

NOTICE OF DECISION



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Application for Lot of Record Verification

Case File: T2-2025-0059 **Applicant:** Jason Anchidin, Anchidin Home Design

Proposal: The applicant is requesting a Lot of Record Verification for the properties identified below. A Lot of Record Verification determines if the properties were 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 as part of this application.

Location: 30611 SE Division Dr, Troutdale **Property ID #** R341608 & R341604
Map, Tax lot: 1S4E08BC-00500 & **Alt. Acct. #** R994080160 &
1S4E08BC-00600 R994080100

Base Zone: Exclusive Farm Use (EFU)

Overlays: None

Determination: The subject property known as 1S4E08BC-00500 and 1S4E08BC-00600 combined is a single Lot of Record. The two tax lots encompass a single unit of land.

This decision is final at the close of the appeal period, unless appealed. The deadline for filing an appeal is Thursday, May 28, 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, May 14, 2026

Vicinity Map



Applicable Approval Criteria:

Multnomah County Code (MCC): MCC 39.1115 Initiation of Action, MCC 39.1250 Code Compliance and Applications, MCC 39.2000 Definitions, MCC 39.3005 Lot of Record – Generally, MCC 39.3070 Lot of Record – Exclusive Farm Use (EFU).

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 unit of land identified as 1S4E08BC-00500 and 1S4E08BC-00600 (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. In the EFU 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.

2.0 Property Description:

Staff: The subject property is in unincorporated east Multnomah County in the area known as the West of Sandy River rural area. The property is zoned Exclusive Farm Use (EFU) and is located outside of Metro’s Urban Growth Boundary (UGB). According to Assessment and Taxation records, the subject property is occupied by a single-family dwelling and an accessory building.

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). Two public comments were received the 14-day comment period.

3.1 Sherri Emery, a neighbor to 30611 SE Division Dr (the subject property) provided an email expressing concerns about a change to zoning, construction occurring on the subject property without permits, encroachment of improvements over a property line, dogs barking constantly, noise complaints, and what appears to be an unpermitted grow operation. (Exhibit D.1)

3.2 Shannon Schiedler, a neighbor to the subject property is concerned about building occurring at all hours of the night, noise, dogs barking, marijuana smells coming over the property line and untrimmed vegetation encroaching onto her property. (Exhibit D.2)

Staff: The subject application is not for a zone change, but for a verification that the subject property was lawfully created in compliance with the rules at the time and it is a Lot of Record. Regarding the unauthorized construction on the site, a formal complaint with Multnomah County Code Compliance can be made at <https://multco.us/programs/code-compliance>. OLCC is the governmental entity to report an unlicensed grow operation. A complaint can be sent to marijuana@olcc.oregon.gov. The County’s Animal Services has the webpage, <https://www.multcopets.org/barking-dogs-other-noise-nuisances> that may be able to assist you.

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

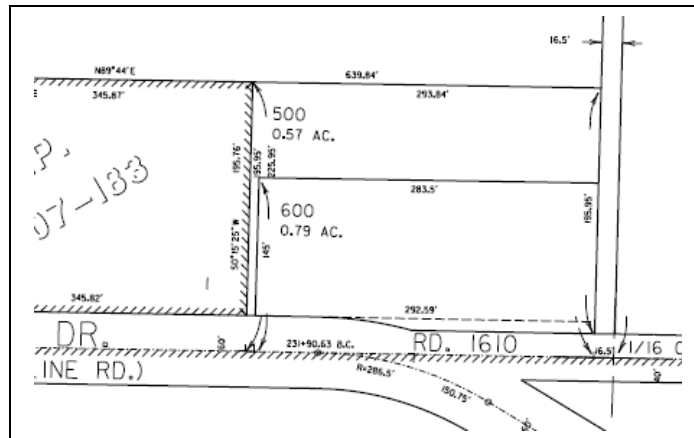
(d) By partitioning land under the applicable land partitioning requirements in effect on or after October 19, 1978; and

(e) “Satisfied all applicable land division laws” shall also mean that any subsequent boundary reconfiguration completed on or after December 28, 1993 was approved under the property line adjustment provisions of the land division code. (See Date of Creation and Existence for the effect of property line adjustments on qualifying a Lot of Record for the siting of a dwelling in the EFU and CFU districts.)

* * *

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 EFU 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 EFU 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 is requesting “A Lot of Record Determination (Type II) for 30611 SE Division Dr. (Tax Account R341604). Request confirmation that the subject tax lot constitutes a lawful lot of record.” (Exhibit A.1). On May 6, 2026, the applicant amended the application form (Exhibit A.17) to add tax account R341608 to the request. Tax lot R341604 is alternately known as 1S4E08BC-00600 or R994080100. Tax lot R341608 is alternately known as 1S4E08BC-00500 or R994080160. The subject property consists of the area of land contained in both tax lots.



