



City of Portland  
**Bureau of Development Services**  
Land Use Services Division

1900 SW Fourth Ave. Suite 5000  
Portland, Oregon 97201  
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FAX: 503-823-5630  
[www.portlandonline.com/bds](http://www.portlandonline.com/bds)

**Date:** April 14, 2008  
**To:** Interested Person  
**From:** Sylvia Cate, Land Use Services  
503-823-7771 / [scate@ci.portland.or.us](mailto:scate@ci.portland.or.us)

## **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 reasons for the decision are included in this notice. If you disagree with the decision, you can appeal it and request a public hearing. Information on how to appeal this decision is listed at the end of this notice.

### **CASE FILE NUMBER: LU 08-112758 CU**

#### **GENERAL INFORMATION**

**Applicant:** North Baptist Church Of Portland, property owner  
7412 N Mississippi Ave  
Portland, OR 97217-1350

**Representative:** Kevin Martin, main contact  
Clearwire US LLC  
2495 NW 121st Pl  
Portland, OR 97229

**Site Address:** 7424 N MISSISSIPPI AVE

**Legal Description:** LOT 3-8 BLOCK 24, FAIRPORT  
**Tax Account No.:** R267903160  
**State ID No.:** 1N1E15BA 14700  
**Quarter Section:** 2329

**Neighborhood:** Piedmont, contact Kat Halpenny at 360-798-9951.  
**Business District:** North Portland Business Assoc, contact Steve Weir at 503-283-3883.  
North-Northeast Business Assoc, contact Joyce Taylor at 503-445-1321.

**District Coalition:** North Portland Neighborhood Services, contact Mary Jaron Kelley at 503-823-4099.

**Plan District:** None  
**Other Designations:** None

**Zoning:** R5/CG: Split zoned site: Single-Dwelling Residential 5,000 and General Commercial

**Case Type:** CU, Conditional Use  
**Procedure:** Type II, an administrative decision with appeal to the Hearings Officer.

**Proposal:**

The applicant, Clearwire US, LLC, requests a Conditional Use to mount a wireless telecommunications (radio frequency transmission) facility on the rooftop of the North Baptist Church. The wireless facility is proposed to consist of three panel antennas and two microwave dish antennas that will be concealed inside two faux exhaust stacks on the roof. The exhaust stacks will each be 10 feet in height above the roofline. Please see the attached site plan and elevation for a graphical depiction of the proposal.

**Relevant Approval Criteria:**

In order to be approved, this proposal must comply with the approval criteria of Title 33. The relevant criteria are:

- 33.815.225 A 1-3, Conditional Use approval criteria
- 33.274.040 C, Development Standards

**ANALYSIS**

**Site and Vicinity:** The site is a split zoned parcel, 15,000 square feet in area and developed with a church building [originally constructed in 1924] and associated parking lot. To the west is a small shopping center, and further west, the I-5 freeway. Aside from a relatively shallow strip of General Commercial zoning running along both sides of N Lombard Street, the area is zoned residential, with both single dwelling and multi-family structures within a 200 foot radius from the site.

**Zoning:** The site is split zoned between the Single Dwelling R5 and General Commercial, CG zones. The R5 zone is one of several zones that implement the Comprehensive Plan designation of single dwelling residential. The proposed facility will be located on the rooftop of the existing church building, which lies entirely within the R5 zone. The associated parking lot for the church extends northward towards N Lombard Street. This portion of the site lies within the CG zone.

**Land Use History:** City records indicate that prior land use reviews include the following: CU 024-66, which approved the parking lot for the church in 1966.

**Agency Review:** A "Notice of Proposal in Your Neighborhood" was mailed March 19, 2008. The following Bureaus have responded with no issues or concerns:

- Bureau of Environmental Services
- Bureau of Transportation Engineering
- Water Bureau
- Fire Bureau
- Site Development Section of BDS
- Bureau of Parks-Forestry Division

**Neighborhood Review:** A Notice of Proposal in Your Neighborhood was mailed on March 19, 2008. No written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal.

**ZONING CODE APPROVAL CRITERIA****33.815.010 Purpose of Conditional Use**

Certain uses are conditional uses instead of being allowed outright, although they may have beneficial effects and serve important public interests. They are subject to the conditional use regulations because they may, but do not necessarily, have significant adverse effects on the environment, overburden public services, change the desired character of an area, or create major nuisances. A review of these uses is necessary due to the potential individual or cumulative impacts they may have on the surrounding area or neighborhood. The conditional

use review provides an opportunity to allow the use when there are minimal impacts, to allow the use but impose mitigation measures to address identified concerns, or to deny the use if the concerns cannot be resolved.

