



**MULTNOMAH COUNTY**  
**LAND USE AND TRANSPORTATION PROGRAM**  
1600 SE 190<sup>TH</sup> Avenue Portland, OR 97233  
PH: 503-988-3043 FAX: 503-988-3389  
<http://www.co.multnomah.or.us/landuse>

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## NOTICE OF DECISION

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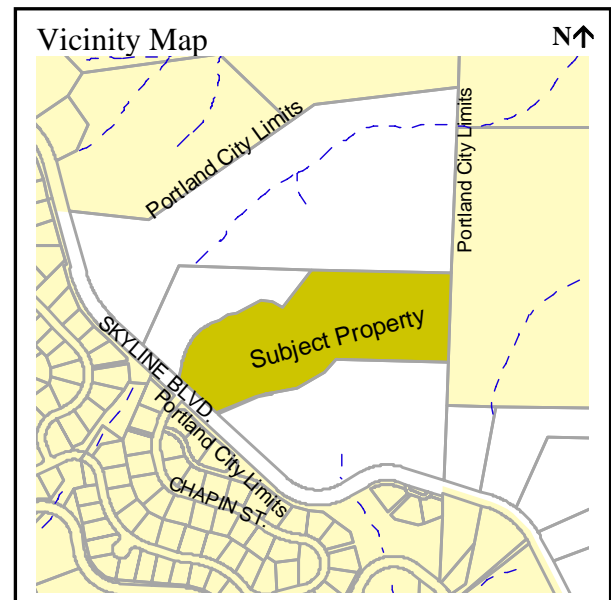
This notice concerns a Planning Director Decision on the land use case(s) cited and described below.

**Case File:** T2-06-093

**Permit:** Significant Environmental Concern for Wildlife Habitat

**Location:** 3512 NW Skyline Blvd.  
TL 1300, Sec 23D, T1N, R1W, W.M.  
Tax Account #R961230370

**Applicants/** Tim Ralston  
**Owners:** 931 SW King St.  
Portland, OR 97201



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**Summary:** Request to build a single family dwelling with an attached garage and a detached 1130 square foot accessory building for a shop and personal storage within the Rural Residential (RR) Zone District and the Significant Environmental Concern for Wildlife Habitat (SEC-h) Overlay Zone District.

**Decision:** Approved with Conditions

Unless appealed, this decision is effective December 21, 2006, at 4:30 PM.

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Issued by:

By: \_\_\_\_\_  
George A. Plummer, Planner

For: Karen Schilling- Planning Director

Date: Thursday December 7, 2006

Instrument Number for Recording Purposes: # 2006124460

**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 ext. 29152.

**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 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 December 21, 2006 at 4:30 pm.**

**Applicable Approval Criteria:** Multnomah County Code (MCC): Multnomah County Code (MCC): Chapter 37: Administration and Procedures, MCC 33.3100 et. al: Rural Residential, 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/landuse>.

### **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. 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 or 37.0700, as applicable. A request for permit extension may be required to be granted 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 parenthesis.

1. Within 30 days of this decision becoming final and prior to building permit sign-off, the applicant shall record the Notice of Decision including the Conditions of Approval (pages 1-3) of this decision) with the County Recorder. The Notice of Decision shall run with the land. Proof of recording shall be made prior to the issuance of any permits and filed with Multnomah County Land Use Planning. Recording shall be at the applicant's expense (MCC 37.0670).

2. The property owner shall maintain the existing trees shown on the Wildlife Conservation Plan (Exhibit 1.4) that have not been indicated as trees to be removed. The property owner shall plant replacement trees in the cleared area between the proposed dwelling and the road at a minimum ratio of two native species of trees for each tree which is removed. These trees shall be maintained in living condition; if any fail to survive they shall be replaced.
3. 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.

Note: Once this decision is final, application for building permits may be made with the City of Portland. When ready to have building permits signed off, the applicant shall call the Staff Planner, George Plummer, at (503) 988-3043 ext. 29152, for an appointment for review and approval of the conditions and to sign the building permit plans. Please note, Multnomah County must review and sign off the building permits before the applicant submits building plans to the City of Portland. Six (6) sets of the site plan and five (5) sets of the building plans are needed for building permit 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.

