



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

FROM CONCEPT TO CONSTRUCTION

Amanda Fritz, Commissioner  
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[www.portlandoregon.gov/bds](http://www.portlandoregon.gov/bds)

**Date:** March 31, 2014  
**To:** Interested Person  
**From:** Andrew Gulizia, Land Use Services  
503-823-7010 / [Andrew.Gulizia@portlandoregon.gov](mailto:Andrew.Gulizia@portlandoregon.gov)

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

Development has been proposed in your neighborhood which requires a land use review. The proposal, review process, and information on how to respond to this notice are described below. Maps illustrating the proposal are attached. I am the staff person handling the case. Please call me if you have questions regarding this proposal. Please contact the property owner if you have questions regarding any future development on the site.

Because we must publish our decision within 28 days, **we need to receive your written comments by 5 p.m. on April 21, 2014.** Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 14-127955 ZE, in your letter. It also is helpful to address your letter to me, Andrew Gulizia.

## **CASE FILE NUMBER: LU 14-127955 ZE**

**Applicant:** City of Portland Bureau of Development Services  
Land Use Services Division  
1900 SW 4th Avenue, Suite 5000  
Portland, OR 97201

**Property Owner:** Peter VanSchoonhoven  
Flow Structures LLC  
14314 NW 8<sup>th</sup> Court  
Vancouver, WA 98685

**Site Address:** 3839 NE Marine Drive

**Legal Description:** TL 300 2.35 ACRES, SECTION 01 1N 1E  
**Tax Account No.:** R941010320  
**State ID No.:** 1N1E01AD 00300  
**Quarter Section:** 1934  
**Neighborhood:** None  
**Business District:** Columbia Corridor Association, contact Peter Livingston at 503-796-2892.

**District Coalition:** None  
**Plan District:** Portland International Airport - Airport Subdistrict  
**Zoning:** CGchsx – General Commercial with Environmental Conservation, Aircraft Landing, Scenic Resource, and Airport Noise Impact overlays  
IG2chsx – General Industrial 2 with Environmental Conservation, Aircraft Landing, Scenic Resource, and Airport Noise Impact overlays  
ZE – Zoning Map Error

**Case Type:**  
**Procedure:** Type II administrative decision with appeal to the Hearings Officer

**Proposal:**

The Bureau of Development Services is initiating a Zoning Map Error application to correct the zoning on a portion of this site from IG2chx and IG2chsx (General Industrial 2 with Environmental Conservation, Aircraft Landing, Scenic Resource, and Airport Noise Impact overlays) to CGhsx, CGchsx, and CGchx (General Commercial with Environmental Conservation, Aircraft Landing, Scenic Resource, and Airport Noise Impact overlays).

Due to an error when the site was annexed to the City of Portland from Multnomah County, the current boundary between the commercial and industrial zones bisects an existing restaurant and associated parking area. Without correction of the zoning map error, the existing commercial (restaurant) use will continue to be located in part in an industrial zone, which restricts commercial uses.

This proposal would also correct the mapping of the 'c' (Environmental Conservation) overlay on this site. In a previous mapping error, the 'c' overlay was incorrectly removed from a portion of this site.

Attached to this Notice is both an existing and proposed zoning map to illustrate the request.

**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 Zoning Code Section 33.855.070.

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 March 18, 2014 and determined to be complete on March 26, 2014.

**DECISION MAKING PROCESS**

The Bureau of Development Services will make a decision on this proposal. We will consider your comments, and do one of the following:

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

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.

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.portlandonline.com](http://www.portlandonline.com).

**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.

There is a fee charged for appeals. Recognized neighborhood associations may qualify for an appeal fee waiver.