### **33.815.225 Radio Frequency Transmission Facilities**

These approval criteria allow Radio Frequency Transmission Facilities in locations where there are few impacts on nearby properties. The approval criteria are:

- A.** Approval criteria for facilities operating at 1,000 watts ERP or less, proposing to locate on an existing building or other non-broadcast structure in an OS or R zone or in a C, E, or I zone within 50 feet of an R zone:

1. The visual impact of an antenna must be minimized. For instance, it can be hidden behind a compatible building feature such as a dormer, mounted flush to the facade of the building and painted to match, mounted on a structure designed with minimal bulk and painted to fade into the background, or mounted by other technique that equally minimizes the visual impact of the antenna;

**Findings:** The applicant proposes to install the antennas on the rooftop inside two ten-foot tall faux chimney shrouds. The shrouds will be painted a gray color to match the existing roof. The faux chimney shrouds will appear to the casual observer to be additional venting stacks on the roof, but the antennas and related electronics equipment behind the shroud will not be visible. Therefore, the visual impact of the antennas will be minimized and this criterion is met.

2. Accessory equipment associated with the facility must be adequately screened. If a new structure will be built to store the accessory equipment, the new structure must be designed to be compatible with the desired character of the surrounding area and be adequately screened; and

**Findings:** The associated electronics equipment for the proposed facility is relatively small in size, approximately two square feet in area and 62 inches in height. The applicant proposes to place this cabinet relatively central to the existing roof plan, so that the cabinet will be over 16 feet from the nearest parapet, which is 3 feet in height. The combination of placement well away from the edge of the rooftop, combined with the depth of the roof parapet will adequately screen the equipment cabinets from the casual observer at grade. This criterion is met.

3. The regulations of Chapter 33.274, Radio Frequency Transmission Facilities are met.

**Findings:** The relevant regulations and standards for this proposal as discussed below, are the development standards of Chapter 33.274 - Radio Frequency Transmission Facilities. As discussed in detail under 33.274.040, all applicable regulations are met; therefore, 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.

### **33.274.040 Development Standards Radio Frequency Transmission Facilities**

Amended by Ord. No. 165376, effective 5/29/92.)

- A. Purpose.** The development standards:

- Ensure that Radio Frequency Transmission Facilities will be compatible with adjacent uses;
- Reduce the visual impact of towers in residential and open space zones whenever possible;
- Protect adjacent populated areas from excessive radio frequency emission levels;
- Protect adjacent property from tower failure, falling ice, and other safety hazards; and

**B. When standards apply.** Unless exempted by 33.274.030, above, the development standards of this section apply to all Radio Frequency Transmission Facilities. Applications to modify existing facilities regulated by this chapter are only required to meet the standards of Paragraphs C.3, C.4, C.5, C.6, and C.9 in addition to any previous conditions of approval. Increasing the height of a tower is not considered modification of an existing facility.

**C. General requirements**

1. Tower sharing. Where technically feasible, new facilities must co-locate on existing towers or other structures to avoid construction of new towers. Requests for a new tower must be accompanied by evidence that application was made to locate on existing towers or other structures, with no success; or that location on an existing tower or other structure is infeasible.

**Findings:** The proposal is to mount the facility on an existing building. No new tower is proposed. Therefore, this criterion is not applicable.

2. Grouping of towers. The grouping of towers that support facilities operating at 1,000 watts ERP or more on a site is encouraged where technically feasible. However, tower grouping may not result in radio frequency emission levels exceeding the standards of this chapter.

**Findings:** The proposal is to mount the facility on an existing building. No new tower is proposed. Therefore, this criterion is not applicable.

3. Tower finish. For towers not regulated by the Oregon Aeronautics Division or Federal Aviation Administration, a finish (paint/surface) must be provided that reduces the visibility of the structure.
4. Tower illumination. Towers must not be illuminated except as required for the Oregon State Aeronautics Division or the Federal Aviation Administration.

**Findings:** The proposal is to mount the facility on an existing building. No new tower is proposed. Therefore, these criteria are not applicable.

5. Radio frequency emission levels. All existing and proposed Radio Frequency Transmission Facilities are prohibited from exceeding or causing other facilities to exceed the radio frequency emission standards specified in Table 274-1, except as superseded by Part 1, Practice and Procedure, Title 47 of the Code of Federal Regulations, Section 1.1310, Radio Frequency Radiation Exposure Limits.

<b>Table 274-1: Radio Frequency Emission Standards [1]</b>			
	Mean Squared Electric ( $E^2$ ) Field Strength	Mean Squared Magnetic ( $H^2$ ) Field Strength	Equivalent Plane-Wave Power Density
Frequency Range	$(V^2/m^2)$ [2]	$(A^2/m^2)$ [3]	$(mW/cm^2)$ [4]

100 KHz – 3 MHz	80,000	0.5	20
3 MHz – 30 MHz	4,000 (180/f <sup>2</sup> ) [5]	0.025 (180/f <sup>2</sup> )	180/f <sup>2</sup>
30 MHz – 300 MHz	800	0.005	0.2
300 MHz – 1500 MHz	4,000 (f/1500)	0.025 (f/1500)	f/1500
1500 MHz – 300 GHz	4,000	0.025	1.0

Notes:

- [1] All standards refer to root mean square (rms) measurements gathered by an approved method.
- [2] V<sup>2</sup>/m<sup>2</sup> = Volts squared per meter squared.
- [3] A<sup>2</sup>/m<sup>2</sup> = Amperes squared per meter squared.
- [4] mW/cm<sup>2</sup> = Milliwatts per centimeter squared.
- [5] f = Frequency in megahertz (MHz).

