



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

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

**Date:** February 2, 2022  
**To:** Interested Person  
**From:** Timothy Novak, Land Use Services  
503-823-5395 / [Timothy.Novak@portlandoregon.gov](mailto:Timothy.Novak@portlandoregon.gov)

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

The Bureau of Development Services has approved a proposal in your neighborhood. The mailed copy of this document is only a summary of the decision. The reasons for the decision are included in the version located on the BDS website <http://www.portlandonline.com/bds/index.cfm?c=46429>. Click on the District Coalition then scroll to the relevant Neighborhood, and case number. If you disagree with the decision, you can appeal. Information on how to do so is included at the end of this decision.

### **CASE FILE NUMBER: LU 21-099512 AD**

#### **GENERAL INFORMATION**

**Applicant/Owner:** Kevin Hasenkopf  
6516 SE 92nd Ave  
Portland, OR. 97266  
[kevin@v1creative.tv](mailto:kevin@v1creative.tv) | (503) 913-0123

**Co-Owner:** Ashely Hasenkopf  
6516 SE 92nd Ave  
Portland, OR. 97266

**Site Address:** 6516 SE 92nd Ave

**Legal Description:** BLOCK 6 LOT 8, PINEHURST; BLOCK 6 S 1/2 OF LOT 9, PINEHURST  
**Tax Account No.:** R659100660, R659100700  
**State ID No.:** 1S2E16DC 06400, 1S2E16DC 06300  
**Quarter Section:** 3640, 3740

**Neighborhood:** Lents, contact at 1017 NE 117<sup>th</sup> Ave, Portland OR 97220  
**Business District:** Lents Grown Business Association, contact [lentsgrown@gmail.com](mailto:lentsgrown@gmail.com).  
**District Coalition:** East Portland Community Office, contact at [info@eastportland.org](mailto:info@eastportland.org)

**Plan District:** None

**Zoning:** Multi-Dwelling Residential 1 (RM1)

**Case Type:** Adjustment (AD) Review  
**Procedure:** Type II, an administrative decision with appeal to the Adjustment Committee.

**Proposal:**

The applicant proposes to Adjust the minimum side building setback (Zoning Code Section 33.120.220) at the north side of the existing house from 5 feet to 3.8 feet and the eaves from 4 feet to 2.1 feet; no alterations to the existing house are proposed.

The Adjustment is required in order for the applicant's Property Line Adjustment (PR 21-063181 PLA) application to be approved. The PLA moves the common lot line between the subject parcel with the existing house and the abutting vacant parcel to the north that is under the same ownership five feet to the south.

If approved, this Adjustment Request to reduce the minimum side building setback will allow approval of the PLA so that the width of the vacant lot can be widened to 25 feet, which will allow it to be developed with a 15-foot-wide house, which is common on narrow lots throughout the city. Development of a detached house on the vacant lot is allowed even with its current 20-foot width, but the house width would be limited to ten feet wide by the side setback requirements. Please note that the Property Line Adjustment is not under the purview of this Adjustment Review.

**Relevant Approval Criteria:**

To be approved, this proposal must comply with the approval criteria of Title 33. The relevant criteria are found in Section 33.805.040.A through F.

**ANALYSIS**

**Site and Vicinity:** The subject site is on the western edge of the Lents Pedestrian District and fronts SE 92<sup>nd</sup> Ave, a PBOT-designated Neighborhood Collector, City Bikeway, City Walkway, Local Truck Service Street, and Major Emergency Response street. Zoning in the vicinity is a mix of high-density single-dwelling (R2.5) on the west side of SE 92<sup>nd</sup> Ave, to low density multi-dwelling along the east side; about 300 feet to the north the zoning shifts to medium density multi-dwelling (RM2) and medium scale Mixed Use Commercial (CM2).

Even with the mix of base zones, current development is almost, if not totally single-dwelling residences. The area appears to have experienced a fair bit of redevelopment with newer homes having two-stories, minimum side setbacks, and smaller yards. Older development in the vicinity is primarily one to one and a half story structures with larger yards and larger building setbacks. Tree canopy in the vicinity is relatively low, with occasional exceptions, such as the heavily wooded lot across the street, on the south side of the intersection. There appear to be few mature trees.

