



**MULTNOMAH COUNTY**  
LAND USE AND TRANSPORTATION PROGRAM  
1600 SE 190<sup>TH</sup> Avenue Portland, OR 97233  
PH: 503-988-3043 FAX: 503-988-3389  
<http://www.multco.us/landuse>

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## DECISION OF HEARINGS OFFICER

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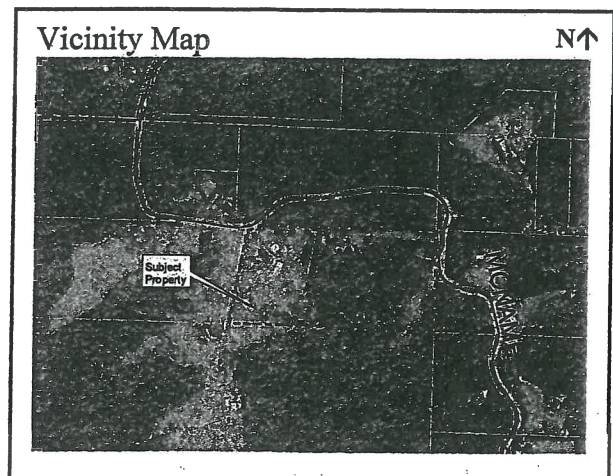
**Administrative Decision by the Planning Director; Category 1 Land Division; Conditional Use Permit for Development Within the Protected Aggregate and Mineral Resources Overlay Subdistrict; Road Rules Variance; Significant Environmental Concern Permit; Hillside Development Permit; Exception to Secondary Fire Safety Zone, Adjustment to Forest Practices Setback**

**Case File:** T3-2012-2097

**Hearings Officer:** Liz Fancher

**Hearing Date, Time, & Place:**

April 13, 2012 at 8:30 a.m., in Room 103 at the Land Use Planning Division office located at 1600 SE 190th Avenue, Portland, OR 97233



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**Location:** 13225 NW McNamee Road  
Map: 2N1W32B, Tax Lots: 700 & 800 W.M.  
Tax Account: R971320410 & R971320400

**Applicant(s):** Larry and Laura Luethe

**Owner(s):** Larry and Laura Luethe

**Summary:** The applicants request approval of a Conditional Use Permit for a Category 1 Land Division and for residential development within the Protected Aggregate and Mineral Resources Overlay Subdistrict (PAM), Administrative Decision for implementation of state Measure 49 approval, Significant Environmental Concern for wildlife habitat (SEC-h) permit, Hillside Development permit for residential development, Exception to Secondary Fire Safety Zone, Adjustment to Forest Practices Setbacks and a Road Rules Variance for proposed access onto NW McNamee Road.

**Base Zone:** Commercial Forest Use – 2 (CFU-2)

**Overlay Zones:** Protected Aggregate and Mineral Resources Overlay Subdistrict (PAM), Significant Environmental Concern for wildlife habitat (SEC-h), Significant Environmental Concern for streams (SEC-s), and Hillside Development (HD).

**Site Size:** 18.91 acres

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**Applicable Approval Criteria: Multnomah County Code (MCC):**

Category 1 Land Division: MCC 33.7705, 33.7765, 33.7770, 33.7800-33.7825, 33.7865-33.8035

Conditional Use Permit for Dwellings in the Protected Aggregate Mineral Impact Area Overlay: MCC 33.6300 – 33.6350 and 33.5700 – 33.5745

Significant Environmental Concern for Wildlife Habitat: MCC 33.4500-33.4550, 33.4570

Hillside Development Permit: MCC 33.5500-33.5525

Commercial Forest Use Zone: MCC 33.2200-33.2310

Exceptions for Secondary Fire Safety Zones: MCC 33.2310

Adjustments: MCC 33.7601-33.7611

Road Rules Variance: Multnomah County Road Rules (MCRR) 16.000 MCRR 4.000

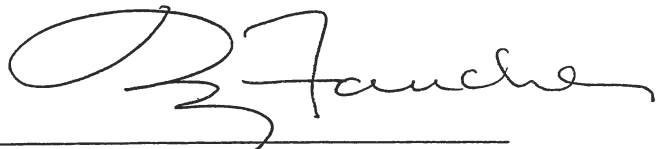
Administration and Procedures: MCC Chapter 37

