



**City of Portland, Oregon**  
**Bureau of Development Services**  
**Land Use Services**  
FROM CONCEPT TO CONSTRUCTION

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**Date:** May 8, 2017  
**To:** Interested Person  
**From:** Lois Jennings, Land Use Services  
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**NOTICE OF A TYPE II<sub>x</sub> 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 16-264839 LDP AD**

**GENERAL INFORMATION**

**Applicant:** Rob Humphrey | Faster Permits  
14334 NW Eagleridge Lane  
Portland, OR 97229  
503-320-5030 or [rob@fasterpermits.com](mailto:rob@fasterpermits.com)  
  
Urban Atelier LLC  
2103 SE 130th Ave  
Portland, OR 97233

**Owner:** Atalie Hsia | Urban Atelier LLC  
8733 SE Division St, Suite 201  
Portland, OR 97266

**Site Address:** 2103 SE 130th Ave

**Legal Description:** BLOCK 2 E 200' OF N 75.39' OF LOT 1 EXC PT IN ST, DAGMAR AC  
**Tax Account No.:** R193900620  
**State ID No.:** 1S2E02CD 09000  
**Quarter Section:** 3243

**Neighborhood:** Mill Park, contact Doug Reed at [doughomes@aol.com](mailto:doughomes@aol.com).  
**Business District:** Midway, contact [info@midwaybusiness.org](mailto:info@midwaybusiness.org).  
**District Coalition:** East Portland Neighborhood Office, contact Richard Bixby at 503-823-4550.

**Zoning:** R5- High Density Single Family Residential Zone (one unit per 5,000 s.f.) with an "a"-Alternative Design Density Overlay

**Case Type:** Land Division Partition (LDP) and Adjustment (AD)

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

**Proposal:** The applicant is proposing a two lot land division. The existing house will be retained on Parcel 1, which will be 9,438 s.f. in area. The maximum lot area in the R5 zone is 8,500 s.f., so the applicant is requesting a concurrent Adjustment review to exceed the maximum lot area for Parcel 1. Parcel 2 will be 3,419 s.f. in area and will allow for development of a new single family residence. There are three trees on the site, Fir (#90), Sweet Cherry (#91) and Fir (#89). The cherry (#91) is exempt from tree preservation, since it is on the nuisance list. The 42-inch Fir (#90) tree is being proposed to be preserved.

Transportation is requesting a 7-foot of property dedication for right-of-way purposes for SE Lincoln Street and a 2-foot dedication of property for right-of-way purposes for SE 130<sup>th</sup> Avenue. The existing attached garage will be removed and new off-street parking space will be provided for the existing house on Parcel 1. On-site parking will be provided for the future house on Parcel 2.

This partition proposal is reviewed through a Type IIX procedure because: (1) the site is in a residential zone; (2) 10 or fewer lots are proposed; and (3) a concurrent review (Adjustment Review) is required (see 33.660.110).

For purposes of State Law, this land division is considered a partition. To partition land is to divide an area or tract of land into two or three parcels within a calendar year (See ORS 92.010). ORS 92.010 defines "parcel" as a single unit of land created by a partition of land. The applicant's proposal is to create two lots. Therefore this land division is considered a partition.

**Relevant Approval Criteria:**

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

- 33.660.120, Approval Criteria for Land Division in Open Space and Residential Zone
- 33.805.040.A-F, Approval Criteria of Adjustments

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 October 26, 2016 and determined to be complete on March 20, 2017.

## Facts

**Site and Vicinity:** The site is a corner lot on the southwest corner of SE Lincoln Street and SE 130<sup>th</sup> Avenue. The existing house will be retained. Currently there are two curb cuts along this frontage, one providing access to an existing attached garage and the other provides access to an off-street parking space along the western side property line. There are three trees on the site. The site is surrounded by single family residences.

SE Lincoln Street ends at Lincoln Park Elementary approximately 600 feet west of the site. Lincoln City Park is also within walking distance of the site at the intersection of SE 135<sup>th</sup> Avenue and SE Mill Street. Aiming south towards SE Division Street the zoning changes to R1 and R2 zoning, which allows multi-family development, and then to Commercial zoning along SE Division Street. The closest transit service to this site is along SE Division Street and then along SE 122<sup>nd</sup> Avenue. Division Street is approximately 1400 ft. south of the site and SE 122<sup>nd</sup> Avenue is approximately 1700 ft. west of the site.

**Infrastructure:**

- **Streets:** The site has approximately 75.39 feet of frontage on SE 130<sup>th</sup> Avenue and 190 feet of frontage along SE Lincoln Street, before street dedication. There are two driveways entering the site from SE Lincoln street which serves the existing house.

SE 130<sup>th</sup> Avenue, is a 60-ft. wide Right-of-Way(ROW) improved with a 40-ft. wide paved roadway and 4-5-1 sidewalk corridor. At this location, SE 130<sup>th</sup> Avenue is classified as a Neighborhood Collector, a City Walkway, and a Local Service Street for all other transportation modes per the Transportation System Plan (TSP).

Southeast Lincoln Street is a 40-ft. wide ROW that is improved with a 32-ft. wide paved roadway and 0-4-0 sidewalk corridor. The TSP classifies SE Lincoln Street as a Local Service Street for all modes.

- **Water Service:** There is an existing 8-inch DI water main in SE Lincoln Street and a 12-inch CI water main in SE 130<sup>th</sup> Avenue. The existing house is served by a metered service from this main within SE Lincoln Street and may continue to use the existing service. The static pressure is 47-59 psi for the 8 inch water main in SE Lincoln Street which is available for the future Parcel 2.
- **Water Bureau Fire Flow Information:** The hydrant at or nearest 2103 SE 130<sup>th</sup> Avenue is estimated to flow at 1,700 gpm with system residual pressure set to 20 psi.
- **Sanitary Service:** There is a 8-inch public PVC sanitary sewer in SE Lincoln Street (BES as-built# 4459) and a 8-inch public PVC sanitary sewer in SE 130<sup>th</sup> Avenue (BES as-built# 4459). Existing development: According to City records, the existing structure on proposed Parcel 1 is currently connected to the sanitary sewer via a lateral located approximately 130 feet west from the manhole in SE Lincoln Street (#ABW642).
- **Stormwater Disposal:** There are no public storm-only sewers available to this property. The applicant is proposing to provide on-site stormwater disposal via drywell for future Parcel 2 (discussed later in this report under 33.653.030).

**Zoning:** 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"- Alternative Design Density 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 land division is not using any provisions of the "a" overlay.

**Land Use History:** City records indicate there is an old Multnomah County Case File associated to this property: BA 238-64: Multnomah County Planning Commission on November 17, 1964 denied an adjustment to side setback (10 ft. to 7.5 ft) for a garage addition.

**Agency Review:** Service Bureaus have responded to this proposal and relevant comments are addressed under the applicable approval criteria. Exhibits "E" contain the complete responses.

**Neighborhood Review:** A Notice of Proposal in Your Neighborhood was mailed on March 29, 2017. No written responses have been received from the Neighborhood Association or notified property owners.

