



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

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Date: May 5, 2021
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NOTICE OF A TYPE II_x 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 18-174658 LDS

GENERAL INFORMATION

Applicant: Darren G Lee
8226 SE 52nd Ave / Portland, OR 97206

Owner: Darren G Lee
2316 N Winchell St / Portland, OR 97217-6846
(503) 805-3506

Site Address: 8226 SE 52nd Ave

Legal Description: BLOCK 27 LOT 17, DARLINGTON
Tax Account No.: R197908120
State ID No.: 1S2E19DC 06100
Quarter Section: 3836

Neighborhood: Brentwood-Darlington, contact Stephenie Frederickson at bdlanduse@gmail.com.

Business District: Woodstock Community Business Association, contact at <http://www.woodstockbiz.com/>

District Coalition: Southeast Uplift, contact Leah Fisher at 503-232-0010 x313.

Zoning: R5a- Single Dwelling Zone with "a" Alternative Design Density Overlay
Case Type: LDS- Land Division Subdivision
Procedure: Type II_x, an administrative decision with appeal to the Hearings Officer.

Proposal:

The applicant is proposing to divide a 25,000 square foot site into four lots with a private street. The proposed lots are between 3,013 square feet and 5,712 square feet in size. The proposed private street tract is 36 feet wide with 24 feet of paved driving surface in addition to a planter and sidewalk along the length of the tract. Public sidewalk improvements are proposed along the SE 52nd Avenue frontage of the site. The existing house on the site is

proposed to be retained. The applicant is proposing to preserve a 42-inch Poplar tree and a 12” Plum tree at the rear of the site.

This subdivision proposal is reviewed through a Type IIX procedure because: (1) the site is in a residential zone; (2) four to ten dwelling units are proposed, not including accessory dwelling units (see 33.660.110).

For purposes of State Law, this land division is considered a subdivision. To subdivide land is to divide an area or tract of land into four or more lots within a calendar year, according to ORS 92.010. ORS 92.010 defines “lot” as a single unit of land created by a subdivision of land. The applicant’s proposal is to create five units of land (4 lots and 1 tract). Therefore, this land division is considered a subdivision.

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.**

FACTS

Site and Vicinity: The site is relatively flat with an existing single dwelling structure and two detached accessory structures. There are several large trees and additional vegetation on the site. The housing in the vicinity of this site consists primarily of single dwelling structures. The existing street grid provides relatively good connectivity to the site.

Infrastructure:

- **Streets** –The site has approximately 100 feet of frontage on SE 52nd Avenue. There is one driveway entering the site that serves the existing house on the site. At this location, SE 52nd Avenue is classified as a Neighborhood Collector, Community Transit street, City Bikeway, City Walkway, Truck Access street, Major Emergency Response street, and a Community Corridor in the Transportation System Plan (TSP). Tri-Met provides transit service approximately 1,700 feet from the site at SE Flavel Street via Bus 71.

SE 52nd Avenue has a 48-foot curb to curb paved surface within a 60-foot right-of-way with no sidewalks. Along the 100-foot wide site frontage there are no pedestrian improvements.

- **Water Service** – There is an existing 4-inch CI water main in SE 52nd Avenue. The existing house is served by a 3/4-inch metered service from this main.
- **Sanitary Service** - There is an existing 8-inch VSP public combination sewer line in SE 52nd Avenue.
- **Stormwater Disposal** – There is no public storm-only sewer currently available to this property.

Zoning: The R5 zone designation is one of the City’s single-dwelling zones which is intended to preserve land for housing and to promote housing opportunities for individual households. The zone implements the comprehensive plan policies and designations for single-dwelling housing. The zoning on the site has now changed to R7, another single dwelling zone, as part of a citywide zoning update; however, this application is reviewed based on the zoning in effect at the time this land use application was submitted.

The “a” overlay is intended to allow increased density that meets design compatibility requirements. It fosters owner-occupancy, focuses development on vacant sites, preserves existing housing stock, and encourages new development that is compatible with the surrounding residential neighborhood. This land division is not using any provisions of the “a” overlay.

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

Agency Review: Several Bureaus have responded to this proposal and relevant comments are addressed under the applicable approval criteria. Exhibits “E” contain the complete responses.

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on **November 16, 2018**. No written responses have been received from the Neighborhood Association or notified property owners in response to the proposal.

ZONING CODE APPROVAL CRITERIA

APPROVAL CRITERIA FOR LAND DIVISIONS IN OPEN SPACE AND RESIDENTIAL ZONES

33.660.120 The Preliminary Plan for a land division will be approved if the review body finds that the applicant has shown that all of the following approval criteria have been met.

Due to the specific location of this site, and the nature of the proposal, some of the criteria are not applicable. The following table summarizes the criteria that are not applicable. Applicable criteria are addressed below the table.

Criterion	Code Chapter/Section and Topic	Findings: Not applicable because:
C	33.631 - Flood Hazard Area	The site is not within the flood hazard area.
D	33.632 - Potential Landslide Hazard Area	The site is not within the potential landslide hazard area.
E	33.633 - Phased Land Division or Staged Final Plat	A phased land division or staged final plat has not been proposed.
F	33.634 - Recreation Area	The proposed density is less than 40 units.
J	33.640 - Streams, Springs, Seeps and Wetlands	No streams, springs, seeps or wetlands are evident on the site.
	33.654.110.B.3 - Pedestrian connections in the I zones	The site is not located within an I zone.
	33.654.110.B.4 - Alleys in all zones	No alleys are proposed or required.
	33.654.120.D - Common Greens	No common greens are proposed or required.
	33.654.120.E - Pedestrian Connections	There are no pedestrian connections proposed or required.
	33.654.120.F - Alleys	No alleys are proposed or required.
	33.654.120.G - Shared Courts	No shared courts are proposed or required.
	33.654.130.B - Existing public dead-end streets and pedestrian connections	No public dead-end streets or pedestrian connections exist that must be extended onto the site.
	33.654.130.D - Partial rights-of-way	No partial public streets are proposed or required.
	33.655 - School District Enrollment Capacity	The proposal is for less than 11 lots or is not in the David Douglas School District.

