



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

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**Date:** September 2, 2015  
**To:** Interested Person  
**From:** Shawn Burgett, Land Use Services  
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## **NOTICE OF A TYPE II<sub>x</sub> DECISION ON A PROPOSAL IN YOUR NEIGHBORHOOD**

The Design Commission has **approved** a proposal in your neighborhood. This document is only a summary of the decision. The reasons for the decision, including the written response to the approval criteria and to public comments received on this application, are included in the version located on the BDS website <http://www.portlandonline.com/bds/index.cfm?c=46429>. Click on the District Coalition then scroll to the relevant Neighborhood, and case number. If you disagree with the decision, you can appeal. Information on how to do so is included at the end of document.

### **CASE FILE NUMBER: LU 15-103388 LDP**

#### **GENERAL INFORMATION**

**Applicant:** Bruce Goldson, Theta LLC  
Po Box 1345  
Lake Oswego, OR 97035

**Owner:** West Coast Real Estate Holdings LLC  
Po Box 1969  
Lake Oswego, OR 97035-0059

**Site Address:** 6036 SW Haines St. (former address), 6122 SW Haines St. (new address)

**Legal Description:** LOT 1 TL 200, GUNTHER AC  
**Tax Account No.:** R348600010  
**State ID No.:** 1S1E31CC 00200  
**Quarter Section:** 4223  
**Neighborhood:** Far Southwest, contact Nick Merrill at 503-200-7984.  
**Business District:** None  
**District Coalition:** Southwest Neighborhoods Inc., contact Leonard Gard at 503-823-4592.  
**Zoning:** R10 (Single Family Residential-10,000 square feet)  
**Case Type:** LDP (Land Division Partition)  
**Procedure:** Type IIX, an administrative decision with appeal to the Hearings Officer.

#### **Proposal:**

The applicant is proposing a 3-lot land division for new single family detached dwelling units. The proposed parcels will measure between 12,956 square feet and 16,970 square feet in area. The applicant is proposing to manage stormwater from the site to an outlet in SW Gunther Lane via an easement over the adjacent property to the south (6035 SW Gunther Lane).

This partition proposal is reviewed through a Type IIX procedure because: (1) the site is in a residential zone; (2) two or three lots are proposed; and (3) the site is located within a Potential Landslide Hazard or Flood Hazard Area (see 33.660.110).

For purposes of State Law, this land division is considered a partition. To partition land is to divide an area or tract of land into two or three parcels within a calendar year (See ORS 92.010). ORS 92.010 defines “parcel” as a single unit of land created by a partition of land. The applicant’s proposal is to create three units of land (3 Parcels). Therefore this land division is considered a partition.

**Relevant Approval Criteria:**

In order to be approved, this proposal must comply with the approval criteria of Title 33. The approval relevant criteria are: Section 33.660.120, Approval Criteria for Land Divisions in Open Space and Residential Zones.

**FACTS**

**Site and Vicinity:** The site is currently vacant. The house that had been on the site has been demolished. The area surrounding the site is made up primarily of single family detached homes on large lots.

**Infrastructure:**

- **Streets** –The site has approximately 224 feet of frontage on SW Haines St. There is one driveway entering the site that served the house on the site that has been removed. At this location, SW Haines St. is classified as a Local Service Street for all modes in the Transportation System Plan (TSP). Tri-Met provides transit service approximately 270 feet from the site at SW Lesser Rd. via Bus 78.

SW Haines St. has a 16-foot paved surface within a 42-foot right-of-way with parking on both sides. There are no sidewalks along the street, but rather gravel shoulders.

- **Water Service** – There is an existing 4-inch CI water main in SW Haines Street. The demolished house was served by a 1-inch metered service from this main.

- **Sanitary Service** - There is an existing 8-inch PVC public sanitary only sewer line in SW Haines St.

- **Stormwater Disposal** – There is no public storm-only sewer currently available to this property. A public works permit (BES #EP185) is currently under review to extend a public storm sewer from SW Lesser Rd. to the western five feet of 6035 SW Gunther Rd. (which will be accessed from the site via an private easement over 6035 SW Gunther Rd. which is under common ownership as the subject site) to provide a valid stormwater discharge point for the development, and has been approved to move beyond the 30% concept review phase by the BES project manager.

**Zoning:** The R10 designation is one of the City’s single-dwelling zones which 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 one prior land use reviews for this site. This land use review (LU\_13\_167749\_LDP) was withdrawn by applicant prior to completion; therefore it does not impact this proposal.

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

**Neighborhood Review:** A Notice of Proposal in Your Neighborhood was mailed on **June 1, 2015**. Five written responses have been received from the Neighborhood Association or notified property owners in response to the proposal.

**Neighborhood Response:** The letters (exhibit F.1-F.4) expressed concern about the removal of trees on the site. Another letter requested that the City increase surveillance on this property due to unregulated work occurring on this site. A third letter requested that the new homes

on the site be built as a “low rise” home in order to match the character of the existing neighborhood.

**BDS Response:** Please see the findings below addressing 33.630 of the Zoning Code which regulates tree preservation. Even though trees are not formally protected under this plan, they can be saved by the applicant voluntarily (outside of the formal tree preservation requirements) if they are not impacted by future development. In regard to height, Zoning Code section 33.110.215 regulates height on this property. Future development will be limited to 30 feet in height. There are no Land Division approval criteria that address height of future development. In regard to unregulated work occurring on this property, the Code Compliance section of BDS regulates this issue. The Code Compliance section investigates issues on private property and is a complaint driven system. Several complaints were filed regarding unregulated work on this property that were investigated by Code Compliance. Please call 503-823-CODE if any activities on the site appear to be outside the scope of permitted work.

## 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.
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.
I	33.639 - Solar Access	All of the proposed parcels are interior lots (not on a corner). In this context, solar access standards express no lot configuration preference.
J	33.640 - Streams, Springs, and Seeps	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.B - Existing public dead-end streets and pedestrian connections	No public dead-end streets or pedestrian connections exist that must be extended onto the site.
	33.654.130.C - Future	No dead-end street or pedestrian connections are

	extension of dead-end streets and pedestrian connections	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. The maximum density is one unit per 10,000 square feet. Because the site is within the potential landslide hazard area the site does not have a minimum required density. The site measures approximately 43,774 square feet and has a maximum density of 4 units. The applicant is proposing 3 single dwelling parcels. The density standards are therefore met.

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

	<b>Min. Lot Area (square feet)</b>	<b>Max. Lot Area (square feet)</b>	<b>Min. Lot Width* (feet)</b>	<b>Min. Depth (feet)</b>	<b>Min. Front Lot Line (feet)</b>
<b>R10 Zone</b>	6,000	17,000	50	60	30
Parcel 1**	16,790 square feet		73 feet	164 feet	65.97 feet
Parcel 2**	12,956 square feet		79 feet	164 feet	79 feet
Parcel 3**	13,118 square feet		80 feet	164 feet	80 feet

\* 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.

