

NOTICE OF DECISION



www.multco.us/landuse ▪ Email: land.use.planning@multco.us ▪ Phone: (503) 988-3043

Application for Geologic Hazard (GH) and Significant Environmental Concern Wildlife Habitat (SEC-h) Permits

Case File: T2-2024-0066

Applicant: Matt Newman (NW Engineers)

Proposal: Request for a Geologic Hazards (GH) and Significant Environmental Concern Wildlife Habitat (SEC-h) permit to build a replacement dwelling, accessory structures (stormwater drainage control system and septic system), private driveway, and implementation of a Wildlife Conservation Plan.

Location: 11715 NW Old Cornelius Pass Rd. Portland

Property ID # R244447

Map, Tax lot: 2N1W31C-01900

Alt. Acct. # R661102310

Base Zone: Multiple Use Agriculture – 20 (MUA-20)

Overlays: Significant Environmental Concern Wildlife Habitat (SEC-h) and Geologic Hazard (GH)

Decision: **Approved with Conditions**

This decision is final at the close of the appeal period, unless appealed. The deadline for filing an appeal is March 20, 2025 at 4:00 pm.

Opportunity to Review the Record: The complete case file and all evidence associated with this application is available for review by contacting LUP-comments@multco.us. Paper copies of all documents are available at the rate of \$0.46/page.

Opportunity to Appeal: The appeal form is available at www.multco.us/landuse/application-materials-and-forms. Email the completed appeal form to LUP-submittals@multco.us. An appeal requires a \$250.00 fee and must state the specific legal grounds on which it is based. This decision is not appealable to the Land Use Board of Appeals until all local appeals are exhausted

Issued by:

Anna Shank-Root, Planner

For:

Megan Gibb,
Planning Director

Date:

March 6, 2025

Instrument Number for Recording
Purposes: # 2023-030677



Applicable Approval Criteria:

Multnomah County Code (MCC):

General Provisions: MCC 39.1250 Code Compliance and Applications, MCC 39.2000 Definitions, MCC 39.3005 Lot of Record – Generally, MCC 39.3080 Lot of Record – Multiple Use Agriculture - 20, MCC 39.6235 Stormwater Drainage Control, MCC 39.6850 Dark Sky Lighting Standards

Multiple Use Agriculture – 20 (MUA-20): MCC 39.4310 – Allowed Uses – Replacement Dwelling, MCC 39.4325(C), (G), (H), (I), (J) - Dimensional Standards and Development Requirements

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

Significant Environmental Concern Wildlife Habitat (SEC-h): MCC 39.5510 Uses – SEC Permit Required, MCC 39.5520 – Application for SEC Permit, MCC 39.5860 Criteria for Approval of SEC-h Permit

Copies of the referenced Multnomah County Code sections are available by visiting <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.

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 parenthesis.

1. **Permit Expiration** – This land use permit shall expire as follows:

- a. Within two (2) years of the date of the final decision when construction has not commenced. [MCC 39.1185(B)]
 - i. For the purposes of 1.a, commencement of construction shall mean actual construction of the foundation or frame of the approved structure.
 - ii. For purposes of 1.a, notification of commencement of construction shall be given to Multnomah County Land Use Planning Division a minimum of seven (7) days prior to the date of commencement. Notification shall be sent via email to LUP-submittals@multco.us with the case no. T2-2024-0066 referenced in the subject line.
- b. Within four (4) years of the date of commencement of construction when the structure has not been completed.
 - i. For the purposes of 1.b, completion of the structure shall mean completion of the exterior surface(s) of the structure and compliance with all conditions of approval in the land use approval.
 - ii. For purposes of 1.b, the property owner shall provide building permit status in support of completion of exterior surfaces of the structure and demonstrate compliance with all conditions of approval. The written notification and documentation of compliance with the conditions shall be sent to LUP-submittals@multco.us with case no. T2-2024-0066 referenced in the subject line. [MCC 39.1185]

Note: The property owner may request to extend the timeframe within which this permit is valid, as provided under MCC 39.1195, as applicable. The request for a permit extension must be submitted prior to the expiration of the approval period.

2. Approval of this land use permit is based on the submitted written narrative(s) and plan(s). 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 approval described herein. [MCC 39.1170(B)]
3. **Prior to submitting Building Plans for Zoning Review**, the property owner(s) or their representatives shall:
 - a. Record pages 1 through 8 and Exhibit A.10 of this Notice of Decision with the County Recorder. The Notice of Decision shall run with the land. Proof of recording shall be made prior to the issuance of any permits and shall be filed with the Land Use Planning Division. Recording shall be at the applicant's expense. [MCC 39.1175]
 - b. Record a covenant with the County Recorder that states they recognize and accept that farm activities including tilling, spraying, harvesting, and farm management activities during irregular times can occur on adjacent property and in the general area. [MCC 39.4325(H)]

- c. Acknowledge in writing that they have read and understand the conditions of approval and intend to comply with them. A Letter of Acknowledgement has been provided to assist you. The signed document shall be submitted and uploaded when submitting Building Plans for Zoning Review. [MCC 39.1170(A) & (B)]
4. **When submitting Building Plans for Zoning Review**, the property owner(s) or their representatives shall:
- d. Provide a Letter of Acknowledgement and recorded Notice of Decision as required in Condition 2.a through 2.c. [MCC 39.1170(A) & (B)]
 - e. Providing an exterior lighting plan showing the location of all exterior lights and the specifications of proposed light fixtures. Exterior lighting shall meet requirements of MCC 4325(J) and MCC 39.6850 [MCC 39.4325(J) and MCC 39.6850]
5. **The property owner(s) or their representatives shall comply with the following limitations on the development and ground disturbing activities:**
- a. A maximum of 25,000 square feet (0.57 acres) of total ground disturbance area is to be disturbed as described in Exhibit A.3 and shown in Exhibit A.5. [MCC 39.5085(B) and MCC 39.5085(C)]
 - b. A maximum 325 cubic yards of earth material will be disturbed, excavated, stored, or used as fill as described in Exhibit A.3 and shown in Exhibit A.5. [MCC 39.5085(B), MCC 39.5085(C), and MCC 39.5090(A)]
 - i. All structural fill and any other fill used in this project will be composed of earth materials as defined in MCC 39.2000. [MCC 39.5090(B)]
 - ii. The total daily number of fill haul truck trips will be limited to 10 total trips (5 to the site and 5 from the site). [MCC 39.5090(W)]
 - iii. Fill trucks shall be constructed, loaded, covered, or otherwise managed to prevent any of their load from dropping, sifting, leaking, or otherwise escaping from the vehicle. No fill shall be tracked or discharged in any manner onto any public right-of-way. [MCC 39.5090(X)]
 - iv. No compensation, monetary or otherwise, shall be received by the property owner(s) or their representative(s) for the receipt or placement of fill. [MCC 39.5090(X)]
 - v. Any excess excavated soil not used as fill within the ground disturbance area and any trapped sedimentation shall be removed from the subject property and taken to a location approved for the disposal of such material by applicable Federal, State, and local authorities. [MCC 39.1170(A), MCC 39.5085(C), MCC 39.5090(B), MCC 39.5090(R), MCC 39.5090(S)]
 - c. The County may require the described erosion control techniques be supplemented if turbidity or other down slope erosion impacts results from on-site grading work. 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 effects. [MCC 39.5090 and MCC 39.6210(F)(2)]
6. **Prior to and during construction**, the property owner(s) or their representative shall:
- a. Follow all recommendations contained within the Geotechnical Report as discussed in Exhibit A.8, unless altered or modified by Mia C. Mahedy or someone of similar

educational and vocational training. [MCC 39.5085(B), MCC 39.5085(C), and MCC 39.5090]

- a. Install erosion control measures as outlined in Exhibit A.4. Flag, fence, or otherwise mark the project area as described in Exhibit A.4. These measures shall remain in place and in good working order to reduce potential damage to wildlife habitat outside of the work area. Erosion control measures are to include the installation of sediment fences/barriers at the toe of all disturbed areas and re-establishment of ground cover after construction. The erosion control shall remain in working condition throughout the completion of the electrical service installation and until the soil is stabilized, revegetated, or returned to its paved condition. All erosion control measures are to be implemented as prescribed in the current edition of the City of Portland's Erosion Control Manual. [MCC 39.5090(H) - (P)]
- b. Schedule an Erosion and Sediment Control (ESC) inspection. A link to self-schedule an ESC inspection will be sent to you via email following the completion of your Zoning Plan Review. The County's inspector will visit the project site to verify that Best Management Practices are occurring. [MCC 39.6210(F)(2) and MCC 39.6225(B)]
 - a. Post the Erosion Control Permit Notice Card. The permit notice card shall be posted at the driveway entrance in a clearly visible location and remain posted until the ground disturbing activity is complete. If the notice card is lost, destroyed, or otherwise removed prior to completion of the grading work, the applicant shall immediately contact LUP-submittals@multco.us to obtain a replacement immediately. [MCC 39.6210(F)(2) and MCC 39.6225(B)]
- c. Remove any sedimentation caused by development activities from all neighboring surfaces and/or drainage systems. If any feature on, in, under, or around a water body, floodplain, or right-of-way is disturbed, the property owners or their representatives shall be responsible for returning such feature to their original condition or a condition of equal or better quality. [MCC 39.6210(E)(1), MCC 39.6210(E)(2), and MCC 39.5090]
- d. Trap any sediment in runoff water using debris basins, silt traps, or other measures until the disturbed area is stabilized. [MCC 39.5090(R)]
- e. Maintain stockpiled topsoil covered with plastic, mulch, or other sediment reduction measures. Disposal of excess materials shall be within the boundaries of the disturbed areas or the materials shall be taken off site to a location approved for the disposal of such material by applicable Federal, State, and local authorities. [MCC 39.5090(S)]
- f. Prevent non-erosion pollution associated with construction such as pesticides, fertilizers, petrochemicals, solid wastes, construction chemicals, or wastewaters shall be prevented from leaving the construction site through proper handling, disposal, continuous site monitoring and clean-up activities. On-site disposal of non-erosion pollution including construction debris, hazardous or toxic materials, synthetics (i.e. tires), petroleum-based materials, or other solid wastes that may cause adverse leachates or other off-site water quality effects is prohibited. Any non-erosion pollution or spoil materials shall be removed from the site and disposed at an off-site location approved for the disposal of such material by applicable Federal, State, and local authorities. [MCC 39.5090(T)]
- g. Strip vegetation, conduct ground disturbing activities and other soil disturbance in a manner that will minimize soil erosion, stabilize the soil as quickly as practicable, and expose the smallest practical area at any one-time during construction. [MCC 39.5090(H)]
- h. Plant temporary vegetation and/or use mulching shall be used to protect exposed critical areas during development. [MCC 39.5090(J)]

