

**SUBSTITUTE**  
**ORDINANCE No. 183915**

Amend Northwest District Plan and Official Zoning and Comprehensive Plan maps in portion of Northwest Portland (Ordinance).

The City of Portland ordains:

Section 1. The Council finds:

**SUMMARY OF BACKGROUND**

1. In 2003 and 2004, City Council adopted the Northwest District Plan (NWDP) and a number of implementing and other actions. Four ordinances and a resolution were used for this adoption: Ordinances Nos. 177920, 177921, 177993, and 178020, and Resolution No. 36171
2. The four ordinances and the resolution were appealed to the Oregon Land Use Board of Appeals (LUBA).
3. After an initial decision by LUBA, an appeal to the Oregon Court of Appeals, and a remand to LUBA, LUBA remanded Ordinance No. 177920 to the City of Portland in 2005 and affirmed the other three ordinances and the resolution.
4. Ordinance No. 177920 had incorporated the NWDP into the City's Comprehensive Plan, amended the Zoning Code, and amended the Official Zoning Map and Comprehensive Plan Map for a number of properties.
5. In its remand of Ordinance No. 179220, LUBA found that the City had not meet its evidentiary burden under Statewide Planning Goal 12, Transportation, and Oregon Administrative Rules 660-0012-0060, Transportation Planning, to show that Comprehensive Plan Map redesignations and rezones north of NW Pettygrove and Comprehensive Plan Map redesignations north of NW Vaughn would not have significant adverse traffic impacts on NW Vaughn Street or the NW Vaughn and 23<sup>rd</sup> intersection. In all other respects, LUBA upheld Ordinance No. 179220, the other three ordinances and the resolution.
6. In an unrelated 2009 decision on a quasi-judicial case involving property within the NWDP area, LUBA indicated that the effect of the 2005 remand of Ordinance No. 179220 was to invalidate the ordinance, and that the regulations and implementing actions adopted by that ordinance were no longer effective. This was affirmed by the Oregon Court of Appeals.
7. In response to the 2005 remand and the 2009 LUBA and Court of Appeals opinions, the City Council began readopting actions and elements that had been part of the remanded ordinance (Ordinance No. 179220). On October 21 2009, the City Council adopted Ordinance No. 183269, which repealed Ordinance No. 179220 and readopted the bulk of the NWDP that was unchallenged and/or sustained on appeal by LUBA.
8. This ordinance readopts the amendments to the Zoning and Comprehensive Plan maps that were affected by LUBA's remand of Ordinance No. 179220. It includes supplemental findings that address the deficiencies noted in the remand order. It also includes supplemental findings to address Metro's Title 4 and State Planning Goal 9, both of which have been amended since Ordinance No. 177920 was adopted.

**THIS ORDINANCE**

9. On November 7, 2007, staff met with the Transportation Committee of the Northwest District Association (NWDA) to discuss the NW Plan District Remand project (the Remand).
10. On November 13, 2007, staff met with the Northwest Industrial Neighborhood Association to discuss the Remand.
11. On October 1, 2008, staff met with the Transportation Committee of the NWDA to discuss the latest transportation information related to the Remand.
12. On July 16, 2009, staff met with the Planning Committee of the NWDA to discuss the status of the NW District Plan and the proposal to re-adopt the portions of the plan not related to the remanded items.
13. On October 29, 2009, staff met with representatives from Neighbors West/Northwest and the NWDA to discuss the continuing public participation process for the Remand. On April 8, 2010, staff met with the Leadership Committee of the NWDA to discuss the amendments proposed by this ordinance.
14. On May 5, 2010, staff met with the Transportation Committee of the NWDA to discuss the amendments proposed by this ordinance.
15. On May 13 and 17, 2010, staff met with the Land Use Committee of the NWDA and interested property owners to discuss the amendments proposed by this ordinance.
16. On April 21, 2010, notice of the proposed action was mailed to the Department of Land Conservation and Development in compliance with the post-acknowledgement review process required by OAR 660-18-020. They received the notice on April 23, 2010.
17. On May 11, 2010, notice was mailed to more than 1,200 people and organizations, including all neighborhood associations and coalitions and business associations in the City of Portland, as well as property owners and those within 400 feet of the areas to be rezoned, other interested persons, to notify them of an Open House and the City Council Hearing.
18. On May 14, 2010, notice of the proposal as required by ORS 227.186 was sent to all 88 property owners potentially affected by proposed changes to the Zoning and Comprehensive Plan Maps.
19. On May 19, 2010, staff held an open house on this proposal at Good Samaritan Hospital in Northwest Portland. Twenty-five people attended the open house.
20. During April and May, staff also communicated via email, meetings, and phone with various interested people, including property owners.
21. This ordinance and the attachments—including Exhibit B, Northwest District Plan Remand Transportation Model Technical Report and Exhibit C, Traffic Analysis for Title 4—were published on May 28, 2010. They were made available to the public, posted on the Bureau's website, and mailed to those who requested copies. Earlier versions of Exhibits B and C had been available to the public for several weeks before May 28.
22. On June 10, 2010, City Council held a hearing on this proposal. Staff from the Bureau of Planning and Sustainability presented the proposal, and public testimony was received.
23. On June 17, 2010, City Council voted to adopt the proposal by adopting this ordinance.

