



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

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www.portlandoregon.gov/bds

Date: May 15, 2019
To: Interested Person
From: Morgan Steele, Land Use Services
 503-823-7731 / Morgan.Steele@portlandoregon.gov

NOTICE OF A TYPE II DECISION ON A PROPOSAL IN YOUR NEIGHBORHOOD

The Bureau of Development Services has approved a proposal in your neighborhood. The mailed copy of this document is only a summary of the decision. The reasons for the decision are included in the version located on the BDS website <http://www.portlandonline.com/bds/index.cfm?c=46429>. Click on the District Coalition then scroll to the relevant Neighborhood, and case number. If you disagree with the decision, you can appeal. Information on how to do so is included at the end of this decision.

CASE FILE NUMBER: LU 19-122073 EN

GENERAL INFORMATION

Applicant: Joseph Recker | Tri-Met
 1800 SW 1st Avenue, # 300 | Portland, OR 97201
 503.962.2893 | reckerj@trimet.org

Owner: State of Oregon (Department of Transportation)
 9200 SE Lawnfield Road | Clackamas, OR 97015-8685

Representative: Jennifer Hughes | Parametrix
 700 NE Multnomah Avenue, Suite 1000 | Portland, OR 97232-2131

Site Address: No Situs: Oregon Department of Transportation property near SW Barbur Boulevard and Old Slavin Road

Legal Description: TL 7000 0.55 ACRES, SECTION 15 1S 1E; TL 6200 1.11 ACRES, SECTION 15 1S 1E

Tax Account No.: Right of Way (ROW); R991150440, R991150540

State ID No.: Right of Way (ROW); 1S1E15CB 07000, 1S1E15BC 06200

Quarter Section: 3529, 3629

Neighborhood: South Portland NA, contact Jim Gardner at 503-227-2096.

Business District: South Portland Business Association, contact info@southportlanddba.com.

District Coalition: Southwest Neighborhoods Inc., contact Sylvia Bogert at 503-823-4592.

Plan District: None

Other Designations: *Southwest Hills Resource Protection Plan* – Resource Site #115; DOGAMI Landslide Hazard

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

Case Type: EN – Environmental Review
Procedure: Type II, an administrative decision with appeal to the Hearings Officer.

Proposal:

The applicant, TriMet, is developing preliminary designs for the proposed Southwest Corridor Transit project which will consist of a new 12-mile-long high capacity transit line. This line will run from downtown Portland to Tigard and Bridgeport Village in Tualatin, Oregon. Soil stability data needs to be obtained at the locations shown on the attached site plan; both locations are within the mapped Slavin Slide landslide deposit area.

To obtain the soil stability data, the applicant proposes borings at two locations (B-02 and B-06) within Oregon Department of Transportation (ODOT) property located east of SW Barbur Boulevard north of its intersection with Old Slavin Road. As these sites are located outside any travel areas they will be drilled using a track-mounted drill rig using hollow-stem auger drilling techniques. The drilled holes will be finished at the surface with a 12-inch flush-mount monument set in concrete. The drilled holes will be 2-3-inches in diameter and approximately 50-70 feet deep.

One 9-inch diameter native tree, which overhangs the proposed access road, will need to be removed to allow equipment to safely access bore location B-06. Additionally, a total of 1,286 square feet of temporary disturbance is proposed for the purposes of creating an access path to bore location B-06. Bore location B-02 is located within the currently disturbed dirt access path that extends north off the end of Old Slavin Road. All temporary disturbance will be mitigated (and restored) by the spreading of native seed and the planting of three native trees, 28 shrubs, and 97 groundcovers.

The project site is located entirely within the Environmental Conservation overlay zone. Because there is work within an Environmental Zone, certain standards must be met to allow work to occur by right. In this case, the applicant is proposing to meet all applicable development standards for bore location B-02; therefore, the work associated with this bore location is not subject to Environmental Review. Because the applicant is proposing disturbance for bore location B-06 that exceeds the maximum allowed (33.430.140.D.1) and tree removal within the resource area (33.430.140.J.1.C), the work must be approved through an Environmental Review.

Relevant Approval Criteria:

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

[Section 33.430.250 E.](#) Other development in the Environmental Conservation zone or within the Transition Area only

ANALYSIS

Site and Vicinity: The project site is located between SW Barbur Boulevard and I-5, with a residential neighborhood to the north. Bore location B-02 is in the southern portion of the site. The access route for B-02 is entirely within Old Slavin Road (which serves as a designated City of Portland recreational trail). West of the road the site consists of a narrow band of vegetation which lies on steep slopes leading down to the east. The understory vegetation consists of moderately dense cover by blue wildrye along with a mix of native trees and shrubs interspersed with invasives such as English hawthorn, English holly, and English ivy.

