

NOTICE OF PUBLIC HEARING

This notice concerns a public hearing scheduled to consider the Code Case described below.

Code Case File: CCPR1-2025-0003

Scheduled before one of the County's Hearing's Officer on **Friday, May 29th, 2026 at 10:30 a.m.** via virtual hearing. Virtual Hearing Instructions may be found at www.multco.us/landuse/public-notice.

This Hearing will be open to the public. Interested parties may contact our office to register for this event. Please provide your name, phone number, and email address either by phone to 503-988-3043 or by email to LUP-hearings@multco.us **no later than noon on Thursday, May 28th.**

SUBJECT OF THE HEARING: Appeal of Notice of Violation – Unpermitted ground disturbing activity and unpermitted development within the Significant Environmental Concern Stream (SEC-s) overlay

LOCATION: 12424 NW Springville Rd, Portland, OR and adjacent properties

Map, Tax lot:	Alt. Acct. #
1N1W15C -00600,	R961150770,
1N1W16D -02800,	R961160130,
1N1W16D -03100	R961160590

APPELLANT: Scott Reed

OWNER(s): Scott and Stacy Reed

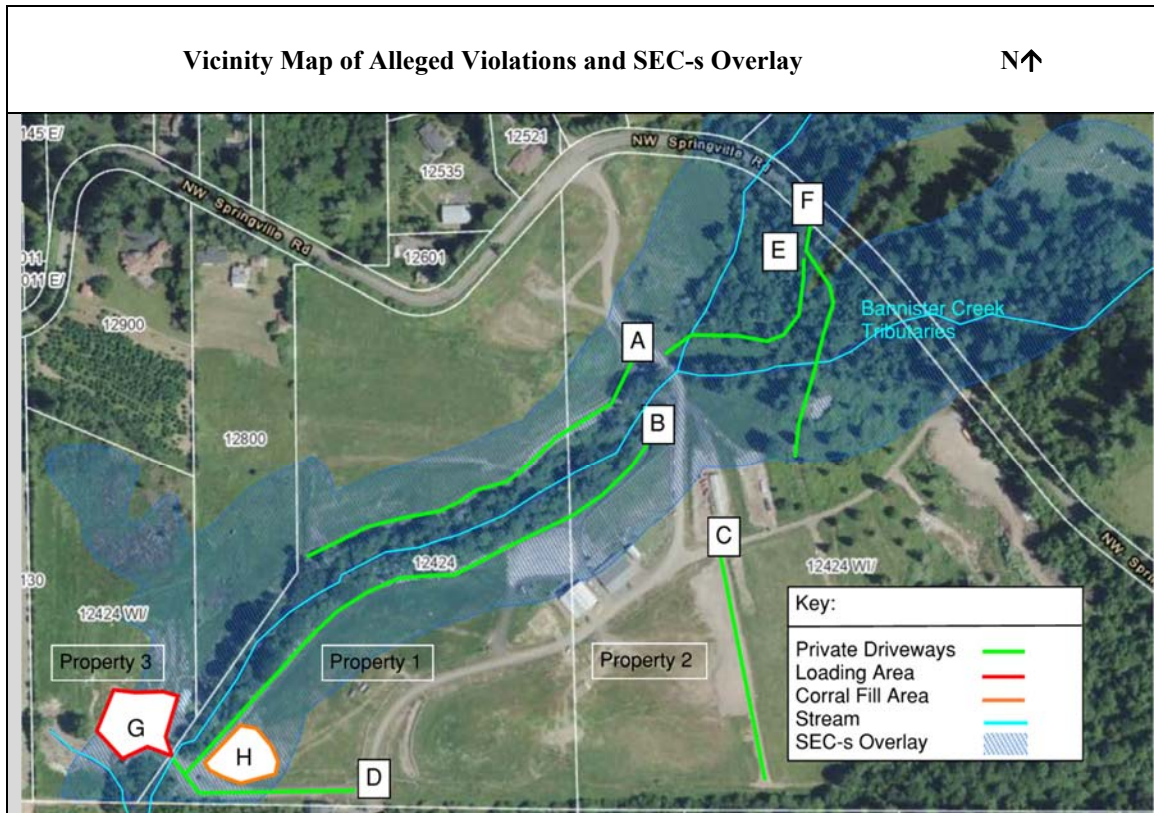
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- ❖ **PUBLIC PARTICIPATION AND HEARING PROCESS:** A copy of the Notice of Violation (NOV), Staff Report, and all evidence submitted in support of the NOV is available for inspection, at no cost, by contacting LUP-hearings@multco.us or by visiting our website at www.multco.us/landuse/hearings-officer. Paper copies of all documents may be purchased at the rate of \$0.71/page. For further information on this case, contact LUP-hearings@multco.us.

