



**City of Portland, Oregon**  
**Bureau of Development Services**  
**Land Use Services**  
FROM CONCEPT TO CONSTRUCTION

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**Date:** May 11, 2012  
**To:** Interested Person  
**From:** Rachel Whiteside, Land Use Services  
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## **NOTICE OF A TYPE II<sub>x</sub> 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 12-101520 LDP AD**

#### **GENERAL INFORMATION**

**Applicant:** George A Zifcak & Co Inc  
6838 SE Belmont  
Portland, OR 97215

**Representative:** John Middleton  
ZTec Engineers  
3737 SE 8th  
Portland, OR 97202

**Owner:** Sharon L Woodward  
7418 SE Taylor St  
Portland, OR 97215-2265

**Site Address:** 7418 SE Taylor St

**Legal Description:** SUB OF BLOCK 3&4 LOT 5-7&13&14 TL 11400, WELCHBOROUGH  
**Tax Account No.:** R890302100  
**State ID No.:** 1S2E05AC 11400  
**Quarter Section:** 3138

**Neighborhood:** Mt. Tabor, contact Stephanie Stewart at 503-230-9364.  
**Business District:** Eighty-Second Avenue, contact Ken Turner at 503-484-6225.  
**District Coalition:** Southeast Uplift, contact Leah Hyman at 503-232-0010.

**Plan District:** None  
**Zoning:** R5 – Single-Dwelling Residential

**Case Type:** LDP AD – Land Division (Partition) with concurrent Adjustment Review  
**Procedure:** Type II<sub>x</sub> – an administrative decision with appeal to the Hearings Officer.

#### **Proposal:**

The applicant proposes to divide the 20,684 square foot site into three parcels. The site is currently developed with a single-family residence and associated accessory structures which are proposed to remain on Parcel 3. Parcel 3 is proposed as a flag lot with access from a 12-foot wide pole. Proposed Parcels 1 and 2 are narrow lots (34-feet wide each) intended for development with detached, single-family homes.

There are numerous trees on the site and the applicant has provided a Tree Preservation Plan prepared by a certified arborist. The applicant proposes to keep two large evergreen trees on the lot with the existing house that amount to 47 percent of the non-exempt tree diameter. Stormwater from the proposed lots will be disposed of in a shared drywell located within a 10-foot by 10-foot easement at the front of Parcels 1 and 2. The existing house on Parcel 3 has downspouts that drain onto the ground.

The proposed lots size for Parcel 3 exceeds the maximum lot size of 8,500 square feet in the R5 zone. For this reason, a Type II Adjustment is required. 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*). *ORS 92.010* defines “parcel” as a single unit of land created by a partition of land.

#### **Relevant Approval Criteria:**

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

- Section 33.660.120, Approval Criteria for Land Divisions in Commercial, Employment, and Industrial zones.
- Section 33.805.040.A-F, Approval Criteria for Adjustments.

### **FACTS**

**Site and Vicinity:** The roughly half-acre site slopes gradually downhill from west to east. The site is currently developed with a single-family home and several accessory structures, all of which is setback from the street significantly further than the adjacent development. Surrounding the existing home are several large conifers and a variety of smaller ornamental trees and arborescent shrubs.

While the lot and street pattern in the vicinity could be considered “standard,” the original Welchborough plat is characterized by lots larger than 5,000 square feet due to slightly oversized blocks. Block 3&4, where the site is located, is the exception. Block 3&4 is characterized by typical 5,000 square feet lots plus several significantly larger lots that are eligible for redevelopment.

#### **Infrastructure:**

- **Streets** – The site has approximately 80 feet of frontage on SE Taylor Street. There is one driveway entering the site that serves the existing house on the site. At this location, SE Taylor is classified as a Local Service Street for all modes in the Transportation System Plan. Tri-Met provides transit service approximately 550 feet from the site at the intersection of SE Yamhill and 76<sup>th</sup> Avenue via Bus #15.

Southeast Taylor Street has a 36-foot curb to curb paved surface within a 60-foot right-of-way with parking on both sides. Along the 80-foot wide site frontage the pedestrian corridor includes a 4-foot wide planter area, curb, 6-foot sidewalk and a 2-foot wide buffer at the back of the sidewalk (4-6-2 configuration).

- **Water Service** – There is an existing 6-inch DI water main in SE Taylor Street. The existing house is served by a 5/8-inch metered service from the main.
- **Sanitary Service** - There is an existing 15-inch concrete public combination sewer line in SE Taylor Street.

**Zoning:** The R5 designation, one of the City’s single-dwelling zones, is intended to preserve land for housing and to promote housing opportunities for individual households. The zone implements the comprehensive plan policies and designations for single-dwelling housing.

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

**Agency Review:** Several Bureaus have responded to this proposal and relevant comments are addressed under the applicable approval criteria. Exhibits “E” contain the full bureau responses.

**Neighborhood Review:** A Notice of Proposal in Your Neighborhood was mailed on **February 24, 2012**. Four written responses have been received from notified property owners in response to the proposal. All responses are in opposition to the proposal. The following concerns were raised (the City response follows in *Italics*):

- Loss of mountain views and associated depreciation;  
*Title 33 does not protect nor guarantee private views. Public viewpoints are inventoried and protected through the Scenic Resources Protection Plan. There are no inventoried public views on this block or in the immediate vicinity.*
- Loss of mature trees;  
*Chapter 33.630 contains the regulations for tree preservation on land division sites. Please see the discussion under Criterion B, below, for a description of how the applicant addressed these requirements.*
- Developer failed to seek input from neighborhood; and  
*The applicant contacted the neighborhood association on December 14, 2011, three weeks prior to submitting the land division application. The neighborhood association is allowed 14 days to respond with a request to meet with the developer (meeting must be held within 45 days) prior to an application being submitted. The neighborhood association did not request to meet with the applicant.*
- Too dense and too much development at the street.  
*A discussion on density can be found under Criterion A, below. Two alternative site configurations were discussed with the property owner during an early assistance appointment in 2006. However, the proposed density was still 3 lots total.*

## ZONING CODE APPROVAL CRITERIA

### 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.*

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 criteria that are not applicable. Applicable criteria are addressed below the table.

Criterion	Code Chapter/Section and Topic	Findings: Not applicable because:
C	33.631 - Flood Hazard Area	The site is not within the flood hazard area.
D	33.632 - Potential Landslide Hazard Area	The site is not within the potential landslide hazard area.
E	33.633 - Phased Land Division or Staged Final Plat	A phased land division or staged final plat has not been proposed.
F	33.634 - Recreation Area	The proposed density is less than 40 units.
J	33.640 - Streams, Springs, and Seeps	No streams, springs, or seeps are evident on the site outside of environmental zones.

