

Section III: Applicable Review Criteria

Below is a discussion of applicable review criteria *italicized*, followed by applicant’s **findings** of compliance.

§ 39.1250 CODE COMPLIANCE AND APPLICATIONS

Except as provided in subsection (A), the County shall not make a land use decision approving development, including land divisions and property line adjustments, or issue a building permit or zoning review approval of development or any other approvals authorized by this code for any property that is not in full compliance with all applicable provisions of the Multnomah County Zoning Code and/or any permit approvals previously issued by the County.

Findings: The subject property is in full compliance with all applicable codes. The subject property was included in Multnomah County case file no. T3-2015-3903, which authorized and approved the Welcome Center, O & M yard, and all existing elements associated with Oxbow Regional Park. *See Exhibit 13.*

A. Lot of Record Confirmation

Findings: As an initial matter, applicant is proposing work on properties that are legal lots of record as provided for in *MCC § 39.2000* and *§ 39.3005*. In Multnomah County case file no. T3-2015-3903, the County confirmed lot of record status for all lots and parcels associated with Oxbow Regional Park. The decision also required Metro to consolidate certain tax lots into a larger legal lot of record. Metro complied with the condition, obtained lot consolidation approval (T1-2016-5341), and recorded a consolidation deed. *See Exhibits 9 (deed) and 14 (decision).*

Since the lot of record determination and approved lot consolidation, the property has not been reconfigured or otherwise altered in any manner that would disturb its lot of record status.

Commercial Forest Use (CFU)

B. Allowed Use

§ 39.4055 AREA AFFECTED

MCC 39.4050 through 39.4155 shall apply to those lands designated CFU on the Multnomah County Zoning Map.

Findings: The subject property is designated CFU on the Multnomah County Zoning Map. As stated in *§ 39.4050*, the purpose of the CFU district is in part to provide for recreational opportunities which are compatible with forests use.

§ 39.4070 ALLOWED USES

The following uses and their accessory uses are allowed, subject to all applicable supplementary regulations contained in MCC Chapter 39.

(A) The following uses pursuant to the Forest Practices Act and Statewide Planning Goal 4:

(3) Physical alterations to the land auxiliary to forest practices including, but not limited to, ... recreational facilities.

...

Findings: The application proposes work which is intended to increase accessibility and safety while further protecting wildlife resources. The application proposes necessary improvements to the water service system to support safe, potable water throughout the park. Further, limiting the replacement and improvement project to the right-of-way and already disturbed areas results in less disturbance to water resources and wildlife habitat and minimizes harm to the surrounding natural resource areas. The project represents and is support of an allowed and permitted use in the CFU zone. This standard is met.

§ 39.4080 **CONDITIONAL USES**

The following uses may be permitted when found by the approval authority to satisfy the applicable standards of this Chapter:

(A) The following Community Service Uses pursuant to all applicable approval criteria, including but not limited to the provisions of..

Findings: Oxbow Regional Park, and its associated facilities, improvements, and uses, is an approved Community Service and Conditional Use pursuant to several historical land use decisions and most recently the land use decision in County case file no. T3-2015-3903. See Exhibit 13. Applicant is proposing to replace and improve water service facilities that currently serve the approved community service/conditional use park.

Although T3-2015-3093 directed that all future land use review applications would be processed as a Type II use, County opined that certain elements associated with this project, specifically the above ground facilities, are akin to a request to amend the community service use and directed Metro to address certain conditional and community service use standards and process this request as Type III review. Metro addresses the identified standards below. This standard is met.

§ 39.4110 **FOREST PRACTICES SETBACKS AND FIRE SAFETY ZONES**

The Forest Practice Setbacks and applicability of the Fire Safety Zones is based upon existing conditions, deviations are allowed through the exception process and the nature and location of the proposed use. The following requirements apply to all structures as specified:

Use	Forest Practice Setbacks			Fire Safety Zones
Description of use and location	Nonconforming Setbacks	Front Property Line Adjacent to County Maintained Road (feet)	All Other Setbacks (feet)	Fire Safety Zone Requirements (FSZ)
Accessory structures within 100 ft. of the dwelling	N/A	30	30	Primary required
Accessory structures located more than 100 ft. from the dwelling	N/A	30	130	Primary & Secondary required
Other Accessory structures	N/A	30	130	Primary & Secondary required

Findings: The standard largely regulates forest dwellings. In association with the new well at the Welcome Center, Metro is proposing a small metal water storage tank and small prefabricated concrete well house in which to locate and protect well pumps, treatment, and related equipment. This accessory structure, comprised of concrete, with a metal roof, is non-flammable. The well house is proposed in an existing cleared and developed area within the O & M yard, behind the Welcome Center. The Welcome Center is served by a fire protective sprinkler system, akin to what a dwelling would have if permitted in the forest zone.

