



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

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**Date:** May 4, 2010  
**To:** Interested Person  
**From:** Kate Green, Land Use Services  
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**NOTICE OF A TYPE IIx 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 10-100293 LDP AD**

**GENERAL INFORMATION**

**Applicant:** John L Welsh  
3350 SE Harold Court  
Portland, OR 97202-4340

**Site Address:** 3350 SE Harold Court

**Legal Description:** BLOCK 5 LOT 22, REED COLLEGE HTS  
**Tax Account No.:** R694301840  
**State ID No.:** 1S1E13DB 01000  
**Quarter Section:** 3634

**Neighborhood:** Reed, contact Jody Kruilla at 503-475-1041  
**Business District:** none  
**District Coalition:** Southeast Uplift, contact Leah Hyman at 503-232-0010

**Zoning:** Single Dwelling Residential 7,000 (R7)  
**Other Designations:** Potential Landslide Hazard

**Case Type:** Land Division-Partition (LDP)  
Adjustment (AD)  
**Procedure:** Type IIx, administrative decision with appeal to the Hearings Officer

**Proposal:** The applicant proposes a **Land Division-Partition** to divide a 21,233\* square foot (\*revised lot sizes are based on an April 19, 2010 revision to the site survey) property into 2 parcels. An established house will be retained on proposed Parcel 1, which will be 9,774\* square feet in area; and Parcel 2 will be configured as an 11,459\* square foot "flag lot" and is proposed to be developed with a single-dwelling residence. An existing garage is proposed to be removed or relocated entirely on proposed Parcel 1. The Public Notice indicated 10 trees were proposed for removal; however, the applicant has clarified only one tree may be removed due to disease.

A shared driveway within the "flag pole" is proposed to provide vehicular access to both parcels. Water service is proposed via a public line in SE Harold Court. Sanitary and stormwater disposal are proposed via a connection to a public sewer line situated along the east boundary of the subject site. Splash blocks and drywells are also proposed for stormwater management for new roof area on Parcel 1 and Parcel 2 respectively.

An **Adjustment** is also requested to allow the wall of the existing house to be set back one-foot from the proposed flag pole, instead of the required 5 feet; and to allow the eave of the existing house to project approximately 2 feet into the proposed flag pole.

This partition proposal is reviewed through a Type IIX procedure because: (1) the site is in a residential zone; (2) 2 or 3 lots are proposed within a Potential Landslide Hazard Area; and (3) a concurrent land use review (Adjustment) is requested (See 33.660.110).

For purposes of State Law, this land division is considered a partition. To partition land is to divide an area or tract of land into two or three parcels within a calendar year (See ORS 92.010).

**RELEVANT APPROVAL CRITERIA:** In order to be approved, this proposal must comply with the approval criteria of Title 33. The relevant criteria are found in Section(s):

- **33.660.120, Approval Criteria for Land Divisions in Open Space and Residential Zones**
- **33.805.040 A-F, Approval Criteria for Adjustments**

## ANALYSIS

**Site and Vicinity:** The subject site is a wedge-shaped, sloped lot that is narrow and relatively flat along the SE Harold Court street frontage, and widens out and slopes down moderately to steeply (20 percent or greater slope) to the rear of the lot, where it abuts a riparian corridor along *Reed Lake*, which is within the *Reed College Campus*.

The site is located within a single-dwelling residential enclave tucked between the *Reed College Campus* that borders the site to the south and west; SE Steele, a Neighborhood Collector Street, to the north; and SE 39<sup>th</sup> Avenue, a Neighborhood Collector Street, to the east. This area consists of lots that range in size from 5,200 to 24,000 square feet. Nearly all are developed with single story homes (with basements) of similar size (1,600 to 2,000 square feet) and vintage (late 1940s to early 1950s) as the existing house on the subject site.

The *Johnson Creek Watershed/Summaries of Resource Site Inventories*, describes *Reed Lake* (Site 1), as a 4-acre year-round pond, with associated wetland and upland areas. *Reed Lake* is considered the headwaters of *Crystal Springs Creek*, which feeds and is a valuable cold water source for the lower mile of *Johnson Creek* year-round. Both *Johnson Creek* and *Crystal Springs Creek* contain endangered runs of steelhead and salmon and have significant water quality problems related to erosion and stormwater runoff.

**Zoning:** The site is located in a Single Dwelling Residential 7,000 (R7) zone, and has an Alternative Design Density (a) overlay zone.

*The single-dwelling zones are intended to preserve land for housing and to provide housing opportunities for individual households.*

*The purpose of the Alternative Design Density Overlay Zone is to focus development on vacant sites, preserve existing housing and encourage new development that is compatible with and supportive of the positive qualities of residential neighborhoods. The concept for the zone is to allow increased density for development that meets additional design compatibility requirements. The applicant has not elected to use any of the a-overlay provisions.*

**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 **February 26, 2010**.

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:** A total of 31 written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal. One is generally supportive of the proposal. The others are in opposition. Concerns expressed include:
  - **density**-Addressed in Criterion 33.610, Section 1, below.
  - **traffic and parking impacts to residential streets**-Addressed in Criterion 33.641, Section 1, below.
  - **landslide hazard**-Addressed in Criterion 33.632, Section 1, below.
  - **tree removal before filing the land division application**-Urban Forestry has cited the property owner with a violation which will be conditioned to be resolved prior to final plat approval. Trees are also addressed in Criterion 33.630, Section 1, below.
  - **reducing the setback of the existing house relative to the new lot line along the flag pole/emergency vehicle access**-Addressed in findings for Adjustment review, Section 2, below.
  - **visual impacts and architecture of new house**-No architectural plans or details of the new house have been provided or are required for this proposal. In this location, the city does not have any specific architectural or design standards that apply to the site or new development on the lot(s). Several letters noted there is a neighborhood covenant that applies to the location and size of development at this site. However, a copy of the covenant was not provided; and, unless the city is party to the covenant, generally private covenants are not regulated by the city.
  - **impacts to the environmental zone at Reed College**-The subject site does not have environmental zoning, so the environmental regulations of Chapter 33.430 do not apply to this proposal.
  - **proximity to Reed Lake/Crystal Springs Creek**-A *Wetland Land Use Notification Form* was sent to the Department of State Lands (DSL), the state agency that regulates activities within and adjacent to waterways (and wetlands) of the state. DSL indicated the project will not require a removal-fill permit because the development appears to avoid impacts to wetlands and waters (Exhibit E.7).

## ZONING CODE APPROVAL CRITERIA

**This proposal includes a request for a Land Division and an Adjustment. The Land Division approval criteria are addressed in Section 1, and the Adjustment approval criteria are addressed in Section 2, below.**

### SECTION 1 APPROVAL CRITERIA FOR LAND DIVISIONS IN OPEN SPACE AND RESIDENTIAL ZONES

**33.660.120 The Preliminary Plan for a land division will be approved if the review body finds that the applicant has shown that all of the following approval criteria have been met.**

The relevant criteria are found in Section **33.660.120 [A-L], Approval Criteria for Land Divisions in Open Space and Residential Zones**. Due to the specific location of this site, and the nature of the proposal, some of the criteria are not applicable. The following table summarizes the applicability of each criterion.

Criterion	Code Chapter	Topic	Applicability Findings
<b>A</b>	<b>33.610</b>	<b>Lots</b>	<b>Applicable - See findings below</b>
<b>B</b>	<b>33.630</b>	<b>Trees</b>	<b>Applicable - See findings below.</b>
<b>C</b>	33.631	Flood Hazard Area	Not applicable - The site is not within the flood hazard area.
<b>D</b>	<b>33.632</b>	<b>Potential Landslide Hazard Area</b>	<b>Applicable - See findings below.</b>

Criterion	Code Chapter	Topic	Applicability Findings
E	33.633	Phased Land Division or Staged Final Plat	Not applicable - A phased land division or staged final plat has not been proposed.
F	33.634	Recreation Area	Not applicable - This is not required where the proposed density is less than 40 units.
<b>G</b>	<b>33.635.100</b>	<b>Clearing and Grading</b>	<b>Applicable - See findings below.</b>
<b>G</b>	<b>33.635.200</b>	<b>Land Suitability</b>	<b>Applicable - See findings below.</b>
<b>H</b>	<b>33.636</b>	<b>Tracts and Easements</b>	<b>Applicable - See findings below.</b>
I	33.639	Solar Access	Not Applicable - All of the proposed parcels are interior lots (not on a corner). In this context, solar access standards express no lot configuration preference.
J	33.640	Streams, Springs, and Seeps	Not applicable - No streams, springs, or seeps are evident on the site.
<b>K</b>	<b>33.641</b>	<b>Transportation Impacts</b>	<b>Applicable - See findings below</b>
<b>L</b>	<b>33.651-33.654</b>	<b>Services and Utilities</b>	<b>Applicable - See findings below</b>

**Applicable Approval Criteria are:**

**A. Lots. The standards and approval criteria of Chapters 33.605 through 33.612 must be met.**

**Findings:** Chapter 33.610 contains the density and lot standards applicable in the RF through R5 zones. These density and lot dimension standards ensure that lots are consistent with the desired character of each zone while allowing lots to vary in size and shape provided the planned intensity of each zone is respected.

