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Pre-Filing Meeting Summary Notes

Meeting #: PF-2020-13523 **Address:** 23414 NW Moreland Road, North Plains

Map #: 2N2W10A-00400 **Alt. Acct #** R972100090 **Prop. ID#** R325589 **Site Size:** 42.58 acres
 2N2W10A-00401 R972100270 R645027

Zoning: Commercial Forest Use – 1 (CFU-1) **Contact:** Kevin Eike

Overlays: Significant Environmental Concern – Stream (SEC-s); Significant Environmental Concern – Wildlife Habitat (SEC-h); Geologic Hazards (GH)

Proposal: New Shop and Retroactive Approval for an Existing Pump/Well House

INTRODUCTION

We understand you would like information about County permits that are required for the project listed above. Below you will find a brief description for each of the required permits, key issues that we have identified, and a summary of the applicable Multnomah County Codes (MCC) and fees. Also, at the end of these notes, we have provided a submittal checklist to assist you in preparing your application(s).

SUMMARY OF APPLICABLE PERMITS, CODES, POLICIES & FEES

These Multnomah County Code sections are available at <https://multco.us/landuse/> under the link **Chapter 39: Multnomah County Zoning Code**

Zoning Requirements	Code Sections	Fees
Commercial Forest Use 1 Zone	<u>General Provisions</u> MCC 39.1515 Code Compliance and Applications MCC 39.2000 Definitions MCC 39.3005 Lot of Record – Generally MCC 39.3020 Lot of Record – CFU-1 <u>Commercial Forest Use 1</u> MCC 39.4105 Building Height Requirements MCC 39.4110 Forest Practices Setbacks and Fires Safety Zones MCC 39.4115 Development Standards MCC 39.6850 Dark Sky Lighting Standard	\$ N/A
Required Land Use Permits	Code Sections	Fees
Significant Environmental Concern (Type II Application)	<u>Wildlife Habitat</u> MCC 39.5520 Application for SEC Permit MCC 39.5860 Criteria for Approval of SEC-h Permit – Wildlife Habitat	\$1,269

		Notice Fee	\$210
Potential Land Use Permits	Code Sections	Fees	
Geologic Hazards (Type II Application)	MCC 39.5085 Geologic Hazards Permit Application Information Required	\$1,281	
	MCC 39.5090 Geologic Hazards Permit Standards MCC 39.6235 Stormwater Drainage Control	\$50	
Accessory Use Determination	MCC 39.4070(T)(1-8) Allowed Uses, Accessory Structures MCC 39.4075(L)(1) through (7) Review Use, Accessory Structures...	\$1,250	
		Notice Fee	\$210
Development Codes			
Ground Disturbing Activities and Stormwater ¹ (Type I Application)	MCC 39.6210 Permits Required		
	MCC 39.6215 Exceptions from Minimal Impact Project Permit and Erosion and Sediment Control Permit		
	MCC 39.6220 Minimal Impact Project Permit	\$50	
	MCC 39.6225 Erosion and Sediment Control Permit	\$519	
	MCC 39.6235 Stormwater Drainage Control Erosion Control Inspection	\$50 \$189	
¹ No MIP or ESC Permit required if a GH is obtained.			

* Land Use Planning's complete fee schedule can be found at multco.us/landuse/land-use-planning-fees.

KEY ISSUES: LAND USE

1. The pre-filing conference request form states that the proposal is for a new detached shop and a retroactive approval for an existing pump/well house.
2. In order for the County to be able to approve any land use application for development or building permits, the property must be in full compliance with all applicable codes [MCC 39.1515]. Full Compliance means the property is a Lot of Record, any structures on site were properly reviewed or permitted and any conditions from previous land use decisions have been satisfied.
 - a. Land Use case # PRE 5-87 approved construction of a single family residence on the subject property. If the subject property remains in the same configuration as described in the decision for PRE 5-87, the Lot of Record would remain intact. The LOR includes tax lot 2N2W10A-00401 & 2N2W10A-00400.
 - b. Land Use case # T2-09-063 approved (retroactively) a Significant Environmental Concern – wildlife habitat permit for construction of a 32' x 40' swimming pool, hot tub, and 20' x 20' open and covered cabana. The decision notes that the covered cabana includes an enclosed room (5' x 20') for swimming pool equipment, filters, and pump. The rest of the uncovered open cabana is accessory to the pool and contains a television alcove and fireplace sitting area.
 - c. Land Use Case T2-2016-4889 approved (retroactively) a Significant Environmental Concern – wildlife habitat permit for construction of a pergola accessory structure.