## ZONING CODE APPROVAL CRITERIA

### ***APPROVAL CRITERIA FOR LAND DIVISIONS IN OPEN SPACE AND RESIDENTIAL ZONES***

***33.660.120 The Preliminary Plan for a land division will be approved if the review body finds that the applicant has shown that all of the following approval criteria have been met.***

Due to the specific location of this site, and the nature of the proposal, some of the criteria are not applicable. The following table summarizes the criteria that are not applicable. Applicable criteria are addressed below the table.

<b>Criterion</b>	<b>Code Chapter/Section and Topic</b>	<b>Findings: Not applicable because:</b>
C	33.631 - Flood Hazard Area	The site is not within the flood hazard area.
D	33.632 - Potential Landslide Hazard Area	The site is not within the potential landslide hazard area.
E	33.633 - Phased Land Division or Staged Final Plat	A phased land division or staged final plat has not been proposed.
F	33.634 - Recreation Area	The proposed density is less than 40 units.
H	33.636 - Tracts and Easements	No tracts or easements have been proposed or will be required.
I	33.639 - Solar Access	Maintaining existing development on the site limits new parcel configuration (33.610.200 supercedes 33.639).
J	33.640 - Streams, Springs, and Seeps	No streams, springs, or seeps are evident on the site
L	33.654.110.B.2 - Dead end streets	No dead end streets are proposed.
	33.654.110.B.3 - Pedestrian connections in the I zones	The site is not located within an I zone.
	33.654.110.B.4 - Alleys in all zones	No alleys are proposed or required.
	33.654.120.C.3.c - Turnarounds	No turnarounds are proposed or required.
	33.654.120.D - Common Greens	No common greens are proposed or required.
	33.654.120.E - Pedestrian Connections	There are no pedestrian connections proposed or required.
	33.654.120.F - Alleys	No alleys are proposed or required.
	33.654.120.G - Shared Courts	No shared courts are proposed or required.
	33.654.130.B - Existing public dead-end streets and pedestrian connections	No public dead-end streets or pedestrian connections exist that must be extended onto the site.
	33.654.130.C - Future extension of dead-end streets and pedestrian connections	No dead-end street or pedestrian connections are proposed or required.
	33.654.130.D - Partial rights-of-way	No partial public streets are proposed or required.

**Applicable Approval Criteria are:**

**A. Lots. The standards and approval criteria of Chapters 33.605 through 33.612 must be met.**

**Findings:** Chapter 33.610 contains the density and lot dimension requirements applicable in the RF through R5 zones. Based on the applicant's survey, the site area is 14,323 square feet (prior to street dedication). The applicant is proposing to create two standards lots. The maximum density in the R5 zone is one unit per 5,000 feet. Minimum density is one unit per 5,000 square feet based on 80 percent of the site area. The minimum and maximum density is as follows:

Minimum =  $14,323 \times .80 / 5,000 = 2.29$  (rounds down to a minimum of two (2) Lots per 33.930.020.A)

Maximum =  $14,323 / 5000 = 2.8$  (rounds down to a maximum of two (2) Lots per 33.930.020.B)

If the minimum required density is equal to or larger than the maximum allowed density, then the minimum density is automatically reduced to one less than the maximum. Therefore, in this case the minimum density is reduced to one (1) lot.

The lot dimensions required and proposed are shown in the following table:

	<b>Min. Lot Area (square feet)</b>	<b>***Max. Lot Area (square feet)</b>	<b>Min. Lot Width* (feet)</b>	<b>Min. Depth (feet)</b>	<b>Min. Front Lot Line (feet)</b>
<b>R5 Zone</b>	3,000	8,500	36	50	30
***Parcel 1	9,438 s.f.		68 ft.	138 ft.	68.39 ft.
Parcel 2	3,419 s.f.		50 ft.	68 ft.	50 ft.

\* Width is measured by placing a rectangle along the minimum front building setback line specified for the zone. The rectangle must have a minimum depth of 40 feet, or extend to the rear of the property line, whichever is less.

\*\*\*An Adjustment to maximum lot area is addressed later in this report.

The findings above show the applicable density and lot dimensions standards are met. Subject to approval of an adjustment to maximum lot area for Parcel 1, this criterion is met.

**B. Trees. The standards and approval criteria of Chapter 33.630, Tree Preservation, must be met.**

**Findings:** The regulations of Chapter 33.630 require that trees be considered early in the design process with the goal of preserving high value trees and, when necessary, mitigating for the loss of trees.

To satisfy these requirements, the applicant must provide a tree plan that demonstrates, to the greatest extent practicable, the trees to be preserved provide the greatest environmental and aesthetic benefits for the site and the surrounding area. The tree plan must also show that trees are suitable for preservation, considering the health and condition of the tree and development impacts anticipated. Tree preservation must be maximized, to the extent practicable, while allowing for reasonable development considering the intensity of development allowed in the zone and site constraints, including existing utility easements and requirements for services and streets. If the site is in an overlay zone that has additional environmental resource protection requirements, the tree plan must demonstrate that the benefits from trees are maximized for the site as a whole.

Trees that are healthy, native and non-nuisance species, 20 or more inches in diameter and in tree groves are the highest priority for preservation. Additional considerations include trees that are slower growing native species, buffering natural resources, preventing erosion and slope destabilization and limiting impacts on adjacent sites.

Some trees are exempt from the requirements of this chapter, if they are unhealthy, a nuisance species, within 10 feet of a building to remain on the site, within an existing right-of-way, or within an environmental zone.

In order to identify which trees are subject to these requirements, the applicant provided a tree survey (Exhibit C.1) that shows the location and size of trees on and adjacent to the site. The applicant also provided an arborist report (Exhibit A.5) that identifies each tree, its condition and suitability for preservation or its exempt status, and specifies a root protection zone and tree protection measures for each tree to be preserved.

**Tree Inventory:**

<b>Tree #</b>	<b>Common Name/Scientific Name -Species</b>	<b>Diameter (inches)</b>	<b>Exempt? (per 33.630.030)</b>	<b>To be retained?</b>	<b>RPZ (Root Protection Zone)</b>
<b>89</b>	Douglas -Fir (Pseudotsuga menziesii)	43	No	Could be Retained	30 ft.
<b>90</b>	Douglas -Fir (Pseudotsuga menziesii)	42	No	Preserve & Retain	30 ft.
<b>91</b>	Sweet Cherry (Prunus Avium)	10	Yes On PPL Nuisance List	No	Remove
<b>92</b>	Douglas -Fir (Pseudotsuga menziesii)	36	On Neighbor's property	Off-property	Off Property 15 ft. RPZ

	On adjacent Neighbor's property				
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The arborist report identifies three trees at the site (Exhibit A.5), which provides a total of 95 inches of tree diameter on this site. The arborist report identifies Tree #91 –Sweet Cherry as meeting the exemption from tree preservation since it is on the Nuisance List. Therefore two trees totaling 85 inches of tree diameter are subject to the preservation requirements of this chapter.

The applicant proposes to preserve one of the two trees:

- #90– 42 inch Douglas Fir

The tree proposed for preservation is in good condition and is a native tree and is more than 20 inches in diameter. A total of 42 inches of the 85 inches on the site is being preserved. This tree preservation proposal complies with Option 3 of the tree preservation standards of Section 33.630, which requires preservation of 50 percent of trees that are 20 or more inches in diameter and at least 30 percent of the total diameter.

