



Rithy Khut <rithy.khut@multco.us>

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**T3-2024-0007 [Community Service Condition Use, Lot of Record Verification, Significant Environmental Concern for Streams (SEC-s), Design Review, Erosion and Sediment Control (ESC)] - Incomplete Letter**

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Rithy Khut <rithy.khut@multco.us>  
To: Peter Fry <peter@finleyfry.com>  
Cc: dflood@corbettfire.com

Wed, Nov 20, 2024 at 4:06 PM

Hello Peter Finley Fry,

Thank you for submitting the land use application on the property located at **31727 E Hist Columbia River Hwy, Troutdale**. Your application has been reviewed by Land Use Planning to determine if all required materials have been provided to demonstrate compliance with Multnomah County Code. At this time, your application has been deemed as Incomplete as of **Wednesday, November 20, 2024**.

Attached you will find a letter that discusses what items are required in order for the County to review, process, and issue your permit. I also included an enclosure:

1. Applicant Response - Please fill this out and return it before **Thursday, December 19, 2024**.

If you have any questions or comments, please let me know.

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**Notes:**

- **I am currently on intermittent parental leave. My work schedule is Monday through Thursday. I do not work on Fridays.**

Rithy Khut | Land Use Planner

*I use the gender pronouns he / him / his*

Land Use Planning Division

Multnomah County Department of Community Services

(503) 988-0176 | <https://multco.us/landuse/> | Questions? Schedule an [appointment](#).

**Disclaimers:**

- *The following statements are not a land use decision and should not be relied upon as such.*
- *This email is a public record of Multnomah County and is subject to public inspection unless exempt from disclosure under Oregon Public Records Law. This email is also subject to the County's Public Records Retention Schedule.*

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2 attachments

Exhibit C.1



**T3-2024-0007 Case Status Letter - Incomplete.pdf**

311K



**T3-2024-0007 - Applicant Response.pdf**

244K

# CASE STATUS LETTER

Land Use Planning Division



www.multco.us/landuse ■ Email: land.use.planning@multco.us ■ Phone: (503) 988-3043

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November 20, 2024

Peter Finley Fry  
303 NW Uptown Ter. Unit: #1B  
Portland, OR 97210

**RE: Application for Community Service Condition Use, Lot of Record Verification, Significant Environmental Concern for Streams (SEC-s), Design Review, and Erosion and Sediment Control (ESC) permits (Case #T3-2024-0007)**

Dear Applicant:

Thank you for submitting the land use application for the property located at **31727 E Hist Columbia River Hwy, Troutdale**. As is common with applications subject to multiple approval criteria, additional information is needed to process your application. At this time, your application has been deemed **Incomplete** as of **Wednesday, November 20, 2024**.

## Information and Materials Requested:

1. **Procedures - Erosion and Sediment Control (ESC):** As required a complete list of permit approvals is required; however, it is unclear if you are requesting an Erosion and Sediment Control (ESC) permit at this time or if you will be deferring the Type 1 Application until after the Type 3 Decision is issued and finalized [MCC 39.1130]. In reviewing your application, no narrative was provided addressing the ESC permit approval criteria in MCC 39.6225. In most cases, an applicant will defer the Type 1 request until after the Type 3 permits have been issued and finalized as the project can potentially change during the Type 3 process.
  - a. **Please clarify if you are requesting a Type 1 Erosion and Sediment Control (ESC) permit. If you are deferring the request, you will need to update your Application to remove Erosion and Sediment Control (ESC) permit. A refund will be provided or a credit will be available for resubmittal of a standalone Type 1 Erosion and Sediment Control (ESC) permit.**
2. **Procedures – Adjustment/Variance:** Development is proposed within the setbacks. As shown on the Sheet C.200, a retaining wall is located within the side yard (near the east lot line) and an unidentified structure is in the front yard. As required by MCC 39.4575(C), the minimum yard setbacks are 10 feet from a side lot line and 30 feet from the front lot line; unless it can be shown to meet the allowances in MCC 39.4575(C)(1) or the structure is less than 30 inches in height. If the structures cannot meet those allowances, the retaining wall requires an Adjustment and the unidentified structure requires a Variance.
  - a. **Please revise your application, narrative, and site plans to demonstrate compliance with the minimum yard requirements, OR**
  - b. **Please revise your application to include an Adjustment and a Variance for each of the structures and provide additional narrative addressing the approval criteria in MCC 39.8200 through MCC 39.8215.**