East of the Old Slavin Road, large big-leaf maple trees dominate the sparse understory with patches of English ivy and swordfern. Homeless camps and trash can be found throughout the area. Weeds are most common along the south end of the site. The north end of the route lies in a wide gravel pad where the proposed boring (B-02) will occur.

Bore location B-06 is in the northern portion of the site and is within a forested area. The proposed B-06 route continues north from B-02 where the wide gravel pad ends, and a dirt footpath

continues north. The area consists of native trees and the understory is a mix of native and non-native shrubs and ground cover (with large amounts of blackberry in places).

Zoning: The R5 base zone is intended to foster the development of single-dwelling residences on lots having a minimum area of 3,000 square feet. Newly created lots must have a minimum density of 1 lot per 5,000 square feet of site area. The regulations of this zone do not apply to this proposal; these provisions are not specifically addressed as part of this review.

Environmental overlay zones protect environmental resources and functional values that have been identified by the City as providing benefits to the public. The environmental regulations encourage flexibility and innovation in site planning and provide for development that is carefully designed to preserve the site's protected resources. They protect the most important environmental features and resources while allowing environmentally sensitive urban development where resources are less significant. The purpose of this land use review is to ensure compliance with the regulations of the environmental zones.

Environmental Resources: The application of the environmental overlay zones is based on detailed studies that have been carried out within separate areas throughout the City. Environmental resources and functional values present in environmental zones are described in environmental inventory reports for these respective study areas.

The project site is mapped within the *Southwest Hills Resource Protection Plan – Resource Site #115*, George Himes Park. The identified resources within Resource Site #115 as well as the subject site include forest, wildlife habitat, groundwater recharge, and open space.

Impact Analysis and Mitigation Plan: A full description of the proposal was provided on Page Two of this report. The following discusses development alternatives that were considered by the applicant. The following additionally describes the proposed construction management plan and mitigation proposal.

Development Alternatives:

Alternative #1:

The no-build alternative consists of not accessing the site to perform geotechnical drilling and obtaining necessary soil data. By not accessing the proposed project boring location the SW Corridor design planning would not be able to obtain critical stability information needed to design a safe structure. Soil samples acquired from drilling will provide important information on subsurface conditions and geotechnical hazards for proposed alignments along the corridor for the purposes of designing safe bridges and retaining walls. Not accessing the site would have no direct detrimental effect on the natural environment at the site, but the indirect result could be substandard designs for a public transportation service, or a larger future footprint within the environmental area than needed because of overdesigning the structure based on a lack of information. This alternative was dismissed because of the need to design a safe structure for public transportation.

Alternative #2:

Alternative 2 proposes creating the access route for the B-06 bore location along the western side of the project area, north of Old Slavin Road. This route would run along the eastern side of SW Barbur Boulevard. This route passes over a narrow footpath currently serving a homeless camp and is surrounded closely by trees and understory. Alternative 2 would require moderate clearing of a route from the north end of the foot path to the B-06 location.

Alternative #3 – Preferred Alternative:

Alternative 3 utilizes an existing wider foot path heading northeast from B-02 then leaves the path directly east of the B-06 proposed bore site. Using the existing path would help minimize impact to the area because the path is wider and the area needing to be cleared is smaller than Alternative 2.

Construction Management Plan: The Construction Management Plan for the project is shown on Exhibit C.7. The following components of the Construction Management Plan protect against

erosion and prevent the transport of sediments off-site. The following measures also ensure the disturbance will be localized, preventing impacts to the portions of the Environmental Zone that are to remain undisturbed:

- ❖ Orange construction fence will be placed along limits of disturbance areas, ensuring equipment and construction activities are kept within approved disturbance limits.
- ❖ Temporary sand bag check dams will be used to ensure soils remain onsite.
- ❖ Temporary disturbance areas will be stabilized using native seeding and plantings.

Unavoidable Impacts: The applicant is proposing to disturb a total of 1,286 square feet of the Environmental Zone for access to bore location B-06. Of these 1,286 square feet, all will be temporarily disturbed and replanted as laid out in the proposed Mitigation Plan (Exhibit C.8). One native tree, which overhangs the access road will need to be removed to allow equipment to safely pass. The unavoidable impacts from this project will be negligible and will be mitigated once construction is complete.

