

Pre-Application Notes – 13225 NW McNamee Road (PA 2010-663)

Meeting Date and Time: May 24, 2018, 2:00 PM

Proposal: Build a dwelling requiring Conditional Use Permit for dwelling construction in the Protected Aggregate and Mineral Impact Area (PAM-IA) overlay.

Zoning: The subject property is zoned Commercial Forest Use-2 (CFU-2) with Protected Aggregate and Mineral Sites (PAM) Impact Area overlay, Significant Environmental Concern for Wildlife Habitat (SEC-h) overlay, Significant Environmental Concern for Streams (SEC-s), and Hillside Development (HD) overlay. The property is located within the West Hills Rural Plan Area.

REQUIRED PERMITS

Permit	Description
Administrative Decision by the Planning Director	The purpose of the Administrative Decision by the Planning Director is to ensure that criteria and standards of Review Uses of the zone district are met by the proposal. A Review Use has special criteria or standards that must be met before development can occur. These criteria and/or standards are designed to limit the impacts to natural resources, neighboring properties, safety, etc. You will need to provide a detailed site plan with this type of application along with narrative explaining how the criteria and/or standards have been met.

Permit	Description
Conditional Use Permit	A <u>Conditional Use Permit</u> is a Type III Application process, which requires a public hearing. The Type III review process is explained in the Type III review process hand-out. The Conditional Use Permit is Required if homes are to be located in the Protected Aggregate Mineral Impact Area overlay.

Permit	Description
Significant Environmental Concern for Wildlife Habitat	The purpose of the Significant Environmental Concern for Wildlife Habitat overlay is to preserve corridors for wildlife movement and to protect natural areas in the greater Forest Park area. This is achieved through the application of fixed standards that seek to cluster development, direct it to cleared areas, and require it occur close to public roads. Certain types of fencing that obstruct wildlife movement are prohibited along road rights-of-way, and specific “nuisance plants” cannot be planted and must be removed from cleared areas. A Wildlife Conservation Plan can be submitted as an alternative to the fixed standards for properties that cannot meet them or in circumstances where the owner can demonstrate that alternative measures will better protect the resource. You will need to satisfy one of these approaches.

Permit	Description
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Hillside Development Permit	The purpose of Hillside Development Permit is to assure the building site is safe and stable, minimize grading (excavation) to the amount necessary for the proposed development, prevent erosion, control stormwater discharges and prevent damage to properties and streams from earth movements, erosion or stormwater runoff. At a minimum, you will need to hire a Certified Engineering Geologist or Geotechnical engineer to evaluate the property and confirm that the building site will be safe and stable. A site plan and narrative is needed explaining how the approval criteria have been met and, if adding more than 500 square feet of impervious surfaces, you will need to hire an engineer to evaluate how the stormwater will be managed.
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POSSIBLE PERMIT

Permit	Description
Significant Environmental Concern for Streams	The purposes of the Significant Environmental Concern for Stream Permit is to protect, conserve, enhance, restore, and maintain streams which are of public value and to establish conditions and standards for the development to achieve these goals. Significant stream corridors are mapped. If you develop within the corridor you will need to prepare a mitigation plan and will be subject to design standards that restrict crossings to bridges or arched culverts, limit lighting and stormwater discharges, and require the replanting of trees that are removed.

KEY ISSUES

- The State of Oregon has approved Measure 49 Final Order which includes Home Site Authorization (E118605- Luethe) to establish the dwellings on the claim property subject to the terms as outlined in the order/authorization. The proposed dwelling must meet the condition listed in the M49 approval. An Administrative Decision by Planning Director permit is required to make findings to verify the proposed dwelling development meets those conditions.
- A majority of the subject property is located within a Protected Aggregate and Mineral Sites (PAM) Impact Area. MCC 33.5735 identifies that *Dust Sensitive Uses & Noise Sensitive Uses* not prohibited may be permitted under the Conditional Use provisions of MCC 33.6300 through 33.6350 when found to satisfy MCC 33.5740.
- While designing the proposed parcels, please consider that the dwellings will need to meet the CFU-2 District Development Standards for dwellings and structures (MCC 33.2261) and Forest Practices Setbacks (130 ft from all property lines) and Primary & Secondary Fire Safety Zones (MCC 33.2256). The Development Standards can be addressed by completing for each dwelling/dwelling site, the CFU Development Standards Permit Application Form B.
- New dwellings will need to meet the development standards of MCC 33.2261(B), (C) and (E) which contains standards for a private road.
- The maximum building height for future dwelling and any future accessory structures is 35 ft. [MCC 33.2250]
- Portions of the subject property are within the zoning overlays for Significant Environmental Concern-streams (SEC-s), and Hillside Development (HD). The entire property is within the Significant Environmental Concern- Wildlife Habitat (SEC-h) and Protected Aggregate and

Mineral Sites (PAM) Impact Area. Depending on the location of the home site, the code criteria for the overlay zones may or may not apply.

