



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

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Date: March 16, 2022
To: Interested Person
From: Don Kienholz, Land Use Services
503-865-6716 / Don.Kienholz@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 21-077841 AD

GENERAL INFORMATION

Applicant: Patti Buserhill | alamodepdx@gmail.com
Patti Buserhill Architect
2613 SW Hamilton Ct
Portland OR 97239

Owners: Adam Morgan Andrews
Laure Andrews
Thomas Andrews
Ashley Andrews
27 Talbert St
San Francisco, Ca 94134

Owners Agents: Tom Andrews
Lauren Andrews
5035 NE 108th St
Lake Forest Park Wa 98155

Site Address: 2507 SE LINCOLN ST

Legal Description: BLOCK 1 LOT 12, MURRAYMEAD
Tax Account No.: R595000270
State ID No.: 1S1E01CC 13000
Quarter Section: 3233

Neighborhood: Hosford-Abernethy, contact Michael Wade at wade.michael@comcast.net

Business District: Division-Clinton Business Association, contact at info@divisionclinton.com

District Coalition: Southeast Uplift, contact Matchu Williams at matchu@seuplift.org

Zoning: R5 - Single-Dwelling Residential, 5,000

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

Proposal:

The applicant is proposing to rebuild a double car garage on the subject site in the same location. The existing dwelling is elevated above grade and accessed by approximately 14 steps to the front porch that extends the width of the house. The existing garage sits below and in front of the house, is 8.5-feet in height, 20.5 feet wide, and just under 2-feet from the front property line. The garage is also connected to the basement of the home by a small tunnel under the porch.

The proposal calls for removing the garage in its entirety and pushing the entrance back to 3-ft 10-in from the front property line on the east side and 4-ft 2-in on the west side; widening it to just over 22-feet; increasing the height to 9-feet with a 3-foot railing on top; and to eliminate the tunnel by connecting the rear interior wall of the garage to the foundation of the house and including a door to the basement.

With the garage being removed, it is considered new development and is subject to the R5 development standards. The R5 base zone requires a 10-foot front building setback and an 18-foot garage entrance setback as base zone development standards (33.110.220 and Table 110-4). Garages have additional development standards found in 33.110.250 which include limiting garages to up to 50% of the width of the street facing façade (33.110.250.C.3.a) and providing that a garage facing the street may be no closer than the longest street facing façade of the dwelling (33.110.250.D.3). The new garage is within 3.5-feet of the front building setback, has the garage entrance closer than 18-feet to the property line, has a width more than 50% of the front building width, and is located closer to the front building property line than the longest street facing façade of the house. Because the garage does not meet these development standards, Adjustments to each standard are required. As such, this Adjustment is for:

1. Reduce the front building setback from 10-feet down to 3-ft 10-in (33.110.220 and Table 110-4);
2. Reduce the garage entrance setback from 18-ft down to 3-ft 10-in 33.110.220 and Table 110-4);
3. Allow the garage width to make up approximately 60% of the overall structure width and exceed the 50% limitation (33.110.250.C.3.a); and
4. Allow the garage to be closer to the street lot line than the longest street facing façade (33.110.250.D.3).

Relevant Approval Criteria:

In order to be approved, this proposal must comply with the approval criteria of Title 33. The relevant approval criteria are found in Portland Zoning Code Section 33.805.040.A through F.

ANALYSIS

Site and Vicinity: The subject site is a 4,430-sf lot developed with a two and one-half story home and attached two car garage. The property is in an established early 20th century neighborhood with similarly aged and designed homes found approximately ¼ miles south of SE Hawthorne, approximately 1/5th of a mile north of SE Division, and ¼ mile east from the Ladd's Addition Historic District.

Zoning: The site is zoned R5, a medium density single-dwelling zone. The single-dwelling zones are intended to preserve land for housing and to provide housing opportunities for individual households. The zones implement the comprehensive plan policies and designations for single-dwelling housing and provide options for infill housing that is compatible with the scale of the single-dwelling neighborhood.