- i. Not use trees as anchors for stabilizing construction equipment. [MCC 39.5860(C)(3)]
 - j. Seed with native grasses and/or mulch all disturbed soils to prevent erosion and sedimentation from exiting the site, entering the public right-of-way, or depositing into any storm drainage system. Seeding and mulching are required within five (5) days of finishing ground disturbance. Monitor daily to ensure vegetation is sprouting and that no erosion or sedimentation is occurring. Monitoring may cease when vegetation on the disturbed soils have stabilized the areas. [MCC 39.5090(J) and MCC 39.5090(L)]
 - a. Should construction activities cease for fifteen (15) days or more on any significant portion of a construction site, temporary stabilization is required for that portion of the site with straw, compost, or other covering that will prevent soil or wind erosion until work resumes on that portion of the site.
 - b. Should all construction activities cease for thirty (30) days or more, the entire site must be temporarily stabilized using vegetation or a heavy mulch layer, temporary seeding, or other method.
 - k. Construct the storm water drainage control system described in Exhibit A.7. [MCC 39.4325(G), MCC 39.6235]
7. **Within one (1) year of the final decision**, the property owner(s) or their representatives shall:
- a. Commence mitigation as discussed in Section 8 of this Decision and Exhibit A.10. The plantings shall be a minimum of 66 trees and 299 shrubs. The Planning Director may extend the timeline for the implementation of the mitigation plan. [MCC 39.5860(C)(3)]
 - i. Any request for extension shall be made a minimum of 15 days before the deadline. The property owner must provide documentation as to why they are requesting an extension and what portion of the plantings they are requesting an extension on. [MCC 39.1170(A)]
8. **Within ninety (90) days of commencement of the mitigation referenced above**, the property owner(s) or their representatives shall:
- a. Provide a post-mitigation report to LUP-submittals@multco.us with the case no. T2-2024-0066 referenced in the subject line that mitigation is complete. The report shall be prepared and signed by Environmental Science & Assessment, LLC or someone of similar educational and vocational training. The post-mitigation report shall confirm the mitigation has been completed in compliance with approved designs. Any variation from approved designs or conditions of approval shall be clearly indicated. Justification must be provided detailing why the deviation is needed and that the quantity of trees/shrubs will result in enhancement of the resource values of the stream and wildlife habitat area. The post-mitigation report shall include:
 - i. Dated pre- and post-mitigation photos taken of the Mitigation Planting Area. The photos should clearly show the site conditions before and after construction.
 - ii. A narrative that describes any deviation from the approved plans. [MCC 39.1170(A) and MCC 39.5860(C)(3)]
9. **At the completion of mitigation work discussed above, in Section 8 of this Decision, and Exhibit A.10**, the property owner(s) or their representative(s) shall:
- a. Monitor the Mitigation Areas to determine whether each type of tree and shrub planted continues to live, thrive, and grow. Monitoring is the ongoing responsibility of the property owner. Annual monitoring reports are required.

- i. Plants that die shall be replaced in kind so that a minimum of 80% of the trees and shrubs planted shall remain alive on the fifth anniversary of the date that the mitigation planting is completed. For any replanted area that falls below the 80% threshold, the property owner(s) shall be replant the area during the next planting season. [MCC 39.5860(C)(3)]
- ii. Monitoring reports for a period of five (5) year period beginning on the anniversary date of this decision becoming final.
 1. Annual Monitoring Report Due Date: Annual monitoring reports are due by November 30th of each year to LUP-submittals@multco.us with the case no. T2-2024-0066 referenced in the subject line. [MCC 39.1170 and MCC 39.5860(C)(3)]
 2. Extension of the Monitoring Period: The monitoring period may be extended, at the discretion of Land Use Planning for failure to provide monitoring reports, failure of the site to meet performance standards for two consecutive years (without irrigation or replanting), or when needed to evaluate replanting, or other corrective or remedial actions. [MCC 39.1170, and MCC 39.5860(C)(3)]
 3. Release of Monitoring Obligation: Monitoring is required until Land Use Planning has officially released the site from further monitoring. [MCC 39.1170 and MCC 39.5860(C)(3)]
 4. Failure to Submit Monitoring Reports: Failure to submit the required monitoring report by the due date may result in an extension of the monitoring period, and/or enforcement action. [MCC 39.1170 and MCC 39.5860(C)(3)]
- iii. The annual monitoring report shall include the following information:
 1. The case number, monitoring date, report year, and a determination that the site is / is not meeting the 80% survival performance standard.
 2. Current photographs of the Mitigation Area taken within the last 30 days prior to the report date.
 3. A brief narrative that describes maintenance activities and recommendations to meet the performance standard. This includes when irrigation occurred and when the above ground portion of the irrigation system was or will be removed from the site.
 4. The number and location of any Mitigation Plantings that have been replaced or need to be replaced each year due to death or disease and planting date for their replacements.
 5. Any other information necessary or required to document compliance with the 80% survival performance standard. [MCC 39.1170 and MCC 39.5860(C)(3)]

10. As an on-going condition, the property owner(s) shall comply with the following:

- a. The nuisance plants in MCC 39.5580 Table 1 shall not be planted on the subject property and shall be removed and kept removed from cleared areas of the subject property. [MCC 39.5860(B)(7)]

- b. The storm water drainage control system shall be maintained for the life of the single-family dwelling. [MCC 39.4325(G), MCC 39.5090(P), and MCC 39.5090(Q)]
- c. The exterior lighting must be contained within the boundaries of the Lot of Record on which it is located. [MCC 39.4325(J)]

Note: Land Use Planning must sign off on the building plans before you can go to the Building Department. When ready to submit Building Plans for Zoning Review, complete the following steps:

1. Read your land use decision, the conditions of approval and modify your plans, if necessary, to meet any condition that states, “Prior to submitting Building Plans for Zoning Review...” Be ready to demonstrate compliance with the conditions.
2. Visit <https://www.multco.us/landuse/submitting-building-plan> for instructions regarding the submission of your building plans for zoning review and review of conditions of approval. Please ensure that any items required under, “When submitting Building Plans for Zoning Review...” are ready for review. Land Use Planning collects additional fees at the time of zoning review.

Once you have obtained an approved zoning review, application for building permits may be made with the City of Portland.

Notice to Mortgagee, Lien Holder, Vendor, or Seller:

ORS Chapter 215 requires that if you receive this notice it must be promptly forwarded to the purchaser.

Findings of Fact

FINDINGS: Written findings are contained herein. The Multnomah County Code (MCC) criteria and Comprehensive Plan Policies are in **bold** font. Staff analysis and comments are identified as ‘**Staff:**’ and address the applicable criteria. Staff comments may include a conclusionary statement in *italic*.

1.0 Project Description:

Staff: Request for a Geologic Hazards and Significant Environmental Concern Wildlife Habitat permit to build a replacement dwelling.

2.0 Property Description & History:

Staff: The subject property is located on the north side of NW Old Cornelius Pass Road in unincorporated west Multnomah County in the area known as the West Hills Rural Plan Area. The subject property is zoned Multiple Use Agriculture – 20 (MUA-20) and is located outside of Metro’s Urban Growth Boundary (UGB) boundary. The subject property is approximately 3.08 acres in size. The property has multiple overlays including a Significant Environmental Concern for Wildlife Habitat (SEC-h) overlay and Geologic Hazards (GH) overlay. The SEC-h overlay covers the entire property and the GH overlay is located in the middle of the property. Aerial photo review from 2021 shows the presence of two (2) buildings or structures on the subject property.

3.0 Public Comment:

Staff: Staff mailed a notice of application and invitation to comment on the proposed application to the required parties pursuant to MCC 39.1105 (Exhibit C.4). Staff did not receive public comments during the 14-day comment period.

4.0 Code Compliance and Applications Criteria:

4.1 § 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.

(A) A permit or other approval, including building permit applications, may be authorized if:

(1) It results in the property coming into full compliance with all applicable provisions of the Multnomah County Zoning Code. This includes sequencing of permits or other approvals as part of a voluntary compliance agreement; or

* * *

(4) It brings a non-conforming structure or non-conforming use into compliance with current regulations; or

* * *

Staff: This standard provides that the County shall not make a land use decision approving development for a property that is not in full compliance with County Code or previously issued County approvals, except in the following instances: approval will result in the property coming

into full compliance, approval is necessary to protect public safety, or the approval is for work related to or within a valid easement.

A finding of satisfaction of this standard does not mean that a property is in full compliance with the Zoning Code and all prior permit approvals (and, accordingly, does not preclude future enforcement actions relating to uses and structures existing at the time the finding is made). Instead, a finding of satisfaction of this standard simply means that there is not substantial evidence in the record affirmatively establishing one or more specific instances of noncompliance. For purposes of the current application, there are no known open compliance cases associated with the subject property, and there is no evidence in the record of any specific instances of noncompliance on the subject property. *This criterion is met.*

5.0 Lot of Record Criteria:

5.1 § 39.3005 Lot of Record– Generally

(A) An area of land is a “Lot of Record” if it meets the standards in Subsection (B) of this Section and meets the standards set forth in this Part for the Zoning District in which the area of land is located.

(B) A Lot of Record is a parcel, lot, or a group thereof that, when created or reconfigured, either satisfied all applicable zoning laws and satisfied all applicable land division laws, or complies with the criteria for the creation of new lots or parcels described in MCC 39.9700. Those laws shall include all required zoning and land division review procedures, decisions, and conditions of approval.

