



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

Chloe Eudaly, Commissioner  
Rebecca Esau, Director  
Phone: (503) 823-7300  
Fax: (503) 823-5630  
TTY: (503) 823-6868  
[www.portlandoregon.gov/bds](http://www.portlandoregon.gov/bds)

**Date:** March 1, 2018  
**To:** Interested Person  
**From:** Ethan Brown, Land Use Services  
503-823-7920 / [Ethan.Brown@portlandoregon.gov](mailto:Ethan.Brown@portlandoregon.gov)

## **NOTICE OF A TYPE IX PROPOSAL IN YOUR NEIGHBORHOOD**

Development has been proposed in your neighborhood. The proposed development requires a land use review. The proposal, review process, and information on how to respond to this notice are described below. A copy of the site plan and zoning map is attached. I am the staff person handling the case. Please call me if you have questions regarding this proposal. Please contact the applicant if you have questions regarding any future development on the site.

Because we must publish our decision within 45 days, **we need to receive your written comments by 5 p.m. on April 2, 2018**. Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 18-114619 EN, in your letter. It also is helpful to address your letter to me, Ethan Brown. You can also e-mail your comments to me at my e-mail address identified above.

### **CASE FILE NUMBER: LU 18-114619 EN**

**Applicant/Owner:** Ali Young  
City of Portland – Bureau of Environmental Services  
400 SW 6th Avenue, Suite 200  
Portland, OR 97204

**Site Address:** [8227 SE 44TH AVENUE](#)

**Legal Description:** BLOCK 14 LOT 32-36, STANFORD HTS  
**Tax Account No.:** R790003670  
**State ID No.:** 1S2E19CC 05700  
**Quarter Section:** 3835  
**Neighborhood:** Ardenwald-Johnson Creek, contact Lisa Gunion-Rinker at [astrantialgr@gmail.com](mailto:astrantialgr@gmail.com). Woodstock, contact Ed Herrera at [ed4woodstock@gmail.com](mailto:ed4woodstock@gmail.com)

**Business District:** Woodstock Community Business Association, contact Ann Sanderson at [anndango@gmail.com](mailto:anndango@gmail.com).

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

**Plan District:** Johnson Creek Basin Plan District - Flood Risk Area  
**Other Designations:** Site 7 – *Johnson Creek Basin Protection Plan*; 100-Year Floodplain; Floodway

**Zoning:** *Base Zone:* Residential 5,000 (R5)  
*Overlay Zones:* Environmental Conservation (c) and Protection (p)

**Case Type:** EN – Environmental Review  
**Procedure:** Type IX, an administrative decision with appeal to the Oregon Land Use Board of Appeals (LUBA).

**Proposal:**

The Bureau of Environmental Services (BES) is proposing a fish enhancement and scour repair project at the Johnson Creek Oxbow at SE 44<sup>th</sup> Avenue and Umatilla Street. This section of streambank has been the subject of extensive and rapid erosion over the last five years. BES is concerned that further erosion will result in even more extensive property loss, as well as damage to the nearby right-of-way and upstream stormwater outfall. The goal of the project is to provide rearing and refuge habitat for Endangered Species Act (ESA) listed salmonids and to stabilize the stream bank to protect private property and public infrastructure. The project will provide low water and flood refugia for ESA-listed salmonids in Johnson Creek, and provide native vegetative cover to banks that are currently eroded and/or containing non-native/invasive plant species. Additionally, it will dissipate and redirect the high shear stresses currently causing bank erosion on-site.

This project is designed to halt bank migration towards private property, but also increase wood counts in the stream to more closely match historical quantities and geomorphology. The project will use large wood to dissipate the energy being directed to the river-right bank at the site, while simultaneously increasing habitat quality immediately during installation as pools are excavated and wood formation provides overhead cover for fish. Habitat is also created passively as the river responds to the structure through local scour, shifting channel planform, and sediment deposition.