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

Agency Review: A “Notice of Proposal in Your Neighborhood” was mailed **December 16, 2021**. The following Bureaus have responded with no issues or concerns:

- Site Development and the Portland Fire Bureau (Exhibit E.5).

The Bureau of Environmental Services provide a response (Exhibit E.1) noting that they have no objections to the proposal but a detailed stormwater management plan will be required at time of building permit.

The Portland Bureau of Transportation provided a response (Exhibit E.2) noting that they have no objections to the proposal. However, at the time of permitting, the curb cut to the driveway will need to meet Title 17.

The Life Safety Section of BDS has reviewed the proposal and provided a response (Exhibit E.3) noting that they have no objection to the proposal and that a building permit will be required for the work.

The Portland Fire Bureau reviewed the proposal and provided a response (Exhibit E.4) noting they have no objection to the proposal but that at the time of permit review the proposal will need to meet fire flow requirements and aerial access requirements.

Neighborhood Review: No written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal.

ZONING CODE APPROVAL CRITERIA

33.805.040 Approval Criteria

The approval criteria for signs are stated in Title 32. All other adjustment requests will be approved if the review body finds that the applicant has shown that either approval criteria A. through F. or approval criteria G. through I., below, have been met.

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

Finding: The proposal is to rebuild an existing double-car garage situated between the dwelling and street. Because of it is being removed entirely and rebuilt, the garage is subject to the current zoning code development standards. Because of its location, four adjustments are required and the proposal must equally meet the applicable purpose statements.:

1. Reduce the front building setback from 10-feet down to 3-ft 10-in (33.110.220 and Table 110-4). The applicable purpose statement is found in 33.110.220.A:

“Purpose. The setback regulations for buildings and garage entrances serve several purposes:

- *They maintain light, air, separation for fire protection, and access for fire fighting;*
- *They reflect the general building scale and placement of residences in the city's single-dwelling neighborhoods;*
- *They foster a reasonable physical relationship between residences;*
- *They promote options for privacy for neighboring properties;*
- *They require larger front setbacks than side and rear setbacks to promote open, visually pleasing front yards;*
- *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; 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 existing garage is set back from the front property line 1-ft 8-in while the proposed garage is pushed back to increase the setback to a range of 3-ft 10-in to 4-ft 2-inches. It is noted the house is set back from the front property line 17-ft 3-in and is elevated above the street grade by approximately 12-feet, sitting on a raised platform of earth and the basement. As the proposed garage sits, it equally meets the purpose of the front building setback because:

- The increase in the setback provides additional space between the right-of-way and the garage, increasing the light, air and access for fire fighting.
- The design reflects the existing configuration of the site. Additionally, the design reflects other early 20th century craftsman homes with attached garages that sit on raised and elevated yards large enough to fit a basement and garage into. This design, while not extremely common, is not unusual. The applicant has identified a few examples within the area but the area is mostly flat with homes at or near street grade. The design is more prevalent in the more hilly areas of Portland, such as Alameda Ridge, the West Hills, the Southwest Hills and Northwest Portland.
- The location of the garage fosters a reasonable relationship with the house by allowing vehicle and pedestrian access to a home elevated above street grade while also providing an increased setback to the house on site (17-feet) and satisfying the side setbacks which respect the private space of adjacent homes.
- The proposed new garage includes a deck on top of the roof. With the garage being outside of the side setbacks and the adjacent property having their driveway along the common lot line, there are no views into private or recreational space, thus promoting privacy between the two properties.
- The new garage's setback has been increased from the previous setback to the extent practicable because it provides a usable space for modern vehicles but also does not require replacing the home's foundation within the basement area. Additionally, the existing home has a larger than required front building setback of 17-feet vs the 10-foot requirement. The applicant is remodeling that portion of the front yard by widening the front steps to the porch and increasing the planting areas to increase the number of plants and shrubs which will increase the openness of the front yard and improve the visual appeal.
- The proposal utilizes the site's unusual topography of having the house perched atop an elevated yard approximately 12-feet above street level. In order to have a garage, the entrance must be at, or near, street grade and the only way to accomplish that is to have the garage sit below the existing home. The new garage replaces an existing garage in nearly the same location, but further from the front property line and slightly wider to accommodate modern vehicles. The proposal respects the existing development and topography while also increasing outdoor area with the inclusion of the rooftop deck. The deck also acts as part of the front yard by extending the usability of the porch closer to the street to provide the 'eyes on the street' connection between active space and the public space. Lastly, retaining the basic design of the existing garage with the new garage provides a different architectural design from the adjacent homes while still conforming to designs routinely found within older Portland neighborhoods with elevated yards
- The new garage increases the front building setback from the existing garage but ensures it is not large enough for someone to attempt to park a vehicle and thus block the sidewalk. The pushed back garage increases visual clearance from the existing garage thus increasing driver visibility and overall safety.

