

IMPACT STATEMENT

Legislation title:

Appeal of the Portland Japanese Garden against the Hearings Officer’s decision of approval with conditions limiting the Garden’s office use in the house at 369 SW Kingston Ave. to 4 years (Hearing: LU 19-192268 CU)

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Presenter name: Andrew Gulizia

Purpose of proposed legislation and background information:

The request is not for a legislative action, but rather an appeal of a Type III quasi-judicial land use review decision. The Hearings Officer approved a Type III Conditional Use Review for the Portland Japanese Garden to continue using the house at 369 SW Kingston Ave. as office space. The Hearings Officer imposed a condition of approval limiting the office use at 369 SW Kingston Ave. to 4 more years, rather than the 10 years the Portland Japanese Garden had requested. The Portland Japanese Garden objects to the 4-year time limit and has appealed the Hearings Officer’s decision to the City Council. Type III land use review decisions may be appealed to City Council per Zoning Code Section 33.730.030.G.

Financial and budgetary impacts:

This is not a legislative action. There are no ongoing costs to the City associated with this quasi-judicial land use review. The required land use review fees and appeal fees were paid by the applicant.

Community impacts and community involvement:

The standard public involvement procedures for a Type III land use review have been followed. Several neighbors submitted written or oral testimony to the Hearings Officer. The Hearings Officer addressed concerns raised by neighbors in his written decision.

Budgetary Impact Worksheet

Does this action change appropriations?

- YES: Please complete the ow.
- NO: Skip this section

Fund	Fund Center	Commitment Item	Functional Area	Funded Program	Grant	Sponsored Program	Amount