

1600 SE 190th Ave, Portland OR 97233-5910 • PH. (503) 988-3043 • Fax (503) 988-3389

NOTICE OF DECISION

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

Case File: T2-2017-9063

Permit: Forest Development Standards, Significant Environmental Concern, Grading and Erosion Control

Location: 16960 NW Skyline Blvd
Tax Lot 500, Section 24B, Township 2 North, Range 2 West, W.M.
Tax Account #R972240030 Property ID #R325873

Applicants: Jesse Winterowd, Winterbrook Planning

Owners: Kim and Don Nguyen

Base Zone: Commercial Forest Use-2 (CFU-2)

Overlays: Significant Environmental Concern for Scenic Views (SEC-v), Significant Environmental Concern for Streams (SEC-s), Significant Environmental Concern for Wildlife Habitat (SEC-h), Hillside Development and Erosion Control (HD)

Summary: The applicant is requesting a permit for Significant Environmental Concern for Scenic Views and for Wildlife Habitat, a Forest Development Standards Review and a Hillside Development and Erosion Control permit for a replacement single-family dwelling, retroactive review of an exempt farm structure, basketball court, and fire pit.

Decision: Approved with Conditions

Unless appealed, this decision is effective Wednesday, July 11, 2018, at 4:00 PM.

This decision is final at the close of the appeal period, unless appealed. The deadline for filing an appeal is Wednesday, July 11, 2018 at 4:00 pm.

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.

Issued by:

By: 
Rithy Khut, Planner

For: Michael Cerbone, AICP
Planning Director

Instrument Number for
Recording Purposes:
#2002198457

Date: Wednesday, June 27, 2018



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 Rithy Khut, Staff Planner at 503-988-0176 or at rithy.khut@multco.us.

Applicable Approval Criteria: Multnomah County Code (MCC): MCC 37.0560 Code Compliance and Applications, MCC 34.0005 Definitions

Commercial Forest Use – 2: MCC 33.2220(D) Allowed Uses, MCC 33.2250 Building Height Requirements, MCC 33.2256 Forest Practice Setbacks and Fire Safety Zones, MCC 33.2261 Development Standards for Dwellings and Structures, MCC 33.2273 Access, MCC 33.2275 Lot of Record, MCC 33.2307 Single Family Dwellings Condition of Approval - Prohibition on Claims Alleging Injury From Farm or Forest Practices

Significant Environmental Concern: MCC 33.4565 Criteria for Approval of SEC-v Permit - Significant Scenic Views; MCC 33.4570 Criteria for Approval of SEC-h Permit – Wildlife Habitat

Hillside Development and Erosion Control – HD: MCC 33.5515 Application Information Required, MCC 33.5520 Grading and Erosion Control Standards, MCC 33.5525 Hillside Development and Erosion Control Related Definitions

Copies of the referenced Multnomah County Code (MCC) can be obtained by visiting our website at <https://www.multco.us/landuse/> or by contacting our office at (503) 988-3043.

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. 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 pursuant to MCC 37.0690(c) when construction has not commenced within four (4) years of the date of the final decision. Commencement of construction shall mean actual construction of the foundation or frame of the approved structure. Alternatively, this land use permit expires when the structure has not been completed within four (4) years of the date of commencement of construction. Completion of the structure shall mean completion of the exterior surface(s) of the structure and compliance with all conditions of approval in the land use approval. [MCC 37.0690(c)]

Note: 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.

3. Prior to Land Use Planning sign-off for a building permit, the property owners or their representative shall:
 - a) Record pages 1 through 8 and Exhibit A.4 and A.19 of this Notice of Decision with the County Recorder. The Notice of Decision shall run with the land. Proof of recording shall be made prior to the issuance of any permits and shall be filed with the Land Use Planning Division. Recording shall be at the applicant's expense. [MCC 37.0670]
 - b) Record and provide proof that a document has been signed and recorded in the deed records for the County that binds 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. [MCC 33.2307]
 - c) Submit a site plan that clearly shows the Primary Fire Safety and Secondary Fire Safety zone buffers around the proposed single-family dwelling. [MCC 33.2256 Table 1, MCC 33.2256(D)(1), and MCC 33.2256(D)(2)]
 - d) Submit a registration of each of the agricultural buildings as exempt forest structures. [MCC 33.2220(A)]
4. At the time of building plan check sign-off, the property owner or their representative shall:
 - a) Submit a site plan that clearly shows the Primary Fire Safety and Secondary Fire Safety zone buffers around the proposed single-family dwelling. [MCC 33.2256 Table 1, MCC 33.2256(D)(1), and MCC 33.2256(D)(2)]
 - b) Submit a site plan that clearly indicates that the two exempt agricultural buildings are labeled as exempt forest structures. [MCC 33.2220(A)]

- c) Submit plans, titled "Fire Access and Water Supply Plan" that demonstrate compliance with Tualatin Valley Fire and Rescue requirements as discussed in Fire Service Agency Review (Exhibit A.10) including:
 - i. Building plans showing compliance with Section 903.1.3 (NFPA13D) fire sprinkler system in the proposed single-family dwelling. [MCC 29.003]
 - d) Submit building plans that:
 - i. Demonstrate that the proposed single-family dwelling is less than 35 feet in height. [MCC 33.2250(C)]
 - ii. Demonstrate that the proposed single-family dwelling has:
 - 1. A fire retardant roof
 - 2. A spark arrester on each chimney [MCC 33.2261(C)]
 - iii. Include the colors and materials listed on the building plan sets. [MCC 33.2250(C)]
 - e) Submit a building plan and provide cut/specification sheets showing:
 - i. All colors proposed for the exterior of the single-family dwelling. A color sample of the shadowy slate and the roofing material shall be provided. The paint colors shall match the colors from the Columbia River Gorge Commission Scenic Resources Implementation Handbook Color Chart Row A or B or Numbers 13 through 16 of Row C.
 - ii. All exterior lighting supporting the subject property. The exterior lighting shall be fully shielded with opaque materials and directed downwards.
 - 1. "Fully shielded" means no light is emitted above the horizontal plane located at the lowest point of the fixture's shielding.
 - 2. Shielding must be permanently attached.
 - 3. The exterior lighting shall be contained within the boundaries of the Lot of Record on which it is located. [MCC 33.2261 and MCC 33.0570]
5. Prior to and during construction, the property owner or their representative shall ensure that:
- a) Any development related manipulation of the site prior to issuance of a permit shall be subject to corrections as recommended by the Geotechnical Report to ensure safety of the proposed development. [MCC 33.5515(F)]
 - b) All work shall be in accordance to the approved Geotechnical Report and observed by a Certified Engineering Geologist or Geotechnical Engineer. [MCC 33.5515(F)]
 - c) Spoil material or stockpiled topsoil associated with the development shall be prevented from eroding by installing protective plastic covering. [MCC 33.5515(G) and MCC 33.5520(A)(2)(m)]
 - d) Erosion and sediment control measures are in proper working order. The property owner and project engineer shall monitor the erosion and sediment control measures to ensure the measures are in proper working order. Additional measures shall be immediately installed to remedy the problem if sediment is determined to be escaping the development area. [MCC 33.5520(A)(2)(a), MCC 33.5520(A)(2)(h), MCC 33.5520(A)(2)(j), and MCC 33.5520(D)]

- e) The disturbed soil area is reseeded with grass seed in spring once it is warm enough for the seed to germinate. Until there is permanent vegetative cover, disturbed soil area shall be mulched with straw to prevent sediment runoff. The applicant shall inspect the site after all large rain events to determine that the erosion control is working and that no sediment is leaving the property. If there is any evidence that the installed erosion control silt fencing is not properly working and sediment is leaving the property, the applicant shall immediately reinstall the silt fence to prevent any further sediment from leaving the property. [MCC 33.5520(A)(2)(a), MCC 33.5520(A)(2)(b), MCC 33.5520(A)(2)(d), MCC 33.5520(A)(2)(f), MCC 33.5520(A)(2)(h), MCC 33.5520(A)(2)(i), MCC 33.5520(A)(2)(l), and MCC 33.5520(B)]
 - f) Non-erosion pollution associated with construction such as pesticides, fertilizers, petrochemicals, solid wastes, construction chemicals, or wastewaters are prevented from leaving the construction site through proper handling, disposal, continuous site monitoring, and clean-up activities. On-site disposal of construction debris is not authorized under this permit. This permit does not authorize dumping or disposal of hazardous or toxic materials, synthetics (i.e. tires, polyethylene, etc.), petroleum-based materials, or other solid wastes which may cause adverse leachates or other off-site water quality effects.
 - g) Any sedimentation caused by development activities from all neighboring surfaces and/or drainage systems is removed. If any features within the adjacent public right-of-way are disturbed, the property owner shall be responsible for returning such features to their original condition or a condition of equal quality. [MCC 33.5520(A)(2)(m) and MCC 33.5520(A)(2)(n)]
6. Prior to issuance of the Certification of Occupancy, the property owners or their representative shall:
- a) Remove any fencing as shown on the Site Plan and discussed in the Natural Resources Assessment conducted by Anita Cate Smyth. [MCC 33.4570(C)]
 - b) Submit photos showing that the railings for the deck addition have been removed from the exempt agricultural building and that ingress/egress from the deck into the exempt farm building has been eliminated. [MCC 33.2220(A)]
7. Within three (3) months of the completion or occupancy of the replacement dwelling, the property owners or their representative shall remove or demolish the existing single-family dwelling. [MCC 33.2220(D)]

8. As an on-going condition, the property owner shall:
- a) Ensure that the tree height and density be maintained within the area as shown in Figure 1 below. If the vegetation becomes diseased or dies, it shall be replaced within the next growing season by a 6-ft tall evergreen tree within the delineated area to preserve screening. [33.4565(C)(1)]

Figure 1 – Areas for tree retention



- b) Maintain the Fire Safety Zones on the subject property as described below:
 - i. Primary Fire Safety Zone - A primary fire safety zone, as shown in Exhibit B.7 is a fire break extending a minimum of 30 feet and a maximum of 130 feet in all directions around a dwelling or structure. Trees within this safety zone shall be spaced with greater than 15 feet between the crowns. The trees shall also be pruned to remove low branches within 8 feet of the ground as the maturity of the tree and accepted silviculture practices may allow. All other vegetation should be kept less than 2 feet in height. [MCC 33.2256(D)(1)]
 - ii. Secondary Fire Safety Zone - A secondary fire safety zone is a fire break extending a minimum of 100 feet in all directions around the primary safety zone. The goal of this safety zone is to reduce fuels so that the overall intensity of any wildfire is lessened. Vegetation should be pruned and spaced so that fire will not spread between crowns of trees. Small trees and brush growing underneath larger trees should be removed to prevent the spread of fire up into the crowns of the larger trees. Assistance with planning forestry practices, which meet these objectives, may be obtained from the State of Oregon Department of Forestry or the local Rural Fire Protection District. [MCC 33.2256(D)(2)]

- c) Ensure that 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. [MCC 33.4570(B)(7)]

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 seppium</i>	Lady's nightcap
<i>Cortaderia selloana</i>	Pampas grass
<i>Crataegus sp. except 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

Scientific Name	Common Name
<i>Loentodon autumnalis</i>	Fall Dandelion
<i>Lythrum salicaria</i>	Purple Loosestrife
<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, Portuguese 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
various genera	Bamboo sp.

Note: Once this decision is final, building plan check can be done with Multnomah County prior to an application for building permits with the City of Portland. You will need to complete the following steps prior:

1. Read your land use decision, the conditions of approval and modify your plans, if necessary, to meet any condition that states, "Prior to land use sign-off for building plan check..." Be ready to demonstrate compliance with the conditions.
2. Contact Staff Planner, Rithy Khut, at (503) 988-0176 or rithy.khut@multco.us, for an appointment for review of the conditions of approval and to sign the building permit plans. Land Use Planning must sign off on the plans and authorize the building permit before you can

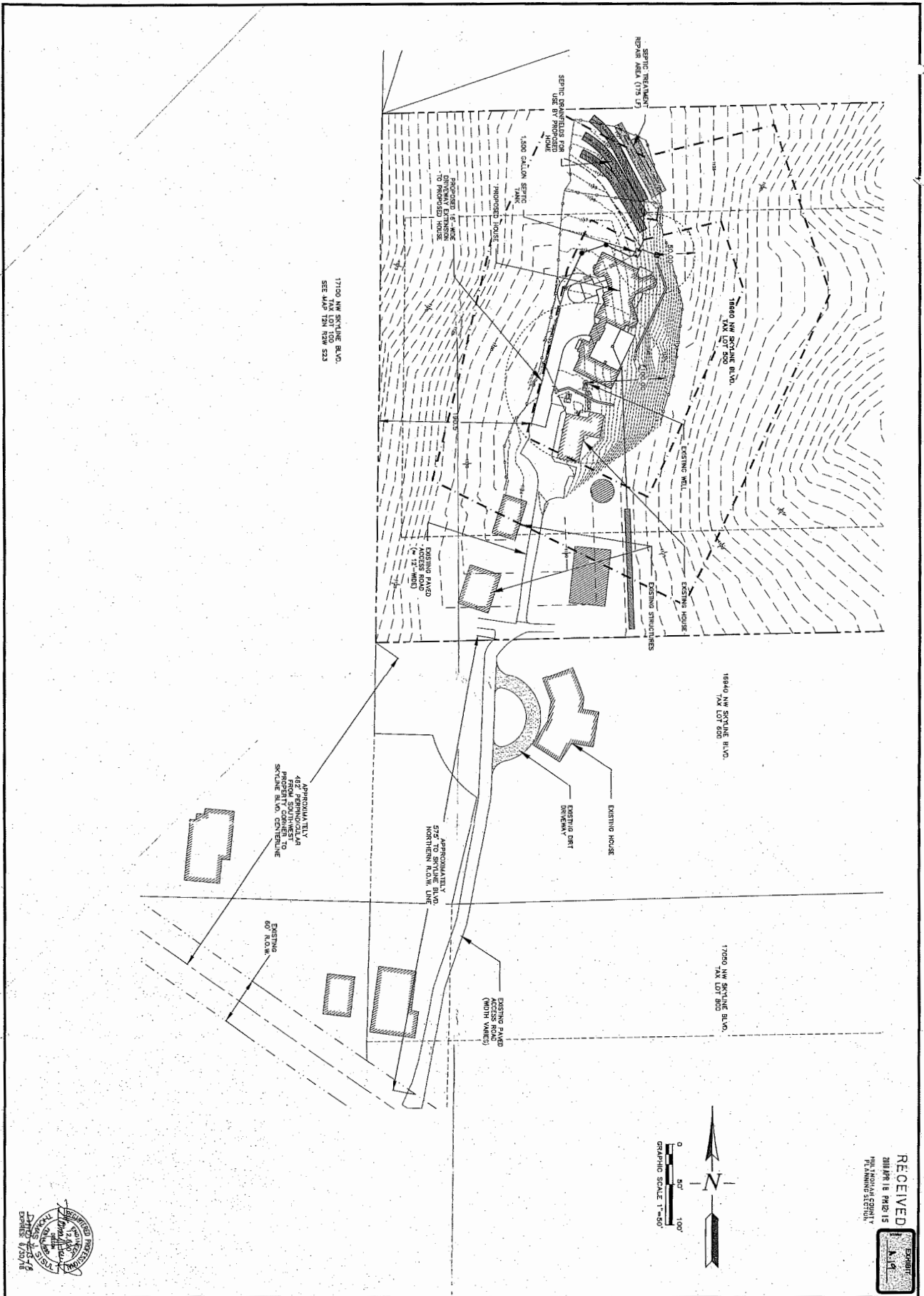
go to the Building Department. At the time of this review, Land Use Planning will collect additional fees.

