



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

FROM CONCEPT TO CONSTRUCTION

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Date: June 6, 2016
To: Interested Person
From: Jeff Mitchem, Land Use Services
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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 mailed copy of this document is only a summary of the decision. The reasons for the decision are included in the version located on the BDS website <http://www.portlandonline.com/bds/index.cfm?c=46429>. Click on the District Coalition then scroll to the relevant Neighborhood, and case number. If you disagree with the decision, you can appeal. Information on how to do so is included at the end of this decision.

CASE FILE NUMBER: LU 15-237536 DZ GW
WILLAMETTE RIVER PATROL BOATHOUSE

GENERAL INFORMATION

Applicants: Jennifer Wright | LRS Architects
720 NW Davis St, #300
Portland, OR 97209
Sam Lasko | Multnomah County Sheriff'S Office
401 N Dixon St
Portland, OR 97227
John Van Staveren | Pacific Habitat Services
9450 SW Commerce Circle Suite 180
Wilsonville, OR 97070

Representative: CRP FPC Riverscape
1741 Village Center Cir
Las Vegas, NV 89134

Site Address: 2220 NW FRONT AVE
Legal Description: LOT 8, RIVERNORTH
Tax Account No.: R708970500, R708970500, R708970500, R708970500
State ID No.: 1N1E28D 00322, 1N1E28D 00322, 1N1E28D 00322, 1N1E28D 00322
Quarter Section: 2828
Neighborhood: Northwest District, contact John Bradley at 503-313-7574.
Business District: None
District Coalition: Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.
Plan District: Central City - River District
Zoning: RXdg, Central Residential with a Design and Greenway Review Overlay

Case Type: DZ GW, Design Review and Greenway Review
Procedure: Type II, an administrative decision with appeal to the Design Commission.

Proposal:

Replacement of an existing boathouse with an enlarged and upgraded boathouse to accommodate the Multnomah County Sheriff's Office River Patrol and the City of Portland's Fire and Rescue Dive Team. The proposal will not require piling removal or any in-water construction. The replacement boathouse is approximately 1,988 square feet and will be clad in box rib metal panel with aluminum windows. The only upland improvement will be a backflow vault located approximately 25' water-side of the access driveway from NW Front Ave.

Design and Greenway review is required because the proposal is for new construction in both Design and Greenway Overlay zones.

Relevant Approval Criteria:

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

- Central City Fundamental Design Guidelines
- Willamette Greenway Design Guidelines
- River District Design Guidelines
- 33.440.350.A-H, Greenway Approval Criteria

ANALYSIS

Site and Vicinity: The Multnomah County River Patrol operations boathouse location is at river mile 10.7, with associated land area (Lot 8, R553371) and water area which supports an existing boathouse which will be removed due to structural wear and safety issues. A fenced gangway connects Lot 8 with the floating structures in the water. The River Patrol structures in the water occupy the shallow inlet or cove created by the north boundary of this site and a projecting industrial pier a few hundred feet downriver to the north.

The upland portion of the property is generally flat and without significant vegetation. The riverbanks at the north and east edges of the site are anchored with rip rap all the way to the water, and invasive blackberry thickets. Blackberry appears to be the predominant form of vegetation, although other shrub and grass species are also found. A few deciduous trees are located on the lower banks near the river at the eastern frontage on the main channel, and about twelve deciduous trees are found near the top-of-bank in the central portion of the northern river frontage at the inlet/cove. The rip rap areas extend all the way to the water, and partial abandoned piles are found in the water near the bank on both sides of the site. A large abandoned section of pipeline is found near the water at the northeast corner of the site, and an abandoned gangway is located on the bank at the northwest corner near Front Avenue.

A brick and steel trellis marks the southeast corner of Lot 8 at the upper section of riverbank, connecting to a concrete walkway and landscaping along the north edge of the Pacifica Condominium Tower. A large existing projecting wood, metal and concrete pier structure intersects the upper section of riverbank at the northeast corner of the site, providing direct access to this converted industrial pier.