\*\* Lot sizes will change slightly due to public street dedication shown on the plan (exhibit C.1) that is no longer necessary

It should be noted that Parcels 1-3 are shown on Exhibit C.1 with a 3.25' dedication along SW Haines St. that is no longer required which will slightly change the size of these lots. Since Parcel 1 is very close to the maximum lot size allowed in the R10 zone of 17,000 square feet, a condition of approval is necessary. As a condition of approval, Parcel 1 must be 17,000 square feet or less. All required lot dimension standards continue to apply, however the lot size modification can exceed the standards found under 33.663.200.A. The lots must be in substantial conformance with Exhibit C.1.

The findings above show that the applicable density and lot dimension standards are met with the condition described above. Therefore, 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. Certain trees are exempt from the requirements of this chapter.

The applicant has provided an arborist report that inventories the trees within the land division site, evaluates their condition and specifies root protection zones (Exhibits A.17 and A.18). Nine trees have been exempted because they are unhealthy or a nuisance species. 32 trees are

subject to the preservation requirements of this chapter. It should be noted that the City Forester identified tree number 135 as a Norway Maple (exhibit G.3), which is considered a nuisance specie and exempt from these requirements. The City Forester also stated that tree 138 (32" diameter Red Oak) that is proposed for protection near the front lot line of Parcels 1 and 2 should not be negatively impacted by the proposed driveway to new development on Parcel 1. However, the applicant will need to address any future encroachment into the Root Protection zone of this tree on Parcel 2.

The total non-exempt tree diameter on the site is 541 inches. There are 10 non-exempt trees on the site that are 20" or more in diameter, five of the ten non-exempt trees over 20" in diameter (Trees numbered 111, 119, 120, 126 and 138) are proposed for protection. The applicant proposes to preserve 15 trees total (Trees numbered: 111,112,113,114, 115, 116, 117, 119, 120, 124, 125, 126, 127, 128 and 138) which comprise 275 inches of diameter (or 50 percent of the total non-exempt tree diameter). The trees to be preserved and the required root protection zones are shown on the applicant's Tree Preservation Plan (Exhibit C.2).

The trees proposed for preservation are in good condition and include native/non-nuisance species. The proposed root protection zones for the trees to be retained will allow for the type of development anticipated in the R10 zone and will not conflict with any existing utility easements, proposed services or site grading.

The applicant's proposal complies with:

*Option 3: Preserve at least 50 percent of the trees that are 20 or more inches in diameter and at least 30 percent of the total tree diameter on the site.*

Several of the trees on the site (Trees numbered: 100, 101, 102, 103, 105 123, 139 for example) were not protected due to their location: either adjacent to future building footprints or the new storm sewer line proposed across the site which would make formally protecting these trees challenging due to the future construction impacts. Several of these tree may be saved voluntarily by the applicant or future developer if feasible.

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 Land Use Conditions at the time of final plat.

This criterion is met, subject to the condition that development on Parcels 1-3 be carried out in conformance with the Tree Preservation Plan (Exhibit C.2) and the applicant's arborist report (Exhibit A.17) and an Acknowledgement of Tree Preservation Land Use Conditions is recorded with the final plat.

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

**Findings:** The entire site is located within the Potential Landslide Hazard Area. The approval criteria state that the lots, buildings, services, and utilities must be located on parts of the site that are suitable for development in a manner that reasonably limits the risk of a landslide affecting the site, adjacent sites, and sites directly across a street or alley from the site.

In order to evaluate the proposal against this criterion, the applicant has submitted a geotechnical evaluation of the site and proposed land division, prepared by a Certified Engineering Geologist and a Geotechnical Engineer (Exhibits A.5 and A.8). The reports were evaluated by the Site Development Division of the Bureau of Development Services, the City agency that makes determinations regarding soil stability (exhibit E.5).

The applicant's geotechnical evaluation indicates that the risk of potential landslide hazard at the site is relatively low, given the soil composition, topography, and other risk factors. The proposed land division will result in lots, buildings, services, and utilities that will not

significantly increase the risk of landslide potential on the site or other properties in the vicinity of the site. In addition, the geotechnical evaluation has concurred that the applicant's proposed method of stormwater disposal at the site will not have a significant detrimental impact on the slope stability on or around the site. This conclusion was reached because stormwater will not be disposed on the site itself, it will be treated and discharged into a new public storm sewer which will be constructed within SW Gunther Lane and connected to the site via an easement across the property south of the subject site under the same ownership.

Site Development has concurred with the findings of the applicant's geotechnical report. This criterion is met.

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

**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 is located in the Potential Landslide Hazard area. Therefore, the clearing and grading associated with preparation of the lots must occur in a way that will limit erosion concerns and assure that the preserved trees on the site will not be disturbed.

A Preliminary Clearing and Grading Plan (Exhibit C.3) was submitted with the land division application and the applicant also submitted a Landslide Hazard Report (Exhibits A.5 and A.8) that describes how clearing and grading should occur on the site to minimize erosion risks. The applicant also provided a Tree Protection Plan (Exhibit C.2) that designates areas on the site where grading should not occur in order to protect the roots of the trees on the site that will be preserved. The applicant provided a grading report (Exhibit A.9) which states "Very little grading changes are planned for the 3 lots. Most of the sites grades will be left relatively unchanged." The report adds "Where grading does take place, cuts and fill are limited to less than about 2 feet, except the back of proposed house on parcel 1 will receive up to about 3 feet of fill against the house. Based on our review of the plan and knowledge of the site, we find the grading plan to be acceptable and to comply with the recommendations in our Landslide Hazard Study and Infiltration testing report." (Exhibit A.9)

It is anticipated that the grading will primarily involve excavating for the foundations of the new houses and trenching for the utilities, but will not include mass grading of the site to alter the existing contours. Following the recommendations of the Landslide Hazard Study will help to limit erosion and sedimentation concerns. Stormwater runoff from the lots will be appropriately managed by sending the water through a planter box on each lot and into a shared stormwater system that will send the water off site into a new public storm sewer in SW Gunther Lane to assure that the runoff will not adversely impact adjacent properties (see detailed discussion of stormwater management later in this report). In addition, no clearing and grading will be permitted within the root protection zones of the trees on the site that are required to be preserved. Preserving these trees will help limit erosion by assuring that the tree roots will help to hold the soil in place.

As shown above the clearing and grading anticipated to occur on the site can meet the approval criteria. At the time of building permit submittal on the individual lots a clearing, grading and erosion control plan will be submitted to the Site Development Section of the Bureau of Development Services. Site Development will review the grading plan against the applicant's Landslide Hazard Study as well as any additional geotechnical information required at the time of permit submittal to assure that the grading will not create any erosion risks. In addition the plans will be reviewed for compliance with the applicant's tree preservation plan and arborist report. This criterion is met.

