NOTICE OF NSA DECISION

Multnomah County

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

Case File:	T2-2026-0017	**Applicant**:	Lucas Eschelbach, AKS Engineering & Forestry

Proposal: Request for two (2) Parcel Determinations for Property #1 and #2 identified below. A Parcel Determination determines if a property was lawfully established in compliance with zoning and land division laws at the time of its creation or reconfiguration. The applicant also requests Property Line Adjustments (PLA) to adjust the common property line between Property #1 and #2. No development is proposed at this time.

Location:	**Property #1**: 40910 E Larch Mountain Rd, Corbett	**Property ID #** R323100
	Map, Tax lot: 1N5E31B -00300	**Alt. Acct. #** R945310400
	Property #2: 40900 E Larch Mountain Rd, Corbett	**Property ID #** R323075
	Map, Tax lot: 1N5E31B -00100	**Alt. Acct. #** R945310070
Base Zone:	Gorge General Agriculture (GGA-40)	
Overlays:	Property #2: Geologic Hazards (GH)	
Key Viewing Areas:	**Property #1 & 2**: Columbia River, Historic Columbia River Highway (including the Historic Columbia River Highway State Trail), Highway I-84 (including rest stops), Larch Mountain (including Sherrard Point), Portland Women's Forum State Park, Sandy River, Washington State Route 14 **Property #2**: Bridal Veil State Park	
Landscape Setting:	**Property #1**: Rural Residential in Pastoral **Property #2**: Rural Residential in Pastoral & Rural Residential in Coniferous Woodlands	

Determination:	**Property #1 known as 1N5E31B -00300 is a Parcel in its current configuration. Property #2 known as 1N5E31B -00100 is two Parcels (one "lying North of Larch Mountain Road" and one "lying southerly of Larch Mountain Rd") in its current configuration.**
Decision:	**The requested Property Line Adjustments are Approved with Conditions**

Issued by: 

Digitally signed by Rithy Khut
DN: cn=Rithy Khut, o=Multnomah County, ou=Department of Community Services, email=rithy.khut@multco.us, c=US

Rithy Khut, Senior Planner

For: Megan Gibb,
Planning Director

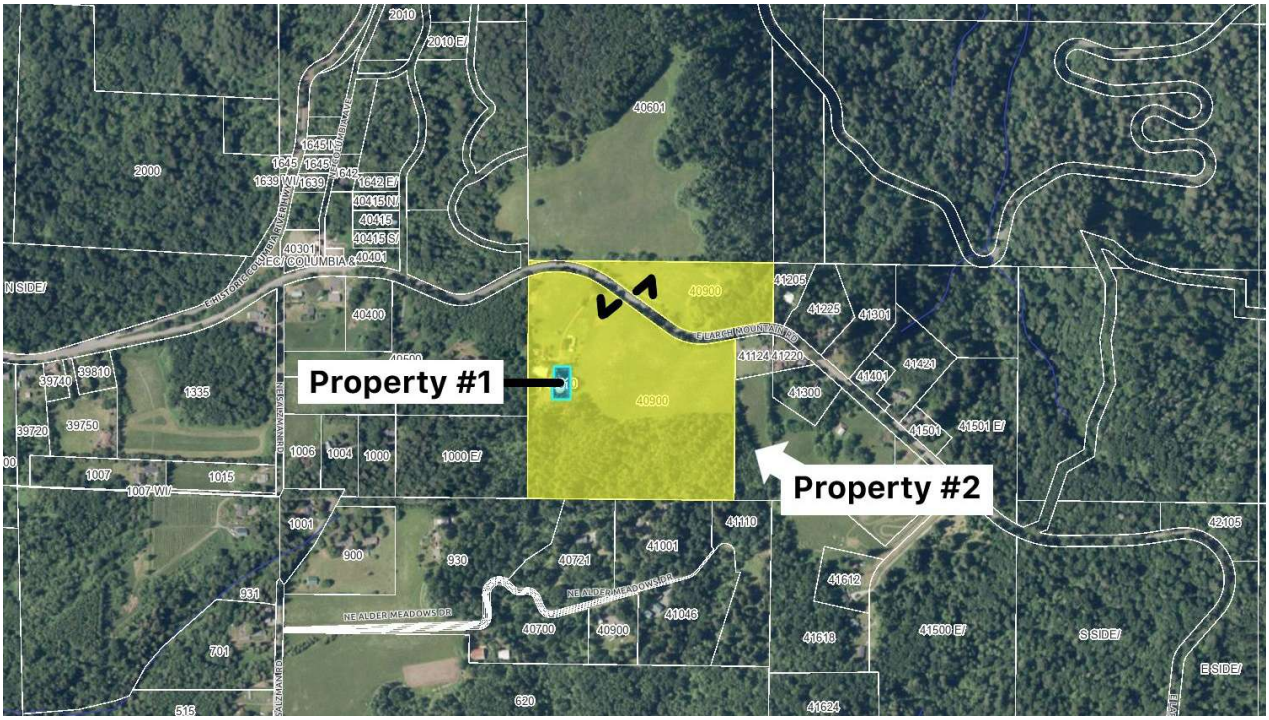
Date: Friday, October 30, 2026

This decision is final at the close of the appeal period, unless appealed. The deadline for filing an appeal is Friday, November 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 Columbia River Gorge Commission until all local appeals are exhausted.

Vicinity Map N↑



Applicable Approval Criteria:

Multnomah County Code (MCC): General Provisions: MCC 38.0560 Code Compliance and Applications, MCC 38.0015 Definitions - Parcel, MCC 38.0110 Tribal Treaty Rights and Consultation

Zoning Districts: MCC 38.1010(A)(11) Expedited Uses - Property line adjustments in General Management Area zoning districts…

Gorge General Agriculture (GGA-40): MCC 38.2260(C) and (D) Dimensional Requirements, MCC 38.2290 Access

NSA Site Review Criteria: MCC 38.7100 Expedited Development Review Criteria

Property Line Adjustment (Lot Line Adjustment): MCC 38.7970 Property Line Adjustment (Lot Line Adjustment)

Copies of the referenced Multnomah County Code sections are available by contacting our office at (503) 988-3043 or by visiting our website at https://multco.us/landuse/zoning-codes/ under the link **Chapter 38: Columbia River Gorge National Scenic Area**