Proposed Mitigation: As shown on Exhibit C.8, Mitigation Plan, the applicant proposes to mitigate for 1,286 square feet of temporary disturbance and the removal of one tree, by planting 3 trees, 28 shrubs, and 97 groundcovers throughout the entirety of the disturbance area. In addition to replanting all temporary disturbance areas within the resource area with a diverse selection of native plants, the applicant proposes to remove nuisance plants throughout the entirety of the disturbance area. The proposed plantings consist of native species found on the *Portland Plant List*.

Land Use History: No relevant land use history exists for this site.

Agency Review: A “Notice of Proposal in Your Neighborhood” was mailed on **March 28, 2019**. The following Bureaus have responded with no issues or concerns:

- PBOT
- Life Safety
- Fire Bureau
- Site Development Section of BDS
- Urban Forestry
- Water Bureau

The Bureau of Environmental Services responded with the following comment. Please see Exhibit E.1 for additional details.

BES does not object to approval of the environmental review application. The proposed development will be subject to BES standards and requirements during the permit review process.

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on **March 28, 2019**. No written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal.

ZONING CODE APPROVAL CRITERIA

33.430.250 Approval Criteria for Environmental Review

An environmental review application will be approved if the review body finds that the applicant has shown that all the applicable approval criteria are met. When environmental review is required because a proposal does not meet one or more of the development standards of Section 33.430.140 through .190, then the approval criteria will only be applied to the aspect of the proposal that does not meet the development standard or standards.

Findings: The approval criteria applicable to the proposed development include those found in Section 33.430.250.E. The applicant has provided findings for these approval criteria and BDS

Land Use Services staff revised these findings or added conditions, where necessary to meet the approval criteria.

33.430.250.E. Other development in the Environmental Conservation zone or within the Transition Area only. In Environmental Conservation zones or for development within the Transition Area only, the applicant's impact evaluation must demonstrate that all the following are met:

E.1 Proposed development minimizes the loss of resources and functional values, consistent with allowing those uses generally permitted or allowed in the base zone without a land use review;

Findings: By utilizing an existing road for the majority of project access, the proposal minimizes the loss of resources and functional values, consistent with allowing those uses generally permitted or allowed in the base zone without a land use review. This location results in most of the boring work and temporary access being conducted within previously disturbed areas. In addition, the applicant does not propose to disturb soil for access outside of established roads. Rather, brush will cut and then driven over minimizing the already negligible impacts to the site and its resources and functional values.

Therefore, *this criterion is met.*

E.2. Proposed development locations, designs, and construction methods are less detrimental to identified resources and functional values than other practicable and significantly different alternatives;

Findings: This criterion requires the applicant to demonstrate that alternatives were considered during the design process, and that there are no practicable alternatives that would be less detrimental to the identified resources and functional values. The applicant provided an alternatives analysis that can be found in the application case file in Exhibit A.2 and is summarized in this report on Page 3.

The applicant analyzed an alternate access route and a no-build alternative and found that the proposed location results in fewer impacts to the identified resources and functional values on site while still providing critical data for the future rail line. The alternate access route would require larger disturbance because of clearing and result in the loss of more trees. The no-build alternative was rejected as the geotechnical borings will produce critical data for the future rail line, ensuring the safety of people and property once the rail line is complete. Without the geotechnical data, the rail line and its components could be overbuilt, resulting in greater impacts. Therefore, the proposed alternative will be less detrimental than other practicable alternatives.

This criterion is met.

E.3. There will be no significant detrimental impact on resources and functional values in areas designated to be left undisturbed;

Findings: This criterion requires the protection of resources outside of the proposed disturbance area from impacts related to the proposal, such as damage to vegetation, erosion of soils off the site, and downstream impacts to water quality and fish habitat from increased stormwater runoff and erosion off the site.

The Construction Management Plan is described on Page 4 of this report and shown on Exhibit C.7. The Construction Management Plan will be effective because it provides realistic limits to disturbance while containing the necessary elements (e.g. sand bag check dams, ingress/egress, tree protection fencing) to effectively protect resources and functional values outside of designated disturbance areas.

The outer limits of the temporary disturbance areas will be demarcated with tree protection/work zone delineation fencing. This fencing will consist of 4-foot high orange mesh fencing, secured with

6-foot metal posts and will remain in place until boring activities are complete. In addition, sand bag check dams will be placed intermittently throughout the work area to prevent sediment from leaving the site. Erosion control measures will be maintained as necessary to ensure their proper functioning. Finally, all disturbed areas will be stabilized once construction is complete utilizing native seeding and plantings.