The proposed root protection zone for the tree to be retained will allow for the type of development anticipated in the R5 zone and will not conflict with any existing utility easements, proposed services or site grading.

In order to ensure that future owners of these parcels are aware of the tree preservation requirements, the applicant must record an Acknowledgement of Tree Preservation Land Use Conditions, at the time of final plat. The acknowledgement must identify that development on Parcel 1 must be carried out in conformance with the Tree Preservation Plan (Exhibit C.1) and the Arborist Report (Exhibit A.5).

At the time of development, the individual parcels must also meet the Title 11-Tree Code provisions, which require a specific amount of site area for tree planting based on the size of the property and the scale of the development. The trees to be retained as part of this review may be applied toward meeting those Title 11 requirements.

In addition, the applicant’s arborist report has identified Tree # 92- Douglas Fir on adjacent site within 15 feet of potential disturbance area on the proposed lots. In order to protect the off-site tree from construction impacts, the arborist recommends a 15-ft. RPZ, which is reflected on the tree preservation plan. At the time of development of either Parcel 1 or 2 within the area of this tree, tree protection must be set in place for this tree.

Based on these factors, no additional mitigation is warranted to satisfy the approval criteria.

With the implementation of the noted conditions above, the approval criteria will be met.

**G. Clearing, Grading and Land Suitability. The approval criteria of Chapter 33.635, Clearing, Grading and Land Suitability must be met.**

**Findings:**

***Clearing and Grading***

The regulations of Chapter 33.635 ensure that the proposed clearing and grading is reasonable given the infrastructure needs, site conditions, tree preservation requirements, and limit the impacts of erosion and sedimentation to help protect water quality and aquatic habitat.

In this case, the site is primarily flat and is not located within the Potential Landslide Hazard Area. Therefore, no significant clearing or grading will be required on the site to make the new lot developable. The tree required to be preserved, Tree #90, is well protected from the future development on Parcel 2. The Arborist report has provided a root protection zone to have the least impact on the Tree #92, which is on adjacent property to the south, when the future development occurs on Parcel 2. Undisturbed areas are consistent with the arborist report for Parcel 1 for Tree #90. Therefore, the limits of disturbance shown is not within the root protection zones of trees to be protected.

However, as noted below, the applicant will be required to decommission the old septic system on the site. If locating the septic system and decommission of the septic system

requires ground disturbance within the root protection zone of the tree(s) required to be preserved, then an Arborist Report must be submitted and approved by Planning prior to any encroachment into the root protection zone area.

This criterion is met.

**Land Suitability**

The site is currently in residential use, and there is no record of any other use in the past. Although the site is currently connected to the public sanitary sewer, there is an old septic system on the site. The City has no record that this facility was ever decommissioned. Prior to final plat, the applicant must meet the requirements of the Site Development Section of the Bureau of Development Services for the decommissioning of this facility.

With a condition requiring final inspection for a decommissioning permit, the new lot can be considered suitable for new development, and this criterion is met.

**K. Transportation impacts. The approval criteria of Chapter 33.641, Transportation Impacts, must be met; and,**

**Findings:** The transportation system must be capable of safely supporting the proposed development in addition to the existing uses in the area. Evaluation factors include: street capacity and level-of-service; vehicle access and loading; on-street parking impacts: the availability of transit service and facilities and connections to transit; impacts on the immediate and adjacent neighborhoods; and safety for all modes. Mitigation may be necessary to reduce impacts.

The Development Review Section of the Portland Bureau of Transportation (PBOT) has reviewed the application against the evaluation factors and has provided the following findings (see Exhibit E.2):

The applicant has submitted a written narrative addressing the approval criteria (See Exhibit A.9).

The applicant is proposing this two lot partition in order to develop the site with a new single family residence. The existing house on the site will be retained on Parcel 1. Accordingly, the proposed project will result in a net increase of one new new single-home. Based upon the trip generation estimates obtained from the institute of Transportation Engineers Trip (ITE) Generation Manual, 9<sup>th</sup> Edition, the project is projected to generate the one additional trips during both morning and evening peak hours (10 additional trips in total each day). The small number of trips that will be added into the transportation system as a result of the proposed development will not adversely impact the operations of area intersections.

As proposed each lot will be developed with sufficient on-site parking to accommodate at least one off-street parking space. The surrounding area has an established residential development pattern that includes single-family homes on lots that accommodate one, and in some cases, multiple on-site parking opportunities. On-site parking will also be provided with the new development, so on-street parking in the areas will not be adversely impacted by the proposed new dwelling unit.

There are existing transit facilities in the area, with the nearest TriMet bus stop located at SE Division & SE 130<sup>th</sup> Avenue approximately 1,400 ft. from the site. The sidewalk improvements required in relation to this development will improve access to the area transit facilities. The proposed partition will not have any effect on proposed development in addition to existing uses.

With the sidewalks being improved to City Pedestrian Design Guidelines (discussed under 336.654) these criteria are met.

**L. Services and utilities. The regulations and criteria of Chapters 33.651 through 33.654, which address services and utilities, must be met.**

**Findings:** Chapters 33.651 through 33.654 address water service standards, sanitary sewer disposal standards, stormwater management, utilities and rights of way. The criteria and standards are met as shown in the following table:

**33.651 Water Service standard** – See Exhibit E.3 & E.4

Water Bureau and Fire Bureau have verified that water facilities with adequate capacity and pressure are available to serve the proposed development( as noted on page 2 of this report) The water service standard of 33.651 have been met.

**33.652 Sanitary Sewer Disposal Service standards** – See Exhibit E.1 for detailed comments.

The Bureau of Environmental Services has indicated that service is available to the site, as noted on page 2 of this report. Proposed development will be served by a new connection to the sanitary sewer in SE Lincoln Street within its frontage. BES finds the applicant’s proposed sanitary service acceptable for the purpose of reviewing the preliminary land division application against the sanitary sewer disposal approval criterion.

The sanitary sewer service standards of 33.652 have been verified.

**33.653.020 & .030 Stormwater Management criteria and standards** – See Exhibits E.1

No stormwater tract is proposed or required. Therefore, criterion A is not applicable.

The applicant has proposed the following stormwater management methods:

Parcel 1- with existing house: The existing house has downspouts that drain onto the ground.

Parcel 2- vacant lot: New development on proposed lot will utilize a standard drywell meeting the setbacks requirements and a filter strip.

**Bureau of Environmental Services reviewed the preliminary land division plan and provides the following response:**

*Onsite Stormwater Management:* Stormwater runoff from this project must comply with all applicable standards of the SWMM and the SCM and be conveyed to a discharge point along a route of service approved by the BES Director or the Director’s designee. Staff reviewed the project’s stormwater report from Dave Carver (6/28/16) that describes Simplified Approach infiltration test results of 2 inches per hour on this site. The applicant proposes to infiltrate runoff from the development onsite via a filter strip and a drywell that can meet minimum setbacks as established in the facility design standards and Table 2-1 of the SWMM.