* * *

MCC 39.3080 Lot of Record – Multiple Use Agriculture 20 (MUA-20)

(A) In addition to the standards in MCC 39.3005, for the purposes of the MUA-20 district the significant dates and ordinances for verifying zoning compliance may include, but are not limited to, the following:

* * *

Staff: The subject property was verified as a Lot of Record by T2-2022-16106. The applicant has provided the current deed for the subject property (Exhibit A.2) verifying that the property remains in its lawful configuration. *Criteria met.*

6.0 Multiple Use Agriculture – 20 (MUA-20) Criteria:

6.1 MCC 39.4310 ALLOWED USES

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

(A) Residential use consisting of a single-family dwelling on a Lot of Record.

Staff: The applicant proposes a single-family replacement dwelling consistent with (A) above. *Criterion met.*

6.2 MCC 39.4325 Dimensional Requirements and Development Standards

All development proposed in this base zone shall comply with the applicable provisions of this section.

(C) Minimum Yard Dimensions – Feet

Front	Side	Street Side	Rear
30	10	30	30

Maximum Structure Height – 35 feet

Minimum Front Lot Line Length – 50 feet.

* * *

Staff: According to the applicant’s site plan (Exhibit A.4), the proposed replacement dwelling will be located 46 feet from the west (side) property line, 77 feet from the east (side) property line, 100 feet from the north (rear) property line, and 450 feet from the south (front) property line. The elevation drawings (Exhibit A.5) indicate that at its tallest point, the structure will not exceed 24 feet in height. *Criteria met.*

(D) The minimum yard requirement shall be increased where the yard abuts a street having insufficient right-of-way width to serve the area. The county Road Official shall determine the necessary right-of-way widths based upon the county “Design and Construction Manual” and the Planning Director shall determine any additional yard requirements in consultation with the Road Official.

Staff: NW Old Cornelius Pass Road has a right-of-way of 64 feet adjacent to the subject property. NW Old Cornelius Pass Road is categorized as a Rural Local Road, and the Design and Construction Manual indicates that the minimum right-of-way width for this road classification is 50 feet. No additional yard distances are required. *Criterion met.*

(G) On-site sewage disposal, storm water/drainage control, water systems unless these services are provided by public or community source, required parking, and yard areas shall be provided on the lot.

- (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.**

Staff: The applicant has provided a Septic Review Certification (Exhibit A.6) showing the location of the septic system proposed to serve the replacement dwelling on the same lot of record.

The applicant has also provided a Stormwater Drainage Control Certificate (Exhibit A.7) prepared and stamped by a Registered Oregon Engineer indicating that there will be an on-site stormwater system constructed that will result in no greater rate of runoff in the event of a 10-year 24-hour storm event than prior to the development. *Criterion met.*

(J) All exterior lighting shall comply with MCC 39.6850.

Staff: Providing an exterior lighting plan showing the location of all exterior lights and the specifications of proposed light fixtures to demonstrate compliance with MCC 39.6850 is a condition of approval. *As conditioned, this criterion is met.*

7.0 Geologic Hazards (GH) Permit Criteria:

7.1 MCC 39.5075 Permit Required

Unless exempt under this code or authorized pursuant to a Large Fill permit, no development, or ground disturbing activity shall occur: (1) on land located in hazard areas as identified on the Geologic Hazards Overlay map, or (2) where the disturbed area or the land on which the development will occur has average slopes of 25 percent or more, except pursuant to a Geological Hazards permit (GH).

Staff: The applicant is proposing a driveway extension to the location of the replacement dwelling which involves development within the Geologic Hazard area (Exhibit A.4). The applicable code sections are evaluated in sections 7.2 and 7.3. *Criterion met.*

7.2 MCC 39.5085 Geologic Hazards Permit Application Information Required

An application for a Geologic Hazards Permit shall include two copies of each of the following:

(A) A scaled site plan showing the following both existing and proposed:

* * *

(B) Calculations of the total area of proposed ground disturbance (square feet), volume of proposed cut (cubic yards) and fill (cubic yards), total volume of fill that has been deposited on the site over the 20-year period preceding the date of application, and existing and proposed slopes in areas to be disturbed (percent slope). Such calculations are not required for fill physically supporting and/or protecting a structure or access road for essential and public facilities subject to earthquake or tsunami building code requirements of the Oregon Structural Specialty Code. For purposes of this subsection, the term “site” shall mean either a single lot of record or contiguous lots of record under same ownership, whichever results in the largest land area.

(C) Written findings, together with any supplemental plans, maps, reports or other information necessary to demonstrate compliance of the proposal with all applicable provisions of the Geologic Hazards standards in MCC 39.5090. Necessary reports, certifications, or plans may pertain to: engineering, soil characteristics, stormwater drainage control, stream protection, erosion and sediment control, and replanting. The written findings and supplemental information shall include:

* * *

Staff: The applicant submitted a request for a Geologic Hazards permit and provided all of the application materials listed in MCC 39.5085 as Exhibits A.1-A.9. *Standard met.*

7.3 MCC 39.5090 Geologic Hazards Permit Standards

A Geologic Hazards (GH) permit shall not be issued unless the application for such permit establishes compliance with MCC 39.6210 and satisfaction of the following standards:

(A) The total cumulative deposit of fill on the site for the 20-year period preceding the date of the application for the GH permit, and including the fill proposed in the GH permit application, shall not exceed 5,000 cubic yards. For purposes of this provision, the term “site”

shall mean either a single lot of record or contiguous lots of record under same ownership, whichever results in the largest land area.

Staff: According to the applicant's Geologic Hazards Worksheet (Exhibit A.9), 325 cubic yards of fill will be placed for the driveway extension and replacement dwelling. The Geotechnical Report (Exhibit A.8) indicates that there are two areas of minimal previous grading on the site, one in the area of the former dwelling, and another that is identified by the Geotechnical Report as the graded bench where the proposed dwelling will be sited. While the engineer was not able to concretely assess when the grading occurred, evidence suggests that it was prior to 2002 when a hoop structure was placed there, falling outside of the 20-year period evaluated by (A). Based on a preponderance of evidence, staff concludes that it is unlikely that more than 5,000 cubic yards of fill have been placed on the site in the preceding 20-years. *This criterion is met.*

(B) Fill shall be composed of earth materials only.

Staff: The Applicant's narrative indicates that fill will be composed of earth materials (Exhibits A.3 and A.8). Additionally, this will be made a condition of approval. *As conditioned, this criterion is met.*

(C) Cut and fill slopes shall not exceed 33 percent grade (3 Horizontal: 1 Vertical) unless a Certified Engineering Geologist or Geotechnical Engineer certifies in writing that a grade in excess of 33 percent is safe (including, but not limited to, not endangering or disturbing adjoining property) and suitable for the proposed development.

Staff: The Geotechnical Investigation (Exhibit A.8), stamped by a Certified Engineering Geologist, indicates in writing that cut and fill slopes constructed using on-site soil should not exceed a grade of 2H:1V. *This criterion is met.*

(D) Unsupported finished cuts and fills greater than 1 foot in height and less than or equal to 4 feet in height at any point shall meet a setback from any property line of a distance at least twice the height of the cut or fill, unless a Certified Engineering Geologist or Geotechnical Engineer certifies in writing that the cuts or fills will not endanger or disturb adjoining property. All unsupported finished cuts and fills greater than 4 feet in height at any point shall require a Certified Engineering Geologist or Geotechnical Engineer to certify in writing that the cuts or fills will not endanger or disturb adjoining property.

Staff: According to the narrative, unsupported finished cuts and fills are not proposed (Exhibits A.3 and A.8). *This criterion is not applicable.*

(E) Fills shall not encroach on any water body unless an Oregon licensed Professional Engineer certifies in writing that the altered portion of the waterbody will continue to provide equal or greater flood carrying capacity for a storm of 10-year design frequency.

Staff: The two nearest water bodies to the subject property are west and south of the property and are each approximately .3 miles from the development area. No fill will encroach on a water body. *This criterion is met.*

(F) Fill generated by dredging may be deposited on Sauvie Island only to assist in flood control or to improve a farm's soils or productivity, except that it may not be deposited in any SEC overlay, WRG overlay, or designated wetland.

Staff: The development does not include dredging and is not on Sauvie Island. *This criterion is not applicable.*

(G) On sites within the Tualatin River drainage basin, erosion, sediment and stormwater drainage control measures shall satisfy the requirements of OAR 340-041-0345(4) and shall be designed to perform as prescribed in the most recent edition of the City of Portland Erosion

and Sediment Control Manual and the City of Portland Stormwater Management Manual. Ground-disturbing activities within the Tualatin Basin shall provide a 100-foot undisturbed buffer from the top of the bank of a stream, or the ordinary high watermark (line of vegetation) of a water body, or within 100-feet of a wetland; unless a mitigation plan consistent with OAR 340-041-0345(4) is approved for alterations within the buffer area.

(H) Stripping of vegetation, ground disturbing activities, 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.

Staff: The development maintains more than the 100-foot minimum buffer between the development and the nearest stream or water body (Exhibit A.4). The applicants provided a grading plan (Exhibits A.4 and A.7) showing how the proposed development will comply with (H) above. *This criterion is met.*

(I) 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.

Staff: Cut and fill is limited to construction for the driveway and building foundation (Exhibits A.3, A.8, and A.9) The stormwater report signed and stamped by a registered professional engineer indicates that stormwater management can be accommodated on the site (Exhibit A.7). *This criterion is met.*

(J) Temporary vegetation and/or mulching shall be used to protect exposed critical areas during development.

Staff: Temporary vegetation and/or mulching to protect exposed critical areas during development will be made a condition of approval. *As conditioned, this criterion is met.*

(K) Whenever feasible, natural vegetation shall be retained, protected, and supplemented;

(1) 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;

(2) The buffer required in subsection (K)(1) may only be disturbed upon the approval of a mitigation plan which utilizes erosion, sediment, and stormwater control measures designed to perform as effectively as those prescribed in the most recent edition of the City of Portland Erosion and Sediment Control Manual and the City of Portland Stormwater Management Manual and which is consistent with attaining equivalent surface water quality standards as those established for the Tualatin River drainage basin in OAR 340-041-0345(4).

Staff: There are no streams or water bodies in the vicinity of the proposed development. Vegetation is proposed to be retained to the extent possible, and mitigated when not possible (Exhibit A.3) *This criterion is met.*

(L) Permanent plantings and any required structural erosion control and drainage measures shall be installed as soon as practical.