Applicable Approval Criteria are:

A. Lots. The standards and approval criteria of Chapters 33.605 through 33.612 must be met.

Findings: Chapter 33.610 contains the density and lot dimension requirements applicable in the RF through R5 zones. Based on the applicant’s survey, the site area is 24,994 square feet.

With a new street proposed, the maximum density in the R5 zone is one unit per 5,000 square feet based on 85% of the site area. Minimum density is one unit per 5,000 square feet based on 68% of the site area. The site has a maximum density of 4 units and a minimum required density of 3 units. The applicant is proposing 4 single dwelling lots. The density standards are therefore met.

The lot dimensions required and proposed are shown in the following table:

	Min. Lot Area (square feet)	Max. Lot Area (square feet)	Min. Lot Width* (feet)	Min. Depth (feet)	Min. Front Lot Line (feet)
R5 Zone	3,000	8,500	36	50	30
Lot 1	5,712		64.1	89.1	64.1
Lot 2	3,013		47	64.1	47
Lot 3	3,189		47	57	55.1
Lot 4	5,690		45	60	30

* Width is measured by placing a rectangle along the minimum front building setback line specified for the zone. The rectangle must have a minimum depth of 40 feet, or extend to the rear of the property line, whichever is less.

The findings above show that the applicable density and lot dimension standards are met. Therefore, this criterion is met.

B. Trees. The standards and approval criteria of Chapter 33.630, Tree Preservation, must be met.

Findings: The regulations of Chapter 33.630 require that trees be considered early in the design process with the goal of preserving high value trees and, when necessary, mitigating for the loss of trees.

To satisfy these requirements, the applicant must provide a tree plan that demonstrates, to the greatest extent practicable, the trees to be preserved provide the greatest environmental and aesthetic benefits for the site and the surrounding area. The tree plan must also show that trees are suitable for preservation, considering the health and condition of the tree and development impacts anticipated. Tree preservation must be maximized, to the extent practicable, while allowing for reasonable development considering the intensity of development allowed in the zone and site constraints, including existing utility easements and requirements for services and streets.

Trees that are healthy, native and non-nuisance species, 20 or more inches in diameter and in tree groves are the highest priority for preservation. Additional considerations include trees that are slower growing native species, buffering natural resources, preventing erosion and slope destabilization and limiting impacts on adjacent sites.

Some trees are exempt from the requirements of this chapter, if they are unhealthy, a nuisance species, within 10 feet of a building to remain on the site, within an existing right-of-way, or within an environmental zone.

In order to identify which trees are subject to these requirements, the applicant provided a tree survey (Exhibit C.4) that shows the location and size of trees on and adjacent to the site. The applicant also provided an arborist report (Exhibit A.10) that identifies each tree, its condition and suitability for preservation or its exempt status, and specifies a root protection zone and tree protection measures for each tree to be preserved. Based on this information, 8 trees, which provide a total of 166 inches of tree diameter, are subject to the preservation requirements of this chapter. There are two trees on the site over 20" in diameter (trees #2 and #10).

The applicant proposes to preserve tree #2, a 42" poplar tree, and tree #1, a 12" plum tree. The preservation proposal complies with Option 3 of the preservation standards: *Preserve at least 50 percent of the trees that are 20 or more inches in diameter and at least 30 percent of the total tree diameter on the site.*

The trees proposed for preservation are in fair condition, include non-nuisance species, and one of the trees is 20 or more inches in diameter. The arborist recommends a 24' RPZ for tree #2 (Exhibit A.10). The applicant has proposed to retain the garage on Lot 4 to serve the new home, which is located within the RPZ of tree #2. This can be allowed with a condition of approval requiring a covenant stating that the garage will be removed from the site within 2 years of final plat approval if a new primary structure has not been constructed on the lot. In the instance that a new primary structure is not constructed on the lot within 2 years of final plat approval, the garage must be removed without ground disturbance (retain the slab); if ground disturbance is proposed as part of the garage demolition, the applicant must meet the tree preservation requirements of 11.60.030, subject to Planning and Zoning approval, or go through a Tree Review to modify this condition of approval. Any proposed tree removal within the RPZ of tree #2 is also ground disturbance and therefore subject to these requirements.

The arborist did not recommend a RPZ for tree #1; the applicant is required to preserve tree #1 per the prescriptive path approach in Title 11 (see 11.60.030). Any encroachment beyond the prescriptive path preservation requirements would need to be supported by a new arborist report and subject to Planning and Zoning approval, per 11.60.030.

The proposed root protection zones for the trees to be retained will allow for the type of development anticipated in the R5 zone and will not conflict with any existing utility easements, proposed services or site grading. In order to ensure that future owners of lots 3 and 4 are aware of the tree preservation requirements, the applicant must record an Acknowledgement of Tree Preservation Land Use Conditions, at the time of final plat. The acknowledgement must identify that development on Lots 3 and 4 must be carried out in conformance with the Tree Preservation Plan (Exhibit C.1) and the Arborist Report (Exhibit A.10).

With the implementation of the noted conditions, the approval criteria will be met.

At the time of development, the individual lots must also meet the Title 11-Tree Code provisions, which require a specific amount of site area for tree planting based on the size of the property and the scale of the development. The trees to be retained as part of this review may be applied toward meeting those Title 11 requirements.

G. Clearing, Grading and Land Suitability. The approval criteria of Chapter 33.635, Clearing, Grading and Land Suitability must be met.

Findings: The regulations of Chapter 33.635 ensure that the proposed clearing and grading is reasonable given the infrastructure needs, site conditions, tree preservation requirements, and limit the impacts of erosion and sedimentation to help protect water quality and aquatic habitat.