ACCESSORY USE DETERMINATION

3. According to the submitted materials, the proposed shop combined with the existing accessory structures may exceed 2,500 square feet in total which is not allowed pursuant to MCC 39.4070(T)(6) unless an Accessory Use Determination grants additional square footage.
4. Depending on whether existing accessory structures will remain and the size of the proposed building(s), an Accessory Use Determination may need to be applied for and approved to allow the construction of the new accessory building and the legalization of the well house building. If your proposal is to construct more than 2,500 sq. ft. of combined footprint for all accessory structures, you will need to demonstrate that the additional square footage is the minimum possible departure from the 2,500 sq. ft. to accommodate the use.
5. Prohibitions:
 - a. The proposed building(s) shall not be designed or used, whether temporarily or permanently, as a primary dwelling, accessory dwelling unit, apartment, guesthouse, housing rental unit, sleeping quarters or any other residential unit. The proposed building shall not contain a mattress, bed, Murphy bed, cot, or any other similar item designed to aid in sleep as a primary purpose, unless such item is disassembled for storage. [MCC 39.4070(T)(1) & (4) & MCC 39.4075(L)(1)]
 - b. The proposed building(s) shall not contain a bathing tub. If a toilet, shower or closets are proposed, you must demonstrate the need for those physical improvements. Any proposed toilet or shower, shall be located on the ground floor of any multi-story building. If proposing a toilet or bathing facilities, the building shall not contain Cooking Facilities. [MCC 39.4075(L)(3), (4) & (6)]
 - c. Compliance with MCC 39.8860 is required. Assuming your application is approved, prior to sign-off on your building plans, you will be required to record a covenant with the County Recorder stating that you understand and agree that the structure cannot be occupied as a dwelling or for any other form of permanent or temporary residential use.
6. An accessory building that does not share a wall or enclosed connection with the dwelling unit is considered a detached building.

SIGNIFICANT ENVIRONMENTAL CONCERN PERMIT (TYPE II)

7. The entire property is located within the Significant Environmental Concern for wildlife habitat (SEC-h) overlay.
8. The subject property has two access points to NW Moreland Road and has driveways/service corridors that exceeds 500 feet in length. With these improvements, the project will not qualify for a SEC-h Type I permit. A SEC-h Type II application will need to be applied for and approved in order to build and legalize any buildings.
 - a. SEC-h Type II Permit: If the proposed development does not meet all of the basic approval criteria listed under MCC 39.5860(B). A Wildlife Conservation Plan then must be submitted. Your SEC-h application will need to demonstrate compliance with the criteria listed in MCC 39.5520 & MCC 39.5860.

GEOLOGIC HAZARD (GH) PERMIT (TYPE II)

9. The Geologic Hazard overlay has two triggers:
 - a. If Development will occur within the County's mapped hazard areas as identified on the Geologic Hazard Overlay map; or
 - b. If Development will occur in land with an average slope of 25 percent or more.
10. There are mapped areas of slope hazard on the property. As part of land use approval, you will need to demonstrate that the proposed use is exempt from the Geologic Hazards permit. The

exemption criteria are listed in MCC 39.5080(B)(1) through (6). If development will occur on slopes that exceed 25%, you will need a Geologic Hazards permit (GH). Your GH application would need to demonstrate compliance with the approval criteria listed in MCC 39.5085 – 39.5090.

