



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

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[www.portlandoregon.gov/bds](http://www.portlandoregon.gov/bds)

**Date:** February 6, 2020  
**To:** Interested Person  
**From:** Marguerite Feuersanger, Land Use Services  
503-823-7619/Marguerite.Feuersanger@portlandoregon.gov

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

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

Because we must publish our decision within 28 days, **we need to receive your written comments by 5 p.m. on February 27, 2020.** Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 19-255448 CU AD, in your letter. It also is helpful to address your letter to me, Marguerite Feuersanger. You can also e-mail your comments to me at my e-mail address identified above. Please note that all correspondence received will become part of the public record.

## **CASE FILE NUMBER: LU 19-255448 CU AD**

**Owner:** Ryan Jones  
6255 NE 17th Avenue  
Portland, OR 97211

**Applicant:** Ryan Jones | Golden Bear Lair Holdings LLC  
774 34th Avenue  
San Francisco CA 94121

**Site Address:** 6255 NE 17th Avenue

**Legal Description:** SOUTH BLOCK 1 LOT 4 TL 14200, COLUMBIA HTS  
**Tax Account No.:** R173104930  
**State ID No.:** 1N1E14DB 14200  
**Quarter Section:** 2432

**Neighborhood:** Woodlawn, contact Anjala Ehelebe at [aehlebe@gmail.com](mailto:aehlebe@gmail.com).  
**Business District:** Soul District Business Association, contact at [info@nnebaportland.org](mailto:info@nnebaportland.org)  
**District Coalition:** Northeast Coalition of Neighborhoods, contact Jessica Rojas at [jessica@necoalition.org](mailto:jessica@necoalition.org).

**Zoning:** R5ah: Single Dwelling Residential 5,000 Zone, Alternative Design Density Overlay Zone (a) and Aircraft Landing Overlay Zone (h)

**Case Type:** CU AD, Conditional Use and Adjustment  
**Procedure:** Type II, an administrative decision with appeal to the Hearings Officer.

**PROPOSAL:** The applicant, representing the current resident of the subject site, requests Conditional Use approval to operate a TYPE B Accessory Short-Term Rental (ASTR) facility at this address. Four of the five bedrooms in the single-story house (all bedrooms are located on the main level) are proposed for ASTR use. Single groups of up to eight (8) guests are proposed (maximum of two guests per bedroom). The long-term resident will occupy the attached accessory dwelling unit (ADU with one bedroom) and will be the ASTR Operator, assist ASTR guests and be the local contact for neighbors.

No exterior alterations to the house are proposed. No outside employees, food or beverage service, or commercial events are proposed. Outdoor spaces are reserved for the long-term resident; proposed house rules do not allow guest use of outdoor spaces.

Conditional Use Review Required The Type B ASTR use allows three to five bedrooms for rent inside a resident-occupied dwelling unit and may be requested through the Type II Conditional Use review procedure (Portland Zoning Code Section 33.207.050.A.2). To create the proposed four-bedroom Type B ASTR use, the applicant requests this Conditional Use Review. (Note that the Type A ASTR use allows rental of one or two sleeping rooms inside a resident-occupied dwelling unit, through an administrative permit process.)

Adjustment Review Required The former attached garage was converted to an ADU in 2017 (Permit #17-250334 RS). Although onsite parking is not required for this site, the applicant would like to retain a parking space on the driveway. The existing driveway, however, is only 23 feet in length and is not long enough to accommodate a parking space outside the 10-foot front setback (a 28-foot long driveway is required). Therefore, the applicant requests an Adjustment to allow the onsite parking space to be located within the front setback area.

The Zoning Code contains regulations for ASTR uses (Chapter 33.207). The regulations are intended to allow for efficient use of houses in residential areas if the neighborhood character is maintained. The regulations also provide an alternative form of lodging for visitors who prefer a residential setting. The applicant has provided a written statement showing that the proposal can meet these regulations.

A Transportation Analysis of the proposal was included with this application (to address transportation-related Conditional Use approval criterion D cited below).

**Relevant Approval Criteria:**

To be approved, this proposal must comply with the approval criteria of Title 33. The relevant criteria are contained the Zoning Code:

- Section 33.815.105, A through E, Conditional Use Approval Criteria for Institutional and Other Uses in a Residential Zone; and
- Section 33.805.040, A through E, Adjustment Approval Criteria.

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 November 20, 2019 and determined to be complete on January 29, 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 appointment by making a request online or contacting me.