Additionally, where geologic conditions or historic uses of the site indicate that a hazard may exist, the applicant must show that the proposed land division will result in lots that are suitable for development. The applicant may be required to make specific improvements to make the lots suitable for their intended uses and the provision of services and utilities.

In this case the site is primarily flat and is not located within the Potential Landslide Hazard Area. Therefore, no significant clearing or grading will be required on the site to construct the new private street and make the new lots developable. As shown on the applicant's Preliminary Grading Plan (Exhibit C.2), some minor site excavation will be necessary for the installation of the new street and associated stormwater system (drywell, see detailed discussion of

stormwater management later in this report). The clearing and grading proposed is sufficient for the construction of the new street without being excessive. In addition, no clearing and grading is proposed within the root protection zones of the trees to be preserved on Lots 3 and 4 (trees #1 and 2).

The limits of disturbance are the site boundaries, except the area within the root protection zone of the trees to be preserved. In addition to allowing construction of the new private street and development of the new homes on lots 2 to 4, the limits of disturbance will also allow for the existing garage on Lot 2 to be demolished or relocated, and any debris associated with the garage to be removed. There is another garage located on Lot 4, which is located within the RPZ of tree #2. The applicant has proposed to retain this garage to serve the future new home on Lot 4. This can be allowed with a condition of approval requiring a covenant stating that the garage will be removed from the site within 2 years of final plat approval if a new primary structure has not been constructed on the lot. In the instance that a new primary structure is not constructed on the lot within 2 years of final plat approval, the garage must be removed without ground disturbance (retain the slab); if ground disturbance is proposed as part of the garage demolition, the applicant must meet the tree preservation requirements of 11.60.030, subject to Planning and Zoning approval, or go through a Tree Review to modify this condition of approval. Any proposed tree removal within the RPZ of tree #2 is also ground disturbance and therefore subject to these requirements.

The clearing and grading plan does not indicate show topsoil storage, or a stockpile area, but there is ample room on the site to locate soil stockpiles. A condition of approval will require the clearing and grading plan submitted with the Site Development permit indicate the location of stockpile areas and the limits of disturbance be extended to include these areas.

As shown above, the Preliminary Clearing and Grading Plan meets the approval criteria. The Site Development Section of the Bureau of Development Services requires that the applicant apply for a Site Development Permit for the construction of the proposed private street. With a condition of approval that the applicant's final clearing and grading plan is consistent with the preliminary clearing and grading plan and shows the additional tree preservation information as outlined above, this criterion is met.

Land Suitability

The site is currently in residential use, and there is no record of any other use in the past. Although the site is currently connected to the public sanitary sewer, there is an old sewage disposal system on the site. The City has no record that this facility was ever decommissioned. Prior to final plat, the applicant must meet the requirements of the Site Development Section of the Bureau of Development Services for the decommissioning of this facility.

The applicant has proposed to retain the garage on Lot 4 to serve the new home. This can be allowed with a condition of approval requiring a covenant stating that the garage will be removed from the site within 2 years of final plat approval if a new primary structure has not been constructed on the lot. In the instance that a new primary structure is not constructed on Lot 4 within 2 years of final plat approval, a building permit will be required to demolish the garage and additional tree preservation measures may be necessary, as described above. All required permits must receive final inspection approval prior to final plat approval.

The applicant has also proposed to retain the garage on Lot 2 to serve the new home or relocate it to Lot 1 to serve the existing house on the site. Either option can be allowed; a covenant would be required to retain the garage on Lot 2 without a primary structure, as required above. All required permits must receive final inspection approval prior to final plat approval.

With these conditions, the new lots can be considered suitable for development, and this criterion is met.

H. Tracts and easements. The standards of Chapter 33.636, Tracts and Easements must be met;

Findings: The following tracts are proposed:

- Tract A: Private Street (Name of Street)

With a condition that the proposed tract be owned in common by the owners of Lots 1 through 4 or a Homeowner's Association, this criterion can be met.

The following easements are proposed for this land division:

- An Emergency Vehicle Access Easement is required over the roadway portion of the private street.
- A Public Access Easement is required over the sidewalk portion of the private street.

As stated in Section 33.636.100 of the Zoning Code, a maintenance agreement will be required describing maintenance responsibilities for the tracts and easements described above and facilities within those areas. This criterion can be met with the condition that a maintenance agreement is prepared and recorded with the final plat. In addition, the plat must reference the recorded maintenance agreement with a recording block, substantially similar to the following example:

"A Declaration of Maintenance agreement for Private Street (Tract A) has been recorded as document no. _____, Multnomah County Deed Records."

With the conditions of approval discussed above, this criterion is met.

I. Solar access. If single-dwelling detached development is proposed for the site, the approval criteria of Chapter 33.639, Solar Access, must be met.

Findings: The solar access regulations encourage variation in the width of lots to maximize solar access for single-dwelling detached development and minimize shade on adjacent properties.

In this case, the lots are oriented to an east-west street, but the narrowest lot in the proposal is not the corner lot on the north side of the street. The Solar Access Approval Criteria are superseded by other conflicting requirements in the 600's chapters of the Zoning Code, per 33.639.020. The proposed land division layout was in part dictated to accommodate the existing house that will remain on Lot 1. Additionally, Portland Transportation has required that vehicle access to the corner lot must be from the new private street, rather than from SE 52nd Ave to control new access points on to the public street. Transportation generally requires that driveways be placed at least 25 feet from the intersection, so if the proposed lots were any narrower, it would be difficult to meet this Title 17 requirement and the development standards that apply to the existing house that will remain on the corner lot, such as required outdoor area.

In this proposal, the site layout necessary to meet 33.654 (or 33.630) is in conflict with the solar access criteria. Those other requirements supersede 33.639; therefore, the solar access criteria do not apply.

K. Transportation impacts. The approval criteria of Chapter 33.641, Transportation Impacts, must be met; and,

Findings: The transportation system must be capable of safely supporting the proposed development in addition to the existing uses in the area.

