



**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:** July 27, 2020  
**To:** Interested Person  
**From:** Clare Fuchs, Land Use Services  
503-823-7843 / [Clare.Fuchs@portlandoregon.gov](mailto:Clare.Fuchs@portlandoregon.gov)

## **NOTICE OF A TYPE Ix 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 45 days, we need to receive your written comments by 5 p.m. on August 26, 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 20-106748 LDP**

**Applicant:** Kevin Partain Urban Visions  
223 NE 56th Ave Portland OR 97213  
503-421-2967 [kevinp@gorge.net](mailto:kevinp@gorge.net)

**Owner:** FX Homes  
210 N Buffalo St Portland, OR 97217

**Owner's Representative:** Francis Gaudette FX Homes  
22060 SE 442nd Ave Sandy OR 97213

**Site Address:** 210 N BUFFALO ST

**Legal Description:** BLOCK 5, A PORTION OF LOTS 1&2, GREEN C LOVE ADDITION  
**Tax Account No.:** R340001070  
**State ID No:** 1N1E15AB 11300  
**Quarter Section:** 2330

**Neighborhood:** Piedmont, contact [landuse@piedmontemerald.com](mailto:landuse@piedmontemerald.com).  
**Business District:** Soul District Business Association, contact [info@nnebaportland.org](mailto:info@nnebaportland.org)  
**District Coalition:** North Portland Neighborhood Services, contact Mary Jaron Kelley at 503-823-8877.

**Zoning:** Residential Multi-Dwelling 2,000 (R2)  
**Overlay Zone:** Aircraft Landing Zone (h)

**Case Type:** Land Division – Partition (LDP)  
**Procedure:** Type Ix, an administrative decision with appeal to the Oregon Land Use Board of Appeals (LUBA).

**Proposal:**

The applicant proposes to divide this 6,690 square foot lot that currently contains a single detached dwelling into 2 lots. Parcel 1 is proposed to be 3,503 square feet and contain the existing house to remain. Parcel 2 is proposed to be 2,920 square feet and contain a single detached house. Parcel 2's off-street parking allows for forward in and out motion from the new driveway on N Vancouver Avenue. The new Leland Cypress tree is proposed to remain.

**Relevant Approval Criteria:** In order to be approved, this proposal must comply with the approval criteria of *Title 33*. The relevant criteria are found in **Section 33.660.120, Approval Criteria for Land Divisions in Open Space and Residential Zones**.

This partition is reviewed through a Type Ix land use review because: (1) the site is in a residential zone; (2) fewer than four lots are proposed; (3) none of the lots, utilities, or services are proposed within a Potential Landslide Hazard or Flood Hazard Area, and; (4) no other concurrent land use reviews (such as an Adjustment, Design Review, or Environmental Review) are requested or required (see 33.660.110).

For purposes of State Law, this land division is considered a partition. To partition land is to divide an area or tract of land into two or three parcels within a calendar year (See ORS 92.010). ORS 92.010 defines "parcel" as a single unit of land created by a partition of land. The applicant's proposal is to create 2 units of land (2 lots). Therefore, this land division is considered a partition.

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 17, 2020 and determined to be complete on July 8, 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).

