

Application for Permanent Water Right Transfer



Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem, Oregon 97301-1266
 (503) 986-0900
www.oregon.gov/OWRD

Part 1 of 5 – Minimum Requirements Checklist

This transfer application will be returned if Parts 1 through 5 and all required attachments are not completed and included.
 For questions, please call (503) 986-0900, and ask for Transfer Section.

Check all items included with this application. (N/A = Not Applicable)

- Part 1 – Completed Minimum Requirements Checklist.
- Part 2 – Completed Transfer Application Map Checklist.
- Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at: http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator.
- Part 4 – Completed Applicant Information and Signature.
- Part 5 – Information about Water Rights to be Transferred: **How many water rights are to be transferred? 1 List them here: 97162**
 Please include a separate Part 5 for each water right. (See instructions on page 6)
NOTE: A separate transfer application is required for each water right unless the criteria in OAR 690-380-3220 are met.

Attachments:

- Completed Transfer Application Map.
- Completed Evidence of Use Affidavit and supporting documentation.
- N/A Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land the water right is on.)
- N/A Supplemental Form D – For water rights served by or issued in the name of an irrigation district. Complete when the transfer applicant is not the irrigation district.
- N/A Oregon Water Resources Department’s Land Use Information Form with approval and signature from each local land use authority in which water is to be diverted, conveyed, and/or used. Not required if water is to be diverted, conveyed, and/or used only on federal lands or if **all** of the following apply: a) a change in place of use only, b) no structural changes, c) the use of water is for irrigation only, and d) the use is located within an irrigation district or an exclusive farm use zone.
- N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation.
- N/A Geologist Report for a change from a surface water point of diversion to a ground water point of appropriation (well), if the proposed well is more than 500’ from the surface water source and more than 1000’ upstream or downstream from the point of diversion. See OAR 690-380-2130 for requirements and applicability.

(For Staff Use Only)

WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):

<input type="checkbox"/> Application fee not enclosed/insufficient	<input type="checkbox"/> Map not included or incomplete
<input type="checkbox"/> Land Use Form not enclosed or incomplete	<input type="checkbox"/> Evidence of Use Form not enclosed or incomplete
<input type="checkbox"/> Additional signature(s) required	<input type="checkbox"/> Part _____ is incomplete

Other/Explanation _____

Staff: _____ 503- _____ Date: ____/____/____

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Part 2 of 5 – Transfer Application Map

Your transfer application will be returned if any of the map requirements listed below are not met.

Please be sure that the transfer application map you submit includes all the required items and matches the existing water right map. Check all boxes that apply.

- N/A Certified Water Right Examiner (CWRE) Stamp and Original Signature. For a list of CWREs, see http://apps.wrd.state.or.us/apps/wr/cwre_license_view/. CWRE stamp and signature are not required for substitutions.
- N/A If **more than three** water rights are involved, separate maps are needed for each water right.
- Permanent quality printed with dark ink on good quality paper.
- The size of the map can be 8½ x 11 inches, 8½ x 14 inches, 11 x 17 inches, or up to 30 x 30 inches. For 30 x 30 inch maps, one extra copy is required.
- A north arrow, a legend, and scale.
- The scale of the map must be: 1 inch = 400 feet, 1 inch = 1,320 feet, the scale of the Final Proof/Claim of Beneficial Use Map (the map used when the permit was certificated), the scale of the county assessor map if the scale is not smaller than 1 inch = 1,320 feet, or a scale that has been pre-approved by the Department.
- Township, Range, Section, ¼ ¼, DLC, Government Lot, and other recognized public land survey lines.
- Tax lot boundaries (property lines) are required. Tax lot numbers are recommended.
- Major physical features including rivers and creeks showing direction of flow, lakes and reservoirs, roads, and railroads.
- Major water delivery system features from the point(s) of diversion/appropriation such as main pipelines, canals, and ditches.
- Existing place of use that includes separate hachuring for each water right, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions. If less than the entirety of the water right is being changed, a separate hachuring is needed for lands left unchanged.
- N/A Proposed place of use that includes separate hachuring for each water right, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions.
- Existing point(s) of diversion or well(s) with distance and bearing or coordinates from a recognized survey corner. This information can be found in your water right certificate or permit.
- N/A If you are proposing a change in point(s) of diversion or well(s), show the proposed location and label it clearly with distance and bearing or coordinates. If GPS coordinates are used, latitude-longitude coordinates may be expressed as either degrees-minutes-seconds with at least one digit after the decimal (example – 42°32'15.5") or degrees-decimal with five or more digits after the decimal (example – 42.53764°).

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Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME Sandra Burtzos Fathizadeh-City of Portland Parks and Recreation Dept		PHONE NO. 971-940-5722	ADDITIONAL CONTACT NO. 503-823-5594
ADDRESS 1120 SW 5th Ave, Suite 858			FAX NO.
CITY Portland	STATE OR	ZIP 97204	E-MAIL sandra.burtzos@portlandoregon.gov
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.			

Agent Information – The agent is authorized to represent the applicant in all matters relating to this application.

AGENT/BUSINESS NAME Eric Weber- Landau Associates		PHONE NO. 206-940-2406	ADDITIONAL CONTACT NO.
ADDRESS 2107 S C St			FAX NO.
CITY Tacoma	STATE WA	ZIP 98402	E-MAIL eweber@landauinc.com
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.			

Explain in your own words what you propose to accomplish with this transfer application, and why:

The City of Portland Parks and Recreation Department (applicant) is proposing to change the point of appropriation (PoA) for water right certificate 97162. The current PoA is MULT-2839 and the proposed new PoA is Well L143587. MULT-2839 is over 70 years old and needed to be replaced. MULT-2839 has been decommissioned. Well L143587 was drilled as a replacement well in June of 2023 and is completed in the same aquifer as MULT-2839 (the Troutdale Gravel Aquifer). Well L143587 is approximately 518 ft northeast of MULT-2839. The proposed change will not enlarge the water right or lead to impairment.

Certificate 97162 lists the purpose of use as "Municipal Use to Include Irrigation, Dust Control,, and Fire Suppression. The applicant requests that the superseding permit simply refer to the use as Municipal.

The applicant also requests that the One-Eightieth of one cubic foot per second per acre restriction be removed. Municipal use will include lawn watering at the Parklane Park. However because of the sprinkler technology used, the fragmented park layout, and the night-time watering restriction (when the park is not in use), the instantaneous quantity used for watering will be the full 0.557 Cubic Feet per Second listed on the certificate. This type of water demand is typical for park night time watering and is necessary to maintain the park. Therefore, removing the One-Eightieth water demand restriction is in the public interest.

The well log for L143587 and the well log and well abandonment log for MULT_2839 are available in Attachment 5

Check One Box

- By signing this application, I understand that, upon receipt of the draft preliminary determination and prior to Department approval of the transfer, I will be required to provide landownership information and evidence that I am authorized to pursue the transfer as identified in OAR 690-380-4010(5); **OR**
- I affirm the applicant is a municipality as defined in ORS 540.510(3)(b) and that the right is in the name of the municipality or a predecessor; **OR**
- I affirm the applicant is an entity with the authority to condemn property and is acquiring by condemnation the property to which the water right proposed for transfer is appurtenant and have supporting documentation.

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By my signature below, I confirm that I understand:

- Prior to Department approval of the transfer application, I may be required to submit payment to the Department for publication of a notice in a newspaper with general circulation in the area where the water right is located, once per week for two consecutive weeks. If more than one qualifying newspaper is available, I suggest publishing the notice in the following newspaper: The Oregonian
- Amendments to the application may only be made in response to the Department's Draft Preliminary Determination (DPD). The applicant will have a period of at least 30 days to amend the application to address any issues identified by the Department in the DPD, or to withdraw the application. Note that amendments may be subject to additional fees, pursuant to ORS 536.050.
- Failure to complete an approved change in place of use and/or change in character of use, will result in loss of the water right (OAR 690-380-6010).
- Refunds may only be granted upon request and, as set forth in ORS 536.050(4)(a), if the Director determines that a refund of all or part of a fee is appropriate in the interests of fairness to the public or necessary to correct an error of the Department.

I (we) affirm that the information contained in this application is true and accurate.

Sandra Burtzos Fathizadeh Sandra Burtzos Fathizadeh 11/15/2023
 Applicant signature Print Name (and Title if applicable) Date

 Applicant signature Print Name (and Title if applicable) Date

Is the applicant the sole owner of the land on which the water right, or portion thereof, proposed for transfer is located? Yes No *If NO, include signatures of all deeded landowners (and mailing and/or e-mail addresses if different than the applicant's) or attach affidavits of consent (and mailing and/or e-mail addresses) from all landowners or individuals/entities to which the water right(s) were conveyed.*

Check the following boxes that apply:

- The applicant is responsible for completion of change(s). Notices and correspondence should continue to be sent to the applicant.
- The receiving landowner will be responsible for completing the proposed change(s) after the final order is issued. Copies of notices and correspondence should be sent to this landowner.
- Both the receiving landowner and applicant will be responsible for completion of change(s). Copies of notices and correspondence should be sent to this landowner and the applicant.

