



**City of Portland, Oregon**  
**Bureau of Development Services**  
**Land Use Services**

FROM CONCEPT TO CONSTRUCTION

Dan Saltzman, Commissioner  
Paul L. Scarlett, Director  
Phone: (503) 823-7300  
Fax: (503) 823-5630  
TTY: (503) 823-6868  
[www.portlandoregon.gov/bds](http://www.portlandoregon.gov/bds)

**Date:** October 18, 2012  
**To:** Interested Person  
**From:** Kate Green, Land Use Services / 503-823-5868 / [Kate.Green@portlandoregon.gov](mailto:Kate.Green@portlandoregon.gov)

## **NOTICE OF A TYPE I PROPOSAL IN YOUR NEIGHBORHOOD**

Development has been proposed in your neighborhood. The proposed development requires a land use review. The proposal, review process, and information on how to respond to this notice are described below. A copy of the site plan and zoning map is attached. I am the staff person handling the case. Please call me if you have questions regarding this proposal. Please contact the applicant if you have questions regarding any future development on the site.

Because we must publish our decision within 45 days, **we need to receive your written comments by 5 p.m. on November 19, 2012.** Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 12-101491 LDP, in your letter. It also is helpful to address your letter to me, Kate Green.

## **CASE FILE NUMBER: LU 12-101491 LDP**

**Applicant:** Garner Moody, Lloyd Development LLC  
Po Box 11560  
Portland OR 97211

**Site Address:** lot east of 1805 N Ainsworth  
**Legal Description:** BLOCK 2 LOT 1, INTERSTATE ADD  
**Tax Account No.:** R416900160  
**State ID No.:** 1N1E16DA 16100  
**Quarter Section:** 2428

**Neighborhood:** Arbor Lodge, Chris Duffy at 971-506-0541  
**Business District:** Interstate Corridor Business Association, Aleksandra Johnson at 503-735-4420  
**District Coalition:** North Portland Neighborhood Services, Mary Jaron Kelley at 503-823-4099  
**Zoning:** Multi-Dwelling Residential 1,000 (R1)  
Design Overlay (d)  
**Plan District:** North Interstate  
**Case Type:** Land Division-Partition (LDP)  
**Procedure:** Type I, an administrative decision with appeal to the Oregon Land Use Board of Appeals (LUBA)

**Proposal:** The applicant proposes to divide a 5,000 square foot lot into two, 2,500 square foot parcels for attached houses. Each house will also have an attached Accessory Dwelling Unit (ADU). An existing garage is proposed to be retained until the property is redeveloped.

This partition is reviewed through a Type I land use review because: (1) the site is in a residential zone; (2) fewer than four lots are proposed; (3) none of the lots, utilities, or services are proposed within a Potential Landslide Hazard or Flood Hazard Area, and; (4) the land division does not trigger other concurrent land use reviews (see 33.660.110).

For purposes of State Law, this land division is considered a partition. To partition land is to divide an area or tract of land into two or three parcels within a calendar year (See ORS 92.010).

ORS 92.010 defines “parcel” as a single unit of land created by a partition of land. The applicant’s proposal is to create two units of land (two parcels), so this land division is considered a partition.

*The site is located in a Design-overlay zone and the applicant is also requesting Design Review for the proposed attached houses. Separate public notices will be sent for those land use reviews.*

**Relevant Approval Criteria:** In order to be approved, this proposal must comply with the approval criteria of Title 33. The relevant criteria are found in **Section 33.660.120, Approval Criteria for Land Divisions in Open Space and Residential Zones.**

Zoning Code Section 33.700.080 states that Land Use Review applications are reviewed under the regulations in effect at the time the application was submitted, provided that the application is complete at the time of submittal or complete within 180 days. This application was submitted on January 6, 2012. At the applicant’s request, the application was deemed complete on the 180<sup>th</sup> day, **July 6, 2012.** The applicant simultaneously extended the review timeline that day. To date, the applicant has extended the review timeline 120 days.

**DECISION MAKING PROCESS:** The Bureau of Development Services will make a decision on this proposal. We will consider your comments, and either:

- Approve the proposal.
- Approve the proposal with conditions.
- Deny the proposal.