Density Standards: Density standards match housing density with the availability of services and with the carrying capacity of the land in order to promote efficient use of land, and maximize the benefits to the public from investment in infrastructure and services. These standards promote development opportunities for housing and promote urban densities in less developed areas. Maximum densities ensure that the number of lots created does not exceed the intensity planned for the area, given the base zone, overlay zone, and plan district regulations. Minimum densities ensure that enough dwelling units can be developed to accommodate the projected need for housing.

The method used to calculate density depends on whether a street is created as part of the land division, and whether the site is subject to certain environmental constraints.

In this case, a street is not proposed or required, but the site is within a potential landslide hazard area. Therefore, the maximum and minimum density for this site is as follows:

- Minimum = 21,233 square feet minus entire site area if in landslide hazard area \* .80 ÷ 7,000 square feet = zero.
- Maximum = 21,233 square feet ÷ 7,000 square feet = 3.03 (which rounds down to a maximum of 3 lots, per 33.930.020.B)

The applicant is proposing 2 lots. The density standards are therefore met.

Lot Dimensions: The lot dimension standards ensure that: (1) each lot has enough room for a reasonably-sized house and garage; (2) lots are of a size and shape that development on each lot can meet the development standards of the Zoning Code; (3) lots are not too large relative to the planned density; (4) each lot has room for at least a small, private outdoor area; (5) lots are compatible with existing lots; (6) lots are wide enough to allow development to orient toward the street; (7) lots don't narrow to an unbuildable width close to the street; (8) each lot has adequate access from the street; (9) each lot has access for utilities and services; and (10) lots are not landlocked.

The dimensions of the proposed lots as compared to the required lot dimension standards are shown in the following table (this information is found in Table 610-2 of the Zoning Code):

	<b>R7 Zone Requirement</b>	<b>Proposed Lot 1</b>	<b>Proposed Lot 2 (flag lot)</b>
Minimum Lot Area (square feet)	4,200	9,774	11,459
Maximum Lot Area (square feet)	12,000		
Minimum Lot Width* (feet)	40	50	----
Minimum Lot Depth (feet)	55	128 (east) 137 (west)	----
Minimum Front Lot Line	30	43.27	----
Minimum Flag Lot Width** (feet)	40	----	>40**
Minimum Flag Lot Depth** (feet)	40	----	> 40**

\* Width is measured at the minimum front building setback line

\*\* For flag lots, width is measured at the midpoint of the opposite lot lines in the "flag" portion of the lot. In this case, the flag lot has 5 sides, so there are several variations that could be used to measure the "opposite lot lines". In any scenario, the width and depth of the flag lot will be greater than 40 feet.

**Flag Lots:** Parcel 2 is proposed to be a flag lot. Zoning Code standards allow the creation of flag lots in limited circumstances. A flag lot is allowed only when all of the following is true: (1) the site has dimensions that precludes a land division that meets the minimum lot width standards; (2) no more than three lots are proposed, only one of which is a flag lot; and (3) minimum density requirements for the site will be met.

In this case, each of these provisions is met:

- the lot is currently configured such that the front lot line is 55 feet wide, which would preclude the creation of two lots that would meet the minimum 40 foot width standard of the R7 zone;
- two lots are proposed; and
- the minimum density requirements have been met.

Additionally, the proposed flag lot includes a "pole" that is at least 12 feet wide and connects to a street, per 33.610.400.C; and, as noted in the table above, the flag lot will meet the minimum lot width and depth of 40 feet. Based on these factors, Parcel 2 is allowed.

The findings above describe how the applicable lot standards are met, so this criterion is met.

**B. Trees. The standards and approval criteria of Chapter 33.630, Tree Preservation, must be met.**

**Findings:** The regulations of Chapter 33.630 outline the tree preservation and mitigation requirements that apply to sites with trees. Certain trees are exempt from the requirements of this chapter. Also, in this case, prior to submittal of this land division application, and as noted in several of the neighborhood letters, trees were removed from the property without the proper tree removal permits. As such, the City of Portland's "Tree Cutting Ordinance" regulations apply to that tree removal. *Portland Parks and Recreation* notes a Notice of Violation of Title 20.42 is in progress, and the property owner will be required to resolve all tree cutting violations of Title 20.42, before final plat approval.

BDS staff assume the arborist report and revision (Exhibits A and A.3), submitted with the land division application provides an inventory and evaluation of the remaining trees within the land division site. One of the trees (Tree 4) has been exempted by the arborist since it is diseased. Of the remaining trees, 4 are proposed to be retained to meet the tree preservation requirements. However, one of those trees (Tree 2) is within 10 feet of the existing house, and is exempt from the tree preservation regulations per 33.630.030.E. Additionally, two of other trees (Trees 1 and 5) identified to be retained are located over the public sewer line that runs through the site; and, given the likelihood that BES may need to perform repairs or maintenance to that sewer line at some point, the preservation of those two trees cannot be assured, and those trees are not considered exempt.

Also, the applicant's arborist report notes there are nine *Thuja occidentalis* (Arborvitae) on the site. In Portland's climate, this species is typically considered a large shrub, due to its narrow, upright multi-stemmed hedge form.

Based on a review of the site photo, as shown, and a subsequent site visit on April 13, 2010, the Urban Forestry staff has identified these trees as *Thuja plicata* (Western Red Cedar), given their size and single trunk form. Therefore, these species will be evaluated as such.



The noted factors will be considered in evaluating the following **BDS modified** tree inventory. Tree highlighted will be required to be retained:

Tree #	Species	Diameter (inches)*	Significant? (Table 630-1)	Exempt? (33.630.030)	To be retained?	Root Protection Zone (RPZ)
1	Magnolia spp	26	Y	N		
2	Acer palmatum	19	N	Y-within 10 feet of the existing house		
3	Acer palmatum	9	N	N	Y	required
4	Magnolia grandiflora	24	Y	Y-diseased		
5	Prunus serrulata	16	N	N		
6	Cornus florida	14	N	N		
7	Thuja plicata	14	Y	N	Y	required
8	Thuja plicata	8	N	N		
9	Thuja plicata	13	Y	N	Y	required
10	Thuja plicata	6	N	N		
11	Thuja plicata	9	N	N		
12	Thuja plicata	8	N	N		
13	Thuja plicata	8	N	N		
14	Thuja plicata	6	N	N		
15	Thuja plicata	11	Y	N	Y	required
16	Pseudotsuga menziesii	8	N	N	Y	required

\* As part of the application completeness review, BDS staff requested the survey and arborist report be revised to resolve discrepancies between the diameter size shown in the Arborist Report, Appendix 1, and that shown on the survey. The response indicates the survey was verified, so BDS staff will use the diameter sizes shown on the survey.

With exempt trees removed from the inventory, the total non-exempt tree diameter on the site is 156 inches. The two trees that the applicant proposes to retain outside of the sewer easement (Trees 3 and 16), comprise 17 inches, or 11 percent of the total non-exempt tree diameter. This does not comply with any of the preservation options, outlined in 33.630.100. For example, in order to meet Option 1, which requires at least 35 percent of the total tree diameter to be preserved, a minimum of 52 inches of tree diameter must be retained, so an additional 35 diameter inches would need to be preserved to meet that standard.

Therefore additional trees must be retained, or mitigation trees must be provided, if warranted. In response to neighborhood concerns, and this need to retain additional trees, the applicant notes, in a memo dated April 13, 2010, trees 7-15 could be preserved, which would retain an additional 80-inches of tree diameter. Even if the applicant only maintains the three *Thuja plicata* that are over 10 inches in diameter (Trees 7, 9, and 15), which are considered Significant Trees, per Table

630-1, that would preserve an additional 38 diameter inches. This amount along with the two other trees previously noted (Trees 3 and 16) would provide for 55 inches of tree diameter, which meets Option 1.

To clarify a frequent point of confusion, this criterion requires that the applicant ensure a minimum number of trees will be retained on the land division site (or, when necessary, that mitigation be provided); however, trees that are not required to be preserved are not required to be removed. The removal of trees that are not required to be preserved is left to the discretion of the property owner.

Based on the foregoing, the following conditions will be required to ensure the minimum tree preservation requirements can be met:

- Prior to final plat, Trees 3, 7, 9, 15, and 16 must be shown on a Supplemental Plan, and provided with a root protection zone, per 33.930.140 (each one inch diameter requires a one foot radius for the root protection zone) or as otherwise noted by an arborist.
- Development on Parcels 1 and 2 must be carried out in conformance with the identified tree preservation requirements for Trees 3, 7, 9, 15, and 16.

With the implementation of these conditions, this criterion will be met.

**D. Potential Landslide Hazard Area. If any portion of the site is in a Potential Landslide Hazard Area, the approval criteria of Chapter 33.632, Sites in Potential Landslide Hazard Areas, must be met.**

**33.632.100 Landslide Hazard Area Approval Criterion**

**The following approval criterion must be met: Locate the lots, buildings, services and utilities on the safest part of the site so that the risk of a landslide affecting the site, adjacent sites, and sites directly across a street or alley from the site, is reasonably limited.**

**Determination of whether the proposed layout and design reasonably limits the risk of a landslide will include evaluation of the Landslide Hazard Study and will take into consideration accepted industry standards for factor of safety. Alternative development options including alternative housing types and reduced density may be required in order to limit the risk to a reasonable level.**

**Findings:** This site is located within the Potential Landslide Hazard Area. The approval criteria state that the lots, buildings, services, and utilities must be located on the safest part of the site so that the risk of a landslide affecting the site, adjacent sites, and sites directly across a street or alley from the site is reasonably limited.

