

NOTICE OF DECISION



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Application for a Replat

Case File: T2-2025-0061

Applicant: Daniel Laferriere

Proposal: Request for a replat to consolidate two lots into a single lot to allow for an addition to the existing dwelling.

Location: 21507 NE Interlachen Ln., Fairview

Property ID # R160957 & R160956

Map, Tax lot: Property #1 (1N3E21DB -02000)
Property #2 (1N3E21DB -02100)

Alt. Acct. # R269201590
R269201570

Base Zone: Urban Low Density Residential – LR7

Overlays: Significant Environmental Concern (SEC)

Decision: **Approved with Conditions**

This decision is final at the close of the appeal period, unless appealed. The deadline for filing an appeal is May 8, 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:

Natalie Olivier, Planner

For: Megan Gibb,
Planning Director

Date: April 24, 2026



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

Lot of Record: MCC 39.3005 Lot of Record – Generally, 39.3140 Lot of Record – Urban Low Density Residential (LR-5, LR-7, LR-10)

Urban Low Density Residential – LR7: MCC 39.4854(K) Uses Permitted Under Prescribed Conditions – Consolidation of...Lots..., MCC 39.4854(L) Uses Permitted Under Prescribed Conditions –Replatting of ...Subdivision Plats..., MCC 39.4862 Dimensional Requirements and Development Standards (E), (F), (H)

Consolidation of Parcels and Lots: MCC 39.9200 (D) Consolidation of Parcels and Lots

Replat: MCC 39.9650 Replatting of Partition and Subdivision Plats

Land Divisions: MCC 39.9555 Easements, MCC 39.9570 Water System, MCC 39.9575 Sewage Disposal, MCC 39.9580 Surface Drainage and Storm Water Systems

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.

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 replat, “established” means the final plat has 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. T2-2025-0061 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 that is inconsistent with 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. No lot shall be sold, transferred, or assigned until the replat has been approved by the Planning Director and County Surveyor and recorded with the public office responsible for public records. [MCC 39.9620(C)]
4. **Prior to submitting the Subdivision Plat for Land Division Final Review**, the property owners or their representatives shall:
 - a. 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. [MCC 39.1170(A) & (B)]
 - b. Retain a surveyor to complete the instructions as described in "Finishing a Land Division" handout (Exhibit B.6) and submit to the County Surveyor a plat in accordance with the requirements of Oregon Revised Statutes (ORS), Chapters 92. [MCC 39.9605]

Note: The County Surveyor has a separate process and fee for their review. The County Recorder also has rules and a fee for recording documents. State law requires that property taxes be paid before a plat can be recorded.

5. **When submitting the Subdivision Plat for Land Division Final Review**, the property owner or their representative shall:

- a. Provide a Letter of Acknowledgement as required in Condition 4.a. [MCC 39.1170(A) & (B)]
- b. Submit a blue-line copy of the plat and pay the required fee conforming to all applicable requirements as established by the Oregon Revised Statutes (ORS) Chapters 92 and 209. The Planning Director will determine whether the plat conforms to this decision and the conditions of approval contained herein. When the Planning Director determines the plat complies with this decision and applicable conditions, notification of zoning compliance will be provided to the Multnomah County Surveyor. If the Planning Director determines that there is not such conformity, the applicant shall be so advised and afforded an opportunity to make corrections. When the plat is found to be in conformity and the County Surveyor finishes their plat check, it shall be signed and dated by the Planning Director. [MCC 39.9605 and MCC 39.9620]
 - i. The subdivision plat shall show:
 1. One (1) lot as shown in Exhibit A.9. The lot shall be consistent with the proposed preliminary plan diagram in size and shape. [MCC 39.9605 & MCC 39.9650(D)(6)]
 2. A five (5) foot wide utility easement along the front property line abutting a street for the lot. [MCC 39.9555(A)]
 - ii. The subdivision plat shows the following, if applicable:
 1. Corners of adjoining subdivisions or partitions.
 2. The location, width, and centerline of streets and easements abutting the boundaries of the land division.
 3. Any plat that includes land in areas of Special Flood Hazard or includes a water body or watercourse, as those features are described in MCC 39.2000, shall contain a plat note indicating that portions of the plat are subject to flooding and/or high water.
 4. The ownership of each private street shall be shown.
 5. Other certifications required by law. [MCC 39.9610]
 - iii. Provide, if needed, a copy of any deed restrictions applicable to the subdivision; a copy of any dedication requiring separate documents; a copy of the future street plan, when required, as recorded according to MCC 39.9465(A); and a map, prepared by an Oregon licensed surveyor, of the subdivision plat that depicts the normal flood plain or high-water line for any water body or watercourse and the extent of areas of Special Flood Hazard as defined in MCC 39.5005. [MCC 39.9615]

