



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

Carmen Rubio, Commissioner
Rebecca Esau, Director
Phone: (503) 823-7300
TTY: 711
www.portland.gov/bds

Date: October 13, 2023
To: Interested Person
From: Erik Forsell, Land Use Services
503-823-6760 / Erik.Forsell@portlandoregon.gov

NOTICE OF A TYPE Ix PROPOSAL IN YOUR NEIGHBORHOOD

Development has been proposed in your neighborhood. The proposed development requires a land use review. The proposal, review process, and information on how to respond to this notice are described below. A copy of the site plan and zoning map is attached. I am the staff person handling the case. Please call me if you have questions regarding this proposal. Please contact the applicant if you have questions regarding any future development on the site.

Because we must publish our decision within 45 days, **we need to receive your written comments by 5 p.m. on November 13, 2023. Your comments must be e-mailed to the assigned planner listed above**; please include the Case File Number, LU 23-038976 LDP, in your e-mail. If you do not have access to e-mail, please telephone the planner listed above about submitting comments. Please note that all correspondence received will become part of the public record.

CASE FILE NUMBER: LU 23-038976 LDP

Applicant: Sarah Radelet
Strata Land Use Planning
PO Box 90833
Portland, OR 97290
sarah@stratalanduse.com
503-320-0273

Owner: Glenn Tyler
6305 NE Prescott St
Portland, OR 97218-3247
Gmt0007@gmail.com
503-333-4395

Site Address: 6305 NE PRESCOTT STREET

Legal Description: BLOCK 1 LOT 9, PADDOCK AC
Tax Account No.: R637200300
State ID No.: 1N2E20BC 11800
Quarter Section: 2537 & 2637

Neighborhood: Cully, contact Zach Powers at zachmull@gmail.com
Business District: Cully Blvd Business Alliance, contact Eron riddle at contactus@cullyblvdalliance.org

District Coalition: Central Northeast Neighbors, contact Alison Stoll at alisons@cncoalition.org
Zoning: Single Dwelling Zone – R7h
Case Type: Land Division (Partition) – LDP
Procedure: Type Ix, an administrative decision with appeal to the Oregon Land Use Board of Appeals (LUBA).

Proposal:

The applicant proposes to divide the existing 16,206 square foot subject site into two parcels. Parcel 1 is proposed to be 7,360 square feet in size and Parcel 2 is proposed to be 8,697 square feet in size after a required ~ 2-foot right-of-way dedication. Parcel 1 is proposed to be a large flag lot and will be available for future development. A large flag lot is more than 3,000 square feet in size when measuring the ‘flag’ portion only (see attached site plan). Parcel 2 is proposed to be a standard lot and will retain the existing dwelling and associated improvements.

Parcel 1 and 2 are both proposed to share a single driveway along the ‘pole’ portion of the flag lot as well as a small section of Parcel 1 to facilitate maneuvering and forward facing egress from the site (see site plan for specifics). As part of this proposal, the applicant will be required to dedicate 2-feet of right-of-way to the city along the frontage of NE Prescott Street and to improve the existing frontage to current city standards where not currently met.

Note that proposed Parcel 2 is subject to the flag lot standards found at 33.110.255.B.1.

The applicant proposes to preserve several trees to meet the tree preservation criteria of 33.630, two nuisance species are proposed for removal along the eastern boundary of the site; one street tree is proposed for removal to allow for vehicular access (see site plan).

Please note that off-street parking is not required for household uses pursuant to 33.266.110 although parking is conceptually shown on the plan and that Parcel 2 is potentially eligible for some of the residential infill options detailed in 33.110.265.

Relevant Approval Criteria:

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

This partition is reviewed through a Type Ix land use review because: (1) the site is in a residential zone; (2) fewer than four lots are proposed; (3) none of the lots, utilities, or services are proposed within a Potential Landslide Hazard or Flood Hazard Area, and; (4) no other concurrent land use reviews (such as an Adjustment or Environmental Review) are requested or required (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 two units of land (2 parcels). Therefore, this land division is considered a partition.

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. This application was submitted on May 8, 2023 and determined to be complete on October 11, 2023.

DECISION MAKING PROCESS

The Bureau of Development Services will make a decision on this proposal. After we consider your comments we will do one of the following:

- Approve the proposal;
- Approve the proposal with conditions; or
- Deny the proposal.

The neighborhood association listed on the first page of this notice may take a position on this application. They may also schedule an open meeting prior to making their recommendation to the Bureau of Development Services. Please contact the person listed as the neighborhood contact to determine the time and date of this meeting.

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 extended at the request of the applicant.

If you are interested in viewing information in this file, please contact the planner listed on the front of this notice. The planner can email you documents from the file. A fee would be required for all requests for paper copies of file documents. Additional information about the City of Portland, and city bureaus is available online at <https://www.portland.gov>. A digital copy of the Portland Zoning Code is available online at <https://www.portlandoregon.gov/zoningcode>.

APPEAL PROCESS

If you disagree with the Bureau of Development Services administrative decision, you can appeal the decision to the Oregon Land Use Board of Appeals (LUBA) at 775 Summer St NE, Suite 330, Salem OR 97301-1283. The phone number for LUBA is 1-503-373-1265. Issues which may provide the basis for an appeal to LUBA must be raised in writing before the deadline for comments, or you may not be able to raise that issue in an appeal. If you do not raise an issue with enough specificity to give the Bureau of Development Services an opportunity to respond to it, that also may preclude an appeal to LUBA on that issue.

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).

Enclosures:

Zoning Map
Site Plan