Staff: A condition of approval requires compliance with (L) above. *As conditioned, this criterion is met.*

(M) Provisions shall be made to effectively accommodate increased runoff caused by altered soil and surface conditions during and after development. The rate of surface water runoff shall be structurally retarded where necessary.

(N) Sediment in the runoff water shall be trapped by use of debris basins, silt traps, or other measures until the disturbed area is stabilized.

Staff: The applicant has provided a Stormwater Certificate completed by Steven Michael White, Registered Professional Engineer, which indicates that runoff will be piped to a water quality planter and then to a flow spreader to slow the rate of surface water runoff (Exhibit A.7). Additionally, the erosion and sediment control plan (Exhibit A.4, page 4) indicates the location of sediment fencing for this purpose until permanent clover can be installed for stabilization. *Criterion met.*

(O) Provisions shall be made to prevent surface water from damaging the cut face of excavations or the sloping surface of fills by installation of temporary or permanent drainage across or above such areas, or by other suitable stabilization measures such as mulching or seeding.

Staff: The erosion and sediment control plan (Exhibit A.4, page 4) indicates that temporary seeding and erosion mats, blankets and/or hay, and the eventual establishment of clover in disturbed areas will be used as stabilization measures throughout development (Exhibit A.4).

(P) All drainage measures shall be designed to prevent erosion and adequately carry existing and potential surface runoff to suitable drainageways such as storm drains, natural water bodies, drainage swales, or an approved drywell system.

(Q) Where drainage swales are used to divert surface waters, they shall be vegetated or protected as required to minimize potential erosion.

Staff: The applicant has provided a Stormwater Certificate completed by Steven Michael White, Registered Professional Engineer, which recommends that runoff from the replacement dwelling roof to be piped to a water quality planter and then to a flow spreader to minimize erosion and runoff impacts (Exhibit A.7). Additionally, the Geotechnical Report indicates that excavations and fills are proposed for the foundation and driveway only, and the grading and erosion control plan identifies measures to control any sedimentation and runoff as a result of the development (Exhibit A7). *This criterion is met.*

(R) Erosion and sediment control measures must be utilized such that no visible or measurable erosion or sediment shall exit the site, enter the public right-of-way or be deposited into any water body or storm drainage system. Control measures which may be required include, but are not limited to:

- (1) Energy absorbing devices to reduce runoff water velocity;**
- (2) Sedimentation controls such as sediment or debris basins. Any trapped materials shall be removed to an approved disposal site on an approved schedule;**
- (3) Dispersal of water runoff from developed areas over large undisturbed areas.**

Staff: The applicants have provided a Stormwater Certificate completed by Registered Professional Engineer Steven Michael White which indicates that runoff from the replacement dwelling roof to be piped to a water quality planter and then to a flow spreader to minimize erosion and runoff impacts (Exhibit A.7). The establishment of the mitigation measures as described in Exhibit A.7 is a condition of approval. *As conditioned, this criterion is met.*

(S) Disposed spoil material or stockpiled topsoil shall be prevented from eroding into water bodies by applying mulch or other protective covering; or by location at a sufficient distance from water bodies; or by other sediment reduction measures;

Staff: There are no streams or water bodies in the vicinity of the proposed development. Additionally, the erosion and sediment control plan (Exhibit A.4, page 4) indicates that temporary seeding and erosion mats, blankets and/or hay, and the eventual establishment of clover in disturbed

areas (Exhibit A.4). Establishing the control measures as described in Exhibits A.4 is a condition of approval. *As conditioned, this criterion is met.*

(T) Such non-erosion pollution associated with construction such as pesticides, fertilizers, petrochemicals, solid wastes, construction chemicals, or wastewaters shall be prevented from leaving the construction site through proper handling, disposal, continuous site monitoring and clean-up activities.

Staff: A condition of approval requires compliance with (T) above. *As conditioned, this criterion is met.*

(U) On sites within the Balch Creek drainage basin, erosion, sediment, and stormwater control measures shall be designed to perform as effectively as those prescribed in the most recent edition of the City of Portland Erosion and Sediment Control Manual and the City of Portland Stormwater Management Manual. All ground disturbing activity within the basin shall be confined to the period between May first and October first of any year. All permanent vegetation or a winter cover crop shall be seeded or planted by October first the same year the development was begun; all soil not covered by buildings or other impervious surfaces must be completely vegetated by December first the same year the development was begun.

Staff: This site is not within the Balch Creek drainage basin. *This criterion is not applicable.*

(V) Ground disturbing activities within a water body shall use instream best management practices designed to perform as prescribed in the City of Portland Erosion and Sediment Control Manual and the City of Portland Stormwater Management Manual.

Staff: Ground disturbing activities are not proposed within a water body. *This criterion is not applicable.*

(W) The total daily number of fill haul truck trips shall not cause a transportation impact (as defined in the Multnomah County Road Rules) to the transportation system or fill haul truck travel routes, unless mitigated as approved by the County Transportation Division.

Staff: The applicant's code narrative estimates that 5-6 fill trucks will be used to import the 325 cubic yards of fill that are proposed for driveway grading over the course of the project. Multnomah County Road Rules definition of a transportation impact indicates that any quantity less than 10 trips per day cannot be considered a transportation impact. *This criterion is met.*

(X) Fill trucks shall be constructed, loaded, covered, or otherwise managed to prevent any of their load from dropping, sifting, leaking, or otherwise escaping from the vehicle. No fill shall be tracked or discharged in any manner onto any public right-of-way.

Staff: Compliance with (X) is a condition of approval. *As conditioned, this criterion is met.*

(Y) No compensation, monetary or otherwise, shall be received by the property owner for the receipt or placement of fill.

Staff: Compliance with (Y) is a condition of approval. *As conditioned, this criterion is met.*

8.0 Significant Environmental Concern for Wildlife Habitat (SEC-h) Land Use Permit Criteria:

8.1 MCC 39.5510 Uses; SEC Permit Required

(A) All uses allowed in the base zone are allowed in the SEC when found to satisfy the applicable approval criteria given in such zone and, except as provided in MCC 39.5515, subject to approval of an SEC permit pursuant to this Subpart.

- (B) Any excavation or any removal of materials of archaeological, historical, prehistorical or anthropological nature shall be conducted under the conditions of an SEC permit, regardless of the zoning designation of the site.

Staff: The applicant is proposing a replacement dwelling which involves development within the mapped SEC-h overlay (Exhibit A.4) which does not meet the exemptions of MCC 39.5515. The applicable code sections are evaluated in sections 8.2-8.4 below. *Criterion met.*

8.2 MCC 39.5520 APPLICATION REQUIREMENTS

An application for an SEC permit for a use or for the change or alteration of an existing use on land designated SEC, shall address the applicable criteria for approval, under MCC 39.5540 through 39.5860.

- (A) An application for an SEC permit shall include the following:

* * *

Staff: The applicant is proposing a replacement single-family dwelling is permitted in the underlying zoning district per MCC 39.4070(D). As the proposed replacement dwelling does not meet the SEC permit exemptions listed in MCC 39.5515, an SEC permit is required. The applicant is not proposing any activities described by MCC 39.5510(B) above. The applicant provided Exhibits A.3, A.4, and A.10 to address the application requirements of MCC 39.5520. *Criteria met.*

8.3 39.5850- SEC-H CLEAR AND OBJECTIVE STANDARDS.

- (A) At the time of submittal, the applicant shall provide the application materials listed in MCC 39.5520(A) and 39.5860(A). The application shall be reviewed through the Type I procedure and may not be authorized unless the standards in MCC 39.5860(B)(1) through (4)(a)(c) and (B)(5) through (7) are met. For development that fails to meet all of the criteria listed above, a separate land use application pursuant to MCC 39.5860 may be submitted.
- (B) The proposed development shall meet the applicable stormwater and ground disturbing activity requirements of MCC 39.6200 through 39.6235. Ground disturbing activity within 100 feet of a water body as defined by MCC 39.2000 shall be limited to the period between May 1st and September 15th. Revegetation and soil stabilization must be accomplished no later than October 15th.
- (C) The nuisance plants listed in MCC 39.5580 Table 1 shall not be used as landscape plantings within the SEC-h Overlay Zone.
- (D) For development that fails to meet all of the standards listed in this section, a separate land use application pursuant to MCC 39.5860 may be submitted.

Staff: The applicant has provided the required application materials as Exhibits A.3, A.4, and A.10. The proposed development does not meet the Development Standards of MCC 39.5860(B)(2) and (B)(3) and therefore a Land Use Application pursuant to MCC 39.5860 has been submitted and is evaluated in Section 8.0 of this report. The applicant has provided a Stormwater Drainage Control Certificate as Exhibit A.7 that is stamped by an Oregon Registered engineer pursuant to the requirements of MCC 39.6235, and has submitted a Geologic Hazards application with this application that is evaluated by Section 7.0 of this report. Per the provided SEC-h Site Assessment and Mitigation Plan (Exhibit A.10), no nuisance plants will be used as landscape plantings. *These criteria are met.*

8.4 MCC 39.5860 Criteria for Approval of SEC-h Permit – Wildlife Habitat

- (A) In addition to the information required by MCC 39.5520 (A), an application for development in an area designated SEC-h shall include an area map showing all properties which are adjacent to or entirely or partially within 200 feet of the proposed development, with the following information, when such information can be gathered without trespass:

* * *

Staff: The applicant provided a map with this information as part of their Site Plan Set (Exhibit A.4). *Criterion met.*

(B) Development standards:

- (1) Where a parcel contains any non-forested "cleared" areas, development shall only occur in these areas, except as necessary to provide access and to meet minimum clearance standards for fire safety.

Staff: The proposed replacement dwelling is sited within an existing "cleared" area on the subject property (Exhibits A.4). *Standard met.*

- (2) Development shall occur within 200 feet of a public road capable of providing reasonable practical access to the developable portion of the site.

Staff: The proposed replacement dwelling will be located 450 feet from the edge of the nearest public road. *Standard not met, and therefore the proposal is subject to MCC 39.5860(C), which is addressed below.*

- (3) The access road/driveway and service corridor serving the development shall not exceed 500 feet in length.

