

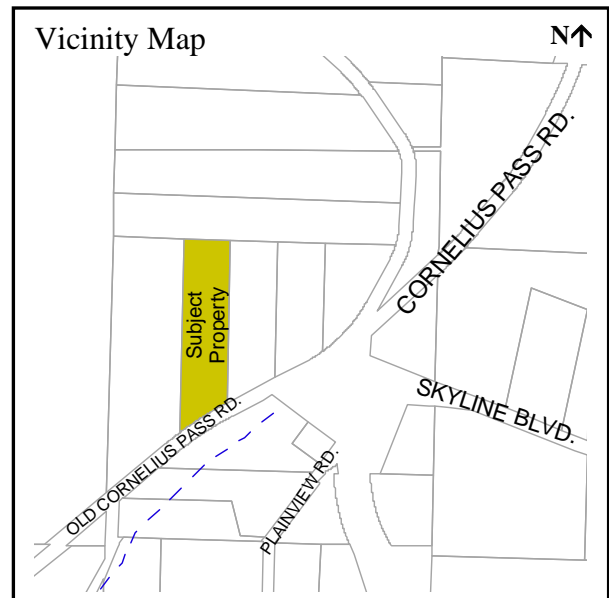


MULTNOMAH COUNTY
LAND USE AND TRANSPORTATION PROGRAM
1600 SE 190TH Avenue Portland, OR 97233
PH: 503-988-3043 FAX: 503-988-3389
<http://www.co.multnomah.or.us/landuse>

NOTICE OF DECISION

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

Case File: T2-2010-1267
Permit: Significant Environmental Concern – Wildlife Habitat
Location: 11703 Old Cornelius Pass Rd.
Tax Lot 2000, Section 31C,
Township 2 North, Range 1 West, W.M
R#661102210
Applicant: Shannon Contracting LLC
Owner: Robert and Jennifer Lee
Base Zone: Multiple Use Agriculture-20 (MUA-20)
Overlays: Significant Environmental Concern – Habitat (SEC-h), Hillside Development (HD)



Summary: Construct a new single-story detached garage near the existing home in the northern portion of the property.

Decision: Approved With Conditions.

Unless appealed, this decision is effective Wednesday, April 13, 2011, at 4:00 PM.

Issued by:

By: _____
Don Kienholz, Planner

For: Karen Schilling- Planning Director

Date: Wednesday, March 30, 2011

Instrument Number for Recording Purposes: #2008103399

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 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 Don Kienholz, Staff Planner at 503-988-3043, ext. 29270.

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 Wednesday, April 13, 2011 at 4:00 pm.

Applicable Approval Criteria: Multnomah County Code (MCC) and Multnomah County Road Rules (MCRR): Multnomah County Code (MCC): MCC 33.2800 - .2885: MUA-20, and MCC 33.4500 - .4575

Copies of the referenced Multnomah County Code (MCC) and Multnomah County Road Rules (MCRR) 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> or <http://web.multco.us/transportation-planning>.

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. The request for a permit extension must be submitted prior to the expiration of the approval period.**

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.

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, Don Kienholz, at (503) 988-3043 ext. 29270, 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. Five (5) sets each of the site

plan and building plans are needed for building permit sign off. At the time of building permit review, a fee of \$53.00 will be collected. In addition, an erosion control inspection fee of \$77.00 may be required.

- 1. After the decision is final and prior to zoning sign-off for the building permit, the property owner shall record the Notice of Decision cover sheet through the conditions of approval with the County Recorder along with a copy of the Planting Plan (Exhibit 2). The Notice of Decision shall run with the land. Proof of recording shall be made prior to the issuance of any permits and a copy filed with Land Use Planning. Recording shall be at the applicant's expense [MCC 37.0670].**
- 2. No nuisance plants as listed in MCC 33.4570(B)(7) shall be planted on the subject property. The owner shall maintain the property to be free of the listed nuisance plants.**
- 3. The owner shall plant the nine trees as proposed on the applicants site plan (Exhibit 1) and identified in Exhibit 2 as "Required Planting Area Proposed By Applicant." The trees shall be native and coniferous and be a minimum of 6-feet in height at the time of planting. In addition, the applicant shall plant eight (8) trees in the area identified by staff in Exhibit 2 as "Required Planting Area Identified By Staff." Those trees shall all be native with at least four (4) being coniferous and all at least six-feet in height at the time of planting. The trees shall be planted in accordance to the specifications noted for native coniferous trees in the included "Recommended Plants for Screening" manual (Exhibit 3). The owner has the option of taking five (5) of the trees in the Applicant's identified area and placing them instead in the staff identified area for a total of 13 trees in the area identified by staff [MCC 33.4570(C)(2)].**
- 4. All fencing on the property shall be removed within six months of this permit becoming final and no fencing shall be allowed in the future except for agricultural purposes. To be an Agricultural Purpose, the property must be in agriculture deferral or the owner must have a letter from the Multnomah County Assessment and Taxation Department stating the existing use on the property would qualify for agricultural deferral but for the length of time required MCC 33.4570(C)(3)(c)].**
- 5. Prior to land use sign-off on building permits, the owner shall obtain an Access permit from the Right-of-Way Specialist. Contact Alan Young at 503-988-3582 for more information.**