### ***Land Suitability***

The site is currently vacant, the existing home on the site was demolished under permit 13-143678 RS. As indicated above, the majority of the site is relatively flat and contains no known geological hazards.

There is an old private storm line on the site that primarily crosses proposed Parcel 3 where new development is proposed. The applicant is proposing to abandon and re-direct the water within this storm line into a new storm line proposed on the site that will collect water from Parcels 1-3 prior to discharging the water over an easement on the property to the south and a connection to a new storm sewer in SW Gunther Lane.

As discussed later in this report, the Bureau of Environmental Services is requiring the applicant to disconnect this old storm line that crosses the site and construct a new shared storm line across parcels 1-3 prior to final plat approval. In order to ensure Parcel 3 is suitable for future development, the applicant will be required to abandon the existing storm line across Parcel 3 to the satisfaction of the Bureau of Development Services as part of the permit. BES is requiring for construction of the new private storm line across the site that will serve Parcels 1-3. The applicant must provide a letter and evidence from an engineer documenting how the old storm line was decommissioned in order to satisfy this requirement. With the conditions stated above, 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.

The following easements are proposed and/or required for this land division:

- A Private Storm Sewer Easement is required across the relevant portions of Parcels 2 and 3 for a shared storm line that will provide stormwater disposal for Parcels 1-3.

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

*"A Declaration of Maintenance agreement for (private storm sewer easement) has been recorded as document no. \_\_\_\_\_, Multnomah County Deed Records."*

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

### **K. Transportation impacts. The approval criteria of Chapter 33.641, Transportation Impacts, must be met; and, 33.654.120 Design of Right of Way**

**Findings:** The transportation system must be capable of safely supporting the proposed development in addition to the existing uses in the area. The Development Review Section of the Portland Bureau of Transportation has reviewed the application for its potential impacts regarding the public right-of-way, traffic impacts and conformance with adopted policies, street designations, and for potential impacts upon transportation services.

PBOT has provided the following findings (see Exhibit E.2):

The transportation system must be capable of safely supporting the proposed development in addition to the existing uses in the area. Evaluation factors include: street capacity and level-of-service; vehicle access and loading; on-street parking impacts; the availability of transit

service and facilities and connections to transit; impacts on the immediate and adjacent neighborhoods; and safety for all modes.

Using the evaluation factors listed in this code section, the applicant should provide a narrative and all necessary plans and documentation to demonstrate that the transportation system is capable of safely supporting the proposed development in addition to the existing uses in the area. The applicant included a professionally prepared Traffic Impact Study (TIS) (Exhibit A.12) in the submitted application package to demonstrate compliance with the evaluation factors. The following discussion is based on PBOT's assessment of the TIS' analyses and conclusions.

#### Street capacity and level-of-service

**Findings:** Per Portland Policy Document TRN-10.27 - Traffic Capacity Analysis for Land Use Review Cases: For traffic impact studies required in the course of land use review or development, the following standards apply:

1. For signalized intersections, adequate level of service is LOS D, based on a weighted average of vehicle delay for the intersection.
2. For stop-controlled intersections, adequate level of service is LOS E, based on individual vehicle movement.

The industry standard is to measure street capacity and level-of-service (LOS) only at intersections during the critical time period, such as AM or PM peak hour. Although capacity is a part of the LOS, the City of Portland's performance standards are defined only by LOS, which is defined by average vehicle delay. The City does not have performance standards for any of the other evaluation factors.

To estimate the trips generated by the addition of a single-family dwelling to the subject property, trip rates from the manual *Trip Generation* are referred to. The data for land use #210, *Single-Family Detached Housing* are used to calculate trip rates for the additional 2 homes. In relation to the proposed land division partition request, the existing home on the site will be demolished and new detached homes will be constructed on each new parcel. Accordingly, in relation to the impacts from the 2 additional homes on the site, there will be 2 new vehicle trips generated during each of the AM and PM peak hours of travel and an additional 20 total daily trips.

A turning movement count was conducted at the nearest intersection (SW Haines/SW Lesser) expected to be impacted by the vehicle trips associated with this partition request. Capacity and operational analyses prepared by the applicant's traffic consultant utilizing industry standard methodologies for the SW Haines/SW Lesser intersection reveal that the intersection currently operates at acceptable levels (LOS D) and will continue to do after the proposed development (LOS E). With only 2 (max) potential additional site generated trips during the peak periods expected from the proposed development, the performance of the studied intersections will not be adversely impacted.

#### Vehicle access and loading

**Findings:** The hilly topography of the general area limits the connectivity of the local street system, so only a few routes of ingress and egress are available at the site. Loading is expected to take place using both private driveways for individual homes and on-street parking.

#### On-street parking impacts

**Findings:** The parking demand that will be generated as a result of the proposed subdivision is estimated using rates from the Institute of Transportation Engineers (ITE), *Parking Generation Manual, 4th Edition, 2010*. The data utilized to determine the parking demand for the 2 new homes on the site was for land use #210, *Single-Family Detached Housing*. Based upon this data, the 85<sup>th</sup> percentile peak parking demand will be 4 parking spaces.

Multiple observations at different times/days were made by the applicant's traffic consultant to help determine existing on-street supply/demand. References were also made to historic aerial



photographs of the area. There is an apparent very low demand for on-street parking along SW Haines (between SW Lesser and SW 60<sup>th</sup> Ave) in that the applicant's traffic consultant observed only one vehicle parked during the multiple observations that were made. The homes in the area are developed with multiple-car garages and driveways to accommodate additional vehicles. The three new homes expected to be constructed on each of the newly created parcels will also have ample on-site parking opportunities to accommodate the above referenced additional demand for parking spaces (little-to-no impacts to the current on-street parking supply is anticipated).

#### Availability of transit service and facilities and connections to transit

**Findings:** Transit opportunities within walking distance from the subject site are limited to Tri-Met route #78 (Beaverton/Lake Oswego) which serves the area along SW Lesser and SW Haines, west of the site. Transit is typically density-driven and accordingly, is not readily available to areas that are less dense, such as the area wherein the subject site is located. Additionally, topographical constraints tend to also limit transit access and availability. Given the location of the subject site in the south-west extremities of the City limits, it is expected that most site trips will utilize a motorized vehicle, however, transit can be utilized as part of a multi-modal trip via several nearby park & ride locations. The addition of 2 new homes in relation to the proposed partition will not adversely impact the availability of transit service, facilities or connections to transit.

#### Impacts on the immediate/adjacent neighborhoods

**Findings:** As analyzed above, the impact of the proposed project's generated vehicle trips on area intersections and streets will be negligible and the operations of the transportation system will continue to be acceptable. Currently, there is sufficient on-street parking to serve the demand of the existing uses in the area. As demonstrated above, adequate on-street parking opportunities will remain after the construction of the proposed partition. From a transportation perspective, these noted areas (transportation system and parking impacts) are impacts that can adversely affect neighborhoods. These issues are not expected to negatively impact the immediate or adjacent neighborhoods.