Based on the above, this purpose statement is equally met.

2. Reduce the garage entrance setback from 18-ft down to 3-ft 10-in 33.110.220 and Table 110-4; The site has an existing garage a mere 1-ft 8-in from the front property line. The new garage entrance will be a minimum 3-ft 10-in from the property line to a maximum of 4-ft 2-inches. Referring to the 18-foot garage entrance setback requirement, the purpose statement reads: *“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.”*

As noted above, the proposal will prevent a vehicle from attempting to park in front of the garage and thus overhang the sidewalk. PBOT has consistently requested that any adjustment to the garage entrance setback be a distance that either allows a regular sized car to fit entirely within the space in front of a garage, OR the setback be so small that a vehicle would not attempt to park in the space and thus block the sidewalk. In this case, the new garage will have an increased setback from the existing setback, thus providing additional driver viability and clearance while still being small enough to ensure no car or truck will attempt to park in the setback and block the sidewalk. This purpose is equally met with the proposed design.

3. Allow the garage width to make up approximately 60% of the overall structure width and exceed the 50% limitation (33.110.250.C.3.a); The existing garage is 20.5-ft in width. The whole house, including garage, measures at approximately 38-feet wide, making the garage 54% of the street facing façade. The proposal is to increase the garage length along the street facing façade to just over 22-feet and approximately 60% of the street facing façade. The purpose statement for additional garage development standards are found in 33.110.250.A:

“Purpose. These standards:

- Together with the window and main entrance standards, ensure that there is a physical and visual connection between the living area of the residence and the street;
- Ensure that the location and amount of the living area of the residence, as seen from the street, is more prominent than the garage;
- Prevent garages from obscuring the main entrance from the street and ensure that the main entrance for pedestrians, rather than automobiles, is the prominent entrance;
- Provide for a more pleasant pedestrian environment by preventing garages and vehicle areas from dominating the views of the neighborhood from the sidewalk; and
- Enhance public safety by preventing garages from blocking views of the street from inside the residence.

These purpose statements are equally met because:

- The existing 2.5-story home has more than the 15% minimum window coverage on the street facing façade as seen in the elevation plans. The connection between the interior living area and street will not be altered as a result of the garage replacement. Additionally, the applicant is expanding the exterior recreation area from just the current porch to the porch and new rooftop deck, creating an additional connection for the home to the public realm. This will increase the ‘eyes on the street’ effect and increase visual connections and potential safety.
- The living area of the home will continue to occupy two and one-half stories above the garage, so the home will continue to dominate the street façade as seen from the right-of-way. Additionally, the proposal includes removing a stairway and covered porch off the kitchen area from the west side of the home and replacing it with an extension of the kitchen, thus expanding the

width of the living area in relation to the garage. While the house is currently approximately 32-feet wide, it will become approximately 36-feet wide. This expansion will reduce the visual width of the garage and make it stand out less than the existing garage as seen in the front elevation plans.