### **1. DESCRIPTION OF THE PROPOSAL:**

**Applicant:** *The proposed project is a house w/ attached garage totaling 11,900 sq. ft. gross area. The proposal is to develop the parcel into a private residence that would include a private driveway, utilities, a shop and a large family residence located east of Skyline at the top of the hill.*

**Staff:** The applicant is requesting an SEC-h Permit for a single family dwelling with an attached garage and 1130.4 square foot accessory building for a shop and personal storage within the Rural Residential (RR) Zone District and the Significant Environmental Concern for Wildlife Habitat (SEC-h) Overlay Zone District. (Exhibit 1.1).

### **2. SITE AND VICINITY CHARACTERISTICS**

**Applicant:** *The existing site is primarily open space with dense grass and large sparsely spaced doug fir trees. The majority of the site slopes to the east with lesser portions sloping in all directions at the top of the hill.*

*The open portion of the site (open grassy field) is comprised largely of native and non-native rye, fescue, and sedge grasses. There are seven Pseudotsuga menziesii (Douglas Fir) and one Sequoia Gigantea (giant sequoia) – nonnative) with calipers ranging from 16" - 32" in and adjacent to the proposed building envelope. The site has two areas comprising approximately 3,000 sq. ft. of nonnative invasive species. These nonnatives are Scotch Broom and sporadic drifts of Himalayan Blackberry.*

**Staff:** The property is located northeast of Skyline Blvd. The proposed development will access Skyline Boulevard through a shared driveway with the adjacent property to the northwest. The property rises up at about an 18 percent slope from the road to a shallower sloped knoll where the dwelling is proposed is to be located (Exhibit 1.2 and 1.3). The property drops with similar slope to the northeast of the hilltop. The proposed development site is accessed via a driveway that crosses the neighboring property for about 300 feet and then enters the subject property north of the proposed dwelling site and circling to the back of the proposed dwelling. The steepest slope of the driveway will be about 13 percent for a couple hundred feet. The back two-thirds of the property is heavily forested. The front third is cleared with some trees along the property lines and a small linear grove at the western edge of the proposed development area.

The property is located in a pocket of unincorporated properties within the Rural Residential Zone District (Exhibit 2.2), which includes the properties located to the northwest and southeast of the subject property. These properties are generally similar in size or smaller than the subject property. Most of these properties are heavily forested. About half of these properties have been developed with single family residences. The pocket of RR zoned properties is surrounded on three sides by

properties within the City of Portland. The properties to the southwest across Skyline Blvd are small urban subdivision lots. The properties to the north and northeast are large lot forested properties within the city. To the southeast of the RR zoned properties is an unincorporated area within the Commercial Forest Use – 2 Zone District with a similar development pattern as the RR zoned properties.

### **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 Timothy R. Ralston and CANO Corp (Exhibit 2.1). Mr. Ralston has signed the application as the owner and for CANO Corp (Exhibit 1.1). Mr. Ralston has submitted documentation that he is the President of CANO Corp.

### **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 Director's decision shall become final at the close of business on the 14<sup>th</sup> 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 notice was mailed to property owners within 750-feet of the property lines on November 8, 2006. We received one letter of comment from Tom Wilkins, 300 NW Chapin Drive, Portland, OR 97229. Mr. Wilkins states his, "concerns are not subject to the Environmental and Wildlife Habitat issues..." However Mr. Wilkins addresses concerns about the increased use of Skyline Blvd. This permit does not review the use level of the adjacent transportation facilities.

### **5. RURAL RESIDENTIAL ZONE DISTRICT**

#### **5.1. Allowed Uses:**

**MCC 33.3120(C) Residential use consisting of a single family dwelling constructed on a Lot of Record;**

**MCC 33.3120(F) Other structures or uses customarily accessory or incidental to any use permitted or approved in this district;**

**Staff:** The proposal is for a single family dwelling an attached garage and a 1,130 square foot shop/shed as a structure customarily accessory or incidental to the dwelling use.

**5.2. Lot of Record:**

**MCC 33.0005 Subject to additional provisions within each Zoning District, a Lot of Re-cord is a parcel, lot, or a group thereof that, when created or reconfigured, (a) satisfied all applicable zoning laws and (b) satisfied all applicable land division laws, or (c) complies with the criteria for the creation of new lots or parcels described in MCC 33.7785. 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 Re-cording 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. (See *Date of Creation and Existence* for the effect of property line adjustments on qualifying a Lot of Re-cord for the siting of a dwelling in the EFU and CFU districts.)**

**Staff:** The subject property is shown as a larger parcel on the 1977 zoning map. It was reconfigured into the 11 acre parcel through a property line adjustment approved by Case LE 9-94. To approve a property line adjustment, the properties had to be lots of record. This standard is met.