The proposed well house is located over 30 feet from the County right of way and County maintained road, and further than 130 feet from property owners to the south, within the previously reviewed and approved O & M yard. Applicant demonstrates compliance with the fire break standards below. See Exhibit 3, Sheet G4. This standard is met.

(A) Reductions to a Forest Practices Setback dimension shall only be allowed pursuant to approval of an adjustment or variance.

Finding: Applicant is not requesting a reduction to the Forest Practices Setback. This standard is not applicable.

(B) Exception to the Secondary Fire Safety Zone shall be pursuant to MCC 39.4155 only. No reduction is permitted for a required Primary Fire Safety Zone through a nonconforming, adjustment or variance process.

Findings: Applicant is seeking an exception to the secondary fire safety zone for the prefabricated well house (housing the well pump, treatment, and associated facilities), recognizing the nature of the use, that the structure is non-flammable, and its unique location in Oxbow Regional Park. No

reduction in the primary fire break is sought. Compliance with the exception criteria is demonstrated below.

(D) Fire Safety Zones on the Subject Tract.

(1) Primary Fire Safety Zone.

(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) On lands with 10 percent or greater slope the primary fire safety zone shall be extended down the slope from a dwelling or structure as follows:

<i>Percent Slope</i>	<i>Distance In Feet</i>
<i>Less than 10</i>	<i>No additional required</i>
<i>Less than 20</i>	<i>50 additional</i>
<i>Less than 25</i>	<i>75 additional</i>
<i>Less than 40</i>	<i>100 additional</i>

(c) The building site must have a slope less than 40 percent.

Findings: The well house is considered an accessory structure. Although it is non-flammable, applicable has sited the well house in a location that meets the 30-foot primary fire break standard. See Exhibit 3, Sheets G4 and G5. Two trees within the center of the O & M yard are being removed to facilitate installation and the location of this project. Those trees are spaced greater than 15 feet between the crowns. The land and site are generally level (no slopes are 10 or greater in the project area or primary fire safety zone). Since slopes are less than 10 percent, no additional primary fire safety zone is required. This standard is met and can be made a condition of approval to ensure compliance.

(2) Secondary Fire Safety Zone.

A secondary fire safety zone is a fire break extending a minimum of 100 feet in all directions around the primary safety zone. The goal of this 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. Assistance with planning forestry practices which meet these objectives may be obtained from the State of Oregon Department of Forestry or the local Rural Fire Protection District. The secondary fire safety zone required for any dwelling or structure may be reduced under the provisions of MCC 39.4155.

Findings: The well house is proposed in an existing cleared and developed area within the O & M yard, behind the Welcome Center. The Welcome Center is served by a fire protective sprinkler system, akin to what a dwelling would have if permitted in the forest zone. The table above indicates no secondary fire safety zone applies if located adjacent to a dwelling. Although the Welcome Center is not a dwelling (which would have no secondary fire break standard), it includes the same type of fire protection measures.

The fire break drawing attached at Exhibit 3, Sheets G4 and G5. depicts the secondary fire safety break area around the well house. Rather than unnecessarily removing trees, vegetation, and understory between 30 and 100 feet in all directions from the primary fire break, applicant is requesting an **exception to the secondary fire break standard**. The secondary fire safety zone required for any structure may be reduced under the provisions of 39.4155. Applicant demonstrates compliance with MCC 39.4155 below.

(3) No requirement in (1) or (2) above may restrict or contradict a forest management plan approved by the State of Oregon Department of Forestry pursuant to the State Forest Practice Rules;

Finding: No requirement in (1) or (2) above restricts or contradicts an approved forest management plan for the property. This standard is not applicable.

(4) Required Primary and Secondary Fire Safety Zones shall be established within the subject tract as required by Table 1 above.