At this time, are the lands in this transfer application in the process of being sold? Yes No

If YES, and you know who the new landowner will be, please complete the receiving landowner information table below. If you do not know who the new landowner will be, then a request for assignment will have to be filed for at a later date.

If a property sells, the certificated water right(s) located on the land belong to the new owner, unless a sale agreement or other document states otherwise. For more information see:

https://www.oregon.gov/owrd/WRDFormsPDF/Transfer_Property_Transactions.pdf

RECEIVING LANDOWNER NAME			PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS				FAX NO.
CITY	STATE	ZIP	E-MAIL	
Describe any special ownership circumstances:				
The confirming Certificate shall be issued in the name of: <input type="checkbox"/> Applicant <input type="checkbox"/> Receiving Landowner				

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Check here if any of the water rights proposed for transfer are or will be located within or served by an irrigation or other water district. (**Tip: Complete and attach Supplemental Form D.**)

IRRIGATION DISTRICT NAME	Rockwood Water District	ADDRESS	19601 NE Halsey St	
CITY	Portland	STATE	OR	ZIP 97230

Check here if water for any of the rights supplied under a water service agreement or other contract for stored water with a federal agency or other entity.

ENTITY NAME	ADDRESS			
CITY	STATE	ZIP		

To meet State Land Use Consistency Requirements, you must list all county, city, municipal corporation, or tribal governments within whose jurisdiction water will be diverted, conveyed or used.

ENTITY NAME	Multnomah County	ADDRESS	421 SW 5th Ave	
CITY	Portland	STATE	OR	ZIP 97204

ENTITY NAME	City of Portland	ADDRESS	1221 SW 4th Ave	
CITY	Portland	STATE	OR	ZIP 97204

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INSTRUCTIONS for editing the Application Form

To add additional lines to tables within the forms or to copy and paste additional Part 5 pages, please **save the application form to your computer**. Unlock the document by using one of the following instructions for your Microsoft Word software version:

Microsoft Word 2003

Unlock the document by one of the following:

- Using the **Tools** menu => click **Unprotect Document**;
- OR**
- Using the **Forms** toolbar => click on the **Protect/Unprotect** icon.

To relock the document to enable the checkboxes to work, you will need to:

- Using the **Tools** menu => click **Protect Document**;
- OR**
- Using the **Forms** toolbar => click on the **Protect/Unprotect** icon.

Microsoft Word 2007

- Unlock the document by clicking the **Review** tab, then click **Protect Document**, then click **Stop Protect**
- To relock the document, click **Editing Restrictions**, then click **Allow Only This Type of Editing**, select **Filling In Forms** from the drop-down menu, then check **Yes, Start Enforcing Protection**.

Microsoft Word 2010

- Unlock the document by clicking the **Review** tab; toggle the **Restrict Editing icon** at the upper right, then click **Stop Protect** at the bottom right. Then uncheck the "**Allow only this type of editing in the document: Filling in forms**" in the "Editing restrictions" section on the right-hand list of options.
- To relock the document, check the **Editing Restrictions/Allow Only This Type of Editing/Filling In Forms** box from the drop-down menu, then check **Yes, Start Enforcing Protection**. You do not need to assign a password for the editing restrictions.

Other Alternatives:

- Photocopy pages or tables in Part 5, ~~mark through~~ any non-applicable information, insert/attach photocopied pages to document in the appropriate location, and manually amend page numbers as necessary (e.g. Page ~~5~~ 6 of ~~9~~ 10).
- You may refer to additional attachments that you may include, such as separately produced tables or spreadsheets to convey large numbers of rows of place of use listings, owner/property parcels, etc. You may contact the Department at 503-986-0900 and ask for Transfer Staff if you have questions.

Once the application has been unlocked, you may:

- add additional rows to tables using the Table tools, and
- select and copy the pages of Part 5 and paste as many additional sets of Part 5 pages as needed at the end of the application.

After editing, re-lock the document to enable checkboxes to work.

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Part 5 of 5 – Water Right Information

Please use a separate Part 5 for each water right being changed. See instructions on page 6, to copy and paste additional Part 5s, or to add additional rows to tables within the form.

CERTIFICATE # 97162

Description of Water Delivery System

System capacity: 0.557 cubic feet per second (cfs) OR
 _____ gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. See Attachment 6

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)

(Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
POA #1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	MULT-2839	1 S	2 E	1	SW NE	1S2E01A C-00100	891 ft N and 940 ft E from C1/4 corner, Section 1
POA #2	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	L143587	1 S	2 E	1	NW NE	1S2E01A C-00100	
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed							
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed							

Check all type(s) of change(s) proposed below (change "CODES" are provided in parentheses):

- | | |
|--|---|
| <input type="checkbox"/> Place of Use (POU) | <input type="checkbox"/> Supplemental Use to Primary Use (S to P) |
| <input type="checkbox"/> Character of Use (USE) | <input checked="" type="checkbox"/> Point of Appropriation/Well (POA) |
| <input type="checkbox"/> Point of Diversion (POD) | <input type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input type="checkbox"/> Additional Point of Diversion (APOD) | <input type="checkbox"/> Substitution (SUB) |
| <input type="checkbox"/> Surface Water POD to Ground Water POA (SW/GW) | <input type="checkbox"/> Government Action POD (GOV) |

Will all of the proposed changes affect the entire water right?

- Yes Complete only the Proposed ("to" or "on" lands) section of Table 2 on the next page. Use the "CODES" listed above to describe the proposed changes.
- No Complete all of Table 2 to describe the portion of the water right to be changed.

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Please use and attach additional pages of Table 2 as needed.
See page 6 for instructions.

Do you have questions about how to fill-out the tables?
Contact the Department at 503-986-0900 and ask for Transfer Staff.

Table 2. Description of Changes to Water Right Certificate # 97162

List the change proposed for the acreage in each ¼ ¼. If more than one change is proposed, specify the acreage associated with each change.
If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.											Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.										
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp		Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date		
EXAMPLE																						
2	S	9	E 15 NE NW	100		15.0	Municipal	POD #1 POD #2	1901	POU/POD	2	S	9	E 1 NW NW	500	1	10.0		POD #5	1901		
											2	S	9	E 2 SW NW	500		5.0		POD #6	1901		
										POA	1	S	2	E 1 NW NE	100		1.35		POA #2	2004		
											1	S	2	E 1 SE NW	600		1.02		POA #2	2004		
											1	S	2	E 1 SW NE	100, 200, 300, 600		22.40		POA #2	2004		
TOTAL ACRES:																					TOTAL ACRES:	24.77

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Additional remarks: _____

For Place of Use or Character of Use Changes

Are there other water right certificates, water use permits or ground water registrations associated with the "from" or the "to" lands? Yes No

If YES, list the certificate, water use permit, or ground water registration numbers: _____

Pursuant to ORS 540.510, any "layered" water use such as an irrigation right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled. Any change to a ground water registration must be filed separately in a ground water registration modification application.

For Substitution (ground water supplemental irrigation will be substituted for surface water primary irrigation)

Ground water supplemental Permit or Certificate # _____;
 Surface water primary Certificate # _____.

For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # _____

For a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation:

- Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map.
Tip: You may search for well logs on the Department's web page at:
http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx

AND/OR

- Describe the construction of the authorized and proposed well(s) in Table 3 for any wells that do not have a well log. For *proposed wells not yet constructed or built*, provide "a best estimate" for each requested information element in the table. The Department recommends you consult a licensed well driller, geologist, or certified water right examiner to assist with assembling the information necessary to complete Table 3.

Table 3. Construction of Point(s) of Appropriation

Any well(s) in this listing must be clearly tied to corresponding well(s) described in Table 1 and shown on the accompanying application map. Failure to provide the information will delay the processing of your transfer application until it is received. The information is necessary for the department to assess whether the proposed well(s) will access the same source aquifer as the authorized point(s) of appropriation (POA). The Department is prohibited by law from approving POA changes that do not access the same source aquifer.

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well: OWRD Well ID Tag No. L-_____	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well -specific rate (cfs or gpm). If less than full rate of water right
POA#1	Yes	MULT 2839	287	12 inch 10 inch	0-224 ft 220-287 ft	0-18 (a)	272-287, 247-249, 104-112, 80-89	65	TGA	N/A
POA#2	Yes	L143587	300	12 inch 10 inch	0-234 ft 224-300 ft	0-155 (a)	230-245, 255-295	82	TGA	N/A

(a) See Attachment 5 for well log details

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ATTACHMENT 1

Transfer Application Map

Parklane Park
New Water Right Application

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ATTACHMENT 2

Evidence of Affidavit

Parklane Park
New Water Right Application

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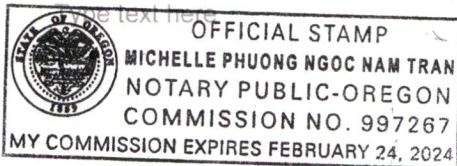
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3. The water right was used for: (e.g., crops, pasture, etc.): Municipal use
4. I understand that if I do not attach one or more of the documents shown in the table below to support the above statements, my application will be considered incomplete.

