

## NOTICE OF DECISION

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

**Case File:** T2-2014-3490

**Permit:** Administrative Decision by Planning Director and Significant Environmental Concern

**Location:** Vacant property is south of SE Strebin Rd., located about 250 to 730 ft. east of intersection with SE 282<sup>nd</sup>.  
Tax Lot 500, Section 07B,  
Township 1 South, Range 4 East, W.M  
Alt. Account: R994070740

**Applicants/  
Owners:** Nick & Gail Kreofsky

**Base Zone:** Exclusive Farm Use

**Overlays:** Significant Environmental Concern for Water Resources and Wildlife Habitat

Vicinity Map  
(Subject Property outlined red) N↑

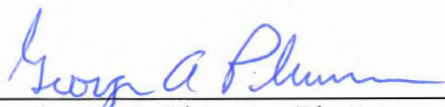


**Summary:** Build a single family dwelling (Heritage Tract Dwelling) within Exclusive Farm Use (EFU) Zone on a property with low value soils. The dwelling will also be located within Significant Environmental Concern for Water Resources (SEC-wr) Overlay Zone.

**Decision:** Approved with Conditions

Unless appealed, this decision is effective December 3 , 2014 , at 4:00 PM.

Issued by:

By:   
George A. Plummer, Planner

For: Karen Schilling- Planning Director

Wednesday, November 19, 2014  
Instrument Number for Recording Purposes: #00074345

**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 George 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 3 , 2014, at 4:00 PM.**

**Applicable Approval Criteria:** Multnomah County Code (MCC) and MCC 36.2600 et. al: EFU, MCC 36.4500 et. al: SEC-wr sections and Multnomah County Road Rules (MCRR): MCRR 4.000: Access, MCRR 5.000: Transportation Impact, MCRR 6.000: Improvements, and MCRR 18.000: Right-of-Way Permits

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.

### **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. Prior to zoning sign-off for the building permit, the property owners shall record with the County Recorder the Notice of Decision through the Conditions of Approval of this decision, the mitigation plan narrative labeled Exhibit A.14 and the site plan labeled Exhibit A.15. The Notice of Decision shall run with the land and the conditions shall be met by the current and future property owners and successor property owners unless amended through a later decision by an authorized authority. Proof of recording shall be submitted to Multnomah

County Land Use Planning office prior to the issuance of any permits. Recording shall be at the property owners' expense. [MCC 36.4555(E)(2)(g)]

- 2.. This land use permit expires four years from the date the decision is final pursuant to MCC 37.0690(C) as applicable. The property owner may request to extend the timeframe within which this permit is valid, as provided under MCC 37.0695, as applicable. The request for a permit extension must be submitted prior to the expiration of the approval period. [MCC 37.0690]
3. Prior to zoning sign-off for the building permit, the property owners shall submit Certification of Water Service for the property. [MCC 36.2625(F)(3)]
4. Prior to zoning sign-off for the building permit, the property owners shall submit a Fire District Review that demonstrates that there is adequate water pressure and flow for firefighting purposes for the proposed dwelling. [MCC 36.2625(F)(3)]
5. Prior to zoning sign-off for the building permit, the property owners shall submit a Storm Water Certificate completed by a registered professional engineer indicating that stormwater/drainage control systems required for new impervious surfaces shall be adequate to ensure that the rate of runoff from the lot for the 10 year 24-hour storm event is no greater than that before the development. Any stormwater control system shall be located in the development area labeled and shown on site plan included as Exhibit A.15. [MCC 36.2625(F)(3), MCC 36.4555(D)(8) and MCC 36.2660(F)]
6. The property owners shall obtain a building permit for the dwelling prior to any soil disturbance on the property other than soil disturbance related to implementing the mitigation plan and/or for drilling a well. [MCC 36.2625(F)(3)]
7. Prior to zoning sign-off for the building permit the property owners shall sign and record in the deed records for the county a document binding the landowner, and the landowner's successors in interest, prohibiting them from pursuing a claim for relief or cause of action alleging injury from farming or forest practices for which no action or claim is allowed under ORS 30.936 or 30.937 as shown in Exhibit B.8. [MCC 36.2655]
8. Prior to zoning sign-off for the building permit the property owners shall obtain a Grading and Erosion Control permit approval from County Land Use Planning. [MCC 36.4550 (A)]
9. All outdoor lighting shall be of a fixture type and shall be placed in a location so that it does not shine directly into undeveloped water resource or habitat areas. Where illumination of a water resource or habitat area is unavoidable, it shall be minimized through use of a hooded fixture type and location. Prior to zoning sign-off for the building permit the property owners shall provide a manufacturer brochure for the type of outdoor lighting fixtures that are proposed to be used demonstrating this condition is met. [MCC 36.4550(B)]
10. The following nuisance plants defined in 36.4510, shall not be used as landscape plantings within the SEC-wr Overlay Zone. [MCC 36.4550(C)]
11. The proposed mitigation plan included as Exhibit A.14 and shown on Exhibit A.15 shall be implemented in "Mitigation Area 1" and "Mitigation Area 2" within two years of the effective date of this decision. Implementing the mitigation plan includes removing the

invasive nuisance species and planting 50 Willamette Valley ponderosa pine, 30 white oak trees, 10 Douglas fir trees 20 Nootka rose shrubs and 20 red flowering current shrubs in “Mitigation Area 1” and 10 Willamette Valley ponderosa pine trees, 10 white oak trees and 20 red flowering current in “Mitigation Area 2.” Additionally, the mitigation plan includes planting of 30 western red cedar trees as successor trees to the alders as well as 20 red flowering current shrubs in the under story between the proposed development and the stream as the invasive species are removed. This phase of the mitigation plan can be implemented over the next five years after the effective date of this decision (does not change the timing for any implementation agreement the owners may have with East Multnomah County Soil and Water Conservation District unless it is for a period greater than five years). All mitigation areas must be monitored for at least five years and must have a survival rate for the plantings of 80 percent or more. If the survival is less the 80 percent, those plants that have not survived must be replanted and maintained to achieve at least an 80 percent survival rate, if the 80 percent survival rate is not achieved or maintained the non-surviving plants shall be replanted. [MCC 36.4555(D)(2), MCC 36.4555(D)(4), MCC 36.4555(D)(6), MCC 36.4555(E)(2) and MCC 36.4555(E)(3)]

