



Portland City Auditor

Hearings Office

1900 SW 4<sup>th</sup> Avenue, Room 3100, Portland, OR 97201 phone: 503.823.7307  
www.portlandoregon.gov/hearings fax: 503.823.4347



## DECISION OF THE HEARINGS OFFICER

### I. GENERAL INFORMATION

**File Number:** LU 18-281565 ZC (Hearings Office 4190004)

**Applicant:** Scott Moore  
Mackenzie  
1515 SE Water Avenue, Suite 100  
Portland, OR 97214

**Property Owner:** 755 Portland Property LLC  
3520 Piedmont Road #410  
Atlanta, GA 30305

**Hearings Officer:** Kathryn Beaumont

**Bureau of Development Services (BDS) Staff Representative:** Andrew Gulizia

**Site Address:** 755 NE Columbia Boulevard

**Legal Description:** TL 400 3.34 ACRES, SECTION 11 1N 1E; TL 100 0.85 ACRES, SECTION 11 1N 1E; TL 700 16.31 ACRES, SECTION 11 1N 1E; TL 600 6.74 ACRES, SECTION 11 1N 1E; TL 900 9.48 ACRES LAND & IMPS SEE R315103 (R94111151) FOR MACH & EQUIP, SECTION 11 1N 1E; TL 100 0.54 ACRES, SECTION 11 1N 1E; TL 1000 0.71 ACRES, SECTION 11 1N 1E

**Tax Account Number:** R941110210, R941110690, R941110700, R941110920, R941111150, R941111310, R941111340

**State ID Number:** 1N1E11CB 00400, 1N1E11CB 00100, 1N1E11C 00700, 1N1E11C 00600, 1N1E11C 00900, 1N1E11CC 00100, 1N1E11C 01000

**Quarter Section:** 2131 and 2231

**Neighborhood:** Sunderland

**Business District:** Columbia Corridor Association

**District Neighborhood Coalition:** Central Northeast Neighbors

**Zoning:** IHhk / IHchk – Heavy Industrial (IH) base zone with Aircraft Landing (“h”), Prime Industrial (“k”), and Environmental Conservation (“c”) overlay zones

**Land Use Review:** Type III, ZC – Zoning Map Amendment Review

**BDS Staff Recommendation to Hearings Officer:** Approval.

**Public Hearing:** The hearing was opened at 1:33 p.m. on March 25, 2019, in the third floor hearing room, 1900 SW 4<sup>th</sup> Avenue, Portland, Oregon, and was closed at 2:00 p.m. The record was closed to all testimony and/or written submissions at the conclusion of the hearing.

**Testified at the Hearing:**

Andrew Gulizia  
Ty Wyman  
Ethan Stuckmayer

**Proposal:** The Applicant requests approval of a Type III Zoning Map Amendment Review to eliminate conditions of approval from a previous Zoning Map Amendment Review (LUR 93-00833 CU ZC). Requests to change conditions of approval from a prior land use review are processed using the current process and approval criteria for that land use review, per Zoning Code Section 33.730.140.A. This proposal would not change any of the zoning designations which currently apply to the site.

Pending the outcome of this review, the Applicant plans to redevelop the site with new warehouse buildings accessed from NE Grand Avenue. However, no redevelopment is proposed with this Zoning Map Amendment Review.

**Relevant Approval Criteria:** To be approved, this proposal must comply with the approval criteria of Title 33, Portland Zoning Code. The applicable approval criteria are in Zoning Code Section 33.855.050.A-E.

The City’s 2035 Comprehensive Plan has been appealed. Because Zoning Code Section 33.855.050.A-E is currently an “unacknowledged land use regulation,” this proposal must also comply with applicable Statewide Planning Goals.

## II. ANALYSIS

**Zoning code approval criteria (Portland City Code [PCC] 33.855.050):** Under the zoning code, this request to eliminate six conditions of a prior zoning map amendment review for this site, LU 93-00833 CU ZC (1995), must be reviewed using the current process and approval criteria for zoning map amendment reviews. The current process is a Type III review and the applicable approval criteria are contained in PCC 33.855.050.A-E. To be approved, the Applicant’s proposal must satisfy all of these approval criteria.

**Oregon Statewide Planning Goals:** PCC 33.855.050 implements the City's 2035 Comprehensive Plan. The Plan has been appealed and, as a result, PCC 33.855.050 is considered to be an "unacknowledged land use regulation." For this reason, the Applicant's proposal must also comply with the applicable statewide planning goals.

The BDS Administrative Staff Report and Recommendation dated March 14, 2019 addresses the approval criteria in PCC 33.855.050 and the applicable statewide planning goals. In that report and recommendation, BDS makes affirmative findings that the Applicant's proposal to eliminate previous conditions of approval complies with all applicable approval criteria and statewide planning goals. At the public hearing, the Applicant accepted those findings and expressed complete agreement with the staff report and recommendation.

The Hearings Officer concludes that the affirmative findings in the BDS Staff Report and Recommendation show the Applicant's proposal to eliminate six conditions of approval imposed by a previous zoning map amendment review, LU 93-00833 CU ZC (1995), satisfies the approval criteria in PCC 33.855.050.A-E and complies with the applicable statewide planning goals. The Hearings Officer adopts and incorporates as her own the affirmative findings in the BDS Staff Report and Recommendation, attached to this decision.

### III. CONCLUSIONS

In this zoning map amendment review, the Applicant proposes to remove six conditions of approval imposed by a previous zoning map amendment decision, LU 93-00833 CU ZC (1995). The Applicant's proposal does not change any of the zoning designations that apply to the site. The conditions to be removed are no longer relevant and future development of the site will be governed by the City's current development standards. The City's infrastructure bureaus have determined that public services are available and adequate to serve the site. Based on the evidence the Applicant submitted in support of its application and the BDS Staff Report and Recommendation, the Applicant's proposal satisfies the approval criteria in PCC 33.855.050.A-E and complies with the applicable statewide planning goals.

### IV. DECISION

Based on the findings in Section II above, the Applicant's application for a Zoning Map Amendment Review to remove the conditions of approval imposed by LUR 93-00833 CU ZC is **Approved**.