San An Banton Fathreddin
Signature of Affiant

11-15-2023
Date

Signed and sworn to (or affirmed) before me this 15 day of NOVEMBER 2023.



Michelle Phuong
Notary Public for Oregon

My Commission Expires: FEBRUARY 24, 2024

Supporting Documents	Examples
<input checked="" type="checkbox"/> Copy of a water right certificate that has been issued within the last five years. (not a remaining right certificate)	Copy of confirming water right certificate that shows issue date
<input type="checkbox"/> Copies of receipts from sales of irrigated crops or for expenditures related to use of water	<ul style="list-style-type: none"> • Power usage records for pumps associated with irrigation use • Fertilizer or seed bills related to irrigated crops • Farmers Co-op sales receipt
<input type="checkbox"/> Records such as FSA crop reports, irrigation district records, NRCS farm management plan, or records of other water suppliers	<ul style="list-style-type: none"> • District assessment records for water delivered • Crop reports submitted under a federal loan agreement • Beneficial use reports from district • IRS Farm Usage Deduction Report • Agricultural Stabilization Plan • CREP Report
<input type="checkbox"/> Aerial photos containing sufficient detail to establish location and date of photograph	<p>Multiple photos can be submitted to resolve different areas of a water right. If the photograph does not print with a "date stamp" or without the source being identified, the date of the photograph and source should be added.</p> <p>Sources for aerial photos: OSU – www.oregonexplorer.info/imagery OWRD – www.wrd.state.or.us Google Earth – earth.google.com TerraServer – www.terra-server.com</p>
<input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

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STATE OF OREGON
COUNTY OF MULTNOMAH
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CITY OF PORTLAND
PARKS AND RECREATION DEPARTMENT
6437 SE DIVISION ST
PORTLAND OR 97206

confirms the right to the use of water perfected under the terms of Permit G-15869. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point of diversion from the source. The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: G-16195

SOURCE OF WATER: A WELL IN JOHNSON CREEK BASIN

PURPOSE or USE: MUNICIPAL USE TO INCLUDE IRRIGATION, DUST CONTROL, AND FIRE SUPPRESSION

MAXIMUM RATE: 0.557 CUBIC FOOT PER SECOND

PERIOD OF USE: YEAR ROUND

DATE OF PRIORITY: FEBRUARY 25, 2004

WELL LOCATION:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1 S	2 E	WM	1	SW NE	891 FEET NORTH AND 940 FEET EAST FROM C1/4 CORNER, SECTION 1

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second and 2.5 acre-feet for each acre irrigated during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

WITHIN THE SERVICE BOUNDARIES OF THE CITY OF PORTLAND FOR MUNICIPAL USE

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, you may petition for judicial review and petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate within three months after issuance of the certificate.

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Measurement, recording and reporting conditions:

- A. The water user shall maintain the meter or other suitable measuring device approved by the Director in good working order, shall keep a complete record of the amount of water used each month, and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the water user to report general water-use information, including the place and nature of use of water under the right.
- B. The water user shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this right, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interferences.

The wells shall be maintained in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine the water level elevation in the well at all times.

Where two or more water users agree among themselves as to the manner of rotation in the use of water and such agreement is placed in writing and filed by such water users with the watermaster, and such rotation system does not infringe upon such prior rights of any water user not a party to such rotation plan, the watermaster shall distribute the water according to such agreement.

The Director may require water level or pump test results every ten years.

Failure to comply with any of the provisions of this right may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the right.

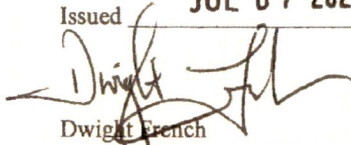
This right is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use of water shall be limited when it interferes with any prior surface or ground water rights.

The right to the use of the water for the above purpose is restricted to beneficial use on the place of use described; however, water may be applied to lands which are not specifically described above, provided the holder of this right complies with ORS 540.510(3).

Issued **JUL 07 2023**



Dwight French
Water Right Services Division Administrator, for
Douglas E. Woodcock, Acting Director
Oregon Water Resources Department

ATTACHMENT 3

Form D

Parklane Park
New Water Right Application

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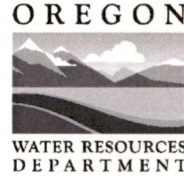
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Supplemental Form D

Water Right Transfers Within the Boundaries of or Served by an Irrigation District or other Water Supplier (Association, Ditch Co., etc.)

[For transfers submitted under OAR Chapter 690 Division 380]



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
503-986-0900
www.oregon.gov/OWRD

The Department requires non-district applicants to communicate with districts/water suppliers during the planning and preparation of transfer applications involving water rights having a point of diversion or appropriation (POD/POA) or place of use (POU) served by or located within the boundaries of an irrigation district, or other type of water supplier to which assessments are paid. In some cases consent will be required from the district or water supplier.

This form must be included with any transfer application that involves rights served by or located within the boundaries of a district or other type of water supplier.

1. APPLICANT INFORMATION

NAME Sandra Burtzos Fathizadeh, CITY OF PORTLAND PARKS AND RECREATION DEPARTMENT			PHONE (HM)
PHONE (WK) 503-823-5594	CELL 971-940-5722	FAX	
ADDRESS 1120 SW 5 TH AVE, SUITE 858			
CITY PORTLAND	STATE OR	ZIP 97204	E-MAIL** sandra.burtzos@portlandoregon.gov

2. DISTRICT or WATER SUPPLIER INFORMATION

DISTRICT/WATER SUPPLIER NAME ROCKWOOD WATER PEOPLE'S UTILITY DISTRICT			PHONE (HM) 503-665-4179
PHONE (WK) 503-665-4179	CELL 503-665-4179	FAX 503-667-5108	
ADDRESS 19601 NE HALSEY STREET			
CITY PORTLAND	STATE OR	ZIP 97230	E-MAIL** customerservice@rwpud.org

** By providing an e-mail address, the applicant and/or the district/water supplier consents to receive all correspondence from the Department electronically. Copies of final order documents will also be mailed.

3. WATER RIGHTS ISSUED IN THE NAME OF, or LOCATED WITHIN, or SERVED BY AN IRRIGATION DISTRICT, OTHER DISTRICT, OR WATER SUPPLIER

a. List the water right(s) involved in this transfer:

	Application / Decree	Permit / Previous Transfer	Certificate	Is the water right in the name of a district, water supplier, or BOR*?
1.	G-16195	G-15869	97162	YES <input type="checkbox"/>
2.		-		YES <input type="checkbox"/>
3.		-		YES <input type="checkbox"/>

Attach additional pages for additional water rights if necessary.

*Bureau of Reclamation

b. Determine a district's/water supplier's connection to your points of diversion (POD) or appropriation (POA) and places of use (POU). [You may need to consult with your district/water supplier.]

CURRENT ASSOCIATIONS Please answer the following "yes" or "no" questions:

- YES NO One or more of the current POD(s) / POA(s) involved in the transfer are served by a district/water supplier or rely on BOR water.
- YES NO All or a portion of the current POU involved in this proposed transfer receives water for either primary or supplemental irrigation from the district/water supplier; i.e., the POU is currently layered with a district or BOR water supplied water right(s).

PROPOSED ASSOCIATIONS Please answer the following "yes" or "no" questions:

- YES NO One or more of the proposed POD(s) / POA(s) involved in the transfer are currently served or will be served by a district/water supplier if the transfer is approved, or rely on BOR water.
- YES NO All or a portion of the proposed POU involved in this proposed transfer currently receives or will receive either primary or supplemental irrigation from the district/water supplier; i.e., the POU will be layered with a district/water supplier or BOR water supplied water right(s).

COMMENTS OR ADDITIONAL INFORMATION POU AND POA UNDER CERTIFICATE 97162 AND UNDER THE PROPOSED CHANGES ARE LOCATED WITHIN THE ROCKWOOD WATER DISTRICT. NO CURRENT OR PROPOSED WATER USE IS SERVED BY THE ROCKWOOD WATER DISTRICT.

4. APPLICANT'S SIGNATURE

- (1) I certify that I have notified the district/water supplier about the proposed water right transfer application by [check one]:
 email, phone, postal mail, in person, or other (please specify) **Landau Associates provided notice of the proposed water right transfer to the Rockwood Water People's Utility District on 9/19/2023 over the phone.**
- (2) I certify that to the best of my knowledge the information contained in this Supplemental Form D is true and accurate.


Applicant Signature

Sandra Burtzos Fathizadeh
Name (print)

11/15/2023
Date

5. (WHEN REQUIRED) DISTRICT or WATER SUPPLIER CONSENT TO THE PROPOSED WATER RIGHT TRANSFER

District Manager or Water Supplier consent is **required** if any box on this form is marked "YES."

The district/water supplier certifies the following:

- (1) The district/water supplier has reviewed the applicant's proposed water right transfer application and maps; and
- (2) The district/water supplier consents to the proposed water right transfer application.

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YES NO After proof of completion, the confirming water right certificate is to remain in the name of the U.S. Bureau of Reclamation or the district/water supplier.

