



City of Portland, Oregon

Bureau of Development 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: September 29, 2016

To: Interested Person

From: Diane Hale, Land Use Services

503-823-7705 / Diane.Hale@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 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 16-123943 LC

GENERAL INFORMATION

Applicant: Rob Humphrey, Faster Permits

14334 NW Eagleridge Lane / Portland, OR 97229 / (503) 320-5030

Owner: Heather Singer, Portlandia Custom Homes LLC

6420 SW Laber Rd / Portland, OR 97221 / (503) 201-7876

Site Address: Vacant site north of 4427 SW Plum St.

Legal Description: BLOCK 50 & 57 TL 6900, WEST PORTLAND

Tax Account No.: R302051

State ID No.: 1S1E30AD 06900

Quarter Section: 3925

Neighborhood: Crestwood, contact Tony Hansen at 503-317-3914.

Business District: None

District Coalition: Southwest Neighborhoods Inc., contact Leonard Gard at 503-823-4592.

R7c – Single family residential, 7000 with a "c" Conservation

Environmental Overlay Zone

Case Type: LC - Lot Consolidation

Procedure: Type Ix, an administrative decision with appeal to the Oregon Land Use

Board of Appeals (LUBA).

Proposal:

Zoning:

The applicant proposes to consolidate portions of historic lots 4, 5 and 6, Block 50 and 57, of West Portland into one parcel as shown on the Approved Plat (Ex. C.1, attached). These three historic lots are underlying this site, and this procedure will essentially erase the historic lot lines between lots 4, 5 and 6. The applicant has also applied for a Property Line Adjustment (16-161512 PR) to create two lots facing SW Wood Parkway. The PLA and future development are not part of this Lot Consolidation review.

Relevant Approval Criteria:

In order to be approved, this proposal must comply with the approval criteria of Title 33. The relevant approval criteria are Zoning Code section 33.675.300, Lot Consolidation Standards.

ANALYSIS

Site and Vicinity: The site is a vacant corner lot surrounded by single family residential development and open space zoning. Woods Creek runs to the north and east of the site. SW Baird abuts the site to the north, and is an unbuilt street that is not maintained by the city. SW Baird has a 60-ft ROW that is forested, and without built roadway, curb, or sidewalk. SW Wood Pkwy abuts the site to the east. SW Wood Pkwy is maintained by the city and has a 50-ft ROW with a paved roadway in disrepair, without sidewalks or curb.

Zoning: R7c – Single family residential, 7000 with a "c" Conservation Environmental Overlay Zone.

The R7 zone is intended to foster the development of single-dwelling residences on lots having a minimum area of 4,200 square feet, with a minimum width and depth dimensions of 40 feet and 55 feet, respectively. Newly created lots must have a maximum density of 1 lot per 7,000 square feet of site area.

The "c" overlay is intended to conserve important environmental features and resources while still allowing compatible development. New development and exterior modifications to existing development must meet environmental standards or are subject to environmental review.

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

Agency and Neighborhood Review: A Notice of Proposal in your Neighborhood was mailed on April 4, 2016.

- **1. Agency Review:** Several Bureaus and agencies have responded to this proposal. Please see Exhibits E for details. The comments are addressed under the appropriate criteria for review of the proposal.
- **2. 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

LOT CONSOLIDATIONS

33.675.010 Purpose

This chapter states the procedures and regulations for removing lot lines within a site to create one lot. The regulations ensure that lot consolidation does not circumvent other requirements of this Title, and that lots and sites continue to meet conditions of land use approvals. The lot consolidation process described in this chapter is different from (and does not replace) the process used by the county to consolidate lots under one tax account. A tax consolidation does not affect the underlying platted lots. A lot consolidation results in a new plat for the consolidation site.

33.675.050 When These Regulations Apply

A lot consolidation may be used to remove lot lines within a site. The applicant may also choose to remove such lot lines through a land division. A lot consolidation may be required by other provisions of this Title.

