



City of Portland, Oregon

Bureau of Development Services Inspection Services - Land Use Services

FROM CONCEPT TO CONSTRUCTION

Dan Saltzman, Commissioner Paul L. Scarlett, Director Phone: (503) 823-7300 Fax: (503) 823-5630 TTY: (503) 823-6868 www.portlandoregon.gov/bds

Date: November 24, 2015 **To:** Interested Person

From: Stacey Castleberry, Land Use Services

503-823-7586 / Stacey.Castleberry@portlandoregon.gov

NOTICE OF A TYPE IX 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, including the written response to the approval criteria and to public comments received on this application, 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 15-120152 EN

GENERAL INFORMATION

Applicant: Oregon Parks and Recreation Department

Attn: Scott Stewart

725 Summer Street NE, Suite C

Salem, OR 97301

Oregon Parks and Recreation Department

Attn: Scott Stewart

1645 NE Forbes Road, Suite 112

Bend, OR 97701

Site Address: 11321 SW TERWILLIGER BLVD

Legal Description: TL 1300 5.47 ACRES, SECTION 34 1S 1E; TL 1500 5.56 ACRES,

SECTION 34 1S 1E; TL 200 158.16 ACRES, SECTION 34 1S 1E; TL

2500 4.99 ACRES, SECTION 34 1S 1E

Tax Account No.: R991340010, R991340350, R991340420, R991340440, R991340350 **State ID No.:** 1S1E34BD 01300, 1S1E34BD 01500, 1S1E34 00200, 1S1E34BA

02500, 1S1E34BD 01500

Quarter Section: 4129 4029 4229

Neighborhood: None
Business District: None
District Coalition: None
Plan District: None

Other Designations: Resource Site 123, Southwest Hills Resource Protection Plan

Potential Landslide Hazard Area

Zoning: OScp

Base zone: Open Space (OS); Overlay zones: Environmental

Conservation (c), Environmental Protection (p)

Case Type: EN – Environmental Review

Procedure: Type Ix, an administrative decision with appeal to the Oregon Land Use Board of Appeals (LUBA).

Proposal: The Oregon Parks and Recreation Department proposes necessary improvements to the existing Natural Center parking loop, including trail sections that connect to the parking, within Tryon Creek State Park. The park is entirely within the watershed of Tryon Creek, a tributary of the Willamette River. Because of the predominantly undeveloped and forested conditions surrounding the fish bearing stream system, the park is highly regarded as a valuable urban natural area and open space resource.

Currently, the parking is configured as an elongated drive aisle loop with parking spaces along both long sides of the loop. Functionally, parking occurs not only in the designated parking spaces, but also along much of the drive aisle shoulder when designated spaces are full. (When the drive aisle shoulder and the designated spaces are full, overflow also occurs in the nearby equine lot.) Consequently, parking along the shoulders does not allow enough room for safe passage of emergency response vehicles.

This project will realign a portion of the drive aisle and formalize the shoulder parking to allow safe emergency vehicle passage. The additional designated parking will increase the total capacity to a level closer to actual current use during typical peak use periods, with overflow continuing to occur in the equine lot. A portion of the asphalt trail system leading from the parking loop toward the Nature Center will be replaced, and the asphalt trail leading to the picnic shelter will be overlaid with new asphalt.

New and redeveloped impervious surfaces will be designed to sheet flow runoff to the existing vegetated filter strips. Permeable pavers will be used along the drive aisle shoulders for parking surfaces. Paver areas will be sloped towards existing vegetated areas to provide an escape route for runoff that exceeds the permeable paver design capacity.

The project will involve removal of some trees at the parking loop edges, some of which have been identified as hazard trees. Mitigation for removed trees and their functional values will occur with native tree and shrub plantings in excess of mitigation requirements in the City's Code.

The proposed improvements to the Natural Center parking loop and trail sections that connect to the parking are located within the Environmental Protection (p) overlay zone. Some of the project elements are exempt from the regulations of Zoning Code Chapter 33.430: according to section 33.430.080.C.1 the proposed pavement overlay, roadway replacement (where size is not increased), replacement of the storm drain culvert in kind, replacement of the drinking fountain pad, and replacement of the AC trail, is work exempt from Chapter 33.430 regulations. Applicable standards in Zoning Code sections 33.430.140 must be met to allow the other proposed work to occur by right. If the standards are not met, an Environmental Review is required. In this case, not all standards can be met; therefore, the work must be approved through a Type Ix Environmental Review. In addition, parking lot landscape requirements (Chapter 33.266 and 33.248) must be met.

Relevant Approval Criteria:

In order to be approved, this proposal must comply with the approval criteria specified in the Portland Zoning Code. The City has determined that ORS 195.125 and OAR 660-034-0030 apply to the project. ORS 195.125 restricts the City to clear and objective siting criteria. Therefore, the only relevant approval criteria for the proposed modifications to existing parking areas are:

• Section 33.430.250.F 5-8. Other development in the Environmental Protection zone

ANALYSIS

Description of the Site: The proposed project site is located entirely within Tryon Creek State Park, located in southwest Portland between SW Boones Ferry Road and SW Terwilliger Boulevard in the City of Portland, Multnomah County, Oregon. A portion of the park is located in the City of Lake Oswego. Tryon Creek State Park is managed by the Oregon State Parks as a day use area with hiking, biking and horse trails. Recreational activities also include wildlife and bird watching, nature programs and interpretive tours. Tryon Creek State Park is a 169-acre natural day-use park located between Portland and the City of Lake Oswego. Residential development surrounds the Park. SW Terwilliger Boulevard borders the Park to the east and numerous local streets and residential development border the site to the west. The park entrance road extends from Terwilliger Boulevard a short distance before terminating at the Nature Center parking loop. This is the only road into the Park's interior. Road access to the equine parking lot, maintenance area and manager's residence extends from the entrance road at its intersection with the Nature Center parking loop.

The Park is dominated by the V-shaped canyon of Tryon Creek, formed by the east slope of Mt. Sylvania and west slope of Palatine Hill. The canyon was logged in the 1880's and has regrown naturally into a mixed stand of mature red alder, Douglas fir, bigleaf maple and Western red cedar. The forest is comprised of approximately 70 percent conifers and less than 30 percent deciduous trees. Significant environmental features within the project site include Tryon Creek which flows north through the project area.

Adjacent properties generally located along SW Terwilliger Boulevard and SW Boones Ferry Road have single family residential land uses (R10/R20 zoning designations).