YES NO The district/water supplier will be responsible for submitting the claim of beneficial use prepared by a Certified Water Rights Examiner (CWRE).

Not Applicable

Signature of District Manager /Water Supplier

Name (print), Title

Date

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Hearings Office

City of Portland

1900 SW 4th Avenue, Room 3100, Portland, OR 97201
www.portlandoregon.gov/hearings
email: HearingsOfficeClerks@portlandoregon.gov

phone: 503.823.7307
fax: 503.823.4347



DECISION OF THE HEARINGS OFFICER

I. GENERAL INFORMATION

File Number: LU 21-025688 CU AD (Hearings Office 4210010)

Applicant(s): City of Portland (Portland Parks and Recreation)
1221 SW 4th Ave. #130
Portland, OR 97204-1900

Applicant's Representatives: Elizabeth Decker
JET Planning
1300 SE Stark St., Ste. 211
Portland OR 97214

Sandra Burtzos
Portland Parks & Recreation
1120 SW 5th Ave., Ste. 858
Portland, OR 97204

Taj Hanson
Walker Macy
111 SW Oak St., Ste. 200
Portland, OR 97204

Hearings Officer: William Guzman

Bureau of Development Services (BDS) Staff Representative: Andrew Gulizia

Site Address: 15309 SE Main St.

Legal Description: LOT 3&4&30 TL 100, NEWHURST PK; INC PT VAC ST LOT 5 INC PT VAC ST E 1/2 OF LOT 6, NEWHURST PK; INC PT VAC ST S 413.6' OF W 1/2 OF LOT 6 S 413.6' OF LOT 7 EXC PT IN ST EXC W 234.5', NEWHURST PK; LOT 27-30 TL 300, NEWHURST PK

Tax Account No.: R602300350, R602300650, R602301000, R602303900

State ID No.: 1S2E01AC 00100, 1S2E01AC 00200, 1S2E01BD 00600, 1S2E01AC 00300

Quarter Section: 3145, 3146

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Neighborhood: Centennial, contact at dbramske@EMAarchitecture.com
Business District: Gateway Area Business Association, contact at gabapdxboard@gmail.com
District Coalition: East Portland Community Office, contact Douglas Armstrong at dda882@gmail.com

Zoning: OS – Open Space

Land Use Review: Type III, Conditional Use Review and Adjustment Review

BDS Staff Recommendation to Hearings Officer: Approval with Conditions

Public Hearing: The hearing was opened at 1:33 p.m. on January 31, 2022 in the third floor hearing room, 1900 SW 4th Avenue, Portland, Oregon, and was closed at 2:52 p.m. The record was held open until 4:00 p.m. February 7, 2022, for new evidence. Until 4:00 p.m. February 14, 2022, for response to new evidence. And until 4:00 p.m. February 22, 2022. The record was closed at 4:00 p.m. on February 22, 2022.

Testified at the Hearing:

Andrew Gulizia
Ron Clemenson
Mike Gallaway
Sandra Burtzos
Elizabeth Decker

II. ANALYSIS

The City of Portland Parks and Recreation (Applicant) proposes to expand Parklane Park from 5 acres to 25 acres by utilizing a currently vacant property immediately north of the existing park.

The proposal includes play areas, picnic areas, sports courts (soccer fields), a skate park, a community garden, an off-leash dog area, restrooms, and off-street parking. The two largest sports courts would be for organized soccer games, but no public address (PA) system or field lights are proposed.

The Hearings Officer finds that this proposal requires approval of a Type III Conditional Use Review per Zoning Code Sections 33.100.100.B.2, 33.279.035.B.1, and 33.815.040.B.2.b.

The Applicant requests the following Adjustments to Zoning Code requirements:

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- To waive the requirement for a 15-foot-wide L3 (high screen) landscaping buffer along the lot lines abutting residentially zoned lots (Zoning Code Section 33.100.200.B.1, Zoning Code Table 110-5);
- To waive the requirement for 5-foot-wide L2 (low screen) landscaping buffers abutting the south sides of the proposed parking lots (Zoning Code Section 33.266.130.G.2.d.1); and
- To waive the requirement for 5-foot-wide L3 (high screen) landscaping buffers abutting the north and east sides of the west parking lot and abutting the north and west sides of the east parking lot (Zoning Code Section 33.266.130.G.2.d.2).

The Hearings Officer finds that in order for this proposal to be approved, the following approval criteria must be met.

- Zoning Code Section 33.815.100.A-D (Conditional Use Review); and
- Zoning Code Section 33.805.040.A-F (Adjustment Review).

Relying on the staff report, as well as credible testimony at the Hearing from the planner and Applicant, the Hearings Officer adopts the description of the subject site from the staff report as follows:

"The proposed site is approximately 25 acres in area and is located in the Centennial neighborhood in Outer Southeast Portland. The site has frontage on three streets: SE Main Street to the southwest, SE Millmain Drive to the southeast, and SE 155th Avenue to the north. The nearest arterial streets are SE 148th Avenue, about 800 feet to the west, SE 162nd Avenue, about 1,300 feet to the east, and SE Stark Street, about 1,300 feet to the north. The existing Parklane Park, which is improved with grassy areas and play areas, is in the southernmost 5 acres of the site. The rest of the site is currently vacant. An elementary school campus containing both Parklane Elementary School and Oliver Elementary School abuts the site to the east. Most other neighboring properties are developed with single-dwelling homes."

The Open Space zone is intended to preserve open areas for outdoor recreation and scenic quality, to preserve the capacity and water quality of the stormwater drainage system, to protect sensitive or fragile environmental areas, to provide pedestrian and bicycle transportation connections, and to protect trees and the urban forest. The Hearings Officer finds that a public park with soccer fields and outdoor activities are in line with, and supportive of, the intent of the Open Space zone's goal of preserving the vacant field for outdoor recreation. The proposal is consistent with the intended character of the specific open space zoned area (a vacant field) and with the purpose of the open space zone. The Hearings Officer finds that the proposal will maintain the space so that it remains open

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(example, soccer fields are similar to a vacant field except that they are activated spaces with welcomed sports activity). The urban forest is being protected by the proposal as described in more detail later in the decision.

The Hearings Officer finds that the following prior land use reviews for the subject site did not include conditions of approval that are applicable to the current proposal.

- LUR 97-00395 EF. 1998 approval to fill in a former quarry.
- LUR 00-00172 EF. 2000 approval to fill in a former quarry. This land use review was necessary because the LUR 97-00395 EF approval expired before the work was done.

The record includes a "Request for Response" the planner sent to City agencies November 3, 2021. The following Bureaus responded:

- The Bureau of Environmental Services (BES) evaluated the approval criterion related to sanitary waste and stormwater disposal. The response is referenced in the findings for Zoning Code Section 33.815.100.B.3, below. (Exhibit E-1)
- The Portland Bureau of Transportation (PBOT) evaluated the approval criteria related to the transportation system. The response is referenced in the findings for Zoning Code Section 33.815.100.B.1-2, below. (Exhibit E-2)
- The Water Bureau responded with no concerns. (Exhibit E-3)
- The Fire Bureau responded with information on permit requirements and no objections to the proposal. (Exhibit E-4)
- The Police Bureau responded that police would be able to adequately serve the expanded park. (Exhibit E-5)
- The Site Development Review Section of the Bureau of Development Services (BDS) responded with information on permit requirements and no objections to the proposal. (Exhibit E-6)
- The Life Safety Review Section of BDS responded with information on permit requirements and no objections to the proposal. (Exhibit E-7)
- The Urban Forestry Section of Portland Parks and Recreation responded with information on Portland Tree Code (Title 11) requirements and no objections to the proposal. (Exhibit E-8)

The Hearings Officer's review of the file suggests that none of the City bureaus that provided a response concluded that there were impassable barriers to the Applicant's proposal meeting the approval criteria. Since the Applicant and the City are in agreement with the staff report's recommendation including conditions and adjustments, the Hearings Officer will focus the analysis in this decision to those aspects of the criteria that are raised by public oral and written testimony.

Livability (Litter, Safety, Privacy)

In order for Applicant's proposal to meet the approval criteria the Hearings Officer must be convinced of the following from Title 33.815.100.C.:

"The proposal will not have significant adverse impacts on the livability of nearby residential-zoned lands due to:

1. Noise, glare from lights, late-night operations, odors, and **litter**; and
2. **Privacy** and **safety** issues."

The Applicant has the burden of proving the criteria is met.

The term significant is not defined in Title 33. "Significant" is defined the Black's Law Dictionary (11th Ed., Bryan Garner), which offers several definitions, the third of which is applicable to the use of the adjective in this context: "Of special importance; momentous, as distinguished from insignificant." In the context of this park expansion proposal and the approval criteria, the Hearings Officer interprets the term "significant adverse impacts on livability" to mean the following: The Applicant's proposal must not have important adverse impacts in terms of privacy, safety, and litter. In other words, will the transformation of the vacant field into a park "significantly" increase litter, safety issues (crime), and reduce privacy?

The Hearings Officer finds that proper notice was provided to the neighborhood as required by Title 33. Interested or concerned members of the public submitted their testimony by written and oral submission. There are several issues raised by these members of the public that relate to livability issues such as privacy, safety, and litter.