11. If a Geologic Hazard Permit is required a Geological Report must be prepared by a Certified Engineering Geologist or a Geotechnical Engineer. The report must certify that the site is suitable for the proposed development. Erosion control plans must be submitted with the Geologic Hazard permit for all proposed ground disturbance for the project.
12. If you believe the project is exempt from the Geologic Hazard overlay, you must provide documentation of the proposed exemption requested under MCC 39.5080.
13. Storm water Certificate – For newly created or replacement impervious surfaces of over 500 sq. ft. or more, a private engineer will need to be hired to ensure that water generated from the development can be handled on site for a 10-year/24-hour storm event. [MCC 39.6235]

EROSION AND SEDIMENT CONTROL (ESC) (TYPE I REVIEW)

14. If the development is shown to be exempt from the Geologic Hazard permit, the County's Ground Disturbing Activities and Stormwater Control regulations will be applicable. The property owner will need to apply for an Erosion and Sediment Control (ESC) permit, or Minimal Impact Project (MIP) permit depending on the project.
15. An application for a Type I review does not need to be submitted in at the same time as the SEC-h application. The County will not issue a Type I permit until such time as the Type II applications are final (except for a SEC-h Type I permit).
16. An ESC permit will be required for the proposed development, if any of the following is met:
 - a. Disturbs more than 10,000 square feet of area;
 - b. Is within 200 feet of a top of bank of a water body;
 - c. Slopes before development are 10% or greater;
 - d. Unsupported finished slopes will be more than 33%;
 - e. Will involve more than 10 cubic yards of fill;
17. A list of the application requirements are found in MCC 39.6220. The approval standards are found in MCC 39.6225. You will need to document the fill materials, compaction methods, cuts and fills, and erosion control measures that you will be utilizing for your project.
18. If the proposed project does not exceed the standards above, then an MIP review can be done at the time of zoning review for authorization of building permits. You will need to provide a site plan showing the area of disturbance and erosion measures that will be placed as part of the project.
19. Storm water Certificate – For newly created or replacement impervious surfaces of over 500 sq. ft. or more, a private engineer will need to be hired to ensure that water generated from the development can be handled on site for a 10-year/24-hour storm event. [MCC 39.6235]

KEY ISSUES: ADDITIONAL REVIEW

20. New buildings and structures, additions and development need to be supported by appropriate services. You will need to submit the following service provider forms:
 - **Fire Service Agency Review** – The Fire Service Agency serving your property will review your project to ensure compliance with the Oregon Fire Code. They must complete and sign the Fire Service Agency Review form. The completed form must be submitted along with any signed letters and plans with your application materials.

- **On-Site Sanitation Septic Review** – The Sanitarian will review your proposal and make sure that it will not harm the on-site sewage disposal system and its back up area. A completed and signed Septic Review Certificate must be submitted with your application materials along with any signed letters and plans.
- **Transportation Planning Review** – Transportation Planning ensures that Multnomah County Road Rules on access and driveway spacing are satisfied. Please see contact Right-of-Way Permits office. A completed and signed Transportation Planning Review Form must be submitted with your application materials.

NEXT STEPS:

The required permits are Type II land use reviews. In general, a Type II land use application takes 90 to 120 days to be issued from the time it is deemed complete. It is the applicant's responsibility to make sure the application is complete within 180-days of submitting the application. Failure to provide the information necessary for a complete application will result in the application being voided after 180-days.

APPLICATION SUBMITTAL

To submit an application package, you may either mail it via the US Postal Service or submit it digitally to LUP-Submittals@multco.us. If submitting by mail, fees can be paid via check or over the phone with a credit card. If submitting digitally, a credit card will need to be used. We will contact you via the phone to obtain the credit card information. Until such time as payment is made, your application has not been formally filed.