**Findings:** The proposed facility will operate within the frequency range of 1500 Mhz to 300 GHz. The Effective Radiated Power for the facility is less than 100 watts ERP, and the maximum allowed power density level is 1.0 mW/cm<sup>2</sup> [Milliwatts per centimeter squared]. Calculations submitted by the applicant indicate that the greatest levels of power density, based on a ‘worst case’ scenario, will be 0.003568 mW/cm<sup>2</sup>. This is significantly below the maximum allowed. This criterion is met.

Staff note: The Federal Telecommunications Act of 1996 prohibits a local government from denying a request to construct such facilities based on “harmful radio frequency emissions” as long as the wireless telecommunications facility meets the standards set by the FCC. Furthermore, the Act required the FCC to adopt standards for radio frequency emissions from wireless telecommunications by August, 1996. In a rule making procedure, the FCC adopted standards effective August 1, 1996, which are virtually the same as those reflected in Table 274-1. Because this land use review was submitted after those standards took effect, this conditional use review cannot be denied solely on the issue of harmful radio frequency emission levels.

6. Antenna requirements. The antenna on any tower or support structure must meet the minimum siting distances to habitable areas of structures shown in Table 274-2. Measurements are made from points A and B on the antenna to the nearest habitable area of a structure normally occupied on a regular basis by someone other than the immediate family or employees of the owner/operator of the antenna. Point A is measured from the highest point of the antenna (not the tower) to the structure, and Point B is measured from the closest point of the antenna to the structure.

Effective Radiated Power	Frequency (MHz)	Point A:	Point B:
		Minimum Distance From Highest Point of Antenna To Habitable Area of Structure (feet)	Minimum Distance From Closest Portion Of Antenna To Habitable Area of Structure (feet)
< 100 watts		10	3
100 watts to 999 watts		15	6
1,000 watts to 9.999 Kw	< 7	11	5
	7 - 30	f/0.67	f/1.5
	30 - 300	45	20
	300 - 1500	780/vf	364/vf
	> 1500	20	10

10 Kw plus	< 7	17.5	8
	7 - 30	f/0.4	f/0.91
	30 - 300	75	33
	300 - 1500	1300/vf	572/vf
	1500	34	15

**Findings:** The antennas will operate below 100 watts ERP, and thus are required to be 10 feet for Point A and 3 feet for Point B, per Table 274-2. The proposed antennas will be approximately 36.5 feet above grade, on the roof of the existing building. Elevation plans submitted with the application show that Point A will be 12 feet 5 inches above the top of ceiling in habitable space, and Point B will be 7 feet above top of ceiling. This exceeds the required 10 and 3 feet of separation. This criterion is met.

7. Setbacks. All towers must be set back at least a distance equal to 20 percent of the height of the tower or 15 feet, whichever is greater, from all abutting R and OS zoned property and public streets. Accessory equipment or structures must meet the base zone setback standards.

**Findings:** The proposal is to mount the facility on an existing building. No new tower is proposed. Therefore, this criterion is not applicable.

8. Guy anchor setback. Tower guy anchors must meet the main building setback requirements of the base zone.

**Findings:** The proposal is to mount the facility on an existing building. No new tower is proposed. Therefore, this criterion is not applicable.

9. Landscaping and screening. The base of a tower and all accessory equipment or structures located at grade must be fully screened from the street and any abutting sites as follows:

- a. In C, E or I zones more than 50 feet from an R zone. A tower and all accessory equipment or structures located in the C, E, or I zones more than 50 feet from an R zone must meet the following landscape standard:
- (1) Generally. Except as provided in (2), below, a landscaped area that is at least 5 feet deep and meets the L3 standard must be provided around the base of a tower and all accessory equipment or structures.
  - (2) Exception. If the base of the tower and any accessory equipment or structures are screened by an existing building or fence, then some or all of the required landscaping may be relocated subject to all of the following standards.
    - The building or fence must be on the site;
    - The fence must be at least six feet in height and be totally sight-obscuring;
    - The relocated landscaping must meet the L2 standard. The relocated landscaping cannot substitute for any other landscaping required by this Title; and
    - If any part of the base of the tower or accessory equipment is not screened by a building or fence, 5 feet of L3 landscaping must be provided.

- b. In OS or R zones or within 50 feet of an R zone. A tower and all accessory equipment or structures located in an OS or R zone or within 50 feet of an R zoned site must meet the following landscape standards:
  - (1) Tower landscaping. A landscaped area that is at least 15 feet deep and meets the L3 standard must be provided around the base of the tower.
  - (2) Accessory equipment and structures. A landscaped area that is at least 10 feet deep and meets the L3 standard must be provided around the base of all accessory equipment or structures located at grade.
- c. In all zones, equipment cabinets or shelters located on private property that are associated with Radio Transmission Facilities mounted in a right-of-way must be screened from the street and any adjacent properties by walls, fences or vegetation. Screening must comply with at least the L3 or F2 standards of Chapter 33.248, Landscaping and Screening, and be tall enough to screen the equipment.