Evaluation factors include: street capacity and level-of-service; vehicle access and loading; on-street parking impacts: the availability of transit service and facilities and connections to transit; impacts on the immediate and adjacent neighborhoods; and safety for all modes. Mitigation may be necessary to reduce impacts.

The Development Review Section of the Portland Bureau of Transportation (PBOT) has reviewed the application against the evaluation factors and has provided the following findings (see Exhibit E.2):

Findings: The applicant is proposing a 4-lot land division with a private street tract. The existing house on the site is proposed to remain on Lot 1. Based upon trip generation estimates obtained from the Institute of Transportation Engineers (ITE) Trip Generation Manual, 10th Edition, the 3 new homes expected to be built with this project are estimated to generate 3 additional vehicle trips during both the morning and evening peak hours and 30 additional total daily trips. The minor number of vehicle trips that will be added into the transportation system as a result of the proposed subdivision will not adversely impact the operations of area intersections.

To improve upon safety in the area, the applicant will be required to close the existing curb-cut/driveway along SE 52nd Ave that serves as access to the existing house. It is not evident that vehicles exiting the current driveway can do so in a forward manner. Vehicles exiting the site in a reverse motion could conflict with bicyclists riding within the adjacent striped bike lane (SE 52nd Ave is classified as a City Bikeway). The removal of this curb-cut/driveway should also facilitate a transition between the required standard sidewalk corridor that will be constructed along the site's SE 52nd Ave frontage and the abutting sidewalk to the north. Access to the existing home to be retained on Lot 1 will need to be taken from the proposed private street – vehicles will exit the new subdivision in a forward motion from this new private street. The surrounding area has an established residential development pattern that includes single-family homes on lots that accommodate one, and in some cases, multiple on-site parking spaces thereby reducing the demand for on-street parking in this area. On-street parking is currently allowed along both sides of SE 52nd Ave and it is not evident that there is a large demand for said on-street parking use. Given the on-site parking opportunities that will be provided with each new home, on-street parking in the area won't be adversely impacted by the proposed development.

There is an existing Tri-Met transit route north and east of the subject site via Tri-Met route #71 (60th Ave). The proposed partition will not have an effect on transit service. Pedestrian travel will be improved by the requirement of the construction of a new sidewalk along the site's SE 52nd Ave frontage. "The transportation system is capable of safely supporting the proposed development in addition to existing uses in the area" – this criterion is met.

PBOT has reviewed and concurs with the information supplied and available evidence. Standard sidewalk corridor improvements will be required to serve the proposed development (see criterion L. 33.654) and the existing curb cut serving Lot 1 will need to be relocated to improve safety. These criteria are met.

L. Services and utilities. The regulations and criteria of Chapters 33.651 through 33.654, which address services and utilities, must be met.

Findings: Chapters 33.651 through 33.654 address water service standards, sanitary sewer disposal standards, stormwater management, utilities and rights of way. The criteria and standards are met as shown in the following table:

33.651 Water Service standard – See Exhibit E.3 for detailed bureau comments.

The Water Bureau has indicated that service is available to the site, as noted on page 2 of this report. The water service criteria and standards of 33.651 have been verified.

33.652 Sanitary Sewer Disposal Service standards – See Exhibit E.1 for detailed comments.

The Bureau of Environmental Services has indicated that service is available to the site, as noted on page 2 of this report. The new homes will be served by new laterals in the private street. The sanitary sewer service criteria and standards of 33.652 have been verified.

33.653.020 & .030 Stormwater Management criteria and standards – See Exhibits E.1

No stormwater tract is proposed or required. Therefore, criterion A is not applicable.

The applicant has proposed the following stormwater management methods:

- **Private Street:** Stormwater will be directed to a sedimentation manhole located in the private street that will remove suspended solids, and from there to a drywell facility, also located in the street tract, that will infiltrate the water into the ground. BES has indicated conceptual approval of the proposed location and size of these facilities.
- **Public Street Improvements:** As a condition of this land use approval, the Bureau of Transportation requires the applicant to improve the frontage of the site to City standards (discussed earlier in this report). A new sidewalk is required, but the curb already exists. BES has indicated that the sidewalk must be constructed so that it will slope towards the planter strip, allowing the stormwater runoff from the sidewalk to be deposited in a vegetated area, which meets the requirements of the Stormwater Management Manual.
- **Lots 2 to 4:** Stormwater from these lots will be directed to individual drywells that will treat the water and slowly infiltrate it into the ground. Each of these lots has sufficient area for a stormwater facility that can be adequately sized and located to meet setback standards, and accommodate water from a reasonably-sized home. BES has indicated conceptual approval of the drywells.
- **Lot 1 (the lot with the existing house):** The existing house has downspouts that discharge to splashblocks, which appear to meet setback requirements to the proposed new property line as described in the SWMM. BES has indicated approval of the stormwater system for the existing house.

33.654.110.B.1 Through streets and pedestrian connections**33.654.130.C Future extension of proposed dead-end streets & pedestrian connections**

Generally, through streets should be provided no more than 530 feet apart and pedestrian connections should be provided no more than 330 feet apart. Through streets and pedestrian connections should generally be at least 200 feet apart.

Although the location of the subject site within its block is desirable to provide a new public connection through the block, it would involve several other properties and the coordination of multiple land use reviews to achieve said connection (to SE Malden Dr). The subject block is unconventionally and triangularly shaped – extending a public connection from the subject site through this oddly shaped area would result in a connection that would not be linearly straight, which is a typical requirement for safety, especially in relation to public pedestrian connections. It is also not likely feasible without eliminating existing development on abutting lot(s), to provide any additional connectivity. These impacts do not make further connectivity through the subject site or block practicable, and there is no need to extend the proposed dead-end street to the boundary of the site.

No street connections have been identified in the vicinity of this property in the Portland Master Street Plan document. Therefore, the proposal is consistent with the master street plan.

For the reasons described above, these criteria are met.