Findings of Fact:

FINDINGS: Written findings are contained herein. The Multnomah County Code (MCC) criteria and Comprehensive Plan Policies are in **bold** font. Staff analysis and comments are identified as ‘**Staff:**’ and address the applicable criteria. Staff comments may include a conclusionary statement in *italic*.

1.00 Project Description:

Staff: The applicant is proposing to construct a 35 x 25-foot detached garage 20-feet from the existing home on the Multiple Use Agricultural-20 zoned parcel. The entirety of the property is within the Significant Environmental Concern overlay for Wildlife Habitat (SEC-h) with portions of the property also being within the Slope Hazard area. The existing dwelling is deep within the property at the northern end. The proposal triggers a Wildlife Conservation Plan because the distance of the proposed garage from the existing road exceeds the SEC-h dimensional requirement of MCC 33.4570(B)(2).

2.00 Multiple Use Agriculture-20 Zone:

A. MCC 33.2820 Allowed Uses

(F) Accessory Structures:

(1) Structures or uses listed below when customarily accessory or incidental to any use permitted or approved in this district:

(a) Garages or carports;

(2) If the accessory structure is a building, then to be an “allowed use” the foot print of the building in combination with the footprint of all other accessory buildings on the property shall not exceed 2500 square feet.

Staff: The proposed garage is an allowed accessory use. There are no other accessory structures on the property and the proposed garage is only 875 square feet.

Criteria met.

B. MCC 33.2855 DIMENSIONAL REQUIREMENTS

1. (C) Minimum Yard Dimensions – Feet

Front	Side	Street Side	Rear
30	10	30	30

Maximum Structure Height – 35 feet

Minimum Front Lot Line Length – 50 feet.

Staff: As seen on the submitted site plan and verified in air photos, the proposed garage is 45-feet from the rear property line, 35-feet from the closest side property line and hundreds of feet from the front property line. The proposed structure is under 35-feet in height. All required setbacks are met.

Criteria met.

2. **(D) The minimum yard requirement shall be increased where the yard abuts a street having insufficient 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: The public road adjacent to the property has sufficient right-of-way.

Criterion met.

3.00 Lot of Record

MCC 33.2870 LOT OF RECORD

(A) In addition to the Lot of Record definition standards in MCC 33.0005, for the purposes of this district the significant dates and ordinances for verifying zoning compliance may include, but are not limited to, the following:

- (1) July 10, 1958, SR zone applied;**
- (2) July 10, 1958, F-2 zone applied;**
- (3) December 9, 1975, F-2 minimum lot size increased, Ord. 115 & 116;**
- (4) October 6, 1977, MUA-20 zone applied, Ord. 148 & 149;**
- (5) October 13, 1983, zone change from EFU to MUA-20 for some properties, Ord. 395;**
- (7) May 16, 2002, Lot of Record section amended, Ord. 982, reenacted by Ord. 997.**

(B) A Lot of Record which has less than the minimum lot size for new parcels or lots, less than the front lot line minimums required, or which does not meet the access requirement of MCC 33.2885, may be occupied by any allowed use, review use or conditional use when in compliance with the other requirements of this district.

(C) Except as otherwise provided by MCC 33.2860, 33.2875, and 33.4300 through 33.4360, no sale or conveyance of any portion of a lot other than for a public purpose shall leave a structure on the remainder of the lot with less than minimum lot or yard requirements or result in a lot with less than the area or width requirements of this district.

