

MULTNOMAH COUNTY
BRIDGE DIVISION
ATTN MICHAEL EATON
1403 SE WATER AVE
PORTLAND OR 97214

MICHAEL HOFFMAN
CH2M HILL
2020 SW 4TH AVE SUITE 300
PORTLAND OR 97201

CITY OF PORTLAND
1221 SW 4TH AVE #140
PORTLAND OR 97204

CITY OF PORTLAND
1120 SW 4TH AVE #1204
PORTLAND OR 97204-1912

CITY OF PORTLAND
BUREAU OF PARKS & RECREATION
1120 SW 5TH AVE #1302
PORTLAND OR 97204-1933

CITY OF PORTLAND
BES FACILITIES
1120 SW 5TH AVE #1000
PORTLAND OR 97204-1912

TRIMET
710 SW 76TH AVE
PORTLAND OR 97223-7485

RIVERVIEW CEMETERY ASSOC
8421 SW MACADAM AVE
PORTLAND OR 97219-3044

MILDRED BARBOUR
7080 SW 76TH AVE
PORTLAND OR 97223-7485

FMC PROPERTIES
7524 SW MACADAM AVE
PORTLAND OR 97219-3017

MACADAM BAY INC
1400 SW 5TH AVE #770
PORTLAND OR 97201-5542

IAN CANNON
MULTNOMAH COUNTY
1403 SE WATER AVE
PORTLAND OR 97214

MARK GREENFIELD
14745 NW GILLMAN RD
PORTLAND OR 97231

EMILY ROTH
PORTLAND PARKS & RECREATION
1120 SW 5TH AVE #1302
PORTLAND OR 97204

JEFF COGEN - CHAIR
MULTNOMAH COUNTY
COMMISSIONERS
501 SE HAWTHORNE BLVD #600
PORTLAND OR 97214

DEBORAH KAFOURY
MULTNOMAH COUNTY COMMISSIONER
DISTRICT 1
501 SE HAWTHORNE BLVD #600
PORTLAND OR 97214

Emailed: S Castleberry, S Cate, Y
Poelwijk, D Uchiyama, C Eudaly, D
Krantz, K Krueger, M Moore, E
Cadigan, Hearings Clerks

LU 09-160242 GE CP
Order of Council mailed: 4/29/10



**OFFICE OF CITY AUDITOR
CITY OF PORTLAND**

**LaVonne Griffin-Valade, City Auditor
Council/Contracts Division**

Mailing Address:

1221 SW 4th, Room 140

Portland, Oregon 97204-1987

Email: Karla.Moore-Love@portlandoregon.gov

Phone: (503) 823-4086 Fax: (503) 823-4571

April 29, 2010

NOTICE OF DECISION

RE CASE FILE: LU 09-160242 GE CP

Consider the proposal of Multnomah County, applicant and the recommendation from the Hearings Officer for approval of a Greenway Goal Exception and Comprehensive Map Amendment to allow placement of fill within the Willamette River Greenway setback area located at the Sellwood Bridge and vicinity. (Hearing; LU 09-160242 GE CP)

To Whom It May Concern:

On April 28, 2010, at approximately 2:00 p.m., at a regularly scheduled meeting in Council Chambers, the Council voted 5-0 and passed Ordinance No.183728.

City Council's decision is the final review process available through the City. You may appeal this decision to the Oregon Land Use Board of Appeals (LUBA) by filing a Notice of Intent to Appeal with the Board within 21 days of the date of decision, as specified in the Oregon Revised Statute (ORS) 197.830. Among other things, ORS 197.830 requires that a petitioner at LUBA must have submitted written testimony during the comment period for this land use review. The Board's address is: Public Utility Commission Building, 550 Capitol Street NE, Suite 235, Salem, OR 97310-2552. You may call the Land Use Board of Appeals at 1-503-373-1265 for further information on filing an appeal.

Yours sincerely,

LaVonne Griffin-Valade
Auditor of the City of Portland

By:

Karla Moore-Love, Council Clerk

Enc.