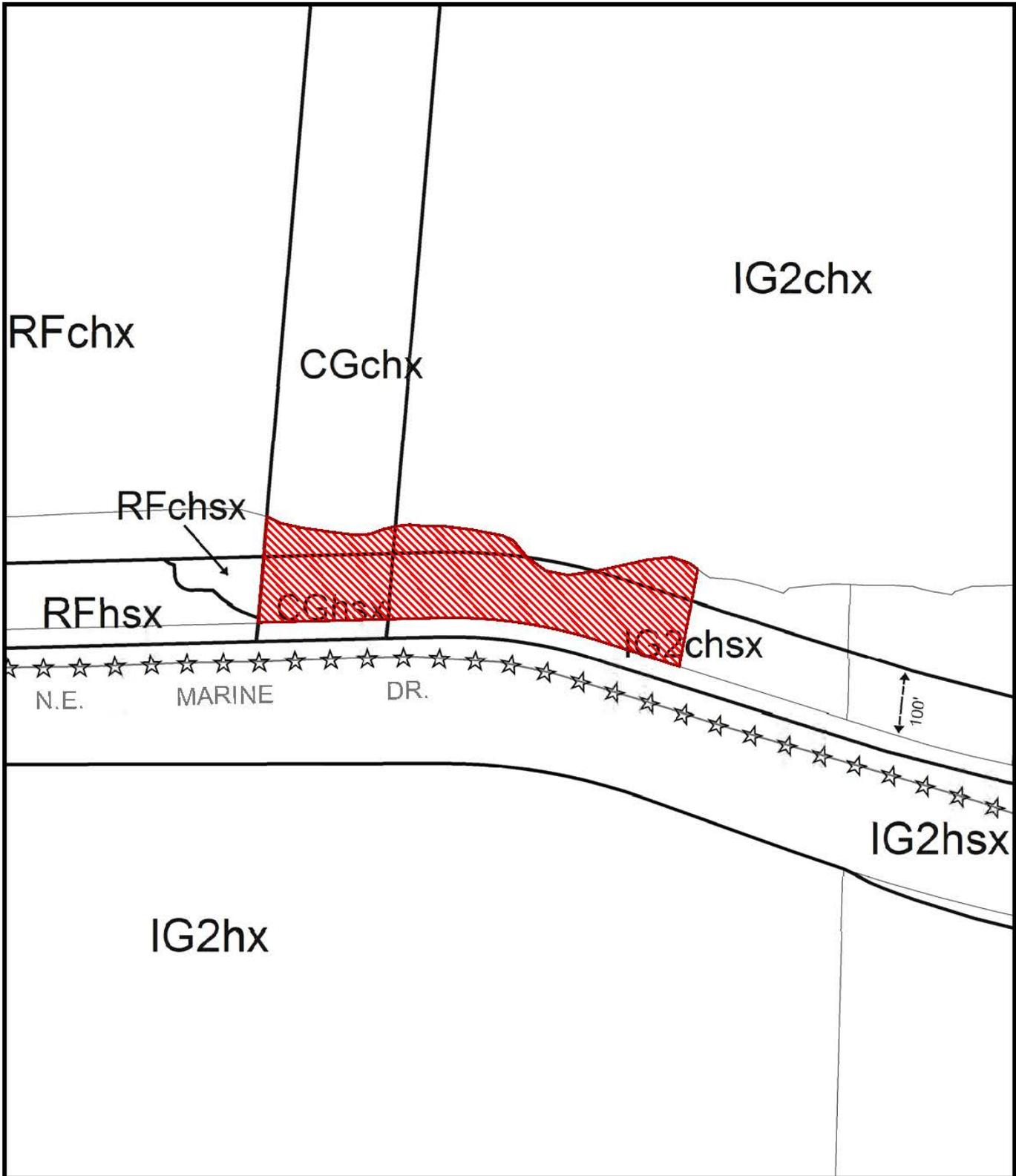
**APPEAL OF THE FINAL CITY DECISION**

After an appeal hearing, the review body decision may be appealed to the Oregon Land Use Board of Appeals (LUBA) at 775 Summer St NE, Suite 330, Salem, Oregon 97301-1283. 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:**