Measure 49: Oregon Administrative Rules (OAR) 660-041-0000 – 660-041-0530

**Hearings Officer's Decision**

The Hearings Officer approves, with conditions of approval, the application request for Conditional Use Permit for a Category 1 Land Division and for residential development within the Protected Aggregate and Mineral Resources Overlay Subdistrict (PAM), Administrative Decision for implementation of state Measure 49 approval, Significant Environmental Concern for wildlife habitat (SEC-h) permit, Hillside Development permit for residential development, Exception to Secondary Fire Safety Zone, Adjustment to Forest Practices Setbacks and a Road Rules Variance for proposed access onto NW McNamee Road.

Approved this 7<sup>th</sup> day of May, 2012.



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Liz Fancher, Hearings Officer  
Multnomah County, Oregon

## Conditions of Approval

The conditions listed are necessary to ensure that approval criteria for this land use permit are satisfied. Where a condition relates to a specific approval criterion, the code citation for that criterion follows in brackets.

1. Approval of these permits is based on the submitted written narratives and most current plans (prior to date of decision), including the wildlife conservation plans [Exhibits A.4 and A.7.8]. No work shall occur under this permit other than that which is specified within these documents. It shall be the responsibility of the property owner(s) to comply with these documents and the limitations of the approvals described herein.
2. This land use permit expires four (4) years from the date the decision is final pursuant to MCC 37.0690(C). The property owner may request to extend the timeframe within which this permit is valid, as provided under MCC 37.0695. The request for a permit extension must be submitted prior to the expiration of the approval period.
3. Before the final plat of the partition is submitted to the Multnomah County Surveyor's Office, two (2) blue-line copies of the final plat shall be filed with the Planning Director. Within 10 business days of filing, the Planning Director will determine whether the plat complies with this decision and the conditions of approval contained herein. When the final plat complies with this decision, a letter of zoning compliance will be provided to the Multnomah County Surveyor by the Planning Director and the final plat may be submitted to the Multnomah County Surveyor's Office. [MCC 33.8015(A)].
4. No building permits will be issued, nor shall any of the parcels be sold, transferred or assigned until the final plat is signed by the Planning Director and County Surveyor and the Final Plat has been recorded with the Multnomah County Recorder's Office. The Final Plat shall show all new lots and parcels. The Final Plat must be 18" x 24" in size and shall contain the information required by Chapter 92 of Oregon Revised Statutes as amended by Oregon Laws, Chapter 772. [MCC 33.8015] Two prints of the subdivision or partition plat shall accompany the final drawing, conforming to all applicable requirements as established by the Oregon Revised Statutes (ORS), Chapters 92 and 209. Notwithstanding optional provisions in ORS Chapter 92, all parcels created shall be surveyed, monumented and platted, regardless of parcel area.
5. The land owner is to complete the procedures as described in the "Applicant's Instructions for Finishing a Land Division" (Exhibit B.10). The land owner is also to provide his/her surveyor the enclosed "Surveyor's Instructions for Finishing a Land Division" (Exhibit B.11) which provide instructions for drafting required materials. [MCC 33.7797(D)(6)]
6. Prior to building plan sign-off, the land owner shall obtain all required sanitation permits from the City of Portland Bureau of Environmental Services and copies shall be submitted to the Planning office. [MCC 33.7955]
7. A five-foot wide utility easement along all property lines abutting a street, as those lines are located after land is dedicated for additional right-of-way per Condition of Approval 40, is required and must be shown on the Final Plat. The placement of the utility easement may be modified as requested, in writing filed with the Planning Director, by a public or private utility provider. Utility infrastructure may not be placed within one foot of a survey monument location noted on a subdivision or partition plat. A stormwater or drainage easement that complies with the requirements of MCC 33.7935 (B), as confirmed in writing by the Planning Director, shall also be shown on the final plat. [MCC 33.7935]