33.654.110.B.2 Approval criterion for dead-end streets in OS, R, C, and E zones.

The proposal includes a private dead-end street, which will be located in the new street tract. As discussed under the findings for through streets above, a new public through street is not required for this proposal. The private dead-end street will serve only 4 lots and it is approximately 160 feet in length from the frontage along SE 52nd Avenue to the center of the radius turn-around. This criterion is met.

33.654.120.B & C Width & elements of the right-of-way – See Exhibit E.2 for bureau comment

In reviewing this land division, Portland Transportation relies on accepted civil and traffic engineering standards and specifications to determine if existing street improvements for motor vehicles, pedestrians and bicyclists can safely and efficiently serve the proposed new development. In this case Portland Transportation has determined that curb and sidewalk improvements must be made in order to meet City standards ensure that safe pedestrian travel is possible to and from the proposed development.

At this location, based on City GIS, SE 52nd Ave is improved with approximately 48-ft of paving and a curb only, with no sidewalk. There appears to be approximately 6-ft of public right-of-way (r.o.w.) behind the existing curb, which is confirmed by the applicant's submitted survey. The City's Transportation System Plan classifies SE 52nd Ave as a Neighborhood Collector, Community Transit street, City Bikeway, City Walkway, Truck Access street, Major Emergency Response street, and a Community Corridor. For City Walkway classified streets abutting R5-zoned lots, the City's Pedestrian Design Guide requires a standard 12-ft wide sidewalk corridor comprised of a 0.5-ft curb, 4-ft wide furnishing zone, 6-ft wide sidewalk and 1.5-ft wide frontage zone. Prior to Final Plat approval, the applicant will be required to construct this standard sidewalk corridor along the frontage of Proposed Lot 1. A Minor Improvement Permit from PBOT will need to be obtained for said improvement. To enhance safety in the area, the applicant must close the existing curb-cut/driveway along SE 52nd Ave and all access to Lot 1 must be taken via the new private street. The closure of said existing curb-cut/driveway can be done under the same Minor Improvement Permit that will be triggered for the sidewalk corridor construction. The new 12-ft wide standard sidewalk corridor must transition with the existing sidewalk corridor/driveway along the abutting property to the north – all work must be ADA-compliant. Based on the submitted surveyed drawings that the applicant has provided, to accommodate the standard 12-ft wide sidewalk corridor, a 6-ft dedication of property will also be required. Said property dedication shall occur in relation to the Final Plat phase of this land division process.

With these improvements and the required property dedication, the proposed development can be safely served by this existing street without having any significant impact on the level of service provided.

The Administrative Rules for Private Rights of Way are the standards that govern the construction of private streets. The applicant has proposed that a 36-foot wide tract, terminating in an 18-foot radius turn-around is sufficient to accommodate the expected users for a dead-end streets less than 300 feet long, serving 4 or more lots. The proposed street is 160 feet long. The proposed tract width will provide room for the construction of a 24-foot wide paved roadway that allows two travel lanes, parking on one side of the street for part of the street, two 6-inch curbs, a 4-foot wide planter strip, a 5-foot wide sidewalk on one side of the street, and a 1-foot setback on the north and south sides of the street between the

street improvements and private property. In this proposal, the applicant will be disposing of stormwater from the private street to a private drywell within the street tract. Six street trees are required for the proposal; 4 of these trees will be planted within the street tract; 2 trees will be planted on the lots (lot 1 and lot 4), within 5 feet of the street tract. Planting trees on the lots instead of within the street tract requires a covenant be recorded with the final plat stating that the trees are street trees and must be retained. A condition is also needed to ensure the street tree planting occurs in conjunction with building permits on the lots. Site Development reviewed the street design and determined the proposal meets the technical features of the Administrative Rules. A Site Development Permit and performance guarantee will be required for the construction of the private right-of-way and must be submitted prior to final plat approval. With the conditions described above, the proposed tract width is sufficient to accommodate the elements of a street that are adequate for 4 lots by the *Administrative Rules* governing private streets.

With the conditions of approval described above, this criterion is met.

33.654.120.C.3.c. Approval criterion for turnarounds.

A radius turn-around is proposed at the terminus of the private street tract. The configuration of the turn-around has been reviewed by the Site Development Section of the Bureau of Development Services. Site Development has indicated that the size and configuration of the turn-around are adequate to provide safe vehicular and bicycle movement for the 4 new lots that will use private street. A sidewalk is required along one side of the street that extends all the way around the turn-around, which will provide for safe and convenient pedestrian access along the private street and from the interior of the land division to the abutting sidewalk along the frontage of SE 52nd Avenue. The proposed street tract has been sized to provide adequate room for the turn-around. This criterion is met.

33.654.130.A - Utilities (defined as telephone, cable, natural gas, electric, etc.)

Any easements that may be needed for private utilities that cannot be accommodated within the adjacent right-of-ways can be provided on the final plat. At this time no specific utility easements adjacent to the right-of-way have been identified as being necessary. Therefore, this criterion is met.

DEVELOPMENT STANDARDS

Development standards that are not relevant to the land division review, have not been addressed in the review. 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 11 can be met, and those 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.

Existing development that will remain after the land division. The existing development on the site will remain and be located on Lot 1, Lot 4 and potentially Lot 2. The division of the property may not cause the structures to move out of conformance or further out of conformance to any development standard applicable in the R5 zone. Per 33.700.015, if a proposed land division will cause conforming development to move out of conformance with any regulation of the zoning code, and if the regulation may be adjusted, the land division request must include a request for an adjustment (Please see section on Other Technical Standards for Building Code standards.)

