



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

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www.portlandonline.com/bds

Date: May 17, 2010
To: Interested Person
From: Stacey Castleberry, Land Use Services
503-823-7586 / stacey.castleberry@portlandoregon.gov

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 10-110619 EN AD

GENERAL INFORMATION

Applicant/Owners: Reed Institute
Attention: Townsend Angell
3203 SE Woodstock Blvd
Portland, OR 97202-8199

Kendra Smith
10565 SW Skyline Blvd
Portland OR 97231

Portland Bureau of Environmental Services
Attn: Kaitlin Lovell
1120 SW 5th Ave Room 1000
Portland, OR 97204

Site Address: 3203 SE WOODSTOCK BLVD

Legal Description: TL 100 98.52 ACRES, SECTION 13 1S 1E, TL 500 SECTION 13 1S 1E, TL 700 SECTION 13 1S 1E.

Tax Account No.: R328259, R328266, R328365

State ID No.: 1S1E13 00100, 00500, 00700

Quarter Section: 3533

Neighborhood: Reed, contact Jody Kruilla at 503-475-1041; SEU, Eastmoreland, contact Kathy Ten Pas at 503-771-0010.

Business District: None

District Coalition: Southeast Uplift, contact Leah Hyman at 503-232-0010.

Plan District: Johnson Creek Basin, Floodplain Subdistrict

Other Designations: 100- year floodplain

Zoning: R2c, p

Case Type: EN AD –Environmental Review with concurrent Adjustment Review

Procedure: Type II, an administrative decision with appeal to the Hearings Officer.

Proposal: This natural resources enhancement project proposes to implement the second phase of an Oregon Watershed Enhancement Board (OWEB) -funded, fish habitat improvement along Crystal Springs Creek on the Reed College Campus.

Johnson Creek Watershed planning documents, identify Crystal Springs (especially its headwaters) as a high priority for restoration to benefit steelhead, cutthroat trout, and coho spawning and rearing habitat. The proposed project is consistent with adopted plans for Reed College and Johnson Creek, and the updated Reed College Enhancement Strategy. The project is consistent with the goals of the Johnson Creek Basin Protection Plan Area. The culvert at SE 28th Ave is the top priority culvert in the Crystal Springs System for replacement according to the City survey of culverts in that system.

The degraded conditions found on the Rivelli Farm property (now owned by Reed College) will be remedied to extend the higher quality habitats found on the Reed campus, down to SE 28th Avenue.

The project will create new channel meanders within a historically straightened section of Crystal Springs Creek to improve the geomorphic form, fish spawning and rearing habitat potential of the creek. The project proposes to place up to 20 pieces of large wood (of varying length of 20+ feet and averaging 10 inches in diameter) in the stream channel along with smaller woody materials and willow/dogwood cuttings, to help create channel diversity and maintain pool depths for fish.

The two-foot diameter culvert under SE 28th Avenue will be replaced with a 13-foot wide by 50-foot long bridge with a natural stream bottom to meet ODFW fish passage requirements. Wetlands will be created in previously filled areas, and off-channel holding areas that take advantage of natural springs will be graded for juvenile holding areas. Existing retaining walls, stairs, and a pedestrian bridge across the creek will be removed in areas where the channel will be rerouted to create meanders. The entire project site will be planted with appropriate native vegetation within each plant community type.

This application also requests land use review approval of ongoing natural resource maintenance at the project site as long as is necessary to restore full habitat function and process. This includes annual maintenance of spawning gravels, along with periodic hand excavation of the pools, additional plantings, invasive species removal, and wood placement as needed.

The Crystal Springs Stream Enhancement project is proposed to enhance the overall functions and values of the creek, riparian corridor, and associated wetlands, from its current degraded state caused by pre-existing development activities at the site. The project will re-meander Crystal Springs Creek to restore habitat for endangered and threatened fish in the system.

There are a total of seven trees to be removed during grading of the site, one of which is native—a 50-inch red alder. The remaining six trees are walnut, apple, and tree of Heaven.

The majority of the site is within the City's Environmental Conservation and Environmental Protection overlay zones. Certain standards must be met to allow the work to occur by right. If the standards are not met, an Environmental Review is required. In this case, the proposed project includes work within Crystal Springs Creek. Standards 33.430.170 A is not met by the proposal; therefore the work must be approved through an Environmental Review. Note that the new bridge and sidewalk which are entirely within the public right of way, are exempt from Environmental Review according to Zoning Code section 33.430.080 D.2.