Zoning: The zoning designation on the site is Open Space (OS), with Environmental Conservation ("c"), and Environmental Protection ("p") overlay zones (see zoning on Exhibit B). The OS base zone is intended to preserve public and private open and natural areas to provide opportunities for outdoor recreation and a contrast to the built environment, preserve scenic qualities and the capacity and water quality of the stormwater drainage system, and to protect sensitive or fragile environmental areas.

<u>Environmental overlay zones</u> protect environmental resources and functional values that have been identified by the City as providing benefits to the public. The environmental regulations encourage flexibility and innovation in site planning and provide for development that is carefully designed to be sensitive to the site's protected resources. They protect the most important environmental features and resources while allowing environmentally sensitive urban development where resources are less sensitive. The purpose of this land use review is to ensure compliance with the regulations of the environmental zones.

Environmental Resources: The application of the environmental overlay zones is based on detailed studies that have been carried out within separate areas throughout the City. Environmental resources and functional values present in environmental zones are described in environmental inventory reports for these respective study areas.

The site is located in the *Southwest Hills Resource Protection Plan* as Resource Site 123, Tryon Creek State Park. Resource Site 123 received a wildlife habitat score of 86, the highest score in the planning area. Tryon Creek, the principle drainage, its tributaries and adjacent forest cover are of high significance. Listed resources and functional values include fish and wildlife, fish and wildlife habitat, open space, forests, groundwater recharge, perennial creeks, wetlands, scenic and aesthetic views, education and recreation.

Wildlife, plant, animal and fish habitat inventories have been conducted for Tryon Creek State Park since 1987. Over 80 species of birds and small mammals including beaver live in the Park. The sensitive pileated woodpecker also inhabits the area. Uncommon native plant species include the western wahoo and Pacific yew.

Land Use History: City records indicate that prior land use reviews have been conducted for this site. They include:

None of those land use reviews have direct bearing on the current proposal.

- LU 02-135752 EN to construct a 900 square-foot, general-purpose/classroom addition to the existing Tryon Creek Nature Center building and review an unauthorized removal of two native trees.
- LU 07-109481 EN to improve approximately two miles of native trout and lamprey habitat by placing fifteen brush check-dams in several Tryon Creek tributaries to improve water quality and decrease source sediment.
- LU 08-119509 EN to create fish habitat by removing an existing culvert and its associated fill; to recreate a new streambed and banks using gravel, large wood and native plants; and to install a bridge over the new streambed.
- LU-11-117903 EN to stabilize eroding streambanks, enhance wetlands and streams, and provide protection of sanitary sewer pipes.

None of those land use reviews have direct bearing on the current proposal.

Agency and Neighborhood Review: A Notice of Proposal in your Neighborhood was mailed on September 1, 2015.

- **1. Agency Review:** Two city Bureaus responded to this proposal. Please see Exhibits E.1 and E.2 for details. BES provided general comments on sanitary sewer infrastructures and project consistency with stormwater regulations, as well as activities permitted within sewer easements. They require a detailed utility plan at permit time. BDS Site Development provided general comments on erosion control.
- **2. Neighborhood Review:** No written responses were received from either the Neighborhood Association or notified property owners in response to the proposal.

ZONING CODE APPROVAL CRITERIA

33.430.250 Approval Criteria for Environmental Review

An environmental review application will be approved if the review body finds that the applicant has shown that all of the applicable approval criteria are met. When environmental review is required because a proposal does not meet one or more of the development standards of Section 33.430.140 through .190, then the approval criteria will only be applied to the aspect of the proposal that does not meet the development standard or standards.

Findings: As noted on page 2 of this report, the approval criteria which apply to the proposed parking area improvements are found in Section 33.430.250. F.5 through F.8. The applicant has provided findings for these approval criteria and BDS Land Use Services staff have revised these findings or added conditions, where necessary to meet the approval criteria.

33.430.250.F. Other development in the Environmental Protection zone. In Environmental Protection zones the applicant's impact evaluation must demonstrate that all of the following are met:

5. There will be no significant detrimental impact on resources and functional values in areas designated to be left undisturbed;

Findings: This approval criterion requires the protection of resources outside of the proposed disturbance area from impacts related to the proposal, such as damage to vegetation, erosion of soils off the site, and downstream impacts to water quality and fish habitat from increased stormwater runoff and erosion off the site. The applicant's construction management plan (CMP) is summarized below.

Disturbance associated with construction, including staging, tree removal, and materials and equipment storage, is proposed to be confined to the defined disturbance zone as shown on the submitted construction management site plan. Orange construction fencing is proposed to be placed along the boundary of the disturbance area prior to construction to ensure that disturbance does not occur beyond the boundary. As needed, additional areas for staging, and equipment and material storage will be available in the nearby equine parking lot and park maintenance yard, thereby avoiding impacts from these activities on surrounding undisturbed areas. Specific measures for tree protection at the edges of the disturbance zone are outlined in the Tree Protection Plan, and include tree protection fencing placed around the defined root protection zone for each tree to be protected.

Measures to control runoff, filter sediment and prevent erosion during construction are proposed to include the use of sediment control fencing, inlet (catch basin) protection, and timing construction to avoid wet weather. Construction is scheduled to occur predominantly during the summer season when the lack of rainfall reduces the chances of runoff, erosion and sedimentation while construction is in process. If construction must occur during wet weather, best management practices will be implemented to control any erosion.

New and redeveloped impervious surfaces will be designed to disperse runoff by sheet flow to existing vegetated filter strips, to prevent runoff into undisturbed areas. Permeable pavers will be used for parking spaces along roadway shoulders and will provide some stormwater detention and infiltration. Areas developed with pervious pavers will be sloped towards vegetated areas to provide an escape route for runoff that exceeds the permeable paver design capacity.

City bureaus who administer city stormwater and erosion control regulations (BES and BDS Site Development, respectively), have indicated no concerns with the applicant's proposal (see Exhibits E.1 and E.2 for details).

The Oregon Parks and Recreation Department (OPRD) consults with its own Wildlife Biologist regarding the timing of construction in order to avoid the nesting season of any potentially affected bird species near the project site.

The CMP will be effective because it provides realistic limits to disturbance while containing the necessary elements (e.g., highly visible construction fencing, a workable erosion control plan, stormwater management and tree protection) and it is apparent that the applicant has carefully thought through the potential impacts of construction activities on the property. For these reasons, the proposed CMP (Exhibits C.14 through C.17) will provide protection for the resources and values in areas designated to be left undisturbed. Therefore, this criterion is met.