In this case, there are several Zoning Code standards that relate to existing development on the site:

- Minimum Setbacks – The existing house identified to remain on the site must meet the required Zoning Code setbacks from the proposed new lot lines. If an accessory

structure is retained on the site, it must also meet setbacks to the new lot lines. Alternatively, existing buildings must be set back from the new lot lines in conformance with an approved Adjustment or other Land Use Review decision that specifically approves alternative setbacks. The existing house will be ~30 feet from the new property line to the east, and ~17 feet from the new property line to the south. Therefore, the required setbacks are being met for the house. To ensure this standard continues to be met at the final plat stage, the final plat must be accompanied by a supplemental plan showing the surveyed location of all existing buildings that will remain on the site relative to the adjacent new lot lines.

- Accessory Structures – In this zone, accessory structures are not allowed on a lot without a primary structure and are only allowed in required setbacks if the regulations of 33.110.250.C.2 are met. Therefore, in order for the proposed new lots to meet this standard, the applicant must demolish, relocate or modify the existing garages on Lots 2 and 4 prior to final plat approval. Any required permits must receive final inspection approval prior to final plat. Alternatively, the applicant may choose to execute a covenant with the City to retain the accessory structures for up to two years without a primary structure if they meet the setback requirements of 33.110.250.C.2 and other associated regulations. The covenant must meet the requirements of 33.700.600 and be executed prior to or with the Final Plat.
- Required Off-Street Parking – In this zone, one parking space per dwelling unit is required. A garage provides this required parking for the existing house on Lot 1. As a result of this land division, the required parking space for the existing house will be located on a different lot. In order to ensure that parking requirements continue to be met, a new parking space for the existing house must be constructed on Lot 1 with access from the new private street prior to final plat approval. Permits must be obtained to construct a new parking space. Documentation of final inspection of this new parking space will be required prior to final plat approval.
- Street-Facing Facades in R10 through R2.5 Zones -- In this zone, street-facing facades of residential structures are required to have windows that comprise at least 15 percent of the façade area. The existing house that will remain on Lot 1 currently meets this standard on the front of the house, which is oriented toward SE 52nd Avenue. After the land division, street frontage for this house will also be provided by the new private street. Prior to final plat approval, the applicant must demonstrate that the south façade of the house meets this standard, or finalize a building permit to make modifications to the house that will remain on Lot 1 to demonstrate continued compliance with 33.110.232.C after the land division is recorded.
- Title 11 Tree Density Standard – This site has a minimum tree density requirement per 11.50.050 that is currently met on the site. Due to the land division, and associated tree removal, Lot 1 with existing house will no longer meet this standard. Lot 1 is 5,712 square feet, therefore 2,284 square feet of tree area is required. Prior to final plat approval, the applicant must meet this requirement by either planting trees on Lot 1 or making the equivalent payment into the City Tree Preservation and Planting Fund. Tree planting must be documented with a finalized Zoning Permit.

With the conditions noted above, this land division proposal can meet the requirements of 33.700.015.

OTHER TECHNICAL REQUIREMENTS

Technical decisions have been made as part of this review process. These decisions have been made based on other City Titles, adopted technical manuals, and the technical expertise of appropriate service agencies. These related technical decisions are not considered land use actions. If future technical decisions result in changes that bring the project out of conformance with this land use decision, a new land use review may be required. The following is a summary of technical service standards applicable to this preliminary partition proposal.

Bureau	Code Authority and Topic
Development Services/503-823-7300 www.portlandonline.com/bds	Title 24 – Building Code, Flood plain Title 10 – Erosion Control, Site Development Administrative Rules for Private Rights-of-Way
Environmental Services/503-823-7740 www.portlandonline.com/bes	Title 17 – Sewer Improvements 2008 Stormwater Management Manual
Fire Bureau/503-823-3700 www.portlandonline.com/fire	Title 31 Policy B-1 – Emergency Access
Transportation/503-823-5185 www.portlandonline.com/transportation	Title 17 – Public Right-of-Way Improvements Transportation System Plan
Urban Forestry (Parks)/503-823-4489 www.portlandonline.com/parks	Title 11 –Trees
Water Bureau/503-823-7404 www.portlandonline.com/water	Title 21 – Water availability

As authorized in Section 33.800.070 of the Zoning Code conditions of approval related to these technical standards have been included in the Administrative Decision on this proposal.

- The applicant is required to make improvements to the proposed private street. Several conditions are required, including provision of plans and financial assurances, initiating a building permit, and providing a maintenance agreement. In addition to the approval criteria of Title 33, these requirements are also based on the technical standards of Title 17 and Title 24.
- The applicant must meet the requirements of the Fire Bureau in regards to addressing requirements; posting of "No Parking" signs in the private street; ensuring adequate hydrant flow from the nearest fire hydrant or obtaining an approved Fire Bureau appeal to this requirement; providing an Emergency Vehicle Access Easement over the private street tract; and fire apparatus access, including aerial access. These requirements are based on the technical standards of Title 31 and Fire Bureau Policy B-1.
- The applicant must meet the requirements of Urban Forestry for loss of street tree planting space along SE 52nd Avenue. Prior to the land division, the site has 100 feet of frontage on SE 52nd Avenue, which requires 4 street trees. After the land division, the site will only have 64 feet of frontage along SE 52nd Avenue with a planter strip, which requires 3 street trees. The applicant is required to pay a fee for the permanent loss of available planting space equivalent to 1 tree, or 1.5 inches (currently \$450 per inch). This requirement is based on the standards of Title 11.

CONCLUSIONS

The applicant has proposed a 4-lot subdivision with a new private street, as shown on the attached preliminary plan (Exhibit C.1). As discussed in this report, the relevant standards and approval criteria have been met, or can be met with conditions related to utilities, installation of the private street, tree preservation and existing development.

With conditions of approval that address these requirements this proposal can be approved.