The surrounding area includes the Pacifica condominium tower immediately to the south, and the four-building Riverscape Apartments project is under construction to the west and south of the Pacifica tower. The street frontage at NW 18th Avenue and Riverscape Streets to the south has an improved roadway and curbing, but only temporary construction access sidewalks are in place on the site. Nearby areas to the west and north of the site are occupied by industrial structures and uses. The Dockside Tavern is one block away to the southwest across NW Front Avenue, and the Pearl District is located several blocks further away in the same direction.

Zoning: The Central Residential (RX) zone is a high-density multi-dwelling zone which allows the highest density of dwelling units of the residential zones. Density is not regulated by a maximum number of units per acre. Rather, the maximum size of buildings and intensity of

use are regulated by floor area ratio (FAR) limits and other site development standards. Generally the density will be 100 or more units per acre. Allowed housing developments are characterized by a very high percentage of building coverage. The major types of housing development will be medium and high rise apartments and condominiums, often with allowed retail, institutional, or other service oriented uses. Generally, RX zones will be located near the center of the city where transit is readily available and where commercial and employment opportunities are nearby. RX zones will usually be applied in combination with the Central City plan district.

The Design Overlay [d] zone promotes the conservation, enhancement, and continued vitality of areas of the City with special scenic, architectural, or cultural value. This is achieved through the creation of design districts and applying the Design Overlay Zone as part of community planning projects, development of design guidelines for each district, and by requiring design review. In addition, design review ensures that certain types of infill development will be compatible with the neighborhood and enhance the area.

The Greenway Overlay Zones, designated as “g”, “i”, “n”, “q” or “r” are intended to protect, conserve, enhance, and maintain the natural, scenic, historical, economic, and recreational qualities of lands along Portland's rivers; establish criteria, standards, and procedures for the development of land, change of uses, and the intensification of uses within the greenway; increase public access to and along the Willamette River for the purpose of increasing recreational opportunities, providing emergency vehicle access, assisting in flood protection and control, providing connections to other transportation systems, and helping to create a pleasant, aesthetically pleasing urban environment; implement the City's Willamette Greenway responsibilities as required by ORS 390.310 to 390.368; and implement the water quality performance standards of Metro's Title 3.

The Central City Plan District implements the Central City Plan and other plans applicable to the Central City area. These other plans include the Downtown Plan, the River District Plan, the University District Plan, and the Central City Transportation management Plan. The Central City plan district implements portions of these plans by adding code provisions which address special circumstances existing in the Central City area. The site is within the River Subdistrict, North Pearl Subarea of this plan district.

Land Use History: City records indicate the following relevant prior land use review for this site:

- LUR 01-00618 SU GW – A 2001 subdivision and greenway review approval for 12 lots, four new public streets, and a series of pedestrian walkways and emergency vehicle access easements that run northeast to southwest through the site. Also, approved a greenway setback from the Willamette River that is a least 50' deep along the River's edge. Numerous Conditions of Approval that relate to the improvements of the greenway trail, pedestrian walkways and emergency vehicle access easement, setbacks from the pedestrian walkways and uses allowed within the greenway setback were included.
- LU 14-167875 DZM GW – A 2014 design and greenway review approval of a 250-unit apartment complex on a vacant parcel at the north edge of the Riverscape development, east of NW Front Avenue and north of the Fremont Bridge.

Agency Review: A “Notice of proposal in Your Neighborhood” was mailed **November 20, 2015**. The following bureaus responded with no objection to Design Review approval.

- Life Safety (Exhibit E.1)
- Water Bureau (Exhibit E.2)
- Bureau of Environmental Services (Exhibit E.3)
- Fire Bureau (Exhibit E.4)

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on **November 20, 2015**. 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. DESIGN REVIEW

Section 33.825.010 Purpose of Design Review

Design review ensures that development conserves and enhances the recognized special design values of a site or area. Design review is used to ensure the conservation, enhancement, and continued vitality of the identified scenic, architectural, and cultural values of each design district or area. Design review ensures that certain types of infill development will be compatible with the neighborhood and enhance the area. Design review is also used in certain cases to review public and private projects to ensure that they are of a high design quality.