Finding: Applicant has demonstrated that it can comply with the primary fire break standard on land owned by Metro (the subject tract). See Exhibit 3, Sheets G4 and G5. No portion of the primary fire break is on land owned by another. Although applicant is requesting an exception to the secondary fire break standard in requirement (2) above, no portion of the secondary fire break is on land owned by another. This standard is met.

(5) Required Primary and Secondary Fire Safety Zones shall be maintained by the property owner in compliance with the above criteria listed under (1) and (2).

Finding: Applicant is seeking an exception to the secondary fire safety zone around the non-flammable well house recognizing the nature of the structure, its use, and unique location. Compliance with the exception to the secondary fire safety zone criteria is demonstrated below. Otherwise, the requirement of subsection (5) above is an ongoing maintenance requirement within the Fire Safety Zone. Compliance with subsection (5)'s maintenance requirement can be ensured through a condition of approval.

§ 39.4155 **EXCEPTIONS TO SECONDARY FIRE SAFETY ZONES.**

(A) The secondary fire safety zone for dwellings and structures may be reduced pursuant to the provisions of MCC 39.4155 (B) when:

...

(3) The proposed dwelling or structure will be clustered with a legally existing dwelling or structure

Findings: Applicant is proposing the well house adjacent to the approved Welcome Center and O & M yard buildings. The well house is therefore clustered with legally approved structures. This standard is met.

(B) Exceptions to secondary fire safety zones shall only be granted upon satisfaction of the following standards:

(2) If the proposed secondary fire safety zone is less than fifty feet, the dwelling or structure 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, and

Findings: Through an exception, Metro requests that the secondary fire safety zone be reduced to zero (0) feet. Please note, to the south and west, the O & M yard abuts forest. To the north and east of the proposed well house, the land is cleared. As such, the direction and location of the forest to the south and west is the reason the exception is sought.

Where the secondary zone is proposed to be less than 50 feet, the structure must be constructed using the “Class 1” standard. The proposed small, prefabricated concrete structure (11.6 ft. x 14 ft) is in compliance with the Class 1 standard. The prefabricated concrete structure is non-flammable, non-combustible, and not a fire risk. Metro demonstrates compliance with the “Class 1” standards below.

The subject property has a history of County approved exceptions to the secondary fire zone standards reflecting the unique use and circumstances, as well as Metro’s property stewardship and fire preparedness. Exceptions to fire break standards were County approved in 1999, 2000, 2001, 2003, and 2015 in conjunction with other structure development (concrete restrooms, pump house, flush toilet/shower facilities, picnic shelters, and Welcome Center). As in those matters, applicant is proposing a new structure that effectively mitigates fire risks through materials and active management.

The County’s secondary fire break standards include recommendations (“should”) rather than commands (“shall” – as we see in the primary break standard), with intent to minimize fire risks. With this project, strict compliance with the secondary fire safety zone would unnecessarily result in the removal of a significant number of mature trees and native understory in the park.

The goal of the secondary fire safety zone is to reduce fuels so that the overall intensity of any wildfire is lessened – in other words – to minimize the risk of wildfire. Also, the CFU fire break standards were primarily intended for the siting of homes and their accessory structures in forest zones and are generally not appropriate or easily applied to uses in a forested public park.

Here, the risk associated with wildfire is negated due to the nature of the non-flammable, prefabricated concrete/metal roof structure and the site. Additionally, the well house is proposed in the middle of the O & M yard and surrounded by cleared and developed areas on all sides. There are no trees or ground fuels to support a fire. Additionally, the O & M yard is served by a fire department approved standpipes.

Metro will continue to monitor fuel accumulation within the secondary safety zone and where a fire danger exists, clear fire hazards. Also, Oxbow Park Road forms a fire break for the office complex, as does the extensive amount of asphalt, gravel, access ways, roads, and landscaping elements proposed.

Additionally, Oxbow Regional Park has a fire plan in place which provides a specific action plan in the event of a fire and a fire precaution class system designed to prevent the occurrence of a fire. The plan was developed with the assistance of the Gresham fire department. Applicant has also provided evidence of its water supply and water rights. The area is regularly and continually monitored by park staff and rangers, 365 days a year.

