



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

Ted Wheeler, Mayor
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www.portlandoregon.gov/bds

Date: July 7, 2020
To: Interested Person
From: Morgan Steele, Land Use Services
503-823-7731/Morgan.Steele@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 July 28, 2020. **During the COVID-19 pandemic, your comments must be e-mailed to the assigned planner listed above**; please include the Case File Number in your e-mail. If you do not have access to e-mail, please telephone the planner listed above about submitting comments. Note that all correspondence received will become part of the public record.

CASE FILE NUMBER: LU 20-121349 EN GW **UNINCORPORATED MULTNOMAH COUNTY**

Applicant/Owner: Glen S Davis and Ludmila Yamslova-Davis
11837 SW Riverwood Road | Portland, OR 97219-8453

Representative: Tina Farrelly | Pacific Habitat Services
9450 SW Commerce Circle, Suite 180 | Wilsonville, OR 97070

Site Address: 11837 SW RIVERWOOD ROAD

Legal Description: LOT 9 TL 300, RIVERWOOD
Tax Account No.: R711300870
State ID No.: 1S1E35DB 00300
Quarter Section: 4232

Neighborhood: None
Business District: None
District Coalition: None

Plan District: None
Other Designations: Unincorporated Multnomah County

Zoning: *Base Zone:* Residential 20,000 (R20)
Overlay Zones: Environmental Conservation (c), Greenway River General (g)

Case Type: EN GW – Environmental & Greenway Review

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

Proposal:

The applicant is requesting a Greenway Review and Environmental Review to allow the construction of a new gangway, stiff-arm, and boat dock on the Willamette River to allow river recreation and temporary boat moorage. The proposed dock system will consist of one, approximately 85-foot long gangway segment and one, approximately 65-foot long stiff-arm segment; the dock structure itself will be 400 square feet of fully grated deck. Construction access for the installation of the gangway, stiff-arm, and dock will be from the river, with only the final attachments of the gangway and stiff-arm to the anchor points conducted by hand from the fixed landing or riverbank. All heavy equipment necessary for the installation of the gangway, stiff-arm, and dock (i.e., crane) will access the project area via a floating barge.

The total anticipated new disturbance resulting from the proposed project, as depicted on the applicant's Site Plan (attached), amounts to 3,107 square feet (beyond that already occupied by the existing development). In order to meet the landscaping standards per 33.440.230 -*Landscaping* for the greenway review and to provide adequate mitigation for project-related impacts within the Environmental and Greenway overlay zones, the applicant is proposing to plant a total of 10 trees, 100 shrubs, and 250 ground cover species, covering approximately 2,310 square feet within the Greenway and Environmental overlay zones. Further, to offset impacts to shallow water habitat, the applicant proposes to remove 250 square feet of existing over and in-water structures. The existing structures to be removed include a degraded deck and concrete and metal remnants from a historic boat ramp/landing.

The proposed dock, gangways, and stiff-arm are considered alterations to existing development and will be in the resource area of the Environmental Conservation (c) overlay zone. Certain environmental standards must be met to allow the work to occur by right. In this case, the proposed development will exceed the standards for maximum disturbance area allowed by 33.430.140.D; therefore, a Type II Environmental Review is required. In addition, the site lies within the Greenway River General (g) overlay zone and the proposed landing, gangway system, and dock occur within and riverward of the greenway setback. Greenway Review applies to changes to the land and structures in the water within the Greenway overlay zones, including excavations and fills, and docks; therefore, a Type II Greenway Review is also required.

Relevant Approval Criteria:

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

- **Environmental Review 33.430.250.E**
- **Greenway Review 33.440.350**
- ***Willamette Greenway Design Guidelines***

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 February 21, 2020 and determined to be complete on July 2, 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.

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.

Appeal fee waivers. Multnomah County may cover the appeal fees for their recognized associations. An appeal filed by a recognized association must be submitted to the City with either the appropriate fee or the attached form signed by the County. Contact Multnomah County at 503-988-3043, 1600 SE 190th, Portland, OR 97233.