12. Prior to soil disturbance for the construction the dwelling, the development area boundaries shown on the site plan included as Exhibit A.15 shall be fenced to protect the Water Resources Area outside the fence from accidental disturbance. The fencing shall be maintained until construction is complete. [MCC 36.4555(D)(7)]
13. Prior to zoning sign-off for the building permit, the property owners shall dedicate 10 feet of right-of-way along the site’s Strebin Road frontage to Multnomah County for road purposes. Contact Pat Hinds at (503) 988-5050 Ext. 83712 to complete the easement dedication. [MCRR 6.100A]
14. Prior to zoning sign-off for the building permit, the property owners shall furnish County Transportation a signed copy of deed restrictions (prepared by County Transportation) committing the property owner to participate in future right-of-way improvements for Strebin Road. Contact Pat Hinds at (503) 988-5050 Ext. 83712 to complete the deed restrictions. [MCRR 6.100B]
15. Prior to zoning sign-off for the building permit, submit an application to obtain an access permit for the driveway off of Strebin. Please contact Alan Young at (503) 988-3582 to obtain an access permit. [MCRR 18.250]

**Note:** Once this decision is final, application for building permits may be made with the City of Gresham. When ready to have building permits signed off, please call the Staff Planner, George Plummer, at (503) 988-3043 ext. 29152 (after December 8, 2014 my number will be 503-988-0202), 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 applicants submits building plans to the City of Gresham. Three 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 \$70.00 will be collected. In addition, an erosion control inspection fee of \$82.00 may be required.

**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 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. PROJECT DESCRIPTION**

**Staff:** Build a single family dwelling (Heritage Tract Dwelling) in Exclusive Farm Use (EFU) Zone property with low value soils. The dwelling will also be located within Significant Concern for Water Resources (SEC-wr) Overlay Zone.

### **2. PROPERTY DESCRIPTION**

**Staff:** The 4.8 acre property is located south of and adjacent to Strebin Road from which site access is proposed. The northern 100 feet of the property has a relatively shallow slope of 10 percent or less. This is the location of the proposed single family dwelling development. South of that area the slope drops rather steeply at close to 25 percent down to a stream that runs west to east across the center area of the property. On the other side of the stream the slope rises steeply mimicking the other side of the stream. The property is nearly fully covered with forest. It appears to be a second growth forest which consists predominately of alder trees. It appears there may have at one time been a dwelling located on the property in the area where the proposed development is to be located, within 100 feet of the road. There are some areas that are heavily infested with invasive nuisance plant species in and nearby the proposed development area. Likely the nuisance plant species including ivy, holly, laurel, and blackberry originated during the previous occupation of the site and have heavily infested the areas that had been previously cleared.

### **3. EXCLUSIVE FARM USE ZONE**

#### **3.1. Review Uses**

**MCC 36.2625(F): Notwithstanding the same ownership grouping requirements of the Lot of Record section, a single family heritage tract dwelling may be allowed on land not identified as high-value farmland when:**

**Staff:** The 4.78 acres subject property is predominately soil designation of 20F Haplumbrepts, about 75 percent area of the property, as shown on the Soil Conservation Service, *Soil Survey of Multnomah County, Oregon* (Map 22). This soil is a steep moderately well drained soil. Additionally, about 25 percent of the property area is a soil designated as 37B Quatama loam which is a shallow sloped moderately well drained soil. Given that the predominate soil (20F) for the property is not on the Multnomah County High-Value Farmland Soils list, this property is land not identified as high-value farmland. *The criterion is met.*

**3.1.1. MCC 36.2625(F)(1): The lot or parcel on which the dwelling will be sited meets the following requirements:**

- (a) A deed or other instrument creating the lot or parcel was recorded with the Department of General Services, or was in recordable form prior to January 1, 1985; and**
- (b) The lot or parcel satisfies all applicable laws when the lot or parcel was created; and**
- (c) The lot or parcel was acquired and owned continuously by the present owner:**
  - 1. Since prior to January 1, 1985; or**
  - 2. By devise or by intestate succession from a person who acquired and had owned continuously the lot or parcel since prior to January 1, 1985; and**

**MCC 36.2610: EFU Definitions - Same Ownership - Refers to greater than possessory interests held by the same person or persons, spouse, minor age child, same partnership, corporation, trust or other entity, separately, in tenancy in common or by other form of title. Ownership shall be deemed to exist when a person or entity owns or controls ten percent or more of a lot or parcel, whether directly or through ownership or control or an entity having such ownership or control. For the purposes of this subsection, the seller of a property by sales contract shall be considered to not have possessory interest.**

**Staff:** Included in Exhibit A.7 (Applicants' Attachment A) is a copy of a warranty deed recorded on October 17, 1969 in Book 702 on Page 1688 showing a transfer of the subject property to Arthur J. Kreofsky and Audrey L. Kreofsky. This deed described the property in its current configuration. The criterion is met because the deed creating the parcel was recorded prior to January 1985, the submitted deed demonstrates the property existed in 1969.

In 1969 the zoning for the subject property was Agriculture (F2) which required a two acre minimum lot size for new parcels (Exhibit B.6 and B7). The F2 zoning was adopted for the property in 1958 and continued to be the zoning designation when the previously mentioned deed was filed. The property was divided out of a 9.19 acre property after 1962 with the division resulting in two parcels (Exhibit B.6). There were no land division laws or zoning laws that applied to a division of a property creating two properties other than the two acre minimum parcel (lot) size. Thus the subject parcel satisfies all applicable laws when the lot or parcel was created and this criterion is met.

The applicants have provided a birth certificate (Exhibit A.17) that demonstrates the Nick Kreofsky is the son of Arthur J. Kreofsky and Audrey L. Kreofsky. The birth certificate demonstrate the property meets the standard of by devise or by intestate succession from Arthur J. Kreofsky and Audrey L. Kreofsky, who acquired the property in 1969, to Nick Kreofsky their son who has had owned continuously the lot or parcel to the current date. Thus the criterion is met requiring the property be acquired and owned continuously by the present owner prior to 1985.