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 38.0690(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 Property Line Adjustments, "established" means the final deed(s) have 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 specifications and 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. T2-2026-0017 referenced in the subject line. [MCC 38.0660(A)]

Note: Expiration of the permit is automatic. Failure to give notice of expiration shall not affect the expiration of this approval. The property owner may request one (1) 12-month extension to the timeframe within which this permit is valid, as provided under MCC 38.0700, as applicable. The request for a permit extension must be submitted prior to the expiration of the approval period. [MCC 38.0700]

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 this 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 38.0660(B)]

3. **Prior to recording the deeds**, the property owners or their representative 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. The signed document shall be submitted and uploaded when submitting for Type I Application for a PLA Final Review. [MCC 38.0660(A) & (B)]
    b. Submit a request for a Type I Application for a PLA Final Review. [MCC 38.0530 and MCC 38.0660(A) & (B)]
4. **When submitting deeds for the Type I Application for a PLA Final Review**, the property owner(s) or their representative shall:
    a. Provide a Letter of Acknowledgement as required in Condition 3.a. [MCC 38.0660(A) & (B)]
    b. Submit a copy of the deeds with metes and bounds legal descriptions that will be recorded to complete the PLA. [MCC 38.0660(A) & (B) and MCC 38.7970(A)(a) & (b)]
        i. **Transferring from Property #2 (1N5E31B -00100) to the Property #1 (1N5E31B -00300):** The draft deed and metes and bounds legal description for the area of land to be transferred from Property #2 (1N5E31B -00100) to the Property #1 (1N5E31B -00300).
        ii. **Transferring from Property #1 (1N5E31B -00300) to the Property #2 (1N5E31B -00100):** The draft deed and metes and bounds legal description for the area of land to be transferred from Property #1 (1N4E35CA -00500) to the Property #2 (1N5E31B -00100).
        iii. **Property #1 (1N5E31B -00300)**: The draft deed and the metes and bounds legal description for Property #1 after the transfer and reconfiguration. The legal description shall include the words: This new legal description is to complete the Property Line Adjustment approval in land use case no. T2-2026-0017
        iv. **Property #2 (1N5E31B -00100)**: The draft deed and the metes and bounds legal description for Property #2 after the transfer and reconfiguration. The legal description shall include the words: This new legal description is to complete the Property Line Adjustment approval in land use case no. T2-2026-0017.
5. **After Land Use Planning Property Line Adjustment Final Review**, the property owner(s) or their representatives shall:
    a. Record the reviewed deeds with the County Recorder that contain the stamped legal descriptions by Land Use Planning. The deeds shall be recorded in the following order: [MCC 38.0660(A) & (B) and MCC 38.7970(A)(a) & (b)]
        i. **Transferring from Property #2 (1N5E31B -00100) to the Property #1 (1N5E31B -00300):** Area of land to be transferred from Property #2 (1N5E31B -00100) to the Property #1 (1N5E31B -00300).
        ii. **Transferring from Property #1 (1N5E31B -00300) to the Property #2 (1N5E31B -00100):** Area of land to be transferred from Property #1 (1N4E35CA -00500) to the Property #2 (1N5E31B -00100).
        iii. **Property #1 (1N5E31B -00300)**: Property #1 after the transfer and reconfiguration.
        iv. **Property #2 (1N5E31B -00100)**: Property #2 after the transfer and reconfiguration.

6. The transferred properties shall not exist as a separate unit of land or tax lot after the property line adjustment is completed. No additional lot or parcel shall be created through this property line adjustment process. If either of these occurs, it shall be a violation of this approval. If not resolved prior to the expiration of this case, a new application will be required to correct the situation. [MCC 38.0660(A) & (B) and MCC 38.7970(A)(a) & (b)]

Note: Land Use Planning must sign off on the metes and bounds descriptions before you can go to the Count Recorder. When ready to submit for Property Line Adjustment Final Review, 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 Building Plans for Zoning 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 metes and bounds descriptions for Property Line Adjustment Final Review. Please ensure that any items required under, "**When submitting deeds for the Type I Application for a PLA Final Review**…" are ready for review. Land Use Planning collects additional fees at the time of zoning review.

Once you have obtained an approved Conditions of Approval Verification, recording of deeds may be made with the Multnomah County Division of Assessment, Recording, and Taxation (DART).

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 two (2) Parcel Determinations for Property #1: 1N5E31B -00300 (40910 E Larch Mountain Rd, Corbett) and Property #2: 1N5E31B -00100 (40900 E Larch Mountain Rd, Corbett). A Parcel Determination determines if a property was lawfully established in compliance with zoning and land division laws at the time of its creation or reconfiguration. The applicant also requests Property Line Adjustments (PLA) to adjust the common property line between Property #1 and #2. No development is proposed currently.

2.0 Property Description & History:

Staff: This application is for 1N5E31B -00300 also known as 40910 E Larch Mountain Rd, Corbett (Property #1) and 1N5E31B -00100 also known as 40900 E Larch Mountain Rd, Corbett (Property #2). Property #1 is located south of East Larch Mountain Road wholly within Property #2 and Property #2 is located on both sides of East Larch Mountain Road. Both properties are in unincorporated east Multnomah County within the Columbia River Gorge National Scenic Area (NSA) and outside of Metro's Urban Growth Boundary (UGB). The subject properties are zoned Gorge General Agriculture (GGA-40). Property #2 has one (1) overlay, Geologic Hazards (GH).

Property #1 is occupied by miscellaneous improvements according to the County Assessor. The subject property is approximately 15,450 square feet (0.35 acres). The most current aerial photo shows a water tower structure that is surrounded with forest/vegetation (Exhibit B.4). These are the previous land use/building permit associated with Property #1.

Permit No.	Date	Description
MC 10-70	05/05/1970	Removal of C-S classification of site no longer used for water district purposes
CS 12-70	05/05/1970	Water Tank
#51002	05/06/1970	Water Reservoir

Property #2 is occupied by single-family dwelling with attached garage, two (2) "farm buildings", a "shed" according to the County Assessor. The dwelling was fist assessed in 1906. The subject property is approximately 31.95 acres. The most current aerial photo shows four (4) structures/buildings near the water tower located on Property #1, areas of grass or hay in the northern portions of the property and forested areas in the southern portions of the property (Exhibit B.4). These are the previous land use/building permit associated with Property #2.

