

STAFF REPORT



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Application for Lot of Record Verification, Significant Environmental Concern, Limited Design Review and Planning Director Decision

Case File: T2-2025-0023

Applicant: Debbie Griffin, Smartlink Group

Proposal: Request for a new Wireless Communication Facility

Location: 13937 NW Springville Rd., Portland

Property ID # R324301

Map, Tax lot: 1N1W16C-00100

Alt. Acct. # R961160140

Base Zone: Exclusive Farm Use (EFU)

Overlays: Significant Wildlife Habitats (SEC-h), Significant Streams (SEC-s)

Scheduled before one of the County's Hearing's Officers on **Friday, June 12, 2026 at 10:30 am** or soon thereafter via virtual hearing.

Applicable Approval Criteria:

Multnomah County Code (MCC): General Provisions: MCC 39.1250 Code Compliance and Applications, MCC 39.2000 Definitions, MCC 39.6850 Dark Sky Lightning Standards

Lot of Record: MCC 39.3005 – Lot of Record – Generally, MCC 39.3070 – Lot of Record – Exclusive Farm Use

Exclusive Farm Use Zone: MCC 39.4200 et seq – Exclusive Farm Use (EFU)

Significant Environmental Concern – Wildlife Habitat (SEC-h): MCC 39.5540 – SEC-h Permit Criteria (Significant Wildlife Habitats)

Significant Environmental Concern – Streams (SEC-s): MCC 39.5550 – SEC-s Permit Criteria (Significant Streams), MCC 39.5590 – SEC-wr Permit Criteria (Significant Water Resources)

Limited Design Review: MCC 39.8040 Design Review Criteria, MCC 39.8045 Required Minimum Standards

Copies of the referenced Multnomah County Code sections are available by visiting <https://www.multco.us/landuse/zoning-codes> under the link **Chapter 39: Multnomah County Zoning Code** and at <https://multco.us/landuse/comprehensive-plan> under the link **Multnomah County Comprehensive Plan**.

submittals@multco.us with the case no. T2-2025-0023 referenced in the subject line. [MCC 39.1185]

Note: The property owner may request to extend the timeframe within which this permit is valid, as provided under MCC 39.1195, as applicable. The request for a permit extension must be submitted prior to the expiration of the approval period.

2. 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. [MCC 39.1170(B)]
3. **Prior to submitting Building Plans for Zoning Review**, the property owner(s) or their representatives shall:
 - a. Acknowledge in writing that they have read and understand the conditions of approval and intend to comply with them. A Letter of Acknowledgement has been provided to assist you. The signed document shall be submitted and uploaded when submitting Building Plans for Zoning Review and Review of Conditions of Approval. [MCC 39.1170(A) & (B)]
 - b. Record the Hearing's Officer Decision and Exhibit A.7 of this Staff Report with the County Recorder. The Hearing's Officer 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 39.1175]
 - c. Obtain an access permit from Multnomah County Transportation for the connection between the BPA right-of-way and NW Springville Road. [MCC 39.7740(B)(9)]
4. **When submitting Building Plans for Zoning Review**, the property owner(s) or their representatives shall:
 - a. Provide a Letter of Acknowledgement and recorded Notice of Decision as required in Condition 3.a and 3.b. [MCC 39.1170(A) & (B)]
 - b. Prior to any site disturbance or building permit issuance, the applicant shall obtain a ground disturbance permit and implement stormwater drainage improvements consistent with the certified design described in Exhibit A.8 and the requirements of MCC 39.6235.
5. **Prior to and during construction**, the property owner(s) or their representatives shall:
 - a. Site construction shall conform to the approved TVF&R access and turnaround standards (Permit #2022-0044). [MCC 39.7740(B)(9)]
 - b. The access drive and parking area shall be surfaced and maintained with a durable, dustless surface (such as ¾-inch crushed gravel or equivalent) consistent with MCC 39.7740(B)(10) and TVF&R Permit #2022-0044. [MCC 39.7740(B)(9)]
 - c. Any trees or vegetation identified for retention on Exhibit A.7, Sheet L1.0 shall be protected during construction with temporary fencing placed at the dripline. [MCC 39.7740(B)(9)]
 - d. Any modification to the approved 18-foot access width shall require verification from both TVF&R and the County Engineer that the deviation continues to satisfy MCC 39.6560(B).
 - e. An erosion and sediment control plan shall be prepared in compliance with the ground disturbing activity standards set forth in MCC 39.6200 through MCC 39.6235.

