

NOTICE OF DECISION



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Application for Lot of Record Verification and Property Line Adjustment

Case File:	T2-2024-0088	Applicant:	Matt Shipkey, East Multnomah Soil & Water Conservation District
Proposal:	The applicant is requesting a Property Line Adjustment between the properties described as Tract 1 and Tract 2 below. In addition, the applicant requests a Lot of Record Verification for Tract 2. A Lot of Record Verification determines if a property was lawfully established in compliance with zoning and land division laws at the time of its creation or reconfiguration and the County's aggregation requirements. No development is proposed at this time.		

Location:			
Tract #1:	36410 SE Gordon Creek Rd, Corbett	Property ID #	R346790 & R341200
	Map, Tax lot: 1S4E10 -00100 & 1S4E3D -2800	Alt. Acct. #	R994100010 & R994030120
Tract #2	West of 36410 SE Gordon Creek Rd	Property ID #	R341680 & R341687
	Map, Tax lot: 1S4E10 -00200 & 1S4E10 -00500	Alt. Acct. #	R994100030 & R994100170
Base Zone:	Tract 1: Exclusive Farm Use – EFU (tax lots 100 & 2800) Tract 2: Commercial Forest Use – CFU4 (tax lots 200 & 500)		
Overlays:	Significant Environmental Concern (SEC), Significant Environmental Concern – Stream (SEC-s), Flood Hazard, Geologic Hazard, and Wetlands		

Determination:	The subject property identified as Tract 2 above is a Lot of Record in its current configuration..
Decision:	The Property Line Adjustment between Tract 1 and Tract 2 is approved with conditions.

This decision is final at the close of the appeal period, unless appealed. The deadline for filing an appeal is July 15, 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

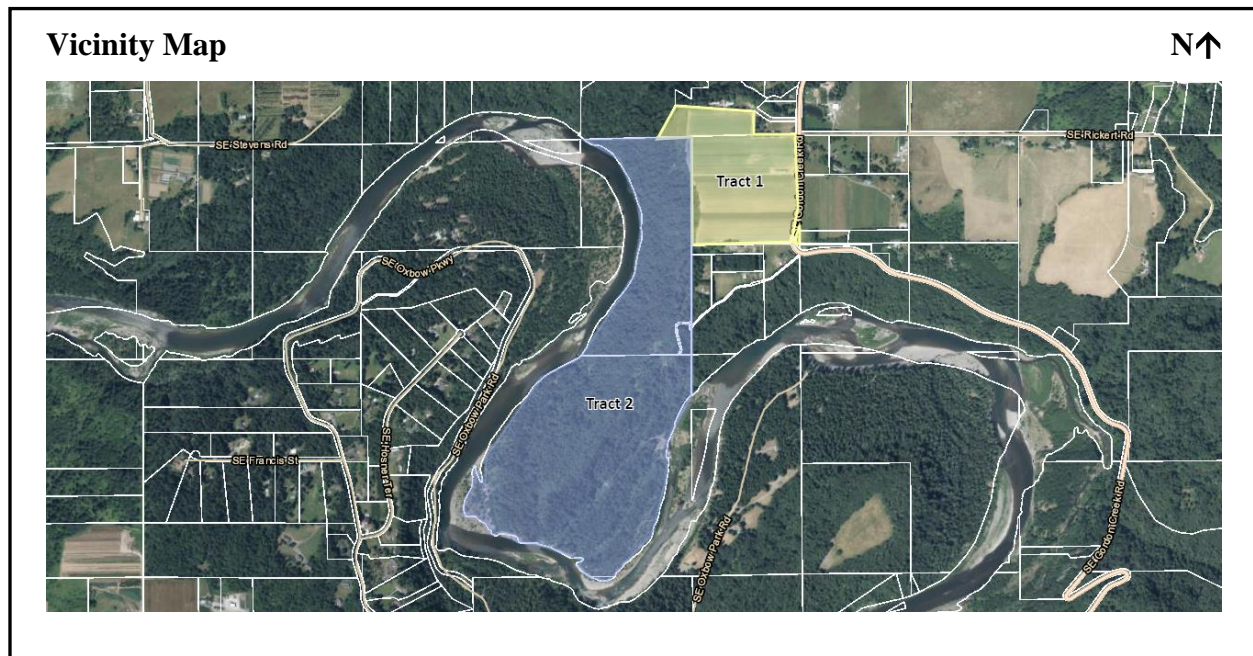
Issued by:



Izze Liu, Planner

For: Megan Gibb,
Planning Director

Date: July 1, 2025



Applicable Approval Criteria:

Multnomah County Code (MCC): MCC 39.1250 Code Compliance and Applications, MCC 39.2000 Definitions, MCC 39.3070 Lot of Record – Exclusive Farm Use (EFU)

Lot of Record: MCC 39.3005 Lot of Record – Generally, MCC 39.3050 Lot of Record – Commercial Forest Use (CFU-4)

Commercial Forest Use Zone: MCC 39.4075 Review Uses, (G) Lot Line Adjustment..., MCC 39.4130 Lot Line Adjustment; Property Line Adjustment

Exclusive Farm Use Zone: MCC 39.4225 Review Uses, (I) Lot Line Adjustment..., MCC 39.4255 Lot Line Adjustment; Property Line Adjustment

Property Line Adjustment: MCC 39.9300 Property Line Adjustment

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. For a use or development that does not include a structure shall expire two (2) years after the date of the final decision, unless the use or development was established according to all specifications and conditions of approval in the land use approval. [MCC 39.1185(A)]
 - 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. For a property line adjustment (PLA), “established” means the final deed have been recorded with the County Recorder.
 - ii. For purposes of 1.a, the property owner shall provide notification of the establishment of the use or development 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 the case no. T2-2024-0088 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 the recording of the deeds**, the property owner(s) or their representative(s) shall:
 - a. The property owners shall 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 sent to LUP-submittals@multco.us with the case no. T2-2024-0088 referenced in the subject line. [MCC 39.1170(A) & (B)]
 - b. Submit a request for Property Line Adjustment Final Review (Type I) along with the materials listed below under Condition 2. [MCC 39.1105, MCC 39.1170(A) and MCC 39.1250(A)].
4. **When submitting deeds for Property Line Adjustment Final Review**, the property owner(s) or their representative(s) shall:
 - a. Provide a Letter of Acknowledgement as required in Condition 3.a. [MCC 39.1170(A) & (B)]
 - b. Submit a copy of the deeds with metes and bounds legal description that will be recorded to complete the Property Line Adjustment (PLA). [MCC 39.1250(A), MCC 39.9200(C)(1)(c), and MCC 39.9300(D)]
 - i. **Transferring the Property:** The draft deed and metes and bounds legal description for the area of land to be transferred between Tract 1 and Tract 2.
 - ii. **Tract 1 (decreased):** The draft deed and the metes and bounds legal description for Tract 2 after the transfer and reconfiguration. The legal description shall include the words: This new legal description is to complete the Property Line Adjustment approval in land use case no. T2-2024-0088.
 - iii. **Tract 2 (increased):** The draft deed and the metes and bounds legal description for Tract 1 after the transfer and reconfiguration. The legal description shall include the words: This new legal description is to complete the Property Line Adjustment approval in land use case no. T2-2024-0088

5. **After submitting deeds for Property Line Adjustment Final Review**, the property owner(s) or their representative(s) shall:
 - a. Record the reviewed deeds that contain the stamped legal descriptions by Land Use Planning. The deeds shall be recorded in the following order [MCC 39.4255(A)(3) and 39.9300(D)]:
 - i. **Transferring the Properties:** Area of land to be transferred between Tract 1 and Tract 2.
 - ii. **Tract 1:** Tract 1 after the transfer and reconfiguration.
 - iii. **Tract 2:** Tract 2 after the transfer and reconfiguration.
6. The transferred properties shall not exist as a separate unit of land or tax lot after the property line adjustment is completed. No additional lot or parcel shall be created through this property line adjustment process. If either of these occurs, it shall be a violation of this approval. If not resolved prior to the expiration of this case, a new application will be required to correct the situation. [MCC 39.9300(A)]
7. After recording the deeds to complete the property line adjustment, the property owners or their representatives shall provide a copy of each recorded deed within 60 days of recording. [MCC 39.1170(A)]