Based on the foregoing, *this criterion is met.*

E.4. The mitigation plan demonstrates that all significant detrimental impacts on resources and functional values will be compensated for;

Findings: This criterion requires the applicant to assess unavoidable impacts and propose mitigation that is proportional to the impacts, as well as sufficient in character and quantity to replace lost resource functions and values. The proposed Mitigation Plan is described on Page 4 of this report and shown graphically on Exhibit C.8. It will offset 1,286 square feet of temporary disturbance area and the removal of 1 native tree by planting a total of 3 trees, 28 shrubs, and 97 groundcovers.

The mitigation plan will compensate for impacts at the site for the following reasons:

- Mitigation plantings will be installed in temporary disturbance areas.
- The mitigation plantings will increase species diversity to improve wildlife habitat.
- The felled tree will be left onsite to provide habitat for wildlife.
- Invasive species will be removed from the entirety of the disturbance area.

Further, the proposed Mitigation Plan will be installed and maintained under the regulations outlined in Section 33.248.040.A-D (Landscaping and Screening). To confirm installation of the required plantings, the applicant will be required to have the plantings inspected upon installation. Then, to confirm maintenance of the required plantings for the initial establishment period, the applicant will be required to have the plantings inspected two years after plantings are installed.

With conditions to ensure that plantings required for this Environmental Review are installed, maintained, and inspected, *this criterion can be met.*

E.5. Mitigation will occur within the same watershed as the proposed use or development and within the Portland city limits except when the purpose of the mitigation could be better provided elsewhere; and

Findings: Mitigation will occur within the exact footprint of the proposed disturbance; the proposed disturbance is located within Portland city limits.

This criterion is met.

E.6. The applicant owns the mitigation site; possesses a legal instrument that is approved by the City (such as an easement or deed restriction) sufficient to carry out and ensure the success of the mitigation program; or can demonstrate legal authority to acquire property through eminent domain.

Findings: Mitigation for impacts will be conducted on the same site as the proposed development; however, the applicant does not own the mitigation site. As noted on Page 1, Paragraph 11 of Exhibit A.6, the applicant has been granted an access permit from ODOT (owner) for mitigation plantings beginning one year from initial installation. To ensure the success and establishment of the mitigation plantings, the applicant will be required to obtain a revised permit from ODOT that allows for a minimum of two years of access for the purposes of plant maintenance.

With the condition to obtain a revised ODOT access permit for minimum two years of access for mitigation planting and maintenance, *this criterion can be met.*

DEVELOPMENT STANDARDS

Unless specifically required in the approval criteria listed above, this proposal does not have to meet the development standards 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 applicant proposes to temporarily disturb 1,286 square feet and remove one tree within the Environmental Conservation overlay zone for the purposes of geotechnical investigative boring. The disturbance area will be mitigated with the installation of native plants once construction is complete. The applicant considered alternatives to demonstrate the proposed disturbance would minimize impacts to the resource area of the Environmental Zone. The applicant and the above findings have shown that the proposal meets the applicable approval criteria with conditions. Therefore, this proposal should be approved, subject to the conditions described below.

ADMINISTRATIVE DECISION

Approval of an Environmental Review for:

- 1,286 square feet of temporary disturbance for the purposes of geotechnical boring and access; and
- Removal of one native tree

within the Environmental Conservation overlay zone, and in substantial conformance with Exhibits C.5 through C.8, as approved and signed by the City of Portland Bureau of Development Services on **May 13, 2019**. Approval is subject to the following conditions:

- A. A BDS Zoning Permit is required for inspection of required mitigation plantings and shall be obtained prior to the commencement of construction activities.** The Conditions of Approval listed below, shall be noted on appropriate plan sheets submitted for permits. Plans shall include the following statement, ***"Any field changes shall be in substantial conformance with approved LU 19-122073 EN Exhibits C.5 through C.8."***
1. Prior to the issuance of a Zoning Permit, the applicant shall obtain a revised ODOT access permit which grants access to the mitigation plantings for a minimum of two years after initial installation.
- B.** Temporary, 4-foot high, orange construction fencing shall be placed along the Limits of Construction Disturbance, as delineated on Exhibit C.7, Proposed Development & Construction Management Plan, to separate approved construction areas from areas to remain undisturbed.
1. No mechanized construction vehicles are permitted outside of the approved "Limits of Construction Disturbance" delineated by the temporary construction or tree protection fence.
 2. Trees shall be protected according to tree protection measures provided in Title 11 Tree Code, Chapter [11.60.030 Tree Protection Specifications](#), or as specifically depicted on Exhibit C.7, Proposed Development & Construction Management Plan.
- C.** Prior to the commencement of construction activities, the applicant shall obtain a BDS Zoning Permit for approval and inspection of a Mitigation Plan for removal of 1,286 square feet of invasive species and planting a total of 3 trees, 28 shrubs, and 97 groundcovers in substantial conformance with Exhibit C.8, Mitigation Plan. Any plant substitutions shall be selected from the *Portland Plant List* and shall be substantially equivalent in size to the original plant. Conifers must be substituted with conifers.
1. Permit plans shall show:

- a. Permit plans shall show the general location of the trees, shrubs and ground covers required by this condition to be planted in the mitigation area and labeled as “new required landscaping.” The plans shall include a “typical,” scalable planting layout for each planting zone, and shall illustrate a naturalistic arrangement of plants and should include a planting table listing the species, quantity, spacing and sizes of plants to be planted.
2. Plantings shall be installed between October 1 and March 31 (the planting season).
3. Prior to installing required mitigation plantings, non-native invasive plants shall be removed from all areas within the Environmental Zone, using handheld equipment.
4. If plantings are installed prior to completion of construction, a temporary bright orange, 4-foot high construction fence shall be placed to protect plantings from construction activities.
5. All mitigation shrubs and trees shall be marked in the field by a tag attached to the top of the plant for easy identification by the City Inspector; or the applicant shall arrange to accompany the BDS inspector to the site to locate mitigation plantings for inspection. If tape is used it shall be a contrasting color that is easily seen and identified.
6. After installing the required mitigation plantings, the applicant shall request inspection of mitigation plantings and final the BDS Zoning Permit.

D. The land owner shall maintain the required plantings to ensure survival and replacement. The land owner is responsible for ongoing survival of required plantings during and beyond the designated two-year monitoring period. After the 2-year initial establishment period, the landowner shall:

1. Obtain a Zoning Permit for a final inspection at the end of the 2-year maintenance and monitoring period. The applicant shall arrange to accompany the BDS inspector to the site to locate mitigation plantings for inspection. The permit must be finalized no later than 2 years from the final inspection for the installation of mitigation planting, to ensure the required plantings remain. Any required plantings that have not survived must be replaced.
2. All required landscaping shall be continuously maintained, by the land owner in a healthy manner, with no more than 15% cover by invasive species. Required plants that die shall be replaced in kind.

E. Failure to comply with any of these conditions may result in the City’s reconsideration of this land use approval pursuant to Portland Zoning Code Section 33.700.040 and /or enforcement of these conditions in any manner authorized by law.

Staff Planner: Morgan Steele

Decision rendered by:  **on May 13, 2019**
By authority of the Director of the Bureau of Development Services

Decision mailed: May 15, 2019

About this Decision. This land use decision is **not a permit** for development. Permits may be required prior to any work. Contact the Development Services Center at 503-823-7310 for information about permits.

Procedural Information. The application for this land use review was submitted on February 19, 2019, and was determined to be complete on April 10, 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 February 19, 2019.

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: August 8, 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 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 29, 2019** at 1900 SW Fourth Ave. Appeals can be filed at the 5th floor reception desk of 1900 SW 4th Avenue Monday through Friday between 8:00 am and 4:30 pm. **An appeal fee of \$250 will be charged.** The appeal fee will be refunded if the appellant prevails. There is no fee for ONI recognized organizations appealing a land use decision for property within the organization’s boundaries. The vote to appeal must be in accordance with the organization’s bylaws. Assistance in filing the appeal and information on fee waivers is available from BDS in the Development Services Center. Please see the appeal form for additional information.

The file and all evidence on this case are available for your review by appointment only. Please call the Request Line at our office, 1900 SW Fourth Avenue, Suite 5000, phone 503-823-7617, to schedule an appointment. I can provide some information over the phone. Copies of all information in the file can be obtained for a fee equal to the cost of services. Additional information about the City of Portland, city bureaus, and a digital copy of the Portland Zoning Code is available on the internet at www.portlandonline.com.

