

# Development Services

## From Concept to Construction

Phone: 503-823-7300 Email: [bds@portlandoregon.gov](mailto:bds@portlandoregon.gov) 1900 SW 4th Ave, Portland, OR 97201

More Contact Info (<http://www.portlandoregon.gov/bds/article/519984>)



### APPEAL SUMMARY

**Status:** Hold for Additional Information

<b>Appeal ID:</b> 31472	<b>Project Address:</b> 5001 N Columbia Blvd
<b>Hearing Date:</b> 4/12/23	<b>Appellant Name:</b> julietta rad
<b>Case No.:</b> B-010	<b>Appellant Phone:</b> 5035160305
<b>Appeal Type:</b> Building	<b>Plans Examiner/Inspector:</b> Chanel Horn
<b>Project Type:</b> commercial	<b>Stories:</b> 1 <b>Occupancy:</b> F1 and B <b>Construction Type:</b> V-B
<b>Building/Business Name:</b> Silver Tunnel	<b>Fire Sprinklers:</b> No
<b>Appeal Involves:</b> Alteration of an existing structure	<b>LUR or Permit Application No.:</b> 23-009493-CO
<b>Plan Submitted Option:</b> pdf [File 1]	<b>Proposed use:</b> Wastewater Treatment Facility

### APPEAL INFORMATION SHEET

#### Appeal item 1

<b>Code Section</b>	Chapter 10, Section 1010.1.2 Door swing and Section 1011.16 Ladders
<b>Requires</b>	<p>1010.1.2 Egress doors shall be of the pivot of side-hinges swinging type.</p> <p>Exception:</p> <p>Private garages, office areas, factory and storage areas with occupant load of 10 or less.</p> <p>1011.16 Ladders</p> <p>Permanent ladders shall not serve as part of the means of egress from occupied spaces within a building. Permanent ladders shall be constructed in accordance with Section 306.5 of the Mechanical Code. Permanent ladders shall be permitted to provide access to the following areas:</p> <p>Spaces frequented only by personnel for maintenance, repair, or monitoring of equipment.</p>
<b>Code Modification or Alternate Requested</b>	Permit the actual occupant load of "not normally occupied" to be used for 1010.1.2 exception 1 instead of the calculated occupant load of 56 occupants to allow the use of non-swinging type door as well as allowing a permanent ladder as part of the means of egress.
<b>Proposed Design</b>	Adding a permanent ladder leading to the new sidewalk door as the tertiary means of egress from the east end of the Silver Tunnel. The Silver Tunnel is below grade, accessed infrequently by personnel only for the purpose of maintenance, repair, or monitoring of equipment. Please see the image below for the location of the sidewalk door and proposed ladder.
<b>Reason for alternative</b>	The primary Silver Tunnel exit is located at the west end of the tunnel with a secondary exit located in the middle of the tunnel. The existing tertiary exit at the east end of the Silver tunnel in the existing boiler room is being infilled to provide fire separation between the Silver Tunnel and SLPR building. This causes the common path of travel from the east end of the Silver Tunnel to the secondary exit to exceed 75 feet. The existing overhead door between the tunnel boiler room and the rest of the tunnel is being removed, which creates an unobstructed path of travel between

the two spaces. To avoid a deadend corridor or a long common path of travel, adding a ladder to the new sidewalk door at the existing roof opening maintains a tertiary exit from the Silver Tunnel.

---

## APPEAL DECISION

**1a. Reduction in calculated occupant load for industrial space: Hold for additional information.**

**1b. Use of egress door that is not of the pivot or side hinged type: Hold for additional information.**

**1c. Use of permanent ladder as a means of egress: Hold for additional information.**

**Appellant may contact John Butler (503 865-6427) or e-mail at [John.Butler@portlandoregon.gov](mailto:John.Butler@portlandoregon.gov) with questions.**

**PLEASE READ THE NOTE BELOW when providing Board requested Additional Information or when submitting a reconsideration after 1st time appeal Denial.**

A reconsideration is submitted online following the same submittal process and using the same appeals form as the original appeal. Indicate at the beginning of the appeal form that you are filing a reconsideration and include the original assigned Appeal ID number. The reconsideration will receive a new appeal number.

Include the original attachments and appeal language. Provide new text with only that information that is specific to the reconsideration in a separate paragraph(s) clearly identified as "Reconsideration Text" with any new attachments also referenced. Once submitted, the appeal cannot be revised.

