



MULTNOMAH COUNTY OREGON

BOARD OF COUNTY COMMISSIONERS
ROOM 605, COUNTY COURTHOUSE
1021 S.W. FOURTH AVENUE
PORTLAND, OREGON 97204

GLADYS McCOY • CHAIR • 248-3308
PAULINE ANDERSON • DISTRICT 1 • 248-5220
GRETCHEN KAFOURY • DISTRICT 2 • 248-5219
RICK BAUMAN • DISTRICT 3 • 248-5217
SHARRON KELLEY • DISTRICT 4 • 248-5213
JANE McGARVIN • Clerk • 248-3277

AGENDA OF
MEETINGS OF THE MULTNOMAH COUNTY BOARD OF COMMISSIONERS
FOR THE WEEK OF
November 6 - 10, 1989

Tuesday, November 7, 1989 - 9:00 AM - Executive Session. . . Page 2
9:30 AM - Planning Items . . . Page 2
Informal Briefings

Tuesday, November 7, 1989 - 1:30 PM - Informal Meeting . . . Page 3

Thursday, November 9, 1989 - 9:30 AM - Formal Page 4
Work Session. Page 5

NOTE: COUNTY OFFICES WILL BE CLOSED FRIDAY, NOVEMBER 10, 1989
VETERANS DAY OBSERVED

Tuesday, November 7, 1989 - 9:00 AM

EXECUTIVE SESSION

Executive Session regarding Real Property Transactions [allowed under ORS 192.660 (1)(e)]

Tuesday, November 7, 1989 - 9:30 AM

Multnomah County Courthouse, Room 602

Decisions of the Planning Commission of October 9, 1989, reported to the Board for acknowledgment by the County Chair:

1. LD 10-89 Deny requested Lot of Exception, based upon a tie vote of the Planning Commission. The Planning Commission considered the attached Findings and Conclusions in addition to oral and written testimony. A tie vote on the request constitutes a denial.
2. LD 11-89 Deny requested 1.5-acre Lot of Exception, based upon a tie vote of the Planning Commission. The Planning Commission considered the attached Findings and Conclusions in addition to oral and written testimony. A tie vote on the request constitutes a denial.
3. Auto Wrecker's License - New - with recommendation of Planning Division that same be approved for Jack H. Benson, dba A and B Automotive and Towing, Inc., 5838 SE 111th Avenue
4. CS 7-89 Final Order in the matter of adopting Findings, Conclusions and Conditions for the Approval of community service designation to allow development of a Tri-Met Terminus facility, for property located at 13525 SE Foster Road

INFORMAL BRIEFINGS

Tuesday, November 7, 1989

(following Planning Items)

1. Review issues and questions concerning negotiations with the Library Association of Portland and discussion of future direction for the County
2. OSU Extension Service-North Willamette Research and Extension Center - presentation to focus on mission of the District Extension Center; enhanced opportunities for Extension education programs dealing with horticultural crops, to benefit County - Paul Sunderlund, Dr. Lloyd Martin, Dr. Dave Adams

PUBLIC TESTIMONY WILL NOT BE TAKEN AT INFORMAL MEETINGS

Tuesday, November 7, 1989 - 1:30 PM

Multnomah County Courthouse, Room 602

INFORMAL

1. TIME CERTAIN 1:30 PM - Follow-up to October 31, 1989
Informal presentation of CIP II - Duane Zussy, Gary Smith
2. Demonstration of hand-held computer inspection system for food service inspections in Environmental Health Program - Duane Zussy, Art Bloom
3. Informal Review of Formal Agenda of November 9, 1989

PUBLIC TESTIMONY WILL NOT BE TAKEN AT INFORMAL MEETINGS

Thursday, November 9, 1989 - 9:30 AM

Multnomah County Courthouse, Room 602

Formal Agenda

CONSENT CALENDAR

DEPARTMENT OF ENVIRONMENTAL SERVICES

- C-1 Order in the Matter of Establishment of N.E. Oregon Street from N.E. 160th Avenue, easterly 321.03 feet to a point lying 24.00 feet east of the west line of N.E. 161st Avenue as a county road to be known as N.E. Oregon Street, No. 4968
- C-2 Order in the Matter of Establishment of N.E. 165th Avenue from a point 138.73 feet south of N.E. Holladay Street southerly 120.00 feet as a county road to be known as N.E. 165th Avenue, No. 4970
- C-3 Order in the Matter of Establishment of N.E. 161st Avenue from the north line of N.E. Oregon Street northerly 159.00 feet to the south line of Tract "C" Peace Rose as a county road to be known as N.E. 161st Avenue, No. 4969

REGULAR AGENDA

BOARD OF COUNTY COMMISSIONERS

- R-4 In the matter of the appointment of Kristin E. Oliveres to the Expo Center Advisory Committee, term expiring December, 1991
- R-5 In the matter of the appointment of Karen Hefflin (lay citizen) to the Children and Youth Services Commission, term expiring October, 1990
- R-6 In the matter of the appointments of Scot Groupe, Lillie Leikas, and Norman Reiter to the Council on Chemical Dependency, terms expiring November, 1991

NONDEPARTMENTAL

- R-7 **TIME CERTAIN REQUESTED 9:30 AM** - In the Matter of Presentation of the Citizen Involvement Committee's County Visions Report

DEPARTMENT OF GENERAL SERVICES

- R-8 In the Matter of Ratification of the Collective Bargaining Agreement between Multnomah County, Multnomah County Sheriff and the Multnomah County Corrections Officers Association for period July 1, 1989 to June 30, 1992
- R-9 Budget Modification DGS #1 reclassification of six (6) Property Appraiser Supervisors to Program Supervisors in the Assessment & Taxation Division with additional funds coming from salary savings (Continued from August 31 - now being referred back from Department)

DEPARTMENT OF JUSTICE SERVICES

- R-10 In the Matter of Ratification of an Intergovernmental Agreement with the State of Oregon Department of Insurance and Finance to reimburse Community Corrections Division 50% of employer's wage payment for a period September 25, 1989 to March 25, 1990
- R-11 Budget Modification DJS #8 reflecting additional revenues in the amount of \$180,714 from FINVEST Grant to the District Attorney's Office, Federal/State, various line items, relating to the Financial Investigation Program (FINVEST) Grant

DEPARTMENT OF ENVIRONMENTAL SERVICES

- R-12 Order in the Matter of appointment of Phillip Trautmann to the Board of Skyline Crest Road District No. 1
- R-13 In the Matter of Recommendation to purchase the Mead Building, 451 S.W. 5th Avenue, Portland - as an office annex for County Department of Human Services

NONDEPARTMENTAL

- R-14 Resolution in the Matter of the Purpose of Approving the Regional Tourism Strategy Request Proposed by the Oregon Tourism Alliance
- R-15 In the Matter of announcement of Board Liaison Assignments

WORK SESSION

(following Formal Meeting)

1. Request Time Certain 10:30 AM - Update and Board discussion of point factor system used in Classification/Compensation Study to give staff and Policy Advisory Committee policy direction

Thursday Meetings of the Multnomah County Board of Commissioners are recorded and can be seen at the following times:

Thursday, 10:00 PM, Channel 11 for East and West side subscribers

Friday, 6:00 PM, Channel 27 for Rogers Multnomah East subscribers

Saturday 12:00 PM, Channel 21 for East Portland and East County subscribers

0501C.34-39

SUPPLEMENTAL AGENDA

Thursday, November 9, 1989

FORMAL

NONDEPARTMENTAL

- R-7 CANCEL - TIME CERTAIN REQUESTED 9:30 AM - In the Matter of Presentation of the Citizen Involvement Committee's County Visions Report

- R-16 Resolution in the matter of County Participation in Phase Two of the Community Integration Project (Fairview downsizing)

0501C.40
11/9/89

DATE SUBMITTED 10/30/89

(For Clerk's Use)
Meeting Date NOV 7 1989
Agenda No. _____

REQUEST FOR PLACEMENT ON THE AGENDA

Subject: Real Estate Transaction

Informal Only* 11/7/89 9:00 AM Formal Only _____
(Date) (Date)

DEPARTMENT DHS & DES DIVISION Administration

CONTACT Jim Emerson, Paul Yarborough, Duane Zussy TELEPHONE 3322 and 5000

*NAME(S) OF PERSON MAKING PRESENTATION TO BOARD Emerson, Yarborough, Zussy

BRIEF SUMMARY Should include other alternatives explored, if applicable, and clear statement of rationale for the action requested.

Executive Session regarding real estate transaction.

(IF ADDITIONAL SPACE IS NEEDED, PLEASE USE REVERSE SIDE)

ACTION REQUESTED:

INFORMATION ONLY PRELIMINARY APPROVAL POLICY DIRECTION APPROVAL

INDICATE THE ESTIMATED TIME NEEDED ON AGENDA _____

IMPACT:

PERSONNEL
 FISCAL/BUDGETARY
 General Fund
 Other _____

SIGNATURES:

DEPARTMENT HEAD, ELECTED OFFICIAL, or COUNTY COMMISSIONER: Paul Yarborough
BUDGET / PERSONNEL _____

COUNTY COUNSEL (Ordinances, Resolutions, Agreements, Contracts) _____

OTHER _____
(Purchasing, Facilities Management, etc.)

NOTE: If requesting unanimous consent, state situation requiring emergency action on back.



MULTNOMAH COUNTY OREGON

DEPARTMENT OF ENVIRONMENTAL SERVICES
DIVISION OF FACILITIES AND
PROPERTY MANAGEMENT
2505 S.E. 11TH AVENUE
PORTLAND, OREGON 97202
(503) 248-3322

GLADYS McCOY
MULTNOMAH COUNTY CHAIR

MEMORANDUM

TO: Board of County Commissioners

FROM: F. Wayne George, Director
Facilities & Property Management

DATE: October 27, 1989

RE: PROPOSED PURCHASE OF MEAD BUILDING

The projections of program growth and space needs made by DHS during the space planning process last year are proving to be accurate, perhaps even conservative. After review and tours of many nearby buildings, the Mead Building has been selected as the "Gill Annex" site discussed in the Space Study. The Board directed Facilities Management to negotiate a purchase deal for the building, subject to final Board approval.

Occupancy of this building will allow DHS to accommodate growth in all 3 divisions which have shared, and filled, the Gill Building: Aging Services, Social Services, and Health. Aging Services moved to the Mead Building October 20 under a lease, which will be cancelled if we buy the building. DHS projects that Social Services will gradually shift functions to the Mead Building over several years, leaving the Gill Building available entirely for the Health Division. Purchase of the Mead Building is in keeping with the County's long-term commitment to a Human Services Center in downtown Portland, and with the County's intention to enjoy the benefits of ownership rather than tenancy. These benefits include lower long-term costs, and immediate control over space availability.

The attached background and data sheet is provides you more specifics on the building. Financial information should be considered confidential until the Board is ready to approve it. The purchase price proposed is the result of over a month of negotiations with the building owner, and has been accepted by him, subject to Board approval. The building owner is no longer interested in Edgefield. We anticipate that most of this data (excepting only the lease income information) should be available in handout form at the formal meeting at which you consider the proposal.

Please call if you have questions.

JE:CLS

cc: Dave Boyer
Paul Yarborough
Duane Zussy

CONFIDENTIAL

MEAD BUILDING
421 S.W. 5th Avenue

Background to Purchase Proposal

The County believes that it is fiscally responsible to own those buildings which house major, long term County programs, rather than leasing space for those programs. Purchase of the Mead Building will provide the space which the Department of Human Services needs for program expansion for less money than if they leased that space for 10 years. Ownership also will provide the County with control over space availability, so that growth can be phased and disruptive, costly relocations can be avoided.

Intended County Use of Building

The Department of Human Services will relocate the Aging Services Division and Social Services Division to the Mead Building from the County-owned Gill Building nearby, over several years. This will give both of those divisions, plus the Health Division in the Gill Building, room to accommodate new program needs as mandated by the State and as provided by Federal grants. Department administrative functions for Human Services and Justice Services may relocate to the Mead Building as well.

Retail tenants in the ground floor and basement mall will remain. Non-County office tenants will remain until their space is needed, providing operating income.

Data

- Built: 1912
- Structure: Reinforced concrete frame, brick veneer
- Location: S.W. 5th & Washington. On bus mall. One block from Gill Bldg.
- Site Size: 1/4 block
- Size: 83,480 gross sq. ft. in 7 stories plus basement & Mezzanine
68,381 rentable area
- Initial County Occupant: Aging Services Division: 3rd Floor and part of 2nd Floor. October 1989
- 2 Passenger Elevators serving B-7. Freight elevator serving B-3.
- Fully air conditioned
- Proposed Purchase Price: \$2,600,000 (includes \$144,000 of improvements for Aging Services Division)
- Asking Price: \$3,144,000 (including ASD improvements)
- Assessed Value: \$2,100,000 (before ASD improvements)
- Proposed Financing Method: County-issued Certificates of Participation
- Note: County intends to also finance \$1,000,000. to cover design, engineering, construction, and moves into building over 5 years, to fill the building.
- For comparison: The Mead Building costs \$38.02 per rentable square foot. Similar buildings for sale in that area have asking prices of from \$49 to \$56/s.f. A new building would cost approximately \$150/rentable s.f. (including site). Lease costs for comparable space in that area are 7.50-12.50/s.f./year.

JE:CLS:102789
JE:CLS
102589

CONFIDENTIAL

MEAD BUILDING, 421 S.W. 5th Avenue

REVENUE/EXPENSE DATA AS OF OCTOBER 1989

REVENUE

RETAIL

Sq. ft. leased	10,553	
Current income		\$102,700/year
(Average of \$9.73/occupied sq. ft./yr.)		
Sq. ft. vacant	10,033	

OFFICE (Non-County)

Sq. ft. leased	13,732	
Current income		\$104,112/year
(Average of \$7.58/occupied sq. ft./yr.)		
Sq. ft. vacant	19,593	

Total Non-County Income \$206,812/year

OFFICE (County: ASD)

Sq. ft. leased	12,288	
Lease cost	\$86,016/yr.	
(\$7.00/sq. ft./yr.)		
Provided by grant		\$ 82,944/year
(\$6.75/sq. ft./yr.)		

STORAGE & MECHANICAL

2,182 sq. ft.

TOTAL RENTABLE AREA

68,381 sq. ft.

TODAY'S TOTAL NON-COUNTY + GRANT INCOME:

\$289,756/year

Our intent is to lease out the remaining retail space long-term. The vacant office space will house some short term leases until the County takes the space.

Anticipated average additional retail revenue is \$80,000/year.

Anticipated average additional office revenue is \$70,000/year (non-County), until SSD moves in; then grant will provide, initially, \$120,000/year for their space.

Revenue Summary:	1st year	\$300,000.
(w/o inflation)	2nd-3rd years to	\$450,000.
	By 5th year	\$500,000.

BUILDING EXPENSES (Anticipated '89-'90)

Utilities & Maintenance	\$140,000.
Property Taxes @ 100%	70,000.
Supplies, Advertising & Admin.	<u>10,000.</u>
	\$220,000/year

When building is full, expenses will increase by \$110,000
Total by 3rd year: \$330,000/year

MEAD BUILDING

COST COMPARISON

- Mead Building @ \$2.6 Million (Including ASD improvements)
83,480 Gross Sq. Ft. > \$31.15/SF Gross
68,381 Net Sq. Ft. > \$38.02/SF Net
- Gill Building @ \$3,362,459 (16 months earlier)
109,120 Gross Sq. Ft. > \$30.81/SF Gross
89,460 Net Sq. Ft. > \$37.58 SF Net

Asking Prices: Similar Age, Condition, & Area of Town

- Mead \$3,144,000 \$45.98/SF Net
- Cascade/
Exchange \$6,900,000 \$55.60/SF Net
- Broadway \$3,675,000 \$49.27/SF Net
- Wilcox \$2,650,000 \$55.29/SF Net
- Pendleton \$2,200,000 \$61.37/SF Net
(Further South)

MULTNOMAH COUNTY, OREGON
PURCHASE OF MEAD BUILDING
SUMMARY

PURCHASE PRICE	\$2,600
IMPROVEMENTS	1,000
CLOSING COSTS	60
ISSUE AND UNDERWRITER COSTS	140
RESERVE REQUIREMENTS	385
TOTAL CERTIFICATE ISSUE	<u>\$4,185</u>

GENERAL INFORMATION:

TYPE OF ISSUE: CERTIFICATES OF PARTICIPATION TAXABLE

TERM OF ISSUE: 20 YEARS

ESTIMATED ANNUAL DEBT REQUIREMENT: \$385,000

COMPARISON OF RENT COSTS TO PURCHASE COSTS

(amounts in thousands \$000)

YEAR	RENT DATA			OPERATING COSTS OF PURCHASE	NET PURCHASE (COSTS) SAVINGS
	SPACE NEEDS	COSTS PER FOOT	RENT COSTS		
1990	12,300	7.00	(86)	(259)	(98)
1991	16,300	7.37	(120)	(603)	(280)
1992	36,800	7.76	(286)	(610)	(127)
1993	44,800	9.17	(411)	(616)	(134)
1994	44,800	9.66	(433)	(623)	(124)
1995	56,000	10.17	(570)	(630)	(84)
1996	56,000	10.71	(600)	(638)	(64)
1997	56,000	11.28	(632)	(645)	(43)
1998	56,000	11.88	(665)	(653)	(20)
1999	56,000	12.50	(700)	(661)	3
2000	59,700	13.17	(786)	(669)	29
2001	59,700	13.87	(828)	(678)	55
2002	59,700	14.60	(872)	(687)	84
2003	59,700	15.37	(918)	(696)	114
2004	59,700	16.19	(966)	(705)	145
2005	59,700	17.05	(1,018)	(715)	179
2006	59,700	17.95	(1,072)	(725)	215
2007	59,700	18.90	(1,128)	(735)	253
2008	59,700	19.90	(1,188)	(745)	293
2009	59,700	20.96	(1,251)	(756)	335
2010	59,700	22.07	(1,318)	(767)	765
			<u>(\$15,847)</u>	<u>(\$13,816)</u>	<u>\$1,496</u>

PREPARED BY FINANCE DIVISION
DEPARTMENT OF GENERAL SERVICES
NOVEMBER 13, 1989

EXHIBIT
MULTNOMAH COUNTY, OREGON
MEAD BUILDING CASH FLOW ESTIMATES
20 YEAR ISSUE
IN (000)

MEAD BUILDING	2,600
IMPROVEMENTS	1,000
CLOSING COSTS	60
UNDERWRITER DISCOUNT	55
ISSUE COSTS	85
RESERVE REQUIREMENTS	385
TOTAL ISSUE	4,185

Debt Service 1989-90	150
Debt Service	385
Interest income	33

	20 YEARS																				TOTAL	
	89-90	90-91	91-92	92-93	93-94	94-95	95-96	96-97	97-98	98-99	99-00	00-01	01-02	02-03	03-04	04-05	05-06	06-07	07-08	08-09		09-00
INCOME:																						
Lease income retail	50	106	109	115	121	127	134	141	149	157	165	174	183	193	203	214	225	237	249	263	277	3,591
Lease Income Mead bldg	95	184	341	355	345	386	407	428	451	475	500	527	555	584	615	648	682	718	756	796	838	10,666
Int Income Res Acct	16	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33	671
Reserve account											0					0						385
	161	323	483	483	499	547	574	602	633	664	698	733	770	809	851	894	940	988	1,038	1,092	1,333	15,314
COSTS:																						
Oper & Maint Mead Bldg	(104)	(208)	(214)	(221)	(227)	(234)	(241)	(248)	(256)	(263)	(271)	(280)	(288)	(297)	(305)	(315)	(324)	(334)	(344)	(354)	(365)	(5,693)
Debt Service	(150)	(385)	(385)	(385)	(385)	(385)	(385)	(385)	(385)	(385)	(385)	(385)	(385)	(385)	(385)	(385)	(385)	(385)	(385)	(385)	(385)	(7,850)
Insurance	(5)	(10)	(10)	(11)	(11)	(11)	(12)	(12)	(12)	(13)	(13)	(13)	(14)	(14)	(15)	(15)	(16)	(16)	(17)	(17)	(18)	(274)
	(259)	(603)	(610)	(616)	(623)	(630)	(638)	(645)	(653)	(661)	(669)	(678)	(687)	(696)	(705)	(715)	(725)	(735)	(745)	(756)	(767)	(13,817)
Net cost of Bldg	(98)	(280)	(127)	(134)	(124)	(84)	(64)	(43)	(20)	5	29	55	84	114	145	179	215	253	293	333	765	1,497

PREPARED BY FINANCE DIVISION

DEPT OF GENERAL SERVICES

11/13/89

November 13, 1989

To Whom It May Concern:

You will find attached a chart outlining the historic and projected full service rental rates for the central business district. As can be seen, with the exception of the period from 1985 to 1987, all classes of office space have experienced an increasing rental rate trend. In fact, the period from 1979 to 1984 saw rates increase dramatically as follows:

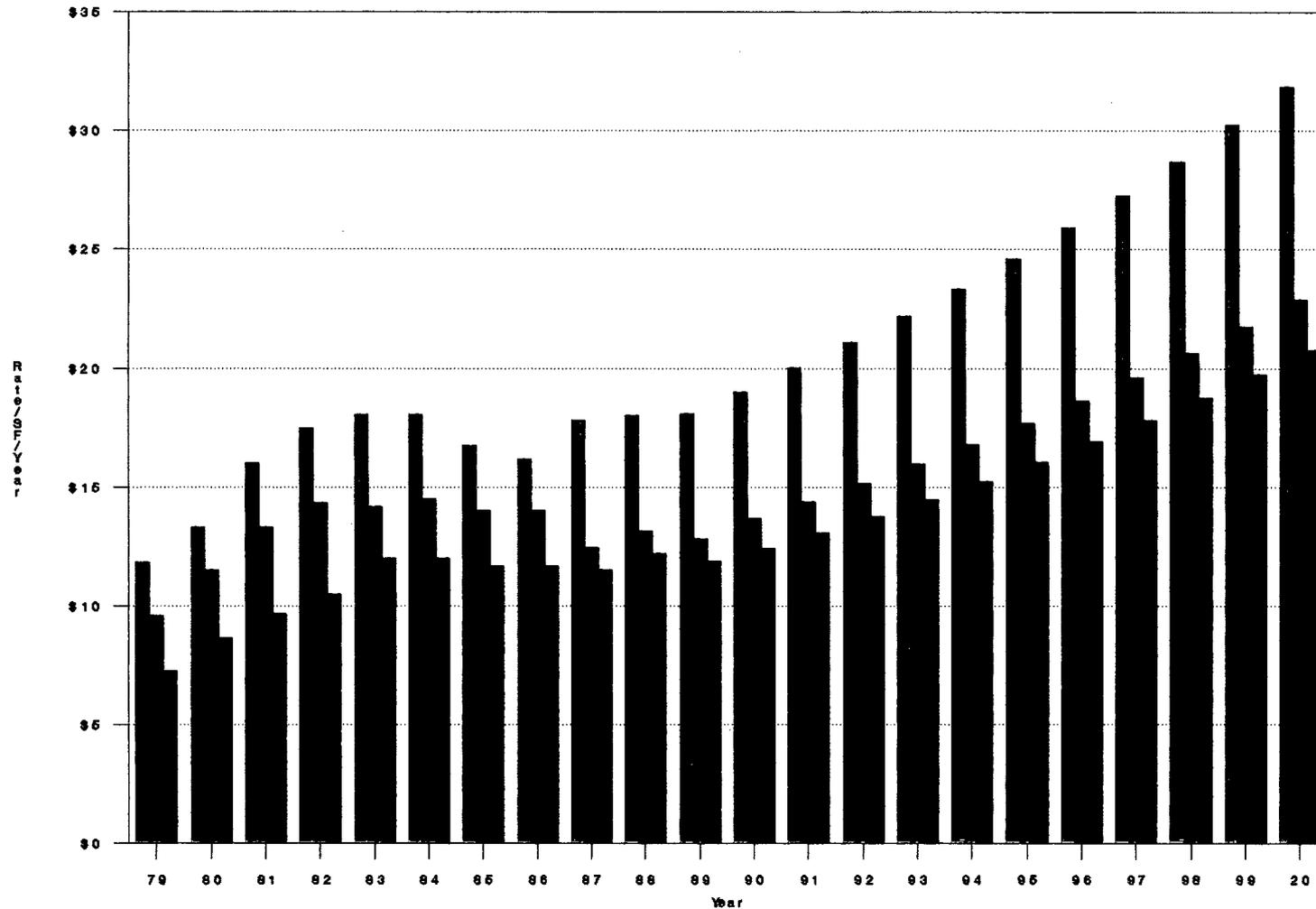
- Class A at 11% annually,
- Class B at 10% annually,
- Class C at 13% annually.

