



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

FROM CONCEPT TO CONSTRUCTION

Dan Saltzman, Commissioner
Paul L. Scarlett, Director
Phone: (503) 823-7300
Fax: (503) 823-5630
TTY: (503) 823-6868
www.portlandoregon.gov/bds

Date: December 23, 2016
To: Interested Person
From: Ethan Brown, Land Use Services
503-823-7920 / Ethan.Brown@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 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 16-236483 GW

GENERAL INFORMATION

Applicant: Austin Doran
McCulloch Construction Corp.
1729 NE Siskiyou St.
Portland, OR 97212
Phone: 503-437-0993

Owners: McCulloch Construction Corp.
1729 NE Siskiyou St.
Portland, OR 97212

Site Address: [1311 SE YUKON ST](#)

Legal Description: BLOCK 11 LOT 6-8, P J MARTINS TR
Tax Account No.: R635400740
State ID No.: 1S1E14CA 02500
Quarter Section: 3631

Neighborhood: Sellwood-Moreland, contact David Schoellhamer at d.dchoellhamer@comcast.net

Business District: Sellwood-Westmoreland, contact Emily Pinkstaff at emily.pinkstaff@newseasonsmarket.com

District Coalition: Southeast Uplift, contact Leah Fisher at 503-232-0010.

Plan District: None
Other Designations: Potential Landslide Hazard Area

Zoning: *Base Zone:* Residential 5,000 (R5)
Overlay Zones: Alternative Design Density (a), Greenway River Natural (n)

Case Type: GW – Greeway Review

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

PROPOSAL:

The applicant proposes to construct a new deck on the west side of an existing single family residence. The proposed deck will be supported with hand drilled helical piers. The proposed deck will be approximately 26 feet long and extend 11 feet west from the wall of the residence. Potential erosion from the construction of the deck will be contained by the use of fiber erosion control rolls downhill from the deck construction, as shown on the attached site plan. Additionally, on-site trees will be protected by temporary tree protection fencing, as shown on the attached site plan. The applicant also proposes to remove a 14-inch Oregon White Oak that is growing out of and damaging the foundation of the existing residence.

Because the proposed deck and tree removal are entirely within the River Natural Greenway overlay zone and are not exempt (33.440.320 Exemptions from Greenway Review), a Type II Greenway Review is required to approve the proposed deck and proposed tree removal.

RELEVANT APPROVAL CRITERIA:

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

- **33.440.350, Greenway Review Approval Criteria; and**
- ***Willamette Greenway Design Guidelines***

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 September 2, 2016 and determined to be complete on September 26, 2016.

ANALYSIS

Description of the Site:

The site area is an 11,650 sq ft rectangular lot with an existing house and garage. The west side of the lot is characterized by a steep slope with grades between 40 and 50 percent, ranging from a low elevation of 64 feet to a high of 106 feet, according to the applicant's geotechnical report. The existing house is built on the top edge of the slope, elevated over Oaks Bottom Wildlife Refuge.

Portions of the existing house are within the "n" River Natural greenway overlay. Aside from the area of the house, this portion of the site is moderately forested with additional ground vegetation.

The slopes of the bluff running along the eastern boundary of Oaks Bottom were identified as a Rank I habitat site in the *Portland Lower Willamette Wildlife Inventory*. This location is identified in the City of Portland's *Natural Resource Inventory* as part of a regionally significant riparian corridor. Riparian vegetation provides shade that keeps streams cool, captures sediment in stormwater runoff, stabilizes stream banks, supports the water cycle and cycling of nutrients, and provides a source of woody materials to streams. This area is also regionally significant wildlife habitat.

Infrastructure:

Existing Street Infrastructure:

The site is located at the terminus of SE Yukon Street, a low traffic local street.

Existing Storm & Sanitary Infrastructure:

According to best available GIS data, the house is served by a combined sewer in SE Yukon St, and there are no public storm-only sewers available to this property.

Existing Water Infrastructure:

The existing house is served by an 8-inch water main in SE Yukon St.

Zoning: The zoning designation on the site includes the Residential 5,000 (R5) base zone, with River Natural Greenway (n) and Alternative Design Density (a) overlays.

The R5 designation is one of the City's single-dwelling zones which is intended to preserve land for housing and to promote housing opportunities for individual households. The zone implements the comprehensive plan policies and designations for single-dwelling housing.