*Kathryn S. Beaumont*

\_\_\_\_\_  
Kathryn Beaumont, Hearings Officer

*April 1, 2019*

\_\_\_\_\_  
Date

<b>Application Determined Complete:</b>	February 4, 2019
<b>Report to Hearings Officer:</b>	March 15, 2019
<b>Decision Mailed:</b>	April 1, 2019
<b>Last Date to Appeal:</b>	4:30 p.m. on April 15, 2019
<b>Effective Date (if no appeal):</b>	April 16, 2019

**Conditions of Approval.** 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.

**Appeal of the decision.** ANY APPEAL OF THE HEARINGS OFFICER'S DECISION MUST BE FILED AT 1900 SW 4<sup>TH</sup> AVENUE, PORTLAND, OREGON 97201. Appeals can be filed at the 5<sup>th</sup> floor reception desk, Monday through Friday between 8:00 a.m. and 4:30 p.m. **An appeal fee of \$2,940.00 will be charged (one-half of the application fee for this case, up to a maximum of \$5,000.00).** Information and assistance in filing an appeal can be obtained from the Bureau of Development Services at the Development Services Center.

**Who can appeal:** You may appeal the decision only if you wrote a letter which is received before the close of the record on hearing or if you testified at the hearing, or if you are the property owner or applicant. If you or anyone else appeals the decision of the Hearings Officer, only evidence previously presented to the Hearings Officer will be considered by the City Council.

**Appeal Fee Waivers:** Neighborhood associations recognized by the Office of Neighborhood Involvement may qualify for a waiver of the appeal fee provided that the association has standing to appeal. The appeal must contain the signature of the Chair person or other person authorized by the association, confirming the vote to appeal was done in accordance with the organization's bylaws.

Neighborhood associations, who wish to qualify for a fee waiver, must complete the Type III Appeal Fee Waiver Request for Organizations Form and submit it prior to the appeal deadline. The Type III Appeal Fee Waiver Request for Organizations Form contains instructions on how to apply for a fee waiver, including the required vote to appeal.

**Recording the final decision.** If this Land Use Review is approved the final decision will be recorded with the Multnomah County Recorder. The applicant, builder, or a representative does not need to record the final decision with the Multnomah County Recorder.

For further information on your recording documents please call the Bureau of Development Services Land Use Services Division at 503-823-0625.

**Expiration of approval.** Zoning Map Amendment approvals do not expire.

**Applying for your permits.** A building permit, occupancy permit, or development permit may be required before carrying out an approved project. At the time they apply for a permit, permittees must demonstrate compliance with:

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

**EXHIBITS**  
Not Attached Unless Indicated

- A. Applicant's Statement
  - 1. Original narrative
  - 2. Letter re: Transportation Planning Rule, dated December 21, 2018
  - 3. Limited liability company documentation
  - 4. Letter in response to incompleteness determination letter, received February 4, 2019
  - 5. Revised narrative, received February 4, 2019
- B. Zoning Map
- C. Plans/Drawings
  - 1. Utility plan
- D. Notification Information
  - 1. Request for Response
  - 2. Posting letter sent to applicant, dated February 8, 2018
  - 3. Applicant's statement certifying posting
  - 4. Mailing list for Notice of Public Hearing
  - 5. Mailed Notice of Public Hearing, dated February 25, 2018
- E. Agency Responses
  - 1. Bureau of Environmental Services
  - 2. Portland Bureau of Transportation
  - 3. Water Bureau
  - 4. Fire Bureau
  - 5. Police Bureau
  - 6. Site Development Review Section of BDS
  - 7. Life Safety Review Section of BDS
  - 8. Bureau of Parks, Urban Forestry Division
- F. Correspondence – none received
- G. Other
  - 1. Land use application form and receipt
  - 2. Incompleteness determination letter, dated January 11, 2019
  - 3. PBOT completeness review memo, dated January 14, 2019
  - 4. Pre-Application Conference (EA 18-248842) memo
  - 5. LUR 93-00833 CU ZC findings and decision
- H. Received in the Hearings Office
  - 1. Hearing Notice - Gulizia, Andrew
  - 2. Staff Report - Gulizia, Andrew (**attached**)
  - 3. Record Closing Information - Hearings Office



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

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

**STAFF REPORT AND RECOMMENDATION TO THE HEARINGS OFFICER**

**CASE FILE:** LU 18-281565 ZC  
 (PC # 18-248842)  
**REVIEW BY:** Hearings Officer  
**WHEN:** March 25, 2019 at 1:30pm  
**WHERE:** 1900 SW Fourth Ave., Suite 3000  
 Portland, OR 97201

It is important to submit all evidence to the Hearings Officer. City Council will not accept additional evidence if there is an appeal of this proposal.

**BUREAU OF DEVELOPMENT SERVICES STAFF: ANDREW GULIZIA / ANDREW.GULIZIA@PORTLANDOREGON.GOV**

**GENERAL INFORMATION**

**Applicant:** Scott Moore  
 Mackenzie  
 1515 SE Water Ave., Ste. 100  
 Portland, OR 97214

**Property Owner:** 755 Portland Property LLC  
 3520 Piedmont Rd. #410  
 Atlanta, GA 30305

**Site Address:** 755 NE Columbia Blvd.

**Legal Description:** TL 400 3.34 ACRES, SECTION 11 1N 1E; TL 100 0.85 ACRES, SECTION 11 1N 1E; TL 700 16.31 ACRES, SECTION 11 1N 1E; TL 600 6.74 ACRES, SECTION 11 1N 1E; TL 900 9.48 ACRES LAND & IMPS SEE R315103 (R941111151) FOR MACH & EQUIP, SECTION 11 1N 1E; TL 100 0.54 ACRES, SECTION 11 1N 1E; TL 1000 0.71 ACRES, SECTION 11 1N 1E

**Tax Account No.:** R941110210, R941110690, R941110700, R941110920, R941111150, R941111310, R941111340

**State ID No.:** 1N1E11CB 00400, 1N1E11CB 00100, 1N1E11C 00700, 1N1E11C 00600, 1N1E11C 00900, 1N1E11CC 00100, 1N1E11C 01000

**Quarter Section:** 2131 & 2231

**Neighborhood:** Sunderland, contact CNEN at 503-823-3157

**Business District:** Columbia Corridor Association, contact at [info@columbiacorridor.org](mailto:info@columbiacorridor.org)

**District Coalition:** Central Northeast Neighbors, contact Sandra Lefrancois at 503- 823-2780

**Zoning:** IHhk / IHchk – Heavy Industrial (IH) base zone with Aircraft Landing (“h”), Prime Industrial (“k”), and Environmental Conservation (“c”) overlay zones

**Case Type:** ZC – Zoning Map Amendment Review

**Procedure:** Type III, with a public hearing before the Hearings Officer. The decision of the Hearings Officer can be appealed to City Council.