After the dip in 1985 through 1986, we saw Class A rates begin to firm in 1987 through today when rates on new buildings such as 1000 Broadway are being quoted at over \$23 per square foot. Class B and C space began firming in 1988 and continues through today. We expect to see these trends continue into the future for two reasons. First, the local and regional economies are vibrant and are therefore creating new jobs in the service sector which is in turn creating an increasing demand for office space. Second, the cost of new construction and the resulting rental rates (ie., 1000 Broadway) make commercial development of new space relatively prohibitive and at best a very cautious economic pursuit. As a result, we will see rental rates for existing inventory raise substantially before significant new construction will proceed.

For this analysis, we have used an average annual increase for all categories of space of 5.3% to project future rate increases. This is the actual experience for the period of 1979 to 1990. Obviously, this is conservative in that it barely reflects the current rate of inflation. If you should have any questions regarding this information feel to contact me.

Respectfully yours;

Class A, B & C Full Service Rental Rate History & Projections



Sampled Buildings by Class:

Class A Bldgs: Std Ctr, 1st Interstate, Benj Franklin

Class B Bldgs: Boise Cascade, Crown, Riviera

Class C Bldgs: Jackson, Amer Bank, Exec Bldg

■ Class A Space ■ Class B Space ■ Class C Space

Average rate increases for all classes
1979 to 1990 was 6.3% which was
used to project for 1991 & beyond.

Forecast of Space Needs for DHS "Downtown" Functioning Through 1999

Program space shown is net square footage in use.
 If space is leased, full-floor leases will be
 charged for approximately 15% more space, for common areas.

Division	July '87	Nov. '89		July '94		July '99	
	People	People	Sq. Ft.	People	Sq. Ft.	People	Sq. Ft.
Aging Services Division							
A. With Adult Transfer	NA	NA		70	15,800	84	16,700
B. Without Adult Transfer	31	50	12,288 Mead	65	14,800	78	15,500
Target: 200 SF/person							
Social Services Division							
A. With Adult Transfer	NA	NA		190	38,000	228	45,600
B. Without Adult Transfer	63	117	18,600 Gill	147	28,300	176	28,300
Target: 200 SF/person							
Health Division	145	208	48,400 Gill	303	70,800	338	70,800
Target: 225 SF/person							
Administration	8	15	3,800 Gill	20	4,500	24	5,000
Target: 220 SF/person							
Total A	NA	NA		583**	129,100	674***	138,100
Total B	274	390*	83,088	535**	118,400	616***	119,600

* '87-'89 58% increase
 ** '89-'94 A. 49% increase B. 37% increase
 *** '89-'99 A. 73% increase B. 58% increase

Gill Building has 70,800 net sq. ft. (excluding retail)
 Mead Building has 50,800 net Sq. ft. " "

ANNOTATED AGENDA

Tuesday, November 7, 1989 - 9:30 AM

Multnomah County Courthouse, Room 602

Decisions of the Planning Commission of October 9, 1989, reported to the Board for acknowledgment by the County Chair:

1. ~~LD~~^F 10-89 Deny requested Lot of Exception, based upon a tie vote of the Planning Commission. The Planning Commission considered the attached Findings and Conclusions in addition to oral and written testimony. A tie vote on the request constitutes a denial.

DeNovo - Hearing Date November 28, 1989

2. ~~LD~~^F 11-89 Deny requested 1.5-acre Lot of Exception, based upon a tie vote of the Planning Commission. The Planning Commission considered the attached Findings and Conclusions in addition to oral and written testimony. A tie vote on the request constitutes a denial.

DeNovo - Hearing Date December 12, 1989

3. Auto Wrecker's License - New - with recommendation of Planning Division that same be approved for Jack H. Benson, dba A and B Automotive and Towing, Inc., 5838 SE 111th Avenue

APPROVED

4. CS 7-89 Final Order in the matter of adopting Findings, Conclusions and Conditions for the Approval of community service designation to allow development of a Tri-Met Terminus facility, for property located at 13525 SE Foster Road

Held Over to Tuesday, November 14, 1989

0687.C-1

CAP

0687

Thursday, November 7, 1989

The Board of Commissioners of Multnomah County met at the Courthouse at 9:30 A.M. this date.

Present: Commissioner Gladys McCoy, Chair; Commissioner Pauline Anderson; Commissioner Gretchen Kafoury; Commissioner Rick Bauman; Commissioner Sharron Kelley.

The following proceedings were had:

Decisions of the Planning Commission of October 9, 1989, reported to the Board for acknowledgment by the County Chair:

Deny requested Lot of Exception, based upon a)

tie vote of the Planning Commission. The Planning)
Commission considered the attached Findings and)
Conclusions in addition to oral and written)
testimony. A tie vote on the request constitutes)
a denial. LD 10-89)

Deny requested 1.5-acre Lot of Exception, based)
upon a tie vote of the Planning Commission. The)
Planning Commission considered the attached Findings)
and Conclusions in addition to oral and written)
testimony. A tie vote on the request constitutes)
a denial. LD 11-89)

Lorna Stickel, Planning Division, explained that both of these items were under appeal. Both involved a lot of exceptions in rural areas. On the date of the original hearing, only four members of the Planning Commission sat and could reach no decision in either case. A tie vote results in a denial, but with no findings. The staff recommends that the Board hear both cases De Novo, on two separate dates. November 28 is the recommended date for LD 10-89 and December 12 for LD 11-89.

Upon motion of Commissioner Anderson, duly seconded by Commissioner Kelley, it is unanimously

ORDERED that the date of November 28, 1989 is set for the

DeNovo hearing of LD 10-89.

Upon motion of Commissioner Anderson, duly seconded by
Commissioner Kelley, it is unanimously

ORDERED that the date of December 12, 1989 is set for the
DeNovo hearing of LD 11-89.

Auto Wrecker's License - New - with recommendation)
of Planning Division that same be approved for Jack H.)
Benson, dba A and B Automotive and Towing, Inc.,)
5838 SE 111th Avenue 3)

Upon motion of Commissioner Kelley, duly seconded by
Commissioner Anderson, it is unanimously

ORDERED that the recommendation be adopted as the Order of
the Board.

Final Order in the matter of adopting Findings,)
Conclusions and Conditions for the Approval of community)
service designation to allow development of a Tri-Met)
Terminus facility, for property located at 13525 SE)
Foster Road CS 7-89)

Lorna Stickel, Planning Office, stated that Tri-Met had talked with Counsel, and that they would like to have another week before they respond to the Order, due to the short timeframe. Tri-Met is very concerned about how the Order is crafted in case of appeal.

Commissioner Bauman moved, duly seconded by Commissioner Kafoury, that the above-entitled matter be approved, and the matter was set over for one week to November 14, 1989, it is unanimously

ORDERED that the meeting be set over to November 14, 1989.



MULTNOMAH COUNTY OREGON

BOARD OF COUNTY COMMISSIONERS
ROOM 605, COUNTY COURTHOUSE
1021 S.W. FOURTH AVENUE
PORTLAND, OREGON 97204

GLADYS McCOY • CHAIR • 248-3308
PAULINE ANDERSON • DISTRICT 1 • 248-5220
GRETCHEN KAFOURY • DISTRICT 2 • 248-5219
RICK BAUMAN • DISTRICT 3 • 248-5217
SHARRON KELLEY • DISTRICT 4 • 248-5213
JANE McGARVIN • Clerk • 248-3277

BOARD OF COUNTY COMMISSIONERS

Tuesday, November 7, 1989

9:30 a.m., Room 602

AGENDA

1989 NOV - 1 AM 11:46
MULTNOMAH COUNTY
OREGON
CLERK OF
COUNTY COMMISSIONERS

The following Decisions are reported to the Board for acknowledgement by the Presiding Officer:

LD 10-89

Deny requested Lot of Exception, based upon a tie vote of the Planning Commission. The Planning Commission considered the attached Findings and Conclusions in addition to oral and written testimony. A tie vote on the request constitutes a denial.

LD 11-89

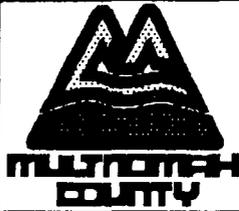
Deny requested 1.5-acre Lot of Exception, based upon a tie vote of the Planning Commission. The Planning Commission considered the attached Findings and Conclusions in addition to oral and written testimony. A tie vote on the request constitutes a denial.

Other Item for Board Action

Auto Wrecker's License - Original

Submitted to the Board with a recommendation that the same be approved:

Jack H. Benson
(A and B Automotive and Towing, Inc.)
5838 SE 111th Avenue



Department of Environmental Services
Division of Planning and Development
2115 SE Morrison Street
Portland, Oregon 97214 (503) 248-3043

Decision
October 9, 1989

LE 10-89, #646

Lot of Exception
(Land Division)

Applicant requests a land division under "Lot of Exception" provisions of the RR, rural residential zoning district, to divide a 7.2-acre parcel into a 2.2-acre and a 5-acre parcel.

Location: 35800 NE Chamberlain Road

Legal: Tax Lot '19', Section 27, 1N-4E, Except that portion lying south of the Section line for Section 34, 1N-4E 1989 Assessor's Map

Site Size: Approximately 7.2 Acres

Size Requested: Same

Property Owner: David and Christine Moir
35800 NE Chamberlain Road
Corbett, Oregon 97019

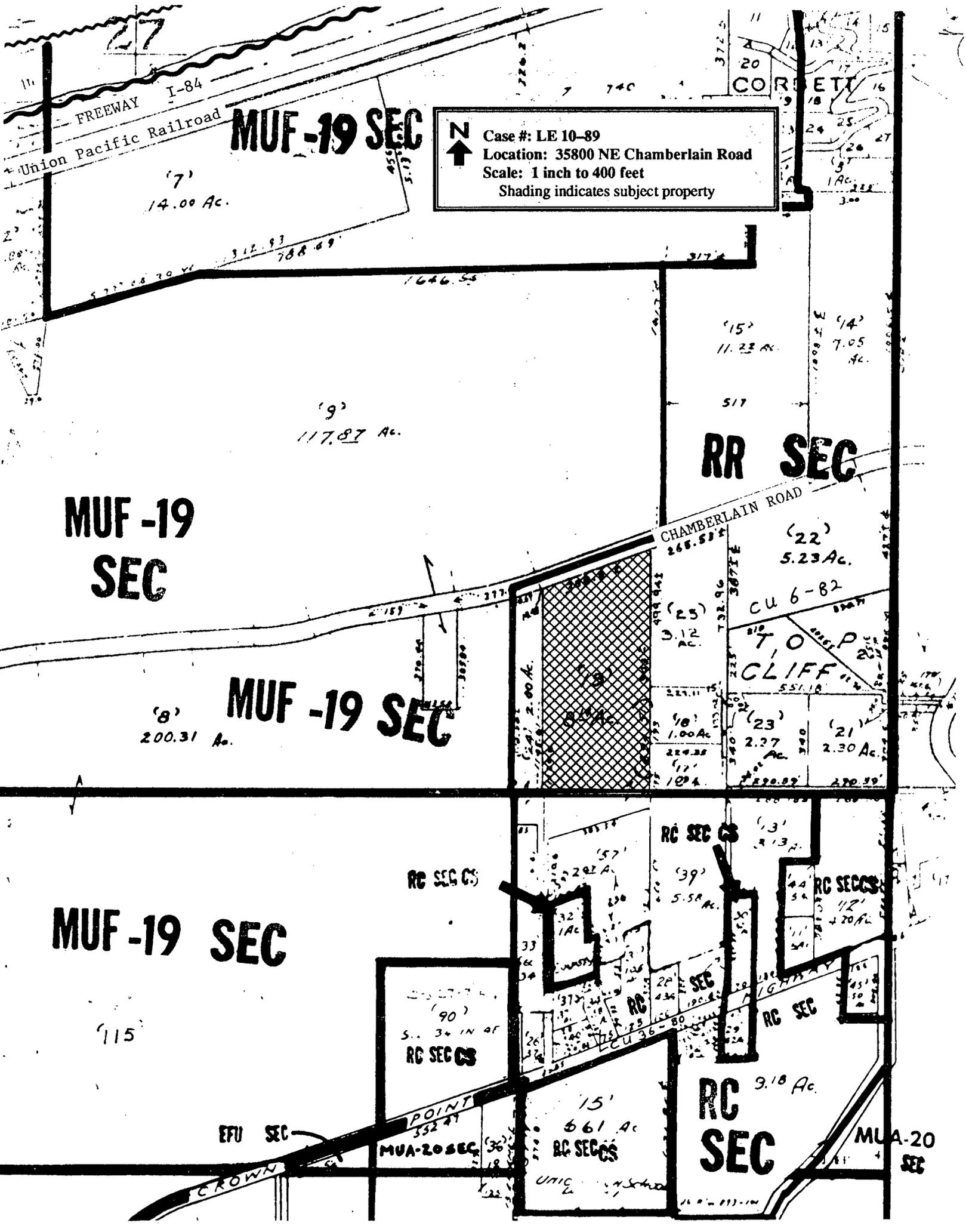
Applicant: David Moir & Frank A. Windust, Jr. c/o Oregon Realty Company
36039 East Crown Point Highway, Corbett, 97019

Comprehensive Plan: Rural Residential/Area of Significant Environmental Concern

Present Zoning: RR, Rural Residential District
SEC, Area of Significant Environmental Concern Area

PLANNING COMMISSION

DECISION: Deny the requested Lot of Exception based on a tie vote of the Planning Commission. The Planning Commission considered the following findings and conclusions in addition to oral and written testimony. A tie vote on the request constitutes a denial.



N
 ↑
 Case #: LE 10-89
 Location: 35800 NE Chamberlain Road
 Scale: 1 inch to 400 feet
 Shading indicates subject property

MUF-19 SEC

MUF-19 SEC

MUF-19 SEC

MUF-19 SEC

RR SEC

CHAMBERLAIN ROAD

RC SEC CS

RC SEC

RC SEC CS

MUA-20 SEC

MUA-20 SEC

EFU SEC

'7'
14.00 Ac.

'9'
117.87 Ac.

'15'
11.23 Ac.

'14'
7.05 Ac.

'22'
5.23 Ac.

'8'
200.31 Ac.

CU 6-82

T.O. CLIFF

'25'
3.12 Ac.

'18'
1.00 Ac.

'23'
2.27 Ac.

'21'
2.30 Ac.

RC SEC CS

'39'
5.58 Ac.

RC SEC CS

'15'

'90'
S... 3+ IN AT
RC SEC CS

'15'
661 Ac.
RC SEC CS

9.18 Ac.

FREEWAY I-84
Union Pacific Railroad

CORRETT

POINT

CROWN

UTIC

RIGHTWAY

27

FREWAY I-84
Union Pacific Railroad

N
↑
Case #: LE 10-89
Location: 35800 NE Chamberlain Road
Scale: 1 inch to 400 feet
Shading indicates subject property

20 CORBETT 16
19 18 17
21 24 25 27

(7)
14.00 Ac.

(30)
19.97 Ac.

(15)
11.22 Ac.

(14)
7.05 Ac.

LD 01-84

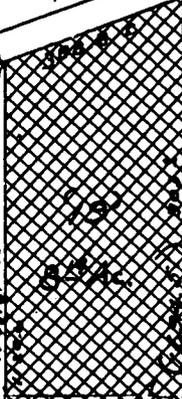
CHAMBERLAIN ROAD

(22)
5.23 Ac.

T.O.P.
CLIFF
551.18'

(23)
2.27 Ac.

(21)
2.20 Ac.



(25)
2.00 Ac.

(18)
2.13 Ac.

(17)
1.00 Ac.

(90)

CROWN POINT HIGHWAY R-A-60

DIST. 39
HIGH SCHOOL

(15)
6.61 Ac.

CORBETT
GRADE SCHOOL
DIST. 39

VINDUST

TAX
LOTTED
IN
SEC
35
A-IN-4

Columbia

Taylor's Landing

Low Water Line

STATE

CORBETT

(5)
25.48 Ac.

MUF-19

(9)
47.73 Ac

RURAL RESIDENTIAL

PROPOSED
LOT OF
EXCEPTION

(19)
8.4 Ac.

TOP
CLIFF

(22)
5.23 Ac.

(23)
2.27 Ac.

(57)
2.72 Ac.

(39)
2.37 Ac.

(12)
4.20 Ac.

(15)
6.61 Ac.

(17)
2.06 Ac.

(76)
23.63 Ac.

(101)
2.00 Ac.

(17)
2.06 Ac.

(58)
2.77 Ac.

(59)
4.22 Ac.

CORBETT RURAL CENTER

MUA-20

(87)
5.22 Ac.

(86)
5.02 Ac.

(81)

CASON-WEST
ESTATES

(11)
4.04 Ac.

(66)
2.02 Ac.

(73)
2.00 Ac.

(53)
2.00 Ac.

(37)
1.91 Ac.

(67)
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(76)
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317

'15'
11.22 Ac.

'14'
7.05
Ac.

517

'22'
5.23 Ac.

5 Ac
'19'

TOPO
CLIFF

'25'
3.12
Ac.

'23'
2.27
Ac.

'21'
2.30
Ac.

'18'
1.00
Ac.

'17'
1.04

'13'
3.13
Ac.

'39'
5.58
Ac.