*The criteria listed under MCC 36.2625(F)(1) have been met.*

**3.1.2. MCC 36.2625(F)(2): The tract on which the dwelling will be sited does not include a dwelling; and**

**Staff:** The tract, a single parcel and does not have an existing dwelling. *This criterion is met.*

**3.1.3. MCC 36.2625(F)(3): The proposed dwelling is not prohibited by, and will comply with, the requirements of the Comprehensive Plan, land use regulations, and other provisions of law; and**

**Staff:** The proposed dwelling is not prohibited by Comprehensive Plan, land use regulations, and other provisions of law if the dwelling meets the criteria and standards. The proposed dwelling must comply with the Comprehensive Plan, land use regulations, and other provisions of law. This finding addresses Comprehensive Plan policy requirements. Other sections of this decision include findings addressing land use regulations. A building permit is required for the dwelling.

Comprehensive Plan Policy 37 requires approved sewage disposal. The applicants' have submitted a Certification of On-Site Sewage Disposal feasibility form completed by the City of Portland sanitarian (Exhibit A.9). Policy 37 requires connection to a public water system or a private well. The Applicants have not submitted certification of water service for the property. A condition of approval can require submittal of verification of water service prior to the zoning review and stamping of the plans for a building permit.

Policy 37 requires that for stormwater from impervious surface the development "shall have adequate capacity in the storm water system to handle the run-off or the water run-off shall be handled on the site or adequate provisions shall be made; and the run-off from the site shall not adversely affect the water quality in adjacent streams, ponds, lakes, or alter the drainage on adjoining lands." The applicants' have not submitted a Storm Water Certificate completed by a registered professional engineer. A condition of approval can require submittal a completed Storm Water Certificate prior to the zoning review and stamping of the plans for a building permit.

Comprehensive Plan Policy 38 requires that, "there is adequate water pressure and flow for fire-fighting purposes; and the appropriate fire district has had an opportunity to review and comment on the proposal." The applicants' have submitted a Fire Service Agency Review form, however the Fire District check the box indicating that, "the existing fire-flow duration available from a public water line or private well is not adequate to serve the proposed non-commercial structure with Appendix B of the Oregon Fire Code" (Exhibit A.11) The Fire District is requiring a fire hydrant within 600 feet of furthest corner of the proposed structure, with the hydrant meeting with certain design details. A condition of approval can required the fire district requirements be met prior to the zoning review and stamping of the plans for a building permit.

*This criterion is met through conditions.*



**3.1.4. MCC 36.2625(F)(4): The lot or parcel on which the dwelling will be sited does not lie within an area designated by the Comprehensive Plan as a Big Game habitat area; and**

**Staff:** The parcel is not located in an area designated by the Comprehensive Plan as a Big Game habitat area. *This criterion is met.*

**3.1.5. MCC 36.2625(F)(5): The lot or parcel on which the dwelling will be sited is part of a tract, the remaining portions of the tract shall be consolidated into a single parcel when the dwelling is allowed; and**

**Staff:** The parcel is not a part of a tract. There is single parcel in the ownership.

**3.1.6. MCC 36.2625(F)(6): The County Assessor shall be notified when the permit is approved.**

**Staff:** County Assessor will be notified of the decision. *This criterion is met.*

**3.1.7. MCC 36.2625(F)(7): Approval of the dwelling would not:**

- (a) Exceed the facilities and service capabilities of the area; and**
- (b) Materially alter the stability of the overall land use pattern of the area; and**
- (c) Create conditions or circumstances that are found to be contrary to the purpose or intent of the Comprehensive Plan or MCC Chapter 36.**

**Staff:** If the applicants' can meet the fire district requirements for a single family, dwelling as conditioned, then the dwelling will not exceed facilities and service capabilities of the area. The overall land use pattern in the area of the subject property includes several dwellings on small parcels adjacent or within a quarter-mile of the property (Exhibit B.3). The proposed dwelling will fit into that pattern. The proposed dwelling will not create conditions or circumstances that are found to be contrary to the purpose or intent of the Comprehensive Plan or MCC Chapter 36 if conditions of approval are met. A heritage tract dwelling located on not high-value farmlands is a review use under Chapter 36. The dwelling has been found to meet the comprehensive plan policies through conditions of approval in the finding under Section 3.1.3. of this decision address Code Section MCC 36.2625(F)(3).

**3.1.8. MCC 36.2625(F)(8): For purposes of this subsection, and of dwellings considered under MCC 36.2630 (J) and (K), the following definitions apply:**

- (a) Owner includes the wife, husband, son, daughter, mother, father, brother, brother-in-law, sister, sister-in-law, son-in-law, daughter-in-law, mother-in-law, father-in-law, aunt, uncle, nephew, stepparent, stepchild, grandparent or grandchild of the owner or a business entity owned by any one or a combination of these family members.**
- (b) Date of Creation and Existence. When a lot, parcel or tract is reconfigured pursuant to applicable law after November 4, 1993, the effect of which is to qualify a lot, parcel or tract for the siting of a dwelling, the date of the reconfiguration is the date of creation or existence. Reconfigured means any change in the boundary of the lot, parcel or tract.**



**Therefore, if the lot, parcel or tract does not qualify for a dwelling under the Heritage Tract Dwelling standards, any reconfiguration after November 4, 1993 cannot in any way enable the tract to meet the approval criteria for a new dwelling.**

**Staff:** The applicants have provided a birth certificate (Exhibit A.17) demonstrating Nick Kreofsky is the son of Arthur J. Kreofsky and Audrey L. Kreofsky. Included in Exhibit A.7 (Applicants' Attachment A) is a copy of a warranty deed recorded on October 17, 1969 in Book 702 on Page 1688 showing a transfer of the subject property to Arthur J. Kreofsky and Audrey L. Kreofsky (Exhibit A.7). This deed described the property in its current configuration. The property has not been reconfigured since 1969. *This criterion is met.*

### **3.2 Prohibition on Claims Alleging Injury from Farm or Forest Practices**

**MCC 36.2655** As a condition of approval of a single family dwelling, the landowner for the dwelling shall sign and record in the deed records for the county a document binding the landowner, and the landowner's successors in interest, prohibiting them from pursuing a claim for relief or cause of action alleging injury from farming or forest practices for which no action or claim is allowed under ORS 30.936 or 30.937.