**REC'D HEARINGS OFFICE**  
**FR. MAR 15 '19 AM 8:32**

**Proposal:** The applicant requests approval of a Type III Zoning Map Amendment Review to eliminate conditions of approval from a previous Zoning Map Amendment Review (LUR 93-00833 CU ZC). Requests to change conditions of approval from a prior land use review are processed using the current process and approval criteria for that land use review, per Zoning Code Section 33.730.140.A. This proposal would not change any of the zoning designations which currently apply to the site.

Pending the outcome of this review, the applicant plans to redevelop the site with new warehouse buildings accessed from NE Grand Avenue. However, no redevelopment is proposed with this Zoning Map Amendment Review.

**Relevant Approval Criteria:** To be approved, this proposal must comply with the approval criteria of Title 33, Portland Zoning Code. The applicable approval criteria are in Zoning Code Section 33.855.050.A-E.

The City's 2035 Comprehensive Plan has been appealed. Because Zoning Code Section 33.855.050.A-E is currently an "unacknowledged land use regulation," this proposal must also comply with applicable Statewide Planning Goals.

## ANALYSIS

**Site and Vicinity:** The subject site includes 7 tax lots and totals about 33 acres in area. The site is located on the south bank of the Columbia Slough, just east of NE Martin Luther King, Jr. Boulevard. The site has street frontage on NE Columbia Boulevard to the south and NE Grand Avenue to the west. NE Grand Avenue is an unpaved roadway. The site slopes gradually downward from south to north, with a steep drop toward the Columbia Slough at the northern edge of the site. The site is currently developed with several industrial buildings which the applicant intends to demolish. Neighboring properties are developed with industrial uses.

**Zoning:** The site is designated with the IH (Heavy Industrial) base zone. The IH zone is one of the zones that implement the Industrial Sanctuary map designation of the Comprehensive Plan. The zone provides areas where all kinds of industries may locate, including those not desirable in other zones due to their objectionable impacts or appearance.

The Aircraft Landing ("h") overlay zone provides safer operating conditions for aircraft near Portland International Airport by limiting the height of structures and vegetation. The "h" overlay regulations do not affect this application.

The Prime Industrial ("k") overlay zone protects prime industrial lands by limiting certain non-industrial uses and prohibiting zone changes to non-industrial zones. The "k" overlay regulations do not affect this application.

The Environmental Conservation ("c") overlay zone applies to the northern portion of the site near the Columbia Slough. The "c" overlay is intended to conserve important environmental features and resources while still allowing compatible development. The "c" overlay regulations do not affect this application.

**Land Use Review History:** With some exceptions, conditions of approval from land use reviews applied for after January 1, 1981 continue to apply, as detailed in Zoning Code Section 33.700.110.B. Below are the prior land use reviews for the subject site since 1981:

- LUR 01-00656 EN: 2002 Environmental Review approval for an outfall pipe to discharge stormwater to the Columbia Slough. Conditions of approval required new trees, shrubs, and ground cover plants within the "c" overlay zone. These conditions of approval continue to apply, and the applicant has not requested to modify them.
- LUR 97-00801 AD: 1997 Adjustment Review approval to reduce the amount of landscaped area required by the nonconforming upgrades standard. Conditions of approval required new landscaping in certain areas of the site. These conditions of approval continue to apply, and the applicant has not requested to modify them.
- LUR 93-00833 CU ZC: 1995 approval of a Zoning Map Amendment Review to modify conditions of approval from previous land use reviews. The current Zoning Map Amendment Review proposal is to remove the five conditions of approval imposed in LUR 93-00833 CU ZC:

*A. The agreement extending the term of Building Permit 92-101129 is null and void.*

Building permit 92-101129 was for grading and fill on the subject site. City records indicate this permit was applied for in 1992 but never issued. Regardless, staff finds this permit has no bearing on future development on the site, which will require new building permits to be reviewed against current standards. Staff finds that condition of approval A should be deleted.

*B. Use of fill described as "Phase I" in Building Permit 92-101129 is limited to exterior storage and display.*

Condition B was imposed because the LUR 93-00833 applicant's proposal was to use a filled area for storage of large concrete products. A finding was made that police and fire protection was adequate for this use because the products were inflammable and too large to be easily stolen. Demolition permits have been issued for the current development on the site, and staff finds no reason for this condition of approval to constrain future redevelopment. The Fire Bureau and Police Bureau both responded with no objections to the proposal (Exhibits E-4 and E-5, respectively). Therefore, staff finds that condition of approval B should be deleted.

*C. The owner of record shall execute street and storm waivers of remonstrance against the future formation of a local improvement district for NE Grand Avenue.*

This condition of approval was imposed because the LUR 93-00833 applicant was not required to make improvements to NE Grand Avenue at that time. The applicant for the current review has been working with the Portland Bureau of Transportation (PBOT) on a redevelopment proposal that will require the applicant to construct improvements to NE Grand Avenue. The applicant did not find a record of an executed waiver of remonstrance (Exhibit A-5, page 8), but agrees that if such a document was recorded the applicant is bound by it. PBOT staff indicated their data shows a waiver of remonstrance was executed, but PBOT did not have a copy.

In any case, staff finds the reason condition of approval C was imposed is no longer relevant because PBOT will require the applicant to improve NE Grand Avenue with their redevelopment proposal. Therefore, staff finds condition of approval C should be deleted in reliance on PBOT's current requirements for street improvements.

- D. Access from the site to NE Grand Avenue must be physically blocked by permanent fencing. The applicant must obtain a building permit to close an existing gate connection to NE Grand Avenue. The existing gates must be replaced by permanent fencing.*

This condition of approval was imposed because the LUR 93-00833 applicant wanted to access the site only from NE Columbia Boulevard and avoid having to improve NE Grand Avenue. The applicant for the current review has been working with PBOT on a redevelopment proposal that would be accessed from NE Grand Avenue, and PBOT will require the applicant to construct improvements to NE Grand Avenue. PBOT reviewed this Zoning Map Amendment proposal and responded with no objections to approval (Exhibit E-2). Therefore, staff finds condition of approval D should be deleted in reliance on PBOT's current requirements for access and street improvements.