3. **Narrative:** A complete and detailed narrative description that describes the proposed development, existing site conditions, existing buildings, public facilities and services and other natural features is required [MCC 39.1130]. As shown on the site plan and discussed in the narrative provided they do not address all the development proposed. Sheet 003 – Site Plan shows a new flag pole, fence/gate, retaining walls, gas storage tank, and storm water drainage control system whereas Sheet C2.00 shows a Generator and an unidentified structure adjacent to the E. Historic Columbia River Highway.
  - a. **Please revise the narrative to address Springdale Rural Center (SRC): MCC 39.4560(F) Allowed Uses – Accessory Structures...**
4. **Site Plan:** Your application includes two site plans that do not match. The Site Plan from EM Design - Sheet 003 does not match the Site Plan from Froelich – Sheet C2.00. The EM Design Site Plan does not show the #9 ADA Sign, #13 bioswale or the unidentified structure adjacent to the East Historic Columbia River Highway.
  - a. **Please provide a final site plan that shows all proposed development or revise the site plans so that they match.**
5. **Dimensional Requirements and Development Standards - Septic Review Certification:** As required it must be shown that on-site sewage disposal can be handled on the lot/parcel [MCC 39.4575(F)]. Your application did not include a Septic Review Certification. You will need to provide a Septic Review Certification to demonstrate that the proposal has been reviewed and signed off by the County Sanitarian.
  - a. **Please provide a Septic Review Certification. The form can be downloaded at: <https://www.multco.us/file/27959/download>**
6. **Dimensional Requirements and Development Standards – Storm water/drainage control:** As required it must be shown that stormwater/drainage control can be handled on the lot/parcel [MCC 39.4575(F)]. While your application included a Stormwater Drainage Control Report, it did not include a Stormwater Drainage Control Certificate. You will need to provide a Stormwater Drainage Control Certificate to demonstrate that the proposal has been reviewed and signed off by the Professional Engineer.
  - a. **Please provide a Stormwater Drainage Control Certificate. The form can be downloaded at: <https://www.multco.us/file/64172/download>**
7. **Lot of Record:** A determination needs to be made that the subject property is a Lot of Record [MCC 39.3005, MCC 39.3110, and MCC 39.4555]. Your application did not include copies past deeds describing the subject property to show that the property met all zoning and land division rules in place at that time of its creation.
  - a. **Please provide a chain of title from a Title Company that includes copies of all current and past deeds describing the subject property or a copy of all deeds obtained by the Multnomah County Division of Assessment, Recording, and Taxation (DART).**
8. **Significant Environmental Concern for Streams (SEC-s):** As previously discussed, most of the property is located within the Significant Environmental Concern for Streams (SEC-s) overlay. As development is proposed within the SEC-s overlay, an SEC-s permit is required.

As part of the application, no application materials were provided meeting the submittal requirements of MCC 39.5520 and MCC 39.5750(C) showing the location of the Stream Conservation Area. The narrative is insufficient to addressing the approval criteria of MCC 39.5760(D) as no information was provided showing how the development will enhance wildlife resources, flood storage, water quality, or visual amenities characteristic of the stream in its pre-development state. Further the storm water drainage control design is insufficient to meet the

design specifications in MCC 39.5760(E) as all storm water generated must be collected and disposed of on-site as opposed to a 10-year/24-hour storm event.