(D) The following shall not be deemed to be a Lot of Record:

- (1) An area of land described as a tax lot solely for assessment and taxation purposes;**
- (2) An area of land created by the foreclosure of a security interest.**
- (3) An area of land created by court decree.**

MCC 33.0005 – Definitions

Lot of Record – Subject to additional provisions within each Zoning District, a Lot of Record 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.)

(c) Separate Lots of Record shall be recognized and may be partitioned congruent with an “acknowledged unincorporated community” boundary which intersects a Lot of Record.

1. Partitioning of the Lot of Record along the boundary shall require review and approval under the provisions of the land division part of this Chapter, but not be subject to the minimum area and access requirements of this district.
2. An “acknowledged unincorporated community boundary” is one that has been established pursuant to OAR Chapter 660, Division 22.

Staff: The subject property has maintained the same configuration since at least 1962 as seen on the 1962 zoning map when the property was zoned Suburban Residential. Originally part of the Plain View Acres subdivision, the property lines were adjusted to reflect the current configuration prior to the statutory requirement that local governments review any property line adjustment after December 28, 1993. When the property was established prior to 1962, it met the minimum lot size of the SR zone, had adequate access to a public street, and had no land division requirements to meet. As such, the property was lawfully created and is a Lot of Record.

4.00 Significant Environmental Concern – Wildlife Habitat

A. MCC 33.4570(B) Development standards:

1. **(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 mini-mum clearance standards for fire safety.**

Staff: The proposed location of the detached garage does not meet the definition of ‘forested’ under the SEC code and therefore is cleared. The area can also be seen on the applicant’s submitted site plan which contains an air photo (Exhibit 1).

Criterion met.

2. **(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 development is more than 200-feet from a public road as seen on the site plan.

Criterion not met.

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

Staff: The driveway that will serve the proposed garage already exists.

Criterion not applicable.

4. **(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 exist-ing access road/driveway on the oppo-site side of the road.

(d) The standards in this subsection (4) may be modified upon a determination by the County Road Official that the new access road/driveway approach would result in an unsafe traffic situation using the standards in the Multnomah County “Design and Construction Manual,” adopted June 20, 2000, (or all updated versions of the manual). Standards to be used by the Road Official from the County manual include Table 2.3.2, Table 2.4.1, and additional referenced sight distance and minimum access spacing standards in

the publication A Policy on Geometric Design of Highways and Streets by the American Association of State Highway and Transportation Officials (AASHTO) and the Traffic Engineering Handbook by the Institute of Transportation Engineers (ITE).

1. The modification shall be the minimum necessary to allow safe access onto the public road.

2. The County Road Official shall provide written findings supporting the modification.

Staff: No new access points are proposed as part of the application.

Criterion not applicable.

5. **(5) The development shall be within 300 feet of a side property line if adjacent property has structures and developed areas within 200 feet of that common side property line.**

Staff: The proposed development is within 200-feet of both side property lines.

Criterion met.

6. **(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 barbles. 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.

(e) Fencing standards do not apply in an area on the property bounded by a line along the public road serving the development, two lines each drawn perpendicular to the principal structure from a point 100 feet from the end of the structure on a line perpendicular to and meeting with the public road serving the development, and the front yard setback line parallel to the public road serving the development.

Staff: No fencing is proposed as part of the application.

Criterion not applicable.

7. **(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:**

Scientific Name	Common Name
<i>Chelidonium majus</i>	Lesser celandine
<i>Cirsium arvense</i>	Canada Thistle
<i>Cirsium vulgare</i>	Common Thistle
<i>Clematis ligusticifolia</i>	Western Clematis
<i>Clematis vitalba</i>	Traveler's Joy
<i>Conium maculatum</i>	Poison hemlock
<i>Convolvulus arvensis</i>	Field Morning-glory
<i>Convolvulus nyctagineus</i>	Night-blooming Morning-glory
<i>Convolvulus sepium</i>	Lady's nightcap
<i>Cortaderia selloana</i>	Pampas grass
<i>Crataegus sp.</i> Except <i>C. douglasii</i>	hawthorn, except native species
<i>Cytisus scoparius</i>	Scotch broom
<i>Daucus carota</i>	Queen Ann's Lace
<i>Elodea densa</i>	South American Water-weed
<i>Equisetum arvense</i>	Common Horsetail
<i>Equisetum telemateia</i>	Giant Horsetail
<i>Erodium cicutarium</i>	Crane's Bill
<i>Geranium roberianum</i>	Robert Geranium
<i>Hedera helix</i>	English Ivy
<i>Hypericum perforatum</i>	St. John's Wort
<i>Ilex aquafolium</i>	English Holly
<i>Laburnum watereri</i>	Golden Chain Tree
<i>Lemna minor</i>	Duckweed, Water Lentil
<i>Loentodon autumnalis</i>	Fall Dandelion
<i>Lythrum salicaria</i>	Purple Loosestrife