Note: Land Use Planning must sign off on the deeds and metes and bound descriptions. When ready to submit deeds and metes and bound descriptions, complete the following steps:

8. Read your land use decision, the conditions of approval and modify your plans, if necessary, to meet any condition that states, “Prior to the recording the deeds...” and “When submitting deeds for Property Line Adjustment Final Review and Review of Conditions of Approval...” Be ready to demonstrate compliance with the conditions.

Visit <https://www.multco.us/landuse/submitting-building-plan> for instructions regarding the submission of your deeds and metes and bound descriptions and review of conditions of approval. Please ensure that any items required under, “Prior to the recording the deeds...” and “When submitting deeds for Property Line Adjustment Final Review and Review of Conditions of Approval...” are ready for review. Land Use Planning collects additional fees at the time of zoning review.

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: The applicant requests a Lot of Record Verification for the property identified as Tract 2. The application does not propose any new development currently.

Through the Lot of Record Verification process, the County reviews the creation or reconfiguration of each parcel, lot, or unit of land involved in the request. The County then verifies that the creation or reconfiguration of the parcel, lot, or unit of land satisfied all applicable zoning laws and all applicable land division laws in effect on the date of its creation or reconfiguration. In the CFU zone, the County also considers adjacent ownership on February 20, 1990 in determining whether a parcel, lot, or unit of land is a Lot of Record on its own. If the parcel, lot, or unit of land met all applicable zoning laws, applicable land division laws and meets the aggregation requirements, it may be determined to be a Lot of Record.

In addition, the application requests a Property Line Adjustment between Tract 1 and Tract 2.

2.0 Property Description:

Staff: This application is for the properties identified as 1S4E10 -00100 and -2800 (“Tract 1”), and 1S4E10 -00200 and -00500 (“Tract 2”). Tract 1 is zoned Exclusive Farm Use (EFU) and Tract 2 is zoned Commercial Forest Use – 4 (CFU-4). Tracts 1 and 2 are located within the following environmental overlay zones: Significant Environmental Concern (SEC), Significant Environmental Concern – Stream (SEC-s), Flood Hazard, Geologic Hazard, and Wetlands.

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.5). Staff did not receive public comments during the 14-day comment period.

4.0 Code Compliance and Applications Criteria:

4.1 MCC 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:

* * *

Staff: 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 MCC 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.

(1) “Satisfied all applicable zoning laws” shall mean: the parcel, lot, or group thereof was created and, if applicable, reconfigured in full compliance with all zoning minimum lot size, dimensional standards, and access requirements.

(2) “Satisfied all applicable land division laws” shall mean the parcel or lot was created:

(a) By a subdivision plat under the applicable subdivision requirements in effect at the time; or

(b) By a deed, or a sales contract dated and signed by the parties to the transaction, that was recorded with the Recording Section of the public office responsible for public records prior to October 19, 1978; or

(c) By a deed, or a sales contract dated and signed by the parties to the transaction, that was in recordable form prior to October 19, 1978; or

* * *

Staff: To qualify as a Lot of Record, Tract 2, when created or reconfigured, must meet MCC 39.3005(B) of this section and meet the Lot of Record standards set forth in the CFU-4 zoning district. More specifically, section (B) above requires demonstration that the subject property (a) satisfied all applicable zoning laws and (b) satisfied all applicable land division laws. The Lot of Record standards set forth in the CFU district establish additional requirements unique to the district, which are evaluated in Sections 5.2 of this decision. The findings below analyze whether the Lot of Record provisions in section (B) have been met.

