

ORDINANCE NO. **149799**

An Ordinance establishing City M1 zoning on the recently annexed parcel measuring 947 feet by 985.76 feet lying in the northeast corner of Lot 2, Block 19, and a parcel measuring 947 feet by 64.24 feet lying in the northwest corner of Lot 1, Block 19, Rivergate Industrial District, granting a Conditional Use for a landfill, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

1. The parcel measuring 947 feet by 985.76 feet lying in the northeast corner of Lot 2, Block 19, and a parcel measuring 947 feet by 64.24 feet lying in the northwest corner of Lot 1, Block 19, Rivergate Industrial District, has 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 May 20, 1980 (Planning Commission File No. 6966 and CU 32-80), after and as a result of a duly authorized and conducted public hearing held on May 19, 1980, has recommended adoption of M1 zoning in said annexed area, and a Conditional Use for a 360,000 cubic yard landfill.
4. The City Auditor has complied with the notice requirements of the ordinance for the hearing before the Hearings Officer.
5. The City Council after due deliberation in open session adopted the facts, findings and conclusions of the Hearings Officer.
6. 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.
7. 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.
8. 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 the City zoning consistent with the pre-existing zoning scheme of the City of Portland.

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9. 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.
10. The need identified by the Zoning Code in conditionally allowing this use in this zone is reasonably addressed by this proposal. This use at this particular location is desirable to the public convenience and welfare and is not detrimental or injurious to surrounding properties, if properly conditioned.

NOW, THEREFORE, the Council directs:

- a. The recently annexed parcel measuring 947 feet by 985.76 feet lying in the northeast corner of Lot 2, Block 19, and a parcel measuring 947 feet by 64.24 feet lying in the northwest corner of Lot 1, Block 19, Rivergate Industrial District, hereby is zoned M1, as set forth on the map attached hereto and incorporated herein by this reference and thereby made a part of this ordinance.
- b. The requested Conditional Use (CU 32-80) for a landfill is granted, subject to the following conditions:
  1. Chapter 70 of the Uniform Building Code shall be met.
  2. A Building Permit or an Occupancy Permit must be obtained from the Bureau of Buildings, Room 111, City Hall, 1220 S.W. Fifth Avenue, 248-4241, before carrying out this project in order to assure that all conditions imposed here and all requirements of the pertinent Building Codes are met.
- c. 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. Establishment of said zone classification is for the benefit of the public and the requirement of acceptance of this ordinance by the property owners is hereby waived.

**F-2  
CS**

RIVER COLUMBIA

~~PGATE~~ Block  
19  
Lot 2

M1

INDUSTRIAL

North Harbor

FULTON TERMINAL

Block 19  
Lot 1

DISTRICT

M1

**F2**

# Zoning



File No. CU 32.20 / 6966  
1/4 Section 1321.22 / 1421.22  
Scale 1" = 600'  
Request EST M1 2014; CU  
Exhibit 3b

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Section 2. The Council declares that an emergency exists because there should be no delay in the establishment of zoning for the annexed area; therefore, this ordinance shall be in force and effect from and after its passage by the Council.

Passed by the Council, **JUN 25 1980**

Mayor McCready  
May 20, 1980  
Paul Norr/sa

  
Auditor of the City of Portland

2166  
Calendar No. ~~2147~~

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## Title

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**JUN 18 1980**

**CONTINUED TO JUN 25 1980**

**MAY 22 1980**

Filed \_\_\_\_\_

**GEORGE YERKOVICH**

Auditor of the CITY OF PORTLAND

Deputy

THE COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
Ivancie	/	
Jordan	/	
Lindberg		
Schwab		
McCready	/	

FOUR-FIFTHS CALENDAR	
Ivancie	
Jordan	
Lindberg	
Schwab	
McCready	

INTRODUCED BY

MAYOR MC CREADY

NOTED BY THE COMMISSIONER

Affairs

Finance and  
Administration

Safety

Utilities

Works

BUREAU APPROVAL

Bureau:

HEARINGS OFFICE

Prepared By:

Date:

Paul Norr/sa

May 20, 1980

Budget Impact Review:

☐ Completed

☒ Not required

Bureau Head:

NOTED BY

City Attorney

City Auditor

City Engineer