BES is proposing to install 29 rootwads and 9 logs along 100 feet of the stream channel. The rootwads will extend out into the channel at an angle, dissipating flow energy as it is directed against the bank. Primary ballast will be provided by burial (backfill and fabric-encapsulated lifts (FES) lifts), with logs buried 20 to 25' in the bank. Those logs that will not be buried two thirds in length will be attached to other logs by fully-threaded rod. A two to four-foot scour pool will be excavated beneath the logs prior to installation. Slash generated onsite will be placed between the layers of larger logs to provide smaller interstitial spaces for juvenile salmonids. The bank behind the installed rootwads and logs will be laid back at a 3 to 1 grade and strengthened with biodegradable fabric-encapsulated soil lifts and native plantings. In addition, all graded slopes, floodplain benches, and disturbed areas will be revegetated with appropriate native species. All areas will be seeded, and the disturbed floodplain and adjacent impacted areas will include woody plantings.

Almost the entire project site is located within the environmental conservation (c) and environmental protection (p) overlay zones associated with Johnson Creek and its riparian area. Because the proposal requires construction activity within a water body (Johnson Creek), the proposal cannot meet the environmental development standard of 33.430.170.C.1 for resource enhancement projects within an environmental overlay zone. Therefore, environmental review of the proposed project is required.

**Relevant Approval Criteria:**

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

- **33.430.250.B – Resource enhancement projects**

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 January 30, 2018 and determined to be complete on February 26, 2018.

**DECISION MAKING PROCESS**

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

- Approve the proposal.
- Approve the proposal with conditions.
- Deny the proposal.

**We will mail you a copy of our decision only if you comment in writing to us at the City of Portland Bureau of Development Services, 1900 SW Fourth Ave., Suite 4500, Portland, OR 97201.** There will be no public hearing.

The neighborhood association listed on the first page of this notice may take a position on this application. They may also schedule an open meeting prior to making their recommendation to the Bureau of Development Services. Please contact the person listed as the neighborhood contact to determine the time and date of this meeting.

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. You may also find additional information about the City of Portland and City Bureaus, as well as a digital copy of the Portland Zoning Code, by visiting the City's homepage on the Internet at [www.portlandonline.com](http://www.portlandonline.com).

ORS 227.178 states the City must issue a final decision on Land Use Review applications within 120-days of the application being deemed complete. The 120-day review period may be extended at the request of the applicant.