The "a" overlay is intended to allow increased density that meets design compatibility requirements. It fosters owner-occupancy, focuses development on vacant sites, preserves existing housing stock, and encourages new development that is compatible with the surrounding residential neighborhood. This project is not using any provisions of the "a" overlay.

The Greenway overlay zone is 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; and implement the City's Willamette Greenway responsibilities as required by ORS 390.310 to 390.368 and Metro's Title 3.

This site lies within the River Natural (n) overlay zones. The River Natural zone protects, conserves, and enhances land of scenic quality or of significant importance as wildlife habitat.

Land Use History: Approvals of quasi-judicial land use reviews run with the land and are transferred with ownership. Associated conditions or restrictions continue to apply. City records indicate that prior land use reviews have been conducted for this site. Prior land use reviews include the following:

- **LU 2003-177781 GW:** Approval of a Greenway review for BES Watershed Revegetation Program along bluff of Oaks Bottom Wildlife Refuge, including adjoining residential properties.

Agency Review: A Notice of Proposal in your Neighborhood was mailed on October 3, 2016. The following Bureaus have responded with no issues or concerns:

- Bureau of Environmental Services
- Bureau of Transportation Engineering and Development Review
- Water Bureau
- Fire Bureau
- Site Development Review Section of BDS
- Bureau of Parks, Forestry Division
- Life Safety Review Section of BDS

Portland Parks and Recreation's Assets and Development Division provided comments and concerns with the proposed project, as detailed in Exhibit E.8.

Staff Response: The applicant addressed and responded to these concerns in Exhibit A.4.

2. Neighborhood Review: One written response has been received from the Neighborhood Association.

The Sellwood-Moreland Improvement League (SMILE) raised concerns about effect of the project on potential landslides and recommended a geotechnical analysis for the site. SMILE also had concerns about the visual impact of the deck from the public trail in Oaks Bottom Wildlife Refuge, and recommended that Portland Parks and Recreation comment on the project.

Staff Response: As part of this review, the applicant did commission a geotechnical analysis which concluded that the site is suitable for the proposed project, and detailed methods for ensuring continued stability. The applicant has also responded to concerns raised by Portland Parks and Recreation staff. In addition, BDS staff conducted a site visit to the public trail below the property to assess the visual impact of the proposal. This and other specific criteria associated with the Greenway overlay are addressed in the following section.

ZONING CODE APPROVAL CRITERIA

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 below, grouped according to similarity of 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;

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;

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;

Findings: The *Willamette Greenway Plan* does not show the Greenway Trail on this site. Therefore, these guidelines are not applicable.

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.

Findings: The project site is far removed from the riverbank and riparian habitat areas. Therefore, *these guidelines are not applicable.*

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.

Findings: The project site is far removed from the riverbank. Therefore, *this guideline does not apply to the proposal.*

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: The proposal is not subject to landscape requirements. Therefore, *these guidelines do not apply to the proposal.*

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;

Findings: Neither a viewpoint nor view corridor is not shown on the property in the *Willamette Greenway Plan*; therefore, *these guidelines do not apply.*

B. River frontage lots in the River Industrial zone. In the River Industrial zone, uses that are not river-dependent or river-related may locate on river frontage lots when the site is found to

be unsuitable for river-dependent or river-related uses. Considerations include such constraints as the size or dimensions of the site, distance or isolation from other river-dependent or river-related uses, and inadequate river access for river-dependent uses.

Findings: The site is not within the River Industrial zone; therefore, *this criterion does not apply.*

- C. Development within the River Natural zone.** The applicant must show that the proposed development, excavation, or fill within the River Natural zone will not have significant detrimental environmental impacts on the wildlife, wildlife habitat, and scenic qualities of the lands zoned River Natural. The criteria applies to the construction and long-range impacts of the proposal, and to any proposed mitigation measures. Excavations and fills are prohibited except in conjunction with approved development or for the purpose of wildlife habitat enhancement, riverbank enhancement, or mitigating significant riverbank erosion.