L	33.654.110.B.2 - Dead end streets	No dead end streets are proposed.
	33.654.110.B.3 - Pedestrian connections in the I zones	The site is not located within an I zone.
	33.654.110.B.4 - Alleys in all zones	No alleys are proposed or required
	33.654.120.C.3.c - Turnarounds	No turnarounds are proposed or required
	33.654.120.D - Common Greens	No common greens are proposed or required
	33.654.120.E - Pedestrian Connections	There are no pedestrian connections proposed or required
	33.654.120.F - Alleys	No alleys are proposed or required
	33.654.120.G - Shared Courts	No shared courts are proposed or required
	33.654.130.D - Partial rights-of-way	No partial public streets are proposed or required

**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 dimension requirements applicable in the RF through R5 zones. Maximum density in the R5 zone is one unit per 5,000 square feet of site area. The site has a minimum required density of 3 units and a maximum density of 4 units.

The applicant is proposing 3 single-family parcels – 2 narrow lots and 1 flag lot. The density standards are therefore met.

The lot dimensions required and proposed are shown in the following table:

	Min. Lot Area (square feet)	Max. Lot Area (square feet)	Min. Lot Width* (feet)	Min. Depth (feet)	Min. Front Lot Line (feet)	Min. Flag Lot Width (feet)	Min. Flag Lot Depth (feet)
<b>R5 Zone</b>	3,000	8,500	36	50	30	40	40
Parcel 1	3,157		34	93	34		
Parcel 2	3,146		34	93	34		
Parcel 3**	14,381 (flag area = 13,273)				12	150	92

\* Width is measured by placing a rectangle along the minimum front building setback line specified for the zone. The rectangle must have a minimum depth of 40 feet, or extend to the rear of the property line, whichever is less.

\*\* For flag lots: (1) width and depth are measured at the midpoint of the opposite lot lines in the "flag" portion of the lot; (2) lot area calculations do not include the pole portion of the lot; and (3) minimum pole width is 12 feet.

Narrow Lots

Parcels 1 and 2 are each 34 feet wide — narrower than the minimum width for the R5 zone, as shown in the table above. The Zoning Code, however, allows narrower lots if the future development can meet the regulations of Section 33.610.200.D.

**Consistent with the Purpose of Lot Dimension Regulations**

The purpose of Lot dimension regulations are as follows:

The lot dimension regulations 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 so large that they seem to be able to be further divided to exceed the maximum allowed density of the site in the future; (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 applicant has demonstrated that the proposed Parcels 1 and 2 are consistent with the purpose of lot dimension regulations for the following reasons:

- The applicant has provided an example of a building footprint that meets all applicable setback requirements and is oriented towards the street. Therefore, they have demonstrated that the proposed lot(s) can accommodate a reasonably sized house, garage, and outdoor area, while meeting the development standards of the zoning code.
- The applicant has provided a preliminary utility plan that demonstrates that each lot has access for utilities and services and vehicle access to SE Taylor.
- The proposed lots are compatible with existing lots because they allow for future development to be oriented towards SE Taylor, consistent with the development pattern in the neighborhood.
- The proposed lots are not landlocked nor do they narrow to an unbuildable width close to the street

***The minimum width for lots that will be developed with detached houses may not be reduced below 25 feet***

The lots will be developed with detached houses and the proposed parcels are at least 25 feet wide.

***If the lot abuts an alley, then vehicle access is allowed only from the alley***

The site does not have access from an alley, so this standard does not apply.

***Lots must be configured so that development on the site will be able to meet the garage limitation standard of Subsection 33.110.253.E at the time of development***

The applicant has demonstrated, with Exhibit C.2, that each lot will be built with a house that is greater than 22 feet in width and will be able to accommodate a garage that will occupy no more than 50% of the length of the street facing façade. The garage limitation standards of Subsection 33.110.253.E can be met.

***60 percent landscaping requirement for attached houses***

The proposal is not for attached houses, so this standard does not apply.

***If parking is not required, alley access and garage limitation requirements do not have to be met if a covenant is provided.***

Parking is required. Therefore, alley access and the garage limitation requirements described above must be met.

**Flag Lots**

Parcel 3 is a flag lot. The Zoning Code, however, allows flag lots if the regulations of Section 33.610.400 are met.

***When allowed***

A flag lot is allowed only when one of the following are met:

(1a) An existing dwelling unit or attached garage on the site is located so that it precludes a land division that meets the minimum lot width standards. The dwelling unit and attached garage must have been on the site for at least five years; or

- (1b) The site has dimensions that preclude a land division that meets the minimum lot width standard of Paragraph 33.610.200.D.1;
- (2) Up to 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 the applicant is proposing 3 parcels, only one of which is a flag lot. The existing dwelling unit has been on the property for at least 5-years and is located so that it precludes a land division that meets minimum lot width standards. The minimum density standards are met. Therefore, a flag lot is allowed to be created.

### ***Dimensions***

The proposed flag lot meets applicable Zoning Code standards found in 33.610.400 because it has a "pole" at least 12 feet wide that connects to a street, and as shown above, meets the minimum lot area, width and depth standards.

### ***Vehicle Access***

Where it is practical, vehicle access must be shared between the flag lot and the lots between the flag portion of the lot and the street. Factors that may be considered include the location of existing garages, driveways, and curb cuts, stormwater management needs, and tree preservation. Access easements may be used.

Due to the location of the existing house, the only location for a driveway and parking pad is the east end of the site. This is also the location of the existing gravel driveway (and carport that will be removed). As the two lots to front on SE Taylor Street will be narrow lots, they have restrictions on front yard paving. Additionally, Parcels 1 and 2 must be able to accommodate stormwater at the front (downhill side) of the lots. For these reasons, a shared driveway between the flag lots and the front lots is not practical.

### **Conclusion**

The findings above show that proposed Parcels 1 and 2 can meet the regulations for narrow lots in Section 33.610.200.D and that Parcel 3 can meet the flag lot regulations in Section 33.610.400. 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 preserve trees and mitigate for the loss of trees. The applicant has provided an arborist report that inventories the trees within the land division site, evaluates their condition and specifies root protection zones (Exhibit A.5). Six trees have been exempted because they are either unhealthy, a nuisance species, or located within 10 feet of an existing structure to remain on the property. Trees #391 and 392 are proposed to be retained.

