

**PUBLIC WORKS DEVELOPMENT REVIEW & PERMITTING SERVICES**

IF YOU WISH TO SPEAK TO CITY COUNCIL, **PRINT** YOUR NAME, ADDRESS, AND EMAIL.

NAME (print)	ADDRESS AND ZIP CODE	Email
✓ Linda BLUER	Same	Same



Submitted by  
Linda Bower 7/28/10







**City of Portland, Oregon**  
**Bureau of Development Services**  
**Land Use Services**

1900 SW 4th Avenue, Suite 5000  
 Portland, Oregon 97201  
 503-823-7300  
 Fax 503-823-5630  
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[www.portlandonline.com/bds](http://www.portlandonline.com/bds)

**Date:** July 13, 2010  
**To:** Interested Person  
**From:** Kathleen Stokes, Land Use Services  
 503-823-7843 / [kstokes@ci.portland.or.us](mailto:kstokes@ci.portland.or.us)

**NOTICE OF A TYPE II PROPOSAL IN YOUR NEIGHBORHOOD**

Development has been proposed in your neighborhood that requires a land use review. The proposal, review process, and information on how to respond to this notice are described below. Copies of the site plan, elevation drawing and zoning map are attached. I am the staff person handling the case. Please call me if you have questions regarding this proposal. Please contact the applicant if you have questions regarding any future development on the site.

Because we must publish our decision within 28 days, we need to receive your written comments by 5 p.m. on August 3, 2010. Please mail or deliver your comments to the address above, and include the Case File Number, LU 10-136419 AD, in your letter. It also is helpful to address your letter to me, Kathleen Stokes.

**CASE FILE NUMBER: LU 10-136419 AD**

**Applicant:** Uyen and Huang To Vuong Duong  
 4320 SE 136th Ave  
 Portland, OR 97236

Vicki Nguyen  
 15958 NW Wismer Dr  
 Portland OR 97229

**Site Address:** 4320 SE 136TH AVE.

**Legal Description:** TL 3100 0.93 ACRES, SECTION 11 1S 2E  
**Tax Account No.:** R992115790  
**State ID No.:** 1S2E11DC 03100  
**Quarter Section:** 3444

**Neighborhood:** Powellhurst-Gilbert, Mark White at 503-761-0222.  
**Business District:** Midway, Bill Dayton at 503-252-2017.  
**District Coalition:** East Portland Neighborhood Office, Richard Bixby at 503-823-4550.

**Plan District:** Johnson Creek Basin

**Zoning:** R10 (R10,000, Low Density Single-Dwelling Residential)

**Case Type:** Adjustment Review  
**Procedure:** Type II, administrative decision with appeal to Adjustment Committee.

**Proposal:** The applicants are proposing construction of a 1,779 square foot addition to the existing residence on this site. The proposed addition would be located to the north of the primary residential structure, connecting the house to the building that was previously used as a detached accessory structure. The current existing building coverage that will remain on the site is 5,342 square feet. With the proposed addition, the building coverage would increase to 7,121 square feet.

FROM CONCEPT TO CONSTRUCTION

In the single dwelling zones, the maximum building coverage that is allowed by the development standards of the zoning code is based on the size of the lot. In this case, the site has an area of 40,510 square feet, allowing a maximum building coverage of 6,038.25 square feet. Exceptions to the maximum allowance for building coverage are approved through Adjustment Review, if all of the relevant approval criteria are met or can be met through conditions of approval. Therefore, the applicants are requesting approval of an Adjustment to Code Section 33.110.225 Building Coverage, to increase the maximum allowed coverage from 6,038.25 square feet to 7,121 square feet, in order to construct the proposed addition.

***Definition:** Building coverage is the area that is covered by buildings or other roofed structures. A roofed structure includes any structure more than 6 feet above grade at any point, and that provides an impervious cover over what is below. Building coverage also includes uncovered horizontal structures such as decks, stairways and entry bridges that are more than 6 feet above grade. Eaves are not included in building coverage.*

***Purpose:** The building coverage standards, together with the height and setback standards control the overall bulk of structures. They are intended to assure that taller buildings will not have such a large footprint that their total bulk will overwhelm adjacent houses. Additionally, the standards help define the character of the different zones by limiting the amount of buildings allowed on a site.*

**Relevant Approval Criteria:** To be approved, this proposal must comply with the approval criteria of 33.805.040 A.-F., Adjustments, cited below.