Metro has coordinated closely with Gresham Fire Department in designing the water system and preparing this application. This standard is met.

SECTION 504 CLASS 1 IGNITION-RESISTANT CONSTRUCTION

504.1 General.

Class 1 ignition-resistant construction shall be in accordance with Sections 504.2 through 504.11.

504.2 Roof covering.

Roofs shall have a roof assembly that complies with a Class A rating when tested in accordance with ASTM E108 or UL 790. For roof coverings where the profile allows a space between the roof covering and roof decking, the space at the eave ends shall be fire stopped to preclude entry of flames or embers, or have one layer of 72- pound (32.4 kg) mineral-surfaced, nonperforated cap sheet complying with ASTM D3909 installed over the combustible decking.

Findings: The well house is non-combustible, reinforced concrete. There is no space between the roof covering and decking. This standard is met.

504.3 Protection of eaves.

Eaves and soffits shall be protected on the exposed underside by ignition-resistant materials or by materials approved for not less than 1-hour fire resistance-rated construction, 2-inch (51 mm) nominal dimension lumber, or 1-inch (25 mm) nominal fire-retardant treated lumber or 3 /4 -inch (19.1 mm) nominal fire-retardant treated plywood, identified for exterior use and meeting the requirements of Section 2303.2 of the International Building Code. Fascias are required and shall be protected on the backside by ignition-resistant materials or by materials approved for not less than 1-hour fire-resistance-rated construction or 2-inch (51 mm) nominal dimension lumber.

Findings: The prefabricated structure complies with the § 504.3 Class 1 protection of roof eaves standards. No combustible eaves, fascia, or soffit exist. This standard is met.

504.4 Gutters and downspouts.

Gutters and downspouts shall be constructed of noncombustible material. Gutters shall be provided with an approved means to prevent the accumulation of leaves and debris in the gutter.

Findings: Gutters and downspouts associated with the wellhouse will be non-combustible metal and maintained to prevent accumulation of leaves and debris in the gutter. This standard is met.

504.5 Exterior walls.

Exterior walls of buildings or structures shall be constructed with one of the following methods: 1. Materials approved for not less than 1-hour fire-resistance-rated construction on the exterior side. 2. Approved noncombustible materials. 3. Heavy timber or log wall construction. 4. Fire-retardant-treated wood on the exterior side. The fire-retardant-treated wood shall be labeled for exterior use and meet the requirements of Section 2303.2 of the International Building Code. 5. Ignition-resistant materials complying with Section 503.2 on the exterior side. Such material shall extend from the top of the foundation to the underside of the roof sheathing.

Findings: Exterior walls of the well house will be constructed with concrete, a non-combustible material. This standard is met.

504.6 Underfloor enclosure.

Buildings or structures shall have underfloor areas enclosed to the ground with exterior walls in accordance with Section 504.5.

Findings: The well house is an at grade structure. The structure is non-flammable. All elements of the structure are enclosed. This standard is met.

504.7 Appendages and projections.

Unenclosed accessory structures attached to buildings with habitable spaces and projections, such as decks, shall be not less than 1-hour fire resistance-rated construction, heavy timber construction or constructed of one of the following: 1. Approved noncombustible materials. 2. Fire-retardant-treated wood identified for exterior use and meeting the requirements of Section 2303.2 of the International Building Code. 3. Ignition-resistant building materials in accordance with Section 503.2.

Findings: There are no unenclosed accessory structures attached to the prefabricated structure. This standard is not applicable.

504.8 Exterior glazing.

Exterior windows, window walls and glazed doors, windows within exterior doors, and skylights shall be tempered glass, multilayered glazed panels, glass block or have a fire protection rating of not less than 20minutes.

Findings: There are no exterior windows, window walls, glazed doors, skylights, or glass block proposed in the prefabricated structure. This standard is met.

504.9 Exterior doors.

Exterior doors shall be approved noncombustible construction, solid core wood not less than 13/4inches thick (44 mm), or have a fire protection rating of not less than 20 minutes. Windows within doors and glazed doors shall be in accordance with Section 504.8. Exception: Vehicle access doors.

Findings: The exterior door will be constructed of metal, non-combustible material. This standard is met.

