

## Commissioner Saltzman's amendment

<p><b>1101</b> Direct the Bureau of Planning and Sustainability to develop a legislative proposal for annexation of West Hayden Island to the City with the intent to protect at least 500 acres as open space and identify no more than 300 acres for future marine terminal development (Resolution introduced by Mayor Adams)</p> <p><b>Motion to accept amendments submitted by Commissioners Fritz and Fish:</b> Moved by Commissioner Fish and seconded by Commissioner Fritz. (Y-4)</p> <p><b>Motion to insert the word "deep water" before the words "marine terminal" throughout the resolution:</b> Moved by Commissioner Saltzman and seconded by Mayor Adams. (Y-4)</p> <p>(Y-4)</p>	<p><b>36805</b> AS AMENDED</p>
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Commissioner Fritz

**Amendment to Resolution Agenda Item 1101:**July 29<sup>th</sup>, 2010 Time Certain 6:00 P.M. HearingChanges shown in ~~Strikeout~~ for Deletion/ **Bold underline** for Addition

Comments describing the reason for the change are in the margin to the right.

**NOTE:** All other sections of original Resolution remain the same.

Title of Original Ordinance:

Directing the Bureau of Planning and Sustainability to develop a legislative proposal for annexation of West Hayden Island to the City with the intent to protect at least 500 acres as open space and identify no more than 300 acres for future marine terminal development (Resolution introduced by Mayor Adams)

~~WHEREAS, the Economic Foundation Studies found that even with considerable redevelopment and reconfiguration of existing sites in Portland Harbor, Portland will need to look to WHI to ensure large site availability for significant growth opportunities; and~~

**Comment [t1]:** On e of 42 findings located on page 3 of 7 of the original Ordinance... The new section e. below indicates that further analysis is needed before arriving at this conclusion.

**NOW, THEREFORE, BE IT RESOLVED:**

1. The City Council directs the Bureau of Planning and Sustainability, in coordination with other City agencies, to take the next steps toward addressing the future of West Hayden Island, including the following:
  - a. Develop a legislative proposal for annexation of WHI to the City, and bring that draft proposal to the Council for consideration by December 2011;
  - b. The legislative proposal should include Comprehensive Plan and zoning designations, and Plan District regulations;
  - c. The proposal should include documentation of compliance with state Goal 5 and Metro Title 13, including an ESEE Analysis, and a process to determine appropriate mitigation requirements for future development impacts to significant natural resources;
  - d. The proposal should include an analysis of the infrastructure **needs and a costs/benefit analysis to the public** associated with **those needs after** annexation, and an analysis of the financial tools available to facilitate infrastructure development;
  - e. **The proposal should include a thorough analysis/explanation of existing marine industrial land supply, marine industrial needs in the future and the feasibility of consolidation and/or expansion of existing sites to meet those needs.**
  - f. Develop alternative for how natural resource lands could be managed over the long term, including proposals for long term land ownership, and strategies to pay for land management activities;

**Comment [t2]:** Costs will be weighed against benefits as if annexation has occurred.

**Comment [t3]:** While there has been some analysis in this regard additional work needs to be done to verify overall need in the City land base.

- g. Include the industrial lands immediately east of WHI in the study area, to determine how the future use of those lands will relate to the use of WHI;
- h. Develop an access plan to serve the existing development, a 300-acre marine terminal site, and anticipated nature-based recreation and habitat management areas;
- i. Supplement the recently completed Foundation Studies with an update of the cargo forecasts, additional analysis of the expected **cost**/benefits to the City, analysis of operational efficiencies that allow more compact marine terminal facilities, and an evaluation of opportunities for increased coordination with the Port of Vancouver;
- j. Develop a public involvement plan to keep the public, regional partners, and residents of Hayden Island informed and meaningfully involved. Mayor Adams will evaluate the continued role, structure, and membership of the CWG, by September 1, 2010; and
- k. If necessary, bring amendments to the City/Port IGA, consistent with this resolution, to Council by September 15, 2010.