Staff: The driveway exceeds 500 feet in length due to steep slopes prohibiting a more direct access route (Exhibit A.4). *Standard not met, and therefore the proposal is subject to MCC 39.5860(C), which is addressed below.*

- (4) For the purpose of clustering access road/driveway approaches near one another, one of the following two standards shall be met:

- (a) The access road/driveway approach onto a public road shall be located within 100 feet of a side property line if adjacent property on the same side of the road has an existing access road or driveway approach within 200 feet of that side property line; or
- (b) The access road/driveway approach onto a public road shall be located within 50 feet of either side of an existing access road/driveway on the opposite side of the road.

Staff: The subject property takes access from a driveway connecting to NW Old Cornelius Pass Road. The driveway access for the property adjacent to the subject property along the east side has an existing driveway approach within 200 feet of the side property line. The subject property's driveway approach onto NW Old Cornelius Pass Road is located adjacent to the east side property line at its intersection with the right-of way of NW Old Cornelius Pass Road (Exhibit A.4). *Standard met.*

- (5) The development shall be within 300 feet of a side property line if adjacent property has structures and developed areas within 200 feet of that common side property line.

Staff: The proposed development is located 46 feet from the west side property line and 77 feet from the east side property line (Exhibit A.4). *Standard met.*

- (6) **Fencing within a required setback from a public road shall meet the following criteria:**
- (a) **Fences shall have a maximum height of 42 inches and a minimum 17-inch gap between the ground and the bottom of the fence.**

* * *

Staff: There is no fencing proposed by this application. *Standard met.*

- (7) **The nuisance plants in MCC 39.5580 Table 1 shall not be planted on the subject property and shall be removed and kept removed from cleared areas of the subject property.**

Staff: Compliance with this standard is a condition of approval. *As conditioned, this standard is met.*

- (C) **Wildlife Conservation Plan. An applicant shall propose a wildlife conservation plan if one of two situations exist.**

- (1) **The applicant cannot meet the development standards of subsection (B) because of physical characteristics unique to the property. The applicant must show that the wildlife conservation plan results in the minimum departure from the standards required in order to allow the use; or**
- (2) **The applicant can meet the development standards of subsection (B), but demonstrates that the alternative conservation measures exceed the standards of subsection (B) and will result in the proposed development having a less detrimental impact on forested wildlife habitat than the standards in subsection (B).**

Staff: The applicant could meet the development standards of (B) and have selected to demonstrate that the alternative conservation measures that are proposed exceed the standards of subsection (B). The SEC-h Site Assessment and Mitigation Plan (Exhibit A.10) prepared by Environmental Science and Assessment, LLC, proposes replacement of all cleared areas at a (2):(1) ratio as designated by MCC 39.5860(C)(3), which will ensure that the mitigation measures will result in a less detrimental impact than meeting the development standards of (B). A condition of approval requires the implementation of the proposed mitigation and associated monitoring and reporting. *As conditioned, this criterion is met.*

- (3) **Unless the wildlife conservation plan demonstrates satisfaction of the criteria in subsection (C)(5), the wildlife conservation plan must demonstrate the following:**

- (a) **That measures are included in order to reduce impacts to forested areas to the minimum necessary to serve the proposed development by restricting the amount of clearance and length/width of cleared areas and disturbing the least amount of forest canopy cover.**

Staff: The SEC-h Site Assessment and Mitigation Plan (Exhibit A.10) indicates that existing forested areas on the site will be disturbed in only two locations, one for the septic drainfield, which was determined to be the only suitable site for the development, and in one are for the driveway extension, which is required to meet driveway standards for fire access. Clearing has been restricted to the minimum necessary amount required to serve the replacement dwelling. *Criterion met.*

- (b) **That any newly cleared area associated with the development is not greater than one acre, excluding from this total the area of the minimum necessary accessway required for fire safety purposes.**

Staff: The applicant indicates in their SEC-h Site Assessment and Mitigation Plan (Exhibit A.10) that 2,986 square feet of newly cleared area is associated with the proposed development or .07 acres, which is well below the 1 acre maximum. *Criterion met.*

- (c) **That no fencing will be built and existing fencing will be removed outside of areas cleared for the site development except for existing cleared areas used for agricultural purposes.**

Staff: There is no fencing existing or proposed on the subject property (Exhibit A.10). *This criterion is met.*

- (d) **That revegetation of existing cleared areas on the property at a 2:1 ratio with newly cleared areas occurs if such cleared areas exist on the property.**

Staff: The applicant indicates in their SEC-h Site Assessment and Mitigation Plan (Exhibit A.10) that 2,986 square feet of newly cleared area is associated with the proposed development. There is 5,972 square feet of mitigation area dedicated on the site plan (Exhibit A.4), which satisfies the requirement to mitigate at a 2:1 ratio. *Criterion met.*

- (e) **That revegetation and enhancement of disturbed stream riparian areas occurs along drainages and streams located on the property.**

Staff: The SEC-h Site Assessment and Mitigation Plan (Exhibit A.10) identified two headwater drainages on the eastern portion of the subject property, which will be mitigated within the Mitigation Area C as identified on page 5 of the applicant's site plan packet (Exhibit A.4). *Criterion met.*

- (4) **For a property meeting subsection (C)(1) above, the applicant may utilize the following mitigation measures for additions instead of providing a separate wildlife conservation plan:**

* * *

Staff: The subject property does not meet the subsection of (C)(1) and therefore may not utilize (4) above. *This criterion is not applicable to the proposal.*

- (5) **Unless the wildlife conservation plan demonstrates satisfaction of the criteria in subsection (C)(3) of this section, the wildlife conservation plan must demonstrate the following:**

* * *

Staff: The applicant has provided a Wildlife Conservation Plan demonstrating satisfaction of (C)(3), and therefore this section is not applicable. *Criterion met.*

- (6) **For Protected Aggregate and Mineral (PAM) resources within a PAM Overlay, the applicant shall submit a Wildlife Conservation Plan which must comply only with measures identified in the Goal 5 protection program that has been adopted by Multnomah County for the site as part of the program to achieve the goal.**

Staff: The subject property is not within a PAM Overlay. *Criterion met.*

(D) Optional Development Impact Area (DIA). For the purpose of clustering home sites together with related development within the SEC-h overlay, an applicant may choose to designate an area around the home site for future related development and site clearing. For the purposes of establishing the appropriate mitigation for development within the DIA, existing vegetation within the DIA is presumed to be ultimately removed or cleared in the course of any future development within the DIA. Establishment of a DIA is subject to all of the applicable provisions in this section and the following:

* * *

Staff: The applicant does not propose an optional DIA under this permit. *Criterion met.*

9.0 Conclusion

Based on the findings and other information provided above, the applicant has carried the burden necessary for the GH and SEC-h permits to establish a replacement dwelling in the MUA-20 zone. This approval is subject to the conditions of approval established in this report.

10.0 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 Form	06.28.2024
A.2	4	2023 Bargain and Sale Deed -	06.28.2024
A.3	29	Code Narrative	06.28.2024
A.4	9	Elevation and Floor Plan Drawings	06.28.2024
A.5*	6	Site Plan	06.28.2024
A.6	5	Septic Review Certification	06.28.2024
A.7	13	Stormwater Drainage Control Certificate	06.28.2024
A.8	20	Geotechnical Report	06.28.2024
A.9	4	Geologic Hazards Worksheet	06.28.2024
A.10	37	SEC-h Site Assessment and Mitigation Plan	08.21.2024
A.11	N/A	Entire Case Record	06.28.2024 07.08.2024 08.21.2024
‘B’	#	Staff Exhibits	Date

B.1	2	Assessment and Taxation Property Information for 2N1W31C-01900 (Property ID # R244447/ Alt. Acct. # R661102310)	06.28.2024
B.2	1	Current Tax Map for 2N1W31C	02.26.2024
‘C’	#	Administration & Procedures	Date
C.1	3	Incomplete letter	08.09.2024
C.2	1	Applicant’s acceptance of 180-day clock	08.19.2024
C.3	1	Complete letter (day 1)	09.18.2024
C.4	9	Opportunity to Comment	11.08.2024
C.5	22	Decision	03.06.2025

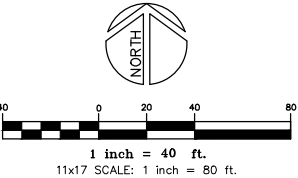


LEGEND

- SUBJECT PROPERTY
- PROPERTY LINE
- STREAM
- 10-FT. CONTOUR INTERVAL
- BUILDINGS

NOTES:

- SURROUNDING PARCELS AND BUILDINGS FROM METRO DATA RESOURCE CENTER'S, RLIS, 2024.
- AERIAL PHOTOGRAPH FROM METRO DATA RESOURCE CENTER. IMAGERY DATE: 2020.
- STREAM FROM CLEAN WATER SERVICES, DATE UNKNOWN.
- 10-FT. CONTOUR INTERVAL FROM 2019 OLC LIDAR: PORTLAND METRO, OR.
- PROJECT BOUNDARY FROM SURVEY PREPARED BY HERITAGE LAND SURVEYING, INC.



