

(Underlined sections are new or replacements; [bracketed] sections are deleted.)

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

ORDINANCE NO. 403

An ordinance amending Chapter 11.15.6600, Special Planned Area No. 3, of the Zoning Ordinance, to provide for limited rehabilitation of pre-existing buildings, to allow for alternative location of the required office floor space within the subdistrict, to require connection to a sanitary sewer when available and, declaring an emergency.

Multnomah County ordains as follows:

SECTION 1. FINDINGS

A. The purposes of the SPA-3 subdistrict are:

- (1) To aid in achieving maximum compatibility of private investments in the development and use of land from N.E. Halsey to N.E. Pacific Streets between N.E. 99th and 102nd Avenues, with the major capital investment in a light rail transit system in the Banfield Burnside Corridor, and with a transit station at N.E. 99th Avenue and Multnomah Street;
- (2) To provide for a phased program of development for properties within the subdistrict which will assure the location of transit-supportive uses when the light rail system is constructed and operating; and
- (3) To establish land use standards and procedures as a guide to current and future developments within the subdistrict which are consistent with the Hazelwood Community plan and the above purposes.

B. The Board of County Commissioners, on October 5, 1978, approved the construction of a high volume light rail transit system in the Banfield-Burnside Corridor. A major transit station for this high-capacity transit system is at the intersection of N.E. 99th Avenue and Multnomah Street;

C. A concentration of office, non-automobile related commercial and residential uses at the major transit stations will assure greater use of the planned transit system and less demands upon the street and highway system of the County;

D. The SPA-3 land development program is to expand and update an existing shopping center, to include the construction of a major new retail facility as well as the rehabilitation of the existing center. Future phases will include the addition of office and employment uses. Such uses are found to be especially supportive of mass transit use. To ensure maximum transit use, it is important that the new and existing center be designed to function and appear as one integrated center and that all uses be connected by a safe and efficient pedestrian circulation system.

- E. In April 1981, Economic Research Associates published a market research paper entitled Paper 5: Development Potential by Station. The report detailed market potential in the future at each of the Light Rail Stations for various types of development.
- F. The area around the Gateway Station is considered to have excellent development potential for four reasons:
 - (1) The Gateway area is geographically central to the east side of the Portland region.
 - (2) This central location is strongly reinforced by the transportation network such as construction of I-205, improvements to the Banfield Freeway, the focusing of bus service, and the arrival of the Light Rail Station.
 - (3) Unlike most of the other stations, this area has approximately 40 acres under single ownership. This consolidated ownership is a tremendous advantage in realizing a major development.
 - (4) Superior telephone service, provided by Pacific Northwest Bell, is viewed as a strong point for office development in this area.
- G. The report has two alternative development scenarios for the Gateway Station Area. One was clearance and redevelopment of the old existing center, and the second was retention of the existing center.
 - (1) With clearance and redevelopment of the existing retail space, it is projected that by 1985, there is the potential for 180,000 to 200,000 square feet of new retail, 150,000 to 200,000 square feet of office, and 90 to 120 residential units. Between 1980 and 2000, the total potential for retail would be between 230,000 and 270,000 square feet; for office, 400,000 to 600,000 square feet; and for residential, 540 to 720 units.
 - (2) With retention of the existing center, it is projected that by 1985, there is the potential for 180,000 square feet of retail; 150,000 to 200,000 square feet of office; and 50 to 100 residential housing units. Between 1980 and 2000, the total potential for retail is 210,000 to 230,000 square feet; for office, 300,000 to 450,000 square feet; and for residential, 300 to 500 units.
- H. Multnomah County and the City of Portland have entered into an agreement whereby the City will take over operation of the Inverness sewer plant from the County. In addition, the City has received an EDA grant to construct a sewer line along 102nd Avenue that would serve the SPA-3 site. Construction is scheduled to be completed in late 1984.

SECTION 2. AMENDMENT

MCC 11.15.6638 (B) (2) is amended to read as follows:

B. For the underlying Urban General Commercial District, GC, the Phased Development Plan has the following elements:

- (1) Phase One consists of the construction of a maximum of 180,000 square feet of new retail commercial floor area and the rehabilitation, removal or alteration of pre-existing retail commercial and office floor area. Phase One begins on December 23, 1979, and ends on the date of an occupancy permit or permits for the total new retail store floor space;
- (2) Phase Two consists of the construction of a minimum of 90,000 square feet of office floor space, and the minor renovation, alteration or removal of pre-existing retail or office floor area. Phase Two begins after Phase One and ends on date of an occupancy permit or permits for the total office floor space. During Phase Two minor renovation or removal of pre-existing retail or office floor area shall be permitted without requiring the construction of the 90,000 square feet of office floor space, provided the Planning Director has determined that the renovation or alteration does not exceed 50% of replacement value of the space.

SECTION 3. AMENDMENT

MCC 11.15.6642(A)(6) is amended to read as follows:

- (6) The final design review plan for the new retail store in Phase One includes structural design within the building lines to accommodate [the office floor area specified in Phase Two;] additional office or retail commercial floor area allowed in Phase Two and Phase Three. The office floor area required in Phase Two may be constructed at any approved location within the SPA-3 district;

SECTION 4. AMENDMENT

MCC 11.15.6642 (A) (2) is amended to read as follows:

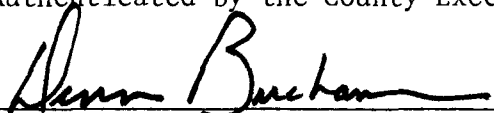
- (2) A sanitary sewer will be provided to the property prior to the date of an occupancy permit for the new retail store. The Hearings Officer may modify the date requirement upon petition of the applicant and a finding that delays in financing or construction of the sewer or other circumstances make it impractical, and that adequate interim sewage disposal means will be provided. If an interim system is approved, the new retail store will be required to connect to the sewer when it is available to the site.

SECTION 3. ADOPTION

This ordinance being necessary for the health, safety, and general welfare of the people of Multnomah County and in order to provide for coordinated land use planning between the City of Portland and Multnomah County during annexation, an emergency is declared to exist. This ordinance shall take effect immediately upon its adoption by the Board of County Commissioners and authentication by the County Executive.


ADOPTED this 6th day of December, 1983, being the date of its first hearing before the Board of County Commissioners of Multnomah County, Oregon.

Authenticated by the County Executive on the 7th day of December, 1983.


Dennis Buchanan, County Executive

BOARD OF COUNTY COMMISSIONERS
OF MULTNOMAH COUNTY, OREGON

(SEAL)

By 
Gordon Shadburne
Presiding Officer

APPROVED AS TO FORM:

JOHN B. LEAHY, COUNTY COUNSEL
FOR MULTNOMAH County, Oregon

By 