**Findings:** The facility will be roof mounted on an existing church building in a residential zone. No new tower is proposed, and the associated equipment cabinet will be roof mounted. Therefore no landscaping around the facility is required. This criterion is not applicable.

10. Tower design.

- a. For a tower accommodating a Radio Frequency Transmission Facility of 100,000 watts or more, the tower must be designed to support at least two additional transmitter/antenna systems of equal or greater power to that proposed by the applicant and one microwave facility, and at least three two-way antennas for every 40 feet of tower over 200 feet of height above ground.
- b. For any other tower, the design must accommodate at least three two-way antennas for every 40 feet of tower, or at least one two-way antenna for every 20 feet of tower and one microwave facility.
- c. The requirements of Subparagraphs a. and b. above may be modified by the City to provide the maximum number of compatible users within the radio frequency emission levels.

**Findings:** The proposal is to mount the facility on an existing building. No new tower is proposed. Therefore, this criterion is not applicable.

11. Mounting device. The device or structure used to mount facilities operating at 1,000 watts ERP or less to an existing building or other non-broadcast structure may not project more than 10 feet above the roof of the building or other non-broadcast structure.

**Findings:** The proposed antenna will be roof mounted onto an existing church building. The panel antennas and microwave dishes will be fully concealed behind a faux roof vent shroud that will be no more than 10 feet above the roof of the building. This criterion is met.

12. Abandoned facilities. A tower erected to support one or more Federal Communication Commission licensed Radio Frequency Transmission Facilities must be removed from a site if no facility on the tower has been in use for more than six months.

**Findings:** The proposal is to mount the facility on an existing building. No new tower is proposed. Therefore, this criterion is not applicable.

**D. Additional requirements in OS, R, C, and EX zones and EG and I zones within 50 feet of an R zone.**

1. Purpose. These additional regulations are intended to ensure that facilities operating at 1,000 watts ERP or less have few visual impacts. The requirements encourage facilities that look clean and uncluttered.
2. Standards. In addition to the regulations in Subsection C., above, facilities operating at 1,000 watts ERP or less located in OS, R, C, or EX zones or EG or I zones within 50 feet of an R zone must meet all of the following standards:
  - a. Antennas mounted on towers. Triangular “top hat” style antenna mounts are prohibited. Antennas must be mounted to a tower either on davit arms that are no longer than 5 feet, flush with the tower, within a unicell style top cylinder, or other similar mounting technique that minimizes visual impact.

**Findings:** The proposal is to flush mount the antenna on an existing building. No new tower is proposed. Therefore, this criterion is not applicable.

- b. Antennas mounted on existing buildings or other non-broadcast structures. This standard only applies to facilities located in OS or R zones or within 50 feet of an R zone. The visual impact of antennas that are mounted to existing buildings or other non-broadcast structures must be minimized. For instance, on a pitched roof, an antenna may be hidden behind a false dormer, mounted flush to the facade of the building and painted to match; mounted on a structure designed with minimal bulk and painted to fade into the background; or mounted by other technique that equally minimizes the visual impact of the antenna. The specific technique will be determined by the conditional use review.

**Findings:** As previously discussed under criterion 33.815.225 A 1, the visual impacts of the antennas have been minimized by roof mounting behind a faux chimney shroud to completely conceal the antennas, and thus the visual impact has been significantly reduced. This criterion is met.

- c. Lattice. Lattice towers are not allowed.

**Findings:** The proposal is to mount the facility on an existing building. No new tower is proposed. Therefore, this criterion is not applicable.

**E. Additional requirements in R zones.** The minimum site area required for a tower in an R zone is 40,000 square feet. This regulation must be met in addition to the regulations in Subsections C. and D., above.

**Findings:** No tower is proposed. This criterion is not applicable.

## CONCLUSIONS

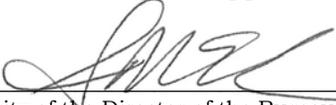
Clearwire US, LLC, requests a Conditional Use to mount a wireless telecommunications (radio frequency transmission) facility on the rooftop of the North Baptist Church. The wireless facility is proposed to consist of three panel antennas and two microwave dish antennas that will be concealed inside two faux exhaust stacks on the roof. The exhaust stacks will each be 10 feet in height above the roofline. The associated equipment cabinet will be placed well away from

the visible edge of the roof and this location in combination with a three-foot high roof parapet will help conceal the equipment from passers by at grade level. The proposal meets all of the applicable approval criteria and therefore should be approved.

## ADMINISTRATIVE DECISION

Approval of:

- A conditional use to install a wireless telecommunications facility, per the approved site plans, Exhibits C-1 through C-2, signed and dated April 9, 2008, subject to the following conditions:
  - 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 08-112758 CU."

Decision rendered by:  on April 11, 2008  
By authority of the Director of the Bureau of Development Services

Decision mailed: April 14, 2008

Staff Planner: Sylvia Cate

**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 March 3, 2008, and was determined to be complete on March 17, 2008.

