



MULTNOMAH COUNTY OREGON

LAND USE AND TRANSPORTATION PROGRAM

1600 SE 190TH Avenue Portland, OR 97233

PH: 503-988-3043 FAX: 503-988-3389

http://www.co.multnomah.or.us/dbcs/LUT/land_use

NOTICE OF DECISION

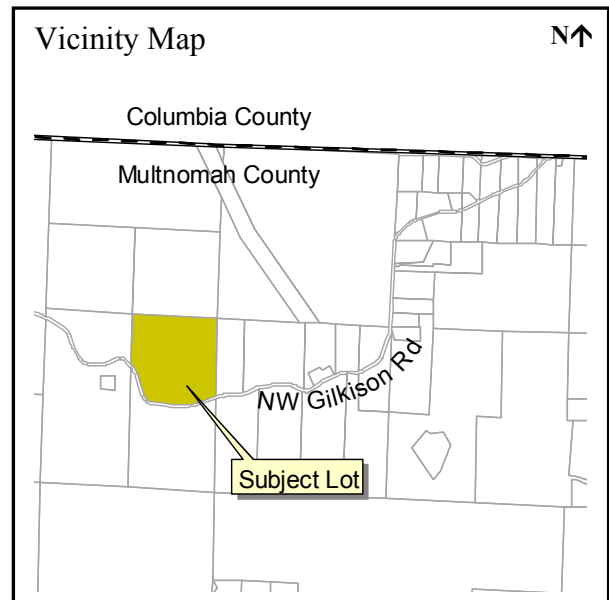
This notice concerns a Planning Director Decision on the land use case(s) cited and described below.

Case File: T2-05-039

Permit: Application for Administrative Modification of Conditions Established in Prior Case to Modify Significant Environmental Concern Permit Case T2-04-039

Location: 22925 NW Gilkison Road
TL 400, Sec 27, T3N, R2W, W.M.
Tax Account #R98227-0080

**Applicant/
Owner:** Christopher E & Diane Mock
22925 NW Gilkinson Road
Portland, OR 97231



Summary: Modification of Conditions to Significant Environmental Concern Permit Case T2-04-049 to include an additional accessory structure (about 56 by 60 foot).

Decision: Approved with Conditions

Unless appealed, this decision is effective August 19, 2005, 4:30 PM.

Issued by:

By: _____
George A. Plummer, Planner

For: Karen Schilling- Planning Director

Date: Friday, August 5, 2005

Opportunity to Review the Record: A copy of the Planning Director Decision, and all evidence submitted associated with this application, is available for inspection, at no cost, at the Land Use Planning office during normal business hours. Copies of all documents may be purchased at the rate of 30-cents per page. The Planning Director's Decision contains the findings and conclusions upon which the decision is based, along with any conditions of approval. For further information on this case, contact George A. Plummer, Staff Planner at 503-988-3043.

Opportunity to Appeal: This decision may be appealed within 14 days of the date it was rendered, pursuant to the provisions of MCC 37.0640. An appeal requires a \$250.00 fee and must state the specific legal grounds on which it is based. To obtain appeal forms or information on the procedure, contact the Land Use Planning offices at 1600 SE 190th Avenue (Phone: 503-988-3043). This decision cannot be appealed to the Land Use Board of Appeals (LUBA) until all local appeals are exhausted.

This decision is final at the close of the appeal period, unless appealed. The deadline for filing an appeal is Friday, August 19, 2005 at 4:30 pm.

Applicable Approval Criteria: Multnomah County Code (MCC): Chapter 37, MCC 33.2000 et al: Commercial Forest Use – 1 (CFU-1), and MCC 33.4500 et al: Significant Environmental Concern

Copies of the referenced Multnomah County Code sections can be obtained by contacting our office at 503-988-3043 or by visiting our website at http://www.co.multnomah.or.us/dbcs/LUT/land_use.