The project site is within the FEMA 100-year floodplain within the Johnson Creek Basin Plan District. Zoning Code section 33.537.150 D protects trees greater than six inches in diameter that are within the 100-year floodplain. Since the Crystal Springs Creek restoration project will result in removal of 7 trees an Adjustment Review must address the Johnson Creek Basin Plan District tree protection standards and must be approved.

RELEVANT APPROVAL CRITERIA:

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

- 33.430.250 B Resource Enhancement
- 33.805.040 Adjustments

FACTS

Description of the Site: The campus of Reed College encompasses approximately 100 acres in southeast Portland and is located at 3203 SE Woodstock Blvd. The attached zoning map depicts the extent of the campus (Exhibit B). Development surrounding the campus includes the Crystal Springs Rhododendron Test Gardens and the Eastmoreland Golf Course to the west, the East Moreland Hospital to the northwest, and residential uses to the north, east and south.

This particular project is located on the old Rivelli Farm (now owned by Reed College), situated at the west end of the campus, on SE 28th Avenue. The Farm consists of a total of approximately 1.5 acres (less than half in water/wetlands).

The Farm Property has roughly 325 lineal feet of straightened stream (the lower section is walled and about 5 feet wide), several side-channel springs that feed an excavated wetland area filled with watercress, and an aging 24" culvert under SE 28th Ave. The property also contains a home, garden area, old fruit trees, and a vacant upland field between the stream and SE 28th Ave. The site is dominated by invasive and/or non native species, which the Reed Facilities staff have been actively eradicating. There is no native riparian vegetation and limited native wetland vegetation.

Stream / Wetland Conditions:

Crystal Springs is a 2.1 mile long spring-fed creek that drains into Johnson Creek before entering the Willamette River. The project is located at the headwaters of Crystal Springs on the Reed College campus, where clear, cold, high quality ground water bubbles from multiple springs on the site. The area drains just over 0.25 square miles, with most of the drainage area coming from the Reed campus. The flows at the site are typically between 3-5 cubic feet per second.

The stream is variable in its width due to disturbance but is typically 5-8 feet wide on the Farm property and has medium to small gravels (D50 is 20-35 mm), with a mix of sands. Because the stream was straightened, it has a steeper slope than the likely historic conditions. The banks have minimal erosion due to the nature of the springs and water storage in the lake above – which provides consistent flow throughout the year, with little to no storm surge influence. The water quality at the site is excellent, given its source is deep groundwater.

Zoning: The College campus lies within multiple zones, including the R2, Multi Dwelling Residential 2,000 zone; the R5, Single Dwelling Residential 5,000 zone; the CN2, Neighborhood Commercial 2 zone; and the 'c' and 'p' Environmental Conservation and Protection overlay zones. The site is within the Floodplain Subdistrict of the Johnson Creek Basin Plan District.

The project site is on R2 zoned land. The R2 zone allows multi-dwelling residential development. A college or other Institutional Use of this nature is a Conditional Use in the R2 zone. Reed College currently operates under the Conditional Use Master Plan approved via case file LU 06-110903 CUMS AD. The creek enhancement project is not categorized as a particular land use by the Zoning Code and the provisions of the Conditional Use or the R2 base zone are not specifically addressed through this Environmental Review.

Environmental zones protect environmental resources and functional values that have been identified by the City as providing benefits to the public. The environmental regulations encourage flexibility and innovation in site planning and provide for development that is

carefully designed to be sensitive to the site's protected resources. The environmental regulations also carry out Comprehensive Plan policies and objectives. Both Environmental Conservation and Protection overlay zones are present on the campus. The purpose of this Environmental Review is to address Zoning Code regulations in the Environmental zones.

The Johnson Creek Basin Plan District is intended to provide for safe, orderly, and efficient development of lands which are subject to a number of physical constraints, including significant natural resources, steep and hazardous slopes, flood plains, wetlands, and the lack of streets, sewers, and water services. The requirements of that District are set out in Portland Zoning Code Chapter 33.537. This site is within the Floodplain Subdistrict which regulates tree preservation and impervious surfaces.

Environmental Resources: Application of the environmental zones is based on detailed studies that have been carried out in separate areas throughout the City. The City's policy objectives for these study areas are described in these reports. Each study report identifies the resources and describes the functional values of the resource sites. Functional values are the benefits provided by resources. The values for each resource site are described in the inventory section of these reports.