3. Contact the City of Portland, Bureau of Development Services, On-site Sanitation at (503) 823-6892 or e-mail septic@portlandoregon.gov for information on how to complete the Septic Evaluation or Permit process for the proposed development. All existing and/or proposed septic system components (including septic tank and drainfield) must be accurately shown on the site plan.

The above must be completed before the applicant can obtain building permits from 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 will be collected. In addition, an erosion control inspection fee 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.



REVISIONS	BY
1. PREPARED FOR SUBMITTAL	DAVID J. SMITH
2. REVISED FOR PERMITS	DAVID J. SMITH
3. REVISED FOR PERMITS	DAVID J. SMITH
4. REVISED FOR PERMITS	DAVID J. SMITH
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10. REVISED FOR PERMITS	DAVID J. SMITH

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 PLANNING DEPARTMENT

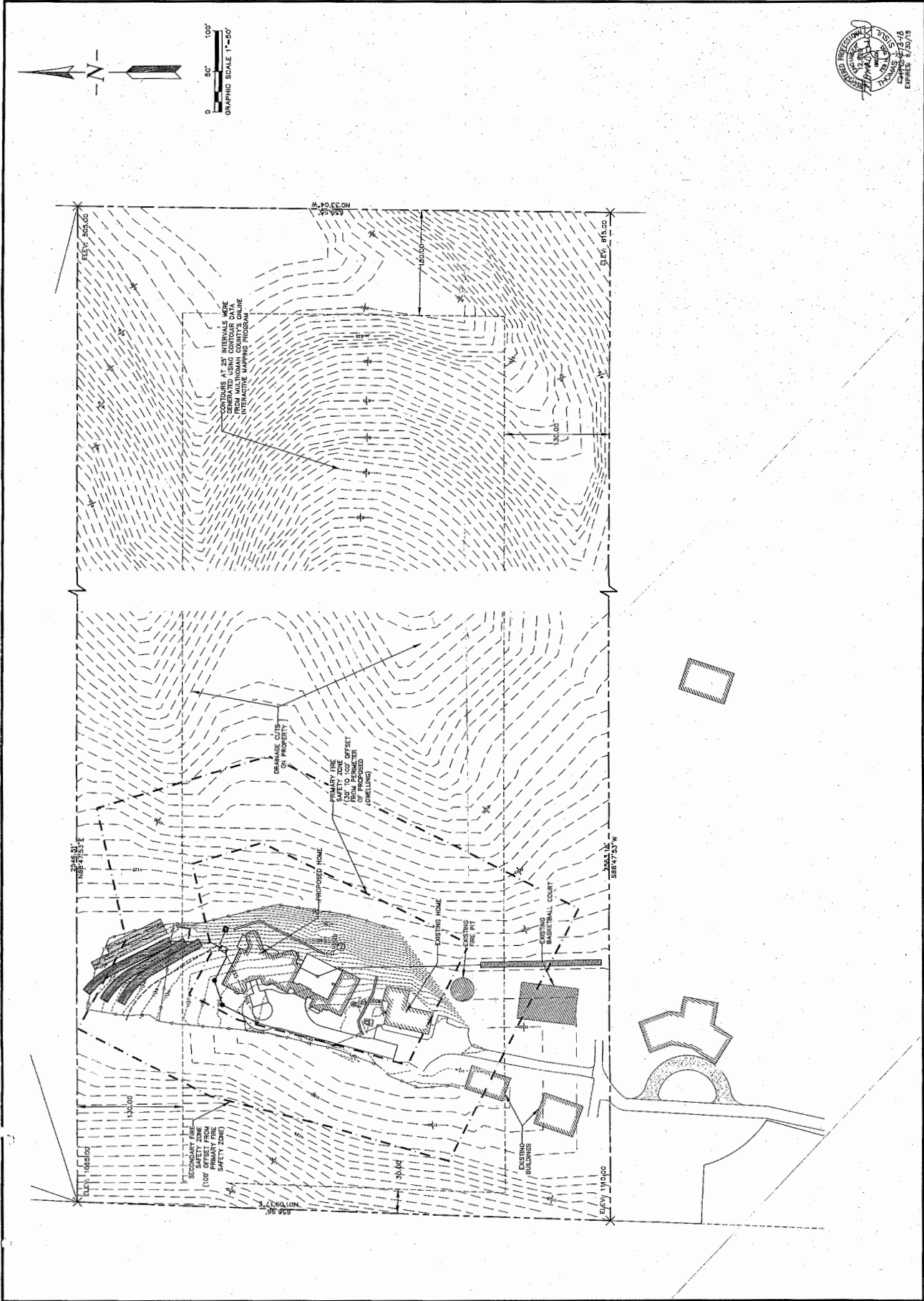


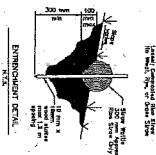
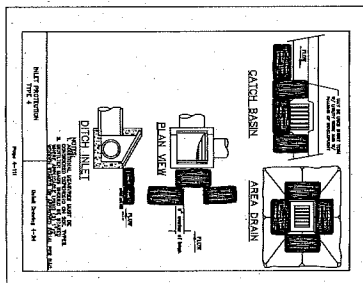
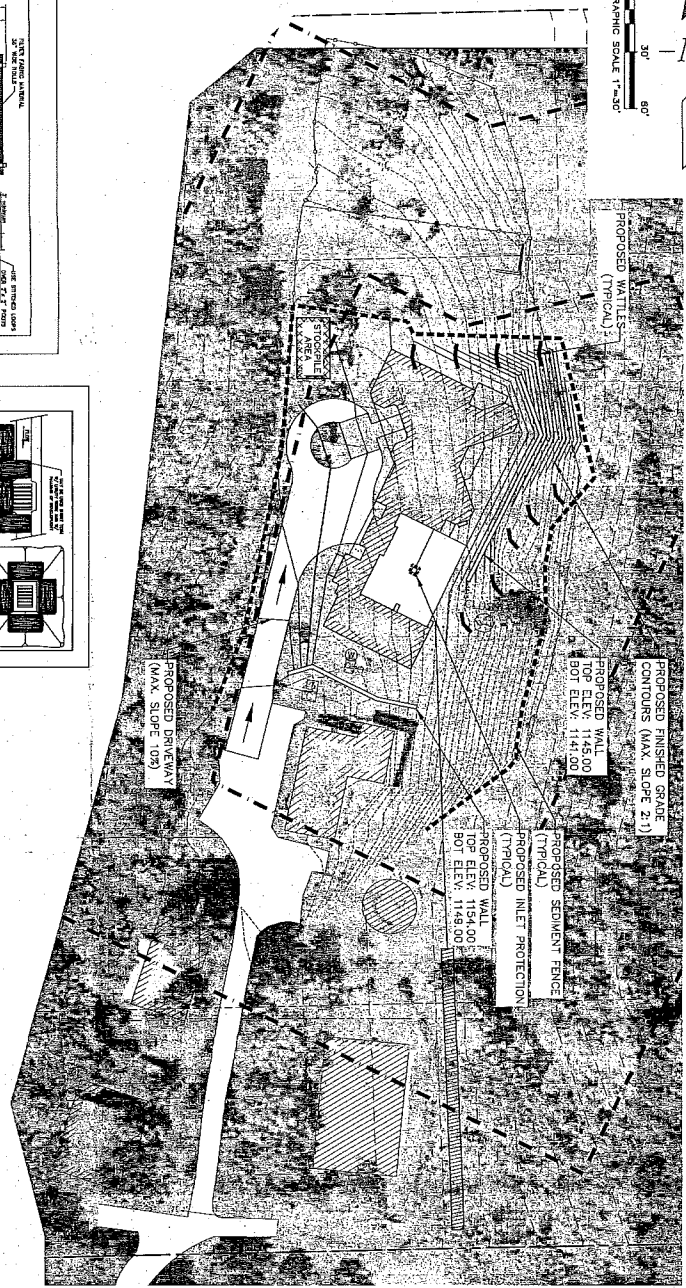


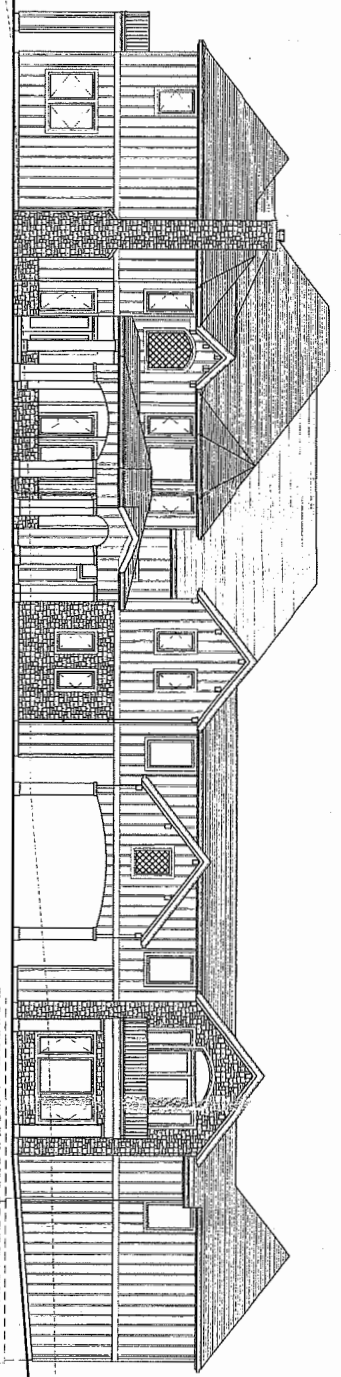
Site Dimensions

16960 NW SKYLINE BLVD.
BC CUSTOM HOMES

NO. 1	16960 NW SKYLINE BLVD.	16960 NW SKYLINE BLVD.
NO. 2	16960 NW SKYLINE BLVD.	16960 NW SKYLINE BLVD.
NO. 3	16960 NW SKYLINE BLVD.	16960 NW SKYLINE BLVD.
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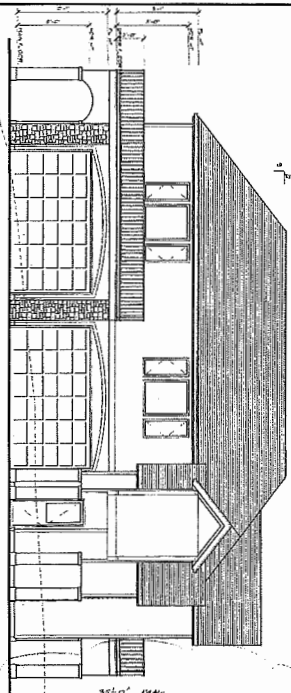
FRONT ELEVATION

NOTE: SEE SPECIFICATIONS FOR MATERIALS AND FINISHES.

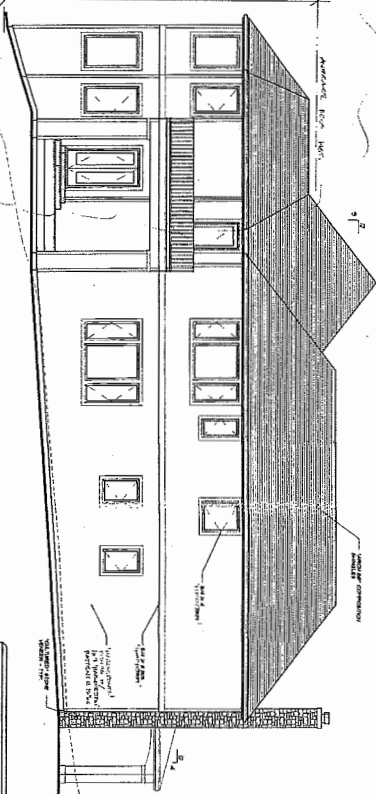
NOTE: SEE SPECIFICATIONS FOR MATERIALS AND FINISHES.

CONSERVATION MEASURES		ENVELOPE ENHANCEMENT MEASURES	
NO.	DESCRIPTION	NO.	DESCRIPTION
1	REPAIR OR REPLACE DAMAGED MATERIALS	1	REPAIR OR REPLACE DAMAGED MATERIALS
2	REPAIR OR REPLACE DAMAGED MATERIALS	2	REPAIR OR REPLACE DAMAGED MATERIALS
3	REPAIR OR REPLACE DAMAGED MATERIALS	3	REPAIR OR REPLACE DAMAGED MATERIALS
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9	REPAIR OR REPLACE DAMAGED MATERIALS	9	REPAIR OR REPLACE DAMAGED MATERIALS
10	REPAIR OR REPLACE DAMAGED MATERIALS	10	REPAIR OR REPLACE DAMAGED MATERIALS

SPECIFICATIONS	
1. ROOFING	Asph/Flt Shingles
2. SIDING	Horizontal Siding
3. WINDOWS	Double Hung
4. DOORS	Single Leaf
5. FLOORS	Hardwood
6. CEILING	Drywall
7. EXTERIOR FINISHES	Stucco
8. PAINTS	Exterior Grade
9. LIGHTING	Standard
10. OTHER	See Notes