Scope of Approval

1. Approval of this land use permit is based on the submitted written narrative(s) and plan(s). No work shall occur under this permit other than that which is specified within these documents. It shall be the responsibility of the property owner(s) to comply with these documents and the limitations of approval described herein.
2. **Pursuant to MCC 37.0690, this land use permit expires two years from the date the decision is final if; (a) development action has not been initiated; (b) building permits have not been issued; or (c) final survey, plat, or other documents have not been recorded, as required. The property owner may request to extend the timeframe within which this permit is valid, as provided under MCC 37.0690 and 37.0700. Such a request must be made prior to the expiration date of the permit.**

Conditions of Approval

The conditions listed are necessary to ensure that approval criteria for this land use permit are satisfied. Where a condition relates to a specific approval criterion, the code citation for that criterion follows in brackets.

1. Nuisance plants listed under MCC 33.4570(B)(7) shall not be planted on the subject property and shall be removed and kept removed from cleared areas of the subject property.
2. The new pole barn shall have a fire retardant roof [MCC 33.2105(B)].

3. The property owner shall maintain a primary fire safety zone. This requires a fire break extending a minimum of 30 feet in all directions around structures. Trees within this safety zone shall be spaced with greater than 15 feet between the crowns. The trees shall also be pruned to remove low branches within 8 feet of the ground as the maturity of the tree and accepted silviculture practices may allow. All other vegetation should be kept less than 2 feet in height [MCC 33.2105(A)(5)(c)(1)].

The property owner shall maintain a secondary fire safety zone. This requires a fire break extending a minimum of 100 feet in all directions around the primary safety zone. The goal of this safety zone is to reduce fuels so that the overall intensity of any wildfire is lessened. Vegetation should be pruned and spaced so that fire will not spread between crowns of trees. Small trees and brush growing underneath larger trees should be removed to prevent the spread of fire up into the crowns of the larger trees. Assistance with planning forestry practices which meet these objectives may be obtained from the State of Oregon Department of Forestry or the local Rural Fire Protection District [MCC 33.2105(A)(5)(c)(3)].

Note: Once this decision is final, application for building permits may be made with the City of Portland, Building Bureau. When ready for building permit signed off, the applicant shall call the Staff Planner, George Plummer, at (503) 988-3043, for an appointment for zoning review plan check and to sign the building permit form. Please note, Multnomah County must review and sign off the building permit form and plans before the applicant submits building plans to the City of Portland. Six (6) sets the plans and site plan of the building area are needed for building permits signed off.

Notice to Mortgagee, Lien Holder, Vendor, or Seller:

ORS Chapter 215 requires that if you receive this notice it must be promptly forwarded to the purchaser.

FINDINGS AND CONCLUSIONS

This decision is based on the findings and conclusions in the following section.

Staff Report Formatting Note: To address Multnomah County Code requirements staff provides findings as necessary, referenced in the following section. Headings for each category of finding are underlined. Multnomah County Code language is referenced using a **bold** font. The Applicant's narrative, when provided, follows in *italic font*. Planning staff analysis and findings follow the **Staff** label. At the end of the report, Exhibits are described. The applicant's submittals are included and made part of this decision under the category Exhibit 1...

1. DESCRIPTION OF THE PROPOSAL:

Applicant: *This building will be used for the storage and maintenance of farm vehicles, tractors and caterpillars and equipment needed to maintain the property in proper manner.*

Staff: Modification of Conditions to Significant Environmental Concern Permit Case T2-04-049 to include an additional 3180 square foot accessory building (about 56 by 60 feet). The proposed building will be clustered near the existing approved development area about 70 feet from the dwelling (Exhibit 1.3). Case T2-04-049 approved a SEC-h Permit and determined the CFU-2 dimensional standards, development standards and lot of record requirements were met for the replacement of an existing dwelling with a new dwelling, and converting the old dwelling into storage structure. It also reviewed and approved a 20' by 20' pole building under the same permit.

2. SITE AND VICINITY CHARACTERISTICS

Staff: The property is located up in the most northwestern corner of Multnomah County off of Gilkison Road. The property is zoned CFU-1. To the east is a property in common ownership zoned CFU-2. The entire area has an overlay zone for a Significant Environmental Concern for Wildlife Habitat (SEC-h). The eastern portion of the property is within the identified slope hazard overlay although the proposed site is relatively flat and outside of the overlay. The western portion of the property has a Significant Environmental Concern for Streams (SEC-s) Overlay. The proposed building is outside that overlay. The majority of the subject lot and surrounding area is heavily forested.

