



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

FROM CONCEPT TO CONSTRUCTION

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Date: November 22, 2011
To: Interested Person
From: Dave Skilton, Land Use Services 503-823-0660
dave.skilton@portlandoregon.gov

NOTICE OF A TYPE II DECISION ON A PROPOSAL IN YOUR NEIGHBORHOOD

The Bureau of Development Services has approved a proposal in your neighborhood. The reasons for the decision are included in this notice. If you disagree with the decision, you can appeal it and request a public hearing. Information on how to appeal this decision is listed at the end of this notice.

CASE FILE NUMBER: LU 11-177926 CU HDZ – ROOFTOP WIRELESS COMMUNICATION EQUIPMENT

GENERAL INFORMATION

Applicant: Phyllis P. Kliks
3662 SW Tunnelwood Street
Portland, OR 97221-4147

Worthington Limited Partnership
3662 SW Tunnelwood Street
Portland, OR 97221

Verizon Wireless
5430 NE 122nd Avenue
Portland, OR 97230

Representative: Ed Fournier 503-260-0350
Land Services Northwest
PO Box 302
Bend, OR 97709-0302

Site Address: 708 NW 19th Avenue

Legal Description: BLOCK 176 LOT 2&3, COUCHS ADD
Tax Account No.: R180216110
State ID No.: 1N1E33AC 06500
Quarter Section: 2928

Neighborhood: NW/NW, Northwest District, contact John Bradley at 503-313-7574.
Business District: Nob Hill, contact Kay Wolfe at 503-227-0898.
District Coalition: Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.
Plan District: Northwest
Other Designations: Contributing Resource in the Alphabet Historic District, which was listed in the National Register of Historic Places on August 24, 2000.

Zoning: RH, Residential High Density with Historic Resource Protection overlay
Case Type: HDZ CU, Historic Design Review and Conditional Use Review
Procedure: Type II, an administrative decision with appeal to the Historic Landmarks Commission.

Proposal:

The applicant is seeking Historic Design Review approval for a proposal to:

- remove two existing antennas from the west wall of the penthouse and replace them with taller panel antenna units projecting the same height, 5'-10", above the penthouse roof;
- remove two antennas from the north side of the penthouse;
- install four new equipment cabinets behind the raised central section of the front parapet; and
- remove two antennas from an existing framework at the east face of the building and replace them with two panel antenna units projecting 6'-0" above the parapet.

Historic Design Review is required because the proposal is for a non-exempt alteration to a resource in the Alphabet Historic District.

Conditional Use: The applicant is also seeking approval of a Conditional Use for Radio Frequency Transmission Facilities operating at 1,000 watts ERP or less, locating on an existing building in a residential zone.

Relevant Approval Criteria:

In order to be approved, this proposal must comply with the approval criteria of Title 33, Portland Zoning Code. The relevant criteria are:

- Community Design Guidelines
- Historic Alphabet District Community Design Guidelines Addendum
- 33.815.225.A.1-3, Conditional Use Approval Criteria for Radio Frequency Transmission Facilities operating at 1,000 watts ERP or less, locating on an existing building in a residential zone
- 33.274, Radio Frequency Transmission Facilities

ANALYSIS

Site and Vicinity: The subject property, known as the Worthington Apartments, was completed in 1929 by contractor Steven E. Henderson to a design by architect Elmer Feigs, producer of many apartment building plans within the area today encompassed by the Alphabet Historic District. The four story structure is straightforward in form, a U-shaped plan incorporating an internal light well. The building features minimal ornamentation, mostly concentrated at the street-facing parapets, and in a loosely interpreted Jacobean stylistic vein.

The Alphabet Historic District is an area of Portland significant for its concentration of intact late 19th and early 20th Century middle class housing stock and small-scale commercial buildings. Of special note are the many mid-sized apartment and institutional buildings. Many of these are in the various Period Revival styles, e.g. Tudor, Spanish Colonial, Byzantine, etc. The area is also characterized by a grid work of narrower, tree-lined, residential streets crossed by occasional more robust commercial avenues.

Zoning: The multi-dwelling zones, including RH, are intended to preserve land for urban housing and to provide opportunities for multi-dwelling housing. The RH zone is a high density multi-dwelling zone. Density is not regulated by a maximum number of units per acre. Rather, the maximum size of buildings and intensity of use is regulated by floor area ratio (FAR) limits and other site development standards. Generally the density will range from 80 to 125 units per acre. Allowed housing is characterized by medium to high height and a relatively high percentage of building coverage. The major types of new housing development will be low,

medium, and high-rise apartments and condominiums. Generally, RH zones will be well served by transit facilities or be near areas with supportive commercial services.

