

TIME EXTENSION



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Case File: T2-2024-0056 **Applicant:** Bradlee Hersey

Proposal: Request for a 12-month time extension of the approval period for land use case no. T2-2021-15360, which authorized a new single-family dwelling, driveway modification and replacement septic system.

Location: 14180 NW Germantown Road, Portland **Property ID #** R236843
Map, Tax lot: 1N1W09B -01700 **Alt. Acct. #** R649703400

Base zone: Rural Residential (RR)

Overlays: Significant Environmental Concern – Stream (SEC-s) and Significant Environmental Concern – Wildlife Habitat (SEC-h)

Decision: Approved

Issued by:

A handwritten signature in black ink, appearing to be "Izze Liu".

Izze Liu, Planner

For: Megan Gibb,
Planning Director

Date: December 10, 2024



ORDINANCE REQUIREMENTS:

Applicable standards for this permit are in Multnomah County Code (MCC) Chapter 39 under:

Time Extension: MCC 39.1185 Expiration of Type II or Type III Decisions, MCC 39.1195 Extension of a Type II or Type III Decision.

Copies of the referenced Multnomah County Code sections are available by visiting our website at <https://www.multco.us/landuse/zoning-codes> under the link **Chapter 39: Multnomah County Zoning Code** or by contacting our office at (503) 988-3043.

ON-GOING RESPONSIBILITIES, OBLIGATIONS, MODIFICATIONS, AND LIMITATIONS:

It shall be the responsibility of the property owner(s) to comply with the limitations of approval described herein. Where a restriction relates to a specific criterion, the code citation follows in brackets.

General Requirements:

1. Permit Expiration - Land use case no. T2-2021-15360 and all associated land use permits shall expire as follows:
 - a. **On June 27, 2025** when construction has not commenced:
 - i. For the purposes of 1.a, expiration of an approval means that a new application is required for uses that are not established during the approval period.
2. All conditions of approval from land use case no. T2-2021-15360 shall remain in effect. The property owner(s) or their representative(s) shall be responsible for complying with all conditions of approval.

1.0 Project Description:

Staff: Request for a 12-month time extension of land use case no. T2-2021-15360, which approved a new single-family dwelling, driveway modification and replacement septic system. The conditions of the approval provided a two-year period to establish the use or development in compliance with MCC 39.1185(B).

2.0 Time Extension Criteria:

2.1 MCC 39.1195 Extension of a Type II or Type III Decision

(A) The Planning Director shall grant one extension period of 24 months for approvals of dwellings listed in MCC 39.1185 (C) and shall grant one extension period of up to 12 months for all other approvals provided:

- (1) An applicant makes a written request for an extension of the development approval period;**
- (2) The request is submitted to the county prior to the expiration of the approval period;**

Staff: The applicant submitted a written request for a time extension of the proposed development on June 6, 2024, prior to the expiration of the original approval at 4:00 PM on June 27, 2024 (Exhibit A.1). *These criteria are met.*

- (3) The applicant states reasons that prevented the applicant from beginning or continuing development within the approval period; and**

Staff: The applicant states in their written request that the proposed development has been delayed due to financial reasons which further delayed the soil disturbing activities within the allowed timeframe for disturbance within the Stream Conservation Area (Exhibit A.4). Therefore, the county determines that the applicant was unable to continue or complete development during the approval period for reasons for which the applicant was not responsible. *This criterion is met.*

- (4) The county determines that the applicant was unable to begin or continue development during the approval period for reasons for which the applicant was not responsible.**

Staff: Based on the materials in the record, and for reasons noted above, the county determines that the applicant was unable to begin or continue development during the approval period for reasons for which the applicant was not responsible. *This criterion is met.*

(B) Pursuant to OAR 660-033-0140, approval of an extension in EFU and CFU districts is an administrative decision, is not a land use decision as described in ORS 197.015, and is not subject to appeal as a land use decision. All other extension requests authorized by this section are land use decisions and shall be reviewed under the Type II procedures set forth in MCC 39.1125.

Staff: The subject property is zoned Rural Residential. MCC 39.1195(B) is not applicable.

3.0 Exhibits

- 'A' Applicant's Exhibits
- 'B' Staff Exhibits
- 'C' Procedural Exhibits

Exhibits with an ‘*’ have been reduced in size and included with the mailed decision. All exhibits are available for digital review by sending a request to LUP-comments@multco.us.

Exhibit #	# of Pages	Description of Exhibit	Date Received / Submitted
A.1	2	Application	05.24.2024
A.2	9	SEC Worksheet	05.24.2024
A.3	2	Site Plan	05.24.2024
A.4	1	Narrative	08.16.2024
‘B’	#	Staff Exhibits	Date
B.1	2	Assessment and Taxation Property Information for 1N1W09B -01700 (Alt Acct#R649703400 / Property ID#R236843)	05.24.2024
B.2	1	Current Tax Map for 1N1W09B -01700	05.24.2024
‘C’	#	Administration & Procedures	Date
C.1	1	Incomplete letter	07.03.2024
C.2	1	Complete letter (day 1)	09.13.2024
C.3	4	Opportunity to Comment	11.12.2024
C.4	4	Decision	12.10.2024