All interested parties may appear and testify virtually or submit written comment on the NOV at or prior to the hearing. Comments should address either support of, or opposition to, the specific violation(s) of Multnomah County Code being appealed; and must be received prior to the close of the public hearing record. The hearing procedure will follow the Hearings Officer's *Rules of Procedure* and will be explained at the hearing. must be received

prior to the close of the public hearing. The hearing procedure will follow the Hearing Officer's Rules of Procedure and will be explained at the hearing.

The Hearings Officer may announce a decision at the close of the hearing or on a later date, or the hearing may be continued to a time certain. Notice of the decision will be mailed to the hearing participants, usually within 10 days of the announcement. A decision by the Hearings Officer may be appealed by the appellant, the County, or any aggrieved

party to the Oregon Circuit Court, or the Columbia River Gorge Commission if the property in violation is located in the Columbia River Gorge National Scenic Area.



❖ **APPLICABLE ENFORCEMENT CRITERIA** [Multnomah County Code (MCC)]:

Violations, Enforcement and Fines: MCC 39.1530 Notice of Violation, Abatement, Fine and Right to Appeal, and 39.1550 Appeal.

Base Zone: MCC 39.4215 Exclusive Farm Use (EFU) Uses

Permit Requirements: MCC 39.6210 Ground Disturbing Activity and Stormwater - Permits Required; and MCC 39.5510 Significant Environmental Concern (SEC) Overlays - Permits Required

Copies of the referenced Multnomah County Code sections are available by contacting our office at (503) 988-3043 or by visiting our website at <https://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**.

Notice to Mortgage, Lien Holder, Vendor, or Seller:

ORS Chapter 215 requires that if you receive this notice, it must be promptly forwarded to the purchaser.

March 5, 2026

Scott and Stacy Reed (Owners/Respondents)
13305 NW Cornell Rd Ste C
Portland, OR 97229

Subject Property: 12424 NW Springville Rd, Portland, OR 97229
Map Tax Lot: 1N1W15C -00600, 1N1W16D -02800,
1N1W16D -03100
Alt. Tax Account #: R961150770, R961160130, R961160590

Zoning: Exclusive Farm Use (EFU)
Affected Overlay(s) Significant Environmental Concern – Stream (SEC-s)

Code Case #: CCPR1-2025-0003

Multnomah County)
) **NOTICE OF CIVIL VIOLATION**
 v.)
) **Zoning Violation CCPR1-2025-0003**
Scott and Stacy Reed)

I. **NATURE OF VIOLATION: Respondents have engaged in the following activity relevant to this Notice of Civil Violation (NCV):**

A. Ground Disturbing Activity

1. Respondents conducted or allowed to be conducted filling related to the development of four private driveways (A, B, C and D), a loading area (G), and ground preparation for a corral (H) in violation of MCC 39.6210.
2. MCC 39.6210 requires a permit for all ground disturbing activities, including filling and excavation, unless exempt.
3. Filling related to farming practice is not exempt from permit requirements for ground disturbing activity. MCC 39.6215(F).
4. Respondents assert that the development of the private driveways, the loading area, and ground preparation for a corral are farming practices.
5. Respondents engaged in filling, which is not exempt under MCC 39.6215(F), even if done in support of farming practices.