The total non-exempt tree diameter on the site is 207 inches. The applicant proposes to preserve trees #391 and 392, which comprise of 98 inches of diameter, or 47 percent of the total non-exempt tree diameter. This proposal preserves 50 percent of the significant trees on site and exceeds Option 1 of the tree preservation standards, which requires at least 35 percent of the total tree diameter on the site to be preserved. The trees to be preserved and the required root protection zones are identified on Exhibit C.2, Proposed Development Plan.

In order to ensure that future owners of the lots are aware of the tree preservation requirements, the applicant must record an Acknowledgement of Tree Preservation Requirements at the time of final plat.

This criterion is met, subject to the condition that development on Parcels 1 and 3 be carried out in conformance with the the applicant's arborist report (Exhibit A.5) and an acknowledgement of tree preservation requirements is recorded with the final plat.

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

**Findings:**

***Clearing and Grading***

The regulations of Chapter 33.635 ensure that the proposed clearing and grading is reasonable given the infrastructure needs, site conditions, tree preservation requirements, and limit the impacts of erosion and sedimentation to help protect water quality and aquatic habitat.

In this case, the site has a gentle slope and is not located within the Potential Landslide Hazard Area. Therefore, no significant clearing or grading will be required on the site to make the new lots developable. In addition, there are no trees required to be preserved in the areas where new development on the site is anticipated. This criterion is met.

***Land Suitability***

The site is currently in residential use, and there is no record of any other use in the past. Although the site is currently connected to the public sanitary sewer, there is an old septic system on the site. The City has no record that this facility was ever decommissioned. Prior to final plat, the applicant must meet the requirements of the Site Development Section of the Bureau of Development Services for the decommissioning of this facility. With this condition, the new lots can be considered suitable for new development, and this criterion is met.

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

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

A Private Storm Sewer Easement is required across the relevant portions of Parcel 1 and 2, for a shared drywell that will provide stormwater disposal for both parcels.

As stated in Section 33.636.100 of the Zoning Code, a maintenance agreement(s) will be required describing maintenance responsibilities for the easement 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.

**I. Solar access. If single-dwelling detached development is proposed for the site, the approval criteria of Chapter 33.639, Solar Access, must be met.**

**Findings:** The solar access regulations encourage variation in the width of lots to maximize solar access for single-dwelling detached development and minimize shade on adjacent properties.

In this case the site fronts on SE Taylor Street, which is an east-west street. On streets that are within 30 degrees of a true east-west axis, the narrowest lots should be interior lots on the south side of the street. All of the proposed lots are on the south side of an east-west oriented street, and are considered interior lots (not on a corner). Additionally, the proposed lots are narrower than the adjacent properties. This criterion is therefore met.

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

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

**Findings:** The regulations of Chapter 33.641 allow the traffic impacts caused by dividing and then developing land to be identified, evaluated, and mitigated for if necessary. Chapters 33.651 through 33.654 address water service standards, sanitary sewer disposal standards, stormwater management, utilities and rights of way. The criteria and standards are met as shown in the following table:

<p><b>33.651 Water Service standard</b> – See Exhibit E.3 for detailed bureau comments.</p> <p>The water standards of 33.651 have been verified. Water is available to serve the proposed development from the water main in SE Taylor Street.</p> <p>As a result of the proposed land division, the water line that provides service to the existing home on Parcel 3 will no longer be located entirely on the same lot as the home. Title 21 requires that the water service connection be located along the frontage of the lot to be served. Water service connections are not allowed by means of an easement. Therefore, prior to final plat approval, the water service for the existing home must be relocated, so that the service connection will be located along the frontage of Parcel 3. The existing line may potentially be used to serve future Parcel 1.</p>
<p><b>33.652 Sanitary Sewer Disposal Service standards</b> – See Exhibit E.1 for detailed comments.</p> <p>The sanitary sewer standards of 33.652 have been verified. There is an existing 15-inch concrete public combination sewer located in SE Taylor Street that can serve the sanitary needs of the proposed lots. There is one existing sewer service from that main connected to the existing home.</p> <p>As a result of the proposed land division, the existing sewer connection that serves the house on Parcel 3 will cross over Parcels 1 and 2 to reach the sewer main in SE Taylor Street. The applicant must obtain a plumbing permit to cap the existing sewer connection and establish a new service for the house located entirely on Parcel 3, prior to final plat approval. All plumbing permits must receive final inspection approval prior to Final Plat approval.</p>
<p><b>33.653.020 &amp; .030 Stormwater Management criteria and standards</b> – See Exhibits E.1 &amp; E.5</p> <p>BES has verified that a stormwater management system can be designed that will provide adequate capacity for the expected amount of stormwater.</p> <p>No stormwater tract is proposed or required. Therefore, criterion A is not applicable.</p> <p>The applicant has proposed the following stormwater management methods</p> <ul style="list-style-type: none"> <li>• <b>Parcels 1 and 2:</b> Stormwater from these lots will be directed to a shared drywell that will treat the water and slowly infiltrate it into the ground. The 10' x 10' private stormwater easement is sufficient area for a stormwater facility that can be adequately sized and located to meet setback standards, and accommodate water from two reasonably-sized homes. The applicant provided a Simplified Approach stormwater report (Exhibit A.4) with infiltration test results of 5 inches per hour. BES has accepted that report.</li> <li>• <b>Parcel 3 (the lot with the existing house):</b> The applicant provided a Utility Plan (Exhibit C.x) that shows those downspouts on the existing house that do not discharge to the existing drywell direct flow to disconnected splashblocks with adequate setback clearance to proposed property lines. This is acceptable to BES.</li> </ul>

**33.654.110.B.1 -Through streets and pedestrian connections**  
**33.654.130.B - Extension of existing public dead-end streets & pedestrian connections**  
**33.654.130.C - Future extension of proposed dead-end streets & pedestrian connections**

Generally, through streets should be provided no more than 530 feet apart and at least 200 feet apart. Pedestrian connections should generally be provided no more than 330 feet apart and at least 200 feet apart. The block on which the subject property is located meets the noted spacing requirements.

The properties to the east and west of the site appear to have potential to further divide under current zoning. However, they have sufficient frontage on an existing street to provide access to the interior of the property. There is no need for this site to extend a street to the east or west property boundaries.

For these reasons, these criteria are met.

**33.641 – Transportation Impacts – 33.641.020 and 33.641.030**  
**33.654.120.B & C Width and elements of the street right-of-way**

Based on the available evidence, PBOT estimates that the increase in daily trips will be less than 10 total trips per day, with the majority of trips occurring during non-peak hours (according to *Institute of Transportation Engineers – Trip Generation Manual*, 8<sup>th</sup> ed.). Other factors taken into consideration are two possible travel route directions to and from the site, an improved pedestrian corridor which should encourage an alternative mode of transportation, and transit service available less than 600 feet from the site. PBOT staff has determined that there will be a minimal impact on existing facilities and capacity (see Exhibit E.2 for a detailed analysis).