#### Safety for all modes

**Findings:** Traffic volumes and speeds along SW Haines are very low and are regulated by the statutory speed limit of 25 mph. Accordingly, pedestrians and bicyclists are expected to share the roadway as there are limited facilities (sidewalks/stripped bike lanes) in the area. While no crosswalks are marked at any of the nearby intersections, the SW Haines/SW Lesser intersection is controlled with an all-way stop, allowing for easier ped/bike crossings.

The submitted TIS included crash data collected for the most recent time period for the SW Haines/SW Lesser intersection. Two crashes were reported between 2009-2013 and these few number of crashes are not indicative of a need for further investigation or possible mitigation. Based on the detailed crash data and the calculated crash rates, there are no apparent existing safety deficiencies at the study intersection.

The vicinity of the proposed residential land division is currently safe for all modes and will not be adversely affected by the proposed project.

In summary, as analyzed above and as evidenced in the submitted TIS, with acceptable analyses, methodologies and conclusions, all of which PBOT staff supports, the applicant has clearly demonstrated that "the transportation system is capable of safely supporting the proposed development in addition to the existing uses in the area".

#### **Street Classification**

At this location, the City's Transportation System Plan classifies SW Haines as a Local Service street for all modes.

At this location, according to City GIS, SW Haines is improved with 16-ft of paving within an approximate 42-ft wide right-of-way (no curb or sidewalk).

For R10-zoned lots located along a Local Service street, the City's public r.o.w. standards requires a 54-ft r.o.w. width which will accommodate a 26-ft wide roadway (this will allow parking along both sides) & two 14-ft wide sidewalk corridors (0.5-ft curb, 8-ft wide stormwater management facility, 5-ft wide sidewalk & 0.5-ft wide frontage zone). Although the applicant would typically be required to construct these standard frontage improvements in relation to a proposed partition request such as the subject project, the applicant has successfully appealed said requirements. In June of last year (2014), the City's Public Works Alternative Review Committee approved 14-165151 PW, thereby relieving the applicant of the aforementioned frontage improvement requirements. In lieu of the physical improvements, the applicant will be required to submit Street and Storm Sewer Waivers of Remonstrance (in relation to the Final Plat phase of this partition request).

PBOT has no objections to the proposed land division request subject to the following condition of approval:

Executed and completed Street and Storm Sewer Waivers of Remonstrance shall be submitted prior to Final Plat approval.

With the conditions noted above. This criterion is met.

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

**Findings:** Chapters 33.651 through 33.654 address water service standards, sanitary sewer disposal standards, stormwater management, utilities and rights of way. The criteria and standards are met as shown in the following table:

<b>33.651 Water Service standard</b> – See Exhibit E.3 for detailed bureau comments.
The Water Bureau has indicated that service is available to the site, as noted on page 2 of this report. The water service standards of 33.651 have been verified.
<b>33.652 Sanitary Sewer Disposal Service standards</b> – See Exhibit E.1 for detailed comments.
The Bureau of Environmental Services has indicated that service is available to the site, as noted on page 2 of this report. The sanitary sewer service standards of 33.652 have been verified.
<b>33.653.020 &amp; .030 Stormwater Management criteria and standards</b> – See Exhibits E.1
No stormwater tract is proposed or required. Therefore, criterion A is not applicable.
The applicant has proposed the following stormwater management methods:
<b>Lots 1-3:</b> Stormwater from these lots will be directed into flow-through planters that remove pollutants and suspended solids. The water will drain from the planters to the new shared 12 inch storm line that will carry the water to the new storm sewer line that is required to be extended in SW Gunther Lane as a condition of approval. Since the proposal includes use of a shared stormwater system, plumbing code appeals were granted for each lot (appeal ID's 11831, 11842 and 11843).
Each lot has sufficient size for individual planter boxes, and the Bureau of Environmental Services has indicated that the treated water can be directed to a new storm sewer that is proposed to be extended in SW Gunther Lane via a private easement over the adjacent property to the south (6035 SW Gunther Lane) under the same ownership. The applicant has provided ownership documentation (Exhibit A.13). Since the shared storm sewer needs to be constructed prior to final plat approval, the public sewer must also be completed prior to final plat approval in order to provide a connection and discharge point for the new shared

sewer.

Since the applicant intends to construct one new house on Parcel 1 prior to final plat approval, the applicant must complete the public works requirements prior to BES approval of the building permit.

BES requires a Public Works Permit for the construction of the storm sewer extension. Prior to final plat approval:

- 1) All portions of the shared storm sewer will need to be constructed, with plumbing permits final;
- 2) The applicant will need to provide approved legal access from the site across 6035 SW Gunther Lane in order to access the storm sewer;
- 3) The applicant will be required to construct the new public storm sewer in SW Gunther Lane. Approvable plans, financial guarantees and design/inspection fees will need to be submitted to BES prior to final plat approval;
- 4) The applicant must verify that the stormwater management on any new structures built on the site prior to final plat approval meet BES requirements prior to final plat approval.

### **33.654.110.B.1 Through streets and pedestrian connections**

Generally, through streets should be provided no more than 530 feet apart and at least 200 feet apart. The block on which the subject property is located does not meet the noted spacing requirements. There is approximately 600 feet between SW Lesser Rd. (closest north-south street to the west) and SW 60<sup>th</sup> Ave (closest north-south street to the east) Therefore, based on the spacing requirements, there should be a north-south through street provided in the vicinity of the site.

The site contains sufficient width to allow the creation of a public north-south through street. However, the properties adjacent to the portion of the site where the street would terminate are already developed, and not configured in a manner that would easily allow the further extension of a street from the site. So, although the optimum spacing criteria would indicate the need for a north-south through street or pedestrian connection at this site, there is no practicable opportunity to provide them in this land division.

The Portland Bureau of Transportation (PBOT) had the following comments (exhibit E-2): No street connections have been identified in the vicinity of this property in the Portland Master Street Plan document (SW District). The subject site is not situated on a conventional block shape (shape/orientation) or size and said traditional blocks (or lots) patterns do not exist throughout the broader area. Given topographic, geologic and other natural features in the vicinity, area street, lot layouts, lot sizes and non-existent blocks result in impracticable application of the above referenced aspirational (in this case) connectivity goals. PBOT therefore has no concerns relative to connectivity or locations of rights-of-way associates with the proposed land division partition.

For the reasons described above, this criterion is met.

### **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.

## **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.

**Existing development that will remain after the land division.** The site is currently vacant, so the division of the property will not cause the structures to move out of conformance or further out of conformance with any development standard applicable in the R10 zone. Therefore, this land division proposal can meet the requirements of 33.700.015. The applicant currently has a building permit under review for Parcel 1 that may be issued following preliminary approval. Since construction of this home may occur prior to final plat approval, the as-built location of this home will be required on the supplemental survey required as part of the final plat review process, prior to final plat approval.