Findings: The proposed development is entirely within the River Natural zone. Erosion control and tree protection measures will be in place during construction to prevent any impacts to downslope habitat and surrounding trees. Long-term ground disturbance will consist of three helical piers hand-drilled into the ground, avoiding the two directly adjacent silver maples addressed by the applicant's arborist (see Exhibit A.2). In addition, the applicant proposes the removal of a single 14-inch Oregon White Oak that is growing out of, and damaging, the foundation of the existing residence, as recommended by their arborist (see Exhibit A.2). The applicant proposes to stabilize the ground with natural matting and to plant native grasses at the completion of construction. The deck will be uncovered and have spacing between the wood planks, allowing rainwater to flow in a manner somewhat comparable to current conditions.

With regard to scenic qualities, the proposed deck will be constructed of wood and span a portion of the western side of the existing house. A recreational trail within Oaks Bottom Wildlife Refuge passes beneath the project site at the base of a steep slope. Staff walked along this trail after the surrounding deciduous trees had lost their leaves to determine the potential impact of a deck on the scenic qualities of River Natural zone, as viewed from the trail. Staff determined that the addition of a wooden deck to the existing large residence would actually soften the visual impact of the residence as a whole and would not have a detrimental impact on scenic qualities.

With the condition to replace the Oregon white oak with another (at least one-half inch in diameter), *this criterion can be met.*

- D. Development on land within 50 feet of the River Natural zone.** The applicant must show that the proposed development or fill on land within 50 feet of the River Natural zone will not have a significant detrimental environmental impact on the land in the River Natural zone.

Findings: The proposed development is entirely within the River Natural zone; therefore, *this criterion does 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: While the bluffs east of Oaks Bottom Wildlife Refuge are identified as Rank I wildlife habitat, the development is not within the Greenway setback; *this criterion does not apply.*

- 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:

Findings: The proposed development is not riverward of the Greenway setback; *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: This site is not within the River Water Quality overlay zone setback; *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:

1. Except when the purpose of the mitigation could be better provided elsewhere, mitigation will occur:
 - a. On site and as close as practicable to the area of disturbance;
 - b. Within the same watershed as the proposed use or development; and
 - c. Within the Portland city limits.
2. The applicant owns the mitigation or remediation site; possesses a legal instrument that is approved by the City (such as an easement or deed restriction) sufficient to carry out and ensure the success of the mitigation or remediation plan; or can demonstrate legal authority to acquire property through eminent domain;
3. The mitigation or remediation plan contains a construction timetable and a minimum 1 year monitoring and maintenance plan that demonstrates compliance with Subsection 33.248.090.E and includes the following elements:
 - a. Identification of the responsible party or parties that will carry out the mitigation or remediation plan;
 - b. Identification of clear and objective performance benchmarks that will be used to judge the mitigation or remediation plan success; and
 - c. contingency plan that indicates the actions to be taken in the event that performance benchmarks are not met.

Findings: No mitigation or remediation is required for the proposed development by the approval criteria of this chapter; therefore, *these criteria do 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 applicant proposes to construct a deck that is 26 feet long and 11 feet wide, supported by hand-drilled helical piers on the western side of an existing single family residence. The applicant has provided findings for the approval criteria listed above and, with conditions, the applicable approval criteria will be able to be met.

ADMINISTRATIVE DECISION

Approval of Greenway Review for the following:

- Construction of a wooden deck on the western side of the existing house, to be

- supported by hand-drilled helical piers, and
- Removal of the 14-inch Oregon White Oak,

within the Greenway overlay zone, and in substantial conformance with Exhibits C1, as signed, and dated by the City of Portland Bureau of Development Services on December 21, 2016. Approval is subject to the following conditions:

- A. All permits:** Copies of the stamped Exhibits C.1 from LU 16-236483 GW and Conditions of Approval listed below, shall be included within all plan sets submitted for permits (building, grading, Site Development, erosion control, etc.). These exhibits shall be included on a sheet that is the same size as the plans submitted for the permit and shall include the following statement, ***"Any field changes shall be in substantial conformance with approved Exhibit C.1."***
- B.** Temporary construction fencing shall be installed according to Title 11, Section 11.60.030 (Tree Protection Specifications), as depicted on Exhibit C.1, or as required by inspection staff during the plan review and/or inspection stages.
1. No mechanized construction vehicles are permitted for the construction of the proposed deck. In addition, all planting work, invasive vegetation removal, and other work to be done outside the erosion control measures, shall be conducted using hand held equipment.
- C.** The applicant is required to plant a replacement Oregon white oak (minimum one-half inch in diameter) within the River Natural zoned portion of the project site upon removal of the 14-inch oak.
1. The replacement tree shall be installed between October 1 and March 31 (the planting season).
 2. Prior to planting the required replacement tree, non-native invasive plants shall be removed from all areas within 10 feet of planting site, using handheld equipment.
- D. The land owner shall maintain the required tree planting** for two years to ensure survival and replacement. The land owner is responsible for ongoing survival of the required tree planting during and beyond the designated two-year monitoring period.
- E.** Failure to comply with any of these conditions may result in the City's reconsideration of this land use approval pursuant to Portland Zoning Code Section 33.700.040 and /or enforcement of these conditions in any manner authorized by law.