The project site is located within the *Johnson Creek Basin Protection Plan*, Sites #1 (Reed Lake), and #2 (Crystal Springs). Significant resource values have been identified at both inventory sites as: water, storm drainage, scenic, fish and wildlife habitat, aesthetics, heritage, flood storage, pollution and nutrient retention and removal, sediment trapping, recreation, and education.

Land Use History: City records indicate that the College has an extensive land use history. Originally established in 1911, the initial development on campus was guided by a college-based master plan envisioned by A. E Doyle, a prominent local architect. Reed College operates under an approved Conditional Use Master Plan, most recently updated via LU 08-114298 CU MS. For a complete description of previous land use history for the College, please refer to the current Conditional Use Master Plan, approved via case file number LU 08-114298 CU MS. Since the current proposal does not include development, it is not addressed by the Conditional Use Master Plan.

Agency and Neighborhood Review: A Notice of Proposal in your Neighborhood was mailed on April 1, 2010.

1. Agency Review: Several Bureaus and agencies have responded to this proposal. Please see Exhibits E.1 – E.6 for details. The comments are addressed under the appropriate criteria for review of the proposal, where they apply.

2. Neighborhood Review: No written responses were received from either the Neighborhood Association or notified property owners in response to the proposal.

ZONING CODE APPROVAL CRITERIA

33.430.250 Approval Criteria for Environmental Review

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

Findings: The approval criteria which apply to the proposed creek enhancements are found in Section 33.430.250 B. Resource Enhancement Projects. The applicant has provided findings for these approval criteria and BDS Land Use Services staff members have revised these findings or added conditions, where necessary to meet the approval criteria.

B. Resource enhancement projects. In resource areas of environmental zones, resource enhancement projects will be approved if the applicant's impact evaluation demonstrates that all of the following are met:

1. There will be no loss of total resource area;

Findings: The proposed project as described on page 2 of this report, does not include any new paved surfaces or structures that would lead to permanent loss of natural resource area. The proposed project will restore Crystal Springs Creek's geomorphic form and function by re-meandering approximately 400 feet of stream channel and adding missing habitat features like large wood and riparian plantings. The project will not alter the total resource area of the site. There will be no net loss of total natural resource area. The quality of the resource area will be improved significantly, and this criterion is met.

2. There will be no significant detrimental impact on any resources and functional values; and

Findings: The construction management practices to be employed by the applicant are described in extensive detail in Exhibit A.1 in the application case file. This narrative identifies flagging of sensitive areas, preparing the site, erosion control, temporary site access, in water work timing, fish salvage program, discharge of water during construction, isolation of the work area, and staging and stockpiling of vehicles and materials, all aimed at avoiding impacts to resources and functional values.

BDS Site Development (Exhibit E.3) confirmed that the proposal will not result in detrimental floodplain effects, as documented in the no-net rise certification by BES. They noted the requirement for a Conditional Letter of Map Revision (CLOMR) to be approved by FEMA, and a 1200-C permit from the Oregon Department of Environmental Quality. The CLOMR will be required prior to issuance of a City grading permit for this work.

Site Development noted that this area is designated in City Code 10.30.030 as a Special Site with additional requirements for erosion, sediment and pollution control. And that in-stream work requires special inspections by a Certified Professional in Erosion and Sediment Control (CPESC) or professional engineer, during construction.

With implementation of the construction management practices as detailed in Exhibit A.1, along with inspections that may be required by BDS during construction, this criterion will be met.

3. There will be a significant improvement of at least one functional value.

Findings: As described on page 2 of this report, and as depicted on attached Exhibits C.2 and C.6, just under an acre of stream, wetland, and upland habitats will be restored/created/enhanced. The project will improve creek channel complexity and shade, riparian buffer, as well as wetland and upland habitats. This project will increase the suitability of spawning habitat and holding pools for fish and amphibians. The project will maintain high water quality conditions, improve storm drainage, improve scenic and aesthetic values, maintain flood storage benefits, continue to support nutrient retention and removal, allow for functional sediment transport required by all streams, and increase the educational values of the site. The site will support improved wetlands and uplands for a diversity of birds, invertebrates, herptiles, and mammals that may occupy the site over time. This criterion is met.

