

NOTICE OF DECISION



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

Application for Temporary Permit

Case File: T2-2026-0037

Applicant: Robert Fraley, Portland Water Bureau

Proposal: Request for a temporary permit for the continued use of a construction office trailer in association with on-going construction activities approved by land use permit, T3-2022-16220.

Location: 35227 SE Carpenter Ln, Gresham

Property ID # R342606

Map, Tax lot: 1S4E22DB-00300

Alt. Acct. # R994220850

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

Overlays: None.

Decision: Approved with Conditions

This decision is final at the close of the appeal period, unless appealed. The deadline for filing an appeal is Monday, August 17, 2026 at 4:00 pm.

Opportunity to Review the Record: The complete case file and all evidence associated with this application is available for review by contacting LUP-comments@multco.us. Paper copies of all documents are available at the rate of \$0.71/page.

Opportunity to Appeal: The appeal form is available at www.multco.us/landuse/application-materials-and-forms. Email the completed appeal form to LUP-submittals@multco.us. An appeal requires a \$250.00 fee and must state the specific legal grounds on which it is based. This decision is not appealable to the Land Use Board of Appeals until all local appeals are exhausted

Issued by:

Lisa Estrin

Lisa Estrin, Senior Planner

For:

Megan Gibb,
Planning Director

Date:

Monday, August 3, 2026

Vicinity Map



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 39.3080 Lot of Record – MUA-20, MCC 39.4315(A) Review Uses, Temporary Uses, MCC 39.4325(C) Dimensional Standards and Development Requirements, MCC 39.8750 Temporary Permits for Certain Uses.

Copies of the referenced Multnomah County Code sections are available by visiting <https://www.multco.us/landuse/zoning-codes> under the link **Chapter 39: Multnomah County Zoning Code** or by contacting our office at (503) 988-3043.

Conditions of Approval

Subject to MCC 39.1170(A), all county decisions makers have the authority to impose reasonable conditions of approval designed to ensure that all applicable approval standards are, or can be met. The conditions listed are necessary to ensure that approval criteria for this land use permit are satisfied. Where a condition relates to a specific approval criterion, the code citation for that criterion follows in parenthesis.

1. **Permit Expiration** – This land use permit shall expire as follows:
 - a. This temporary permit runs from September 8, 2026 to September 8, 2027. [MCC 39.1185(E), MCC 39.1185(G) and MCC 39.8750(A)]
2. Approval of this land use permit is based on the submitted written narrative(s) and plan(s). No work shall occur under this permit other than that which complies with this approval and is

consistent with supporting documents. It shall be the responsibility of the property owner(s) to comply with these documents and the limitations of approval described herein. [MCC 39.1170(B)]

3. All exterior lighting used on a temporary structure or building shall meet the applicable lighting standards of MCC 39.6850. The temporary office building shall be used in compliance with the septic review certificate (Exhibit B.5) and stormwater certificate (Exhibit B.6).
4. Use of the temporary construction trailer and temporary use shall cease upon expiration of this permit, and all temporary improvements associated with this permit shall be removed from the property within 30-days unless an extension or new temporary permit is granted. If an extension or new temporary permit is to be applied for, the property owner or their representative should make the application at least 60 days prior to the expiration of this permit. [MCC 39.1185(E), MCC 39.1185(G), and MCC 39.8750(A)]

Notice to Mortgagee, Lien Holder, Vendor, or Seller:

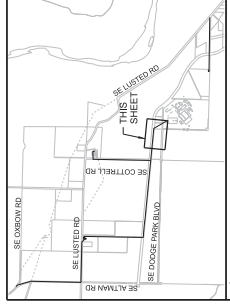
ORS Chapter 215 requires that if you receive this notice it must be promptly forwarded to the purchaser.

GENERAL SHEET NOTES

1. REFER TO EROSION AND SEDIMENT CONTROLS NOTES, SHEET ESC-004.
2. PROTECT ALL EXISTING STRUCTURES AND TREES NOT SHOWN FOR DEMOLITION.
3. REMOVE AND REPLACE ROADWAY PAVEMENT WITHIN LIMITS OF DISTURBANCE TO MATCH EXISTING LINE AND GRADE.
4. CONTRACTOR TO RE-GRASS DISTURBANCE AREA EXISTING GRADE, WHERE NOT OTHERWISE SHOWN ON DRAWINGS.
5. ALL DISTURBANCE AREA NOT RECEIVING PAVEMENT OR GRAVEL, UNLESS OTHERWISE SHOWN, SHALL BE STEEPER THAN 3:1 SHALL BE RESEED WITH GRASS SEEDING AND PERMANENT EROSION CONTROL MEASURES. RESEEDING PER DETAIL 312-152, SHEET ESC-201.
6. CONTOURS DISPLAYED AND LABELED EVERY 5 FT.
7. GROUND SURF PILES HAVE 30% OF COVER. NO DISTURBANCE OR TREE DISTURBANCE FROM PILES.

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Bull Run
FINISHED
EROSION



ISSUED FOR
CONFORMED SET ONLY

FOR STAMPED DESIGN
PLEASE REFER TO
JUNE 6, 2023
100% FINAL
DESIGN PACKAGE

21-MAY-2024 20:52[illegible]

Findings of Fact

FINDINGS: Written findings are contained herein. The Multnomah County Code (MCC) criteria and Comprehensive Plan Policies are in **bold** font. Staff analysis and comments are identified as ‘**Staff:**’ and address the applicable criteria. Staff comments may include a conclusionary statement in *italic*.

