

# NOTICE OF DECISION



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## Application for Lot of Record Verification

**Case File:** T2-2026-0002

**Applicant:** Jason Anchidin

**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 and the County's aggregation requirements. No development is proposed at this time.

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**Location:** 41905 SE Loudon Rd., Corbett

**Property ID #** R342769 & R342756

**Map, Tax lot:** 1S5E06D -00700 &  
1S5E05C -00400

**Alt. Acct. #** R995060090 &  
R995050370

**Base Zone:** Commercial Forest Use – CFU-4

**Overlays:** Geologic Hazard - GH

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**Determination:** The properties identified as 1S5E06D-00700 and 1S5E05C-00400 are not Lots of Record in their current configuration. Upon completion of a Lot Consolidation process to consolidate the two properties into a single unit of land, the created/reconfigured unit of land will be a single Lot of Record.

**This decision is final at the close of the appeal period, unless appealed. The deadline for filing an appeal is June 5, 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](mailto: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](http://www.multco.us/landuse/application-materials-and-forms). Email the completed appeal form to [LUP-submittals@multco.us](mailto: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

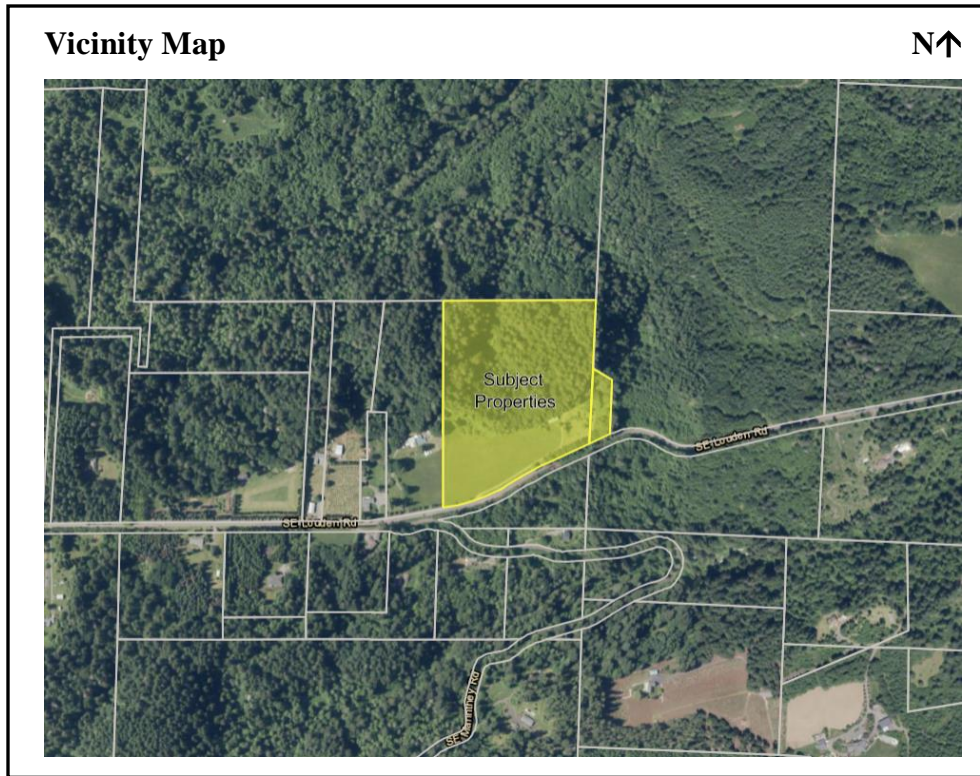
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**Issued by:** \_\_\_\_\_

Anna Shank-Root, Planner

**For:** Megan Gibb,  
Planning Director

**Date:** May 22, 2026



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

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. It shall be the responsibility of the property owner(s) to comply with these documents and the limitations of approval described herein.

1. The property owner can establish a Lot of Record by applying for a Lot Consolidation application to consolidate the areas contained in tax lots R995060090 & R995050370 into a single unit of land. Once approved, the property owner will need to follow the steps to consolidate the two areas of land by recording a deed with a new legal description describing a single parcel. [MCC 39.3050(A)(2)(a) and (b)].

## 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 properties identified as 1S5E06D -00700 and 1S5E05C-00400 (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 CFU zones, 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 East of Sandy River rural area. The property is zoned Commercial Forest Use (CFU-4) 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 with a detached garage and farm 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.4). 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:** 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:**

\* \* \*

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

\* \* \*

**Staff:** The application request concerns two properties, 1S5E06D-00700 (R995060090) and 1S5E05C-00400 (R995050370). To qualify as a Lot of Record, the subject properties, when created or reconfigured, must meet MCC 39.3005(B) of this section and meet the Lot of Record standards set forth in the Commercial Forest Use-4 (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.

#### Property 1: 1S5E06D-00700 (R995060090)

The first deed matching the current configuration of Property 1 was recorded in 1989 (Exhibit B.8). In 1989, the subject property was zoned MUF-19 per historical County zoning maps (Exhibit B.11). The minimum lot size for new lots in the MUF-19 zone is 19 acres. Property 1 consists of 20.39 acres, meeting the zoning requirements for new lot sizes in this district. In 1989, the process to divide a property when it did not require a Category I, II, or III Land Division, was the review and approval of an exempt minor partition. A representative of Land Development Services signed off on the Exempt Minor Partition (EMP) on December 1, 1989 and it was finalized by a deed reflecting the EMP being recorded on the same date (Exhibits B.7 and B.8). The legal description for the Exempt Minor Partition (Exhibits B.7 and B.8) matches the legal description for “Parcel 1” as identified in the current deed for the subject properties, Exhibit A.4.