The Historic Resource Protection chapter protects certain historic resources in the region and preserves significant parts of the region's heritage. The regulations implement Portland's Comprehensive Plan policies that address historic preservation. These policies recognize the role historic resources have in promoting the education and enjoyment of those living in and visiting the region. The regulations foster pride among the region's citizens in their city and its heritage. Historic preservation beautifies the city, promotes the city's economic health, and helps to preserve and enhance the value of historic properties.

Land Use History: City records indicate there are one related prior land use reviews for this site:

- LU 09-102622 HDZ CU, partially approving a proposal to install rooftop radio frequency equipment, and denying a shroud structure around the entire existing penthouse.
- LU 10-196161 HDZ CU, approving replacement antennas and minor alterations to an existing rooftop radio frequency equipment array.

Public Notice: A "Notice of Proposal in Your Neighborhood" was mailed December 13, 2010.

Agency Review: None of the notified Bureaus has responded with issues or concerns.

Neighborhood Review: No written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal.

ZONING CODE APPROVAL CRITERIA

(1) Chapter 33.846.060 - Historic Design Review

Purpose of Historic Design Review

Historic Design Review ensures the conservation and enhancement of the special characteristics of historic resources.

Historic Design Review Approval Criteria

Requests for historic design review will be approved if the review body finds the applicant has shown that all of the approval criteria have been met.

Findings: The site is located within the Alphabet Historic District and the proposal is for a non-exempt treatment. Therefore Historic Design Review approval is required. The approval criteria are the *Community Design Guidelines* and the *Historic Alphabet District Community Design Guidelines Addendum*.

Staff has considered all guidelines and addressed only those applicable to this proposal.

Historic Alphabet District - Community Design Guidelines Addendum

1. Historic Changes. Most properties change over time; those changes that have acquired historic significance will be preserved.

Findings: No historic changes are effected. *This guideline is not applicable.*

2. Differentiate New from Old. New additions, exterior alterations, or related new construction will retain historic materials that characterize a property to the extent practicable. Replacement materials should be reasonable facsimiles of the historic materials they replace. The design of new construction will be compatible with the historic qualities of the district as identified in the Historic Context Statement.

Findings: Radio frequency transmission equipment did not exist during the period of significance, so there is no danger of the proposal creating a false sense of historic development. *This guideline is therefore met.*

3. Hierarchy of Compatibility. Exterior alterations and additions will be designed to be compatible primarily with the original resource, secondarily with adjacent properties, and finally, if located within a historic or conservation district, with the rest of the District. Where practical, compatibility will be pursued on all three levels. New development will seek to incorporate design themes characteristic of similar buildings in the Historic Alphabet District.

Findings: The proposed alterations will reduce the visual impact of the existing installation because: two of eight antennas will be eliminated; two will remain unchanged; and four will be increased slightly in size but will project no higher above the roof than the current antennas do. The equipment cabinets will be largely out of view from all but distant northerly viewpoints, from which the upper edge of the the cabinet will come briefly into view. At four and a half stories (54' to top of parapet), with a quarter block footprint (100'x100'), and continuous facades on three sides, the mass of the building is quite substantial. This means the antennas, which are to be painted gray, are visible only two at a time, and are at interior lot lines, inconspicuous by contrast. The impact on neighboring properties and the Alphabet Historic District is even less consequential. *This guideline is therefore met.*

Community Design Guidelines

P2. Historic and Conservation Districts. Enhance the identity of historic and conservation districts by incorporating site and building design features that reinforce the area's historic significance. Near historic and conservation districts, use such features to reinforce and complement the historic areas.

D6. Architectural Integrity. Respect the original character of buildings when making modifications that affect the exterior. Make additions compatible in scale, color, details, material proportion, and character with the existing building.

D7. Blending into the Neighborhood. Reduce the impact of new development on established neighborhoods by incorporating elements of nearby, quality buildings such as building details, massing, proportions, and materials.