Note: Land Use Planning must sign off on the plat before you can go to the County Surveyor. When ready to submit your Replat, 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 the Subdivision Plat for Land Division Final 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 plans for Land Division Final Review. Please ensure that any items required under, “When submitting the Subdivision Plat for Land Division Final Review ...” are ready for review. Land Use Planning collects additional fees at the time of Land Division Final Review.

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 is requesting a Replat to consolidate the properties identified as 1N3E21DB - 02000 (“Property #1”) also known as Lot 79 of Fairview Country Club Tracts and 1N3E21DB - 02100 (“Property #2”) also known as Lot 78 of Fairview Country Club Tracts to allow for an addition to the existing single-family dwelling.

2.0 Property Description & History:

Staff: This application is for Property #1 and Property #2. The subject properties are located on the north side of NE Interlachen Lane in unincorporated east Multnomah County inside of Metro’s Urban Growth Boundary (UGB). The subject properties are zoned Urban Low Density Residential (LR7) and have one (1) overlay, Significant Environmental Concern (SEC)

Property #1 is occupied by a single-family dwelling with a deck and a boat dock, and is approximately 6,360 square feet or 0.15 acres according to the County Assessor. The most current aerial photo shows a dwelling with a deck, without the presence of a boat dock. Property #2 is occupied by a single-family dwelling and is approximately 6,837 square feet or 0.16 acres according to the County Assessor. The most current aerial photo shows tree canopy covering the 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.3). Staff received one (1) public comment during the 14-day comment period.

3.1 Michael Vest, Interlachen HOA President provided e-mail comments on February 25, 2026 (Exhibit D.1)

Staff: Michael reviewed the application per the Multnomah County Land Use Code and stated the replat to be fully compliant with such. They stated that if that is the case, they have no issues. They additionally stated that if there are any variances to the Land Use Code that they may have missed to let them know.

The decision is based on the review of the Multnomah County Code to which the applicable sections are reviewed for compliance below.

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:

* * *

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. *Criterion met.*

5.0 Lot of Record Criteria:

5.1 39.3005 LOT OF RECORD – GENERALLY.

* * *

39.3140 LOT OF RECORD – URBAN LOW DENSITY RESIDENTIAL (LR-5, LR-7, LR-10)

* * *

Staff: Property #1 is the entirety of Lot 79, Fairview Country Club Tracts Subdivision. Property #2 is the entirety of Lot 78, Fairview Country Club Tracts Subdivision. Each lot is in the same configuration as the original subdivision plat that was recorded on June 9, 1930. Currently, these lots are separate Lots of Record. Once the plat is recorded it will be only a single lot, which would result in a single Lot of Record. *Criterion met.*

6.0 Urban Low Density Residential – LR7 Criteria:

6.1 39.4854 USES PERMITTED UNDER PRESCRIBED CONDITIONS.

* * *

6.2.1 (K) Consolidation of Parcels and Lots pursuant to MCC 39.9200.

Staff: This application is for the consolidation of Property #1 and Property #2. MCC 39.9200 is reviewed in 7.0 below.