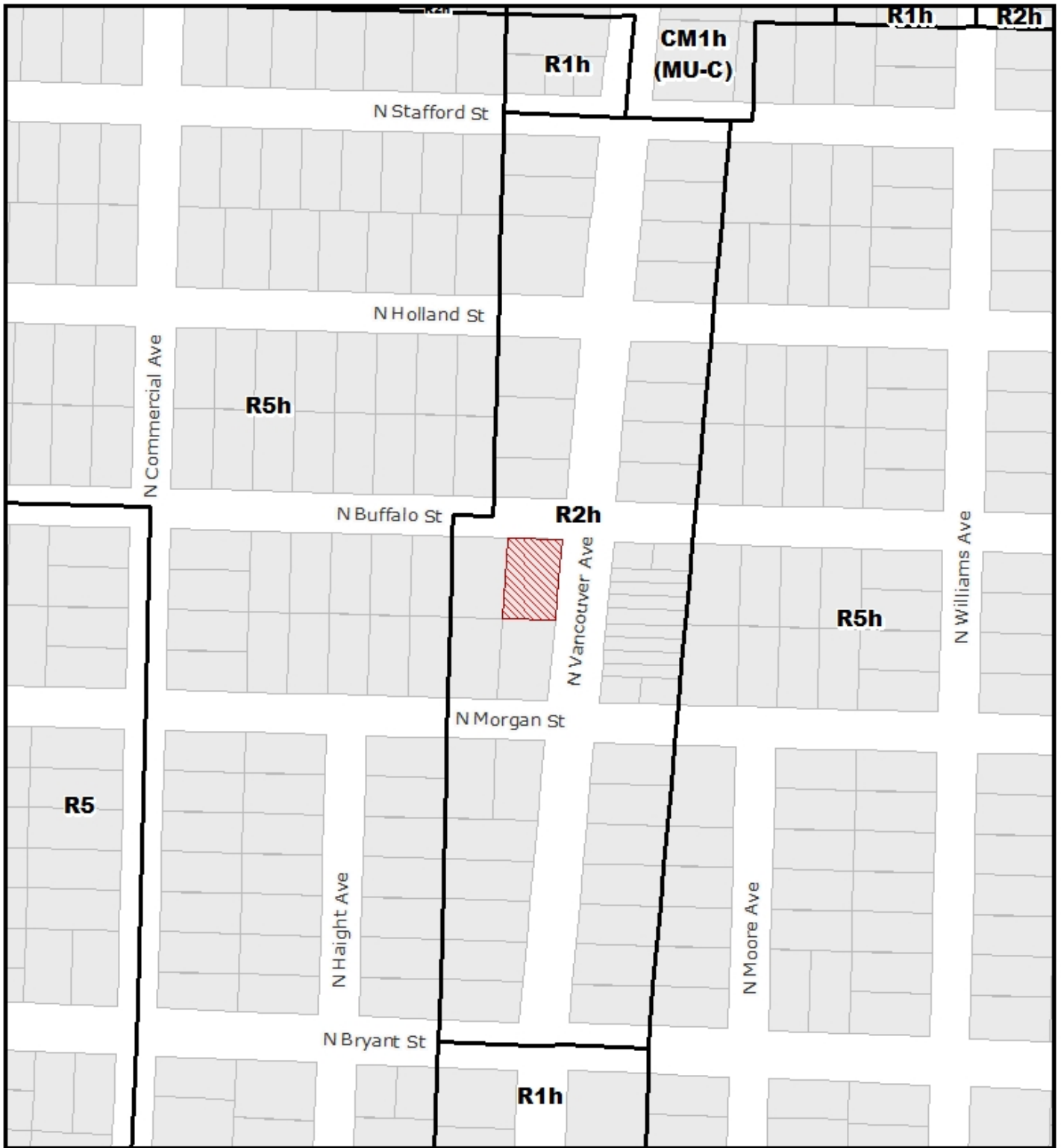
**APPEAL PROCESS**

If you disagree with the Bureau of Development Services administrative decision, you can appeal the decision to the Oregon Land Use Board of Appeals (LUBA) at 775 Summer St NE, Suite 330, Salem OR 97301-1283. The phone number for LUBA is 1-503-373-1265. Issues which may provide the basis for an appeal to LUBA must be raised in writing before the deadline for comments, or you may not be able to raise that issue in an appeal. If you do not raise an issue with enough specificity to give the Bureau of Development Services an opportunity to respond to it, that also may 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.	LU 20 - 106748 LDP
1/4 Section	2330
Scale	1 inch = 163 feet
State ID	1N1E15AB 11300
Exhibit	B Jan 22, 2020