LEFT-SIDE ELEVATION



LEFT-SIDE ELEVATION

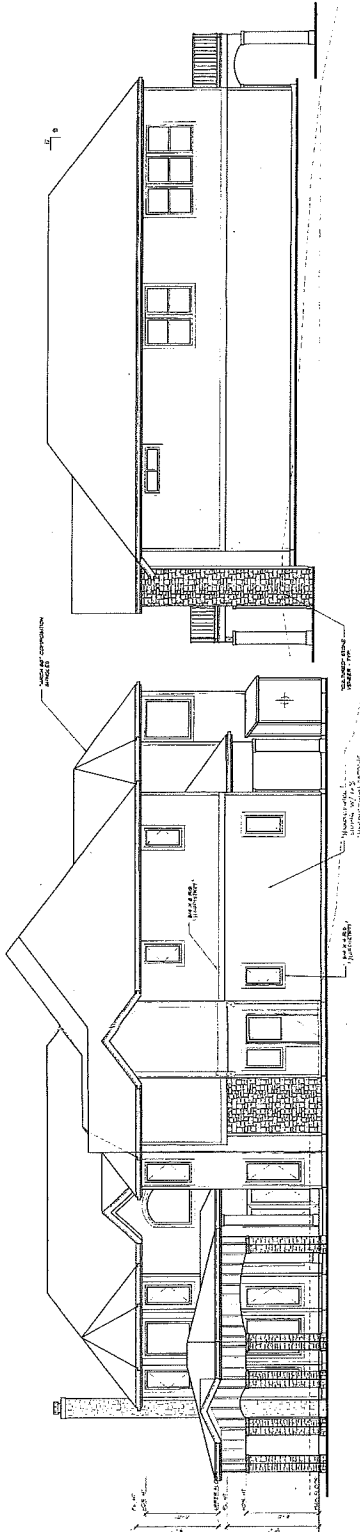
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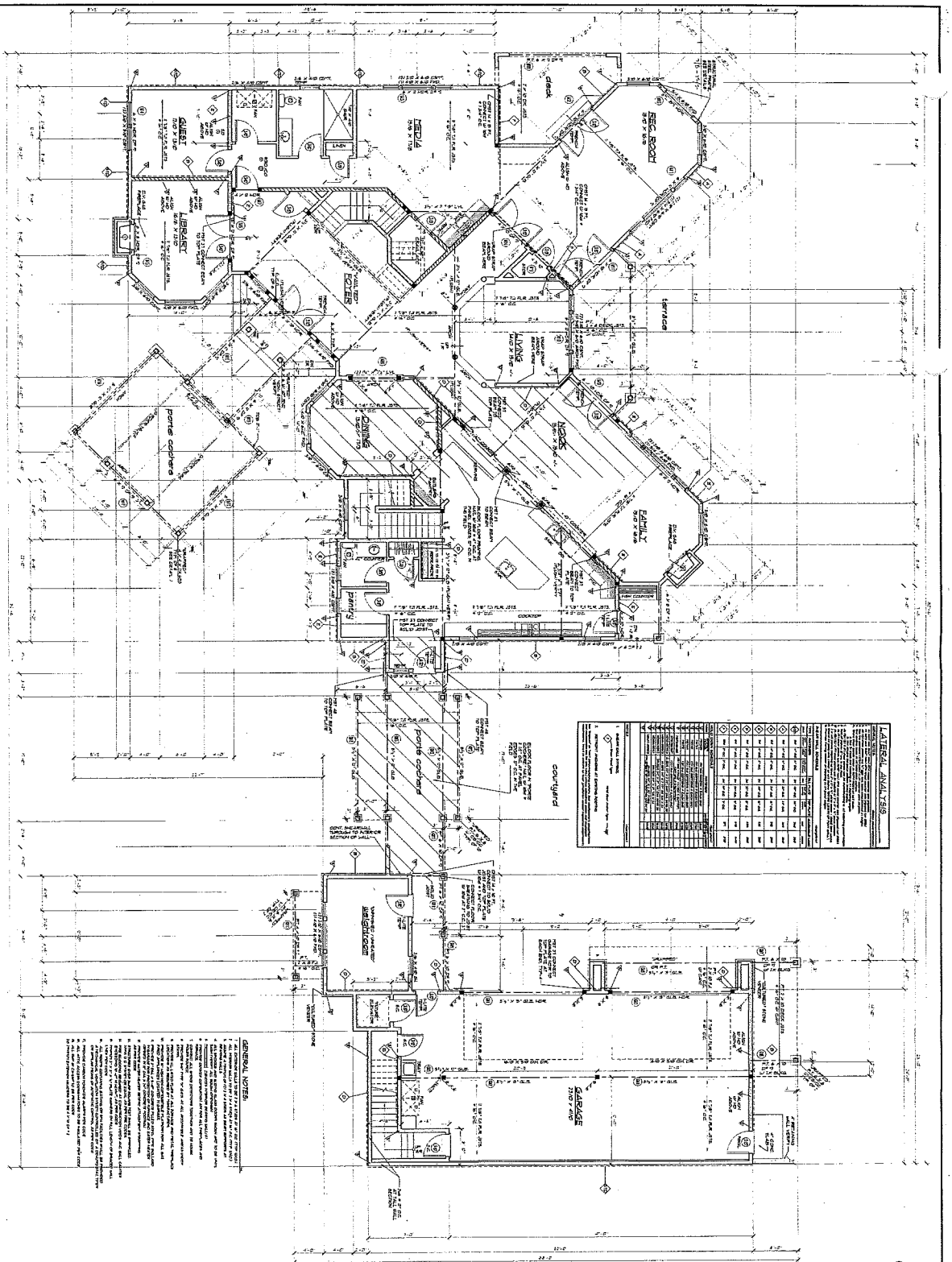
NOTICE: SEE SPECIFICATIONS FOR MATERIALS AND FINISHES.

TITLE: EXTERIOR ELEVATIONS
PROJECT: NGUYEN RESIDENCE
OWNER: CON AND KIM

NOTICE: SEE SPECIFICATIONS FOR MATERIALS AND FINISHES.

NOTICE: SEE SPECIFICATIONS FOR MATERIALS AND FINISHES.





LAIRAL ANALYSIS

Room	Area	Volume	Notes
Living Area	1,200 sq. ft.	12,000 cu. ft.	Open to second floor
Dining Room	800 sq. ft.	8,000 cu. ft.	Open to second floor
Kitchen	600 sq. ft.	6,000 cu. ft.	Open to second floor
Bedroom 1	1,000 sq. ft.	10,000 cu. ft.	Open to second floor
Bedroom 2	800 sq. ft.	8,000 cu. ft.	Open to second floor
Bedroom 3	700 sq. ft.	7,000 cu. ft.	Open to second floor
Bedroom 4	600 sq. ft.	6,000 cu. ft.	Open to second floor
Bedroom 5	500 sq. ft.	5,000 cu. ft.	Open to second floor
Bedroom 6	400 sq. ft.	4,000 cu. ft.	Open to second floor
Bedroom 7	300 sq. ft.	3,000 cu. ft.	Open to second floor
Bedroom 8	200 sq. ft.	2,000 cu. ft.	Open to second floor
Bedroom 9	100 sq. ft.	1,000 cu. ft.	Open to second floor
Bedroom 10	100 sq. ft.	1,000 cu. ft.	Open to second floor
Bedroom 11	100 sq. ft.	1,000 cu. ft.	Open to second floor
Bedroom 12	100 sq. ft.	1,000 cu. ft.	Open to second floor
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Bedroom 15	100 sq. ft.	1,000 cu. ft.	Open to second floor
Bedroom 16	100 sq. ft.	1,000 cu. ft.	Open to second floor
Bedroom 17	100 sq. ft.	1,000 cu. ft.	Open to second floor
Bedroom 18	100 sq. ft.	1,000 cu. ft.	Open to second floor
Bedroom 19	100 sq. ft.	1,000 cu. ft.	Open to second floor
Bedroom 20	100 sq. ft.	1,000 cu. ft.	Open to second floor
Bedroom 21	100 sq. ft.	1,000 cu. ft.	Open to second floor
Bedroom 22	100 sq. ft.	1,000 cu. ft.	Open to second floor
Bedroom 23	100 sq. ft.	1,000 cu. ft.	Open to second floor
Bedroom 24	100 sq. ft.	1,000 cu. ft.	Open to second floor
Bedroom 25	100 sq. ft.	1,000 cu. ft.	Open to second floor
Bedroom 26	100 sq. ft.	1,000 cu. ft.	Open to second floor
Bedroom 27	100 sq. ft.	1,000 cu. ft.	Open to second floor
Bedroom 28	100 sq. ft.	1,000 cu. ft.	Open to second floor
Bedroom 29	100 sq. ft.	1,000 cu. ft.	Open to second floor
Bedroom 30	100 sq. ft.	1,000 cu. ft.	Open to second floor
Bedroom 31	100 sq. ft.	1,000 cu. ft.	Open to second floor
Bedroom 32	100 sq. ft.	1,000 cu. ft.	Open to second floor
Bedroom 33	100 sq. ft.	1,000 cu. ft.	Open to second floor
Bedroom 34	100 sq. ft.	1,000 cu. ft.	Open to second floor
Bedroom 35	100 sq. ft.	1,000 cu. ft.	Open to second floor
Bedroom 36	100 sq. ft.	1,000 cu. ft.	Open to second floor
Bedroom 37	100 sq. ft.	1,000 cu. ft.	Open to second floor
Bedroom 38	100 sq. ft.	1,000 cu. ft.	Open to second floor
Bedroom 39	100 sq. ft.	1,000 cu. ft.	Open to second floor
Bedroom 40	100 sq. ft.	1,000 cu. ft.	Open to second floor
Bedroom 41	100 sq. ft.	1,000 cu. ft.	Open to second floor
Bedroom 42	100 sq. ft.	1,000 cu. ft.	Open to second floor
Bedroom 43	100 sq. ft.	1,000 cu. ft.	Open to second floor
Bedroom 44	100 sq. ft.	1,000 cu. ft.	Open to second floor
Bedroom 45	100 sq. ft.	1,000 cu. ft.	Open to second floor
Bedroom 46	100 sq. ft.	1,000 cu. ft.	Open to second floor
Bedroom 47	100 sq. ft.	1,000 cu. ft.	Open to second floor
Bedroom 48	100 sq. ft.	1,000 cu. ft.	Open to second floor
Bedroom 49	100 sq. ft.	1,000 cu. ft.	Open to second floor
Bedroom 50	100 sq. ft.	1,000 cu. ft.	Open to second floor
Bedroom 51	100 sq. ft.	1,000 cu. ft.	Open to second floor
Bedroom 52	100 sq. ft.	1,000 cu. ft.	Open to second floor
Bedroom 53	100 sq. ft.	1,000 cu. ft.	Open to second floor
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Bedroom 55	100 sq. ft.	1,000 cu. ft.	Open to second floor
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Bedroom 97	100 sq. ft.	1,000 cu. ft.	Open to second floor
Bedroom 98	100 sq. ft.	1,000 cu. ft.	Open to second floor
Bedroom 99	100 sq. ft.	1,000 cu. ft.	Open to second floor
Bedroom 100	100 sq. ft.	1,000 cu. ft.	Open to second floor

NOTE:
THIS DRAWING IS A
MAIN FLOOR PLAN
SCALE: 1/4" = 1'-0"

3

FILE:
MAIN FLOOR PLAN
PROJECT:
NGUYEN RESIDENCE
OWNER:
DON AND KIM

PORTLAND, OREGON





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ARCHITECTURE

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www.krausearch.com

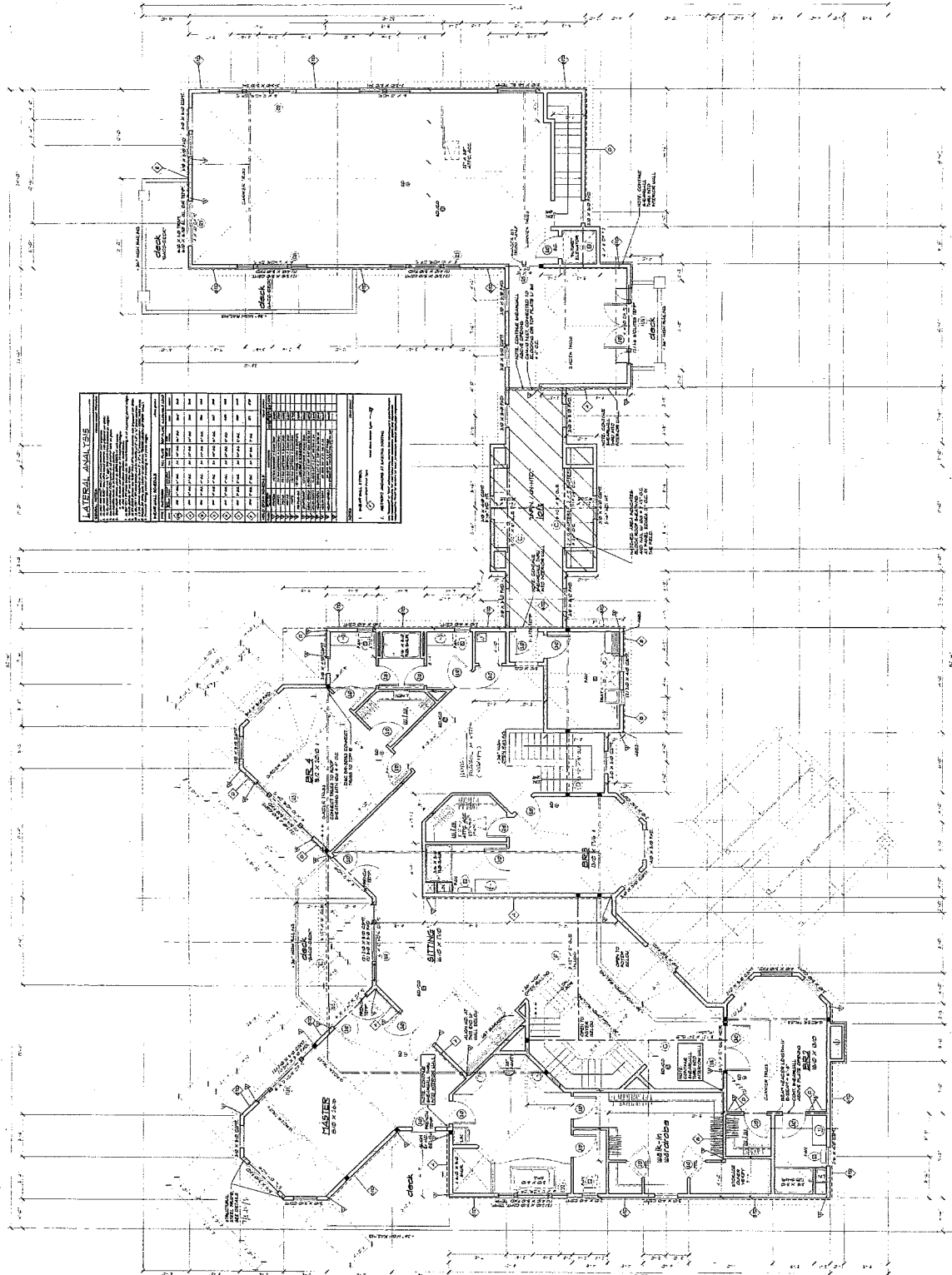
UPPER FLOOR PLAN

UPPER FLOOR PLAN
NEWTEN RESIDENCE
DON AND KIM

DATE: 08/27/2008
PROJECT: NEWTEN RESIDENCE
SHEET: 4 OF 4
DRAWN BY: J. KRAUSE
CHECKED BY: J. KRAUSE

4

ALL DIMENSIONS ARE IN FEET AND INCHES. DIMENSIONS ARE GIVEN TO THE CENTERLINE OF WALLS UNLESS OTHERWISE NOTED. FINISH FLOOR IS INDICATED BY A DOTTED LINE. FINISH GRADE IS INDICATED BY A DASHED LINE. FINISH CEILING IS INDICATED BY A SOLID LINE. FINISH SLOPE IS INDICATED BY A TRIANGLE. FINISH CURB IS INDICATED BY A SQUARE. FINISH RAILING IS INDICATED BY A CIRCLE. FINISH STAIRS ARE INDICATED BY A TRIANGLE. FINISH DOORS ARE INDICATED BY A RECTANGLE. FINISH WINDOWS ARE INDICATED BY A RECTANGLE. FINISH PATIO DOORS ARE INDICATED BY A RECTANGLE. FINISH PORCH DOORS ARE INDICATED BY A RECTANGLE. FINISH TERRACE DOORS ARE INDICATED BY A RECTANGLE. FINISH BALCONY DOORS ARE INDICATED BY A RECTANGLE. FINISH GARAGE DOORS ARE INDICATED BY A RECTANGLE. FINISH PORCHES ARE INDICATED BY A RECTANGLE. FINISH PATIOS ARE INDICATED BY A RECTANGLE. FINISH TERRACES ARE INDICATED BY A RECTANGLE. FINISH BALCONIES ARE INDICATED BY A RECTANGLE. FINISH GARAGES ARE INDICATED BY A RECTANGLE. FINISH PORCHES ARE INDICATED BY A RECTANGLE. FINISH PATIOS ARE INDICATED BY A RECTANGLE. FINISH TERRACES ARE INDICATED BY A RECTANGLE. FINISH BALCONIES ARE INDICATED BY A RECTANGLE. FINISH GARAGES ARE INDICATED BY A RECTANGLE.