**Staff:** A condition requires property owners file a covenant to the deed prohibiting them from pursuing a claim for relief or cause of action alleging injury from farming or forest practices. An example of the covenant is included as Exhibit B.8. *This criterion is met through a condition.*

### **3.3. Dimensional Requirements**

#### **3.3.1. MCC 36.2660(C): Minimum Yard Dimensions Front and Rear Yards - 30 feet and Side Yards - 10 feet Maximum Structure Height - 35 feet**

**Staff:** The submitted site plan shows the proposed dwelling meeting the minimum setbacks (Exhibit A.15). The submitted elevation drawing shows the proposed dwelling to be two-stories at a height of about 18.5 feet, complying with the maximum height requirement (Exhibit A.8). *These standards are met.*

#### **3.3.2. MCC 36.2660(D): The minimum yard requirement shall be increased 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:** The submitted site plans show the dwelling located at 54 feet from the road. The minimum front yard setback is 30 feet from the right-of-way. County Transportation is requesting an additional 10 foot dedication of right-of-way prior to zoning sign-off for the building permit. *This standard is met.*

\* \* \*

**3.3.3. MCC 36.2660(F): On-site sewage disposal, storm water/drainage control, water systems unless these services are provided by public or community source, shall be provided on the lot.**

- (1) Sewage and stormwater disposal systems for existing development may be off-site in easement areas reserved for that purpose.**
- (2) Stormwater/drainage control systems are required for new impervious surfaces. The system shall be adequate to ensure that the rate of runoff from the lot for the 10 year 24-hour storm event is no greater than that before the development.**

**Staff:** The application includes a completed Certificate of On-Site Sewage Disposal demonstrating the site has an area that is feasible to install an on-site septic system (Exhibit A.9). A condition can require the property owners submit a Storm Water Certificate completed by a registered profession engineer prior to the zoning review and stamping of the plans for a building permit to ensure is rate of runoff is no greater than before development. *This standard can be met through a condition.*

#### **3.4. Lot of Record**

**3.4.1. MCC36.2675(A): In addition to the Lot of Record definition standards in MCC 36.0005, for the purposes of this district a Lot of Record is either:**

- (1) A parcel or lot which was not contiguous to any other parcel or lot under the same ownership on February 20, 1990, or**
- (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.**

**Staff:** Included in Exhibit A.7 (Applicants' Attachment A) is a copy of a warranty deed recorded on October 17, 1969 in Book 702 on Page 1688 showing a transfer of the subject property to Arthur J. Kreofsky and Audrey L. Kreofsky. This deed describes the property in its current configuration.

In 1969 the zoning for the subject property was Agriculture (F2) which required a two acre minimum lot size for new parcels (Exhibit B.6 and B.7). The F2 zoning was adopted for the property in 1958 and F2 continued to be the zoning designation when the previously mentioned deed was filed (Exhibits B.6 and B.7). The property was divided out of 9.19 acre property after 1962 with the division resulting in two parcels (Exhibit B.6). There were no land division laws or zoning laws that applied to a division of a property into two properties other than the two acre minimum parcel (lot) size. The criterion is met for the subject property satisfying all applicable laws when the lot or parcel was created. There was no adjacent property held under the same ownership on February 20, 1990. *Thus the property is a Lot of Record.*

**3.4.2. MCC36.2675(C) A Lot of Record which has less than the minimum lot size for new parcels, less than the front lot line minimums required, or which does not meet the access requirements of MCC 36.2690 may be occupied by any allowed use, review use or conditional use when in compliance with the other requirements of this district.**

**Staff:** The subject property qualifies as a Lot of Record, thus a dwelling can be approved for the property subject to demonstration to the demonstration of compliance with the Heritage Tract Dwelling criteria. *This standard is met.*

#### **4. Significant Environmental Concern for Water Resources**

##### **4.1. Area Affected**

**MCC 36.4505 (C) SEC-Water Resource Area (SEC-wr) - Protected water features, riparian/vegetated corridors and the adjacent impact areas, that are identified as significant resources in the Goal 5 Inventory, and as established by these definitions, are the areas included within the SEC-wr Overlay Zone Subdistrict.**

**(1) Protected Water Features shall include:**

**(a) Wetlands that provide a water quality benefit - Wetlands of metropolitan concern as shown on the Metro Water Quality and Flood Management Area Map and other wetlands which meet any one of the following criteria. Wetlands do not include artificially constructed and managed stormwater and water quality treatment facilities.**

- 1. The wetland is fed by surface flows, sheet flows or precipitation, and has evidence of flooding during the growing season, and has 60 percent or greater vegetated cover, and is over one-half acre in size;**
- 2. The wetland qualifies as having "intact water quality function" under the 1996 Oregon Fresh water Wetland Assessment Methodology;**
- 3. The wetland is in the Flood Management Area, and has evidence of flooding during the growing season, and is five acres or more in size, and has a restricted outlet or no outlet;**
- 4. The wetland qualifies as having "intact hydrologic control function" under the 1996 Oregon Freshwater Wetland Assessment Methodology; or**
- 5. The wetland or a portion of the wetland is within a horizontal distance of less than one-fourth mile from a water body which meets the Department of Environmental Quality definition of "water quality limited water body" in OAR Chapter 340, Division 41 (1996).**

**(b) Rivers, streams, and drainages downstream from the point at which 50-acres or more are drained to the water feature (regardless of whether it carries year-round flow); and**

**(c) Streams carrying year-round flow; and**

**(d) Streams designated as significant in the Goal 5 inventory; and**

**(e) Springs which feed stream and wetlands and have year-round flow; and**

**(f) Natural lakes.**

**(2) Riparian/Vegetated Corridors and Impact Area - The standard width of the riparian/vegetated corridor for all Protected Water Features shall be two hundred (200) feet from the top of bank.**

**Staff:** The applicants have submitted a site plan that shows the "Water Resource Area," the area 200 feet from the stream bank includes the entire area north of the stream to the northern property line. For this review the SEC-wr area is considered to be the entire property (Exhibit A.15).