No additional fee is required when the Board has requested additional information or for the first reconsideration of a denied appeal if submitted within 6 months of the original appeal. In these two specific instances please ignore the auto-generated request for another fee.

---



APPEALS  
City of Portland  
Bureau of Development Services  
1900 SW 4<sup>th</sup> Ave., Suite 5000 (5<sup>th</sup> floor)  
Portland, Oregon 97201  
(503) 823-7335

## Building Code Appeal Form (Project Information Sheet)

# BLD

### To Appellant:

These forms must be filled out completely. If you need assistance, consult with the Plans Examiner or Inspector assigned to your project or with a Plans Examiner in the Development Services Center. Details of each appealed item must be included, and drawings must be submitted that clearly indicate the area and the conditions of each appealed item. Supplemental information such as photos, test data, etc., can be helpful if they are pertinent to the appealed item. Each appealed item requires a separate Appeal Information Sheet. As many items as desired may be submitted with one Project Information Sheet.

The fee, relevant drawings (**exclusive of any plans submitted for permit processing**) and any supplemental information must be submitted with these forms. Checks are to be made payable to "Treasurer, City of Portland". Fees are listed below:

**\$263 for one and two family dwellings**  
**Plus \$132 each for each appeal item over four**

**\$527 for all other conditions (four appeal items or less)**  
**Plus \$132 each for each appeal item over four**

**All appeal applications must be received by 9 a.m. Thursday to be heard the following Wednesday.** In most cases, appeals submitted by this deadline will be considered the following Wednesday. However, an appeal may be deferred to a later date depending on the number of appeals scheduled, the complexity of the appeal, or other unforeseen factors. Appeal decisions are emailed and are also usually available the following day at [www.portland.gov/bds/file-appeal](http://www.portland.gov/bds/file-appeal), or by calling the Appeal Board Support Staff at 503-823-6251.

### Project Information (questions in **BOLD** cannot be left blank):

#### This appeal involves (check at least one below)

- |                                                                         |                                                                   |
|-------------------------------------------------------------------------|-------------------------------------------------------------------|
| <input type="checkbox"/> Erection of a new structure                    | <input type="checkbox"/> Change of Occupancy: from _____ to _____ |
| <input checked="" type="checkbox"/> Alteration of an existing structure | <input type="checkbox"/> Other (specify): _____                   |
| <input type="checkbox"/> Addition to an existing structure              | <input type="checkbox"/> Reconsideration of Appeal ID # _____     |

**Proposed Use of Structure** (e.g., single-family dwelling, office, etc.) Wastewater Treatment Facility

**Project Street Address** Columbia Blvd Wastewater Treatment Plant

**Owner Name** City of Portland **Company** Bureau of Environmental Services

**Address** 5001 N. Columbia Blvd. **City** Portland **State** OR **Zip** 97330

**Phone** (503) 823-2400 **Email** \_\_\_\_\_

#### Related Permit Application #, LUR Case #, or if none, check Preliminary

**Permit #** 23-009493-CO **LUR Case #** N/A ☐ Preliminary

**Number of stories** 1 Below **Occupancy Group** F-1/B **Construction Type** VB

**Fire Sprinklers** ☒ No ☐ Yes > **Location:** All except electrical rooms

**Plans Examiner/Inspector assigned to project** Chanel Horn

I am the property owner, or the property owner's agent. In accordance with City Code Section 24.10.075, I am authorized to submit an appeal for an alternative material, design or method of construction or equipment or a modification to the strict interpretation of the Building Code as adopted by the City of Portland as outlined in the attached information. I hereby acknowledge that the City is not liable for any damages that result from or relate to any formal decision rendered by the City with respect to this appeal.

I acknowledge that all of the information provided will be a public record and will be posted online. (If you have questions, please contact the Building Code Appeals team ([appeals@portlandoregon.gov](mailto:appeals@portlandoregon.gov) or 503-823-6251) before submitting your appeal.)