8. The statement, in Exhibit B.12 that required by ORS 215.293 shall be recorded with the Multnomah County Division of Records prior to Planning Division approval of a building permit to construct a single-family residence approved in this application. The waiver shall be recorded in the chain of title for the parcel that is being developed with an approved single-family residence. It need not be recorded in the chain of title of any other parcel until such time as the other parcel is developed with an approved single-family residence. The required statement shall provide that the owner of the parcel being developed with a single-family home and the successors in interest acknowledge the rights of owners of nearby property to conduct agricultural and forestry operations and practices for which no action or claim is allowed under ORS 30.936 or 30.937. [ORS 215.293]
9. The State of Oregon (DLCD) conditions of approval (Final Order E118605 – Exhibit A.7.26), as interpreted by this decision, are also conditions of approval of this permit [ORS 195.300 to 195.336].
10. Prior to building plan sign-off, the property owner shall obtain right-of-way permits from the Land Use and Transportation office for any new accesses and/or work within the County right-of-way or for any increase in storm-water drainage from the site to the right of way. The property owner shall provide a minimum 20-foot long paved approach to County right-of-way. [MCRR 4.000]
11. New dwellings shall be connected to an approved domestic water supply. [MCC 33.7715]
12. After the decision is final and prior to building permit sign-off, the property owner shall record the Notice of Decision cover sheet through the conditions of approval with the County Recorder. The Notice of Decision shall run with the land. Proof of recording shall be made prior to building permit sign-off and a copy filed with Land Use Planning. Recording shall be at the applicant's expense [MCC 37.0670].
13. The property owner shall ensure that the proposed development work is observed by a Certified Engineering Geologist or Geotechnical Engineer. This observation shall be at the owner's expense. The name, address and phone number of the Certified Engineering Geologist or Geotechnical Engineer that will be conducting the observation of the development shall be submitted to the Planning Director prior to zoning review for a building permit. The observation of the development activities by the Certified Engineering Geologist or Geotechnical Engineer shall include but is not limited to foundation work, confirmation on installation and effectiveness of all erosion and sediment control measures, and a final observation prior to the final building permit inspection.
14. Prior to building permit final occupancy, the property owner shall submit to the County Land Use Planning Office a report from the observing Certified Engineering Geologist or Geotechnical Engineer which confirms that proper measures were implemented to meet recommendations of the of the Addendum to the Hillside Development Permit Application (Exhibits A.5, A.7.23 and A.7.26) as well as any other recommendations of the Certified Engineering Geologist or Geotechnical Engineer deemed necessary to achieve site suitability for the development. This report shall be signed by the Certified Engineering Geologist or Geotechnical Engineer with their seal (stamp) affixed to the report.
15. The property owner shall implement the erosion and sediment control measures as shown and listed on the erosion control plan (Exhibit A.7.5) unless amended by the observing Certified Engineering Geologist or Geotechnical Engineer to achieve better site suitability for the development and improve erosion and sediment control.