*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 March 3, 2008.

*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.

**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 Hearings Officer, which will hold a public hearing. Appeals must be filed **by 4:30 PM on April 28, 2008** at 1900 SW Fourth Ave. Appeals can be filed on the first floor in the Development Services Center until 3 p.m. After 3 p.m., appeals must be submitted to the receptionist at the front desk on the fifth floor. **An appeal fee of \$250 will be charged.** The appeal fee will be refunded if the appellant prevails. Recognized neighborhood associations are not subject to the appeal fee. Low-income individuals appealing a decision for their personal residence that they own in whole or in part may qualify for an appeal fee waiver. In addition, an appeal fee may be waived for a low income individual if the individual resides within the required notification area for the review, and the individual has resided at that address for at least 60 days. Assistance in filing the appeal and information on fee waivers is available from BDS in the Development Services Center. Fee waivers for low-income individuals must be approved prior to filing the appeal; please allow 3 working days for fee waiver approval. Please see the appeal form for additional information.

The file and all evidence on this case are available for your review by appointment only. Please contact the receptionist at 503-823-7967 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](http://www.portlandonline.com).

**Attending the hearing.** If this decision is appealed, a hearing will be scheduled, and you will be notified of the date and time of the hearing. The decision of the Hearings Officer is final; any further appeal must be made to the Oregon Land Use Board of Appeals (LUBA) within 21 days of the date of mailing the decision, pursuant to ORS 197.620 and 197.830. Contact LUBA at 550 Capitol St. NE, Suite 235, Salem, Oregon 97301, or phone 1-503-373-1265 for further information.

Failure to raise an issue by the close of the record at or following the final hearing on this case, in person or by letter, may preclude an appeal to the Land Use Board of Appeals (LUBA) on that issue. Also, if you do not raise an issue with enough specificity to give the Hearings Officer an opportunity to respond to it, that also may preclude an appeal to LUBA on that issue.

**Recording the final decision.**

If this Land Use Review is approved the final decision must be recorded with the Multnomah County Recorder. A few days prior to the last day to appeal, the City will mail instructions to the applicant for recording the documents associated with their final land use decision.

- *Unless appealed,* The final decision may be recorded on or after **April 29, 2008 – (the business day following the last day to appeal).**
- A building or zoning permit will be issued only after the final decision is recorded.

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 503-823-0625.

**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.

Zone Change and Comprehensive Plan Map Amendment approvals do not expire.

**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:

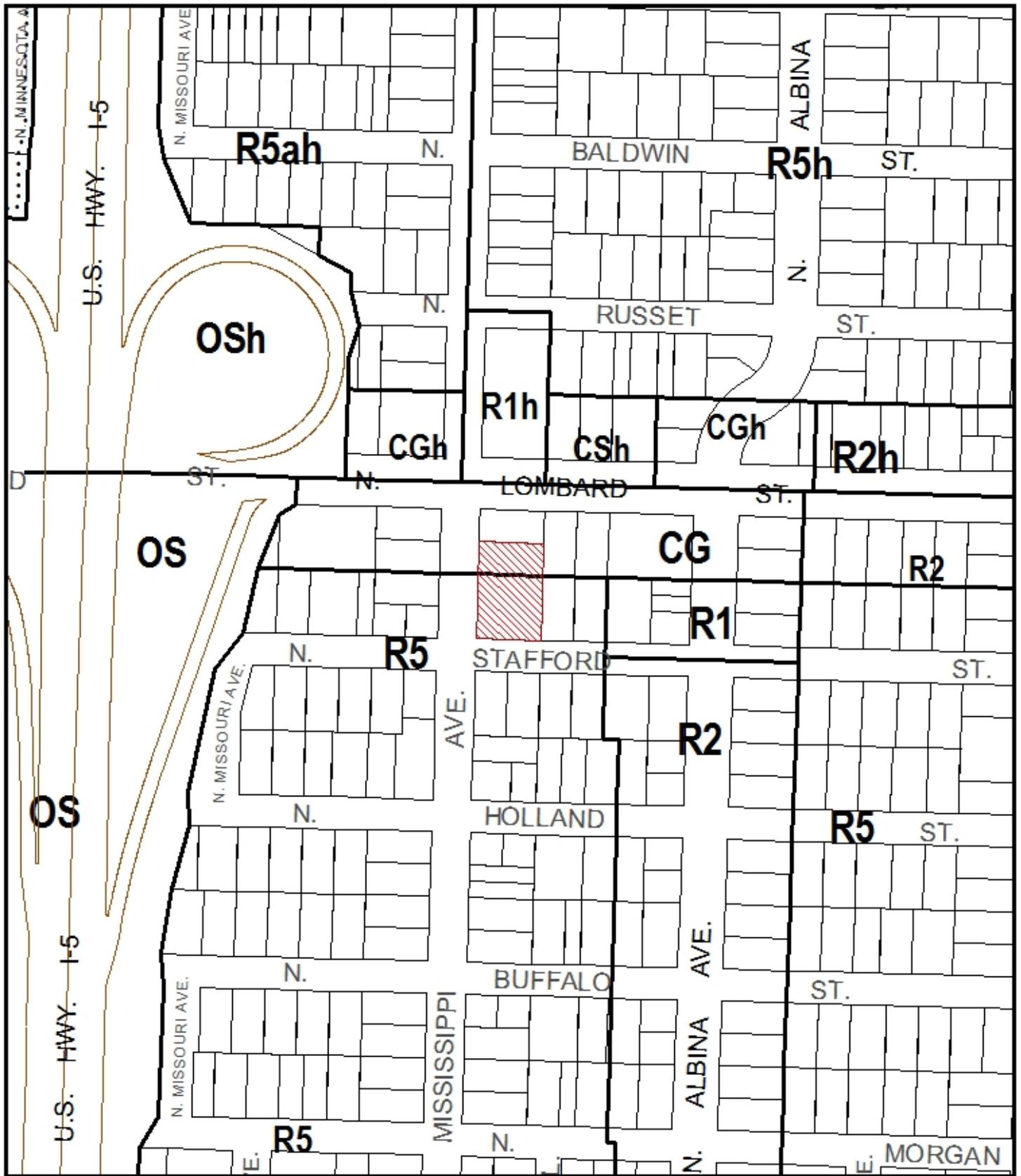
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations of the City.