**BE IT FURTHER RESOLVED**, The City Council intends that the following parameters should guide development of the legislative proposal:

- a. The evaluation principles developed by the CWG should serve as core values to inform the proposal;
- b. The primary feature of the proposal should be permanent protection and enhancement of at least 500 acres as open space, to be managed primarily for the benefit of the regional ecosystem;
- c. The proposal should also include zoning no more than 300 acres of land in an industrial designation for future marine terminal development. The marine terminal footprint should be located, to the extent feasible, over the existing dredge disposal site area. ~~footprint~~. **All development associated with Port Marine Terminal Facilities including but not limited to the terminal area, docks, railroad tracks, access roads, bridges and multi-use utility corridors must be included within the 300 acre footprint.** The terminal should be east of the north/south PPL/PGE powerline easement, north of the east/west PGE powerline easement, and west of the City of Portland's sewer outfall corridor;
- d. The existing utility corridors, which occupy approximately 55 acres, should remain and continue to serve multiple purposes. To the extent compatible with the existing utilities, these areas may **should** be considered for open space use, ~~may~~ and be

**Comment [t4]:** This statement effectively locks the development to a 300 acres maximum.

**Comment [t5]:** Utilize a directive rather than permissive verbiage

managed for natural resource benefits, and may contain multiple use access roads, trailheads, and maintenance roads ;

- e. Any docks should be designed to avoid (if possible), and (where avoidance is not possible) minimize shallow water impacts. The proposal should not include a vertical sea wall or similar structure. **The proposal will include a report on ESA, CWA, EPA (Strategic Plan – Columbia River Watershed) and the State’s Estuary Partnership Management Plan along with and FEMA requirements and how they may or may not be met.** *swain error*
- f. The proposal should include allowances for operationally viable rail access, sufficient to serve a 7, 500 to 10,000-foot-long unit train;
- g. Nature based recreational uses should be evaluated in more detail. Any significant recreational structures or development footprints should be located primarily at the eastern edge of the site, **and should** to minimize impacts on the highest value habitat areas. Within the 500 acres of open space, low impacts recreational facilities **should may** be considered as a means to direct and manage human access in ways that support habitat objectives. Options for placing more active recreational facilities east of the railroad bridge should be considered;
- h. Traffic impacts should be examined in light of the most up-to-date Columbia Crossing design options. Access plans should be designed to avoid and minimize any adverse impacts on East Hayden Island residents. The need for a dedicated West Hayden Island access bridge should be investigated **as to public cost/benefits and, if needed and determined to be** feasible, integrated into planning for the Columbia Crossing project;
- i. The Plan District should incorporate and build on information from the Local impacts report prepared by the Bureau of Planning and Sustainability. The plan should consider air quality impacts (dust and emissions), noise, light and traffic impacts; and
- j. The Plan District proposal should include a framework for consideration of mitigation actions associated with future development **of less than 300 acres**, developed in coordination with federal and state agencies.

**Comment [t6]:** This is intended to investigate the probable outcomes given existing regulatory requirements.

**Comment [t7]:** Intended to tighten up language regarding costs/benefits how feasible this would be in the context of CRC.

**Comment [t8]:** Intended to clarify that mitigation may be needed for the designated "developing" portion of the island.

**BE IT FURTHER RESOLVED**, this resolution sets forth the City Council's preliminary intentions and interim directions to the Bureau of Planning and Sustainability, based on the information available at this time, and nothing in this resolution constitutes a final decision concerning any land use planning action with respect to West Hayden Island. The City Council intends that any land use planning actions for West Hayden Island will be adopted in the future as required by the statewide planning goals, state law, the City's comprehensive plan, and the City's zoning code and may include the adoption of an annexation ordinance, zoning designations and a plan District.

**Amendment: Commissioner Fish**

k. The proposal should include analysis of options for restoration and long-term care of the proposed natural areas, including models for financing both. This analysis includes, but is not limited to, ownership of the natural area, remediation and mitigation opportunities, and the creation of an endowment for operations and maintenance of the land.