Staff Planner: Ethan Brown

Decision rendered by:  on December 21, 2016
By authority of the Director of the Bureau of Development Services

Decision mailed: December 23, 2016

Note: In addition to the requirements of the Zoning Code, all uses and development must comply with other applicable City, regional, state and federal regulations.

This decision applies to only the City's environmental regulations. Activities which the City regulates through PCC 33.430 may also be regulated by other agencies. In cases of overlapping City, Special District, Regional, State, or Federal regulations, the more stringent regulations will control. City approval does not imply approval by other agencies.

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 2, 2016, and was determined to be complete on September 26, 2016.

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 2, 2016.

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 extend the 120-day review period. Unless further extended by the applicant, **the 120 days will expire on: March 5, 2017.**

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 Hearings Officer, which will hold a public hearing. Appeals must be filed **by 4:30 PM on January 6, 2017** at 1900 SW Fourth Ave. Appeals can be filed at the 5th floor reception desk of 1900 SW 4th Avenue Monday through Friday between 8:00 am and 4:30 pm. **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 Hearings Officer 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 Hearings Officer 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 **January 9, 2017 – (the day following the last day to appeal)**.
- 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.

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:

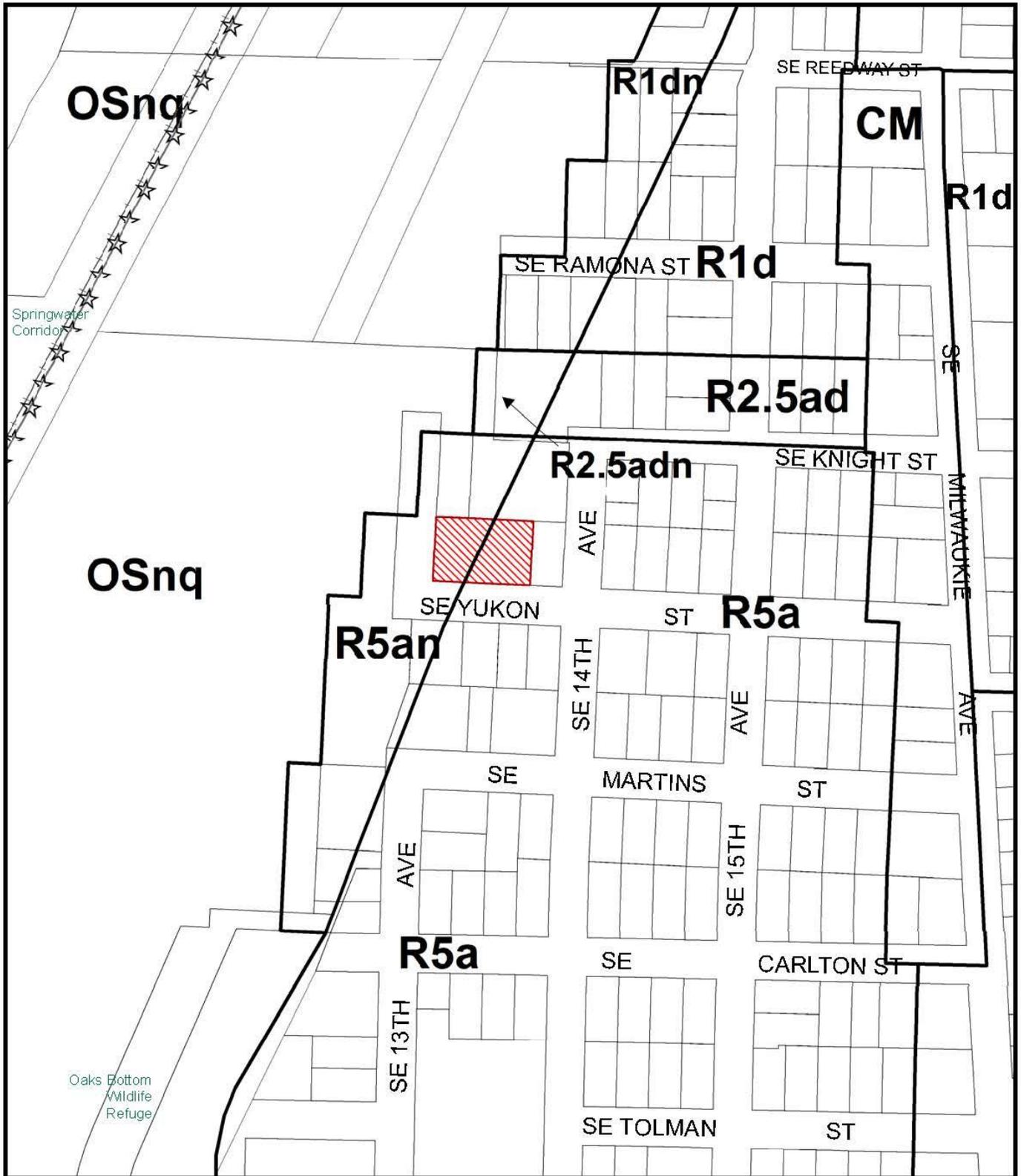
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations of the City.