Permit No.	Date	Description
#40180	07/13/1966	Add second floor, stairs, and deck
MC 10-70	05/05/1970	Removal of C-S classification of site no longer used for water district purposes

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 38.0530 (Exhibit C.4). Staff did not receive comments during the 21-day comment period and did receive comments regarding Cultural Resources during the 30-day comment period.

3.1 Cultural Resource Survey Determination from Chris Donnermeyer, Heritage Resources Program Manager on behalf of the United States Department of Agriculture: Forest Service ("USFS") - Columbia River Gorge National Scenic Area (Exhibit D.1)

Staff: Chris Donnermeyer sent a Cultural Resource Survey Determination on behalf of the USFS on August 20, 2026. The Survey stated that, "A Cultural Resource Survey is: Not Required" and "A Historic Survey is: Not Required."

4.0 Code Compliance and Applications Criteria:

4.1 § 38.0560 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 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 Code. This includes sequencing of permits or other approvals as part of a voluntary compliance agreement; or**
> * * * * *
> **(3) It is for work related to and within a valid easement over, on or under an affected property.**
> * * * * *

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.

This standard codified in the Columbia River Gorge National Scenic Area Code chapter related to land use application procedures and, by its terms, expressly applies to the application review process. Importantly, 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.

As such, an applicant has no initial burden to establish that all elements of the subject property are in full compliance with the Zoning Code and all previously approved permits; instead, in the event

of evidence indicating or establishing one or more specific instances of noncompliance on the subject property, the applicant bears the burden to either rebut that evidence or demonstrate satisfaction of one of the exceptions in MCC 38.0560.

Staff identified a compliance issue relating to the construction of a concrete vault on Property #2. that was not reviewed by the County. A code compliance case, UR-2014-3362 was opened and a request for voluntary compliance was sent on April 23, 2014. As the construction was done by Corbett Water District within an easement area. As the work was related to and within a valid easement over, on or under an affected property, the County may make a land use decision approving development, including property line adjustments without the property coming into full compliance with all applicable provision of Multnomah County Code. *Criterion met.*

5.0 Parcel Criteria:

5.1 § 38.0015 DEFINITIONS

Parcel:

(a) Any unit of land legally created by a short division, partition, or subdivision, that was legally recognized under all state laws and local ordinances in effect on November 17, 1986. A unit of land that is eligible for consolidation as provided in the Management Plan shall not be considered a parcel.
(b) Any unit of land legally created and separately described by deed, or sales contract, or record of survey prior to November 17, 1986, if the unit of land complied with all planning, zoning, and land division ordinances or regulations applicable at the time of creation and up through November 16, 1986.
(c) A unit of land legally created and separately described by deed or sales contract after November 17, 1986 if the unit was approved under the Final Interim Guidelines or a land use ordinance consistent with the Management Plan, or by the U.S. Forest Service Office prior to the Final Interim Guidelines.

Staff: To qualify as a "Parcel," the subject properties, when created or reconfigured, must meet the definition above and demonstrate that each of the subject properties satisfied all applicable zoning laws and satisfied all applicable land division laws. The applicant provided 21 deed(s)/contracts(s) to support the Parcel Determination request (Exhibit A.5 and A.6).

The earliest document provided was a Homestead Certificate, which is a type of Deed, that was recorded in 1903. The Certificate contains a legal description describing, "…the North East Quarter of the North West Quarter of section Thirty One, in Township One north of range five East of Willamette Meridian, in Oregon containing forty acres" (Exhibit A.6: Item x). The next deed provided, recorded in 1903, contains the legal description of a portion of the property now known as 1N5E31A -01200 that is directly east of the subject property (Exhibit A.6: Item w). The next deed, recorded in 1931, contains the legal description of the property now known as 1N5E31B -00200 also directly east of the subject property (Exhibit A.6: Item r).

In recording of the 1931 deed, it created a remainder property (i.e. a property existing separately, but not yet described in a recorded instrument) that matches the configuration of the parent property that is the combination of Property #1 and #2, as Property #1 was not yet created.

The next deed provided, recorded in 1936, contains the legal description of a small portion of land, approximately 6,400 square feet within the remainder property (Exhibit A.6: Item q). This property was the original configuration of the Property #1. Then the next deed provided, recorded in 1937, contains the first instance describing the legal description of Property #2. The legal

description also acknowledges the existence of Property #1 in its original configuration contained within Property #2 (Exhibit A.6: Item p). At that time in 1937, each of the reconfigurations of the original 1903 property were not subject to zoning requirements. The first Interim Zoning Ordinance was not adopted until May 26, 1953.

Then in 1958, a contract was recorded that contained the legal description, "All that part of the N.E. 1/4 of the N.W. 1/4 of Sec. 31, T1N, R5E, W.M., lying North of Larch Mtn. Road. #1293-60" (Exhibit A.6: Item m). In 1958, the described property was zoned Agricultural District (F-2) per historical County zoning maps (Exhibit B.6). Zoning was applied to this property on July 10, 1958. The F-2 zone had a minimum lot size of 2 acres. There were also no requirements for road frontage, minimum front lot line length, or lot width (Exhibit B.7). The described property north of Larch Mountain Road is approximately 7.18 acres.

For the remaining portion of the parent property that is south of Larch Mountain Road, the property would have also needed to meet the same zoning requirement. The described property south of Larch Mountain Road is approximately 26.56 acres.

The applicant provided the current deeds for the described properties that contain the legal descriptions that matches the record 1958 legal description (Exhibit A.5 and A.6: Item c).

Property #2 described as two areas of land, one "lying North of Larch Mountain Road" and one "lying southerly of Larch Mountain Rd", both complied with all applicable zoning laws at the time of its creation and reconfiguration.

Then in 1970, a boundary reconfiguration occurred that increased the size of Property #1 to its current size and shape; reducing the size of the portion of Property #2 lying southerly of Larch Mountain Rd to its current size and shape (Exhibit A.6: j). In 1970, the subject properties were zoned Agricultural District (F-2) per historical County zoning maps (Exhibit B.8). The F-2 zone had a minimum lot size of 2 acres (Exhibit B.9). However, as part of a boundary reconfiguration, an existing property that was below the minimum lot size was not required to be enlarged to meet the minimum lot size. Additionally, the larger property remained over the minimum lot size. Further, there was no requirement for road frontage or minimum front lot line length or lot width.