Attending the hearing. If this decision is appealed, a hearing will be scheduled, and you will be notified of the date and time of the hearing. The decision of the Hearings Officer is final; any further appeal must be made to the Oregon Land Use Board of Appeals (LUBA) within 21 days of the date of mailing the decision, pursuant to ORS 197.620 and 197.830. Contact LUBA at 775 Summer St NE, Suite 330, Salem, Oregon 97301-1283, or phone 1-503-373-1265 for further information.

Failure to raise an issue by the close of the record at or following the final hearing on this case, in person or by letter, may preclude an appeal to the Land Use Board of Appeals (LUBA) on that issue. Also, if you do not raise an issue with enough specificity to give the Hearings Officer an opportunity to respond to it, that also may preclude an appeal to LUBA on that issue.

Recording the final decision.

If this Land Use Review is approved the final decision will be recorded with the Multnomah County Recorder.

- *Unless appealed*, the final decision will be recorded after **May 29, 2019** by the Bureau of Development Services.

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 this approval. An approval expires three years from the date the final decision is rendered unless a building permit has been issued, or the approved activity has begun.

Where a site has received approval for multiple developments, and a building permit is not issued for all the approved development within three years of the date of the final decision, a new land use review will be required before a permit will be issued for the remaining development, subject to the Zoning Code in effect at that time.

Zone Change and Comprehensive Plan 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:

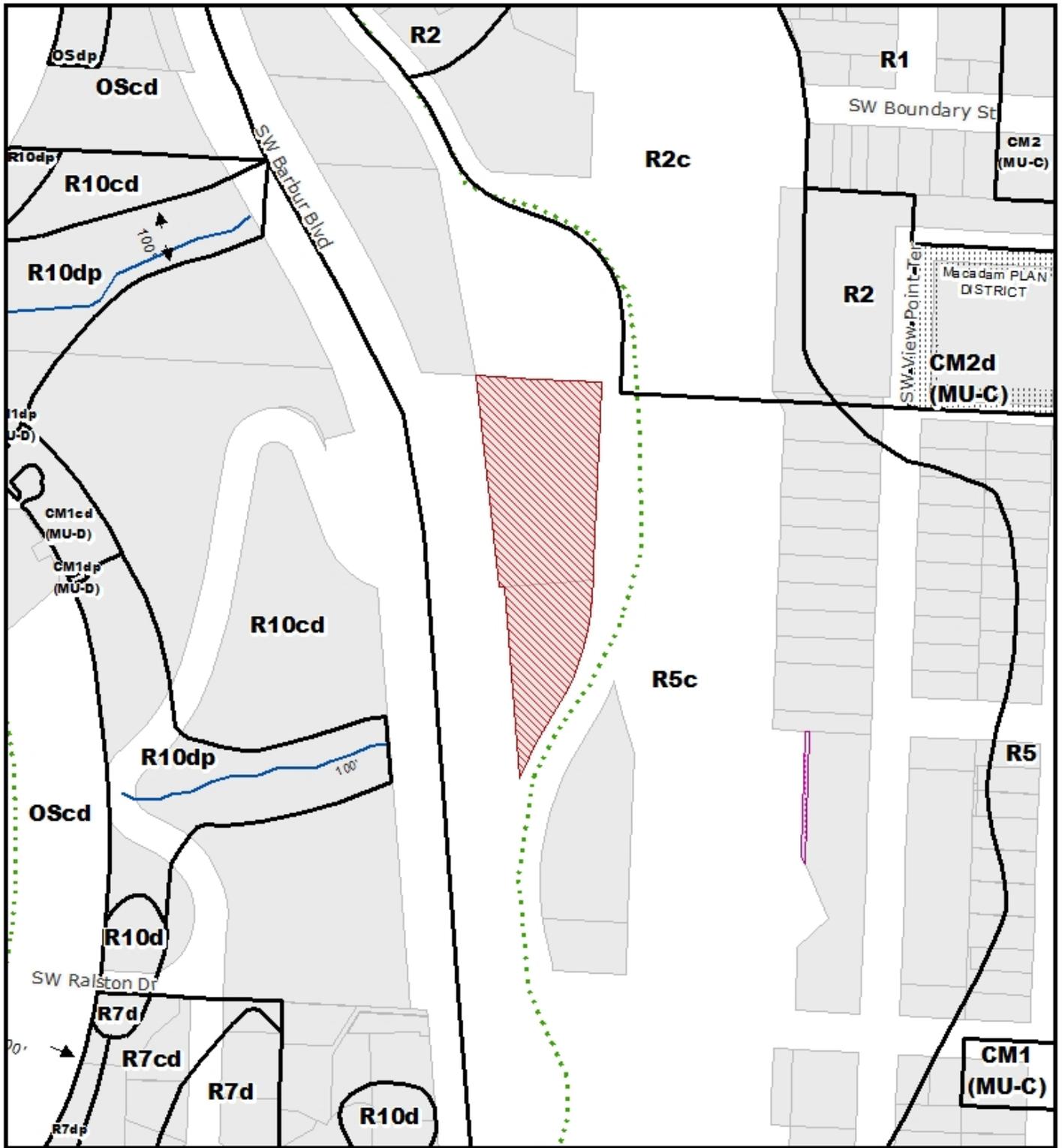
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations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