6. The mitigation plan demonstrates that all significant detrimental impacts on resources and functional values will be compensated for;

Findings: The mitigation plan included with the application describes how the loss of tree cover and associated values at the edges of the project site will be compensated for by planting of native trees and shrubs.

Construction activities will impact roughly 12,200 square feet of vegetated forest area consisting mostly of sword fern, thimbleberry, Oregon grape, Indian plum, & beaked hazelnut plant material and maple, fir, and alder trees. Native plant species from the city of Portland Plant List will be planted throughout the construction disturbance area. An approximately 8,500-square foot area northwest of the proposed construction area will also be cleared of nuisance plants and replanted with native species from the Portland Plant List as part of the proposed mitigation. Nuisance plant removal is proposed to comply with the requirements of 33.430.140.L, Nuisance Plants, and these requirements are reflected on the submitted nuisance plant removal plan. Proposed

mitigation plantings and nuisance plant removal will result in roughly 14,800 square feet of forest area enhanced as part of this application. This effort will become a small part of a larger 15 acre restoration project currently underway within the park.

OPRD intends to complete parking loop construction during the summer season. Mitigation plantings will occur in late winter, within six months following the completion of parking loop construction. Proposed mitigation for removal of 10 trees (8 trees between 12 and 20 inches in diameter, and two, 20-inch trees) and other vegetation in the disturbance area consists of 34 trees and 85 shrubs, consistent with Table 430-3 of Title 33.

Planting operations will be completed by the construction contractor, and will be overseen and inspected by qualified OPRD Stewardship (Natural Resources) staff. The contractor will be responsible for replacement of unsuccessful plantings immediately following the first spring survey (discussed below).

Monitoring for plant survival will be the responsibility of park staff and will occur each spring. Following initial plant replacement as needed, subsequent plant replacement will be the responsibility of park staff. In evaluating unsuccessful plantings, park staff will consult with OPRD Stewardship staff in considering possible reasons for plant mortality including whether different native species (on the City's native plant list) are better suited to site-specific conditions.

The proposed Mitigation Plan (Exhibits C.18 through C.20) will be installed and maintained under the regulations outlined in Section 33.248.040.A-D (Landscaping and Screening). A monitoring plan is described above and will ensure survival of all proposed mitigation plantings. To confirm maintenance of the required plantings for the initial establishment period, the applicant will be required to have the plantings inspected two years after plantings are installed.

The proposed mitigation plan offsets construction impacts and meets the requirements of 33.430.140.L and M, which address nuisance plant removal and tree replacement, and includes a plan for ongoing monitoring of new plantings and replacement of failed plantings. With conditions to ensure that plantings required for this Environmental Review are maintained and inspected, this criterion can be met.

7. Mitigation will occur within the same watershed as the proposed use or development and within the Portland city limits except when the purpose of the mitigation could be better provided elsewhere; and

Findings: The mitigation area is entirely within the Tryon Creek watershed, and entirely within the Portland city limits. Therefore, this criterion is met.

8. The applicant owns the mitigation site; possesses a legal instrument that is approved by the City (such as an easement or deed restriction) sufficient to carry out and ensure the success of the mitigation program; or can demonstrate legal authority to acquire property through eminent domain.

Findings: Mitigation for significant detrimental impacts will be conducted on the same site as the proposed development, which is within the boundaries of Tryon Creek State Natural Area. This area is owned by the Oregon Parks and Recreation Department. This criterion is met.

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.

Zoning Code Section 33.266.130.G.3 requires at least 45 square feet of interior landscaped area for each parking space. These standards must be shown to be met at the time of permit review for both the east lot and the west parking areas.

OTHER TECHNICAL REQUIREMENTS

Technical decisions have been made as part of this review process, based on other City Titles, as administered by other City 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 requirements applicable to this proposal. This list is not final, and is subject to change when final permit plans are provided for City review.

Bureau	Code Authority and Topic	Contact Information		
Water Bureau	Title 21 - Water availability	503-823-7404 www.portlandonline.com/water		
Environmental	Title 17; 2008 Stormwater Manual	503-823-7740		
Services		www.portlandonline.com/bes		
Fire Bureau	Title 31 Policy B-1 - Emergency Access	503-823-3700		
		www.portlandonline.com/fire		
Transportation	Title 17 - Transportation System Plan	503-823-5185 www.portlandonline.com/transportation		
Development Services	Titles 24 - Building Code, Erosion	503-823-7300		
	Control, Flood plain, Site Development	www.portlandonline.com/bds		

CONCLUSIONS

The applicant proposes to realign a portion of the Tryon Creek State Park Nature Center parking loop, and formalize shoulder parking. The applicant also proposes to replace a portion of the asphalt trail system leading from the parking loop toward the Nature Center, and to overlay the asphalt trail leading to the picnic shelter with new asphalt. The proposal includes removal of some trees at the parking loop edges, as well as nuisance plant removal and mitigation plantings.

Following construction, disturbed areas will be restored and replanted with native riparian species. The applicant has responded to the applicable environmental review approval criteria with findings that clearly demonstrate that the proposal meets the criteria. Therefore, this proposal should be approved.

ADMINISTRATIVE DECISION

Approval of an Environmental Review for:

- Realignment of a portion of the Nature Center parking loop;
- Addition of formalized shoulder parking;
- Replacement of a portion of the asphalt trail system leading from the parking loop toward the Nature Center;
- Addition of a layer of new asphalt over the asphalt trail leading to the picnic shelter;
- Remove 10 trees near the edges of the parking loop;
- Restoration of disturbed areas after construction.

all within the Environmental Protection overlay zone, and in substantial conformance with Exhibits C.9 through C.20, as approved by the City of Portland Bureau of Development Services on **November 19, 2015**. Approval is subject to the following conditions:

A. A BDS construction permit may be required for the proposed construction

activities, and a BDS Zoning Permit is required for inspection of required parking lot landscaping, and mitigation plantings. Copies of the stamped Exhibits C.9 through C.20 from LU 15-120152 EN and Conditions of Approval listed below, shall be included within all plan sets submitted for permits (building, Zoning, grading, Site Development, erosion control, etc. See "Other Technical Requirements" listed above). These exhibits shall be included on a sheet that is the same size as the plans submitted for the permit and shall include the following statement, "Any field changes shall be in substantial conformance with approved LU 15-120152 EN Exhibits C.9 through C.20."