- A. Granting the adjustment will equally or better meet the purpose of the regulation to be modified; and
- B. If in a residential zone, the proposal will not significantly detract from the livability or appearance of the residential area, or if in a OS, C, E, or I zone, the proposal will be consistent with the classifications of the adjacent streets and the desired character of the area; and
- 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
- D. City-designated scenic resources and historic resources are preserved; and
- E. Any impacts resulting from the adjustment are mitigated to the extent practical; and.
- F. If in an environmental zone, the proposal has as few significant detrimental environmental impacts on the resource and resource values as is practicable.

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. This application was submitted on May 11, 2010 and determined to be complete on July 9, 2010.

#### **DECISION MAKING PROCESS**

The Bureau of Development Services will make a decision on this proposal. We will consider your comments, and

- Approve the proposal.
- Approve the proposal with conditions.
- Deny the proposal.

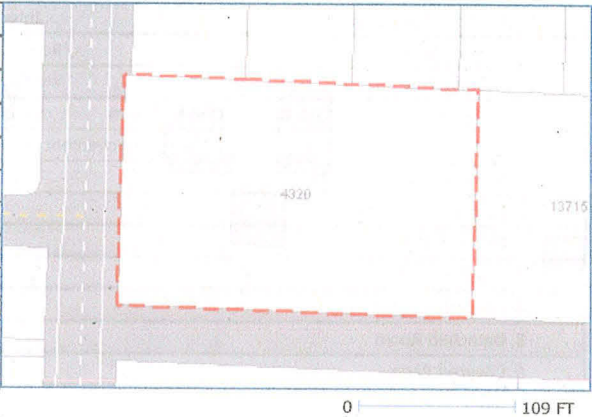
The neighborhood association listed on the first page of this notice may take a position on this application. They may also schedule an open meeting prior to making their recommendation to

4320 SE 136TH AVE - POWELLHURST-GILBERT - PORTLAND

[Explorer](#) | [Property](#) | [Maps](#) | [Projects](#) | [Crime](#) | [Census](#) | [Transportation](#)

[Summary](#) | [Assessor](#) | [Permits/Cases](#) | [Block](#) | [Schools](#) | [Parks](#) | [Businesses](#) | [Development](#) | [Stormwater Incentives](#) | [Stormwater Management](#) | [Garbage/Recycling](#) | [Noise](#) | [Historic Permits](#)

### General Information

Property ID	R334425	
County	MULTNOMAH	
State ID	1S2E11DC 3100	
Alt Account #	R992115790	
Map Number	3444 OLD	
Site Info		
Site Address	4320 SE 136TH AVE	
City/State/Zip	PORTLAND OR 97236	
Owner Info	<a href="#">(Privacy)</a>	
Owner(s) Name	DUONG UYEN TO VUONG & DUONG, HUONG TO VUONG	
Owner Address	4320 SE 136TH AVE	
City/State/Zip	PORTLAND OR 97236	

### Property Description

Tax Roll	SECTION 11 1S 2E, TL 3100 0.93 ACRES	Use	RESIDENTIAL IMPROVED
Lot	TL 3100	Block	

#### Tax Districts

101	PORT OF PORTLAND	130	CITY OF PORTLAND
130L	CITY OF PORTLAND CHILDREN LOP	130M	CITY OF PORTLAND PARKS LOP
143	METRO	164	EAST MULT SOIL/WATER
170	MULTNOMAH COUNTY	170L	MULT CO LIBRARY LOCAL OPT TAX
171	URBAN RENEWAL PORTLAND	173	URB REN SPECIAL LEVY - PORTLAND
198	TRI-MET TRANSPORTATION	304	MULTNOMAH CO ESD
308	MT HOOD COMM COLLEGE	317	DAVID DOUGLAS SCHOOL DIST #40

#### Deed Information

Sale Date	Type	Instrument	Sale Price
03/24/2005	OTHER DEED	2005051784	\$335,000.00
	QUIT CLAIM DEED	2005102378	\$0.00
	BARGAIN & SALE DEED	2008123405	\$0.00
	QUIT CLAIM DEED	2008005605	\$0.00
	INST	97162206	\$0.00