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
 - 1. Applicant's Original Narrative & Site Plans, January 2019
 - 2. Applicant's Revised Narrative, April 2019
 - 3. Exploration & Testing Work Plan, April 2019
 - 4. Tree Plan, April 2019
 - 5. Applicant's Response to Incomplete Items, April 2019
 - 6. ODOT Access Permit
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Existing Conditions Overall Site Plan
 - 2. Existing Conditions Site Plan
 - 3. Existing Conditions Site Plan
 - 4. Tree Tables
 - 5. Proposed Development & Construction Management Overall Site Plan
 - 6. Proposed Development & Construction Management Site Plan
 - 7. Proposed Development & Construction Management Site Plan (attached)
 - 8. Mitigation Plan (attached)
 - 9. Erosion Control & Tree Protection Details
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses:
 - 1. Bureau of Environmental Services
 - 2. Portland Bureau of Transportation
 - 3. Life Safety
 - 4. Fire Bureau
 - 5. Site Development Review Section of BDS
 - 6. Bureau of Parks, Forestry Division
 - 7. Water Bureau
- F. Correspondence: None Received
- G. Other:
 - 1. Original LU Application
 - 2. Incomplete Letter

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).

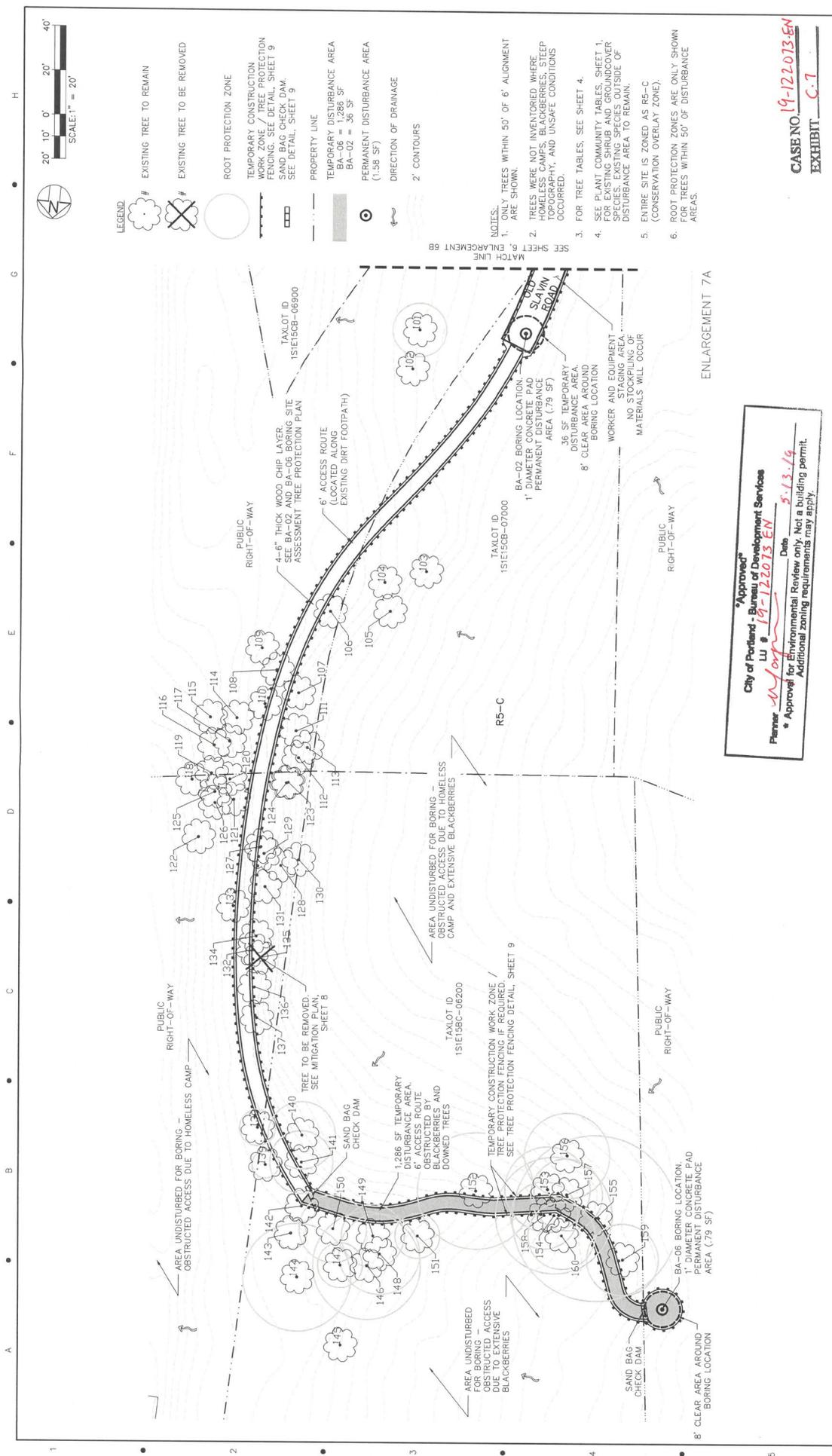


ZONING



- Site
- Also Owned Parcels
- Stream
- Recreational Trails

| | |
|-------------|-------------------|
| File No. | LU 19-122073 EN |
| 1/4 Section | 3529,3629 |
| Scale | 1 inch = 200 feet |
| State ID | 1S1E15CB 7000 |
| Exhibit | B Mar 04, 2019 |



- LEGEND**
- ☼ # EXISTING TREE TO REMAIN
 - ☼ # EXISTING TREE TO BE REMOVED
 - ROOT PROTECTION ZONE
 - ▭ TEMPORARY CONSTRUCTION WORK ZONE / TREE PROTECTION FENCING. SEE DETAIL SHEET 9