#### **EXHIBITS**

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
- B. Zoning Map (attached)
- C. Plans/Drawings:
  - 1. Site Plan (attached)
  - 2. Elevations
- 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. Water Bureau
  - 4. Fire Bureau
  - 5. Site Development Review Section of BDS
  - 6. Bureau of Parks, Forestry Division
- F. Correspondence: None received
- G. Other:
  - 1. Original LU Application
  - 2. Site History Research

**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



File No.	LU 08-112758 CU
1/4 Section	2329
Scale	1 inch = 200 feet
State Id	1N1E15BA 14700
Exhibit	B (Mar 04, 2008)

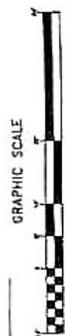
**LEGAL DESCRIPTION**  
NOT AVAILABLE AT THIS TIME

**LEGEND**

- RAILROAD BOUNDARY LINE
- RIGHT-OF-WAY CENTERLINE
- RIGHT-OF-WAY LINE
- ADJACENT BOUNDARY LINE
- SECTIONAL BREAKDOWN LINE
- OVERHEAD POWER LINE
- BURIED POWER LINE
- BURIED GAS LINE
- OVERHEAD TELEPHONE LINE
- BURIED TELEPHONE LINE
- BURIED WATER LINE
- BURIED SANITARY SEWER
- BURIED STORM DRAIN
- OPEN DRAINAGE LINE
- ROCK RETAINING WALL
- VULNERABLE WALL
- CHAIN LINK FENCE
- WOOD FENCE
- BARBED WIRE/WIRE FENCE
- PRE INSULANT
- GATE VALVE
- WATER METER
- FIRE STAND PIPE
- UTILITY BOX
- UTILITY POLE
- POLY DRY WIRE
- GAS VALVE
- GAS METER
- TELEPHONE WALL
- UAK BOX



GRAPHIC SCALE



OVERALL SITE PLAN  
SCALE 2/8"=1'-0"  
SCALE 1/16"=1'-0"  
SCALE 1/32"=1'-0"