Findings for P2, D2, and D7: As noted in the foregoing findings, the very minor character of the proposed alterations allows the existing, approved antenna array to remain compatible with the character of the Alphabet Historic District because it is inconspicuous by virtue of color and size. *These guidelines are therefore met.*

(2) 33.815 Conditional Uses

33.815.010 Purpose

Certain uses are conditional uses instead of being allowed outright, although they may have beneficial effects and serve important public interests. They are subject to the conditional use regulations because they may, but do not necessarily, have significant adverse effects on the environment, overburden public services, change the desired character of an area, or create major nuisances. A review of these uses is necessary due to the potential individual or cumulative impacts they may have on the surrounding area or neighborhood. The conditional use review provides an opportunity to allow the use when there are minimal impacts, to allow the use but impose mitigation measures to address identified concerns, or to deny the use if the concerns cannot be resolved.

33.815.225 Radio Frequency Transmission Facilities

These approval criteria allow Radio Frequency Transmission Facilities in locations where there are few impacts on nearby properties. The approval criteria are:

- A. Approval criteria for facilities operating at 1,000 watts ERP or less, proposing to locate on an existing building or other non-broadcast structure in an OS or R zone or in a C, E, or I zone within 50 feet of an R zone:
1. The visual impact of an antenna must be minimized. For instance, it can be hidden behind a compatible building feature such as a dormer, mounted flush to the facade of the building and painted to match, mounted on a structure designed with minimal bulk and painted to fade into the background, or mounted by other technique that equally minimizes the visual impact of the antenna;

Findings: The proposed alterations will reduce the visual impact of the existing installation because: two of eight antennas will be eliminated; two will remain unchanged; and four will be increased slightly in size but will project no higher above the roof than the current antennas do. *This criterion is therefore met.*

2. Accessory equipment associated with the facility must be adequately screened. If a new structure will be built to store the accessory equipment, the new structure must be designed to be compatible with the desired character of the surrounding area and be adequately screened; and

Findings: The equipment cabinets will be entirely out of view from all but distant northerly viewpoints, from which an upper edge of the northernmost cabinet will come briefly into view. *This criterion is therefore met.*

3. The regulations of Chapter 33.274, Radio Frequency Transmission Facilities are met.

Findings: The regulations of Chapter 33.274, Radio Frequency Transmission Facilities are met (see following findings). *This criterion is therefore met.*

33.274 Radio Frequency Transmission Facilities Development Standards

A. Purpose. The development standards:

- Ensure that Radio Frequency Transmission Facilities will be compatible with adjacent uses;
- Reduce the visual impact of towers and accessory equipment in residential and open space zones whenever possible;
- Protect adjacent populated areas from excessive radio frequency emission levels; and
- Protect adjacent property from tower failure, falling ice, and other safety hazards.

B. When standards apply. Unless exempted by 33.274.030, above, the development standards of this section apply to all Radio Frequency Transmission Facilities.

Applications to modify existing facilities regulated by this chapter are only required to meet the standards of Paragraphs C. 3, C4, C.5, C.6, and C.9, below, in addition to any previous conditions of approval. Increasing the height of a tower is not considered modification of an existing facility.

C. General requirements

3. Tower finish. For towers not regulated by the Oregon Aeronautics Division or Federal Aviation Administration, a finish (paint/surface) must be provided that reduces the visibility of the structure.
4. Tower illumination. Towers must not be illuminated except as required for the Oregon State Aeronautics Division or the Federal Aviation Administration.

Findings for C.1 and C.4: The proposal is to mount the facility on an existing building. A new tower is not proposed. *Therefore, these criteria are not applicable.*

- Radio frequency emission levels. All existing and proposed Radio Frequency Transmission Facilities are prohibited from exceeding or causing other facilities to exceed the radio frequency emission standards specified in Table 274-1, except as superseded by Part 1, Practice and Procedure, Title 47 of the Code of Federal Regulations, Section 1.1310, Radio Frequency Radiation Exposure Limits.

Table 274-1 Radio Frequency Emission Standards [1]			
Frequency Range	Mean Squared Electric (E ²) Field Strength (V ² /m ²) [2]	Mean Squared Magnetic (H ²) Field Strength (A ² /m ²) [3]	Equivalent Plane-Wave Power Density (mW/cm ²) [4]
100 KHz - 3 MHz	80,000	0.5	20
3 MHz - 30 MHz	4,000 (180/f ²) [5]	0.025 (180/f ²)	180/f ²
30 MHz - 300 MHz	800	0.005	0.2
300 MHz - 1500 MHz	4,000 (f/1500)	0.025 (f/1500)	f/1500
1500 MHz - 300 GHz	4,000	0.025	1.0

Notes:

- [1] All standards refer to root mean square (rms) measurements gathered by an approved method.
- [2] V²/m² = Volts squared per meter squared.
- [3] A²/m² = Amperes squared per meter squared.
- [4] mW/cm² = Milliwatts per centimeter squared.
- [5] f = Frequency in megahertz (MHz).