### Land Information

Type	Acres	SQFT
RESIDENTIAL LAND	0.9300	40,510

### Improvement Information

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Improvement Type SINGLE FAMILY RESIDENTIAL	
Improvement Value \$314,070.00	
Room Descriptions	
Building Class 1 STY W/FIN ATT & BSMT	
Actual Year Built 1946	Effective Year Built 1946
Number of Segments 7	Construction Style
Foundation Type Concrete	Interior Finish
Roof Style	Roof Cover Type Composition
Flooring Type	Heating/AC Type Forced Air, CENTRAL AIR CONDITIONING
Plumbing FOUR FULL BATHS, One Half Bath	Fireplace Type Brick 1

Improvement Details

# Segment Type	Class	Total Area
1 Main	4.0	4,070
2 Finished Attic	4.0	800
3 Finished Basement	4.0	800
4 Concrete	4.0	2,000
5 Detached Room	4.0	1,369
6 Covered Patio	4.0	144
7 Shed	4.0	200

Tax History

Year	Property Tax	Total Tax
2009	\$0.00	\$0.00
2008	\$0.00	\$0.00
2007	\$0.00	\$0.00
2006	\$0.00	\$0.00
2005	\$0.00	\$0.00
2004	\$4,092.97	\$4,092.97
2003	\$4,059.87	\$4,059.87
2002	\$3,832.92	\$3,832.92
2001	\$3,682.61	\$3,682.61
2000	\$3,409.46	\$3,409.46
1999	\$3,274.54	\$3,274.54
1998	\$3,245.54	\$3,245.54
1997	\$3,184.19	\$3,184.19

Assessment History

Year	Improvements	Land	Special Mkt/Use	Real Market	Exemptions	Assessed
2009	\$314,070.00	\$291,800.00	\$0.00	\$605,870.00	\$605,870.00	\$0.00
2008	\$401,450.00	\$291,800.00	\$0.00	\$693,250.00	\$693,250.00	\$0.00
2007	\$390,520.00	\$247,500.00	\$0.00	\$638,020.00	\$638,020.00	\$0.00
2006	\$186,580.00	\$228,500.00	\$0.00	\$415,080.00	\$415,080.00	\$0.00
2005	\$179,600.00	\$167,700.00	\$0.00	\$347,300.00	\$347,300.00	\$0.00
2004	\$174,470.00	\$93,070.00	\$0.00	\$267,540.00	\$0.00	\$196,030.00



# Public Works Permitting Reform Update - 7/28/10

Update on April 16, 2009 Council directives. Summary of what has been accomplished and what the Interagency Team plans to accomplish over the next year.

## Milestone Highlights

- April 16, 2009 – Council set original directives
- July 9, 2009 – To Council with program details for public works permitting turnaround times, predictable fees, appeals and staff colocation
- September 23, 2009 – To Council with program details for conflict resolution procedures and SDCs
- December 7, 2009 – Staff collocated at 1900 SW 4<sup>th</sup>
- December 17, 2009 – To Council with fees and SDCs
- January 4, 2010 – Implemented new public works process
- June 1, 2010 – Implemented public works appeals process
- July 28, 2010 – To Council with update on directives, program elements implemented, and identification tasks to be completed
- July 2011 – Will return to Council to report on effectiveness of initiatives and make recommendation on full consolidation of City's permitting functions

## Colocation

Move programs and personnel from the infrastructure bureaus necessary for the review and issuance of all development related permits to 1900 SW 4<sup>th</sup> Avenue building (Directives #1, #2 & #6).

- 29 staff (11 PBOT, 12 BES, 6 Water) have moved to 1900 SW 4<sup>th</sup> Ave
- Joined 10 staff (3 PBOT, 7 BES) already located there

## Conflict Resolution

Create an effective conflict resolution process to address policy and code conflicts between bureaus (Directive #3).