16. The property owner shall consistently maintain the erosion and sediment control measures to ensure the measures are in proper working order. The property owner and observing Certified Engineering Geologist or Geotechnical Engineer shall monitor the erosion and sediment control measures to ensure the measures are in proper working order. Additional measures shall be immediately installed to remedy the problem if sediment is determined to be escaping the development area. Silt fencing shall be used on all downhill portions adjacent to new development during construction.
17. All excavated spoils from the project shall be removed from the property. Spoil materials removed off-site shall be taken to a location approved for the disposal of such material by applicable Federal, State and local authorities. Any stockpiles of top soil to be used for fill shall be covered with plastic sheeting anchored to prevent disruption from wind.
18. The property owner shall ensure that non-erosion pollution associated with construction such as pesticides, fertilizers, petrochemicals, solid wastes, construction chemicals, or wastewaters are prevented from leaving the construction site through proper handling, disposal, continuous site monitoring and clean-up activities. On-site disposal of construction debris is not authorized under this permit. This permit does not authorize dumping or disposal of hazardous or toxic materials, synthetics (i.e. tires, etc), petroleum-based materials, or other solid wastes which may cause adverse leachates or other off-site water quality effects.
19. The property owner is responsible for removing any sedimentation caused by development activities from all neighboring surfaces and/or drainage systems. If any features within the adjacent public right-of-way are disturbed, the property owner shall be responsible for returning such features to their original condition or a condition of equal quality.
20. The County may supplement described erosion control techniques if turbidity or other down slope erosion impacts resulting from on-site grading work. The Portland Building Bureau (Special Inspections Section), the local Soil and Water Conservation District, or the U.S. Soil Conservation Service can also advise or recommend measures to respond to unanticipated erosion or sedimentation effects.
21. The erosion control permit notice card (provided at plan signoff) shall be posted at the location of the driveway entrance to the property as it leaves the easement access road in a clearly visible location (print towards the road) prior to any soil disturbance. This notice is to remain posted until such time as the grading/excavating work is completed and the vegetation has been re-established in disturbed areas. The erosion control permit notice shall be obtained during zoning review of building permit plans. In the event this sign is lost, destroyed, or otherwise removed prior to the completion of the grading work, the applicant shall immediately contact the County Land Use Planning Office to obtain a suitable replacement.
22. The property owner shall install the stormwater disposal system designed by GeoPacific Engineers, in the early phase of the development as shown on the site plan/erosion control plan (Exhibit A.7.5). This system shall collect and disposed of stormwater from new impervious surfaces and shall properly control the rate of flow for a 10year/24hour storm event with the runoff no greater than that which existed prior to development.
23. All disturbed areas are to be seeded or planted within thirty (30) days of the date grading activities are concluded.

24. Stripping of vegetation, grading, or other soil disturbance shall be done in a manner which will minimize soil erosion, stabilize the soil as quickly as practicable, and will expose the smallest practical area at any one time during construction.
25. Mulching shall be used to protect exposed critical areas during development.
26. Silt fencing shall be installed down slope of the disturbed soil area prior to soil disturbance and maintained until project is finalized and vegetation has been re-established. The location of all silt fencing, other grading and erosion control measures to be installed, and soil stockpiles must be shown on all final plan sets.
27. Stockpiled topsoil shall be protected from erosion by applying a 6-mil plastic sheet cover. Disposed spoil areas shall be seeded as soon as permanent placement is completed. All disturbed areas are to be seeded or planted within thirty (30) days of the date grading activities are concluded.
28. The Property Owner shall maintain best erosion control practices through all phases of development. Erosion control measures are to include hay-bale sediment barriers on the down slope of all disturbed areas in accordance with the submitted application materials of this permit. Reseeding at a rate of 100 pounds per acre shall be accomplished as soon as ground disturbing activities have been completed. If hydromulch will be employed it shall be installed at a rate of 2,000 pounds per acre. All erosion control measures are to be implemented as prescribed in the current edition of the *Erosion Prevention Sediment Control Plans Technical Guidance Handbook*, copies of which are available for purchase at our office, or through the City of Portland. The property owner or representative shall verify that all erosion control measures are properly installed and in working order prior to initiating grading activities.
29. The recommendations listed in the Geotechnical Reports prepared by GeoPacific Engineers (Exhibits A.5, A.7.23 and A.7.26), shall be implemented during all stages of the development. If a recommendation contained with this report conflicts with any of the Conditions of Approval outlined in this Staff Decision (T3-2012-2097), said Conditions shall supersede those contained within the report.
30. The property owner shall maintain a primary and a secondary fire safety zone on Parcels 2 and 3 as outlined below and show the fire safety zones on the building permit site plan.
  - a. A primary fire safety zone is a fire break extending a minimum of 30 feet in all directions around a dwelling or structure. Trees within this safety zone shall be spaced with greater than 15 feet between the crowns. The trees shall also be pruned to remove low branches within 8 feet of the ground as the maturity of the tree and accepted silviculture practices may allow. All other vegetation should be kept less than 2 feet in height.
  - b. A secondary fire safety zone is a fire break extending a minimum of 100 feet in all directions around the primary safety zone on the subject property, except as noted below:  
  
**Parcel 2 secondary fire safety zone:**  
North: 50 feet.  
South: 50 feet.  
East: 100 feet.  
West: 50 feet.



**Parcel 3 secondary fire safety zone:**

North: 100 feet.