## 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.

<b>Bureau</b>	<b>Code Authority and Topic</b>
Development Services/503-823-7300 <a href="http://www.portlandonline.com/bds">www.portlandonline.com/bds</a>	Title 24 – Building Code, Flood plain Title 10 – Erosion Control, Site Development Administrative Rules for Private Rights-of-Way
Environmental Services/503-823-7740 <a href="http://www.portlandonline.com/bes">www.portlandonline.com/bes</a>	Title 17 – Sewer Improvements 2008 Stormwater Management Manual
Fire Bureau/503-823-3700 <a href="http://www.portlandonline.com/fire">www.portlandonline.com/fire</a>	Title 31 Policy B-1 – Emergency Access
Transportation/503-823-5185 <a href="http://www.portlandonline.com/transportation">www.portlandonline.com/transportation</a>	Title 17 – Public Right-of-Way Improvements Transportation System Plan
Urban Forestry (Parks)/503-823-4489 <a href="http://www.portlandonline.com/parks">www.portlandonline.com/parks</a>	Title 20 – Street Trees and other Public Trees
Water Bureau/503-823-7404 <a href="http://www.portlandonline.com/water">www.portlandonline.com/water</a>	Title 21 – Water availability

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 Fire apparatus access, addressing requirements; verify adequate hydrant spacing or installing a new hydrant; ensuring adequate Fire flow or obtaining an approved Fire Bureau appeal to this requirement; fire apparatus access, including aerial access. It should be noted that the applicant was granted a Fire Code appeal (Appeal ID # 11050) that verified SW Haines Street could be utilized as a Fire apparatus, access road.

These requirements are based on the technical standards of Title 31 and Fire Bureau Policy B-1.

## CONCLUSIONS

The applicant has proposed a 3-Lot 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 include: stormwater disposal and tree preservation.

**ADMINISTRATIVE DECISION**

**Approval** of a Preliminary Plan for a 3-Lot partition, that will result in three standard lots 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 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 location of stormwater facilities

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

1. A private storm sewer easement shall be shown and labeled over the relevant portions of Parcel 2 and 3 for the benefit of Parcels 1-3.
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.8-C.10 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."
3. Parcels 1-3 must meet all applicable lot size standard found in 33.610. Modifications to the lots sizes can exceed the standards found under 33.663.200.A since the public street dedication shown on Exhibit C.1 in not required. The lots must be in substantial conformance with Exhibit C.1.

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

**Streets**

1. The applicant shall complete street and storm sewer waivers of remonstrance (for future street and storm sewer improvements) as required by the City Engineer. Waiver forms and instructions will be provided to the applicant during the final plat review process.

**Utilities**

2. The applicant shall meet the requirements of the Bureau of Environmental Services (BES) for extending a public storm sewer main in SW Gunther Lane. The public sewer extension requires a Public Works Permit, which must be at a stage acceptable to BES prior to final plat approval. As part of the Public Works Permit, the applicant must provide engineered designs, and performance guarantees for the sewer extension to BES prior to final plat approval. The applicant must also provide legal access from the site across 6035 SW Gunther Lane prior to final plat approval.
3. The applicant shall meet the requirements of the Bureau of Environmental Services; to construct all portions of the shared storm sewer serving Parcels 1-3 with plumbing and connection permits receiving final inspection approval prior to final plat approval. This includes decommissioning of the existing private storm line located on the site to the satisfaction of the Bureau of Development Services.
4. The applicant shall meet the requirements of the Fire Bureau and verify adequate Fire Hydrant spacing. If required, the applicant will be required to install a new fire hydrant. If a new hydrant is required, the applicant must contact the Water Bureau, Development Services Department at 503-823-7368, for fee installation information related to the

purchase and installation of fire hydrants. The applicant must purchase the hydrant and provide verification to the Fire Bureau that the Water Bureau will be installing the required fire hydrant, with the required fire flow and pressure.

5. 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.
6. The applicant must meet the requirements of the Fire Bureau for providing an adequate fire access way for Lots 1-3, as required in Chapter 5 of the Oregon Fire Code. Alternately, the applicant will be required to install residential sprinklers in the new house.

#### **Required Legal Documents**

7. A Maintenance Agreement shall be executed for the Private Storm Sewer 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 conditions C.4-.C.6, the applicant shall execute an Acknowledgement of Special Land Use conditions, requiring residential development on Parcels 1-3 to contain internal fire suppression sprinklers, or other requirements determined through a Fire Bureau Appeal. The acknowledgement shall be referenced on and recorded with the final plat.
9. The applicant shall execute an Acknowledgement of Tree Preservation Land Use Conditions that notes tree preservation requirements that apply to Parcels 1-3. A copy of the approved Tree Preservation Plan must be included as an Exhibit to the Acknowledgement. The acknowledgment shall be referenced on and recorded with the final plat.

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

1. Development on Parcels 1, 2 and 3 shall be in conformance with the Tree Preservation Plan (Exhibit C.2) and the applicant's arborist report (Exhibit A.17). Specifically, trees numbered: 111,112,113,114, 115, 116, 117, 119, 120, 124, 125, 126, 127, 128 and 138 are required to be preserved, with the root protection zones indicated on Exhibit A.17. Tree protection fencing is required along the root protection zone of each tree to be preserved. 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/her supervision.
2. The applicant must meet the Fire Bureau requirements for addressing and aerial fire department access. Aerial access applies to buildings that exceed 30 feet in height from the fire access as measured to the bottom of the eave of the structure or the top of the parapet for a flat roof.
3. If required by Conditions C.4-C.6, the applicant will be required to meet any requirements identified through a Fire Code Appeal or exception granted with installation of sprinklers. Please refer to the final plat approval report for details on whether or not this requirement applies.

**Staff Planner: Shawn Burgett**

**Decision rendered by:** S. Burgett **on August 28, 2015**  
By authority of the Director of the Bureau of Development Services

**Decision mailed September 2, 2015**

**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 9, 2015, and was determined to be complete on **May 26, 2015**.

*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 9, 2015.