*Public Right-of-Way Stormwater Management:* Stormwater runoff from public right-of-way improvements as required by the City of Portland Bureau of Transportation (PBOT) must be managed according to the standards of the SWMM and the Sewer and Drainage Facilities Design Manual. PBOT requires new sidewalk construction in a pedestrian corridor where a curb and paved street already exist. Constructing the sidewalk so that it slopes toward a vegetated area and/or planting street trees will be a viable alternative to constructing stormwater management facilities.

Bureau of Environmental Service (BES) has determined that the applicant’s stormwater plan is acceptable. These standards and criteria are met.

**33.654.110.B.1 Through streets and pedestrian connections**

This section requires street and pedestrian connections where appropriate and practical, taking a number of factors into consideration. The City’s spacing goals for public through streets/pedestrian connection is a maximum of 530-ft. and 330-ft. respectively. The site is located at the intersection of two public streets and PBOT identified no additional opportunities to improve the connectivity in this area in relation to the proposed development.

For the reasons described above, this criterion is met.

**33.654.120.B & C Width & elements of the right-of-way** – See Exhibit E.2 for bureau comment

In reviewing this land division, Portland Transportation relies on accepted civil and traffic engineering standards and specifications to determine if existing street improvements for motor vehicles, pedestrians and bicyclists can safely and efficiently serve the proposed new



development.

The City's Transportation System Plan (TSP) classifies SE 130<sup>th</sup> Avenue as a Neighborhood Collector, a City Walkway, and a Local Service Street for all other transportation modes. The TSP classifies SE Lincoln as a Local Service Street for all modes.

According to City GIS data, SE 130<sup>th</sup> Avenue is a 60-ft. wide Right-of-Way (ROW) improved with a 40-ft. wide paved roadway and a 4-5-1 sidewalk corridor. For a neighborhood Collector/City Walkway, abutting an R5 zoned site, the Pedestrian Design Guide recommends a 12-ft. wide sidewalk corridor consisting of a 0.5-ft. curb, 4-ft. furnishing zone with street trees, a 6-ft. wide sidewalk, and a 1.5-ft. frontage zone.

According to City GIS data SE Lincoln Street is a 40-ft wide ROW that is improved with a 32-ft. wide paved roadway and a 0-4-0 sidewalk corridor. For a Local Service Street, abutting an R5 zoned site, the Pedestrian Design Guide recommends an 11-ft wide sidewalk corridor consisting of a 0.5-ft. curb, 4-ft. furnishing zone with street trees, 6-ft. wide sidewalk, and a 0.5-ft. frontage zone.

In relation to the proposed development, the applicant will be required to dedicate 2-ft of property for ROW purposes and construct the 12-ft. sidewalk corridor behind the curb in SE 130<sup>th</sup> Avenue and dedicate 7-ft. of property for ROW purposes and construct the sidewalk corridor behind the existing curb in SE Lincoln Street.

Required frontage improvements will include reconstruction of the corner to meet current ADA requirements. The applicant is advised that single-curb extensions are typically required at unsignalized intersections for sites located within a TSP classified Pedestrian District and/or along a City Walkway. Consideration of curb extension feasibility will occur during the Public Works review.

Given that the existing house is proposed to remain on Parcel 1, the necessary improvements/dedications abutting Parcel 1 must be completed or bonding/contract must be submitted in the Public Works Concept Review, prior to Final Plat Approval.

Concerning Parcel 2, the required dedication must be complete prior to Final Plat approval. The necessary public improvements will be required as a condition of building permit approval for a new single family residence. The improvements along Parcel 2 must be constructed under a Minor Improvement Permit (MIP) from the Bureau of Transportation.

In this case Portland Transportation has determined that curb and sidewalk improvements must be made in order to meet City standards ensure that safe pedestrian travel is possible within the proposed development. With those improvements, one additional dwelling can be safely served by these existing streets without having any significant impact on the level of service provided.

This criterion is met, with the condition that curb and sidewalk improvements are made, and the required right-of-way dedication is shown on the Final Plat.

### **33.654.120.H – Standards for Street Trees**

The City Forester reviews this land division proposal for its impact on existing street trees, heritage trees, street tree requirements and related mitigation, in accordance with Title 11, Trees Code.

Existing Right-of-Way Improvements:

Parcel 1: The site has approximately 206 feet of street frontage (SE Lincoln & SE 130<sup>th</sup>). The right-of-way is improved with pavement, curbs, planting strip and sidewalks. There are overhead power lines. There are overhead power lines. PBOT is requiring frontage improvements.

There are two street trees: (2) 2.5-inch Service Berry in fair condition

Parcel 2: The site has approximately 50 feet of street frontage (SE Lincoln Street). The right-of-way is improved with pavement and curbs. PBOT is requiring frontage improvements.

Street Tree Planting (11.50.060.C):

The applicant has provided a conceptual street tree planting plan showing six trees to be planted. This plan meets the requirements of 11.50.060 for street tree planting. Street trees must be planted at a minimum of 1.5 caliper inches and be a species chosen from an approved street tree list. The tree planting must be shown on permit plans and shown on public works plan.

Urban Forestry will review for compliance of street trees for Parcel 1 as part of the Public Works Permit and at the time of development of Parcel 2. With this as a condition for street tree planting adjacent to Parcel 1 to occur prior to final plat approval, this criterion is met.

**33.654.130.A - Utilities (defined as telephone, cable, natural gas, electric, etc.)**

Any easements that may be needed for private utilities that cannot be accommodated within the adjacent right-of-ways can be provided on the final plat. At this time no specific utility easements adjacent to the right-of-way have been identified as being necessary. Therefore, this criterion is met.

**APPROVAL CRITERIA FOR ADJUSTMENTS**

**33.805.010 Purpose**

The regulations of the zoning code are designed to implement the goals and policies of the Comprehensive Plan. These regulations apply city-wide, but because of the city's diversity, some sites are difficult to develop in compliance with the regulations. The adjustment review process provides a mechanism by which the regulations in the zoning code may be modified if the proposed development continues to meet the intended purpose of those regulations. Adjustments may also be used when strict application of the zoning code's regulations would preclude all use of a site. Adjustment reviews provide flexibility for unusual situations and allow for alternative ways to meet the purposes of the code, while allowing the zoning code to continue to provide certainty and rapid processing for land use applications.

**33.805.040 Adjustment Approval Criteria**

Adjustment requests will be approved if the review body finds that the applicant has shown that approval criteria A. through F. stated below, have been met.