Section 33.825.055 Design Review Approval Criteria

A design review application will be approved if the review body finds the applicant to have shown that the proposal complies with the design guidelines for the area.

Findings: The site is designated with design overlay zoning (d), therefore the proposal requires Design Review approval. Because of the site's location, the applicable design guidelines are the Central City Fundamental Design Guidelines and River District Guidelines.

River District Design Guidelines and Central City Fundamental Design Guidelines

The River District is a remarkable place within the region. The area is rich with special and diverse qualities that are characteristic of Portland. Further, the River District accommodates a significant portion of the region's population growth. This area emphasizes the joy of the river, connections to it, and creates a strong sense of community. The goals frame the urban design direction for Central City and River District development.

The Central City Fundamental Design Guidelines and the River District Design Guidelines focus on four general categories. **(A) Portland Personality**, addresses design issues and elements that reinforce and enhance Portland's character. **(B) Pedestrian Emphasis**, addresses design issues and elements that contribute to a successful pedestrian environment. **(C) Project Design**, addresses specific building characteristics and their relationships to the public environment. **(D) Special Areas**, provides design guidelines for the four special areas of the Central City.

River District Design Goals

1. Extend the river into the community to develop a functional and symbolic relationship with the Willamette River.
2. Create a community of distinct neighborhoods that accommodates a significant part of the region's residential growth.
3. Enhance the District's character and livability by fostering attractive design and activities that give comfort, convenience, safety and pleasure to all its residents and visitors.
4. Strengthen connections within River District, and to adjacent areas.

Central City Plan Design Goals

1. Encourage urban design excellence in the Central City;
2. Integrate urban design and preservation of our heritage into the development process;
3. Enhance the character of the Central City's districts;
4. Promote the development of diversity and areas of special character within the Central City;
5. Establish an urban design relationship between the Central City's districts and the Central City as a whole;
6. Provide for a pleasant, rich and diverse pedestrian experience for pedestrians;
7. Provide for the humanization of the Central City through promotion of the arts;
8. Assist in creating a 24-hour Central City which is safe, humane and prosperous;
9. Ensure that new development is at a human scale and that it relates to the scale and

desired character of its setting and the Central City as a whole.

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

A1. Integrate the River. Orient architectural and landscape elements including, but not limited to lobbies, entries, balconies, terraces, and outdoor areas to the Willamette River and greenway. Develop access ways for pedestrians that provide connections to the Willamette River and Greenway.

A1-1. Link the River to the Community. Link the Willamette River to the community reinforcing the river's significance. This guideline may be accomplished by:

- 1) Organizing land areas and groupings of buildings to visually define the river's linkage to the community.
- 2) Focusing and articulating roadways and pedestrian ways to emphasize the river.
- 3) Developing projects that celebrate the river and contribute to creating centers of interest and activity that focuses on the Willamette.
- 4) Connecting the internal areas of the District to the Willamette Greenway Trail.

Findings for A1, A1-1: The proposed boathouse will support a river-dependent use providing increased capacity, durability, insulation, security and mobility (designed to be mobile and self-sufficient). Entirely clad in box rib metal panel the floating structure is intentionally designed in a utilitarian vernacular – two-level, single gable (4:12) roof pitch with skylights and aluminum slider windows – typical of other floating non-residential structures elsewhere on the Willamette River. The essential service of the project – accommodation and storage for the Multnomah County Sheriff's Office River Patrol and the City of Portland's Fire and Rescue Dive Team – is, by its very nature, a critical linkage between the upland community and the river.

These guidelines have been met.