**We will mail you a copy of our decision only if you comment in writing to us at the City of Portland Bureau of Development Services, 1900 SW Fourth Avenue, Suite 4500, Portland, OR 97201.** There will be no public hearing.

The neighborhood association listed on the first page of this notice may take a position on this application. They may also schedule an open meeting prior to making their recommendation to the Bureau of Development Services. Please contact the person listed as the neighborhood contact to determine the time and date of this meeting.

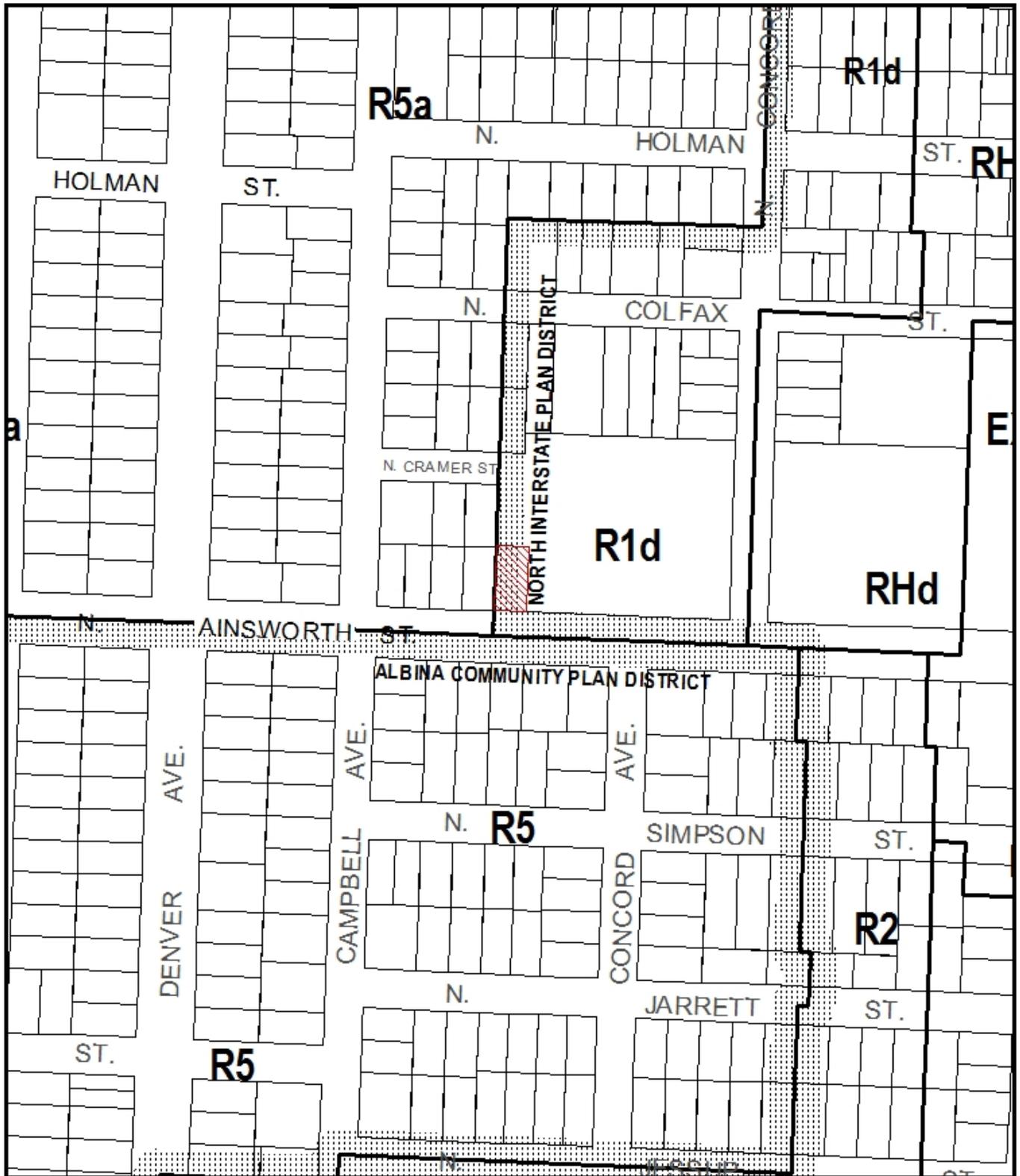
The file and all evidence on this case are available for your review by appointment only. Please call the Request Line at our office, 1900 SW Fourth Avenue, Suite 5000, phone 503-823-7617, to schedule an appointment. I can provide some information over the phone. Copies of all information in the file can be obtained for a fee equal to the cost of services. You may also find additional information about the City of Portland and City Bureaus, as well as a digital copy of the Portland Zoning Code, by visiting the City’s homepage on the Internet at [www.portlandonline.com](http://www.portlandonline.com).