33.805.040 Approval Criteria for Adjustment Review

The approval criteria for signs are stated in Title 32. All other adjustment requests will be approved if the review body finds that the applicant has shown that either approval criteria A. through F. or approval criteria G. through I., below, have been met.

Response: The project will occur within Johnson Creek Basin Plan District, partially within the 100-year floodplain. The Floodplain Standards (**33.537.150 D**) require trees to be preserved unless they are within 5 feet of paved surfaces or 10 feet of proposed buildings. There will be 7 trees removed from the site to accomplish the grading necessary to enhance Crystal Springs Creek. The trees are not within 5 feet of pavement or 10 feet of buildings. Their removal does not meet the Standards in the Johnson Creek Plan District regulations; therefore an Adjustment review is required to approve their removal. Findings for the applicable approval criteria are provided below.

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

Findings: The applicant proposes to Adjust Section **33.537.150 D** of the Johnson Creek Basin Plan District.

The purpose of the Johnson Creek Basin Plan District floodplain standards is to manage development in the floodplain in order to protect the quality and natural functions of the floodplain and reduce the loss of property in areas where flooding is common. Together, these regulations help reduce stormwater runoff, provide groundwater recharge, reduce erosion, retain and enhance native vegetation, and enhance water quality.

The Crystal Springs Stream Enhancement project proposes to enhance the overall functions and values of the creek, riparian corridor, and associated wetlands, from its current degraded state caused by pre-existing development activities at the site. The project proposes the re-meandering of Crystal springs to restore habitat for endangered and threatened fish in the system.

Removal of the seven trees (2 walnut, 3 apple, one tree of Heaven, and one red alder) will allow regrading of the creek to improve its functions, including managing stormwater runoff, providing groundwater recharge and enhancing water quality. Replanting the site with native vegetation will control erosion and enhance native vegetation. 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 an OS, C, E, or I zone, the proposal will be consistent with the classifications of the adjacent streets and the desired character of the area; and

Findings: The restoration of the creek and revegetation of the corridor will enhance livability of the area and improve the functions and values listed above as associated with the creek. 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: The project requests a single adjustment to the tree removal provision. This criterion does not apply.

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

Findings: The project is not in a scenic or historic resource area and will not impact such resources. This criterion does not apply.

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

Findings: The temporary impact from the loss of the existing trees will be fully offset by the restoration of the stream and wetland habitat and the extensive revegetation plan proposed (See attached Exhibits C.6 & C.7). This criterion is 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; or

Findings: The restoration project will have no detrimental environmental impact to the resources. It is specifically designed to improve the functions and values of the resource for fish and wildlife and preserve water quality. 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.

This project will occur within the Johnson Creek Basin Plan District and specifically in the 100-year floodplain area. The standards in Zoning Code Section 33.537.150 must be met at the time of development, or are Adjusted in this report.

33.537.150 Floodplain Standards

- A. Purpose.** The regulations of this section manage development in the floodplain in order to protect the quality and natural functions of the floodplain and reduce the loss of property in areas where flooding is common. Together, these regulations help reduce stormwater runoff, provide groundwater recharge, reduce erosion, retain and enhance native vegetation, and enhance water quality.
- B. Where these regulations apply.** These regulations apply to sites where any portion of the site is in the 100-year floodplain as currently defined by the Federal Emergency Management Agency (FEMA).
- C. Housing Types.** In R3, R2, and R1 zones, allowed housing types are limited to multi-dwelling structures, duplexes, and attached housing. A house is allowed on lots of record that cannot accommodate more than one dwelling unit under the provisions of Section 33.120.205, Density. Adjustments to this section are prohibited.

Response: No new houses are proposed and this standard will not apply.

- D. Tree removal.** Trees greater than six inches in diameter may be removed only in the following situations:

1. When they are within 10 feet of an existing or proposed building or 5 feet of a paved surface;
2. When they are diseased or pose an immediate danger, as determined by the City Forester or an arborist;
3. When they are below the ordinary high water level of Johnson Creek; or
4. When they are within a water, sewer, or other utility easement. In the Environmental Overlay zone, the regulations of Section 33.430.150, Standards for Utility Lines, must also be met.

Response: Trees proposed to be removed do not meet these standards and these standards are Adjusted by this land use review.

- E. Impervious surface.** No more than 50 percent of any site may be developed in impervious surface. Building eaves are included in the calculation of impervious surface.

Response: Impervious surface will be removed and this standard will be met.