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. Portland Transportation has not identified or been made aware of any factors related to this proposal that lead to a conclusion other than that two additional dwellings can be safely served by this existing street without having any significant impact on the level of service provided.

The proposed development on the site includes two new curb cuts. PBOT has indicated that if the curb and/or sidewalk are damaged or found to be in poor condition at the time of development, reconstruction of the pedestrian corridor along the site frontage to City standards may be required.

This criterion is met, with the condition that curb and sidewalk improvements are made at the time of development.

**33.654.130.A - Utilities (defined as telephone, cable, natural gas, electric, etc.)**

Any easements that may be needed for private utilities that cannot be accommodated within the adjacent right-of-ways can be provided on the final plat. At this time no specific utility easements adjacent to the right-of-way have been identified as being necessary. Therefore, this criterion is met.

**33.805.040 Approval Criteria**

**Adjustment requests 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:** The maximum lot size in the R5 zone is 8,500 square feet. Parcel 3 is proposed to be 14,381 square feet (flag area 13,273 square feet). The lot dimension regulations 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 so large that they seem to be able to be further divided to exceed the maximum

allowed density of the site in the future; (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.

Granting the adjustment will equally meet the stated purposes of the lot dimension standards because:

- Parcel 3 is already developed with a house, driveway with off-street parking, outdoor area, and related accessory structures;
- The development currently meets all development standards of the R5 zone and will continue to meet the standards for a flag lot following the partition;
- As noted under the density findings above, the maximum density for this site is 4 units. This proposal creates 3 parcels. Parcel 3 would be eligible for a maximum density of 2 units should it be redeveloped in the future (although the width of the proposed pole currently precludes future redevelopment). Therefore, Parcel 3 is not so large as to allow maximum density to be exceeded in the future.
- While Parcel 3 will remain one of the larger lots on the block, it is already developed with a single-dwelling residence that sits behind the home to the west.
- Development on flag lots is not required to orient towards a street. By keeping the existing development on a flag lot, it does allow for future development to orient towards SE Taylor Street.
- Parcel 3 has an existing driveway from SE Taylor that will be maintained within a 12-foot wide pole;
- Utilities serving the development on Parcel 3 will continue to come from SE Taylor, however the water and sanitary sewer lines must be relocated into the pole portion of proposed Parcel 3; and
- Parcel 3 is not landlocked.

For all of these reasons, this criterion is 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:** Proposed Parcel 3 is developed with a single-family home and associated accessory structures. Future development on proposed Parcels 1 and 2 will also be for single-dwelling residences. The proposed site configuration, with two narrow lots on the street is more consistent with the appearance of the residential area than a site configuration that would include a new private street serving a house behind the existing residence. The proposed site configuration most closely maintains the existing lot and block pattern, while allowing the site to develop to the minimum density level desired in the R5 zone. For these reasons the proposal will not detract from the livability or appearance of the residential area and this criterion is 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:** City designated resources are shown on the zoning map by the 's' overlay; historic resources are designated by a large dot, and by historic and conservation districts. There are no such 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:** There are no discernible impacts that would result from granting the requested adjustment. 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;

**Findings:** The site is not within a mapped environmental zone, shown on the official zoning maps with a 'c' or 'p' designation. Therefore, this criterion is not applicable.

## **DEVELOPMENT STANDARDS**

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.

### **Future Development**

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

- Parcel 3 (Flag Lot): special setback standards apply to flag lots in the RF-R2.5 zone (33.110.240.F).
- Parcels 1 and 2 (Narrow Lots): development will be subject to the following standards at the time of development permitting:
  - Height of the structures will be limited to 1.2 times the width of the structure, per 33.110.215.B.2; and
  - Garages can be no wider than 50% of the width of the front façade of the house, per 33.110.253.E.3.a
  - Attached garages are not permitted where the street facing façade of a unit will be less than 22 feet per 33.110.253.E.3.b.

**Existing development that will remain after the land division.** The existing development on the site will remain and be located on Parcel 3. 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 R5 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. Alternatively, 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. The existing house will be 10 feet from the new property line. Therefore, the required setbacks are being met. 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.
- Accessory Structure – Covered structures over 6 feet in height are not allowed within a required side setback. Therefore, in order for the proposed new lots to be approved, the accessory structure that will be within the 10-foot setback on Parcel 3 must be removed or relocated prior to final plat. A demolition permit is required if the structure is large enough to require a permit to build. The applicant must provide documentation prior to final plat

approval that all required demolition permits have received final inspection. To ensure that this standard is met, a condition of approval is necessary.

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 and Topic	Contact Information
Water Bureau	Title 21 - Water availability	503-823-7404 <a href="http://www.portlandonline.com/water">www.portlandonline.com/water</a>
Environmental Services	Title 17; 2008 Stormwater Manual Sewer availability & Stormwater Management	503-823-7740 <a href="http://www.portlandonline.com/bes">www.portlandonline.com/bes</a>
Fire Bureau	Title 31 Policy B-1 - Emergency Access	503-823-3700 <a href="http://www.portlandonline.com/fire">www.portlandonline.com/fire</a>
Transportation	Title 17, Transportation System Plan Design of public street	503-823-5185 <a href="http://www.portlandonline.com/transportation">www.portlandonline.com/transportation</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.portlandonline.com/bds">www.portlandonline.com/bds</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 providing fire apparatus access over the flag pole (including turning radius onto the flag pole), ensuring adequate hydrant flow from the nearest fire hydrant or obtaining an approved Fire Bureau appeal to this requirement, addressing requirements for all lots, and recording an Acknowledgement of Special Land Use Conditions where it is required. These requirements are based on the technical standards of Title 31 and Fire Bureau Policy B-1.

## CONCLUSIONS

The applicant has proposed a three-parcel partition, as shown on the attached preliminary plan (Exhibit C.1). 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: tree preservation, utilities serving the existing house, and fire access to the existing house.