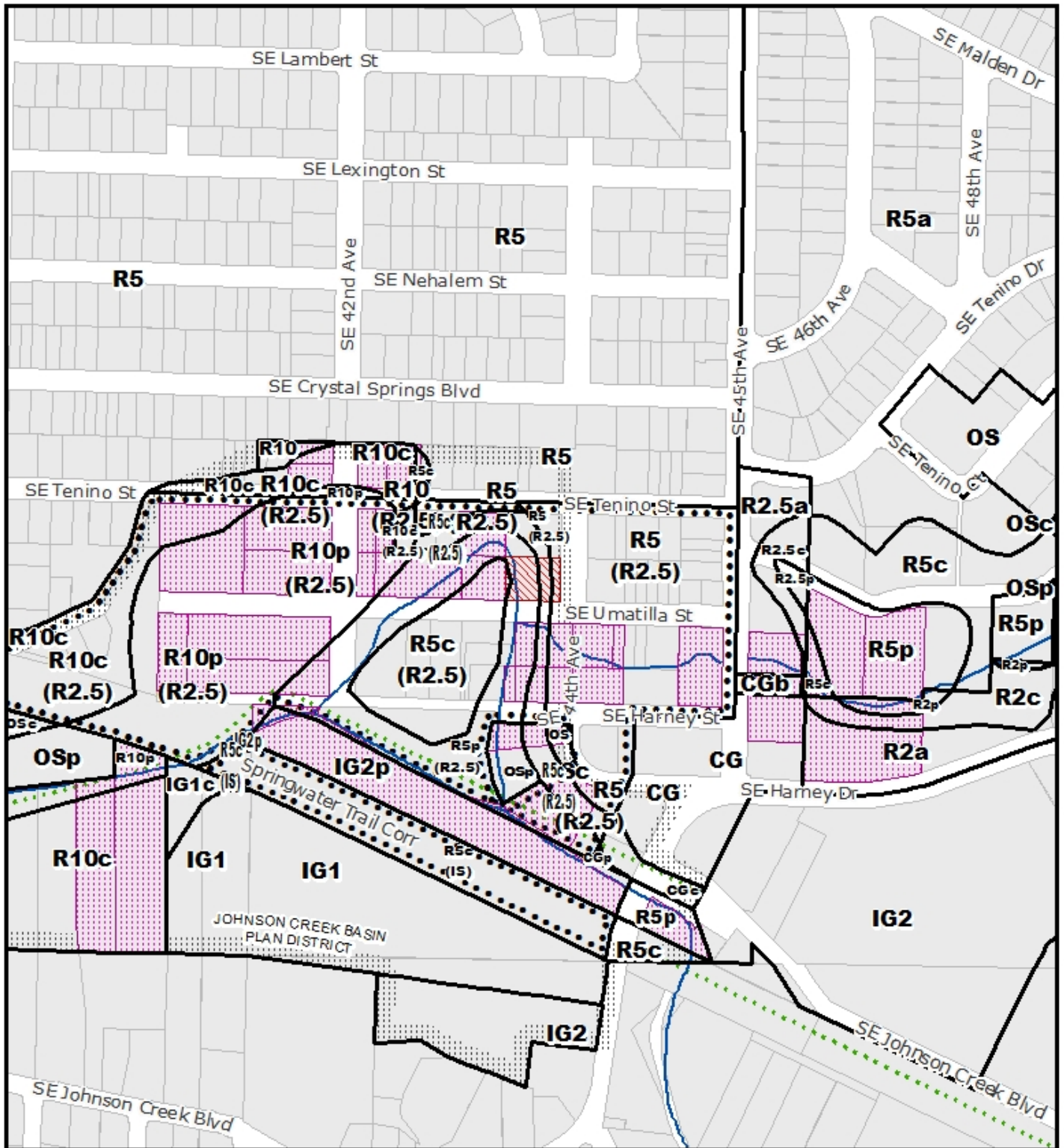
#### **APPEAL PROCESS**

If you disagree with the Bureau of Development Services administrative decision, you can appeal the decision to the Oregon Land Use Board of Appeals (LUBA) at 775 Summer St NE, Suite 330, Salem OR 97301-1283. The phone number for LUBA is 1-503-373-1265. Issues which may provide the basis for an appeal to LUBA must be raised in writing before the deadline for comments, or you may not be able to raise that issue in an appeal. If you do not raise an issue with enough specificity to give the Bureau of Development Services an opportunity to respond to it, that also may preclude an appeal to LUBA on that issue.

**The Bureau of Development Services is committed to providing equal access to information and hearings. Please notify us no less than five business days prior to the event if you need special accommodations. Call 503-823-7300 (TTY 503-823-6868).**