33.675.100 Review Procedure

- A. Generally. Lot consolidations are reviewed through Type Ix procedure.
- B. Sites in PUDs or PDs. If any portion of the site is within a Planned Unit Development (PUD) or Planned Development (PD), an amendment to the PUD or PD is also required. The amendment to the PUD or PD must be reviewed concurrently with the lot consolidation.

Findings: The site is not involved in any past or proposed Planned Unit Development or Planned Developments. Therefore, the requested lot consolidation review has been reviewed under the Type Ix procedure.

Approval Standards for a Lot Consolidation 33.675.300 Standards A lot consolidation must meet the following standards:

A. Lots. Consolidated lots must meet the standards of Chapters 33.605 through 33.615, with the following exceptions:

- 1. Lot dimension standards.
 - a. Minimum lot area. If the area of the entire lot consolidation site is less than that required of new lots, the lot consolidation site is exempt from minimum lot area requirements;
 - b. Maximum lot area. If any of the lots within the lot consolidation site are larger than the maximum lot area allowed, the lot consolidation site is exempt from maximum lot area requirements;
 - c. Minimum lot width. If the width of the entire lot consolidation site is less than that required of new lots, the lot consolidation site is exempt from minimum lot width requirements;
 - d. Minimum front lot line. If the front lot line of the entire lot consolidation site is less than that required of new lots, the lot consolidation site is exempt from minimum front lot line requirements;
 - e. Minimum lot depth. If the depth of the entire lot consolidation site is less than that required of new lots, the lot consolidation site is exempt from minimum lot depth requirements.

Findings: The proposed site is in the R7 zone. Approval standards 1.a through 1.e are related to the required lot dimensions and creation of a consolidated parcel that will either meet the lot dimension standards of the zone or meet the listed exceptions. The proposed consolidated lot meets the lot dimension standards of the R7 zone as shown in the following table (this information is found in Table 610-2 of the Zoning Code):

	R7 Zone	Lot 1	
	Requirement	(after consolidation)	
Minimum Lot Area	4,200 square feet	8,249 square feet	
Maximum Lot Area	12,000 square feet		
Minimum Lot Width*	40 feet	47 feet	
Minimum Front Lot	30 feet	35.77 feet	
Line			
Minimum Lot Depth	55 feet	100 feet	

^{*} Width is measured at the minimum front building setback line

Minimum and maximum density standards will be met at the time of development.

As noted herein, the proposed consolidated lot meets the applicable standards of Chapters 33.605 through 33.615 or the exceptions noted above.

2. Maximum density. If the consolidation brings the lot consolidation site closer to conformance with maximum density requirements, the consolidation does not have to meet maximum density requirements;

Findings: The site is vacant. Therefore the maximum density will not be exceeded by consolidating the historic lots that currently make up this site.

3. Lots without street frontage. If the lot consolidation consolidates lots that do not have street frontage with a lot that has street frontage, the consolidation does not have to meet minimum density and maximum lot area requirements;

Findings: All lots in the lot consolidation site have street frontage, therefore this standard does not apply.

4. Through lots. If any of the existing lots within the lot consolidation site are through lots with at least one front lot line abutting an arterial street, then the consolidated lot may be a through lot;

Findings: The existing lots within the lot consolidation site are not through lots and proposed consolidated Lot 1 will not be a through lot. Therefore this standard does not apply.

5. Split zoning. If any of the existing lots within the lot consolidation site are in more than one base zone, then the consolidated lot may be in more than one base zone.

Findings: This site contains only one zoning designation, therefore the consolidated lot will not have split zoning. This standard does not apply.

B. Conditions of land use approvals. Conditions of land use approvals continue to apply, and must be met.

Findings: There are no previous land use cases for this site, therefore this standard does not apply.

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 proposes to consolidate portions of historic lots 4, 5 and 6, Block 50 and 57, West Portland into one parcel. No City Bureaus raised objection to the proposal.

As discussed above, the requested lot consolidation has been reviewed and shown to be able to meet all the required standards for lot consolidations as laid out in Section 33.675.300.

