



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

FROM CONCEPT TO CONSTRUCTION

Dan Saltzman, Commissioner
Paul L. Scarlett, Director
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www.portlandoregon.gov/bds

Date: October 18, 2016
To: Interested Person
From: Andrew Gulizia, Land Use Services
503-823-7010 / Andrew.Gulizia@portlandoregon.gov

NOTICE OF A TYPE II 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 28 days, **we need to receive your written comments by 5 p.m. on November 8, 2016.** Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 16-229476 CU, in your letter. Please address your letter to me, Andrew Gulizia. You can also e-mail your comments to me at the e-mail address above. Please note all correspondence received is public record, and may be viewed by the applicant or others.

CASE FILE NUMBER: LU 16-229476 CU

Applicant: Michael Yamartino
3616 NE Rodney Ave.
Portland, OR 97212
(978) 273-4269

Property Owners: Michael Yamartino and Rebecca Rosenfelt
3616 NE Rodney Ave.
Portland, OR 97212

Site Address: 3620 NE Rodney Ave.

Legal Description: LOT 2, PARTITION PLAT 2014-60
Tax Account No.: R649652380
State ID No.: 1N1E22DD 17402
Quarter Section: 2630
Neighborhood: Boise, contact boiselanduse@gmail.com
Business District: North-Northeast Business Assoc, contact at chair@nnebaportland.org
District Coalition: Northeast Coalition of Neighborhoods, contact Zena Rockowitz at 503-388-5070

Zoning: R2.5a – Single-Dwelling Residential 2,500 with Alternative Design Density (“a”) overlay zone

Case Type: CU – Conditional Use Review
Procedure: Type II, an administrative decision with appeal to the Hearings Officer

Proposal:

The applicant owns two attached houses: 3616 NE Rodney Ave. and 3620 NE Rodney Ave. The applicant resides at 3616 NE Rodney Ave. and requests Conditional Use approval to operate a Type B Accessory Short-Term Rental (ASTR) facility at 3620 NE Rodney Ave. The attached house at 3620 NE Rodney Ave. would have three ASTR guest rooms upstairs and a full-time resident on the lower level. No exterior alterations to the house are proposed. The applicant proposes to rent the rooms only to families or groups traveling together, rather than renting rooms individually to different parties. No outside employees, food or beverage service, or commercial events are proposed. Proposed house rules would require quiet hours between 9pm and 9am.

Type B Accessory Short-Term Rentals are allowed in residential zones when the proposal meets the approval criteria and applicable standards. The regulations are intended to allow for efficient use of houses in residential areas if the neighborhood character is maintained. The regulations also provide an alternative form of lodging for visitors who prefer a residential setting.

Relevant Approval Criteria:

In order to be approved, this proposal must comply with the approval criteria of Title 33. The relevant criteria are in Zoning Code Section 33.815.105: Conditional Use Approval Criteria for Institutional and Other Uses in a Residential Zone.

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 August 23, 2016, and determined to be complete on October 12, 2016.

DECISION MAKING PROCESS

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

- Approve the proposal;
- Approve the proposal with conditions; or
- 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.

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.