1.0 Project Description:

Staff: The applicant has requested a Temporary Permit to allow for the continued use of a construction office trailer at 35227 SE Carpenter Ln, Gresham in association with on-going construction activities approved by land use permit, T3-2022-16220.

2.0 Property Description & History:

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

3.0 Public Comment:

Staff: Staff mailed a notice of application and invitation to comment on the proposed application to the required parties pursuant to MCC 39.1105 (Exhibit C.2). No comments were received during the 14-day comment period.

4.0 Code Compliance and Applications Criteria:

4.1 § 39.1250 CODE COMPLIANCE AND APPLICATIONS.

Except as provided in subsection (A), the County shall not make a land use decision approving development, including land divisions and property line adjustments, or issue a building permit or zoning review approval of development or any other approvals authorized by this code for any property that is not in full compliance with all applicable provisions of the Multnomah County Zoning Code and/or any permit approvals previously issued by the County.

(A) A permit or other approval, including building permit applications, may be authorized if:

(1) It results in the property coming into full compliance with all applicable provisions of the Multnomah County Zoning Code. This includes sequencing of permits or other approvals as part of a voluntary compliance agreement; or...

*** * ***

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.

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.

(A) An area of land is a “Lot of Record” if it meets the standards in Subsection (B) of this Section and meets the standards set forth in this Part for the Zoning District in which the area of land is located.

* * *

Staff: The subject property was found to be each a Lot of Record in T2-2022-16220. *Criterion met.*

6.0 Multiple Use Agriculture – 20 Criteria:

6.1 § 39.4315 REVIEW USES.

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

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

Staff: The applicant has requested a Temporary Permit to allow the continued use of a construction office trailer on the subject property for the construction of the pipeline. The findings for MCC 39.8750 are under Section 7.0 below.

6.2 § 39.4325 DIMENSIONAL REQUIREMENTS AND DEVELOPMENT STANDARDS.

All development proposed in this base zone shall comply with the applicable provisions of this section.

(C) Minimum Yard Dimensions – Feet

Front	Side	Street Side	Rear
30	10	30	30

Maximum Structure Height – 35 feet

(1) Notwithstanding the Minimum Yard Dimensions, but subject to all other applicable Code provisions, a fence or retaining wall may be located in a Yard, provided that a fence or retaining wall over six feet in height shall be setback from all Lot Lines a distance at least equal to the height of such fence or retaining wall.

Staff: The construction office trailer meets the above minimum yard and height requirements (Exhibit A.3 & B.4). *Criteria met.*

(G) On-site sewage disposal, storm water/drainage control, water systems unless these services are provided by public or community source, required parking, and yard areas shall be provided on the lot.

(1) Sewage and stormwater disposal systems for existing development may be off-site in easement areas reserved for that purpose.

(2) Stormwater/drainage control systems are required for new impervious surfaces. The system shall be adequate to ensure that the rate of runoff from the lot for the 10 year 24-hour storm event is no greater than that before the development.

Staff: The location of the temporary construction office will not affect the septic system for the existing dwelling on the subject property (Exhibit B.5). The temporary trailer will continue using gutter and splash blocks to handle stormwater (Exhibit B.6).

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

Staff: The applicant in the initial temporary permit for the trailer submitted a light fixture that meets the County's Dark Sky Lighting Standard (Exhibit B.7). A condition of approval has been included that all exterior lighting used on temporary structures meet MCC 39.6850.

7.0 Temporary Permit Criteria:

7.1 § 39.8750- TEMPORARY PERMITS FOR CERTAIN USES.

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

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

Staff: Land Use Planning has reviewed the continuation of the temporary construction office trailer on the subject property and finds that it falls within other uses of a temporary nature. While this is the third temporary permit granted for the site, the construction office trailer is temporary in nature and will cease upon completion of the development. Conditions of approval have been included to ensure compliance with this permit. [MCC 39.1170(A) & MCC 39.8750].

8.0 Conclusion

Based on the findings and other information provided above, the applicant has carried the burden necessary for the Temporary Permit to allow the continued use of the construction office trailer at 35227 SE Carpenter Lane in the MUA-20 zone. This approval is subject to the conditions of approval established in this report.

9.0 Exhibits

- 'A' Applicant's Exhibits
- 'B' Staff Exhibits
- 'C' Procedural Exhibits

Exhibits with an "*" have been reduced in size and included with the mailed decision. All exhibits are available for digital review by sending a request to LUP-comments@multco.us.

Exhibit #	# of Pages	Description of Exhibit	Date Received / Submitted
A.1	2	Application Form	7/01/2026
A.2	1	Narrative	7/01/2026
A.3	1	Site Plan	7/01/2026
‘B’	#	Staff Exhibits	Date
B.1	2	Assessment and Taxation Property Information for 1S4E22DB-0300 (Alt Acct # R994220850 / Property ID # R342606)	7/01/2026
B.2	1	Current Tax Map for 1S4E22DB	7/06/2026
B.3	7	T2-2025-0047 Decision	7/06/2026
B.4	1	Temporary Office Trailer Picture	7/7/2026
B.5	9	Septic Review Certificate	7/7/2026
B.6	4	Stormwater Certificate	7/7/2026
B.7	3	Lights	7/7/2026
‘C’	#	Administration & Procedures	Date
C.1	1	Complete letter (day 1)	7/7/2026
C.2	3	Opportunity to Comment	7/13/2026
C.3	7	Decision	8/03/2026