Scientific Name	Common Name
<i>Myriophyllum spicatum</i>	Eurasian Watermilfoil
<i>Phalaris arundinacea</i>	Reed Canary grass
<i>Poa annua</i>	Annual Bluegrass
<i>Polygonum coccineum</i>	Swamp Smartweed
<i>Polygonum convolvulus</i>	Climbing Binaweed
<i>Polygonum sachalinense</i>	Giant Knotweed
<i>Prunus laurocerasus</i>	English, Portugese Laurel
<i>Rhus diversiloba</i>	Poison Oak
<i>Rubus discolor</i>	Himalayan Blackberry
<i>Rubus laciniatus</i>	Evergreen Blackberry
<i>Senecio jacobaea</i>	Tansy Ragwort
<i>Solanum dulcamara</i>	Blue Bindweed
<i>Solanum nigrum</i>	Garden Nightshade
<i>Solanum sarrachoides</i>	Hairy Nightshade
<i>Taraxacum officinale</i>	Common Dandelion
<i>Utricularia vulgaris</i>	Common Bladderwort
<i>Urtica dioica</i>	Stinging Nettle
<i>Vinca major</i>	Periwinkle (large leaf)
<i>Vinca minor</i>	Periwinkle (small leaf)
<i>Xanthium spinosum</i>	Spiny Cocklebur
<i>various genera</i>	Bamboo sp.

Staff: A condition of approval will require the development site be maintained free of the above noted plants.

Criterion met.

- B. (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).

Staff: The applicant could meet the development requirements under Section (B). Therefore, the applicant is seeking approval of the wildlife conservation plan under MCC 33.4570(C)(2).

Considering the property as a whole, placing the proposed detached garage in an area that met the SCE-h dimensional standards would separate the garage from the residence on site. If placed the maximum distance from the road allowed under MCC 33.4570(B)(2), the garage would be nearly 400-feet away from the residence. Other than being impractical from a usage perspective, locating the garage within 200-feet of the public road would extend the residentially influenced area from being isolated in the northern 100-feet to virtually the whole property. The purpose of the SEC-h is to cluster development around other development or along the travel corridors to leave the remaining portions of the property untouched. Clearly allowing the garage in the area proposed would accomplish the clustering effect that the code envisions. Aside from being adjacent to the existing dwelling, the detached garage would also be in close proximity to residentially developed land to the north on the adjacent property.

Locating the proposed garage adjacent to the dwelling would also leave the remaining portion of the property, an area measuring roughly 400-feet long and 200-feet wide, undisturbed for wildlife habitat to dwell or migrate through. It is reasonable to believe that leaving such a large area undisturbed of residential development would be more beneficial and less detrimental to the forested wildlife habitat than locating the garage within 200-feet of the public road and having the residentially influenced area extend over a swath of property roughly 400-feet long.

The applicant is proposing as alternative conservation measures to plant additional trees in a cleared area and to remove nuisance plants across the entirety of the property to help create a healthier understory. Staff believes that with the additional planting of trees to the immediate south of the dwelling as seen on Exhibit 2, the alternative conservation measures will exceed the required development standards. Staff has included a condition of approval requiring the trees proposed by the applicant to be planted as well as some additional trees as required by staff.

The applicant has shown they are eligible to request a Wildlife Conservation Plan in lieu of meeting all the dimensional criteria of the SEC-h.

C (3) The wildlife conservation plan must demonstrate the following:

- 1. (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: The proposed location of the detached garage is in an area that as defined by the SEC-h code is 'cleared.'

Criterion met.

