



Site plan for T1-2017-8544 / BP-2017-9730

10 messages

LUT Code Compliance <lut.compliance@multco.us>
To: Scott Reed <springwoodacresfarm@gmail.com>

Tue, Jun 24, 2025 at 1:12 PM

Heidi Konopnicki

Multnomah County Code Compliance Program
Land Use Planning | Right-of-Way | Solid Waste & Recycling
1600 SE 190th Avenue, Suite 116
Portland, Oregon 97233
503-988-0184

11-17-2017.pdf
2075K

LUT Code Compliance <lut.compliance@multco.us>
To: Scott Reed <springwoodacresfarm@gmail.com>

Tue, Jun 24, 2025 at 1:12 PM

Multnomah County Code Compliance Program
Land Use Planning | Right-of-Way | Solid Waste & Recycling
E: lut.compliance@multco.us
W: multco.us/code-compliance
Compliance Hotline: (503) 988-5508
*Please note that the Compliance Hotline is not answered live.

[Quoted text hidden]

T1-2017-8544 GEC permit.pdf
1930K

Scott Reed <springwoodacresfarm@gmail.com>
To: LUT Code Compliance <lut.compliance@multco.us>

Tue, Jun 24, 2025 at 1:16 PM

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Aerial

On Tue, Jun 24, 2025 at 1:12 PM LUT Code Compliance <lut.compliance@multco.us> wrote:

[Quoted text hidden]
This email was encrypted for your privacy and security

--
Thanks,
Scott Reed
Springwood Acres Farm LLC
12424 NW Springville Road
Portland, OR 97229
(914) 391-6995

2 attachments

1936_wvp_4430_4435.jpg 4,199x4,199 pixels.pdf
7349K

1947_dfr_1d-46.jpg 3,108x3,108 pixels.pdf
3934K

Scott Reed <springwoodacresfarm@gmail.com>
To: LUT Code Compliance <lut.compliance@multco.us>

Tue, Jun 24, 2025 at 7:28 PM

External Sender - Be Suspicious of Attachments, Links, and Requests for Payment or Login Information.

Heidi,

Thanks for the call today regarding the stop work order/red tag on my farm. I wanted to recite the points below we discussed today and make sure I didn't miss anything. Please let me know if you think any edits are needed to the three points below.

1. No farm practice or farm use is allowed in the SEC-S overlay (2009 Metro Jurisdictional Boundary, SEC 39.5515 (B)(2)) unless a permit is received first from the Multnomah County Land Use Department.
2. In order to replace an existing corral on a farm with a larger corral and disturb any ground (clear ground, even/level ground, or drill fence post holes) within the SEC-S Overlay a permit from the Multnomah County Land Use Department is required.
3. Multnomah County Code Enforcement does not recognize any existing farm road as allowable for use or maintenance if the existing farm road is in SEC-S overlay regardless if the road has been in use for 1 year or 100 years on the farm. All existing unpermitted farm roads in SEC-S overlays must be removed immediately, if brought to the attention of Multnomah County Code Enforcement by an anonymous caller.

Also, please send me the DCS information to get information on the person making these complaints.

Thanks,
SCOTT
[Quoted text hidden]

[Quoted text hidden]

LUT Code Compliance <lut.compliance@multco.us>
 To: Scott Reed <springwoodacresfarm@gmail.com>

Wed, Jun 25, 2025 at 8:23 AM

Hi Scott,

Instructions for making a Code Compliance records request are available at <https://multco.us/info/request-public-records>.

Thank you.

Heidi Konopnicki

Multnomah County Code Compliance Program
 Land Use Planning | Right-of-Way | Solid Waste & Recycling
 1600 SE 190th Avenue, Suite 116
 Portland, Oregon 97233
 503-988-0184

[Quoted text hidden]

Scott Reed <springwoodacresfarm@gmail.com>
 To: LUT Code Compliance <lut.compliance@multco.us>

Fri, Jun 27, 2025 at 6:57 AM

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Heidi,

I wanted to follow up on my email from Tuesday. Please let me know if I missed anything on the three points we discussed. This stop work order/red tag is a large problem for our farm and it is putting the health of my livestock in danger. Thanks for your prompt attention.

Thanks, SCOTT

On Jun 24, 2025, at 7:28 PM, Scott Reed <springwoodacresfarm@gmail.com> wrote:

[Quoted text hidden]

LUT Code Compliance <lut.compliance@multco.us>
 To: Scott Reed <springwoodacresfarm@gmail.com>, Anna Shank-Root <anna.shank-root5@multco.us>
 Bcc: Kevin Cook <kevin.c.cook@multco.us>

Tue, Jul 1, 2025 at 11:43 AM

Hi Scott, I've done my best to respond to these statements. Each property is unique, so I can't really speak to how the code would be interpreted for all farm properties.