The applicant provided a current deed for the Property #1, and Property #2 that contains the legal descriptions that match the recorded 1970 legal description (Exhibit A.5 and A.6: Item c).

Property #1 complied with all applicable zoning laws at the time of its reconfiguration.

For the portion of Property #2 "lying southerly of Larch Mountain Rd" complied with all applicable zoning laws at the time of its reconfiguration.

For Property #1, the process to create, divide, 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 1970 deed, the applicable land division laws were satisfied (Exhibit A.6: Item j)

For Property #2, the process to create, divide, 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 deed(s)/contract(s) beginning in 1903 and ending in 1970, the applicable land division laws were satisfied (Exhibit A.6: Item j through x)

Property #1 and Property #2 complied with all applicable land division laws at the time of its creation and/or reconfiguration.

Based upon the above, the Property #1 and Property #2 (as described as two areas of land, one "lying North of Larch Mountain Road" and one "lying southerly of Larch Mountain Rd") satisfied all applicable zoning and land division laws when they were created and/or reconfigured starting in 1903 until 1970. Each of the units of land were legally created and separately described as required above, prior to November 17, 1986. Property #1 is "Parcel" and Property #2 are two "Parcels" as defined in MCC 38.0015 Definitions.

(d) A unit of land shall not be considered a separate parcel simply because it:

1. Is a unit of land created solely to establish a separate tax account;
2. Lies in different counties;
3. Lies in different sections or government lots;
4. Lies in different zoning designations; or
5. Is dissected by a public or private road.

Staff: As discussed above, Property #1 and Property #2 (described as two areas of land, one "lying North of Larch Mountain Road" and one "lying southerly of Larch Mountain Rd") are considered separate parcels because they are not units of land created solely to establish separate tax accounts. The units of land all lie within the same county, within the same section and within the same zoning designation. Property #2 is dissected by a public road; however, the two units of land are considered separate as discussed above. *Criteria met.*

6.0 Expedited Uses Criteria:

6.1 § 38.1010 EXPEDITED USES.

(A) The following development may be reviewed using the expedited process listed in MCC 38.0530(B), and are permitted when found to satisfy the applicable approval criteria pursuant to the provisions of MCC 38.7100.

(11) Property line adjustments in General Management Area zoning districts, except GGO, GG-PR, and GG-CR that would not result in the potential to create additional parcels through subsequent land divisions, subject to MCC 38.7970. All other property line adjustments shall be reviewed through the full development review process.

Staff: The applicant is requesting two Property Line Adjustments (PLA) between Property #1 (1N5E31B -00300) also known as 40910 E Larch Mountain Rd and Property #2 (1N5E31B -00100) also known as 40900 E Larch Mountain Rd. As previously discussed in Section 5.0, Property #2 is comprised of two Parcels, one north of Larch Mountain Road and one south of Larch Mountain Road. The PLA will be between Property #1 and the area of land south of Larch Mountain Road. As required above, the subject properties are in the General Management Area under the GGA-40 zoning district. The PLA may be reviewed using the expedited process listed in MCC 38.0530(B), however, as the Applicant requested a Type II Parcel Determination, the review is consolidated into one application utilizing the utilizing the Type II decision review process as outlined in MCC 38.0530(B)(2). The expedited review requirements are discussed in Section 8.0 and the PLA requirements are discussed in Section 9.0 below.

7.0 Agricultural Districts - GGA and GSA Criteria:

7.1 § 38.2260 DIMENSIONAL REQUIREMENTS

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(C) Minimum Yard Dimensions - Feet

Front	Side	Street Side	Rear
30	10	30	30

Maximum Structure Height - 35 feet

Minimum Front Lot Line Length - 50 feet.

(D) The minimum yard requirement shall be increased where the yard abuts a street having insufficient right-of-way width to serve the area. The Planning Commission shall determine the necessary right-of-way widths and additional yard requirements not otherwise established by ordinance.

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Staff: The yard dimensions are required to ensure that there is sufficient open space between buildings and property lines to provide space, light, air circulation, and safety from fire hazards. Additionally, as required under criterion (D), minimum yard dimensions are required to be increased where the yard abuts a street having insufficient right-of-way width to serve the area.

Property #1 is landlocked; therefore, there is no right-of-way adjacent to the property. For Property #2, the area of land subject to the PLA is adjacent to East Larch Mountain Road. The road is classified as a rural collector road. A rural collector road is required to be 60 feet. As indicated in DART assessment maps, the right-of-way of East Larch Mountain Road is 60 feet wide, so the minimum yard requirements do not need to be increased (Exhibit B.3).

As required above, the minimum yard dimensions need to be met for the newly relocated property line and all buildings/structures after the PLA. As measured, the existing buildings/structures on Property #1 to the nearest relocated property lines will be more than 125 feet from the new property lines (Exhibit A.12).

Lastly, a front lot line length is not required for Property #1 and for Property #2, the front lot line length is over 50 feet. *Criteria met.*

7.2 § 38.2290 ACCESS

Any lot in this district shall abut a street or shall have other access determined by the approval authority to be safe and convenient for pedestrians and passenger and emergency vehicles.

Staff: Property #1 is an existing landlocked property that currently takes access through an access easement. The proposal will connect Property #1 directly to E. Larch Mountain Road. For Property #2, the area of land subject to the PLA abuts East Larch Mountain Road, a street before and after the PLA is completed (Exhibit A.12). *Criterion met.*

8.0 Expedited Development Review Criteria

8.1 § 38.7100 EXPEDITED DEVELOPMENT REVIEW CRITERIA

(A) Proposed development reviewed using the expedited review process shall comply with the following resource protection guidelines:

(1) Scenic

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Staff: The applicant is requesting a Property Line Adjustment (PLA). No woven-wire fences, or any other structures/buildings are proposed. As no structures/buildings are proposed; the PLA is not required to meet the requirements as outlined in MCC 38.7100(A)(1)(a) through (f). *Criteria not applicable*.

(2) Cultural

(a) The expedited development review process shall only be used to review proposed development that does not require a reconnaissance survey or historic survey. The GMA Cultural Resources Reconnaissance Survey Criteria in MCC 38.7045(A)(1)-(4) shall be used to determine if a reconnaissance or historic survey is required for a proposed development.