NOTE:
1. ALL DIMENSIONS ARE IN FEET AND INCHES.
2. DIMENSIONS ARE GIVEN TO THE CENTERLINE OF WALLS UNLESS OTHERWISE NOTED.
3. FINISH FLOOR IS INDICATED BY A DOTTED LINE.
4. FINISH GRADE IS INDICATED BY A DASHED LINE.
5. FINISH CEILING IS INDICATED BY A SOLID LINE.
6. FINISH SLOPE IS INDICATED BY A TRIANGLE.
7. FINISH CURB IS INDICATED BY A SQUARE.
8. FINISH RAILING IS INDICATED BY A CIRCLE.
9. FINISH STAIRS ARE INDICATED BY A TRIANGLE.
10. FINISH DOORS ARE INDICATED BY A RECTANGLE.
11. FINISH WINDOWS ARE INDICATED BY A RECTANGLE.
12. FINISH PATIO DOORS ARE INDICATED BY A RECTANGLE.
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16. FINISH GARAGE DOORS ARE INDICATED BY A RECTANGLE.
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19. FINISH TERRACES ARE INDICATED BY A RECTANGLE.
20. FINISH BALCONIES ARE INDICATED BY A RECTANGLE.
21. FINISH GARAGES ARE INDICATED BY A RECTANGLE.

UPPER FLOOR PLAN
SCALE: 1/8" = 1'-0"
DATE: 08/27/2008
DRAWN BY: J. KRAUSE
CHECKED BY: J. KRAUSE



CONCRETE FOOTINGS									
NO. THE REBAR - SEE PLAN									
	1	2	3	4	5	6	7	8	9
1	14	14	14	14	14	14	14	14	14
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45	14	14	14	14	14	14	14	14	14
46	14	14	14	14	14	14	14	14	14

[illegible]

NOTE:
THE AUTHORS DO NOT
RECEIVE FINANCIAL
OR OTHER BENEFIT
FROM THE PUBLICATION

[illegible]

DATE:	12-11-2017
PROJECT:	FOUNDATION PLAN
CLIENT:	NGUYEN RESIDENCE
DESIGNER:	GOON
LOCATION:	DON AND KIM

PORTLAND OREGON

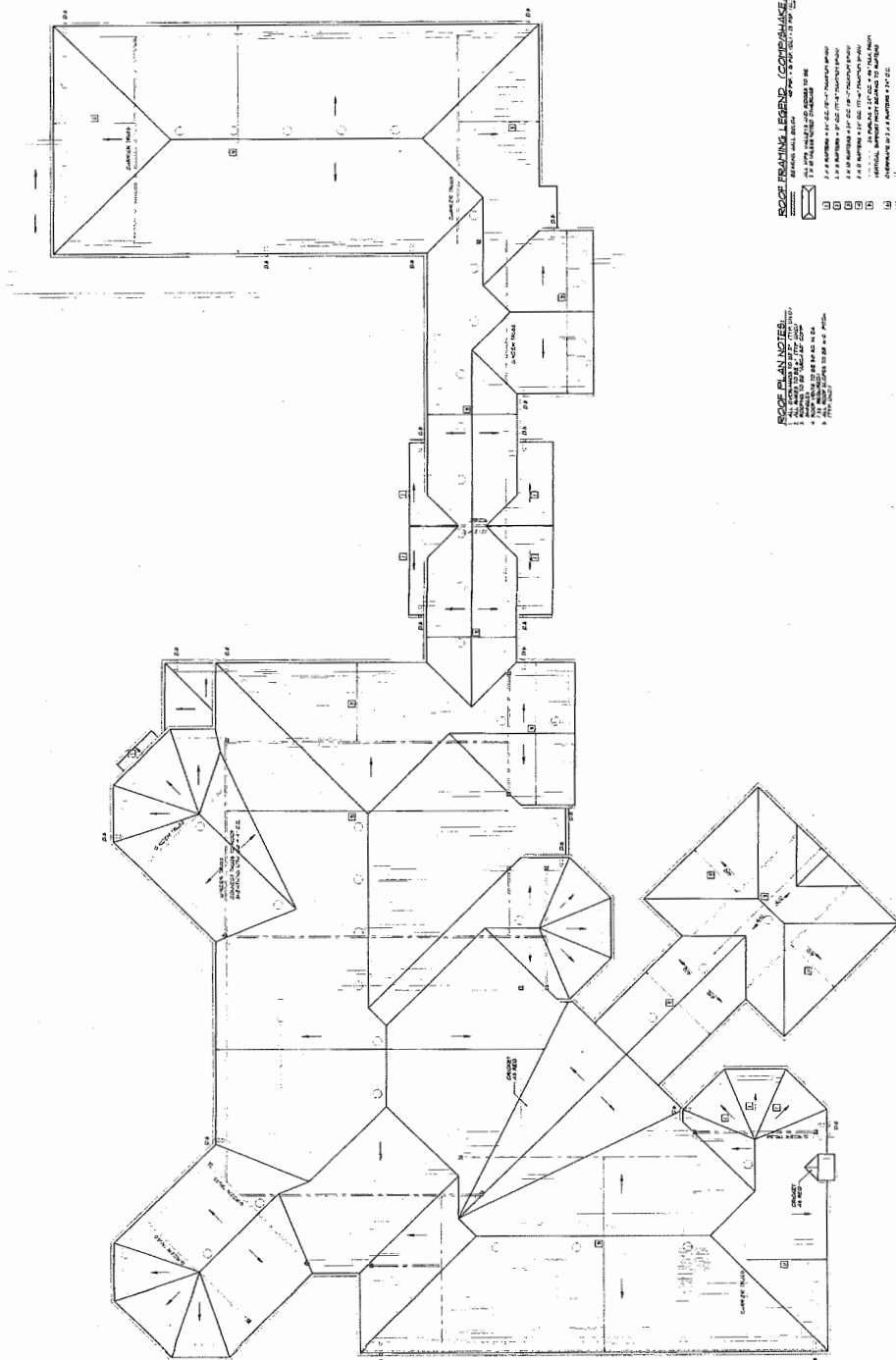
HEKRAUSE
ARCHITECT P.C.
3000 South
The West Center
Suite 100
San Jose
California, 95128-1000
Tel: 408/293-8800
Fax: 408/293-8801
http://www.hkrc.com



KRAUSE
ARCHITECT P.C.[illegible]

NOTES: 1. ST 1402a

ROOF FRAMING PLAN
NOTES:
1. NGUYEN RESIDENCE
OVER
DON AND KIM

[illegible][illegible]

ROOF FRAMING LEGEND (COMP/SHAKE)

ALL PPS VALUETS AND ADDRES TO BE
1 X 10 INCHES NOTED 21-42-54

3 X 8 PLASTER + 1" C.C. 10'-0" HIGHER 10'-0"

REPAIRING WALL BRICK

40 PPS + 20 PPS 10'0" + 20 PPS 10'0"

ROOF PLAN NOTES:
ALL DIMENSIONS TO BE 2" (TYPE LINE)

ALL OPERATIONS TO BE IN "TYPE UNCL"
ALL WORKS TO BE IN "TYPE UNCL"
ROUTED TO BE "ACR" AS COPY
BUNDLES
NUMBER VENTURE TO BE NO AC IN EA
(78 REQUIRED)
ALL ROOM ALLOTTED TO BE A-C PERSON
(TYPE UNCL)

- | | |
|---|---|
| 1 | 3 x 4 INCHES + 1/4" DEC. 10/14/17/20/23/26/29/32/35/38/41/44/47/50/53/56/59/62/65/68/71/74/77/80/83/86/89/92/95/98/101/104/107/110/113/116/119/122/125/128/131/134/137/140/143/146/149/152/155/158/161/164/167/170/173/176/179/182/185/188/191/194/197/200/203/206/209/212/215/218/221/224/227/230/233/236/239/242/245/248/251/254/257/260/263/266/269/272/275/278/281/284/287/290/293/296/299/302/305/308/311/314/317/320/323/326/329/332/335/338/341/344/347/350/353/356/359/362/365/368/371/374/377/380/383/386/389/392/395/398/401/404/407/410/413/416/419/422/425/428/431/434/437/440/443/446/449/452/455/458/461/464/467/470/473/476/479/482/485/488/491/494/497/500/503/506/509/512/515/518/521/524/527/530/533/536/539/542/545/548/551/554/557/560/563/566/569/572/575/578/581/584/587/590/593/596/599/602/605/608/611/614/617/620/623/626/629/632/635/638/641/644/647/650/653/656/659/662/665/668/671/674/677/680/683/686/689/692/695/698/701/704/707/710/713/716/719/722/725/728/731/734/737/740/743/746/749/752/755/758/761/764/767/770/773/776/779/782/785/788/791/794/797/800/803/806/809/812/815/818/821/824/827/830/833/836/839/842/845/848/851/854/857/860/863/866/869/872/875/878/881/884/887/890/893/896/899/902/905/908/911/914/917/920/923/926/929/932/935/938/941/944/947/950/953/956/959/962/965/968/971/974/977/980/983/986/989/992/995/998/1001/1004/1007/1010/1013/1016/1019/1022/1025/1028/1031/1034/1037/1040/1043/1046/1049/1052/1055/1058/1061/1064/1067/1070/1073/1076/1079/1082/1085/1088/1091/1094/1097/1100/1103/1106/1109/1112/1115/1118/1121/1124/1127/1130/1133/1136/1139/1142/1145/1148/1151/1154/1157/1160/1163/1166/1169/1172/1175/1178/1181/1184/1187/1190/1193/1196/1199/1202/1205/1208/1211/1214/1217/1220/1223/1226/1229/1232/1235/1238/1241/1244/1247/1250/1253/1256/1259/1262/1265/1268/1271/1274/1277/1280/1283/1286/1289/1292/1295/1298/1301/1304/1307/1310/1313/1316/1319/1322/1325/1328/1331/1334/1337/1340/1343/1346/1349/1352/1355/1358/1361/1364/1367/1370/1373/1376/1379/1382/1385/1388/1391/1394/1397/1400/1403/1406/1409/1412/1415/1418/1421/1424/1427/1430/1433/1436/1439/1442/1445/1448/1451/1454/1457/1460/1463/1466/1469/1472/1475/1478/1481/1484/1487/1490/1493/1496/1499/1502/1505/1508/1511/1514/1517/1520/1523/1526/1529/1532/1535/1538/1541/1544/1547/1550/1553/1556/1559/1562/1565/1568/1571/1574/1577/1580/1583/1586/1589/1592/1595/1598/1601/1604/1607/1610/1613/1616/1619/1622/1625/1628/1631/1634/1637/1640/1643/1646/1649/1652/1655/1658/1661/1664/1667/1670/1673/1676/1679/1682/1685/1688/1691/1694/1697/1700/1703/1706/1709/1712/1715/1718/1721/1724/1727/1730/1733/1736/1739/1742/1745/1748/1751/1754/1757/1760/1763/1766/1769/1772/1775/1778/1781/1784/1787/1790/1793/1796/1799/1802/1805/1808/1811/1814/1817/1820/1823/1826/1829/1832/1835/1838/1841/1844/1847/1850/1853/1856/1859/1862/1865/1868/1871/1874/1877/1880/1883/1886/1889/1892/1895/1898/1901/1904/1907/1910/1913/1916/1919/1922/1925/1928/1931/1934/1937/1940/1943/1946/1949/1952/1955/1958/1961/1964/1967/1970/1973/1976/1979/1982/1985/1988/1991/1994/1997/2000/2003/2006/2009/2012/2015/2018/2021/2024/2027/2030/2033/2036/2039/2042/2045/2048/2051/2054/2057/2060/2063/2066/2069/2072/2075/2078/2081/2084/2087/2090/2093/2096/2099/2102/2105/2108/2111/2114/2117/2120/2123/2126/2129/2132/2135/2138/2141/2144/2147/2150/2153/2156/2159/2162/2165/2168/2171/2174/2177/2180/2183/2186/2189/2192/2195/2198/2201/2204/2207/2210/2213/2216/2219/2222/2225/2228/2231/2234/2237/2240/2243/2246/2249/2252/2255/2258/2261/2264/2267/2270/2273/2276/2279/2282/2285/2288/2291/2294/2297/2300/2303/2306/2309/2312/2315/2318/2321/2324/2327/2330/2333/2336/2339/2342/2345/2348/2351/2354/2357/2360/2363/2366/2369/2372/2375/2378/2381/2384/2387/2390/2393/2396/2399/2402/2405/2408/2411/2414/2417/2420/2423/2426/2429/2432/2435/2438/2441/2444/2447/2450/2453/2456/2459/2462/2465/2468/2471/2474/2477/2480/2483/2486/2489/2492/2495/2498/2501/2504/2507/2510/2513/2516/2519/2522/2525/2528/2531/2534/2537/2540/2543/2546/2549/2552/2555/2558/2561/2564/2567/2570/2573/2576/2579/2582/2585/2588/2591/2594/2597/2600/2603/2606/2609/2612/2615/2618/2621/2624/2627/2630/2633/2636/2639/2642/2645/2648/2651/2654/2657/2660/26 |
|---|---|

ROOF FRAMING PLAN
SCALE: 1/4" = 1'-0"

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*.

1.0 Project Description:

Staff: The applicant is requesting a Significant Environmental Concern for Scenic Views permit, a Significant Environmental Concern for Wildlife Habitat permit, and a Forest Development Standards Review to replace an existing single-family dwelling with a new single-family dwelling that will be located approximately 37 feet from the existing single-family dwelling. In addition to satisfy MCC 37.0560, the application will authorize an approximately 200 square foot deck attached to an existing building, a fire pit, and basketball court. The exempt farm structures will be converted to exempt forest structures.

2.0 Property Description & History:

Staff: The proposed replacement single-family dwelling will be located on a property that is accessed from Skyline Boulevard within the Commercial Forest Use – 2 (CFU-2) zoning district in the West Hills Rural Area. The property has multiple overlays on the property including Significant Environmental Concern for Scenic Views (SEC-v), Significant Environmental Concern for Streams (SEC-s), Significant Environmental Concern for Wildlife Habitat (SEC-h), and Hillside Development and Erosion Control (HD). The SEC-v and SEC-h overlays cover the entire property. The SEC-s is located in the southeast corner of the property and the HD overlay is located on the western and eastern portions of the property.