1. No farm practice or farm use is allowed in the SEC-S overlay (2009 Metro Jurisdictional Boundary, SEC 39.5515 (B)(2)) unless a permit is received first from the Multnomah County Land Use Department.

Response: In this scenario, we would apply the criteria of MCC Section 39.5515 Exceptions, as written, to determine if an SEC permit is required.

(B) Farm use, as defined in ORS 215.203(2)(a), including buildings and structures accessory to a farm use do not require an SEC permit except in the following situations:

- (1) Within the West of Sandy River Planning Area, an SEC-wr and/or SEC-sw permit is required for agricultural buildings, structures and development associated with farm practices and agricultural uses, except that agricultural fences shall not require an SEC-wr and/or SEC-sw permit.
- (2) Within Metro's 2009 jurisdictional boundary, an SEC-s permit is required for agricultural buildings, structures and development associated with farm practices and agricultural uses, except that agricultural fences shall not require an SEC-s permit.

2. In order to replace an existing corral on a farm with a larger corral and disturb any ground (clear ground, even/level ground, or drill fence post holes) within the SEC-S Overlay a permit from the Multnomah County Land Use Department is required.

Response: In this scenario, we would apply the SEC-specific criteria of MCC 39.5510 Permits Required and 39.5515 Exceptions to determine if an SEC permit is required to expand the corral, as well as the Ground Disturbing Activity-criteria outlined under MCC 39.6210 Permits Required and MCC 39.6215 Exemptions... to determine if a permit is required for ground disturbance. Other code sections may be applicable depending on the location of the property, the base zone, and the environmental overlays within the disturbed area, and could result in other permit requirements.

3. Multnomah County Code Enforcement does not recognize any existing farm road as allowable for use or maintenance if the existing farm road is in SEC-S overlay regardless if the road has been in use for 1 year or 100 years on the farm. All existing unpermitted farm roads in SEC-S overlays must be removed immediately, if brought to the attention of Multnomah County Code Enforcement by an anonymous caller.

Response: I can't think of any scenario where this would be accurate. MCC Section 39.5515(B)(2), discussing SEC permit requirements for farm practices and agricultural uses within the SEC-s overlay, is only applicable to properties within Metro's 2009 jurisdictional boundary. In general, if we receive a complaint, Code Compliance conducts an investigation to confirm if the allegations can be verified. If active development or change in use is observed, we would apply the criteria from current Multnomah County Code and Road Rules to determine if a permit is required. If the development or use was established previously, and has not been altered since it was established, then we would review the code (if any) that was in effect at the time that the development/use was established to determine if a permit would have been required at that time. If we determine that a permit would be required in either scenario, then we will provide the property owner/responsible party with an opportunity to submit an application to potentially permit the non-permitted development/use.

Scott, when we spoke last week, you indicated that the ground disturbance observed within the mapped SEC-s overlay on the southwest corner of property R961160130 is associated with a plan to replace an existing corral with a larger corral. You also indicated that the corral is needed to separate male/female stock. However, once the proposed agricultural building is built on property R961160590, you would be able to house/separate the stock in that building rather than the corral. The ag building is proposed to be placed entirely outside of the SEC-s overlay. For this reason, I suggested that you contact Anna Shank-Root who is assigned to that application review, to determine the status of the application and whether the review can be completed prior to bringing the property into full compliance. I'm cc'ing Anna here for awareness.

Thank you.

Heidi Konopnicki

Multnomah County Code Compliance Program
 Land Use Planning | Right-of-Way | Solid Waste & Recycling
 E: lut.compliance@multco.us
 P: (503) 988-0184

[Quoted text hidden]

Scott Reed <springwoodacresfarm@gmail.com>
 To: LUT Code Compliance <lut.compliance@multco.us>
 Cc: Anna Shank-Root <anna.shank-root5@multco.us>

Tue, Jul 1, 2025 at 12:48 PM

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Heidi- Thanks for the detailed responses. See my conclusions/take aways in **bold** font. Please let me know if you disagree. Thanks, SCOTT

On Tue, Jul 1, 2025 at 11:43 AM LUT Code Compliance <lut.compliance@multco.us> wrote:

Hi Scott, I've done my best to respond to these statements. Each property is unique, so I can't really speak to how the code would be interpreted for all farm properties.