The subject site is developed with a century-old, renovated two-story house with a full width covered porch at the front. The front yard is about 17.75 feet deep, which is the average for the east side of SE 92<sup>nd</sup> Ave at this block, based on GIS building footprint and taxlot layers. The lot is currently fully intact as platted with dimensions of 40ft by 100ft. This proposal will allow for the lot to be reduced to 35ft by 100ft; which is still 10 feet wider than the minimum lot width for new lots for detached houses in the RM1 zone. There is a street tree in the frontage of the subject parcel, but there appears to be only one small tree in the far SE corner of the back yard.

**Zoning:** The RM1 (Multi-Dwelling Residential 1) zone is a low-scale multi-dwelling zone that is generally applied in locations intended to provide a transition in scale to single-dwelling residential areas, such as the edges of mixed-use centers and civic corridors, and along or near neighborhood corridors. Allowed housing is characterized by one to three story buildings that relate to the patterns of residential neighborhoods, but at a somewhat larger scale and building coverage than allowed in the single-dwelling zones. The major types of new development will be duplexes, triplexes, rowhouses, courtyard housing, small apartment buildings, and other relatively small-scale multi-dwelling and small-lot housing types that are compatible with the

characteristics of Portland's residential neighborhoods. The RM1 zone allows residential development up to a maximum floor area ratio (FAR) of 1 to 1.

**Land Use History:** City records indicate there are no prior land use reviews for this site.

**Agency Review:** A "Notice of Proposal" was sent March 11, 2021. The following Bureaus responded with no concerns about or objections to the proposed Adjustment:

- Bureau of Environmental Services (Exhibit E.1);
- Portland Bureau of Transportation (Exhibit E.2);
- Water Bureau (Exhibit E.3);
- Fire Bureau (Exhibit E.4);
- Site Development Section of the Bureau of Development Services (Exhibit E.5); and
- Life Safety Review Section of the Bureau of Development Services (Exhibit E.6).

*Staff Note: Life Safety indicated that where the eaves will be less than three feet away from a property line are required to meet building code requirements for fire ratings and that the work will require a separate building permit. Since approval of this Adjustment Request doesn't move the property line, but only enables its move via the Property Line Adjustment (PLA) referenced above, Life Safety will require compliance with the applicable building code requirements prior to the approval of the PLA (Case #PR 21-063181 PLA).*

**Neighborhood Review:** A Notice of Proposal in Your Neighborhood was mailed on December 27, 2021. One written response was received from a nearby neighbor and property owner in response to the proposal. The neighbor requested that the proposal be denied based on the reduced setback not meeting the approval criteria. The full response from the neighbor is provided in Exhibit F.1.

A summary of the neighbor's primary concerns are listed below. Rather than address each of the neighbor's specific concerns in this section, staff will reference the neighbor's comments, as appropriate within the findings for the relevant criterion, below.

1. Fire, Life, and Safety Concerns, including increased spread of fire and firefighter access.  
*See Findings for Criterion A, below for staff response.*
2. The Adjustment facilitates development of a narrow house on the vacant lot to the north of the subject parcel, which will result in a loss of light and privacy for residences to the north of the now-vacant lot. In addition, a narrow, likely two-story house is not in scale with the character of the neighborhood.  
*See Findings for Criteria A and B below for staff response.*

*Staff Note: As noted above in the proposal description, 33.120.205.C.2 allows development of a 35-foot tall, detached house by right on the abutting narrow lot of record to the north, provided the development meets all applicable development code requirements. In other words, the denial of this Adjustment Request doesn't preempt development on the narrow parcel and in fact pushes the house style on that parcel to an even narrower, more atypical 10-foot wide design (20-foot wide lot with 5-foot setbacks on each side).*

## ZONING CODE APPROVAL CRITERIA

### 33.805.040 Approval Criteria

Adjustment requests will be approved if the applicant has demonstrated that approval criteria A through F, below, have been met.

- A. Granting the Adjustment will equally or better meet the purpose of the regulation to be modified; and**

**Findings:** The purpose of the setback requirement in the RM1 zone is stated in Zoning Code Section 33.120.220.A:

**Purpose.** *The building setback regulations serve several purposes:*

- *They maintain light, air, separation for fire protection, and access for firefighting;*
- *They reflect the general building scale and placement of multi-dwelling development in the city's neighborhoods;*
- *They promote a reasonable physical relationship between residences;*
- *They promote options for privacy for building residents and neighboring properties;*
- *They provide adequate flexibility to site a building so that it may be compatible with the neighborhood, fit the topography of the site, allow for required outdoor areas, and allow for architectural diversity;*
- *Setback requirements along transit streets create an environment that is inviting to pedestrians and transit users; and*
- *They provide room for a car to park in front of a garage door without overhanging the street or sidewalk, and they enhance driver visibility when backing onto the street.*

Maintain light, air, separation for fire protection, and access for firefighting;  
They promote options for privacy for building residents and neighboring properties;

The proposed side setback from the future side (north) property line for the front corner of the covered porch of the existing house is 3.8 feet and 2.1 inches for the eave; (the house is actually slightly askew of the property line, with the side setback at the rear corner 0.4 feet larger or 4.2 feet. See Exhibit C.1).

