> (for presentation, testimony and discussion)</p> <p><b>CONSENT</b> <input type="checkbox"/></p> <p><b>REGULAR</b> <input type="checkbox"/> <b>Total amount of time needed:</b> (for presentation, testimony and discussion)</p>

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:	
	YEAS	NAYS
1. Fritz <i>[Signature]</i>	✓	
2. Fish <i>[Signature]</i>		✓
3. Saltzman <i>[Signature]</i>	✓	
4. Novick <i>[Signature]</i>	✓	
Hales <i>[Signature]</i>	✓	