Application Checklist		Required	Included
1.	Completed General Application Form: signed by the all property owners and the applicant along with the required fee(s). All applications requested must be listed under the General Description portion of the form.	X	✗
2.	Narrative: Written narrative providing a clear and complete description of your proposal and specifically addressing each applicable code section. List the code reference you are responding to in your narrative, then your response to that criterion. Applicable criteria you must address in your narrative are previously listed in these notes. Reference in your narrative any supporting documents you are attaching (including required site map) to demonstrate how your proposal meets a particular code criterion.	X	✗
3.	<p>Scaled Site Plan: The site plan shall be drawn to scale using either an engineer scale (i.e., 1:10 or 1:20) or architect scale (i.e., 1' = 1/2" or 1' = 1/8"). The site plan for shall include the following:</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Boundaries, dimensions, address and size of the subject parcel; <input checked="" type="checkbox"/> Date, north arrow, scale; <input checked="" type="checkbox"/> Location of watercourses or drainage features on or near the property. <input checked="" type="checkbox"/> Location, size, and label of all proposed and existing buildings, structures, distances to property lines (measured to nearest point of the building), and buildings to be removed; <input checked="" type="checkbox"/> Location of the existing well and septic system (tank, drainfield & replacement field) and storm water system (existing and/or proposed); <input checked="" type="checkbox"/> Contour lines and topographic features such as ravines or ridges; <input checked="" type="checkbox"/> Proposed fill, grading, site contouring or other landform changes; <input checked="" type="checkbox"/> Location and predominant species of existing vegetation on the parcel, areas where vegetation will be removed, and location and species of vegetation to be planted, including landscaped areas; <input checked="" type="checkbox"/> Location and width of existing and proposed driveways, and service corridors; <input checked="" type="checkbox"/> Location of abutting public right-of-way with distances from the right-of-way line to the centerline of the adjoining road; and <input checked="" type="checkbox"/> Location and width of existing, proposed, and/or altered access points/driveway cuts to the property. 	X	✗
4.	Floor plans of the buildings to be permitted drawn to scale using either an engineer scale (i.e., 1:10 or 1:20) or architect scale (i.e., 1' = 1/2" or 1' = 1/8"). The floor plans should include dimensions and room use noted, such as kitchen, bathroom, bedroom, garage, etc.	X	✗

5.	Building/Structure Elevations (side views) drawn to scale using either an engineer scale (i.e., 1:10 or 1:20) or architect scale (i.e., 1" = 1/2" or 1" = 1/8") of new buildings, additions or structures, with all height dimensions, and relationship to existing and finished grade adjacent to the building/structure	X	X
6.	Lot of Record status: Submit copy of current deed(s) for the property	X	X
7.	Storm Water Certificate and site plan reviewed and signed by a Oregon Registered Professional Engineer	X	X
8.	Septic Review Certification form and site plan signed by the Sanitarian (green form)	X	X
9.	Fire District Review Form and site plan signed by the Fire Official	X	X
10.	Certification of Water Service form		
11.	Sheriff's Office Review form		
12.	School District Review form		
13.	Habitable Dwelling: Please provide recent photographs of the existing dwelling showing exterior walls and roof, indoor plumbing consisting of a kitchen sink, toilet and bathing facilities, septic tank lid, interior lights (turned on), and heating system.		
14.	Erosion and Sediment Control (ESC) Permit not required, see project survey/contours	X	
15.	Flood Development (FD) Permit		
16.	Transportation Certification form - Please e-mail Right of Way at row.permits@multco.us or call (503) 988-3582	X	X

APPLICATION COMPLETENESS

Once an application is submitted, it will be assigned to a planner. The planner has 30 days, by state law, to determine whether the application is complete. If an application is incomplete, the applicant has 180 days, by state law, to submit the requested additional information to make the application complete. If your application is found to be incomplete, we request that you submit the additional information required in one packet rather than trickling information in. This avoids confusion as to whether or not you intend to submit additional information, and allows us to act on your application more quickly.

ADDITIONAL ASSISTANCE

Please contact staff planner Izze Liu via email at isabella.liu@multco.us with any questions. Presently, the Land Use Planning office is closed. In the event your case planner is unavailable, the planner on duty can also help answer questions at 503.988.3043 (press 7). Hours for the planner on duty are Tuesday – Friday, 8:00 AM – 4:00 PM, except holidays. Additional fees may need to be paid after the conclusion of the land use process to ensure compliance with conditions of approval and to allow the project into building plan check.

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The comments provided in this summary are based on the preliminary project description provided in the application materials. While every effort has been made to identify all related standards and issues, additional issues may arise and other standards not listed may become applicable as more information

becomes available. 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 38.0570(C) and MCC 39.1120]