**A. Granting the adjustment will equally or better meet the purpose of the regulation to be modified; and**

**Findings:** The applicant is requesting Adjustments to allow Parcel 1 to exceed the maximum lot area of 8,500 square feet. The purpose of the lot dimension regulations (33.610.200.A) ensure that:

- *Each lot has enough room for a reasonably-sized house and garage;*
- *Lots are of a size and shape that development on each lot can meet the development standards of the zoning code;*
- *Lots are not so large that they seem to be able to be further divided to exceed the maximum allowed density of the site in the future;*
- *Each lot has room for at least a small, private outdoor area;*
- *Lots are compatible with existing lots;*
- *Lots are wide enough to allow development to orient toward the street;*
- *Lots don't narrow to an unbuildable width close to the street*
- *Each lot has adequate access from the street;*
- *Each lot has access for utilities and services; and*
- *Lots are not landlocked.*

Proposed Parcel 1 is 9,438 square feet in area and will retain the existing single family residence. The configuration of Parcel 1 will be such that the existing house can meet applicable Title 33 development standards (building coverage, outdoor area etc.). The proposed parcel is not so large to be able to be further divided to exceed the maximum allowed density of the site in the future. Parcel 1 is of sufficient size to accommodate a private outdoor area. Within this vicinity there are existing lots which exceed the maximum lot area of the R5 zone. The proposed lot area, 9,438 s.f., is compatible with existing lots since

lots sizes vary in this area from 3,303 s.f. to 30,500 s.f.. To the north of the site a majority of the lots exceed maximum lot area and to the south lot areas vary from 5,479-12,304 s.f. in area. The lot is wide enough to allow development to be oriented towards the street, as shown by the existing house being retained. Access to both SE 130<sup>th</sup> Avenue and SE Lincoln Streets will continue to be maintained for this parcel. The existing house will still have access to utilities and services within these streets. The proposed lot will not be landlocked.

Based on the preceding findings, the requested adjustments will equally meet the purpose of the of the lot dimension regulations. Therefore, this criterion is met.

**B. If in a residential zone, the proposal will not significantly detract from the livability or appearance of the residential area, or if in an OS, C, E, or I zone, the proposal will be consistent with the classifications of the adjacent streets and the desired character of the area; and**

**Findings:** The site is in a residential zone and is located within the Mill Park Neighborhood. The residential area considered is defined as shown on the Zone Map (Exhibit B). Development within the vicinity primarily consists of single family homes on a variety of size of lots, including larger lots. Therefore, the proposal to create a parcel with a lot area of 9,438 exceeding the maximum lot area, will not detract from the livability or appearance of the area and will in fact be compatible with adjacent development. This criterion is met.

**C. If more than one adjustment is being requested, the cumulative effect of the adjustments results in a project which is still consistent with the overall purpose of the zone; and**

**Findings:** Only one adjustment is being requested. Therefore this criterion is not applicable.

**D. City-designated scenic resources and historic resources are preserved; and**

**Findings:** The site is not located within a scenic or historic overlay zone and no historic resources are on or adjacent to the site. Therefore, this criterion is not applicable.

**E. Any impacts resulting from the adjustments are mitigated to the extent practical;**

**Findings:** As addressed in the preceding findings, there are no discernible impacts that will result from the proposed adjustments. This criterion is satisfied.

**F. If in an environmental zone, the proposal has as few significant detrimental environmental impacts on the resource and resource values as is practicable;**

**Findings:** The site is not located within an environmental overlay ("c" or "p") zone. Therefore, this criterion is not applicable.

## **DEVELOPMENT STANDARDS**

Development standards that are not relevant to the land division review, have not been addressed in the review, but will have to be met at the time that each of the proposed lots is developed.

**Existing development that will remain after the land division.** The existing development on the site will remain and be located on Parcel 1. The division of the property may not cause the structures to move out of conformance or further out of conformance to any development standard applicable in the R5 zone. Per 33.700.015, if a proposed land division will cause conforming development to move out of conformance with any regulation of the zoning code, and if the regulation may be adjusted, the land division request must include a request for an adjustment (Please see section on Other Technical Standards for Building Code standards.)

In this case, there are several Zoning Code standards that relate to existing development on the site:

- **Minimum Setbacks** – The existing house identified to remain on the site must meet the required Zoning Code setbacks from the proposed new lot lines. Alternatively, existing buildings must be set back from the new lot lines in conformance with an approved Adjustment or other Land Use Review decision that specifically approves alternative setbacks. The existing house will be a minimum 5-feet from the new property line. Therefore, the required setbacks are being met. To ensure this standard continues to be met at the final plat stage, the final plat must be accompanied by a supplemental plan showing the surveyed location of the existing building relative to the adjacent new lot lines, including new lot lines abutting the streets.

The existing house is being modified to remove the existing attached garage. Because the applicant chose to remove existing attached garage, so there would not be an issue with garage entrance setback for the existing house after street dedication. The building permit, 2016-214786 RS which includes the removal of the existing attached garage, must be finalized prior to Final Plat Approval

- **Required Off-Street Parking** – In this zone, one parking space per dwelling unit is required. Currently the existing site contains two parking spaces areas, one within an existing attached garage and the other on a paved parking pad towards the west of the property. The second driveway/parking space will be located on Parcel 2 and will be reconfigured and/or removed at the time of development of Parcel 2. The applicant’s preliminary site plan is showing that the existing attached garage is being removed and the garage slab and existing driveway to garage will be retained to be the on-site parking space for the existing house on Parcel 1. In order to ensure that the parking requirement continue to be met for the existing house on Parcel 1. Prior to final plat approval a new parking space must be constructed on Parcel 1 and the supplemental survey must show that a parking space (9 ft. x 18 ft. outside the required setback) for the existing house is maintained on-site. The permit to remove the attached garage and provide parking for the existing house under permit # 2016- 214786 RS must be finalized. Documentation of final inspection of this new parking space will be required prior to final plat approval.

With the conditions noted above, this land division proposal can meet the requirements of 33.700.015.

**OTHER TECHNICAL REQUIREMENTS**

Technical decisions have been made as part of this review process. These decisions have been made based on other City Titles, adopted technical manuals, and the technical expertise of appropriate service agencies. These related technical decisions are not considered land use actions. If future technical decisions result in changes that bring the project out of conformance with this land use decision, a new land use review may be required. The following is a summary of technical service standards applicable to this preliminary partition proposal.

<b>Bureau</b>	<b>Code Authority and Topic</b>
Development Services/503-823-7300 <a href="http://www.portlandonline.com/bds">www.portlandonline.com/bds</a>	Title 24 – Building Code, Flood plain Title 10 – Erosion Control, Site Development Administrative Rules for Private Rights-of-Way
Environmental Services/503-823-7740 <a href="http://www.portlandonline.com/bes">www.portlandonline.com/bes</a>	Title 17 – Sewer Improvements 2008 Stormwater Management Manual
Fire Bureau/503-823-3700 <a href="http://www.portlandonline.com/fire">www.portlandonline.com/fire</a>	Title 31 Policy B-1 – Emergency Access
Transportation/503-823-5185 <a href="http://www.portlandonline.com/transportation">www.portlandonline.com/transportation</a>	Title 17 – Public Right-of-Way Improvements Transportation System Plan
Urban Forestry (Parks)/503-823-4489 <a href="http://www.portlandonline.com/parks">www.portlandonline.com/parks</a>	Title 11 –Trees
Water Bureau/503-823-7404 <a href="http://www.portlandonline.com/water">www.portlandonline.com/water</a>	Title 21 – Water availability

As authorized in Section 33.800.070 of the Zoning Code conditions of approval related to these technical standards have been included in the Administrative Decision on this proposal.

- The applicant must meet the requirements of the Fire Bureau in regards to addressing requirements and fire apparatus access, including aerial access. These requirements are based on the technical standards of Title 31 and Fire Bureau Policy B-1.

