

NOTICE OF DECISION



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

Application for Lot of Record Verification

Case File: T2-2025-0041

Applicants: Barbara Bellmont

Proposal: The applicant is requesting a Lot of Record Verification for the property identified below. 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. No development is proposed at this time.

Location: Property NE of 10010 NW Thompson Rd, Portland

Property ID # R324551

Map, Tax lot: 1N1W26B-00100

Alt. Acct. # R961260510

Base Zone: Rural Residential (RR)

Overlays: Significant Streams (SEC-s), Geologic Hazards (GH)

Determination: The subject property known as 1N1W26B-00100 is a Lot of Record in its current configuration.

This decision is final at the close of the appeal period, unless appealed. The deadline for filing an appeal is Friday, February 13, 2026 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 \$0.71/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: Lisa Estrin

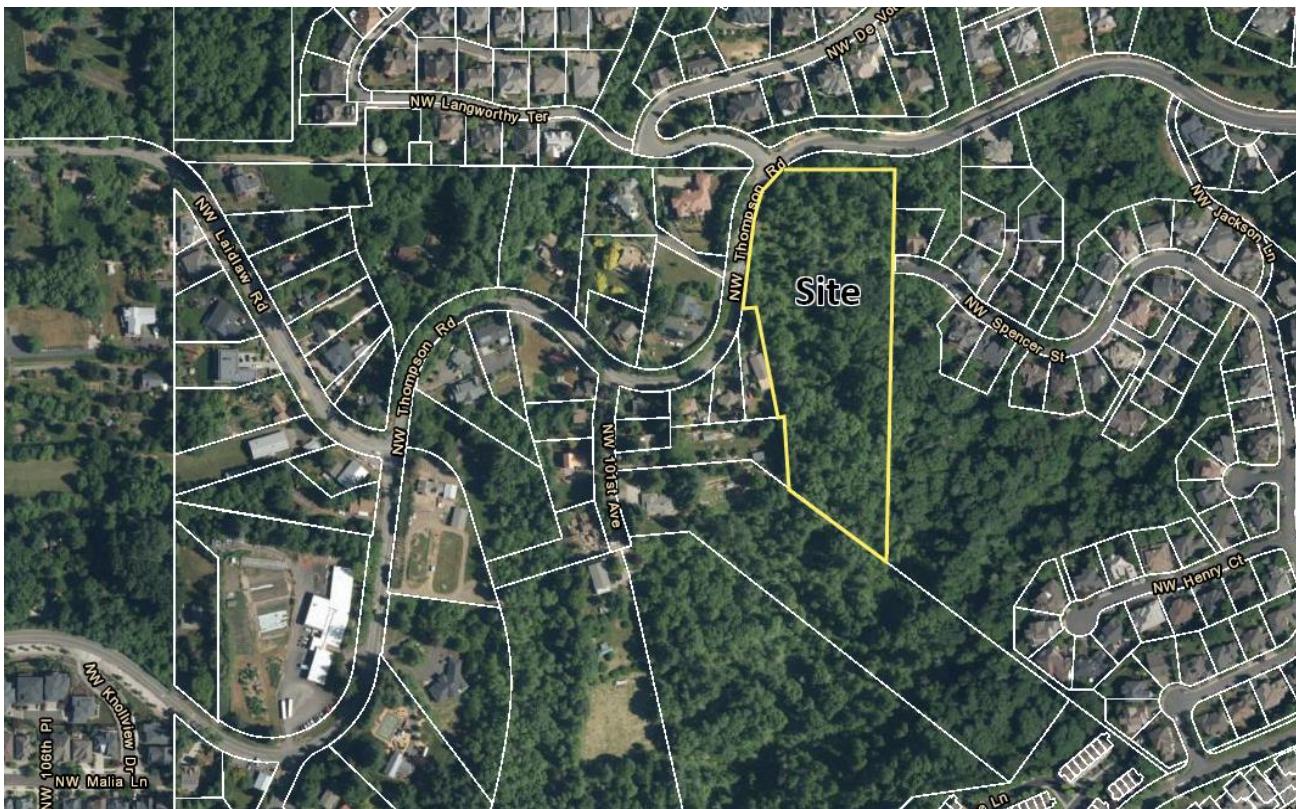
Lisa Estrin, Senior Planner

For: Megan Gibb,
Planning Director

Date: Friday, January 30, 2026

Vicinity Map

N↑



Applicable Approval Criteria:

Multnomah County Code (MCC): MCC 39.1250 Code Compliance and Applications, MCC 39.2000 Definitions, MCC 39.3005 Lot of Record – Generally, MCC 39.3090 Lot of Record – Rural Residential (RR)

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.

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 1N1W26B-00100 (subject property). 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.

2.0 Property Description:

Staff: The subject property is in unincorporated west Multnomah County in the area known as the West Hills rural area. The property is zoned Rural Residential (RR) and is located outside of Metro’s Urban Growth Boundary (UGB). The property has environmental overlays for Significant Streams and Geologic Hazard. According to Assessment and Taxation records, the subject property is vacant.

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.2). Staff received public comments during the 14-day comment period.

3.1 **Kevin Joshi, Kidder Mathew**, community member requested copies of the information submitted in the case file for the Lot of Record Verification.

Staff: Information was sent via email on September 11, 2025. No additional comments were received.

3.2 **Anonymous Comment**, community member has concern regarding stream and drainage issues from possible development on the subject property. Concerns regarding Spencer Street being connected to Thompson Road and access to the area. The person is concerned about the destruction of flora and fauna due to development and potential conflicts with animals on the roadways. Person also wants to know how many lots are allowed.