- E. By October 1, 1994, a ten-foot-wide native vegetation buffer must be planted within the transition area of the environmental conservation zone. This buffer must meet the L3, High Screen, development standard, but a wall must not be substituted for the required shrubs. Planting must be in accord with the standards of 33.248.090. Selected native trees, shrubs, and ground covers must be listed as riparian on the Portland Plant List.*

This condition of approval was related to stormwater management. At the time this condition of approval was imposed, stormwater from the site drained through the environmental zone and directly into the Columbia Slough. The site now has access to dedicated storm sewers (Exhibit E-1), and the Bureau of Environmental Services (BES) will require new development on the site to comply with current stormwater management requirements. The environmental zone requirements in Zoning Code Chapter 33.430 will also apply to new development. Since the conditions that led to condition of approval E have changed, and since BES has no objection to its removal in reliance on current standards (Exhibit E-1), staff finds condition of approval E should be deleted.

- F. Applicants must not request the release of the \$127,000 performance bond, nor shall the City release such bond, until conditions C, D, and E listed above have been met, and consequently, the potential need to act on the bond is resolved.*

In 1990, the City received a \$127,000 performance bond for street improvements to NE Grand Avenue. The bond money was intended for the City to construct the street improvements if the property owner did not. LUR 93-00833 approved waiving the required street improvements to NE Grand Avenue subject to the conditions of approval listed here. The applicant for the current review did not post the bond and states they are not requesting its release (Exhibit A-5). In any case, PBOT staff indicated it's likely the bond company has expired the bond by now. The applicant for the current review has been working with PBOT on a redevelopment proposal that will require the applicant to construct improvements to NE Grand Avenue. For these reasons, staff finds that condition of approval F is no longer relevant and should be deleted.

[Note: The "CU" in the LUR 93-00833 CU ZC file name refers to "Conditional Use," probably because the land use review prior to that one was CU 17-89 (discussed below). However, LUR 93-00833 CU ZC was processed as a Zoning Map Amendment Review and was not reviewed against any Conditional Use approval criteria (Exhibit G-5). For this reason, and since the conditions of approval from CU 17-89 no longer apply (as explained below), staff finds the current proposal should be reviewed against the Zoning Map Amendment Review approval criteria pursuant to Zoning Code Section 33.730.140.A.]

- CU 17-89: 1989 Conditional Use Review approval for a 20,000-cubic-yard fill. The Zoning Code no longer requires Conditional Use Review for fill projects. Therefore, conditions of approval from CU 17-89 no longer apply, per Zoning Code Section 33.700.110.B.2.b.

Generally, conditions of approval from land use reviews prior to 1981 no longer apply, as detailed in Zoning Code Section 33.700.110.A. The following land use reviews for the site were from before 1981:

- PC 6913: 1980 zone change approval from M2L to M1L.
- PC 6362: 1975 zone change approval from C2L to M2L.
- CU 63-73: 1973 Conditional Use Review approval for a demolition debris landfill.
- PC 5623: 1970 adoption of M1L zoning for a portion of the site that had been recently annexed.
- PC 5045: 1963 adoption of C2L zoning for a portion of the site that had been recently annexed.

The applicant's narrative (Exhibit A-5) requests approval of modifications to conditions of approval from PC 6362 (referenced as Ordinance 139442) and PC 6913 (referenced as Ordinances 149062 and 149396). In their letter in Exhibit A-4, the applicant states the conditions of approval from PC 6362 and PC 6913 were reestablished in LUR 93-00833 CU ZC and are therefore still in effect. The applicant notes this is the direction they were given from the Pre-Application Conference memo for this project (Exhibit G-4).

After further consideration, staff finds that LUR 93-00833 CU ZC did not reestablish conditions of approval from prior reviews, and that all of the conditions of approval from before 1981 should be considered void.

Zoning Code Section 33.700.110.A states:

- A. *Conditions of approval prior to 1981. Conditions of approval for a land use review applied for prior to 1981 no longer apply to a site, except for conditions on all types of land divisions, Planned Unit Developments (PUD), or any other quasi-judicial review approved in association with a land division or PUD.*

None of the prior land use reviews for this site included land divisions or Planned Unit Developments.

Staff's practice is to consider prior conditions of approval to be reestablished by a land use decision only when those conditions of approval are explicitly referenced and/or repeated in the decision language. The final decision from LUR 93-00833 CU ZC does not do this (Exhibit G-5). The decision language from LUR 93-00833 CU ZC only applies the five conditions of approval listed above.

For these reasons, staff did not address the conditions of approval from PC 6362 and PC 6913 in this staff report and recommendation.

**Agency Review:** A “Request for Response” was sent February 7, 2019. The following Bureaus have responded:

- The Bureau of Environmental Services (BES) evaluated the approval criterion related to sanitary sewer service and stormwater disposal. The response is referenced in the findings for Zoning Code Section 33.855.050.B.2.b, below. (Exhibit E-1)
- The Portland Bureau of Transportation (PBOT) evaluated the approval criteria related to the transportation system. The response is referenced in the findings for Zoning Code Section 33.855.050.B.2.c, below. (Exhibit E-2)
- The Water Bureau responded with information on water service and raised no objections to the proposal. (Exhibit E-3)
- The Fire Bureau noted that fire safety requirements would apply to future building permit reviews but raised no objections to the current proposal. (Exhibit E-4)
- The Police Bureau stated that police services are adequate for the proposed change. (Exhibit E-5)
- The Site Development Review Section of BDS responded with no concerns. (Exhibit E-6)
- The Life Safety Review Section of BDS responded with no concerns. (Exhibit E-7)
- The Urban Forestry Division of Portland Parks & Recreation responded with no concerns. (Exhibit E-8)

**Neighborhood Review:** A “Notice of Public Hearing” was mailed on February 25, 2019. As of the date of this report, staff has received no correspondence from the Neighborhood Association or from notified neighbors in response to the “Notice of Public Hearing.”

## **ZONING CODE APPROVAL CRITERIA**

### **33.855.050 Approval Criteria for Base Zone Changes**

An amendment to the base zone designation on the Official Zoning Maps will be approved (either quasi-judicial or legislative) if the review body finds that the applicant has shown that all of the following approval criteria are met:

- A. Compliance with the Comprehensive Plan Map.** The zone change is to a corresponding zone of the Comprehensive Plan Map. When the Comprehensive Plan Map designation has more than one corresponding zone, it must be shown that the proposed zone is the most appropriate, taking into consideration the purposes or characteristics of each zone and the zoning pattern of surrounding land.

**Findings:** The subject site is zoned IH (Heavy Industrial), which complies with the site’s Industrial Sanctuary designation on the Comprehensive Plan Map. The applicant has applied for Zoning Map Amendment Review only to remove conditions of approval from a previous Zoning Map Amendment Review. No change to the existing IH zoning for the site is proposed. Since the zoning for the site will continue to comply with the Comprehensive Plan Map, this criterion is met.