Findings: The proposed facility will operate within the limits in Table 274-1 per calculations provided by the applicant's engineer. *This criterion is therefore met.*

- Antenna requirements. The antenna on any tower or support structure must meet the minimum siting distances to habitable areas of structures shown in Table 274-2. Measurements are made from points A and B on the antenna to the nearest habitable area of a structure normally occupied on a regular basis by someone other than the immediate family or employees of the owner/operator of the antenna. Point A is measured from the highest point of the antenna (not the tower) to the structure, and Point B is measured from the closest point of the antenna to the structure.

Table 274-2 Distance Between Antenna and Habitable Area of Structure (Where f is frequency in megahertz.)			
Effective Radiated Power	Frequency (MHz)	Point A: Minimum Distance From Highest Point of Antenna To Habitable Area of Structure (feet)	Point B: Minimum Distance From Closest Portion Of Antenna To Habitable Area of Structure (feet)
< 100 watts		10	3
100 watts to 999 watts		15	6
1,000 watts to 9.999 Kw	< 7	11	5
	7 - 30	f/0.67	f/1.5
	30 - 300	45	20

	300 - 1500 > 1500	780/vf 20	364/vf 10
10 Kw plus	< 7 7 - 30 30 - 300 300 - 1500 1500	17.5 f/0.4 75 1300/vf 34	8 f/0.91 33 572/vf 15

Findings: The facility is currently compliant with this provision and the proposal demonstrates that the alterations will not move it out of compliance *This criterion is therefore met.*

7. Setbacks. All towers must be set back at least a distance equal to 20 percent of the height of the tower or 15 feet, whichever is greater, from all abutting R and OS zoned property and public streets. Accessory equipment or structures must meet the base zone setback standards.
8. Guy anchor setback. Tower guy anchors must meet the main building setback requirements of the base zone.

Findings for C.7 & C.8: The proposed, compliant mounting locations will remain unchanged. *This criterion is not applicable.*

9. Landscaping and screening. The base of a tower and all accessory equipment or structures located at grade must be fully screened from the street and any abutting sites as follows:
 - a. In C, E or I zones more than 50 feet from an R zone. A tower and all accessory equipment or structures located in the C, E, or I zones more than 50 feet from an R zone must meet the following landscape standard:

Findings: The proposal is to mount the facility on an existing building. A new tower is not proposed. *This criterion is not applicable.*

- b. In OS or R zones or within 50 feet of an R zone. A tower and all accessory equipment or structures located in an OS or R zone or within 50 feet of an R zoned site must meet the following landscape standards:

- (1) Tower landscaping. A landscaped area that is at least 15 feet deep and meets the L3 standard must be provided around the base of the tower.

Findings: The proposal is to mount the facility on an existing building. A new tower is not proposed. *This criterion is not applicable.*

- (2) Accessory equipment and structures. A landscaped area that is at least 10 feet deep and meets the L3 standard must be provided around the base of all accessory equipment or structures located at grade.

Findings: The associated accessory equipment will be installed on the rooftop. *This criterion is not applicable.*

10. Tower design.
 - a. For a tower accommodating a Radio Frequency Transmission Facility of 100,000 watts or more, the tower must be designed to support at least two additional transmitter/antenna systems of equal or greater power to that proposed by the applicant and one microwave facility, and at least three two-way antennas for every 40 feet of tower over 200 feet of height above ground.

- b. For any other tower, the design must accommodate at least three two-way antennas for every 40 feet of tower, or at least one two-way antenna for every 20 feet of tower and one microwave facility.
- c. The requirements of Subparagraphs a. and b. above may be modified by the City to provide the maximum number of compatible users within the radio frequency emission levels.

Findings: The proposal is to mount the facility on an existing building. A new tower is not proposed. *This criterion is not applicable.*

11. Mounting device. The device or structure used to mount facilities operating at 1000 watts ERP or less to an existing building or other non-broadcast structure may not project more than 10 feet above the roof of the building or other non-broadcast structure.

Findings: The compliant height of the equipment will remain unchanged. *This criterion is therefore met.*

12. Abandoned facilities. A tower erected to support one or more Federal Communication Commission licensed Radio Frequency Transmission Facilities must be removed from a site if no facility on the tower has been in use for more than six months.