#### **Enclosures:**

Zoning Map  
Site Plan

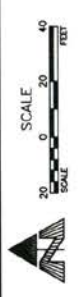
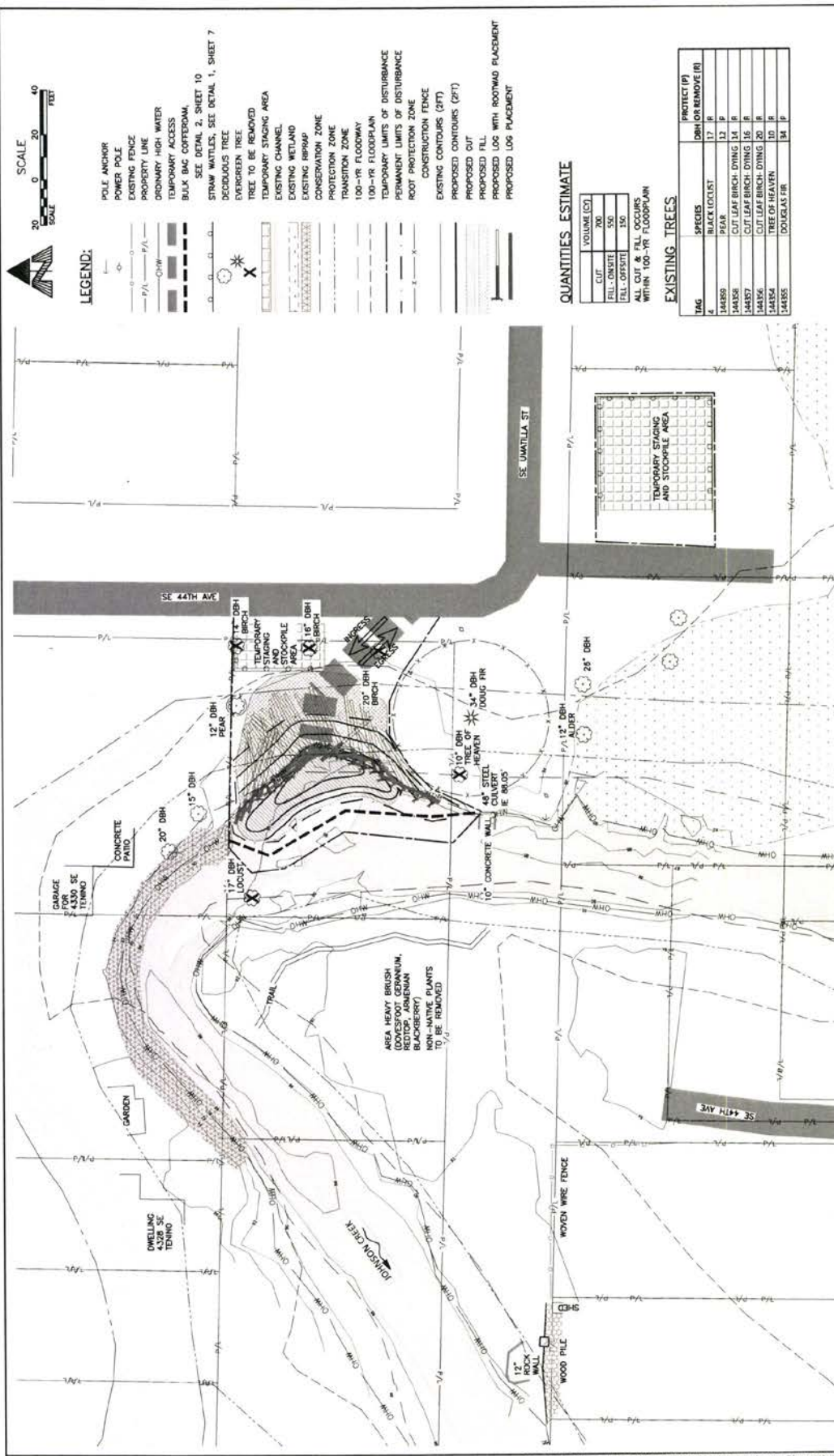


# ZONING

THIS SITE LIES WITHIN THE:  
 JOHNSON CREEK BASIN PLAN DISTRICT  
 FLOOD PLAIN SUBDISTRICT

-  Site
-  Also Owned Parcels
-  Stream
-  Recreational Trails

File No.	LU 18-114619 EN
1/4 Section	3835
Scale	1 inch = 300 feet
State ID	1S2E19CC 5700
Exhibit	B Feb 02, 2018