**B. Adequate public services.**

1. Adequacy of services applies only to the specific zone change site.
2. Adequacy of services is determined based on performance standards established by the service bureaus. The burden of proof is on the applicant to provide the necessary analysis. Factors to consider include the projected service demands of the site, the ability of the existing and proposed public services to accommodate those demand numbers, and the characteristics of the site and development proposal, if any.
  - a. Public services for water supply, and capacity, and police and fire protection are capable of supporting the uses allowed by the zone or will be capable by the time development is complete.

**Findings:** The Water Bureau reviewed the application and responded with information on available water service and with no objections to approval (Exhibit E-3). The Fire Bureau also reviewed the proposal and responded with no objections (Exhibit E-4). The Police Bureau reviewed the proposal and stated that police are capable of serving the site with the proposed change (Exhibit E-5). Staff finds this criterion is met.

As noted above, condition of approval B from LUR 93-00833 was related to findings for the police and fire protection elements of approval criterion B (Adequate Public Services). However, as explained above under "Land Use Review History," staff finds this condition of approval is no longer relevant.

- b. Proposed sanitary waste disposal and stormwater disposal systems are or will be made acceptable to the Bureau of Environmental Services. Performance standards must be applied to the specific site design. Limitations on development level, mitigation measures or discharge restrictions may be necessary in order to assure these services are adequate.

**Findings:** The Bureau of Environmental Services (BES) found the site has access to both sanitary and stormwater sewers and noted that future development would be subject to BES requirements for sanitary waste and stormwater disposal. BES also noted that no new development is proposed with this land use application, and that BES has no objections to approval. Staff finds this criterion is met.

Condition of approval E from LUR 93-00833 was related to findings for the stormwater disposal element of approval criterion B (Adequate Public Services). However, as explained above under "Land Use Review History," staff finds this condition of approval is no longer relevant.

- c. Public services for transportation system facilities are capable of supporting the uses allowed by the zone or will be capable by the time development is complete. Transportation capacity must be capable of supporting the uses allowed by the zone by the time development is complete, and in the planning period defined by the Oregon Transportation Rule, which is 20 years from the date the Transportation System Plan was adopted. Limitations on development level or

mitigation measures may be necessary in order to assure transportation services are adequate.

**Findings:** PBOT reviewed the proposal and submitted the following response (Exhibit E-2):

*PBOT staff has reviewed the applicant's narrative relative to the transportation related approval criteria and concurs with the Transportation Planning Rule analysis [Exhibit A-2], the existing transportation system facilities in the vicinity of the subject site provide adequate access and circulation to support the allowable uses in the IH zone. This criterion is met.*

...

**RECOMMENDATION:**

*No objection to approval.*

Based on these findings from PBOT, staff finds this criterion is met.

Conditions of approval C and D from LUR 93-00833 were related to findings for the transportation element of approval criterion B (Adequate Public Services). However, as explained above under "Land Use Review History," staff finds these conditions of approval are no longer relevant.

- d. The school district within which the site is located has adequate enrollment capacity to accommodate any projected increase in student population over the number that would result from development in the existing zone. This criterion applies only to sites that are within a school district that has an adopted school facility plan that has been acknowledged by the City of Portland.

**Findings:** Currently, the David Douglas School District is the only school district with a City-acknowledged school facility plan. Since the subject site is not within the David Douglas School District, this criterion is not applicable.

3. Services to a site that is requesting rezoning to IR Institutional Residential, will be considered adequate if the development proposed is mitigated through an approved impact mitigation plan or conditional use master plan for the institution.

**Findings:** No rezoning to IR is proposed. Therefore, this criterion is not applicable.

**C. When the requested zone is IR, Institutional Residential.** In addition to the criteria listed in subsections A. and B. of this Section, a site being rezoned to IR, Institutional Residential must be under the control of an institution that is a participant in an approved impact mitigation plan or conditional use master plan that includes the site. A site will be considered under an institution's control when it is owned by the institution or when the institution holds a lease for use of the site that covers the next 20 years or more.

**Findings:** No rezoning to IR is proposed. Therefore, this criterion is not applicable.

**D. When the requested zone change is CI1 or CI2.** When the requested zone change is CI1 or CI2, a Transportation Impact Review is required as part of the zoning map amendment.

**Findings:** No rezoning to C11 or CI2 is proposed. Therefore, this criterion is not applicable.

**E. Location.** The site must be within the City's boundary of incorporation. See Section 33.855.080.

**Findings:** The site is within the City's boundary of incorporation. Zoning Code Section 33.855.080 discusses automatic Zoning Map Amendments for newly annexed properties, but the tax lots within the subject site were annexed to the City of Portland between 1965 and 1971. This criterion is met.

## **OREGON STATEWIDE PLANNING GOALS**

### Goal 1: Citizen Involvement

Goal 1 calls for "the opportunity for citizens to be involved in all phases of the planning process." It requires each city and county to have a citizen involvement program containing six components specified in the goal. It also requires local governments to have a Committee for Citizen Involvement (CCI) to monitor and encourage public participation in planning.

**Findings:** The City of Portland maintains an extensive citizen involvement program which complies with all relevant aspects of Goal 1, including specific requirements in Zoning Code Chapter 33.730 for public notice of land use review applications that seek public comment on proposals. There are opportunities for the public to testify at a local hearing on land use proposals for Type III land use review applications. For this application, a written notice seeking comments on the proposal and notifying recipients of the public hearing was mailed to property owners and tenants within 400 feet of the site and to recognized organizations within 1,000 of the site. Additionally, the site was posted with notices describing the proposal and announcing the public hearing. The public notice requirements for this application have been met, and nothing about this proposal affects the City's ongoing compliance with Goal 1. Therefore, the proposal is consistent with this goal.

### Goal 2: Land Use Planning

Goal 2 outlines the basic procedures of Oregon's statewide planning program. It states that land use decisions are to be made in accordance with a comprehensive plan, and that suitable "implementation ordinances" to put the plan's policies into effect must be adopted. It requires that plans be based on "factual information"; that local plans and ordinances be coordinated with those of other jurisdictions and agencies; and that plans be reviewed periodically and amended as needed. Goal 2 also contains standards for taking exceptions to statewide goals. An exception may be taken when a statewide goal cannot or should not be applied to a particular area or situation.

**Findings:** Compliance with Goal 2 is achieved, in part, through the City's comprehensive planning process and land use regulations. For quasi-judicial proposals, Goal 2 requires that the decision be supported by an adequate factual base, which means it must be supported by substantial evidence in the record. As discussed in the Zoning Map Amendment findings above, the proposal complies with the applicable regulations, as supported by the evidence in the record. As a result, the proposal meets Goal 2.