- 1. As part of any permit application, the applicant shall provide landscape plans showing that parking lot landscaping complies with parking lot landscaping standards in the Zoning Code, for review and approval by BDS P&Z staff.
- **2.** As part of any permit application, the applicant shall provide a detailed site utility plan which shows proposed and existing sanitary connections, as well as stormwater management that meets the requirements of the version of the SWMM that is in effect at the time permit applications are submitted, for review and approval by BES staff.

Construction Permits shall not be finaled until a BDS Zoning Permit is obtained and finaled for inspection of mitigation plantings required in Condition C below.

- **B.** Temporary construction fencing shall be installed according to tree protection measures in Title 11 Tree Code, chapter 11.60, except as specified below. Temporary, 4-foot high, construction fencing shall be placed along the Limits of Construction Disturbance for the approved development, as depicted on Exhibits C.14, C.15, and C.16 Construction Management Plans, or as required by inspection staff during the plan review and/or inspection stages.
 - 1. No mechanized construction vehicles are permitted outside of the approved "Limits of Construction Disturbance" delineated by the temporary construction fence. All planting work, invasive vegetation removal, and other work to be done outside the Limits of Construction Disturbance, shall be conducted using hand held equipment.
 - 2. The applicant's certified arborist shall be present on the site during construction to ensure trees are protected as shown on Exhibits C.14 and C.15.
- **C.** The applicant shall obtain a BDS Zoning Permit for approval and inspection of a mitigation plan for a total of 34 trees, 85 shrubs, and 14,809 square feet of native ground covers, in substantial conformance with Exhibits C.18, C.19, and C.20 Mitigation Plans. Any plant substitutions shall be selected from the *Portland Plant List*, and shall be substantially equivalent in size to the original plant.
 - 1. Permit plans shall show the approximate location of the trees, shrubs and ground covers required by this condition to be planted in the mitigation area and labeled as "new required landscaping". The plans should illustrate a naturalistic arrangement of plants and should include the location, species, quantity and size of plants to be planted.
 - 2. Plantings shall be installed between October 1 and March 31 (the planting season).
 - 3. Prior to installing required mitigation plantings, non-native invasive plants shall be removed from all areas within 10 feet of mitigation plantings, using handheld equipment.
 - 4. All mitigation and remediation shrubs and trees shall be marked in the field by a tag attached to the top of the plant for easy identification by the City Inspector. All tape shall be a contrasting color that is easily seen and identified.
 - 5. After installing the required mitigation plantings, the applicant shall request inspection of mitigation plantings and final the BDS Zoning Permit.
- **D. The land owner shall maintain the required plantings** for two years to ensure survival and replacement. The land owner is responsible for ongoing survival of required plantings during and beyond the designated two-year monitoring period. The landowner shall:

- 1. Obtain a Zoning Permit for a final inspection at the end of the 2-year maintenance and monitoring period. The permit must be finaled no later than 2 years from the final inspection for the installation of mitigation planting, for the purpose of ensuring that the required plantings remain. Any required plantings that have not survived must be replaced.
- **E.** Failure to comply with any of these conditions may result in the City's reconsideration of this land use approval pursuant to Portland Zoning Code Section 33.700.040 and /or enforcement of these conditions in any manner authorized by law.

Staff Planner: Stacey Castleberry

Decision rendered by: Melly Market November 19, 2015

By authority of the Director of the Bureau of Development Services

Decision mailed: November 24, 2015

Note: In addition to the requirements of the Zoning Code, all uses and development must comply with other applicable City, regional, state and federal regulations.

This decision applies to only the City's environmental regulations. Activities which the City regulates through PCC 33.430 may also be regulated by other agencies. In cases of overlapping City, Special District, Regional, State, or Federal regulations, the more stringent regulations will control. City approval does not imply approval by other agencies.

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 February 17, 2015, and was determined to be complete on August 14, 2015. 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 February 17, 2015.

ORS 227.178 states the City must issue a final decision on Land Use Review applications within 120-days of the application being deemed complete. The 120-day review period may be waived or extended at the request of the applicant. In this case, the applicant did not waive or extend the 120-day review period. Unless further extended by the applicant, **the 120 days will expire on: December 12, 2015.**

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.

This decision, and any conditions associated with it, is final. It may be appealed to the Oregon Land Use Board of Appeals (LUBA), within 21 days of the date the decision is mailed, as specified in the Oregon Revised Statute (ORS) 197.830. Among other things, ORS 197.830 requires that a petitioner at LUBA must have submitted written testimony during the comment period for this land use review. Contact LUBA at 775 Summer St NE Suite 330, Salem, OR 97301-1283 or phone 1-503-373-1265 for further information.

The file and all evidence on this case are available for your review by appointment only. Please call the Request Line at our office, 1900 SW Fourth Avenue, Suite 5000, phone 503-823-7617, to schedule an appointment. I can provide some information over the phone. Copies of all information in the file can be obtained for a fee equal to the cost of services. Additional information about the City of Portland, city bureaus, and a digital copy of the Portland Zoning Code is available on the internet at www.portlandonline.com.

Recording the final decision.

If this Land Use Review is approved, the final decision must be recorded with the Multnomah County Recorder. A building or zoning permit will be issued only after the final decision is recorded. The final decision may be recorded on or after **November 24, 2015.** The applicant, builder, or a representative may record the final decision as follows:

- By Mail: Send the two recording sheets (sent in separate mailing) and the final Land Use Review decision with a check made payable to the Multnomah County Recorder to: Multnomah County Recorder, P.O. Box 5007, Portland OR 97208. The recording fee is identified on the recording sheet. Please include a self-addressed, stamped envelope.
- In Person: Bring the two recording sheets (sent in separate mailing) and the final Land Use Review decision with a check made payable to the Multnomah County Recorder to the County Recorder's office located at 501 SE Hawthorne Boulevard, #158, Portland OR 97214. The recording fee is identified on the recording sheet.

For further information on recording, please call the County Recorder at 503-988-3034 For further information on your recording documents please call the Bureau of Development Services Land Use Services Division at 503-823-7617.

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, permitees 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 for the City of Portland, and all other applicable ordinances, provisions and regulations of the City.