## SUPPLEMENTAL FINDINGS

24. The findings below are in addition to the findings in Ordinance No. 183269. Ordinance No. 183269 and the findings for that ordinance are attached as Exhibits F-1 and F-2 and incorporated by reference as part of this ordinance.

25. **State Goal 9, Economic Development.** In 2005, the administrative rule implementing this goal was amended to foster conservation of prime industrial land. Because of the 2005 changes, the new findings below are added. To redesignate and rezone more than 2 acres of industrial land, the City must demonstrate that the proposed map amendments are consistent with the City's most recent economic opportunities analysis and the parts of the City's acknowledged Comprehensive Plan which address the requirements of this division. The criteria are underlined.

- a. The proposed map amendments are consistent with the City's most recent economic opportunities analysis. The most recent adopted economic opportunities analysis is in the form of industrial and commercial land inventories adopted as background documentation for the City's Comprehensive Plan Goal 5, Economic Development. According to a 1987 vacant land analysis cited in the City's adopted report responding to its first periodic review order, the City has "a sufficient inventory of vacant buildable commercial and industrial land" (pg. 135, City of Portland, Oregon Comprehensive Plan Periodic Review: Proposed Local Review Order, March 1989; Resolution No. 34523). The 1987 report identifies that the City has 2,290.56 acres of vacant buildable industrial land available and deems that figure sufficient. The report also identifies another 3,441.36 acres of industrial land within a hazard area or the floodplain and states that much of the vacant industrial land within the floodplain can be developed. LDCD acknowledged the determination that the City has sufficient commercial and industrial land in the City's first periodic review.

Given that in 1987 the City had a sufficient supply of vacant buildable industrial land and had a substantial surplus beyond that which was deemed sufficient, the change to the comprehensive plan map designation for the 53.4 industrial acres in Northwest Portland is not significant because it is offset by the portion of the 3,441 acres of partially buildable industrial land that can be developed. Therefore, the amendment of the comprehensive plan map designation from Industrial Sanctuary to Mixed Employment (for 16.9 acres) and from Industrial Sanctuary to Central Employment (for 36.5 acres) is consistent with the City's most recent adopted economic opportunities analysis.

Portland's Comprehensive Plan is currently in periodic review. As part of that, a draft economic opportunities analysis (draft EOA) was prepared in 2009, but has not yet been adopted. The draft EOA found that the City currently has about 600 acres of vacant industrial land that has no identified constraints. The forecast demand for industrial development between 2010 and 2015 is for about 250 acres, indicating that we have an adequate supply for the next five years. Therefore, the proposed amendments are consistent with the draft EOA.

The regulatory analysis and policy responses required by the Goal 9 rule to meet employment land needs between now and 2035 will be undertaken in the periodic review process on a citywide basis; we expect to complete this work by 2015. Options for addressing industrial and employment land supply shortfalls between now and 2035 are explored in the draft EOA..

