



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

FROM CONCEPT TO CONSTRUCTION

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Date: December 31, 2012
To: Interested Person
From: Kate Green, Land Use Services
503-823-5868 / Kate.Green@portlandoregon.gov

NOTICE OF A TYPE IIx 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 42 days, **we need to receive your written comments by 5 p.m. on January 30, 2013.** Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 12-156455 LDP GW, in your letter. It also is helpful to address your letter to me, Kate Green.

CASE FILE NUMBER: LU 12-156455 LDP GW
UNINCORPORATED MULTNOMAH COUNTY

Applicant: William Horning/Western Planning Associates Inc.
PO Box 2392
Lake Oswego OR 97035

Property Owners: Larry Lindstrom
11550 SW Riverwood Road
Portland OR 97219

L & N Sixth LLC
PO Box 1936
Lake Oswego OR 97035

Site Address: 11550 SW Riverwood Road
Legal Description: LOT 3, RIVERWOOD
Tax Account No.: R711300110
State ID No.: 1S1E35AC 03200
Quarter Section: 4132

Neighborhood, Business District, District Coalition: None

Zoning: Single Dwelling Residential 20,000 (R20)
Environmental Conservation (c)
Greenway-River General (g)

Other Designations: Unincorporated Multnomah County
Special Flood Hazard Area
Potential Landslide Hazard Area

Case Type: Land Division-Partition (LDP)

Greenway Review (GW)

Procedure: Type IIX, an administrative decision with appeal to the Hearings Officer

PROPOSAL: The applicant requests a **Land Division-Partition** in order to divide an approximately 75,600 square foot lot into 2 parcels for single dwelling residences. The proposal also includes a 10-foot right-of-way dedication to Multnomah County along SW Riverwood Road, and a 5-foot maintenance easement to Multnomah County along the abutting public alley.

Parcel 1 will be approximately 26,131 square feet in area, and the existing house is to remain on this parcel. The existing house is to be remodeled, so it will fit entirely within the proposed lot lines. Parcel 2 will be approximately 26,131 square feet in area, and the existing garage and portions of the driveway on this parcel will be removed. Additionally, the proposal includes an approximately 23,069 square foot resource tract over the portion of the site that is located within the Environmental Conservation (c) overlay zone.

This partition proposal is reviewed through a Type IIX procedure because: (1) the site is in a residential zone; (2) two or three lots are proposed; and (3) the site is located within a Potential Landslide Hazard or Flood Hazard Area (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 3 units of land (2 parcels and 1 tract). Therefore this land division is considered a partition.

The proposal also includes a **Greenway Review**, for alterations to the existing house; the relocation and modification of utilities, and grading and tree removal for the new house.

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, and**
- **Section 33.440.350, Greenway Review Approval Criteria.**

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 June 29, 2012 and determined to be complete on December 28, 2012.

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

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

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.

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. Additional information about the City of Portland, city bureaus, and a digital copy of the Portland Zoning Code is available on the internet at www.ci.portland.or.us.

APPEAL PROCESS: If you disagree with the Bureau of Development Services administrative decision, you can appeal the decision to the Hearings Officer. This review body will hold a public hearing for the appeal. When the decision is mailed, the criteria used to make the decision and information on how to file an appeal will be included. If you do not send any comments, you can still appeal the decision. There is a 14-day deadline to file an appeal beginning on the day the decision is mailed. The reason for the appeal must be specifically defined in order for the review body to respond to the appeal. If an appeal is filed, you will be notified of the time and location of the appeal hearing.

APPEAL FEE WAIVERS: Multnomah County may cover the appeal fees for their recognized associations. An appeal filed by a recognized association must be submitted to the City with either the appropriate fee or the attached form signed by the County. Contact Multnomah County at 503-988-3043, 1600 SE 190th, Portland, OR 97233.