### Goal 3: Agricultural Lands

Goal 3 defines “agricultural lands,” and requires counties to inventory such lands and to “preserve and maintain” them through farm zoning. Details on the uses allowed in farm zones are found in ORS Chapter 215 and in Oregon Administrative Rules, Chapter 660, Division 33.

### Goal 4: Forest Lands

This goal defines forest lands and requires counties to inventory them and adopt policies and ordinances that will “conserve forest lands for forest uses.”

**Findings:** In 1991, as part of Ordinance No. 164517, the City of Portland took an exception to the agriculture and forestry goals in the manner authorized by state law and Goal 2. Since this review does not change any of the facts or analyses upon which the exception was based, the exception is still valid, and Goal 3 and Goal 4 do not apply.

### Goal 5: Open Spaces, Scenic and Historic Areas and Natural Resources

Goal 5 relates to the protection of natural and cultural resources. It establishes a process for inventorying the quality, quantity, and location of 12 categories of natural resources. Additionally, Goal 5 encourages but does not require local governments to maintain inventories of historic resources, open spaces, and scenic views and sites.

**Findings:** The City complies with Goal 5 by identifying and protecting natural, scenic, and historic resources in the City’s Zoning Map and Zoning Code. Natural and scenic resources are identified by the Environmental Protection (“p”), Environmental Conservation (“c”), and Scenic (“s”) overlay zones on the Zoning Map. The Zoning Code imposes special restrictions on development activities within these overlay zones. Historic resources are identified on the Zoning Map either with landmark designations for individual sites or as Historic Districts or Conservation Districts. This site is not part of any designated historic resource, but the northern portion of the site near the Columbia Slough is within the “c” overlay zone. However, no development or change in zoning is proposed with this application that would impact the “c” overlay zone. Therefore, the proposal is consistent with Goal 5.

### Goal 6: Air, Water and Land Resources Quality

Goal 6 requires local comprehensive plans and implementing measures to be consistent with state and federal regulations on matters such as groundwater pollution.

**Findings:** Compliance with Goal 6 is achieved through the implementation of development regulations such as the City’s Stormwater Management Manual at the time of building permit review, and through the City’s continued compliance with Oregon Department of Environmental Quality (DEQ) requirements for cities. No development or change in zoning is proposed with this application that would affect these regulations. Therefore, Goal 6 is met.

### Goal 7: Areas Subject to Natural Disasters and Hazards

Goal 7 requires that jurisdictions adopt development restrictions or safeguards to protect people and property from natural hazards. Under Goal 7, natural hazards include floods, landslides, earthquakes, tsunamis, coastal erosion, and wildfires. Goal 7 requires that local governments adopt inventories, policies, and implementing measures to reduce risks from natural hazards to people and property.

**Findings:** The City complies with Goal 7 by mapping natural hazard areas such as floodplains and potential landslide areas, which can be found in the City's MapWorks geographic information system. The City imposes additional requirements for development in those areas through a variety of regulations in the Zoning Code, such as through special plan districts or land division regulations. The subject site is not within any mapped landslide hazard area, though a portion of the site near the Columbia River Slough is within the 100-year floodplain. However, no development or change in zoning is proposed with this application that would impact the floodplain area. Therefore, Goal 7 is met.

Goal 8: Recreation Needs

Goal 8 calls for each community to evaluate its areas and facilities for recreation and develop plans to deal with the projected demand for them. It also sets forth detailed standards for expediting siting of destination resorts.

**Findings:** The City maintains compliance with Goal 8 through its comprehensive planning process, which includes long-range planning for parks and recreational facilities. The current proposal will not affect existing or proposed parks or recreation facilities. Furthermore, nothing about the proposal will undermine planning for future facilities. Therefore, the proposal is consistent with Goal 8.

Goal 9: Economy of the State

Goal 9 calls for diversification and improvement of the economy. Goal 9 requires communities to inventory commercial and industrial lands, project future needs for such lands, and plan and zone enough land to meet those needs.

**Findings:** Land needs for a variety of industrial and commercial uses are identified in the adopted and acknowledged Economic Opportunity Analysis (EOA) (Ordinance 187831). The EOA analyzed adequate growth capacity for a diverse range of employment uses by distinguishing several geographies and conducting a buildable land inventory and capacity analysis in each. In response to the EOA, the City adopted policies and regulations to ensure an adequate supply of sites of suitable size, type, location, and service levels in compliance with Goal 9. The City must consider the EOA and Buildable Lands Inventory when updating the City's Zoning Map and Zoning Code. Because this proposal does not change the supply of industrial or commercial land in the City, the proposal is consistent with Goal 9.

Goal 10: Housing

Goal 10 requires local governments to plan for and accommodate needed housing types. The Goal also requires cities to inventory its buildable residential lands, project future needs for such lands, and plan and zone enough buildable land to meet those needs. It also prohibits local plans from discriminating against needed housing types.

**Findings:** The City complies with Goal 10 through its adopted and acknowledged inventory of buildable residential land (Ordinance 187831), which demonstrates that the City has zoned and designated an adequate supply of housing. The subject site has not been designated or inventoried as buildable land for residential use, and the proposal does not change the City's supply of buildable residential land. Therefore, Goal 10 is not applicable.

#### Goal 11: Public Facilities and Services

Goal 11 calls for efficient planning of public services such as sewers, water, law enforcement, and fire protection. The goal's central concept is that public services should be planned in accordance with a community's needs and capacities rather than be forced to respond to development as it occurs.

**Findings:** The City of Portland maintains an adopted and acknowledged public facilities plan to comply with Goal 11. See Citywide Systems Plan adopted by Ordinance 187831. The public facilities plan is implemented by the City's public services bureaus, and these bureaus review development applications for adequacy of public services. Where existing public services are not adequate for a proposed development, the applicant is required to extend public services at their own expense in a way that conforms to the public facilities plan. Adequate public services are found to be available, as discussed in the Zoning Map Amendment findings above. The City will also require future development proposals on the site to conform to the City's public facilities plan. Therefore, Goal 11 is met.

#### Goal 12: Transportation

Goal 12 seeks to provide and encourage "safe, convenient and economic transportation system." Among other things, Goal 12 requires that transportation plans consider all modes of transportation and be based on inventory of transportation needs.