Originally owned by Longview Fibre Company the property was eventually purchased by Don and Kim Nguyen in 2002. The property is 38.50 acres and currently contains a single-family dwelling and various accessory buildings/structures. The single-family dwelling and accessory buildings are located in the western portion of the property with rest of the property being heavily forested.

The single-family dwelling was established in 1995 as demonstrated from Multnomah County Department of Assessment, Records and Taxation (DART) records. The building permits associated with the property are as follows:

- Building Permit – August 9, 1991 – New single-family dwelling (mobile home)
- Exempt Farm Structure Registration – February 22, 1993 – Exempt Farm Structure
- Building Permit – June 30, 1995 – Exempt Farm Structure
- Building Permit – December 11, 1995 – Replacement of mobile home

3.0 Code Compliance and Application Criteria:

3.1 § 37.0560 CODE COMPLIANCE AND APPLICATIONS.

Except as provided in subsection (A), the County shall not make a land use decision approving development, including land divisions and property line adjustments, or issue a building permit for any property that is not in full compliance with all applicable provisions of the Multnomah County Land Use Code and/or any permit approvals previously issued by the County.

(A) A permit or other approval, including building permit applications, may be authorized if:

- (1) It results in the property coming into full compliance with all applicable provisions of the Multnomah County Code. This includes sequencing of permits or other approvals as part of a voluntary compliance agreement; or**
- (2) It is necessary to protect public safety; or**
- (3) It is for work related to and within a valid easement over, on or under an affected property.**

(B) For the purposes of this section, Public Safety means the actions authorized by the permit would cause abatement of conditions found to exist on the property that endanger the life, health, personal property, or safety of the residents or public. Examples of that situation include but are not limited to issuance of permits to replace faulty electrical wiring; repair or install furnace equipment; roof repairs; replace or repair compromised utility infrastructure for water, sewer, fuel, or power; and actions necessary to stop earth slope failures.

Staff: There are no open and active code compliance issues associated with the property; however based on previous permits and site plans various structures appeared to not been reviewed by the County.

In discussions with the owners and applicant, it was found that one of the exempt farm structures was modified to add an approximately 200 square foot deck. The deck was constructed at some point between 1998 and 2002 based on aerial photos (Exhibit B.3 and B.4). The applicant has demonstrated that the exempt farm structures permitted in 1993 and 1995 are being used strictly for forest practices. Since they have been converted from a farm to a forest practice use, they will need to be registered as "forest practice" buildings.

The County also never reviewed the basketball court or the fire ring. The basketball court has been on the property since as early as 1998, the fire ring since 2004 (Exhibit B.3 and B.5). There is no indication that the Land Use Planning Division did a review at that time when those structures were put in place. Therefore, as part of this permit, a review will need to be done. The review will result in the property coming into full compliance with all application provisions of the Multnomah County Code. *These criteria are met.*

4.0 Commercial Forest Use – 2 (CFU-2) Criteria:

4.1 § 33.2220 ALLOWED USES

(A) The following uses pursuant to the Forest Practices Act and Statewide Planning Goal 4:

- (2) Temporary or permanent on site structures which are auxiliary to and used during a particular forest operation per ORS 215 and 455.315. Conversion of these structures is subject to any applicable land use and building permit review procedures; or**

Staff: The site plan and narrative indicate that the property has two farm buildings located on the property. The farm buildings were established in 1993 and 1995 according to County building permit records (Exhibit A.15). The more northern exempt farm building was altered at some point between 1998 and 2002 based on aerial photo comparison (Exhibit B.3 and B.4).

The alteration constructed a deck. There is no indication that a review was done by the Land Use Planning Division at that time.

According to the Department of Assessment, Records, and Taxation (DART), the property is enrolled in Forest Land Deferral, which reduces the property tax the landowner pays if they agree to manage the property primarily for growing and harvesting timber. Due to this status, it can be expected that the property will require a permanent on site structure or structures, which are auxiliary to and used during a forest operation. Therefore, as part of this permit, the alteration to the exempt farm structure that was not previously reviewed must be re-registered with the County as a permanent on site structure which is auxiliary to and used for forest operations (i.e. exempt forest structure). Additionally, in discussions with the applicant, the deck is being used as a cover for forest equipment. Decks are not customarily associated with forestry operations, instead being associated with residential uses. Because of this fact, a condition will be required that the deck be converted into a roof type structure with the railings removed and the door accessing the deck closed permanently through conversion of the door into a wall or some other method that bars ingress/egress.

Additionally, the applicant has not provided information to the farming practices on the property. Therefore, both exempt farm structures shall be re-registered as exempt forest buildings. *As conditioned, this criterion is met.*

(D) Alteration, maintenance, replacement or restoration of an existing lawfully established habitable dwelling as defined in MCC 33.0005 and located within 100-feet from an existing dwelling.

(1) In the case of a replacement dwelling, the existing dwelling shall be removed, demolished or converted to an allowable nonresidential use within three months of the completion or occupancy of the replacement dwelling.

Staff: The applicant and property owners are seeking a replacement dwelling approval as provided for in the above code. As explained by the applicant in the narrative (Exhibit A.2), the existing single-family dwelling has been occupied by a family since its construction in 1995. To permit a replacement dwelling on the property, it must be determined that the dwelling was lawfully established as defined. Under MCC 34.0005 Definitions, a Dwelling Unit is defined as:

“A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.”

Under state law and County code, MCC 34.005 defines a Habitable Dwelling as:

“An existing dwelling that:

- (a) Has intact exterior walls and roof structure;
- (b) Has indoor plumbing consisting of a kitchen sink, toilet and bathing facilities connected to a sanitary waste disposal system;
- (c) Has interior wiring for interior lights;
- (d) Has a heating system; and
- (e) Was lawfully established. [County code added (e)]”

Lawfully Established Dwelling is defined as:

“A dwelling that was constructed in compliance with the laws in effect at the time of establishment. The laws in effect shall include zoning, land division and building code requirements. Compliance with Building Code requirements shall mean that all permits necessary to qualify the structure as a dwelling unit were obtained and all qualifying permitted work completed.”

As defined, in order for a structure to be a ‘dwelling’ in the Commercial Forest Use – 2 zoning district, it must contain specific elements as listed in State law and County code. For a dwelling to have been lawfully established, it must have (present tense as indicated by the use of ‘has’) all the elements of a dwelling unit, as defined and met the laws in effect at the time of establishment – both zoning code and building code permit requirements.

To determine if the 1995 dwelling was lawfully established, staff must determine that it contained the required elements of a dwelling and met the relevant zoning and building codes in place at the time of establishment. The County has a permit record in the form of a building permit card for the existing single-family dwelling that was established in 1995 (Exhibit A.6). In addition, the County must find that it currently has the required components of a “habitable dwelling”. The applicant has also provided photos of the existing dwelling that shows exterior walls, roof, bathroom, electrical panel, and a furnace (Exhibit A.7).

Based on the evidence, the 1995 dwelling had and continues to have the components necessary that make up a dwelling unit or a ‘habitable dwelling’ and was lawfully established as defined in MCC 34.0005, therefore allowing the property to be eligible for replacement under MCC 34.2220(D).

The site plan indicates that the new replacement single-family dwelling is located approximately 35 feet from the existing single-family dwelling. As required by the requirements above, the applicant is proposing to remove the existing dwelling. To ensure that this occurs a condition will be required that the existing single-family dwelling shall be removed or demolished within three months of the completion or occupancy of the replacement dwelling. *As conditioned, these criteria are met.*

(T) Accessory Structures subject to the following:

(1) The Accessory Structure is customarily accessory or incidental to any use permitted or approved in this district and is a structure identified in the following list:

- (a) Garages or carports;**
- (b) Pump houses;**
- (c) Garden sheds;**
- (d) Workshops;**
- (e) Storage sheds, including shipping containers used for storage only;**
- (f) Greenhouses;**
- (g) Woodsheds;**
- (h) Shelter for pets, horses or livestock and associated buildings such as: manure storage, feed storage, tack storage, and indoor exercise area;**
- (i) Swimming pools, pool houses, hot tubs, saunas, and associated changing rooms;**
- (j) Sport courts;**

- (k) Gazebos, pergolas, and detached decks;
- (l) Fences, gates, or gate support structures; and
- (m) Mechanical equipment such as air conditioning unites, heat pumps and electrical boxes; and
- (n) Similar structures.

Staff: The previous site plans reviewed in 1995 or 1993 did not show a basketball court or fire pit; therefore, both structures will need to be retroactively reviewed as part of this application. Both structures are shown the current site plan. As identified above, sport courts and other similar structures are allowed uses. Both the sport court and the fire pit are customarily accessory and incidental to a single-family dwelling as they can be typically be found in many other residential areas. Both of these structures are not buildings as defined in MCC 34.0005 and therefore do not count towards the 2,500 square foot footprint threshold for Allowed Uses. *This criterion is met.*

4.2 § 33.2250 BUILDING HEIGHT REQUIREMENTS

(A) Maximum structure height – 35 feet.

(B) Structures such as barns, silos, windmills, antennae, chimneys, or similar structures may exceed the height requirements.

Staff: The exterior building plan elevations indicate that the height of the proposed single-family dwelling is less than 35 feet (Exhibit A.4) *This criterion is met.*

4.3 § 33.2256 FOREST PRACTICES SETBACKS AND FIRE SAFETY ZONES

The Forest Practice Setbacks and applicability of the Fire Safety Zones is based upon existing conditions, deviations are allowed through the exception process and the nature and location of the proposed use. The following requirements apply to all structures as specified:

Table 1

Use	Forest Practice Setbacks			Fire Safety Zones
Description of use and location	Nonconforming Setbacks	Front Property Line Adjacent to County Maintained Road (feet)	All Other Setbacks (feet)	Fire Safety Zone Requirements (FSZ)
At least a portion of the replaced or restored dwelling is within 100 ft. of existing dwelling	May maintain current nonconforming setback but shall increase to 30 ft. if less than 30 ft.	30	30	Primary required; Maintenance of vegetation in the Secondary is required to the extent possible

Use	Forest Practice Setbacks			Fire Safety Zones
Description of use and location	Nonconforming Setbacks	Front Property Line Adjacent to County Maintained Road (feet)	All Other Setbacks (feet)	Fire Safety Zone Requirements (FSZ)
Addition to an existing structure	May maintain current nonconforming setback(s) if less than 30 ft. to property lines	30	30	Primary is required to the extent possible within the existing setbacks.

(A) Reductions to a Forest Practices Setback dimension shall only be allowed pursuant to approval of an adjustment or variance.

(B) Exception to the Secondary Fire Safety Zone shall be pursuant to MCC 33.2310 only. No reduction is permitted for a required Primary Fire Safety Zone through a nonconforming, adjustment or variance process.

(C) The minimum forest practices setback requirement shall be increased where the setback 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 setback requirements in consultation with the Road Official.

Staff: The site plan indicates that at least a portion of the replaced dwelling is located within 100 feet of the existing dwelling (Exhibit A.19). Therefore, the Forest Practice Setbacks are 30 feet from all property lines because the subject property does not abut a County maintained road. The proposed single-family dwelling is located more than 150 feet from any property line. The proposed single-family dwelling setback from the property lines are more than sufficient to meet the Forest Practices Setback and the Primary Fire Safety Zone.

The altered exempt agricultural structure is an addition to an existing structure. An addition to an existing structure requires a Forest Practice Setback of 30 feet from all property lines. The structure being retroactively reviewed is located more than 120 feet from any property line. The basketball court and the fire pit are accessory structures, however because they are located within the ground and are flush with the surface of the ground these structures are not required to meet the Forest Practice setbacks or Fire Safety Zone requirements. *These criteria are met.*

(D) Fire Safety Zones on the Subject Tract

(1) Primary Fire Safety Zone

(a) A primary fire safety zone is a fire break extending a minimum of 30 feet in all directions around a dwelling or structure. Trees within this safety zone shall be spaced with greater than 15 feet between the crowns. The trees shall also be pruned to remove low branches within 8 feet of the

ground as the maturity of the tree and accepted silviculture practices may allow. All other vegetation should be kept less than 2 feet in height.

(b) On lands with 10 percent or greater slope the primary fire safety zone shall be extended down the slope from a dwelling or structure as follows

Percent Slope	Distance In Feet
Less than 10	No additional required
Less than 20	50 additional
Less than 25	75 additional
Less than 40	100 additional

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

Staff: As measured on the site plan, the slopes within 30 feet of the proposed dwelling are between 0% to more than 25% slope on the downward side of the new dwelling. Therefore, the primary fire safety zone shall be between 30 feet and 130 feet and the secondary fire safety zone shall be 100 feet extending beyond the primary fire safety zone (Exhibit A.19). The site plan indicates that the primary fire safety zone is extended down the slope 100 feet, which does not meet the Primary Fire Safety Zone requirement. To ensure that the proper primary fire safety zone is provided a condition will be required. The condition will require that prior to building plan check approval; the applicant shall submit a revised plan that shows the primary and secondary safety zone as drawn in the Staff Exhibit B.7. A second condition will require that on-going vegetation maintenance shall be done. *As conditioned, these criteria are met.*

(2) Secondary Fire Safety Zone

A secondary fire safety zone is a fire break extending a minimum of 100 feet in all directions around the primary safety zone. The goal of this safety zone is to reduce fuels so that the overall intensity of any wildfire is lessened. Vegetation should be pruned and spaced so that fire will not spread between crowns of trees. Small trees and brush growing underneath larger trees should be removed to prevent the spread of fire up into the crowns of the larger trees. Assistance with planning forestry practices which meet these objectives may be obtained from the State of Oregon Department of Forestry or the local Rural Fire Protection District. The secondary fire safety zone required for any dwelling or structure may be reduced under the provisions of 33.2310.

Staff: As measured on the site plan, the slopes within 30 feet of the proposed dwelling are between 0% to more than 25% slope on the downward side of the new dwelling. Therefore, the primary fire safety zone shall be between 30 feet and 130 feet and the secondary fire safety zone shall be 100 feet extending beyond the primary fire safety zone (Exhibit A.19). The site plan indicates that the primary fire safety zone is extended down the slope 100 feet instead of the 130 feet required. To ensure that they Fire Safety zones are correctly indicated, a new Site Plan showing the correct Fire Safety zones buffers will be required. Additionally, to the extent possible, the property owners shall ensure that the tree spacing, pruning and vegetation maintenance are met. To ensure these requirements are met, a condition will be required that on-going vegetation maintenance shall be done. *As conditioned, these criteria are met.*

- (3) No requirement in (1) or (2) above may restrict or contradict a forest management plan approved by the State of Oregon Department of Forestry pursuant to the State Forest Practice Rules; and**
- (4) Required Primary and Secondary Fire Safety Zones shall be established within the subject tract as required by Table 1 above.**
- (5) Required Primary and Secondary Fire Safety Zones shall be maintained by the property owner in compliance with the above criteria listed under (1) and (2).**

Staff: The required Primary and Secondary Fire Safety zones are established within the subject tract as described above. As discussed a condition will be required that the property owner maintain those areas in compliance with the above criteria. *As conditioned, these criteria are met.*

4.4 § 33.2261 DEVELOPMENT STANDARDS FOR DWELLINGS AND STRUCTURES

All dwellings and structures shall comply with the approval criteria in (B) through (D) below except as provided in (A). All exterior lighting shall comply with MCC 33.0570:

Staff: The standards for MCC 33.0570, Dark Sky Lighting Standards are as follows:

“(C) The following standards apply to all new exterior lighting supporting a new, modified, altered, expanded, or replaced use approved through a development permit and to all existing exterior lighting on property that is the subject of a development permit approval for enlargement of a building by more than 400 square feet of ground coverage.