ADMINISTRATIVE DECISION

Approval of a Preliminary Plan for a 4-lot subdivision, that will result in 4 standard lots and a new private street as illustrated with Exhibit C.1, subject to the following conditions:

A. Supplemental Plan. Three copies of an additional supplemental plan shall be submitted with the final plat survey for Land Use Services review and approval. That plan must portray how the conditions of approval listed below are met. In addition, the supplemental plan must show the surveyed location of the following:

- Any buildings or accessory structures on the site at the time of the final plat application;
- Any driveways and off-street vehicle parking areas on the site at the time of the final plat application;
- The surveyed location of the replacement parking space on Lot 1 and the location of any accessory structures that will remain on the site after final plat approval; and
- Any other information specifically noted in the conditions listed below.

B. The final plat must show the following:

1. The applicant shall meet the street dedication requirements of the City Engineer for SE 52nd Avenue. The required right-of-way dedication must be shown on the final plat.
2. An Emergency Vehicle Access Easement, granted to the City of Portland, shall be shown over the relevant portions of the private street to the satisfaction of the Fire Bureau.
3. A Public Access Easement must be shown over the sidewalk portion of the street tract.
4. The private street tract shall be named, with approval from the City Engineer, and noted on the plat as "Tract A: Private Street *name of street*".
5. A note must be provided on the plat indicating that the private street tract will commonly owned and maintained by the owners of lots 1 through 4 or a homeowners' association.
6. A recording block for each of the legal documents such as maintenance agreements, acknowledgement of special land use conditions, or Declarations of Covenants, Conditions, and Restrictions (CC&Rs) as required by Conditions C.6 to C.9 below. The recording blocks shall, at a minimum, include language substantially similar to the following example: "A Declaration of Maintenance Agreement for (name of feature) has been recorded as document no. _____, Multnomah County Deed Records."

C. The following must occur prior to Final Plat approval:

Streets

1. The applicant shall meet the requirements of the City Engineer for right of way improvements along the site's street frontage. The applicant must obtain an approved Right of Way permit from the Portland Bureau of Transportation to install the required sidewalk corridor. The existing curb-cut/driveway along SE 52nd Ave must also be closed.
2. The applicant shall submit an application for a Site Development Permit for construction of the private street and related site development improvements. Street design plans must be prepared by, or under the direction of, an Oregon licensed civil engineer. The plans must be in substantial conformance with Exhibit C.1 and the Private Street Administrative Rule. In addition the street shall include the following:
 - The design for the private street must include a driveway approach and curb cuts in a location that can provide access to the new parking space required on the lot with the existing house that will remain.

- The plans must show fire access way requirements for street width, easements, turning radius, no parking signs, and any other requirements to the satisfaction of the Fire Bureau, as required by Condition C.6.
 - One street tree must be installed on Lot 1 within 5 feet of the private street tract in substantial conformance with Exhibit C.1. The tree must meet the minimum planting size of Title 11.
3. The applicant shall furnish a financial guarantee of performance, as approved by the Bureau of Development Services, for 125 percent of the estimated construction cost for the private street and all required site development improvements. The applicant shall provide an engineer's estimate of the costs of performance including the costs for temporary erosion control measures required during construction. The financial guarantee of performance shall be accompanied by a performance agreement with the Bureau of Development Services to complete the required improvements.
 4. The applicant shall provide a clearing and grading plan with the Site Development permit required for the private street described in Condition C.2. The clearing and grading plan must substantially conform to the Preliminary Clearing and Grading Plan approved with this decision (Exhibit C.2) with the following additions:
 - Root protection zones of the trees to be preserved on the Tree Preservation Plan (Exhibit C.1);
 - Stockpile areas;
 - A note that topsoil must be stockpiled on site and re-used to the extent practicable.

Utilities

5. The applicant shall meet the requirements of the Fire Bureau for ensuring adequate hydrant flow from the nearest hydrant. The applicant must provide verification to the Fire Bureau that Appendix B of the Fire Code is met, the exception is used, or provide an approved Fire Code Appeal prior final plat approval.
6. The applicant must meet the requirements of the Fire Bureau for providing an adequate fire access way for Lots 2 to 4, as required in Chapter 5 of the Oregon Fire Code. Access requirements for street width, easements, turning radius, and no parking signs must be shown on the Site Development Permit plans required in Condition C.2. Alternatively, the applicant will be required to install residential sprinklers in the new houses on Lots 2 to 4, if applying the exception, or obtain approval of a Fire Code Appeal. An Acknowledgement of Special Land Use Conditions describing the sprinkler requirement must be referenced on and recorded with the final plat.

Existing Development

1. The applicant must obtain finalized permits to modify, relocate or demolish the garages on Lots 2 and 4. Prior to removal of these structures, tree protection must be installed in accordance with the approved Tree Preservation Plan, per Condition D.1. Alternatively, the applicant can execute a covenant with the City stating that the structures will be removed if a primary structure has not received final inspection on the lots with the accessory structures within two years of final plat approval. The covenant must be recorded with Multnomah County prior to final plat approval.
2. The applicant shall meet the requirements of the Site Development Section of the Bureau of Development Services for decommissioning the cesspool on the site.
3. The applicant must demonstrate that the south façade of the house that will remain on Lot 1 meets the street facing façade standards of 33.110.232.C, or finalize a building permit to make modifications to the house to demonstrate continued compliance with

the standard after the land division is recorded. If a permit is required, the permit plans must include the note: *This permit fulfills requirements of Condition C.3 of LU 18-174658.*

4. A parking space shall be installed on Lot 1. The parking space must be a minimum of 9' x 18' and located out of the setback for the lot with the existing house. In addition, it must be in a location that can be accessed from the new private street. The applicant must obtain a finalized Zoning Permit for installation of the parking space. The permit plans must include the note: *This permit fulfills requirements of Condition C.4 of LU 18-174658.* The new parking space must also be shown on the supplemental plan.
5. The applicant must meet the tree density standard of 11.50.050 on Lot 1 with the existing house by either planting trees on the lot or making the equivalent payment into the City Tree Preservation and Planting Fund. A finalized Zoning Permit must be obtained to document tree planting prior to final plat approval.