A3-1. Provide Convenient Pedestrian Linkages. Provide convenient linkages throughout the River District that facilitate movement for pedestrians to and from the river, and to and from adjacent neighborhoods. This guideline may be accomplished by:

- 1) Using visual and physical cues within the design of the building and building entries to express connections to the river and to adjacent neighborhoods.
- 2) Orienting integrated open spaces and trails that physically and visually link the river and/or surrounding neighborhoods.
- 3) Reusing or retaining cobblestone within the design of new development.
- 4) Encouraging flexibility and creativity along streets enhancing their historic or cultural role.
- 5) Creating visual and physical links across major corridors such as I-405, Burnside, and Front/Naito to strengthen connections to the river and other neighborhoods.

A5-1-5. Reinforce the Identity of the Waterfront Area. Reinforce the identity of the Waterfront Area with design solutions that contribute to the character of the waterfront and acknowledge its heritage. This guideline may be accomplished by:

- 1) Recognizing the area's industrial history by incorporating remnants of maritime and rail infrastructure and/or providing docking facilities for a cruise line.
- 2) Orienting buildings toward the waterfront and adjacent parks and trails.
- 3) Integrating an active mix of uses along the waterfront and making development open and accessible in order to maintain the publicness of the greenway.

Findings for A3-1, A5-1-5: The existing boathouse is accessed by a walkway, which runs from the upland portion of the site to the river and the moorage dock. The proposed replacement will not alter the pedestrian system. No alterations will be made to the upland portion of the site. The floating structure is designed in a utilitarian river-dependent character (metal clad gabled shed with a two-story volume) common to the Willamette River waterfront.

These guidelines have been met.

B3. Bridge Pedestrian Obstacles. Bridge across barriers and obstacles to pedestrian movement by connecting the pedestrian system with innovative, well-marked crossings and consistent sidewalk designs.

B7. Integrate Barrier-Free Design. Integrate access systems for all people with the building's overall design concept.

Findings: The structure and access to it have been designed to accommodate persons of all abilities. *This guideline has been met.*

B6. Develop Weather Protection. Develop integrated weather protection systems at the sidewalk-level of buildings to mitigate the effects of rain, wind, glare, shadow, reflection, and sunlight on the pedestrian environment.

C2. Promote Quality and Permanence in Development. Use design principles and building materials that promote quality and permanence.

C4. Complement the Context of Existing Buildings. Complement the context of existing buildings by using and adding to the local design vocabulary.

C5. Design for Coherency. Integrate the different building and design elements including, but not limited to, construction materials, roofs, entrances, as well as window, door, sign, and lighting systems, to achieve a coherent composition.

Findings for B6, C2 C4, C5: A canopy with metal roofing is proposed over the singular entry (port elevation) from the dock. The new boathouse will be entirely clad (walls and roof) in 22 gage profile box rib metal panel with concealed fasteners. Other exterior materials include aluminum windows, aluminum person-door and sectional roll-up boat slip door. All sheathing and dock finishes are specified as marine-grade quality. These materials are of high-quality and long-lasting durability. Section details indicate a flush-mounted ventilation louver integrated within the second floor wall above the mezzanine.

These guidelines have been met.

2. GREENWAY REVIEW

33.440.350 Greenway Review Approval Criteria

The approval criteria for a Greenway review have been divided by location or situation. The divisions are not exclusive; a proposal must comply with **all** of the approval criteria that apply to the site. A Greenway review application will be approved if the review body finds that the applicant has shown that all of the approval criteria are met.

A. For all Greenway reviews. The Willamette Greenway design guidelines must be met for all Greenway reviews.

Findings: The Willamette Greenway Design Guidelines address the quality of the environment along the river and require public and private developments to complement and enhance the riverbank area. The Design Guidelines are grouped in a series of eight Issues:

Issue A. Relationship of Structures to the Greenway Setback Area: This issue “applies to all but river-dependent and river-related industrial use applications for Greenway Approval, when the Greenway trail is shown on the property in the *Willamette Greenway Plan*.” These guidelines call for complementary design and orientation of structures so that the Greenway setback area is enhanced;

Guidelines:

1. Structure Design. The Greenway Setback area should be complemented and enhanced by designing, detailing, coloring, and siting structures and their entrances to support the pedestrian circulation system, including both the Greenway trail and access connections.