The applicant submitted a geotechnical evaluation of the site and proposed land division (Exhibit A.2) prepared by a certified engineering geologist and a geotechnical engineer with *Chinook GeoServices*, and dated October 22, 2009. The applicant also provided two letters from the geotechnical engineer dated December 14, 2009 and February 11, 2010, with the application for a plumbing code appeal (Exhibit A.3) regarding the location of a drywell on the proposed flag lot. The report and letters were evaluated by the Site Development Division of the Bureau of Development Services, the City agency that makes determinations regarding soil stability.

The applicant's geotechnical evaluation indicates that "the property does not exhibit significant evidence of past or on-going landslides that would preclude construction of the proposed development" (page 4-5, Exhibit A.2), and then goes on to state, that "some assumption of slope instability risk is unavoidable when building on or around steep slopes" (page 5, Exhibit A.2). The report notes "care should be taken in design and construction of the infiltration facility so that it is properly sized and functional" (page 5, Exhibit A.2).

Based on information from the geotechnical engineer, Site Development supported approval of the plumbing code appeal, with a condition that only residential roof stormwater may discharge to the drywell and that stormwater from other impervious surfaces shall meet the requirements of BES for discharge to the public combination sewer system.

Overall, Site Development concurs with the findings in the applicant's geotechnical report, but notes that further geotechnical evaluation may be required for specific building plans at the time of construction plan review. Therefore, this criterion is met.

**G. Clearing, Grading and Land Suitability. The approval criteria of Chapter 33.635, Clearing, Grading and Land Suitability must be met.**

*The approval criteria of Chapter 33.635 are found in two groups – clearing and grading, and land suitability.*

**33.635.100 – Clearing and Grading**

- A. Existing contours and drainage patterns of the site must be left intact wherever practicable. Where alteration to existing drainage patterns is proposed, it must not adversely impact adjacent properties by significantly increasing volume of runoff or erosion;**
- B. Clearing and grading should be sufficient for construction of development shown on the Preliminary Clearing and Grading Plan;**
- C. Clearing and grading should be limited to areas of the site that are reasonably necessary for construction of development shown on the Preliminary Clearing and Grading Plan;**
- D. Topsoil must be preserved on site to the extent practicable for use on the site after grading is complete; and**
- E. Soil stockpiles must be kept on the site and located in areas designated for clearing and grading as much as is practicable.**

**Findings:** As discussed above, the project site is located in the Potential Landslide Hazard area; and, as noted in the BES response, the site is adjacent to *Reed Lake/Crystal Springs Creek* which is a valuable cold water source for *Johnson Creek*. Both *Johnson Creek* and *Crystal Springs Creek* contain endangered runs of steelhead and salmon and have significant water quality problems related to erosion and stormwater runoff. Site Development also notes that the project area meets the criteria specified in City Code 10.30.030 as a Special Site with additional requirements for erosion, sediment and pollution control. Therefore, measures must be taken to ensure the clearing and grading associated with development of the lots occurs in a way that will limit impacts of erosion and protect water quality and aquatic habitat. This requirement will be carried out at the time of building permit.

A Preliminary Clearing and Grading Plan was not submitted with the land division application. Both the applicant's geotechnical engineer and arborist recommend that the amount of grading work occurring on the site be minimized as much as possible. The applicant's narrative notes that construction will consist of a steeped foundation to match the current slope, in accordance with the recommendations in the geotechnical report. The applicant further notes that soil stockpiles will be stored on site and maintained with best management practices that meet or exceed the city erosion control requirements. Based on this information, it is anticipated that the grading will primarily involve earthwork associated with the extension and installation of the shared driveway, excavating for the foundations of the new house and garage, and trenching for the utilities, but will not include mass grading of the site to alter the existing contours for the house construction.

To ensure impacts to water quality and habitat are limited, clearing and grading should be limited to areas outside the root protection zones (unless encroachment is allowed through an arborist report recommendation) and at least 20 feet from the lot lines abutting the environmental zone. This 20 foot area is not shown as necessary for construction; therefore, based on Criterion C, above, grading should not be allowed in this area.

Stormwater runoff from the lots must be managed by approved stormwater facilities to assure that the runoff will not adversely impact adjacent properties (see detailed discussion of stormwater management later in this report). In addition, no clearing and grading will be permitted within the root protection zones of the trees on the site that are required to be preserved.



At the time of building permit submittal on the individual lots a clearing, grading and erosion control plan will be submitted. Site Development notes that, due to the Special Site designation, an erosion control plan prepared by a Certified Professional in Erosion and Sediment Control (CPESC) or State of Oregon registered professional engineer, and special inspections by the CPESC or P.E. during construction, may be required at the time of building permit application. Site Development will review the grading plan against the applicant's Landslide Hazard Study, as well as any additional geotechnical information required at the time of permit submittal, to assure that the grading will not create any erosion risks. In addition the plans will be reviewed for compliance with the applicant's tree preservation requirements and arborist report. These measures should also attend to neighbors' concerns about tree removal within the landslide hazard area.

With the conditions noted above requiring that the development on the parcels comply with the recommendations above, this criterion will be met.

### **33.635.200 – Land Suitability**

**Where geologic conditions or historic uses of the site indicate a hazard may exist, the applicant must show that the proposed land division will result in lots that are suitable for development. The applicant may be required to make specific improvements in order to make the lots suitable for their intended uses and the provision of services and utilities.**

The site is currently in residential use, and includes a public sanitary sewer line along the eastern side of the lot. City records do not indicate any other or additional uses in the past.

As shown on the applicant's plan (Exhibit C.3), a public sewer easement over the sewer line on the property will assure ongoing city access for maintenance of that public facility. With a condition that the public sewer easement must continue to be shown on final plat to the satisfaction of the Bureau of Environmental Services, this will ensure any subsequent property owner is aware of the public facility and any encumbrance it may have on development of the property.

Additionally, since the applicant proposes to remove or relocate the existing garage, so it will be located solely on Parcel 1, a permit must be obtained and finalized for demolition of all structures on Parcel 2, prior to final plat approval.

With these conditions, the new lot can be considered suitable for development, and this criterion will be met.

## **H. Tracts and easements. The standards of Chapter 33.636, Tracts and Easements must be met;**

### **33.636.100 Requirements for Tracts and Easements**

#### **A. Ownership of tracts. Tracts must be owned as follows unless otherwise specified in this Title or the land use decision:**

- 1. The owners of property served by the tract, or by any other individual or group of people. When the tract is owned by more than one person it must be held in common with an undivided interest;**
- 2. The Homeowners' Association for the area served by the tract;**
- 3. A public or private non-profit organization; or**
- 4. The City or other jurisdiction.**

#### **B. Maintenance agreement. The applicant must record with the County Recorder a maintenance agreement that commits the owners or owners' designee to maintain all elements of the tract or easement; however, facilities within the tract or easement that will be maintained by a specified City agency may be recorded in a separate maintenance agreement. The maintenance agreement must be approved by BDS and the City Attorney in advance of Final Plat approval and must be submitted to the County Recorder to be recorded with the Final Plat. For a Planned Development not done in conjunction with a land division, the maintenance agreement must be**

**submitted to the County Recorder to be recorded prior to issuance of the first building permit related to the development.**

**Findings:** No tracts are proposed or required for this land division, so criterion A does not apply.

The following easements are proposed and/or required for this land division, and will require related maintenance agreements:

- A Private Access Easement is proposed to allow shared use of a driveway that will be situated on the pole of Parcel 2.
- A Private No-Build Easement is necessary to ensure that structures are not built within the shared driveway.
- A Private Roof Encroachment Easement is necessary to allow the eave of the existing house to encroach into the flag pole on Parcel 2. This issue is discussed in more detail in the Adjustment criteria, in Section 2, below.

As stated in Section 33.636.100 of the Zoning Code, a maintenance agreement(s) will be required describing maintenance responsibilities for the easements described above and facilities within those areas. This criterion can be met with the condition that a maintenance agreement(s) is prepared and recorded with the final plat. In addition, the plat must reference the recorded maintenance agreement(s) with a recording block for each agreement, substantially similar to the following example:

*“A Declaration of Maintenance agreement for (name of feature) has been recorded as document no. \_\_\_\_\_, Multnomah County Deed Records.”*

With the conditions of approval discussed above, this criterion is met.

**K. Transportation impacts. The approval criteria of Chapter 33.641, Transportation Impacts, must be met; and,**

*The relevant approval criteria of Chapter 33.641 are found in the two paragraphs below.*

**33.641.020. The transportation system must be capable of safely supporting the proposed development in addition to the existing uses in the area. Evaluation factors include: street capacity and level-of-service; vehicle access and loading; on-street parking impacts; the availability of transit service and facilities and connections to transit; impacts on the immediate and adjacent neighborhoods; and safety for all modes.**

**33.641.030. The applicant may meet the criterion in Section 33.641.020, above, by including mitigation measures as part of the land division proposal. Mitigation measures must be acceptable to the City Engineer and may include providing transportation demand management measures, an access management plan, constructing streets or bicycle, pedestrian, or transit facilities on or off the site or other capital improvement projects such as traffic calming devices.**

**Findings:** The regulations of Chapter 33.641 call for the traffic impacts caused by dividing and then developing land to be identified, evaluated, and, if necessary, mitigated. Small land divisions involving only a few dwelling units may not require a formal transportation impact study, while it might be required for larger projects (Title 17 includes technical standards describing when a more formal study is required).