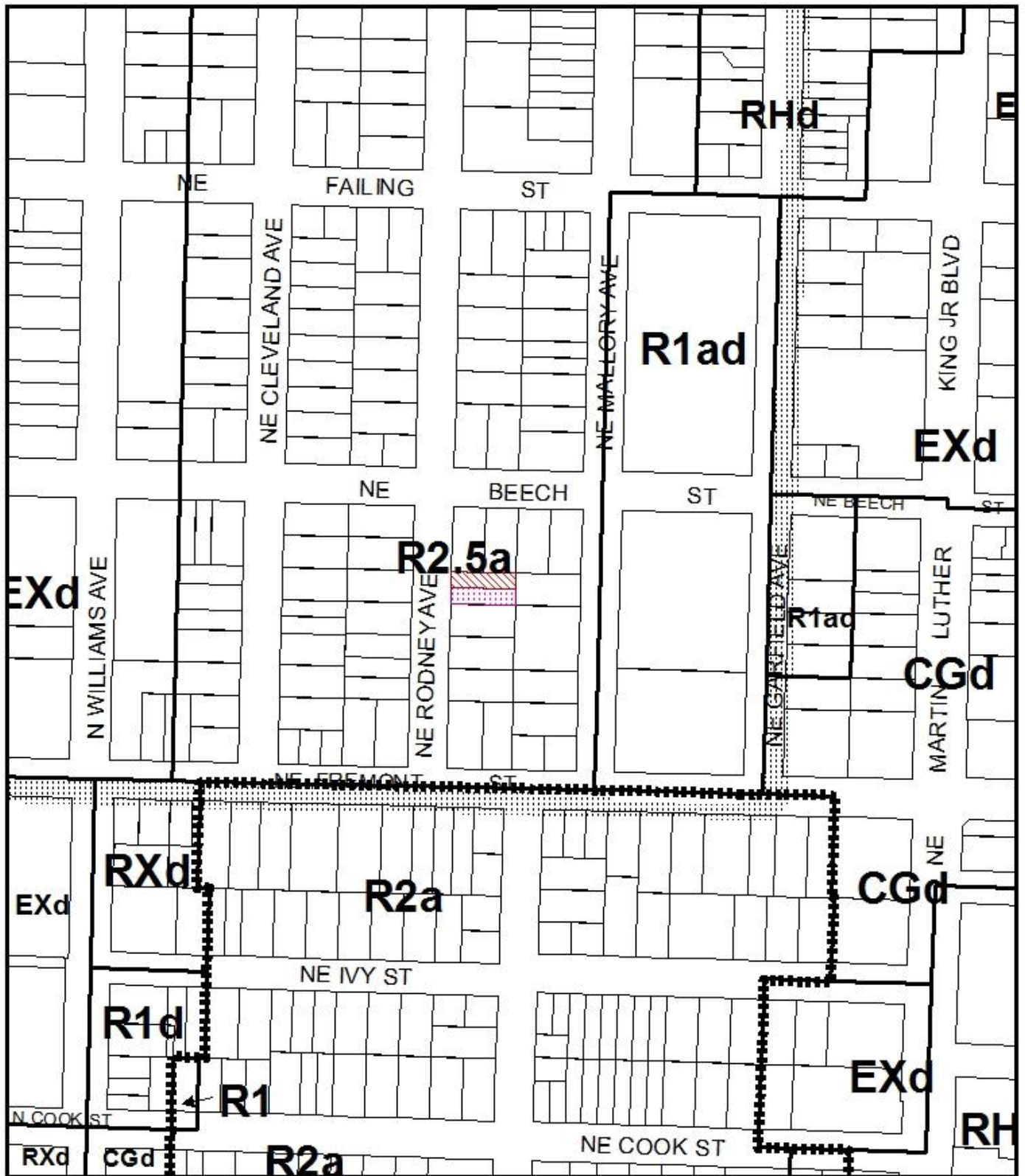
APPEAL OF THE FINAL CITY DECISION

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:

Zoning Map
Site Plan

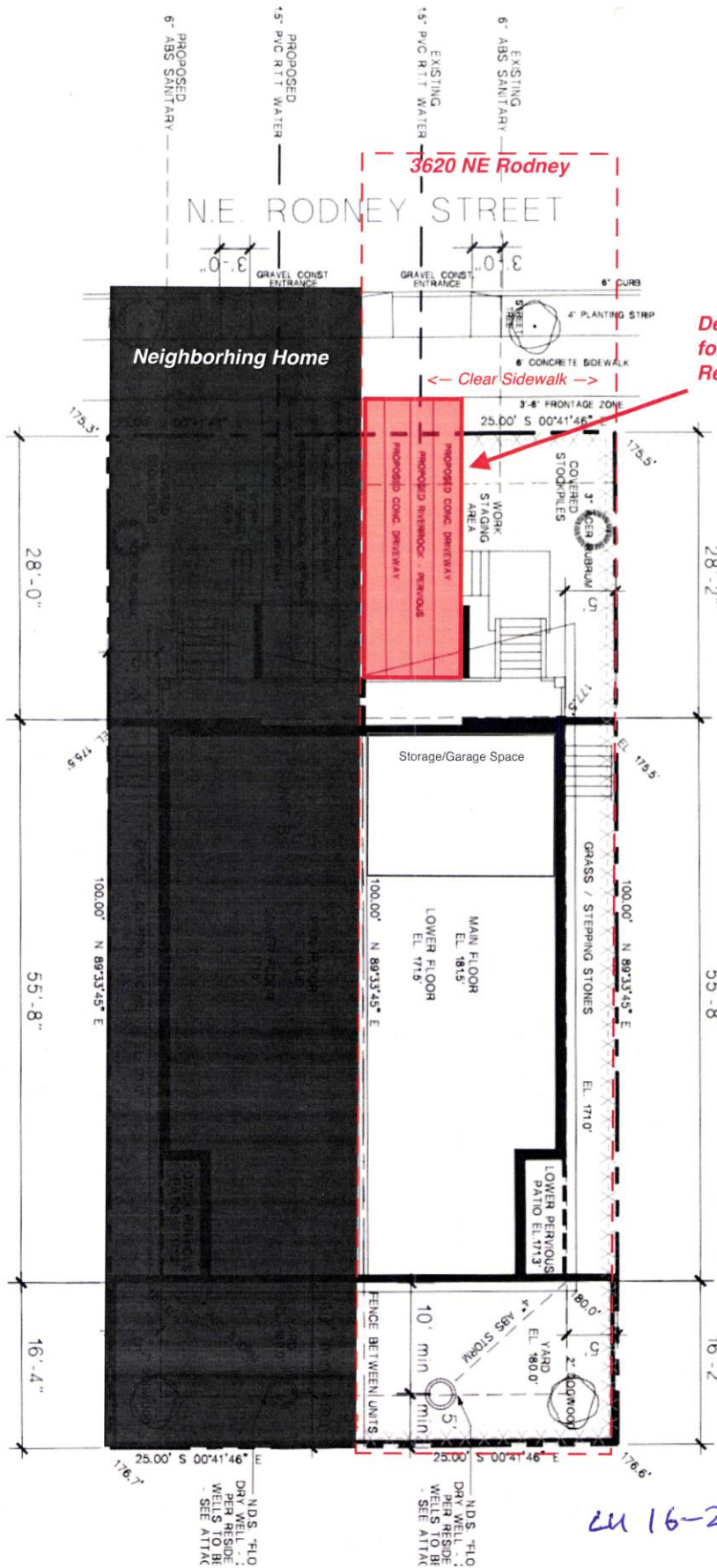


ZONING

-  Site
-  Also Owned Parcels



File No.	LU 16-229476 CU
1/4 Section	2630
Scale	1 inch = 200 feet
State_Id	1N1E22DD 17402
Exhibit	B (Aug 25, 2016)



Dedicated Driveway for Short Term Rental 28' x 10'

RECEIVED
 BY _____
 SEP 27 2016

CU 16-229476 CU

Neighboring Home

3620 NE Rodney

N.E. RODNEY STREET

3'-6" FRONTAGE ZONE

25.00' S 00°41'46"

COVERED STORAGE

3" CER. SUBSTR. UT

PROPOSED CONC. DRIVEWAY

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