In Exhibit F-1 the testimony includes the following issue:

"[T]here must be a buffer and new fence and some form of shrubs for **home owners privacy** as shown in the diagram on page 35 of the Master Plan booklet. That was agreed to by Parks and David Yamashita, then Project Manager, and all of us at the table. **Reasonable privacy and safety will be enhanced by the buffer** and create a more acceptable situation for the home owners and for Parks, and so important in these times of **crime and bad behavior**. * * * Working together to protect each others properties is a must do

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and we ask that Parks and the City of Portland keep the agreement for this buffer for all the right reasons.”

In written testimony marked Exhibit F-2 the person’s testimony raises a similar concern addressing crime and safety:

“I believe back in 2008 and the planning the costs for **building out a buffer were included in the plan.** I know how costs increase (especially over the past couple of years) because I deal with the construction industry daily. Because **the fence has not been maintained** we had someone cut the barbed wire we had our shed broken into and some very expensive bikes taken. We do not want the people and the traffic up along our property line, **possibility of more theft, tagging on the fence or shed.**”

In Exhibit H-10 a member of the community residing in close proximity to the proposed park recounted several safety, privacy, and criminal incidents occurring in the area that require a fence be maintained between the private properties and the proposed park. This person concludes a fence is very important to address these safety concerns, stating the following: **“I think it is important for fencing to be built to separate homes from the park.”**

In support of the testimony that the fence is not in good repair the following photograph was submitted into the record.



The Hearings Officer finds this photograph is a true and accurate depiction of a section of the fence on the boundary of the proposed site. The Hearings Officer finds that at least some sections of this fence are not in good repair, it has been damaged/cut, and in its current

condition it would be ineffective in preventing a determined individual from breaching the barrier.

In Exhibit H-11 a member of the public explains that the location of the proposed development attracts people without houses.

"[I]n the last couple years especially in the summer sadly but **homeless people were building tents** especially in the green space between the trees, hanging clothing, **leaving garbage** around so it was a distress watching them from my porch...every time I had to call the cities Rangers to pick them and be taken in the appropriate place."

In Exhibit H-13 a member of the public expresses a similar concern about attracting people without houses to the area:

"My house is on the fence so the main thing is **the houseless camps that will come to the fence line on the North and West side of the park. What is the plan to keep the area safe?**"

In addition to written testimony submitted by those living in close proximity to the site, several residents offered oral testimony at the Hearing.

Ron Clemenson agreed with the Applicant's proposal to include adjustments that waive the requirement of shrubbery buffers to increase lanes of visibility to allow residents to identify and report unwelcomed activities at the site. This testimony also included questions about prohibiting camping, the posting of park rules prohibiting camping, and the responsiveness of rangers to alleged violations. Lastly, this testimony included concerns about the placement of trees and adequate parking, which will be addressed in a separate section of this decision (see below).

Mike Gallaway provided testimony echoing concerns about security being of paramount importance after several criminal incidents at their property. This testimony was supportive of the adjustments to the landscape buffers requested by Applicant for increasing visibility. This testimony also included concerns about the parking availability for peak times during soccer season (parking concerns will be addressed in a separate section of this decision).

The Applicant provided rebuttal testimony at the Hearing and referred the Hearings Officer to Exhibit A-37. The Applicant notes that the existing fencing along the site perimeter would be maintained, and that activity areas in the park would be set back from adjacent residential lots. The Applicant states that shrubs along the site perimeter are not proposed in order to maintain sight lines for surveillance of the park, which is consistent with the Master Plan objectives for safety and security (Exhibit A-36, page 24).

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The Hearings Officer finds that it is appropriate to require the Applicant to maintain in good repair the existing fence, excluding the strands of barbwire along the top. The Hearings Officer finds that significant setbacks between the perimeter and park development of at least 75 feet is also necessary. This area will consist of open lawn, and a mix of existing and proposed trees. The Hearings Officer supports the proposed adjustments to increase the lanes of visibility and finds these adjustment are necessary to not compromise security.

The following Adjustments to Zoning Code requirements support this approval criteria:

- To waive the requirement for a 15-foot-wide L3 (high screen) landscaping buffer along the lot lines abutting residentially zoned lots (Zoning Code Section 33.100.200.B.1, Zoning Code Table 110-5);
- To waive the requirement for 5-foot-wide L2 (low screen) landscaping buffers abutting the south sides of the proposed parking lots (Zoning Code Section 33.266.130.G.2.d.1); and
- To waive the requirement for 5-foot-wide L3 (high screen) landscaping buffers abutting the north and east sides of the west parking lot and abutting the north and west sides of the east parking lot (Zoning Code Section 33.266.130.G.2.d.2).

The Hearings Officer is also persuaded and concludes that activating the vacant field with welcomed activities like soccer fields will not significantly increase safety concerns or litter. Although the Hearings Officer finds the testimony credible of the community members that the vacant field is attractive to houseless individuals and that crime/litter are a reoccurring reality, the Hearings Officer is convinced by Applicant's argument that expanding the park with lighting, maintained fencing, and welcomed activities like soccer matches will not significantly increase unlawful camping, litter, and criminal activity. In fact, it will likely increase livability as it relates to safety, litter, and privacy.

Houseless Person Disclaimer: Nothing in this opinion should be interpreted as an assertion or conclusion that persons experiencing houselessness are correlated with increases in crime. The Hearings Officer only finds that the lived experience of those on the perimeter of this park have included witnessing houseless individuals erecting structures (tents), that litter is an ongoing problem, and that criminal activity has occurred in this area. Whether the houseless persons are necessarily those persons responsible for the crimes or the litter is not necessary and the record does not support such a broad reaching conclusion.

The conceptual buffer along the north and west property lines was intended to "maintain privacy of the residences and discourage park use in secluded areas of the park." (Master Plan, page 34.) While the specific form of the perimeter buffer differs in the proposed 2022 site plan compared to the 2009 conceptual plan, the function remains the same and it achieves the stated community goals of buffering adjacent

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residences from park elements as well or better than the conceptual buffer design. It also allows for more distant pastoral views into the park's greenspaces through the existing chain link fence, while buffering views of the park's paths and active features through the use of scattered trees of varying distance from the property lines.

The Hearings Officer finds that the proposed buffer treatment along the north and west property lines will address community priorities for this park-residential transition with the following elements. Setting park elements back a minimum of 75 feet from the property line, including new plantings and pathways. The closest active park element will be the community garden in the northeastern corner, set back approximately 100 feet from the northern property line. (See Exhibit A, Sheet L102.) These extensive setbacks, which exceed code requirements as well as the setbacks originally envisioned in the Master Plan, will limit park impacts on adjacent residences and will enhance security by maintaining visibility along the perimeter.

The Hearings Officer finds that the Parklane Park Master Plan document (Exhibit A-36, page 35) shows a buffer consisting of fencing, shrubs, and a gravel border on the north side of the park. The Applicant and Planner argue that the Parklane Park Master Plan was a Portland Parks and Recreation document created in 2009 after a public involvement process. Although the Applicant and Planner agree the plan includes a gravel buffer it is not being included in this land use proposal. The Hearings Officer agrees with the conclusion that the Master Plan document was not subject to land use review and is therefore not binding on this land use review proposal. The Hearings Officer finds that Applicant's current proposal is broadly consistent with the 2009 Master Plan. Whether to include a condition that requires a gravel border is within the Hearings Officer's discretion if the proposal cannot meet the approval criteria without it.

The Hearings Officer accepts the recommendation from the Staff Report that the Applicant must maintain the existing perimeter fencing in good repair. The Hearings Officer does not find a condition of approval is warranted to require new shrubbery or gravel along the site perimeter.

Parking

Community testimony raised the concern that the expansion of the park to include the creation of soccer fields will create very high demand during soccer season making on-street parking difficult. Title 33.815.100.B.2.a requires that the transportation system is capable of supporting the proposed expanded park activities in addition to the existing uses in the area. Relevant to the issue raised by the community members, one of the evaluation factors includes on-street parking impacts.

The Applicant submitted Exhibit H-17 "Parklane Park Parking Alternatives Memorandum" for the Hearings Officer's consideration. This document was created by registered professional engineer Todd Mobley. A conservative estimate of 89 on-street parking spaces was estimated

to be currently available on the roadways within the vicinity of the site. This report explains that observations of current parking demand were undertaken. The report accurately captures characteristics of the Applicant's proposal as a public park and soccer complex (soccer fields). Also as part of the study observations were made at other soccer complexes to estimate the demand generated by this sports activity. "Based on the three peer sites of similar size and potential use, an average peak parking generation rate of 37.33 vehicles per field during the peak hour is an appropriate rate for the soccer fields." (Exhibit H-17) The engineer's study led to the following conclusion:

"The worst-case scenario parking demand can be satisfied by the minimum proposed parking supply scenario. This scenario includes the smallest parking lot alternative of 30-spaces in the eastern parking lot. Coupled with the existing parking on-street supply of 75 parking spaces, 105 parking spaces will be provided. This exceeds the maximum average parking demand estimate of 98 parking spaces."