ENGINEERS

Civil Engineering
& Land Use Planning

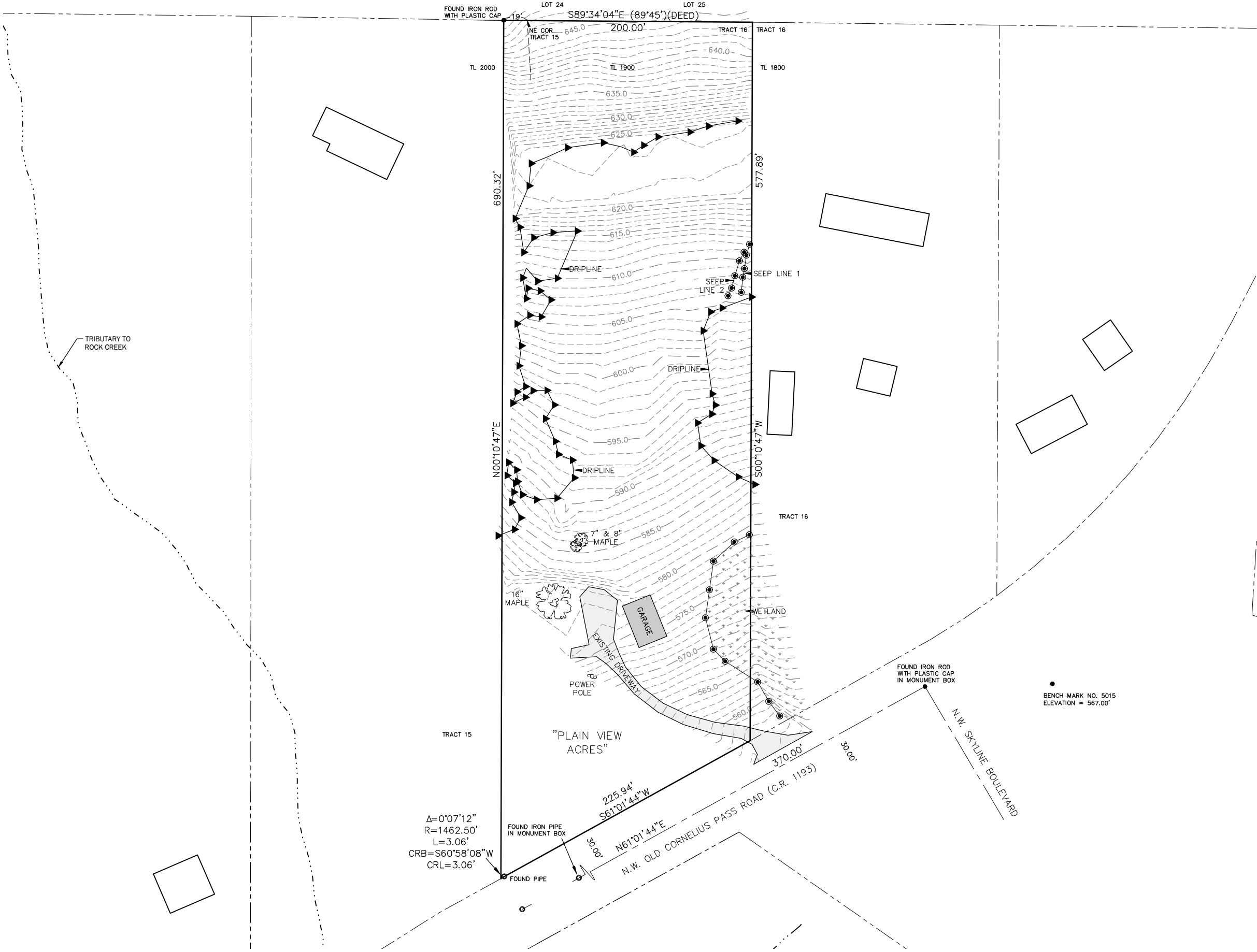
2920 SE Flinckwood Ave., Suite G
Hillsboro, OR 97123
503.601.4401

FOR: CLAUDIO & RONDA VALENZUELA
11715 NW OLD CORNELIUS PASS RD
PORTLAND, OR 97231
SITE: TAX MAP: 2N1W31C
TAX LOT 1900
MULTNOMAH COUNTY, OREGON

11715 NW OLD CORNELIUS PASS RD
N0860
AERIAL PHOTOGRAPH

REVISION	BY	DATE
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LEGEND

- SUBJECT PROPERTY
- PROPERTY LINE
- STREAM
- BUILDINGS
- WETLAND FLAG
- TREE DRIP LINE FLAG

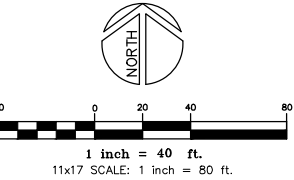
NOTES:

- SURROUNDING PARCELS AND BUILDINGS FROM METRO DATA RESOURCE CENTER'S, RLIS, 2024.
- STREAM FROM CLEAN WATER SERVICES, DATE UNKNOWN.
- PROJECT BOUNDARY, 5-FT. CONTOUR INTERVAL AND REMAINING LINE WORK FROM SURVEY PREPARED BY HERITAGE LAND SURVEYING, INC.

SURVEYOR'S NOTE:

ELEVATIONS ARE BASED UPON MULTNOMAH COUNTY GEODETIC CONTROL SURVEY NO. GC556683 AND HOLDING A 4-1/2" BRASS DISK STATION NO. 5015 LOCATED IN THE TOP OF AN AREA DRAIN THAT SITS WITHIN THE MEDIAN JUST EAST OF THE INTERSECTION OF NW SKYLINE BOULEVARD AND NW OLD CORNELIUS PASS RD. ELEVATION = 567.00'

IN ORDER TO CREATE ADDITIONAL CONTOURS THE PERIMETER OF THE PROPERTY AND BEARINGS WERE ESTABLISHED USING THE TOPOGRAPHIC SURVEY PREPARED BY CHASE, JONES & ASSOCIATES, INC. PROJECT NO. 16515.



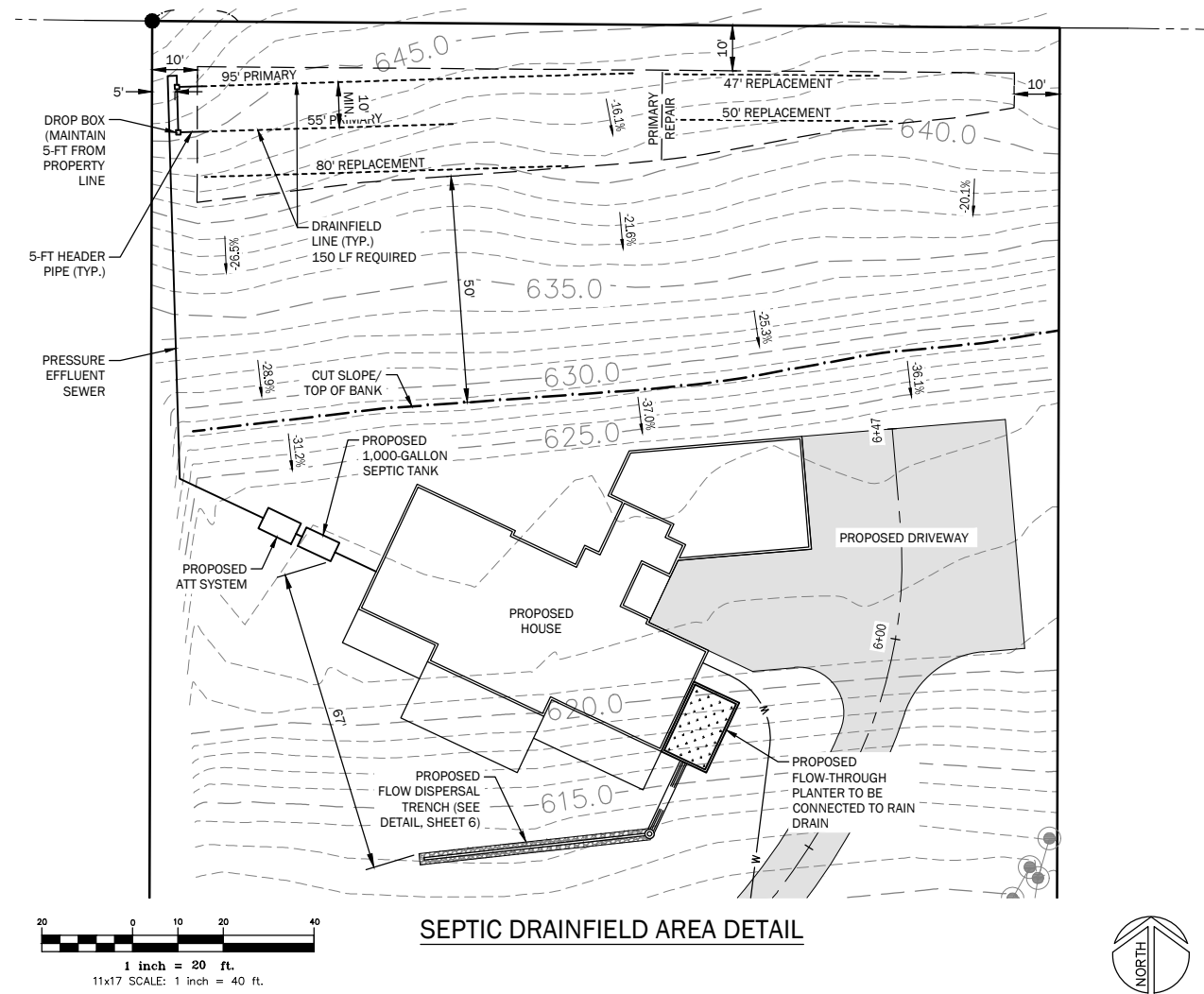
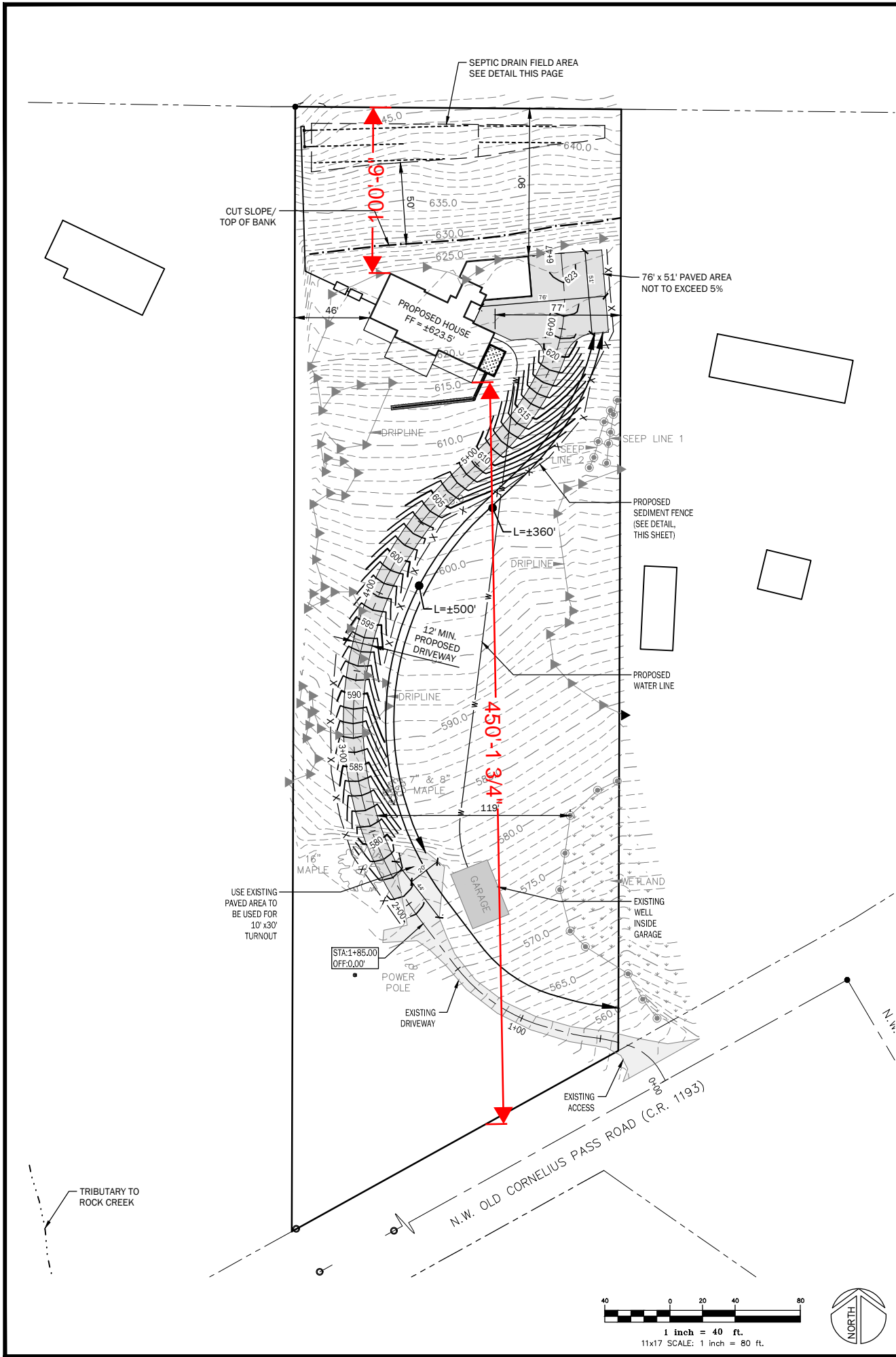
MENGINEERS
Civil Engineering
& Land Use Planning
2920 SE Frontwood Ave., Suite G
Hillsboro, OR 97123
503.601.4401