Findings: The proposal is to mount the facility on an existing building. A new tower is not proposed. *This criterion is not applicable.*

D. Additional requirements in OS, R, C, and EX zones and EG and I zones within 50 feet of an R zone.

1. Purpose. These additional regulations are intended to ensure that facilities operating at 1000 watts ERP or less have few visual impacts. The requirements encourage facilities that look clean and uncluttered.
2. Standards. In addition to the regulations in Subsection C., above, facilities operating at 1000 watts ERP or less located in OS, R, C, or EX zones or EG or I zones within 50 feet of an R zone must meet all of the following standards:
 - a. Antennas mounted on towers. Triangular “top hat” style antenna mounts are prohibited. Antennas must be mounted to a tower either on davit arms that are no longer than 5 feet, flush with the tower, within a unicell style top cylinder, or other similar mounting technique that minimizes visual impact.

Findings: The proposal is to mount the antennas on an existing building, not a tower. *This criterion is not applicable.*

- b. Antennas mounted on existing buildings or other non-broadcast structures. This standard only applies to facilities located in OS or R zones or within 50 feet of an R zone. The visual impact of antennas that are mounted to existing buildings or other non-broadcast structures must be minimized. For instance, on a pitched roof, an antenna may be hidden behind a false dormer, mounted flush to the facade of the building and painted to match; mounted on a structure designed with minimal bulk and painted to fade into the background; or mounted by other technique that equally minimizes the visual impact of the antenna. The specific technique will be determined by the conditional use review.

Findings: As previously discussed under criterion 33.815.225 A.1, the visual impact of the proposed antennas and associated screening enclosures poses a significant visual

impact to the building by competing with the scale of the building's historic architectural parapet and affording views from the street. *Therefore, this criterion is not met.*

- c. Lattice. Lattice towers are not allowed.

Findings: The proposal is to mount the facility on an existing building. A new tower is not proposed. *This criterion is not applicable.*

- D. Additional Requirements in R zones.** The minimum site area required for a tower in an R zone is 40,000 square feet. This regulation must be met in addition to the regulations in Subsections C. and D., above.

Findings: The proposal is to mount the facility on an existing building. A new tower is not proposed. *This criterion is not applicable.*

DEVELOPMENT STANDARDS

Unless specifically required in the approval criteria listed above, this proposal does not have to meet the development standards in order to be approved during this review process. The plans submitted for a building or zoning permit must demonstrate that all development standards of Title 33 can be met, or have received an Adjustment or Modification via a land use review prior to the approval of a building or zoning permit.

CONCLUSIONS

It is possible to accommodate the applicant's desire to make minor changes to components of this rooftop antenna array because the existing configuration, which was previously approved through Historic Design Review, has a very minor impact on the character of the Alphabet Historic District. The requirements of the conditional use continue to be met. The purpose of the Historic Design Review process is to ensure that additions, new construction, and exterior alterations to historic resources do not compromise their ability to convey historic significance. This proposal meets the applicable Historic Design Review guidelines and conditional use criteria and therefore warrants approval.

ADMINISTRATIVE DECISION

Approval of minor alterations to, and a conditional use review for, an existing rooftop radio frequency antenna array on a contributing resource in the Alphabet Historic District;

Approval per Exhibits C-1 through C-6, signed and dated November 18, 2011, subject to the following condition:

- A. As part of the building permit application submittal, each of the 4 required site plans and any additional drawings must reflect the information and design approved by this land use review as indicated in Exhibits C-1 through C-6. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 11-177926 CU HDZ. No field changes allowed."

Staff Planner: Dave Skilton

Decision rendered by:  **on November 18, 2011.**
By authority of the Director of the Bureau of Development Services

Decision mailed: November 22, 2011

About this Decision. This land use decision is **not a permit** for development. Permits may be required prior to any work. Contact the Development Services Center at 503-823-7310 for information about permits.

Procedural Information. The application for this land use review was submitted on September 20, 2011, and was determined to be complete on October 25, 2011.

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. Therefore this application was reviewed against the Zoning Code in effect on September 20, 2011.

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 waived or extended at the request of the applicant. In this case, the applicant did not waive or extend the 120-day review period.

Some of the information contained in this report was provided by the applicant.

As required by Section 33.800.060 of the Portland Zoning Code, the burden of proof is on the applicant to show that the approval criteria are met. The Bureau of Development Services has independently reviewed the information submitted by the applicant and has included this information only where the Bureau of Development Services has determined the information satisfactorily demonstrates compliance with the applicable approval criteria. This report is the decision of the Bureau of Development Services with input from other City and public agencies.