The applicant provided one deed to support the Lot of Record request (Exhibit A.3). The earliest deed provided was recorded/in recordable form in 1957. In 1957, the subject property was zoned F2 per historical County zoning maps (Exhibit B.7).

The F2 zone had a minimum lot size of 2 acres. There was no requirement for road frontage or minimum front lot line length or lot width requirements. The subject property is 198.53 acres.

The subject property complied with all applicable zoning laws at the time of its creation or reconfiguration.

In 1957, the process to create or divide a parcel required a deed or sales contract dated and signed by the parties to the transaction. The document needed to be in recordable form or recorded with the County Recorder prior to October 19, 1978. As evidenced by the 1957 deed, the applicable land division laws were satisfied (Exhibit A.3).

Based upon the above, the subject property satisfied all applicable zoning and land division laws when it was created or reconfigured in 1957.

5.2 MCC 39.3050 Lot of Record – Commercial Forest Use – 4 (CFU-4)

(A) In addition to the standards in MCC 39.3005, for the purposes of the CFU-4 district a Lot of Record is either:

(1) A parcel or lot which was not contiguous to any other parcel or lot under the same ownership on February 20, 1990, or

(2) A group of contiguous parcels or lots:

(a) Which were held under the same ownership on February 20, 1990; and

(b) Which, individually or when considered in combination, shall be aggregated to comply with a minimum lot size of 19 acres, without creating any new lot line.

1. Each Lot of Record proposed to be segregated from the contiguous group of parcels or lots shall be a minimum of 19 acres in area using existing legally created lot lines and shall not result in any remainder individual parcel or lot, or remainder of contiguous combination of parcels or lots, with less than 19 acres in area. See Examples 1 and 2 in this subsection.

2. There shall be an exception to the 19 acre minimum lot size requirement when the entire same ownership grouping of parcels or lots was less than 19 acres in area on February 20, 1990, and then the entire grouping shall be one Lot of Record. See Example 3 in this subsection.

3. Three examples of how parcels and lots shall be aggregated are shown in MCC 39.3070 Figure 1 with the solid thick line outlining individual Lots of Record:

4. The requirement to aggregate contiguous parcels or lots shall not apply to lots or parcels within exception, urban zone, or Columbia River Gorge National Scenic Area zones (e.g. MUA-20, RR, SRC, R-10, GGA-40), but shall apply to contiguous parcels and lots within all farm and forest resource zones (i.e. EFU and CFU), or

Staff: Based on ownership data, the property was not contiguous to any other parcel or lot under the same ownership on February 20, 1990. Using taxation data from 1989 and 1990 from Multnomah County Division of Assessment, Recording, and Taxation (DART) a comparison of ownership is shown below:

Table 1 – Comparison of ownership of the subject properties and surrounding

State ID	Alternative Acct. #	Size (Acres)	Pre 1990	Post 1990
1S4E10 -00200	R994100030	56.93	State of Oregon (Game Commission)	State of Oregon (Game Commission)
1S4E10 -00500	R994100170	141.6	State of Oregon (Game Commission)	State of Oregon (Game Commission)
1S4E03D -02900	R994030180	23.67	Sherwood Davis	Sherwood Davis
1S4E10 -00100	R994100010	38.84	Aldo Rossi	Aldo Rossi

1S4E03D -02800	R994030120	8.01	Aldo Rossi	Aldo Rossi
1S4E10AD - 00300	R994100160	2.2	Don & Joanne Stubbs	Don & Joanne Stubbs
1S4E10AD - 00600	R994100510	4.02	Steven & Gail Case	Steven & Gail Case
1S4E10AD - 00700	R994100180	13.16	Multnomah County	Multnomah County
1S4E10 -00600	R994100070	7.54	Multnomah County	Multnomah County

The subject property is not aggregated to any contiguous parcel or lot and as discussed in Section 5.1 is an individual Lot of Record.

* * *

(B) In this district, significant dates and ordinances applicable for verifying zoning compliance may include, but are not limited to, the following:

* * *

Staff: Section (B) is for information purposes.