The applicant provided 10 deed(s) and other information to support the Lot of Record request (Exhibit A.4 through A.19). A document was provided from 1947 (Exhibit A.7) showing a Contract of Sale that described the subject tax lot, 1S4E08BC-00600. Though a separate unit of land in 1947, the legal description was reconfigured from this 1947 configuration by the end of 1973.

On September 13, 1973, a pair of Warranty Deeds (Exhibit A.8 & A.9) were recorded transferring a single unit of land encompassing the land area contained by tax lots 1S4E08BC-00600 and 1S4E08BC-00500 combined. These 2 deeds created a single unit of land though the two tax lots continued to be maintained by Multnomah County. Tax lots are for taxation purposes and do not create individual parcels.

In 1973, the subject property was zoned F-2 (Agricultural District). The minimum lot size for the F-2 zone was two acres. There was no requirement for road frontage or minimum front lot line length or lot width requirements in the F-2 zone at the time. This subject property is 1.56 acres total (including ½ of the public r.o.w). Based on the change in the legal description, the 0.58 acre of land labeled as 1S4E08BC-00500 was combined into the legal unit of land to create a larger property. The County did not have any formal application process for the reconfiguration at this time, but would have viewed it as either a property line adjustment or consolidation of land into a legal parcel.

Tax Lot	Acreage ¹	Square Footage ¹
1S4E08BC-00600	0.98	41,107.5
1S4E08BC-00500	0.58	25,294.46
Total Unit of Land	1.56	66,401.96

¹ Includes ½ of adjacent public r.o.w.

The subject property is 1.56 acres (including ½ of the public right-of-way), abuts SE Division Drive (a public road), and has a front lot line length of 293+/- feet.

Additional deeds were recorded in 1974, 1976, 1978, 1986, 2006, 2014 and 2022 (Exhibit A.10 through A.16, B.9) and the legal description in each of these deeds describes a single unit of land that consists of both tax lots 1S4E08BC-00600 & 1S4E08BC-00500 combined. Each time the unit of land was transferred in these deeds, the legal description only describes a single unit of land by metes and bounds and does not reference a second parcel.

The subject property (1S4E08BC-00500 & 1S4E08BC-00600 combined) complied with all applicable zoning laws at the time of its creation or reconfiguration.

In 1973, the process to create or reconfigure 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 two warranty deeds record on September 13, 1973, the applicable land division laws were satisfied (Exhibit A.8 & A.9).

Based upon the above, the subject property satisfied the land division laws when it was created or reconfigured in 1973.

5.2 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:

(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 Figure 1 below 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 or urban zones (e.g., MUA-20, RR, RC, SRC, BRC, R-10), but shall apply to contiguous parcels and lots within all farm and forest resource zones (i.e. EFU and CFU), or

(3) A parcel or lot lawfully created by a partition or a subdivision plat after February 20, 1990.

(4) Exception to the standards of (A)(2) above:

(a) Where approval for a “Lot of Exception” or a parcel smaller than 19 acres under the “Lot size for Conditional Uses” provisions has been given by the Hearing Authority and the parcel was subsequently lawfully created, then the parcel shall be a Lot of Record that remains separately transferable, even if the parcel was contiguous to another parcel held in the same ownership on February 20, 1990.

Staff: Planning staff reviewed historic tax records and the deeds included in the record for contiguous ownership in the EFU zone (Exhibit B.4, B.9. & A.14). The subject property (1S4E08BC-00500 & 1S4E08BC-00600) was not contiguous to a parcel or lot under the same ownership on February 20, 1990 (Exhibit B.4). The single unit of land contained in tax lots 1S4E08BC-00500 and 1S4E08BC-00600 was owned on February 20, 1990 by Douglas & Bernadine Shriver. The subject property is 1.56 acres.

February 20, 1990 Adjoining Ownerships

Alternate Acct #	Map, Tax Lot	1989 Ownership	1990 Ownership
R994080100*	1S4E08BC-00600	Douglas & Bernadine Shriver	Douglas & Bernadine Shriver
R994080160*	1S4E08BC-00500	Douglas & Bernadine Shriver	Douglas & Bernadine Shriver
R994080210	1S4E08BC-00300	James W. Burns et al	James W. Burns et al
R994080180	1S4E08BC-00200	James W. Burns et al	James W. Burns et al
R994080200	1S4E08BC-00401	Linda Shackleton	Linda Shackleton

*Subject Property

The subject property was not contiguous to any other parcel or lot under the same ownership on February 20, 1990 and is in compliance with MCC 39.3070(A)(1).