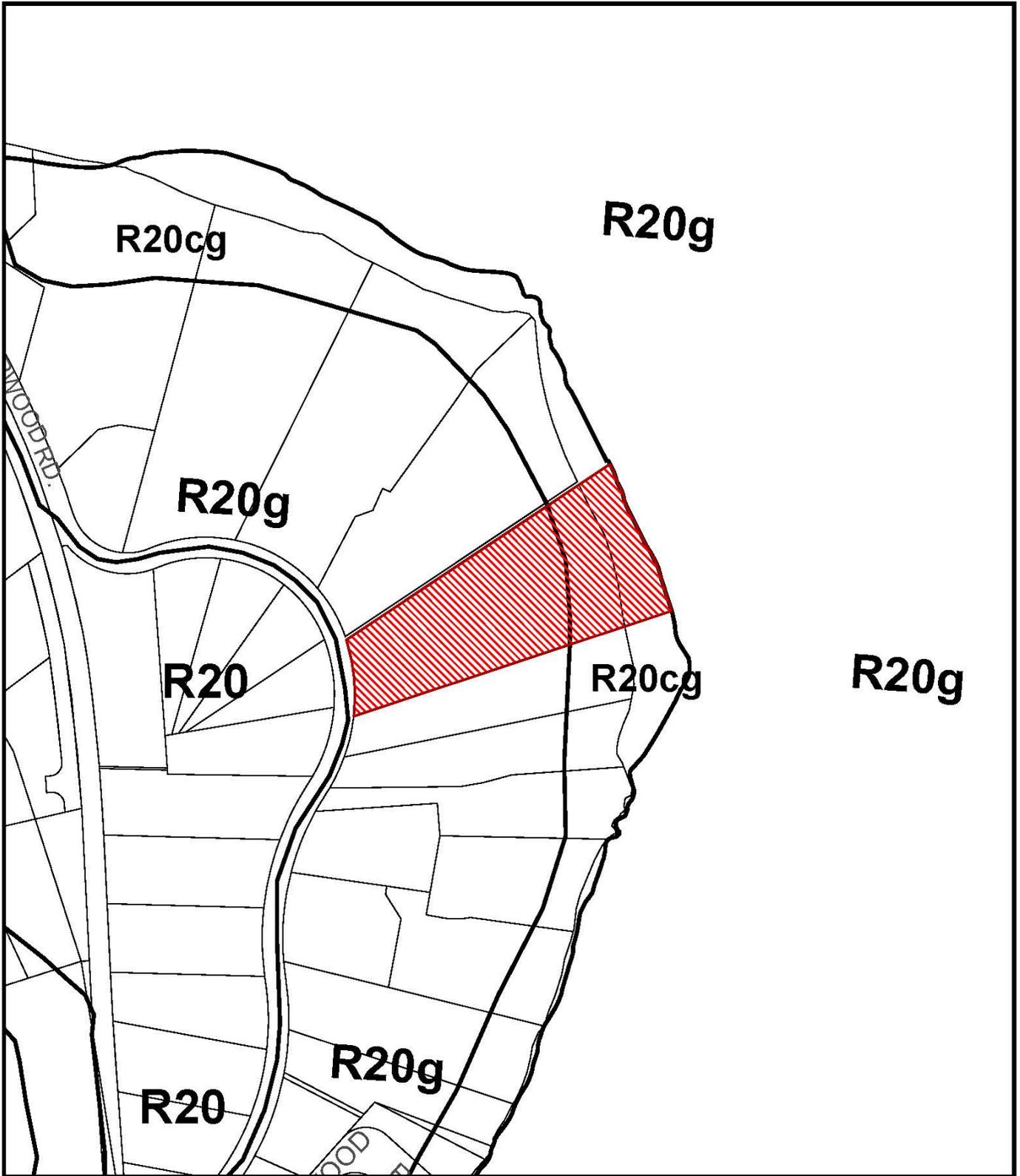
APPEAL OF THE FINAL CITY DECISION: After an appeal hearing, the review body decision may be appealed to the Oregon Land Use Board of Appeals (LUBA) at 550 Capitol Street NE, Suite 235, Salem, OR 97301. The phone number for LUBA is 1-503-373-1265. Issues that may provide the basis for an appeal to LUBA must be raised prior to the comment deadline or prior to the conclusion of the hearing if a local appeal is requested. If you do not raise an issue with enough specificity to give the Bureau of Development Services an opportunity to respond to it that may also 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 Land Division Plan



ZONING

 Site



File No. LU 12-156455 LDP GW
 1/4 Section 2830
 Scale 1 inch = 200 feet
 State_Id 1S1E35AC 03200
 Exhibit B (Dec 20,2012)