In reviewing this land division, Portland Transportation relies on accepted civil and traffic engineering standards and specifications to determine if existing street improvements for motor vehicles, pedestrians and bicyclists can safely and efficiently serve the proposed new development.

The site has approximately 55 feet of frontage on SE Harold Court, which is classified as a local service street for all modes in the *Transportation Element* of the *Comprehensive Plan*. SE Harold Court is fully improved with a paved roadway, curbs, planting strips, and sidewalks; and parking is

allowed on both sides of the street. Tri-Met provides transit service approximately 800 to 1,200 feet from the site via bus lines to the north (#10), east (#75), and south (#19).

Portland Transportation notes that, as provided by the Institute of Transportation Engineers – *Trip Generation Manual* (8<sup>th</sup> Edition), the estimated increase in daily trips is less than 10 total trips per day with the majority of trips occurring during non peak hours. Additionally, these total trips are likely to be divided between the two possible route directions to and from this location.

Currently, there is one driveway entering the site that provides access to off-street parking for the existing house. This driveway will be located within the “pole” of the flag lot and is proposed to provide shared vehicle access to off-street parking areas on both lots. To provide this access for both lots, as noted earlier in this report, demolition of the existing garage must be completed prior to final plat.

Portland Transportation notes that due to the configuration of SE Harold and SE 34<sup>th</sup>, and the location of the driveway at that apex of the curve between those streets, the use of a single lane width access by more than one residence will help to minimize points of access along SE Harold and provide a reasonable level of pedestrian and vehicle safety for the slight increase in additional traffic generated by the proposal. With a condition that requires a private access easement over the pole portion of Parcel 2 (for the benefit of Parcel 1), to be provided prior to final plat, this single point of access can be assured. If not currently existing - as a condition of the development of parcel 2, the shared driveway approach must be constructed to meet City Standards.

To further ensure safety while accessing the public right-of-way, both parcels will be required to provide forward motion egress onto SE Harold Court. Portland Transportation notes this requirement should apply prior to final plat for Parcel 1 and as a condition of development for Parcel 2.

Based on these factors, and with the noted conditions, Portland Transportation finds no significant impacts are anticipated to the existing transportation system facilities and capacity. Based on the foregoing, this criterion will be met.

**L. Services and utilities. The regulations and criteria of Chapters 33.651 through 33.654, which address services and utilities, must be met.**

**Findings:** Chapters 33.651 through 33.654 address water service standards, sanitary sewer disposal standards, stormwater management, utilities and rights of way.

- The water standards of 33.651 have been verified. Portland Water Bureau notes that water is available to serve the proposed development from the water main in six-inch main in SE Harold Court. Parcel 1 has an existing water service from that main. See Exhibit E-3 for more details.
- The sanitary sewer standards of 33.652 have been verified. Bureau of Environmental Services notes that there are existing public 12-inch and 21-inch combined sewers in SE Harold Court and SE 34<sup>th</sup> Avenue. BES also notes a public 21-inch combined sewer crosses the subject property, approximately parallel to the southeast property line; and, prior to final plat, BES requirements related to access and maintenance of this public sewer must be met. BES notes that a new service lateral to the public sewer main on the subject property will be required to be constructed to serve proposed Parcel 2 at the applicant's or owner's expense; however, the sanitary sewer extension shown on the Preliminary Partition Plat prepared by ZTec Engineers, dated February 23, 2010, will not be necessary. See Exhibit E-1 for more details.
- The technical standards of Chapter 33.653 related to stormwater management have been verified. The findings below for the Stormwater Management Approval Criteria of 33.653.020 incorporate a discussion of how the technical standards have been satisfied by the applicant's stormwater proposal.

**33.653.020 Stormwater Management Approval Criteria**

- A. If a stormwater tract is proposed or required, an adequate amount of land and an appropriate location must be designated on the Preliminary Plan; and**
- B. The application must show that a stormwater management system can be designed that will provide adequate capacity for the expected amount of stormwater.**

**Findings:** No stormwater tract is proposed or required. Therefore, criterion A is not applicable.

The City of Portland requires that stormwater from development be cleaned and disposed of in a manner that meets the requirements of the City's *Stormwater Management Manual* (SWMM). In order to meet this approval criterion, land division proposals must demonstrate an approved method of cleaning (water quality treatment), detention (delayed release), and an approved disposal point.

The SWMM contains a hierarchy of acceptable methods of stormwater treatment and disposal. The hierarchy requires that applicants first explore the use of methods that have a lower potential impact on groundwater, such as on-site surface infiltration swales and infiltration planters. If these methods are not feasible on a site, applicants may move lower on the hierarchy, to methods that inject water deeper into the ground through mechanical devices such as drywells or sumps, or carry it off of the site into storm sewers, drainageways, or other approved disposal points.

In addition to determining appropriate treatment and disposal methods by working through the hierarchy in the SWMM, stormwater facilities must be sized, through engineering calculations, to accommodate the expected amounts of stormwater. In some cases, sizing a stormwater facility necessitates testing the infiltration rate of the soil at the site.

The applicant has proposed the following stormwater management methods, and the Bureaus have responded as follows (Exhibits E-1 and E-5):

- **Parcel 1 (proposed lot with the existing house):** The existing house has downspouts that drain into underground pipes. Site Development has no objection to the stormwater system for the existing house continuing to discharge to the public combination system.

In the event the existing garage is relocated or a new garage is built on Parcel 1, Site Development finds the use of splashblocks, in conformance with the recommendations of Chinook GeoServices (Exhibit A.2), will be acceptable.

If stormwater from any new or redeveloped driveway area on Parcel 1 will be directed to stormwater facilities on Parcel 2, then appropriate easements must be provided on the final plat. If an easement is provided, a Maintenance Agreement for the easement must be submitted for approval by BDS and the City Attorney and must be recorded with the Final Plat.

- **Parcel 2 (proposed flag lot):** The stormwater runoff generated from the proposed development must meet the requirements of the SWMM that is current at the time of building plan review. In addition to the Stormwater Destination and Disposal Hierarchy found in the SWMM, Total Maximum Daily Load (TMDL) water quality requirements for Johnson Creek will apply. Johnson Creek has established TMDLs for the following pollutants: bacteria, temperature, and Total Suspended Solids (TSS) for toxins, such as DDT and dieldrin, and background levels of migratory Mercury. As stated in the SWMM, applicants must use pollution reduction facilities that are capable of reducing these pollutants, as approved by BES (please see pages 1-26 and 1-27 of the SWMM for guidance).

Site Development notes that plumbing code appeal #6907 was granted to allow an existing drywell on Parcel 2 (under inspection, permit 09-163305-PT) to encroach within the 200-foot slope setback specified in Exhibit 2-1 of the 2008 SWMM. Because only a 5-foot separation to groundwater was confirmed by the applicant's geotechnical report (minimum separation for roof-only discharge), only residential roof stormwater may discharge to the drywell as a condition of the plumbing code appeal.

Stormwater from the new driveway area on Parcel 2 is proposed to be managed via a flow-through planter that will discharge to the public combination sewer on the property. BES does not object to this approach. With the conditions of approval described above, the stormwater management criteria are met.

As shown by the findings above, the Services and Utilities criteria are met.

### **Right of Way Approval Criteria**

Chapter 33.654 contains standards and approval criteria for rights of way. Due to the location of this site, and the type of street that is proposed, some of the criteria are not applicable. The following table summarizes the applicability of each criterion.

<b>Code Section</b>	<b>Topic</b>	<b>Applicability Findings</b>
<b>33.654.110.B.1</b>	<b>Through streets and pedestrian connections</b>	<b>Applicable - See findings below</b>
33.654.110.B.2	Dead end streets	Not applicable - No dead end streets are proposed.
33.654.110.B.3	Pedestrian connections in the I zones	Not applicable - The site is not located within an I zone.
33.654.110.B.4	Alleys in all zones	Not applicable - No alleys are proposed or required.
<b>33.654.120.C.1</b>	<b>Width of the street right-of-way</b>	<b>Applicable - See findings below.</b>
33.654.120.C.3.c	Turnarounds	Not applicable - No turnarounds are proposed or required.
33.654.120.D	Common Greens	Not applicable - No common greens are proposed or required.
33.654.120.E	Pedestrian Connections	Not applicable - There are no pedestrian connections proposed or required.
33.654.120.F	Alleys	Not applicable - No alleys are proposed or required.
33.654.120.G	Shared Courts	Not applicable - No shared courts are proposed or required.
<b>33.654.130.A</b>	<b>Utilities</b>	<b>Applicable - See findings below.</b>
33.654.130.B	Extension of existing public dead-end streets and pedestrian connections	Not applicable - There are no existing public dead-end street or pedestrian connections adjacent to the site.
33.654.130.C	Future extension of proposed dead-end streets and pedestrian connections	Not applicable - No street extensions are required to serve abutting sites that are further dividable.
33.654.130.D	Partial rights-of-way	Not applicable - No partial public streets are proposed or required.