2. Structure Alignment. Where surrounding development follows an established block pattern, alignment with the block pattern should be considered in structure placement. Structure alignment should also take into account potential view corridors from existing

public rights-of-way or acknowledged viewpoints. The pedestrian access system should be designed to take advantage of these alignments.

Issue B. Public Access: This issue “applies to all but river-dependent and river-related industrial use applications for Greenway Approval, when the Greenway trail is shown on the property in the *Willamette Greenway Plan*.” These guidelines call for integration of the Greenway trail into new development, as well as the provision of features such as view points, plazas, or view corridors;

Guidelines:

- 1. Public Access.** New developments should integrate public access opportunities to and along the river into the design of the Project. This includes the Greenway trail, formal viewpoints, access connections to the Greenway trail, and internal site pedestrian circulation.
- 2. Separation and Screening.** The pedestrian circulation system, including Greenway trail, viewpoints, and trail access connections, should be designed to ensure adequate separation and screening from parking, loading, circulation routes, external storage areas, trash dumpsters, exterior vents, mechanical devices, and other similar equipment.
- 3. Signage.** Access connections should be clearly marked.
- 4. Access to Water’s Edge.** Where site topography and conservation and enhancement of natural riverbank and riparian habitat allow, safe pedestrian access to the water’s edge is encouraged as part of the Project.

Issue C. Natural Riverbank and Riparian Habitat: This issue “applies to situations where the river bank is in a natural state, or has significant wildlife habitat, as determined by the wildlife habitat inventory.” These guidelines call for the preservation and enhancement of natural banks and areas with riparian habitat;

Guidelines:

- 1. Natural Riverbanks.** The natural riverbank along the Willamette River should be conserved and enhanced to the maximum extent practicable. Modification of the riverbank should only be considered when necessary to prevent significant bank erosion and the loss of private property, or when necessary for the functioning of a river-dependent or river-related use.
- 2. Riparian Habitat.** Rank I riparian habitat areas, as identified in the wildlife habitat inventory, should be conserved and enhanced with a riparian landscape treatment. Other riparian habitat should be conserved and enhanced through riparian landscape treatments to the maximum extent practical. Conservation however does not mean absolute preservation. Some discretion as to what vegetation should remain and what can be removed and replaced should be permitted. Riparian habitat treatments should include a variety of species of plants of varying heights that provide different food and shelter opportunities throughout the year.

Issue F. Alignment of Greenway Trail: This issue “applies to all applications for Greenway Approval with the Greenway trail shown on the property in the *Willamette Greenway Plan*.” These guidelines provide direction for the proper alignment of the Greenway trail, including special consideration for existing habitat protection and physical features in the area of the proposed alignment;

Guidelines:

- 1. Year-round Use.** The Greenway trail should be located so as to be open for public use year round. The trail may be constructed along the top of bank, on a floating platform, or in a series of tiers adjacent to the river, provided that at least one of these levels will remain unsubmerged.
- 2. Habitat Protection.** The Greenway trail should be routed around smaller natural habitat areas to reduce the impact on the habitat area.
- 3. Alignment.** The Greenway trail alignment should be sensitive to and take advantage of topographical and environmental features of the site, views of the river, existing and proposed vegetation, and sunlight.

Findings for Issues A, B, C & F: The boathouse will be visible from the upland portion of the property as well as from other nearby properties and the river. The boathouse will be placed in the same location as the existing boathouse (to be removed). The design, details, colors and siting of the boathouse are complementary to the river and surround development. Upland portions of the development which will remain per prior land use approval (LU14-167875 DZM GW) include 2 parking spaces and a backflow vault. Because the replacement boathouse is not

intended to be a structure accessible by the general public, access to the structure will be regulated. Access to the River's edge will be unaffected by the proposal. No alteration to the riverbank is proposed in connection with the new boathouse. The existing moorage and walkway connection between the riverbank and the new boathouse will remain intact. Installation of the Greenway Trail is regulated per prior the land use approval noted above.