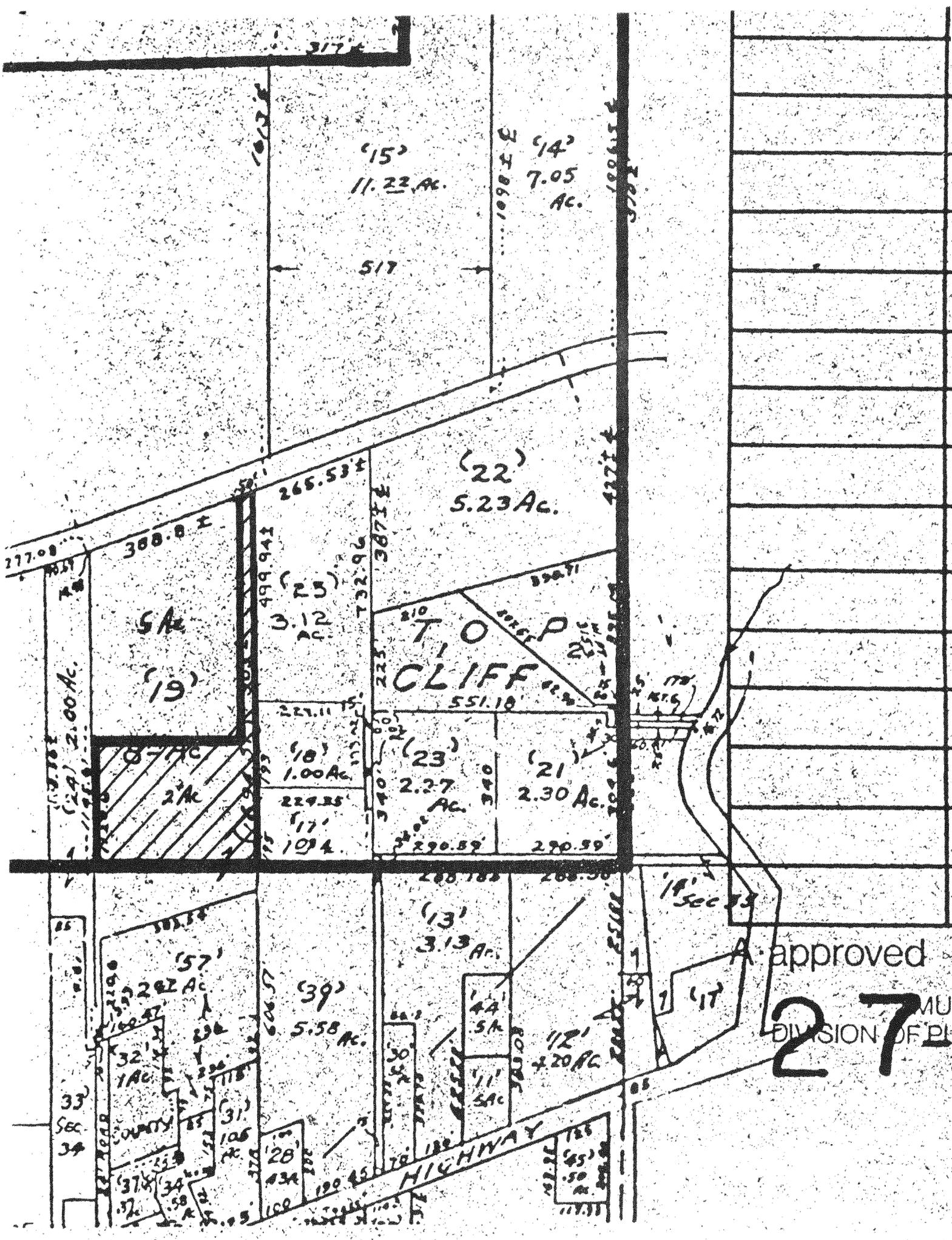
'44'
5 Ac

'11'
5 Ac

'55'
50
Ac.

A. approved

27 MUL
DIVISION OF PL



Findings:

1. **Applicant's Proposal:** Applicant requests approval of a Lot of Exception to create a 2.2-acre and a 5-acre parcel out of the 7.2 acre parent lot. The proposed 5-acre parcel contains a single family residence.
2. **Site and Vicinity Information:** The subject site lies south of Chamberlain Road. A mix of mature coniferous and deciduous trees covers most of the site. The land slopes up from Chamberlain Road. The house on the property, near the north boundary adjacent to Chamberlain Road, was built in 1979. Tax Lot '19' also has access to Crown Point Highway (to the south) through an unnamed 24-foot wide public right-of-way.

The area west and east of the site is zoned RR, Rural Residential. Land immediately north and further west is zoned MUF-19, Multiple Use Forest District. Lands to the south are within the RC, Rural Center District for Corbett. The land between the Corbett Rural Center District and Chamberlain Road is divided into small-acreage residential parcels (see lot size discussion under Criteria #1. below) with several single family homes nestled into this heavily wooded north facing slope. The land north of Chamberlain Road is generally flatter and more open in character. South of the site, the Corbett Rural Center District contains a mix of uses, including the local elementary and high schools, retail shops, offices, light manufacturing businesses, a post office and several residences. The entire Corbett area, including the subject site, is within the Columbia River Gorge National Scenic Area.

3. **Ordinance Considerations:** The subject lot (Tax Lot '19') actually contains 8.14-acres. County zoning provisions recognize this lot as two distinct Lots of Record since it straddles a zone boundary [Reference MCC 11.15.2222(C) &.2262(C)]. The south portion of the lot (approximately 1-acre) lies within the RC, Rural Center District; most of the lot (Approximately 7.2-acres) lies within the RR, Rural Residential District (see attached maps).

Section 11.15.2220(A) specifies findings necessary to create lots with less than 5-acres in the RR District. The following section presents findings regarding the proposed Lot of Exception; the applicable standard is in *bold italics*. Applicant's responses are presented first (*in italics*), followed by staff comments:

A. ***Any exception shall be based on findings that the proposal will:***

- (1) ***Substantially maintain or support the character and stability of the overall land use pattern of the area;***

"The proposed lot of exception is located within the the RR-5 zone, and immediately adjacent to the RC zone for the community of Corbett. This is defined by the close proximity to the Grade, Middle, and high school, the hardware store, post office, water district and telephone company.

The predominant land use is one and two acre lot sizes with residential homes. The largest parcel adjacent to the subject parcel is two acres and no other adjacent parcel supports farm or forest use.

The lot of exception requested is on the same plateau as the community of Corbett. The remainder of the parcel is steep, being part of the terrain that creates the physical northern boundary of the community.

The 3 acre parcel directly to the south did support limited grazing until recently. Currently, the owner of that parcel has a home, rents a building to a 3 man machine shop that produces custom injection plastic molds. The owner uses the pasture to repair and store dump trucks, a caterpillar, a mobile home and other vehicles."

Staff Comments:

The above findings are incorporated and supplemented as follows:

The Columbia River Gorge Commission approved the requested land division in an August 7, 1989 decision by Richard Benner, Executive Director (File No. C89-0139-M-G-12). In item B(2) on page 2 of the decision, the Director found that ...

"Within the immediate surroundings of the subject parcel, there are 24 parcels which range in size from .94 to 5.23 acres. This area is described as the land which lies between the boundaries of Chamberlain Road to the north, the rural center zoning line to the south, a line which lies approximately 100 feet west of the west property line of the subject parcel, and the east line of the Cason West Estates subdivision. Twenty-two of these parcels are less than three acres in size. The average parcel size within the described rural residential enclave is 2.2 acres."

The "area" described above is suitable for assessing this proposal for several reasons: all properties in the described area are zoned RR, Rural Residential; all are within the generally north facing wooded slope between the Corbett Rural Center and the "shelf" or plateau north of Chamberlain Road; and most parcels are small acreages with rural non-farm residences.

- (2) *Be situated upon land generally unsuitable for the production of farm crops and livestock or for forest use, considering the terrain, adverse soil or land conditions, drainage and flooding, vegetation, and the location or size of the tract;*

"Currently the parcel is forested with alder, maple and a few fir and cedar; all with little commercial value. For proper forest management the parcel would have to be clear cut and replanted. Since more than four acres of the site is steep, several erosion problems would be created with a clear cut action. Timber cutting would be hazardous to nearly every adjacent property. Only two acres could be used for farm use, the rest being too steep for safe equipment use or erosion control."

Staff Comments

Staff concurs with applicant's response; the following supplements their findings:

The size and location of the subject property render it "generally unsuitable" for farm or forest production. The parcel covers only 7.2 acres and is located within an area of much smaller residentially developed properties. Adjacent parcels are not used for agricultural or forest purposes. Farm and forest resource lands typical to the greater Corbett area typically require much larger tracts of land and lower residential densities.

(3) ***Be compatible with accepted farming or forestry practices on adjacent lands;***

"There is no forestry or farming use on adjacent properties. With the exception of one parcel all are suburban like houses or mobile homes situated on very small parcels. The remaining parcel has an open field that was overgrazed and no longer is in production. It is now used to store vehicles, a mobile home and equipment."

Staff Comment:

Staff concurs with applicant's findings.

(4) ***Be consistent with the purposes described in MCC .2202;***

11.15.2202 Purposes

The purposes of the Rural Residential District are to provide areas for residential use for those persons who desire rural living environments; to provide standards for rural land use and development consistent with desired rural character, the capability of the land and natural resources; to manage the extension of public services; to provide for the extension of public services; to provide for public review of non-residential use proposals and to balance the public's interest in the management of community growth with the protection of individual property rights through review procedures and flexible standards.

"The granting of this application will insure that the property will remain in substantially the same condition as it is currently. The approval by the Columbia River Gorge Commission stipulates that tree removal will not occur. This will insure that the adjacent property owners will not be adversely affected in the future."

Staff Comments:

The proposed Lot of Exception will provide a 2.2 acre building site in an area characterized by rural residential development on lots of the same general size (reference finding #1. above). The Gorge Commission Director's decision referenced above makes the following finding on pages 2 and 3 ...

"The subject parcel is situated in a rural landscape setting, characterized as a rural residential enclave of a relatively moderate density. The proposed land division would create parcels at a density consistent with that of the identified rural residential enclave.

Three parcels, including the subject parcel, within this cluster of residential development have the potential of being further divided without creating lots

uncharacteristically small for the area. The density created by this proposal is consistent with that of parcels in the immediate area.

The greater Corbett area outside the identified enclave, is characteristic of lower densities. If the densities proposed in this application were applied to these lands, a cumulative effect resulting from a change to a developed setting would occur. However, because the densities created by the proposed land division would only apply within the described rural residential enclave, the proposal will not change the landscape setting, either individually or cumulatively."

Staff concurs that the 2.2-acre lot size is consistent with the described "area" and the resulting single family residential site is consistent with the purposes of the RR District. Further, by defining the "area" somewhat narrowly as in the Gorge Commission decision, the Lot of Exception in this case would not create a precedent supporting further land divisions in the described "area". This conclusion is based on the fact that only one other parcel in the "area" exceeds 5-acres in size; that being Tax Lot '22' in the same section with 5.23 acres. This size is impracticable for a Lot of Exception (refer to criteria B(1)&(2) below).

- (5) *Satisfy the applicable standards of water supply, sewage disposal and minimum access;*

"Corbett water district currently has more than adequate pressure and volume to the proposed 2.2 acre parcel. The existing home is currently served by a water line on Chamberlain Road.

The soil on the property is considered excellent for septic systems, failures in the area have not occurred and permits have not been denied in the area.

Access to the property is via a 25' country road from Crown Point Highway; then via a jointly owned driveway approximately 28' wide. This driveway was constructed approximately 25 years ago, jointly to serve the southern portion of the subject and adjacent properties. Electric and telephone services already border the 2.2 acre parcel."

Staff Comments:

Engineering Services indicates the division of the property will require deed restrictions along both right-of-way frontages.

- (6) *Not require public services beyond those existing or programmed for the area.*

"Corbett water district serves the property. More than adequate flow and pressure is available. Portland General Electric provides the electricity and has service lines to the property. Cascade Utilities provides telephone service and has a line to the property. Corbett Fire District provides fire protection and the property is within one mile of the fire station. Corbett School District provides educational services. The grade, middle and high schools are less than 1/2 mile from the property. The property is served by a county road and although the gravel surface is narrow, the road is flat and straight and has a deeded width of 24'.

The grass shoulders are flat and in most places vehicles can pass. Minimal maintenance in brush clearing and graveling would allow two full lanes of traffic. The remaining distance to the property is via a co-owned lane built by the previous owner of subject property, approximately 25 years ago, to serve said property. The lane is gently sloping, straight, 28' wide, by approximately 200' long. It currently serves one home."

Staff Comments:

The proposed Lot of Exception has its required frontage on Chamberlain Road. Applicant indicates the lot will have driveway access through an easement on the one acre lot immediately south of the Lot of Exception. County Planning Commission approval is not required for an easement access if a lot has legal frontage on a right-of-way. Staff has not identified new public services which would be required to serve the Lot of Exception.

B. *No Lot of Exception shall be approved unless:*

- (1) *The Lot of Record to be divided exceeds the area requirements of MCC .2218(A), and*
- (2) *The division will create no more than one lot which is less than the minimum area required in MCC .2218(A).*

Staff Comments:

MCC .2218(A) specifies a five acre minimum lot size for the RR District except as provided by the Lot of Exception process. The subject site covers approximately 7.2 acres and therefore exceeds the five acre requirement noted in item B(1) above. The proposed division would create only one lot with less than five acres; therefore this request complies with item B(2) above.

CONCLUSIONS

1. The proposal satisfies standards for granting a Lot of Exception in the RR, Rural Residential District.
2. Conditions of approval are necessary to assure the partition satisfies the County Land Division Ordinance requirements and that future development on the new building site is consistent with the Columbia River Gorge Area of Significant Environmental Concern.

In the Matter of LE 10-89


By: Richard Leonard, Chairman
October 9, 1989

Filed With the Clerk of the Board on October 19, 1989

Appeal to the Board of County Commissioners

Any person who appears and testifies at the Planning Commission hearing, or who submits written testimony in accord with the requirements on the prior Notice, and objects to their recommended decision, may file a Notice of Review with the Planning Director on or before 4:30 p.m. on Monday, November 6, 1989 on the required Notice of Review Form which is available at the Planning and Development Office at 2115 SE Morrison Street.

The Decision on this item will be reported to the Board of County Commissioners for review at 9:30 a.m. on Tuesday, November 7 1989 in Room 602 of the Multnomah County Courthouse. For further information call the Multnomah County Planning and Development Division at 248-3043.



Department of Environmental Services
Division of Planning and Development
2115 SE Morrison Street
Portland, Oregon 97214 (503) 248-3043

Decision
October 9, 1989

LE 11-89, #646

Lot of Exception
(Land Division)

Applicant requests a land division under "Lot of Exception" provisions of the RR, rural residential zoning district, to divide a 6.5-acre parcel into a 1.5-acre and a 5-acre parcel.

Location: 2207 NE Corbett Hill Road

Legal: Tax Lot '3', Section 26, 1N-4E,
1989 Assessor's Map

Site Size: Approximately 6.5 Acres

Size Requested: Same

Property Owner: Myrtle C. Windust
c/o Powell Valley Residential Center
4001 SE 182nd Avenue, Gresham, 97030

Applicant: Myrtle C. Windust / Frank A. Windust, Jr. c/o Oregon Realty Company
36039 East Crown Point Highway, Corbett, 97019

Comprehensive Plan: Rural Residential/Area of Significant Environmental Concern

Present Zoning: RR, Rural Residential District
SEC, Area of Significant Environmental Concern Area

PLANNING COMMISSION

DECISION: **Deny** a 1.5-acre Lot of Exception based on a tie vote of the Planning Commission. The Planning Commission considered the following findings and conclusions in addition to oral and written testimony. A tie vote on the request constitutes a denial.

FF

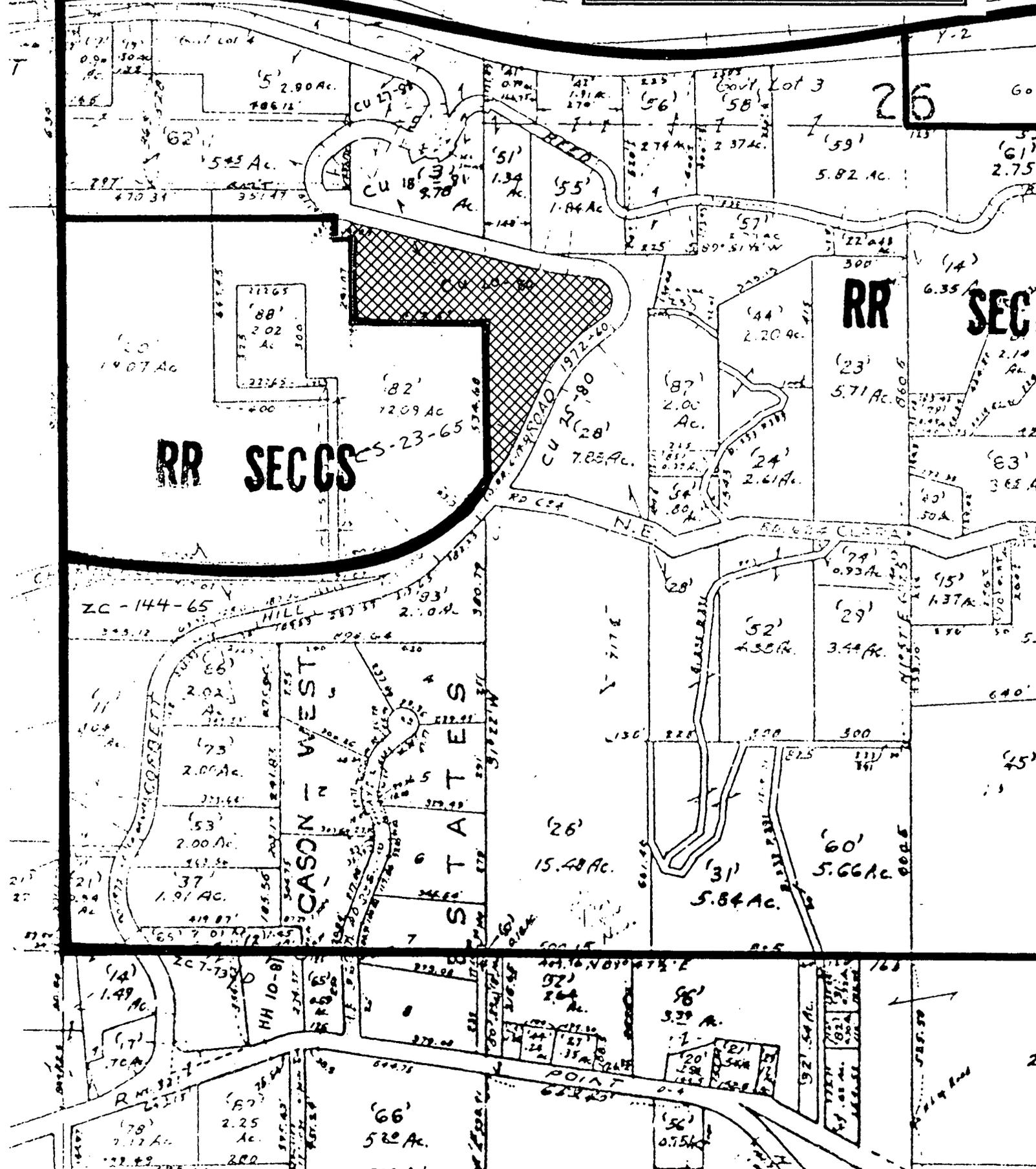


Case #: LE 11-89

Location: 2207 NE Corbett Hill Road

Scale: 1 inch to 400 feet

Shading indicates subject property



26

RR SECS

RR SEC

CASSON WEST STATES

POINT

ZC-144-65

ZC-7-139-D

'66' 5.20 Ac.

'60' 5.66 Ac.

'26' 15.48 Ac.

'31' 5.84 Ac.

'29' 3.44 Ac.

'52' 4.50 Ac.

'87' 2.00 Ac.

'24' 2.61 Ac.

'23' 5.71 Ac.

'82' 12.09 Ac.

'28' 7.83 Ac.

'80' 2.02 Ac.

'54' 5.45 Ac.

'51' 1.34 Ac.

'55' 1.84 Ac.

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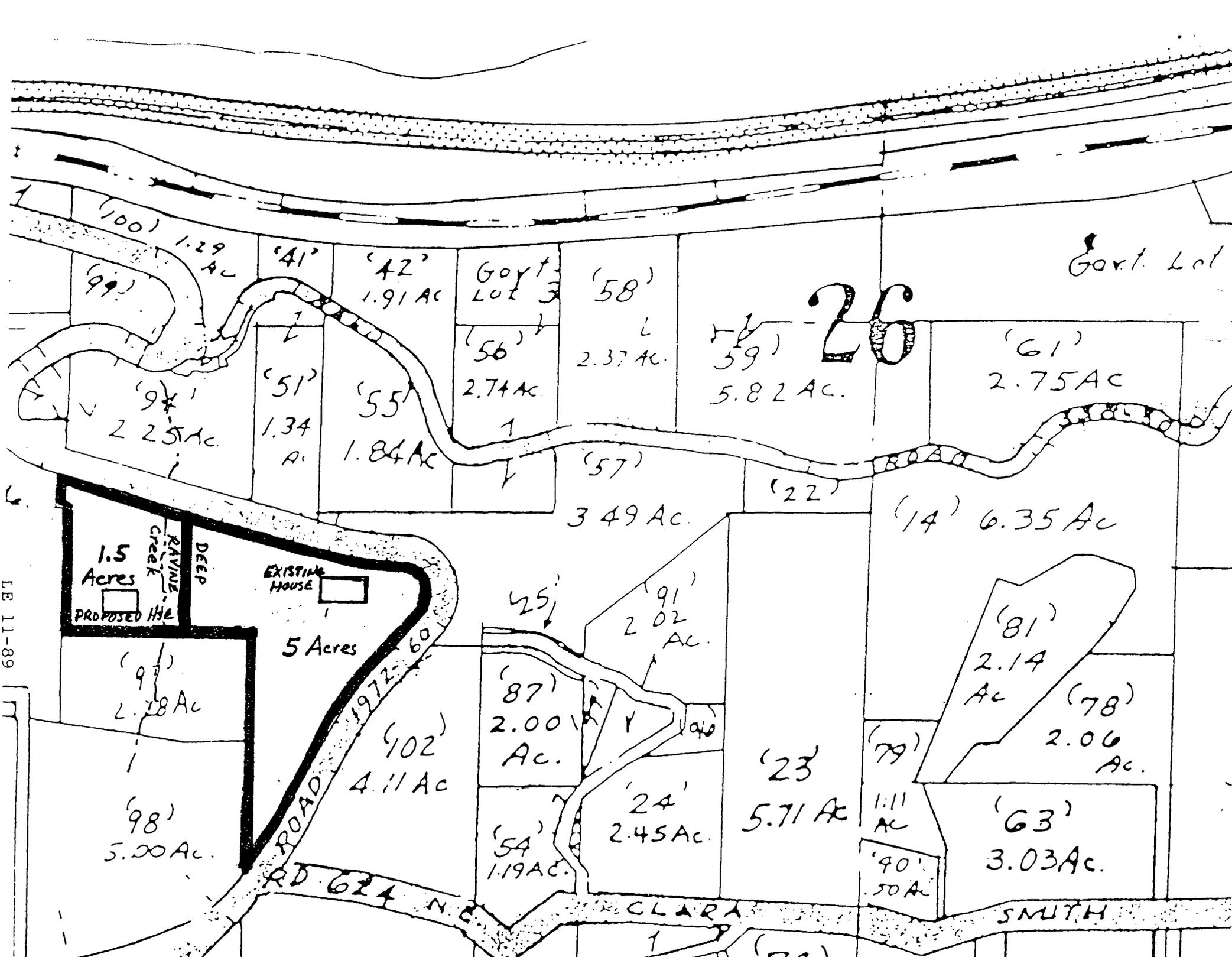
'33' 2.00 Ac.