OFFICE OF CITY AUDITOR
CITY OF PORTLAND

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April 29, 2010

Multnomah County
Bridge Division
Attention: Michael Eaton
1403 SE Water Ave
Portland, OR 97214

RE CASE FILE: LU 09-160242 GE CP

Consider the proposal of Multnomah County, applicant and the recommendation from the Hearings Officer for approval of a Greenway Goal Exception and Comprehensive Map Amendment to allow placement of fill within the Willamette River Greenway setback area located at the Sellwood Bridge and vicinity. (Hearing; LU 09-160242 GE CP)

Dear Applicant:

On April 28, 2010, at approximately 2:00 p.m., at a regularly scheduled meeting in Council Chambers, the Council voted 5-0 and passed Ordinance No.183728.

This Ordinance must be recorded with the Multnomah County Recorder within 10 days of receipt of this letter. **Please send a check to this office for \$46.00 payable to the Multnomah County Recorder, indicating the file number on your check.**

Yours sincerely,

LaVonne Griffin-Valade
Auditor of the City of Portland

By:

Karla Moore-Love, Council Clerk

Enc.

cc: Michael Hoffman, CH2M Hill, City of Portland-Rm#140, City of Portland-Rm#1204, City of Portland-Bureau of Parks and Recreation, City of Portland-BES Facilities, TriMet, Riverview Cemetery Assoc., Mildred Barbour, FMC Properties, Macadam Bay, INC.

ORDINANCE No. 183728

*Approve a Statewide Planning Goal Exception, Greenway Goal Exception and associated Comprehensive Plan Amendment to authorize the placement of fill within the Willamette Greenway setback area generally at the west end of the Sellwood Bridge (Ordinance; LU 09-160242 GE CP)

The City of Portland ordains:

Section 1. Council finds:

1. The Applicant seeks, in the vicinity of Sellwood Bridge, approval of a Statewide Planning Goal Exception, Greenway Goal Exception and associated Comprehensive Plan Amendment to authorize the placement of fill within the Willamette Greenway Setback area generally consistent with Exhibit C.17, attached hereto, for the purposes of construction of a new Sellwood Bridge and connecting ramps, relocation of the trolley track line right-of-way, and construction of an 18-foot multi-use trail.
2. An application complying with all requirements of Title 33, Planning and Zoning, of the Code of the City of Portland seeking approval of a Statewide Planning Goal Exception, Greenway Goal Exception and associated Comprehensive Plan Amendment has been received with the proper fee for filing paid.
3. The Hearings Officer held a duly noticed public hearing on February 1, 2010, and a Recommendation was issued on March 17, 2010 (LU 09-160242 GE CP). The Hearings Officer recommended approval of the requested Approval of a Statewide Planning Goal Exception, Greenway Goal Exception, and associated Comprehensive Plan Amendment.
4. The request for approval of a Statewide Planning Goal Exception, Greenway Goal Exception and associated Comprehensive Plan Amendment, based on the findings contained in the Recommendation of the Hearings Officer, are found to be in conformance with Title 33 approval criteria and the relevant Comprehensive Plan policies.

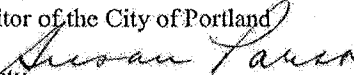
NOW THEREFORE, the Council directs:

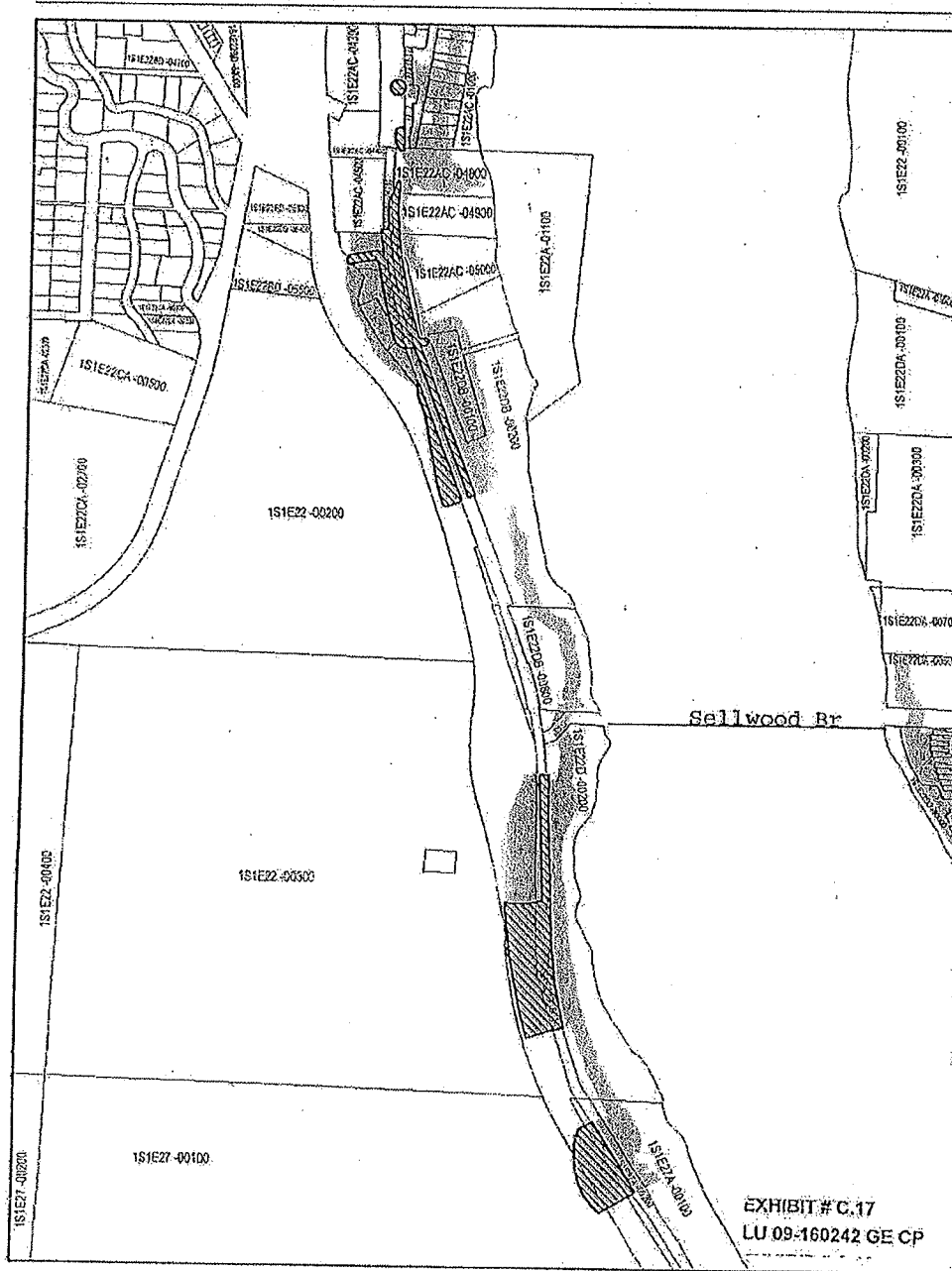
- a. City Council adopts the facts, findings, conclusions and recommendations of the Hearings Officer in LU 09-160242 GE CP.
- b. Approval of a Statewide Planning Goal Exception, Greenway Goal Exception and associated Comprehensive Plan Amendment to authorize the placement of fill within the Willamette Greenway Setback area, generally consistent with Exhibit C.17, associated with
 - (1) construction of the new Sellwood Bridge and connecting ramps; and
 - (2) relocation of the trolley track line right-of-way; and

- (3) construction of the 18-foot multi-use trail;
- c. Approvals are subject to the following conditions:
- (1) Retaining wall(s) along the bike trail shall be designed, engineered and constructed in a manner that provides wildlife friendly vegetation and visual relief; and
 - (2) Mitigation activities required to occur at Willamette Moorage Park and Powers Marine Park shall be made consistent with Exhibits H.12b and H.12c to the Hearings Officer's Recommendation.




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

Passed by the Council: **APR 28 2010**
Introduced by City Auditor LaVonne Griffin-Valade
Gregory J. Frank/rs
April 19, 2010

LAVONNE GRIFFIN-VALADE
Auditor of the City of Portland
By 
Deputy



LEGEND

-  Site
-  (Areas of fill within Greenway Setback)
-  Greenway Setback, 50 to 200 Feet.



Project Site
 Greenway Goal Exception Application
 City of Portland