**Findings:** The City of Portland maintains a Transportation System Plan (TSP) to comply with Goal 12, adopted by Ordinances 187832, 188177 and 188957. The City's TSP aims to "make it more convenient for people to walk, bicycle, use transit, use automobile travel more efficiently, and drive less to meet their daily needs." As discussed in the Zoning Map Amendment findings above, PBOT reviewed the proposal and finds the transportation system can support the uses allowed in the IH zone. Therefore, the proposal is consistent with Goal 12.

#### Goal 13: Energy

Goal 13 seeks to conserve energy and declares that "land and uses developed on the land shall be managed and controlled so as to maximize the conservation of all forms of energy, based upon sound economic principles."

**Findings:** With respect to energy use from transportation, as identified above in response to Goal 12, the City maintains a TSP that aims to "make it more convenient for people to walk, bicycle, use transit, use automobile travel more efficiently, and drive less to meet their daily needs." This is intended to promote energy conservation related to transportation. As noted above, PBOT reviewed the proposal and found the transportation system can support the uses allowed in the IH zone. Additionally, for any future development on the site, the City will implement energy efficiency requirements for buildings as required by the current building code. For these reasons, the proposal is consistent with Goal 13.

#### Goal 14: Urbanization

This goal requires cities to estimate future growth and needs for land and then plan and zone enough land to meet those needs. It calls for each city to establish an "urban growth boundary" (UGB) to "identify and separate urbanizable land from rural land." It specifies seven factors that must be considered in drawing up a UGB. It also lists four criteria to be applied when undeveloped land within a UGB is to be converted to urban uses.

**Findings:** In the Portland region, most of the functions required by Goal 14 are administered by the Metro regional government rather than by individual cities. The desired development pattern for the region is articulated in Metro's Regional 2040 Growth Concept, which emphasizes denser development in designated centers and corridors. The Regional 2040 Growth Concept is carried out by Metro's Urban Growth Management Functional Plan, and the City of Portland is required to conform its zoning regulations to this functional plan. This land use review proposal does not change the UGB surrounding the Portland region and does not affect the Portland Zoning Code's compliance with Metro's Urban Growth Management Functional Plan. Therefore, Goal 14 is not applicable.

#### Goal 15: Willamette Greenway

Goal 15 sets forth procedures for administering the 300 miles of greenway that protects the Willamette River.

**Findings:** The City of Portland complies with Goal 15 by applying Greenway overlay zones which impose special requirements on development activities near the Willamette River. The subject site for this review is not within a Greenway overlay zone near the Willamette River, so Goal 15 does not apply.

#### Goal 16: Estuarine Resources

This goal requires local governments to classify Oregon's 22 major estuaries in four categories: natural, conservation, shallow-draft development, and deep-draft development. It then describes types of land uses and activities that are permissible in those "management units."

#### Goal 17: Coastal Shorelands

This goal defines a planning area bounded by the ocean beaches on the west and the coast highway (State Route 101) on the east. It specifies how certain types of land and resources there are to be managed: major marshes, for example, are to be protected. Sites best suited for unique coastal land uses (port facilities, for example) are reserved for "water-dependent" or "water-related" uses.

#### Goal 18: Beaches and Dunes

Goal 18 sets planning standards for development on various types of dunes. It prohibits residential development on beaches and active foredunes but allows some other types of development if they meet key criteria. The goal also deals with dune grading, groundwater drawdown in dunal aquifers, and the breaching of foredunes.

#### Goal 19: Ocean Resources

Goal 19 aims "to conserve the long-term values, benefits, and natural resources of the nearshore ocean and the continental shelf." It deals with matters such as dumping of dredge spoils and discharging of waste products into the open sea. Goal 19's main requirements are for state agencies rather than cities and counties.

**Findings:** Since Portland is not within Oregon's coastal zone, Goals 16-19 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 requirements of Title 11 can be met, and 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 Zoning Map Amendment proposal is only to remove the conditions of approval from a previous review. The proposal does not change any of the zoning designations which apply to the site. As discussed in the findings above, staff finds the previous conditions of approval are no longer relevant and can be removed in reliance on the City's current development standards. The City's infrastructure bureaus have found that public services available to the site are adequate, and the proposal is consistent with the Oregon Statewide Planning Goals. Since the applicable approval criteria are met, staff recommends approval of the proposal.

## TENTATIVE STAFF RECOMMENDATION

(May be revised upon receipt of new information at any time prior to the Hearings Officer decision)

**Approval** of a Zoning Map Amendment Review to remove the conditions of approval imposed by LUR 93-00833 CU ZC.

**Procedural Information.** The application for this land use review was submitted on December 21, 2018 and was determined to be complete on Feb 4, 2019.

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 December 21, 2018.

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 has not waived or extended the 120-day review period. Unless extended by the applicant, **the 120 days will expire on June 4, 2019.**

**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 recommendation 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.

**This report is not a decision. The Hearings Officer who will make the decision on this case.**

This report is a recommendation to the Hearings Officer by the Bureau of Development Services. The Hearings Officer may adopt, modify, or reject this recommendation. The Hearings Officer will make a decision about this proposal within 17 days of the close of the record. Your comments to the Hearings Officer can be mailed c/o the Hearings Officer, 1900 SW Fourth Ave., Suite 3100, Portland, OR 97201 or faxed to 503-823-4347.

You will receive mailed notice of the decision if you write a letter received before the hearing or testify at the hearing, or if you are the property owner or applicant. This Staff Report will be posted on-line at <https://www.portlandoregon.gov/bds/35625>. Land use reviews are listed by the District Coalition shown at the beginning of this document. You may review the file on this case at the Development Services Building at 1900 SW 4<sup>th</sup> Ave., Suite 5000, Portland, OR 97201.

**Appeal of the decision.** The decision of the Hearings Officer may be appealed to City Council, who will hold a public hearing. If you or anyone else appeals the decision of the Hearings Officer, only evidence previously presented to the Hearings Officer will be considered by the City Council.

**Who can appeal:** You may appeal the decision only if you write a letter which is received before the close of the record for the hearing, if you testify at the hearing, or if you are the property owner/applicant. Appeals must be filed within 14 days of the decision. **Appeals must be filed within 14 days of the decision. An appeal fee of \$2,940 will be charged (one-half of the BDS application fee, up to a maximum of \$5,000).**

**Appeal Fee Waivers:** Neighborhood associations recognized by the Office of Neighborhood Involvement may qualify for a waiver of the appeal fee provided that the association has standing to appeal. The appeal must contain the signature of the Chair person or other person authorized by the association, confirming the vote to appeal was done in accordance with the organization's bylaws.