- (1) The light source (bulbs, lamps, etc.) must be fully shielded with opaque materials and directed downwards. “Fully shielded” means no light is emitted above the horizontal plane located at the lowest point of the fixture’s shielding. Shielding must be permanently attached.
- (2) The lighting must be contained within the boundaries of the Lot of Record on which it is located. To satisfy this standard, shielding in addition to the shielding required in paragraph (C)(1) of this section may be required. The building plans and elevations did not include exterior lighting information.

Therefore, to ensure that these requirements are met, a conditional of approval will be required that all exterior lighting complies with MCC 36.0570. *As conditioned, this criterion is met.*

(A) For the uses listed in this subsection, the applicable development standards are limited as follows:

(2) Replacement or restoration of a dwelling.

(c) Replacement or restoration of a dwelling that is not located within the footprint of the original dwelling but it is located where at least a portion of the replacement dwelling is within 100 feet of the original dwelling: Shall meet the development standards of MCC 33.2261(C);

Staff: The site plan indicates that the new replacement single-family dwelling is located approximately 35 feet from the existing single-family dwelling; therefore, the development shall meet the standards of MCC 33.2261(C).

(C) The dwelling or structure shall:

- (1) Comply with the standards of the applicable building code or as prescribed in ORS 446.002 through 446.200 relating to mobile homes;**
- (2) If a mobile home, have a minimum floor area of 600 square feet and be attached to a foundation for which a building permit has been obtained;**
- (3) Have a fire retardant roof; and**
- (4) Have a spark arrester on each chimney.**

Staff: As shown on the elevation plans and floor plans there are at least two fireplaces and at least one chimney (Exhibit A.4). The roof plan indicates that an "Arch 80" composition shingle will be used for the roof. Typically, this type of roof material is fire retardant. However to ensure compliance with these criteria, conditions will be required that the fireplaces have spark arresters within each chimney and the roof will be constructed of fire retardant materials. *As conditioned, these criteria are met*

4.5 § 33.2273 ACCESS

All lots and parcels in this district shall abut a public street or shall have other access deemed by the approval authority to be safe and convenient for pedestrians and for passenger and emergency vehicles. This access requirement does not apply to a pre-existing lot and parcel that constitutes a Lot of Record described in MCC 33.2275(C).

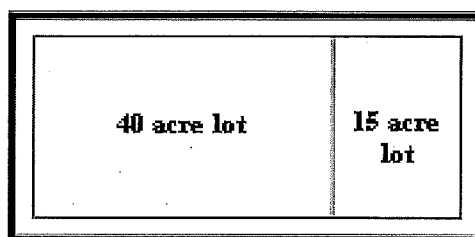
Staff: The proposed single-family dwelling is not located on a parcel that abuts a public street. The nearest public street is Skyline Boulevard. The applicant has an easement over two properties to the south, tax lot 600 and 800, 2 North, 2 West, Section 24B. The property also constitutes a Lot of Record as described below. *This criterion is met*

4.6 § 33.2275 LOT OF RECORD

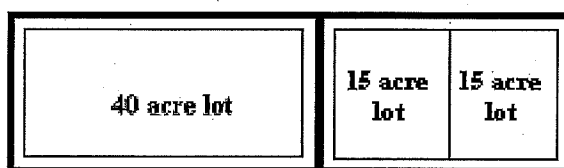
(A) In addition to the Lot of Record definition standards in MCC 33.0005, for the purposes of this district a Lot of Record is either:

- (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.**
 - 1. Each Lot of Record proposed to be segregated from the contiguous group of parcels or lots shall be a minimum of 19 acres in area using existing legally created lot lines and shall not result in any remainder individual parcel or lot, or remainder of contiguous combination of parcels or lots, with less than 19 acres in area. See Examples 1 and 2 in this subsection.**
 - 2. There shall be an exception to the 19 acre minimum lot size requirement when the entire same ownership grouping of parcels or lots was less than 19 acres in area on February 20, 1990, and then the entire grouping shall be one Lot of Record. See Example 3 in this subsection.**

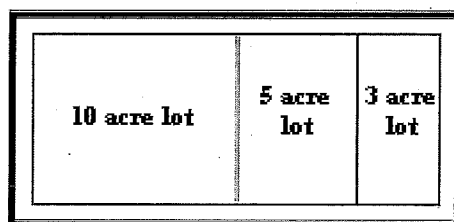
3. Three examples of how parcels and lots shall be aggregated are shown below with the solid thick line outlining individual Lots of Record:



Example 1:
One 55 acre Lot of Record



Example 2:
One 40 acre Lot of Record and
one 30 acre Lot of Record



Example 3:
One 18 acre Lot of Record

4. The requirement to aggregate contiguous parcels or lots shall not apply to lots or parcels within exception or urban zones (e.g. MUA-20, RR, BRC, R-10), but shall apply to contiguous parcels and lots within all farm and forest resource zones (i.e. EFU and CFU), or
- (3) A parcel or lot lawfully created by a partition or a subdivision plat after February 20, 1990.
 - (4) Exceptions to the standards of (A)(2) above:
 - (a) Where two contiguous parcels or lots are each developed with a lawfully established habitable dwelling, the parcels or lots shall be Lots of Record that remain separately transferable, even if they were held in the same ownership on February 20, 1990.
 - (b) Where approval for a "Lot of Exception" or a parcel smaller than 19 acres under the "Lot Size for Conditional Uses" provisions has been given by the Hearing Authority and the parcel was subsequently lawfully created, then the parcel shall be a Lot of Record that remains separately transferable, even if the parcel was contiguous to another parcel held in the same ownership on February 20, 1990.

(B) In this district, significant dates and ordinances applicable for verifying zoning compliance may include, but are not limited to, the following:

- (1) July 10, 1958, F-2 zone applied;**
- (2) December 9, 1975, F-2 minimum lot size increased, Ord. 115 & 116;**
- (3) October 6, 1977, MUF-20 and CFU-38 zones applied, Ord. 148 & 149;**
- (4) August 14, 1980, MUF-19 & 38 and CFU-80 zones applied, Ord. 236 & 238;**
- (5) February 20, 1990, lot of record definition amended, Ord. 643;**
- (6) January 7, 1993, MUF-19 & 38 zones changed to CFU-80, Ord. 743 & 745;**
- (7) August 8, 1998, CFU-2 zone applied, Ord. 916 (reenacted by Ord. 997);**
- (8) May 16, 2002, Lot of Record section amended, Ord. 982, reenacted by Ord. 997;**

(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 33.2273, may be occupied by any allowed use, review use or conditional use when in compliance with the other requirements of this district.

(D) The following shall not be deemed 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) A Mortgage Lot.**
- (4) An area of land created by court decree.**

Staff: As defined in MCC 33.0005, the definition of a Lot of Record is as follows:

“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 Recording Section of the public office responsible for public records prior to October 19, 1978; or
3. By a deed, or a sales contract dated and signed by the parties to the transaction, that was in recordable form prior to October 19, 1978; or
4. By partitioning land under the applicable land partitioning requirements in effect on or after October 19, 1978; and
5. “Satisfied all applicable land division laws” shall also mean that any subsequent boundary reconfiguration completed on or after December 28, 1993 was approved under the property line adjustment provisions of the land division code. (See Date of Creation and Existence for the effect of property line adjustments on qualifying a Lot of Record 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."

The applicant has provided a copy of CU 13-91, a Conditional Use Request to Create a Mortgage Lot that was issued on June 17, 1991. (Exhibit A.5). The land use case included a description of the mortgage lot and the larger tract surrounding the mortgage lot. The larger parcel and mortgage lot is still in the same configuration that authorized the mortgage lot in CU 13-91.

The tract as described in 1991 satisfied all applicable zoning laws because it was in full compliance with all zoning minimum lot size, dimensional standards, and access requirements. The tract also satisfied all applicable land division laws because it was created by a partitioning of land under CU 13-91 after October 19, 1978.

Further, according to Multnomah County Department of Assessment, Records and Taxation records, the subject property was not in held in the same ownership of any of the contiguous lots or parcels.

Considering the facts above, the subject property, tax lot 500, Section 24B, Township 2 North, Range 2 West is a Lot of Record. *These criteria are met.*

4.8 § 33.2307 SINGLE FAMILY DWELLINGS CONDITION OF APPROVAL - PROHIBITION ON CLAIMS ALLEGING INJURY FROM FARM OR FOREST PRACTICES

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: The applicant is proposing a new single-family dwelling to replace the existing single-family dwelling. A condition of approval shall require that evidence is provided that the landowner for the dwelling has been recorded with the County Recorder (also known as the County Division of Records) that binds the landowner, and the landowner's successors in interest, that prohibits 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 conditioned, this criterion is met*

5.0 Significant Environmental Concern Criteria:

5.1 § 33.4565 CRITERIA FOR APPROVAL OF SEC-V PERMIT -SIGNIFICANT SCENIC VIEWS

(C) Any portion of a proposed development (including access roads, cleared areas and structures) that will be visible from an identified viewing area shall be visually subordinate. Guidelines which may be used to attain visual subordination, and which shall be considered in making the determination of visual subordination include:

Staff: The proposed development is located in an area that can be identified from the following viewing areas: Bybee-Howell House, Highway 30 (St. Helens Highway), Kelly Point Park, Multnomah Channel, Public roads on Sauvie Island, Sauvie Island Wildlife Refuge, Smith and Bybee Lakes, Virginia Lakes, and Willamette River. Therefore, the proposed development will need to be designed to attain visual subordination as discussed below.

(1) Siting on portions of the property where topography and existing vegetation will screen the development from the view of identified viewing areas.

Staff: The proposed single-family dwelling will be constructed approximately 35 feet to the north of the already existing single-family dwelling. The proposed single-family dwelling will be located on a ridge with trees on the downhill slope towards Highway 30 and Multnomah Channel. Highway 30 is located approximately 1.5 miles downhill to the development area. The downhill slope on the property slopes towards Highway 30 and is heavily forested, which obscures the proposed single-family dwelling. The applicant has included a narrative that discusses the use of a test balloon flown at 35 feet and 55 feet and computer generated renderings that illustrate the massing of the proposed single-family dwelling in relation to the tree canopy on the site (Exhibit A.2 and A.13). In the photos, the balloon mimics the proposed maximum height of the proposed single-family dwelling. The dwelling will be approximately 32 feet and the trees on the downward slope are between 35 feet and 55 feet. The rendering indicate the trees will partially screen the development from the identified viewing areas and the color of the roof will help blend the roof in with the surroundings. However to ensure that the proposed single-family dwelling is appropriately screened, a condition will be required that trees within the immediate downhill slope (as in Figure 1) from the single-family dwelling be retained and if removed be replanted to a similar screening density.

Figure 1 – Areas for tree retention



As conditioned, this criterion is met.

(2) Use of nonreflective or low reflective building materials and dark natural or earthtone colors.

Staff: The applicant has indicated that the roof will be a composition shingle and the siding will be composite hardi-panels with hardi-trim battens (Exhibit A.4). The color of the siding will be a shadowy slate color. As shown in the rendering the shadowy slate color is similar to the Dark Earth Tone Colors as shown in the Building in the Scenic Area Scenic Resources Implementation Handbook (Exhibit A.13). However, no paint samples were included as part of this application.

The applicant also included specification sheets for the windows on the proposed single-family dwelling. The specification sheet indicates that the external reflectance will be 11%, which is considered as low reflectivity (Exhibit A.13).

To ensure that these requirements above are met, a condition will be required that a paint sample or color chip card be submitted and reviewed prior to building plan check that matches the shadowy slate or a similar dark earth tone color as shown in the Building in the Scenic Area Scenic Resources Implementation Handbook. *As conditioned, this criterion is met.*

(3) No exterior lighting, or lighting that is directed downward and sited, hooded and shielded so that it is not highly visible from identified viewing areas. Shielding and hooding materials should be composed of nonreflective, opaque materials.

Staff: The exterior lighting proposed for the project will be the Casa Marseille wall light (Exhibit A.13). The specification sheet shows that the light fixture will have a bronze finish that is hooded and shielded. The bronze finish appears to be matte and should be nonreflective and opaque. *This criterion is met.*

(4) Use of screening vegetation or earth berms to block and/or disrupt views of the development. Priority should be given to retaining existing vegetation over other screening methods. Trees planted for screening purposes should be coniferous to provide winter screening. The applicant is responsible for the proper maintenance and survival of any vegetation used for screening.

Staff: Aerial photos indicate that there is existing tree and vegetation directly east of the proposed single-family dwelling that will help screen the proposed development from identified viewing areas (Exhibit B.6). A condition of approval will be required to ensure that proper maintenance and survival of any vegetation used for screening. *As conditioned, this criterion is met.*

(5) Proposed developments or land use shall be aligned, designed and sited to fit the natural topography and to take advantage of vegetation and land form screening, and to minimize visible grading or other modifications of landforms, vegetation cover, and natural characteristics.

Staff: The proposed single-family dwelling is sited in a location that relatively flat, cleared and as close as practical to the existing single-family dwelling. The development site is also located to ensure the proposed single-family dwelling meets Forest Practices Setbacks and Fire Safety Zone requirements. There will be approximately 32,000 square feet of grading that will occur to prepare the development site. The grading will not be visible from identified viewing areas due to the vegetation to the east. *This criterion is met.*

(6) Limiting structure height to remain below the surrounding forest canopy level.

Staff: The proposed single-family dwelling is approximately 30 to 35 feet. The computer generated rendering that illustrates the massing of the proposed single-family dwelling in relation to the tree canopy (Exhibit A.13). As seen from the rendering, the proposed single-family dwelling will be located in-between the tree canopy to the east and west of the development site. Due to the topography, the trees directly west of the proposed single-family dwelling are taller than the trees to the east. *This criterion is met.*

(7) Siting and/or design so that the silhouette of buildings and other structures remains below the skyline of bluffs or ridges as seen from identified viewing areas. This may require modifying the building or structure height and design as well as location on the property, except:

(a) New communications facilities (transmission lines, antennae, dishes, etc.), may protrude above a skyline visible from an identified viewing area upon demonstration that:

- 1. The new facility could not be located in an existing transmission corridor or built upon an existing facility;**
- 2. The facility is necessary for public service; and**
- 3. The break in the skyline is the minimum necessary to provide the service.**

Staff: The proposed single-family dwelling is approximately 30 to 35 feet. The computer generated rendering that illustrates the massing of the proposed single-family dwelling in

relation to the tree canopy (Exhibit A.13). As seen from the rendering, the proposed single-family dwelling will be located in-between the tree canopy to the east and west of the development site. Due to the topography, the trees directly west of the proposed single-family dwelling are taller than the trees to the east that are below the proposed single-family dwelling. The photos from the narrative and SEC-v worksheet provided also show that the dwelling will be below the skyline of the ridge when looking from Sauvie Island (Exhibit A.2 and A.13).