'34' 2.00 Ac.

'35' 2.00 Ac.

'36' 2.00 Ac.

'37'



Govt Lot

26

(100) 1.29 AC

'41'

'42' 1.91 AC

Govt Lot 3

'58' 2.37 AC

(99)

'56' 2.74 AC

'59' 5.82 AC

'61' 2.75 AC

'94' 2.25 AC

'51' 1.34 AC

'55' 1.84 AC

'57' 3.49 AC

'22'

'14' 6.35 AC

1.5 Acres
PROPOSED HSE

DEEP RAVINE CREEK

EXISTING HOUSE

5 Acres

'25'

'91' 2.02 AC

'97' 2.78 AC

'87' 2.00 AC

'81' 2.14 AC
'78' 2.06 AC

'98' 5.00 AC

'102' 4.11 AC

'54' 1.19 AC

'24' 2.45 AC

'23' 5.71 AC

'79' 1.11 AC

'63' 3.03 AC

RD 624 NE

CLARA

SMITH

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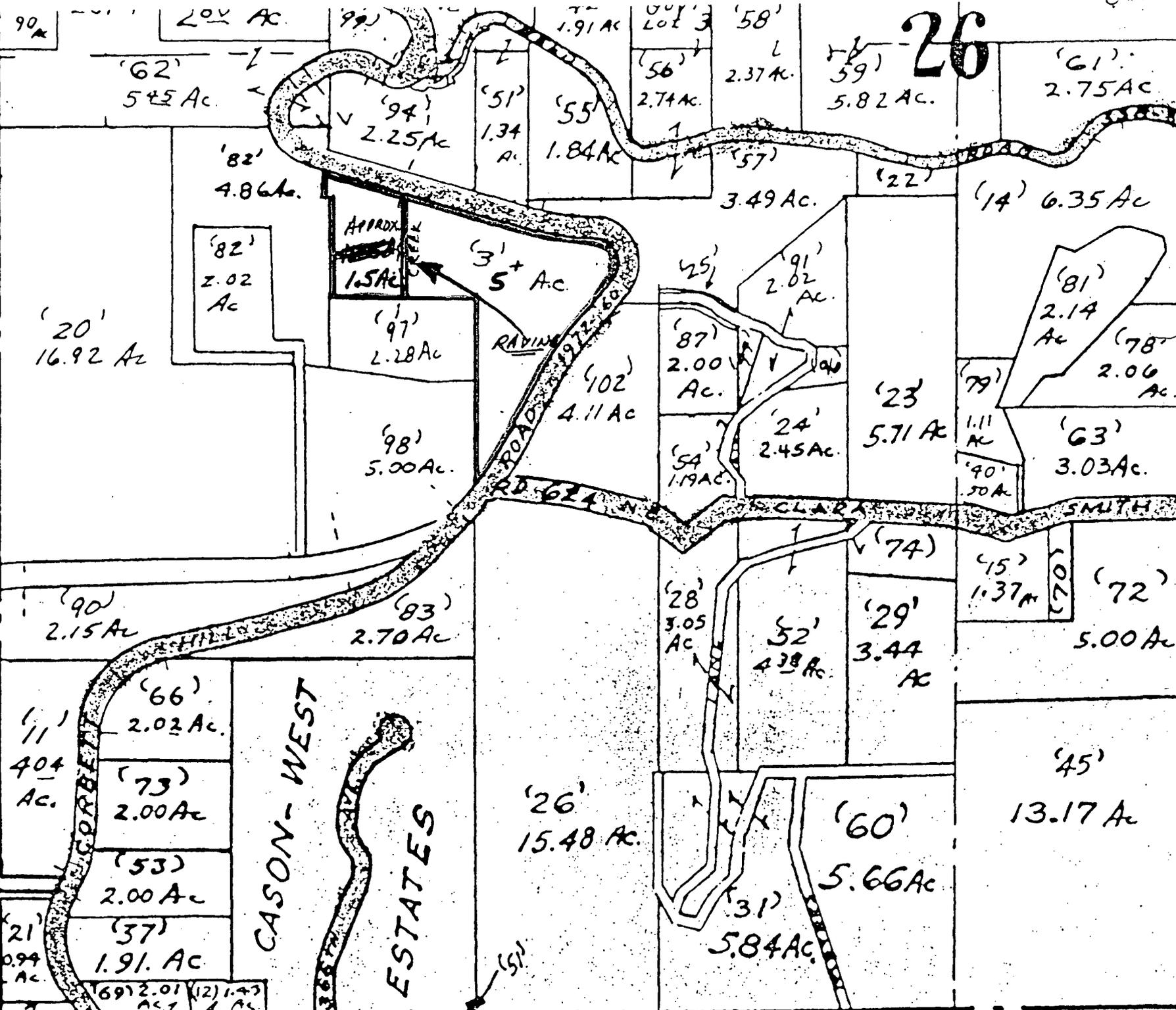
'70'

LE 11-89

ORBETT

26

(6) .42 Ac
(31) 1 Ac



LE 11-89

TOP CLIFF

CASON-WEST
ESTATES

(23) .57 Ac
(21) 2.30 Ac
(21) 0.99 Ac

(69) 2.01 Ac
(12) 1.43 Ac

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(26) 15.48 Ac

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(31) 5.84 Ac

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(72) 5.00 Ac

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(82) 4.86 Ac

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Findings:

1. **Applicant's Proposal:** Applicant requests approval of a Lot of Exception to create a 1.5-acre and a 5-acre parcel out of the 6.5 acre parent lot. The proposed 5-acre parcel contains a single family residence.
2. **Site and Vicinity Information:** The subject site lies north of Chamberlain Road. Corbett Hill Road bounds the site on the north and east. A mix of mature coniferous and deciduous trees covers most of the site. The site is generally flat with a steep bluff along the north boundary. The west portion of the site is steeper land, and is traversed by a creek flowing north. The house on the property was built in 1981.

The site and area is zoned RR, Rural Residential. Lands further south (approximately 1/2 mile) are within the RC, Rural Center District for Corbett. The RR zoned lands between Chamberlain Road-Clara Smith Road and Interstate 84 are generally divided into small-acreage residential parcels (see lot size discussion under Criteria #1. below) with several single family homes nestled into this partially wooded north facing slope. The entire Corbett area, including the subject site, is within the Columbia River Gorge National Scenic Area.

3. **Ordinance Considerations:** Section 11.15.2220(A) specifies findings necessary to create lots with less than 5-acres in the RR District. The following section presents findings regarding the proposed Lot of Exception; the applicable standard is in *bold italics*. Applicant's responses are presented first (*in italics*), followed by staff comments:

A. *Any exception shall be based on findings that the proposal will:*

- (1) *Substantially maintain or support the character and stability of the overall land use pattern of the area;*

"The subject property is bordered on the north by parcels that are 2.25, 1.34 and 1.84 (acres) in size and all developed with single family residences. The most immediate parcels to the east are 3.49, 2.02, 2.45, 2.0, 1.19, and 4.1 acres in size and are all developed with single family residences. To the south is a 15 acre parcel undeveloped due to the terrain and to the west are parcels that are 5, 2.28, 2.02 and 4.86 acres in size and mostly all developed with single-family residences. Due to the numerous other small non-resource rural residential used parcels adjacent to and nearby the subject property, the granting of this Lot of Exception request would substantially maintain or support the character and stability of the overall land use patterns of the area."

Staff Comments:

The above findings are incorporated, except as modified and supplemented below:

The subject tax lot '3' is surrounded by properties averaging 2.97 acres in size. The "area" is bounded by Interstate-84 on the north, the west boundary of Section 26, 1N-4E on the west,

Chamberlain and Clara Smith roads on the south and the east boundaries of tax lots '23','22', and '59' on the east. The area described above is shaded on the vicinity map on page 5.

The "area" described above is suitable for assessing this proposal for several reasons: all properties in the described area are zoned RR, Rural Residential; all are within the generally north facing wooded slope between the Corbett Rural Center and Interstate-84; and most parcels are developed with rural non-farm residences (see additional discussion under (4) below).

- (2) *Be situated upon land generally unsuitable for the production of farm crops and livestock or for forest use, considering the terrain, adverse soil or land conditions, drainage and flooding, vegetation, and the location or size of the tract;*

"The terrain on over 50% of the subject property is too steep for any farming activity to occur. Taking out the steep areas and the creek area and the ravine it is in which divides the property leaves very little area that could be used for anything other than residential. The configuration of the total parcel, as you can see, as well as the overall size of the parcel makes it generally if not totally unsuitable for the production of crops or any type of forest use. Weather conditions would also render this site unuseable for any forest use as you can see from the wind damaged trees presently on the site. The location of this site amongst other small residential development also makes this site unsuitable for farm or forest production."

Staff Comments

Staff concurs with applicant's response; the following supplements their findings:

The size and location of the subject property render it "generally unsuitable" for farm or forest production. The parcel covers only 6.5 acres and is located within an area of much smaller residentially developed properties. Adjacent parcels are not used for agricultural or forest purposes. Farm and forest resource lands typical to the greater Corbett area typically require much larger tracts of land and lower residential densities.

- (3) *Be compatible with accepted farming or forestry practices on adjacent lands;*

"No farming or forestry practices are being carried on on any of the parcels adjacent to this property. The only property that would even be capable of any such use is to the west and due to the size and terrain even it would be a very marginal operation since only about 3 acres of it is level enough."

Staff Comment:

Staff concurs with applicant's findings.

- (4) *Be consistent with the purposes described in MCC .2202;*

11.15.2202 Purposes

The purposes of the Rural Residential District are to provide areas for residential use for those persons who desire rural living environments; to provide standards

for rural land use and development consistent with desired rural character, the capability of the land and natural resources; to manage the extension of public services; to provide for the extension of public services; to provide for public review of non-residential use proposals and to balance the public's interest in the management of community growth with the protection of individual property rights through review procedures and flexible standards.

"This proposal meets all provisions and is consistent with the purposes described in MCC .2202."

Staff Comments:

The proposed Lot of Exception will provide a 1.5 acre building site in an area characterized by rural residential development on lots of the same general size. The subject parcel is situated in a rural landscape setting, characterized by rural residential development of a relatively moderate density. The proposed land division would create parcels at a density consistent with that of the identified rural residential enclave. There are 32 parcels within the "area" described above (see shaded area on the map on page 5). The average parcel size is 2.97 acres. If the Lot of Exception is approved, the average lot size in this 95-acre "area" would be 2.88 acres.

Five parcels, including the subject parcel, within this cluster of residential development exceed 5-acres in area and therefore have land division potential under Lot of Exception provisions. However, three of these only exceed 5-acres by a fraction of an acre: Tax Lot '62' - 5.45 acres; Tax Lot '59' - 5.82 acres; and Tax Lot '23' - 5.71 acres. These sizes are impracticable for a Lot of Exception (refer to criteria B(1)&(2) below). Only the subject parcel and Tax Lot '20' (with 7.51 acres) could reasonably be expected to meet Lot of Exception criteria. Therefore, the request does not create a precedent supporting excessive land divisions in the greater Corbett area nor within the described "area" of this application.

The greater Corbett area outside the identified enclave, is characterized by lower densities. If the densities proposed in this application were applied to these lands, a cumulative effect to a more developed setting would occur. However, because the densities created by the proposed land division would only apply within the described "area", the proposal will not compromise the RR district generally or the resource zoned areas around Corbett.

Staff concludes that the 1.5-acre lot size is consistent with the described "area" and the resulting single family residential site is consistent with the purposes of the RR District.

- (5) *Satisfy the applicable standards of water supply, sewage disposal and minimum access;*

"The Corbett Water District main line is adjacent to the subject property along Corbett Hill Road, and adequate water is available according to the Corbett Water District to serve this site. The soils in this area, sandy loam, have no history of having problems with septic system failures and should perk without any problems. Adequate access can be provided from Corbett Hill Road and power and telephone services also are available and within easy access from Corbett Hill Road."

Staff Comments:

Engineering Services indicates the division of the property will require deed restrictions along the right-of-way frontage.

- (6) *Not require public services beyond those existing or programmed for the area.*

"The property is served by all necessary services, Corbett Water, Portland General Electric, Cascade Utilities (phone), Corbett Fire Department, and Corbett Schools. There are no required services beyond those existing at this time."

Staff Comments:

The proposed Lot of Exception has its required frontage on Corbett Hill Road. Applicant indicates the lot will have driveway access through an easement on lots immediately south of the Lot of Exception. County Planning Commission approval is not required for an easement access if a lot has legal frontage on a right-of-way. Staff has not identified new public services which would be required to serve the Lot of Exception.

B. *No Lot of Exception shall be approved unless:*

- (1) *The Lot of Record to be divided exceeds the area requirements of MCC .2218(A), and*
- (2) *The division will create no more than one lot which is less than the minimum area required in MCC .2218(A).*

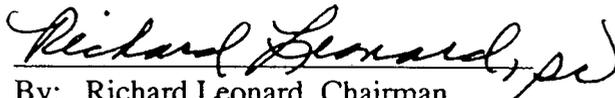
Staff Comments:

MCC .2218(A) specifies a five acre minimum lot size for the RR District except as provided by the Lot of Exception process. The subject site covers approximately 6.5 acres and therefore exceeds the five acre requirement noted in item B(1) above. The proposed division would create only one lot with less than five acres; therefore this request complies with item B(2) above.

CONCLUSIONS

1. The proposal satisfies standards for granting a Lot of Exception in the RR, Rural Residential District.
2. Conditions of approval are necessary to assure the partition satisfies the County Land Division Ordinance requirements and that future development on the new building site is consistent with the Columbia River Gorge Area of Significant Environmental Concern.

In the Matter of LE 11-89


By: Richard Leonard, Chairman
October 9, 1989

Filed With the Clerk of the Board on October 19, 1989

Appeal to the Board of County Commissioners

Any person who appears and testifies at the Planning Commission hearing, or who submits written testimony in accord with the requirements on the prior Notice, and objects to their recommended decision, may file a Notice of Review with the Planning Director on or before 4:30 p.m. on Monday, November 6, 1989 on the required Notice of Review Form which is available at the Planning and Development Office at 2115 SE Morrison Street.

The Decision on this item will be reported to the Board of County Commissioners for review at 9:30 a.m. on Tuesday, November 7 1989 in Room 602 of the Multnomah County Courthouse. For further information call the Multnomah County Planning and Development Division at 248-3043.



MULTNOMAH COUNTY OREGON

DEPARTMENT OF ENVIRONMENTAL SERVICES
DIVISION OF PLANNING
AND DEVELOPMENT
2115 S.E. MORRISON STREET
PORTLAND, OREGON 97214
(503) 248-3043

BOARD OF COUNTY COMMISSIONERS
GLADYS McCOY • CHAIR OF THE BOARD
PAULINE ANDERSON • DISTRICT 1 COMMISSIONER
GRETCHEN KAFOURY • DISTRICT 2 COMMISSIONER
RICK BAUMAN • DISTRICT 3 COMMISSIONER
SHARRON KELLEY • DISTRICT 4 COMMISSIONER

November 1, 1989

Honorable Board of County Commissioners
Room 605, Multnomah County Courthouse
1021 SW Fourth Avenue
Portland, Oregon 972904

RE: **Auto Wrecker's License - New**

Jack H. Benson
dba A and B Automotive and Towing, Inc.
5838 SE 111th Avenue
(Zoned LM, Light Manufacturing District)

Recommend: Approval of Business Location

Dear Commissioners;

The staff of the Division of Planning and Development respectfully recommends that the above license be approved, based upon findings that they satisfy the location requirements for same as contained in ORS 822.10 and .135.

Sincerely,

MULTNOMAH COUNTY DIVISION OF PLANNING AND DEVELOPMENT

Robert N. Hall, Senior Planner

RNH:sec

Enclosure - Wrecker's Application



APPLICATION FOR BUSINESS CERTIFICATE

AS A WRECKER OF MOTOR VEHICLES OR SALVAGE POOL OPERATOR

ORIGINAL
 RENEWAL

Receipt # 364

NOTES: FAILURE TO ACCURATELY COMPLETE THIS FORM WILL CAUSE UNAVOIDABLE DELAY.
PLEASE TYPE OR PRINT LEGIBLY WITH INK.
DO NOT SUBMIT THIS APPLICATION WITHOUT YOUR SURETY BOND AND THE REQUIRED FEE.

CERTIFICATE NO: _____

1	NAME (CORPORATION AND/OR ASSUMED BUSINESS NAME) A & B -- AUTOMOTIVE AND TOWING -- INC			BUSINESS TELEPHONE 760-7369
2	MAIN BUSINESS LOCATION (STREET AND NUMBER) 5838 S.E. 111TH	CITY PORTLAND	ZIP CODE 97266	COUNTY MULT.
3	MAILING ADDRESS 3455 S.E. 21ST AVENUE	CITY PORTLAND	STATE OREGON	ZIP CODE 97202

LIST THE ADDRESSES OF ALL ADDITIONAL BUSINESS LOCATIONS. A SEPARATE APPLICATION FORM MUST BE COMPLETED FOR ANY ADDITIONAL LOCATIONS IN A DIFFERENT CITY.

4	STREET ADDRESS (OFFICE) 3455 SE. 21ST AVENUE	CITY PORTLAND	ZIP CODE 97202	COUNTY MULT.	TELEPHONE 233-5189
5	STREET ADDRESS	CITY	ZIP CODE	COUNTY	TELEPHONE

6	CHECK ORGANIZATION TYPE: <input type="checkbox"/> INDIVIDUAL <input type="checkbox"/> PARTNERSHIP <input checked="" type="checkbox"/> CORPORATION	IF CORPORATION, LIST THE STATE UNDER WHOSE LAW BUSINESS IS INCORPORATED: OREGON
---	--	--

LIST NAME AND RESIDENCE ADDRESS OF ALL INDIVIDUAL OWNERS, PARTNERS OR PRINCIPAL CORPORATE OFFICERS

7	NAME JACK H. BENSON	TITLE PRESIDENT	DATE OF BIRTH 7-14-49	RESIDENCE TELEPHONE (503) 655-5930
8	RESIDENCE ADDRESS 6131 CHURCHILL DOWNS DRIVE	CITY WEST LINN	STATE OREGON	ZIP CODE 97066
9	NAME	TITLE	DATE OF BIRTH	RESIDENCE TELEPHONE ()
10	RESIDENCE ADDRESS	CITY	STATE	ZIP CODE
11	NAME	TITLE	DATE OF BIRTH	RESIDENCE TELEPHONE ()
12	RESIDENCE ADDRESS	CITY	STATE	ZIP CODE

13 THE DIMENSIONS OF THE PROPERTY ON WHICH THE BUSINESS IS LOCATED ARE 122.65 ft. x 697.2 ft.

I CERTIFY THAT I AM THE APPLICANT OR AN AUTHORIZED REPRESENTATIVE AND THAT ALL INFORMATION ON THIS APPLICATION IS ACCURATE AND TRUE. I ALSO CERTIFY THAT THE RIGHT OF WAY OF ANY HIGHWAY ADJACENT TO THE LOCATION(S) LISTED ABOVE IS USED FOR ACCESS TO THE PREMISES AND PUBLIC PARKING.

14	NAME JACK H. BENSON	TITLE PRESIDENT	RESIDENCE TELEPHONE (503) 655-5930
15	ADDRESS, CITY, STATE, ZIP CODE 6131 CHURCHILL DOWNS DR. WEST LINN OREG.	SIGNATURE <i>Jack H. Benson</i>	DATE 10/24/85

16 APPROVAL: I CERTIFY THAT THE GOVERNING BODY OF THE CITY COUNTY OF _____ HAS:

A) APPROVED THE APPLICANT AS BEING SUITABLE TO ESTABLISH, MAINTAIN OR OPERATE A WRECKING YARD OR BUSINESS (ORIGINAL APPLICATIONS ONLY).

B) DETERMINED THAT THE LOCATION OR PROPOSED LOCATION MEETS THE REQUIREMENTS FOR LOCATION UNDER OREGON REVISED STATUTE 822.110.

C) DETERMINED THAT THE LOCATION DOES NOT VIOLATE ANY PROHIBITION UNDER OREGON REVISED STATUTE 822.135.

D) APPROVED THE LOCATION AND DETERMINED THAT THE LOCATION COMPLIES WITH ANY REGULATIONS ADOPTED BY THE JURISDICTION UNDER OREGON REVISED STATUTE 822.140.

I ALSO CERTIFY THAT I AM AUTHORIZED TO SIGN THIS APPLICATION AND AS EVIDENCE OF SUCH AUTHORITY DO AFFIX HEREON THE SEAL OR STAMP OF THE CITY OR COUNTY.

FEE: \$54.00

PLACE STAMP OR SEAL HERE

17	NAME	TITLE
18	SIGNATURE	DATE

SUBMIT APPLICATION AND SURETY BOND, WITH ALL REQUIRED FEES AND SIGNATURES TO:
BUSINESS LICENSING UNIT
1905 LANA AVE. NE
SALEM, OR 97314-2350



MULTNOMAH COUNTY OREGON

BOARD OF COUNTY COMMISSIONERS
ROOM 605, COUNTY COURTHOUSE
1021 S.W. FOURTH AVENUE
PORTLAND, OREGON 97204

GLADYS McCOY • CHAIR • 248-3308
PAULINE ANDERSON • DISTRICT 1 • 248-5220
GRETCHEN KAFOURY • DISTRICT 2 • 248-5219
RICK BAUMAN • DISTRICT 3 • 248-5217
SHARRON KELLEY • DISTRICT 4 • 248-5213
JANE McGARVIN • Clerk • 248-3277

BOARD OF COUNTY COMMISSIONERS

Tuesday, November 7, 1989

9:30 a.m., Room 602

AGENDA

The following Decisions are reported to the Board for acknowledgement by the Presiding Officer:

LE 10-89

Deny requested Lot of Exception, based upon a tie vote of the Planning Commission. The Planning Commission considered the attached Findings and Conclusions in addition to oral and written testimony. A tie vote on the request constitutes a denial.