### **Applicable Approval Criteria are:**

**33.654.110.B.1 Approval criterion for through streets and pedestrian connections in OS, R, C, and E Zones.** In OS, R, C, and E zones, through streets and pedestrian connections are required where appropriate and practicable, taking the following into consideration:

- a. Through streets should generally be provided no more than 530 feet apart, and pedestrian connections should generally be provided no more than 330 feet apart. Through street and pedestrian connections should generally be at least 200 feet apart;
- b. Where the street pattern in the area immediately surrounding the site meets the spacing of subparagraph a., above, the existing street pattern should be extended onto the site;
- c. Characteristics of the site, adjacent sites, and vicinity, such as: (1) Terrain; (2) Whether adjacent sites may be further divided; (3) The location of existing streets and pedestrian connections; (4) Whether narrow frontages will constrain creation of a through street or pedestrian connection; (5) Whether environmental overlay zones interrupt the expected path of a through street or pedestrian connection; and (6)

**Whether existing dwelling units on- or off-site obstruct the expected path of a through street or pedestrian connection. Alternative locations or designs of rights-of-way should be considered that avoid existing dwelling units. However, provision of through streets or pedestrian connections should take precedence over protection of existing dwelling units where the surrounding transportation system will be significantly affected if a new through street or pedestrian connection is not created;**

- d. Master street plans for the area identified in Goal 11B of the Comprehensive Plan;**
- e. Pedestrian connections should take the most direct route practicable. Users should be able to see the ending of the connection from the entrance point, if possible.**

**Findings:** The site fronts onto SE Harold Court, which is a fully developed street that intersects SE 34<sup>th</sup> Avenue just to the north of the site, and then continues east, to form a u-shaped street. The south side of the site borders *Reed Lake*, within the *Reed College Campus*.

As indicated in the Portland Transportation response, given the existing street and sidewalk corridors in the area, and the proximity to steep slopes, wetlands, and watercourses within environmental zones, additional street and sidewalk facilities are not warranted at this location. For these reasons, this criterion is met.

**33.654.120.C.1 Approval criterion for width of the right-of-way. The width of the local street right-of-way must be sufficient to accommodate expected users, taking into consideration the characteristics of the site and vicinity, such as the existing street and pedestrian system improvements, existing structures, and natural features.**

**Findings:** The 50-foot right-of-way corridor for SE Harold Court consists of a 28-foot wide paved roadway surface with 4-foot wide planters, 5-foot wide sidewalks, and 2-foot wide buffers behind the sidewalk on each side of the street. As noted in the Portland Transportation response, this is sufficient to serve the development on Parcels 1 and 2. Therefore, this criterion is met.

#### **Utility Location, Extension of Streets, Partial Rights of Way**

#### **33.654.130 Additional Approval Criteria for Rights-of-Way**

- A. Utilities. Utilities must be located within rights-of-way or utility easements that are adjacent to rights-of-way to the maximum extent practicable. Utility easements up to 15 feet in width may be required adjacent to rights-of-way.**

**Findings:** Utilities are defined in the Zoning Code as telephone, cable, natural gas, electric, and telecommunication facilities. Any easements that may be needed for private utilities that cannot be accommodated within the proposed flag-pole can be provided on the final plat. At this time no specific utility easements have been identified as being necessary. Therefore, this criterion is met.

#### **SECTION 2 APPROVAL CRITERIA FOR ADJUSTMENTS**

#### **33.805.040 Approval Criteria**

The adjustment request will be approved if the review body finds that the applicant has shown that approval criteria A. through F., below, have been met.

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

**Findings:** In order to meet this criterion the requested setback must be consistent with the purpose of the setback regulations for single-dwelling zones, which are as follows:

#### **33.110.220 Setbacks**

- A. Purpose. The setback regulations for buildings and garage entrances serve several purposes:**

- They maintain light, air, separation for fire protection, and access for fire fighting;
- They reflect the general building scale and placement of houses in the city's neighborhoods;
- They promote a reasonable physical relationship between residences;

- *They promote options for privacy for neighboring properties;*
- *They require larger front setbacks than side and rear setbacks to promote open, visually pleasing front yards;*
- *They provide adequate flexibility to site a building so that it may be compatible with the neighborhood, fit the topography of the site, allow for required outdoor areas, and allow for architectural diversity; and*
- *They provide room for a car to park in front of a garage door without overhanging the street or sidewalk, and they enhance driver visibility when backing onto the street.*

The applicant requested a reduced setback for a portion of an existing house within one-foot, and to allow the established roof eave to project into the proposed pole for a new flag lot.



The pole is intended to provide vehicle access for the existing house as well as the proposed flag lot. In order to meet the land division approval criteria, addressed in Section 1, above, no structures or parking will be allowed within the pole, and vehicles will be required to enter and exit the site in a forward motion. Additionally, the applicant obtained approval of a Building Code Appeal (#6958) to allow for the modified setbacks, with a condition that No-build and Encroachment Easements are provided on the new flag lot.

Given these factors, the established separation between the existing residences will continue to afford the level

of separation, light, air, fire protection, and privacy that presently exists; and drivers must exit the site in a forward motion, which should enhance visibility for all on the street or sidewalk.

Access for fire fighting for the existing house will continue to be afforded via the shared driveway, and the Fire Bureau is requiring sprinklers to be installed in any new residential structures on the proposed flag lot to satisfy fire safety requirements, so the setback reduction should not diminish fire protection.

Based on the foregoing, the proposal will equally meet the purpose of the setback regulations with the implementation of the following conditions:

Prior to final plat approval, the applicant must provide the following:

- A minimum 6-foot wide no build easement must be shown on the plat, which specifies no structures (including walls, fences, or similar construction) may be built within 3-feet of the existing building wall on Parcel 1, and the easement cannot be modified or revoked without prior approval of the City of Portland, per building code appeal #6958 (Exhibit A.4).
- An encroachment easement must be shown on the plan to allow the eave of the existing house to extend no more than 2-feet into the shared driveway easement.

With the application of these conditions, this criterion will be met.

**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 C, E, or I zone, the proposal will be consistent with the desired character of the area; and

**Findings:** As noted in the site and vicinity description, above, the project site is situated in a residential area that is comprised generally of a single-dwelling residential enclave tucked between

the *Reed College Campus* that borders the site to the south and west; SE Steele, a Neighborhood Collector Street, to the north; and SE 39<sup>th</sup> Avenue, a Neighborhood Collector Street, to the east.

This area consists of lots that range in size from 5,200 to 24,000 square feet. Nearly all are developed with single story homes (with basements) of similar size (1,600 to 2,000 square feet) and vintage (late 1940s to early 1950s) as the existing house on the subject site. Most of the neighboring homes to the north and east are set back from the street 20 to 30 feet, and extend across nearly the full width of the lots with 5 to 10 foot setbacks from side property lines, and nearly all the houses that border *Reed Lake* are set 40 feet or more from the rear lot lines. The style and scale of the development on the subject site is similar to that of the neighboring lots, and the setbacks from the side lot lines are comparable to those of the nearby lots, but the setbacks from the front and rear lot lines are considerably larger at 60 to 100 feet, respectively.

To meet this criterion, the reduction in the side building setback must not detract from the livability or appearance of the residential area.

By maintaining the location of the building wall, and allowing the eave to extend into the pole of the proposed flag lot, the requested reduction will allow the appearance of the existing situation to remain nearly unchanged from the street. The house and single driveway will continue to appear comparable to the surrounding development.

However, many of the letters from the neighborhood residents note that the requested adjustment will allow for the development of a flag lot, and that it is the development on the flag lot that will significantly detract from the livability and appearance of the residential area by allowing a new house on the property immediately adjacent to the rear yards of the neighboring homes.

The location of the existing house relative to the proposed lot line along the flag pole would move out of conformance with the R7 setback regulations, and the following requirement for the Review of Land Divisions (33.700.015) notes: *If a proposed land division will cause conforming development to move out of conformance with any regulation of the zoning code, and if the regulation may be adjusted, the land division request must include a request for an adjustment.* In this situation, the applicant could modify the house to meet the flag lot setback exception of 3 feet (33.110.220.D.2), and no adjustment review would be needed as part of the land division review. Therefore, the adjustment in and of itself will not determine whether a flag lot is allowed or not.

Certainly, the creation of a new lot will allow for the development of a new house where there is not one presently; and, given the proposed flag lot configuration, this will place a house in closer proximity to the rear yards of the abutting lots. Yet, there are specific development standards that apply to flag lots (33.110.240.F), which are intended to reduce impacts that new development may have on surrounding residential development (33.110.240.A). These include 10-foot building setbacks around the flag lot instead of the 5-foot side and rear setbacks that would otherwise typically apply to standard lots in the R7 zone.

In addition, flag lots that are 10,000 square feet or less in area are required to provide tall screen plantings around the perimeter of the site, which affords some additional buffering and screening for abutting properties. In this case, the flag lot is over 10,000 square feet so this screening requirement does not apply. However, to afford some additional buffering and screening, the applicant proposes to install a 4 to 6 foot tall wood fence along the lot line between proposed Parcels 1 and 2, and plant 2 additional trees along the fence line on Lot 1 (Exhibit A.5). The applicant has not specified the size or type of tree to be installed. Given the proximity to *Reed Lake* and the environmental zoning around the lake, the installation of native trees (from the *Portland Plant List*) will contribute to the natural character of the area, and provide some visual buffering of the new flag lot from the adjoining properties.

