

LAND USE REVIEW APPLICANT

Your LUR decision may be recorded on or after: January 25, 2003

You must record your decision on or after this date, as required by the Portland Zoning Code.

If you would like to record by mail, please send:

- The two recording documents and attached decision.
- A check payable to: **Multnomah County Recorder** in the amount of: \$ 86.00
(\$16 for recording sheet, \$5 per page of decision, each side if 2-sided)
- A self-addressed, stamped envelope.

Mail to: Multnomah County Recorder, PO Box 5007, Portland OR 97208

FOR MULTNOMAH COUNTY RECORDER USE ONLY

Please stamp the Applicant's copy of the recording sheet and give to the applicant.

Please stamp the County Recorder's copy of the recording sheet and return with attached decision to:

City of Portland, BDS
299/4500/BDS LUR

MULTNOMAH COUNTY RECORDER STAMP HERE

Recorded in the County of Multnomah, Oregon
C. Swick, Deputy Clerk
Total : 86.00
2003-019717 01/28/2003 09:18:50am ATKLM
A77 15 REC DOR OLIS
75.00 10.00 1.00

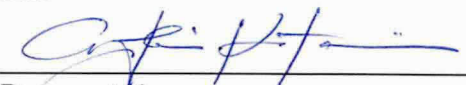
COPY

I hereby certify Land Use Review Document, No. LU 02-113706 EN
to be a complete and exact copy of the original as the same appears on file and of
record in my office and in my care and custody.

Susan Feldman, Principal Planner
City of Portland
Bureau of Development Services
1900 SW Fourth Ave, #4500
Portland, OR 97201

1/22/03

Date


Representative

**KEEP THIS STAMPED DOCUMENT FOR YOUR RECORDS
PROOF OF RECORDING IS REQUIRED TO INITIATE A BUILDING PERMIT**



City of Portland
Bureau of Development Services
Land Use Review Division

1900 SW Fourth Ave., Suite 5000
Portland, Oregon 97201
Telephone: (503) 823-7300
TDD: (503) 823-6868
FAX: (503) 823-5630
www.bds.ci.portland.or.us

Land Use Review Applicant: Before you proceed with your project, you are required to record your approved Land Use Decision with the Multnomah County Recorder.

A Recorded LU Decision is required:

- To get a building permit.
- To finalize the land use review process.
- To ensure that the LUR becomes a part of the history of your property, and can be referenced in a title search.

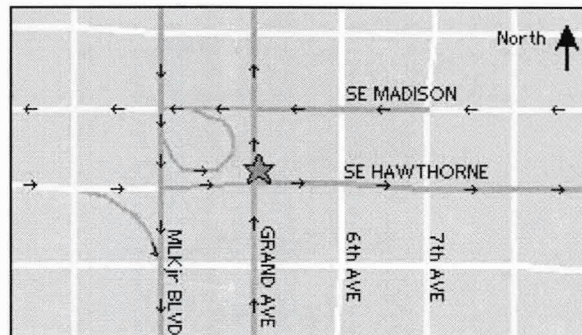
Enclosed please find:

- One "Applicant's copy" of the recording document.
- One "County Recorder's copy" of the recording document, with attached LU Decision. **Some of the pages of the LU decision do not need to be recorded. Those pages are stamped DO NOT RECORD.**

The recording documents are mailed only once. If you have received these documents in error, and do not intend to record the final decision, please forward them to the appropriate person.

The applicant, or a representative is required to record Land Use (LU) Decisions directly with:

Multnomah County Recorder
501 SE Hawthorne #158
Portland OR 97208
(503)-988-3034 M – F, 9:00 a.m. to 4:30 p.m.
www.co.multnomah.or.us/at/recording.html



Recording:

- You cannot record a decision until the date indicated on your recording documents.
- After that date, bring or mail the two recording documents and attached decision to the County recorder's office.
- *If your case is a land division please refer to your decision for recording directions.*

Once recorded, your next step in the development process is:

- When applying for permits, bring the applicant's copy, as verification of your recorded decision, to the Development Services Center at 1900 SW 4th Avenue.

If you have questions about the documents you have received, please call 503-823-0625.

MULTNOMAH
RECORDING SECTION
501 SE HAWTHORNE #158
PORTLAND OR 97214
(503) 988-3034

Receipt # : 133990
01/28/2003

2003019717 01/28/03 09:18am

LAND USE ACTION

PAGE FEE	75.00
DEPT OF REVENUE	10.00
OR LAND INFO SYS	1.00

Total \$86.00

=====
Grand Total \$86.00

CHECK	\$86.00
Amount Due	\$0.00

Thank You. Retain this
receipt for your records.