OVERALL SITE PLAN	REV
DRAWING NUMBER	0
OR-POR205-A-C01	

REGISTERED ARCHITECT # 000380  
KIMMEL INC.  
STATE OF

DESIGNED BY: CBK	DATE
DRAWN BY: CBK	BY [CHK]
REVISIONS	APP'D
NO.	DATE

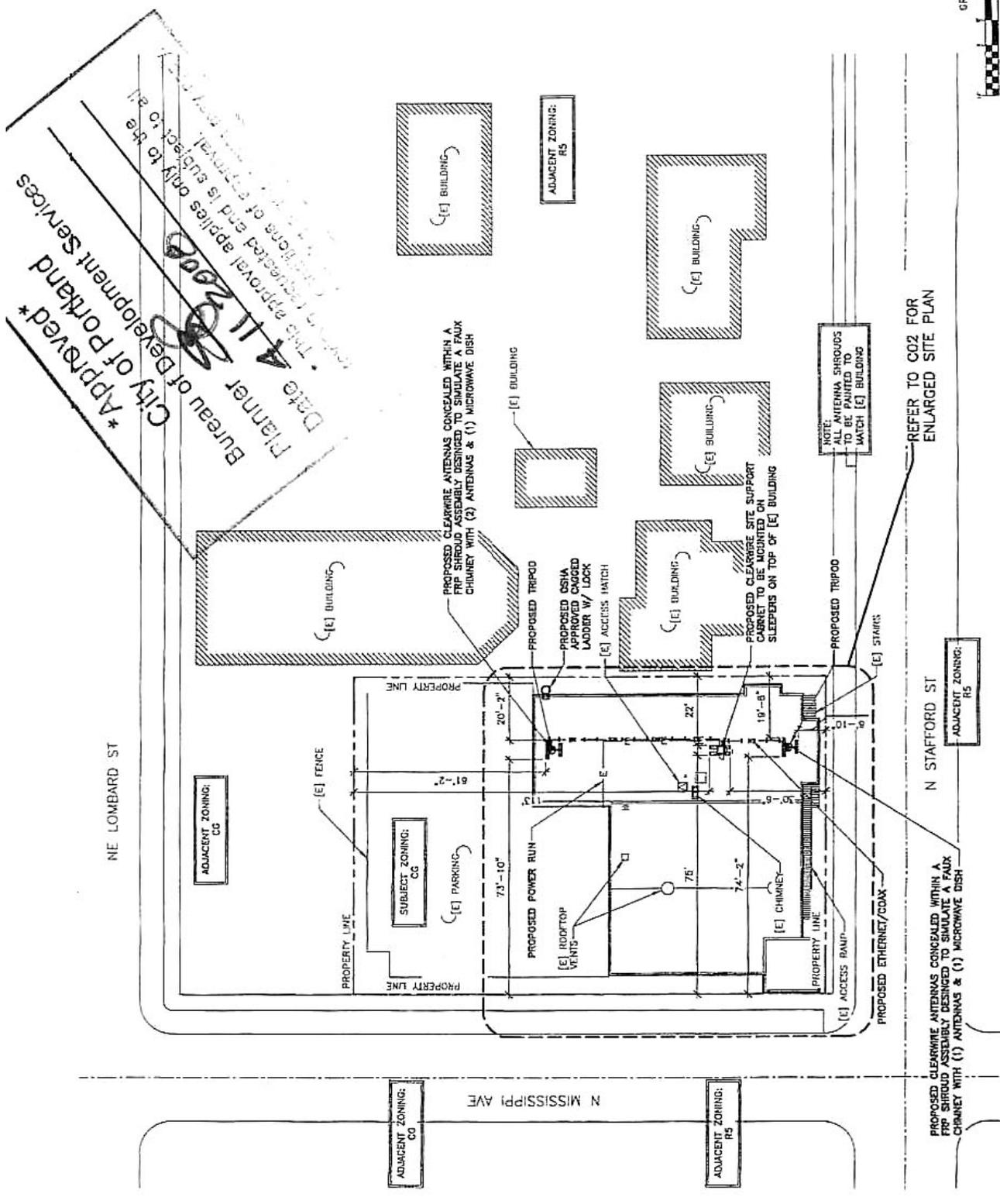
2	02-12-08	FINAL ZONING DOCUMENTS
1	01-15-08	PRELIMINARY ZONING DOCUMENTS

NORTH BAPTIST  
OR-POR205-A  
7424 N MISSISSIPPI AVE  
PORTLAND, OR 97217

**clear wire**<sup>®</sup>  
4400 CARLTON POINT  
KIRKLAND, WA 98033

**P O W D E R R I V E R**  
Development Services, LLC

**P T S**  
PACIFIC TELECOM SERVICES, LLC  
1000 NE Oregon Street, Suite 400  
Portland, Oregon 97232  
Phone: (503) 251-1000 Fax: (503) 251-1010



REFER TO C02 FOR ENLARGED SITE PLAN

PROPOSED CLEARWIRE ANTENNAS CONCEALED WITHIN A FRP SHROUD ASSEMBLY DESIGNED TO SIMULATE A FAUX CHIMNEY WITH (1) ANTENNAS & (1) MICROWAVE DISH

NOTE:  
ALL ANTENNA SHROUDS TO BE PAINTED TO MATCH [E] BUILDING

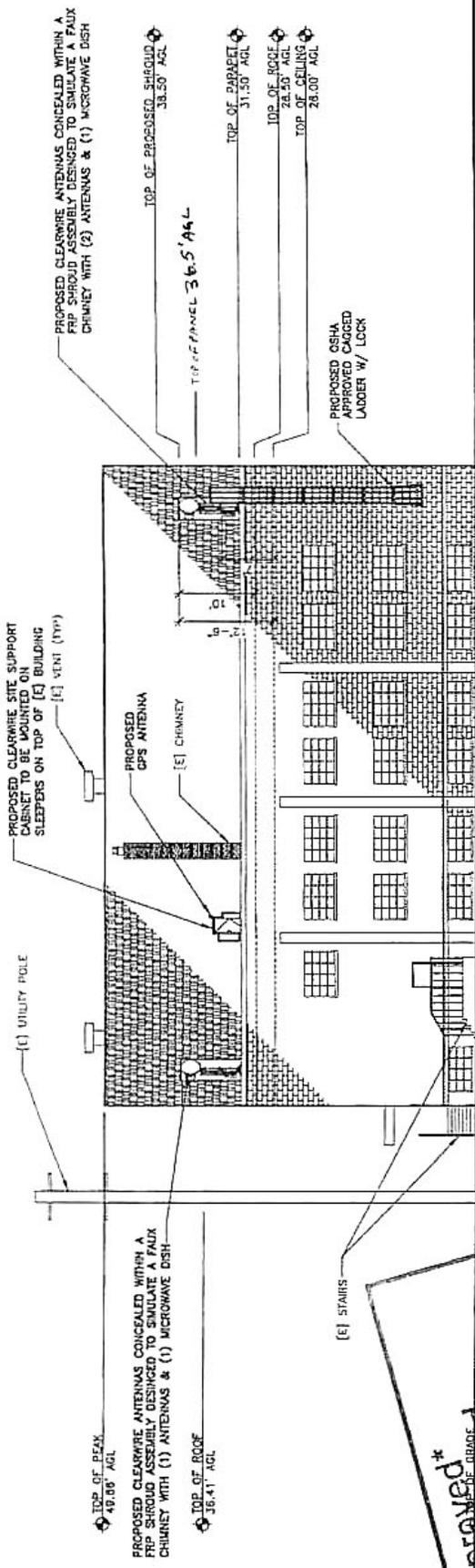
PROPOSED CLEARWIRE SITE SUPPORT CABINET TO BE MOUNTED ON SLEEPERS ON TOP OF [E] BUILDING