## CONCLUSIONS

The applicant has proposed a two parcel partition with an Adjustment to maximum lot area for Parcel 1, as shown on the attached preliminary plan (Exhibit C.1). As discussed in this report, the relevant standards and approval criteria have been met, or can be met with conditions. The primary issues identified with this proposal are: adjustment to maximum lot area and frontage improvements along SE Lincoln Street and SE 130<sup>th</sup> Avenue. The dedication of property for right-of-way purposes and construction of the sidewalk corridor to the Pedestrian Design Guidelines will improve access to facilities within this neighborhood. The dedication of property for right-of-way along SE Lincoln Street reduces the garage entrance setback of the existing attached garage, so the existing house is being modified. Removal of the attached garage will allow for construction of on-site parking space for the existing house on Parcel 1.

With conditions of approval that address these requirements this proposal can be approved.

## ADMINISTRATIVE DECISION

**Approval** of an Adjustment to maximum lot area (33.610.200.C) of Parcel 1 from 8,500 square feet in area to 9,438 square feet in area

**Approval** of a Preliminary Plan for a two parcel partition that will result in two standard Parcels, as illustrated with Exhibit C.1, subject to the following conditions:

**A. Supplemental Survey Plan.** Three copies of an additional supplemental plan shall be submitted with the final plat survey for Land Use Review review and approval. That plan must portray how the conditions of approval listed below are met. In addition, the supplemental plan must show the surveyed location of the following:

- Any buildings including covered stairways, covered porches etc. or accessory structures on the site at the time of the final plat application;
- Any driveways and off-street vehicle parking areas on the site at the time of the final plat application;
- Survey will document the existing house maintains a 9 ft. x 18 parking space outside the minimum setback of 5 feet from the new property line on Parcel 1, post street dedication (SE Lincoln Street) and after removal of the existing attached garage.
- All existing improvements on the site.
- Provide dimensions from existing development to new property lines, including the new street lot line along both street frontages
- Any other information specifically noted in the conditions listed below.

**B. The final plat must show the following:**

1. The applicant shall meet the street dedication requirements of the City Engineer for SE Lincoln Street and SE 130<sup>th</sup> Avenue. The required right-of-way dedication must be shown on the final plat.
2. A recording block for each of the legal documents such as maintenance agreement(s), acknowledgement of special land use conditions, or Declarations of Covenants, Conditions, and Restrictions (CC&Rs) as required by Condition C.5 below. The recording block(s) shall, at a minimum, include language substantially similar to the following example: An Acknowledgement of Tree Preservation Land Use Conditions document has been recorded as document no. \_\_\_\_\_, Multnomah County Deed Records.”

**C. The following must occur prior to Final Plat approval:**

## **Streets**

1. The applicant shall meet the requirements of the City Engineer for right of way improvements along the site's street frontage. The applicant shall submit an application for a Public Works Permit and provide plans and financial assurances to the satisfaction of the Portland Bureau of Transportation and the Bureau of Environmental Services for required street frontage improvements. The necessary public improvements along the frontage of Parcel 1, where the existing house will be retained, must be constructed prior to final plat approval. The improvements along the frontage of the undeveloped lot (Parcel 2) may be constructed with development of Parcel 2 as per the City Engineer's discretion.

Street tree requirements for Parcel 1 will be required to be met as part of the Public Works Permit to the satisfaction of Urban Forestry.

## **Existing Development**

2. The applicant shall meet the requirements of the Site Development Section of the Bureau of Development Services for the decommissioning the septic system on the site. As part of the decommissioning permit the applicant must submit a site plan which must show all trees to be preserved and root protection zones as shown on Exhibit C.1. If locating the septic system and decommissioning of the septic system requires disturbance within the root protection zone area of tree(s) required to be preserved, then a new Arborist Report (per 11.60.030.2) must be submitted which shows how the tree can be preserved and remain healthy while work occurs within the root protection zone. Planning must receive and approve this modified tree preservation plan from the arborist prior to work occurring at the site. Tree Protection fencing must be installed prior to work occurring at the site.
3. The applicant must obtain a finalized building permit (16-214786 RS) for modifications (removal of attached garage and replacement parking) to the existing house that will remain on proposed Parcel 1.

## **Required Legal Documents**


4. The applicant shall execute an Acknowledgement of Tree Preservation Land Use Conditions that notes tree preservation requirements that apply to Parcel 1. A copy of the approved Tree Preservation Plan and Arborist Report must be included as an Exhibit to the Acknowledgement. The acknowledgement shall be referenced on and recorded with the final plat.

## **D. The following conditions are applicable to site preparation and the development of individual lots:**

1. Development on Parcel 1 (lot with the existing house) shall be in conformance with the Tree Preservation Plan (Exhibit C.1) and the applicant's arborist report (Exhibit A.5). Specifically, tree numbered 90 –Douglas Fir, is required to be preserved, with the root protection zones indicated on Exhibit C.1. Tree protection fencing is required along the root protection zone of each tree to be preserved. The fence must be 6-foot high chain link and be secured to the ground with 8-foot metal posts driven into the ground. Encroachment into the specified root protection zones may only occur if it meets the Prescriptive Path allowances of 11.60.030 or is under the supervision of a certified arborist. Planning and Zoning approval of development in the root protection zones beyond the allowances of 11.60.030 is subject to receipt of a report from an arborist, explaining that the arborist has approved of the specified methods of construction, and that the activities will be performed under his/her supervision.
2. Development on Parcel 1 and Parcel 2 shall be in conformance with the arborist's report to provide a 15-foot RPZ to protect the 36-foot inch Douglas fir identified as Tree #92-on the adjacent property to the south (as shown on Exhibit C.1). To modify this RPZ a new arborist report must be submitted that meets 11.60.030 requirements.

3. The applicant shall meet the requirements of the City Engineer for right of way improvements along the frontage of Parcel 2. The necessary public improvements along Parcel 2 will be required to be constructed as a condition of building permit.
4. The applicant must meet the Fire Bureau requirements for addressing and aerial fire department access. Aerial access applies to buildings that exceed 30 feet in height from the fire access as measured to the bottom of the eave of the structure or the top of the parapet for a flat roof.

**Staff Planner: Lois Jennings**

**Decision rendered by:**  **on May 4, 2017**  
By authority of the Director of the Bureau of Development Services

**Decision mailed May 8, 2017**

**About this Decision.** This land use decision is **not a permit** for development. A Final Plat must be completed and recorded before the proposed lots can be sold or developed. 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 October 26, 2016, and was determined to be complete on March 20, 2017.

*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 October 26, 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 not waive or extend the 120-day review period. Unless further extended by the applicant, **the 120 days will expire on: July 18, 2017.**

**Note: 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 May 22, 2017** at 1900 SW Fourth Ave. Appeals can be filed at the 5<sup>th</sup> floor reception desk of 1900 SW 4<sup>th</sup> 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 contact the receptionist at 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.ci.portland.or.us](http://www.ci.portland.or.us) .

**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 land division.** The final land division plat **must** be submitted to the City **within three years** of the date of the City's final approval of the preliminary plan. This final plat must be recorded with the County Recorder and Assessors Office after it is signed by the Planning Director or delegate, the City Engineer, and the City Land Use Hearings Officer, and approved by the County Surveyor. **The approved preliminary plan will expire unless a final plat is submitted within three years of the date of the City's approval of the preliminary plan.**

**Recording concurrent approvals.** The preliminary land division approval also includes concurrent approval of adjustments. These other concurrent approvals must be recorded by the Multnomah County Recorder before any building or zoning permits can be issued.