ORS 227.178 states the City must issue a final decision on Land Use Review applications within 120-days of the application being deemed complete. The 120-day review period may be extended at the request of the applicant.

**APPEAL PROCESS:** If you disagree with the Bureau of Development Services administrative decision, you can appeal the decision to the Oregon Land Use Board of Appeals (LUBA) at 550 Capitol St. NE, Suite 235, Salem, OR 97301. The phone number for LUBA is 1-503-373-1265. Issues which may provide the basis for an appeal to LUBA must be raised in writing before the deadline for comments, or you may not be able to raise that issue in an appeal. If you do not raise an issue with enough specificity to give the Bureau of Development Services an opportunity to respond to it, that also may preclude an appeal to LUBA on that issue.

**The Bureau of Development Services is committed to providing equal access to information and hearings. Please notify us no less than five business days prior to the event if you need special accommodations. Call 503-823-7300 (TTY 503-823-6868).**

**Enclosures:** Zoning Map, Preliminary Survey, Preliminary Site and Utility Plan



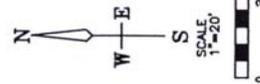
# ZONING

 Site



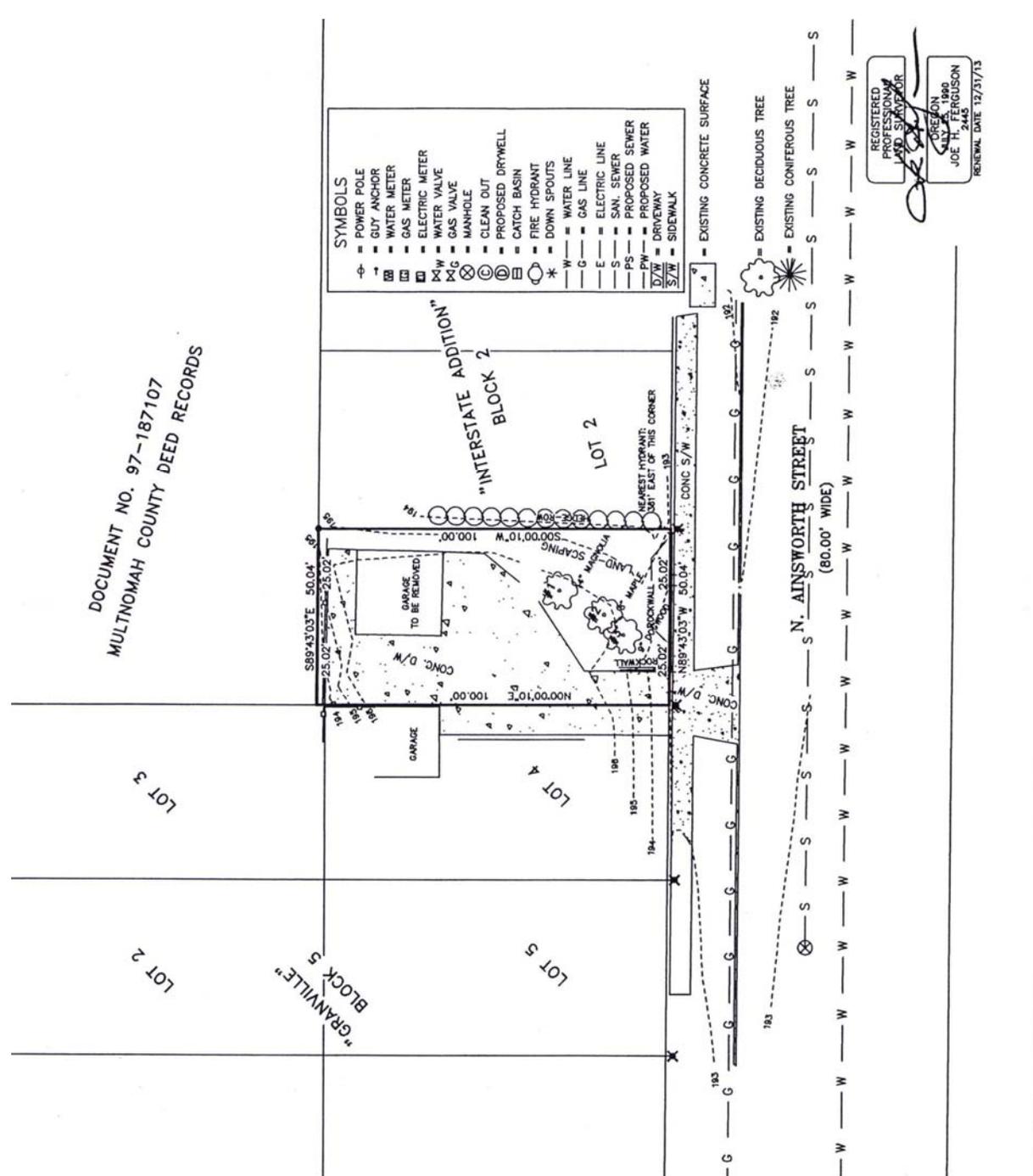