6.2.2 (L) Replatting of Partition and Subdivision Plats pursuant to MCC 39.9650.

Staff: This application is for the replatting of a subdivision plat; Property #1 and Property #2. MCC 39.9650 is reviewed in 7.0 below.

6.2 39.4862 DIMENSIONAL REQUIREMENTS AND DEVELOPMENT STANDARDS.

* * *

(E) The minimum front lot line length shall be 30 feet.

Staff: The front lot line length of the consolidated lots will be approximately 106 feet (Exhibit A.9). *Criterion met.*

(F) The minimum lot width at the building line shall be 60 feet.

Staff: The minimum lot width of the consolidated lots at the building line will be approximately 100 feet (Exhibit A.9). *Criterion met.*

* * *

(H) Minimum Yard Dimensions – Feet

Front	Side	Street Side	Rear
20	5	10	15

* * *

Staff: For the consolidated lot lines of Property #1 and Property #2, the front lot line is along NE Interlachen Ln, the rear lot line is the opposite north property line, and the side lot lines are the east and west property line. The proposed Front setback is approximately 24 feet, the rear setback is approximately 40 feet, and the side setbacks are approximately 30 feet from the west side and 14 feet from the east side (Exhibit A.9). *Criterion met.*

* * *

7.0 Consolidation of Lots Criteria and Replatting of Subdivision Plats Criteria:

7.1 39.9200 CONSOLIDATION OF PARCELS AND LOTS.

* * *

(D) Consolidation of parcels within a Partition Plat or lots within a Subdivision Plat (Parcel and Lot Line Vacation) may be approved with a replat.

Staff: The applicant is requesting the consolidation of lots within a Subdivision Plat. The subject properties were originally platted on June 9, 1930 as Lot 78 through 79 of Fairview Country Club Subdivision (Exhibit B.5). As required, the consolidation requires a replat that satisfies the standards of MCC 39.9650 below.

7.2 39.9650 REPLATTING OF PARTITION AND SUBDIVISION PLATS.

* * *

(B) As used in this Section, “replat” and “replatting” shall mean the act of platting the parcels, lots and easements in a recorded Partition Plat or Subdivision Plat to achieve a reconfiguration of the existing Partition Plat or Subdivision Plat or to increase or decrease the number of parcels or lots in the Plat.

Staff: As was previously discussed, the applicant is requesting the consolidation of lots within a subdivision plat. The subject properties were originally platted on June 9, 1930 as Lot 78 through 79 of Fairview Country Club Subdivision (Exhibit B.5). The applicant will replat the lots so that Lots 78 and 79 will become one Lot. This request will decrease the number of lots in the subdivision plat from ninety-one (91) lots to ninety (90) lots. *Criterion met.*

(C) Limitations on replatting include, but are not limited to, the following: A replat shall only apply to a recorded plat; a replat shall not vacate any public street or road; and a replat of a portion of a recorded plat shall not act to vacate any recorded covenants or restrictions.

Staff: As requested, the applicant is replatting lots within a recorded plat. The applicant is not proposing to vacate any public street or road nor are they proposing to act to vacate any recorded covenants or restrictions. *Criterion met.*

(D) The Planning Director may approve a replatting application under a Type II Permit Review upon finding that the following are met:

(1) An application and fee shall be submitted to the Land Use Planning office. The contents of the tentative plan shall include those maps, written information and supplementary material listed for contents of a Category 3 tentative plan that are determined by the Planning Director to be adequate to demonstrate compliance with the applicable approval criteria;

Staff: The applicant submitted an application and paid the appropriate fee. The contents of the tentative plan meet the contents of a Category 3 tentative plan as outlined in MCC 39.9435. *Criterion met.*

(2) Reconfiguration of the parcels or lots shall not result in an increase in the number of “buildable parcels or lots” over that which exist prior to reconfiguration. “Buildable parcels or lots,” as used in this approval criteria, shall mean that there is confidence that a building and sanitation permit could be approved on the parcel or lot. A replat resulting in an increase in the number of “buildable parcels or lots” shall be reviewed as a land division as defined in MCC 39.2000 and this Ordinance;