**LEGEND:**

- POLE ANCHOR
- POWER POLE
- EXISTING FENCE
- PROPERTY LINE
- ORDINARY HIGH WATER
- TEMPORARY ACCESS
- BULK BAG CORTERDAAM
- SEE DETAIL 2, SHEET 10
- STRAW MATTES, SEE DETAIL 1, SHEET 7
- DECIDUOUS TREE
- EVERGREEN TREE
- TREE TO BE REMOVED
- TEMPORARY STAGING AREA
- EXISTING CHANNEL
- EXISTING WETLAND
- EXISTING RIPRAP
- CONSERVATION ZONE
- PROTECTION ZONE
- TRANSITION ZONE
- 100-YR FLOODWAY
- 100-YR FLOODPLAIN
- TEMPORARY LIMITS OF DISTURBANCE
- PERMANENT LIMITS OF DISTURBANCE
- ROOT PROTECTION ZONE
- CONSTRUCTION FENCE
- EXISTING CONTOURS (2 FT)
- PROPOSED CONTOURS (2 FT)
- PROPOSED CUT
- PROPOSED FILL
- PROPOSED LOG WITH ROOTWAD PLACEMENT
- PROPOSED LOG PLACEMENT

**QUANTITIES ESTIMATE**

VOLUME (CY)	DESCRIPTION
CUT	700
FILL - ONSITE	550
FILL - OFFSITE	150

ALL CUT & FILL OCCURS WITHIN 100-YR FLOODPLAIN

**EXISTING TREES**

TAG	SPECIES	DBH IN (REMOVE)	PROTECT (P)
1A180	WAKE FOREST	13	P
1A185	CUT LEAF BIRCH DYING	14	P
1A187	CUT LEAF BIRCH DYING	16	P
1A186	CUT LEAF BIRCH DYING	20	P
1A184	TREE OF HEAVEN	30	P
1A185	DOUGLAS FIR	34	P

<p>DATE: 1/22/2018 4:15:11 PM NSHT</p> <p>PROJECT: JOHNSON CREEK OXBOW</p> <p>CONTRACTOR: J. JOHNSON CONSULTING</p> <p>PROJECT COMPLETED: 1/22/2018</p> <p>DATE COMPLETED BY: J. JOHNSON</p> <p>DATE: 1/22/2018 4:15:11 PM NSHT</p>	<p>NO. DATE</p> <p>DESCRIPTION</p> <p>REVISION</p>	<p>ISSUED BY: J. JOHNSON</p> <p>DESIGNED BY: J. JOHNSON</p> <p>CHECKED BY: J. JOHNSON</p> <p>DATE: 1/22/2018</p>	<p>DATE: 1/22/2018</p> <p>PROJECT: JOHNSON CREEK OXBOW</p> <p>CONTRACTOR: J. JOHNSON CONSULTING</p> <p>PROJECT COMPLETED: 1/22/2018</p> <p>DATE COMPLETED BY: J. JOHNSON</p> <p>DATE: 1/22/2018</p>	<p>DATE: 1/22/2018</p> <p>PROJECT: JOHNSON CREEK OXBOW</p> <p>CONTRACTOR: J. JOHNSON CONSULTING</p> <p>PROJECT COMPLETED: 1/22/2018</p> <p>DATE COMPLETED BY: J. JOHNSON</p> <p>DATE: 1/22/2018</p>	<p>DATE: 1/22/2018</p> <p>PROJECT: JOHNSON CREEK OXBOW</p> <p>CONTRACTOR: J. JOHNSON CONSULTING</p> <p>PROJECT COMPLETED: 1/22/2018</p> <p>DATE COMPLETED BY: J. JOHNSON</p> <p>DATE: 1/22/2018</p>
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**CITY OF PORTLAND ENVIRONMENTAL SERVICES**

**GREENWORKS**

501 FOREST AVENUE, SUITE 201  
PORTLAND, OREGON 97201  
PHONE: 503.241.3863  
WWW.GREENWORKS.POR.OREGON.GOV

**inter-fluve**

501 FOREST AVENUE, SUITE 201  
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**LAND USE REVIEW**

**JOHNSON CREEK OXBOW**  
**OXBOW SCOUR PROJECT**  
**CONSTRUCTION MANAGEMENT SITE PLAN**

DATE: 1/22/2018  
PROJECT: JOHNSON CREEK OXBOW  
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LU 18 - 114619 EN