



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: January 11, 2022
To: Interested Person
From: Matt Wickstrom, Land Use Services
503-865-6513/Matt.Wickstrom@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 1, 2022. Your comments must be e-mailed to the assigned planner listed above;** please include the Case File Number, LU 21-116298 CU, 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 21-116298 CU

Owner/Applicant: Peter Tax
3412 NE Rodney Ave Unit #A | Portland, OR 97212
Phone: 805-305-1062 | Email: peter@staywithabode.com

Site Address: 3412 NE RODNEY AVE

Legal Description: LOT 2, PARTITION PLAT 2017-34
Tax Account No.: R649681340
State ID No.: 1N1E27AA 04002
Quarter Section: 2730

Neighborhood: Eliot, contact Jonathan Konkol at info@eliotneighborhood.org or Brad Baker at lutcchair@eliotneighborhood.org
Business District: Soul District Business Association, contact at Info@nnebaportland.org
District Coalition: Northeast Coalition of Neighborhoods, contact at info@necoalition.org

Plan District: Albina Community
Zoning: R2.5 (Residential 2,500)

Case Type: CU (Conditional Use Review)
Procedure: Type II, an administrative decision with appeal to the Hearings Officer.

Proposal:

The applicant is a full-time resident and caretaker who resides at the subject site, and requests Conditional Use approval to operate a 5-bedroom Type B Accessory Short-Term Rental (ASTR) facility at this address. The house has 6 bedrooms total, including the resident's bedroom

located in a first-floor accessory dwelling unit. The ASTR would have a maximum of 5 guest rooms that would be rented out to a maximum of 10 guests. The applicant would be occupying the property for at least 270 days per calendar year. No exterior alterations to the house are proposed. No outside employees, food or beverage service, or commercial events are proposed. Proposed house rules would require exterior quiet hours from 10pm to 7am.

Type B Accessory Short-Term Rentals are allowed in residential zones when the proposal meets the approval criteria and applicable standards. 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.

Relevant Approval Criteria:

In order 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: Conditional Use Approval Criteria for Institutional and Other Uses in a Residential Zone.

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 December 21, 2021 and determined to be complete on January 7, 2022.

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.

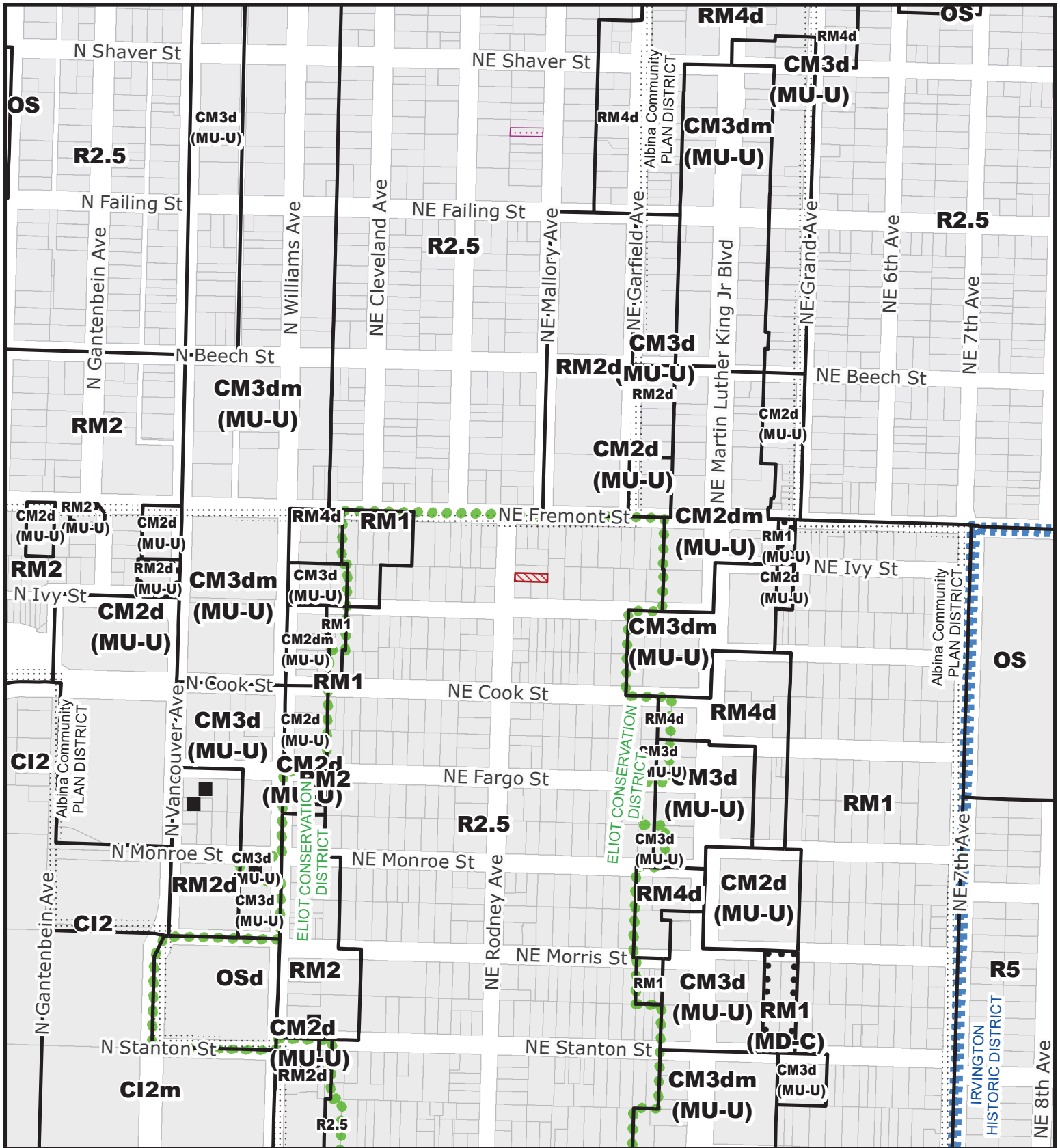
APPEAL OF THE FINAL CITY DECISION

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, 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
Floor Plans