FOR: CLAUDIO & RONDA VALENZUELA
11715 NW OLD CORNELIUS PASS RD
PORTLAND, OR 97231
SITE: TAX MAP: 2N1W31C
TAX LOT 1900
MULTNOMAH COUNTY, OREGON

11715 NW OLD CORNELIUS PASS RD
N0860
EXISTING CONDITIONS

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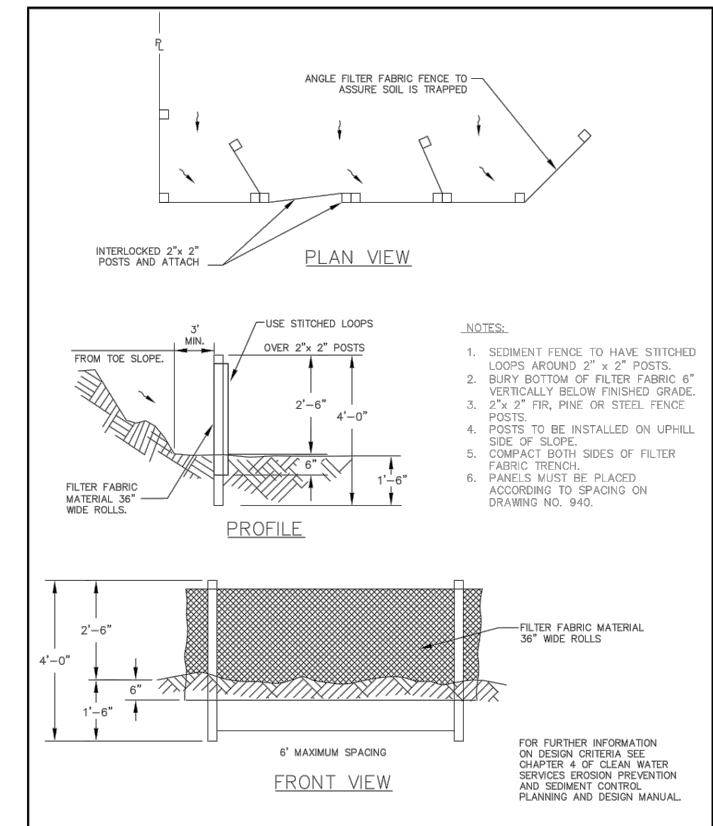


NOTES:

- 50 LINEAL FEET (LF) OF ABSORPTION TRENCH PER 150 GALLONS PER DAY (GPD) PROJECTED DAILY SEWAGE FLOW IS REQUIRED. A TOTAL OF 150 LF IS REQUIRED FOR UP TO FOUR BEDROOMS (450 GPD).
- 100 FT SETBACK TO ALL WELL AREAS IS REQUIRED.
- PLEASE SEE MULTNOMAH COUNTY/BDS SITE EVALUATION # 23-090273-SE/REPORT # SER 29-23 FOR DETAILED REQUIREMENTS.

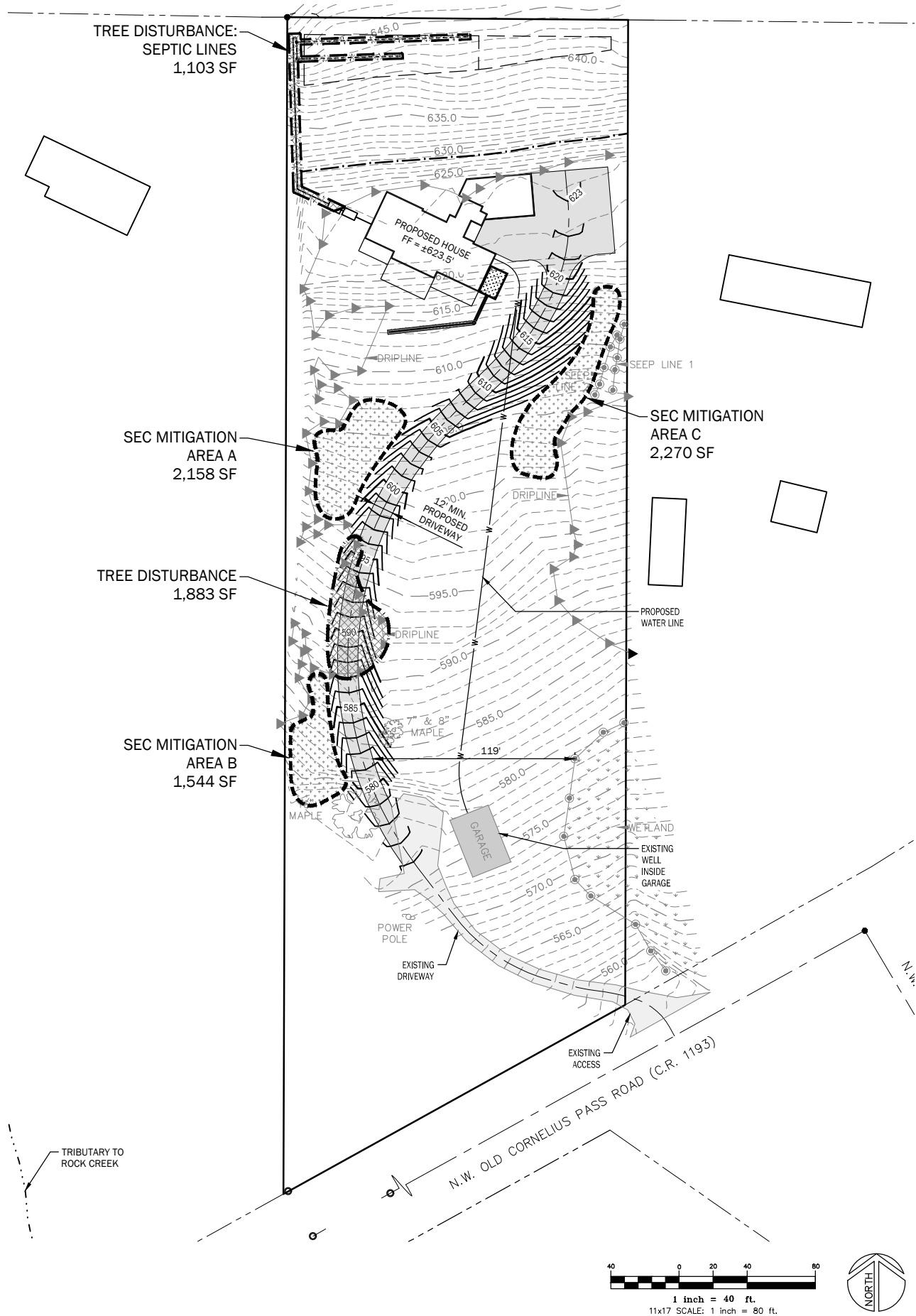
GRADING NOTES:

- ALL ACCESS ROADS TO BE A MINIMUM OF 12' WIDTH GRAVEL OR OTHER "ALL WEATHER" SURFACE.
- ALL ACCESS ROADS TO MAINTAIN 13'-6" MINIMUM CLEARANCE.
- DIVERT ALL DRAINAGE AWAY FROM FUTURE HOME SITE.
- NUISANCE PLANT MATERIALS TO BE REMOVED FROM THE SITE. REMOVAL VOLUME TO BE ESTIMATED AND HAUL TRUCK SCHEDULES TO BE SUBMITTED TO MULTNOMAH COUNTY FOR APPROVAL AS NEEDED PRIOR TO GROUND DISTURBING ACTIVITIES.
- DISTURBED AREAS FROM NUISANCE PLANT REMOVAL TO BE SEEDED AS SOON AS POSSIBLE TO AVOID EROSION. TEMPORARY SEEDING AND EROSION BLANKETS, MATS, OR HAY TO BE USED AS NEEDED.
- SECONDARY SEDIMENT FENCING TO BE INSTALLED DOWN SLOPE OF GROUND DISTURBING ACTIVITIES FROM NUISANCE PLANT REMOVAL.
- COORDINATE WITH THE CIVIL ENGINEER AND THE GEOTECHNICAL ENGINEER ASSIGNED TO MONITOR CONSTRUCTION FOR FENCING LOCATION AND ADDITIONAL EROSION AND SEDIMENT CONTROL REQUIREMENTS PRIOR TO GROUND DISTURBING ACTIVITIES. CHANGES TO BE SUBMITTED TO AND APPROVED BY MULTNOMAH COUNTY.