The Portland Bureau of Transportation (PBOT) submitted Exhibit H-18 to address the parking impacts of the Applicant's proposal. PBOT's submission reviews the evaluation criteria used by the Applicant's engineers and concludes: "PBOT [agrees] with the consultant's assessment that providing between 36-81 on-site parking spaces will not have a significant impact on the supply of on-street parking."

Title 33 directs the Hearings Officer to evaluate the factors in balance with each other. Therefore, a finding of failure in one or more factors may be acceptable if the failure is not a result of the proposed development, and any additional impacts on the system from the proposed development are mitigated. And measures proportional to the impact may be considered. In this context the Hearings Officer finds that "parking demand management actions" are proposed in terms of on-site parking (parking lot). The Hearings Officer finds that demand for on-street parking generated by the residents and their guests, and the 5-acre existing park is relatively low. The Hearings Officer finds that the Applicant's proposal meets the approval criteria with the following condition: At least 30 and not more than 81 off-street parking spaces must be constructed which meet applicable requirements in Zoning Code Section 33.266.130.

Trees

The Open Space zone is intended to protect trees and the urban forest. Urban Forestry reviewed the Applicant's proposal, has no objections, and did not suggest conditions of approval. The Hearings Officer finds the tree related aspects of the Applicant's proposal follow common sense, are reasonable, and are otherwise appropriate. The adjustments noted above will reduce the number of trees around the parking lot(s). There will be existing trees that will be protected along the perimeter but the proposal does not include additional trees. Urban Forestry has reviewed the proposal and supports approval (Exhibit E-8). The Hearings Officer finds that the urban forest would be enhanced with 99 trees to be preserved and 320 new

trees to be planted, including many large-sized, native trees such as Douglas fir and Oregon white oak (Exhibit A-22; Exhibit A-28, pages 13-29; and Exhibit A-31). This criteria is satisfied.

III. CONCLUSIONS

Any aspect of the criteria not specifically addressed in this decision is adopted by the Hearings Officer from the staff report and the staff report is incorporated into this order by reference. The Hearings Officer finds the proposed expansion of Parklane Park would be consistent with the purpose of the OS zone and with relevant objectives from the Centennial Neighborhood Plan and Outer Southeast Community Plan. The Hearings Officer finds the proposal would not cause significant, negative impacts on neighbors' livability, and that public services are adequate to support the proposal.

The Hearings Officer finds the requested Adjustments to landscape buffering requirements are consistent with the purposes of the requirements to be modified, with the purpose of the OS zone, and with relevant objectives from the Centennial Neighborhood Plan and Outer Southeast Community Plan.

With the conditions of approval listed below, including the requirement for on-site parking, the Hearings Officer finds the approval criteria for the Conditional Use Review and Adjustment Review can be met. With the recommended conditions of approval, the Hearings Officer approves the proposal.

IV. DECISION

Approval of:

- Conditional Use Review to expand Parklane Park from 5 acres to 25 acres; and
- The following Adjustments to Zoning Code requirements for the project:
 - To waive the requirement for a 15-foot-wide L3 (high screen) landscaping buffer along the lot lines abutting residentially zoned lots (Zoning Code Section 33.100.200.B.1, Zoning Code Table 110-5);
 - To waive the requirement for 5-foot-wide L2 (low screen) landscaping buffers abutting the south sides of the proposed parking lots (Zoning Code Section 33.266.130.G.2.d.1); and
 - To waive the requirement for 5-foot-wide L3 (high screen) landscaping buffers abutting the north and east sides of the west parking lot and abutting the north and west sides of the east parking lot (Zoning Code Section 33.266.130.G.2.d.2).

The approval is subject to the following conditions:

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- A. As part of the building permit application submittal, each of the required site plans and any additional drawings must reflect the information and design approved by this land use review as indicated in Exhibit C-1. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 21-025688 CU AD." However, all improvements illustrated in Exhibit C-1 may be omitted from the building permit plans without the need for another Conditional Use Review with the exception of the pathways, landscaping and trees, bike parking, and vehicle parking.
- B. Existing fencing along the west, north, and east perimeters of the site must be maintained in good repair. Barbed wire at the top of this fence may be removed. The fence must not be reduced in height. Sections of fence which are damaged or destroyed must be replaced with comparable fencing no lower in height.
- C. Prior to building permit approval, the applicant must demonstrate to the satisfaction of the Bureau of Environmental Services (BES) that all proposed underground injection control (UIC) facilities will be located outside of the deep quarry undocumented fill material to ensure stormwater infiltration into native soils. The stormwater report must be updated to reflect changes to the UIC locations if applicable.
- D. Prior to building permit approval, the applicant must have a UIC methane mitigation and monitoring plan in place that has been reviewed and approved to the satisfaction of BES.
- E. At least 30 short-term bike parking spaces meeting applicable requirements in Zoning Code Section 33.266.210 are required.
- F. At least 30 and not more than 81 off-street parking spaces must be constructed which meet applicable requirements in Zoning Code Section 33.266.130.

William Guzman

William Guzman, Hearings Officer

March 11, 2022

Date

Application Determined Complete:	September 13, 2021
Report to Hearings Officer:	January 21, 2022
Decision Mailed:	March 11, 2022
Last Date to Appeal:	4:30 p.m., March 25, 2022
Effective Date (if no appeal):	March 28, 2022

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Conditions of Approval. 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.

Appeal of the decision. ANY APPEAL OF THE HEARINGS OFFICER'S DECISION MUST BE E-MAILED TO LANDUSEINTAKE@PORTLANDOREGON.GOV. The appeal application form can be accessed at <https://www.portlandoregon.gov/bds/45477>. If you do not have access to e-mail, please telephone (503) 823-7617 for assistance on how to submit the appeal; please allow one business day for staff to respond. **An appeal fee of \$5,513.00 will be charged (one-half of the application fee for this case, up to a maximum of \$5,000.00).**

Who can appeal: You may appeal the decision only if you wrote a letter which is received before the close of the record on hearing or if you testified at the hearing, or if you are the property owner or applicant. If you or anyone else appeals the decision of the Hearings Officer, only evidence previously presented to the Hearings Officer will be considered by the City Council.

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EXHIBITS
NOT ATTACHED UNLESS INDICATED

A. Applicant's Statement:

Original submittal

1. Narrative
2. Plan set
3. Early Assistance meeting summary notes
4. Pre-Application Conference summary notes
5. Email correspondence
6. Geotechnical report
7. Wetlands reports
8. Water availability report
9. Stormwater report
10. Transportation study
11. Arborist report
12. Lighting plans
13. Public improvement plans

September 13, 2021 submittal

14. Request to extend 120-day review period by 30 days

October 12, 2021 submittal

15. Request to extend 120-day review period by 14 days

October 26, 2021 submittal

16. Request to extend 120-day review period by 3 days

October 29, 2021 submittal

17. Revised narrative
18. Revised plan set
19. Soil gas survey memo
20. Revised stormwater report
21. Revised transportation study
22. Revised arborist report
23. Revised lighting plans
24. Revised public improvement plans
25. Public Works Alternative Review decision

November 1, 2021 submittal

26. Revised lighting plans

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November 19, 2021 submittal

27. Request to reschedule hearing and extend 120-day review period by 35 days

November 23, 2021 submittal

- 28. Revised plan set
- 29. Revised stormwater report
- 30. Revised public improvement plans

November 30, 2021 submittal

31. Revised landscaping details

December 17, 2021 submittal

32. Request to reschedule hearing and extend 120-day review period by 26 days

January 13, 2022 submittal

- 33. Revised stormwater report
- 34. Revised utility plans and materials plans
- 35. Methane mitigation and management plan

January 18, 2022 submittal

36. 2009 Parklane Park Master Plan

January 20, 2022 submittal

37. Applicant memo re: public comments

- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Site plan (attached)
- D. Notification Information:
 - 1. Request for Response
 - 2. Posting letter and applicant's statement certifying posting
 - 3. Notice of Public Hearing
 - 4. Mailing list for Notice of Public Hearing
- E. Agency Responses:
 - 1. Bureau of Environmental Services
 - 2. Portland Bureau of Transportation
 - 3. Water Bureau
 - 4. Fire Bureau
 - 5. Police Bureau
 - 6. Site Development Review Section of BDS
 - 7. Life Safety Review Section of BDS
 - 8. Urban Forestry Section of Portland Parks and Recreation

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- F. Correspondence:
 - 1. January 14, 2022 email from Ron Clemenson
 - 2. January 19, 2022 email from Lorelei Hall
- G. Other:
 - 1. Land use review application
 - 2. Incompleteness determination letter, dated April 6, 2021
- H. Hearing Exhibits:
 - 1. BDS Land Use Request or a Hearing Email
 - 2. LU 21-025688 CU AD (4210010) Land Use Zoom Participation Instructions
 - 3. Hearings Office Reschedule Hearing Form – Parklane 1
 - 4. LU 21-025688 CU AD (42100100) Rescheduled Land Use Zoom Participation Instructions
 - 5. Emails LU 21-025688 CU AD – Parkland Park Expansion
 - 6. 2nd Hearings Office Reschedule Hearing Form – Parkland 211217
 - 7. LU 21-025688 CU AD (4210010) 2nd Rescheduled Land Use Zoom Participation Instructions
 - 8. Notice of a Public Hearing
 - 9. LU 21-025688 CU AD – Staff Report
 - 10. Vlad Ghip – comments
 - 11. Felicia Blotor – comments
 - 12. Planner PowerPoint Presentation
 - 13. Robert Shipp – comments
 - 14. Centennial Neighborhood Plan
 - 15. Outer Southeast Community Plan
 - 16. Record Closing Information
 - 17. Parklane Park Parking Alternatives Memo (Todd Mobley)
 - 18. PBOT Memo to Hearings Office for Parklane (Robert Haley)
 - 19. Parklane Park Applicant Comment – Camping Resources (Elizabeth Decker)
 - 20. Applicant's response for LU 21-025688 CU AD

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).