- b. The amendment is also consistent with the parts of the comprehensive plan that address the requirements of Goal 9. The three comprehensive plan goals that address the requirements of Goal 9 are Goals 5, Economic Development, 2.11, Commercial Centers, and 2.14, Industrial Sanctuaries. The findings for these three comprehensive plan goals in Ordinance No. 183269 address why the Northwest District Plan is consistent with the requirement of Statewide Planning Goal 9 and are incorporated here by reference. The ordinance and findings are attached as Exhibits F-1 and F-2.

26. **State Goal 12, Transportation.** Goal 12 calls for provision of a safe, convenient and economic transportation system. In its remand of Ordinance No. 177920, LUBA found that this goal was not adequately supported by the findings originally adopted with the Northwest District Plan in 2003. In particular, the findings did not provide adequate data to support the conclusions that the NWDP would not significantly affect the transportation facilities at NW Vaughn and at the intersection of NW 23<sup>rd</sup>; and NW Vaughn. Since the remand, the City has compiled additional data and performed in-depth analysis, and concludes that the transportation facilities will not be significantly affected for the reasons stated below. The criteria are underlined.

- a. Where an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation would significantly affect an existing or planned transportation facility, the local government shall put in place measures . . . to assure that allowed land uses are consistent with the identified function, capacity, and performance standards . . . of the facility. A plan or land use regulation amendment significantly affects a transportation facility if it would:

- (1) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);

The proposed amendments to the Zoning and Comprehensive Plan maps will not change the functional classification of an existing or planned transportation facility. NW Vaughn St., the street identified in the remand from LUBA, is currently classified as a Neighborhood Collector and the proposed comprehensive plan and zone changes do not propose to change this classification. The Transportation Element of the City's Comprehensive Plan describes that neighborhood collectors "are intended to serve as distributors of traffic from Major City Traffic Streets or District Collectors to Local Service Streets and to serve trips that both start and end within areas bounded by Major City Traffic Streets and District Collectors."

- (2) Change standards implementing a functional classification system; or

The proposed amendments to the Zoning and Comprehensive Plan maps do not change standards implementing a functional classification system.

- (3) As measured at the end of the planning period identified in the adopted transportation system plan:

- (a) Allow land uses or levels of development that would result in types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;

- (b) Reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in the TSP or comprehensive plan; or

- (c) Worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the TSP or comprehensive plan.

The *Northwest District Plan Remand Transportation Model Technical Report* (Exhibit B) determined that the zone changes proposed will have no significant effect on the performance of NW Vaughn St. in regards to its street classification. In 2030, the percentage of trips starting and ending in the area bounded by Major City streets and District Collectors (NW 16th, W. Burnside, NW Yeon) remains the same as today. In addition, 85 percent of the trips today and in 2030 have a local origin or destination.

Therefore, these map amendments will not generate increased levels of travel inconsistent with the functional classification of any city street within the meaning of OAR 660-012-0060 (3) (a). See Exhibit B *Northwest District Plan Remand Transportation Model Technical Report*.

The intersection of NW 23rd Ave. and NW Vaughn St. is an existing city transportation facility. It is currently functioning at a level of service "D." Level of service "E" is an acceptable level of service that meets the standard described in the City's TSP within the meaning of OAR 660-012-0060 (3)(b). The analysis found that the map amendments will worsen the performance of the intersection from "D" to "F." (See Exhibit B, *Northwest District Plan Remand Transportation Model Technical Report*.) Therefore, mitigation is proposed for this impact, as described below. The mitigation will increase the level of service to the acceptable level; level "E."

The map amendments will not worsen the performance of any state facility not already performing to standard within the meaning of OAR 660-012-0060 (3) (c). The analysis done in 2002 as part of the NW District Plan projected higher household and employment numbers for 2030 than are projected by the current analysis in Exhibit B, *Northwest District Plan Remand Transportation Model Technical Report*. In 2002, the Oregon Department of Transportation (ODOT) found that the higher numbers would have no significant effect on the state facility, and they find that the lower numbers also will have no significant effect. See email from ODOT dated April 28, 2010 (Exhibit D).