*Fire protection and access:* Life Safety has indicated that building code has additional fire-protection requirements for eaves that are less than 3 feet from a property line and that prior to the moving of the property line, i.e. the approval of PR 21-063181 PLA, the applicant will be required to obtain a building permit to alter the bottom of the eaves to meet fire-rating requirements (Exhibit E.6). Additionally, staff relies on the Fire Bureau to review the proposal to ensure continued access for firefighting; the Fire Bureau has no objection to the proposal (Exhibit E.4). Access to the house above ground for firefighting is available from all sides of the house, including the three facades whose setback to the nearest property line remains unchanged. Therefore, the location of the new property line maintains separation for fire protection and access for firefighting. This part of the criterion is met.

*Light and air:* It is important to reiterate that this criterion applies only to the relationship of the existing house and conceptual future development on the narrow lot to the north. It does not apply to the relationship between future development on the narrow lot and the lot to its north. See 'Staff Note' in response to Neighborhood Comments, above.

The existing house on the site is two-stories tall and has limited window area, one egress window and one smaller fixed window on the second story, facing the proposed lot line (Exhibit G.3). Future development on the vacant lot to be established north of the house will be subject to a minimum 5-foot building setback requirement from the shared property line. Therefore, even with this Adjustment for the relocated lot line to be 3.8 feet from the house rather than 5 feet, the majority (8.8 feet, or 88%) of the intended, 10-foot separation between buildings will be provided. (A new building on the vacant lot less than 5 feet from this lot line cannot be proposed without a new Adjustment Review.)

Furthermore, building code has both lighting and ventilation requirements. Per the Life Safety Reviewer, "A reduction in separation between the existing house and future development constructed at the minimum 5-foot setback (8.8 feet of separation between building walls), does not impact the [existing] house's conformance with building code light and ventilation requirements." (Exhibit E.6)

Finally, as further evidence that the requested reduced setback maintains light and air, 33.120.270.D Reduced setbacks for detached houses, states the following, "For land divisions

*that include lots created for detached houses, where the lots are at least 25 feet wide, the detached houses may have their side setbacks reduced to 3 feet on lot lines internal to the land division site.”* We can infer from this section that 6 feet is sufficient space between houses for maintaining light and air, a distance that this proposal exceeds. In other words, if the applicant were to apply for a land division to accomplish the same end result as this Adjustment request and the PLA, the proposed setback would be allowed outright (provided the reduced setback is shown on the Preliminary Plat).

Since most of the intended separation between buildings will be provided, since the reduced setback doesn't impact the house's conformance with light and ventilation requirements of the building code, and since the proposed setback would be allowed without need for an Adjustment through the land division process, staff finds the proposal meets these purposes.

Reflect the general building scale and placement of multi-dwelling development in the city's neighborhoods;

They promote a reasonable physical relationship between residences;

As noted in the description of the vicinity above, the neighborhood that the subject site is in has a mix of older development, which is of a building scale and placement more typical of a medium-density single-dwelling zone, and newer development, which is more typical of higher density multi-dwelling zones with taller buildings, minimum setbacks, and smaller yards visible from the street. This Adjustment request does not include a request to alter the house and thus will not change the scale of development on the site. Considering that the zoning code allows for the site (both the vacant lot and subject lot) to be divided into up to four lots for attached, three-story house development, a .8 foot (rear end) to 1.2 foot (front porch end) reduction in the minimum side setback for the existing house is well within the building scale and placement of the city's multi-dwelling zones. This assessment is further substantiated by the allowance in 33.120.270.D cited above, which would allow the proposed setback outright via the preliminary land division process, if the applicant had chosen to accomplish his goal via that procedure instead of via the AD and PLA, and which indicates that the code standards see lesser setbacks, such as those being proposed, as maintaining reasonable physical relationship between residences in multi-dwelling zones like the RM1 zone.