**Appellant Name** Julietta Rad **Company** City of Portland - BES

**Address** 5001 N. Columbia Blvd **City** Portland **State** OR **Zip** 97203

**Phone** (503) 516-0305 **Email** julietta.rad@portlandoregon.gov

**Appellant signature**

**Date**



APPEALS  
City of Portland  
Bureau of Development Services  
1900 SW 4<sup>th</sup> Ave., Suite 5000 (5<sup>th</sup> floor)  
Portland, Oregon 97201  
(503) 823-7335

## Building Code Appeal Form (Appeal Information Sheet)

# BLD

---

### **To Appellant:**

Each item you are appealing requires a separate Appeal Information Sheet to be filled out. All requested information is to be filled out completely with as much detail as possible. **Failure to do so may cause your appeal to be held over until adequate information is received.** For help in filling out these forms, consult with the Plans Examiner assigned to your project or with a Plans Examiner in the Development Services Center.

Any alternative method or modification of a Building Code requirement requires an appeal. A reasonable degree of equivalent health, accessibility, structural capacity, energy conservation, life safety or fire protection **must** be demonstrated before an appeal may be considered.

---

### **Code Section being appealed:**

2019 Oregon Structural Specialty Code (OSSC) Chapter 10, Section 1010.1.2 Door swing and Section 1011.16 Ladders.

### **Regulation Requirement:**

1010.1.2 Egress doors shall be of the pivot or side-hinges swinging type.

Exception:

1. Private garages, office areas, factory and storage areas with occupant load of 10 or less.

1011.16 Ladders

Permanent ladders shall not serve as part of the means of egress from occupied spaces within a building.

Permanent ladders shall be constructed in accordance with Section 306.5 of the Mechanical Code.

Permanent ladders shall be permitted to provide access to the following areas:

1. Spaces frequented only by personnel for maintenance, repair, or monitoring of equipment.

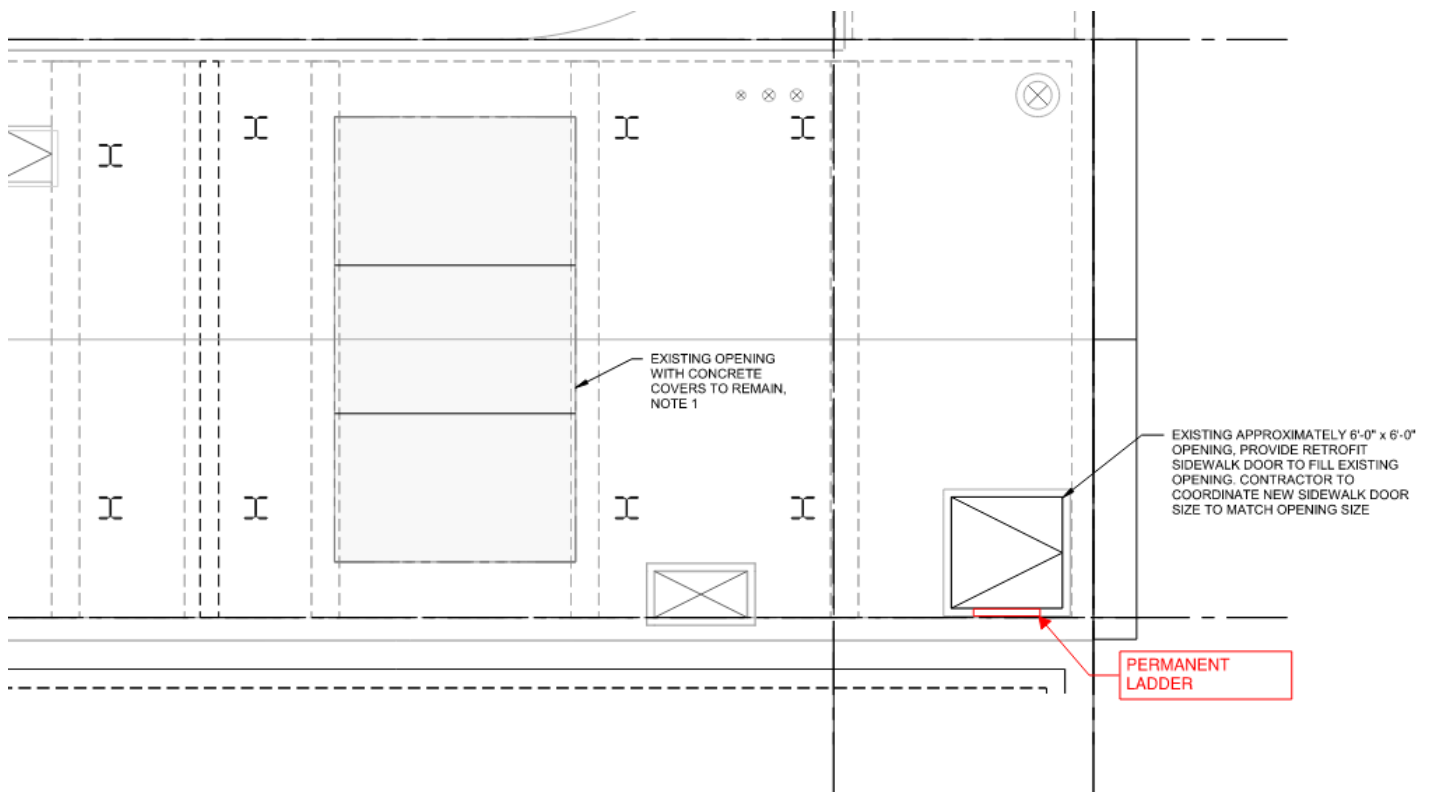
### **Code Modification or Alternate Requested:**