- b. Where a local government determines that there would be a significant effect, the effect must be mitigated at least to the point where a finding of "no significant affect" can be made. The mitigation must be accomplished through one or more of the following:
- (1) Adopting measures that demonstrate allowed land uses are consistent with the planned function, capacity, and performance standards of the transportation facility;
  - (2) Amending the TSP or comprehensive plan to provide transportation facilities, improvements or services adequate to support the proposed land uses consistent with the requirements of Division 660-012-0060; such amendments must include a funding plan or mechanism consistent with section 660-012-0060 (4) or include an amendment to the transportation finance plan so that the facility, improvement, or service will be provided by the end of the planning period; or
  - (3) Altering land use designations, densities, or design requirements to reduce demand for automobile travel and meet travel needs through other modes.

Based on the analysis above, there is only one facility that is "significant affected" within the meaning of OAR 660-012-0060: unacceptable future service levels at the intersection of NW 23rd Ave. and NW Vaughn St. This single significant effect will be mitigated by the project identified in Attachment C of Exhibit B, the *Northwest District Plan Remand Transportation Model Technical Report*. The mitigation project entails re-configuring the I-405 off-ramp to improve the operation and performance of the facility in the future and bring the performance standard into acceptable levels and compliance with OAR 660-0012-0060(2).

The mitigation project proposed in Attachment C of the *Northwest District Plan Remand Transportation Model Technical* will be added, as a project element, to a larger project identified in the City's TSP as Project #60027--23<sup>rd</sup>/Vaughn, NW: Intersection Improvements. Project #60027 is primarily a placeholder for a project with a scope and specific improvements to be determined by a later study, and is described as: "Improve intersection to reduce congestion, improve pedestrian access, and provide a transition into the Northwest District." It has a cost estimate of \$540,000 with a projected time frame of 6-10 years. The project element in Attachment C of the *Northwest District Plan Remand Transportation Model Technical Report* will be identified as a priority component of Project #60027 in keeping with the directives of this ordinance. In addition, the timeframe identified for the project will be revised from Years 6-10 to Years 1-5, also in keeping with the directives of this ordinance. The City TSP was adopted in 2002, and has been updated twice, most recently in 2007.

Project #60027 was added to the TSP after the Northwest District Plan was originally adopted in 2003. It is intended to address not just congestion at the ramps, but pedestrian improvements and additional transitions into the neighborhood. The proposed mitigation project in Attachment C of the *Northwest District Plan Remand Transportation Model Technical Report* will mitigate traffic impacts at the ramps and requires only the re-configuration of the lanes and signalization at the ramps.

The mitigation project identified in Attachment C of the *Northwest District Plan Remand Transportation Model Technical Report* is reasonably likely to be funded during the planning period for several reasons.

First, this ordinance directs the Bureau of Transportation to amend project #60027's description to make the mitigation project a priority element and to change the time frame from 6-10 years to 1-5 years. The TSP was adopted in 2002 with a financial plan that includes funding for projects.

Second, the mitigation project proposed in Attachment C will likely be funded, at least in part, by the Northwest Transportation Fund. The Northwest Transportation Fund collects money from certain development projects in the district to fund transportation improvements. The estimated cost of the project proposed in Attachment C is \$200,000; the fund currently holds \$66,000.

Third, the planning horizon for the traffic analysis is 2030. The analysis indicates that depending on the rate of development in the area, the intersection could potentially have a lower level of service in 2015 (based on a calculation of vehicles and capacity) or 2029 (based on LOS). Therefore, this ordinance directs the Bureau of Transportation to add a study to the TSP Refinements Plan and Studies chapter that assesses the level of service of the intersection at five-year intervals beginning in 2015. The ordinance further directs that if the level of service drops below "E," then the Bureau of Transportation is directed to add Project #60027, which will include the mitigation project as a priority element, to the Capital Improvement Plan (CIP). Level of service "E" is an acceptable level of service that meets the standard described in the City's TSP within the meaning of OAR 660-012-0060 (3)(b). The CIP is the City's 5-year spending plan for capital improvements and is a component of the City budget. Projects in the CIP have an identified source of funds.