They promote options for privacy for building residents and neighboring properties;

Again, in relation to the neighbor's comments, it is important to reiterate that this criterion applies only to the existing house and conceptual future development on the narrow lot to the north. It does not apply to future development on the narrow lot and its relationship to other surrounding development. See 'Staff Note' in response to Neighborhood Comments, above.

As noted in the findings above for adequate light and air, the existing house on the site is two-stories tall and has limited window area, one egress window and one smaller fixed window on the second story, facing towards the proposed reduced setback (Exhibit G.3). Also as described in multiple findings above, the zoning code under 33.120.270.D would allow for the proposed setback of 8.8 feet in this location if the applicant had chosen to pursue the same outcome (one 25-foot wide lot and one 35-foot wide lot) via a Type 1x land division application. From this can be plainly inferred that the zoning code views a six-foot separation between the sides of buildings to be sufficient in multi-dwelling zones to promote privacy amongst neighbors and residents.

In combination, the allowance for a reduced setback in 33.120.270.D, the limited window area on the north façade of the existing house, the limited amount of setback reduction being requested, and in recognition that privacy is being maintained and unchanged between the neighbors on all other sides of the house, this criterion is met.

They provide adequate flexibility to site a building so that it may be compatible with the neighborhood, fit the topography of the site, allow for required outdoor areas, and allow for architectural diversity;

The requested reduced setback is not associated with a request to alter the location of

the existing house in relation to the neighboring houses or the topography of the site. Additionally, it allows for development on the vacant lot that is typical to narrow lots throughout the city, including in the vicinity of the subject site. Without approval of this Adjustment request, development on the vacant lot would be limited to a 10-foot wide house, which would not only limit architectural options, but would be out of character in the neighborhood and beyond.

Setback requirements along transit streets create an environment that is inviting to pedestrians and transit users; and

They provide room for a car to park in front of a garage door without overhanging the street or sidewalk, and they enhance driver visibility when backing onto the street.

The request is for a reduced side setback. It will not affect the front setback that these two items are directed at and will not change the houses conformance with setback requirements to SE 92<sup>nd</sup> Ave and will not impact parking area. Therefore, these two items are not applicable to this request.

For all of the reasons listed above, staff finds that the proposal will equally or better meet the purpose of the Setbacks section of the multi-dwelling development base zone. Therefore, approval criterion A is met.

**B. If in a residential zone, the proposal will not significantly detract from the livability or appearance of the residential area, or if in an OS, C, E, or I zone, the proposal will be consistent with the classifications of the adjacent streets and the desired character of the area; and**

**Findings:** Since the site is in the RM1 residential zone, the proposal must not significantly detract from the livability or appearance of the residential area. As explained above, the proposed Adjustment allows a reduced, 3.8-foot building setback from the existing house to the relocated lot line, but any new development on the vacant lot to the north will be subject to the full 5-foot setback requirement. Most (88%) of the intended 10-foot separation between buildings will be provided, so the Adjustment will not create an unusually crowded appearance or significantly impact privacy or livability. Furthermore, by facilitating the increase in the width of the neighboring lot, this Adjustment will allow for development of a standard ‘skinny house’, which is a common housing type in the neighborhood, unlike a ten-foot-wide house, which would be the width of a detached house on the vacant lot if the Adjustment Review is denied and which would deviate significantly from the existing appearance of this residential area.

That said, staff acknowledges the contribution to the neighborhood’s appearance that is provided by the older residences in the neighborhood, with their typically larger front yards and greenery. To mitigate for any potential impacts that the reduced side setback might have on the appearance of the neighborhood when viewed from the public right-of-way, staff recommends conditioning approval on the planting of vegetation at the corner of the front yard closest to the lot line to be adjusted. Shrubs and trees in these locations will screen the building facades within the area of reduced separation and soften the visual impact of their slightly less than normal proximity from passers-by on the street. By doing so, the proposal ensures that the site will maintain compatibility with the neighborhood.

For these reasons, staff finds the proposal will not significantly detract from the livability or appearance of the residential area. Approval criterion B is met with the condition described above.

**C. If more than one Adjustment is being requested, the cumulative effect of the Adjustments results in a project which is still consistent with the overall purpose of the zone; and**

**Findings:** As only one Adjustment is requested, this criterion is not applicable.

**D. City-designated scenic resources and historic resources are preserved; and**

**Findings:** City-designated scenic resources are identified on the official zoning maps with a lower case “s,” and historic resources are identified either with a dot or as being within the boundaries of a Historic or Conservation district. As there are no scenic resources or historic resources mapped on the subject site, this criterion is not applicable.

