

MEMORANDUM

TO Mr Joe Turner, Hearings Officer

FROM Graham Martin, Interim Transportation Planning Development Program Supervisor
Andrew Mulkey, Assistant County Attorney

DATE June 6, 2025

ADDRESS 18611 Sauvie Island Rd (R971170130)

SUBJECT **Post Hearing (May 9, 2025) - Exhibit G.1 rebuttal**

REFERENCE RRV-2024-0004

Like the applicant's prior submission of zoning code provisions related to access, the 1983 zoning code access standards MCC 11.15.2148 (1982) simply requires at minimum that "any lot... shall abut a street," Exhibit F.4. The subject property meets that minimum requirement of abutting a street. For that reason, the zoning code did not and would not have required a decision-maker to evaluate the alternative criteria that apply only to "other access" for properties that did not abut a street.

By citing the access requirements in the zoning code, the applicant fails to demonstrate that any one of, much less all three of, the subject property's existing access points have ever been evaluated based on the safety of the access provided or approved as "access points" in the context of a prior land use proceeding. For properties such as the applicant's that abut a street, the zoning code criteria found after the ", or" in MCC 11.15.2148 (1982) simply did not apply. All that a decision-maker would have had to evaluate under the access provisions was whether the applicant's property abutted a street. Zoning code "access" provisions that only require an applicant to show that the property is adjacent to or abuts a road do not demonstrate that any of the applicant's existing access points have been approved as access points pursuant to a prior land use decision.