- a. **Please provide an updated narrative and Mitigation Plan describing how the proposal will enhance the fish and wildlife resources, shoreline anchoring, flood storage, water quality and visual amenities characteristic of the stream in its pre-development state.**
  - b. **Please provide a Mitigation Site Plan showing how the proposal will meet the requirements of MCC 39.5760(D) and (E).**
    - i. **MCC 39.5760(E) requires:**
      1. **All storm water generated by a development shall be collected and disposed of on-site into dry wells or by other best management practice methods which emphasize groundwater recharge and reduce peak stream flows.**
      2. **Any exterior lighting associated with a proposed development shall be placed, shaded, or screened to avoid shining directly into a Stream Conservation Area.**
  - c. **Please provide the resume or curriculum vitae of the biologist/ecologist that prepares the narrative, Mitigation Plan, and Mitigation Site Plan.**
9. **Design Review/Off Street Parking and Loading:** The provided narrative and plans are insufficient for Design Review as the proposed landscaping plan and proposal is insufficient as required by MCC 39.6585 and MCC 39.8045(C)(3) through (7).

MCC 39.8045(C)(1) requires that 15% of the development area (building, structures, paved areas) be landscaped. As defined landscaped means: The improvement of land by means such as contouring, planting, and the location of outdoor structures, furniture, walkways, and similar features. As currently proposed, it appears that you are utilizing the natural area north of the development to satisfy the landscaping requirement; which does not appear to meet the definition of improvement of land by means such as contouring or planting.

  - a. **Please provide a Landscape Plan showing how the proposal will meet the 15% requirement by improving land by such means as contouring and planting.**

MCC 39.8045(C)(3) requires that the parking or loading area be separated from any lot line adjacent to a street by a landscaped strip at least 10 feet in width, and any other lot line by a landscaped strip at least 5 feet in width. The landscape strip can utilize trees, low shrubs, or vegetative ground cover. Based on the plans provided, it does not appear that landscaped strips were proposed. Understanding that sightlines must be maintained, the use of low shrubs and vegetative ground cover will likely be the best solution.
  - b. **Please provide a Landscape Plan showing landscape strips as required above.**
10. **Transportation Planning Review:** No information was provided showing Transportation Review has occurred. Transportation Review is required from the Oregon Department of Transportation (ODOT) to ensure that access and driveway requirements are satisfied.
  - a. **Please provide a letter, memo, or permit showing that ODOT has reviewed the proposal.**

You can elect to provide this missing information by **Tuesday, April 22, 2025**. We recommend you provide the additional information within the 180-day period, because without it, we may not be able to approve the application.

Once you gather all the requested information, you will need to submit all items at once to the Permit Portal, rather than trickling information in as you receive it. This avoids confusion as to whether you intend to submit additional information and allows us to act on your application more quickly. If you are unable to make your application complete within the 180-day period, we will close your application, return a copy of your materials, and you forfeit your application fees [MCC 39.1135(B)].

The attached 'Applicant's Response' form needs to be returned to me via email by **Thursday, December 19, 2024**. Please contact me at [rithy.khut@multco.us](mailto:rithy.khut@multco.us) or (503) 988-0176, if you have any questions.

Sincerely,



Digitally signed by Rithy Khut  
DN: cn=Rithy Khut, o=Multnomah  
County, ou=Land Use Planning  
Division,  
email=rithy.khut@multco.us, c=US

Rithy Khut  
Planner

cc: File

Dave Flood, PO Box #1, Corbett, OR 97019-0001

Peter Finley Fry (via email at [peter@finleyfry.com](mailto:peter@finleyfry.com))

Dave Flood (via email at [dflood@corbettfire.com](mailto:dflood@corbettfire.com))

Enclosure: Applicant's Response

# APPLICANT'S RESPONSE

Land Use Planning Division



www.multco.us/landuse ▪ Email: land.use.planning@multco.us ▪ Phone: (503) 988-3043

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Application #: T3-2024-0007

Case Planner: Rithy Khut

**Return by Thursday, December 19, 2024**

☐ **I intend** to provide the additional information identified in the attached letter from Multnomah County Planning with the 180-day period. I understand that if I do not make my application complete by **Tuesday, April 22, 2025** my application will be closed and I will forfeit my application fees.

☐ **I decline** to provide the additional information identified in the attached letter from Multnomah County Planning and deem my application complete. I understand that my application will be processed with the supplied information. I am aware that failure to meet the applicable code requirements is grounds for denial of my application.

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Signed and Acknowledged (Applicant)

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Printed Name (Applicant)

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Date