



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
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TTY: (503) 823-6868
www.portlandoregon.gov/bds

Date: January 30, 2020
To: Interested Person
From: Andrew Gulizia, Land Use Services
503-823-7010/Andrew.Gulizia@portlandoregon.gov

NOTICE OF A TYPE II PROPOSAL IN YOUR NEIGHBORHOOD

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

Because we must publish our decision within 28 days, **we need to receive your written comments by 5 p.m. on February 20, 2020**. Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 20-101755 CU, in your letter. Please address your letter to me, Andrew Gulizia. You can also e-mail your comments to me at my e-mail address above. Please note that all correspondence received will become part of the public record and may be viewed by the applicant or others.

CASE FILE NUMBER: LU 20-101755 CU

Applicant/Owner: Gretchen Francis and Craig Francis
85 NE Highland St.
Portland, OR 97211
(541) 410-1531
gretchenafrancis@gmail.com

Site Address: 85 NE Highland St.

Legal Description: BLOCK 57 E 1/2 OF LOT 1&2, PIEDMONT; BLOCK 57 E 1/2 OF LOT 1&2, PIEDMONT

Tax Account No.: R657808600

State ID No.: 1N1E15DA 02900

Quarter Section: 2430

Neighborhood: Piedmont, contact Jan de Leeuw at landuse@piedmontemerald.com

Business District: Soul District Business Association, contact at info@nnebaportland.org

District Coalition: North Portland Neighborhood Services, contact Mary Jaron Kelley at 503-823-8877

Other Designations: Piedmont Conservation District

Zoning: R5ah – Single-Dwelling Residential 5,000 base zone with Alternative Design Density (“a”) and Aircraft Landing (“h”) overlay zones

Case Type: CU – Conditional Use Review

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

Proposal:

The applicant requests Conditional Use approval to operate a Type B accessory short-term rental (ASTR) facility in the existing house on this site. No exterior changes to the house or property are proposed for the ASTR use. The applicant lives in the house and proposes to make up to 4 bedrooms available for short-term rentals. No commercial events are proposed.

Relevant Approval Criteria:

To be approved, this proposal must comply with the approval criteria of Title 33. The relevant criteria are in Zoning Code Section 33.815.105.A-E.

The City's new Comprehensive Plan has been appealed. Because Zoning Code Section 33.815.105.A-E is considered an "unacknowledged land use regulation" while the appeal is pending, this proposal may also have to comply with applicable Statewide Planning Goals. The Statewide Planning Goals may be viewed at <https://www.oregon.gov/lcd/OP/Pages/Goals.aspx>.

Zoning Code Section 33.700.080 states that land use review applications are reviewed under the regulations in effect at the time the application was submitted, provided that the application is complete at the time of submittal or complete within 180 days. This application was submitted on January 6, 2020 and determined to be complete on January 27, 2020.

DECISION MAKING PROCESS

The Bureau of Development Services will make a decision on this proposal. After we consider your comments, we will do one of the following:

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

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

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

The file and all evidence on this case are available for your review by calling (503) 823-7617 to schedule an appointment. Copies of all information in the file can be obtained for the cost of making copies during the appointment. If you would like to request a copy of the file online, please visit <https://www.portlandoregon.gov/bds/54732>. The fee for this service varies based on the size of the case file and how long it would take to scan or copy documents. I can provide some information over the phone or through email.

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.portlandoregon.gov.

APPEAL PROCESS

If you disagree with the Bureau of Development Services administrative decision, you can appeal the decision to the Hearings Officer. The Hearings Officer will hold a public hearing for the appeal. When the decision is mailed, the criteria used to make the decision and information on how to file an appeal will be included. If you do not send any comments, you can still appeal the decision. There is a 14-day deadline to file an appeal beginning on the day the decision is mailed. The reason for the appeal must be specifically defined in order for the review body to respond to the appeal. If an appeal is filed, you will be notified of the time and location of the appeal hearing.

There is a fee charged for appeals. Recognized neighborhood associations may qualify for an appeal fee waiver.

APPEAL OF THE FINAL CITY DECISION

After an appeal hearing, the review body decision may be appealed to the Oregon Land Use Board of Appeals (LUBA) at 775 Summer St NE, Suite 330, Salem, Oregon 97301-1283. The phone number for LUBA is 1-503-373-1265. Issues that may provide the basis for an appeal to LUBA must be raised prior to the comment deadline or prior to the conclusion of the hearing if a local appeal is requested. If you do not raise an issue with enough specificity to give the Bureau of Development Services an opportunity to respond to it, that may also preclude an appeal to LUBA on that issue.