**E. Any impacts resulting from the Adjustment are mitigated to the extent practical; and**

**Findings:** Most of the intended separation between buildings will be provided when the vacant lot to the north is developed. As noted under criterion B, above, staff recognizes that there may be minor impacts to the view from the public right-of-way, which is both a City Bikeway and within the Lents Pedestrian District. These possible impacts can be mitigated by planting tall shrubs or trees in the front yards of each of the lots of the site to screen and soften the visual impact from the street of the facade in the reduced setback. A condition of approval will require the planting of at least one tree or shrub with a mature height of at least 6 feet high in the front yard within six feet of the property line being adjusted. Doing so will mitigate for any potential visual impacts in the right-of-way, resulting from the approval of this request. With this condition, this criterion is met.

**F. If in an environmental zone, the proposal has as few significant detrimental environmental impacts on the resource and resource values as is practicable;**

**Findings:** Environmental overlay zones are designated on the official zoning maps with either a lowercase “p” (Environmental Protection overlay zone) or a “c” (Environmental Conservation overlay zone). As there are no environmental overlay zones mapped on the site, this criterion is not applicable.

**DEVELOPMENT STANDARDS**

Unless specifically required in the approval criteria listed above, this proposal does not have to meet the development standards in order to be approved during this review process. The plans submitted for a building or zoning permit must demonstrate that all development standards of Title 33 can be met, or have received an Adjustment or Modification via a land use review prior to the approval of a building or zoning permit. Development on the site is also reviewed for continued compliance with the applicable development standards as part of the PLA review. This Adjustment resolves the one development standard staff identified that would otherwise go out of conformance by adjusting the lot line north of the existing house 5 feet to the south, as proposed under PR 21-063181 PLA.

**CONCLUSIONS**

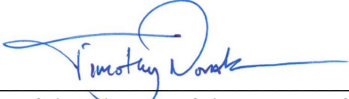
The Adjustment request is found to be consistent with the purpose of the building setback requirement in 33.120.220 and will not detract from the livability of the residential area. With a condition requiring that the applicant plant screening in the corner of the front yard nearest the lot line being adjusted under PR 21-063181 PLA, the potential impacts to visual appearance of the area by the façade in the reduced setback will be adequately mitigated. Staff finds that with this condition, the approval criteria are met, and the proposal can be approved.

**ADMINISTRATIVE DECISION**

Approval of an Adjustment to reduce the minimum side building setback requirement in Zoning Code Section 33.120.220.B.1 from the existing building to the relocated north lot line proposed in the pending Property Line Adjustment (PR 21-063181 PLA) from 5 feet to 3.8 feet to the house and from 4 feet to 2.1 feet for the eave, per the approved site plan, Exhibit C-1, signed and dated January 31, 2022. Subject to the following condition:

A. The applicant shall plant a tree or a shrub with a mature height of at least 6 feet in the front yard of the lot with the existing house within 6 feet of the relocated north lot line. The applicant is responsible for the successful establishment, maintenance, and if necessary, replacement of the planting in perpetuity while the existing house remains.

**Staff Planner: Timothy Novak**

**Decision rendered by:**  \_\_\_\_\_ **on January 31, 2022**  
By authority of the Director of the Bureau of Development Services

**Decision mailed: February 2, 2022**

**About this Decision.** This land use decision is **not a permit** for development. Permits may be required prior to any work. Contact the Development Services Center at 503-823-7310 for information about permits.

**Procedural Information.** The application for this land use review was submitted on October 25, 2021, and was determined to be complete on December 15, 2021.

*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. Therefore, this application was reviewed against the Zoning Code in effect on October 25, 2021.

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 waived or extended at the request of the applicant. In this case, the applicant did not waive or extend the 120-day review period. Unless further extended by the applicant, **the 120 days will expire on: April 14, 2022.**

**Some of the information contained in this report was provided by the applicant.**

As required by Section 33.800.060 of the Portland Zoning Code, the burden of proof is on the applicant to show that the approval criteria are met. The Bureau of Development Services has independently reviewed the information submitted by the applicant and has included this information only where the Bureau of Development Services has determined the information satisfactorily demonstrates compliance with the applicable approval criteria. This report is the decision of the Bureau of Development Services with input from other City and public agencies.