PROPOSED CLEARWIRE ANTENNAS CONCEALED WITHIN A FRP SHROUD ASSEMBLY DESIGNED TO SIMULATE A FAUX CHIMNEY WITH (2) ANTENNAS & (1) MICROWAVE DISH

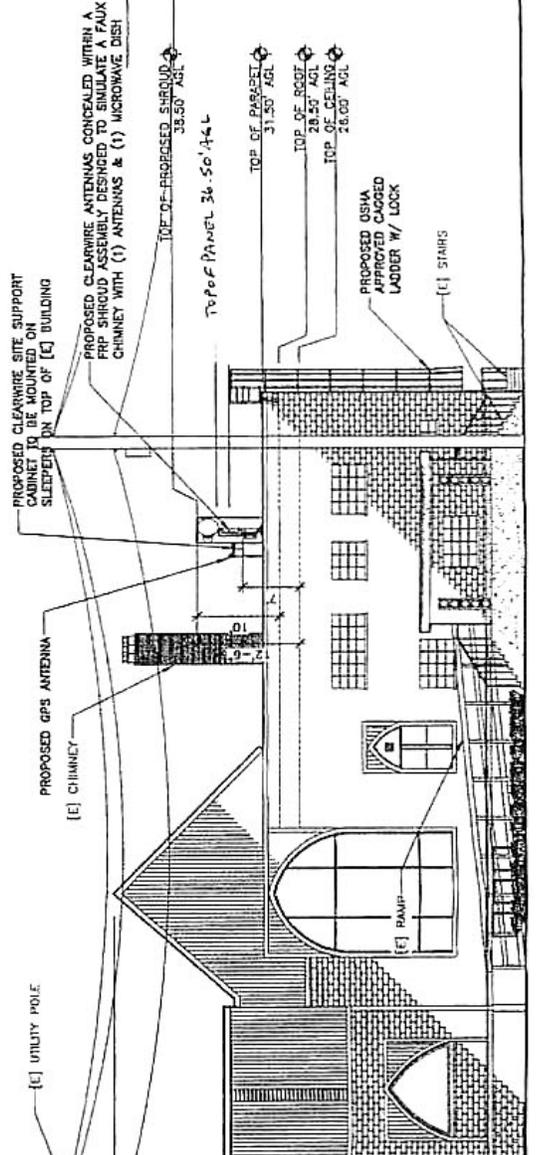
**Approved\***  
**City of Portland**  
**Bureau of Development Services**

**Planner**  
**Date: 11/20/08**

This approval applies only to the information requested and is subject to all zoning regulations of general application.



EAST ELEVATION  
SCALE 1/8"=1'-0"  
SCALE 1/18"=1'-0"



SOUTH ELEVATION  
SCALE 1/8"=1'-0"  
SCALE 1/18"=1'-0"

**\*Approved\***  
0.00' (0' ANSL)  
City of Portland  
Bureau of Development Services  
Planner *CS*  
Date *11/20/08*  
TOP OF PEAK TO BE 49.06' AGL  
\* This approval and is subject to all reviews requested and is subject to all conditions of approval.

 4400 CABRILLON POINT MIRKLAND, WA 98033 P O W D E R R I V E R Development Services, LLC	NORTH BAPTIST OR-POR205-A 7494 N. MISSISSIPPI AVE PORTLAND, OR 97217	2 02-12-08 FINAL ZONING DOCUMENTS 1 01-15-08 PRELIMINARY ZONING DOCUMENTS NO. DATE REVISIONS SCALE: AS SHOWN   DESIGNED BY: CBK	REGISTERED ARCHITECT #00380 VINCE HULL STATE OF OREGON	ELEVATIONS
				DRAWING NUMBER
OR-POR205-A-C02.1			REV	

**PTS**  
PACIFIC TELECOM SERVICES, LLC  
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