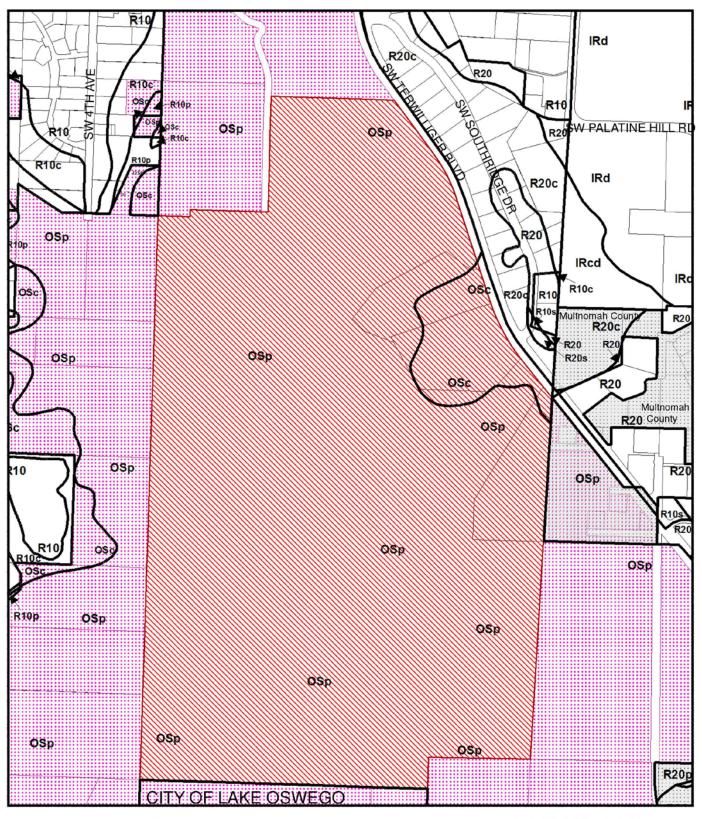
EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statements
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1.-8. Existing Conditions Site Plans

- 9. Paving Plan
- 10. Paving Plan
- 11. Development Plan (attached)
- 12. Development Plan (attached)
- 13. Development Plan (attached)
- 14. Construction Plan (attached)
- 15. Construction Plan (attached)
- 16. Construction Plan (attached)
- 17. Construction Plan (attached)
- 18. Mitigation Plan (attached)
- 19. Mitigation Plan (attached)
- 20. Mitigation Plan (attached)
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses:
 - 1. Bureau of Environmental Services
 - 2. Site Development Review Section of BDS
- F. Correspondence: None Received
- G. Other:
 - 1. Original LU Application
 - 2. BDS Early Assistance memo
 - 3. Incomplete Letter

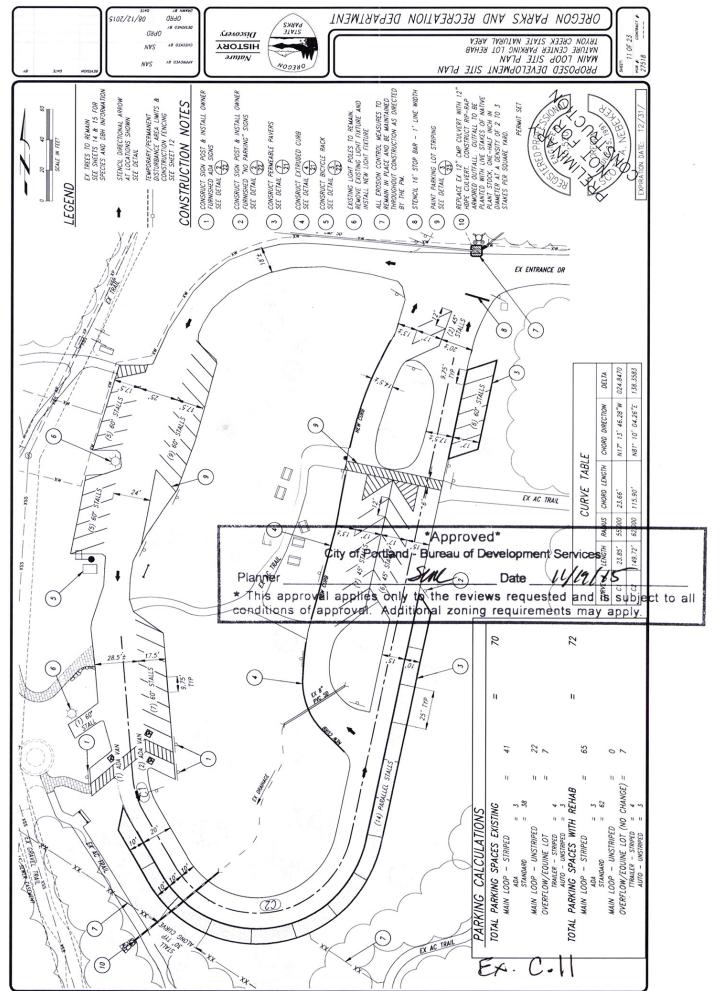
The Bureau of Development Services is committed to providing equal access to information and hearings. Please notify us no less than five business days prior to the event if you need special accommodations. Call 503-823-7300 (TTY 503-823-6868).