504.10 Vents.

Attic ventilation openings, foundation or underfloor vents, or other ventilation openings in vertical exterior walls and vents through roofs shall not exceed 144square inches (0.0929 m2) each. Such vents shall be covered with noncombustible corrosion-resistant mesh with openings not to exceed 1 /4 inch (6.4 mm), or shall be designed and approved to prevent flame or ember penetration into the structure.

Findings: There are no attic or foundation vents. The wall vents are cast into the concrete wall and framed with steel. This standard is not applicable.

504.11 Detached accessory structures.

Detached accessory structures located less than 50 feet (15 240 mm) from a building containing habitable space shall have exterior walls constructed with materials approved for not less than 1-hour fire resistance-rated construction, heavy timber, log wall construction, or constructed with approved noncombustible materials or fire-retardant-treated wood on the exterior side. The fire-retardant-treated wood shall be labeled for exterior use and meet the requirements of Section 2303.2 of the International Building Code.

Findings: There are no detached accessory structures proposed from a building containing habitable space. This standard is not applicable. However, the well house is non-combustible as required by this standard.

(3) There shall be no combustible fences within 12 feet of the exterior surface of the dwelling or structure; and

Findings: There is no fence within 12 feet of the exterior surface of the structure. This standard is not applicable.

(4) A dwelling shall have a central station monitored alarm system if the secondary fire safety zone equivalents of subsection (B) (1) above are utilized, or

Findings: This standard applies to dwellings and is not applicable. Applicant is not proposing a dwelling.

(5) A dwelling shall have a central station monitored 13D sprinkler system if the secondary fire safety zone equivalents of subsection (B) (2) above are utilized.

Findings: This standard applies to dwellings and is not applicable. Applicant is not proposing a dwelling.

(6) All accessory structures within the fire safety zone setbacks required by MCC 39.4110, and all accessory structures within 50 feet of a dwelling, shall have a central monitored alarm system.

Findings: This standard applies to accessory structures – which are subordinate to the main building. Pursuant to the CFU standards, this is intended to regulate accessory structures to a primary dwelling on a lot. Applicant is not proposing a building or dwelling subordinate to the well house. The well house is not a habitable structure. This standard is not applicable or otherwise satisfied.

(7) All accessory structures within 50 feet of a building shall have exterior walls constructed with materials approved for a minimum of one-hour rated fire-resistive construction, heavy timber, log wall construction or constructed with noncombustible materials on the exterior side.

Findings: This standard applies to accessory structures – which are subordinate to the main building. Pursuant to the CFU standards, this is intended to regulate accessory structures to a primary dwelling on a lot. Applicant is not proposing a building or dwelling subordinate to the well house. The well house is not a habitable structure. This standard is not applicable or otherwise satisfied.

(8) When a detached accessory structure is proposed to be located so that the structure or any portion thereof projects over a descending slope surface greater than 10 percent, the area below the structure shall have all underfloor areas enclosed to within 6 inches of the ground, with exterior wall construction in accordance with Section 504.5 of the International Fire Code Institute Urban Wildland Interface Code Class 1 Ignition Resistant Construction as adopted August, 1996, or as later amended, or underfloor protection in accordance with Section 504.6 of that same publication.

Findings: This standard applies to accessory structures – which are subordinate to the main building. Pursuant to the CFU standards, this is intended to regulate accessory structures to a primary dwelling on a lot. Applicant is not proposing a building or dwelling subordinate to the well house. The well house is not a habitable structure. All slopes are less than 10 percent. This standard is not applicable or otherwise satisfied.

§ 39.4105 BUILDING HEIGHT REQUIREMENTS.

(A) Maximum structure height – 35 feet.

Findings: The 11 x 14 foot well house is approximately 15 feet in height, significantly below the 35-foot maximum height. This standard is met.

§ 39.4115 DEVELOPMENT STANDARDS FOR DWELLINGS AND STRUCTURES.

All dwellings and structures shall comply with the approval criteria in (B) through (E) below except as provided in (A). All exterior lighting shall comply with MCC 39.6850:

(A) For the uses listed in this subsection, the applicable development standards are limited as follows:

(1) Expansion of existing dwelling shall meet the development standards of MCC 39.4115(E).

(2) Replacement or restoration of a dwelling shall meet the development standards of MCC 39.4115(E).

(3) Accessory buildings shall meet the development standards of MCC 39.4115(E).