File No.	<u>LU 12-101491 LDP</u>
1/4 Section	<u>2428</u>
Scale	<u>1 inch = 200 feet</u>
State_Id	<u>1N1E16DA 16100</u>
Exhibit	<u>B (Jan 09,2012)</u>

DOCUMENT NO. 97-187107  
 MULTNOMAH COUNTY DEED RECORDS



N. CAMPBELL AVENUE (60.00' WIDE)

VICINITY MAP  
 SCALE: 1"=500'



- SYMBOLS**
- POWER POLE
  - GUY ANCHOR
  - WATER METER
  - GAS METER
  - ELECTRIC METER
  - WATER VALVE
  - GAS VALVE
  - MANHOLE
  - CLEAN OUT
  - PROPOSED DRYWELL
  - CATCH BASIN
  - FIRE HYDRANT
  - DOWN SPOUTS
  - WATER LINE
  - GAS LINE
  - ELECTRIC LINE
  - SAN. SEWER
  - PROPOSED SEWER
  - PROPOSED WATER
  - DRIVEWAY
  - SIDEWALK
  - EXISTING CONCRETE SURFACE
  - EXISTING DECIDUOUS TREE
  - EXISTING CONIFEROUS TREE

REGISTERED  
 PROFESSIONAL  
 LAND SURVEYOR  
 JOE H. FERGUSON  
 2445  
 RENEWAL DATE 12/31/13

**Ferguson Land Surveying, Inc.**  
 646 SE 106TH AVE, PORTLAND, OR 97216  
 Phone (503) 408-0601 Fax (503) 408-0802

**EXISTING CONDITIONS**  
 LOT 1, BLOCK 2, "INTERSTATE ADDITION"  
 IN THE SE 1/4, SECTION 16, T.1N., R.1E., W.M.  
 CITY OF PORTLAND, MULTNOMAH COUNTY, OREGON

CLIENT: GARNER MOODY  
 P.O. BOX 11560  
 PORTLAND, OR 97217

DATE: DECEMBER 1, 2011  
 REVISED: \_\_\_\_\_  
 REVISED: \_\_\_\_\_

JOB NO. 11-084  
 DRAFTED 12.08.11  
 SHEET 1 OF 1

LW12.101491 LDP