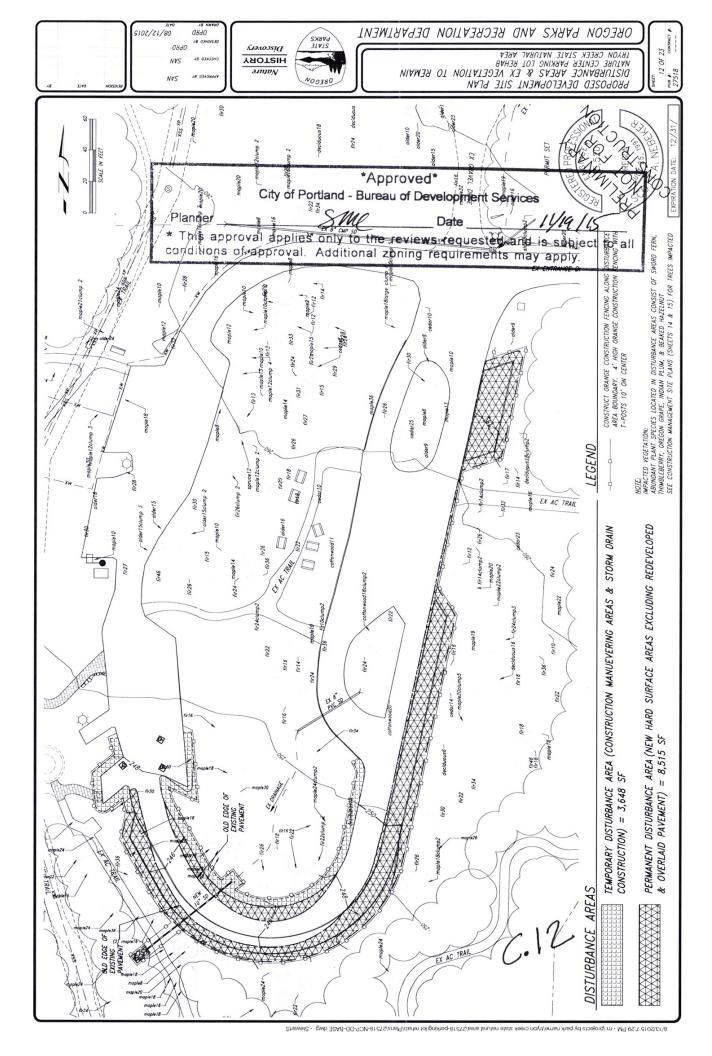


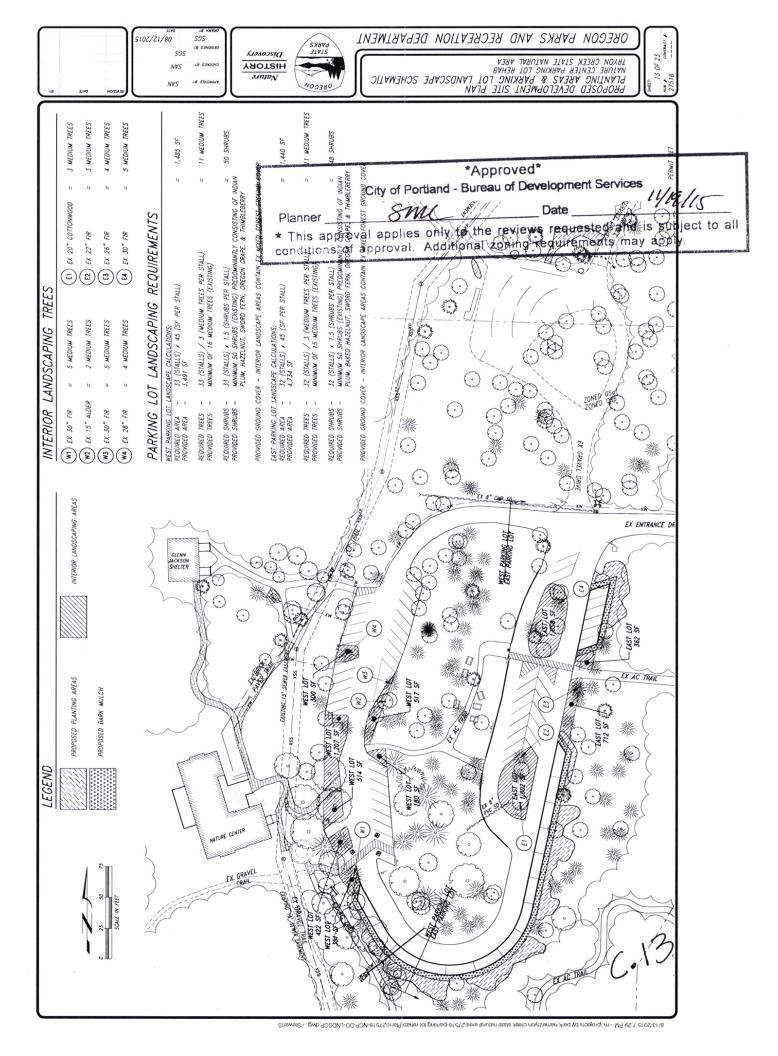
ZONING Site Also Owned Parcels

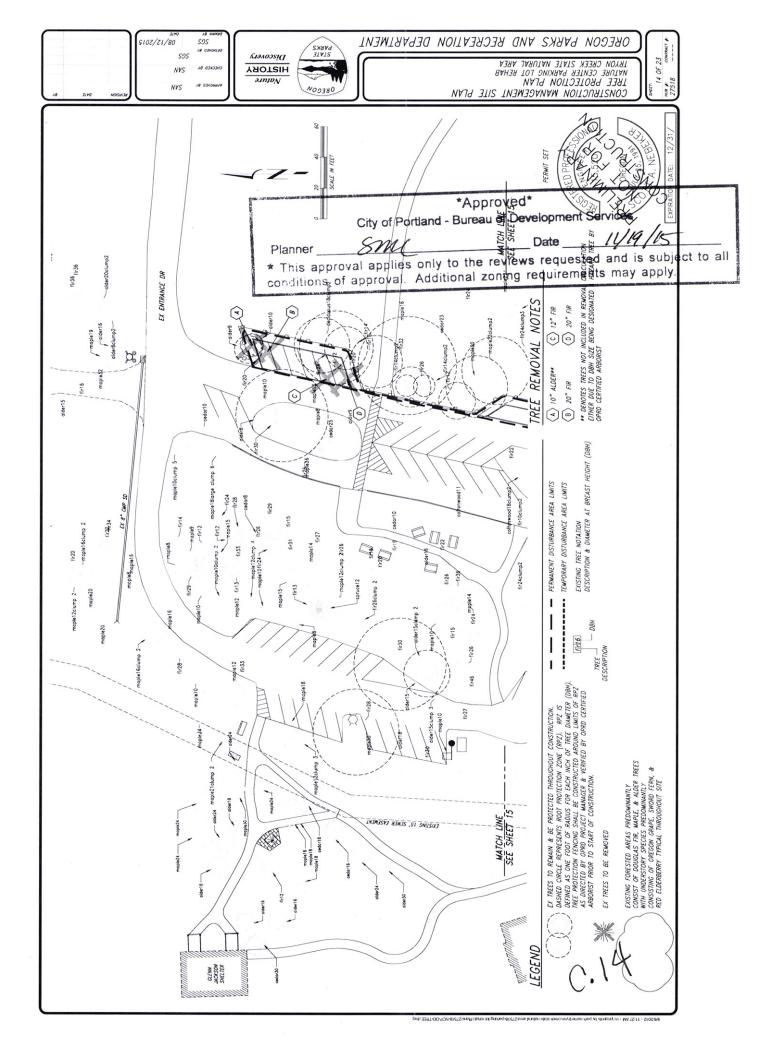