- f. Prior to development, all work areas shall be flagged, fenced, or otherwise marked to reduce potential damage to habitat outside of the work area. The work area shall remain marked through all phases of development.
 - g. Trees shall not be used as anchors for stabilizing construction equipment.
 - h. Any nuisance and invasive non-native plants, as defined in MCC 39.5520 shall be removed within the mitigation area prior to planting.
6. **Prior to issuance of the Certification of Occupancy**, the property owner(s) or their representatives shall:
- a. Implement landscaping as shown on Exhibit A.7, Sheet L2.0 using specified native evergreen species or County-approved equivalents [MCC 39.7740 B.11].
 - b. Implement the Mitigation Plan (Exhibit A.20) in its entirety, including all planting, invasive-species removal, monitoring, and reporting requirements [MCC 39.5540(D)(3) and MCC 39.5590(D)].
 - c. The planting date for the mitigation area shall occur within one year following the approval of the application.
 - d. Provide certification by a qualified riparian or environmental professional verifying that the vegetated corridor has been restored according to the approved plan and will achieve “Good Corridor” condition within five years [MCC 39.5590(E)].
7. **As an on-going condition**, the property owner(s) shall:
- a. Maintain all landscaping and screening vegetation in a healthy condition. Any screening vegetation that dies within five years of installation shall be replaced in kind. [MCC 39.7740(B)(9)]
 - b. Monitoring and reporting. Monitoring of the mitigation site is the ongoing responsibility of the property owner. A Yearly Report shall be provided to Multnomah County Land Use Planning for a period of five years, unless the Planning Director requires a longer reporting period.
 - i. Plants that die shall be replaced in kind so that a minimum of 80% of the trees and shrubs planted shall remain alive on the fifth anniversary of the date that the migration planting is completed.
 - ii. Mitigation plantings shall be maintained and shall not be removed from the property without contacting Multnomah County Land Use Planning and receiving written approval to amend the Mitigation Plan.

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, New Cingular Wireless PCS, LLC (AT&T), through its representative Smartlink, requests approval to construct a new wireless communications facility (WCF) on a leased portion of the property at 13937 NW Springville Road. The proposal includes installation of a 140-foot-tall stealth monopole designed as a “monofir” tree, with antennas and related ground equipment enclosed within a 50-foot by 50-foot lease area. The total structure height, including camouflaging branches, will be 150 feet. Associated improvements include a prefabricated walk-up equipment cabinet within a wood-framed enclosure, a 30-kilowatt diesel generator for backup power, and a gravel access driveway extending approximately 298 feet from an existing private road in the adjacent Bonneville Power Administration (BPA) corridor.

The facility will be unmanned and periodically accessed for maintenance. A motion-activated, downward-directed security light will be installed on the equipment cabinet; no other lighting is proposed. Landscaping and mitigation planting are included to comply with the Significant Environmental Concern (SEC) overlay requirements and to screen the base of the structure.

2.0 Property Description & History:

Staff: The subject property is located on the south side of NW Springville Road in unincorporated west Multnomah County, outside Metro’s Urban Growth Boundary (UGB). The parcel is approximately 20.07 acres in size and is zoned Exclusive Farm Use (EFU). The site is also located within two Significant Environmental Concern overlays: SEC-s (Streams) and SEC-h (Wildlife Habitat). According to County Assessor records and recent aerial imagery, the property is vacant and characterized by a mix of open pasture and mature tree cover, with the Bonneville Power Administration (BPA) transmission corridor located along its western edge.

Within the overall property, AT&T proposes to lease a 50-foot by 50-foot area along the western boundary, adjacent to the BPA corridor. The lease area will contain a 140-foot stealth monopole designed as a “monofir” tree, associated antennas, and ground-mounted equipment. The area will be enclosed by a 6-foot-high chain-link fence coated in non-reflective green paint and surfaced with ¾-inch crushed gravel. A gravel access driveway, approximately 298 feet in length, will extend from an existing private access road within the BPA right-of-way to the lease area. The facility will be unmanned, with only periodic vehicle access for maintenance.

A pre-filing meeting (PF-2025-0002) for the proposed project was held on February 20, 2025, with County staff and the applicant team. The meeting addressed zoning, overlay, and access considerations for the site. A summary of that meeting is included in the application package as Exhibit A.21.

3.0 Appeal Summary:

Two appeals were filed within the appeal period for case no. T2-2025-0023. The grounds for appeal are summarized below:

1. Failure to demonstrate compliance with MCC 39.7745 – Approval Criteria for Land Zoned Exclusive Farm Use.
 - a. Reasonable alternative locations outside of EFU lands were not adequately analyzed and eliminated. The alternatives analysis fails to evaluate non-resource lands, co-location opportunities, reduced-height facilities, or less intrusive technologies that could serve the same function without converting EFU land to industrial-scale infrastructure.