Given these considerations, and with the noted conditions regarding some additional screening, the requested reduction to the side setback is not expected to significantly detract from the appearance or livability of the residential area, and this criterion will be met.



**C.** If more than one adjustment is being requested, the cumulative effect of the adjustments results in a project which is still consistent with the overall purpose of the zone; and

**Findings:** Only one adjustment is requested. This criterion is not applicable.

**D.** City-designated scenic resources and historic resources are preserved; and

**Findings:** There are no city-designated scenic or historic resources present on the site. Therefore, this criterion is not applicable.

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

**Findings:** As noted previously, neighbors have expressed concerns that the adjustment will allow for a flag lot to be created and for a new house to be located on the site, which will reduce the amount of privacy and separation currently afforded between residences, as well as add to increased demands on the transportation system and on street parking.

Yet, even if the lot were not divided, additional structures could be constructed on the property, and these could include additional living space or an accessory dwelling unit, which could potentially add a demand on transportation facilities and on-street parking comparable to that of a new house on a new lot. As such, those sorts of impacts cannot be attributed solely to a reduction in the side setback.

As noted above, allowing the existing house to be in such close proximity to the proposed pole could hinder access for vehicles and fire safety. However, with the conditions outlined previously, which require a No-build Easement along the pole, a fire suppression system to be installed in residential structures on the proposed flag lot, and an encroachment easement for the eave, these measures should mitigate those potential impacts. Additionally, the applicant's proposal to provide fencing and trees along the lot line between the two proposed parcels will help to visually screen and buffer new development on the flag lot from the adjoining properties, which will minimize potential impacts to livability.

Based on the foregoing, impacts attributable to the side setback reduction will be mitigated, and this criterion will be met.

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

**Findings:** The site is not within an environmental zone; therefore, this criterion is not applicable.

## **DEVELOPMENT STANDARDS**

**General Information about Development Standards and Approval Criteria.** The Zoning Code contains two types of regulations: Development standards and Approval criteria.

**Approval criteria,** such as those listed earlier in this report, are administered through a land use review process. Approval criteria are regulations where the decision-maker must exercise discretion to determine if the regulation is met. Public notice is provided and public comments received that address the approval criteria are addressed in the decision.

**Development Standards:** Development standards are clear and objective regulations (for example: building setbacks; number of required parking spaces; and maximum floor area). Compliance with development standards is reviewed as part of the administrative permitting process and are not considered to be discretionary reviews. Development standards that are not relevant to the land division review, have not been addressed in the review, but will have to be met at the time that each of the proposed lots is developed.

Among the various development standards that will be applicable to this lot, the applicant should take note of:

- Flag Lots-- special setback standards apply to flag lots in the RF-R2.5 zone.

**Existing development that will remain after the land division.** The division of the property may not cause the structures to move out of conformance or further out of conformance to any development standard applicable in the R7 zone. Per 33.700.015, if a proposed land division will cause conforming development to move out of conformance with any regulation of the zoning code, and if the regulation may be adjusted, the land division request must include a request for an adjustment (Please see section on Other Technical Standards for Building Code standards.)

In this case, there are several Zoning Code standards that relate to existing development on the site:

- Minimum Setbacks – The existing house identified to remain on the site must meet the required Zoning Code setbacks from the proposed new lot lines. In this case, the applicant has requested an Adjustment to allow for a reduced setback for the existing house along the pole of the new flag lot (see Adjustment Review, in Zoning Code Approval Criteria, Section 2, above). Existing buildings must be set back from the new lot lines in conformance with an approved Adjustment or other Land Use Review decision that specifically approves alternative setbacks. To ensure this standard continues to be met at the final plat stage, the final plat must be accompanied by a supplemental survey showing the location of the existing building relative to the adjacent new lot lines.

The existing house will have an alternative setback from the new western property per the adjustment described previously in this report. To ensure this adjusted setback standard is met at the final plat stage, the final plat must be accompanied by a supplemental survey showing the location of the existing building relative to the adjacent new lot lines.

- Accessory Structures – In this zone, accessory structures are not allowed on a lot without a primary structure. Therefore, in order for the proposed new lots to meet this standard, all accessory structures on Parcel 2 must be removed prior to final plat. Demolition permits are required. The applicant must provide documentation prior to final plat approval that all required demolition permits have received final inspection, or that a residential permit has been obtained to relocate the garage.
- Required Off-Street Parking – In this zone, one parking space per dwelling unit is required. A garage provides this required parking for the existing house on Parcel 1. As a result of this land division, the required parking space for the existing house will be located on a different lot. In order to ensure that parking requirements continue to be met, a new parking space for the existing house must be constructed on Parcel 1 prior to final plat approval. Permits must be obtained to construct a new parking space. Documentation of final inspection of this new parking space will be required prior to final plat approval.

With the conditions noted above, this land division proposal can meet the requirements of 33.700.015.

## OTHER TECHNICAL REQUIREMENTS

Technical decisions have been made as part of this review process. These decisions have been made based on other City Titles, adopted technical manuals, and the technical expertise of appropriate 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 service standards applicable to this preliminary partition proposal.

Bureau	Code Authority	Topic	Contact Information
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Bureau	Code Authority	Topic	Contact Information
Water Works	Title 21	Water availability	503-823-7404 <a href="http://www.water.ci.portland.or.us/">http://www.water.ci.portland.or.us/</a>
Environmental Services	Title 17; 2008 Stormwater Manual	Sewer availability Stormwater Management	503-823-7740 <a href="http://www.bes.ci.portland.or.us/">http://www.bes.ci.portland.or.us/</a>
Fire Bureau	Title 31 Policy B-1	Emergency Access	503-823-3700 <a href="http://www.fire.ci.portland.or.us/">http://www.fire.ci.portland.or.us/</a>
Transportation	Title 17, Transportation System Plan	Design of public street	503-823-5185 <a href="http://www.trans.ci.portland.or.us/">http://www.trans.ci.portland.or.us/</a>
Development Services	Titles 24 -27, Admin Rules for Private Rights of Way	Building Code, Erosion Control, Flood plain, Site Development & Private Streets	503-823-7300 <a href="http://www.bds.ci.portland.or.us.">http://www.bds.ci.portland.or.us.</a>

As authorized in Section 33.800.070 of the Zoning Code conditions of approval related to these technical standards have been included in the Administrative Decision on this proposal.

- The applicant must meet the requirements of the Fire Bureau in regards to addressing requirements for flag lots and recording an Acknowledgement of Special Land Use Conditions that requires the provision of internal fire suppression sprinklers on Parcel 2. These requirements are based on the technical standards of Title 31 and Fire Bureau Policy B-1.
- The applicant must meet the Urban Forestry requirement in regard to the current “Tree Cutting Ordinance” violation on the site. This violation must be resolved prior to final plat approval (see Exhibit E-6 for more details) This requirement is based on the standards of Title 20.

## CONCLUSIONS

The applicant has proposed a 2-parcel flag lot partition with an adjustment request, as shown on the attached preliminary plan (Exhibit C.3). As discussed in this report, the relevant standards and approval criteria have been met, or can be met with conditions. The primary issues identified with this proposal are: neighbors’ concerns about impacts to the appearance and livability of the residential area; demolition of the detached garage; mitigation for the adjustment; and tree removal and Urban Forestry requirements regarding the tree cutting violation.

With conditions that address these requirements, this proposal can be approved.

## ADMINISTRATIVE DECISION

**Approval** of an Adjustment to decrease the minimum required side setback between the existing house on Parcel 1 and its western property line abutting the flag pole of Parcel 2 from 5 feet to zero, and;

**Approval** of a Preliminary Plan for a 2-lot partition, that will result in one standard lot and one flag lot as illustrated with Exhibit C.3, subject to the following conditions:

**A. Supplemental Plan.** Four copies of an additional supplemental plan shall be submitted with the final plat survey for (Land Use Review, BES, Site Development, Transportation) review and approval. That plan must portray how the conditions of approval listed below are met. In addition, the supplemental plan must show the surveyed location of the following:

- Any buildings or accessory structures on the site at the time of the final plat application;
- Any driveways and off-street vehicle parking areas on the site at the time of the final plat application;
- The required root protection zone for Trees 3, 7, 9, 15, and 16, per 33.930.140, or as otherwise noted by an arborist;
- Any other information specifically noted in the conditions listed below.

**B. The final plat must show the following:**

1. A Private Access Easement over the “flag pole” portion of Parcel 2 for the benefit of Parcel 1 must be shown on the final plat. The easement must allow shared use of this area for all of the purposes that a driveway would be typically used for.
2. An Encroachment Easement must be shown on the final plat to allow the eave of the existing house to extend no more than 2-feet into the Access Easement. The easement must allow the encroachment and maintenance of the eave of the existing house.
3. A minimum 6-foot wide No Build Easement must be shown on the final plat, that specifies no structures (including walls, fences, or similar construction) may be built within 3-feet of the existing building wall on Parcel 1, and the easement cannot be modified or revoked without prior approval of the City of Portland, per building code appeal #6958 (Exhibit A.4).
4. The public sewer easement, as shown on the applicant’s plan (Exhibit C.3), must continue to be shown on final plat to the satisfaction of the Bureau of Environmental Services.
5. A recording block for each of the legal documents such as maintenance agreement(s), acknowledgement of special land use conditions, or Declarations of Covenants, Conditions, and Restrictions (CC&Rs) as required by Condition C.7 below. The recording block(s) shall, at a minimum, include language substantially similar to the following example: “A Declaration of Maintenance Agreement for (name of feature) has been recorded as document no. \_\_\_\_\_, Multnomah County Deed Records.”