- Please call the Request Line at our office, 1900 SW Fourth Avenue, Suite 5000, phone 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](http://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. This review body 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.

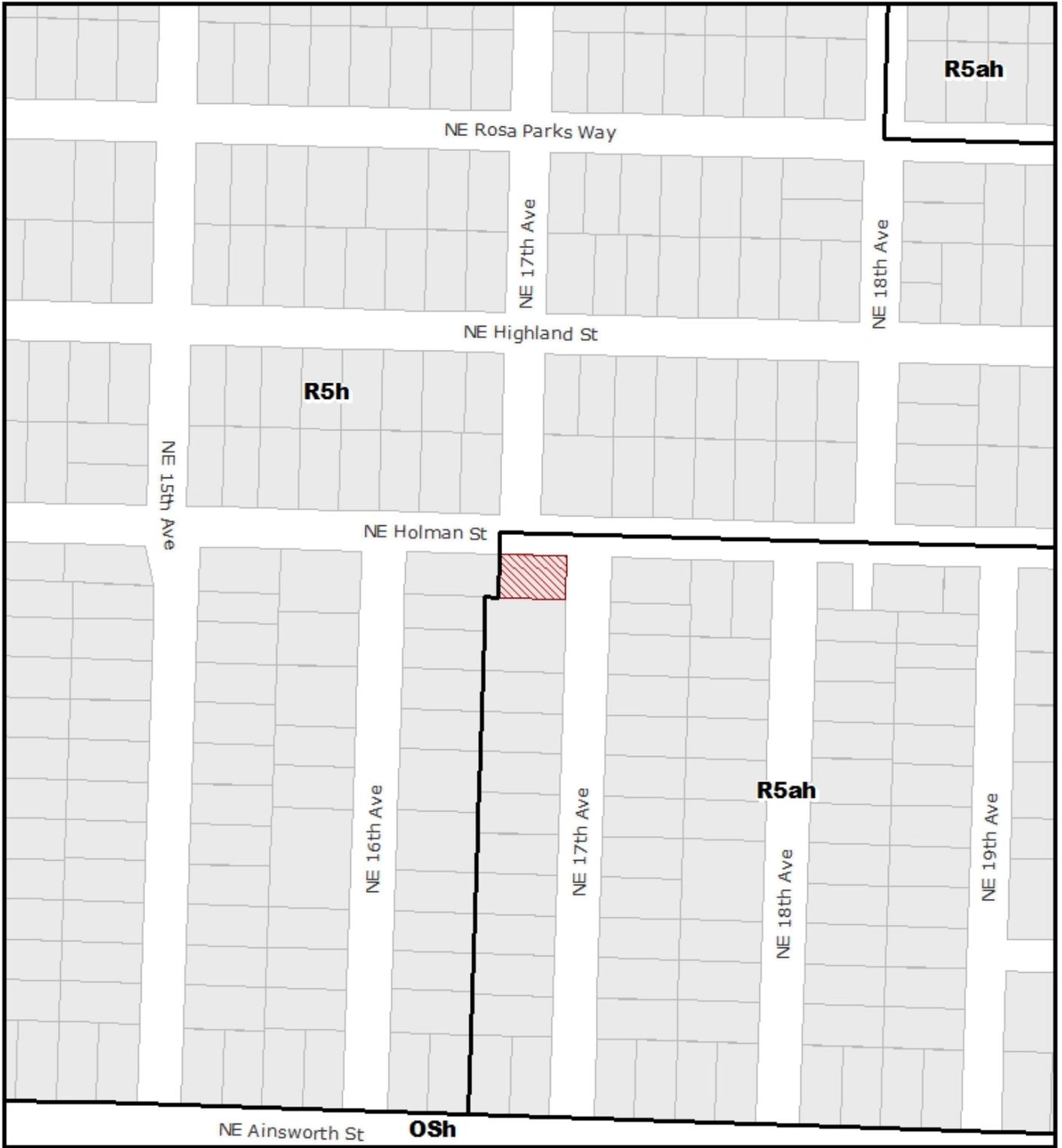
#### **APPEAL OF THE FINAL CITY DECISION**

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**   
NORTH

 Site

|             |                             |
|-------------|-----------------------------|
| File No.    | <u>LU 19 - 255448 CU AD</u> |
| 1/4 Section | <u>2432</u>                 |
| Scale       | <u>1 inch = 163 feet</u>    |
| State ID    | <u>1N1E14DB 14200</u>       |
| Exhibit     | <u>B Jan 10, 2020</u>       |