Staff: Chris Donnermeyer, Heritage Program Manager sent an e-mail with a Cultural Resource Survey Determination on behalf of the USFS on August 20, 2026 (Exhibit D.1). The Survey stated that, "A Cultural Resource Survey is: Not Required" as the proposed development:

- Would not disturb the ground and would involve a lot-line adjustment or partition.
- Would occur on a site that has been determined to be located within a low probability zone
  - is not within 100 feet of a high probability zone
- Does not occur within 500 feet of a known archaeological site.

The Survey also stated that, "A Historic Survey is: Not Required" as the proposed development:

- Would not alter the exterior architectural appearance of buildings and structures that are 50 years old or older.
- Would not compromise features of the surrounding area that are important in defining the historic or architectural character of significant buildings or structures that are 50 years old or older.

Based on the survey response, the PLA is eligible for the expedited development review process. *Criteria met.*

(b) The GMA provisions that protect cultural resources in MCC 38.7045(L) and human remains discovered during construction in MCC 38.7045(M) shall be applied as conditions of approval for all development approved under the expedited development review process.

Staff: The applicant is requesting a Property Line Adjustment (PLA). No ground disturbing activities are proposed; therefore, conditions of approval to protect cultural resources and human remains are not applicable. *Criteria not applicable*.

(3) Recreation
* * * * *

Staff: The property is located within the Recreation Intensity Class 2. The applicant is not proposing any recreation-based uses or development. The applicant is also not proposing any construction or ground disturbing activities that would disturb other adjacent or nearby recreation uses; therefore, this criterion is not applicable C*riterion not applicable.*

(4) Natural

(a) Water Resources (Wetlands, Streams, Ponds, Lakes, and Riparian Areas) The development is outside water resources and their buffer. This guideline shall not apply to lot line adjustments or development located inside road, utility or railroad rights-of-way or easements that have been previously disturbed and regularly maintained.

Staff: The applicant is requesting a Property Line Adjustment (PLA). No ground disturbing activities are proposed; therefore, there will be no encroachment to any potential water resources or their buffers. *Criteria not applicable.*

(b) Sensitive Wildlife and Rare Plants

1. The development meets one of the following:

a. The development is at least 1,000 feet from known Priority Habitats or sensitive wildlife sites (excluding sensitive aquatic species, and deer and elk winter range) and known rare plants; or

b. The development does not disturb the ground or is inside road, utility or railroad rights-of-way or easements or other areas that have been previously disturbed and regularly maintained; or

c. For sensitive wildlife, the development is within 1,000 feet of known Priority Habitats or sensitive wildlife sites (excluding sensitive aquatic species, and deer and elk winter range), but an appropriate federal or state wildlife agency determines:

* * * * *

Staff: The applicant is requesting a Property Line Adjustment (PLA). No ground disturbing activities are proposed; therefore, there will be no encroachment to any Priority Habitats or sensitive wildlife sites. *Criteria not applicable.*

2. Development eligible for expedited review shall be exempt from the field surveys for sensitive wildlife in MCC 38.7065 (A) or rare plants in MCC 38.7070 (A).

Staff: As discussed above, no sensitive wildlife will be impacted; therefore, the PLA is eligible for the expedited development review process and does not require submittal of field surveys. *Criteria met.*

(B) Proposed development reviewed using the expedited review process shall comply with the following treaty rights guidelines:

(1) Proposed developments shall not adversely affect treaty or other rights of any Indian tribe.

(2) The expedited development review process shall cease and the proposed development shall be reviewed using the full development review process if a tribal government submits substantive written comments during the comment period that identify the treaty rights that exist in the project vicinity and explain how they would be affected or modified by the proposed development.
(3) Except as provided in MCC 38.7100(B)(2) above, the GMA and SMA treaty rights, and the consultation process discussed in MCC 38.0110 shall not apply to proposed development reviewed under the expedited review process.

Staff: Staff mailed a notice of application and invitation to comment on the proposed application to the required parties, including Tribal Governments. No comments were received from any of the four Columbia River treaty tribes during the either the 21-day comment period and or the 30-day comment period relating specifically to Cultural Resources (Exhibit C.4). As no substantive written comments were submitted the PLA is eligible to be reviewed through the expedited review process. *Criteria met.*
* * * * *

9.0 Property Line Adjustment (Lot Line Adjustment) Criteria

9.1 § 38.7970 PROPERTY LINE ADJUSTMENT (LOT LINE ADJUSTMENT)

(A) In the General Management Area:
(1) Lot line adjustments for parcels in all land use designations except Open Space, Commercial (GGC), Public Recreation (GG-PR, GS-PR), or Commercial Recreation (GG-CR) shall comply with the following standards:

Staff: As previously discussed, the PLA is in the GGA-40 zoning district. The PLA standards are discussed below.

(a) The lot line adjustment shall not result in the creation of any new parcel(s).

Staff: The tentative plan map illustrates the relocation of the common property line between two abutting properties. The common property line is between Property #1 and the area of land south of E. Larch Mountain Road for Property #2 (Exhibit A.12). Two PLAs are proposed that will occur sequentially. No additional lot or parcel is proposed to be created. A condition will be required that the PLA be reviewed by Land Use Planning staff prior to the recording of the new metes and bounds descriptions to ensure that no additional lot or parcel is created by the PLAs. *As conditioned, criterion met.*

(b) The lot line adjustment shall not result in the potential to create a new parcel(s) or residential development in excess of the minimum density allowed by the land use designation(s) for the affected parcels.

Staff: The tentative plan map illustrates that the two PLAs will result in properties that are the same size as the existing properties. As the final configuration is the same size as the existing configuration, the PLA will not result in the potential to create new parcel(s) or new residential development more than the minimum density allowed in the GGA-40 zoning district. A condition will be required that the PLA be reviewed by Land Use Planning staff prior to the recording of the new metes and bounds descriptions to ensure that there is no potential to create a new parcel(s) or new residential development more than the minimum density allowed by the zone. *As conditioned, criterion met.*

(c) The lot line adjustment shall not allow a parcel that is equal to or larger than the minimum parcel size before the lot line adjustment to become less than the minimum parcel size after the lot line adjustment, except to allow a public or non-profit entity to acquire land for the purpose of protecting and enhancing scenic, cultural, recreation or natural resources, provided the land to be acquired would be protected by a conservation easement or other similar property restriction that precludes future land divisions and development.

