



Welcome to Multnomah County Land Use and Transportation Planning.

Our planning staff is here to assist you in understanding rules for developing property and to help you tailor your project to meet them. As part of that effort, we have developed a series of handouts to explain the development standards and processes that you will need to follow. This handout explains what is required to develop within the Hillside Development Overlay District.

What Is the Hillside Development (HD) Overlay?

Many natural features impose limitations on development that, if not recognized in the development process, can create public health and safety hazards. This includes construction on steep slopes or land susceptible to earth movement. The County mapped these lands with the assistance of a geotechnical engineering firm and designated them as the Hillside Development Overlay. Lands that are not mapped with average slopes of 25 percent or more are also subject to the overlay. The purpose of the overlay is to:

- Protect human life;
- Protect property and structures;
- Minimize expenditures for rescue and relief efforts associated with earth movement failures;
- Control erosion and eliminate transport of sediment during land development actions including grading, excavation and fills;
- Ensure vegetative cover is reestablished on exposed soil when projects are completed; and
- Manage stormwater discharges and protect streams, ponds, and wetlands from erosive forces.

What is in this handout?

- What is a Hillside Development Overlay?
- When is a permit required?
- How do I apply?

When Do I Need a Hillside Development Permit?

All persons proposing development, construction, or site clearing (including tree removal) on property located in hazard areas as identified on the "Slope Hazard Map", or on lands with average slopes of 25 percent or more must obtain a Hillside Development Permit, unless specifically exempted. Please speak with our planning staff if you have questions about whether or not you need a permit. The Hillside Development Overlay influences the manner in which development occurs. It does not prohibit uses, meaning all uses permitted by the underlying zoning district are allowed within the Overlay.

How Do I Apply for a Hillside Development Permit?

The following information and documents are required for a Hillside Development Permit application:

- ☐ A signed General Application Form;
- ☐ A title report issued within the last 30 days;
- ☐ A copy of the current property deed;
- ☐ Copy of the deed first creating the property in its current configuration (see Lots of Record handout for further instruction);
- ☐ Two copies of a map of the property, drawn to scale, showing all information listed on the 'Building Permit Checklist', along with the following supplemental information:
 - location of trees with 8-inch or greater caliper or an outline of wooded areas with trees to be removed labeled;
 - watercourses with distances from development;
 - existing and finished grade contours, at 2' intervals or less, to show the location and extent of proposed cuts and fills;
 - existing and proposed septic systems, sewer/water lines, drainfields;
 - existing and proposed stormwater control systems such as drywells, swales, etc.;
 - location and type of erosion control measures.
- ☐ An estimate of depth (ft) and the extent (ft²) of proposed cuts and fills & total area of proposed ground disturbance (in square feet and acres);
- ☐ A geotechnical report or Geotechnical Reconnaissance and Stability Study [HDP Form 1] prepared by an Oregon licensed Certified Engineering Geologist or Geotechnical Engineer, with his/her stamp affixed, certifying that the site is suitable for the proposed development;
- ☐ A "Hillside Development Permit Worksheet completed by an Oregon licensed Certified Engineering Geologist or Geotechnical Engineer with his/her stamp affixed to it;
- ☐ Completed service provider forms for septic, water, fire access, and fire flow (when applicable); and

Related Handouts:

- Lots of Record
- Building Permit Checklist
- Type II Process Steps
- Hillside Development Permit worksheet
- Geotechnical Reconnaissance Form (HDP Form 1)

Hillside Development Permit

- ☐ Filing fee (see "Land Use Planning Fees" schedule)

The County uses a Type II process to review greenway applications (see separate handout for explanation of this process). Once you submit the required materials, a planner will provide notice to surrounding property owners, evaluate the documents against the applicable zoning rules, and prepare a written decision. There is a 14 day appeal period before the decision is final. A typical review can take up to 4 months from start to finish.

If at any point you have questions, please contact our staff as they will be happy to assist you. You can call the planner on duty at 503-988-3043 or visit the planner on duty in person any time Tuesday – Friday, 8:00 am – 4:00 pm.

DEQ NPDES 1200-CN Permit Coordination & Automatic Coverage

Construction activities disturbing between 1 and 5 acres are automatically covered under the Oregon (DEQ) Department of Environmental Quality (NPDES) National Pollutant Discharge Elimination System Stormwater Discharge General Permit No.1200-CN. This relieves many applicants from also having to apply for a DEQ permit. Activities disturbing over 5 acres are not eligible for automatic coverage and are subject to additional permitting requirements by DEQ under the 1200-C program.

Please ask the planning office for a copy of the "GENERAL PERMIT NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM STORMWATER DISCHARGE PERMIT" provisions for more information on projects qualifying for automatic coverage.