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

## ADMINISTRATIVE DECISION

**Approval** of a Preliminary Plan for a 3-parcel partition, that will result in two narrow lots and one flag lot, as illustrated with Exhibit C.1, subject to the following conditions:

**A. Supplemental Plan.** Three copies of an additional supplemental plan shall be submitted with the final plat survey for Land Use, BES, and Fire 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 final location of the modified sanitary service lateral for the house on Parcel 3.
- The final location of the modified water service lateral for the house on Parcel 3.
- The approved fire apparatus access within 150 feet of all portions of the existing structure on Parcel 3.
- The fire access lane to the existing house with a turning radius of 28 feet inside, 48 feet outside.
- Any other information specifically noted in the conditions listed below.

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

1. A private stormwater management easement, for the benefit of Parcels 1 and 2, shall be shown and labeled over the relevant portions of Parcels 1 and 2.
2. 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.6 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 shall meet the requirements of the Water Bureau concerning relocation of the water service connection to the existing home.
2. The applicant shall meet the requirements of the Bureau of Environmental Services concerning relocation of the sanitary sewer service connection to the existing home.
3. The applicant shall meet the requirements of the Site Development Section of the Bureau of Development Services for the decommissioning of the existing sanitary sewer system on the site
4. The applicant shall meet the requirements of the Fire Bureau for ensuring adequate hydrant flow from the nearest hydrant. The applicant must provide verification to the Fire Bureau that Appendix B of the Fire Code is met, the exception is used, or provide an approved Fire Code Appeal prior final plat approval.
5. The applicant must meet the requirements of the Fire Bureau for providing an adequate fire access way for Parcel 3, as required in Chapter 5 of the Oregon Fire Code. Alternately, the applicant will be required to install residential sprinklers in the house on Parcel 3, if applying the exception. An Acknowledgement of Special Land Use Conditions describing the sprinkler requirement must be referenced on and recorded with the final plat.

**Existing Development**

6. The applicant must obtain a finalized permit for moving or removing the accessory structure(s) on Parcel 3 to comply with the minimum setback.

**Required Legal Documents**

7. A Maintenance Agreement shall be executed for the Private Stormwater Management Easement described in Condition B.1 above. The agreement shall 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. If required by Condition C.5, above, the applicant shall execute an Acknowledgement of Special Land Use conditions, requiring residential development on Parcel 1 to contain internal fire suppression sprinklers. The acknowledgement shall be recorded with Multnomah County, and referenced on the final plat.
9. The applicant shall execute an Acknowledgement of Tree Preservation Requirements that notes tree preservation requirements that apply to Parcels 1 and 3. A copy of the approved Tree Preservation Plan must be included as an Exhibit to the Acknowledgement. The acknowledgment shall be recorded with Multnomah County and referenced on the final plat.

**Other requirements**

10. The applicant must meet the addressing requirements of the Fire Bureau for Parcel 3, the flag lot.

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

1. Development on Parcels 1 and 3 shall be in conformance with the tree preservation notes on the Proposed Development Plan (Exhibit C.2, notes 10 and 18) and the applicant's arborist report (Exhibit A.5). Specifically, trees numbered 391 and 392 are required to be preserved, with the root protection zones indicated on Exhibit C.2. Tree protection fencing is required along the root protection zone of each tree to be preserved during any construction activities. The fence must be 6-foot high chain link and be secured to the ground with 8-foot metal posts driven into the ground. Encroachment into the specified root protection zones may only occur under the supervision of a certified arborist. Planning and Zoning approval of development in the root protection zones is subject to receipt of a report from an arborist, explaining that the arborist has approved of the specified methods of construction, and that the activities will be performed under his supervision.
2. The applicant must meet the addressing requirements of the Fire Bureau for Parcels 1 and 2. The location of the sign must be shown on the building permit.
3. The applicant must provide a fire access way that meets the Fire Bureau requirements related to aerial fire department access. Aerial access applies to buildings that exceed 30 feet in height as measure to the bottom of the eave of the structure or the top of the parapet for a flat roof.
4. Reconstruction of the sidewalk corridors along SE Taylor Street to the satisfaction of the City Engineer will be required at the time of building permit review.

**Staff Planner: Rachel Whiteside**

**Decision rendered by:**     *Rachel Whiteside*     **on May 8, 2012**  
By authority of the Director of the Bureau of Development Services

**Decision mailed May 11, 2012**

**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 6, 2012, and was determined to be complete on February 22, 2012.

*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 6, 2012.

*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 until questions with the Fire Bureau could be addressed (Exhibit A.7). It took 30 days to resolve those issues. Unless further extended by the applicant, **the 120 days will expire on: July 21, 2012.**

**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 25, 2012** at 1900 SW Fourth Ave. 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. Assistance in filing the appeal and information on fee waivers is available from BDS in the Development Services Center. 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. These other concurrent approvals 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 these concurrent land use reviews. 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 Adjustment approval was necessary for the land division to be approved. 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.