3. OWNERSHIP

MCC 37.0550: Except as provided in MCC 37.0760, Type I - IV applications may only be initiated by written consent of the owner of record or contract purchaser.

Staff: County Assessment records show the property owners as Christopher E & Diane Mock (Exhibit 2.1). Diane Mock signed the application as the owner (Exhibit 1.1).

4. TYPE II CASE PROCEDURES

MCC 37.0530(B) Type II Decisions

(B) Type II decisions involve the exercise of some interpretation and discretion in evaluating approval criteria. Applications evaluated through this process are assumed to be allowable in the underlying zone. County Review typically focuses on what form the use will take, where it will be located in relation to other uses and natural features and resources, and how it will look. However, an application shall not be approved unless it is consistent with the applicable siting standards and in compliance with approval requirements. Upon receipt of a complete application, notice of application and an invitation to comment is mailed to the applicant, recognized neighborhood associations and property owners within 750 feet of the subject Tract. The Planning Director accepts comments for 14 days after the notice of application is mailed and renders a decision. The Planning Director's decision is appealable to the Hearings Officer. If no appeal is filed the Planning Directors decision shall become final at the close of business on the 14th day after the date on the decision. If an appeal is received, the Hearings Officer decision is the County's final decision and is appealable to LUBA within 21 days of when the decision is signed.

Staff: An opportunity to comment was mailed to property owners within 750-feet of the property lines on May 17, 2005. No comments were received regarding the application.

5. CFU-1 DISTRICT

5.1 CFU-1 Uses

MCC 33.2015 No building, structure or land shall be used and no building or structure shall be hereafter erected, altered or enlarged in this district except for the uses listed in MCC 33.2020 through 33.2035 when found to comply with MCC 33.2045 through 33.2110.

* * *

Allowed Uses

MCC 33.2020 (U) Other structures or uses determined by the Planning Director to be customarily accessory or incidental to any use permitted or approved in this district.

Staff: The proposed pole barn will be 3180 square feet and will be used for the storage and maintenance of farm vehicles, tractors and caterpillars and equipment needed to maintain the property (Exhibit 1.2). There are two larger accessory buildings in the area that are non-resource deferral properties, one that is 8000 square feet that is located a mile and a half from the property and one that is 12,560 square feet that is two miles away (Exhibit 2.4). Development in this area is sparse thus the comparison area we used was larger than the standard mile. Given the size of the subject property, 36.35 acres, and the larger buildings in the area, this type of building is customarily accessory to the combination of residential use on a property in the district.

5.2 Dimensional Requirements

5.2.1. MCC 33.2060(C) Minimum Forest Practices Setback Dimensions From Tract Boundary – Feet:

Road Frontage	Other Front	Side	Rear
---------------	-------------	------	------

60 from centerline of road from which access is gained	130	130	130
--	-----	-----	-----

Maximum Structure Height - 35 feet

Forest practices setback dimensions shall not be applied to the extent they would have the effect of prohibiting a use permitted outright. Exceptions to forest practices setback dimensions shall be pursuant to MCC 33.2110, as applicable, but in no case shall they be reduced below the minimum primary fire safety zone required by MCC 33.2105 (A)(5)(c)2.

Staff: As shown on the submitted site plan the proposed structure meets the dimensional requirements and is over 130-feet from all property lines (Exhibit 1.3). The proposed pole barn is 22 feet tall (Exhibit 1.4). These standards are met.

- 5.2.2.. MCC 33.2060 (D) The minimum forest practices setback requirement shall be increased where the yard abuts a street having insufficient right-of-way width to serve the area. The Planning Commission shall determine the necessary right-of-way widths and additional yard requirements not otherwise established by ordinance.**

Staff: The location of the new dwelling meets all forest practices setbacks as seen on the submitted site plan. The right-of-way is less than 50-feet but any dedication required will not affect the setbacks of the new structures. This standard is met.