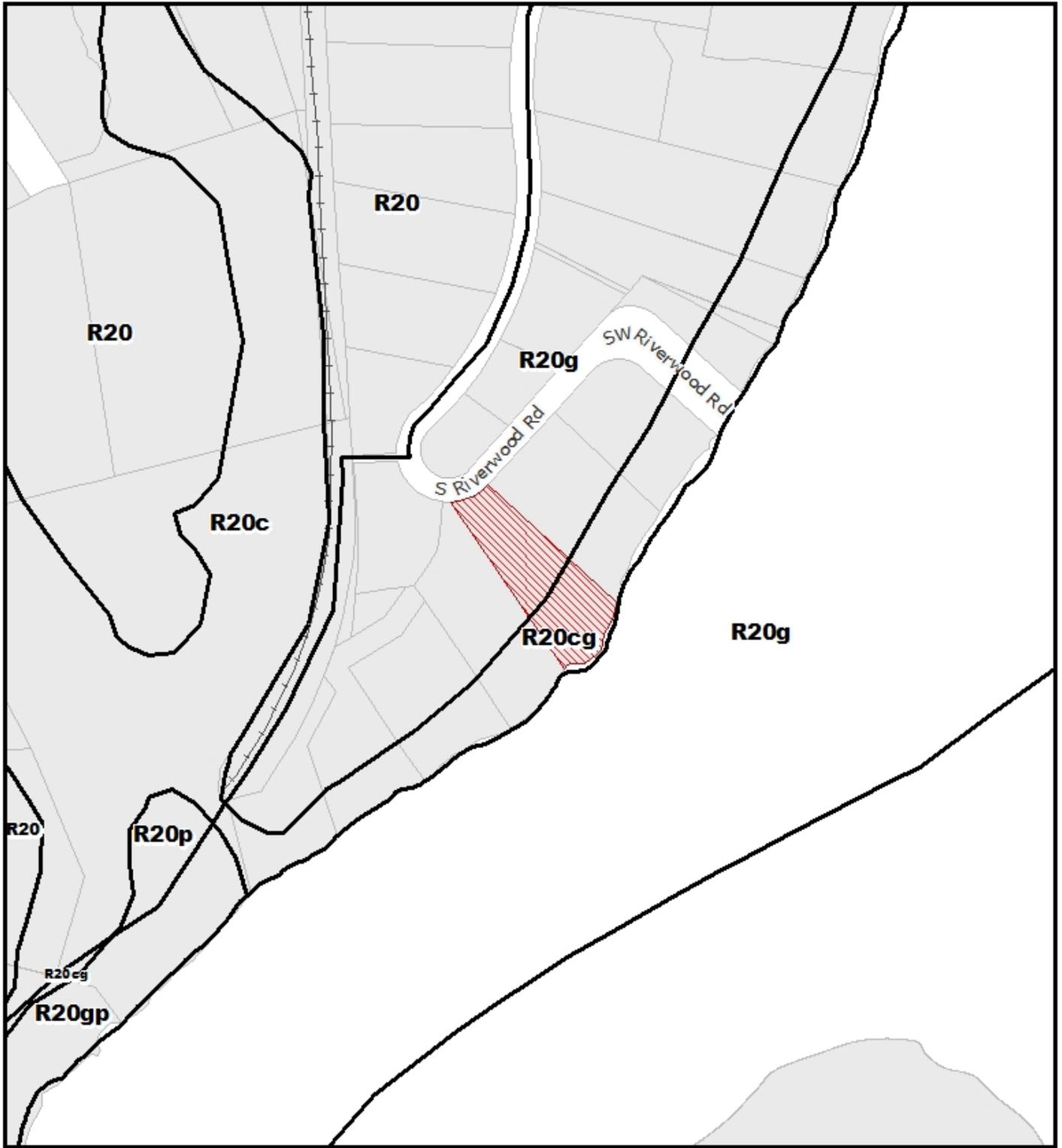
APPEAL OF THE FINAL CITY DECISION

After an appeal hearing, the review body decision may be appealed to the Oregon Land Use Board of Appeals (LUBA) at 775 Summer Street 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 Plans



ZONING 
NORTH

 Site

File No.	<u>LU 20 - 121349 EN GW</u>
1/4 Section	<u>4232</u>
Scale	<u>1 inch = 163 feet</u>
State ID	<u>1S1E35DB 300</u>
Exhibit	<u>B Feb 26, 2020</u>