CONCLUSIONS

The applicant proposes stream enhancement activities along Crystal Springs Creek on the Reed College campus. Large woody debris, and streambank re-meandering work will be conducted on the old Rivelli Farm (now owned by Reed College), situated at the west end of the campus, on SE 28th Avenue.

The project will create new channel meanders within a historically straightened section of Crystal Springs Creek to improve the geomorphic form, fish spawning and rearing habitat potential of the creek. The project proposes to place up to 20 pieces of large wood (of varying length of 20+ feet and averaging 10 inches in diameter) in the stream channel along with smaller woody materials and willow/dogwood cuttings, to help create channel diversity and maintain pool depths for fish.

Six non-native and one native tree will be removed to accomplish the grading to provide channel meanders in the creek, and the tree protection requirements of the Johnson Creek Basin Plan District must be adjusted.

The applicants and the above findings have shown that the proposal meets the applicable approval criteria for resource enhancement activities, as well as Adjustment reviews. Therefore, this proposal should be approved, subject to the following conditions.

ADMINISTRATIVE DECISION

Approval of an Environmental Review for:

- Conduct site grading to create channel meanders in Crystal Springs Creek;
- Removal of concrete and wood walls from in and around the creek;
- Placement of large woody debris and large boulders along and within Crystal Springs Creek; and
- Conduct ongoing site maintenance in the form of continued planting of native species, removal of invasive species, minor pool excavations, placement of additional large woody debris, and raking of spawning gravel by hand;

all within the Environmental Conservation and Protection overlay zones, and in substantial conformance with Exhibits C.1 through C. 7 as modified, signed, and dated by the City of Portland Bureau of Development Services on **May 6, 2010**. Approval is subject to the following conditions:

- A. All permits:** Copies of the stamped Exhibits C.1 through C.7 from LU 10-110619 EN AD and Conditions of Approval listed below, shall be included within all plan sets submitted for permits (grading, Site Development, erosion control, etc.). These exhibits shall be included on a sheet that is the same size as the plans submitted for the permit and shall include the following statement, ***"Any field changes shall be in substantial conformance with approved Exhibits C.1 through C.7."***
- B. Preconstruction Erosion Control inspection (IVR 200) by Bureau of Development Services** is required prior to any ground disturbing activity, for any work not covered by the Public Works Permit and approved by the City Engineer. The following conditions shall be shown on required permit plans:
1. No mechanized construction vehicles are permitted east of the Limits of Project line drawn onto Exhibit C.2 All planting work, invasive vegetation removal, and other work to be done east of this line, shall be conducted using hand held equipment.
 2. A registered professional engineer, other professional certified by the state with experience in preparing erosion control plans, or a registered Certified Professional in Erosion and Sediment Control (CPESC) who prepares and implements erosion control plans, shall prepare the required erosion control plan, if required by the Bureau of Development Services at the time of permitting.
- C. Native trees, shrubs and groundcovers** shall be planted, in substantial conformance with Exhibits C.6 and C.7 Planting Plan/Planting templates.
1. Plantings shall be installed between October 1 and March 31 (the planting season).
 2. Prior to installing required mitigation plantings, non-native invasive plants shall be removed from all areas within 10 feet of proposed native plantings, using handheld equipment.
 3. If required plantings are not included in the Public Works Permit, after installing the

required enhancement plantings, the applicant shall request inspection of Permanent Erosion Control Measures (IVR 210) by the Bureau of Development Services, who will confirm that all required plantings have been installed.

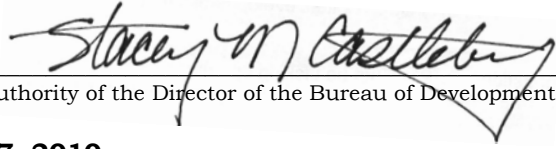
- D.** Failure to comply with any of these conditions may result in the City's reconsideration of this land use approval pursuant to Portland Zoning Code Section 33.700.040 and /or enforcement of these conditions in any manner authorized by law.

Note: the new bridge and sidewalk shown as entirely within the public right of way, are exempt from Environmental Review according to Zoning Code section 33.430.080 D.2.

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

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

Staff Planner: Stacey M Castleberry

Decision rendered by:  **on May 12, 2010**
By authority of the Director of the Bureau of Development Services

Decision mailed: May 17, 2010

About this Decision. This land use decision is **not a permit** for development. Permits may be required prior to any work. Contact the Development Services Center at 503-823-7310 for information about permits.