As demonstrated in these afore-mentioned findings, these guidelines have been met.

Issue D. Riverbank Stabilization Treatments: This Issue “applies to all applications for Greenway Approval.” This guideline promotes bank treatments for upland developments that enhance the appearance of the riverbank, promote public access to the river, and incorporate the use of vegetation where possible;

Guidelines:

1. Riverbank Enhancement. Riverbank stabilization treatments should enhance the appearance of the riverbank, promote public access to the river, and incorporate the use of vegetation where practical. Areas used for river-dependent and river-related industrial uses are exempted from providing public access.

Issue E. Landscape Treatments: This Issue “applies to all applications for Greenway Approval which are subject to the landscape requirements of the Greenway chapter of Title 33 Planning and Zoning of the Portland Municipal Code.” This Issue calls for landscaping treatments that create a balance between the needs of both human and wildlife populations in the Greenway Setback area or riverward of the Greenway Setback.

Guidelines:

1. Landscape Treatments. The landscape treatment should create an environment which recognizes both human and wildlife use. Areas where limited human activity is expected should consider more informal riparian treatments. Areas of intense human use could consider a more formal landscape treatment. The top of bank may be considered a transition area between a riparian treatment on the riverbank and a more formal treatment of the upland.

2. Grouping of Trees and Shrubs. In areas of more intense human use, trees and shrubs can be grouped. The grouping of trees and shrubs allows for open areas for human use, and has the secondary value of increasing the value of the vegetation for wildlife.

3. Transition. The landscape treatment should provide an adequate transition between upland and riparian areas and with the landscape treatments of adjacent properties.

Findings for D & E: No removal or planting of vegetation on the upland portion of the property is proposed.

Therefore, Issues D and E, and the related guideline do not apply.

Issue G. Viewpoints: This issue “applies to all applications for Greenway Approval with a public viewpoint shown on the property in the *Willamette Greenway Plan* and for all applications proposing to locate a viewpoint on the property”. These guidelines provide direction about the features and design of viewpoints, as required at specific locations;

Issue H. View Corridors: This issue “applies to all applications for Greenway Approval with a view corridor shown on the property in the *Willamette Greenway Plan*.” These guidelines provide guidance in protecting view corridors to the river and adjacent neighborhoods;

Guidelines:

1. Right-of-way Protection. View corridors to the river along public rights-of-way are to be protected. These rights-of-way should not be vacated.

2. View Protection. Buildings, structures, or other features must be located to avoid blocking view corridors.

3. Landscape Enhancement. Landscape treatments within view corridors should frame and enhance the view of the river.

Findings G & H: No viewpoint is proposed as part of the proposed project, nor is the project located within a designated view corridor.

Therefore, Issues G and H do not apply.

B. River frontage lots in the River Industrial zone.

C. Development within the River Natural zone.

D. Development on land within 50 feet of the River Natural zone.

Findings for B, C & D: The project site is not located within the River Industrial Zone, the River Natural Zone or within 50 feet of the River Natural Zone.

These criteria do not apply.

E. Development within the Greenway setback. The applicant must show that the proposed development or fill within the Greenway setback will not have a significant detrimental environmental impact on Rank I and II wildlife habitat areas on the riverbank. Habitat rankings are found in the *Lower Willamette River Wildlife Habitat Inventory*.

Findings: No alterations are proposed within the Greenway setback.

This guideline has been met.

F. Development riverward of the Greenway setback. The applicant must show that the proposed development or fill riverward of the Greenway setback will comply with all of the following criteria:

1. The proposal will not result in the significant loss of biological productivity in the river;
2. The riverbank will be protected from wave and wake damage;
3. The proposal will not:
 - a. Restrict boat access to adjacent properties;
 - b. Interfere with the commercial navigational use of the river, including transiting, turning, passing, and berthing movements;
 - c. Interfere with fishing use of the river;
 - d. Significantly add to recreational boating congestion; and
4. The request will not significantly interfere with beaches that are open to the public.