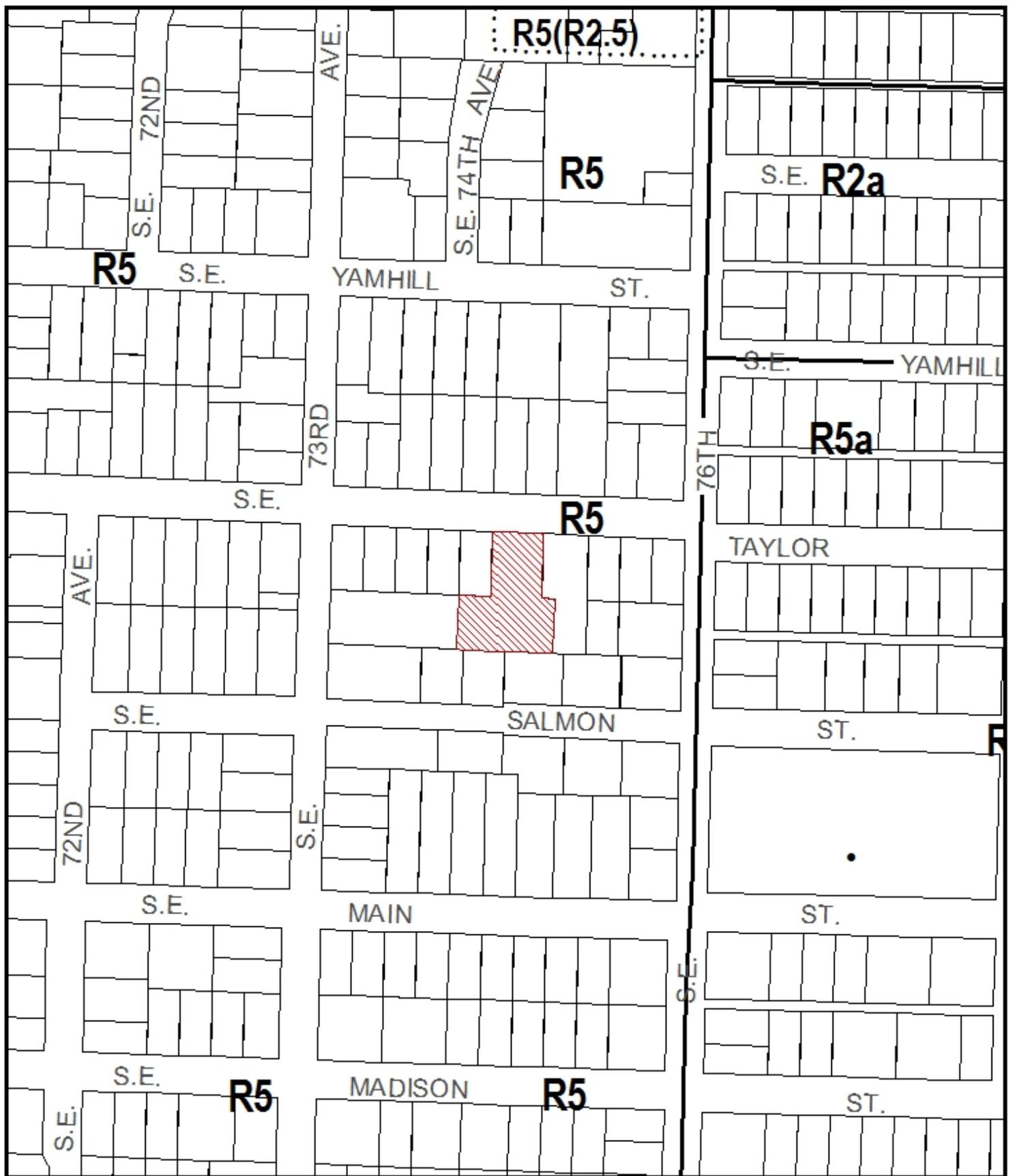
All other concurrent approvals expire three years from the date rendered, unless a building permit has been issued, or the approved activity has begun. Zone Change and Comprehensive Plan Map Amendment approvals do not expire.

**EXHIBITS**

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement:
  - 1. Original Narrative
  - 2. Arborist Report
  - 3. Revised Narrative
  - 4. Stormwater Calculations – Simplified Approach
  - 5. Alternative Tree Preservation Plan
  - 6. Response to Completeness Review
  - 7. Extension of 120-day Timeline, received April 4, 2012
- B. Zoning Map (attached)
- C. Plans/Drawings:
  - 1. Preliminary Plan (attached)
  - 2. Proposed Development Plan (attached)
  - 3. Clearing & Grading Plan
- 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:
  - 1. Mary Culbertson, March 16, 2012, letter in opposition to proposal
  - 2. Laura and Robert Rodgers, March 16, 2012, letter in opposition to proposal
  - 3. Greg Seymour, March 26, 2012, letter in opposition to proposal
  - 4. Laura and Robert Rodgers, March 26, 2012, letter in opposition to proposal
- G. Other:
  - 1. Original LU Application
  - 2. Neighborhood Notification
  - 3. Site History Research
  - 4. Incomplete Letter, dated January 26, 2012

**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



Historic Landmark



NORTH

File No. LU 12-101520 LDPAD  
 1/4 Section 3138  
 Scale 1 inch = 200 feet  
 State\_Id 1S2E05AC 11400  
 Exhibit B (Jan 09,2012)

**LEGEND:**

- MONUMENTS FOUND
- AS NOTED
- IR. IRON ROD
- I.P. IRON PIPE
- FD. FOUND
- (M) MEASURED
- SN(1) SN 59155
- SN(2) SN 54332
- SN(3) SN 36240
- SN(4) SN 18681
- SN(5) SN 54172
- SN(6) SN 46824
- (PP) DENOTES PREPARED
- (P) DENOTES PLAT OF THE SUBDIVISION OF BLOCKS 3 & 4, WELCH BOROUGHT
- YPC DENOTES YELLOW PLASTIC CAP
- RPC DENOTES RED PLASTIC CAP



FD. 5/8" IR. WITH RPC  
STAMPED "TERGUSON LS 2445"  
SET ON SN(1) (GOOD FOR NOTHING)

POINT "A"  
FD. BRASS SCREW WITH  
3/4" BRASS WASHER  
STAMPED "LS 2445"  
SET ON SN(1) (HELD)

FD. BRASS SCREW WITH  
PUNCH MARK, O.U.  
FD. ON SN(3)  
N 003200° E 5.00'

FD. BRASS SCREW WITH  
PUNCH MARK, O.U.  
FD. ON SN(3)  
N 002655° E 0.09'

FD. BRASS SCREW WITH  
PUNCH MARK, O.U.  
FD. ON SN(3)  
N 002655° E 0.03'

FD. BRASS SCREW WITH  
PUNCH MARK, O.U.  
FD. ON SN(3)  
N 002655° E 0.04'