Because this mitigation will cause the affected intersection to function within the requirements of the City TSP, all applicable requirements of the state transportation planning rule have been met.

27. **Metro Title 4, Retail in Employment and Industrial Areas.** In 2007, Metro amended Title 4 to add criteria that apply to changes in zoning and Comprehensive Map designations. Because of the 2007 changes, the new findings below are added. The criteria are underlined.

This ordinance makes changes to the Comprehensive Plan Map in three areas and to the Official Zoning Map in two of those areas. The three areas are shown in Exhibit E, *Areas of Proposed Changes to Zoning and Comprehensive Plan Maps*.

- Area 1 (north of Vaughn): 16.9 acres currently zoned IG1 with a Comprehensive Plan designation of IS (Industrial Sanctuary) changes to the IG1 zone with a Comprehensive Plan designation of ME (Mixed Employment).
- Area 2 (north of Pettygrove): 36.5 acres currently zoned IG1 with a Comprehensive Plan designation of IS (Industrial Sanctuary) changes to the EXd zone with a Comprehensive Plan designation of EX (Central Employment).
- Area 3 (Between Thurman, Vaughn, and 23rd): 1.7 acres from CS zoning with a UC (Urban Commercial) Comprehensive Plan designation changes to the EXd zone with a Comprehensive Plan designation of EX (Central Employment).

- a. These changes to zoning and Comprehensive Plan designations will not reduce the jobs capacity of the city below the number shown on Table 3.07-1 of Title 1 of the Urban Growth Management Functional Plan (209,215 jobs) because all three changes are to zones or Comprehensive Plan designations that allow a higher employment density than the current zoning/Comprehensive Plan designations.
- b. These changes to zoning and Comprehensive Plan designations will not allow uses that reduce off-peak performance on Major Roadway Routes and Roadway Connectors shown on Metro's 2004 Regional Freight System Map below standards in the Regional Transportation Plan (RTP), or exceed volume-to-capacity ratios on Table 7 of the 1999 Oregon Highway Plan (OHP) for state highways, unless mitigating action is taken that will restore performance to RTP and OHP standards within two years after approval of uses.

Metro's RTP Table 2.4, Regional Mobility Policy designates LOS "E" as the standard for off-peak hours performance. Interstate 405 is classified as a Main Freight Roadway and NW Nicolai Street is identified as a Freight Road Connector. In April 2010 additional traffic analysis was conducted for three intersections: NW Nicolai at NW Wardway St., NW Nicolai at US 30, and NW Vaughn at NW 23<sup>rd</sup> Ave. The intersections performed at Level of Service C, B and D, respectively, in 2010. The analysis showed that in 2030, all three intersections would continue to perform at the same level of service with the proposed zoning in place. This is above the LOS E standard criterion required by Title 4 (see Exhibit C-1, *Traffic Analysis for Title 4*).

The three intersections studied in April 2010 also met the volume-to-capacity ratios on Table 7 of the 1999 Oregon Highway Plan (OHP) for state highways. The standard listed in Table 7 is .99 volume/capacity (v/c). According to Exhibit C-2, *Supplement to Traffic Analysis for Title 4*, in 2030, the v/c for the three intersections are .56, .76 and .93. Therefore this standard is met.