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ATTACHMENT 5

Water Well Reports

Parklane Park
New Water Right Application

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STATE OF OREGON WATER SUPPLY WELL REPORT

MULT 140472

WELL I.D. LABEL# L

143587

START CARD #

1061090

ORIGINAL LOG #

(as required by ORS 537.545 & 537.765 and OAR 690-205-0210)

10/3/2023

(1) LAND OWNER

Owner Well I.D. First Name Last Name Company PORTLAND PARKS AND RECREATION Address 1120 SW FIFTH AVE SUITE 858 City PORTLAND State OR Zip 97204

(9) LOCATION OF WELL (legal description)

County MULTNOMAH Twp 1.00 S N/S Range 2.00 E E/W WM Sec 1 NW 1/4 of the NE 1/4 Tax Lot 100 Tax Map Number 1S2E01AC Lot Lat Long Street address of well Nearest address 15309 SE MAIN ST, PORTLAND OR 97233

(2) TYPE OF WORK

New Well Deepening Conversion Alteration (complete 2a & 10) Abandonment (complete 5a)

(2a) PRE-ALTERATION

Casing: Dia From To Gauge Stl Plstc Wld Thrd Seal: Material From To Amt sacks/lbs

(3) DRILL METHOD

Rotary Air Rotary Mud Cable Auger Cable Mud Reverse Rotary Other

(4) PROPOSED USE

Domestic Irrigation Community Industrial/Commercial Livestock Dewatering Thermal Injection Other

(5) BORE HOLE CONSTRUCTION

Depth of Completed Well 300.00 ft. Special Standard (Attach copy)

Table with columns: Dia, From, To, Material, SEAL, Amt, lbs. Rows include Bentonite Chips and Cement.

Seal placement method Backfill placed from Filter pack from Explosives used Seal Placement Begin Date 9/18/2023 Begin Time 10:30

(5a) ABANDONMENT USING UNHYDRATED BENTONITE

Proposed Amount Actual Amount

(6) CASING/LINER

Table with columns: Casing, Liner, Dia, From, To, Gauge, Stl, Plstc, Wld, Thrd. Rows show casing specifications.

Shoe Inside Outside Other Location of shoe(s) 300 Temp casing Yes Dia 16 From 0 To 213

(7) PERFORATIONS/SCREENS

Table with columns: Perf/Screen, Casing/Liner, Dia, From, To, Scrn/slot width, Slot length, # of slots, Tele/pipe size. Rows show perforation details.

(8) WELL TESTS: Minimum testing time is 1 hour

Pump Bailer Air Flowing Artesian Yield gal/min Drawdown Drill stem/Pump depth Duration (hr)

Temperature 54 F Lab analysis Yes By Water quality concerns? Yes (describe below) TDS amount 43 ppm

(10) STATIC WATER LEVEL

Table with columns: Existing Well / Pre-Alteration, Date, SWL (psi), SWL (ft). Row for Completed Well on 9/26/2023 with SWL 82 ft.

WATER BEARING ZONES

Table with columns: SWL Date, From, To, Est Flow, SWL (psi), SWL (ft). Rows show water bearing zones.

(11) WELL LOG

Table with columns: Material, From, To. Rows describe well log materials like Gravel, Sand, and Cementation.

(unbonded) Water Well Constructor Certification

I certify that the work I performed on the construction, deepening, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards.

License Number 2077 Date 9/27/2023

Signed MIKE MINGAY (E-filed)

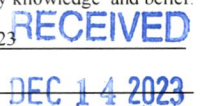
(bonded) Water Well Constructor Certification

I accept responsibility for the construction, deepening, alteration, or abandonment work performed on this well during the construction dates reported above.

License Number 1988 Date 10/3/2023

Signed ERIC SCHNEIDER (E-filed)

Contact Info (optional)



ORIGINAL - WATER RESOURCES DEPARTMENT

THIS REPORT MUST BE SUBMITTED TO THE WATER RESOURCES DEPARTMENT WITHIN 30 DAYS OF COMPLETION OF WORK Form Version: New exempt use wells must be submitted with a map and recording fee.

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WATER SUPPLY WELL REPORT - Map with location identified must be attached and shall include an approximate scale and north arrow

MULT 140472

10/3/2023

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Map of Hole

**STATE OF OREGON
WELL LOCATION MAP**

This map is supplemental to the WATER SUPPLY WELL REPORT

Oregon Water Resources Department
725 Summer St NE, Salem OR 97301
(503)986-0900



LOCATION OF WELL
Latitude: 45.51555600 Datum: WGS84
Longitude: -122.50222200
Township/Range/Section/Quarter-Quarter Section:
WM1.00S2.00E1NWNE
Address of Well:
15309 SE MAIN ST, PORTLAND OR 97233

Well Label: 143587
Printed: October 3, 2023

DISCLAIMER: This map is intended to represent the approximate location the well. It is not intended to be construed as survey accurate in any manner.
Provided by well constructor



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STATE OF OREGON WATER SUPPLY WELL REPORT

MULT 140303

WELL I.D. LABEL# L 84108 START CARD # 1070483 ORIGINAL LOG # MULTNOMAH 2839

(as required by ORS 537.545 & 537.765 and OAR 690-205-0210)

8/18/2023

(1) LAND OWNER Owner Well I.D. First Name SANDRA Last Name BURTZOS

Company CITY OF PORTLAND Address 1120 SW FIFTH AVE., RM 1302 City PORTLAND State OR Zip 97204

(2) TYPE OF WORK New Well Deepening Conversion Alteration Abandonment

(2a) PRE-ALTERATION Casing Seal

(3) DRILL METHOD Rotary Air Rotary Mud Cable Auger Cable Mud Reverse Rotary Other ABANDONMENT

(4) PROPOSED USE Domestic Irrigation Community Industrial/ Commercial Livestock Dewatering Thermal Injection Other

(5) BORE HOLE CONSTRUCTION Special Standard Depth of Completed Well 0.00 ft

Table with columns: Dia, From, To, Material, SEAL, Amt, sacks/lbs

Seal placement method Backfill placed from Filter pack from Explosives used Seal Placement Begin Date 8/2/2023

(5a) ABANDONMENT USING UNHYDRATED BENTONITE Proposed Amount Actual Amount

(6) CASING/LINER Casing Liner Dia + From To Gauge Stl Plstc Wld Thrd

(7) PERFORATIONS/SCREENS Perforations Method Screens Type Material

Table with columns: Perf/ Screen, Casing/ Liner, Dia, From, To, Scrm/slot width, Slot length, # of slots, Tele/ pipe size

(8) WELL TESTS: Minimum testing time is 1 hour Pump Bailer Air Flowing Artesian

Table with columns: Yield gal/min, Drawdown, Drill stem/Pump depth, Duration (hr)

Temperature Lab analysis Water quality concerns? TDS amount 95 ppm

(9) LOCATION OF WELL (legal description) County MULTNOMAH Twp 1.00 S N/S Range 2.00 E E/W WM Sec 1 SW 1/4 of the NE 1/4 Tax Lot 100

(10) STATIC WATER LEVEL Existing Well / Pre-Alteration Completed Well Date 7/27/2023 SWL(psi) SWL(ft) 78

Table with columns: SWL Date, From, To, Est Flow, SWL(psi), SWL(ft)

(11) WELL LOG Ground Elevation Material From To

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Construction Begin Date 7/28/2023 Begin Time 08:00 End Date 8/10/2023

(unbonded) Water Well Constructor Certification I certify that the work I performed on the construction, deepening, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards.

Signed MIKE MINGAY (E-filed) Date 8/18/2023

(bonded) Water Well Constructor Certification I accept responsibility for the construction, deepening, alteration, or abandonment work performed on this well during the construction dates reported above.

Signed ERIC SCHNEIDER (E-filed) Date 8/18/2023

ORIGINAL - WATER RESOURCES DEPARTMENT

THIS REPORT MUST BE SUBMITTED TO THE WATER RESOURCES DEPARTMENT WITHIN 30 DAYS OF COMPLETION OF WORK Form Version: New exempt use wells must be submitted with a map and recording fee.