Neighborhood associations, who wish to qualify for a fee waiver, must complete the Type III Appeal Fee Waiver Request for Organizations Form and submit it prior to the appeal deadline. The Type III Appeal Fee Waiver Request for Organizations Form contains instructions on how to apply for a fee waiver, including the required vote to appeal.

**Recording the final decision.** If this Land Use Review is approved the final decision will be recorded with the Multnomah County Recorder. The applicant, builder, or a representative does not need to record the final decision with the Multnomah County Recorder.

For further information on your recording documents please call the Bureau of Development Services Land Use Services Division at 503-823-0625.

**Expiration of approval.** Zoning Map Amendment approvals do not expire.

**Applying for your permits.** A building permit, occupancy permit, or development permit may be required before carrying out an approved project. At the time they apply for a permit, permittees must demonstrate compliance with:

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

Planner's Name: Andrew Gulizia  
Date: March 14, 2019

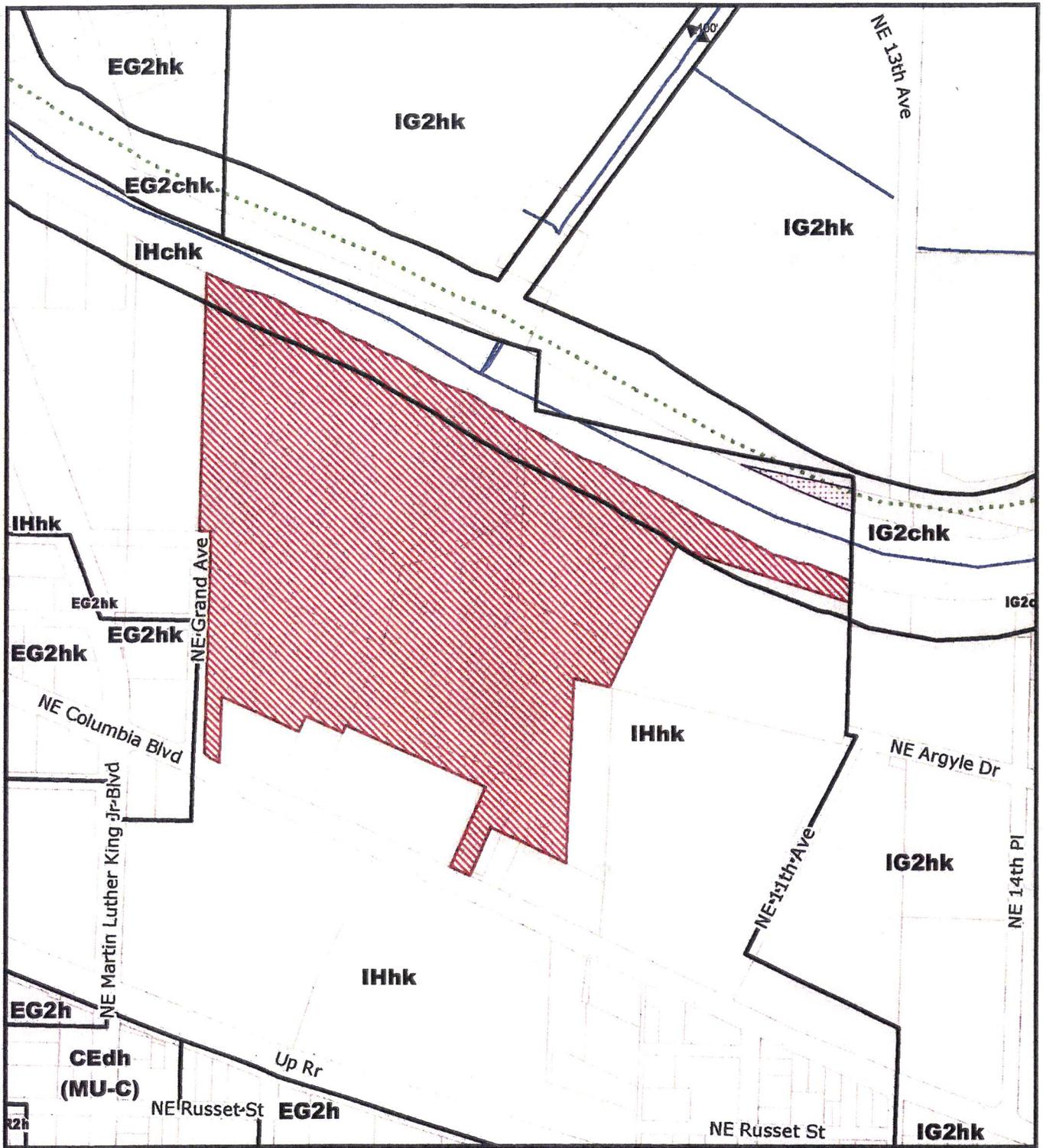
**EXHIBITS**

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement:
  - 1. Original narrative
  - 2. Letter re: Transportation Planning Rule, dated December 21, 2018
  - 3. Limited liability company documentation
  - 4. Letter in response to incompleteness determination letter, received February 4, 2019
  - 5. Revised narrative, received February 4, 2019
- B. Zoning Map (attached)
- C. Plans/Drawings:
  - 1. Utility plan
- D. Notification Information:
  - 1. Request for Response
  - 2. Posting letter sent to applicant, dated February 8, 2018
  - 3. Applicant's statement certifying posting
  - 4. Mailing list for Notice of Public Hearing
  - 5. Mailed Notice of Public Hearing, dated February 25, 2018
- E. Agency Responses:
  - 1. Bureau of Environmental Services
  - 2. Portland Bureau of Transportation
  - 3. Water Bureau
  - 4. Fire Bureau
  - 5. Police Bureau
  - 6. Site Development Review Section of BDS
  - 7. Life Safety Review Section of BDS
  - 8. Bureau of Parks, Urban Forestry Division
- F. Correspondence – none received
- G. Other:
  - 1. Land use application form and receipt
  - 2. Incompleteness determination letter, dated January 11, 2019
  - 3. PBOT completeness review memo, dated January 14, 2019
  - 4. Pre-Application Conference (EA 18-248842) memo

5. LUR 93-00833 CU ZC findings and decision
- H. Hearing exhibits

**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

NORTH ↑

-  Site
-  Also Owned Parcels
-  Stream
-  Recreational Trails

File No.	LU 18-281565 ZC
1/4 Section	2131,2231
Scale	1 inch = 400 feet
State ID	1N1E11C 900
Exhibit	B Dec 27, 2018