Conditions of Approval. If approved, this project may be subject to a number of specific conditions, listed above. Compliance with the applicable conditions of approval must be documented in all related permit applications. Plans and drawings submitted during the permitting process must illustrate how applicable conditions of approval are met. Any project elements that are specifically required by conditions of approval must be shown on the plans, and labeled as such.

These conditions of approval run with the land, unless modified by future land use reviews. As used in the conditions, the term “applicant” includes the applicant for this land use review, any person undertaking development pursuant to this land use review, the proprietor of the use or development approved by this land use review, and the current owner and future owners of the property subject to this land use review.

Appealing this decision. This decision may be appealed to the Historic Landmarks Commission, which will hold a public hearing. Appeals must be filed **by 4:30 PM on December 6, 2011** at 1900 SW Fourth Ave. Appeals can be filed Tuesday through Friday on the first floor of the Development Services Center until 3 p.m. After 3 p.m. and Mondays, appeals must be submitted to the receptionist at the front desk on the fifth floor. **An appeal fee of \$250 will be charged.** The appeal fee will be refunded if the appellant prevails. There is no fee for ONI recognized organizations appealing a land use decision for property within the organization’s boundaries. The vote to appeal must be in accordance with the organization’s bylaws. Assistance in filing the appeal and information on fee waivers is available from BDS in the Development Services Center. Please see the appeal form for additional information.

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.

Attending the hearing. If this decision is appealed, a hearing will be scheduled, and you will be notified of the date and time of the hearing. The decision of the Historic Landmarks Commission is final; any further appeal must be made to the Oregon Land Use Board of Appeals (LUBA) within 21 days of the date of mailing the decision, pursuant to ORS 197.620 and 197.830. Contact LUBA at 550 Capitol St. NE, Suite 235, Salem, Oregon 97301, or phone 1-503-373-1265 for further information.

Failure to raise an issue by the close of the record at or following the final hearing on this case, in person or by letter, may preclude an appeal to the Land Use Board of Appeals (LUBA) on that issue. Also, if you do not raise an issue with enough specificity to give the Historic Landmarks Commission an opportunity to respond to it, that also may preclude an appeal to LUBA on that issue.

Recording the final decision.

If this Land Use Review is approved the final decision must be recorded with the Multnomah County Recorder. A few days prior to the last day to appeal, the City will mail instructions to the applicant for recording the documents associated with their final land use decision.

- *Unless appealed*, The final decision may be recorded on or after **December 7, 2011**.
- A building or zoning permit will be issued only after the final decision is recorded.

The applicant, builder, or a representative may record the final decision as follows:

- **By Mail:** Send the two recording sheets (sent in separate mailing) and the final Land Use Review decision with a check made payable to the Multnomah County Recorder to: Multnomah County Recorder, P.O. Box 5007, Portland OR 97208. The recording fee is identified on the recording sheet. Please include a self-addressed, stamped envelope.
- **In Person:** Bring the two recording sheets (sent in separate mailing) and the final Land Use Review decision with a check made payable to the Multnomah County Recorder to the County Recorder's office located at 501 SE Hawthorne Boulevard, #158, Portland OR 97214. The recording fee is identified on the recording sheet.

For further information on recording, please call the County Recorder at 503-988-3034
For further information on your recording documents please call the Bureau of Development Services Land Use Services Division at 503-823-0625.

Expiration of this approval. An approval expires three years from the date the final decision is rendered unless a building permit has been issued, or the approved activity has begun.

Where a site has received approval for multiple developments, and a building permit is not issued for all of the approved development within three years of the date of the final decision, a new land use review will be required before a permit will be issued for the remaining development, subject to the Zoning Code in effect at that time.

Zone Change and Comprehensive Plan Map Amendment approvals do not expire.

Applying for your permits. A building permit, occupancy permit, or development permit may be required before carrying out an approved project. At the time they apply for a permit, permittees must demonstrate compliance with:

- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and

- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations of the City.

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Materials
 - 1. Response to approval criteria
- B. Zoning Map (attached)
- C. Drawings:
 - 1. Title Sheet
 - 2. Site Plan (attached)
 - 3. Roof Plan
 - 4. West Elevation (attached)
 - 5. East Elevation (attached)
 - 6. North Elevation (attached)
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses:
 - 1. Life Safety Review Section of BDS
 - 2. Water Bureau
- F. Correspondence: none
- G. Other:
 - 1. Original LU Application
 - 2. Site History Research

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).