**5.3. (C) Minimum Yard Dimensions – Feet**

<b>Front:</b>	<b>30</b>
<b>Side:</b>	<b>10</b>
<b>Street Side:</b>	<b>30</b>
<b>Rear:</b>	<b>30</b>

**Maximum Structure Height – 35 feet**

**Staff:** The proposed structures meet these standards.

**(D) The minimum yard requirement shall be in-creased where the yard abuts a street having in-sufficient right-of-way width to serve the area. The county Road Official shall determine the necessary right-of-way widths based upon the county “Design and Construction Manual” and the Planning Director shall determine any additional yard requirements in consultation with the Road Official.**

**Staff:** In a memorandum dated November 16, 2006, Alison Winter, Multnomah County Transportation Planning Specialist stated “No right-of-way dedications are required at this time.” Additionally the structures are more than 100 feet from the right-of-way. This standard is met.

## **6. SIGNIFICANT ENVIRONMENTAL CONCERN REVIEW**

### **6.1. SEC Permit Required**

**MCC 33.4510(A)** All uses permitted under the provisions of the underlying district are permitted on lands designated SEC; provided, however, that the location and design of any use, or change or alteration of a use, except as provided in MCC 33.4515, shall be subject to an SEC permit.

**MCC 33.4515**An SEC permit shall not be required for the following:

\* \* \*

(H) Uses legally existing on November 17, 1994; provided, however, that any change, expansion, or alteration of such use (except for changes to a structure which 1) for the SEC, SEC-w, and SEC-v overlays do not require any modification to the exterior of the structure, and 2) for the SEC-h and SEC-s overlays require the addition of less than 400 square feet of ground coverage to the structure) shall require an SEC permit as provided herein;

**Finding:** The proposed development is within the Significant Environmental Concern for Habitat Overlay Zone District (Exhibit 2.2). An SEC-h Permit is required for the proposed development.

### **6.2. Application for SEC Permit**

An application for an SEC permit for a use or for the change or alteration of an existing use on land designated SEC, shall address the applicable criteria for approval, under MCC 33.4560 through 33.4575.

**MCC 33.4520 (A)** An application for an SEC permit shall include the following:

- (1) A written description of the proposed development and how it complies with the applicable approval criteria of MCC 33.4560 through 33.4575.
- (2) A map of the property showing:
  - (a) Boundaries, dimensions, and size of the subject parcel;
  - (b) Location and size of existing and proposed structures;
  - (c) Contour lines and topographic features such as ravines or ridges;
  - (d) Proposed fill, grading, site contouring or other landform changes;
  - (e) Location and predominant species of existing vegetation on the parcel, areas where vegetation will be removed, and location and species of vegetation to be planted, including landscaped areas;
  - (f) Location and width of existing and proposed roads, driveways, and service corridors.

**Finding:** The required information was submitted (Exhibit 1.2, 1.3 and 1.4).

### **6.3. SEC-h Development standards**

- 6.3.1. 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;**
- (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 required information has been submitted (Exhibit 1.2, 1.3 and 2.3).

- 6.3.2. MCC 33.4570(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.**

**Applicant:** *The parcel area to be developed is an existing grassy meadow and the most cleared portion of the site. It contains very few existing trees in the development area.*

**Staff:** The development area is located at the top of a hill which has been a non-forested cleared area prior to proposed development. There is a sparse linear growth of about 13 trees in and near the development site. The Landscape Plan titled Wildlife Conservation Plan (Exhibit 1.4) shows that the proposed development will require the removal of four Douglas fir and two cedar trees. Due to its sparse nature this linear growth is not a forested area. The narrative refers to the removal of an additional tree. This standard is met.

- 6.3.3. MCC 33.4570(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.**

**Applicant:** *The development starts 210 feet from the public road (Skyline Boulevard). There is an existing driveway serving this project lot and the neighbor in the adjoining parcel., The project takes advantage of the existing driveway.*

**Staff:** The proposed dwelling at its closest point is located about 190 feet from Skyline Blvd. The proposed shop/shed will be more than 400 feet from the road (Exhibit 2.3). The dwelling meets this standard; however the accessory structure does not.