Findings: No alterations are proposed riverward of the Greenway setback.

Therefore, this criterion does not apply.

G. Development within the River Water Quality overlay zone setback. If the proposal includes development, exterior alterations, excavations, or fills in the River Water Quality overlay zone setback the approval criteria below must be met. River-dependent development, exterior alterations, excavations, and fills in the River Water Quality zone are exempt from the approval criteria of this subsection.

Findings: The site is not within the River Water Quality overlay zone. *Therefore, this criterion does not apply.*

H. Mitigation or remediation plans. Where a mitigation or remediation plan is required by the approval criteria of this chapter, the applicant's mitigation or remediation plan must demonstrate that the following are met:

Findings: No mitigation or remediation plan is required by the Greenway chapter for this site. *Therefore, this criterion does not apply.*

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

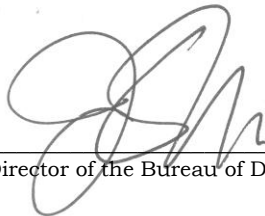
The design review process exists to promote the conservation, enhancement, and continued vitality of areas of the City with special scenic, architectural, or cultural value. The applicant has addressed all major concerns expressed by staff and designed a floating structure that embodies the spirit intended by the applicable design guidelines, and responds well to the natural, cultural and built context. The proposal meets the applicable design guidelines and therefore warrants approval.

ADMINISTRATIVE DECISION

Approval of the replacement of an existing boathouse with an enlarged and upgraded boathouse to accommodate the Multnomah County Sheriff's Office River Patrol and the City of Portland's Fire and Rescue Dive Team., per the approved site plans, Exhibits C-1 through C-11, signed and dated June 3, 2016, subject to the following conditions:

- 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-C.11. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 15-237536 DZ GW. No field changes allowed."

Staff Planner: Jeff Mitchem



Decision rendered by: _____ **on June 3, 2016**

By authority of the Director of the Bureau of Development Services

Decision mailed: June 6, 2016

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 16, 2015, and was determined to be complete on November 18, 2015.

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 16, 2015.

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 extended the 120-day review period by the maximum amount of 245 days. Therefore, **the 120 days will expire on: September 16, 2016.**

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 Design Commission, which will hold a public hearing. Appeals must be filed **by 4:30 PM on June 20, 2016** at 1900 SW Fourth Ave. Appeals can be filed at the Development Services Center Monday through Wednesday and Fridays between 8:00 am to 3:00 pm and on Thursdays between 8:00 am to 12:00 pm. After 3:00 pm Monday through Wednesday and Fridays, and after 12:00 pm on Thursdays, appeals must be submitted at the reception desk on the 5th 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 Design 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 775 Summer St NE, Suite 330, Salem, Oregon 97301-1283, 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 Design 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 **June 21, 2016**.
- 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.

