

ORDINANCE NO. **154519**

An Ordinance changing the zoning and establishing Comprehensive Plan designation on several parcels recently annexed to the City of Portland, located on the east side of S.E. 82nd Avenue, between Rhine and Cora Streets, including the Eastport Plaza Shopping Center, and establishment of a setback of 45 feet from the center line of S.E. 82nd Avenue, as provided by the 82nd Avenue Corridor Study, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

1. Lots 12-15, Block 4, Lots 7-16, Block 5, the west half of Lots 13-15, Lots 16 and 17, Block 1, Tax Lot 2 of Lots 1-10 and 20-29, Lots 12-18, and the west 25 feet of Lots 11 and 19, Block 2, Grandview Heights; and the following Tax Lots in Section 9, T1S R2E: Tax Lot 45, Tax Lot 522, Tax Lot 536, Tax Lot 537, Tax Lot 538, Tax Lot 539, and Tax Lot 588, located on the east side of S.E. 82nd Avenue, between Rhine and Cora Streets, have been annexed to the City.
2. In accordance with Title 33, 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 March 14, 1983 (Planning Commission File No. 7254-A), after and as a result of a duly authorized and conducted public hearing held on March 14, 1983, has recommended establishment of General Commercial Comprehensive Plan designation for this annexed area; and C2 zoning on the following parcels:

- (A) Lots 12-15, Block 4, Grandview Heights,
Lots 8-15, Block 5, Grandview Heights,
The West 51'10" of Lots 13 and 14, Block 1, Grandview Heights,
The West 51'10" of the North 10' of Lot 15, Block 1, Grandview Heights,
The South 30' of the West 51' of Lot 15, Block 1, Grandview Heights,
The South 20' of the East 49' of Lot 15, Block 1, Grandview Heights,
Lots 16 and 17, Block 1, Grandview Heights,
The West 25' of Lots 11 and 19 and all of Lots 12-18, Block 2, Grandview Heights,
Tax Lots 536, 537, and 538, Section 9, T1S R2E,
Excepting the North 50 feet, Tax Lot 2 of Lots 1-10 and 20-29, Block 2, Grandview Heights,
Excepting the North 50 feet and the east 50 feet, Tax Lot 522, Section 9, T1S R2E,
Excepting the east 50 feet, Tax Lots 539 and 588, Section 9, T1S R2E;

establishment of C2B zoning with special provisions as outlined in the 82nd Avenue Corridor Study on the following parcels:

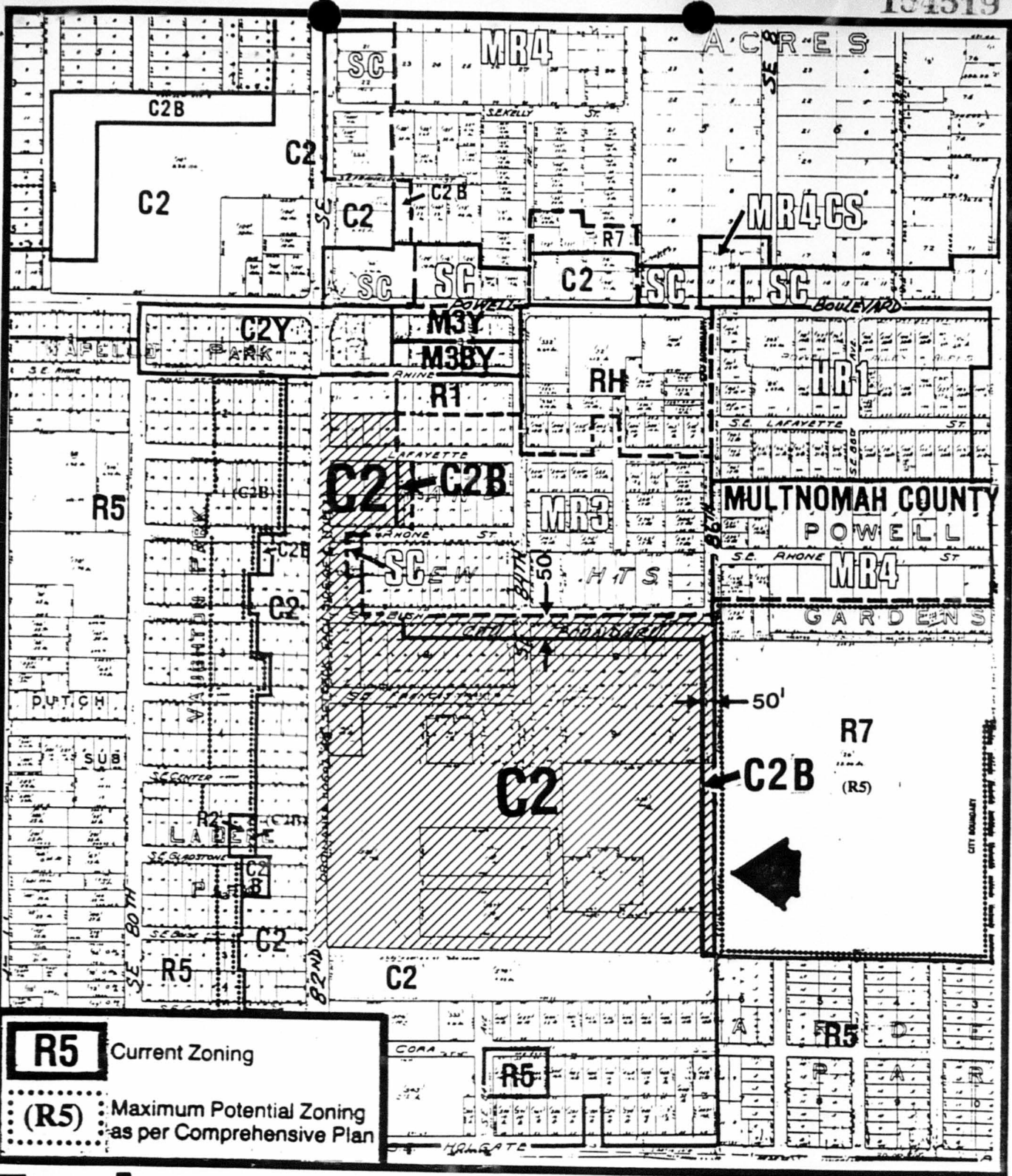
- (B) Lots 7 and 16, Block 5, Grandview Heights,
The North 50 feet of Tax Lot 2 of Lots 1-10 and 20-29, Block 2,
Grandview Heights,
The North 50 feet and the East 50 feet to Tax Lot 522, Section 9,
T1S R2E,
The East 50 feet of Tax Lots 539 and 588, Section 9, T1S R2E;