- c. These changes to zoning and Comprehensive Plan designations will not diminish the intended function of the Central City or Regional or Town Centers as the principal locations of retail, cultural, and civic services in their market areas because Area 2 (north of Pettygrove) and Area 3 (between Thurman, Vaughn, and 23rd) already have a high concentration of residential and commercial uses; changing the zoning and designation for this area will actually be an expansion of the Central City, reinforcing the role of the Central City as the principal location of retail, cultural, and civic services in the region. Area 1 (directly north of Vaughn) will become a buffer zone between the industrial sanctuary and the Central City.
- d. These changes to zoning and Comprehensive Plan designations will not reduce the integrity or viability of a traded sector cluster of industries for three reasons. First, the resulting reduction in available land for industry-related clusters in the Working Harbor (primarily metals manufacturing and distribution) will be offset by expansion of developable land for office-related clusters in the NW portion of the Central City (particularly creative services and software). This shift is consistent with office growth trends in the River District. Area 2 (north of Pettygrove) has a mix of distribution facilities, residential, retail, and office uses. Second, the changes will reinforce a functional boundary along the Vaughn corridor between the Working Harbor's Regionally Significant Industrial Area to the north and the higher density, mixed use development in the expanding Central City to the south, encouraging long-term investments in both areas. This Vaughn corridor boundary (Area 1) was jointly developed in the Guild's Lake Industrial Sanctuary Plan (2001 and 2003) and Northwest District Plan. Third, the change to Area 1 (north of Vaughn) will reinforce the metals cluster, because it will establish a transition buffer between the expanding Central City and a major steel manufacturer on the north side of Vaughn (ESCO), and ease expansion of ESCO's headquarters offices. Having headquarters offices in proximity to the manufacturing functions creates significant efficiencies for

companies. Additionally, Area 1 (north of Vaughn) will become a transitional buffer to keep housing and most retail uses from conflicts with the industrial uses, and the buffer will help resist market pressures for residential and retail uses pressing northward.

- e. These changes to zoning and Comprehensive Plan designations will not create or worsen a significant imbalance between jobs and housing in a regional market area. There is currently no significant imbalance. Area 1 (north of Vaughn) is changing from a Comprehensive Plan designation of IS (Industrial Sanctuary) to ME (Mixed Employment). Both designations are designed to foster jobs, and housing is severely limited in both. Although the new designation may result in more jobs in the area, the increase will not be significant enough to cause a significant imbalance in the region. Area 2 (north of Pettygrove) is changing from the IG1 zone with an IS (Industrial Sanctuary) Comprehensive Plan designation to the EXd zone with an EX (Central Employment) Comprehensive Plan designation. While both the Industrial and Employment zones and designations allow jobs, the EXd zone also allows residential development. Because both uses are allowed—and because it is a relatively small area—the changes will not be enough to cause a significant imbalance in the region. Area 3 (between Thurman, Vaughn, and 23rd) is changing from CS zoning (UC Comprehensive Plan designation) to EX zoning and designation. Both the CS and EX zones allow for jobs and residential development, so there will not be a significant effect on the balance of jobs and housing in the region.
- f. These changes to zoning and Comprehensive Plan designations on lands that are designated as Regionally Significant Industrial Areas will not remove from that designation land that is especially suitable for industrial use due to the availability of specialized services, such as redundant electrical power or industrial gases, or due to proximity to freight transport facilities, such as trans-shipment facilities. Both Area 1 (north of Vaughn) and Area 2 (north of Pettygrove) are areas of industrial land where the zone or Comprehensive Plan designation is changing from Industrial to Employment. Neither area is classified by Metro as Regionally Significant, so this criterion is met.



NOW, THEREFORE, the Council directs:

- a. The Portland Comprehensive Plan Map and the Official Zoning Map of the City of Portland are amended, as shown in Exhibit A, Proposed Amendments to Zoning and Comprehensive Plan Maps;
- b. The Bureau of Transportation is directed to amend the Transportation System Plan (TSP) as follows:
  - (1) Revise the description for TSP Project #60027 to add, as a project element, the project identified in Attachment C of Exhibit B, the *Northwest District Plan Remand Transportation Model Technical Report*. This project element will be identified as a priority component of Project #60027. In addition, the timeframe identified for the project will be revised from Years 6-10 to Years 1-5.
  - (2) Revise the TSP Refinements Plan and Studies chapter to add a new study calling for a performance assessment of the NW 23<sup>rd</sup>/NW Vaughn Street intersection. This study will summarize the process and findings of the *Northwest District Plan Remand Transportation Model Technical Report* and will describe changes in development in the Northwest District Plan area and determine the level-of-service at this intersection.
- c. The work described in b.(2) above will be undertaken in 2015 and will determine if intersection improvements are needed at that time. If it is found that improvements are not needed at that time, this assessment process will be updated in five years intervals to identify when intersection improvements are needed.
- d. The year for when improvements for the NW 23<sup>rd</sup>/NW Vaughn Street intersection will be needed will be determined through studies described in b.(2) and c. above. When the year for improvements is identified, the Bureau of Transportation is directed to add TSP Project #60027 to the Capital Improvements Program at its next update. This work will include both project development activities and construction.
- e. If any section, subsection, sentence, clause, phrase, diagram or drawing contained in this ordinance, or the plan, map or code it adopts or amends, is held to be deficient, invalid or unconstitutional, that shall not affect the validity of the remaining portions. The Council declares that it would have adopted the plan, map, or code and each section, subsection, sentence, clause, phrase, diagram and drawing thereof, regardless of the fact that any one or more sections, subsections, sentences, clauses, phrases, diagrams or drawings contained in this Ordinance, may be found to be deficient, invalid or unconstitutional.