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LEGEND

- DISTURBANCE AREA = 2,986 SF
- MITIGATION AREA = 5,972 SF

NOTE: 2:1 MITIGATION REQUIRED

NUMBER OF PLANTS TO BE PROVIDED

- TREES: 66
- SHRUBS: 299

ENGINEERS

Civil Engineering
& Land Use Planning

2920 SE Brookwood Ave., Suite G
Hillsboro, OR 97123
503.601.4401

FOR: CLAUDIO & RONDA VALENZUELA
11715 NW OLD CORNELIUS PASS RD
PORTLAND, OR 97231

SITE: TAX MAP: 2N1W31C
TAX LOT 1900
MULTNOMAH COUNTY, OREGON

11715 NW OLD CORNELIUS PASS RD

N0860

DISTURBANCE
& MITIGATION AREAS

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DESIGNED

DRAWN

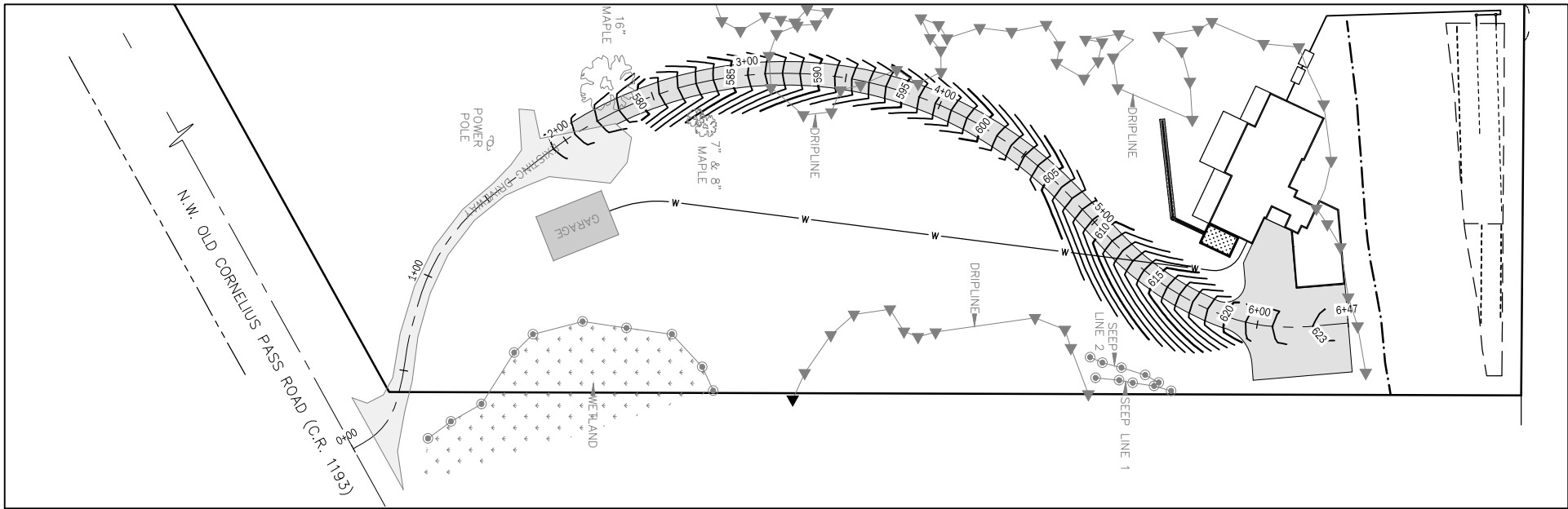
REVIEWED

SUBMITTAL

MITG

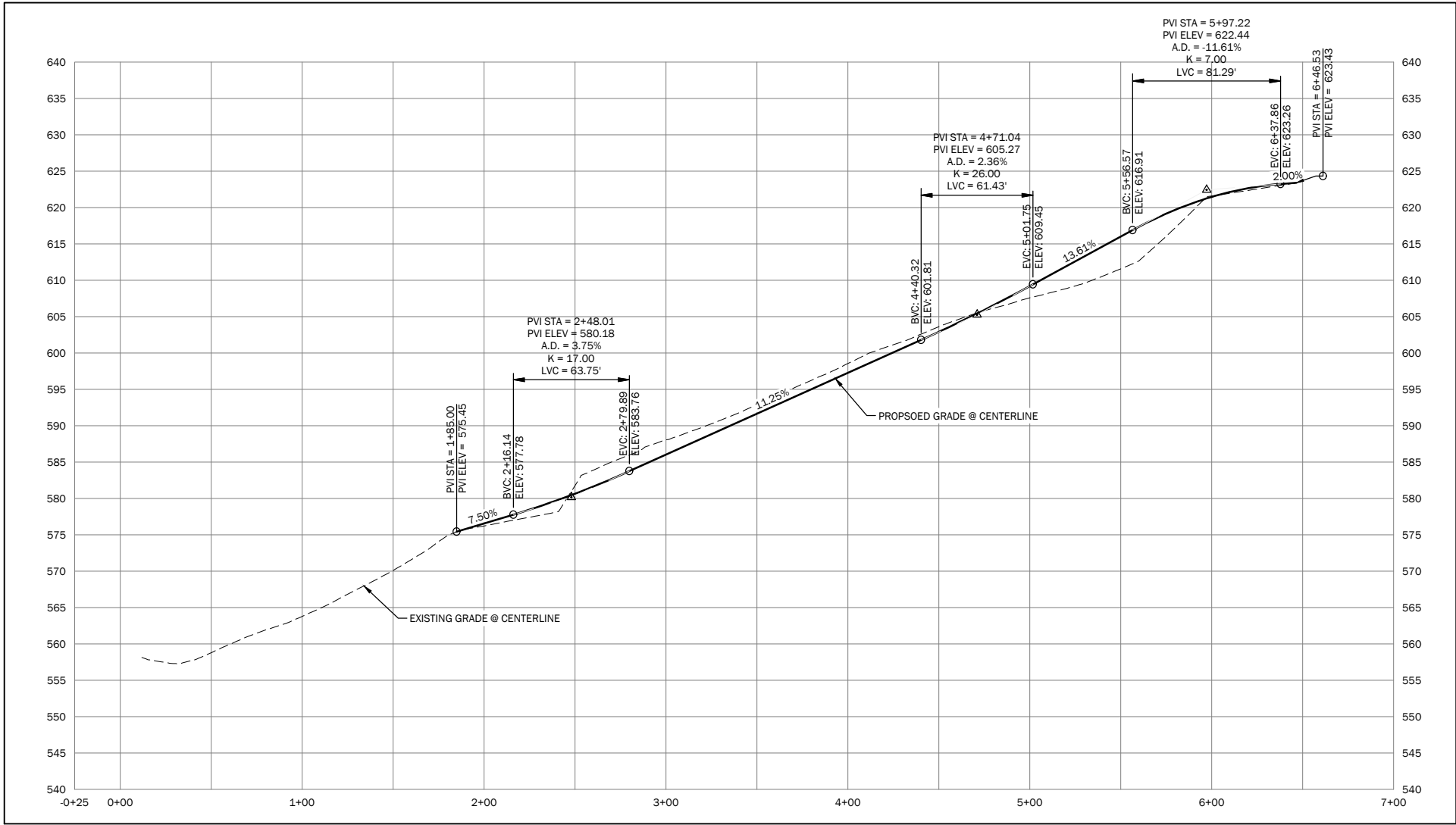
4a

of 5



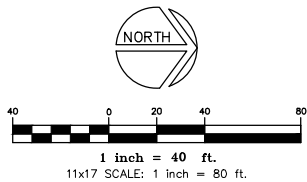
PLAN VIEW

HORIZONTAL SCALE: 1" = 40'



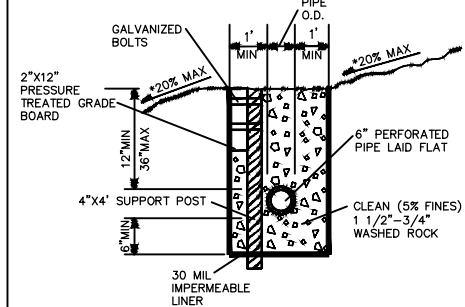
DRIVEWAY PROFILE

HORIZONTAL SCALE: 1" = 40' VERTICAL SCALE: 1" = 10'



- NOTES**
- SOURCE: WASHINGTON STATE DEPARTMENT OF TRANSPORTATION (WSDOT) HIGHWAY RUNOFF MANUAL, FIGURE 5.4.3.9.
 - FOR MORE INFORMATION AND DETAILS SEE CONCEPT DESIGNS AND TECHNICAL GUIDANCE: STORMWATER OUTFALLS (HERRERA 2007).

FLOW DISPERSAL TRENCH
NOT TO SCALE



- NOTES:**
- THIS TRENCH SHALL BE CONSTRUCTED SO AS TO PREVENT POINT DISCHARGE AND/OR EROSION.
 - TRENCHES MAY BE PLACED NO CLOSER THAN 50 FEET TO ONE ANOTHER. (100 FEET ALONG FLOWLINE)
 - TRENCH AND GRADE BOARD MUST BE LEVEL. ALIGN TO FOLLOW CONTOURS OF SITE.
 - SUPPORT POST SPACING AS REQUIRED BY SOIL CONDITIONS TO ENSURE GRADE BOARD REMAINS LEVEL.

DESIGNED	DRAWN	REVIEWED	SUBMITTAL

PST1
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of 5

REVISION	BY	DATE
1		
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7		

11715 NW OLD CORNELIUS PASS RD
N0860
PRELIMINARY DRIVEWAY
PLAN & PROFILE

FOR: CLAUDIO & RONDA VALENZUELA
11715 NW OLD CORNELIUS PASS RD
PORTLAND, OR 97231
SITE: TAX MAP: 2N1W31C
TAX LOT 1900
MULTNOMAH COUNTY, OREGON

ENGINEERS
Civil Engineering
& Land Use Planning
2920 SE Brookwood Ave., Suite G
Hillsboro, OR 97123
503.601.4401