**C. The following must occur prior to Final Plat approval:**

**Utilities**

1. The applicant will be required to install residential sprinklers in the new house on Parcel 2. An Acknowledgement of Special Land Use Conditions describing the sprinkler requirement must be referenced on and recorded with the final plat.

**Existing Development**

2. The applicant must obtain a finalized demolition permit for removing the garage on Parcel 2; or a finalized residential permit for relocating the garage onto Parcel 1.
3. A parking space must be installed on Parcel 1, in conformance with the applicable requirements of the Portland Zoning Code. A copy of the final inspection approval of a Zoning Permit shall be submitted, documenting that the parking space has been installed within the area to become Parcel 1. The new parking space must also be shown on the supplemental plan.
4. The applicant must demonstrate that there is sufficient maneuvering area on Parcel 1 and within the access easement for vehicles to enter from and exit onto SE Harold in a forward motion to the satisfaction of Portland Transportation.
5. A minimum 4-foot tall solid fence and at least 2 native trees must be installed along (within 10 feet) the south lot line of Parcel 1. The trees must be selected from the native species in the *Portland Plant List*. Broad leaf trees must have a minimum of 1.5 inch diameter trunk at time of planting, and conifer trees must be fully branched and a minimum of 5-feet in height at the time of planting. A Zoning Permit must be obtained and finalized to verify these requirements are met.
6. Documentation of the location of the stormwater disposal system for the relocated garage and any new or redeveloped driveway area must be submitted to the Site Development Section of the Bureau of Development Services. The location of any required stormwater systems serving the relocated garage and new or redesigned driveway area must be shown on the Supplemental Plan. If the use of splash blocks is proposed for the garage, then the plans and installation must conform to the recommendations of the letter from *Chinook GeoServices*, dated February 11,

2010. If, as a result of final plat approval, the stormwater system for the relocated garage will extend beyond the boundaries of Parcel 1 (the lot with the existing home), then the applicant must meet one of the following:

- Provide private stormwater easements on the final plat as necessary to ensure operation and maintenance of those systems, and record a maintenance agreement for the easement area; or
- Provide finalized plumbing permits for modifications to the stormwater system that result in a system that meets City requirements.

#### **Required Legal Documents**

7. A Maintenance Agreement must be executed for the Access Easement, No Build areas, and Encroachment Easement, as described in Conditions B.1-B.3 above. Each agreement must include provisions assigning maintenance responsibilities for the easement area and any shared facilities within that area, consistent with the purpose of the easement, and all applicable City Code standards. The agreement must be reviewed by the City Attorney and the Bureau of Development Services, and approved as to form, prior to final plat approval.
8. The applicant must execute an Acknowledgement of Special Land Use conditions, requiring residential development on Parcel 2 to contain internal fire suppression sprinklers. The acknowledgement shall be recorded with Multnomah County, and referenced on the final plat.

#### **Other requirements**

9. The applicant must meet the requirements regarding the Tree Cutting Ordinance Violation on the site to the satisfaction of Urban Forestry.

#### **D. The following conditions are applicable to site preparation and the development of individual lots:**

1. Development on Parcels 1 and 2 must be carried out in conformance with the following:
  - a. Tree 3, 7, 9, 15, and 16 must be preserved and provided with a root protection zone, per 33.930.140, or as otherwise noted by an arborist. Encroachment into the specified root protection zones may only occur under the supervision of a certified arborist. If work is conducted in the root protection zones and the tree subsequently falls, this may result in a violation.
  - b. Clearing and grading must be limited to areas outside the root protection zones (unless encroachment is allowed through an arborist report recommendation) and at least 20 feet from the lot lines abutting the environmental zone.
  - c. Protected trees and required root protection zones must be identified on all grading and erosion control plans to the satisfaction of BDS-Land Use and BDS-Site Development.
2. The applicant must meet the addressing requirements of the Fire Bureau for Parcel 2, the flag lot.
3. The applicant will be required to install residential sprinklers in any new residential structure(s) on Parcel 2 to the satisfaction of the Fire Bureau.
4. The applicant must demonstrate that there is sufficient maneuvering area on Parcel 2 for vehicles to enter from and exit onto SE Harold in a forward motion to the satisfaction of Portland Transportation. And, if not currently existing, the shared driveway approach must be constructed to meet City Standards.
5. Only residential roof stormwater may discharge to the drywell on Parcel 2 (installed under permit 09-163305 PT, per Plumbing Code Appeal #6907), and stormwater from other impervious surfaces must meet the requirements of the Bureau of Environmental Services for discharge to the public combination sewer system.

**Staff Planner: Kate Green**



**Decision rendered by:** \_\_\_\_\_ **on April 29, 2010**

By authority of the Director of the Bureau of Development Services

**Decision mailed May 4, 2010**

**About this Decision.** This land use decision is **not a permit** for development. A Final Plat must be completed and recorded before the proposed lots can be sold or developed. 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 January 5, 2010, and was determined to be complete on February 23, 2010.

*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 January 5, 2010.

*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 a period of 30 days, as stated in Exhibit G.7. Unless further extended by the applicant, **the 120 days will expire on: July 23, 2010.**

**Note: 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 May 18, 2010** at 1900 SW Fourth Avenue. Appeals may be filed Tuesday through Friday on the first floor in the Development Services Center until 3 p.m. After 3 p.m. and on Mondays, 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. There is no fee for ONI recognized organizations appealing a land use decision for property within the organization's boundaries. The vote to appeal must be in accordance with the organization's bylaws. 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 503-823-7617 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.ci.portland.or.us](http://www.ci.portland.or.us).

**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 land division.** The final land division plat **must** be submitted to the City **within three years** of the date of the City's final approval of the preliminary plan. This final plat must be recorded with the County Recorder and Assessors Office after it is signed by the Planning Director or delegate, the City Engineer, and the City Land Use Hearings Officer, and approved by the County Surveyor. **The approved preliminary plan will expire unless a final plat is submitted within three years of the date of the City's approval of the preliminary plan.**

**Recording concurrent approvals.** The preliminary land division approval also includes concurrent approval of an Adjustment review. The concurrent approval must be recorded by the Multnomah County Recorder before any building or zoning permits can be issued.

A few days prior to the last day to appeal, the City will mail instructions to the applicant for recording the documents associated with the concurrent land use review. The applicant, builder, or their representative may record the final decisions on these concurrent land use decisions 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.

**Expiration of concurrent approvals.** The preliminary land division approval also includes concurrent approval of an Adjustment. For purposes of determining the expiration date, there are two kinds of concurrent approvals: 1) concurrent approvals that were necessary in order for the land division to be approved; and 2) other approvals that were voluntarily included with the land division application.

The following approvals were necessary for the land division to be approved: Adjustment. This approval expires if:

- The final plat is not approved and recorded within the time specified above, or

- Three years after the final plat is recorded, none of the approved development or other improvements (buildings, streets, utilities, grading, and mitigation enhancements) have been made to the site.

All other concurrent approvals expire three years from the date rendered, unless a building permit has been issued, or the approved activity has begun. Zone Change and Comprehensive Plan Map Amendment approvals do not expire.