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 45 days, as stated with Exhibit (Exhibit A.16). Unless further extended by the applicant, **the 120 days will expire on: 11/7/2015**

**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 September 16, 2015** at 1900 SW Fourth Ave. Appeals can be filed at the Development Services Center Monday through Wednesday and Fridays between 8:00 am to 3:00 pm and on Thursdays between 8:00 am to 2:00 pm. After 3:00 pm Monday through Wednesday and Fridays, and after 2:00 pm on Thursdays, appeals must be submitted at the reception desk on the 5<sup>th</sup> 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 775 Summer St NE, Suite 330, Salem, Oregon 97301-1283 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.**

### EXHIBITS

NOT ATTACHED UNLESS INDICATED

#### A. Applicant's Statement

1. Applicants narrative
2. Early Neighborhood Notification documentation
3. Arborist report dated 6/6/13
4. Preliminary storm report from Theta Engineering
5. Landslide Hazard Study from Earth Engineers Inc. dated 6/27/13, revised 11/25/13
6. Infiltration Testing from Earth Engineers Inc. dated 6/28/14
7. Infiltration Testing from Earth Engineers Inc. dated 8/29/14
8. Landslide Hazard Study and Infiltration Testing from Earth Engineers Inc. dated 6/27/13, revised 2/26/15
9. Grading Review from Earth Engineers Inc. dated 7/13/15
10. Preliminary storm analysis from Theta Engineering received 4/3/15
11. Preliminary Storm Analysis dated 4/22/15
12. Traffic Impact Letter from Greenlight Engineering dated 10/11/13
13. Deed for property addressed 6035 SW Gunther Lane
14. Declaration of Private sewer maintenance agreement and covenant to record future Easement
15. Memo from applicant dated 4/19/15
16. Applicants 45 day extension to 120 day clock dated 7/18/15
17. Updated Arborist report dated 3/30/15 (attached)
18. Addendum to Arborist report dated 5/7/15

#### B. Zoning Map (attached)

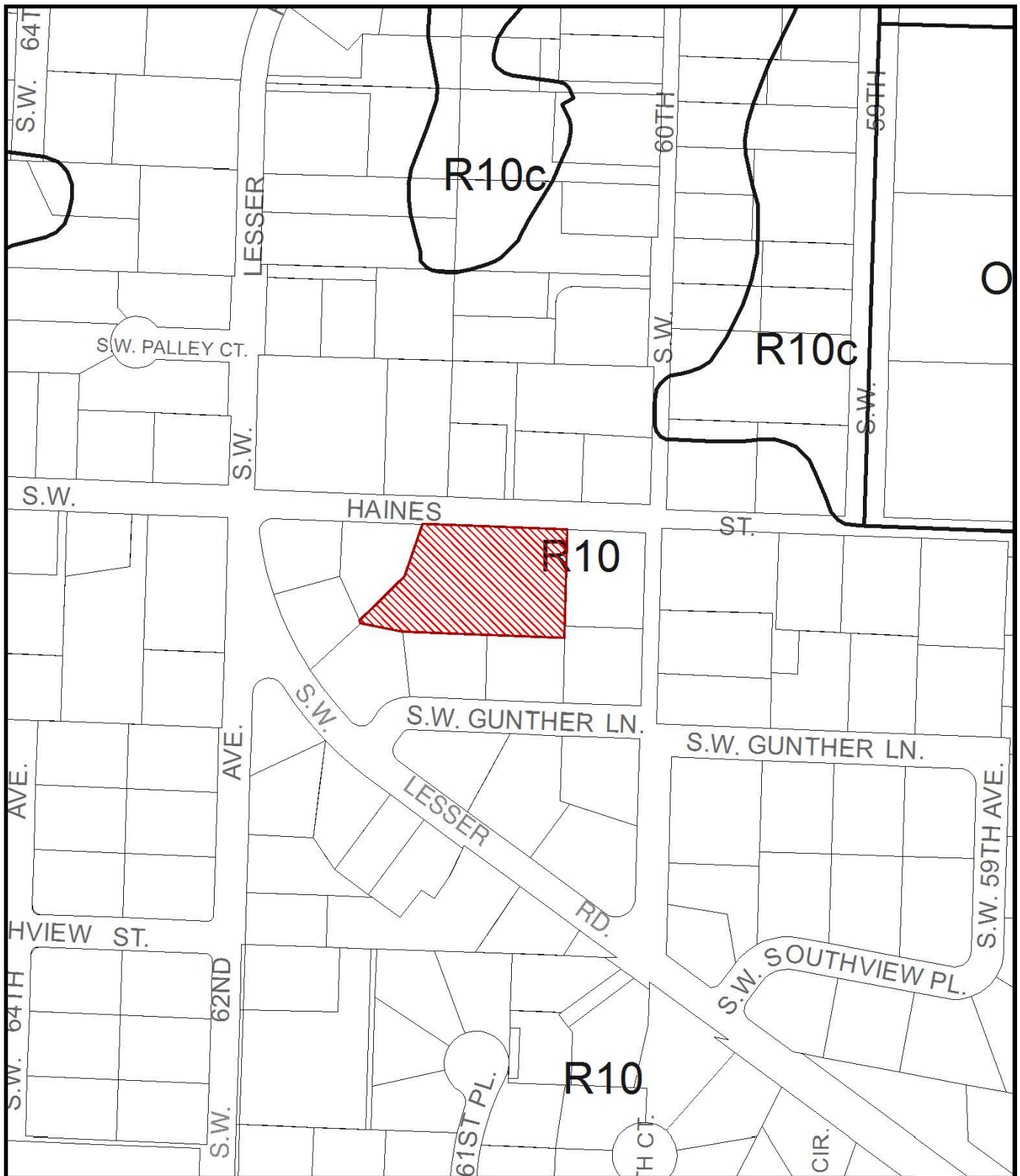
#### C. Plans/Drawings:

1. Preliminary Land Division Plan (attached)
2. Tree Preservation Plan (attached)



3. Clearing and Grading Plan
  4. Improvement Plan
  5. Existing Conditions 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. Peter R. Johnson, dated 6/9/15, 6016 SW Haines St. Portland, OR 97219
  2. David Ereth & Martha Campbell, dated 6/11/15, 6045 SW Haines St. Portland, OR 97219
  3. George Vranas, dated 6/14/15, 6016 SW Haines St. Portland, OR 97219
  4. Bill & Carol Caughey, dated 6/26/15, 6121 SW Haines St. Portland, OR 97216
  5. Marcia Leslie, Far Southwest Neighborhood Association, e-mail received 7/2/15 (after the 7/1/15 close of the official 30 day comment period)
- G. Other:
1. Original LU Application
  2. Incomplete Letter dated 2/6/15
  3. E-mail correspondence with City Forester dated 6/24/15
  4. Land Use History

**The Bureau of Development Services is committed to providing equal access to information and hearings. Please notify us no less than five business days prior to the event if you need special accommodations. Call 503-823-7300 (TTY 503-823-6868).**



# ZONING



File No. LU 15-103388 LDP  
 1/4 Section 4223  
 Scale 1 inch = 200 feet  
 State\_Id 1S1E31CC 200  
 Exhibit B (Jan 12, 2015)



E

**TREE PRESERVATION:**

An updated arborist report has been compiled based on a new inventory of the trees on site and the proposed development with 3-lots.

Three (3) trees were found to be significant and two are proposed to be retained. The other tree is located in area which would preclude a house to be build and not cause other trees to be removed and still meet the goals of development.

A summary of trees with diameters and retained or removed has been updated per the updated arborist report. The retained sum of diameters has increased to 53.3%. The minimum tree preservation standards can be met with either Option 3 or 6. Except for trees near the front of the property the trees form a continuous canopy in the rear of the proposed lots.