1. No farm practice or farm use is allowed in the SEC-S overlay (2009 Metro Jurisdictional Boundary, SEC 39.5515 (B)(2)) unless a permit is received first from the Multnomah County Land Use Department. **Farm use is allowed in SEC-S overlay (permit needed for buildings and structures) without a permit. Agricultural fences, including corrals, can be built in the SEC-S overlay without a permit. Farm use (ORS 215.203(2)(a) allows for on-site construction and maintenance of equipment and facilities. Therefore, agricultural farm road can be maintained without a permit.**

Response: In this scenario, we would apply the criteria of MCC Section 39.5515 Exceptions, as written, to determine if an SEC permit is required.

(B) Farm use, as defined in ORS 215.203(2)(a), including buildings and structures accessory to a farm use do not require an SEC permit except in the following situations:

(1) Within the West of Sandy River Planning Area, an SEC-wr and/or SEC-sw permit is required for agricultural buildings, structures and development associated with farm practices and agricultural uses, except that agricultural fences shall not require an SEC-wr and/or SEC-sw permit.

(2) Within Metro's 2009 jurisdictional boundary, an SEC-s permit is required for agricultural buildings, structures and development associated with farm practices and agricultural uses, except that agricultural fences shall not require an SEC-s permit.

2. In order to replace an existing corral on a farm with a larger corral and disturb any ground (clear ground, even/level ground, or drill fence post holes) within the SEC-S Overlay a permit from the Multnomah County Land Use Department is required. **A corral is set of fences and gates used to manage livestock. Inherent in all fence construction is some dirt work. Therefore, a permit is not required to install agricultural fences in the SEC-S overlay.**

Response: In this scenario, we would apply the SEC-specific criteria of MCC 39.5510 Permits Required and 39.5515 Exceptions to determine if an SEC permit is required to expand the corral, as well as the Ground Disturbing Activity-criteria outlined under MCC 39.6210 Permits Required and MCC 39.6215 Exemptions... to determine if a permit is required for ground disturbance. Other code sections may be applicable depending on the location of the property, the base zone, and the environmental overlays within the disturbed area, and could result in other permit requirements.

3. Multnomah County Code Enforcement does not recognize any existing farm road as allowable for use or maintenance if the existing farm road is in SEC-S overlay regardless if the road has been in use for 1 year or 100 years on the farm. All existing unpermitted farm roads in SEC-S overlays must be removed immediately, if brought to the attention of Multnomah County Code Enforcement by an anonymous caller. **Your response is confusing. Are you telling me the 100 year old farm roads in the SEC-S are code violations and need to be removed?**

Response: I can't think of any scenario where this would be accurate. MCC Section 39.5515(B)(2), discussing SEC permit requirements for farm practices and agricultural uses within the SEC-s overlay, is only applicable to properties within Metro's 2009 jurisdictional boundary. In general, if we receive a complaint, Code Compliance conducts an investigation to confirm if the allegations can be verified. If active development or change in use is observed, we would apply the criteria from current Multnomah County Code and Road Rules to determine if a permit is required. If the development or use was established previously, and has not been altered since it was established, then we would review the code (if any) that was in effect at the time that the development/use was established to determine if a permit would have been required at that time. If we determine that a permit would be required in either scenario, then we will provide the property owner/responsible party with an opportunity to submit an application to potentially permit the non-permitted development/use.

Scott, when we spoke last week, you indicated that the ground disturbance observed within the mapped SEC-s overlay on the southwest corner of property R961160130 is associated with a plan to replace an existing corral with a larger corral. You also indicated that the corral is needed to separate male/female stock. However, once the proposed agricultural building is built on property R961160590, you would be able to house/separate the stock in that building rather than the corral. The ag building is proposed to be placed entirely outside of the SEC-s overlay. For this reason, I suggested that you contact Anna Shank-Root who is assigned to that application review, to determine the status of the application and whether the review can be completed prior to bringing the property into full compliance. I'm cc'ing Anna here for awareness. **We still need the corral to tag, vaccinate, trim, and load out the goats. This Saturday me and my young boys had to load up 5 male bucks without a corral and it was very dangerous. These bucks are 100-200 pounds and very strong with horns.**

[Quoted text hidden]

[Quoted text hidden]



Site plan for T1-2017-8544 / BP-2017-9730

LUT Code Compliance <lut.compliance@multco.us>
To: Scott Reed <springwoodacresfarm@gmail.com>
Cc: Anna Shank-Root <anna.shank-root5@multco.us>
Bcc: Kevin Cook <kevin.c.cook@multco.us>

Thu, Aug 7, 2025 at 3:01 PM

Scott, I'm glad to hear that the ESC permit and registration were issued for the new ag building. I wanted to clarify that we do consider the ground disturbing activity identified in the June 12 Request for Voluntary Compliance (RVC) (attached) to still be non-permitted development, and the deadlines outlined in that notice to still be in effect.