(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 informational 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 39.4260 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 has less than the minimum lot size for a new parcel in the EFU zone and is subject to (C). *Criterion met.*

(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: The subject property is a unit of land that is contained in the combined tax lots 1S4E08BC-00500 & 1S4E08BC-00600. Individually, the two tax lots do not constitute a Lot of Record as they are for taxation purposes only and are not legal parcels. 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 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	2	Application Form	10/28/2025
A.2	1	Code Narrative	10/28/2025
A.3	1	Site Plan	10/28/2025
A.4	1	Tax Lot 1S4E8BC	10/28/2025
A.5	3	Parcel Record Card – R994080100	01/26/2026
A.6	3	Parcel Record Card – R994080160	01/26/2026
A.7	1	November 1, 1947 Contract of Sale for Unit of Land Known as Tax lot R994080100 [Describes TL 600 only]	01/26/2026
A.8	2	Warranty Deed B948, P.1651 (Submitted same page twice) No recording date. [Describes TL 500 & 600 together] (See Exhibit B.8 for complete deed) [Recordable form August 31, 1973. Recorded 9/13/1973 3:32 pm]	01/26/2026
A.9	2	Warranty Deed recorded in B.948, P1627 (Submitted same page twice) No recording date. [Describes TLs 500 & 600 together] (See Exhibit B.7 for complete deed) [Recordable form September 10, 1973 rec'd 9/13/1973 at 3:32 pm]	01/26/2026
A.10	1	Bargain & Sale Deed recorded January 29, 1974 in B969, P905 [Describes TL 500 & 600 together]	01/26/2026
A.11	1	Warranty Deed recorded January 13, 1976 in B1082, P1629 [Describes TL 500 & 600 together]	01/26/2026
A.12	3	Warranty Deed recorded September 20, 1978 in B1295, P2620 – 2622 [Describes TL 500 & 600 together]	01/26/2026
A.13	2	Warranty Deed recorded October 22, 1986 B1949, P114 (Submitted same page twice. No legal description). (See Exhibit B.9)	01/26/2026
A.14	2	Warranty Deed recorded March 10, 2006 Instrument # 2006-043240 [Describes TL 500 & 600 together]	01/26/2026
A.15	3	Warranty Deed recorded June 30, 2014 Instrument #2014-063174 [Describes TL 500 & 600 together]	01/26/2026
A.16	3	Warranty Deed recorded May 26, 2022 Instrument #2022-053617 [Describes TL 500 & 600 together]	01/26/2026 & 05/06/2026
A.17	2	Amended Application Form	05/06/2026
A.18	3	A&T Property Information for R341604 (1S4E08BC-00600)	05/06/2026

A.19	3	A&T Property Information for R341608 (1S4E08BC-00500)	05/06/2026
'B'	#	Staff Exhibits	Date
B.1	2	Assessment and Taxation Property Information for 1S4E08BC-00600 (Alt Acct# R994080100 / Property ID# R341604)	10/28/2025
B.2	1	Current Tax Map for 1S4EBC	11/20/2025
B.3	1	Survey 16288 dated November 1960	01/28/2026
B.4	4	1989 & 1990 Property Ownership	01/28/2026
B.5	1	1962 Zoning Map -1S4E08	01/28/2026
B.6	27	Zoning Plan Review for Accessory Building	02/05/2026
B.7	2	Warranty Deed recordable form September 10, 1973 recorded September 13, 1973 at 3:32 pm in B.948, P.1627 & 1628 [Describes TLs 500 & 600 together]	02/05/2026
B.8	2	Warranty Deed recordable form August 31, 1973. Recorded 9/13/1973 3:32 pm in B.948, P.1651 & 1652 [Describes TL 500 & 600 together]	02/05/2026
B.9	2	Warranty Deed recorded October 22, 1986 in B.1949, P.114 & 115 [Describes TLs 500 & 600]	02/05/2026
B.10	1	Assessment and Taxation Property Information for 1S4E08BC-00500 (Alt Acct# R994080160 / Property ID# R341608)	02/06/2026
B.11	1	October 5, 1977 Zoning Map – 1S4E08	03/04/2026
B.12	1	October 6, 1977 Zoning Map – 1S4E08	03/04/2026
B.13	2	Zoning Districts as of 5-21-1968	03/04/2026
B.14	1	1980 Zoning Map – 1S4E	03/04/2026
B.15	3	EFU Lot of Record code effective 2-19-2022	03/04/2026
B.16	26	EFU Code effective 02-19-2022	03/04/2026
'C'	#	Administration & Procedures	Date
C.1	2	Incomplete letter	11/26/2025
C.2	1	Applicant's acceptance of 180-day clock	01/07/2026
C.3	1	2 nd Incomplete Letter	01/30/2026
C.4	1	Complete letter (day 1)	02/06/2026
C.5	2	Opportunity to Comment	02/11/2026
C.6	2	Applicant's Toll Letter (3/17/2026 – 5/01/2026)	03/17/2026
C.7	9	Decision	05/14/2026
'D'	#	Comments	Date
D.1	5	Sheri Emery Comments	2/20/2026
D.2	1	Shannon Schiedler Comments	2/20/2026