2. **(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: No area of tree canopy that meets the definition of 'forested' is going to be cleared. The proposed detached garage is in the vicinity of a couple existing trees but the spacing and closure of the canopy do not meet the definition of 'forested.' The accessway to the residential area of the property is already constructed and only a short spur to the garage immediately adjacent to the dwelling would be required to provide access.

Criterion met.

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 as part of the application and a condition of approval will require removal of any existing fencing and prohibition of the addition of any fencing except for agricultural purposes. To be an Agricultural Purpose, the property must be in agriculture deferral or the owner must have a letter from the Multnomah County Assessment and Taxation Department stating the existing use on the property would qualify for agricultural deferral but for the length of time required.

Criterion met.

4. **(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 detached garage is proposed to be located in an existing cleared area. No revegetation for this criterion is necessary.

Criterion met.

5. **(e) That revegetation and enhancement of disturbed stream riparian areas occurs along drainages and streams located on the property.**

Staff: No streams are on the subject property. A drainage is identified on one of our two GIS mapping systems which would indicate it is very intermittent and not a stream requiring riparian areas to be enhanced. The applicant is proposing plantings as part of the proposal. Staff is requiring an expansion of the plantings in order to meet the requirements of MCC 33.4570(C)(2) as discussed above.

Criterion met.

5.00 Slope Hazard

MCC 33.5505 PERMITS REQUIRED

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 shall obtain a Hillside Development Permit as pre-scribed by this subdistrict, unless specifically ex-empted by MCC 33.5510.

MCC 33.5510 EXEMPT LAND USES AND ACTIVITIES

The following are exempt from the provisions of this Chapter:

(A) Development activities approved prior to February 20, 1990; except that within such a development, issuance of individual building permits for which application was made after February 20, 1990 shall conform to site-specific requirements applicable herein.

(B) General Exemptions – Outside the Tualatin River and Balch Creek Drainage Basins, all land-disturbing activities outlined below shall be undertaken in a manner designed to minimize earth movement hazards, surface runoff, erosion, and sedimentation and to safeguard life, limb, property, and the public welfare. A person performing such activities need not apply for a permit pursuant to this subdistrict, if:

- (1) Natural and finished slopes will be less than 25 percent ; and,
- (2) The disturbed or filled area is 20,000 square feet or less; and,
- (3) The volume of soil or earth materials to be stored is 50 cubic yards or less; and,
- (4) Rainwater runoff is diverted, either during or after construction, from an area smaller than 10,000 square feet; and,
- (5) Impervious surfaces, if any, of less than 10,000 square feet are to be created; and,
- (6) No drainageway is to be blocked or have its stormwater carrying capacities or characteristics modified.

Staff: The proposed garage is located on an area that is less than 10% slope. The 35 x 25-foot garage will disturb less than 1600-square feet of area taking into account the size of the structure and a 5-foot buffer around each side of the garage. Earth work for the garage will create less than 50-cubic yards of earth being stored on site. With the structure being only 875-square feet, the proposal is under the threshold for diverted rainwater and impervious surfaces. The project will not alter the carrying capacity or block any drainage way on site.

The project meets all the exemptions and does not require a Hillside Development Permit.

6.00 Transportation Standards

MCRR 4.000 Access to County Roads

MCRR 4.200 Number: Reducing the number of existing and proposed access points on Arterials and Collectors and improving traffic flow and safety on all County roads will be the primary consideration when reviewing access proposals for approval. One driveway access per property will be the standard for approval. Double frontage lots will be limited to access from the lower

classification street. Shared access may be required in situations where spacing standards cannot be met or where there is a benefit to the transportation system.

Staff: The subject property is served by one driveway. After looking through the County's permit records, no access permit was located. As a result, a condition of approval will require the owner to obtain an Access Permit from the Right-of-Way specialist prior to land use sign off on the building permit.

Criterion met with Condition of Approval.

7.00 Conclusion

Based on the findings and other information provided above, the applicant has carried the burden necessary for the Significant Environmental Concern to establish a detached garage in the Multiple Use Agriculture-20 zone. This approval is subject to the conditions of approval established in this report.

8.00 Exhibits

Exhibits have been included as part of the mailed decision. All other materials are available for review in Case File T2-2010-1267 at the Land Use Planning office.

Exhibit #	Description of Exhibit
1	Applicant's Site Plan
2	Planting Plan
3	Recommended Plants for Screening
4	On-Site Sewage Disposal Form
5	Stormwater Certificate
6	Elevation Plans