LE 11-89

Deny requested 1.5-acre Lot of Exception, based upon a tie vote of the Planning Commission. The Planning Commission considered the attached Findings and Conclusions in addition to oral and written testimony. A tie vote on the request constitutes a denial.

Other Item for Board Action

Auto Wrecker's License - Original

Submitted to the Board with a recommendation that the same be approved.

Jack H. Benson
(A and B Automotive and Towing, Inc.)
5838 SE 111th Avenue

BOARD OF
COUNTY COMMISSIONERS
1989 NOV 15 PM 4:09
MULTNOMAH COUNTY
OREGON

8. Grounds for Reversal Decision (use additional sheets if necessary):

My proposal complies with the law adopted in Multnomah County. The proposal complies with the spirit and the intent of County Law. The County allows lots of exception for a good reason, included as one of the purposes of the Rural Residential zone. That purpose is: "To Balance the public's interest in the management of community growth with the protection of individual property rights..."

Also this application would have been approved at the planning Comm. hearing had the exact size of the parcel been known at that time.

9. Scope of Review (Check One):

- (a) On the Record
- (b) On the Record plus Additional Testimony and Evidence
- (c) De Novo (i.e., Full Rehearing)

10. If you checked 9(b) or (c), you must use this space to present the grounds on which you base your request to introduce new evidence (Use additional sheets if necessary). For further explanation, see handout entitled Appeal Procedure.

This application went before the planning Commission & was denied by a two to two tie vote. One of the commissioners voting to deny did so due to the fact that we could not provide proof at that hearing that the net size of the parcel was in excess of 6 acres when the County Assessors maps showed it to be 5.5 acres. We now have proof that the parcel exceeds 6 acres, (6.1 acres net) and (7.2 acres gross) that we wish to introduce as new evidence.

Signed: Frank [Signature] Date: November 6, 1989

For Staff Use Only

Fee:

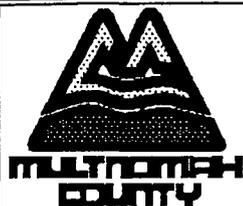
Notice of Review = \$150.00

Transcription Fee:

Length of Hearing _____ x \$1.75/minute = \$ _____

Total Fee = \$ 150.00

Received by: Sharon [Signature] Date: 11/06/89 Case No. SE 11-89



Department of Environmental Services
Division of Planning and Development
2115 SE Morrison Street
Portland, Oregon 97214 (503) 248-3043

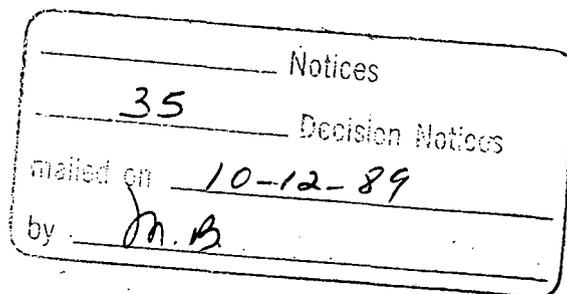
Decision
October 9, 1989

LE 11-89, #646

Lot of Exception
(Land Division)

Applicant requests a land division under "Lot of Exception" provisions of the RR, rural residential zoning district, to divide a 6.5-acre parcel into a 1.5-acre and a 5-acre parcel.

Location: 2207 NE Corbett Hill Road
Legal: Tax Lot '3', Section 26, 1N-4E,
1989 Assessor's Map
Site Size: Approximately 6.5 Acres
Size Requested: Same
Property Owner: Myrtle C. Windust
c/o Powell Valley Residential Center
4001 SE 182nd Avenue, Gresham, 97030



Applicant: Myrtle C. Windust / Frank A. Windust, Jr., c/o Oregon Realty Company
36039 East Crown Point Highway, Corbett, 97019

Comprehensive Plan: Rural Residential/Area of Significant Environmental Concern

Present Zoning: RR, Rural Residential District
SEC, Area of Significant Environmental Concern Area

PLANNING COMMISSION

DECISION: Deny a 1.5-acre Lot of Exception based on a tie vote of the Planning Commission. The Planning Commission considered the following findings and conclusions in addition to oral and written testimony. A tie vote on the request constitutes a denial.

FF

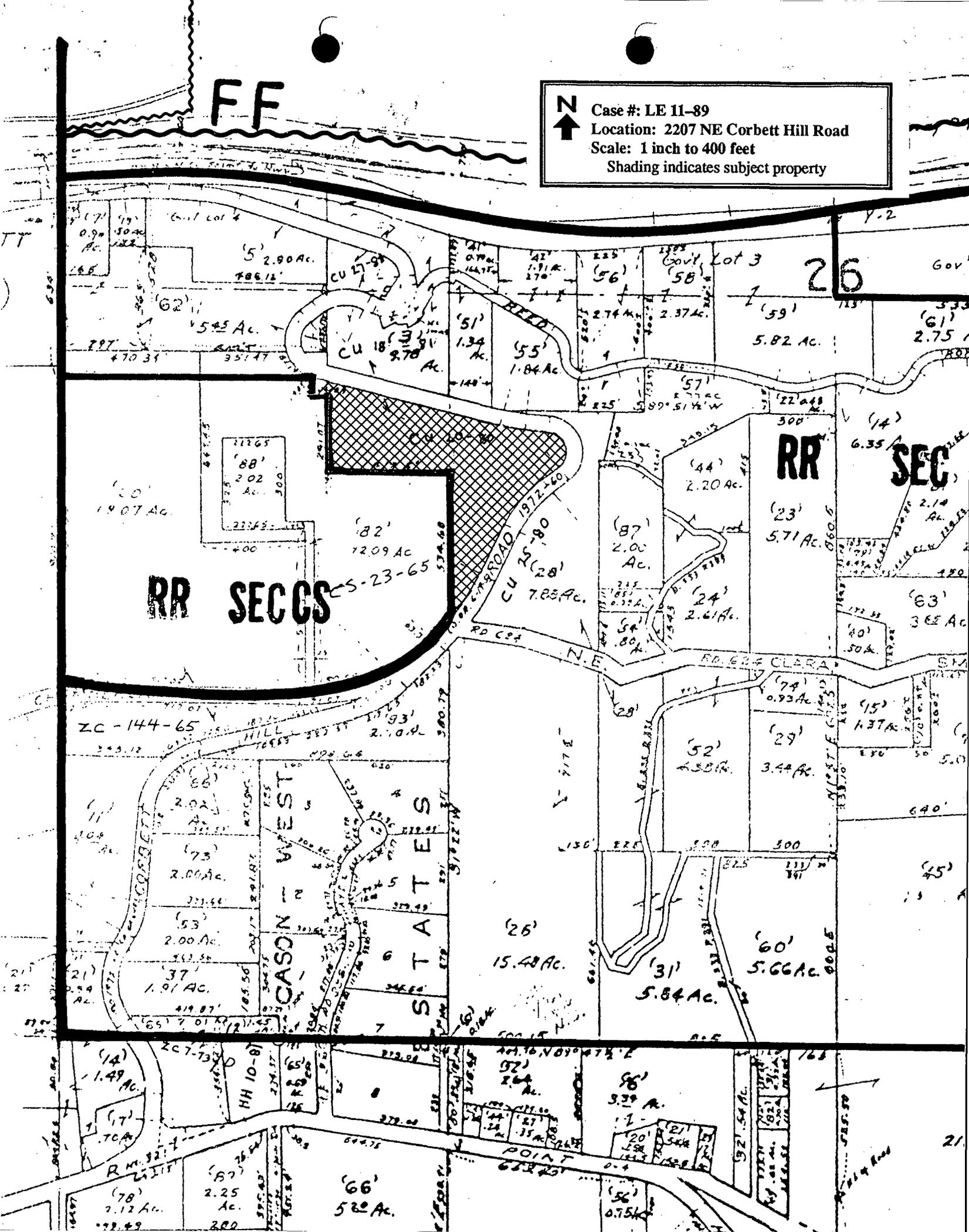


Case #: LE 11-89

Location: 2207 NE Corbett Hill Road

Scale: 1 inch to 400 feet

Shading indicates subject property



26

RR SECS

RR

SEC

CASON - WEST STATES

CLARA

'66' 5.82 Ac.

'31' 5.84 Ac.

'60' 5.66 Ac.

'25' 15.48 Ac.

'82' 12.09 Ac.

'25' 7.88 Ac.

'87' 2.00 Ac.

'23' 5.71 Ac.

'24' 2.61 Ac.

'29' 3.44 Ac.

'52' 6.50 Ac.

'74' 0.93 Ac.

'15' 1.37 Ac.

'45' 5.00 Ac.

'63' 3.62 Ac.

'14' 6.35 Ac.

5.82 Ac.

2.75 Ac.

2.37 Ac.

'55' 1.84 Ac.

'51' 1.34 Ac.

'5' 2.90 Ac.

'54' 5.45 Ac.

'60' 19.07 Ac.

'88' 2.02 Ac.

'17' 0.98 Ac.

'19' 5.04 Ac.

'18' 1.88 Ac.

'16' 1.88 Ac.

'15' 1.88 Ac.

'14' 1.88 Ac.

'13' 1.88 Ac.

'12' 1.88 Ac.

'11' 1.88 Ac.

'10' 1.88 Ac.

'61' 2.75 Ac.

'62' 5.45 Ac.

'63' 3.62 Ac.

'64' 6.35 Ac.

'65' 19.07 Ac.

'66' 5.82 Ac.

'67' 2.00 Ac.

'68' 2.00 Ac.

'69' 2.00 Ac.

'70' 1.91 Ac.

'71' 1.49 Ac.

'72' 2.12 Ac.

'73' 2.25 Ac.

'74' 0.75 Ac.

'27' 2.90 Ac.

'28' 5.45 Ac.

'29' 3.44 Ac.

'30' 6.35 Ac.

'31' 19.07 Ac.

'32' 5.82 Ac.

'33' 2.00 Ac.

'34' 2.00 Ac.

'35' 2.00 Ac.

'36' 1.91 Ac.

'37' 1.49 Ac.

'38' 2.12 Ac.

'39' 2.25 Ac.

'40' 0.75 Ac.

'41' 2.90 Ac.

'42' 5.45 Ac.

'43' 3.44 Ac.

'44' 6.35 Ac.

'45' 19.07 Ac.

'46' 5.82 Ac.

'47' 2.00 Ac.

'48' 2.00 Ac.

'49' 2.00 Ac.

'50' 1.91 Ac.

'51' 1.49 Ac.

'52' 2.12 Ac.

'53' 2.25 Ac.

'54' 0.75 Ac.

'55' 2.90 Ac.

'56' 5.45 Ac.

'57' 3.44 Ac.

'58' 6.35 Ac.

'59' 19.07 Ac.

'60' 5.82 Ac.

'61' 2.00 Ac.

'62' 2.00 Ac.

'63' 2.00 Ac.

'64' 1.91 Ac.

'65' 1.49 Ac.

'66' 2.12 Ac.

'67' 2.25 Ac.

'68' 0.75 Ac.

'69' 2.90 Ac.

'70' 5.45 Ac.

'71' 3.44 Ac.

'72' 6.35 Ac.

'73' 19.07 Ac.

'74' 5.82 Ac.

'75' 2.00 Ac.

'76' 2.00 Ac.

'77' 2.00 Ac.

'78' 1.91 Ac.

'79' 1.49 Ac.

'80' 2.12 Ac.

'81' 2.25 Ac.

'82' 0.75 Ac.

'83' 2.90 Ac.

'84' 5.45 Ac.

'85' 3.44 Ac.

'86' 6.35 Ac.

'87' 19.07 Ac.

'88' 5.82 Ac.

'89' 2.00 Ac.

'90' 2.00 Ac.

'91' 2.00 Ac.

'92' 1.91 Ac.

'93' 1.49 Ac.

'94' 2.12 Ac.

'95' 2.25 Ac.

'96' 0.75 Ac.

'97' 2.90 Ac.

'98' 5.45 Ac.

'99' 3.44 Ac.

'100' 6.35 Ac.

'101' 19.07 Ac.

'102' 5.82 Ac.

'103' 2.00 Ac.

'104' 2.00 Ac.

'105' 2.00 Ac.

'106' 1.91 Ac.

'107' 1.49 Ac.

'108' 2.12 Ac.

'109' 2.25 Ac.

'110' 0.75 Ac.

'111' 2.90 Ac.

'112' 5.45 Ac.

'113' 3.44 Ac.

'114' 6.35 Ac.

'115' 19.07 Ac.

'116' 5.82 Ac.

'117' 2.00 Ac.

'118' 2.00 Ac.

'119' 2.00 Ac.

'120' 1.91 Ac.

'121' 1.49 Ac.

'122' 2.12 Ac.

'123' 2.25 Ac.

'124' 0.75 Ac.

'125' 2.90 Ac.

'126' 5.45 Ac.

'127' 3.44 Ac.

'128' 6.35 Ac.

'129' 19.07 Ac.

'130' 5.82 Ac.

'131' 2.00 Ac.

'132' 2.00 Ac.

'133' 2.00 Ac.

'134' 1.91 Ac.

'135' 1.49 Ac.

'136' 2.12 Ac.

'137' 2.25 Ac.

'138' 0.75 Ac.

'139' 2.90 Ac.

'140' 5.45 Ac.

'141' 3.44 Ac.

'142' 6.35 Ac.

'143' 19.07 Ac.

'144' 5.82 Ac.

'145' 2.00 Ac.

'146' 2.00 Ac.

'147' 2.00 Ac.

'148' 1.91 Ac.

'149' 1.49 Ac.

'150' 2.12 Ac.

'151' 2.25 Ac.

'152' 0.75 Ac.

'153' 2.90 Ac.

'154' 5.45 Ac.

'155' 3.44 Ac.

'156' 6.35 Ac.

'157' 19.07 Ac.

'158' 5.82 Ac.

'159' 2.00 Ac.

'160' 2.00 Ac.

'161' 2.00 Ac.

'162' 1.91 Ac.

'163' 1.49 Ac.

'164' 2.12 Ac.

'165' 2.25 Ac.

'166' 0.75 Ac.

'167' 2.90 Ac.

'168' 5.45 Ac.

'169' 3.44 Ac.

'170' 6.35 Ac.

'171' 19.07 Ac.

'172' 5.82 Ac.

'173' 2.00 Ac.

'174' 2.00 Ac.

'175' 2.00 Ac.

'176' 1.91 Ac.

'177' 1.49 Ac.

'178' 2.12 Ac.

'179' 2.25 Ac.

'180' 0.75 Ac.

'181' 2.90 Ac.

'182' 5.45 Ac.

'183' 3.44 Ac.

'184' 6.35 Ac.

'185' 19.07 Ac.

'186' 5.82 Ac.

'187' 2.00 Ac.

'188' 2.00 Ac.

'189' 2.00 Ac.

'190' 1.91 Ac.

'191' 1.49 Ac.

'192' 2.12 Ac.

'193' 2.25 Ac.

'194' 0.75 Ac.

'195' 2.90 Ac.

'196' 5.45 Ac.

'197' 3.44 Ac.

'198' 6.35 Ac.

'199' 19.07 Ac.

'200' 5.82 Ac.

'201' 2.00 Ac.

'202' 2.00 Ac.

'203' 2.00 Ac.

'204' 1.91 Ac.

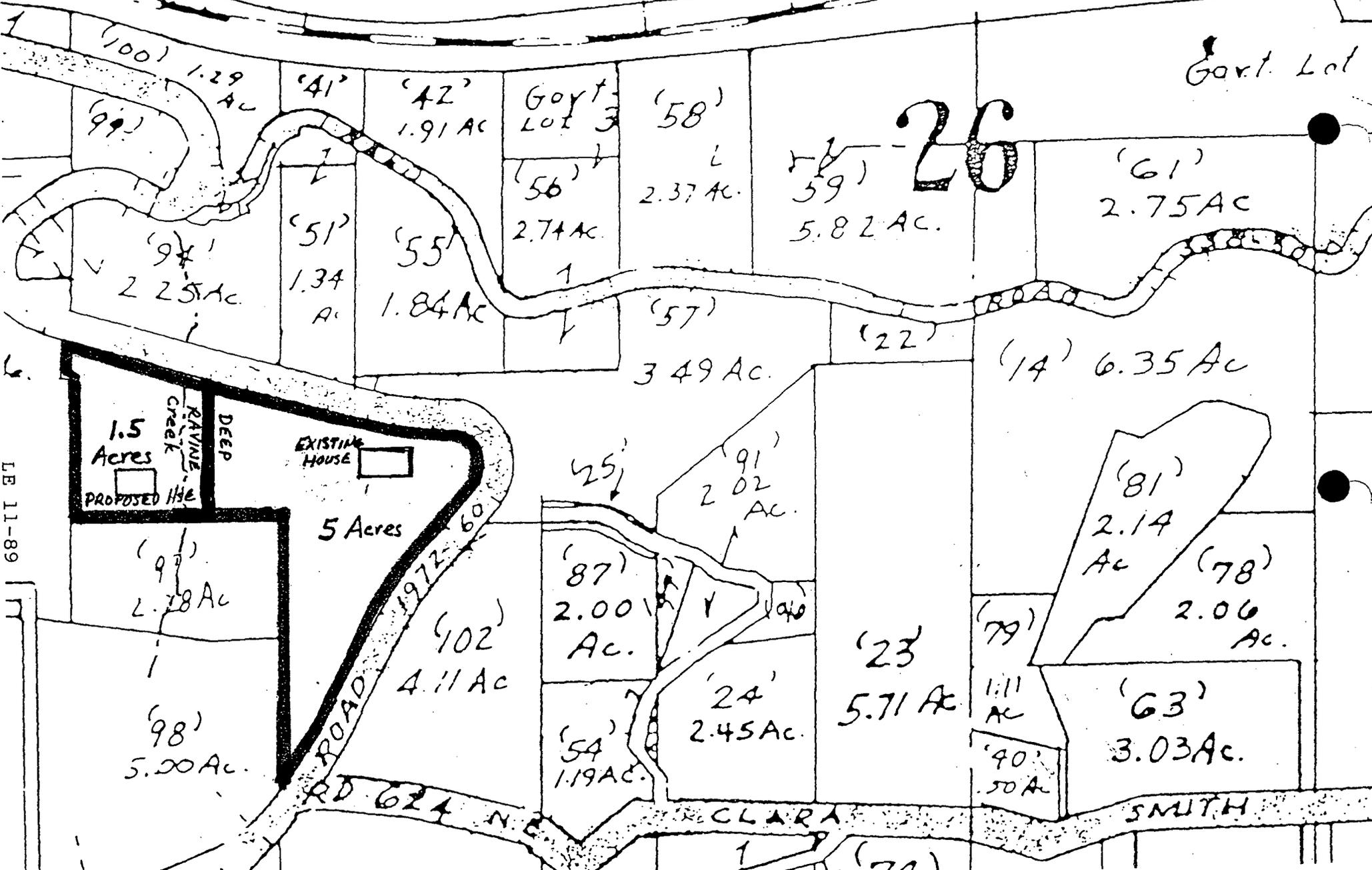
'205' 1.49 Ac.

'206' 2.12 Ac.

'207' 2.25 Ac.

'208' 0.75 Ac.

LE 11-89



Govt. Lot

26

59) 5.82 AC.

(61) 2.75 AC

(57) 3.49 AC.

(14) 6.35 AC

1.5 Acres

EXISTING HOUSE

5 Acres

(91) 2.02 AC.

(81) 2.14 AC

(78) 2.06 AC.

(23) 5.71 AC

(79) 1.11 AC

(40) 50 AC

(63) 3.03 AC.

(98) 5.00 AC.

(97) 2.78 AC

(102) 4.11 AC

(87) 2.00 AC.

(54) 1.19 AC.

(24) 2.45 AC.

(70) 50 AC

GOVT LOT 3

(56) 2.74 AC.

(58) 2.37 AC.