This criterion is met.

(D) Mining of a protected aggregate and mineral resource within a PAM subdistrict shall be done in accordance with any standards for mining identified in the protection program approved during the Goal 5 process. The SEC Application for Significant Scenic Views must comply only with measures to protect scenic views identified in the Goal 5 protection program that has been designated for the site.

Staff: No mining of protected aggregate and mineral resources is proposed for this application.

This criterion is met.

(E) The approval authority may impose conditions of approval on an SEC-v permit in accordance with MCC 33.4550, in order to make the development visually subordinate. The extent and type of conditions shall be proportionate to the potential adverse visual impact of the development as seen from identified viewing areas, taking into consideration the size of the development area that will be visible, the distance from the development to identified viewing areas, the number of identified viewing areas that could see the development, and the linear distance the development could be seen along identified viewing corridors.

Staff: Conditions of approval included with this decision are to ensure that the proposed single-family dwelling will be visual subordinate from the identified viewing areas. *As conditioned, this criterion is met.*

5.2 § 33.4570 CRITERIA FOR APPROVAL OF SEC-H PERMIT -WILDLIFE HABITAT

(B) Development standards:

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

Staff: As defined in MCC 33.4570, the definition of a non-forested cleared are is as follows:

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

The applicant has indicated on the Significant Environmental Concern for Wildlife Habitat worksheet that the location of the proposed single-family dwelling will be located in an area

that is defined as a non-forested "cleared" area (Exhibit A.12). The basketball court, fire ring, and altered exempt farm building are also within this same area. The proposed location of the single-family, the existing basketball court and fire ring, and the altered exempt farm building meet the definition above because the location has been cleared of trees since the creation of the mortgage lot as part of land use case CU 13-91 (Exhibit A.5). *This criterion is met.*

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

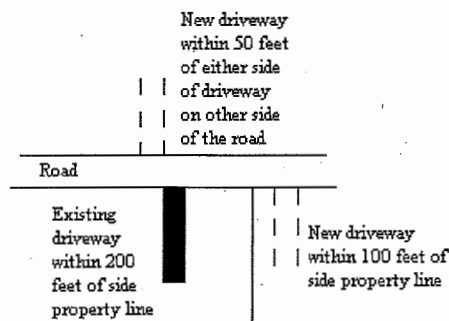
Staff: The site plan indicates that the proposed single-family dwelling, the existing basketball court, fire ring and the altered exempt farm structure are all located over 850 feet from the public road (Exhibit A.19). Based on the site characteristics provided on the site plan, the applicant cannot locate the proposed single-family dwelling within 200 feet of a public road and outside of the Significant Environmental Concern for Wildlife Habitat (SEC-h) overlay. The proposal will be required to meet the requirements of MCC 33.4560(C) using a Wildlife Conservation Plan. *This criterion is not met.*

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

Staff: The site plan indicates that the proposed single-family dwelling has a driveway that is over 1,000 feet in length (Exhibit A.19). Based on the site characteristics provided on the site plan, the applicant cannot reduce the length of the driveway to less than 500 feet. The proposal will be required to meet the requirements of MCC 33.4560(C) using a Wildlife Conservation Plan. *This criterion is not met.*

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

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



For illustrative purposes only.

(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: The site plan and aerial photos indicate that the proposed single-family dwelling has adjacent properties with driveways (Exhibit A.19 and Figure 2).

Figure 2 – Adjacent Driveways



The subject property accesses Skyline Boulevard via an easement across 16940 NW Skyline Boulevard (2 North, 2 West, Section 24B, tax lot 600) and 17050 NW Skyline Boulevard (2 North, 2 West, Section 24B, tax lot 800). The dwelling on 17050 NW Skyline has a driveway that is 50 feet to the northwest of the shared driveway providing access to 16960 NW Skyline on the same side of the road. The driveway for 17050 NW Skyline Boulevard is 170+/- feet from the side property line. The driveway for 16960 is 95 feet from this same side property line. *This criterion is met.*

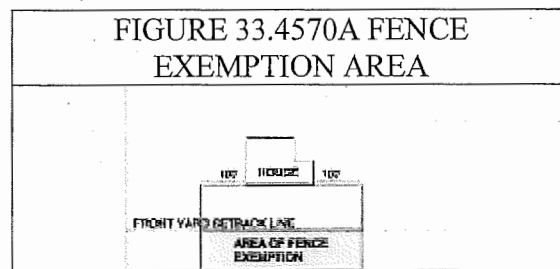
(5) The development shall be within 300 feet of a side property line if adjacent property has structures and developed areas within 200 feet of that common side property line.

Staff: The site plan indicates that the adjacent property has structures and developed areas within 200 feet of the common side property line. The proposed single-family dwelling is located 310 feet from the side property line. *This criterion is not met.*

(6) Fencing within a required setback from a public road shall meet the following criteria:

- (a) Fences shall have a maximum height of 42 inches and a minimum 17 inch gap between the ground and the bottom of the fence.
- (b) Wood and wire fences are permitted. The bottom strand of a wire fence shall be barbless. Fences may be electrified, except as prohibited by County Code.
- (c) Cyclone, woven wire, and chain link fences are prohibited.
- (d) Fences with a ratio of solids to voids greater than 2:1 are prohibited.
- (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.

FIGURE 33.4570A FENCE EXEMPTION AREA



- (f) Fencing standards do not apply where needed for security of utility facilities.

Staff: The applicant is not proposing any fencing; therefore, these requirements do not apply. *These criteria are met.*

(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

Scientific Name	Common Name
<i>Loentodon autumnalis</i>	Fall Dandelion
<i>Lythrum salicaria</i>	Purple Loosestrife
<i>Myriophyllum spicatum</i>	Eurasian Watermilfoil
<i>Phalaris arundinacea</i>	Reed Canary grass
<i>Poa annua</i>	Annual Bluegrass

Scientific Name	Common Name
<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. except 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 robertianum</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

Scientific Name	Common Name
<i>Polygonum coccineum</i>	Swamp Smartweed
<i>Polygonum convolvulus</i>	Climbing Binaweed
<i>Polygonum sachalinense</i>	Giant Knotweed
<i>Prunus laurocerasus</i>	English, Portuguese 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
various genera	Bamboo sp.

Staff: The applicant shall remove and keep removed from cleared areas the list the nuisance plants referred to in this criterion. To ensure compliance with this requirement, a condition will be required that the applicant shall remove and keep removed the plants listed in the table above. *As conditioned, this criterion is met.*

(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

Staff: Based on the site characteristics provided on the site plan, the applicant cannot meet the development standards of Section (B) due to nature of the property. The subject property does not have frontage on Skyline Boulevard and is accessed via an easement through two properties to the south. Therefore, the applicant is unable to locate the proposed single-family dwelling within 200 feet of a public road, utilize a driveway that is less than 500 feet in length, or locate the proposed single-family dwelling within 300 feet of the property line if there are structures on the adjacent property. Therefore, the applicant must show that the wildlife conservation plan results in the minimum departure from the standards required in order to allow for the replacement of the single-family dwelling.

The wildlife conservation plan submitted by the applicant includes a Natural Resources Assessment conducted by Anita Cate Smyth, Professional Wetland Scientist and Environmental Scientist at Winterbrook Planning (Exhibit A.12). The Natural Resources Assessment indicates that, "most of the parcel is wooded with a young mixed forest except for a fenced areas near the western end. The existing house and other structures and a basketball [court] lie in this cleared area." The Assessment also found that the, "cover[ing] of nuisance plants was nearly nil due to heavy forest canopy." The site plan indicates that the development will take place entirely within a non-forested cleared area on the western end of the property.

The Assessment did indicate that there was Mitigation actions that could be undertaken to ensure that the development is the minimum departure from the standards of MCC 33.4570(B). The site plan proposes to remove the existing fencing and new fencing is not proposed, which is in alignment with the Assessment report. Within the context of the parcel's characteristics of being landlocked and not abutting a public right of way, the development is located in an appropriate area on the subject property and is the minimum departure from the standards in MCC 33.4570(B).

As indicated on the site plan and suggested on the Assessment Report a condition will be required that the existing chain link fence at the perimeter of the cleared area be removed. *As conditioned, this criterion is met.*

6.0 Hillside Development and Erosion Control

6.1 § 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 prescribed by this subdistrict, unless specifically exempted by MCC 33.5510.

Staff: The proposed single-family dwelling is not located in a mapped hazard area on the "Slope Hazard Map," however; the development area and finished slopes will exceed an average slope of 25 percent as shown on the site plan (Exhibit A.19). The applicant will be required to obtain a Hillside Development and Erosion Control Permit to authorize the proposed development.

6.2 § 33.5515 APPLICATION INFORMATION REQUIRED

An application for development subject to the requirements of this subdistrict shall include the following:

- (A) A map showing the property line locations, roads and driveways, existing structures, trees with 8-inch or greater caliper or an outline of wooded areas, watercourses and include the location of the proposed development(s) and trees proposed for removal.**
- (B) An estimate of depths and the extent and location of all proposed cuts and fills.**
- (C) The location of planned and existing sanitary drainfields and drywells.**

(D) Narrative, map or plan information necessary to demonstrate compliance with MCC 33.5520 (A). The application shall provide applicable supplemental reports, certifications, or plans relative to: engineering, soil characteristics, stormwater drainage, stream protection, erosion control, and/or replanting.

(E) A Hillside Development permit may be approved by the Director only after the applicant provides:

- (1) Additional topographic information showing that the proposed development to be on land with average slopes less than 25 percent, and located more than 200 feet from a known landslide, and that no cuts or fills in excess of 6 feet in depth are planned. High groundwater conditions shall be assumed unless documentation is available, demonstrating otherwise; or**
- (2) A geological report prepared by a Certified Engineering Geologist or Geotechnical Engineer certifying that the site is suitable for the proposed development; or,**
- (3) An HDP Form– 1 completed, signed and certified by a Certified Engineering Geologist or Geotechnical Engineer with his/her stamp and signature affixed indicating that the site is suitable for the proposed development.**

(a) If the HDP Form– 1 indicates a need for further investigation, or if the Director requires further study based upon information contained in the HDP Form– 1, a geotechnical report as specified by the Director shall be prepared and submitted.

Staff: The applicant has provided a map showing the above, a Grading and Erosion Control Worksheet indicating depths and extent of proposed cuts and fills, and a Geotechnical Engineering Report completed by James D. Imbrie, Registered Professional Engineer, Geotechnical Engineer, and Certified Engineering Geologist on August 12, 2017 (Exhibit A.14, A.16, and A.19). The documents provided satisfy the requirement above. *These criteria are met.*

(F) Geotechnical Report Requirements

- (1) A geotechnical investigation in preparation of a Report required by MCC 33.5515 (E) (3) (a) shall be conducted at the applicant's expense by a Certified Engineering Geologist or Geotechnical Engineer. The Report shall include specific investigations required by the Director and recommendations for any further work or changes in proposed work which may be necessary to ensure reasonable safety from earth movement hazards.**
- (2) Any development related manipulation of the site prior to issuance of a permit shall be subject to corrections as recommended by the Geotechnical Report to ensure safety of the proposed development.**
- (3) Observation of work required by an approved Geotechnical Report shall be conducted by a Certified Engineering Geologist or Geotechnical Engineer at the applicant's expense; the geologist's or engineer's name shall be submitted to the Director prior to issuance of the Permit.**
- (4) The Director, at the applicant's expense, may require an evaluation of HDP Form– 1 or the Geotechnical Report by another Certified Engineering Geologist or Geotechnical Engineer.**

Staff: The Geotechnical Engineering Report completed by James D. Imbrie, Registered Professional Engineer, Geotechnical Engineer, and Certified Engineering Geologist outlines and details specific information to ensure reasonable safety from earth movement hazards (Exhibit A.16). The Report discusses the regional geology, seismic setting, and specific site characteristics. The site is underlain by Quaternary age loess, which is underlain by the Columbia River Basalt Formation. Exploratory Tests were dug on the site on November 10, 2016. Based on the results of those test, it was found that the proposed home site is suitable from a geological standpoint for support of conventional spread foundations. The conclusions also recommended action items that should be done prior, during, and after development. To ensure that those recommendations are met, a condition will be required. *As conditioned, these criteria are met.*

(G) Development plans shall be subject to and consistent with the Design Standards For Grading and Erosion Control in MCC 33.5520 (A) through (D). Conditions of approval may be imposed to assure the design meets those standards.

Staff: The applicant shall be subject to the requirements of the Design Standards for Grading and Erosion Control as discussed in Section 6.3 below.

6.3 § 33.5520 GRADING AND EROSION CONTROL STANDARDS

Approval of development plans on sites subject to a Hillside Development Permit shall be based on findings that the proposal adequately addresses the following standards. Conditions of approval may be imposed to assure the design meets the standards:

(A) Design Standards For Grading and Erosion Control

(1) Grading Standards

- (a) Fill materials, compaction methods and density specifications shall be indicated. Fill areas intended to support structures shall be identified on the plan. The Director or delegate may require additional studies or information or work regarding fill materials and compaction;**
- (b) Cut and fill slopes shall not be steeper than 3:1 unless a geological and/or engineering analysis certifies that steep slopes are safe and erosion control measures are specified;**
- (c) Cuts and fills shall not endanger or disturb adjoining property;**
- (d) The proposed drainage system shall have adequate capacity to bypass through the development the existing upstream flow from a storm of 10-year design frequency;**
- (e) Fills shall not encroach on natural watercourses or constructed channels unless measures are approved which will adequately handle the displaced streamflow for a storm of 10-year design frequency;**

Staff: The applicant has provided a Geotechnical Engineering Report completed by James D. Imbrie, Registered Professional Engineer, Geotechnical Engineer, and Certified Engineering Geologist on August 12, 2017 (Exhibit A.16). The Geotechnical Engineering Report details specific site characteristics that will need to be considered as part of this project. In preparing the site, all areas that will receive engineered fill should first be cleared of vegetation and any

organic or inorganic debris to an average depth of 12 inches. The soil generated from the stripping will need to be stockpiled on the site in a designated area or removed from the site. The Geotechnical Engineering Report also discusses the structural foundations that will be required for this project. The report states, "The proposed homesite is suitable for spread foundations bearing on competent, native soil, bedrock, and/or engineered fill...For protection against frost heave, spread footings should be embedded at a minimum depth of 18 inches below exterior grade." The Geotechnical Report does not address the retention walls that appear on the applicant's site plan. Therefore to ensure that the report is followed a condition will be required that on site monitoring, testing and consultation should be provided during construction.