Staff: The subject application is to determine if the subject property is a Lot of Record. No development is proposed at this time. The subject property is zoned Rural Residential (RR) which allows one (1) single family dwelling per lawfully established dwelling. The subject property is located outside of the Urban Growth Boundary and is designated as being a Rural Reserve at this time.

3.3 **Tim & Rachel Farr**, community member and nearby property owner has provided comments on wildlife activity and corridor, driveway access, road, slope & drainage conditions, utilities (septic vs. sewer), neighborhood setting.

Staff: No development activity is being reviewed as part of this application. The location of the driveway for future development is not known at this time. Sewer is not allowed outside of the Urban Growth Boundary. If a home is developed in the near future, it will need to be placed on an approved septic system. Driveway location is regulated by the Transportation Planning Division and will likely require access via NW Spencer Street, but this has yet to be determined and is not part of this application request.

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: As noted in Section 1.0 above, this application is a request for a Lot of Record Verification, which does not require the County to approve development, including land divisions and property line adjustments, or issue a building permit or zoning review approval. *These criteria are not applicable.*

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, the subject property, when created or reconfigured, must meet MCC 39.3005(B) of this section and meet the Lot of Record standards set forth in the Rural Residential (RR) 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 applicant provided five deeds to support the Lot of Record request (Exhibit A.4 through A.8). Based on the information in the deeds and other information (Exhibit B.3, B.7 and B.8), the subject property was last reconfigured on April 12, 1967. In 1967, the subject property was zoned R-10 (Single Family Residential) per historical County zoning maps (Exhibit B.4 & B.5).

The R-10 zone had a minimum lot size of 10,000 sq. ft., a minimum average lot width of 70 feet, a minimum lot width at the building line of 70 feet and a minimum average lot depth of 100 feet, and was required to abut a public street or have other access determined to be safe and convenient for pedestrians and for passengers and emergency vehicles (Exhibit B.6).

The subject property is 5.21 acres (including ½ of the public right-of-way), abuts NW Thompson Rd (a public road), and has a front lot line length of approximately 330 feet and an average lot depth of 220 feet (Exhibit B.2). The applicant provided the most recent deed for the subject property and the legal description matches the configuration from 1967 and 1969 (Exhibit B.7 & A.4).

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

In 1967 & 1969, 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 1967 & 1969 deed, the applicable land division laws were satisfied (Exhibit B.7 & A.4).

Based upon the above, the subject property satisfied all applicable zoning and land division laws when it was created or reconfigured in 1967.

5.2 MCC 39.3090 - LOT OF RECORD – RURAL RESIDENTIAL (RR).

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

* * *

Staff: Section (A) is for information purposes.

(B) A Lot of Record which has less than the minimum lot size for new parcels or lots, less than the front lot line minimums required, or which does not meet the access requirement of MCC 39.4395, 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 meets the minimum lot size, minimum front lot line length and fronts onto a public right-of-way in the RR. *Criterion is not applicable.*

(C) Except as otherwise provided by MCC 39.4380, 39.4385, and 39.5300 through 39.5350, no sale or conveyance of any portion of a lot other than for a public purpose shall leave a structure on the remainder of the lot with less than minimum lot or yard requirements or result in a lot with less than the area or width requirements of this district.

Staff: Subsection (C) is for informational purposes. The property owner is not proposing to convey any portion of the lot at this time. *Criterion met.*

(D) The following shall not be deemed to be 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) An area of land created by court decree.**

Staff: As discussed above 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 or created by court decree. *Criterion met.*

Based on the findings in 5.1 & 5.2 above, the subject property is a single Lot of Record.

6.0 Exhibits

‘A’ Applicant’s Exhibits

‘B’ Staff Exhibits

‘C’ Procedural Exhibits

‘D’ Comments Received

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		Application Form	9/15/2025
A.2	1	Record of Survey	9/15/2025
A.3	10	Title Report dated October 24, 2024	9/15/2025
A.4	2	Executor’s Deed recorded December 5, 1969 B.710, P579	9/15/2025
A.5	2	Warranty Deed recorded March 28, 1972 B.847, P.918	9/15/2025
A.6	2	Quit Claim Deed recorded April 26, 2005 Instrument # 2005-073455	9/15/2025
A.7	2	Quit Claim Deed recorded March 12, 2007 Instrument # 2007-042450	9/15/2025
A.8	3	Deed of Personal Representative recorded July 8, 2021 Instrument #2021-105465	9/15/2025
‘B’	#	Staff Exhibits	Date
B.1	2	Assessment and Taxation Property Information for 1N1W26B-00100 (Alt Acct# R961260510/ Property ID# R324551)	9/15/2025
B.2	1	Current Tax Map for 1N1W26B	9/02/2025
B.3	5	Parcel Record Card for R961260510	9/02/2025
B.4	1	1962 Zoning Map 1N1W26B	12/23/2025
B.5	1	October 5, 1977 Zoning Map 1N1W26B	1/23/2026
B.6	4	R-10 Zoning Regulations version 1964	1/23/2026

B.7	2	Warranty Deed recorded January 10, 1967 in B556, P430 & 431	1/23/2026
'C'	#	Administration & Procedures	Date
C.1	1	Complete letter (day 1)	9/02/2025
C.2	2	Opportunity to Comment	9/08/2025
C.3	7	Decision	01/30/2026
'D'	#	Comments	Date
D.1	1	Joshi, Kidder Mathews Comment	9/10/2025
D.2	1	Anonymous Comment	9/21/2025
D.3	2	Tim Farr Comment	9/22/2025