A few days prior to the last day to appeal, the City will mail instructions to the applicant for recording the documents associated with these concurrent land use reviews. The applicant, builder, or their representative may record the final decisions on these concurrent land use decisions 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.

**Expiration of concurrent approvals.** The preliminary land division approval also includes concurrent approval of an Adjustment to maximum lot area. For purposes of determining the expiration date, there are two kinds of concurrent approvals: 1) concurrent approvals that were necessary in order for the land division to be approved; and 2) other approvals that were voluntarily included with the land division application.

The following approvals were necessary for the land division to be approved: This Adjustment to Maximum lot area approval(s) expires if:



- The final plat is not approved and recorded within the time specified above, or
- Three years after the final plat is recorded, none of the approved development or other improvements (buildings, streets, utilities, grading, and mitigation enhancements) have been made to the site.

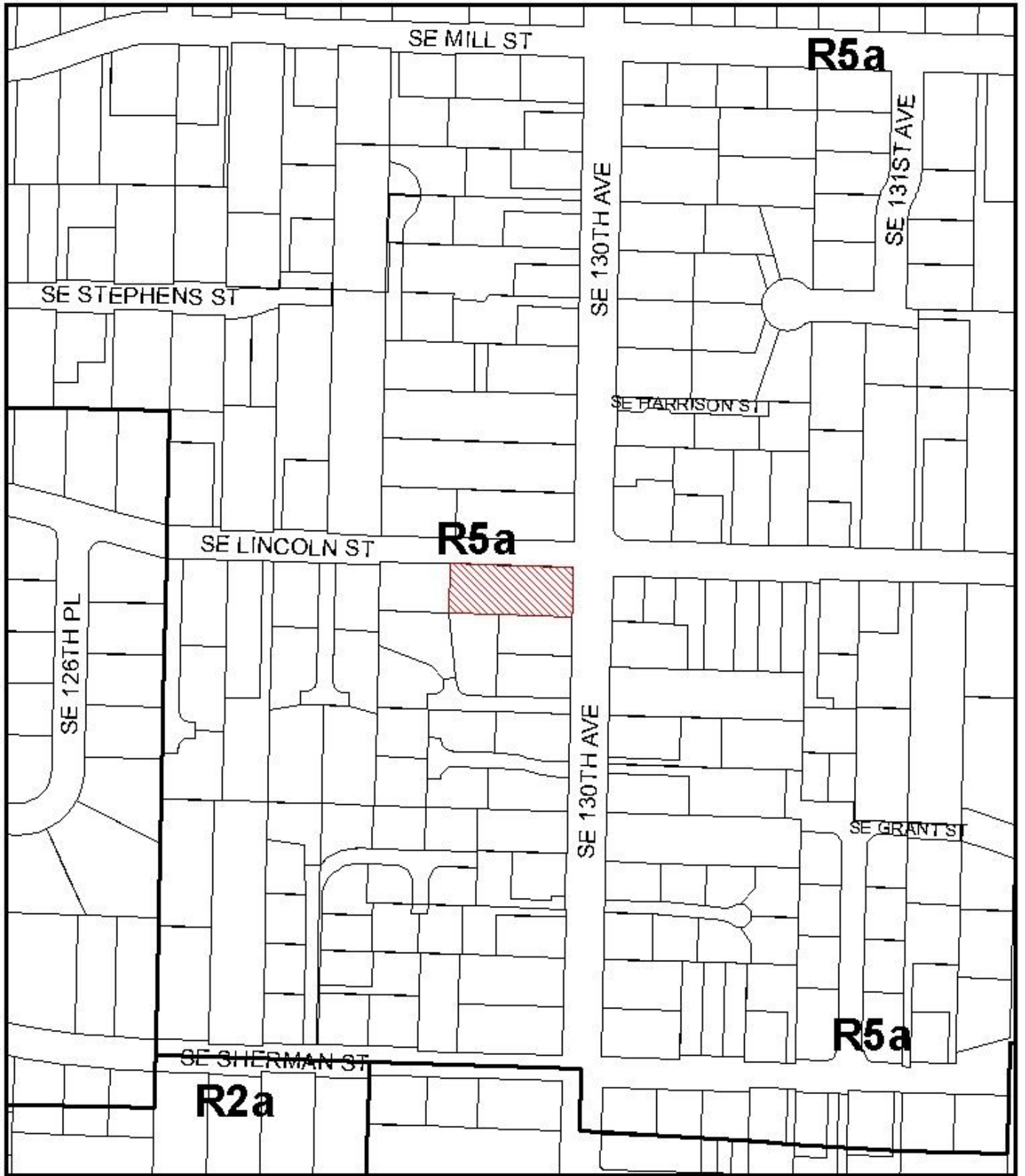
All other concurrent approvals expire three years from the date rendered, unless a building permit has been issued, or the approved activity has begun. Zone Change and Comprehensive Plan Map Amendment approvals do not expire.

## **EXHIBITS**

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Information
  1. Narrative Addressing Land Division Approval Criteria
  2. Narrative Addressing Adjustment Approval Criteria
  3. Stormwater Narrative & SIM Information
  4. Preliminary Land Division site plan
  5. Arborist Report
  6. Neighborhood Contact Letter
  7. Deed Information
  8. March 20, 2017 cover letter from applicant in response to incomplete letter
  9. March 20, 2017 Narrative Addressing Land Division Approval Criteria
  10. March 20, 2017 Narrative Addressing Adjustment Approval Criteria
  11. March 20, 2017 Fire Water Flow Information
  12. March 20, 2017 Preliminary Site & Utility Plan Proposal
- B. Zoning Map (attached)
- C. Plans/Drawings:
  1. Preliminary Land Division Site Plan & Tree Preservation Plan (attached)
  2. Original showing existing conditions with attached garage
- D. Notification information:
  1. Mailing list
  2. Mailed notice
  3. Renotice Mailing List
  4. Mailed Renotification
- 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. Life Safety Section of BDS
  7. Bureau of Parks, Forestry Division
- F. Correspondence: None
- G. Other:
  1. Original LU Application
  2. Signed Expedited Land Division Acknowledgement
  3. Multnomah County Permit 35254 and reference to BA 238-64
  4. Incomplete Letter dated November 15, 2016
  5. Map of surrounding areas showing different lot areas
  6. E-mail Communication with application from October 31, 2016- May 2017.