- b. Record does not include parcel level comparative analysis of alternative locations on the same tract assessing visibility, setbacks, screening, access, and proximity to existing utilities, evaluation of co-location opportunities elsewhere on the subject property that could meet service objectives.
- c. Insufficient analysis of visual, scale, and compatibility impacts in a rural residential context. Lacks substantive evaluation of cumulative visual impacts, views from nearby residences, and the incompatibility of industrial-scale infrastructure adjacent to a residential zone.

Staff: The applicant provided a Radiofrequency Location Justification Report (Exhibit A.10) and alternative site analysis (Exhibit A.3) that identifies a target area for network coverage and alternative locations. The applicant evaluated potential locations both within and adjacent to the identified search ring. The analysis concluded that the subject site represents the only technically and operationally feasible location capable of meeting AT&T's service objectives.

2. Inadequate findings regarding impacts to Significant Wildlife Habitat & Significant Stream overlay zones.
 - a. The mitigation strategy relies on future performance assumptions rather than demonstrated compliance at the time of the approval.
 - b. The long-term habitat disruption and fragmentation; construction and on-going maintenance impacts within and adjacent to SEC areas; and uncertainty that mitigation measures will achieve required ecological function within the prescribed timeframe are identified as primary concerns that were not addressed in the decision.

Staff: The applicant provided a mitigation plan prepared by an ecologist which proposes enhancements to a 10,625 square feet area adjacent to the development site. The mitigation area was selected for its proximity to the impact area, existing degraded conditions, and suitability for restoration, including ease of access for maintenance and irrigation. Pursuant to MCC 39.5515(D)(3)(d) (ii), one native tree and one native shrub per 100 square feet of disturbance is required to be planted. The mitigation plan proposes 110 native trees and 321 native shrubs. The proposed restoration focuses on removing invasive species, establishing native vegetation, and improving ecological structure and function. In addition, the mitigation plan provides a framework for adaptive management, monitoring, and long-term maintenance (Exhibit A.20).

The Conditions of Approval related to the SEC-h overlay zone were included under Conditions 5.f – 5.h, 6.c, 5.i, and 7.b. These standard conditions were required pursuant to MCC 39.5540(E).

The Conditions of Approval related to the SEC-s overlay zone were included under Conditions 6.b, 6.d, and 7.b. These standards were required pursuant to MCC 39.5590(E).

3. Enforcement and practicality of Conditions of Approval.
 - a. Multiple approval criteria are deemed satisfied subject to future certifications, agency approvals, or compliance demonstrations. The appellant states an approval must be based on demonstrated compliance at the time of the decision.
 - b. County findings should clarify enforcement sequencing, cure periods, and decommissioning triggers for the tower.

Staff: All conditions of the land use decision must be met prior to the issuance of final permits through the City of Portland.

4. Failure to address public testimony and provide full record prior to appeal.
 - a. Neighbors provided substantive concerns regarding proximity to homes, long-term impacts, siting alternatives and human health considerations.

- b. Application exhibits were not provided prior to appeal.

Staff: The Opportunity to Comment was mailed on July 18, 2025 to the applicant, recognized neighborhood associations, and property owners within 750 feet of the subject property pursuant to MCC 39.1105(B). The notice also included contact information to request further information about the application materials. Comments received during the comment period are included in Exhibits D.1 – D.26. Staff identified the substantial concerns related to the specific approval criteria in the Multnomah County Code in the findings of the decision. Exhibits are available to the public at any time and the full record is available on our website prior to the hearing.

5. Improper reliance on federal guidelines.

- a. Decision relies on the Telecommunications Act of 1996 and related FCC guidance to dismiss health, proximity, and livability concerns raised by neighbors.
- b. NIER compliance alone cannot substitute for the least intrusive/technical feasibility.

Staff: In addition to the applicant’s radio frequency safety survey report addressing FCC guidelines, the application materials address the required wireless communication facility standards in MCC 39.7700 through 39.7765 (Exhibits A.3 & A.11).

4.0 Exhibits

- ‘A’ Applicant’s Exhibits
- ‘B’ Staff Exhibits
- ‘C’ Procedural Exhibits
- ‘D’ Comments Received

All exhibits are available for digital review by sending a request to LUP-comments@multco.us.