South: 100 feet.

East: 55 feet.

West: 100 feet.

The goal of the secondary fire safety zone is to reduce fuels so that the overall intensity of any wildfire is lessened. Vegetation should be pruned and spaced so that fire will not spread between crowns of trees. Small trees and brush growing underneath larger trees should be removed to prevent the spread of fire up into the crowns of the larger trees. Maintenance of the secondary fire safety zone is required only on land surrounding the dwelling that is owned or controlled by the property owner of each parcel.

31. The dwelling shall be constructed in accordance with the International Fire Code Institute Urban-Wildland Interface Code Section 504 Class 1 Ignition Resistant Construction as adopted August, 1996, or as later amended. The dwelling shall have a central station monitored alarm system. There shall be no combustible fences within 12 feet of the exterior surface of the dwelling.
32. Prior to building permit final inspection the property owner shall install the proposed residential driveways serving all three proposed parcels. The driveways shall meet the following standards [MCC 33.2261(A)]:
  - a. Supports a minimum gross vehicle weight (GVW) of 52,000 lbs.
  - b. Provide an all-weather surface of at least 12 feet in width for a driveway;
  - c. Provide minimum curve radii of 48 feet or greater;
  - d. Provide an unobstructed vertical clearance of at least 13 feet 6 inches;
  - e. Provide a turnaround with a radius of 48 feet or greater at the end of any access exceeding 150 feet in length; and
  - f. The driveway meets fire district standards. [MCC 33.2261]
33. The proposed dwellings shall comply with the standards of the applicable building code. Prior to zoning sign off for building plan check, the property owner or their representative shall provide documentation on the building plans that the proposed dwellings comply with the following [MCC 33.2261(C)]:
  - a. A fire retardant roof; and
  - b. A spark arrester on each chimney.
34. Prior to starting construction work of the dwelling the property owner or their representative shall obtain the required building department permits for the type of construction proposed. It is the property owner's responsibility to confirm that the work performed under the building permit shall be completed with a final inspection.
35. There shall be no combustible fences erected within 12 feet of the exterior surface of the proposed buildings. [MCC 33.2310(B)(3)]
36. If any fencing is installed along the front property line in the future it shall meet the fencing requirements of County code, currently MCC 33.4570(B)(6).
37. No new fencing is authorized by this permit except for fencing associated with agricultural production.

38. No nuisance plants listed in MCC 33.4570(B)(7) shall be planted on the subject property.
39. The property owner shall trim and/or remove vegetation bordering the proposed driveway to Parcel 3 (Exhibit A.7.5) in order to improve sight distance when the driveway is installed. Thereafter, this vegetation shall be periodically maintained in order to maintain the maximum sight distance [MCRR 16.100 and MCRR 16.225].
40. Prior to final plat approval, the property owner shall dedicate 5 feet of road frontage along each of the property's two frontages along NW McNamee Road.
41. Any work within the County Right of Way requires a Right of Way permit from Multnomah County. The Multnomah County Road Rules requires a permit for all driveway approaches to roads under County jurisdiction. The property owner is required to obtain a Right of Way permit will be required to obtain an access/encroachment permit for the proposed driveway accesses onto NW McNamee Road [MCRR 18.250]. Please contact Alan Young at (503) 988-3582 for more information on how to obtain a permit.
42. A paved road approach is required for each new access drive. The paved approach shall be 20 feet deep and shall be measured from the edge of pavement of NW McNamee Road. The paved approach must not create any drainage problems along the County road. This paved approach standard will help to protect the County road from debris from the new driveway, and will improve the safety of this access. Note that a \$1,000 deposit is required for the paved approach.
43. Any work in the right of way, including the removal of trees, or any increase in storm-water drainage from the site to the right of way will require review and a permit from Multnomah County. [MCRR 18.750, DCM 5.1]
44. Any deviation from the County Standards, as set forth in the Road Rules or the County's Design and Construction Manual, shall be reviewed through the variance process as described under Road Rules Section 16.000.
45. Prior to building plan sign-off for the dwellings, the driveways and fire breaks shall be completed by the property owner and inspected and approved by the Tualatin Valley Fire District.
46. The following Fire District requirements (Exhibit A.7.22) shall be met by the property owner and verified by the Tualatin Valley Fire District prior to building plan sign-off:
  - A. Access roads shall be within 150 feet of all portions of the exterior wall of the first story of the building. An approved turn-around is required if the remaining distance to an approved intersecting roadway, as measured along the fire apparatus access road, is greater than 150 feet. The access drives shall be inspected and approved by the Tualatin Valley Fire District prior to building plan sign-off.
  - B. When buildings are completely protected with an approved automatic fire sprinkler system, the requirements for fire apparatus access may be modified as approved by the fire code official in writing filed with the Planning Director in the file for T3-2012-2097.
  - C. The access roads shall be an all-weather surface that is easily distinguishable from the surrounding area and is capable of supporting not less than 12,500 wheel load and 60,000 pounds gross vehicle