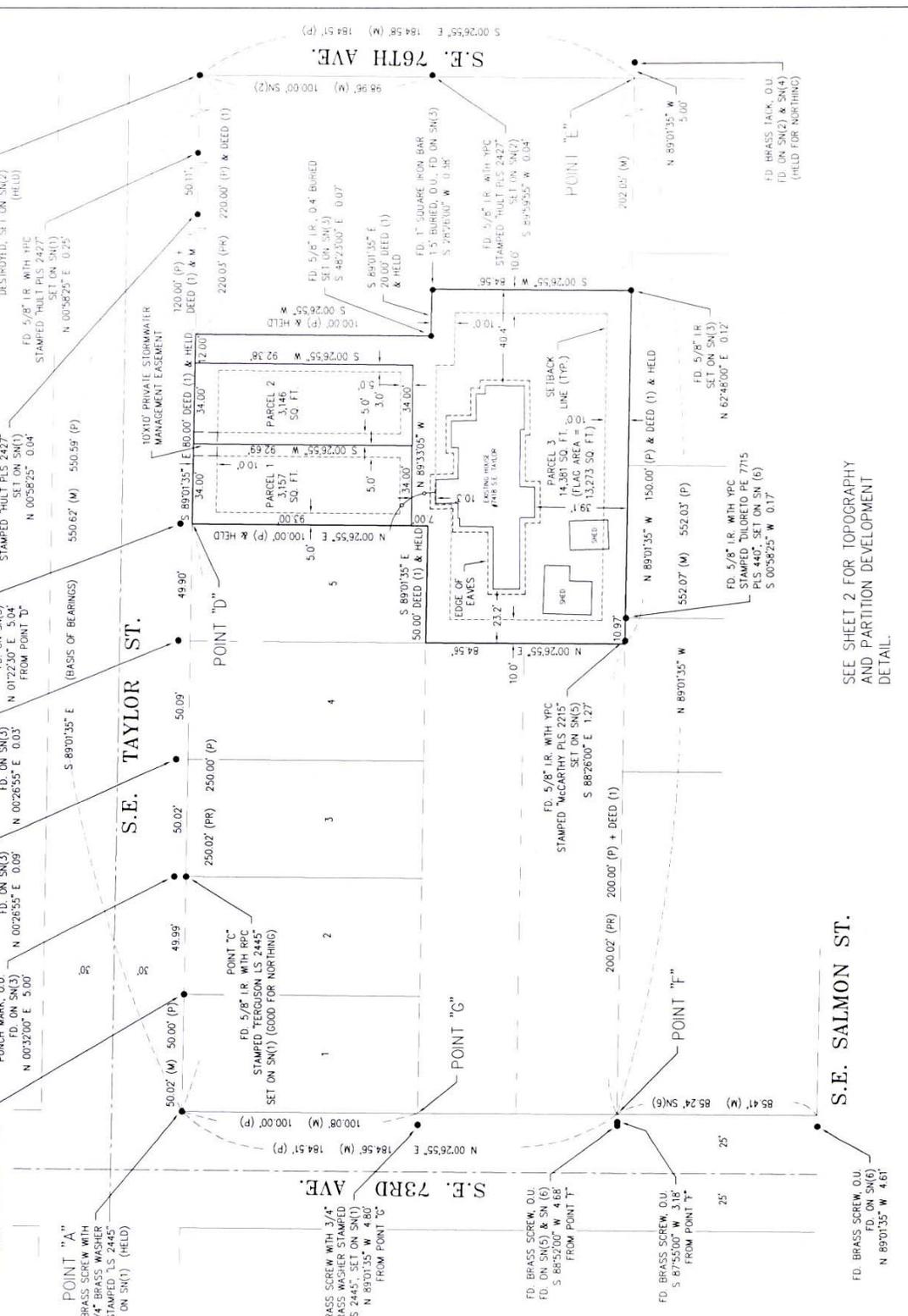
FD. 5/8" IR. WITH YPC  
DESTROYED, SET ON SN(2)  
(HELD)

FD. 5/8" IR. WITH YPC  
SET ON SN(1)  
N 005825° E 0.04'

FD. 5/8" IR. WITH YPC  
SET ON SN(1)  
N 005825° E 0.25'

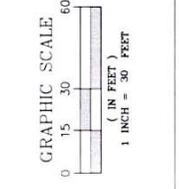
FD. 5/8" IR. WITH YPC  
SET ON SN(2)  
N 005825° E 0.04'

FD. BRASS SCREW, O.U.  
FD. ON SN(6)  
N 89°01'35" W 4.61'



SEE SHEET 2 FOR TOPOGRAPHY  
AND PARTITION DEVELOPMENT  
DETAIL.

**NOTES:**  
ELEVATIONS BASED ON C.O.P. BM #1892, BRASS  
DISC AT N.W. CORNER OF S.E. MAIN ST. & S.E.  
76TH AVE.  
ELEV. = 307.88  
SITE BENCHMARK:  
RRS IN PP AT N.W. CORNER  
ELEV. = 325.25



**ZTEC ENGINEERS INC.**  
737 S.E. 8TH AVE., PORTLAND, OREGON 97202  
PH: (503) 235-8795 FAX: (503) 233-7889

LOCATED IN THE N.E. 1/4 OF SECTION 5,  
T.15S., R.2E., W.4M., IN THE CITY OF PORTLAND,  
MULTNOMAH COUNTY, OREGON

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

OREGON  
JULY 12, 1986  
CHRIS FISCHBORN  
1944

RENEWAL DATE: 1/7/2014

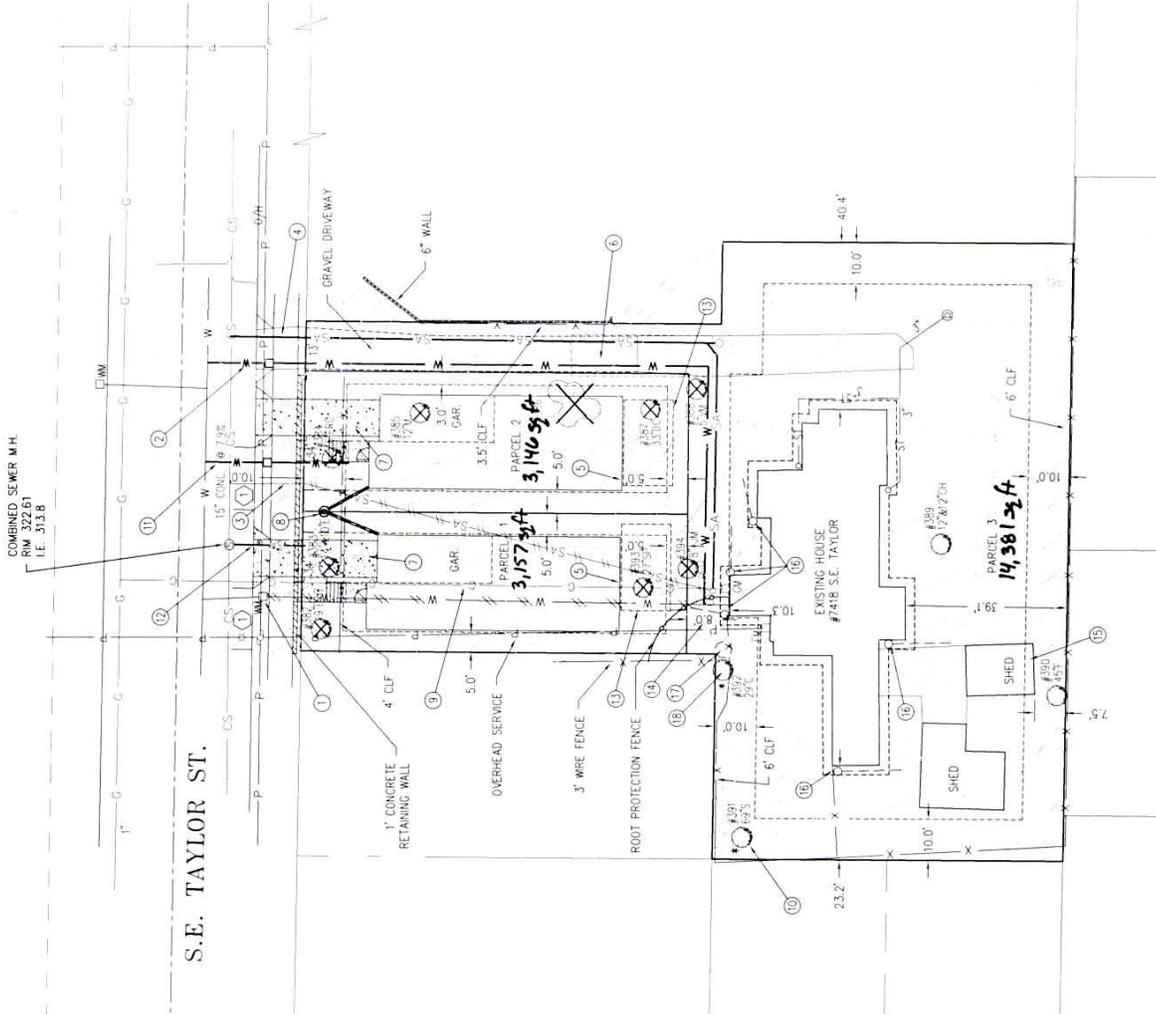
**GEORGE ZIFCAK**  
7418 S.E. TAYLOR ST.