6. Respondents do not have a permit authorizing ground disturbing activity.

B. Significant Environmental Concern – Stream (SEC-s)

1. Respondents conducted or allowed to be conducted excavation, filling or a combination thereof related to the development of five private driveways (A, B, D, E and F), a loading area (G), and ground preparation for a corral (H) within the SEC-s overlay of the subject properties in violation of MCC 39.5510.
2. MCC 39.5510 requires a permit for development within SEC overlays, including the SEC-s overlay, unless exempt.
3. Within the Metro 2009 jurisdictional boundary, an SEC-s permit is required for development associated with farm practices and agricultural uses other than agricultural fences. MCC 39.5515(B)(2).
4. The subject properties are located within the Metro 2009 jurisdictional boundary.
5. Respondents assert that the development of the private driveways, the loading area, and ground preparation for a corral are farming practices.
6. Respondents engaged in development within the SEC-s consisting of excavation, filling or a combination thereof, which is not exempt under MCC 39.5515(B)(2), even if done in support of farming practices.
7. Furthermore, change, alteration, or expansion of a lawfully established use that increases ground coverage in excess of 400 square feet is not exempt from SEC-s permit requirements. MCC 39.5515(A)(4)(b).
8. Activities that change the size, scope and configuration of a roadway or driveway beyond the original design are not “maintenance” exempt from SEC permit requirements. MCC 39.5515(A)(9); MCC 39.2000.
9. Respondents claim to be conducting maintenance of existing farm roads.
10. Respondents engaged in development of driveways that increased the ground coverage of any existing roads within the SEC-s overlay of the subject properties in excess of 400 square feet, which is not exempt under MCC 39.5515(A)(4)(b).
11. Respondents do not have a permit authorizing development within the SEC-s overlay.

II. **CIVIL FINES:** Pursuant to MCC 39.1560 and, as applicable, MCC 39.1545 and 39.1550, the following civil fines will be recommended to a County Hearings Officer for imposition on Respondent based on the activity described in Section 1:

- A. **CONTINUING CIVIL FINE** of **\$525.⁰⁰ per day (the total of two daily civil fines of \$210.⁰⁰ and \$315.⁰⁰)** beginning on the date of the Hearings officer Final Order and continuing until the violations are corrected,

except that the civil fine shall not accrue from the time that an application seeking to resolve the below violations is received by the Land Use Planning office and until a written determination is made on that application or the application is withdrawn by the applicant.

- B. The acts described in Section I of this NOV constitute a violation of MCC 39.6210 (requiring a permit for ground disturbing activity) and MCC 39.5510 (requiring a permit for development within Significant Environmental Concern overlays).

NOTE: Payment of the civil fines does not relieve you of the requirement to correct the violations. MCC 39.1530(B).

III. **COMPLIANCE ACTIONS:** Pursuant to MCC 39.1530 and, as applicable, MCC 39.1545 and 39.1550, the following actions will be recommended to a County Hearings Officer for inclusion in a final order requiring Respondents' compliance:

- A. **Immediately** cease all unpermitted development, including ground disturbing activity and development within the SEC-s overlay, until such time that an application for the necessary permits is approved by the County.
- B. Of the following:
 - 1. Submit to the Land Use Planning office an application seeking approval for the ground disturbing activity and development within the SEC-s overlay.
 - OR-
 - 2. Remove all earthen and non-earthen materials deposited on the subject properties in order to develop the four private driveways, the loading area, and ground preparation for a corral, and return the properties to their pre-development condition.
- C. Of the following:
 - 1. If the required permit application(s) are approved: Complete all work and conditions of approval required by the permit application approval in the timeline specified by the approval.
 - OR-
 - 2. If the required permit application(s) are not approved and you have either accepted the decision or have utilized all appeal rights provided by relevant code and statute, then the following needs to be undertaken: **Within 15 days of the final decision**, schedule and attend a meeting with staff from the Code Compliance and Land Use Planning offices to discuss the options available for moving forward with the resolution of this compliance case.

- IV. **APPEAL RIGHTS:** Pursuant to MCC 39.1530 and MCC 39.1550, **you may appeal** this Notice of Civil Violation to a County Hearings Officer. To appeal, you must complete and return the enclosed Notice of Violation Appeal form together with payment of the \$250.00 appeal fee payable to “Multnomah County” **within 14 days of** the date of this notice to:

Code Compliance
Land Use Planning Division
1600 SE 190th Avenue
Portland, OR 97233

If you do not appeal, the Multnomah County Code Compliance Specialist will forward this Notice to the County Hearings Officer pursuant to MCC 39.1545 for review and final determination of the validity of the alleged violations and any civil fine and other recommended actions.

IT IS SO ORDERED:
MARGI BRADWAY, DIRECTOR OF MULTNOMAH COUNTY
DEPARTMENT OF COMMUNITY SERVICES

Megan Gibb

Megan Gibb
Planning Director
Land Use Planning Division

Enclosures:

Fine Calculation Form
Appeal of Notice of Violation Form
Map of Violations