weight. The Fire District may require documentation from a registered engineer that the access roads meet the standard.

- D. Access drive grades shall not exceed 10 percent. Intersections and turn-arounds shall be level (maximum 5%) with the exception of crowning for water run-off. When fire sprinklers are installed, a maximum grade of 15% may be allowed. The approval of fire sprinklers as an alternate shall be accomplished in accordance with provisions of ORS 455.610(5).
  - E. Gates securing access roads shall comply with all of the following: Minimum unobstructed width shall be 16 feet or two 10 foot sections with a center post or island. Gates serving one or two-family dwellings shall be a minimum of 12 feet in width. Gates shall be set back at minimum of 30 feet from the intersecting roadway. Gates shall be of the swinging or sliding type. Manual operation shall be capable by one person. Electric gates shall be equipped with a means for operation by fire department personnel. Locking devices shall be approved.
  - F. Required fire flow for rural and suburban areas in which adequate and reliable water supply systems do not exist may be calculated in accordance with National Fire Protection Association Standard 1142, 2001 Edition when approved by the fire code official. Contact the Fire Marshall's office for special assistance and other requirements that may apply.
  - G. Approved fire apparatus access roadways and fire fighting water supplies shall be installed and operational prior to any combustible construction or storage of combustible materials on the site.
  - H. Buildings shall have approved address numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet numbers. Numbers shall be a minimum of 4 inches high with a ½ inch stroke.
  - I. The above Fire District requirements may be modified by the Tualatin Valley Fire District, provided said modifications must be approved by the District in writing and filed with the Planning Director in the record of this land use application to be allowed by this permit.
47. Prior to building plan sign-off for each dwelling the property owner shall obtain the required sanitation permits from the City of Portland Bureau of Environmental Services.
48. Prior to final approval of the partition final plat by the County Engineer, the applicant shall execute and file with the County Engineer an agreement with the County, which shall include:
- A. A schedule for the completion of required improvements;
  - B. Provision that the applicant file with the County Engineer a maintenance bond, on forms provided by the Engineer, guaranteeing the materials and workmanship in the improvements required by this Chapter against defects for a period of 12 months following the issuance of a certificate of acceptance by the County Engineer; and
  - C. A surety bond, executed by a surety company authorized to transact business in the State of Oregon, or a certified check or other assurance approved by the County Attorney, guaranteeing complete performance. Such assurance shall be for a sum equal to 110% of the actual costs of the improvements as estimated by the County Engineer.