- Two components: new public works appeals process (see below) and internal policy balancing

## Turnaround times

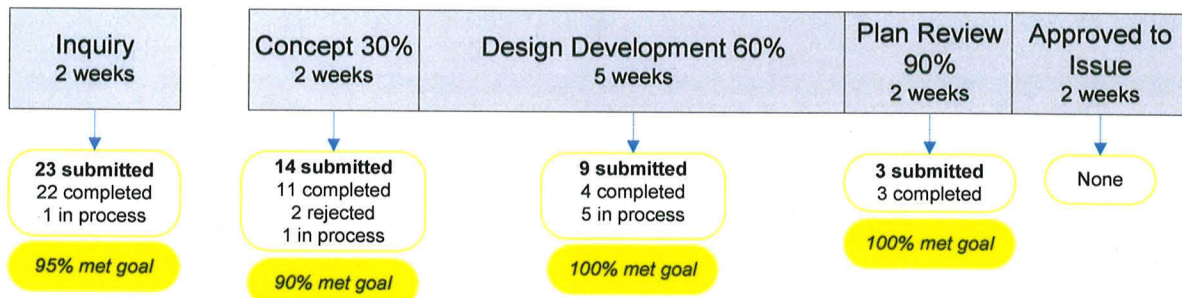
Establish standard turnaround times for public works permits (Directive #4a).

Implemented new process January 4, 2010. The new process has three major improvements:

- the timeline is shorter,
- there is timeline certainty for applicants, and
- the public works permit review happens earlier in the process (in coordination with land use and building permit reviews).

In a typical year, there are about 80 public works permits. For the first half of 2010 (through 7/7/10):

- 14 new public works projects have been submitted (down approximately 65% from typical).
- Of the 40 deadlines, 95% met the turnaround goal and 100% were within one day of the goal.



### **Predictable Fees**

*Establish predictable fee schedules for all public works permits (Directive #4b).*

Implemented new process and fees January 4, 2010; provides certainty on the cost of a project.

- Fees were proposed to have two options: fixed fees and "usual and customary".
- Due to lack of data on permits in the new system, interim fees established which set fixed fees on a project basis.
- If actual review costs are less than 90%, a refund is provided to the applicant.

### **Appeals**

*Establish formal appeals process for PBOT, BES, Water and Parks (Directive #4c).*

Implemented new appeals process June 1, 2010.

- 1<sup>st</sup> level Appeals Panel (3 division managers and 2 members of public)
  - Two appeals were submitted to the Appeals Panel and decided on.
- 2<sup>nd</sup> level Appeals Board (3 Chiefs)

### **Standardized SDCs**

*Develop a standardized Systems Development Charge (SDC) program which offers customers a uniform approach to SDC low income waivers, SDC deferrals, and SDC financing (Directive #5a).*

- Contracts have been established which offer uniform approaches to SDC deferrals and financing. Efficient coordination systems have been established with the Portland Housing Bureau to implement the full and partial exemption of SDCs for Affordable Housing.

### **Effectiveness of Colocation**

*Report back to Council in July 2010 on effectiveness of initiatives in improving customer service and with a recommendation regarding consolidation of the City's permitting functions (Directive #7).*

- On September 23, 2009 Council approved to delay report until July 2011 to allow incorporation of more meaningful levels of permitting activity into the evaluation.

All of the work above has been supported by new forms, handouts, and online information that helps the customer understand the Public Works Permitting process. A new Public Works Permitting website is projected to be online by the end of July. In addition, Staff have participated in a number of outreach events including 3 lunch and learns, several Plans Examiner articles, staff orientations and Citywide Land Use Chair meetings.

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## **Public Works Permitting Tasks Remaining**

### **Public Information and Education**

- Create additional information including updating website, handouts for appeals process and fees
- Provide quarterly reports to, and solicit feedback from, User Group, DRAC and Citywide Land Use Group
- Provide training to engineers submitting public works
- Continue to make process and procedures transparent: post inquiry folders online

### **Internal Systems**

- Pursue changes to Tracs to reflect new process
- Establish system for tracking internal policy balancing decisions and appeals

### **Continue to Monitor and Modify (as appropriate)**

- Evaluate and modify types of inquiry meetings, \$150 subsidized & \$3,000 unsubsidized
- Report back on effectiveness of interim fees and proposal for tiered system of fixed fees.
- Report back on how meeting turnaround times and related staffing levels
- Report back to Council in July 2011 with annual report

### **Funding Required**

- **FUND** Ricap-like project to resolve issues at a code level to address ongoing policy balancing and appeals issues.
- **FUND** programming to submit appeals online.
- **FUND** development and programming for public works online fee calculator (FY 2011/2012)