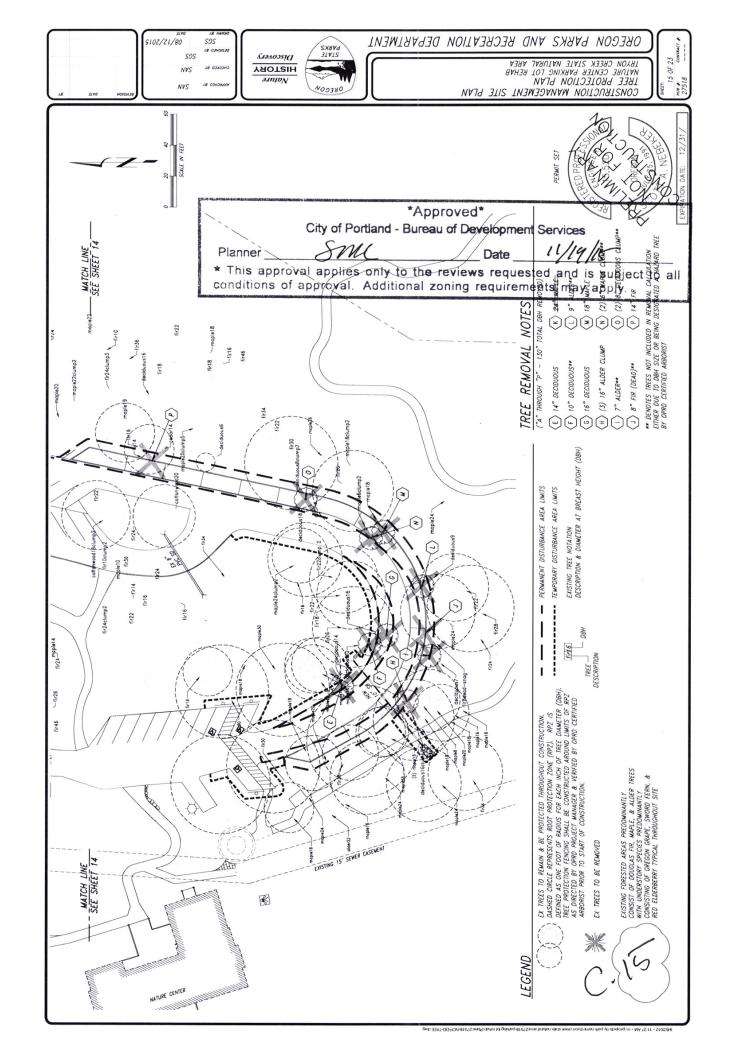
LU 15-120152 EN File No._ 4129, 4029, 4229 1/4 Section_ 1 inch = 500 feetScale. 1S1E34 200 State_ld . В Exhibit. (Aug 28, 2015)