To the extent practicable tree proposed to be preserved and are positioned with adjacent trees on adjacent lots. Tree preservation easements can protect these assets from removal

4-3-15  
CASE NO. 15-103388  
EXHIBIT A-17

Gary Nebergall  
(503) 969-7917

Andrew Nebergall  
(503) 793-5090

Cindy Stewart  
Office Manager  
(503) 653-6873



Danie Nebergall  
Certified Arborist  
(503) 997-9757  
PN 7179-A

Chris Pitschard  
Certified Arborist  
(503) 793-5087  
PN 9164-A

March 30, 2015

Alex Labunsky  
West Coast Home Solutions  
PO Box 1969  
Lake Oswego, OR 97035

Sent via email: alexl.wchs@gmail.com

Bruce Goldson  
Theta, LLC  
PO Box 1345  
Lake Oswego, OR 97035

Sent via email: thetaeng@comcast.net

Alex and Bruce,

At your request, on March 12, 2015, I visited the proposed building sites at 6036 SW Haines Street in Portland, Oregon. My assignment was to provide a revised tree inventory, rating of existing trees on site, and tree protection plans to protect trees during construction. The rating system consists of good, fair and poor with recommendations to protect or remove trees in relationship to the proposed building site which you provided. If you have any questions, please do not hesitate to call.

#### Tree Inventory

This inventory was originally submitted in June of 2013. I have recently walked the site, measured several trees again and reevaluated their current health conditions. Attached is an updated inventory. Many of these trees are in fair condition from long term neglect. For future health and safety of the proposed saved trees, I would strongly recommend pruning and cabling of a couple of trees with bark inclusions. Pruning should be performed per ANSI A-300 pruning standards which should consist of crown cleaning of trees by pruning out dead, broken and dangerous branches.

West Coast Home Solutions  
Theta, LLC  
March 30, 2015  
Page two

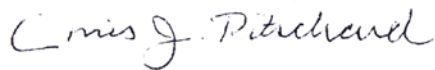
#### Tree Protection Fencing

Proper tree protection fencing gives the trees the best chance of survival both during and after construction activities. To ensure tree survival, the entire root area should be protected. Larger, healthier trees can occur some minor impact (less than 25% of the tree's entire root zone), which they may receive within the tree protection zone (TPZ) and will survive for many years. The tree protection fencing should be erected before any construction activities occur. This temporary fencing shall be 6 feet tall and the fabric should be chain link. The fencing shall remain in place until construction activities are completed. No construction shall occur inside the TPZ. In addition, this fence shall not be moved or altered and no workers shall enter the TPZ at any time. If there is an emergency or if for some reason the tree protection fence needs to be altered or the TPZ needs to be entered for work activity, the builder/contractor must hire a Certified Arborist to be on site during this time. The builder/contractor shall be responsible for the protection of the trees.

#### Location of the Tree Protection Fencing

The "prescriptive path" method of tree protection establishes a root protection zone and blocks this zone of construction activities. This fencing should have a 1 foot radius from the center of the trunk per inch of tree diameter. Specific trees the 1 foot radius per tree diameter method will be encroached, but less than 20 – 25% of the tree's TPZ would be impacted. These trees consist of tree #135 Maple 20" DBH, tree #129 two-trunk Coast Redwood 32" DBH, tree #136 Cedrus Deodara 26" DBH, and tree #138 Red Oak 32" DBH. I would strongly recommend to remove tree #139 Red Oak 30" DBH. This tree has poor structure and more than 50% of the TPZ would be impacted because the tree is located less than 5 feet away from proposed home in parcel #2. Also, tree #100 Myrtle Wood 20" DBH should also be removed. This tree is located above the proposed line of the storm sewer drainage line.

Thank you for this opportunity,



Chris Ritschard  
Certified Arborist PN – 0164A  
City Wide Tree Service, Inc.  
Cell (503) 793-5087  
Chris@CityWideTreeServicePDX.com



West Coast Home Solutions  
 Theta, LLC  
 March 30, 2015  
 Page three

Tree #	Common Name	DBH	Rating	Recommendations	Comments
100	Myrtle Wood	20	Good	Remove	Proposed line of storm sewer drainage
101	Douglas fir	16	Fair	Remove	
102	Western Red Cedar	6.5	Good	Remove	
103	Western Red Cedar	6.5	Good	Remove	
104	Photinia	6	Poor	Remove	Entomosporium leaf spot fungus
105	Western Red Cedar	36	Good	Remove	Inside footprint of proposed new home
106	Hemlock	10	Good	Remove	Inside footprint of proposed new home
107	Western Red Cedar	15.5	Good	Remove	Within 2-3 ft of proposed new home- suspect root injury will occur
108	Pine	16	Fair	Remove	Less than 5 ft from proposed new home footprint
109	Pine	12	Fair	Remove	Less than 5 ft from proposed new home footprint
110	Maple	27	Poor	Remove	Trunk decay – hazard
111	Douglas fir	23	Good	Save	
112	Douglas fir	11.5	Good	Save	
113	Douglas fir	14	Fair	Save	
114	Douglas fir	10	Fair	Save	
115	Douglas fir	16	Fair	Save	
116	Pine	14	Fair	Save	
117	Hemlock	6	Fair	Save	
118	Black Locust	31.5	Fair	Save	On property line-nuisance tree
119	Western Red Cedar	28	Good	Save	
120	Native Oak	46	Fair	Save	Could use some safety pruning
121	Flowering Plum	9.5	Fair	Save	
122	Corkscrew Willow	10	Poor	Remove	Disease, poor structure
123	Colorado Spruce	24	Fair	Save	
124	Norway Spruce	17	Good	Save	
125	Western Red Cedar	6	Good	Save	
126	Western Red Cedar	Multi	Good	Save	5 Stems 7.5, 7.5, 9.5, 8.5, 8.5 = 41.5 Total
127	Pine	18	Fair	Save	
128	Pine	8	Good	Save	
129	Coast Redwood	32	Good	Save	Tree has 2 co-dominant stems and bark inclusion
130	Birch	15	Poor	Remove	Poor structure, stem decay, branch dieback, bronze birch borer damage, nuisance tree

Exempt  
 per  
 Exempt  
 A-18 →

Tree #	Common Name	DBH	Rating	Recommendations	Comments
131	Birch	11	Poor	Remove	Poor structure, stem decay, branch dieback, bronze birch borer damage, nuisance tree
132	Birch	13	Poor	Remove	Poor structure, stem decay, branch dieback, bronze birch borer damage, nuisance tree
133	Birch	11	Poor	Remove	Poor structure, stem decay, branch dieback, bronze birch borer damage, nuisance tree
134	Myrtle Wood	8	Fair	Remove	Too close to proposed foundation footprint
(135)	Maple	20	Fair	Save	Adjust tree protection fencing to preserve tree
136	Cedrus Deodara	26	Good	Remove	Located in footprint of driveway of parcel #1
137	Locust	8	Fair	Remove	Located in proposed footprint of driveway, nuisance tree
138	Red Oak	32	Good	Save	On property line of lots. Adjust tree protection fencing to protect tree
139	Red Oak	30	Fair	Remove	Poor structure, located too close to proposed foundation
140	Flowering Crabapple	9	Fair	Remove	Located in proposed footprint of new home, disease prone
141	Flowering Dogwood	7	Fair	Remove	Located in footprint of proposed home