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

Enclosures:

Zoning map
Site plan



ZONING



THIS SITE LIES WITHIN THE:
PIEDMONT CONSERVATION DISTRICT

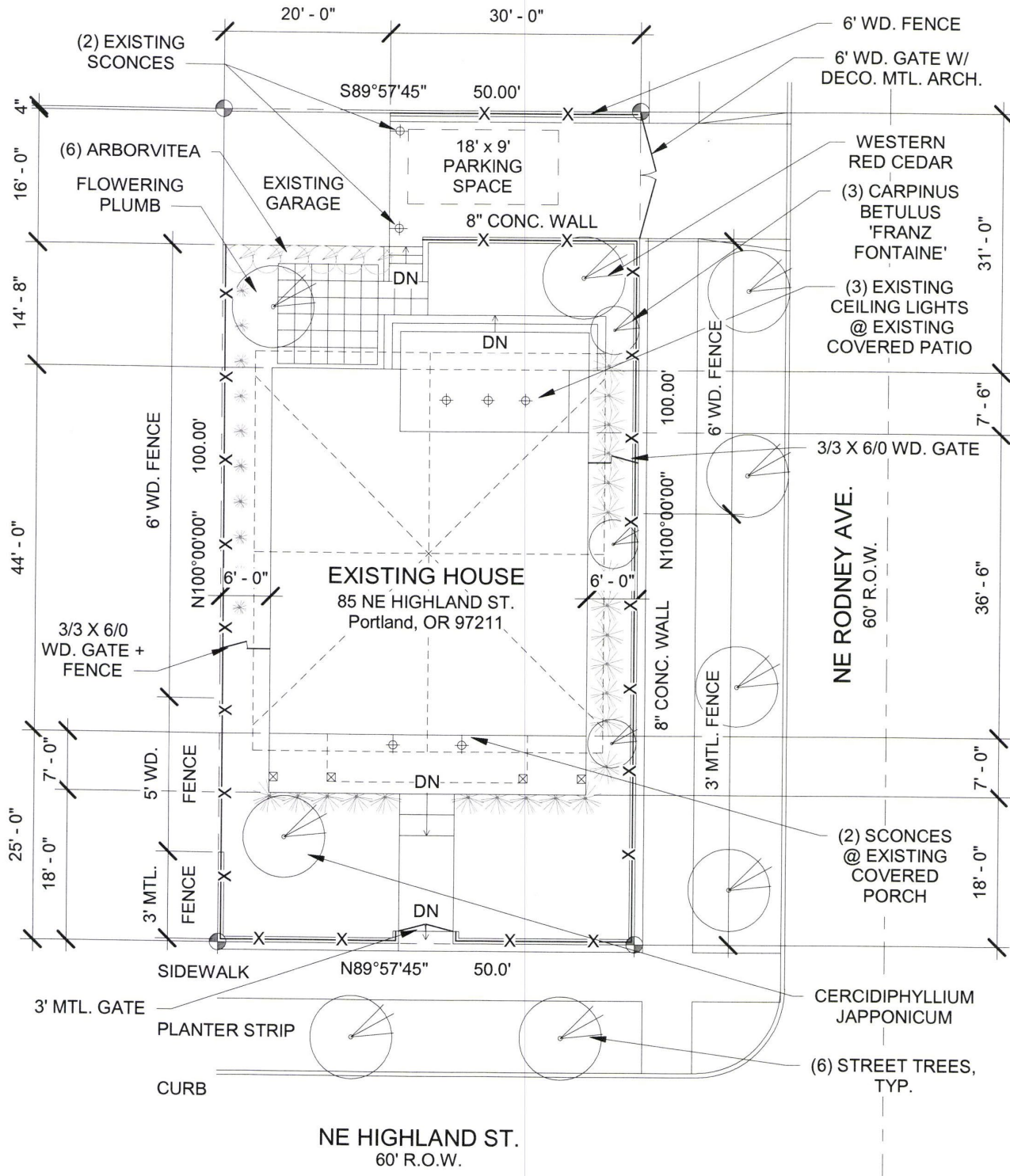


Site



Historic Landmark

| | |
|-------------|-------------------|
| File No. | LU 20 - 101755 CU |
| 1/4 Section | 2430 |
| Scale | 1 inch = 163 feet |
| State ID | 1N1E15DA 2900 |
| Exhibit | B Jan 08, 2020 |



① Site Plan
 1/16" = 1'-0"

ADDRESS: 85 NE HIGHLAND ST.
 PORTLAND, OR 97211
 ZONING: R-5



LU 20-101755 CU