(C) A Lot of Record which has less than the minimum lot size for new parcels, less than the front lot line minimums required, or which does not meet the access requirements of MCC 39.4135, may be occupied by any allowed use, review use or conditional use when in compliance with the other requirements of this district.

Staff: The subject property is 198.53 acres, which is less than the minimum lot size for new parcels or lots in this zone and subject to (C) above. The applicant has sought a Property Line Adjustment (PLA) which is a Review Use. The applicant will need to demonstrate compliance with the requirements of the district as discussed in Section 6.0

(D) The following shall not be deemed a Lot of Record:

- (1) An area of land described as a tax lot solely for assessment and taxation purposes;**
- (2) An area of land created by the foreclosure of a security interest;**
- (3) A Mortgage Lot.**
- (4) An area of land created by court decree.**

Staff: As discussed under section 5.1, the subject property is not an area of land described as a tax lot solely for assessment and taxation purposes. The subject property is not an area of land created by the foreclosure of a security interest, a mortgage lot, or created by court decree. *Criterion met.*

(E) Disaggregation of Lots of Record existing on or before August 8, 1998, being the effective date of Ordinance 916.

Staff: The applicant is not seeking to disaggregate separate Lots of Record. *Criterion not applicable.*

5.3 MCC 39.3070 LOT OF RECORD – EXCLUSIVE FARM USE (EFU).

(A) In addition to the standards in MCC 39.3005, for the purposes of the EFU district a Lot of Record is either:

- (1) A parcel or lot which was not contiguous to any other parcel or lot under the same ownership on February 20, 1990, or**

(2) A group of contiguous parcels or lots:

Staff: Tract 1 was found to be a Lot of Record by Lot of Record Verification T2-2022-15940.

6.0 Commercial Forest Use Criteria:

6.1 MCC 39.4075 Review Uses

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

* * *

(G) Lot Line Adjustment pursuant to all applicable approval criteria, including but not limited to the provisions of MCC 39.4130.

Staff: The applicant is requesting a Property Line Adjustment (PLA) between Tract 1 and Tract 2. Tract 2 is located in CFU zone. As required above, the PLA is subject to MCC 39.4255, which is discussed in Section 8 below.

6.2 MCC 39.4130 Lot Line Adjustment; Property Line Adjustment

(A) Pursuant to the applicable provisions in MCC 39.9300, an adjustment of the common lot line between contiguous Lots of Record may be authorized based on a finding that:

(1) The permitted number of dwellings will not thereby be increased above that otherwise allowed in this base zone;

Staff: There are no dwellings on either tract. To establish a primary dwelling on Tract 2, a forest dwelling must be approved. Tract 2 is 198.53 acres in size and is proposed to be increased to 199.03 acres. The 0.5-acre increase does not grant Tract 2 an additional dwelling. *Criterion met.*

(2) The resulting lot configuration is at least as appropriate for the continuation of the existing commercial forest practices in the area as the lot configuration prior to adjustment;

Staff: The approximate one-half acre of CFU zoned property on Tract 2 to be transferred to Tract 1 is flat, treeless, and contiguous with the existing farm on Tract 1 (Exhibit A.6 & A.7). There are no existing commercial forest practices on the land to be transferred. Just under 1 acre (0.95 acre) will be transferred to Tract 2 from Tract 1. The area to be added is steep and heavily vegetated per the applicant (Exhibit A.7). The minor addition will add to the existing commercial forest practices occurring on Tract 2. *Criterion met.*

(3) The new lot line is in compliance with the dimensional requirements of MCC 39.4110;

Staff: There are no structures or buildings on Tract 2 (Exhibits A.6 & A.7). *Criterion met.*

(4) Neither of the properties is developed with a dwelling approved under the provisions for a mobile home on a Health Hardship, or a dwelling for the housing of help required to carry out a farm or forest use; and

Staff: Neither tracts are developed with a dwelling approved under a health hardship or housing of help required to carry out a farm or forest use. *Criterion met.*

(5) If the properties abut a street, the required access requirements of MCC 39.4135 are met after the relocation of the common property line.