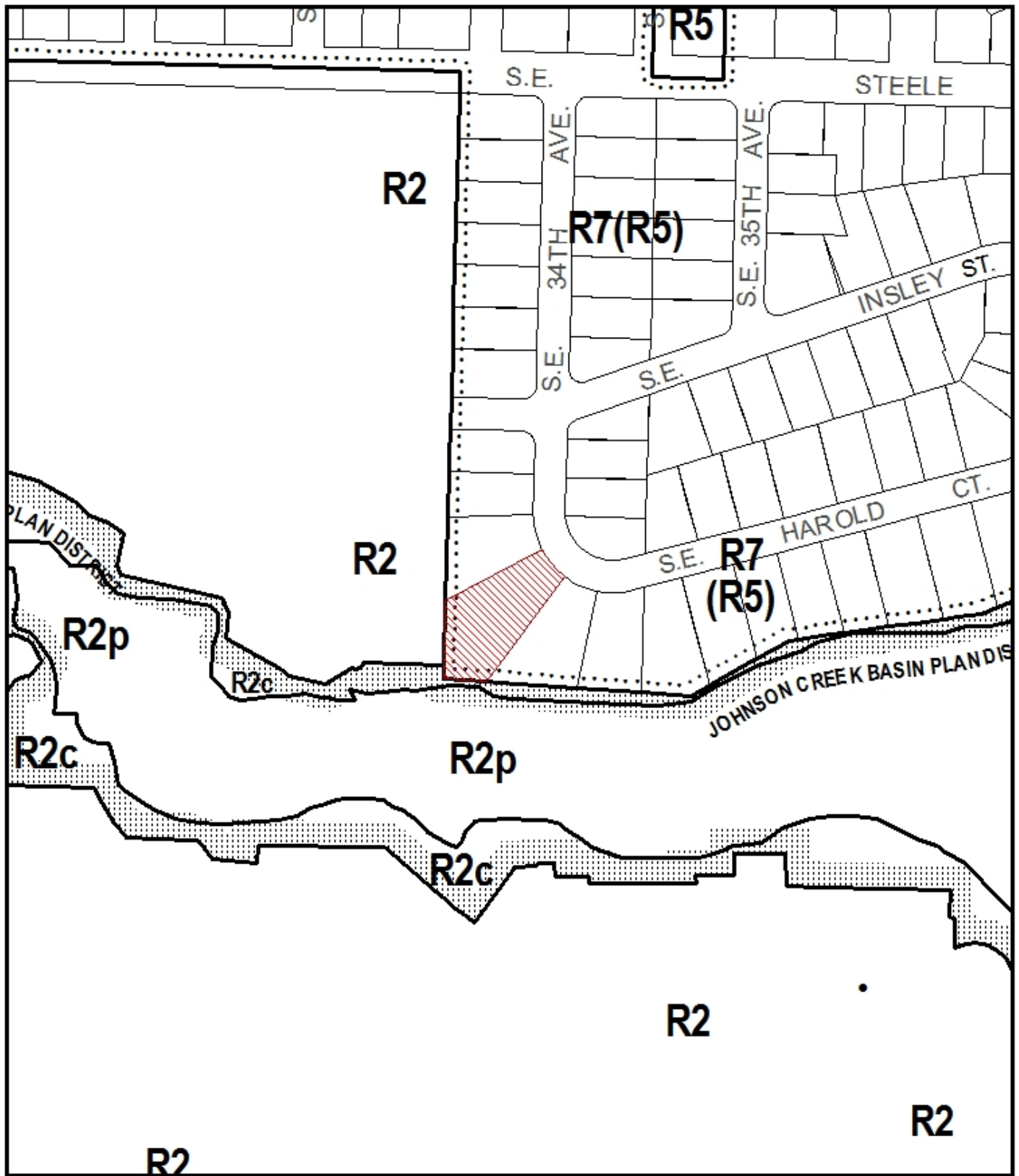


**EXHIBITS**  
NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
  - 1. Geotechnical Report-Chinook GeoServices (10/22/2009)
  - 2. Supplemental Narrative (2/23/2010)
  - 3. Revised Arborist Report (2/3/2010)
  - 4. Addendum re: emergency vehicle access, tree violation, vehicle maneuvering (4/7/2010)
  - 5. Addendum re: trees, survey, building elevations, building code appeals (4/13/2010)
  - 6. Plumbing Code Appeals
  - 7. Building Code Appeals
  - 8. Addendum re: screening (4/16/2010)
  - 9. Letter from surveyor re: lot area revisions (4/10/2010)
  - 10. Addendum re: grading (4/28/2010)
- B. Zoning Map (attached)
- C. Plans/Drawings:
  - 1. Preliminary Partition Plat-initial submittal
  - 2. Tree Protection Plan-initial submittal
  - 3. Revised Preliminary Partition Plat Survey (8.5 x 11 inch copy-attached)
- D. Notification information:
  - 1. Mailing list
  - 2. Mailed notice
- E. Agency Responses:
  - 1. Bureau of Environmental Services
  - 2. Portland Transportation
  - 3. Water Bureau
  - 4. Fire Bureau
  - 5. BDS-Site Development
  - 6. Urban Forestry
  - 7. Department of State Lands
  - 8. BDS-Life Safety
- F. Correspondence: (the date the communication was received is noted)
  - 1. David M Gilbaugh, 3/26/2010, re: generally supportive of proposal
  - 2. Blythe Pavlik, Southeast Uplift Neighborhood, 3/29/2010, re: environmental impacts, livability, and effective communication among neighbors (also attached email from David M Gilbaugh)
  - 3. Jody Kurilla, 3/4/2010, 3/26/2010, 4/1/2010, re: tree preservation, landslide hazard, proximity to Reed campus, parking, sewer lines, drywell, erosion control, character of the neighborhood (also forwarded letter from Southeast Uplift Neighborhood, and email from David M Gilbaugh)
  - 4. Margot and Benjamin David, 3/16/2010 and 3/18/2010, re: density, architectural style of neighborhood proximity to wetlands, neighborhood covenant for new development
  - 5. Lee and Louise Rasmussen, 3/26/2010, re: parking, tree removal in landslide hazard area, architectural style and neighborhood character
  - 6. Karla and Mark Chan, 3/26/2010, re: privacy and livability, proximity to Reed canyon
  - 7. Margaret Gunn, 3/25/2010, re: Adjustment request, safety, livability, tree removal and development in landslide hazard area
  - 8. Selma L Howell, 3/23/2010, re: general opposition to the proposal
  - 9. Ruth M Ziegler, 3/23/2010, re: general opposition to the proposal
  - 10. Kris and Peggy English, 3/26/2010, re: proximity to lands and waterways in environmental zones, access, tree removal
  - 11. Kevin Donegan, 3/22/2010, re: zoning designations on site, proximity to lands and waterways in environmental zones, appearance and livability, establishing a precedent
  - 12. Joe Bosnar, 3/19/2010, re: livability, safety, emergency vehicle access, addressing, parking, tree removal in landslide hazard area, proximity to Reed canyon
  - 13. Carol Middleton, 3/25/2010, re: opposition to Adjustment, proximity to Reed canyon
  - 14. Robin and Donna Cody, 3/24/2010, re: tree removal in landslide hazard area, tree violation, parking, privacy, fire safety
  - 15. Gabe Headrick, 3/24/2010, re: tree violation, landslide hazard area, appearance of residential area, architectural design of new structures
  - 16. Rose Krahmann, 3/25/2010, re: supportive of proposal
  - 17. Kellie Jenkins, proximity to Reed canyon, tree removal, livability
  - 18. Christopher PS Williams, livability, emergency vehicle access, proximity to Reed canyon, landslide hazard area, appearance of residential area, density
  - 19. Annette M Matthews, 3/23/2010, re: tree removal, landslide hazard area
  - 20. Frank and Martine Baccellieri, 3/23/2010, re: vehicle access (emergency, delivery), livability, proximity to Reed canyon

21. Rachel Brown, 3/23/2010, re: tree violation, proximity to Reed canyon, vehicle access (emergency, delivery)
  22. David and Susan Reinhard 3/21/2010, re: traffic, safety and visibility on curved street
  23. Al and Jill Raschio, 3/18/2010, re: traffic, parking, fire safety
  24. Cindy Kjeldsen, 3/16/2010, re: landslide hazard area
  25. Judi Martin, 3/15/2010, re: lot dimensions, landslide hazard area, tree removal, appearance, proximity to Reed canyon
  26. Karla Chan, 3/26/2010, re: proximity to Reed canyon, privacy, tree removal
  27. Mike and Ann Parr, 3/26/2010, re: tree violation, traffic, emergency vehicle access, appearance
  28. Michelle Maida and James Hager, 3/25/2010, re: appearance, tree removal, livability, landslide hazard
- G. Other:
1. Original LU Application
  2. Site History Research
  3. Incomplete letter and email
  4. Johnson Creek Watershed-Site Inventories
  5. DSL: Wetland Land Use Notification Form
  6. emails to/from applicant
  7. 120-day review extension

**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



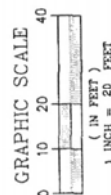
File No.	LU 10-100293 LDPAD
1/4 Section	3634
Scale	1 inch = 200 feet
State_Id	1S1E13DB 1000
Exhibit	B (Jan 05, 2010)

# LEGEND:

- MONUMENTS FOUND AS NOTED
- IR IRON ROD
- IP IRON PIPE
- FO FOUND
- (M) MEASURED
- SA — EXISTING SEWER
- ST — EXISTING STORM
- W — EXISTING WATER
- EXISTING CONTOUR
- ⊙ EXISTING STORM MANHOLE
- ⊙ EXISTING SANITARY MANHOLE
- ⊙ EXISTING LIGHT POLE
- WM EXISTING WATER METER
- EXISTING CONCRETE SIDEWALK
- EXISTING TREE
- AV ARBORVITAE
- CH CHERRY
- DW DOWDOOD
- M MAPLE
- MAG MAGNOLIA
- (P) DONOTES PLAT OF "TREE COLLEGE HEIGHTS"
- SN(1) SN 2072

## NOTE:

ELEVATIONS ARE BASED ON C.O.D. BM #2031 BRASS DISC IN CORNER AT THE CORNER OF S.E. 3RD AND S.E. STEEL. ELEV. = 140.21



LV 10-100293 LDPAD  
Exhibit C.3

JOB#:	53143-1
DATE:	11-2-09
SCALE:	1"=20'
DRAWN:	JPH
CHECK:	CCF
FILE:	53143-1

## ZTEC ENGINEERS INC.

3737 S.E. 8TH AVE., PORTLAND, OREGON 97202  
PH: (503) 235-8795 FAX: (503) 233-7889

LOCATED IN THE N.E. 1/4 OF SECTION 13,  
T.1S., R.1E., W.M., CITY OF PORTLAND,  
MULTNOMAH COUNTY, OREGON

JOHN WELSH

3350 SE HAROLD CT

PRELIMINARY PARTITION PLA

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*Chris Fischborn*  
OREGON  
—  
CHRIS FISCHBORN  
1944