Section 2. This ordinance will be effective on December 1, 2010, in anticipation of approval of these amendments by the Metro Council in August 2010. Metro Council's actions are effective 90 days after adoption.

Section 3. In the event that the Metro Council does not approve these changes to the Zoning and Comprehensive Plan Maps by September 15, 2010, the Bureau of Planning and Sustainability is directed to return to City Council before December 1, 2010 with an ordinance to extend the effective date of this ordinance.

Passed by the Council: JUN 17 2010

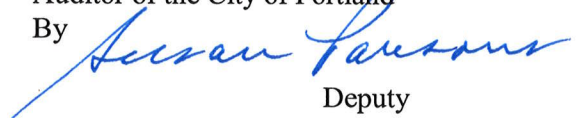
Mayor Adams

Prepared by: Sandra P. Wood

Date Prepared: June 10, 2010

**LaVonne Griffin-Valade**  
Auditor of the City of Portland

By

A handwritten signature in blue ink, appearing to read "Susan Hanson", is written over the word "By".

Deputy

5-860-916

Agenda No.  
**ORDINANCE NO.**  
Title

**SUBSTITUTE**  
**183915**

*the*  
Amend Northwest District Plan and Official Zoning and Comprehensive Plan maps in portion of Northwest Portland (Ordinance).

<p><b>INTRODUCED BY</b> Commissioner/Auditor: <b>Mayor Sam Adams</b></p>	<p>CLERK USE: DATE FILED <u>JUN 10 2010</u></p>
<p><b>COMMISSIONER APPROVAL</b></p> <p>Mayor—Finance and Administration - Adams <i>[Signature]</i></p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Leonard</p>	<p>LaVonne Griffin-Valade Auditor of the City of Portland</p>
<p><b>BUREAU APPROVAL</b></p> <p>Bureau: Planning and Sustainability Bureau Head: Susan Anderson</p>	<p>By: <i>[Signature]</i> Deputy</p>
<p>Prepared by: Sandra Wood Date Prepared: May 27, 2010</p>	<p><b>ACTION TAKEN:</b></p> <p><b>SUBSTITUTE</b> <b>JUN 10 2010 PASSED TO SECOND READING JUN 17 2010 2 P.M.</b></p>
<p><b>Financial Impact Statement</b> Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/> Not Required <input type="checkbox"/></p>	
<p><b>Portland Policy Document</b> If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	
<p><b>Council Meeting Date</b> <b>June 10, 2010</b></p>	
<p><b>City Attorney Approval</b></p>	

<b>AGENDA</b>
<p><b>TIME CERTAIN</b> <input type="checkbox"/></p> <p>Start time: _____</p> <p>Total amount of time needed: _____ (for presentation, testimony and discussion)</p>
<p><b>CONSENT</b> <input type="checkbox"/></p>
<p><b>REGULAR</b> <input checked="" type="checkbox"/></p> <p>Total amount of time needed: <u>2</u> hrs. (for presentation, testimony and discussion)</p>

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:		
		YEAS	NAYS
1. Fritz	1. Fritz	✓	
2. Fish	2. Fish	✓	
3. Saltzman	3. Saltzman	—	
4. Leonard	4. Leonard	—	
Adams	Adams	✓	