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WATER SUPPLY WELL REPORT - Map with location identified must be attached and shall include an approximate scale and north arrow

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Map of Hole

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STATE OF OREGON
WELL LOCATION MAP

This map is supplemental to the WATER SUPPLY WELL REPORT

Oregon Water Resources Department
 725 Summer St NE, Salem OR 97301
 (503)988-0900



LOCATION OF WELL
 Latitude: 45.51433466 Datum: WGS84
 Longitude: -122.50325656
 Township/Range/Section/Quarter-Quarter Section:
 WM1.00S2.00E1SWNE
 Address of Well:
 15309 SE MAIN ST, PORTLAND OR 97233

Well Label: 84108
Printed: August 18, 2023

DISCLAIMER: This map is intended to represent the approximate location the well. It is not intended to be construed as survey accurate in any manner.
 Provided by well constructor



STATE ENGINEER
Salem, Oregon

MULT
2839

Well Record

STATE WELL NO. 1/2-1G
COUNTY Multnomah
APPLICATION NO. GR-1121

GR-1081

OWNER: Oregon Asphaltic Paving Company
MAILING ADDRESS: 0441 SW Porter St.

LOCATION OF WELL: Owner's No. _____
CITY AND STATE: Portland 1, Oregon

SW 1/4 NE 1/4 Sec. 1 T. 1 S. R. 2 W., W.M.

Bearing and distance from section or subdivision
corner N44°13'E. 2471.04' to NE cor. of Sec. 1.



Section 1

Altitude at well 247 ft.

TYPE OF WELL: Drilled Date Constructed 1952

Depth drilled 287 ft. Depth cased 287 ft.

CASING RECORD:

- 12 in. from 0 to 224 ft.
- 10 in. from 220 to 287 ft.

FINISH: 24 perforations per ft. - 3/8" x 1/4" from 272 to 287 ft.
 24 perforations per ft. - 3/8" x 1/4" from 80 to 89 ft.
 " " " " " " " " 104 to 112 ft.
 " " " " " " " " 247 to 249 ft.

AQUIFERS: Gravel with 50 to 75 GPM from 80 to 89 ft.
 Gravel with 100 to 150 GPM from 103 to 112 ft.
 Gravel with small amount of water. --- Water gravel (raised S.L. to 65 ft.)

WATER LEVEL: from 272 to 287 ft.
 65 ft.

PUMPING EQUIPMENT: Type Western LAND ROLLER TURBINE H.P. 40
 Capacity 750 G.P.M.

WELL TESTS:
 Drawdown 4 ft. after _____ hours 450 G.P.M.
 Drawdown 7 ft. after _____ hours 740 G.P.M.

USE OF WATER Washing gravel (Industrial) Temp. _____ °F. _____, 19

SOURCE OF INFORMATION G. R. Record

DRILLER or DIGGER Haakon I. Bottner

ADDITIONAL DATA:
 Log Water Level Measurements _____ Chemical Analysis _____ Aquifer Test _____

REMARKS:

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North 44 deg
13 min East
2471.04 feet
from NE
corner, section 1

ATTACHMENT 6

Water Delivery System Description

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Parklane Park
New Water Right Application

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Attachment 6

Existing Water Delivery System

Water from MULT-2839 is connected to Parklane Park's (Park) watering system through approximately 300 linear feet of 4-inch pipe. The Park's watering distribution system consists of 4-inch and 2-inch mainlines with the longest run being about 700 linear feet. The Park's watering system is shown on the Transfer Application Map in Attachment 1.

The Park uses a programmed zoned watering system, typically with 10 to 12 rotary heads per zone operating two to three zones at a time. Additionally, because this is a municipal certificate, for use throughout the City of Portland service boundaries, the system has quick couplers that can be used to fill up water trucks for other municipal uses.

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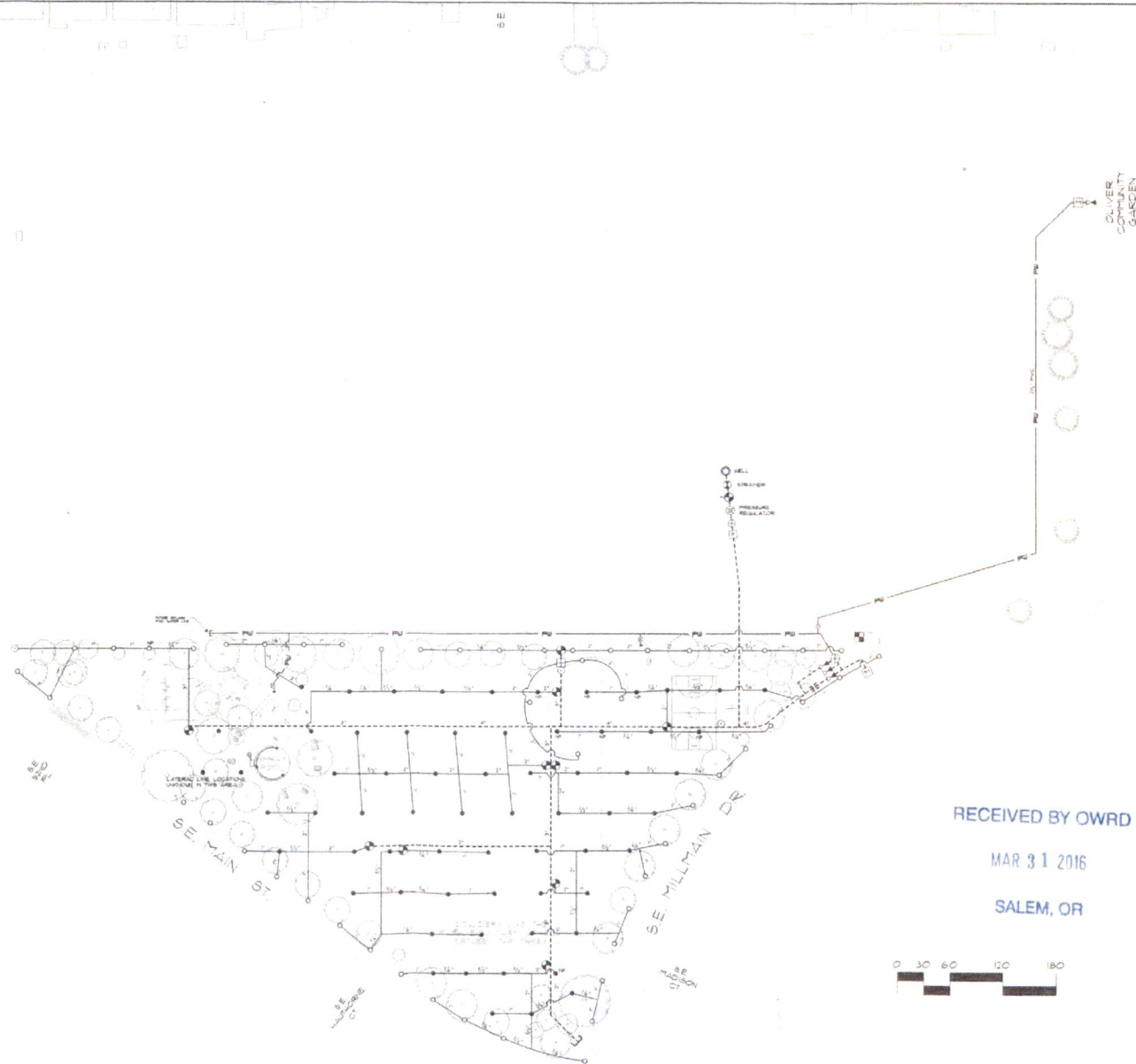
PLOTTED ON 28 FEB 2014 PLOTTED BY P.MOCHALEY

DRAWING: k:\parks\slc\portland\enr\engineering\loc2\irrigation.dwg

SE 151ST AVE.

IRRIGATION LEGEND

- IRRIGATION MAINLINE
- POTABLE WATER LINE SIZE AS SHOWN ON PLANS
- IRRIGATION ALINE SIZE AS SHOWN ON PLANS
- IRRIGATION CONTROLLER
- IRRIGATION CONTROL VALVES
- MANUAL ISOLATION VALVE UNLESS OTHERWISE NOTED ON PLANS
- MANUAL CONTROLLER VALVE
- VALVE MARKER: TOP NUMBER: VALVE NUMBER, MIDDLE NUMBER: VALVE SIZE, BOTTOM NUMBER: TOTAL GPM THROUGH VALVE
- DATA INDUSTRIAL FLOW SENSOR
- WATER METER
- BACKFLOW PREVENTER: STANDARD (L) DOUBLE CHECK (R)
- MASTER CONTROL VALVE
- ROTARY HEAD: FILLED CIRCLE: FULL ROTATION
OPEN CIRCLE: PARTIAL ROTATION
- POP-UP IRRIGATION HEAD: FILLED TRIANGLE: FULL ROTATION
OPEN TRIANGLE: PARTIAL ROTATION
- QUICK COUPLER VALVE
- FIRE HYDRANT
- POTABLE WATER VALVE
- HOSEBIB



REVISIONS	
DATE	DESCRIPTION



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NOTE:
SCALE INDICATED ON DRAWING
IS CORRECT IF DRAWING
BORDER IS 22" X 34"