ZONING



For Zoning Code in effect Post August 1, 2021

ALBINA COMMUNITY PLAN DISTRICT
ELIOT CONSERVATION DISTRICT



Site



Also Owned Parcels



Historic Landmark

File No. LU 21 - 116298 CU

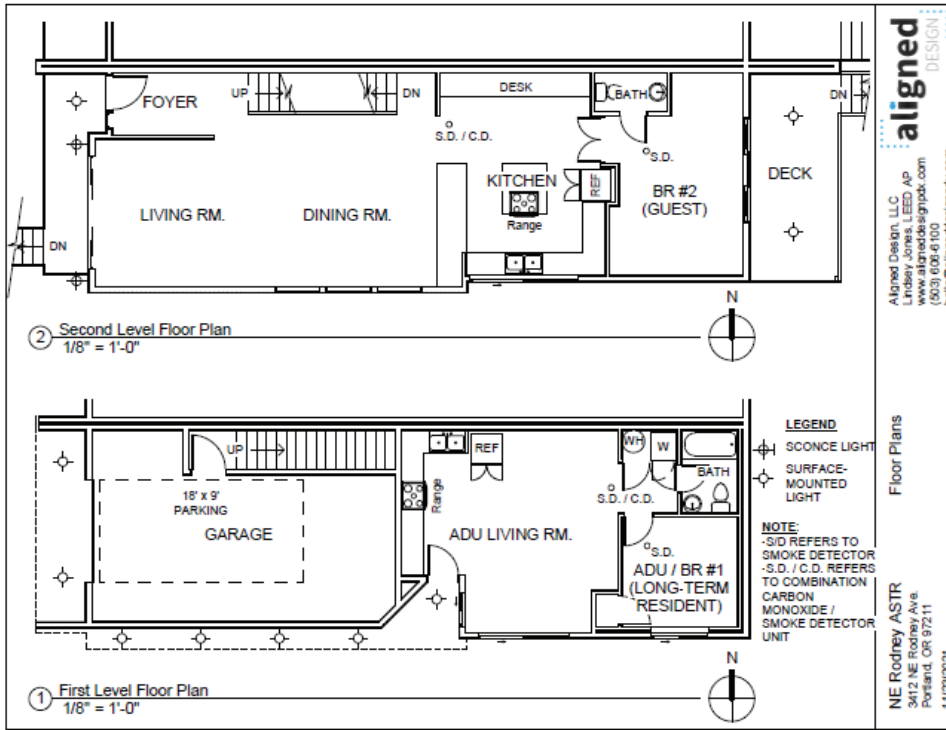
1/4 Section 2730

Scale 1 inch = 400 feet

State ID 1N1E27AA 4002

Exhibit B Dec 21, 2021

3412 NE Rodney
21-116298 CU
Floor Plans

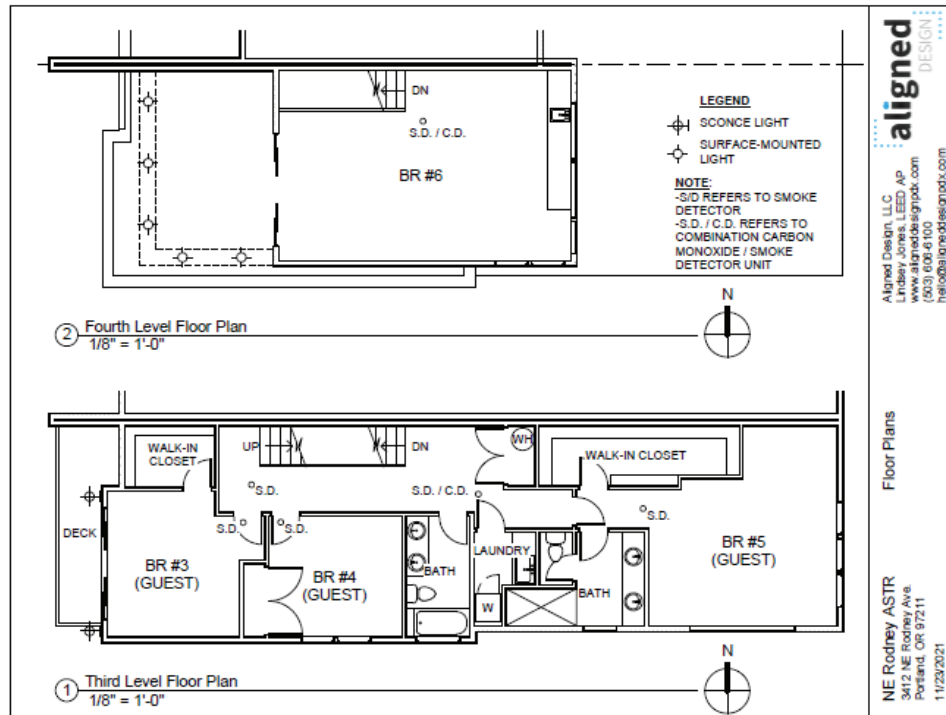


aligned DESIGN
Aligned Design, LLC
Lindsay Jones, LEED AP
www.alignedesignpdx.com
(503) 608-6100
hello@alignedesignpdx.com

Floor Plans

NE Rodney ASTR
3412 NE Rodney Ave
Portland, OR 97211
11/23/2021

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