The applicant has also provided a Storm Water Certificate completed by Thomas J. Sisul, Registered Professional Engineer on March 7, 2017 (Exhibit A.8). The Storm Water Certificate discusses the current conditions and recommended an infiltration facility be constructed on the property to ensure that storm water is collected and disposed at a 10-year design frequency. *As conditioned, these criteria are met.*

(2) Erosion Control Standards

(a) On sites within the Tualatin River Drainage Basin, erosion and stormwater control plans shall satisfy the requirements of OAR 340. Erosion and stormwater control plans shall be designed to perform as prescribed by the currently adopted edition of the "Erosion Prevention & Sediment Control Plans Technical Guidance Handbook (1994)" and the "City of Portland Stormwater Quality Facilities, A Design Guidance Manual (1995)". Land-disturbing activities within the Tualatin Basin shall provide a 100-foot undisturbed buffer from the top of the bank of a stream, or the ordinary high watermark (line of vegetation) of a water body, or within 100-feet of a wetland; unless a mitigation plan consistent with OAR 340 is approved for alterations within the buffer area.

Staff: The applicant's site plan includes erosion and stormwater control plans (Exhibit A.8 and A.19). The plans indicate that there will be sediment fencing and staked fiber wattles installed prior to land disturbing activities. To ensure that these actions occur a condition will be required that erosion control measures be installed prior to construction or land disturbance.

The applicant has also provided a Storm Water Certificate completed by Thomas J. Sisul, Registered Professional Engineer on March 7, 2017 (Exhibit A.8). The Storm Water Certificate discusses the current conditions and recommended an infiltration facility be constructed on the property to ensure that storm water is collected and disposed at a 10-year design frequency.

Additionally, there are no streams within 100 feet of the project site; therefore, no buffer is needed. *As conditioned, this criterion is met.*

(b) Stripping of vegetation, grading, or other soil disturbance shall be done in a manner which will minimize soil erosion, stabilize the soil as quickly as practicable, and expose the smallest practical area at any one time during construction;

Staff: The Grading and Erosion Control worksheet and site plan indicates that the stripping of vegetation, grading, and other soil disturbance shall be done using a dozer, compactor, and a backhoe (Exhibit A.14 and A.19). The site plan illustrates disturbance area will be limited to an area near the proposed single-family dwelling and will be surrounded by sediment fencing and staked fiber wattles (Exhibit A.19). To ensure that erosion control is managed on the property, a condition will be required that these measures be installed prior to land disturbing activities. *As conditioned, this criterion is met.*

(c) Development Plans shall minimize cut or fill operations and ensure conformity with topography so as to create the least erosion potential and adequately accommodate the volume and velocity of surface runoff;

Staff: The site plan indicates that the area east of the proposed single-family dwelling will be recontoured and a retaining wall constructed (Exhibit A.19). The retaining wall will reduce erosion potential as bare slopes are stabilized. To ensure that bare soil is stabilized, a condition will be required that temporary vegetation and/or mulching shall be used to protect exposed areas during development. *As conditioned, this criterion is met.*

(d) Temporary vegetation and/or mulching shall be used to protect exposed critical areas during development;

Staff: This standard can be met with a condition that will require that temporary vegetation and/or mulching be used to protect exposed areas during development. *As conditioned, this criterion is met.*

(e) Whenever feasible, natural vegetation shall be retained, protected, and supplemented;

- 1. A 100-foot undisturbed buffer of natural vegetation shall be retained from the top of the bank of a stream, or from the ordinary high watermark (line of vegetation) of a water body, or within 100-feet of a wetland;**
- 2. The buffer required in 1. may only be disturbed upon the approval of a mitigation plan which utilizes erosion and stormwater control features designed to perform as effectively as those prescribed in the currently adopted edition of the "Erosion Prevention & Sediment Control Plans Technical Guidance Handbook (1994)" and the "City of Portland Stormwater Quality Facilities, A Design Guidance Manual (1995)" and which is consistent with attaining equivalent surface water quality standards as those established for the Tualatin River Drainage Basin in OAR 340;**

Staff: The site plan indicates that the proposed development is more than 100 feet from the top of the bank of a stream, waterbody, or wetland; therefore, this standard does not apply. *These criteria are met.*

- (f) Permanent plantings and any required structural erosion control and drainage measures shall be installed as soon as practical;**
- (g) Provisions shall be made to effectively accommodate increased runoff caused by altered soil and surface conditions during and after development. The rate of surface water runoff shall be structurally retarded where necessary;**
- (h) Sediment in the runoff water shall be trapped by use of debris basins, silt traps, or other measures until the disturbed area is stabilized;**
- (i) Provisions shall be made to prevent surface water from damaging the cut face of excavations or the sloping surface of fills by installation of temporary or permanent drainage across or above such areas, or by other suitable stabilization measures such as mulching or seeding;**
- (j) All drainage provisions shall be designed to adequately carry existing and potential surface runoff to suitable drainageways such as storm drains, natural watercourses, drainage swales, or an approved drywell system;**
- (k) Where drainage swales are used to divert surface waters, they shall be vegetated or protected as required to minimize potential erosion;**

Staff: The site plan includes erosion control measures, which indicates that there, will be sediment fencing and staked fiber wattles installed prior to land disturbing activities (Exhibit A.19). To ensure that those erosion measures are in place, conditions will be added to ensure that, if necessary, additional provisions shall be made to structurally impede surface runoff through the use of debris basins, silt traps, and other measures to effectively accommodate increased runoff and prevent surface water from damaging the cut face of excavations. Permanent plantings and seeding of bare areas shall be done as soon as practical. *As conditioned, these criteria are met.*

(1) Erosion and sediment control devices shall be required where necessary to prevent polluting discharges from occurring. Control devices and measures which may be required include, but are not limited to:

- 1. Energy absorbing devices to reduce runoff water velocity;**
- 2. Sedimentation controls such as sediment or debris basins. Any trapped materials shall be removed to an approved disposal site on an approved schedule;**
- 3. Dispersal of water runoff from developed areas over large undisturbed areas.**

Staff: The site plan includes erosion indicate that there will be sediment fencing and staked fiber wattles installed prior to land disturbing activities (Exhibit A.19). These erosion measures will ensure that pollution discharges will be prevented. *These criteria are met.*

(m) Disposed spoil material or stockpiled topsoil shall be prevented from eroding into streams or drainageways by applying mulch or

other protective covering; or by location at a sufficient distance from streams or drainageways; or by other sediment reduction measures;

Staff: The site plan indicates that there will be stockpiled soil within the development area (Exhibit A.19). To ensure that the soil does not erode into streams or drainageways, a condition will be required that disposed spoil material or stockpiled topsoil shall be prevented from eroding into streams or drainageways by applying mulch or other protective covering; or by location at a sufficient distance from streams or drainageways; or by other sediment reduction measures. *As conditioned, this criterion is met.*

(n) Such non-erosion pollution associated with construction such as pesticides, fertilizers, petrochemicals, solid wastes, construction chemicals, or wastewaters shall be prevented from leaving the construction site through proper handling, disposal, continuous site monitoring and clean-up activities.

Staff: A condition will be required that non-erosion pollution associated with construction such as pesticides, fertilizers, petrochemicals, solid wastes, construction chemicals, or wastewaters shall be prevented from leaving the construction site through proper handling, disposal, continuous site monitoring and clean-up activities. *As conditioned, this criterion is met.*

(o) On sites within the Balch Creek Drainage Basin, erosion and stormwater control features shall be designed to perform as effectively as those prescribed in the "Erosion Prevention & Sediment Control Plans Technical Guidance Handbook (1994)". All land disturbing activities within the basin shall be confined to the period between May first and October first of any year. All permanent vegetation or a winter cover crop shall be seeded or planted by October first the same year the development was begun; all soil not covered by buildings or other impervious surfaces must be completely vegetated by December first the same year the development was begun.

Staff: The subject property is not located within the Balch Creek Drainage Basin; therefore, this requirement does not apply. *This criterion is met.*

(B) Responsibility

- (1) Whenever sedimentation is caused by stripping vegetation, regrading or other development, it shall be the responsibility of the person, corporation or other entity causing such sedimentation to remove it from all adjoining surfaces and drainage systems prior to issuance of occupancy or final approvals for the project;**
- (2) It is the responsibility of any person, corporation or other entity doing any act on or across a communal stream watercourse or swale, or upon the floodplain or right-of-way thereof, to maintain as nearly as possible in its present state the stream, watercourse, swale, floodplain, or right-of-way during such activity, and to return it to its original or equal condition.**

Staff: A condition will be required that whenever sedimentation is caused by stripping vegetation, regrading or other development, it shall be the responsibility of the person, corporation or other entity causing such sedimentation to remove it from all adjoining surfaces and drainage systems prior to issuance of occupancy or final approvals for the project. *This criterion is met.*

7.0 Building Code Criteria

7.1 § 29.003 ADOPTION OF STATE BUILDING CODE BY REFERENCE.

(A) Those portions of the state building code constituting the structural specialty code, mechanical specialty code, and the one- and two-family dwelling specialty code, are adopted and by this reference incorporated as part of this subchapter. The provisions of this subchapter shall take precedence over the similar provisions of the state specialty codes.

(B) Prior to land use review, the applicant shall demonstrate that the proposed development is in compliance with the most current version of the Oregon Fire Code. Documentation of compliance shall be on forms provided by the Planning Director. Depending on the location of the parcel, the following agency shall review:

(1) A property served by a structural fire service provider shall have the proposed development reviewed by the fire official serving it.

Staff: The local Fire District, Tualatin Valley Fire and Rescue have reviewed the proposed development and they have conditionally approved the development (Exhibit A.10). Based on Tualatin Valley Fire and Rescue's review, the County will require that the applicant install a NFPA 13D fire sprinkler system as a condition to ensure that this project meets Tualatin Valley Fire and Rescue's requirements. *As conditioned, these criteria are met.*

8.0 Conclusion

Based on the findings and other information provided above, the applicant has carried the burden necessary for a Significant Environmental Concern permit, a Hillside Development and Erosion Control Permit and a Forest Development Review to establish a replacement single-family dwelling, an alteration of a exempt farm structure and retroactive review of a basketball court and fire ring in the Commercial Use Forest – 2 (CFU-2) zone. This approval is subject to the conditions of approval established in this report.

9.0 Exhibits

- 'A' Applicant's Exhibits
- 'B' Staff Exhibits
- 'C' Procedural Exhibits

Exhibits with a "*" after the exhibit # have been included as part of the mailed decision. All other exhibits are available for review in Case File T2-2017-9063 at the Land Use Planning office.

Exhibit #	# of Pages	Description of Exhibit	Date Received / Submitted
A.1	1	General Application Form	09/19/2017

A.2	38	Narrative	09/19/2017
A.3	6	Site Plans (reduced to 11" x 17") - Sheet 1 of 5 – Site Overview Plan - Sheet 2 of 5 – Site Dimensions - Sheet 3 of 5 – Site Plan - Sheet 4 of 5 – Storm Improvements - Sheet 5 of 5 – Grading and ESC Plan	09/19/2017
A.4*	10	Architectural Plans (reduced to 11" x 17") - *Sheet 1 of 8 – Exterior Elevations (Front and Left-Side) - *Sheet 2 of 8 – Exterior Elevations (Rear and Right-Side) - *Sheet 3 of 8 – Main Floor Plan - *Sheet 4 of 8 – Upper Floor Plan - *Sheet 5 of 8 – Foundation Plan - *Sheet 6 of 8 – Roof Framing Plan - Sheet 7 of 8 – Building Sections - Sheet 8 of 8 – Building Sections, Details and Specifications - Sheet L1 – Lateral Details / Sheer Walls	09/19/2017
A.5	19	Lot of Record Information - Land Use Case CU 13-91 - Title Report and Map	09/19/2017
A.6	3	Building Permit Information - Letter from Michael G. Ebeling, City of Portland Bureau of Buildings and Building Permit authorizing placement of mobile home	09/19/2017
A.7	5	Habitable Dwelling Photographic Evidence - Photo of existing house with exterior walls and roof - Photo of toilet and thermostat - Photo of furnace and circuit breaker box - Photo of electricity meter	09/19/2017
A.8	16	Storm Water Certificate - Storm water certificate completed by Thomas J. Sisul, Registered Professional Engineer	09/19/2017
A.9	3	Well Report - Well report done by Don Feakin of Turner Drilling	09/19/2017
A.10	3	Fire District Review - Fire Service Agency Review	09/19/2017
A.11	4	Transportation Letter - EP-2017-7581 Review done by Eileen Cunningham, Transportation Planner, Multnomah County Transportation Division: Planning and Development Program	09/19/2017

A.12	16	SEC-h Documents - Significant Environmental Concern of Wildlife Habitat (SEC-h) Worksheet - Natural Resources Assessment conducted by Anita Cate Smyth, Professional Wetland Scientist and Environmental Scientist at Winterbrook Planning	09/19/2017
A.13	19	SEC-v Documents - Significant Environmental Concern for Views (SEC-v) Permit Worksheet - House Renderings - LoE Glass Product Description - Casa Marseille™ 27' ½: High Outdoor Wall Light Product Description	09/19/2017
A.14	8	Grading and Erosion Control Worksheet - Grading and Erosion Control Worksheet	09/19/2017
A.15	9	Exempt Farm Structures - Exempt Farm Structure Registration – February 26, 1993 - Exempt Farm Structure Registration – June 30, 1995	09/19/2017
A.16	16	Geotechnical Report - Geotechnical Engineering Report completed by James D. Imbrie, Registered Professional Engineer, Geotechnical Engineer, and Certified Engineering Geologist on August 12, 2017	09/19/2017
A.17	5	Site Plans (24" x 36") - Sheet 1 of 5 – Site Overview Plan - Sheet 2 of 5 – Site Dimensions - Sheet 3 of 5 – Site Plan - Sheet 4 of 5 – Storm Improvements - Sheet 5 of 5 – Grading and ESC Plan	01/25/2018
A.18	4	Septic Review Certification	01/25/2018
A.19*	5	Revised Site Plans (24" x 36") - Sheet 1 of 5 – Site Overview Plan - Sheet 2 of 5 – Site Dimensions - Sheet 3 of 5 – Site Plan - Sheet 4 of 5 – Storm Improvements - Sheet 5 of 5 – Grading and ESC Plan	03/18/2018
'B'	#	Staff Exhibits	Date
B.1	2	Department of Assessment, Records and Taxation (DART): Property Information for 2N2W24B -00500 (#R972240030)	09/19/2017
B.2	1	Department of Assessment, Records and Taxation (DART): Map for 2N2W24B -00500 (#R972240030)	09/19/2017

B.3	1	Aerial Photo 1998	01/13/2018
B.4	1	Aerial Photo 2002	01/13/2018
B.5	1	Aerial Photo 2004	01/13/2018
B.6	1	Aerial Photo 2016	01/13/2018
B.7	1	Fire Safety Zones as drawn by Staff	06/04/2018
C	#	Administration & Procedures	Date
C.1	5	Incomplete letter	10/19/2017
C.2	1	Applicant's acceptance of 180 day clock	10/24/2017
C.3	1	Complete letter (day 1)	03/01/2018
C.4	10	Opportunity to comment & mailing list	04/09/2018
C.5		Administrative decision & mailing list	