(42) 1.91 AC

(41) 1.34 AC

(51) 1.34 AC

(55) 1.84 AC

(100) 1.29 AC

(99) 2.25 AC

(94) 2.25 AC

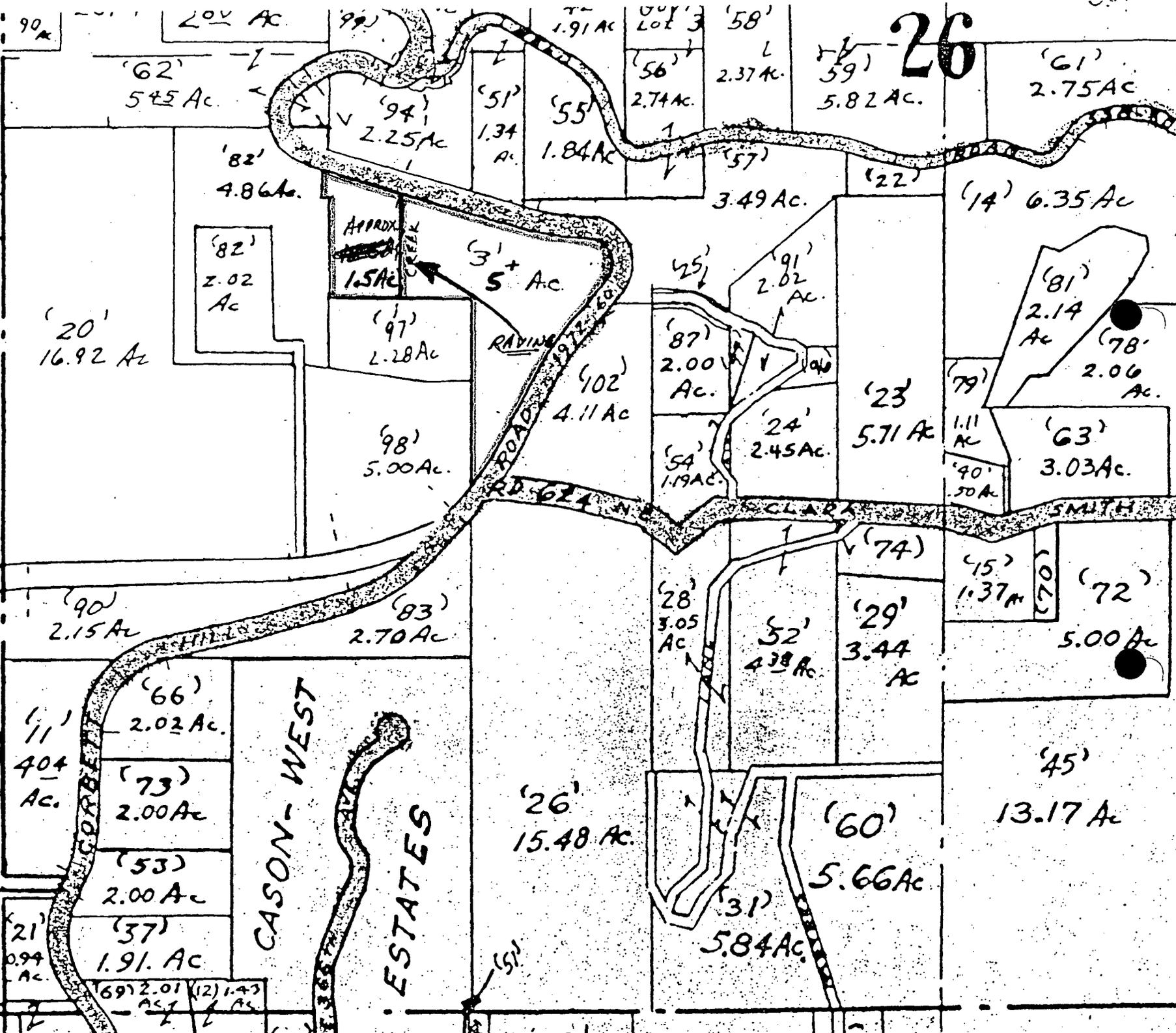
RD 624 NE

CLARA SMITH

CORBETT

26

(6) .42 AC (31) 1 AC



LE 11-89

TOP CLIFF

(23) .27 AC (21) 2.30 AC (21) 0.99 AC

(69) 2.01 AC (12) 1.43 AC

CASON-WEST
ESTATES

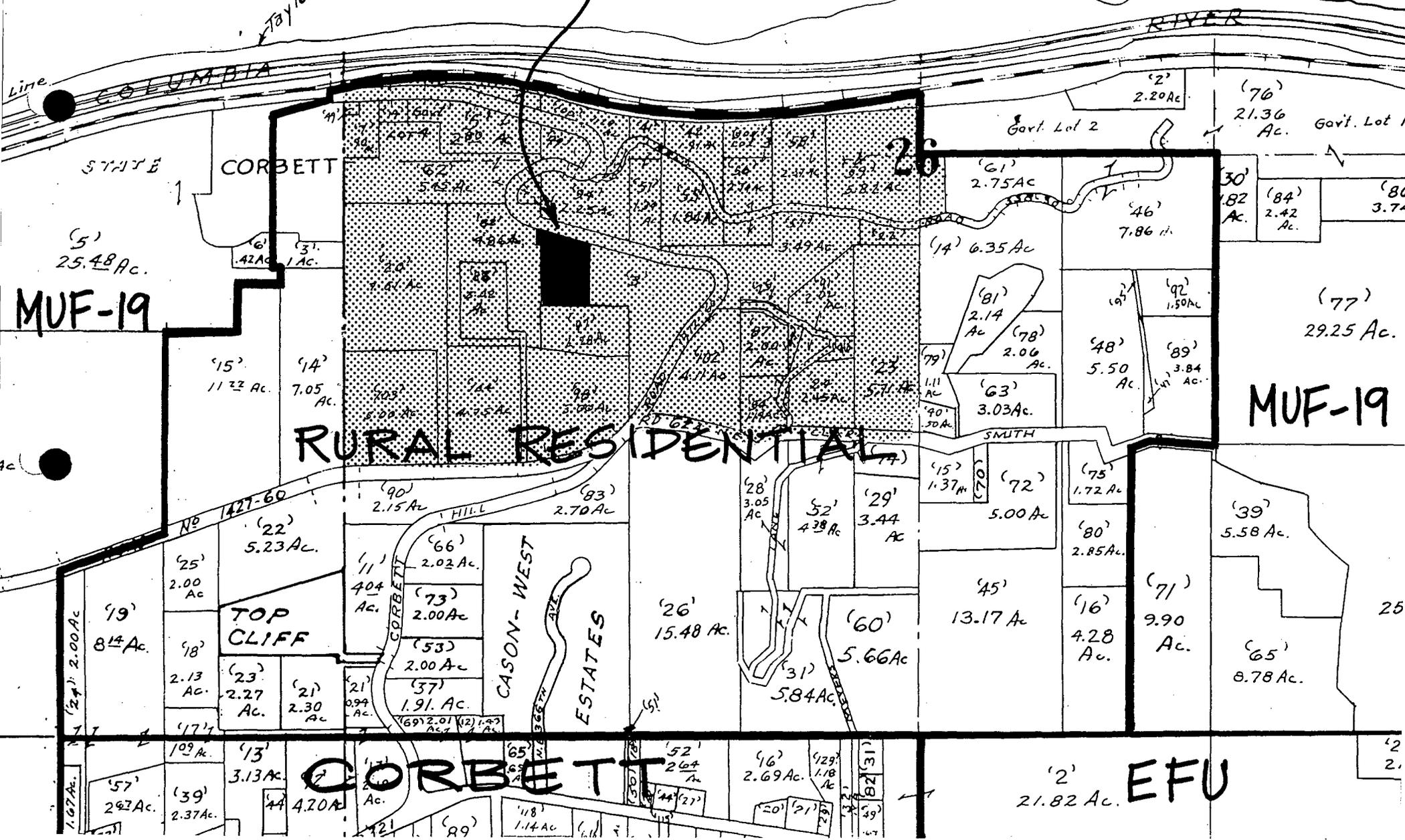
(51)

Columbia

TUNNEL POINT

Taylor's Landing

PROPOSED LOT OF EXCEPTION



MUF-19

MUF-19

RURAL RESIDENTIAL

TOP CLIFF

CASON-WEST ESTATES

CORBETT

EFU

(5) 25.48 Ac.

(15) 11.22 Ac.

(14) 7.05 Ac.

(90) 2.15 Ac.

(93) 2.70 Ac.

(26) 15.48 Ac.

(28) 3.05 Ac.

(52) 4.38 Ac.

(29) 3.44 Ac.

(60) 5.66 Ac.

(31) 5.84 Ac.

(15) 1.37 Ac.

(72) 5.00 Ac.

(45) 13.17 Ac.

(75) 1.72 Ac.

(80) 2.85 Ac.

(16) 4.28 Ac.

(71) 9.90 Ac.

(39) 5.58 Ac.

(65) 8.78 Ac.

(14) 6.35 Ac.

(81) 2.14 Ac.

(78) 2.06 Ac.

(63) 3.03 Ac.

(48) 5.50 Ac.

(92) 1.50 Ac.

(89) 3.84 Ac.

(61) 2.75 Ac.

(46) 7.86 Ac.

(2) 2.20 Ac.

(70) 21.36 Ac.

Govt. Lot 1

(77) 29.25 Ac.

25

(2) 2.1

Findings:

1. **Applicant's Proposal:** Applicant requests approval of a Lot of Exception to create a 1.5-acre and a 5-acre parcel out of the 6.5 acre parent lot. The proposed 5-acre parcel contains a single family residence.
2. **Site and Vicinity Information:** The subject site lies north of Chamberlain Road. Corbett Hill Road bounds the site on the north and east. A mix of mature coniferous and deciduous trees covers most of the site. The site is generally flat with a steep bluff along the north boundary. The west portion of the site is steeper land, and is traversed by a creek flowing north. The house on the property was built in 1981.

The site and area is zoned RR, Rural Residential. Lands further south (approximately 1/2 mile) are within the RC, Rural Center District for Corbett. The RR zoned lands between Chamberlain Road-Clara Smith Road and Interstate 84 are generally divided into small-acreage residential parcels (see lot size discussion under Criteria #1. below) with several single family homes nestled into this partially wooded north facing slope. The entire Corbett area, including the subject site, is within the Columbia River Gorge National Scenic Area.

3. **Ordinance Considerations:** Section 11.15.2220(A) specifies findings necessary to create lots with less than 5-acres in the RR District. The following section presents findings regarding the proposed Lot of Exception; the applicable standard is in *bold italics*. Applicant's responses are presented first (*in italics*), followed by staff comments:

A. ***Any exception shall be based on findings that the proposal will:***

- (1) ***Substantially maintain or support the character and stability of the overall land use pattern of the area;***

"The subject property is bordered on the north by parcels that are 2.25, 1.34 and 1.84 (acres) in size and all developed with single family residences. The most immediate parcels to the east are 3.49, 2.02, 2.45, 2.0, 1.19, and 4.1 acres in size and are all developed with single family residences. To the south is a 15 acre parcel undeveloped due to the terrain and to the west are parcels that are 5, 2.28, 2.02 and 4.86 acres in size and mostly all developed with single-family residences. Due to the numerous other small non-resource rural residential used parcels adjacent to and nearby the subject property, the granting of this Lot of Exception request would substantially maintain or support the character and stability of the overall land use patterns of the area."

Staff Comments:

The above findings are incorporated, except as modified and supplemented below:

The subject tax lot '3' is surrounded by properties averaging 2.97 acres in size. The "area" is bounded by Interstate-84 on the north, the west boundary of Section 26, 1N-4E on the west,

Chamberlain and Clara Smith roads on the south and the east boundaries of tax lots '23', '22', and '59' on the east. The area described above is shaded on the vicinity map on page 5.

The "area" described above is suitable for assessing this proposal for several reasons: all properties in the described area are zoned RR, Rural Residential; all are within the generally north facing wooded slope between the Corbett Rural Center and Interstate-84; and most parcels are developed with rural non-farm residences (see additional discussion under (4) below).

- (2) *Be situated upon land generally unsuitable for the production of farm crops and livestock or for forest use, considering the terrain, adverse soil or land conditions, drainage and flooding, vegetation, and the location or size of the tract;*

"The terrain on over 50% of the subject property is too steep for any farming activity to occur. Taking out the steep areas and the creek area and the ravine it is in which divides the property leaves very little area that could be used for anything other than residential. The configuration of the total parcel, as you can see, as well as the overall size of the parcel makes it generally if not totally unsuitable for the production of crops or any type of forest use. Weather conditions would also render this site unuseable for any forest use as you can see from the wind damaged trees presently on the site. The location of this site amongst other small residential development also makes this site unsuitable for farm or forest production."

Staff Comments

Staff concurs with applicant's response; the following supplements their findings:

The size and location of the subject property render it "generally unsuitable" for farm or forest production. The parcel covers only 6.5 acres and is located within an area of much smaller residentially developed properties. Adjacent parcels are not used for agricultural or forest purposes. Farm and forest resource lands typical to the greater Corbett area typically require much larger tracts of land and lower residential densities.

- (3) *Be compatible with accepted farming or forestry practices on adjacent lands;*

"No farming or forestry practices are being carried on on any of the parcels adjacent to this property. The only property that would even be capable of any such use is to the west and due to the size and terrain even it would be a very marginal operation since only about 3 acres of it is level enough."

Staff Comment:

Staff concurs with applicant's findings.

- (4) *Be consistent with the purposes described in MCC .2202;*

11.15.2202 Purposes

The purposes of the Rural Residential District are to provide areas for residential use for those persons who desire rural living environments; to provide standards

for rural land use and development consistent with desired rural character, the capability of the land and natural resources; to manage the extension of public services; to provide for the extension of public services; to provide for public review of non-residential use proposals and to balance the public's interest in the management of community growth with the protection of individual property rights through review procedures and flexible standards.

"This proposal meets all provisions and is consistent with the purposes described in MCC .2202."

Staff Comments:

The proposed Lot of Exception will provide a 1.5 acre building site in an area characterized by rural residential development on lots of the same general size. The subject parcel is situated in a rural landscape setting, characterized by rural residential development of a relatively moderate density. The proposed land division would create parcels at a density consistent with that of the identified rural residential enclave. There are 32 parcels within the "area" described above (see shaded area on the map on page 5). The average parcel size is 2.97 acres. If the Lot of Exception is approved, the average lot size in this 95-acre "area" would be 2.88 acres.

Five parcels, including the subject parcel, within this cluster of residential development exceed 5-acres in area and therefore have land division potential under Lot of Exception provisions. However, three of these only exceed 5-acres by a fraction of an acre: Tax Lot '62' - 5.45 acres; Tax Lot '59' - 5.82 acres; and Tax Lot '23' - 5.71 acres. These sizes are impracticable for a Lot of Exception (refer to criteria B(1)&(2) below). Only the subject parcel and Tax Lot '20' (with 7.51 acres) could reasonably be expected to meet Lot of Exception criteria. Therefore, the request does not create a precedent supporting excessive land divisions in the greater Corbett area nor within the described "area" of this application.

The greater Corbett area outside the identified enclave, is characterized by lower densities. If the densities proposed in this application were applied to these lands, a cumulative effect to a more developed setting would occur. However, because the densities created by the proposed land division would only apply within the described "area", the proposal will not compromise the RR district generally or the resource zoned areas around Corbett.

Staff concludes that the 1.5-acre lot size is consistent with the described "area" and the resulting single family residential site is consistent with the purposes of the RR District.

- (5) *Satisfy the applicable standards of water supply, sewage disposal and minimum access;*

"The Corbett Water District main line is adjacent to the subject property along Corbett Hill Road, and adequate water is available according to the Corbett Water District to serve this site. The soils in this area, sandy loam, have no history of having problems with septic system failures and should perk without any problems. Adequate access can be provided from Corbett Hill Road and power and telephone services also are available and within easy access from Corbett Hill Road."

Staff Comments:

Engineering Services indicates the division of the property will require deed restrictions along the right-of-way frontage.

- (6) *Not require public services beyond those existing or programmed for the area.*

"The property is served by all necessary services, Corbett Water, Portland General Electric, Cascade Utilities (phone), Corbett Fire Department, and Corbett Schools. There are no required services beyond those existing at this time."

Staff Comments:

The proposed Lot of Exception has its required frontage on Corbett Hill Road. Applicant indicates the lot will have driveway access through an easement on lots immediately south of the Lot of Exception. County Planning Commission approval is not required for an easement access if a lot has legal frontage on a right-of-way. Staff has not identified new public services which would be required to serve the Lot of Exception.

B. *No Lot of Exception shall be approved unless:*

- (1) *The Lot of Record to be divided exceeds the area requirements of MCC .2218(A), and*
- (2) *The division will create no more than one lot which is less than the minimum area required in MCC .2218(A).*

Staff Comments:

MCC .2218(A) specifies a five acre minimum lot size for the RR District except as provided by the Lot of Exception process. The subject site covers approximately 6.5 acres and therefore exceeds the five acre requirement noted in item B(1) above. The proposed division would create only one lot with less than five acres; therefore this request complies with item B(2) above.

CONCLUSIONS

1. The proposal satisfies standards for granting a Lot of Exception in the RR, Rural Residential District.
2. Conditions of approval are necessary to assure the partition satisfies the County Land Division Ordinance requirements and that future development on the new building site is consistent with the Columbia River Gorge Area of Significant Environmental Concern.

In the Matter of LE 11-89



By: Richard Leonard, Chairman
October 9, 1989

Filed With the Clerk of the Board on October 19, 1989

Appeal to the Board of County Commissioners

Any person who appears and testifies at the Planning Commission hearing, or who submits written testimony in accord with the requirements on the prior Notice, and objects to their recommended decision, may file a Notice of Review with the Planning Director on or before 4:30 p.m. on Monday, November 6, 1989 on the required Notice of Review Form which is available at the Planning and Development Office at 2115 SE Morrison Street.

The Decision on this item will be reported to the Board of County Commissioners for review at 9:30 a.m. on Tuesday, November 7 1989 in Room 602 of the Multnomah County Courthouse. For further information call the Multnomah County Planning and Development Division at 248-3043.



Department of Environmental Services
Division of Planning and Development
2115 SE Morrison Street
Portland, Oregon 97214 (503) 248-3043

Staff Report

This Staff report consists of Conditions, Findings of Fact and Conclusions.

October 9, 1989

LE 11-89, #646

Lot of Exception
(Land Division)

Line 3.

Applicant requests a land division under "Lot of Exception" provisions of the RR, rural residential zoning district, to divide a 6.5-acre parcel into a 1.5-acre and a 5-acre parcel.

Location: 2207 NE Corbett Hill Road

Legal: Tax Lot '3', Section 26, 1N-4E,
1989 Assessor's Map

Site Size: Approximately 6.5 Acres

Size Requested: Same

Property Owner: Myrtle C. Windust
c/o Powell Valley Residential Center
4001 SE 182nd Avenue, Gresham, 97030

*Available 10-04-89
4 mailed
M.B*

Applicant: Myrtle C. Windust / Frank A. Windust, Jr., c/o Oregon Realty Company
36039 East Crown Point Highway, Corbett, 97019

Comprehensive Plan: Rural Residential/Area of Significant Environmental Concern

Present Zoning: RR, Rural Residential District
SEC, Area of Significant Environmental Concern Area

RECOMMENDED PLANNING COMMISSION

DECISION: Approve, subject to conditions, a 2.2-acre Lot of Exception to allow this 7.2 acre Lot of Record to be divided into lots of 2.2 and 5.0 acres in the Rural Residential District, based on the following findings and conclusions

FF



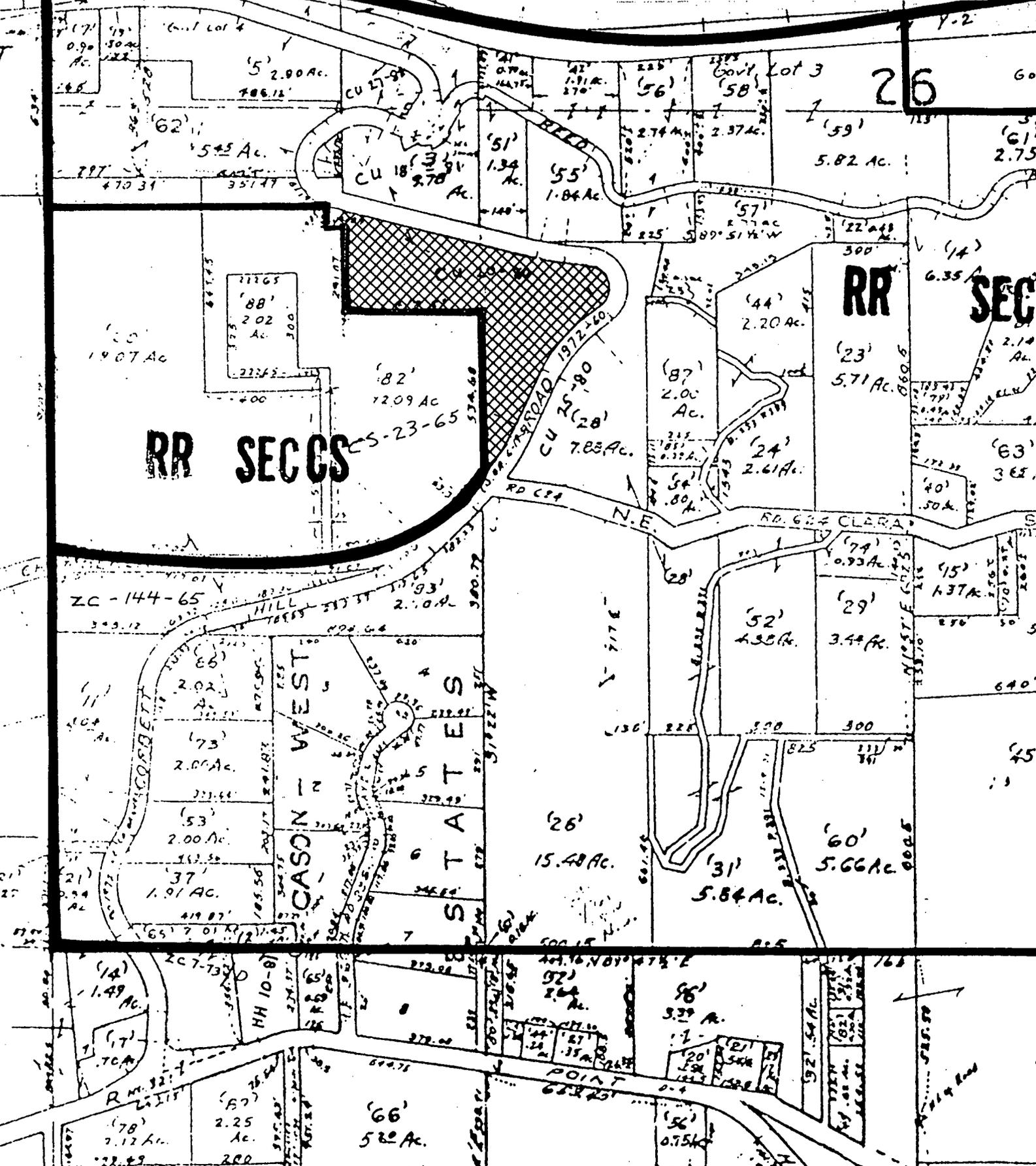
Case #: LE 11-89
Location: 2207 NE Corbett Hill Road
Scale: 1 inch to 400 feet
Shading indicates subject property