Staff: The reconfiguration will not result in an increase in the number of buildable parcels or lots as the applicant will replat two lots into one lot. *Criterion met.*

(3) Parcels or lots that do not meet the minimum lot size of the base zone shall not be further reduced in lot area in the proposed replat;

Staff: The existing lots do not meet the minimum lot size of the base zone. The consolidation will replat two lots into one lot that together are larger in size than the original two existing lots (Exhibit A.9). *Criterion met.*

(4) The proposed reconfiguration shall meet the approval criteria in MCC 39.9555, MCC 39.9570, MCC 39.9575, and MCC 39.9580;

Staff: As discussed in Section 8.0, the proposed reconfiguration has either met the approval criteria or as conditioned will meet the approval criteria of MCC 39.9555, MCC 39.9570, MCC 39.9575, and MCC 39.9580. *Criterion met.*

(5) All reconfigured parcels and lots shall have frontage on a public street except as provided for alternative access in the access requirement sections of each base zone; and

Staff: The resulting reconfigured lot will abut a public street, NE Interlachen Ln. *Criterion met.*

(6) The applicant shall submit a Partition Plat or Subdivision Plat to the Planning Director and County Surveyor in accordance with the requirements of ORS 92 and which accurately reflects the approved tentative plan map and other materials.

Staff: As required above, a condition will be required that the applicant submit a Subdivision Plat to the Planning Director and County Surveyor in accordance with the requirements of ORS 92 that accurately reflects the approved tentative plan map and other materials. *As conditioned, criterion met.*

8.0 Land Divisions Criteria:

8.1 39.9555 EASEMENTS.

Easements shall be provided and designed according to the following:

(A) Along the front property line abutting a street, a five-foot utility easement shall be required. The placement of the utility easement may be modified as requested by a public or private utility provider. Utility infrastructure may not be placed within one foot of a survey monument location noted on a subdivision or partition plat.

Staff: The tentative plan map does not show a utility easement; therefore, a condition will be required that a utility easement be provided. Additionally, a second condition will be required that utility infrastructure may not be placed within one foot of a survey monument location noted on a subdivision or partition plat. *As conditioned, criterion met.*

(B) Where a tract is traversed by a water course such as a drainage way, channel or stream, a storm water easement or drainage right-of-way adequate to conform substantially with the lines of the water course shall be provided. In a Drainage District or Water Control District, such easement or right-of-way shall be approved by the District Board, in accordance with ORS 92.110. If not within such District, approval shall be by the County Engineer.

Staff: The subject properties are not traversed by a water course; therefore, a storm water easement or drainage right-of-way is not required. *Criterion not applicable.*

(C) Easements for pedestrian paths and bikeways shall be not less than 10 feet in width.

Staff: No facilities for pedestrian paths and/or bikeways are planned or are being planned; therefore, no easement is required. *Criterion not applicable.*

8.2 39.9570 WATER SYSTEM.

The provision of domestic water to every lot or parcel in a land division shall comply with the requirements of Subsections (4)(a), (b), or (c) of ORS 92.090 and the following:

(A) Water mains, service and fire hydrants shall meet the requirements of the Water District and shall be located as follows:

- (1) In a public street, in accordance with the Multnomah County Road Rules and Design and Construction Manual; and**
- (2) In a private street, as approved by the approval authority.**

Staff: The applicant is proposing a replat; therefore, they are not required to comply with the requirements of subsections (4)(a), (b), or (c) of ORS 92.090. The revised statute only applies to the subdivision of land and not the replating of land. However, the property is serviced by Interlachen Water People’s Utility District. As part of the District’s review, they indicated that there is a 4-inch line serving the property (Exhibit A.11). Additionally, Fire Review indicated that there is a hydrant that is 227 feet from the property. *Criterion met.*

8.3 39.9575 SEWAGE DISPOSAL.