Staff: The tentative plan map shows the lot areas. For the first adjustment, Property #1 will increase in size from 0.35 acres (15,450 square feet) to 0.99 acres (43,240 square feet). For the portion of the PLA associated with Property #2, the lot area will decrease from approximately 24.77 acres to 24.13 acres (Exhibit A.12). The second PLA will need reduce the size of Property #1 back to 0.35 acres (15,450 square feet) and increase the portion of Property #2 subject to the PLA back to 24.77 acres.

During each of the adjustments, the associated properties/areas of land are below the minimum parcel size of the GGA-40 zoning district. *Criterion met.*

(d) The lot line adjustment shall not allow a parcel that is smaller than the minimum parcel size to be reduced in size, except to accomplish one of the following purposes:

1. Resolve boundary disputes, correct physical encroachments, provide reasonable access, or meet buffer or set back requirements, provided:

a. The parcel to be enlarged would not become eligible for a subsequent land division and

b. The amount of land transferred would be the minimum necessary to resolve the issue.

2. Allow a public or non-profit entity to acquire land for the purpose of protecting and enhancing scenic, cultural, recreation or natural resources, provided the land to be acquired would be protected by a conservation easement or other similar property restriction that precludes future land divisions and development.

Staff: Upon completion of the PLAs the properties involved will be the same size as they were prior to the PLAs. As shown in the tentative plan map, no properties will be reduced in size as the property exist currently and upon completion of the PLAs (Exhibit A.12). Further, as designed, each of the parcels would not become eligible for a subsequent land division. *Criterion met.*

(e) The lot line adjustment shall not allow the boundary of a parcel designated Large-Scale Agriculture (GGA-40), Commercial Forest Land (GGF-40 or GGF-80), or Open Space to be extended into another land use designation for the purpose of establishing a dwelling under less stringent provisions (e.g., extending a parcel designated GMA Large-Scale Agriculture [GGA-40] into a parcel designated Rural Center [GGRC] or Residential [GGR, GSR]).

Staff: The properties involved in the PLAs are designated GGA-40. The adjustment will not extend any property lines into another land use designation. *Criterion met.*

(f) The lot line adjustment shall not allow previously approved parcels or developments to violate conditions of approval or become out of compliance or further out of compliance with existing land use and resource protection

provisions, including, but not limited to, requirements for buffer zones and landscaping.

Staff: As discussed in Section 2.0, the subject properties both have previous permits associated with each property. The PLAs will not violate any conditions of approval or create compliance issues on the subject properties. *Criterion met.*

(g) The lot line adjustment shall not result in a parcel that cannot comply with existing land use and resource protection provisions, including, but not limited to requirements for buffer zones and landscaping.

Staff: The tentative plan map that illustrates the relocation of the common property line between two abutting properties. There are no protected resources or resource buffers on or encroaching on to the properties; therefore, the PLA will not result in parcels that cannot comply with land use and resource protection provisions. *Criterion met.*

10.0 Conclusion

Based on the findings and other information provided above:

- Property #1 known as 1N5E31B -00300 is a Parcel in its current configuration.
- Property #2 known as 1N5E31B -00100 is two Parcels (one "lying North of Larch Mountain Road" and one "lying southerly of Larch Mountain Rd") in its current configuration.

Further, based on the findings and other information provided above, the applicant has carried the burden necessary for the Property Line Adjustment (PLA) in the Gorge General Agriculture (GGA-40) zone. This approval is subject to the conditions of approval established in this report.

11.0 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.

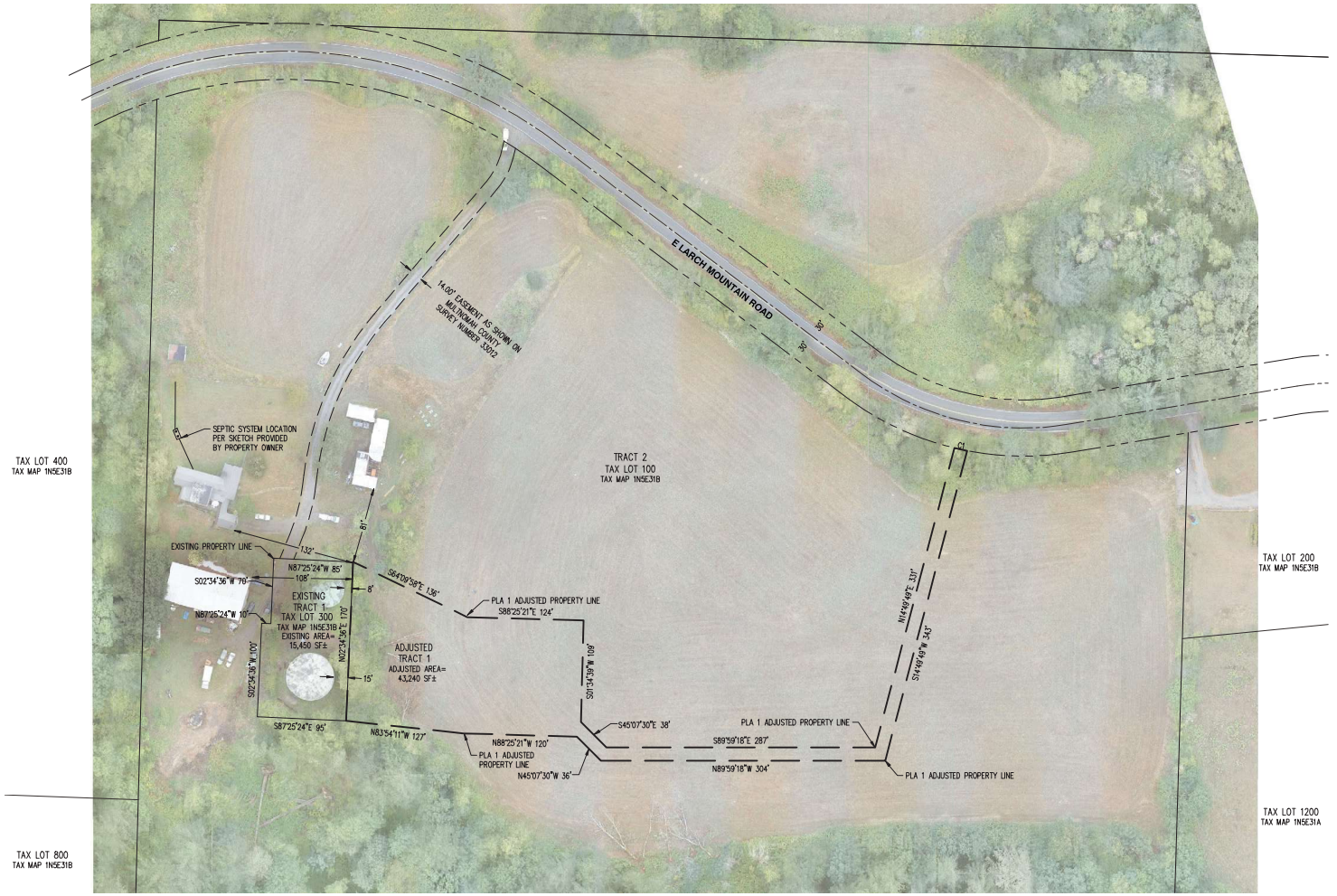
Exhibit #	# of Pages	Description of Exhibit	Date Received / Submitted
A.1	2	Application Form	04/07/2026
A.2	13	Narrative	04/07/2026
A.3	6	Exhibit A: Preliminary Plans ▪ Cover Page ▪ Aerial Map ▪ Existing Conditions Plan ▪ Existing Conditions Plan ▪ Property Line Adjustment Plan 1 ▪ Property Line Adjustment Plan 2	04/07/2026
A.4	3	Exhibit B: Application Form & Checklist	04/07/2026

