

1600 SE 190<sup>th</sup> Avenue, Portland OR 97233-5910 • PH. (503) 988-3043 • Fax (503) 988-3389

## NOTICE OF PUBLIC HEARING

This notice concerns a public hearing scheduled before one of the County's Hearings Officer's to consider the land use case(s) cited and described below.

**Case File:** T3-2019-12724

**COVID-19 NOTICE:**

Due to the County's Emergency Response to COVID-19, the referenced Hearing will be limited to remote participation. At this time, Hearings are not available for in-person attendance.

Scheduled before one of the following County Hearings Officer's on **Friday, July 10, 2020, at 9:00 a.m.** or soon thereafter. The hearing will be held virtually.

**Participation Options and Instructions:** This Hearing will be open to the public. Interested parties may contact our office to register for this event. Please provide your name, phone number, and email address either by phone to 503-988-3043 or by email to [land.use.planning@multco.us](mailto:land.use.planning@multco.us) **no later than noon on July 9, 2020.**

**Proposal:** The applicant requests authorization for the implementation of a Measure 49 approval (State Final Order E118605) to construct a single-family dwelling on the 15.07 +/- acre subject property located in the Commercial Forest Use – 2 (CFU-2) zone. The request also includes a Conditional Use Permit to locate the home within the Protected Aggregate and Minerals – Impact Area (PAM-IA) overlay, Significant Environmental Concern – wildlife habitat (SEC-h) permit, Geologic Hazards (GH) permit, Exception to the Secondary Fire Safety Zone, Variance to the Forest Practices Setbacks.

**Location:** 13195 NW McNamee Road, Portland  
Tax Lot 703, Section 32B, Township 2 North, Range 1 West, W.M.  
Tax Account #649631870 Property ID # R652211

**Applicant:** NW Engineers, LLC. c/o Matt Newman      **Property Owner:** Dieter Waiblinger



**Public Participation and Hearing Process:**

A staff report and exhibits will be available for inspection 7 days prior to the hearing at <https://multco.us/landuse/public-notice>. For further information on this case, contact Chris Liu, Staff Planner at [chris.liu@multco.us](mailto:chris.liu@multco.us) or at 503-988-2964.

**Public Participation:** All interested parties may appear and testify or submit written comment on the proposal at or prior to the hearing. Comments should be directed toward approval criteria applicable to the request. The hearing procedure will follow the Hearing Officer’s *Rules of Procedure* and will be explained at the hearing.

**Hearing Process:** The Hearings Officer may announce a decision at the close of the hearing or on a later date, or the hearing may be continued to a time certain. Notice of the decision will be mailed to the applicant, any persons who submitted written comment, requested a decision in writing, or provided oral testimony at the hearing. A decision by the Hearings Officer may be appealed to the Land Use Board of Appeals (LUBA) by the applicant, the County, or other participants at the hearing.

Failure to raise an issue before the close of the public record in sufficient detail to afford the County and all parties an opportunity to respond may preclude appeal on that issue to the Land Use Board of Appeals (LUBA).

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

General Provisions: MCC 39.1515 Code Compliance and Applications, MCC 39.3005 Lot of Record – Generally, MCC 39.3030 Lot of Record – (CFU-2), MCC 39.6850 Dark Sky Lighting Standards, MCC 39.6235 Stormwater Drainage Control

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

CFU Zone: MCC 39.4105 Building Height Requirements, MCC 39.4110 Forest Practices Setbacks and Fire Safety Zones, MCC 39.4115 Development Standards for Dwellings and Structures, MCC 39.4150

Single Family Dwellings Condition of Approval, MCC 39.4155 Exceptions to Secondary Fire Safety Zones

Geologic Hazards: MCC 39.5075 Permits Required, MCC 39.5085 Application Information Required, MCC 39.5090 Geologic Hazards Permit Standards

Protected Aggregate and Mineral Sites: MCC 39.5420 PAM Overlay; Generally, MCC 39.5435 Impact Area – Allowed Uses, MCC 39.5440 Use Approval Criteria, and MCC 39.7005 General Provisions & MCC 39.7010 Conditions and Restrictions.

Significant Environmental Concern: MCC 39.5520 Application for SEC Permit, MCC 39.5860 Criteria for Approval of SEC-h Permit

Variance: MCC 39.8205 Scope, MCC 39.8215 Variance Approval Criteria