5.3. The Subject Property is a Lot of Record

MCC 33.0005(L)(13) – Lot of Record

Lot of Record – Subject to additional provisions within each Zoning District, a Lot of Record is a parcel, lot, or a group thereof which when created and when reconfigured (a) satisfied all applicable zoning laws and (b) satisfied all applicable land division laws. Those laws shall include all required zoning and land division review procedures, decisions, and conditions of approval.

(a) “Satisfied all applicable zoning laws” shall mean: the parcel, lot, or group thereof was created and, if applicable, reconfigured in full compliance with all zoning minimum lot size, dimensional standards, and access requirements.

(b) “Satisfied all applicable land division laws” shall mean the parcel or lot was created:

1. By a subdivision plat under the applicable subdivision requirements in effect at the time; or

2. By a deed, or a sales contract dated and signed by the parties to the transaction, that was recorded with the Recording Section of the public office responsible for public records prior to October 19, 1978; or

3. By a deed, or a sales contract dated and signed by the parties to the transaction, that was in *recordable form* prior to October 19, 1978; or
4. By partitioning land under the applicable land partitioning requirements in effect on or after October 19, 1978; and
5. "Satisfied all applicable land division laws" shall also mean that any subsequent boundary reconfiguration completed on or after December 28, 1993 was approved under the property line adjustment provisions of the land division code.

MCC 33.2075 Lot of Record

(A) In addition to the *Lot of Record* definition standards in MCC 33.0005, for the purposes of this district a Lot of Record is either:

(2) A group of *contiguous* parcels or lots:

(a) Which were held under the *same ownership* on February 20, 1990; and

(b) Which, individually or when considered in combination, shall be aggregated to comply with a minimum lot size of 19 acres, without creating any new lot line.

1. Each Lot of Record proposed to be segregated from the contiguous group of parcels or lots shall be a minimum of 19 acres in area using existing legally created lot lines and shall not result in any remainder individual parcel or lot, or remainder of contiguous combination of parcels or lots, with less than 19 acres in area.

2. There shall be an exception to the 19 acre minimum lot size requirement when the entire same ownership grouping of parcels or lots was less than 19 acres in area on February 20, 1990, and then the entire grouping shall be one Lot of Record.

4. The requirement to aggregate contiguous parcels or lots shall not apply to lots or parcels within exception or urban zones (e.g. MUA-20, RR, RC, R-10), but shall apply to contiguous parcels and lots within all farm and forest resource zones (i.e. EFU and CFU), or

Staff: The subject property was created through a County approved Property Line Adjustment (case #T2-02-066) in 2002 that was finalized in 2004. The County reviewed the property and found the lot was in compliance with the zoning code and land division code when it was created. The 36.35 acre subject lot is adjacent to a 19.96-acre property in the same ownership. Because both properties are over 19-acres in size, the subject property is not aggregated to it and therefore is its own Lot of Record. The subject property is a Lot of Record

5.4. CFU-1 Development Standards

MCC 33.2105(A) The dwelling or structure shall be located such that:

5.4.1. MCC 33.2105(A)(1) It has the least impact on nearby or adjoining forest or agricultural lands and satisfies the minimum yard and setback requirements of 33.2060 (C) through (G);

Staff: The pole barn is proposed to be located on an existing cleared area that is flat and within close proximity, about 70 feet, to the approved dwelling site (Cast T2-04-049) the previously established residential area on the property. The proposed location is an existing graveled parking area and will not take any forested area out of production of a forest practice. The area is also adjacent to an established driveway. The structure would be located over 130-feet from every property line. This standard is met.

5.4.2. MCC 33.2105(A)(2) Adverse impacts on forest operations and accepted farming practices on the tract will be minimized;

Staff: The impacts to the forest management on the property are minimized by locating the new structure in an area already used for residential purposes. No additional forest land will be removed from production. Standard is met.