**PRELIMINARY PARTITION PLAN**

LU 12-101520 LDP AD  
Exhibit C.1  
SHEET 1 OF 2

**LEGEND:**

- ⊙ PROPOSED DRYWELL
- ⊖ EXISTING DRYWELL
- P — PROPOSED SEWER SERVICE
- S — PROPOSED STORM SERVICE
- W — PROPOSED WATER SERVICE
- SA — EXISTING SANITARY MANHOLE
- SA — EXISTING SEWER
- ST — EXISTING STORM
- W — EXISTING WATER
- C — EXISTING GAS
- P — EXISTING POWER
- X — EXISTING FENCE
- — EXISTING CONCRETE SIDEWALK
- — PROPOSED CONCRETE DRIVEWAY
- — EXISTING CONTOUR
- ⊙ EXISTING SANITARY MANHOLE
- ⊖ EXISTING LIGHT POLE
- ⊖ EXISTING POWER POLE
- WV ⊕ EXISTING WATER VALVE
- WV ⊕ EXISTING WATER METER
- WV ⊕ EXISTING WATER METER
- ⊖ EXISTING TREE TO REMAIN OR REMOVE AS REQUIRED
- ⊖ EXISTING TREE TO BE REMOVED
- ⊖ EXISTING TREE TO BE RETAINED
- DC DEODORA CEDAR
- C CEDAR
- CH CHERRY
- ERC EASTERN RED CEDAR
- F FR
- SP NORWAY SPRUCE
- L PORTUGUESE LAUREL OLMP
- W W
- S SECUIA
- JM JAPANESE MAPLE
- WM WINE MAPLE
- ⊖ ON-STREET PARKING SPACE



- 1 EXISTING WATER SERVICE TO BE USED FOR FUTURE HOME ON PARCEL 1.
- 2 PROPOSED NEW WATER SERVICE TO HOME ON PARCEL 1 TO BE INSTALLED TO ADJACENT TO EXISTING LINE NORTH SIDE OF BUILDING.
- 3 EXISTING SEWER SERVICE TO BE RE-USED FOR FUTURE HOME ON PARCEL 2.
- 4 PROPOSED NEW SEWER SERVICE TO HOME ON PARCEL 3 TO BE INSTALLED TO ADJACENT TO EXISTING LINE ON NORTH SIDE OF BUILDING.
- 5 POSSIBLE FUTURE BUILDING FOOTPRINT.
- 6 EXISTING DRIVEWAY TO BE REMOVED.
- 7 POSSIBLE FUTURE DRIVEWAY.
- 8 FUTURE DRYWELL FOR ROOF DRAINAGE DISPOSAL FROM FUTURE HOMES ON PARCEL 1 AND PARCEL 2. IN 10'x10' PRIVATE STORMWATER MANAGEMENT EASEMENT LOCATE DRYWELL MIN. 10 FT FROM FOUNDATIONS AND 5 FT FROM RIGHT OF WAY LINE ON COMMON LOT LINE.
- 9 GAS SERVICE TO BE RELOCATED BY NW NATURAL.
- 10 EXISTING TREE TO BE RETAINED. FENCING NOT REQUIRED SINCE NO WORK ON PARCEL 3 WITHIN ROOT ZONE. (ROOT PROTECTION ZONE 30' RADIUS PER ARBORIST REPORT)
- 11 PROPOSED WATER SERVICE FOR FUTURE HOME ON PARCEL 2.
- 12 PROPOSED SEWER SERVICE FOR FUTURE HOME ON PARCEL 1.
- 13 OUTDOOR LIVING AREA MIN. 250 SQ. FT. AND 12'x12' MIN. DIMENSIONS.
- 14 MAX. PERMITTED EAVES ENCROACHMENT INTO SETBACK IS 2'. EAVES ENCROACHMENT ALLOWED PER 33.110.220.C.
- 15 EXISTING SHED TO BE RELOCATED 2.5' ± NORTH TO EDGE OF 10' SETBACK.
- 16 EXISTING DOWNSPOUT DISCHARGES TO GROUND PER DOWNSPOUT DISCONNECT PROGRAM.
- 17 APPROXIMATE LOCATION OF OLD CESS-POOL. FIELD LOCATE AND ABANDON PER CITY/STATE STANDARDS.
- 18 EXISTING TREE TO BE RETAINED. INSTALL FENCE ON ROOT PROTECTION ZONE (RPZ) (18' RADIUS) ON N.E. SIDE OF TREE. WORK WITHIN RPZ TO BE OBSERVED BY ARBORIST.

SHEET 2 OF 2

GEORGE ZIFCAK

7418 S.E. TAYLOR ST.

PRELIMINARY PARTITION PLAN

REGISTERED PROFESSIONAL LAND SURVEYOR

OREGON 199 JULY 12, 2009 CHRIS 1944 RENEWAL DATE: 1/2/2014

**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 5,  
T.15S., R.2E., W.M., IN THE CITY OF PORTLAND,  
MULTNOMAH COUNTY, OREGON

JOB#: U3589-1

DATE: 11-30-11

SCALE: 1"=20'

DRAWN: JHH

CHKD: CGF

FILE: U3589.PRP

PLOT: 2-17-12

GRAPHIC SCALE



LU 12-101520 LOP AD  
Exhibit C.2