*Based upon the above, Property 1 satisfied all applicable zoning and land division laws when it was created or reconfigured in 1989.*

Property 2: 1S5E05C-00400 (R995050370)

The first deed matching the current configuration of Property 2 was recorded in 1989 (Exhibit B.9). In 1989, the subject property was zoned MUF-38 per historical County zoning maps (Exhibit B.38). The minimum lot size for new lots in the MUF-38 zone was 38 acres. The subject property consists of 1.02 acres, which did not meet the minimum lot size requirements for the zone. The 1989 deed that created the subject property (Exhibit B.9), indicates that it was intended as a property line adjustment, granting the 0.93 acres to the owners of Property 1. In 1989, the process to complete a property line adjustment (PLA), would have been a Lot of Exception application and combining the transferred area into the receiving parcel. Through the act of a PLA, no separate unit of land can be created. Staff was not able to locate a Lot of Exception permit record for the property. The creation of a separate unit of land did not meet the zoning requirements at the time.

*In its current configuration, Property 2 is not a Lot of Record as it did not satisfy all applicable zoning and land division laws when it was created in 1989.*

In order to correct the unlawful creation of property 2 as a separate area of land, the property owner may apply for a lot consolidation application and record a deed describing properties 1 and 2 as a single unit of land. This will result in the combined property meeting all applicable zoning laws at the time of its creation, and satisfy the aggregation requirements described in section 5.2.

*Once a lot consolidation application has been approved and a deed with a new legal description combining the lands within tax lots 1S5E06D-00700 (R995060090) and 1S5E05C-00400 (R995050370) has been recorded, the newly created unit of land will be a single lot of record.*

**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, 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**

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

**(4) Exceptions to the standards of (A)(2) above:**

**(a) Where two contiguous parcels or lots are each developed with a lawfully established habitable dwelling, the parcels or lots shall be Lots of Record that remain separately transferable, even if they were held in the same ownership on February 20, 1990.**

**(b) 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.**

**(c) Disaggregation of a Lot of Record for consideration of a new template or heritage tract dwelling may be allowed subject to the standards in (E) below.**

**Staff:** Properties 1 and 2 were both under the ownership of William and Diane Tribe on February 20, 1990, and collectively they exceed 19 acres. No other contiguous properties were owned by the Tribes on that date. Property 2 was not lawfully established in compliance with zoning at the time, but is aggregated with property 1. To correct the situation, the property owner may request a Lot Consolidation application and record a deed with a new legal description combining properties 1 and 2 into a single parcel. *This criterion can be met through a Lot Consolidation application to create a new parcel.*

**(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 39.4260 may be occupied by any allowed use, review use or conditional use when in compliance with the other requirements of this district.**

**Staff:** At present, property 1 and 2 are not a Lot of Record. If a Lot Consolidation application and deed is recorded combining them together into a single unit of land, the newly created/reconfigured property would be a Lot of Record. Once established, the new unit of land would still be under the 80-acre minimum lot size for new parcels or lots in the CFU-4 zone and would be subject to (C) above. It would be able to be occupied by any allowed, review or conditional use when in compliance with the other requirements of this district provided it remains a Lot of Record. .

**(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 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 properties are not an area of land created by the foreclosure of a security interest, mortgage lot, or created by court decree.  
*Criterion met.*

*Based on the findings in 5.1 & 5.2 above, at present the subject properties are not Lot of Record. Once the necessary steps are taken, the newly created/reconfigured unit of land would be a Lot of Record.*

**6.0 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](mailto:LUP-comments@multco.us).

<b>Exhibit #</b>	<b># of Pages</b>	<b>Description of Exhibit</b>	<b>Date Received / Submitted</b>
A.1	2	Application Form	01/12/2026
A.2	1	Narrative	01/12/2026
A.3	1	Site Plan	01/12/2026
A.4	9	Current Property Deed - Statutory Warranty Deed recorded under Instrument #2025-003619 on January 22, 2025	01/12/2026
A.5	2	Assessor Maps	02/05/2026
A.6	5	Title Report	02/05/2026
A.7	8	Additional Property Deeds	02/10/2026
<b>'B'</b>	<b>#</b>	<b>Staff Exhibits</b>	<b>Date</b>
B.1	2	Assessment and Taxation Property Information for 1S5E06D - 00700 (Alt Acct #R995060090 / Property ID #R342769)	01/20/2026
B.2	2	Assessment and Taxation Property Information for 1S5E05C - 00400 (Alt Acct #R995050370 / Property ID #R342756)	01/20/2026
B.3	1	Current Tax Map for 1S5E06D -00700	01/20/2026
B.4	1	Current Tax Map for 1S5E05C -00400	01/20/2026
B.5	5	Parcel Record Card R995060090	03/10/2026
B.6	3	Parcel Record Card R995050370	03/10/2026
B.7	2	1989 Exempt Minor Partition	03/10/2026
B.8	6	1989 EMP Deed - Book 2257 Page 248	05/06/2026
B.9	2	1989 Quitclaim Deed - Book 2231 Page 1842	05/06/2026

B.10	1	1983 Zoning Map 1S5E05	05/07/2026
B.11	1	1980 Zoning Map 1S5E06	05/07/2026
B.12	11	MUF Zoning Regulations	05/07/2026
B.13	1	Surrounding Properties 1989 and 1990 Ownership Information	05/07/2026
<b>'C'</b>	<b>#</b>	<b>Administration &amp; Procedures</b>	<b>Date</b>
C.1	2	Incomplete letter	01/27/2026
C.2	1	Applicant's acceptance of 180-day clock	01/28/2026
C.3	1	Complete letter (day 1)	02/26/2026
C.4	2	Opportunity to Comment	03/26/2026
C.5	8	Decision	05/22/2026