Staff: The tentative plan map shows Tract 2 abuts an unnamed public right-of-way that traverses it and terminates into the southern portion of the property (Exhibit A.7). The proposed adjustment does not alter the existing access. *Criterion met.*

(B) Subject to subsection (C) of this section, for land located entirely outside the corporate limits of a city, a county may approve a property line adjustment in which:

(1) One or both of the abutting lawfully established units of land are smaller than the minimum lot or parcel size for the applicable zone before the property line adjustment and, after the adjustment, one is as large as or larger than the minimum lot or parcel size for the applicable zone; or

Staff: Tract 1 is located within the EFU zone which has a minimum lot size of 80 acres. Tract 1 is currently 45.88 acres in size and is proposed to be decreased to 45.38 acres. Tract 2 is 198.53 acres in size which is above the minimum lot size of 80 acres in the CFU zone. The proposed adjustment will increase Tract 2 to 199.03 acres. *Criterion met.*

(C) A property line adjustment may not be used to:

(1) Decrease the size of a lawfully established unit of land that, before the relocation or elimination of the common property line, is smaller than 80 acres and contains an existing dwelling or is approved for the construction of a dwelling, if another lawfully established unit of land affected by the property line adjustment would be increased to a size as large as or larger than the minimum lot or parcel required to qualify the other affected lawfully established unit of land for a dwelling;

(2) Decrease the size of a lawfully established unit of land that contains an existing dwelling or is approved for construction of a dwelling to a size smaller than 80 acres, if another lawfully established unit of land affected by the property line adjustment would be increased to a size as large as or larger than the minimum lot or parcel size required to qualify the other affected lawfully established unit of land for a dwelling;

Staff: Tract 1 is 45.88 acres in size and is proposed to be decreased to 45.38 acres. Tract 2 is 198.53 acres in size and proposed to be increased to 199.03 acres. There are no dwellings on either tract. *Criterion met.*

(3) Allow an area of land used to qualify a lawfully established unit of land for a dwelling based on an acreage standard to be used to qualify another lawfully established unit of land for a dwelling if the land use approval would be based on an acreage standard; or

Staff: The proposed adjustment decreases Tract 1 to 45.38 acres and increases Tract 2 to 199.03 acres. Tract 1 is located within the EFU zone so it is not qualified for a dwelling based on an acreage standard. Additionally, Tract 2 is currently 198.53 acres in size which exceeds the acreage standard for a Large Acreage Dwelling in the CFU zone. *Criterion met.*

(4) Adjust a property line that resulted from a subdivision or partition authorized by a waiver (as that term is defined in ORS 195.300) so that any lawfully established unit of land affected by the property line adjustment is larger than:

(a) Two acres if the lawfully established unit of land is, before the adjustment, two acres in size or smaller and is high-value farmland, high-value forestland or within a ground water restricted area (as those terms are defined in ORS 195.300); or

(b) Five acres if the lawfully established unit of land is, before the adjustment, five acres in size or smaller and is not high-value farmland, high-value forestland or within a ground water restricted area (as those terms are defined in ORS 195.300).

Staff: The proposed property line adjustment is not a result of a subdivision or partition authorized by a waiver. *These criteria are not applicable.*

7.0 Exclusive Farm Use Criteria:

7.1 MCC 39.4225 Review Uses

* * *

(I) Lot Line Adjustment pursuant to the provisions of MCC 39.4255.

Staff: The applicant is requesting a Property Line Adjustment (PLA) between Tract 1 and Tract 2. Tract 1 is located in the EFU zone. As required above, the PLA is subject to MCC 39.4255, which is discussed in Section 8 below.