5.4.3. MCC 33.2105(A)(3) The amount of forest land used to site the dwelling or other structure, access road, and service corridor is minimized;

Staff: No forest land will be taken out of production for the pole barn or access road. The access road is existing and the pole barn is proposed to be in an existing graveled cleared area adjacent to the approved replacement dwelling. Standard is met.

5.4.4. MCC 33.2105(A)(4) Any access road or service corridor in excess of 500 feet in length is demonstrated by the applicant to be necessary due to physical limitations unique to the property and is the minimum length required; and

Staff: No new roads or accessways are being proposed. Standard is met.

5.4.5. MCC 33.2105(A)(5) The risks associated with wildfire are minimized. Provisions for reducing such risk shall include:

*** * ***

(b) Access for a pumping fire truck to within 15 feet of any perennial water source on the lot. The access shall meet the driveway standards of MCC 33.2105 (D) with permanent signs posted along the access route to indicate the location of the emergency water source;

Staff: There are no perennial water sources on site. The Scappoose Fire Department has indicated that the existing access road is adequate and that the owner will need to spray for weeds and a turn around area will need to be located at the end of the driveway (Exhibit 1.5). A re-inspection is required by the fire department. This standard is met.

(c) Maintenance of a primary and a secondary fire safety zone on the subject tract.

1. A primary fire safety zone is a fire break extending a minimum of 30 feet in all directions around a dwelling or structure. Trees within this safety zone shall be

spaced with greater than 15 feet between the crowns. The trees shall also be pruned to remove low branches within 8 feet of the ground as the maturity of the tree and accepted silviculture practices may allow. All other vegetation should be kept less than 2 feet in height.

2. On lands with 10 percent or greater slope the primary fire safety zone shall be extended down the slope from a dwelling or structure as follows:

Percent Slope	Distance In Feet
Less than 10	Not required
Less than 20	50
Less than 25	75
Less than 40	100

3. A secondary fire safety zone is a fire break extending a minimum of 100 feet in all directions around the primary safety zone. The goal of this safety zone is to reduce fuels so that the overall intensity of any wildfire is lessened. Vegetation should be pruned and spaced so that fire will not spread between crowns of trees. Small trees and brush growing underneath larger trees should be removed to prevent the spread of fire up into the crowns of the larger trees. Assistance with planning forestry practices which meet these objectives may be obtained from the State of Oregon Department of Forestry or the local Rural Fire Protection District. The secondary fire safety zone required for any dwelling or structure may be reduced under the provisions of MCC 33.2060 (F) and 33.2110.

4. No requirement in 1., 2., or 3. above may restrict or contradict a forest management plan approved by the State of Oregon Department of Forestry pursuant to the State Forest Practice Rules; and

5. Maintenance of a primary and a secondary fire safety zone is required only on land surrounding the dwelling that is owned or controlled by the home owner.

Staff: The applicant has enough area on the property to fit both the primary and secondary fire safety zones around the pole barn. A condition of approval will require the fire safety zones to be maintained. This standard will be met through a condition.

(d) The building site must have a slope less than 40 percent.

Staff: The building site for the pole barn has a shallow slope. Standard is met.

5.4.6. MCC 33.2105(B) The dwelling or structure shall:

(1) Comply with the standards of the applicable building code or as prescribed in ORS 446.002 through 446.200 relating to mobile homes;

- (2) If a mobile home, have a minimum floor area of 600 square feet and be attached to a foundation for which a building permit has been obtained;**
- (3) Have a fire retardant roof; and**
- (4) Have a spark arrester on each chimney.**

Staff: The new pole barn shall have a fire retardant roof. No fire places are proposed for the pole barn. This standard is met through a condition.

5.4.7. MCC 33.2105 (C) The applicant shall provide evidence that the domestic water supply is from a source authorized in accordance with the Department of Water Resources Oregon Administrative Rules for the appropriation of ground water (OAR 690, Division 10) or surface water (OAR 690, Division 20) and not from a Class 11 stream as defined in the Forest Practices Rules.

(1) If the water supply is unavailable from public sources, or sources located entirely on the property, the applicant shall provide evidence that a legal easement has been obtained permitting domestic water lines to cross the properties of affected owners.