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
 - 1. Proposal Statement
 - 2. Arborist Report
 - 3. Geotechnical Report
 - 4. Applicant Response to PPR 11-9-16
 - 5. Applicant Response to Neighborhood Association 11-9-16
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Final Site Plan and Section E-W at the Uncovered Deck (attached)
 - 2. Preliminary Site Plan
 - 3. Preliminary Erosion Control Plan
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses:
 - 1. Bureau of Environmental Services
 - 2. Bureau of Transportation Engineering and Development Review
 - 3. Water Bureau
 - 4. Fire Bureau
 - 5. Site Development Review Section of BDS
 - 6. Bureau of Parks, Forestry Division
 - 7. Life Safety Review Section of BDS
 - 8. Portland Parks and Recreation, Assets and Development Division
- F. Correspondence:
 - 1. Elizabeth Milner, Sellwood-Moreland Improvement League (SMILE). 10-24-16. Concerns about landslide hazards, visual impacts, consulting Parks and Recreation.
- G. Other:
 - 1. Original LU Application
 - 2. Incomplete Letter
 - 3. 120-day Extension

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).



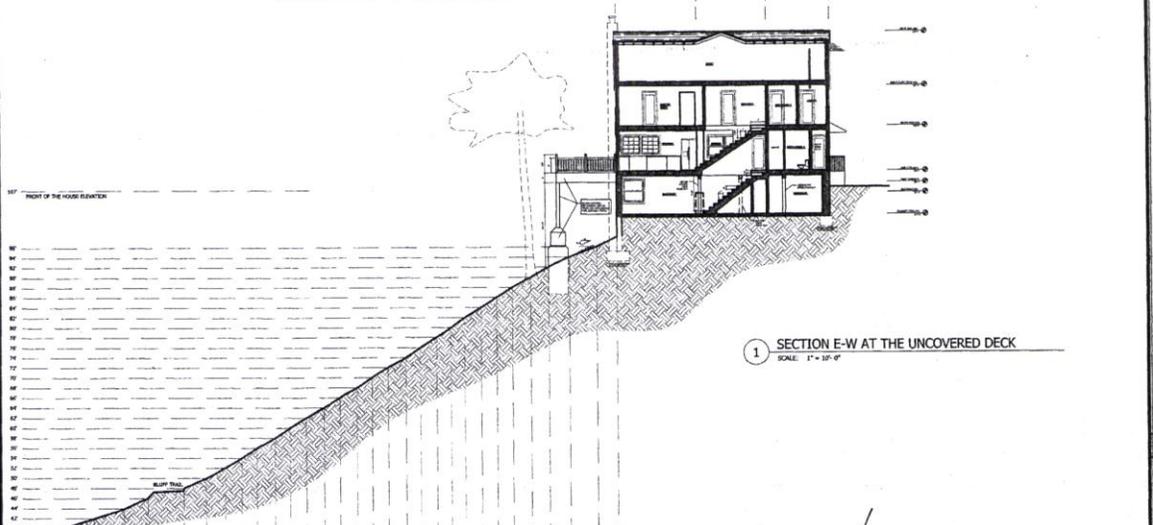
ZONING

-  Site
-  Recreational Trails

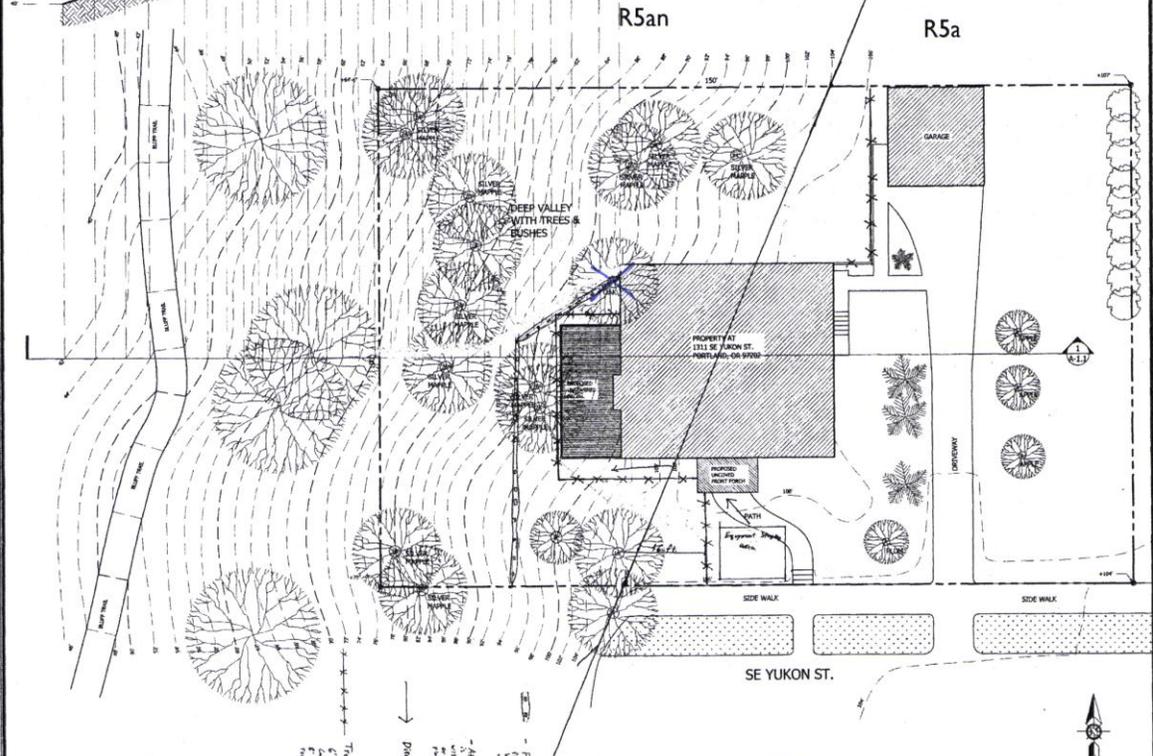


File No. LU 16-236483 GW
 1/4 Section 3631
 Scale 1 inch = 200 feet
 State_Id 1S1E14CA 2500
 Exhibit B (Sep 07, 2016)

Approved
 City of Portland - Bureau of Development Services
 LU # 16-2364836w
 Planner [Signature] Date 12/21/16
 * Approval for Environmental Review only. Not a building permit.
 Additional zoning requirements may apply.



1 SECTION E-W AT THE UNCOVERED DECK
 SCALE: 1" = 10'-0"



2 SITE PLAN
 SCALE: 1" = 10'-0"

CASE NO. 16-2364836w
 EXHIBIT C.1

The Building Footprint
 of this project shall be
 consistent with the
 approved site plan.
 The Building Footprint
 shall be shown in
 solid black on the
 site plan.

Division of Planning & Local Area

SCALE: 1" = 10'-0"	A-1.1	DATE: 12/21/16	REVISIONS:	PROJECT: MCCULLOCH CONSTRUCTION 1311 SE YUKON ST. PORTLAND, OR 97202	SECTION E-W AT THE UNCOVERED DECK SITE PLAN	 DESIGN BY JOHN MCCULLOCH DRAFT BY TIZEN HJUNH
--------------------	-------	----------------	------------	--	--	--