ADMINISTRATIVE DECISION

Approval of a Lot Consolidation to create one parcel of portions of historic lots 4, 5 and 6, Block 50 and 57, West Portland into one parcel, as illustrated by Exhibit C.1, signed and dated September 23, 2016.

Decision rendered by: ______ on September 23, 2016

By authority of the Director of the Bureau of Development Services

Decision mailed September 29, 2016

Staff Planner: Diane Hale

About this Decision. This land use decision is not a permit for development. THE SIGNED FINAL PLAT MUST BE RECORDED WITH MULTNOMAH COUNTY DEED RECORDS WITHIN 90 DAYS OF THE DATE OF THIS DECISION (BY December 22, 2016), OR THIS DECISION WILL BECOME NULL AND VOID. 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 19, 2016, and was determined to be complete on March 30, 2016.

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 19, 2016.

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 by 90 days as stated with Exhibit G.2.

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.

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. You may call LUBA at 1-503-373-1265 for further information on filing an appeal.

The file and all evidence on this case is available for your review by appointment. Please contact the receptionist at 503-823-7967 to schedule an appointment. Copies of all information in the file can be obtained for a fee equal to the cost for such services. You may also find additional information about the City of Portland and City Bureaus, as well as a digital copy of the Portland Zoning Code, by visiting the City's homepage on the Internet at www.portlandonline.com.

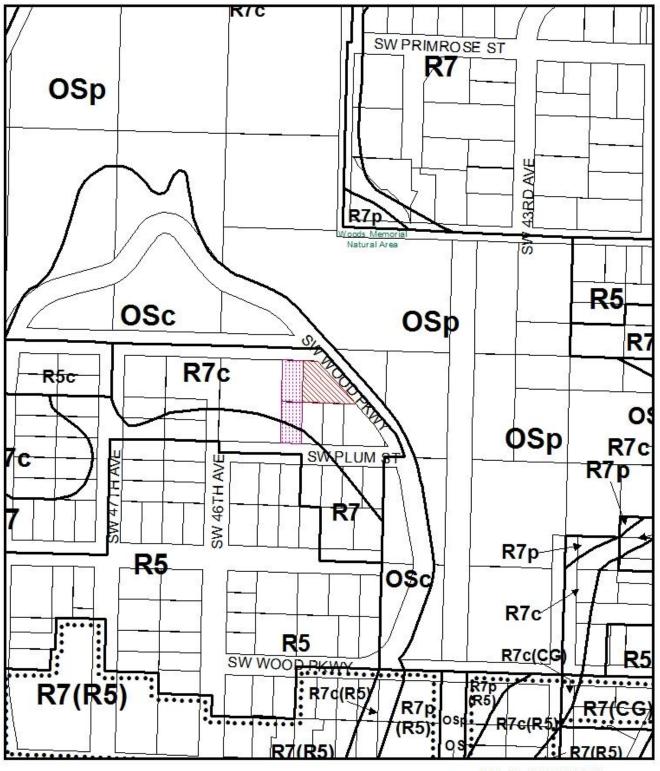
Recording the Final Plat. The signed plat must be recorded by the applicant with the County Deed Records within 90 days following approval by the Bureau of Development Services or the approval will be null and void.

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
 - 1. Original Submittal
 - 2. Applicant's Statement March 22, 2016
 - 3. Applicant's Statement July 27, 2016
 - 4. Applicant's Narrative
 - 5. Legal Description
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Approved Plat (attached)
 - 2. Supplemental Survey
 - 3. Recorded Plat
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses:
 - 1. Bureau of Environmental Services
 - 2. Water Bureau
 - 3. Fire Bureau
 - 4. Site Development Division of BDS
 - 5. Life/Safety Division of BDS
 - 6. Bureau of Parks Urban Forestry Division
- F. Correspondence: None
- G. Other:
 - 1. Incomplete Letter
 - 2. Extension Form (245 days)
 - 3. Original Application

The Bureau of Development Services is committed to providing equal access to information and hearings. If you need special accommodations, please call 503-823-0625 (TTY 503-823-6868).