and establishment of a setback of 45 feet from the center line of S.E. 82nd Avenue, as provided by the 82nd Avenue Corridor Study.

4. The notice requirements for public hearings were fulfilled according to law.
5. 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.
6. 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.
7. 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.
8. 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. That the facts, findings, conclusions, and recommendations of the Hearings Officer in P.C. File No. 7254-A are adopted by City Council.
- b. The Comprehensive Plan Map is hereby amended to designate these sites as General Commercial.
- c. As set forth on the map attached hereto and incorporated herein by this reference and thereby made a part of this ordinance the recently annexed parcels listed in Section 1, Paragraph 3 (A), above, are hereby zoned C2. The recently annexed parcels listed in Section 1, Paragraph 3 (B), above, are hereby zoned C2B. A 45-foot setback from the center line of S.E. 82nd Avenue is hereby established.



Zoning proposed



File No. 7254A
1/4 Section 3439
Scale 1"=400'
Request Annexation zoning
Exhibit

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- d. 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, and the Comprehensive Plan Map of the City shall be amended accordingly. 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.
- e. This order shall not be effective and no change shall be made to the zoning maps or the Comprehensive Plan Map until recorded as provided herein.

Section 2. The Council declares an emergency exists because there should be no delay in the beneficial use of the above-described property; therefore, this ordinance shall be in force and effect from and after its passage by the Council.

APPROVED BY THE CITY OF PORTLAND
JEWEL LANSING

Filed
MAR 18 1983

Hearing 5:00 p.m. May 4, 1983

Emergency.
Corridor Study, and declaring an
Avenue, as provided by the 82nd Avenue
feet from the center line of 2.E. 82nd
Establishment of a setback of 42
Eastport Plaza Shopping Center, and
and 10th Streets, including the
of 2.E. 82nd Avenue, between Rhine
Portland, located on the east side
recently annexed to the City of
designation on several parcels
establishing Comprehensive Plan
An Ordinance changing the zoning and

Title

ORDINANCE No. 154519

Calendar No. 1143

City Engineer	City Auditor	City Attorney	NOTED BY	JEWEL LANSING
City Council	Regina	CALENDAR	By	Elena Cervia
Bureau Head	<input type="checkbox"/> Completed <input checked="" type="checkbox"/> Not Completed	Budget Impact Review	Auditor of the City of Portland	
G.H.Fleerlage/ja	3/14/83	Hearings Office	By	
Bureau	BRIEFING APPROVAL	4	Page No.	
Works				
Utilities				
Safety				
Administration				
Finance and				
Attorney				
NOTED BY THE COMMISSIONER				
COMMISSIONER SCHWAB				
INTRODUCED BY				

Passed by the Council, MAY 4 1983

Commissioner Schwab
March 14, 1983
G.H.Fleerlage/ja

Calendar No. **1149**

ORDINANCE No. **154519**

Title

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Hearing 2:00 p.m. May 4, 1983

Filed MAR 18 1983

JEWEL LANSING
Auditor of the CITY OF PORTLAND

Gordon Crall
Deputy

THE COMMISSIONERS VOTED AS FOLLOWS	
Yeas	Nays
JORDAN	1
LINDBERG	1
SCHWAB	—
STRACHAN	1
IVANCIE	1

FOUR-FIFTHS CALENDAR	
JORDAN	
LINDBERG	
SCHWAB	
STRACHAN	
IVANCIE	

INTRODUCED BY	
COMMISSIONER SCHWAB	
NOTED BY THE COMMISSIONER	
Affairs	
Finance and Administration	
Safety	
Utilities	
Works	
BUREAU APPROVAL	
Bureau:	Hearings Office
Prepared By:	G.H. Fleerlage/jd
Date:	3/14/83
Budget Impact Review:	
<input type="checkbox"/> Completed	<input checked="" type="checkbox"/> Not required
Bureau Head:	
CALENDAR	
Consent	Regular
NOTED BY	
City Attorney	
City Auditor	
City Engineer	