A.5	4	Exhibit C: Current Property Deeds ▪ Cover Page ▪ Quitclaim Deed recorded as Instrument #2024-045445 on July 31, 2024 ▪ Warranty Deed recorded in Book 728, Page 1472 on April 20, 1970	04/07/2026
A.6	60	Exhibit D: Chains of Title a. Fidelity National Title Preliminary Report b. Chain of Title Exhibit Plans c. Quitclaim Deed recorded as Instrument #2024-045445 on July 31, 2024 d. Quitclaim Deed recorded as Instrument #2024-038928 on July 1, 2024 e. Warranty Deed recorded as Instrument #2013-159477 on December 11, 2013 f. Quitclaim Deed recorded as Instrument #2013-159476 on December 11, 2013 g. Hospital Lien recorded as Instrument #96-190755 on December 20, 1996 h. Certification of Heirship, Inheritance and Ownership recorded as Instrument #97-132193 on August 29, 1997 i. Warranty Deed recorded in Book 1965, Page 470-471 on December 18, 1986 j. Warranty Deed recorded in Book 728, Page 1472 on April 20, 1970 k. Bargain and Sale Deed recorded in Book 728, Page 1471 on April 20, 1970 l. Warranty Deed recorded in Book 1940, Page 529 on February 9, 1959 m. Contract recorded in Book 1923, Page 103 on October 20, 1958 n. Warranty Deed recorded in Book 1767, Page 134-135 on January 31, 1956 o. Warranty Deed recorded in Book 1493, Page 68-69 on August 20, 1951 p. Warranty Deed recorded in Book 417, Page 29-30 on September 18, 1937 q. Deed recorded in Book 324, Page 151-154 on February, 1, 1936 r. Warranty Deed recorded in Book 131, Page 10-11 on June, 5, 1931 s. Deed recorded in Page 328-329 on October 7, 1908 t. Deed recorded in Page 135-136 on October 9, 1906 u. Deed recorded in Volume 371, Page 135 on August 27, 1906 v. Quitclaim Deed recorded in Volume 309, Page 419-420 on September 14, 1903 w. Quitclaim Deed recorded in Volume 302, Page 206-207 on March 2, 1903 x. Homestead Certificate recorded in Volume 301, Page 436-437 on January 23, 1903	04/07/2026

A.7	13	Exhibit E: Septic Review Certifications	04/07/2026
A.8	4	Exhibit F: Transportation Planning Memorandum, TPR-PA-2025-0013	04/07/2026
A.9	18	Exhibit G: Pre-File Meeting Notes, PF-2025-0021	04/07/2026
A.10	3	Exhibit H: Multnomah County Surveyor Email	04/07/2026
A.11	13	Narrative	05/07/2026
A.12*	6	Exhibit A: Preliminary Plans ▪ *Cover Page ▪ Aerial Map ▪ Existing Conditions Plan ▪ Existing Conditions Plan ▪ *Property Line Adjustment Plan 1 ▪ *Property Line Adjustment Plan 2	05/07/2026
A.13	3	Exhibit B: Application Form & Checklist	05/07/2026
A.14	6	Septic Review Certification for 40910 E Larch Mountain Road (1N5E31B -00300)	05/07/2026
A.15	6	Septic Review Certification for 40900 E Larch Mountain Road (1N5E31B -00100)	05/07/2026
'B'	**#**	**Staff Exhibits**	**Date**
B.1	3	Assessment and Taxation Property Information for 1N5E31B -00300 (Alt Acct #R945310400 / Property ID #R323100)	04/07/2026
B.2	4	Assessment and Taxation Property Information for 1N5E31B -00100 (Alt Acct #R945310070/ Property ID #R323075)	04/07/2026
B.3	1	Current Tax Map for 1N5E31B	04/07/2026
B.4	1	Aerial Photo taken on August 8, 2026	10/13/2026
B.5	9	NSA Pre-Filing Meeting Summary Notes, PF-2025-0021	10/13/2026
B.6	1	Map showing zoning prior to November 15, 1962	10/13/2026
B.7	2	Multnomah County Zoning Ordinance adopted on April 19, 1955 - 2.0 Districts	10/13/2026
B.8	1	Map showing zoning between November 15, 1962 and October 5, 1977	10/13/2026
B.9	2	Multnomah County Zoning Ordinance adopted on May 21, 1968-2.0 Districts	10/13/2026
'C'	**#**	**Administration & Procedures**	**Date**
C.1	4	Incomplete letter	05/06/2026
C.2	1	Applicant's acceptance of 180-day clock	05/07/2026
C.3	3	Complete letter (day 1)	05/29/2026
C.4	7	Opportunity to Comment	08/03/2026

C.5	23	Decision	10/30/2026
'D'	**#**	**Comments**	**Date**
D.1	3	Cultural Resource Survey Determination from Luciano Legnini, Archaeologist, USDA: Forest Service - Columbia River Gorge National Scenic Area	08/20/2026

Exhibit A: Preliminary Plans



THE OUTER BOUNDARY OF TAX LOT 100 EXTENDS SOUTH OF DISPLAYED CONCEPTUAL PLAN

NOTES:

1. THIS IS NOT A PROPERTY BOUNDARY SURVEY TO BE RECORDED WITH THE COUNTY SURVEYOR. PROPERTY LINES SHOWN ARE PER DEED INFORMATION AND MULTNOMAH COUNTY GIS AND ARE APPROXIMATE AND SHOULD BE CONFIRMED PRIOR TO RELYING ON FOR DETAILED DESIGN OR CONSTRUCTION.
2. IMAGERY IS PER AKS ENGINEERING & FORESTY DRONE AERIAL. ORTHOGRAPHIC IMAGE IS FROM AUGUST 15, 2025.
3. THE EXISTING EASEMENT SHOWN IS PER MULTNOMAH COUNTY SURVEY NUMBER 33012 AS PROVIDED IN TITLE REPORT NUMBER 45142508737 BY FIDELITY NATIONAL TITLE COMPANY. THERE ARE OTHER EXISTING EASEMENTS ON THE PROPERTY BUT ARE NOT SHOWN FOR THE PURPOSE OF THIS PROPERTY LINE ADJUSTMENT PLAN.
4. NEW EASEMENTS AND NEW RESERVOIR LOCATION ARE SUBJECT TO CHANGE.

CURVE TABLE				
CURVE	RADIUS	DELTA	LENGTH	CHORD
C1	316.46'	2°32'15"	14.02'	S77°47'55"E 14.01'

N

SCALE: 1"=60 FEET

60 0 12 30 60

AKS ENGINEERING & FORESTRY, LLC
12965 SW HERMAN RD, STE 100
TUALATIN, OR 97062
503.563.6151
WWW.AKS-ENG.COM

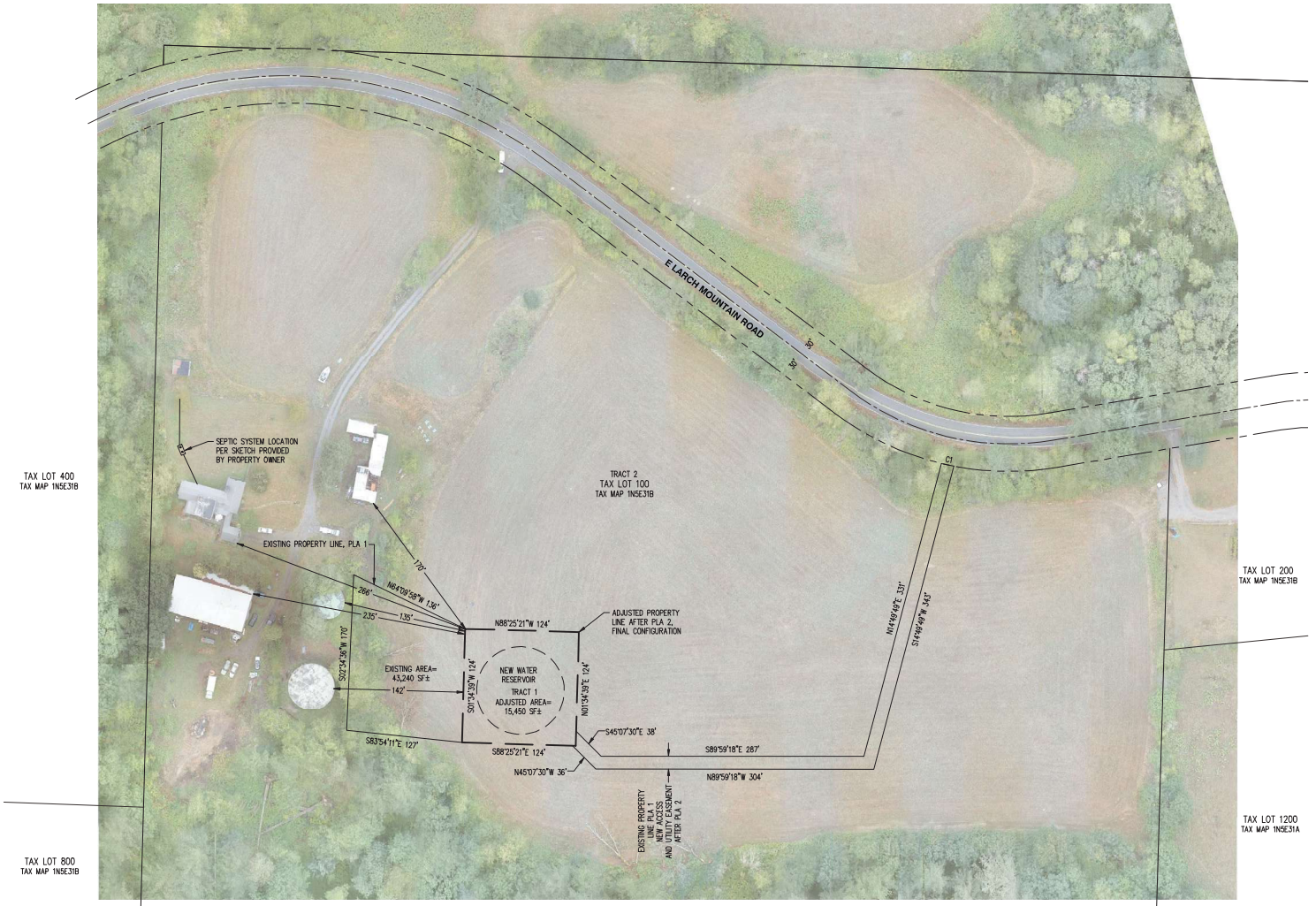
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CWD TANK 4 REPLACMENT
PROPERTY LINE ADJUSTMENT PLAN 1
CORBETT WATER DISTRICT
MULTNOMAH COUNTY, OREGON

PRELIMINARY

JOB NUMBER:	12549-01
DATE:	02/12/2026
DESIGNED BY:	
DRAWN BY:	MSD
CHECKED BY:	BRH

AKS DRAWING FILE: 12549-01 20251104 CONCEPT PROP LINE ADJ.DWG | LAYOUT: 1



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CWD TANK 4 REPLACMENT
PROPERTY LINE ADJUSTMENT PLAN 2
CORBETT WATER DISTRICT
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2 OF 2

AKS DRAWING FILE: 12549-01 20251104 CONCEPT PROP LINE ADJ.DWG | LAYOUT: 2