Required Legal Documents

6. The applicant shall execute a Maintenance Agreement for the private street tract. The agreement shall assign common, undivided ownership of the tract to the owners of Lots 1 to 4 and include provisions assigning maintenance responsibilities for the tract and any shared facilities within that area. The agreement must also acknowledge all easements granted within the street tract (EVAE, PAE), the beneficiaries of those easements, and the limitations on the easement areas to the satisfaction of the beneficiary service agencies. The maintenance agreement must be reviewed by the City Attorney and the Bureau of Development Services, and approved as to form, prior to final plat approval.
7. If required per Condition C.6, the applicant shall execute an Acknowledgement of Special Land Use conditions, requiring residential development on Lots 2 to 4 to contain internal fire suppression sprinklers. The acknowledgement shall be referenced on and recorded with the final plat.
8. The applicant shall execute an Acknowledgement of Tree Preservation Land Use Conditions that notes tree preservation requirements that apply to Lots 3 and 4. A copy of the approved Tree Preservation Plan must be included as an Exhibit to the Acknowledgement. The acknowledgment shall be referenced on and recorded with the final plat.
9. The applicant shall execute a covenant with the City that requires the planting and continued maintenance of one tree each in the front yards of Lots 1 and 4, within 5 feet of the private street tract. The covenant must meet the requirements of section 33.700.060 and must be referenced on and recorded with the plat.

Other requirements

10. The applicant must pay into the City Tree Preservation and Planting Fund [Street Trees – Fee in Lieu of Planting and Establishment (per inch)] the amount equivalent to 1.5 inches of trees. Payment must be made to the Bureau of Development Services, who administers the fund for the Parks Bureau.

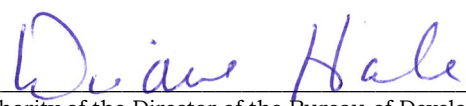
D. The following conditions are applicable to site preparation and the development of individual lots:

1. Development on Lots 3 and 4 shall be in conformance with the Tree Preservation Plan (Exhibit C.1) and the applicant's arborist report (Exhibit A.10). Specifically, trees #1 and #2 are required to be preserved, with the root protection zones indicated on Exhibit C.1. Tree protection fencing is required along the root protection zone of each tree to be preserved.

The fence must be 6-foot high chain link and be secured to the ground with 8-foot metal posts driven into the ground. Encroachment into the specified root protection zones may only occur if it meets the allowances of 11.60.030, subject to Planning and Zoning approval at the time of permit. Planning and Zoning approval of development in the root protection zones beyond the allowances of 11.60.030 is subject to receipt of a report from an arborist, explaining that the arborist has approved of the specified methods of construction, and that the activities will be performed under his/her supervision.

2. The first lift of paving for the private street shall be installed prior to issuance of any permits for residential construction.
3. Prior to finalizing the Site Development permit for the private street, a plumbing permit must be obtained and finalized for the new utility lines that will be constructed beneath the paved surface of the new street.
4. One street tree must be installed on Lot 4 within 5 feet of the private street tract in substantial conformance with Exhibit C.1. The trees must meet the minimum planting size of Title 11. The required tree planting must be shown on the building permit plans for each lot and installed prior to final inspection approval.
5. Vehicle access to Lot 1 must be from Tract A, the private street.
6. The applicant must post the private street with "No Parking" signs to the satisfaction of the Fire Bureau. The location of the sign must be shown on the development permit.
7. The applicant must meet the Fire Bureau requirements for addressing and aerial fire department access. Aerial access applies to buildings that exceed 30 feet in height from the fire access as measured to the bottom of the eave of the structure or the top of the parapet for a flat roof.
8. If required, the applicant will be required to meet any requirements identified through a Fire Code Appeal/install residential sprinklers in the new dwelling units on Lots 2 to 4, per Condition C.6. Please refer to the final plat approval report for details on whether or not this requirement applies.

Staff Planner: Diane Hale

Decision rendered by:  **on May 3, 2021**
By authority of the Director of the Bureau of Development Services

Decision mailed May 5, 2021

About this Decision. This land use decision is **not a permit** for development. A Final Plat must be completed and recorded before the proposed lots can be sold or developed. 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 May 23, 2018, and was determined to be complete on November 14, 2018.

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 May 23, 2018.

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 waived the 120-day review period, as stated with Exhibit G.4.

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, 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 **May 19, 2021**. **The completed appeal application form must be emailed to 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>.

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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 Hearings Officer 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 Hearings Officer an opportunity to respond to it, that also may preclude an appeal to LUBA on that issue.

Recording the land division. The final land division plat **must** be submitted to the City **within three years** of the date of the City's final approval of the preliminary plan. This final plat must be recorded with the County Recorder and Assessors Office after it is signed by the Planning Director or delegate, the City Engineer, and the City Land Use Hearings Officer, and approved by the County Surveyor. **The approved preliminary plan will expire unless a final plat is submitted within three years of the date of the City's approval of the preliminary plan.**

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
 - 1. Applicant's original submittal and plans
 - 2. Applicant's response, 10/22/18
 - 3. Applicant's response, 11/13/18
 - 4. Applicant's response, 8/30/19
 - 5. Applicant's response, 11/25/19
 - 6. Applicant's response (prelim plat lot dimensions only), 3/17/20
 - 7. Applicant's response, 8/21/20
 - 8. Applicant's response (fire access plan), 2/25/21
 - 9. Neighborhood Contact Information
 - 10. Arborist report
 - 11. Stormwater Report
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Preliminary Plat (attached)
 - 2. Preliminary Grading Plan
 - 3. Preliminary Utilities Plan
 - 4. Existing Conditions Plan
- 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. Portland Water Bureau
 - 4. Fire Bureau
 - 5. Site Development Review Section of BDS
 - 6. Life Safety Section of BDS
 - 7. Urban Forestry
- F. Correspondence: None
- G. Other:
 - 1. Original LU Application
 - 2. Expedited Land Division Form
 - 3. Incomplete Letter
 - 4. 120-day timeline waiver request

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).