49. In addition to the information required to be shown on the tentative plan, the following shall be shown on the partition plat:
- A. Corners of adjoining subdivisions or partitions.
  - B. The location, width and centerline of streets and easements abutting the boundaries of the land division.
  - C. Normal flood plain or high water line for any creek or other minor body of water or natural drainageway and the 100-year flood line of any major water body.
  - D. The ownership of each private street shall be shown.
  - E. Other certifications required by law.
50. The following shall accompany the subdivision plat or partition plat, as appropriate:
- A. A copy of any deed restrictions applicable to the subdivision or partition.
  - B. A copy of any dedication requiring separate documents.
  - C. Normal as used in this section, "lot" means a unit of land that is created by a subdivision of land, and a "tract" will be considered a lot, except for street plugs.
51. A restrictive covenant in favor of the mining operator shall be recorded on parcels 1 and 2. The restrictive covenant shall incorporate all approval conditions, and an agreement not to object to the conduct of lawful operations conducted at the nearby surface mine.
52. Stripping of vegetation, grading, or other soil disturbance shall be done in a manner which will minimize soil erosion, stabilize the soil as quickly as practicable, and expose the smallest practical area at any one time during construction. Development Plans shall minimize cut or fill operations and ensure conformity with topography so as to create the least erosion potential and adequately accommodate the volume and velocity of surface runoff. Temporary vegetation and/or mulching shall be used to protect exposed critical areas during development. Whenever feasible, natural vegetation shall be retained, protected, and supplemented. A 100-foot undisturbed buffer of natural vegetation shall be retained from the top of the bank of a stream, or from the ordinary high watermark (line of vegetation) of a water body, or within 100-feet of a wetland. The above mentioned buffer may only be disturbed upon the approval of a mitigation plan which utilizes erosion and stormwater control features designed to perform as effectively as those prescribed in the currently adopted edition of the "Erosion Prevention & Sediment Control Plans Technical Guidance Handbook (1994)" and the "City of Portland Stormwater Quality Facilities, A Design Guidance Manual (1995)" and which is consistent with attaining equivalent surface water quality standards as those established for the Tualatin River Drainage Basin in OAR 340;
53. A performance bond may be required to assure the full cost of any required erosion and sediment control measures. The bond may be used to provide for the installation of the measures if not completed by the contractor. The bond shall be released upon determination the control measures have or can be expected to perform satisfactorily. The bond may be waived if the Director determines the scale and duration of the project and the potential problems arising therefrom will be minor. If

inspection by County staff reveals erosive conditions which exceed those prescribed by the Hillside Development, work may be stopped until appropriate correction measures are completed.

54. The dwellings proposed for Parcel 2 and Parcel 3 shall not exceed 35 feet in height.
55. Prior to building plan sign-off the owners of Parcel 2 and Parcel 3 shall annex into a fire protection district or the proposed dwellings shall be provided with residential fire protection by contract.
56. The applicant's final partition plat shall provide an access strip that is at least a 16-foot wide for Parcel 2. If all necessary permits are obtained, however, the required vehicle and fire access road for Parcel 2 may be constructed within the 60'-wide road easement that adjoins the west boundary of Parcels 1 and 2. The owner of Parcel 2 shall, however, develop an on-site access road for Parcel 2 if the owner of Parcel 2 does not have or loses the right to use the easement for ingress and egress to Parcel 2 from NW McNamee Road.

### **DEQ NPDES 1200-CN PERMIT**

This project disturbs approximately four acres and is eligible for automatic coverage under the NPDES Stormwater Discharge General Permit No.1200-CN issued by the (DEQ) Oregon Department of Environmental Quality. You are required to review the attached "GENERAL PERMIT NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM STORMWATER DISCHARGE PERMIT" provisions in Exhibit B.9.

\*Please note that projects disturbing over 5-acres are not eligible for automatic coverage under the DEQ 1200-CN program and are subject to additional permitting requirements under the DEQ 1200-C program.

**Note:** Once this decision is final, application for building permits may be made with the City of Portland. When ready to have building permits signed off, the applicant shall call the Staff Planner, Kevin Cook, at (503) 988-3043 ext. 26782, for an appointment for review and approval of the conditions and to sign the building permit plans. Please note, Multnomah County must review and sign off the building permits before the applicant submits building plans to the City of Portland. Three Five (5) sets each of the site plan and building plans are needed for building permit sign off. At the time of building permit review, a review fee (currently \$53.00) will be collected. In addition, an erosion control inspection fee (currently \$77.00) may be required.