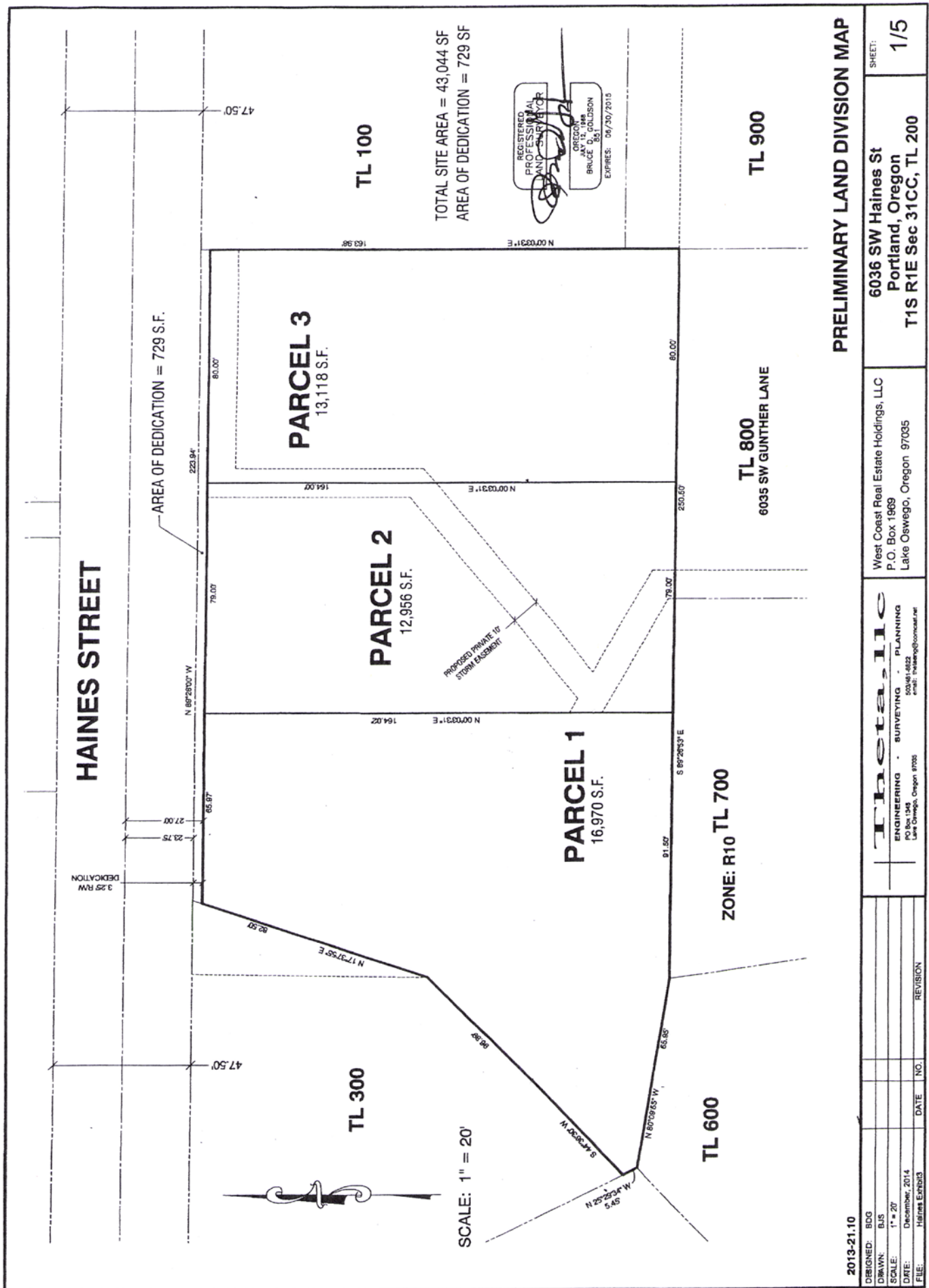
Exempt  
 Norway  
 Maple →

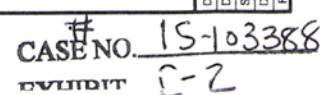
Planner Note: Protected trees #  
 111, 112, 113, 114, 115, 116, 117, 119, 120  
 124, 125, 126, 127, 128, 138

6036 SW Haines- Tree summary and calculations

#	Diameter		RETAIN	COMMENTS
100	20"	20		REMOVE
101	16"	16		REMOVE
102	6.5"	6.5		REMOVE
103	6.5"	6.5		REMOVE
104	6"	6		REMOVE
105	36"	36		SIGNIFICANT REMOVE
106	10"	10		REMOVE
107	15.5"	15.5		REMOVE
108	16"	16		REMOVE
109	12"	12		REOMVE
110	27"			DANGER REMOVE
111	23"	23	23	SIGNIFICANT SAVE
112	11.5"	11.5	11.5	
113	14"	14	14	
114	10"	10	10	
115	16"	16	16	
116	14"	14	14	
117	6"	6	6	
118	31.5"			LINE TREE SAVE
119	28"	28	28	SIGNIFICANT
120	46"	46	46	SIGNIFICANT
121	9.5"	9.5	9.5	
122	10"	10		REMOVE
123	24"	24	24	SAVE
124	17"	17	17	
125	6"	6	6	
126a	9.5"	9.5	9.5	
126b	8.5"	9.5	9.5	
126c	8.5"	8.5	8.5	
126d	7.5"	7.5	7.5	
126e	7.5"	7.5	7.5	
127	18"	18	18	
128	8"	8	8	
129	32"	32	32	SAVE
130	15"	15		REMOVE
131	11.5"	11.5		REMOVE
132	13"	13		REMOVE
133	11.5"	11.5		REMOVE
134	8"	8		REMOVE
135	20"	20		REMOVE
136	26"	26		REMOVE
137	8"	8		REMOVE
138	32"	32	32	SAVE
139	30"	30		REMOVE
140	9"	9		REMOVE
141	7"	7		REMOVE
		671	357.5	53.28%







6036 SW Haines St  
Portland, Oregon

West Coast Real Estate Holdings, LLC  
P.O. Box 1969  
Lake Oswego, Oregon 97035

# Theta, Inc.

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ENGINEERING • SURVEYING • PLANNING  
 1000 N. 10TH ST., SUITE 100, DENVER, CO 80202  
 303-733-1424

2013-21.10

DESIGNED:	BDG
DRAWN:	BJS
SCALE:	1" = 20'
DATE:	Decem
BY:	Malco

DATE	NO.	REVISION
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SHEET:

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