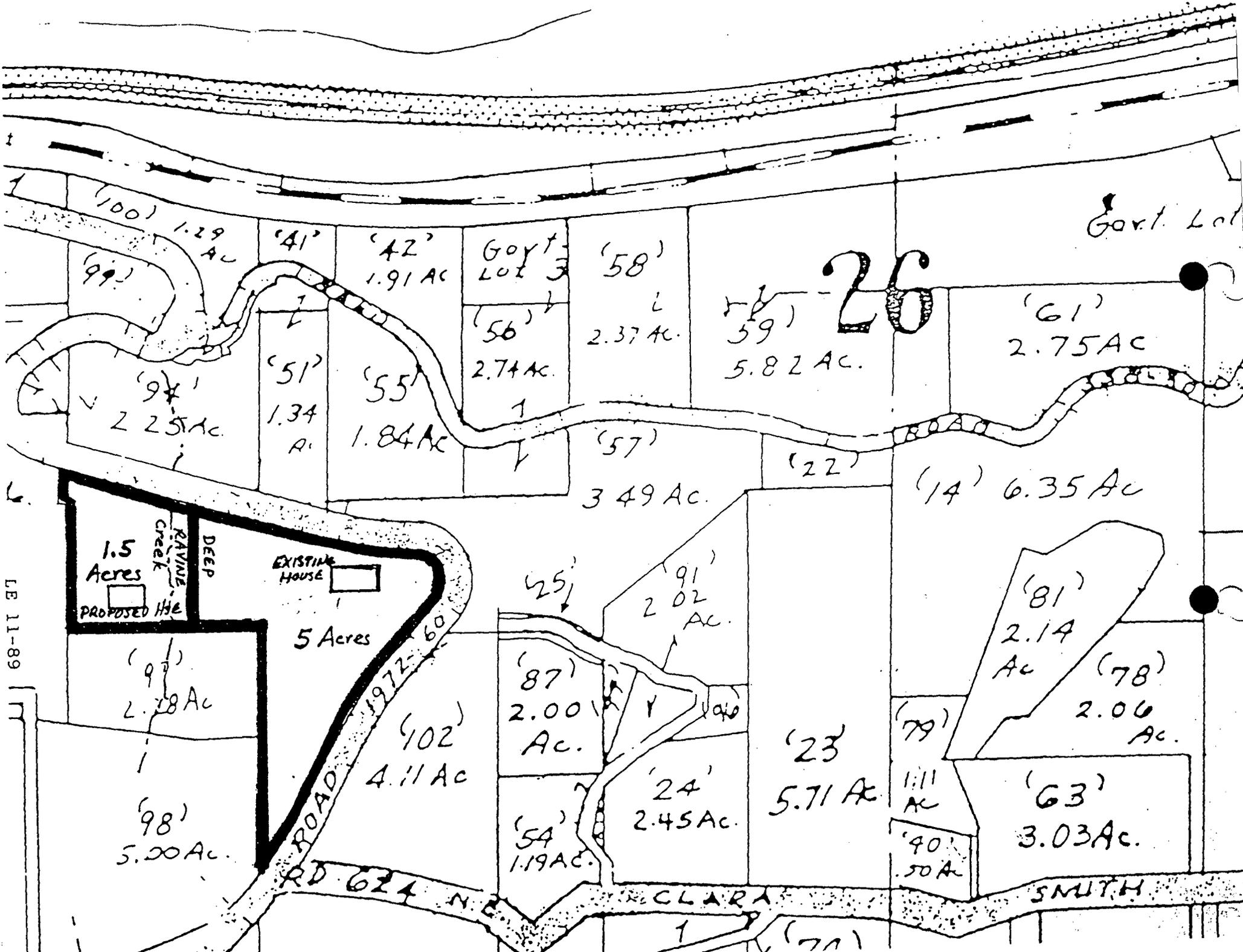
26

RR SEC

RR SECCS

CASON - WEST STATES





Govt. Lot

26

(61) 2.75 AC

(59) 5.82 AC

(58) 2.37 AC

Govt Lot 3
(56) 2.74 AC

(55) 1.84 AC

(51) 1.34 AC

(94) 2.25 AC

1.5 Acres

EXISTING HOUSE

5 Acres

(14) 6.35 AC

(57) 3.49 AC

(91) 2.02 AC

(81) 2.14 AC

(78) 2.06 AC

(87) 2.00 AC

(23) 5.71 AC

(79) 1.11 AC

(63) 3.03 AC

(102) 4.11 AC

(24) 2.45 AC

(54) 1.19 AC

(40) 50A

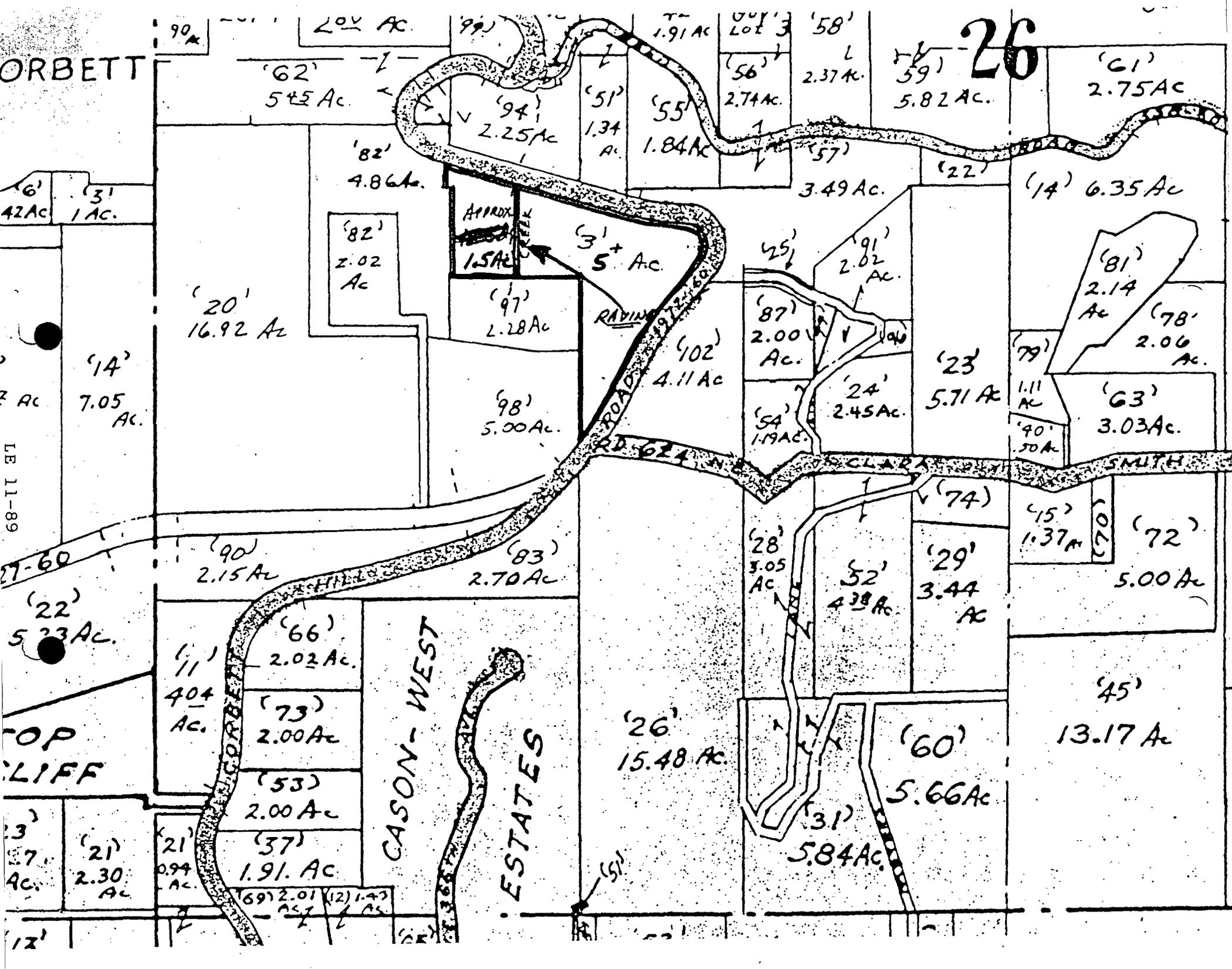
(98) 5.00 AC

LE 11-89

RD 624 NE CLARA SMITH

ORBETT

26



'6' 42 AC
'31' 1 AC

'62' 54.5 AC
'94' 2.25 AC
'51' 1.34 AC
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CASON - WEST
ESTATES

'26' 15.48 AC
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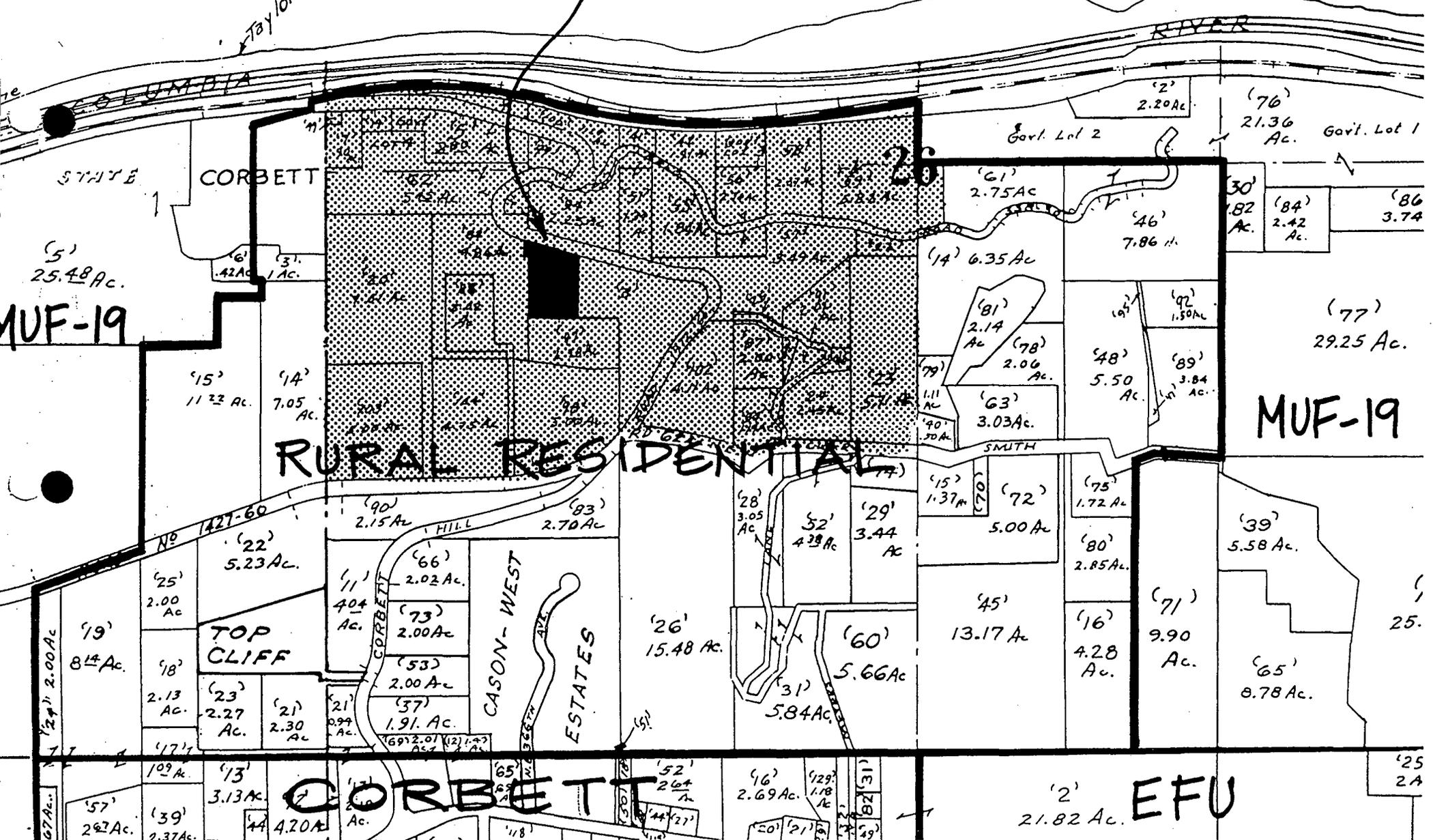
LE 11-89

Lumbia

TUNNEL POINT

Taylor's Landing

PROPOSED LOT OF EXCEPTION



Conditions of Approval

1. Prior to issuance of building permits on the Lot of Exception, obtain tentative plan approval of a Type III Land Division and record the final partition map for said land division pursuant to County Land Division Ordinance procedures.
2. Prior to issuance of building permits on the Lot of Exception, obtain SEC Permit approval of proposed structures and associated site development.

Findings:

1. **Applicant's Proposal:** Applicant requests approval of a Lot of Exception to create a 1.5-acre and a 5-acre parcel out of the 6.5 acre parent lot. The proposed 5-acre parcel contains a single family residence.
2. **Site and Vicinity Information:** The subject site lies north of Chamberlain Road. Corbett Hill Road bounds the site on the north and east. A mix of mature coniferous and deciduous trees covers most of the site. The site is generally flat with a steep bluff along the north boundary. The west portion of the site is steeper land, and is traversed by a creek flowing north. The house on the property was built in 1981.

The site and area is zoned RR, Rural Residential. Lands further south (approximately 1/2 mile) are within the RC, Rural Center District for Corbett. The RR zoned lands between Chamberlain Road-Clara Smith Road and Interstate 84 are generally divided into small-acreage residential parcels (see lot size discussion under Criteria #1. below) with several single family homes nestled into this partially wooded north facing slope. The entire Corbett area, including the subject site, is within the Columbia River Gorge National Scenic Area.

3. **Ordinance Considerations:** Section 11.15.2220(A) specifies findings necessary to create lots with less than 5-acres in the RR District. The following section presents findings regarding the proposed Lot of Exception; the applicable standard is in *bold italics*. Applicant's responses are presented first (*in italics*), followed by staff comments:

A. *Any exception shall be based on findings that the proposal will:*

- (1) *Substantially maintain or support the character and stability of the overall land use pattern of the area;*

"The subject property is bordered on the north by parcels that are 2.25, 1.34 and 1.84 (acres) in size and all developed with single family residences. The most immediate parcels to the east are 3.49, 2.02, 2.45, 2.0, 1.19, and 4.1 acres in size and are all developed with single family residences. To the south is a 15 acre parcel undeveloped due to the terrain and to the west are parcels that are 5, 2.28, 2.02 and 4.86 acres in size and mostly all developed with single-family residences. Due to the numerous other small non-resource

rural residential and parcels adjacent to and nearby the subject property, the granting of this Lot of Exception request would substantially maintain or support the character and stability of the overall land use patterns of the area."

Staff Comments:

The above findings are incorporated, except as modified and supplemented below:

The subject tax lot '3' is surrounded by properties averaging 2.97 acres in size. The "area" is bounded by Interstate-84 on the north, the west boundary of Section 26, 1N-4E on the west, Chamberlain and Clara Smith roads on the south and the east boundaries of tax lots '23','22', and '59' on the east. The area described above is shaded on the vicinity map on page 5.

The "area" described above is suitable for assessing this proposal for several reasons: all properties in the described area are zoned RR, Rural Residential; all are within the generally north facing wooded slope between the Corbett Rural Center and Interstate-84; and most parcels are developed with rural non-farm residences (see additional discussion under (4) below).

- (2) *Be situated upon land generally unsuitable for the production of farm crops and livestock or for forest use, considering the terrain, adverse soil or land conditions, drainage and flooding, vegetation, and the location or size of the tract;*

"The terrain on over 50% of the subject property is too steep for any farming activity to occur. Taking out the steep areas and the creek area and the ravine it is in which divides the property leaves very little area that could be used for anything other than residential. The configuration of the total parcel, as you can see, as well as the overall size of the parcel makes it generally if not totally unsuitable for the production of crops or any type of forest use. Weather conditions would also render this site unuseable for any forest use as you can see from the wind damaged trees presently on the site. The location of this site amongst other small residential development also makes this site unsuitable for farm or forest production."

Staff Comments

Staff concurs with applicant's response; the following supplements their findings:

The size and location of the subject property render it "generally unsuitable" for farm or forest production. The parcel covers only 6.5 acres and is located within an area of much smaller residentially developed properties. Adjacent parcels are not used for agricultural or forest purposes. Farm and forest resource lands typical to the greater Corbett area typically require much larger tracts of land and lower residential densities.

- (3) *Be compatible with accepted farming or forestry practices on adjacent lands;*

"No farming or forestry practices are being carried on on any of the parcels adjacent to this property. The only property that would even be capable of any such use is to the west and due to the size and terrain even it would be a very marginal operation since only about 3 acres of it is level enough."

Staff Comment:

Staff concurs with applicant's findings.

- (4) *Be consistent with the purposes described in MCC .2202;*

11.15.2202 Purposes

The purposes of the Rural Residential District are to provide areas for residential use for those persons who desire rural living environments; to provide standards for rural land use and development consistent with desired rural character, the capability of the land and natural resources; to manage the extension of public services; to provide for the extension of public services; to provide for public review of non-residential use proposals and to balance the public's interest in the management of community growth with the protection of individual property rights through review procedures and flexible standards.

"This proposal meets all provisions and is consistent with the purposes described in MCC .2202."

Staff Comments:

The proposed Lot of Exception will provide a 1.5 acre building site in an area characterized by rural residential development on lots of the same general size. The subject parcel is situated in a rural landscape setting, characterized by rural residential development of a relatively moderate density. The proposed land division would create parcels at a density consistent with that of the identified rural residential enclave. There are 32 parcels within the "area" described above (see shaded area on the map on page 5). The average parcel size is 2.97 acres. If the Lot of Exception is approved, the average lot size in this 95-acre "area" would be 2.88 acres.

Five parcels, including the subject parcel, within this cluster of residential development exceed 5-acres in area and therefore have land division potential under Lot of Exception provisions. However, three of these only exceed 5-acres by a fraction of an acre: Tax Lot '62' - 5.45 acres; Tax Lot '59' - 5.82 acres; and Tax Lot '23' - 5.71 acres. These sizes are impracticable for a Lot of Exception (refer to criteria B(1)&(2) below). Only the subject parcel and Tax Lot '20' (with 7.51 acres) could reasonably be expected to meet Lot of Exception criteria. Therefore, the request does not create a precedent supporting excessive land divisions in the greater Corbett area nor within the described "area" of this application.

The greater Corbett area outside the identified enclave, is characterized by lower densities. If the densities proposed in this application were applied to these lands, a cumulative effect to a more developed setting would occur. However, because the densities created by the proposed land division would only apply within the described "area", the proposal will not compromise the RR district generally or the resource zoned areas around Corbett.

Staff concludes that the 1.5-acre lot size is consistent with the described "area" and the resulting single family residential site is consistent with the purposes of the RR District.

- (5) *Satisfy the applicable standards of water supply, sewage disposal and minimum access;*

"The Corbett Water District main line is adjacent to the subject property along Corbett Hill Road, and adequate water is available according to the Corbett Water District to serve this site. The soils in this area, sandy loam, have no history of having problems with septic system failures and should perk without any problems. Adequate access can be provided from Corbett Hill Road and power and telephone services also are available and within easy access from Corbett Hill Road."

Staff Comments:

Engineering Services indicates the division of the property will require deed restrictions along the right-of-way frontage.

- (6) *Not require public services beyond those existing or programmed for the area.*

"The property is served by all necessary services, Corbett Water, Portland General Electric, Cascade Utilities (phone), Corbett Fire Department, and Corbett Schools. There are no required services beyond those existing at this time."

Staff Comments:

The proposed Lot of Exception has its required frontage on Corbett Hill Road. Applicant indicates the lot will have driveway access through an easement on lots immediately south of the Lot of Exception. County Planning Commission approval is not required for an easement access if a lot has legal frontage on a right-of-way. Staff has not identified new public services which would be required to serve the Lot of Exception.

B. *No Lot of Exception shall be approved unless:*

- (1) *The Lot of Record to be divided exceeds the area requirements of MCC .2218(A), and*
- (2) *The division will create no more than one lot which is less than the minimum area required in MCC .2218(A).*

Staff Comments:

MCC .2218(A) specifies a five acre minimum lot size for the RR District except as provided by the Lot of Exception process. The subject site covers approximately 6.5 acres and therefore exceeds the five acre requirement noted in item B(1) above. The proposed division would create only one lot with less than five acres; therefore this request complies with item B(2) above.

CONCLUSIONS

1. The proposal satisfies standards for granting a Lot of Exception in the RR, Rural Residential District.

2. Conditions of approval are necessary to assure the partition satisfies the County Land Division Ordinance requirements and that future development on the new building site is consistent with the Columbia River Gorge Area of Significant Environmental Concern.