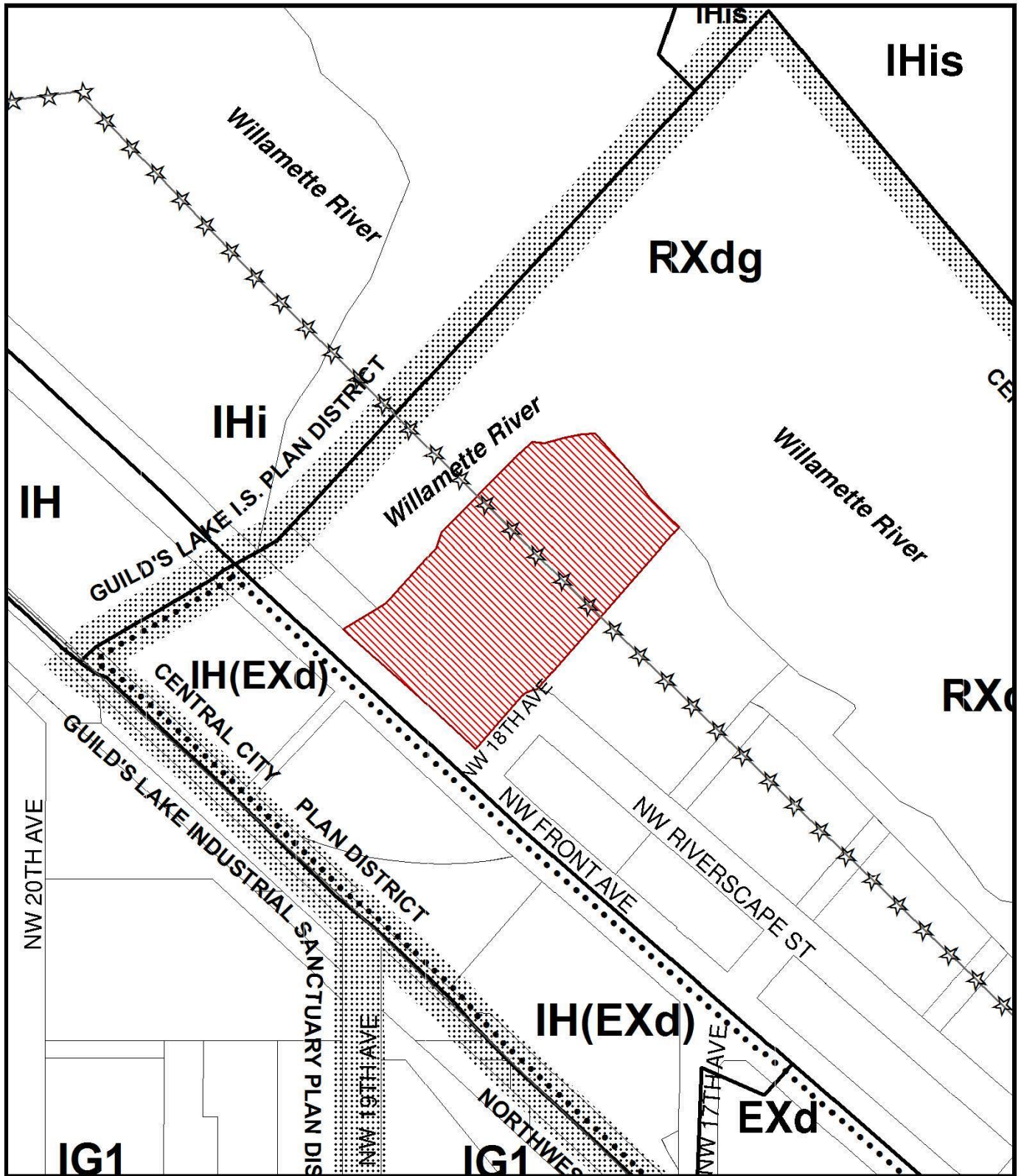
EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
 - 1. Narrative
 - 2. 120-Day Extension
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Site Plan – Existing Condition
 - 2. Site Plan – Proposed Condition
 - 3. Main Floor Plan
 - 4. Elevations
 - 5. Sections
 - 6. Details
 - 7. Details
 - 8. Materials Specifications
 - 9. Backflow Vault Plan
 - 10. Backflow Vault Enlarged Plan
 - 11. Backflow Vault Elevations
- D. Notification information:
 - 1. Mailing list

2. Mailed notice
- E. Agency Responses:
1. Life Safety
 2. Water Bureau
 3. Bureau of Environmental Services
 4. Fire Bureau
- F. Correspondence: None
- G. Other:
1. Original LU Application

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).



ZONING

-  Site
-  Recreational Trails

This site lies within the:
 CENTRAL CITY PLAN DISTRICT
 RIVER DISTRICT SUBDISTRICT
 NORTH PEARL SUBAREA



File No.	<u>LU 15-237536 DZ GW</u>
1/4 Section	<u>2828</u>
Scale	<u>1 inch = 200 feet</u>
State Id	<u>1N1E28D 322</u>
Exhibit	<u>B</u> (Sep 22, 2015)