Procedural Information. The application for this land use review was submitted on February 10, 2010, and was determined to be complete on March 19, 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 February 10, 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 did not waive or extend the 120-day review period. Unless further extended by the applicant, **the 120 days will expire on: July 17, 2010.**

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 June 7, 2010** at 1900 SW Fourth Ave. Appeals can be filed Tuesday through Friday on the first floor of the Development Services Center until 3 p.m. After 3 p.m. and 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 call the Request Line at our office, 1900 SW Fourth Avenue, Suite 5000, phone 503-823-7617, to schedule an appointment. I can provide some information over the phone. Copies of all information in the file can be obtained for a fee equal to the cost of services. Additional information about the City of Portland, city bureaus, and a digital copy of the Portland Zoning Code is available on the internet at www.portlandonline.com.

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 **June 8, 2010 – (the 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.

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

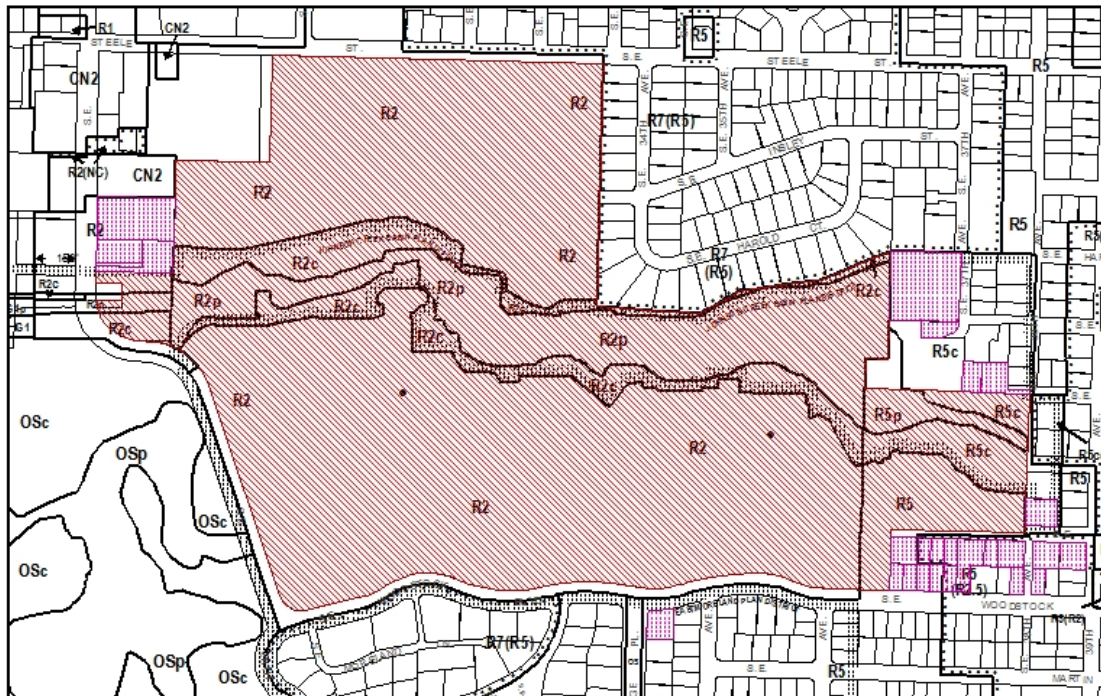
NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Existing Conditions Plan (attached)
 - 2. Grading Plan (attached)
 - 3. Plan and Profile
 - 4. Plan and Profile
 - 5. Bridge Plan
 - 6. Planting Plan (attached)
 - 7. Typical Planting templates (attached)
 - 8. Full sized stamped approved plans in application case file
- 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:

No neighborhood letters were received
- G. Other:
 - 1. Original LU Application
 - 2. Site History Research
 - 3. Incomplete letter

The Bureau of Development Services is committed to providing equal access to information and hearings.

Please notify us no less than five business days prior to the event if you need special accommodations. Call 503-823-7300 (TTY 503-823-6868).