7.2 MCC 39.4255 Lot Line Adjustment; Property Line Adjustment

(A) Pursuant to the applicable provisions in MCC 39.9300, an adjustment of the common lot line between contiguous Lots of Record may be authorized based on a finding that:

(1) All dwellings that were situated on the same lot prior to the adjustments must remain together on the reconfigured lot; and

Staff: There are no dwellings on either tract. *Criterion not applicable.*

(2) The following dimensional and access requirements are met:

(a) The relocated common property line is in compliance with all minimum yard and minimum front lot line length requirements; and

Staff:

(b) If the properties abut a street, the required access requirements of MCC 39.4260 are met after the relocation of the common property line; and

Staff: Tract 1 abuts SE Gordon Creek Road along the eastern property boundary. The proposed adjustment impacts the western property line and does not impact the existing access (Exhibit A.6). *Criterion met.*

(3) The reconfigured lot areas will each:

(a) Be a minimum of 80 acres, or

(b) If one or both parcels is currently less than 80 acres neither parcel will be reduced to less than 2 acres after the adjustment; and

Staff: Tract 1 is currently 45.88 acres in size and will be reduced to 45.38 acres after the adjustment.

(c) The adjustment will not separate a temporary hardship dwelling, relative farm help dwelling, home occupation or processing facility from the parcel on which the primary residential or other primary use exists.

Staff: Tract 1 does not contain the listed types of development and uses. *Criterion met.*

(4) A property line adjustment may not be used to:

(a) Decrease the size of a lawfully established unit of land that, before the relocation or elimination of the common property line, is smaller than 80 acres and contains an existing dwelling or is approved for the construction of a dwelling, if another lawfully established unit of land affected by the property line adjustment would be increased to a size as large as or larger than the minimum lot or parcel size required to qualify the other affected lawfully established unit of land for a dwelling;

(b) Decrease the size of a lawfully established unit of land that contains an existing dwelling or is approved for construction of a dwelling to a size smaller than 80 acres, if another lawfully established unit of land affected by the property line adjustment would be increased to a size as large as or larger than the minimum lot or parcel size required to qualify the other affected lawfully established unit of land for a dwelling.

Staff: Tract 1 is 45.88 acres in size and is proposed to be decreased to 45.38 acres. Tract 2 is 198.53 acres in size and proposed to be increased to 199.03 acres. There are no dwellings on either tract. *Criterion met.*

(c) Allow an area of land used to qualify a lawfully established unit of land for a dwelling based on an acreage standard to be used to qualify another lawfully

established unit of land for a dwelling if the land use approval would be based on an acreage standard; or

Staff: The proposed adjustment decreases Tract 1 to 45.38 acres and increases Tract 2 to 199.03 acres. Tract 1 is located within the EFU zone so it is not qualified for a dwelling based on an acreage standard. Additionally, Tract 2 is currently 198.53 acres in size which exceeds the acreage standard for a Large Acreage Dwelling in the CFU zone. *Criterion met.*

(d) Adjust a property line that resulted from a subdivision or partition authorized by a waiver (as that term is defined in ORS 195.300) so that any lawfully established unit of land affected by the property line adjustment is larger than:

(i) Two acres if the lawfully established unit of land is, before the adjustment, two acres in size or smaller and is high-value farmland, high-value forestland or within a ground water restricted area (as those terms are defined in ORS 195.300); or

(ii) Five acres if the lawfully established unit of land is, before the adjustment, five acres in size or smaller and is not high-value farmland, high-value forestland or within a ground water restricted area (as those terms are defined in ORS 195.300).

Staff: The proposed property line adjustment is not a result of a subdivision or partition authorized by a waiver. *These criteria are not applicable.*

8.0 Property Line Adjustment Criteria:

8.1 MCC 39.9300 Property Line Adjustment

A property line adjustment is the relocation of a common property line between two abutting properties. The Planning Director may approve a property line adjustment based upon findings that the following standards are met:

(A) No additional lot or parcel shall be created from any parcel by the property line adjustment; and

Staff: The applicant has provided a tentative plan map that illustrates the relocation of the common property line between two abutting properties. The common property line is between Tract 1 and Tract 2 (Exhibit A.7). No additional lot or parcel is proposed to be created. A condition will be required that the PLA be reviewed by Land Use Planning's staff prior to the recording of the deeds to ensure that no additional lot or parcel is created by the PLA. *As conditioned, criterion met.*