**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



File No. LU 16-264839 LDP AD  
 1/4 Section 3243  
 Scale 1 inch = 200 feet  
 State\_Id 1S2E02CD 9000  
 Exhibit B (Oct 28, 2016)

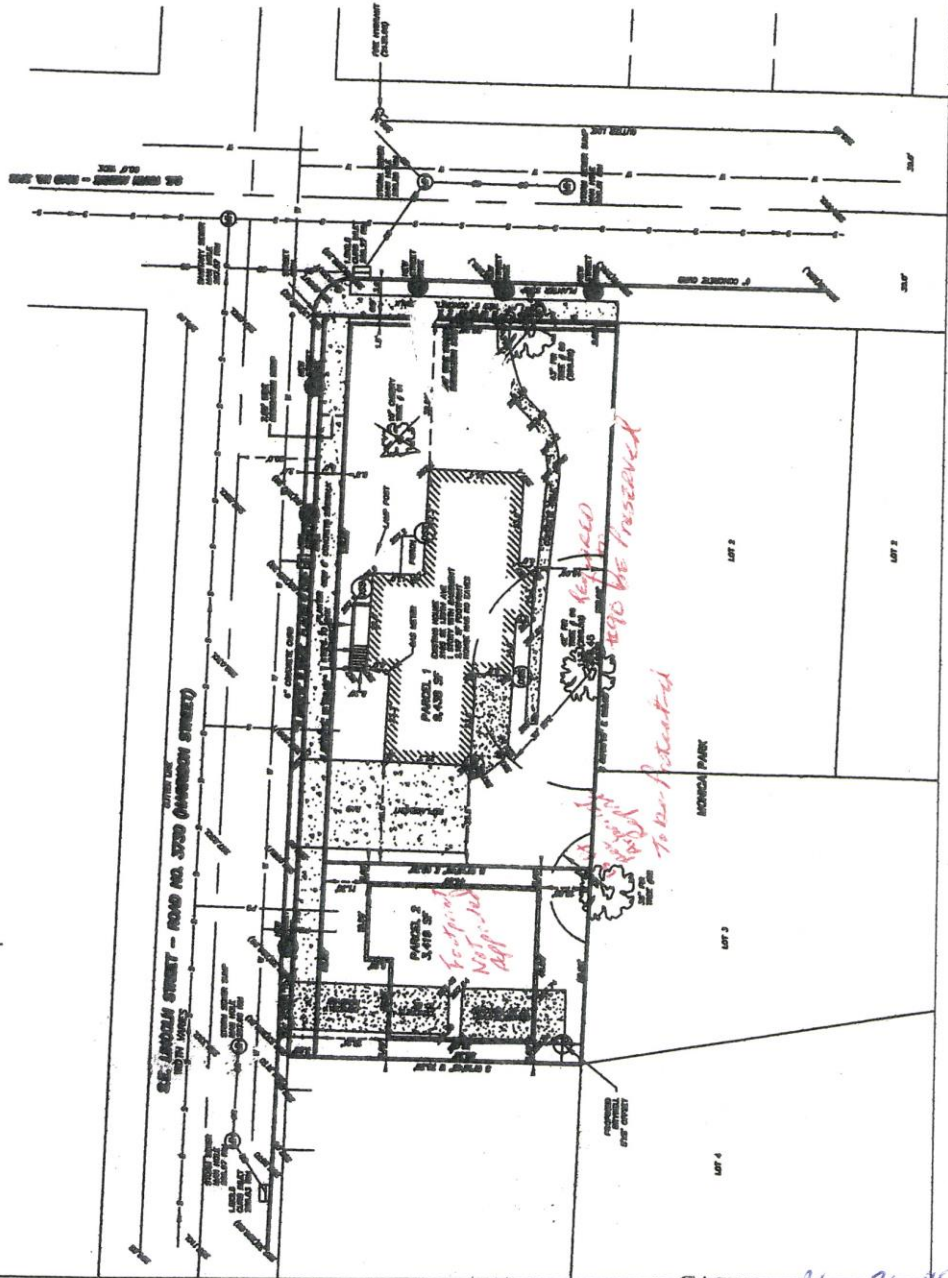
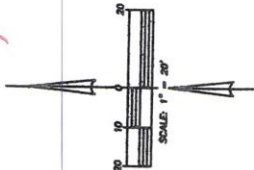
*Preliminary Land Division Site Plan  
for TREE Preservation Plan*

**EXISTING CONDITIONS, TREE SURVEY AND TENTATIVE PLAN  
FOR A PROPOSED PARTITION PLAT,  
E. 200' OF N. 75.39', LOT 1, BLOCK 2, DAGMAR ACRES.**

SITUATED IN THE S.W. 1/4 OF SECTION 2, T.1S., R.2E., W.M.  
MULTNOMAH CO., OREGON

**MARK ASSOCIATES**  
16615 E. BURNSIDE STREET  
PORTLAND, OR 97233  
TEL: 503-667-5550  
FAX: 503-668-8666  
EMAIL: DALE@MARKASSOCIATES.NET

DATE DRAWN: JULY 12, 2016  
DRAWING NO. 1600323C  
ACCOUNT NO. 160032  
REVISED: JULY 14, 2016  
REVISED: SEPTEMBER 30, 2016  
REVISED: DECEMBER 27, 2016  
REVISED: FEBRUARY 17, 2017  
REVISED: MARCH 8, 2017



- LEGEND**
- AS - ARCHITECTURAL SYMBOL
  - 14,333 SQUARE FEET
  - PARCEL 1: 1/4 AC. OF N. 75.39', LOT 1, BLOCK 2, DAGMAR ACRES. DOCUMENT NO. 2016-008940
  - BOUNDARY: IS CITY OF PORTLAND BOUNDARY AND THE NORTH CURVE, 5' WEST OF CENTERLINE, S.E. CORNER, ELEVATION IS 267.635, CITY OF PORTLAND DATA.
  - NOTES:
    - "1" - DEPCTS INTER METER.
    - "2" - DEPCTS CURB INLET, SIZE AS NOTED.
    - "3" - DEPCTS MANHOLE.
    - "4" - DEPCTS POWER POLE.
    - "5" - DEPCTS BOARD FENCE.
    - "6" - DEPCTS BOARD FENCE.
    - "7" - DEPCTS CHAIN LINK FENCE.
    - "8" - DEPCTS CHAIN LINK FENCE.
    - "9" - DEPCTS WINTER LINE.
    - "10" - DEPCTS STEER LINE.
    - "11" - DEPCTS GAS LINE.
    - "12" - DEPCTS GUTTER ELEVATION. (ELEVATION IS AT THE DECIMAL POINT)
    - "13" - DEPCTS TOP CURB/GUTTER ELEVATION.
    - "14" - DEPCTS OVERLINE ELEVATION. (ELEVATION IS AT THE DECIMAL POINT)
    - "15" - DEPCTS GROUND ELEVATION AT ITEM NOTED. (ELEVATION IS AT THE DECIMAL POINT)
    - "16" - DEPCTS SQUARE FEET.
    - "17" - DEPCTS DOWNSPOUT TO SURFACE.
    - "18" - DEPCTS DOWNSPOUT TO DRAIN.
    - "19" - DEPCTS WHEEL CHAIR RAMP.
    - "20" - DEPCTS PROPOSED UTILITY LINE.
    - "21" - DEPCTS PROPOSED STEER LINE.
- NOTE: UTILITIES ARE LOCATED AS SHOWN PER FIELD NOTES OR CITY OF PORTLAND AS BUILT DATA. ACTUAL LOCATION SHOULD BE DETERMINED BY FIELD SURVEY. UNDERGROUND UTILITIES ARE SURFACE MARKED.

CASE NO. *16-264839*  
EXHIBIT - *C.1 - C.11*  
*Reduced, C.1, 500'*