- Review of your submitted site plan indicates that development may be occurring within the Significant Environmental Concern Overlay for Wildlife Habitat (SEC-h). MCC 33.4570(B) lists the applicable development standards. If your project doesn't meet these standards under (B), a Wildlife Conservation Plan will need to be prepared as required under MCC 33.4570(C). See the SEC-h Permit Application for additional information.
- It appears as though the building site location is outside of the Stream Conservation Area, an area extending 300 feet upslope from and perpendicular to the centerline of the stream. Depending on the location of the home site, your project may or may not need to meet the criteria for approval for the SEC-s overlay. MCC 33.4575(B) lists the applicable development standards. If you believe the development is outside of the SEC-s boundary, you will need to provide documentation as to the exact location of the stream. After documenting the centerline of the stream, you will need to document the exact location of the dwelling in relation to the SEC-s buffer (300 ft from centerline).
- The County's Hillside Development overlay covers mapped areas and slopes of 25% or more. Development within the overlay may trigger a Hillside Development permit, given fail was placed on this property the HDP is required. As part of the Hillside Development permit, a Geotechnical Report will be required.
- If mechanical ground disturbance will be occurring for the project and a Hillside Development Permit is determined to be not required, a Grading and Erosion Control (GEC) Permit or Minimal Impact Permit may be required. Please see the attached packets for the GEC and Minimal Impact permits for additional information.
- Stormwater/drainage control systems are required for new impervious surfaces exceeding 500 square feet. You will need to submit plans designed by a Registered Professional Engineer for a stormwater system for all new impervious surfaces (Ex. building area, concrete and pavement) if they will exceed 500 square feet. The engineer will need to sign and stamp the attached stormwater certificate and the plans and associated stormwater plan, including a statement that the system is adequate to ensure that the rate of runoff from the lot for the 10-year 24-hour storm event.

You will need a signed Septic System Certificate form and site plan completed and signed by the County Sanitarian; Fire District Review form and site plan completed and signed sign by a district official, a Storm Water Certification form and sit plan completed and signed by an Oregon Registered Professional Engineer, and Multnomah County Transportation Section review form completed and signed by County Right-of-Way program staff.

SUMMARY OF APPLICABLE PERMITS, CODES, POLICIES & FEES

These Multnomah County Code (MCC) sections can be found under the link titled [West Hills Rural Plan Area](http://www.co.multnomah.or.us/landuse) on our webpage at: www.co.multnomah.or.us/landuse

Required Permits	Code Section**	Fees
Conditional Use Permit for Dwellings in the Protected Aggregate Mineral Impact Area Overlay	MCC 33.6300 – 33.6350 and 33.5700 – 33.5745	\$2.601*

Administrative Decision by the Planning Director	Review of Compliance with State Measure 49 Order	\$1457*
Significant Environmental Concern for Wildlife Habitat	MCC 33.4500-33.4550, 33.4570	\$1240*
Hillside Development Permit	MCC 33.5500-33.5525	\$554*
Possible Permit	Code Section **	Fees
Significant Environmental Concern for Streams	MCC 33.4500-33.4550, 33.4575	1240*
Misc.		Fees
Notice		\$159*

Fees will change on July 4, 2018 (not set yet) ** Code section will be changing around the beginning of 2019 but the language will stay the same (we are consolidating the code).

TRANSPORTATION REQUIREMENTS

Any project resulting in a transportation impact, as defined by the County Road Rules, triggers a transportation planning review. Property improvements and/or dedication of private property are commonly required to mitigate a transportation impact. Typically, only one driveway access per property is allowed. Please see the ‘Transportation Planning Development Review for Rural Areas’ pamphlet for further information.

APPLICATION CHECKLIST

Category 1 Land Divisions and Conditional Use Permits require a public hearing before a Hearing Officer and is processed as Type III permit.

ADDITIONAL ASSISTANCE

Please contact Katie Skakel at 503-988-2013 or email at katie.skakel@multco.us with any questions.

Scheduling an appointment is necessary to see your case planner.

Please note a \$93* building permit plan check fee and \$82* erosion control inspection fee may be required at building plan signoff after the conclusion of the land use review process. These fees do not need to be paid at the time of land use application submittal.

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Notwithstanding any representations by County staff at a pre-file meeting, staff is not authorized to waive any requirements of the County Code. Any omission or failure by staff to recite to an applicant all relevant applicable land use requirements shall not constitute a waiver by the county of any standard or requirement [MCC 37.0570(C)]