

Substitute Resolution No.

Adopt the *River Plan / North Reach* Action Agenda and The Future of the North Reach and direct the Bureau of Planning and Sustainability to return to City Council for a hearing on specific items in Fall 2010 (Resolution).

WHEREAS, area plans are intended to promote patterns of land use, urban design, infrastructure facilities and services which encourage and contribute to the economic, environmental, social, and physical health, welfare, and safety of the area and the City; and

WHEREAS, the *River Plan / North Reach* was developed by the Bureau of Planning and Sustainability in cooperation with other City, state and federal agency staff, area property owners, businesses, organizations and the general public; and

WHEREAS, the *River Plan / North Reach* directs, guides, inspires and manages change over time, and as such the policies, objectives, regulations and Comprehensive Plan map of the River Plan / North Reach in Exhibit A are adopted by Ordinance and will serve as an official guide to decision-making, public deliberation, and investments; and

WHEREAS, the attainment of the policies and objectives of the *River Plan / North Reach* is dependent upon the coordination of independent actions carried out by public and private entities; and

WHEREAS, the action agenda describes proposed studies and implementation projects and programs for the *River Plan / North Reach*, identifies appropriate timeframes for implementation, and identifies agents to lead, oversee or participate in the implementation of the actions; and

WHEREAS, on November 14, 2008 public notice of the proposal was mailed to all property owners in the project area and to other people who had expressed interest in the project; and

WHEREAS, on December 9, 2008, January 13, 2009 and April 14, 2009 the Portland Planning Commission held public hearings on the Proposed River Plan / North Reach. In addition to these three hearings the Planning Commission held three briefings and five work sessions before voting to forward the River Plan / North Reach to City Council on June 23, 2009. The Planning Commission's recommended River Plan / North Reach is contained in Exhibits A; B and C to the River Plan/North Reach ordinance; and

WHEREAS, on November 25, 2009 notice of the City Council public hearing was mailed to those who presented oral and written testimony at the Planning Commission public hearing. In addition, the City emailed notice of the hearing to its River Plan News email list; and

WHEREAS, on December 2, 2009 Mayor Adams decided to use the public hearing time to hold a town hall meeting. On December 11, the Bureau of Planning and Sustainability mailed postcards to about 5000 people notifying them that Mayor Adams would hold a town hall

meeting on December 16, 2009 in lieu of a hearing and that the first City Council public hearing on the River Plan / North Reach would be held on January 28, 2010, and

WHEREAS, at the December 16, 2009 town hall, Mayor Adams announced that the hearing had been postponed to January 28, 2010; and

WHEREAS, on January 14, 2010, Mayor Adams decided to postpone the January 28, 2010 public hearing until February 17, 2010. On January 22, 2010, the City sent postcards and/or formal notices to about 5000 people to notify them of the new hearing date of February 17, 2010; and

WHEREAS, on February 17, 2010, the City Council held a public hearing on the River Plan/North Reach and heard testimony on a wide range of issues pertaining to the plan, including mitigation fees, off-site mitigation approval criteria, proposed development standards, and a perceived need for zoning map refinements; and

WHEREAS, the City Council continued the February 17, 2010 hearing to April 1, 2010 and, as a result of testimony presented on February 17, 2010, is willing to direct the Bureau of Planning and Sustainability to undertake further study of a limited number of issues before the River Plan/North Reach becomes effective on January 1, 2011; and

WHEREAS, the River Plan / North Reach The Future of the North Reach represents the long term desired future of the North Reach; and

WHEREAS, it is in the public interest that the recommendations contained in the *River Plan / North Reach* be adopted to direct, guide, inspire and manage change in the North Reach of the Willamette River.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Portland, a municipal corporation of the State of Oregon, that the City Council adopt the Action Agenda of the River Plan / North Reach and The Future of the North Reach as shown in Exhibit A, and that:

BE IT FURTHER RESOLVED that the implementation actions associated with the action agenda of the River Plan / North Reach are approved by City Council as a starting place for projects, programs and regulations that will help implement the policies of the plan; and

BE IT FURTHER RESOLVED that all actions are adopted with the understanding that they may need to be adjusted or replaced with more feasible alternatives. Identification of an implementor for an action is an expression of interest and support with the understanding that circumstances will affect the implementor's ability to take action; and

BE IT FURTHER RESOLVED that the City Council authorizes the City agencies identified on the action charts as implementors to engage in activities aimed at implementing the projects, programs and regulations called for in the action agenda of the *River Plan / North Reach*; and

BE IT FURTHER RESOLVED that in order to ensure a balanced plan that addresses the needs of industry and the environment, the City Council directs the Bureau of Planning and Sustainability, the Bureau of Environmental Services and the Office of Healthy Working Rivers to conduct further work and return to City Council for a Fall 2010 public hearing on the following:

- River Review:
 - the methodology for calculating the temporary fee-in-lieu of mitigation. The City will offer the fee in lieu option until there is a functioning mitigation bank in the North Reach;
 - a threshold under which the use of HEP/HEA is not required to calculate the off-site mitigation fee-in-lieu;
- River Environmental Overlay Zone Development Standards:
 - Additional standards for lower impact development proposals;
- River Environmental Overlay Zone map refinements (if necessary).

Adopted by the Council,

Mayor Sam Adams and Commissioner Fritz
Sallie Edmunds
March 24, 2010

LaVonne Griffin-Valade

Auditor of the City of Portland

By

Deputy