ZONING

Site

Also Owned Parcels

File No. LU 16-123943 LC

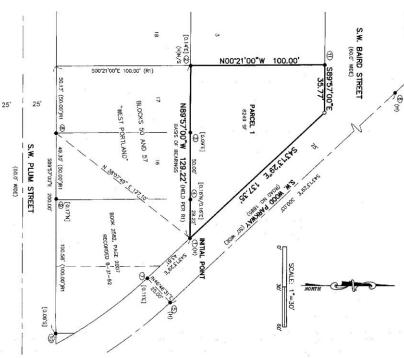
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Scale 1 inch = 200 feet

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Exhibit B (Feb 23, 2016)





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REFERENCES
R1 SN 526.38
R2 PLAT 0F "WEST PORTLAND"
R2 PLAT 0F "WEST PORTLAND"
R3 COUNTY ROAD NO. 1885, SURVEY F6/10
R4 SN 65073
R5 SN 65074

NARRATIVE

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ACKNOWLEDGEMENT STATE OF OREGON

COUNTY OF WASHINGTON)

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON SOMETIMENESS. 12, 2016
BY HEATHER SINGER, AS MEMBER OF PORTLANDIA CUSTOM HOMES LLC.,
AN ORECON LIMITED LIABILITY COMPANY, ON BEHALF OF SAID COMPANY.

MOTARY SKINGTURE Layden

NOTARY PUBLIC - OREGON HOEN

MY COMMISSION EXPIRES March 16, 2019 COMMISSION NO 976807

MONUMENT REFERENCE TABLE

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PLAT NOTES

1. THIS PLAT IS SUBJECT TO THE CONDITIONS IMPOSED BY THE CITY OF PORTLAND IN UL 15-123943 LC.

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SURVEYOR'S CERTIFICATE

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PARTITION PLAT NO.

REPLAT OF A PORTION OF LOTS 4, 5, AND 6, BLOCKS 50 AND 57, "WEST PORTLAND" LYNIG SOUTHWESTERLY OF S.W. WOOD PARKWAY LOCATED IN THE LOCATED IN THE NE 1/4 OF SECTION 30, T.IS., R.IE., W.M. CITY OF PORTLAND, MULTNOMAH COUNTY, OREGON

CITY OF PORTLAND CASE FILE NO. LU 16-123943 LC SEPTEMBER 9, 2016

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DRECTOR, DIVISION OF ASSESSMENT AND TAXATION, MULTNOMAH COUNTY, OREGON COUNTY OF MULTNOMAH STATE OF OREGON DEPUTY SS

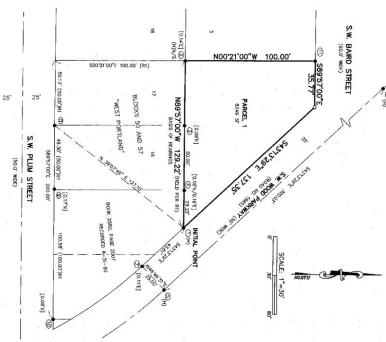
I DO HEREBY CERTIFY THAT THE ATTACHED PARTITION PLAT WAS RECEIVED FOR RECORD AND RECORDED

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DOCUMENT NO. BY: AS PARTITION PLAT NO. COUNTY RECORDING OFFICE DEPUTY

ENERGY OF Dessign

8265 SW NIMBUS A/E, SUITE 180 BEAVERTON, ORECON 97008 ITEL: (\$63) 746—8812 FAX: (\$63) 639—9592 www.emeriodesign.com JOB NO. 500—023



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SURVEYOR'S CERTIFICATE

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REFERENCES

R1 SN 3524

R2 PLAT OF "WEST PORTLAND"

R2 PLAT OF "MEST PORTLAND"

R4 SN 65073

R5 SN 65074

THIS A TRUE AND EXACT COPY THE ORIGINAL PARTITION PLAT.