In your last reply, you commented that agricultural fences are considered to be an exception to SEC-s permit requirements for your properties, per 39.1151(B)(2). If the corral that you will be placing within the SEC-s overlay only consists of fencing, then the corral structure would not require an SEC permit. However, the exception for agricultural fences listed under 39.5515(B)(2) does not include associated dirt work. Therefore, the ground disturbing activity that has already occurred in that location would require a permit.

You have indicated that the farm roads on your property are existing, and are only being maintained. In historic aerial photos, there does appear to be areas where there are exposed dirt tracks running parallel to the stream, that would likely be considered existing farm roads. You give an example of an existing 100-year old farm road within the SEC-s overlay and ask whether that road would be a code violation that the County would require to be removed. In this example, the farm road would have been established prior to SEC-s permit requirements and would not be considered a code violation, nor would we require removal of that farm road. The 100-year old farm road could be maintained without an SEC permit, per the exceptions outlined in 39.5515. Multnomah County would only require further permitting in relation to the existing 100-year old farm road if the activity that is occurring is not consistent with the permit exceptions outlined in our code. More specific to your property:

Per 39.5515 (A)(9), an SEC-s permit would not be required for "Routine repair and maintenance of structures, roadways, driveways, utility facilities, and landscaped areas that are lawfully established". MCC 39.2000 defines maintenance as " An activity that restores the size, scope, configuration, and design of a serviceable structure to its previously authorized and undamaged condition. Activities that change the size, scope and configuration of a structure beyond its original design are not included".

Based on available aerial photos of your properties from 2019 to 2024, there appears to have been a change in the size, scope and configuration of the existing farm roads and the parking area located within the SEC-s overlay on your property, so we would not consider the activity within the SEC-s to be exempt from permit requirements based on this criterion.

MCC 39.5515 (A)(4)(b) further exempts from SEC-s permit requirements: "(4) Change, alteration, or expansion of a lawfully established use or structure provided that: (b) Within the SEC-h, SEC-wr and SEC-s, there is no change to, or alteration or expansion of, the structure's or a driveway's ground coverage in excess of 400 square feet. With respect to expansion, this exception does not apply on a project-by-project basis, but rather applies on a cumulative basis to all expansions after the issuance of the original permit for the construction of the structure".

Based on available aerial photos of your properties from 2019 to 2024, there appears to have been alteration or expansion of the farm roads(s) and parking areas within the SEC-s overlay exceeding 400 sq ft of ground coverage, so we would not consider the activity within the SEC-s to be exempt from permit requirements based on the criterion.

Based on the proximity of the activity in relation to the to the top bank of the protected water feature, it seems likely that you will need to obtain a Type 2 SEC permit, which requires a pre-filing meeting. The RVC letter indicates that the deadline to request a pre-filing meeting is 09/12/2025.

Thank you.
[Quoted text hidden]

20250612_CCPR1-2025-0003 RVC.pdf
1772K



Site plan for T1-2017-8544 / BP-2017-9730

Scott Reed <springwoodacresfarm@gmail.com>
 To: LUT Code Compliance <lut.compliance@multco.us>
 Cc: Anna Shank-Root <anna.shank-root5@multco.us>, Multnomah County Farm Bureau <multnomahcfb@gmail.com>

Fri, Aug 8, 2025 at 1:14 PM

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Heidi- Thanks for the follow up email. Below are my responses in **bold**. Thanks, SCOTT

On Thu, Aug 7, 2025 at 3:02 PM LUT Code Compliance <lut.compliance@multco.us> wrote:

Scott, I'm glad to hear that the ESC permit and registration were issued for the new ag building. **Thank you!** I wanted to clarify that we do consider the ground disturbing activity identified in the June 12 Request for Voluntary Compliance (RVC) (attached) to still be non-permitted development, and the deadlines outlined in that notice to still be in effect.