- The new garage will remain below the porch and main entrance of the house and a new stairwell will be constructed providing a clear pedestrian path to the home. With the two and one-half stories remaining and the front porch continuing to be open but with an expanded stairway, the porch and main entrance will remain the dominant entrance to the structure.
 - The new garage will be set back further from the front property line, opening up the area immediately adjacent to the sidewalk and expanding the pedestrian space. The roof top deck will have a glass panel railing, reducing the visual façade of the structure and improving the pedestrian experience when adjacent to the garage entrance.
 - The existing garage is 1-ft 8-in from the front property line. The proposed replacement garage will be 3-ft 10-in to 4-ft 2-in, increasing the visual clearance for exiting vehicles. Additionally, the garage will sit below the main floor of the house, preventing any blocking of the view from the home's living area to the street.
4. Allow the garage to be closer to the street lot line than the longest street facing façade (33.110.250.D.3). The relevant purpose statement to this standard is the same as Adjustment #3 above:
- “Purpose. These standards:
- Together with the window and main entrance standards, ensure that there is a physical and visual connection between the living area of the residence and the street;
 - Ensure that the location and amount of the living area of the residence, as seen from the street, is more prominent than the garage;
 - Prevent garages from obscuring the main entrance from the street and ensure that the main entrance for pedestrians, rather than automobiles, is the prominent entrance;
 - Provide for a more pleasant pedestrian environment by preventing garages and vehicle areas from dominating the views of the neighborhood from the sidewalk; and
 - Enhance public safety by preventing garages from blocking views of the street from inside the residence.

The proposal to have the garage closer to the street lot line than the longest street facing façade of the home equally meets the purpose of the standard because:

- The garage location will not block the windows on the street facing façade from providing views from the living areas of the home to the street.
- The garage will be set below the main floor of the 2.5-story home, ensuring the house is the most prominent feature of the site.
- The garage will be below the front porch and new, widened staircase to the front porch that houses the main entrance. The full width front porch and new visually improved staircase and plantings will ensure the pedestrian entrance is the prominent entrance.
- With the house sitting higher on the lot, the full length porch, and new staircase and plantings, the pedestrian experiences will be enhanced and prevent the garage from dominating the development of the site.
- While the garage is closer to the street than the longest façade of the house, the distance between the street and garage is increased, providing more visual clearance for vehicles backing out of the garage and for vehicles on the

street to see automobiles backing out of the garage, thus enhancing public safety.

Based on the above, the purpose is equally met.

Criterion met.

B. If in a residential, CI1, or IR zone, the proposal will not significantly detract from the livability or appearance of the residential area, or if in an OS, C, E, I, or CI2 zone, the proposal will be consistent with the classifications of the adjacent streets and the desired character of the area; and

Finding: The subject site is zoned R5, a residential zone. Livability is not a defined term but generally includes safety and privacy issues. The proposal to replace the garage and implement the four adjustments will not detract from livability because:

- It improves safety by pushing the garage entrance further back from the property line than the existing garage and increasing the driver visibility;
- It improves the pedestrian experience by increasing the distance from the garage to the sidewalk and increasing the open space around the sidewalk; and
- Does not put the garage near the adjacent neighbor's private backyard and open space which is common to garages in Portland's close-in neighborhoods where garages are routinely located in the rear corners of backyards;

And improves the appearance by:

- Increasing the width of the front steps and opening the pedestrian access to the front porch;
- Lining the new stairs with new decorative raised planters for an increase in landscaping options and visual interest;
- Including a glass railing on the rooftop deck rather than solid railing and limiting the visual height of the garage; and
- Replacing old and decrepit garage doors with new decorative panels and new lights.

Based on the above, this criterion is met.

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

Finding: This standard is generally to ensure a request with multiple adjustments does not provide a wholesale change to what is allowed in a particular zone. It tries to prevent adjustments to multiple standards that are different from each other, but still relate to each other. For example, incremental adjustments to a building's height, side setbacks, front setbacks and Floor Area Ratio could cumulatively allow a building substantially larger than what the zone ever intended. Some standards also have an increasing cumulative impact that exponentially impacts adjacent properties and the character of the area. Again, approving incremental adjustments to height, floor area ratio and side setbacks would allow an imposing and towering building in an area of low density development and would greatly stand out and negatively impact the character of the immediate area. However, some development standards have no relation or impact on other development standards. For instance, an Adjustment to a building height and an Adjustment to the open space requirement. They are in no way related and therefore cannot have a cumulative effect.