Existing Zoning Map  
Proposed Zoning Map



**ZONING  
EXISTING**



Site



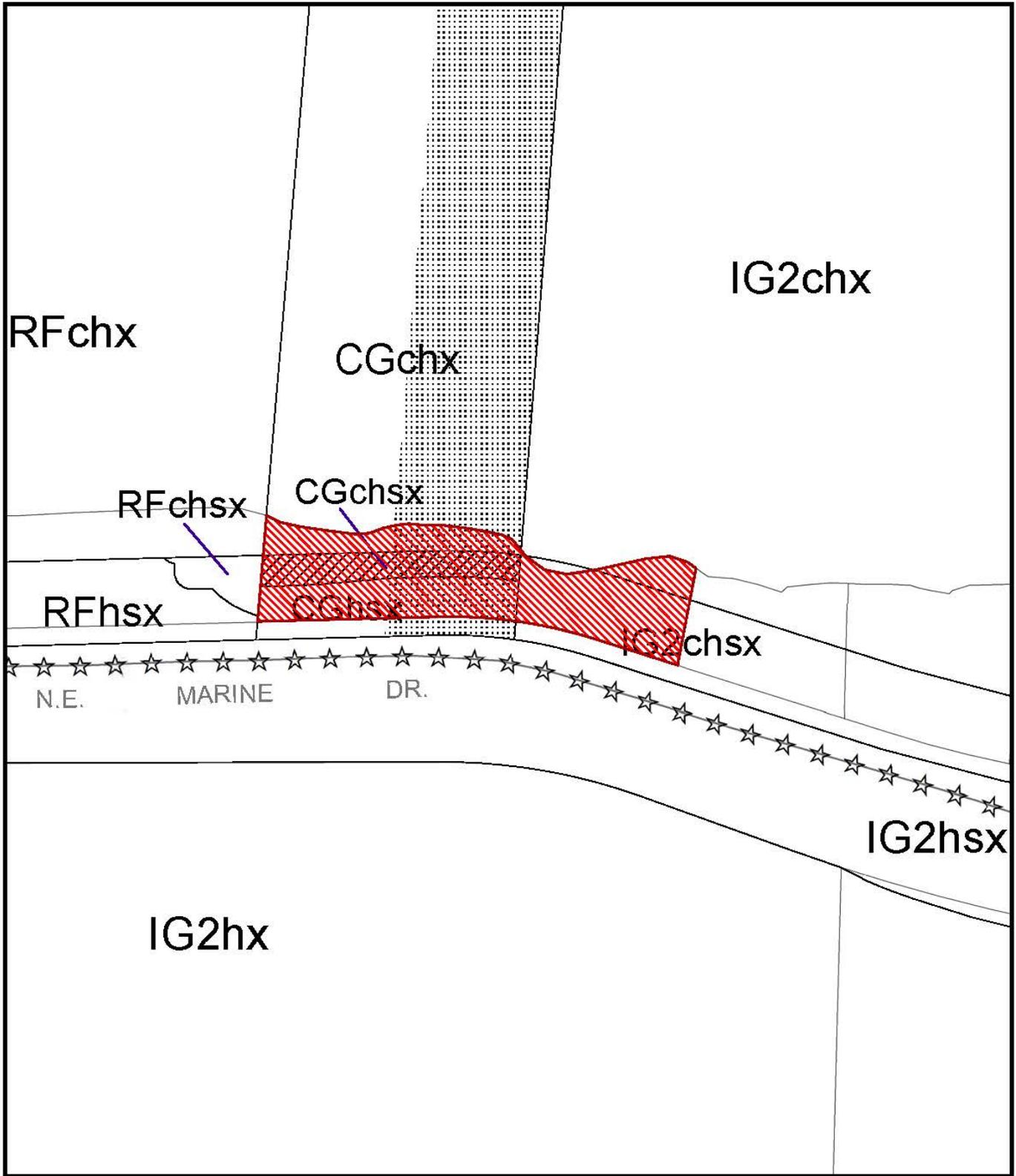
Recreational Trail



NORTH

This site lies within the:  
**PORTLAND INTERNATIONAL AIRPORT PLAN DISTRICT**

File No. LU 14-127955 ZE  
 1/4 Section 1934  
 Scale 1 inch = 200 feet  
 State\_Id 1N1E01AD 300  
 Exhibit B 1 (Mar 18, 2014)



# ZONING PROPOSED



This site lies within the:  
**PORTLAND INTERNATIONAL AIRPORT PLAN DISTRICT**

-  Site
-  Area of Zone Error Correction
-  Recreational Trail

File No. LU 14-127955 ZE  
 1/4 Section 1934  
 Scale 1 inch = 200 feet  
 State\_Id 1N1E01AD 300  
 Exhibit B 2 (Mar 18, 2014)