ZONING

- Site
- Also Owned
- Historic Landmark



File No. LU 10-110619 EN AD
 1/4 Section 3533, 3534, 3633, 3634
 Scale 1 inch = 400 feet
 State_Id 1S1E13 100
 Exhibit B (Mar 30, 2010)

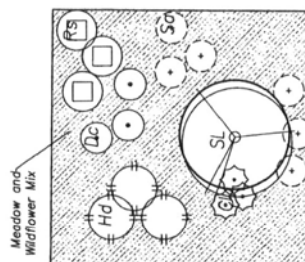
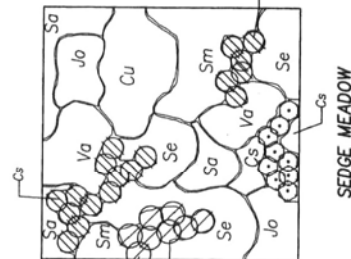
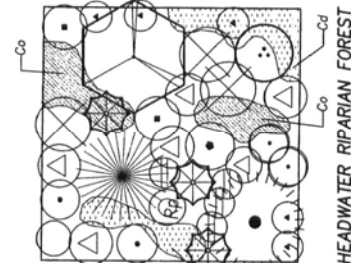
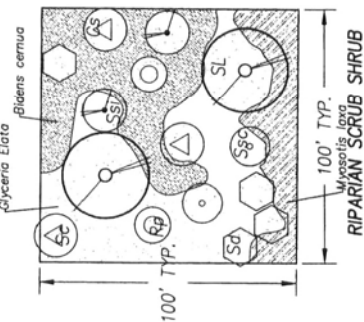
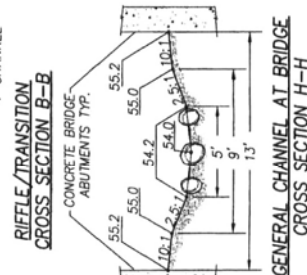
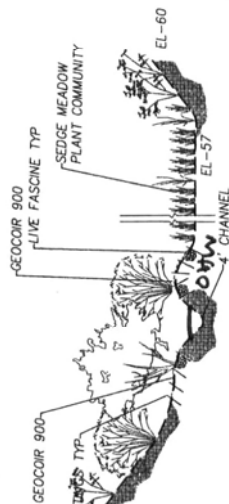
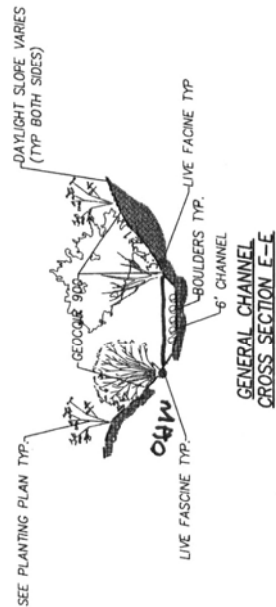
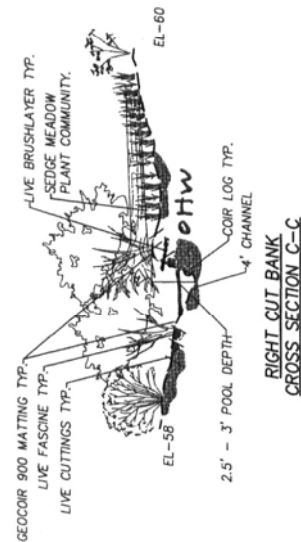
1 附錄

THEORY OF THE TRANSITION

50/50/50

100

100



OREGON OAK MEADOW

SEDGE MEADOW

HEADWATER RIPARIAN FOREST

CROSS SECTIONS ARE APPROXIMATE AND FOR PLANNING PURPOSES. COORDINATE ALL GRADING IN FIELD WITH FIELD INSPECTOR INCLUDING CHANNEL WIDTHS AND SLOPES.

CRYSTAL SPRINGS CREEK - CONCEPTUAL SECTIONS

[illegible]

Approved

City of Portland - Bureau of Development Services

City of Los Angeles
LU # LU 10-1000 Date May 12, 2010
Planner Stacey M. East
* Approval for Environmental Review only. Not a building permit.
Additional zoning requirements may apply.

RECEIVED

MAR 19 2010

Lu10-110619 EN) AP

9 of 15

TYPICAL SECTIONS & PLANTING TEMPLATES
CRYSTAL SPRINGS CREEK RESTORATION
PORTLAND, OR

**Harper
Houf Peterson
Righellis Inc.**

**ENGINEERS • PLANNERS
LANDSCAPE ARCHITECTS • SURVEYORS**

100 West 133rd Street, Suite 200, Portland, OR 97203
503.251.1333 Fax: 503.251.1332

Exhibit C.7