- 6.3.4. MCC 33.4570(B)(3) The access road/driveway and service corridor serving the development shall not exceed 500 feet in length.**

**Applicant:** *An existing asphalt driveway approximately 400 feet in length serves this parcel and the neighboring parcel., An existing gravel driveway continues into the parcel approximately 350*



*feet. The development requires an additional 100 feet of new driveway as access. This addition brings the development closer to the public road with the least disruption to existing habitat.*

**Staff:** The proposed driveway exceeds 500 feet in length (Exhibit 1.3). This standard is not met.

**6.3.5. MCC 33.4570(B)(4) For the purpose of clustering access road/driveway approaches near one another, one of the following two standards shall be met:**

- (a) The access road/driveway approach onto a public road shall be located within 100 feet of a side property line if adjacent property on the same side of the road has an existing access road or driveway approach within 200 feet of that side property line; or**
- (b) The access road/driveway approach onto a public road shall be located within 50 feet of either side of an existing access road/driveway on the opposite side of the road.**

**Applicant:** *The access road is existing and is located on the property line. Three parcels including this one share it.*

**Staff:** The proposed access driveway will utilize the neighbors existing driveway access (Exhibit 1.3). This standard is met.

**6.3.6. MCC 33.4570(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.**

**Applicant:** *The development on this parcel is within 250 feet of the side property line where adjacent property has structures.*

**Staff:** The proposed development is within 300 of the property boundary (Exhibit 1.3). This standard is met.

**6.3.7. MCC 33.4570(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.**

**Applicant:** *No new fences are proposed.*

**Staff:** No fences are proposed as part of this application (Exhibit 1.4). This standard is met.

**6.3.8. MCC 33.4570(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).**

**Applicant:** *Please see sheet L-1, which is part of this submittal,. This plan identifies existing nuisance plants for removal. It is the intention that the area for removal will be maintained free of nuisance plants.*

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

**6.4. MCC 33.4570 (C) Wildlife Conservation Plan. An applicant shall propose a wildlife conservation plan if one of two situations exist.**

**(1) The applicant cannot meet the development standards of Section (B) because of physical characteristics unique to the property. The applicant must show that the wildlife conservation plan results in the minimum departure from the standards required in order to allow the use; or**

**(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).**

**Applicant:** *The physical characteristics of this parcel that make it difficult to meet portions of section (B) Development standards, are the steep slope of the site and the length of the existing driveway.*

*The development has been sited on the flattest portion of the parcel, where the greatest slope is 2% for an area of 15,500 square feet. Where the footprint of the building extends beyond the flat portion, it is designed for the least amount of ground disturbance. Instead of grading the site to create a larger flat area, the building's foundation extends down to meet existing grade. All portions of the site that are closer to the public road are at a 20% grade. Moving the development closer to the public road would require significant amounts of clearing and grading to bring in new access and to build any type of structure.*

*The development utilizes the existing driveway as access. This makes for a longer service corridor, but shortening the access would result in a much greater disturbance area. Due to the existing 20% grade, a new access would require switchbacks, extending the length and area of disturbance. By using the existing driveway the amount of new driveway is approximately 100 feet and it is located on the flattest part of the site (less than 7% slope).*

**Staff:** Meeting the development standards in Section B would result in significantly more impacts due to locating the development in area of steep slopes toward the front of the property. The area of property between the proposed development and the road is relatively steep slopes (Exhibit 1.2 and 1.3). The proposed development site is in an area of the property that has the shallowest slopes on the property. The proposed site will result in less grading to develop the building sites and the access road. Due to the slopes on the property, siting the development in another location closer to the road would have substantially more impacts. Thus, because the proposed location is the only shallow sloped area on the property is the minimum departure from the standards necessary in order to allow the use. The proposed dwelling will not be located in the forest habitat area on the property. The proposed development is located in a cleared area of the property. The proposed plantings and nuisance plant removal will provide for improvement in habitat in the cleared area of the property. This standard is met.

**6.4.1. MCC 33.4570(C)(3) The wildlife conservation plan must demonstrate the following:**

**6.4.1.1. 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.**

**Applicant:** *The development utilizes the existing driveway as access. This makes for a longer service corridor, but shortening the access would result in a much greater disturbance area. Due to the existing 20% grade, a new access would require switchbacks, extending the length and area of disturbance. By using the existing driveway the amount of new driveway is approximately 100 feet and it is located on the flattest part of the site (less than 7% slope).*

**Staff:** The forested area on the property is behind the proposed development area. The landscape plan titled Wildlife Conservation Plan Map (Exhibit 1.4) shows that the proposed development will require the removal of one cedar and five Douglas fir trees. The conservation plan narrative (Exhibit 1.6) submitted with the landscape plan states that, “the owner intends to remove six Douglas fir and one Sequoia in order to site the residence in a location that does not negatively impact the topography.” In an email dated December 6, 2006, the applicant’s architect, Ronda Haas-Huntze, states that the removal of one cedar and five Douglas fir trees is the correct plan. No other removal of trees is proposed. The location of the driveway and shop/shed avoids removal of additional trees. These trees slated for removal are a sparse linear growth of trees and are not located in the forest canopy area of the property. The development is not located in the forested area of the property. This standard is met.