(2) Evidence of a domestic water supply means:

(a) Verification from a water purveyor that the use described in the application will be served by the purveyor under the purveyor's rights to appropriate water; or

(b) A water use permit issued by the Water Resources Department for the use described in the application; or

(c) Verification from the Water Resources Department that a water use permit is not required for the use described in the application. If the proposed water supply is from a well and is exempt from permitting requirements under ORS 537.545, the applicant shall submit the well constructor's report to the county upon completion of the well.

Staff: There are only two well driller's reports for 3N 2W section 27 and only two dwellings in the whole section. The well driller reports are for the Vedanta Society of Portland, who owns the other home in the section, and a well driller report for an unspecified tax lot in the section, which is reasonable to conclude is the Mocks dwelling since there are no other dwellings or structures in the section other than the Mock's and the Vedanta's. This standard is met.

5.4.8. MCC 33.2105 (D) A private road (including approved easements) accessing two or more dwellings, or a driveway accessing a single dwelling, shall be designed, built, and maintained to:

Staff: The driveway was approved for the replacement dwelling in Case T2-04-049. This standard does not apply to a road to an accessory structure.

6. SIGNIFICANT ENVIRONMENTAL CONCERN FOR HABITAT STANDARDS

6.1. MCC 33.4570(A) In addition to the information required by MCC 33.4520 (A), an application for development in an area designated SEC-h shall include an area map showing all properties which are adjacent to or entirely or partially within 200 feet of the proposed development, with the following information, when such information can be gathered without trespass:

(1) Location of all existing forested areas (including areas cleared pursuant to an approved forest management plan) and non-forested "cleared" areas;

For the purposes of this section, a *forested area* is defined as an area that has at least 75 percent crown closure, or 80 square feet of basal area per acre, of trees 11 inches DBH and larger, or an area which is being reforested pursuant to Forest Practice Rules of the Department of Forestry. A *non-forested "cleared"* area is defined as an area which does not meet the description of a forested area and which is not being reforested pursuant to a forest management plan.

(2) Location of existing and proposed structures;

(3) Location and width of existing and proposed public roads, private access roads, driveways, and service corridors on the subject parcel and within 200 feet of the subject parcel's boundaries on all adjacent parcels;

(4) Existing and proposed type and location of all fencing on the subject property and on adjacent properties and on properties entirely or partially within 200 feet of the subject property.

Staff: The applicant provided the required information to make a decision on the proposal.

6.2. SEC-h Development standards

6.2.1 MCC 33.2105(B)(1) Where a parcel contains any non-forested "cleared" areas, development shall only occur in these areas, except as necessary to provide access and to meet minimum clearance standards for fire safety.

Staff: The proposed pole building will be located on an existing graveled parking area that is already cleared. This area was cleared prior to the recent timber harvest on the property. This standard is met.

6.2.2. MCC 33.2105(B) (2) Development shall occur within 200 feet of a public road capable of providing reasonable practical access to the developable portion of the site.

Staff: The proposed accessory structure will be cluster with existing development, with no new driveway created. The development area is over 200-feet from a public road in an existing developed area. The proposed building is adjacent to a dwelling approved in Case T2-04-049. The proposed development does not meet this standard.

6.2.3. MCC 33.2105(B) (3) The access road/driveway and service corridor serving the development shall not exceed 500 feet in length.

Staff: The proposed accessory structure will be cluster with existing development, with no new driveway created. The existing driveway serving the existing development is not going to be modified. This standard is not applicable.

6.2.4. MCC 33.2105(B) (4) The access road/driveway shall be located within 100 feet of the property boundary if adjacent property has an access road or driveway within 200 feet of the property boundary.

Staff: The proposal is for an additional pole barn with no modification to the existing driveway. This standard is not applicable because the existing driveway serving the existing development was approved in case T2-04-049 which this case is modifying to add a pole barn.

6.2.5. MCC 33.2105(B)(5) The development shall be within 300 feet of the property boundary if adjacent property has structures and developed areas within 200 feet of the property boundary.

Staff: All adjacent properties are vacant and do not have structures within 200-feet of the property lines. This standard is met.