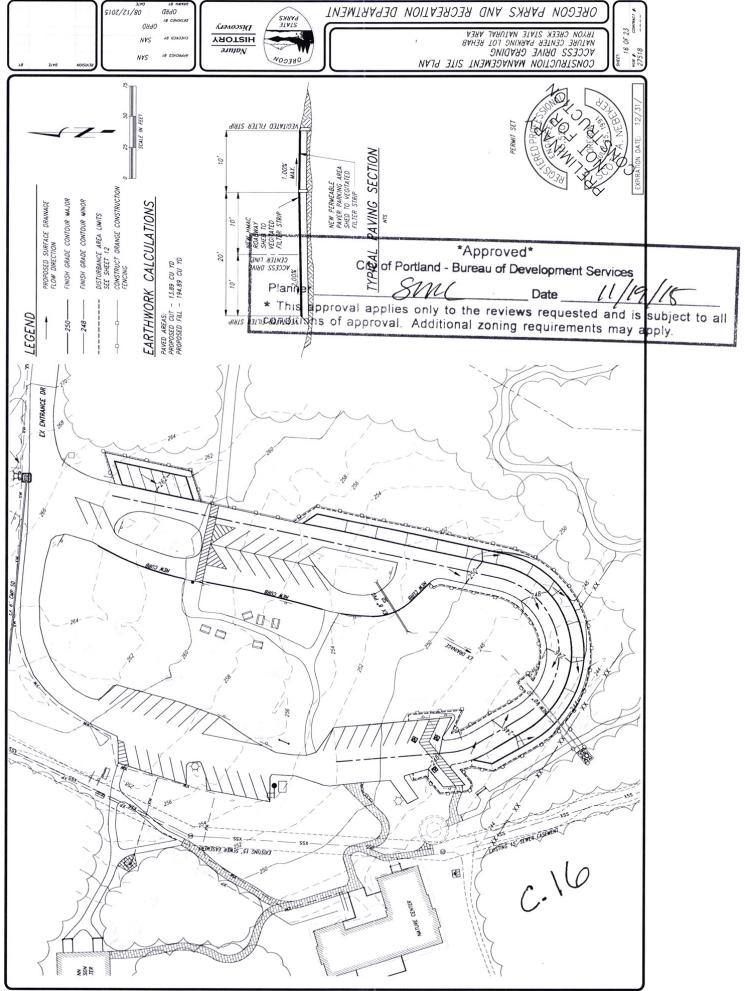


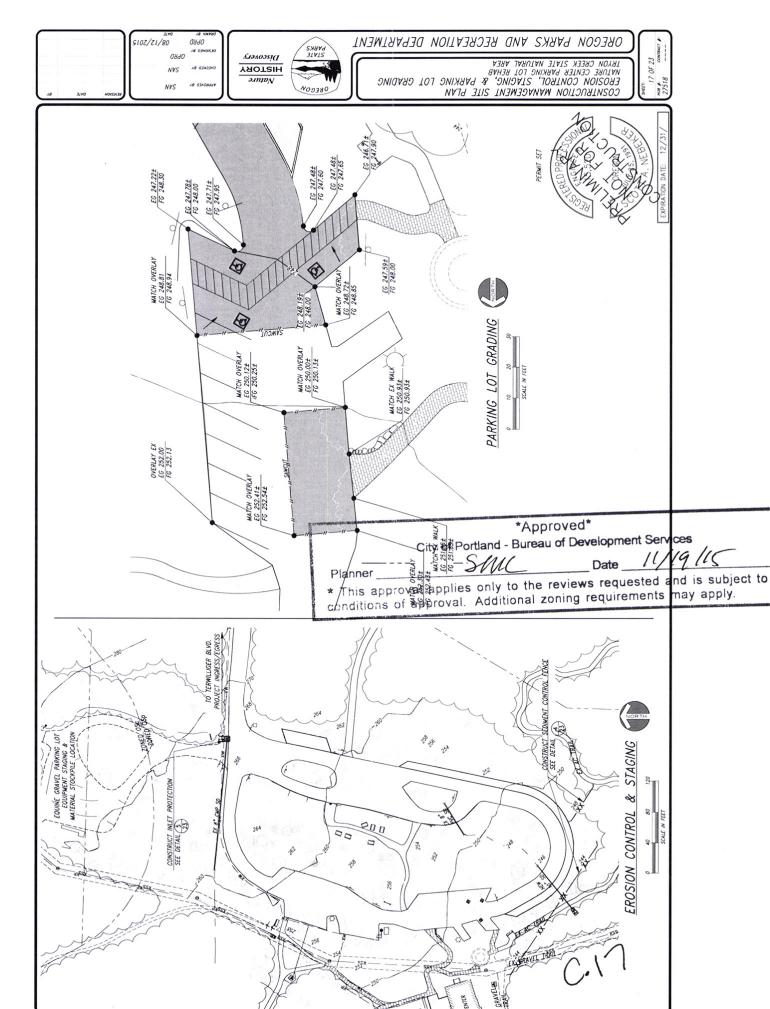












AB ZIYO MOSSAS	NAS V8	Wallur Orocsea Oroc	31VIS	RECREATION DEPART	ECON BARKS AND ON CREEK STATE NATURAL I IN TOOP AREA INCATION SITE PLAN	18 OF 23	
COMMON NAME 01Y. SIZE SPACING	00CW000 13 5 GAL B&B ASH 13 5 GAL B&B FIR 8 5 GAL B&B	BEANED HAZELNUT 8 5 CAL AS SHOWN WESTERN DOGWOOD 18 3 CAL AS SHOWN RED HUCKLEBERRY 20 3 CAL AS SHOWN NIDAN PLUN 13 5 CAL AS SHOWN RED-FLOWERING 18 5 CAL AS SHOWN	REMOVED TO THE STAND THE REMOVED LOCATIONS RETS 14 TO FOR THE REMOVED LOCATIONS ACCURATION FOR THE REMOVED LOCATION FOR THE REMOVED L	*Approx of Portland - Bureau of SMC 3 USES & 8 SONING STATE OF THE E & 3 SONING STATE OF THE E	Development Sen Date Date	vices	ect to all
PLANT LIST BOTANICAL NAME COMMON	IESII	CORTUS CORNUTA VAR. BEAKED CALIFORNICA COLIFORNICA COCIDENTALIS VACCINIUM PARVIFOLUM RED HUC OEMLERIA CERASIFORNIS INDIAN P REDES SANGUNIUM RED-FLO	MITIGATION F MITIGATION F M ACCORDANCE WITH POI TABLE 450-3 SEE CONSTRUCTION MANAU TABLE REMOVAL	(C) 12" FIR (C) 12" FIR (D) 20" FIR (E) 14" DECIDUOUS (G) 16" DECIDUOUS (G) 16" ALDERS	DVAL:	IOIAL PROPOSED: SHRUBS SHRUBS OVER OVER OVER OVER OVER OVER OVER OVER	
MATURE CENTER EX CRAYEL FRAIL	The state of the s		MATCH SHEET		EX AC TRAIL	, 7, m >	

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25 SOLE IN 15102	LEGEND PLANTING LIMITS	MITIGATION PLANTING MONITORING PLAN 1. PLANTINGS WILL BE MONITORED BY OWNER, ANY PLANTS THAT DIE WILL BE REPLED IN-LIND DOMNOT THE FOLLOWING STANDING STAND. 2. ONE YEAR ALTER PLANTING IS COMPLETED OWNER SHALL PROVIDE CITY OF POPILAND. SECTION 33.248.90 HAVE BEEN WET.	MITIGATION PLANTING NOTES 1. PLANT MATERIALS MUST BE NATIVE AND SELECTED FROM THE "PORTLAND PLANT 1. LIST." THEY MUS BE NOW-CLOMAL IN ORDING, SEED SOURCE MUST BE AS LOCAL AS POSSIBLE, AND PLANTS MUST BE NORSEEP PROPAGATED. 2. PLANT MATERIALS ARE TO BE USED FOR RESTORATION PURPOSES, STANDARD NURSERY PRACTICES FOR GROWN LANDSCAPE PLANTS, SUCH AS USE OF PESTICIDES.	FUNDICIDES OR FERRILIZES, AND THE STANNO OF TREES MUST NOT BE EMPLOYED. 3. PLANTS LISTED ON THE MUISANCE PLANTS LIST ARE PROHIBITED FROM BEING PLANTED. 14. ALL THEW REQUIRED UNITUATION AREAS MUST BE CLEARED OF GROUNDCOVERS AND SHURBES USFOON THE "MUISANCE PLANTS LIST." 5. PLANT MATERIALS MIST BE SUPPORTED ONLY WHEN MCESSARY STAKES, GUY WIRES WINDS AT THE PLANTNO SITE. WHERE SUPPORT IS NECESSARY, STAKES, GUY WIRES OF OTHER MUST BE SUPPORTED AND AS SOON AS THE PLANT CAN SUPPORT	1 ITSEL. 6. NEW PLANTINGS MUST BE MANUALLY WATERED REGULARLY DURING THE FIRST GOTOWING SEASON DURING LATER SELSONS, WATERING WUST BE DONE AS NEEDED TO ENSURE SURVIVAL OF THE PLANTS. 7. CONTRACTORS SHALL GUARANTY IN A HEALTHY, THRIVING CONDITION ALL TREES, SHIRBS, AND GROUNDOVERS FOR ONE YEAR FORD, THE DEFENDENCE OF HUMIL ACCEPTANCE. 8. DURING THE WARRANTY PERIOD, ALL DELS, DISEAKED, DING, BROKEN OF WISSING PLANT WATERIALS FROM ANY CAUSE EXCEPT THOSE WOTED BELOW SHALL BE REPLACED MUSDARLEY BY ON AND ADDITIONAL EXPENSE TO THE	OWNER TOPSOLL SHALL BE OBTINED FROM AN APPROVED SOURCE. CONTRACTOR SHALL SUBMIT PROPOSED SOURCE FOR APPROVED SOURCE SHALL BE REJECTED. TOPSOL BROUGHT TO THE SITE FROM AN UNAPPROVED SOURCE SHALL BE REJECTED.		PERMI SET	
· /		Planner	City	of Portland	*Approved Bureau of De	velopme	nt Services		
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