



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

Dan Ryan, Commissioner  
Rebecca Esau, Director  
Phone: (503) 823-7300  
Fax: (503) 823-5630  
TTY: (503) 823-6868  
www.portland.gov/bds

**Date:** November 15, 2021  
**To:** Interested Person  
**From:** Clare Fuchs, Land Use Services  
503-865-6423 / Clare.Fuchs@portlandoregon.gov

## **NOTICE OF A TYPE IIx 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 42 days, **we need to receive your written comments by 5 p.m. on December 15, 2021. Your comments must be e-mailed to the assigned planner listed above;** please include the Case File Number, LU 21-054328 LDP, in your e-mail. If you do not have access to e-mail, please telephone the planner listed above about submitting comments. Please note that all correspondence received will become part of the public record.

## **CASE FILE NUMBER: LU 21-054328 LDP**

**Applicant:** Sarah Radelet, Strata Land Use Planning  
PO Box 90833 Portland OR 97290  
sarah@stratalanduse.com 503-320-0273

**Owners:** Marcy and Joseph Parker  
35 SW Ridge Drive, Portland, OR 97219-6567  
jandmparker000@gmail.com 503-799-6249 / 971-258-5725

**Site Address:** 9 SW Ridge Drive

**Legal Description:** E 120' OF LOT 6, SOUTH RIDGE  
**Tax Account No.:** R778800490  
**State ID No.:** 1S1E27BC 11400  
**Quarter Section:** 3929 & 4029

**Neighborhood:** Collins View, contact at board@collinsview.org  
**Business District:** None  
**District Coalition:** Office of Community & Civic Life, contact Shuk Arifdjanov at shuk.arifdjanov@portlandoregon.gov

**Zoning:** Residential 10,000 (R10)

**Case Type:** Land Division – Partition (LDP)  
**Procedure:** Type IIx, an administrative decision with appeal to the Hearings Officer.

**Proposal:**

The applicant proposes to divide this 29,832 square foot property into 3 Parcels: Parcels 1 and 2 are proposed to be 6,040 square feet each and will be available for residential development. Parcel 3 is proposed to be 16,236 square feet and will contain the existing house to remain as well as a new detached accessory dwelling unit. Seven on-site trees are proposed for retention.

**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 proposal is reviewed through a Type IIX procedure because: (1) the site is in a residential zone; (2) two or three lots are proposed; and (3) the site is located within a Potential Landslide Hazard Area (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 3 units of land (3 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 June 7, 2021 and determined to be complete on November 4, 2021.

**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.

If you are interested in viewing information in this file, please contact the planner listed on the front of this notice. The planner can email you documents from the file. A fee would be required for all requests for paper copies of file documents. Additional information about the City of Portland, and city bureaus is available online at <https://www.portland.gov>. A digital copy of the Portland Zoning Code is available online at <https://www.portlandoregon.gov/zoningcode>.

**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, OR 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