A. **All permits:** Copies of the stamped Exhibits C.2 through C.6 from LU 02-113706 EN, shall be included as part of all plans submitted for permits (building, grading, site development, erosion, etc.). These exhibits shall be included on a sheet that is the same size as the plans submitted for the permit and shall include the following statement, "**No field changes without additional review and approval by OPDR, Land Use Review Staff.**"

B. The applicant shall construct the segment of the 40-mile loop trail located within the limits of disturbance shown on Exhibit C.3 and as per the Smith and Bybee Lakes NRMP. This trail must be constructed within three years of the final date of this land use decision. If the trail alignment changes prior to these three years, the realignment must go through the Minor Modification procedure set forth in pages 67 through 69 of the Smith and Bybee Lakes NRMP. If a modification is requested by the applicant during this time, the new deadline for trail construction will be three years from the date of the final decision for modification of the trail *or as specified in the minor modification.*

C. **Prior to any ground disturbing activities at the site,** the applicant shall obtain the required permits from the Office of Planning and Development Review. These permits shall include the following:

1. A **Site Development Permit** to ensure and document proper installation of erosion control and mitigation plantings as per Exhibits C.3 through C.6. All sheets within the Site Development Permit plan set shall include the following written conditions:

- No mechanized construction vehicles are permitted outside of the approved "Limits of Construction Disturbance" delineated by the temporary erosion control fence. All planting work, invasive vegetation removal, and other work to be done outside the Limits of Construction Disturbance, shall be conducted using hand held equipment.
- Mitigation plantings shall be installed within **six months** after issuance of the Site Development Permit. If this six month period falls outside of the planting season, the applicant may have until March 1 of the following year to plant.
- A **100 percent** survival rate, as per Section 33.248.090.E (Monitoring and Reporting) at the time of each annual report required in Condition D, below and at the final monitoring report, is required to achieve compliance with the planting plan.
- The Site Development permit shall not be finalized until mitigation plantings are completed and inspected.
- No field changes are permitted without additional review and written approval by the Office of Planning and Development Review, Land Use Review Planners.

D. **Written annual monitoring reports** shall be submitted to the Land Use Review Division of the Office of Planning and Development Review (1900 SW Fourth Avenue, Suite 5000, Portland, OR, 97201, Attention: **Environmental Planner: LU 02-113706 EN**).

The first report shall be submitted within 12 months of the final inspection of mitigation plantings as required above in Condition C. Reports shall be submitted annually for three years.

Reports shall be prepared by a professional biologist or a certified landscape architect. The reports shall include the following information:

- One annual count during the late summer for three summers after planting to determine the rate of tree, shrub, and groundcover mortality for that year.
- If the survival rate is determined to be less than **100 percent** at the end of two years (during the monitoring period), replacement of dead plants is required to reach 100 percent of the original number of live native plantings (replacement must occur within one planting season).

what if alignment not on Metro prep? NRMP info.

woody veg only

Per Jessica - 6/17/02 - if alignment no longer goes over WCS, do not need to construct trail there.

- Photographs of the mitigation area during the annual visits and a site plan showing the location and direction of photos.
 - A watering schedule for trees, shrubs, and groundcovers for the first two summers after planting.
 - One annual estimate of percent cover of invasive species (English ivy, Himalayan blackberry) within 10 feet of all planting areas.
 - The means of identification on plantings to be used for the final Site Development permit inspection.
 - The contact name, number, and address of the responsible party for the monitoring and maintenance of the site.
 - *Approved monitoring and maintenance reports will be retained in case file (LU 02-113706 EN).*
- E. Within one month after the third monitoring report is submitted, the applicant shall obtain a Site Development Permit for the purpose of inspecting the required mitigation plantings. Documentation for final success of mitigation shall include the following:
- The planting plan approved under this review;
 - A planting plan showing the approximate location of surviving plant communities; indicating 100 percent survival of the required native plantings and,
 - The system used to provide for field plant identification.

The planting plan submitted for this condition shall be in substantial conformance with Exhibits C.4 and C.5. Any plant substitutions must have been pre-approved in writing by the Office of Planning and Development Review Land Use Review Planners (attach letter(s) allowing substitution to submitted plans). *This permit shall not be finalized until the site exhibits 100 percent survival of the native plants installed as required by this review.*

- F. Failure to comply with any of these conditions may result in the City's reconsideration of this land use approval pursuant to PCC 33.700.040 and/or seek to enforce compliance with these conditions in any manner authorized by law.