

NOTICE OF DECISION



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

Application for Temporary Permit

Case File: T2-2025-0047 **Applicant:** Robert Fraley, Portland Water Bureau

Proposal: Request for a Temporary Permit for the continued use of a construction field office trailer in association with the on-going construction activities on the site.

Location: 35227 SE Carpenter Ln, Gresham **Property ID #** R342606
Map, Tax lot: 1S4E22DB-00300 **Alt. Acct. #** R994220850

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

Overlays: None

Decision: Approved with Conditions

This decision is final at the close of the appeal period, unless appealed. The deadline for filing an appeal is Thursday, February 19, 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: Thursday, February 5, 2026

Vicinity Map

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Applicable Approval Criteria:

Multnomah County Code (MCC): General Provisions: MCC 39.1250 Code Compliance and Applications, MCC 39.2000 Definitions, MCC 39.6235 Stormwater Drainage Control, MCC 39.6850 Dark Sky Lighting Standards, MCC 39.3005 Lot of Record – Generally, MCC 39.3080 Lot of Record – MUA-20 Zone

MUA-20 Zone: MCC 39.4315(A) Review Uses, Temporary Uses, MCC 39.4325 (C), (G) and (J) Dimensional Standards and Development Requirements

Temporary Permit: MCC 39.8750 Temporary Permits for Certain Uses

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. This temporary permit runs from September 7, 2025 to September 7, 2026. [MCC 39.1185(E), MCC 39.1185(G), and MCC 39.8750(A)]

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. All temporary trailers and temporary uses shall cease and be removed from the property within 5 days of the expiration of this permit unless a new Temporary Permit is granted.
 - a. If a new temporary permit is to be applied for, the property owner or their representative shall make the application at least 60 days prior to the expiration of this permit to avoid having to remove the improvements during the processing of a new permit. The process for obtaining a temporary permit shall follow the applicable Multnomah County Code at the time of application. [MCC 39.1185(E), MCC 39.1185(G), and MCC 39.8750(A)]

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 has requested a Temporary Permit to place a construction office trailer on the above listed property during the installation of the Finished Water Pipeline improvements which is part of the Portland Water Bureau Water Filtration Facility and Pipeline project. The construction office trailer will be used by the contractor during the pipeline construction.

2.0 Property Description & History:

Staff: The property known as 35227 SE Carpenter Ln, Gresham is 2-acres in size and is occupied by a single-family dwelling and various outbuildings. A finished water pipeline coming from the Water Filtration Facility will cross the property diagonally underground before it exits the site. The pipeline crossing was approved as part of land use case T3-2022-16220. Ground disturbance was approved through the Erosion and Sediment Control permit T1-2023-16571. The subject property is zoned Multiple Use Agriculture – 20 (MUA-20). No environmental overlays have been enacted on the property. The property is outside of the urban growth boundary and located in the West of Sandy River rural area.

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). No public comments were received 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**
- (2) It is necessary to protect public safety; or**
- (3) It is for work related to and within a valid easement over, on or under an affected property; 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.

The subject temporary permit is to allow the continued use of a construction trailer on the subject site. The previous temporary permit expired September 7, 2025. Once this Temporary Permit is approved and final, the code compliance issue will be authorized for the time period specified under the conditions of approval. Staff is not aware of any other land use issues on the subject property at this time.

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.

* * *

Staff: The subject property was found to be each a Lot of Record in T2-2024-16220. *Criterion met.*

6.0 Multiple Use Agriculture – 20 Criteria:

6.1 § 39.4365 REVIEW USES.

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

(A) Temporary uses when approved pursuant to MCC 39.8700 and 39.8750.

Staff: The applicant has requested temporary construction office trailer to use during the construction of the pipeline. The findings for MCC 39.8750 are under Section 7.0 below.

6.2 § 39.4375 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

Staff: The construction office trailer meets the above minimum yard and height requirements (Exhibit A.3 & A.4). *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: As part of the Zoning Plan Review, BP-2024-0103 documentation was provided by the applicant regarding the septic system for the existing dwelling on the property and for disposal service for the sanitary services during construction (Exhibit B.6). Stormwater for the temporary trailer will be handled via a gutter, downspout and splash block system (Exhibit B.4). *Criteria met.*

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

Staff: As part of Zoning Plan Review, BP-2024-0103 lighting details were provided for the exterior light(s) on the temporary trailer (Exhibit B.5). The lights meet the requirements of MCC 39.6850. *Criterion met.*

7.0 Temporary Permit Criteria:

7.1 § 39.8750- TEMPORARY PERMITS FOR CERTAIN USES.

(A) Notwithstanding the limitations of use as established by this Chapter in each of the several base zones, the Planning Director may issue temporary permits, valid for a period of not more than one year after issuance, for structures, or uses which are of a temporary nature, such as:

- (1) Storage of equipment during the building of roads or developments;**
- (2) Real estate office used for the sale of lots or housing in subdivisions;**
- (3) Temporary storage of structures or equipment;**
- (4) Sheds used in conjunction with the building of a structure;**
- (5) Temporary housing; or**
- (6) Other uses of a temporary nature when approved by the Planning Director.**

Staff: Land Use Planning has reviewed the proposed temporary construction office trailer and finds that its use fits within (A)(6) as the construction office is temporary in nature and related to the development authorized by land use permit T3-2022-16220. Conditions of approval have been included to ensure compliance with the zoning regulations [MCC 39.1170(A)]

9.0 Conclusion

Based on the findings and other information provided above, the applicant has carried the burden necessary for the Temporary Permit to continue the use of a construction office trailer in the MUA-20 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	11/20/2025
A.2	1	Code Narrative	11/20/2025
A.3	36	Floor Plan and Building Elevation Details	11/20/2025
A.4	1	Site Plan	11/20/2025
A.5	8	T2-2024-0061 Temporary Permit (Sept. 7, 2024 to Sept. 7, 2025)	11/20/2025
‘B’	#	Staff Exhibits	Date
B.1	2	Assessment and Taxation Property Information for 1S4E22DB-00300 (Alt Acct# R994220850 / Property ID# R342606)	9/03/2025
B.2	1	Current Tax Map for 1S4E22DB	1/22/2026
B.3	3	Fire Service Agency Review	1/23/2026
B.4	4	Stormwater Drainage Control Certificate	1/23/2026
B.5	3	Lights	1/23/2026
B.6	9	Septic Review Certificate	1/23/2026
‘C’	#	Administration & Procedures	Date
C.1	1	Complete letter (Day 1 is 12/20/2025)	1/09/2026
C.2	5	Opportunity to Comment	1/16/2026
C.3	7	Decision	02/05/2026