The provision for the disposal of sewage from every lot or parcel in a land division shall comply with the requirements of Subsections (5)(a), (b) or (c) of ORS 92.090 and the following:

(A) Except as provided in Subsection (B) of this Section, a sanitary sewer line shall be installed to serve every lot or parcel in a land division by extension of an existing sewer line:

Staff: The applicant provided a Public Sewer Service Certification form stating that the City of Fairview currently provides lateral sewer connection to the existing dwelling and will continue to do so (Exhibit A.10). *Criterion met.*

8.4 39.9580 SURFACE DRAINAGE AND STORM WATER SYSTEMS.

Surface drainage and storm water control systems shall be provided as required by this section.

(A) On-site water disposal or retention facilities shall be adequate to insure that surface runoff rate or volume from the new parcels after development is no greater than that before development.

(B) Drainage facilities shall be constructed as follows:

(1) In a public street, in accordance with the Multnomah County Road Rules and Design and Construction Manual; and

(2) In a private street and on lots or parcels, in accordance with the plans prepared by an Oregon licensed and registered professional engineer and approved by the approval authority.

Staff: The Storm Water Drainage Control Certificate was reviewed and certified by Kelli Grover, PE. The Certificate recommends, “use of gutter, downspout, and splash block drainage control system” (Exhibit A.12). The report states, “because this site is situated adjacent to a large body of water, Blue Lake the marginal peak flow difference between pre and post development of 0.01cfs will be absorbed into the lake with no measurable difference. No adjacent properties will be affected by this design” (Exhibit A.13). *Criterion met.*

9.0 Conclusion

Based on the findings and other information provided above, the applicant has carried the burden necessary for the Replat in the Urban Low Density Residential – LR7 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
- ‘D’ Comments Received

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	5	Application Form	12/12/2025
A.2	1	Code Narrative	12/12/2025
A.3	15	Plans	12/12/2025
A.4	3	Statutory Warranty Deed recorded under Instrument #2024-025493 on May 02, 2024	12/12/2025
A.5	1	Interior Photos	12/12/2025
A.6	1	Existing Outdoor Lighting Photos	12/12/2025
A.7	1	New Outdoor Lighting Specifications	12/12/2025
A.8	2	Modified Code Narrative	12/12/2025
A.9	1	Modified Site Plan	12/12/2025
A.10	2	Public Sewer Service Certification	12/12/2025
A.11	1	Water Service Certification	12/12/2025
A.12	2	Stormwater Drainage Control Certificate	12/12/2025
A.13	22	Stormwater Certificate Report	12/12/2025
A.14	8	Statutory Warranty Deed recorded under Instrument #2025-030848 on May 19, 2025	12/12/2025
A.14	2	Revised Application Form	01/10/2026
A.15	1	Modified Site Plan	01/10/2026
‘B’	#	Staff Exhibits	Date
B.1	3	Assessment and Taxation Property Information for 1N3E21DB -02000 (Alt Acct# R269201590 / Property ID# R160957)	01/20/2026
B.2	3	Assessment and Taxation Property Information for 1N3E21DB -02100 (Alt Acct# R269201570 / Property ID# R160956)	01/20/2026
B.3	1	Current Tax Map for 1N3E21DB -02000	01/20/2026
B.4	1	Current Tax Map for 1N3E21DB -02100	01/20/2026
B.5	1	Fairview Country Club Tracts Subdivision Plat recorded on June 9, 1930	04/07/2026
B.6	2	Finishing a Land Division Handout	04/21/2026

'C'	#	Administration & Procedures	Date
C.1	2	Incomplete letter	01/09/2026
C.2	1	Complete letter (day 1)	02/05/2026
C.3	2	Opportunity to Comment	02/20/2026
C.4	12	Decision	04/24/2026
'D'	#	Comments	Date
D.1	1	Michael Vest Email Comment	02/25/26