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CITY OF PORTLAND CASE FILE NO. LU 16-123943 LC

SEPTEMBER 9, 2016

PARTITION PLAT NO.

DECLARATION

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> BY: 1 LILLA HELD (RT) APPROVED THIS 23" DAY OF SCATCHARD

20/16

APPROVED THIS ZAME DAY OF SEPTEMBEN, 2011

STATE OF OREGON

COUNTY OF WASHINGTON)

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE HE ON A Spittmaket 12, 2016 BY HEATHER SINGER, AS MEMBER OF PORTLANDIA CUSTOM HOMES LLC.
AN OREGON LIMITED LIABILITY COMPANY, ON BEHALF OF SAID COMPANY.

COUNTY SURVEYOR, MULTHOMAH COUNTY, DREGON

APPROVED THIS

DAY OF

MULTNOMAH COUNTY APPROVALS

- CITY ENGINEER'S DELEGATE

Show thanker NOTARY PUBLIC - OREFORM IDEA

COMMISSION NO. 936857

MY COMMISSION EXPIRES: MULLIS 13, 2019

STATE OF OREGON

DEPUTY

20 DRECTOR, DIVISION OF ASSESSMENT AND TAXATION, MULTINOMAH COUNTY, CREGON ALL TAXES, FEES, ASSESSMENTS OR OTHER CHARGES AS PROVIDED BY O.R.S. 92.095 HAVE BEEN PAID AS OF:

COUNTY OF MULTINOMAH

S

I DO HEREBY CERTIFY THAT THE ATTACHED PARTITION PLAT WAS RECEIVED FOR RECORD AND RECORDED

A

O'CLOCK

MONUMENT REFERENCE TABLE

© 10. 5/6" IR WITH YOU MARKED "BURTON ENGINEEZING", FLUSH, SET IN RI OD 15/6" R WITH YOU MARKED "BURTON BERKEENING", FLUSH, SET IN RI OD 15/6" R WITH YOU MARKED "BURTON BERKEENING", FLUSH, SET IN RI OD 15/6" R WITH YOU MARKED "BURTON BERKEENING", BUSH, SET IN RI OD 16/6", BAUKOND SEKE IN ASSHALT, FLUSH, TED PANOT, SET IN RI OD 15/6" R WITH YOU MARKED "BURTON BURKEENING", BUT IN SI OD 15/6" R WITH YOU WARKED "BURTON BURKEENING", BUT NO. SET IN RI OD 15/6" R WITH YOU WARKED "BURTON BURKEENING", DOWN 0.3", SET IN RI OD 15/6" R WITH YOU WARKED "BURTON BURKEENING", DOWN 0.3", SET IN RI OD 15/6" R WITH YOU WARKED "BURTON BURKEENING", DOWN 0.3", SET IN RI OD 15/6" R WITH YOU WARKED "BURTON BURKEENING", DOWN 0.3", SET IN RI OD 15/6" R WITH YOU WARKED "BURTON BURKEENING", DOWN 0.3", SET IN RI OD 15/6" R WITH YOU WARKED "BURTON BURKEENING", DOWN 0.3", SET IN RI OD 15/6" R WITH YOU WARKED "BURTON BURKEENING", DOWN 0.3", SET IN RI OD 15/6" R WITH YOU WARKED "BURTON BURKEENING", BUSH 0.3", SET IN RI OD 15/6" R WITH YOU WARKED "BURTON BURTON, BURNON, BUSH 0.3", SET IN RI OD 15/6" R WITH YOU WARKED "BURTON BURTON, BURNON, BUSH 0.3", SET IN RI OD 15/6" R WITH YOU WARKED "BURTON BURTON, BURNON, BURNON, BURTON B

DOCUMENT NO.

AS PARTITION PLAT NO. COUNTY RECORDING OFFICE

DEPUTY

PLAT NOTES

1. THIS PLAT IS SUBJECT TO THE CONDITIONS IMPOSED BY THE CITY OF PORTLAND IN LU 16-123945 LC.

EMERIO Design

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