 - ▭ SAND BAG CHECK DAM. SEE DETAIL SHEET 9
 - PROPERTY LINE
 - ▭ TEMPORARY DISTURBANCE AREA
BA-06 = 1,286 SF
BA-02 = 36 SF
 - ▭ PERMANENT DISTURBANCE AREA
(1.58 SF)
 - DIRECTION OF DRAINAGE
 - ~ 2' CONTOURS

- NOTES:**
1. ONLY TREES WITHIN 50' OF 6' ALIGNMENT ARE SHOWN.
 2. TREES WERE NOT INVENTORIED WHERE HOMELESS CAMPS, BLACKBERRIES, STEEP SLOPES, TOPOGRAPHY, AND UNSAFE CONDITIONS OCCURRED.
 3. FOR TREE TABLES, SEE SHEET 4.
 4. SEE PLANT COMMUNITY TABLES, SHEET 1, FOR EXISTING SHRUB AND GROUND COVER SPECIES. EXISTING SPECIES OUTSIDE OF DISTURBANCE AREA TO REMAIN.
 5. ENTIRE SITE IS ZONED AS RS-C (CONSERVATION OVERLAY ZONE).
 6. ROOT PROTECTION ZONES ARE ONLY SHOWN FOR TREES WITHIN 50' OF DISTURBANCE AREAS.

"Approved"
 City of Portland - Bureau of Development Services
 Planner LU # 19-126013-EN
 Date 5.13.19
 * Approved for Environmental Review only. Not a building permit.
 Additional zoning requirements may apply.

CASE NO. 19-122013-EN
EXHIBIT C-7

| | | | |
|---------------------------------------------------------------------------------------------------------|---------------|------------------------------------------------------------------------------------------------------------|------------|
| SOUTH WEST CORRIDOR LRT PROJECT ENVIRONMENTAL REVIEW | | SOUTH COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON | |
| BA-02 AND BA-06 BORING ACCESS ASSESSMENT PROPOSED DEVELOPMENT AND CONSTRUCTION MANAGEMENT PLAN | | ENGINEERING AND CONSTRUCTION DIVISION 1500 NE MULTNOMAH ST., SUITE 200 PORTLAND, OREGON 97202 | |
| SUBMITTED: | DATE: | APPROVED: | DATE: |
| NO. DATE BY APPR. REVISIONS | SCALE: 1"=20' | DRAWING NO.: | SHEET NO.: |
| | | 1"=20' | 7 |
| | | RPT-50225-B | SHEET NO.: |