(Summarize the intent of the appeal, preferably in one sentence.)

Permit the actual occupant load of "not normally occupied" to be used for 1010.1.2 exception 1 instead of the calculated occupant load of 56 occupants to allow the use of non-swinging type door as well as allowing a permanent ladder as part of the means of egress.

**Proposed Design:** (Describe the alternate methods or materials of construction to be used or that exist. Be as specific as possible)

Adding a permanent ladder leading to the new sidewalk door as the tertiary means of egress from the east end of the Silver Tunnel. The Silver Tunnel is below grade, accessed infrequently by personnel only for the purpose of maintenance, repair, or monitoring of equipment. Please see the image below for the location of the sidewalk door and proposed ladder.

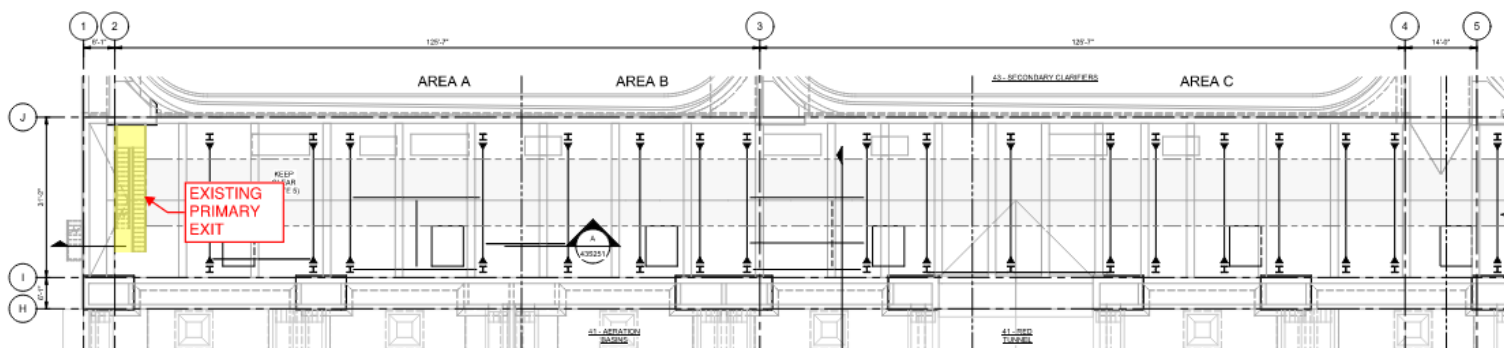


1 ENLARGED ROOF PLAN  
3/16" = 1'-0"  
43S150



**Reason for Alternate:** (Describe why the alternate is required and how it will provide equivalent health, accessibility, structural capacity, energy conservation, life safety or fire protection to what the code requires).

The primary Silver Tunnel exit is located at the west end of the tunnel with a secondary exit located in the middle of the tunnel. The existing tertiary exit at the east end of the Silver tunnel in the existing boiler room is being infilled to provide fire separation between the Silver Tunnel and SLPR building. This causes the common path of travel from the east end of the Silver Tunnel to the secondary exit to exceed 75 feet. The existing overhead door between the tunnel boiler room and the rest of the tunnel is being removed, which creates an unobstructed path of travel between the two spaces. To avoid a deadend corridor or a long common path of travel, adding a ladder to the new sidewalk door at the existing roof opening maintains a tertiary exit from the Silver Tunnel.



Initial here