Exhibit #	# of Pages	Description of Exhibit	Date Received / Submitted
A.1	3	Application Form	5/14/2025
A.2	1	FirstNet Narrative	5/14/2025
A.3	12	Project Narrative (Revised)	11/03/2025
A.4	48	Statement of Code Compliance (Revised)	11/03/2025
A.5	2	Transportation Planning & Development Review Form	5/13/2025
A.6	6	Fire Service Agency Form	5/13/2025
A.7*	11	Plans a. Site Survey b. Survey Detail c. Grading, Drainage & Erosion Control Plan d. Drainage Plan e. Erosion Control Details f. Tree Removal & Retention Plan g. Landscape Plan h. Overall Site Plan i. Enlarged Site Plan Elevations	5/13/2025
A.8	36	Stormwater Drainage Control Certificate & Materials	5/13/2025

A.9	1	Smartlink Cover Letter	5/13/2025
A.10	20	Radiofrequency Location Justification Report (Revised)	11/03/2025
A.11	12	NEIR Report	5/13/2025
A.12	6	Photo Simulations	5/13/2025
A.13	1	Tower Design Loading Report	5/13/2025
A.14	3	Acoustical Report	5/13/2025
A.15	1	Co-Location Agreement Statement	5/13/2025
A.16	29	Fully Executed Lease Agreement	5/13/2025
A.17	6	Memorandum of Lease	5/13/2025
A.18	1	FAA TOWAIR Determination	5/13/2025
A.19	1	ODAV Determination Letter	5/13/2025
A.20	42	SEC Mitigation Plan Update	5/13/2025
A.21	12	Pre-Filing Meeting Notes (PF-2025-0002)	5/13/2025
A.22	1	Letter of Authorization	5/13/2025
A.23	1	AT&T Authorization of Smartlink Group	5/13/2025
A.24	1	Tax Map 1N1W16C	5/13/2025
A.25	27	Ownership and Encumbrance Report (Chain of Title)	04/23/2025
'B'	#	Staff Exhibits	Date
B.1	3	Assessment and Taxation Property Information for 1N1W16C-00100 (Alt Acct# R961160140 / Property ID# R324301)	5/13/2025
B.2	3	Assessment and Taxation Property Information for 1N1W16C-00400 (Alt Acct # R961160050 / Property ID# R324297)	5/13/2025
B.3	1	Current Tax Map	
B.4	1	Historic Zoning Map	10/24/2025
B.5	13	MUA Zoning Regulations from Zoning Ordinance 148 as amended September 6, 1977 (Rural Parts)	10/24/2025
'C'	#	Administration & Procedures	Date
C.1	2	Incomplete letter	6/10/2025
C.2	1	Complete letter (day 1)	7/11/2025
C.3	6	Opportunity to Comment	7/18/2025
C.4	2	Toll Request	8/18/2025
C.5	33	Decision	12/31/2025
C.6	3	T2-2025-0023 Appeal Hearing Notice	02/20/2026

C.7	9	Staff Report	03/03/2026
'D'	#	Comments	Date
D.1	2	Joseph Strelka	07/22/2025
D.2	2	Ashish Gaikwad	07/23/2025
D.3	2	Tony Alexander	07/24/2025
D.4	2	Gunjan Vaishnav	07/25/2025
D.5	2	Jason Childers	07/26/2025
D.6	2	Dan Reid	07/28/2025
D.7	2	Ishtmeet Singh	07/28/2025
D.8	2	Ellen Liao	07/31/2025
D.9	2	Frank Graziano	07/31/2025
D.10	2	Vishal Kappor	07/31/2025
D.11	2	Sarah Beachy	07/31/2025
D.12	2	Tarsh H	08/01/2025
D.13	2	Sujesh Kaimalangara	08/01/2025
D.14	2	Sudheer Pinnamaneni	08/01/2025
D.15	2	Sookyung Choi	08/01/2025
D.16	2	Srikanth Kamiseti	07/31/2025
D.17	2	Solvig Kwei	08/01/2025
D.18	2	Saravanan Sethuraman	08/01/2025
D.19	2	Ranjit Venugopal	8/01/2025
D.20	2	Rajib Ray	8/01/2025
D.21	2	Nesli Sener	8/01/2025
D.22	2	Milan Shah	8/01/2025
D.23	2	Mallikarjun Bellundagi	8/01/2025
D.24	2	Madhusudan Rajan	8/01/2025
D.25	2	Josh Beachy	07/31/2025
D.26	2	Janice Kuo	8/01/2025
D.27	2	Briana Song	8/01/2025
D.28	11	Notice of Appeal	01/14/2026
D.29	8	Notice of Appeal	01/14/2026