**(D) SEC-Habitat (SEC-h)- Includes nonriparian and nonwetland natural resource sites that contain habitat values such as wooded areas and areas with rare or**

endangered flora and fauna, as identified by the Goal 5 Inventory. Habitat areas include the significant Goal 5 habitat resource and a 25 foot buffer to protect the root zone of the vegetation. The boundaries of Significant Habitat Areas, which are designated as SEC-h, are established by the Goal 5 Natural Resource Inventory and include:

- (1) Those areas identified on the map as "Riparian Corridor/Wildlife Habitat and Impact Area" that do not otherwise meet the definition of Water Resource Area in (C) above; and
- (2) Those areas identified on the map as "Isolated Upland Wildlife Habitat" that do not otherwise meet the definition of Water Resource Area, above.

**Staff:** The entire area north of the stream to the northern property line, area to be developed and the mitigation areas are all within the SEC-wr Overlay. The SEC-wr Overlay area is determined by measuring from the top of the stream bank on the property and as shown on the submitted site plan (Exhibit A.15).. Given for the subject property the entire area north of the stream meets the definition of Water Resource Area, thus there is no SEC-h Overlay on the property north of the stream. This review does not address SEC-h standards because the SEC-wr supersedes the SEC-h area for the area the development is located within.

#### **4.2. General Requirements for Significant Environmental Concern for Water Resources and Wildlife Habitat**

**MCC 36.4550** The requirements in this section shall be satisfied for development in the SEC-wr and SEC-h areas in addition to the provisions of 36.4555 or 36.4560 as applicable.

##### **4.2.1. MCC 36.4550 (A) Areas of erosion or potential erosion shall be protected from loss by appropriate means. Appropriate means shall be based on current Best Management Practices and may include restriction on timing of soil disturbing activities.**

**Staff:** A condition will require a Grading and Erosion Control Permit be obtain prior to the zoning review and stamping of the plans for a building permit. That permit will require grading and erosion control standards to protect from erosion loss. *This standard can be met through a condition.*

##### **4.2.2. MCC 36.4550 (B) Outdoor lighting shall be of a fixture type and shall be placed in a location so that it does not shine directly into undeveloped water resource or habitat areas. Where illumination of a water resource or habitat area is unavoidable, it shall be minimized through use of a hooded fixture type and location.**

**Staff:** A condition will require outdoor lighting to be of a fixture type and be placed in a location so that it does not shine directly into undeveloped water resource or habitat areas. *This standard can be met through a condition.*

**4.2.3. MCC 36.4550 (C) The following nuisance plants, in addition to the nuisance plants defined in 36.4510, shall not be used as landscape plantings within the SEC-wr Overlay Zone:**

**Staff:** A condition will require nuisance plants defined in 36.4510, not be used as landscape plantings within the SEC-wr and SEC-h Overlay Zone. *This standard can be met through a condition.*

**5. Criteria Significant Environmental Concern for Water Resources**

**MCC 36.4555:** Except for the exempt uses listed in MCC 36.4520 and the existing uses pursuant to 36.4525, no development shall be allowed within a Water Resource Area unless the provisions of section (A) or (B) or (C) below are satisfied. An application shall not be approved unless it contains the site analysis information required in 36.4540(A) and (C), and meets the general requirements in 36.4550.

**5.1. Development on Low Impact Sites**

**MCC 36.4555(A):** Development on parcels in locations that would have low impacts on Water Resource Areas may be exempt from the Alternatives Analysis in (B) below. Development on sites that meet the following criterion may be allowed pursuant to the other applicable requirements of this district including the Development Standards of (D) and the provisions for Mitigation in (E):

**(1)** The development site is at least one hundred (100) feet from top of bank or top of ravine, which ever results in a greater distance from the Protected Water Feature.

**Top of ravine** is the break in the > 25% slope. Slope should be measured in 25-foot increments away from the water feature until the slope is less than 25% (top of ravine), up to a maximum distance of 200' from the water feature. Where multiple resources are present (e.g., stream with wetlands along banks), the starting point for measurement should be whichever offers greatest resource protection.

**Staff:** The applicants have submitted a site plan that shows the SEC Water Resource Area on the property to extend beyond the area shown on the SEC-wr map. The applicants show on the site plan that the entire property is within the SEC-wr as measured from the stream bank. The proposed development site is at least one hundred (100) feet from top of the stream bank of the Protected Water Features (the stream and wetlands). The slope does not exceed 25 percent between the stream and the proposed development area. The proposed development meets the standard to be development on a low impact site. *The standard is met.*

**5.2. Development Standards**

**MCC 36.4555(D):** Development within the Water Resource Area shall comply with the following standards:

**Staff:** The findings below address the development standards. The applicants have demonstrated the standards can be met through conditions of approval through the implementation of the proposed mitigation plan (Exhibit A.14).

- 5.2.1. MCC 36.4555(D)(1): Development of trails, rest points, viewpoints, and other facilities for the enjoyment of the resource must be done in such a manner so as to minimize impacts on the natural resource while allowing for the enjoyment of the natural resource.**

**Staff:** The development does not include trails, rest points, viewpoints, and other facilities. *This standard is not applicable.*

- 5.2.2. MCC 36.4555(D)(2): Development in areas of dense standing trees shall be designed to minimize the numbers of trees to be cut. No more than 50 percent of mature standing trees (of 6-inch DBH greater) shall be removed without a one-for-one replacement with comparable species. The site plan for the proposed activity shall identify all mature standing trees by type, size, and location, which are proposed for removal, and the location and type of replacement trees.**

**Staff:** The mitigation plan (Exhibit A.14) includes planting 50 Willamette Valley ponderosa pine, 30 white oak and 10 Douglas fir trees in "Mitigation Area 1" and 10 Willamette Valley ponderosa pine and 10 white oak trees in "Mitigation Area 2." All the proposed trees are native trees. Additionally, the plan calls for planting of 30 western red cedar (native trees) as successor trees to the short lived alders planted in the under story between the proposed development and the stream. The number of proposed trees will adequately replace the trees removed for the development site. A condition will require the implementation of the mitigation plan and the planting of these trees. *This standard can be met through a condition.*

- 5.2.3. MCC 36.4555(D)(3): Areas of standing trees, shrubs, and natural vegetation will remain connected or contiguous, particularly along natural drainage courses, so as to provide a transition between the proposed development and the natural resource, to provide food, water, and cover for wildlife, and to protect the visual amenity values of the natural resource.**