In this case, four Adjustments are being requested. Three of the Adjustments are technically to different development standards but each one imposes a similar limitation: the distance a garage may be from the front property line. The fourth adjustment is how wide the garage may be in relation to the house's width.

Because the first three Adjustments are all related to the location the garage is in relation to the front building setback and contain the same or similar purpose statements (33.110.220.A and 33.110.250.A), they do not have a cumulative effect on each other. They merely address the very same purpose bullet points. Additionally, the location of the garage in relation to the front property line has no relation to the width of the garage in relation to the width of the house and therefore also has no cumulative effect. In other words, approval of the four adjustments does not in effect allow a significantly different building than what the R5 zone intends.

Based on the above, this criterion is met.

D. City-designated scenic resources and historic resources in Historic, Conservation and National Register Districts and within the boundaries of Historic, Conservation and National Register Landmarks are preserved; and

Finding: City designated scenic resources are identified on the Official Zoning Map with a lower case “s” and historic resources are designated by a large dot or as being within the boundaries of a Historic or Conservation district. There are no such resources present on the site; therefore, this criterion is not applicable.

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

Finding: There are no anticipated adverse impacts resulting from approval of the four adjustments.

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

Finding: Environmental overlay zones are designated on the Official Zoning Map with either a lowercase “p” (Environmental Protection overlay zone) or a “c” (Environmental Conservation overlay zone). No environmental zoning is applied to the site; therefore, 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.

CONCLUSIONS

The applicant has demonstrated that replacing the existing garage that is 1-ft 8-inches from the front property line and more than 50% of the house width with a new garage set back 3-ft 10-in from the front property line at the closest point and a garage that makes up more than 50% of the home’s width equally meets the purposes of the development standards; will not adversely impact the livability or appearance of the area; will not have a cumulative effect from the four adjustments; and will not adversely impact scenic, historic or environmental resources.

ADMINISTRATIVE DECISION

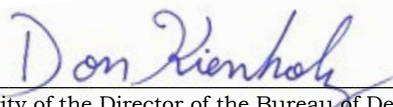
Approval of the following four adjustments:

1. Reduce the front building setback from 10-feet down to 3-ft 10-in (33.110.220 and Table 110-4);
2. Reduce the garage entrance setback from 18-ft down to 3-ft 10-in 33.110.220 and Table 110-4);
3. Allow the garage width to make up approximately 60% of the overall structure width and exceed the 50% limitation (33.110.250.C.3.a); and
4. Allow the garage to be closer to the street lot line than the longest street facing façade (33.110.250.D.3).

To replace an existing double car garage with a new double car garage and rooftop deck, per the approved plans, Exhibits C.1 through C.2, signed and dated March 11, 2022, subject to the following condition:

- A. As part of the building permit application submittal, each of the 4 required site plans and any additional drawings must reflect the information and design approved by this land use review as indicated in Exhibits C.1-C.2. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 21-077841 AD. No field changes allowed."

Staff Planner: Don Kienholz

Decision rendered by:  **on March 11, 2022**
By authority of the Director of the Bureau of Development Services

Decision mailed: March 16, 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 August 16, 2021, and was determined to be complete on December 6, 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 August 16, 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 requested that the 120-day review period be extended a total of 60-days (Exhibit A.7) Unless further extended by the applicant, **the 120 days will expire on: June 4, 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 March 30, 2022. 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>.

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 **March 30, 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 Materials:
 - 1. Original Narrative
 - 2. Survey of Existing Conditions
 - 3. Original Plan Set
 - 4. 11-16-21 Updated Plan Set
 - 5. 11-16-21 Updated Narrative
 - 6. 12-1-21 Updated Narrative
 - 7. Applicant's request to extend the 120-day clock by 60 days
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Site Plan (attached)
 - 2. Elevation Plans (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. Life Safety Section of BDS
 - 4. Fire Bureau
 - 5. Site Development and Water Bureau
- F. Correspondence: None
- G. Other:
 - 1. Original LU Application
 - 2. Receipt of Fee Payment
 - 3. Incomplete Letter

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).