**Conditions of Approval.** If approved, this project may be subject to a number of specific conditions, listed above. Compliance with the applicable conditions of approval must be documented in all related permit applications. Plans and drawings submitted during the permitting process must illustrate how applicable conditions of approval are met. Any project elements that are specifically required by conditions of approval must be shown on the plans, and labeled as such.

These conditions of approval run with the land, unless modified by future land use reviews. As used in the conditions, the term “applicant” includes the applicant for this land use review, any person undertaking development pursuant to this land use review, the proprietor of the use or development approved by this land use review, and the current owner and future owners of the property subject to this land use review.

**Appealing this decision.** This decision may be appealed to the Adjustment Committee, and if appealed a hearing will be held. The appeal application form can be accessed at <https://www.portlandoregon.gov/bds/45477>. Appeals must be received **by 4:30 PM on February 16, 2022. The completed appeal application form must be emailed to [LandUseIntake@portlandoregon.gov](mailto:LandUseIntake@portlandoregon.gov) and to the planner listed on the first page of this decision.** If you do not have access to e-mail, please telephone the planner listed on the front



page of this notice about submitting the appeal application. **An appeal fee of \$250 will be charged.** Once the completed appeal application form is received, Bureau of Development Services staff will contact you regarding paying the appeal fee. The appeal fee will be refunded if the appellant prevails. There is no fee for Office of Community and Civic Life recognized organizations for the appeal of Type II and IIX decisions on property within the organization's boundaries. The vote to appeal must be in accordance with the organization's bylaws. Please contact the planner listed on the front page of this decision for assistance in filing the appeal and information on fee waivers. Please see the appeal form for additional information.

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>.

**Attending the hearing.** If this decision is appealed, a hearing will be scheduled, and you will be notified of the date and time of the hearing. The decision of the Adjustment Committee is final; any further appeal must be made to the Oregon Land Use Board of Appeals (LUBA) within 21 days of the date of mailing the decision, pursuant to ORS 197.620 and 197.830. Contact LUBA at 775 Summer St NE, Suite 330, Salem, Oregon 97301-1283, or phone 1-503-373-1265 for further information.

Failure to raise an issue by the close of the record at or following the final hearing on this case, in person or by letter, may preclude an appeal to the Land Use Board of Appeals (LUBA) on that issue. Also, if you do not raise an issue with enough specificity to give the Adjustment Committee an opportunity to respond to it, that also may preclude an appeal to LUBA on that issue.

**Recording the final decision.**

If this Land Use Review is approved the final decision will be recorded with the Multnomah County Recorder.

- *Unless appealed*, the final decision will be recorded after February 16, 2022 by the Bureau of Development Services.

The applicant, builder, or a representative does not need to record the final decision with the Multnomah County Recorder.

For further information on your recording documents please call the Bureau of Development Services Land Use Services Division at 503-823-0625.

**Expiration of this approval.** An approval expires three years from the date the final decision is rendered unless a building permit has been issued, or the approved activity has begun.

Where a site has received approval for multiple developments, and a building permit is not issued for all of the approved development within three years of the date of the final decision, a new land use review will be required before a permit will be issued for the remaining development, subject to the Zoning Code in effect at that time.

**Applying for your permits.** A building permit, occupancy permit, or development permit may be required before carrying out an approved project. At the time they apply for a permit, permittees must demonstrate compliance with:

- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and

- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations of the City.

**EXHIBITS**

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
  - 1. Original Submittals
    - a. Narrative
    - b. Supplemental Survey
    - c. PLA Survey
  - 2. Revised Narrative
  - 3. Applicant's response to neighbor's comments (Exhibit F.1)
- B. Zoning Map (attached)
- C. Plans/Drawings:
  - 1. Revised Supplemental Survey (attached)
- D. Notification information:
  - 1. Mailing list
  - 2. Mailed notice
- E. Agency Responses:
  - 1. Bureau of Environmental Services
  - 2. Bureau of Transportation Engineering and Development Review
  - 3. Water Bureau
  - 4. Fire Bureau
  - 5. Site Development Review Section of BDS
  - 6. Life Safety Review Section of BDS
- F. Correspondence:
  - 1. Bedney Comments, 01/17/2022
- G. Other:
  - 1. Original LU Application
  - 2. Revised LU Application
  - 3. Streetview perspective of affected north façade

**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).**