**Staff:** The proposed development is close to the road. Areas of standing trees, shrubs, and natural vegetation will remain contiguous with the stream corridor. The mitigation will occur in areas that are contiguous with the natural vegetation of the stream corridor. *The standard is met.*

- 5.2.4. MCC 36.4555(D)(4): The Water Resource Area shall be restored to "good condition" and maintained in accordance with the mitigation plan pursuant to (E) below and the specifications in Table 2.**

**Staff:** The mitigation plan was designed by David Bowman, CTA, East Multnomah County Soil and Water Conservation District to meet the restoration of the mitigation areas to a "good condition" standard pursuant to specifications in Table 2. A condition will required the implementation of the mitigation plan. *This standard can be met through a condition.*

- 5.2.5. MCC 36.4555(D)(5): To the extent practicable, existing vegetation shall be protected and left in place. Work areas shall be carefully located and marked to reduce potential damage to the Water Resource Area. Trees in the Water Resource Area shall not be used as anchors for stabilizing construction equipment.**

**Staff:** A condition will require that the proposed development area as shown on the site plan be fenced to prevent potential damage to the Water Resource Area outside the designated development area. *This standard can be met through a condition.*

- 5.2.6. MCC 36.4555(D)(6): Where existing vegetation has been removed, or the original land contours disturbed, the site shall be revegetated, and the vegetation shall be established as soon as practicable. Nuisance plants, as identified in Table 1, may be removed at any time. Interim erosion control measures such as mulching shall be used to avoid erosion on bare areas. Nuisance plants shall be replaced with non-nuisance plants by the next growing season.**

**Staff:** No existing vegetation has been removed prior to development. The application submittal includes a mitigation plan designed by David Bowman included as Exhibit A14 including a narrative description and site plan. The two mitigation sites are covered with invasive nuisance plants listed in Table 1, including: Himalayan blackberry bushes, English ivy, English laurel, and English Holly. The mitigation plan calls for the removal of these plants. The mitigation plan includes planting 50 Willamette Valley ponderosa pine, 30 white oak and 10 Douglas fir trees in Mitigation Area 1 and 10 Willamette Valley ponderosa pine and 10 white oak trees in Mitigation Area 2. All the proposed trees are native trees. Additionally, the plan calls for planting of 30 western red cedar as successor trees to the short lived alders in the under story between the proposed development and the stream as the invasive species are removed. The number of proposed trees will adequately replace the trees removed for the development. The plan also includes planting 20 Nootka rose and 20 red flowering current in Mitigation Area 1 and planting 10 Nootka rose and 10 red flowering current in mitigation Area 2 both native species. The plan also includes planting 20 red flowering current in the existing under story area between the proposed development and the stream as the invasive species are removed. A condition will require the implementation of the mitigation plan and the planting of these trees. *This standard can be met through a condition.*

- 5.2.7. MCC 36.4555(D)(7): Prior to construction, the Water Resource Area shall be flagged, fenced or otherwise marked and shall remain undisturbed except as otherwise allowed by this district. Such markings shall be maintained until construction is complete.**

**Staff:** A condition will require that the proposed development area as shown on the site plan be fenced to prevent reduce potential damage to the Water Resource Area. *This standard can be met through a condition.*

- 5.2.8. MCC 36.4555(D)(8): Stormwater quantity control and quality control facilities:**
- (a) Stormwater management shall be conducted in a manner that does not increase the flow of stormwater to the stream above predevelopment levels.**
  - (b) The stormwater quantity control and quality control facility may only encroach a maximum of 25 feet into the outside boundary of the Water Resource Area of a primary water feature; and**



- (c) **The area of encroachment must be replaced by adding an area equal in size and with similar functions and values to the Water Resource Area on the subject property.**

**Staff:** A condition can require the property owners submit a Storm Water Certificate completed by a registered professional engineer prior to the zoning review and stamping of the plans for a building permit. Any storm water control system must be located within the designed development area as shown on the site plan included as Exhibit A.15. *This standard can be met through a condition.*

### **5.3. Mitigation**

**MCC 36.4555(E): Mitigation shall be required to offset the impacts of development within the SEC-wr. This section establishes how mitigation can occur.**

**Staff:** The application submittal includes a mitigation plan designed by David Bowman, CTA, East Multnomah County Soil and Water Conservation District included as Exhibit A14 including a narrative description and mitigation site plan. The site plan included as Exhibit A.15 show development area as well as mitigation areas.

#### **5.3.1 MCC 36.4555(E)(1): Mitigation Sequence. Mitigation includes avoiding, minimizing or compensating for adverse impacts to regulated natural resource areas.**

- (a) **When a proposed use or development activity could cause adverse impacts to a natural resource area, the preferred sequence of mitigation as defined in 1. through 5. below shall be followed unless the applicant demonstrates that an overriding public benefit would warrant an exception to this preferred sequence.**
- 1. Avoiding the impact altogether by not taking a certain action or parts of actions on that portion of the site which contains the regulated natural resource area;**
  - 2. Minimizing impacts by limiting the degree or magnitude of the action and its implementation;**
  - 3. Compensating for the impact by repairing, rehabilitating, or restoring the affected environment;**
  - 4. Compensating for the impact by replacing, enhancing or providing substitute resources or environments on-site.**
  - 5. Compensating for the impact by replacing, enhancing or providing substitute resources or environments off-site.**
- (b) **When evaluating potential impacts to the natural resource, the County may consider whether there is an overriding public benefit, given:**
- 1. The extent of the public need for the proposed development;**
  - 2. The functional values of the Water Resource Area that may be affected by the proposed development;**
  - 3. The extent and permanence of the adverse effects of the development on the Water Resource Area, either directly or indirectly;**
  - 4. The cumulative adverse effects of past activities on the Water Resource Area, either directly or indirectly; and**
  - 5. The uniqueness or scarcity of the Water Resource Area that may be affected.**

**Staff:** The proposed development minimizes the impact by locating the development more than 100 feet from the stream and proposing a small dwelling including a compact

development area close to the road right-of-way. The proposed mitigation plan has a public benefit through the improvement of functional value of the Water Resource Area by removal of invasive plant species and planting of a significant number of trees and understory shrubs. *This standard is met.*