(B) Owners of both properties involved in the property line adjustment shall consent in writing to the proposed adjustment and record a conveyance or conveyances conforming to the approved property line adjustment; and

Staff: Tract 1 is owned by East Multnomah Soil and Water Conservation District and the application form has been signed consenting to the adjustment (Exhibits A.1, B.1 & B.3). Tract 2 is owned by the State of Oregon (Game Commission) and the application form has been signed consenting to the adjustment (Exhibits A.1 & B.5) Both owners will be required to record the conveyances conforming to the approved PLA for it to be perfected. *As conditioned, criterion met.*

(C) The adjusted properties shall meet the approval criteria for a property line adjustment as given in the base zone; and

Staff: As discussed above in Sections 6.2 & 7.2, the adjusted properties have met the approval criteria for a PLA in the CFU and EFU base zones. *Criterion met.*

(D) The procedure and forms shall be submitted for obtaining approval of a property line adjustment as provided for by the Planning Director.

Staff: The applicant has applied for a PLA to adjust the common property line; a condition will be required that prior to recordation of the conveyances Land Use Planning Staff review the final deeds. As *conditioned, criterion met.*

9.0 Exhibits

‘A’ Applicant’s Exhibits

‘B’ Staff Exhibits

‘C’ Procedural Exhibits

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	09.20.2024
A.2	7	Deed Tract 1	09.20.2024
A.3	1	Deed Tract 2	09.20.2024
A.4	9	Lot of Record Decision Tract 1	09.20.2024
A.5	1	1962 Zoning Map	09.20.2024
A.6	10	Code Narrative	09.20.2024
A.7	1	Tentative Plan	09.20.2024
‘B’	#	Staff Exhibits	Date
B.1	2	Assessment and Taxation Property Information for 1S4E10 - 00100 (Alt Acct#R994100010 / Property ID#R341679)	09.20.2024
B.2	1	Current Tax Map for 1S4E10 -00100	09.20.2024
B.3	2	Assessment and Taxation Property Information for 1S4E3D - 2800 (Alt Acct#R994030120 / Property ID#R341200)	09.20.2024
B.4	1	Current Tax Map for 1S4E3D -2800	09.20.2024
B.5	2	Assessment and Taxation Property Information for 1S4E10 - 00200 & -00500 (Alt Acct#R994100030 / Property ID#R341680) & (Alt Acct#R994100170 / Property ID#R341687)	09.20.2024
B.6	1	Current Tax Map for 1S4E10 -00200 & -00500	09.20.2024
B.7	1	1962 Zoning Map	09.20.2024
B.8	2	1955-8-4 New Interim Zoning Ordinance	09.20.2024
‘C’	#	Administration & Procedures	Date
C.1	2	Incomplete Letter	11.8.2024
C.2	3	Applicant Incomplete Response	11.25.2024
C.3	1	Complete Letter	01.31.2025
C.4	4	Opportunity to Comment	02.18.2025
C.5	13	Decision	07.01.2025

LETTER OF ACKNOWLEDGEMENT



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

For Case T2-2024-0088

I have read and understand the conditions of approval for my land use case, _____.
I intend to comply with the conditions of approval and the land use decision. I understand that if I fail to comply with the conditions of approval within the time allotted by the permit, the County can institute code enforcement proceedings or take other actions as allowed under Multnomah County Code. [MCC 39.1170(A), (B), and (C) / MCC 38.0660 (A), (B), and (C)]

PROPERTY OWNER #1

Signature Date

(Print Name)

(Print Mailing/Contact Address)

(Phone Number)

(Email Address)

PROPERTY OWNER #3

Signature Date

(Print Name)

(Print Mailing/Contact Address)

(Phone Number)

(Email Address)

PROPERTY OWNER #2

Signature Date

(Print Name)

(Print Mailing/Contact Address)

(Phone Number)

(Email Address)

PROPERTY OWNER #4

Signature Date

(Print Name)

(Print Mailing/Contact Address)

(Phone Number)

(Email Address)