6.2.6. MCC 33.2105(B) (6)Fencing within a required setback from a public road shall meet the following criteria:

(a) Fences shall have a maximum height of 42 inches and a minimum 17 inch gap between the ground and the bottom of the fence.

(b) Wood and wire fences are permitted. The bottom strand of a wire fence shall be barbless. Fences may be electrified, except as prohibited by County Code.

(c) Cyclone, woven wire, and chain link fences are prohibited.

(d) Fences with a ratio of solids to voids greater than 2:1 are prohibited.

Staff: No fences are proposed as part of this application. This standard is met.

6.2.7. MCC 33.2105(B) (7) The following nuisance plants shall not be planted on the subject property and shall be removed and kept removed from cleared areas of the subject property: Plants list Under MCC 33.4570(B)(7).

Staff: A condition of approval will require continual removal of the listed nuisance plants. This standard is met through a condition.

6.3. Wildlife Conservation Plan

6.3.1. MCC 33.4570(C)(2) The applicant can meet the development standards of Section (B), but demonstrates that the alternative conservation measures exceed the standards of Section (B) and will result in the proposed development having a less detrimental impact on forested wildlife habitat than the standards in Section (B).

Staff: All of the standards in Section have not been met. The applicant could site the accessory structure to meet the standards but it would not be clustered with the existing development. The applicant must meet the criteria under MCC 33.4570(C).

6.3.2. MCC 33.4570(C)(3)(a) That measures are included in order to reduce impacts to forested areas to the minimum necessary to serve the proposed development by restricting the

amount of clearance and length/width of cleared areas and disturbing the least amount of forest canopy cover.

Staff: No clearing of trees will occur and thus result in a no-net-loss of habitat forest area. This criterion is met.

6.3.3. MCC 33.4570(C)(3)(b) That any newly cleared area associated with the development is not greater than one acre, excluding from this total the area of the minimum necessary accessway required for fire safety purposes.

Staff: There are no new cleared areas proposed. All new construction is proposed in already cleared areas. This criterion is met.

6.3.4. MCC 33.4570(C)(3)(c) That no fencing will be built and existing fencing will be removed outside of areas cleared for the site development except for existing cleared areas used for agricultural purposes.

Staff: No fencing is proposed for the property at this time. This criterion is met.

6.3.5. MCC 33.4570(C)(3)(d) That revegetation of existing cleared areas on the property at a 2:1 ratio with newly cleared areas occurs if such cleared areas exist on the property.

Staff: The area of the proposed structure is already cleared of major vegetation and trees. This criterion is met.

6.3.6. MCC 33.4570(C)(3)(e) That revegetation and enhancement of disturbed stream riparian areas occurs along drainages and streams located on the property.

Staff: The riparian area of stream on the property has been left in its natural state and has not been disturbed. No revegetation or enhancement is needed. This criterion is met.

Conclusion:

Staff: Based on the findings and other information provided above, this application for a Modification of Conditions to Significant Environmental Concern Permit Case T2-04-049 to include an additional accessory structure satisfies the a Commercial Forest Use-1 Dimensional and Development Standards and the Significant Environmental Concern for Habitat standards, with imposed conditions.

Exhibits

8. EXHIBITS

8.1. Exhibits Submitted by the Applicant:

- Exhibit 1.1: Application form submitted 4/21/05 (1 page);
- Exhibit 1.2: Applicant's narrative submitted 5/12/05 (1 pages);
- Exhibit 1.3: Site Plan with submitted 5/12/05 (2 pages);

- Exhibit 1.4: Elevation drawings submitted 5/12/05 (1 page);
- Exhibit 1.5: Fire District Review submitted for Case T2-04-049 (1 page).

8.2. Exhibits Provided by the County

- Exhibit 2.1: County Assessment Record for the subject property (1page);
- Exhibit 2.2: Current County Zoning Map with subject property labeled (1 page);
- Exhibit 2.3: 2002 Aerial Photo showing subject property and overlay zone districts (1 page);
- Exhibit 2.4: County Assessment Record for nearby properties with large accessory buildings 4 pages).