**5.3.2. MCC 36.4555(E)(2) Compensatory Mitigation: General Requirements. As a condition of any permit or other approval allowing development which results in the loss or degradation of regulated natural resource areas, or as an enforcement action, compensatory mitigation shall be required to offset impacts resulting from the actions of the applicant or violator.**

**Staff:** The proposed mitigation plan, when implemented will compensate for the proposed development within the SEC-wr Overlay offsetting the impacts associated with the development. A condition will require the mitigation plan to be implemented. *This standard can be met through a condition.*

**5.3.2.1. (a) Any person who alters or proposes to alter regulated natural resource areas shall restore or create natural resource areas equivalent to or larger than those altered in order to compensate for resource losses.**

**Staff:** Proposed mitigation plan, when implemented, is designed to restore natural resource areas equivalent to or larger than those altered in order to compensate for resource losses. *This standard is met.*

**5.3.2.2. (b) The following ratios apply to the creation or restoration of natural resource areas. The first number specifies the amount of natural resource area to be created and the second specifies the amount of natural resource area to be altered or lost.**

**Creation (on-site): 1.5:1**

**(Restoration (on-site): 1:1**

**Staff:** The proposed mitigation plan, when implemented, will exceed the 1:1 standard. Proposed mitigation areas 1 and 2 exceed the area of the proposed development by about 120 square feet. Additionally restoration improvements are proposed for the riparian area between the dwelling and the stream which includes planting western red cedar trees and red flowering current shrubs as well as removing invasive nuisance species. A condition will require the mitigation plan to be implemented. *This standard can be met through a condition.*

**5.3.2.3. (c) Only marginal or degraded water resource areas as described in Table 2 may be the subject of a restoration project proposed as part of a Mitigation Plan.**

**Staff:** The Mitigation Areas 1 and 2 shown on the site plans (Exhibits A.14 and A.15) are degraded areas as described in Mr. Bowman's Mitigation Plan narrative (Exhibit A.14). These areas are covered with invasive species, as described in Finding 5.2.6, impacting any native species in the areas. *This standard is met.*

**5.3.2.4. (d) Highest priority sites for mitigation are marginal or degraded corridors that are closest to a natural drainage, and areas which will increase contiguous areas of standing trees, shrubs, and natural vegetation along drainages.**

**Staff:** The proposed two mitigation areas were chosen because they are in degraded condition while the rest of the Water Resources Area on the property is in relatively good condition with native vegetation riparian species and some areas with invasive species. The proposed two mitigation areas (Mitigation Areas 1 and 2) are the closest degraded areas in relation to the stream (Exhibit A15). The proposed mitigation plan also includes removing the invasive species and planting cedars and red flowering current in the riparian area that is in good condition in addition to the improving the two degraded areas (Mitigation Area 1 and 2). *This standard is met.*

**5.3.2.5. (e) The off-site mitigation shall be as close to the development as is practicable above the confluence of the next downstream tributary, or if this is not practicable, within the watershed where the development will take place or as otherwise specified by the County.**

**Staff:** The mitigation is proposed entirely on-site. *This standard is not applicable.*

**5.3.2.6 (f) Compensation shall be completed prior to initiation of development where possible.**

**Staff:** Given the size and detail of the mitigation process it will require a couple years to implement. A condition will require that Mitigation Areas 1 and 2 as shown on Exhibit A.15 be cleared of the invasive species and planted within two years of the “effective” decision dated of this decision. This timeframe provides the property owners with two planting seasons, as well as the early fall 2016, to plant the proposed vegetation in the two mitigation areas. *This standard is met through a condition.*

**5.3.2.7. (g) In order to ensure that on-site mitigation areas are established and maintained, the property owner shall record the mitigation plan approval in the deed records of Multnomah County. In order to ensure that off-site mitigation areas will be protected in perpetuity, the owner shall cause a deed restriction to be placed on the property where the mitigation is required. The deed restriction shall be irrevocable unless a statement of release is signed by an authorized representative of Multnomah County.**

**Staff:** A condition can require the property owners record this decision along with the mitigation narrative and site plan (Exhibit A.14). *This standard can be met through a condition.*

**5.3.3. MCC 36.4555(E)(3): Mitigation Plan Standards - Natural resource mitigation plans shall contain the following information:**

- (a) A description of adverse impacts that could be caused as a result of development.**
- (b) An explanation of how adverse impacts to resource areas will be avoided, minimized, and/or mitigated.**

- (c) A list of all responsible parties including, but not limited to, the owner, applicant, contractor or other persons responsible for work on the development site.
- (d) A map drawn to scale, showing where the specific mitigation activities will occur.
- (e) An implementation schedule, including timeline for construction, mitigation, mitigation maintenance, monitoring, reporting and a contingency plan. All in-stream work in fish-bearing streams must be done in accordance with the Oregon Department of Fish and Wildlife in-stream timing schedule.

**Staff:** The plan show the development impact area which includes the driveway the dwelling, the septic system and a minor amount of lawn of about 30 feet surrounding the dwelling for a fire break area. The impact to these areas will include removal of riparian vegetation. The impacts to resource areas will be minimized by locating the development close to the road right-of-way and through implementing the mitigation plan. The responsible parties are the property owners. A map site plan of the mitigation areas was submitted. The property owners will be required to implement the mitigation plan in Mitigation Areas 1 and 2 within two years of the final approval date of this decision. The additional mitigation between the dwelling and the stream which includes removal of invasive species and planting 30 western red cedars and 20 red flowing currents can be implemented over the next five years after the date of this decision (does not change the timing for any implementation agreement the owners may have with East Multnomah County Soil and Water Conservation District unless it is for a period greater than five years). All mitigation areas must be monitored for at least five year and must have a survival rate for the planting of 80 percent or more. If the survival is less than 80 percent, those plants that have not survived must be replanted and maintained to achieve at least an 80 percent survival rate. *These standards can be met through a condition.*

## **6. Transportation Standards**

### **6.1. Access to County Roads**

#### **6.1.1. MCRR 4.100: Required Information - Applicants for a new or reconfigured access onto a road under County Jurisdiction may be required to provide all of the following:**

- A. Site Plan;**
- B. Traffic Study-completed by a registered traffic engineer;**
- C. Access Analysis-completed by a registered traffic engineer;**
- D. Sight Distance Certification from a registered traffic engineer; and**
- E. Other site-specific information requested by the County Engineer**

**Staff:** The applicants have proposed to construct a new access onto Strebin Road under County Jurisdiction. The road is classified as a rural local road. The new access is shown on the applicants' site plan (Exhibit A.15). All required information has been submitted.