(4) Temporary dwellings shall meet the development standards of MCC 39.4115(E).

Findings: This standard is not applicable. Applicant is not proposing a dwelling or a structure accessory to a dwelling. This standard regulates existing, replaced, and expanding forest dwellings (template dwellings, lot of record dwellings, etc.) which are a use specifically and expressly regulated by Multnomah County Code. Applicant is proposing an accessory element to an approved community service park use.

(B) New dwellings shall meet the following standards in (1) and (3) or (2) and (3); restored or replacement dwellings greater than 100-feet from an existing dwelling, and accessory buildings (or similar structures) greater than 100-feet from the existing dwelling shall meet the following standards in (1) and (3) or (2) and (3):

Findings: This standard is not applicable. This standard regulates new dwellings, restored or replacement dwellings greater than 100 feet from an existing dwelling and accessory buildings associated with the existing dwelling. Applicant is proposing an accessory element to an approved community service park use.

(C) The dwelling or structure shall:

- (1) Comply with the standards of the applicable building code or as prescribed in ORS 446.003 through 446.200 relating to mobile homes;*
- (2) If a mobile home, have a minimum floor area of 600 square feet and be attached to a foundation for which a building permit has been obtained;*
- (3) Have a fire retardant roof; and*
- (4) Have a spark arrester on each chimney.*

Findings: This standard is met or otherwise not applicable. This standard relates to the dwellings or accessory structures regulated by subsections A or B above and specifically mobile homes, which are not applicable to the subject application. The prefabricated structure will have a non-combustible roof. There is no chimney. The prefabricated structure will comply with standards of the applicable building code to the extent applicable. Applicant is proposing an accessory element to an approved community service use.

(D) The applicant shall provide evidence that the domestic water supply is from a source authorized in accordance with the Department of Water Resources Oregon Administrative Rules for the appropriation of ground water (OAR 690, Division 10) or surface water (OAR 690, Division 20) and not from a Class 1 stream as defined in the Forest Practices Rules.

- (1) If the water supply is unavailable from public sources, or sources located entirely on the property, the applicant shall provide evidence that a legal easement has been obtained permitting domestic water lines to cross the properties of affected owners.*

(2) Evidence of a domestic water supply means:

(a) Verification from a water purveyor that the use described in the application will be served by the purveyor under the purveyor's rights to appropriate water; or

(b) A water use permit issued by the Water Resources Department for the use described in the application; or

(c) Verification from the Water Resources Department that a water use permit is not required for the use described in the application. If the proposed water supply is from a well and is exempt from permitting requirements under ORS 537.545, the applicant shall submit the well constructor's report to the county upon completion of the well.

Findings: This standard is met or otherwise inapplicable. This standard regulates water supplies for residential uses. Applicant is not proposing a dwelling. This structure is a well house that will be utilized to exercise applicant's certified water rights benefiting the property and recreational uses. Attached as Exhibit 11 is applicant's water right certificate. Applicant has an application pending to add an additional point of appropriation for the new well at the Welcome Center. Exhibit 12.

(E) On-site sewage disposal, storm water/drainage control, water systems unless these services are provided by public or community source, shall be provided on the Lot of Record.

(1) Sewage and stormwater disposal systems for existing development may be off-site in easement areas reserved for that purpose.

(2) Stormwater/drainage control systems are required for new impervious surfaces. The system shall be adequate to ensure that the rate of runoff from the lot for the 10 year 24-hour storm event is no greater than that before the development.

Findings: The minimal stormwater coming from the small well house roof will be controlled directed by downspouts to natural surfaces and existing on-site drainage facilities that service the O & M yard. Attached as Exhibit 6 is the stormwater certificate. No sewage project is proposed. This standard is met.

§ 39.6235 *STORMWATER DRAINAGE CONTROL.*

(A) Persons creating new or replacing existing impervious surfaces exceeding 500 square feet shall install a stormwater drainage system as provided in this section.

Findings: The proposed project does not create new or existing impervious surfaces exceeding 500 square feet. The total impervious generating surface proposed for the prefabricated pump structure and water storage tank is 256 square feet. See Exhibits 3 and 6.

§ 39.6850 *DARK SKY LIGHTING STANDARDS.*

Findings: No lighting is proposed. This standard is inapplicable or otherwise met.