**6.4.1.2. 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.**

**Applicant:** *The development area, which includes the building footprint, the additional driveway, patio areas, disturbed ground beyond the building footprints and the sanitary drain field, totals approximately 40,150 square feet. This is less than one acre. Any area considered a newly cleared area would therefore be less than one acre.*

**Staff:** The development area will be less than an acre. This standard is met.

**6.4.1.3. 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.**

**Applicant:** *No fencing is proposed. Existing fencing shown along the property line is by others.*

**Staff:** The applicant is not proposing any fencing.

**6.4.1.4. 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.**

**Applicant:** *Re-vegetation is proposed in a cleared area along the access roadway. See sheet L-1 for proposed location.*

*Nonnatives present: Himalayan Blackberry, Scotch Broom, English Holly, English Ivy and Clematis. The Owner intends to control these species by phased physical removal. Removal*

*will open the way for regeneration of native plants listed above to improve and restore native wildlife foraging opportunities.*

*The Owner intends to remove six Douglas Fir and one Sequoia in order to site the residence in a location that does negatively impact existing topography. The owner will replace these trees with a combination of (7) Douglas Fir and (7) Western Red Cedar.” Sizes ranging from 3' to 4' (see site plan for location of existing trees proposed for removal, and Wildlife Restoration Planting Plan for new plantings). As Sequoia is not native to our region, it's replacement with native species will help toward future incremental restoration of the native forest.*

**Staff:** The Wildlife Conservation Plan Map (Exhibit 1.4) shows location for the planting 12 Douglas fir trees along the driveway/property line to replace the trees removed. The conservation plan narrative (Exhibit 1.6) states that there will be seven trees removed.

However, the Wildlife Conservation Plan shows the planting location for these trees, along the driveway/northwest property line in an area that appears to already have existing trees (Exhibit 2.3). A condition of approval will require that revegetation trees be planted in an area that is currently cleared area at a ratio of two planted for each one removed. This standard can be met through a condition.

## **7. CONCLUSION**

**Staff:** The applicant has demonstrated the criteria for the Significant Environmental Concern for Habitat are met or can be met through conditions of approval for the proposed development.

## **8. EXHIBITS**

### **8.1. Exhibits Submitted by the Applicant:**

- Exhibit 1.1: Application form (1 page)
- Exhibit 1.2: Site plan of existing conditions topographic (1 oversized page)
- Exhibit 1.3: Site plan of proposed development and grading associated with it (1 oversized page)
- Exhibit 1.4: Wildlife Conservation Plan Map (1 oversized page)
- Exhibit 1.5: Applicant's narrative (2 pages)
- Exhibit 1.6: Conservation plan narrative (1 page)
- Exhibit 1.7: Addendum to narrative ((2 pages)
- Exhibit 1.8: Stormwater disposal plan by Daniel H. Watkins PE (56 pages)
- Exhibit 1.9: On-site Sewage Disposal form (1 page);
- Exhibit 1.10: Fire District Review Fire Flow Requirements form (3 pages).
- Exhibit 1.11: Fire District Access Review form (3 pages);
- Exhibit 1.12: Water Certificate (1 page)
- Exhibit 1.13: Email dated 12/6/06 from Ronda Haas-Huntze, architect (1 page)

### **8.2. Exhibits Provided by the County**

- Exhibit 2.1: County Assessment Record and map for the subject property (2page);
- Exhibit 2.2: Current County Zoning Map with subject property labeled (1 page);
- Exhibit 2.3: 2004 Aerial Photo showing subject property (1 page);

Exhibit 2.4: Memorandum dated November 16, 2006, by Alison Winter, Multnomah County Transportation Planning Specialist

### **8.3 Exhibits submitted by Other Party**

Exhibit 3.1: Letter from Tom Wilkins, 300 NW Chapin Drive, Portland, OR 97229.