#### **6.1.2. 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 proposed to be served by one driveway access to Strebin Road.

**6.1.3. MCRR 4.300: Location - All new access points shall be located so as to meet the access spacing standards laid out in the Design and Construction Manual.**

**Staff:** For a road classified as a rural local road. Rural local roads do not have a spacing standard.

**6.1.4. MCRR 4.400: Width - Driveway and Accessway widths shall conform to the dimensions laid out in the Design and Construction Manual.**

**Staff:** For a single family dwelling use access driveway, the proposed access width is 20 feet in width , a new or reconfigured driveway must be between 12 and 25 feet wide. The new driveway meets the width requirement.

**6.1.5. MCRR 4.500: Sight Distance - All new access points to roads under the County's jurisdiction must have a minimum sight distance equal to the standards in the Design and Construction Manual and AASHTO's A Policy on Geometric Design of Highways and Streets.**

**Staff:** A rural local road does not have a sight distance standard.

**6.2. Transportation Impact**

**MCRR 5.100: To determine if a Transportation Impact is caused by a proposed development, the County Engineer will determine the number of new trips generated by a site by one of the following methods:**

- A. Calculations from the most recent edition of the Institute of Transportation Engineers' Trip Generation (ITE); or**
- B. A site development transportation impact study conducted by a professional engineer registered in the State of Oregon and accepted by the County.**

**MCRR 5.200: The County Engineer will use the information obtained pursuant to sub-section 5.100 and/or the frontage length of the subject property to determine the pro-rata share of the requirements set forth in Section 6.000.**

**MCRR 5.300 Except where special circumstances require the County Engineer to make an alternate determination, any new construction or alteration which will increase the number of trips generated by a site by more than 20 percent, by more than 100 trips per day or by more than 10 trips in the peak hour shall be found to have a Transportation Impact. A minimum increase of 10 new trips per day is required to find a transportation impact.**

**Staff:** The Multnomah County Road Rules defines a Transportation Impact as the affect of any new construction or alteration which will increase the number of trips generated by a site by more than 20 percent, by more than 100 trips per day or by more than 10 trips

in the peak hour [MCRR 3.000]. A minimum increase of 10 new trips per day is required to find a transportation impact.

According to the ITE Manual, 8th Edition, a single family dwelling on average generates 10 trips per day. The property is currently vacant. Therefore, a transportation impact will be caused by the proposed development since trips generated by the site will be increased by more than 20 percent.

### 6.3. **Improvement Requirements**

**MCRR 6.100 Site Development: The owner of the site or the applicant for a proposed development, which is found to cause a Transportation Impact will be responsible for improvements to the right-of-way as follows:**

#### **Staff: Dedication Requirement**

NE Strebin Road is classified as a Rural Local facility. The County standard right of way width for a rural local road right-of-way facility is 60 feet. The NE Strebin Road right-of-way is currently 40 feet. The applicants are required to dedicate 10 feet in order to achieve a proportional share of this standard. This right of way will be used to improve the roadway to serve growing travel demand, which in part will be generated by this proposed action. A condition of approval has been included for the dedication. *As conditioned, this standard is met.*

#### **Staff: Frontage Improvement Requirements**

**Staff:** Frontage improvements are not required to be constructed at this time by the applicants to mitigate the transportation impact. A non-remonstrance agreement, or “deed restriction” will require that the property participate in standard Rural Local road improvements along the site’s frontage that are not completed as a part of the site’s required interim improvements as identified in the Design and Construction Manual proportionate to the identified transportation impact. A condition has been included for the deed restriction. *As conditioned this standard is met.*

## 7. **CONCLUSION**

Based on the findings and other information provided above, the applicants have carried the burden necessary for the approval with conditions of the EFU Heritage Tract Dwelling and the SEC-wr permits to establish a single family dwelling on property within the EFU zone and SEC-wr Overlay zone. This approval is subject to the conditions of approval established in this decision.

## 8. **EXHIBITS**

- ‘A’ Applicants’ Exhibits
- ‘B’ Staff Exhibits

Exhibit #	# of Pages	Description of Exhibit	Date Received/ Submitted
A.1	1	Application form	5/16/14
A.2	6	Narrative	5/16/14

A.3	7	Significant Environmental Concern for Wildlife Habitat Worksheet	5/16/14
A.4	1	Soils Map of Subject Property	5/16/14
A.5	1	Site Plan	5/16/14
A.6	1	Mitigation Site Plan	5/16/14
A.7	7	Deeds (Applicants' Attachment A)	5/16/14
A.8	4	Proposed dwelling Floor Plan and Elevation Drawings (Applicants' Attachment B)	5/16/14
A.9	8	Certificate of On-Site Sewage Disposal (Applicants' Attachment C)	5/16/14
A.10	10	Significant Environment Concern Biologist Report and Mitigation Plan by Jane Erickson (Applicant's Attachment D)	5/16/14
A.11	14	Fire Service Agency Review (Applicants' Attachment E)	5/16/14
A.12	3	Addendum to Narrative	7/24/14
A.13	4	Addendum to Significant Environment Concern Biologist Report by Jane Erickson	7/24/14
A.14	2	Addendum to Significant Environment Concern Biologist Report by Dave Bowman CTA, East Multnomah County Soil and Water Conservation District with Revised Mitigation Plan	7/24/14
A.15	1	Revised Site Plan	7/24/14
A.16	2	A. Nicholas Kreofsky Birth Certificate	11/6/14
'B'	#	Staff Exhibits	Date
B.1	2	A&T Property Information	
B.2	1	A&T Tax Map with Property Highlighted	
B.3	1	2012 Aerial Photo Showing Subject Property and Vicinity	
B.4	1	2012 Aerial Photo with 10 Foot Contour Lines	
B.5	1	High-Value Farmland Soils, Multnomah County	
B.6	1	1962 Zoning Map (in effect through 1969)	
B.7	1	1968 F-2 Minimum Acreage (in effect in 1969)	
B.8	1	Conditions and Restriction covenant accepting farming and forest practices on nearby properties	