In your last reply, you commented that agricultural fences are considered to be an exception to SEC-s permit requirements for your properties, per 39.1151(B)(2). If the corral that you will be placing within the SEC-s overlay only consists of fencing, then the corral structure would not require an SEC permit. However, the exception for agricultural fences listed under 39.5515(B)(2) does not include associated dirt work. Therefore, the ground disturbing activity that has already occurred in that location would require a permit. **I think you are miss applying County development grading/"dirt work" code to a EFU property and "farm uses". Can you show me one permit that the County has every issued since 1961 to a farm for "dirt work" on a corral? There are thousands of corrals in Multnomah County, certainly you can provide one grading permit for a corral if you are correct.**

You have indicated that the farm roads on your property are existing, and are only being maintained. In historic aerial photos, there does appear to be areas where there are exposed dirt tracks running parallel to the stream, that would likely be considered existing farm roads. You give an example of an existing 100-year old farm road within the SEC-s overlay and ask whether that road would be a code violation that the County would require to be removed. In this example, the farm road would have been established prior to SEC-s permit requirements and would not be considered a code violation, nor would we require removal of that farm road. The 100-year old farm road could be maintained without an SEC permit, per the exceptions outlined in 39.5515. Multnomah County would only require further permitting in relation to the existing 100-year old farm road if the activity that is occurring is not consistent with the permit exceptions outlined in our code. **I agree.** More specific to your property:

Per 39.5515 (A)(9), an SEC-s permit would not be required for "Routine repair and maintenance of structures, roadways, driveways, utility facilities, and landscaped areas that are lawfully established". MCC 39.2000 defines maintenance as " An activity that restores the size, scope, configuration, and design of a serviceable structure to its previously authorized and undamaged condition. Activities that change the size, scope and configuration of a structure beyond its original design are not included".

Based on available aerial photos of your properties from 2019 to 2024, there appears to have been a change in the size, scope and configuration of the existing farm roads and the parking area located within the SEC-s overlay on your property, so we would not consider the activity within the SEC-s to be exempt from permit requirements based on this criterion. **You are incorrect in that any new roads have not been permitted. The new farm roads received TWO previous grading permits from the County in the last 10 years. All other farm roads are 70+ years old.**

MCC 39.5515 (A)(4)(b) further exempts from SEC-s permit requirements: "(4) Change, alteration, or expansion of a lawfully established use or structure provided that: (b) Within the SEC-h, SEC-wr and SEC-s, there is no change to, or alteration or expansion of, the structure's or a driveway's ground coverage in excess of 400 square feet. With respect to expansion, this exception does not apply on a project-by-project basis, but rather applies on a cumulative basis to all expansions after the issuance of the original permit for the construction of the structure".

Based on available aerial photos of your properties from 2019 to 2024, there appears to have been alteration or expansion of the farm roads(s) and parking areas within the SEC-s overlay exceeding 400 sq ft of ground coverage, so we would not consider the activity within the SEC-s to be exempt from permit requirements based on the criterion.

You are incorrect in that any new roads have not been permitted. The new farm roads received TWO previous grading permits from the County in the last 10 years. All other farm roads are 70+ years old.

Based on the proximity of the activity in relation to the to the top bank of the protected water feature, it seems likely that you will need to obtain a Type 2 SEC permit, which requires a pre-filing meeting. The RVC letter indicates that the deadline to request a pre-filing meeting is 09/12/2025.

I think you should examine how many farm road permits the County has given out over the last 20 years. I suspect the number is near zero, except for my farm. But how could that be if farms/forests are the largest land use in the County and all farms have farm roads. Because I feel like you are trying to bully me into doing something that no other farm has to do because of complaints from Susan Andrews and Carol Chesarek. Is picking on one of the last working farms in western Multnomah County a good use of Code Compliances time? Or should Code Compliance work on things that the majority of taxpayers in the County want fixed- graffiti, abandoned RVs, homeless camps, etc. ?

Every time the County goes after this farm it loses once it gets to Circuit Court or a Hearings Officer. It will be the same with this bogus Red Tag (three previous Red Tags were removed). You should focus more on how you should help the few remaining working farms in western Multnomah County instead of attacking them.

Best,
 SCOTT

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[Quoted text hidden]



Site plan for T1-2017-8544 / BP-2017-9730

Scott Reed <springwoodacresfarm@gmail.com>

Sun, Aug 17, 2025 at 12:35 PM

To: LUT Code Compliance <lut.compliance@multco.us>

Cc: Anna Shank-Root <anna.shank-root5@multco.us>, Multnomah County Farm Bureau <multnomahcfb@gmail.com>, Megan Gibb <megan.gibb@multco.us>

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Heidi,

We loaded out 6 more bucks this weekend without the corral (red tag). We had a minor injury and got lucky. But if this red tag stays in place much longer, I think someone is going to get seriously injured or killed. These bucks are 200-300 pounds and have horns. Wrangling the bucks and loading them without a corral is extremely dangerous.

The County needs to realize that a corral is a standard farm use and remove this ridiculous red tag.

Very concerned,
Scott Reed

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