In the Matter of LE 11-89

By: Richard Leonard, Chairman
October 9, 1989

Filed With the Clerk of the Board on October 19, 1989

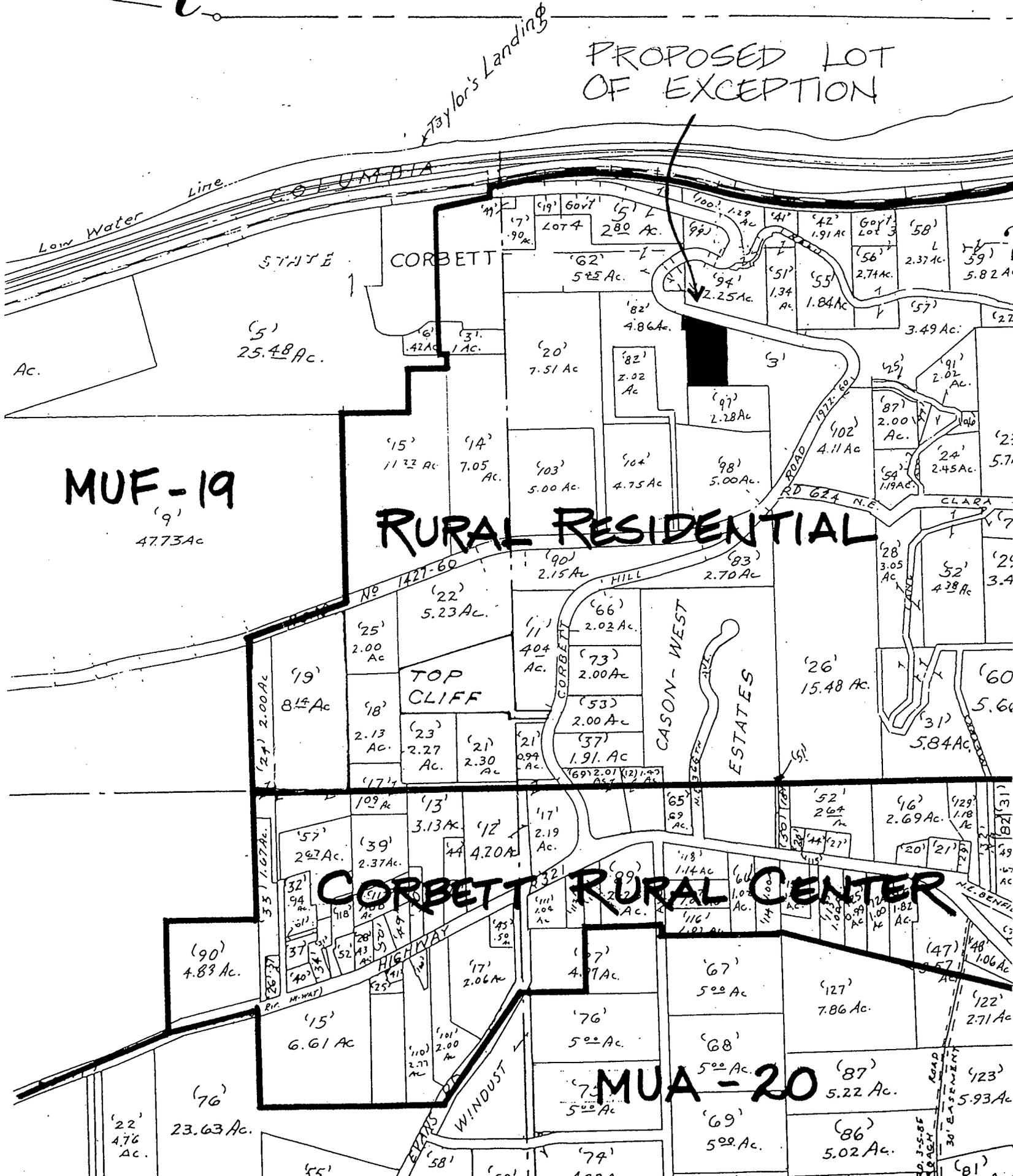
Appeal to the Board of County Commissioners

Any person who appears and testifies at the Planning Commission hearing, or who submits written testimony in accord with the requirements on the prior Notice, and objects to their recommended decision, may file a Notice of Review with the Planning Director on or before 4:30 p.m. on Monday, November 6, 1989 on the required Notice of Review Form which is available at the Planning and Development Office at 2115 SE Morrison Street.

The Decision on this item will be reported to the Board of County Commissioners for review at 9:30 a.m. on Tuesday, November 7 1989 in Room 602 of the Multnomah County Courthouse. For further information call the Multnomah County Planning and Development Division at 248-3043.

Columbia

PROPOSED LOT OF EXCEPTION



COLUMBIA RIVER GORGE COMMISSION

P.O. Box 730 • 288 E. Jewett Blvd. • White Salmon, WA 98672 • (509) 493-3323

Richard P. Bennèr, Executive Director

Development Review

APPLICANT: Frank Windust, Jr., representing Myrtle Windust

FILE NO.: C88-0160-M-G-12

REQUEST: To divide a 6.5 acre parcel into two parcels. The newly created parcels would be 5 acres and approximately 1.25 to 1.5 acres. A dwelling is proposed for the 1.25 to 1.5 acre parcel.

LOCATION: The subject parcel is located adjacent to Corbett Hill Road within the SW 1/4 of Section 26, Township 1 North, Range 4 East, W.M., Multnomah County, Oregon.

NATIONAL SCENIC AREA DESIGNATION: General Management Area

COMMENTS FROM OTHER AGENCIES/INDIVIDUALS:

Notice of the proposed development was sent to the following agencies/individuals:

OR Land Conservation and Development Commission
WA Department of Community Development
Yakima Indian Nation
Confederated Tribes of the Umatilla Indian Reservation
Confederated Tribes of Warm Springs
Nez Perce Tribe
U.S. Forest Service NSA Office
Multnomah County Planning Department
OR State Historic Preservation Office

Comments were received from Columbia Gorge United and Friends of the Columbia Gorge. No adverse comments were received.

FINDINGS OF FACT:

A. Conversion of Land

1. The subject parcel encompasses approximately 6.5 acres of woodland. An ephemeral creek crosses the parcel. Steep slopes and a bluff dominate the northern portion of the parcel that parallels Corbett Hill Road. A single-family dwelling exists on the east portion of the parcel.
2. The subject parcel is surrounded by small to moderate size parcels. Many of these parcels include dwellings and accessory buildings.
3. No commercial agriculture or forestry occurs in the immediate surroundings.

Conclusion:

The subject parcel is impractical to manage for commercial agriculture or forestry because of physical constraints, including steep slopes, riparian habitat, and limited acreage. The proposed land division and dwelling would not convert agricultural or forest land to residential use.

Dwellings exist on the subject parcel and some of the adjacent parcels. The proposed land division and dwelling would not introduce incompatible land uses. Combined with similar actions on the surrounding parcels that are committed to rural residential use, the proposed development would not have cumulatively significant impacts on agriculture or forestry.

B. Scenic Resources

1. The Columbia River Gorge National Scenic Area Final Interim Guidelines (U.S. Forest Service 1987), Chapter III, Section (B)(1)(2), state that "proposed uses or developments shall not change the landscape setting of a site or its immediate surroundings from an undeveloped to a rural or developed setting or from a rural to a developed setting."
2. The subject parcel is visible from several key viewing areas identified in the Final Interim Guidelines, including the Columbia River, the Burlington Northern Railroad, and Washington State Route 14.
3. The subject parcel, which includes a single-family dwelling, is located in a rural setting. The landscape includes forest and agricultural land. The adjacent parcels are small to moderate in size; many include dwellings.
4. Within 300 feet of the subject parcel there are 17 parcels, ranging in size from 1.34 acres to 15.48 acres. The average (mean) size of these parcels is 3.8 acres. Only 1 out of the 17 parcels is smaller than 1.5 acres. Over 75 percent of the surrounding parcels are between 2 acres and 5 acres in size.
5. The Multnomah County Assessor lists the subject parcel as 5.58 acres in size. The applicant disputes this figure and states that the proposed land division would create a 5 acre parcel and a 1.25 to 1.5 acre parcel.
6. The subject parcel is zoned Rural Residential (RR-5). The minimum lot size permitted in this zone is 5 acres. The proposed land division would not be permitted by Multnomah County unless some type of variance is granted.

Conclusion:

The subject parcel is located in a rural setting that is highly visible from three key viewing areas. While some exceptions exist, the landscape setting is dominated by parcels that range in size from 2 to 5 acres.

The subject parcel conforms with the surrounding parcels that dominate the landscape setting; it is approximately 6.5 acres in size and includes a dwelling.

The proposed land division would create a parcel that is small and uncharacteristic. It would significantly change the character and landscape setting of the subject parcel.

Approving the proposed land division and dwelling would establish a precedent for creating additional small parcels in the immediate surroundings. Combined with similar actions, the proposed development would cumulatively change the landscape setting from a rural setting with low to moderate density residential development to a developed setting with moderate to high density residential development.

The proposed land division and dwelling are inconsistent with the Scenic Area Act because they would change the existing landscape setting of the subject parcel and its immediate surroundings. Furthermore, they would encourage high density residential development that would detract from views seen from the key viewing areas.

C. Cultural Resources

The existing inventories do not identify any prehistoric or historic resources on or near the subject parcel.

Conclusion:

The proposed land division and dwelling would not adversely affect any known prehistoric or historic resources.

D. Recreation Resources

No recreation facilities exist on or near the subject parcel.

Conclusion:

The proposed land division and dwelling would not adversely affect any recreation resources.

E. Natural Resources

1. No rare, threatened, or endangered plants or animals have been identified on or near the subject parcel.
2. No natural areas or endemic plants have been identified on or near the subject parcel.
3. A small creek crosses the subject parcel. The creek and the adjacent riparian vegetation provide wildlife habitat.

Conclusion:

All future development along the creek that crosses the subject parcel should be sited and designed so that it does not adversely affect wildlife habitat and

water quality. Buffers, setbacks, and other protective measures should be imposed as warranted.

DECISION:

Based upon the preceding findings of fact, the land use application by Frank Windust, Jr., representing Myrtle Windust, is found to be inconsistent with the standards of Section 6 and the purposes of the Columbia River Gorge National Scenic Area Act and Commission Rule 350-20, and is hereby denied.

DATED AND SIGNED THIS 29 day of December, 1988 at White Salmon, Washington.

Allen Bell

Richard P. Benner, Executive Director

Note: When a proposed action is disapproved by the Executive Director, and the Commission does not approve the development on appeal, no new application for the same or substantially similar action shall be filed for twelve (12) months from the date of the decision disapproving the action.

APPEAL PROCESS

The decision of the Executive Director shall be final unless a notice of appeal is filed with the Commission within twenty (20) working days of the date of this decision by the applicant or any person who submitted comment. Any three (3) members of the Commission may appeal this decision by filing a notice within the same time period. Notice of Appeal forms may be obtained at Commission offices.

AB:jmb
FIND0160.88

cc: U.S. Forest Service - NSA Office
OR Land Conservation and Development Comm.
WA Dept. of Community Development
Yakima Indian Nation
Confederated Tribes of the Umatilla Indian Reservation
Confederated Tribes of Warm Springs
Nez Perce Tribe
Multnomah County Planning Department
OR State Historic Preservation Office
Columbia Gorge United
Friends of the Columbia Gorge

RECEIVED
JAN 3 1989

Multnomah County
Zoning Division



OFFICE MEMORANDUM . . . DEPARTMENT OF ENVIRONMENTAL SERVICES

TO: Planning Division,
Ike Azar and John Dorst/Transportation Division

FROM: Dick Howard/Transportation Division *Dick Howard*

DATE: October 2, 1989

SUBJECT: 2207 NE Corbett Hill Road/Tax Lot 3,
Section 26/T1N, R4E/LE 11-89

LE 11-89

Dedicate: 20 ft. slope, drainage, wall and utility easement.

No right-of-way dedications are required.

No right-of-way improvements are required.

Furnish deed restrictions committing property owner to participate in future right-of-way improvements.

Construct the following improvements:

NOTE: Access restrictions may apply along the northern frontage due to topographic problems and impaired sight distance.

RTH/js
cc: Fred Veith

4058V

RECEIVED
OCT 3 1989

Multnomah County
Zoning Division

RECEIVED

SEP 29 1989

AFFIDAVIT OF POSTING

Multnomah County
Zoning Division

File # LE 11-89

I, Frank B. Woodard, Jr. being first duly sworn upon oath, depose and say that I am (represent) the party initiating an action before the Multnomah County Planning Commission for a Lot of Exception affecting land located at 2207 NE Corbett Hill Road; that pursuant to MCC 11.15.8220(E), I did on the 27th day of Sept. 1989, personally post SIX notice(s) of public hearing to be held before the Planning Commission on the 9th day of October, 1989, in Room 602 of the Multnomah County Courthouse, Portland, Oregon; that pursuant to MCC 11.15.8220(E), the content, design and size of said notices posted were as determined by the Planning Director and were identical in content to the notice attached hereto and by this reference made a part of this affidavit; and that pursuant to MCC 11.15.8220(E), I posted one such notice for each 300 feet, or part thereof, of frontage of the above described property on any street.

Dated this 27th day of September, 1989

Frank B. Woodard, Jr.

Signature

Subscribed and sworn to before me this 27th day of September, 1989.

Shirley E. Stokes

Notary

DES/DPD/8-85

0362P

my commission expires 6/6/92

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PUBLICATION				GALLEY		M.D.		DESK		OP. DAY	
MONDAY				00		JS				dlh 09/19	
NAME MULTNOMAH COUNTY				S.P. 305		CLASS 000		SIZE 1x4			
I.D. #		RUNDATE	AD#	SECT or PAGE I.D.	RUNDATE	AD#	SECT or PAGE I.D.	PROOFS			
092579249		09/25/89	79249	MAIN	-	-	-	03			
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-		-	-	-	-	-	-	-			



**MULTNOMAH COUNTY
BOARD OF COUNTY COMMISSIONERS**

Will hold a public hearing on the following:

Time: 5:30 p.m., Monday, October 9, 1989

Place: Room 602, Multnomah County Courthouse
1021 SW Fourth Avenue, Portland, 97204

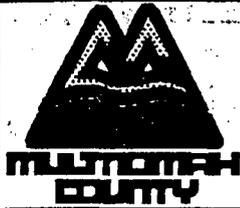
Subject of the hearing will be:

CU 13-89 34100 NE Chamberlain Road
5:45 pm Applicant requests conditional use approval to develop this approximately two acre Lot of Rec... with a non-resource-related single family residence.

LE 10-89 35800 NE Chamberlain Road
5:50 pm Applicant requests a land division under "Lot of Exception" provisions of the RR, rural residential zoning district, to divide a 7.2-acre parcel into a 2.2-acre and a 5-acre parcel.

LE 11-89 2207 NE Corbett Hill Road
5:55 pm Applicant requests a land division under "Lot of Exception" provisions of the RR, rural residential zoning district, to divide a 6.5-acre parcel into a 1.5-acre and a 5-acre parcel.

For further information contact Sharon Cowley at 248-3043, Multnomah County Department of Environmental Services, Division of Planning and Development
2115 SE Morrison Street, Portland



Notice of Public Hearing Planning Commission

Department of Environmental Services
Division of Planning and Development

2115 SE Morrison Street
Portland, Oregon 97214

You are invited to attend or send written comment regarding a public hearing to be held on the following item on the date and at the time and place indicated below. The exact time may be later depending on the agenda schedule. The hearing will be conducted pursuant to the Planning Commission's *Rules of Procedure* (enclosed). All interested parties may appear and testify. Failure to raise an issue in person, or by letter, or failure to provide sufficient specificity to allow the Planning Commission an opportunity to respond to the issue precludes appeal to LUBA on that issue.

A recommendation on the item will be announced at the close of the hearing, or upon continuance to a time certain. A written recommendation will be filed with the Clerk of the Board of County Commissioners within ten days of the announcement. Recommendations may be appealed to the Board of County Commissioners by either the applicant or those opposed. Appeals must be filed with the Division of Planning and Development within ten days after the decision is filed with the Clerk of the Board. Appeal forms are available at 2115 SE Morrison Street.

A Staff Report will be available at no cost seven days prior to the hearing. All materials submitted by the applicant will be available for inspection at least 20 days prior to the hearing, and may be purchased at reasonable cost. For further information, call Sharon Cowley at 248-3043.

Planning Commission Members: Alterman - Chiedu - Douglas - Fry - Fritz - Hunt - Leonard - Spetter

Date: 10/09/89 Time: 5:55 pm Place: Room 602, Multnomah County Courthouse

LE 11-89, #646

**Lot of Exception
(Land Division)**

Line 3.

Applicant requests a land division under "Lot of Exception" provisions of the RR, rural residential zoning district, to divide a 6.5-acre parcel into a 1.5-acre and a 5-acre parcel.

Location: 2207 NE Corbett Hill Road

Legal: Tax Lot '3', Section 26, 1N-4E,
1989 Assessor's Map

Site Size: Approximately 6.5 Acres

Size Requested: Same

Property Owner: Myrtle C. Windust
c/o Powell Valley Residential Center
4001 SE 182nd Avenue, Gresham, 97030

Applicant: Myrtle C. Windust / Frank A. Windust, Jr., c/o Oregon Realty Company
36039 East Crown Point Highway, Corbett, 97019

Comprehensive Plan: Rural Residential/Area of Significant Environmental Concern

Present Zoning: RR, Rural Residential District
SEC, Area of Significant Environmental Concern Area

*31 Katherine
Sent
9-22-89
JC*

Approval Criteria for a Lot of Exception in the Rural Residential District

The Planning Commission may grant an exception to permit creation of a lot of less than 5 acres, after October 6, 1977, when in compliance with the dimensional requirements of MCC .2218(C) through (E). Any exception shall be based on findings that the proposal will:

- (1) Substantially maintain or support the character and stability of the overall land use pattern of the area;
- (2) Be situated upon land generally unsuitable for the production of farm crops and livestock or for forest use, considering the terrain, adverse soil or land conditions, drainage and flooding, vegetation, and the location or size of the tract;
- (3) Be compatible with accepted farming or forestry practices on adjacent lands;
- (4) Be consistent with the purposes described in MCC .2202;
- (5) Satisfy the applicable standards of water supply, sewage disposal and minimum access; and
- (6) Not require public services beyond those existing or programmed for the area.

Except as provided in MCC .2220(D), no Lot of Exception shall be approved unless;

- (1) The Lot of Record to be divided exceeds the area requirements of MCC .2218 (A), and
- (2) The division will create no more than one lot which is less than the minimum area required in MCC .2218(A).

The Planning Commission may attach conditions to the approval of any Lot of Exception to insure that the use is consistent with the Comprehensive Plan and the purposes described in MCC .2122.

FF



Case #: LE 11-89

Location: 2207 NE Corbett Hill Road

Scale: 1 inch to 400 feet

Shading indicates subject property

26

RR SEC

RR SECS

CASON - WEST STATES

CS-23-65

ZC-144-65

ZC-7-130

NH 10-81

'26' 15.48 Ac.

'60' 5.66 Ac.

'31' 5.84 Ac.

'52' 4.35 Ac.

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TT

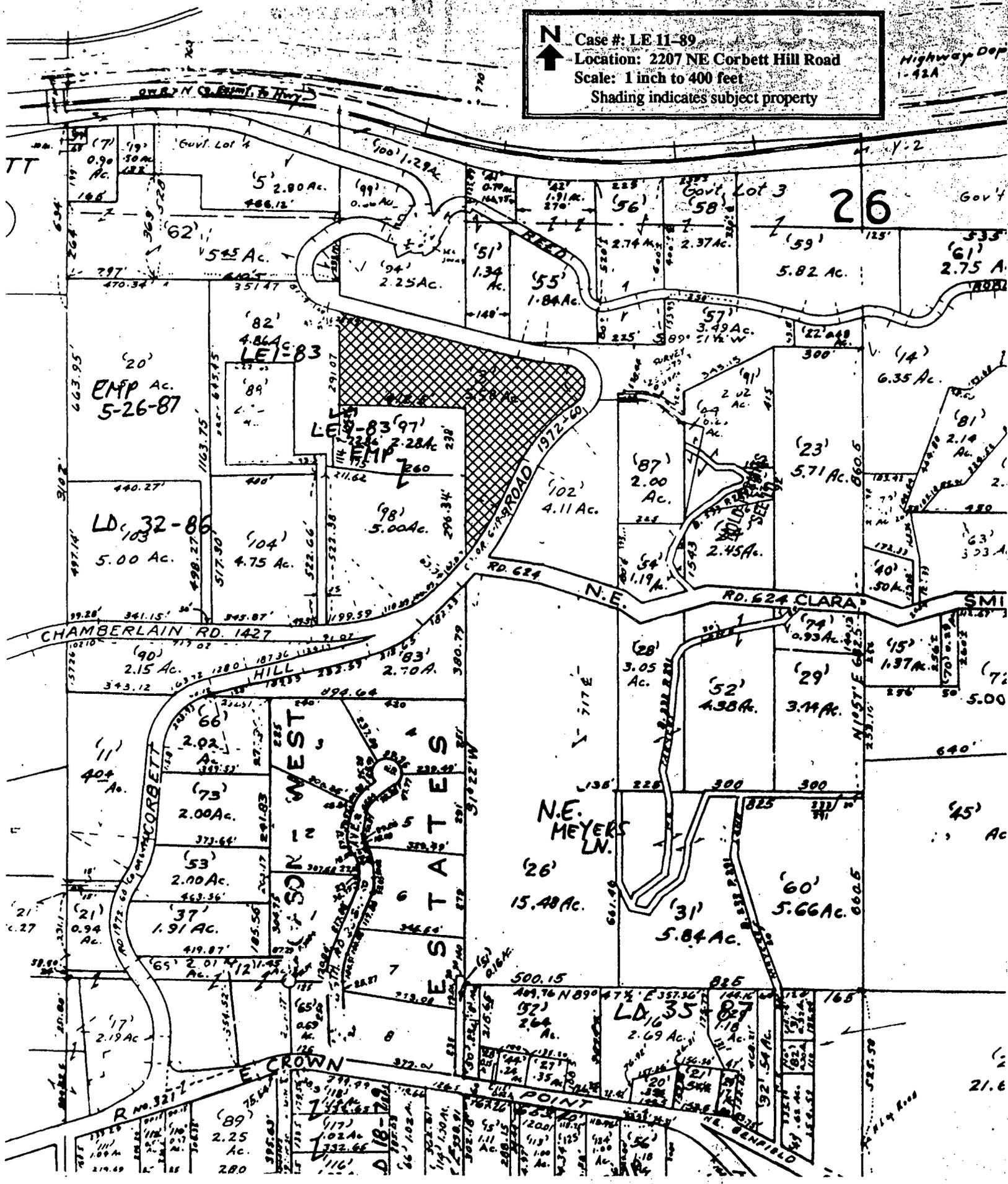
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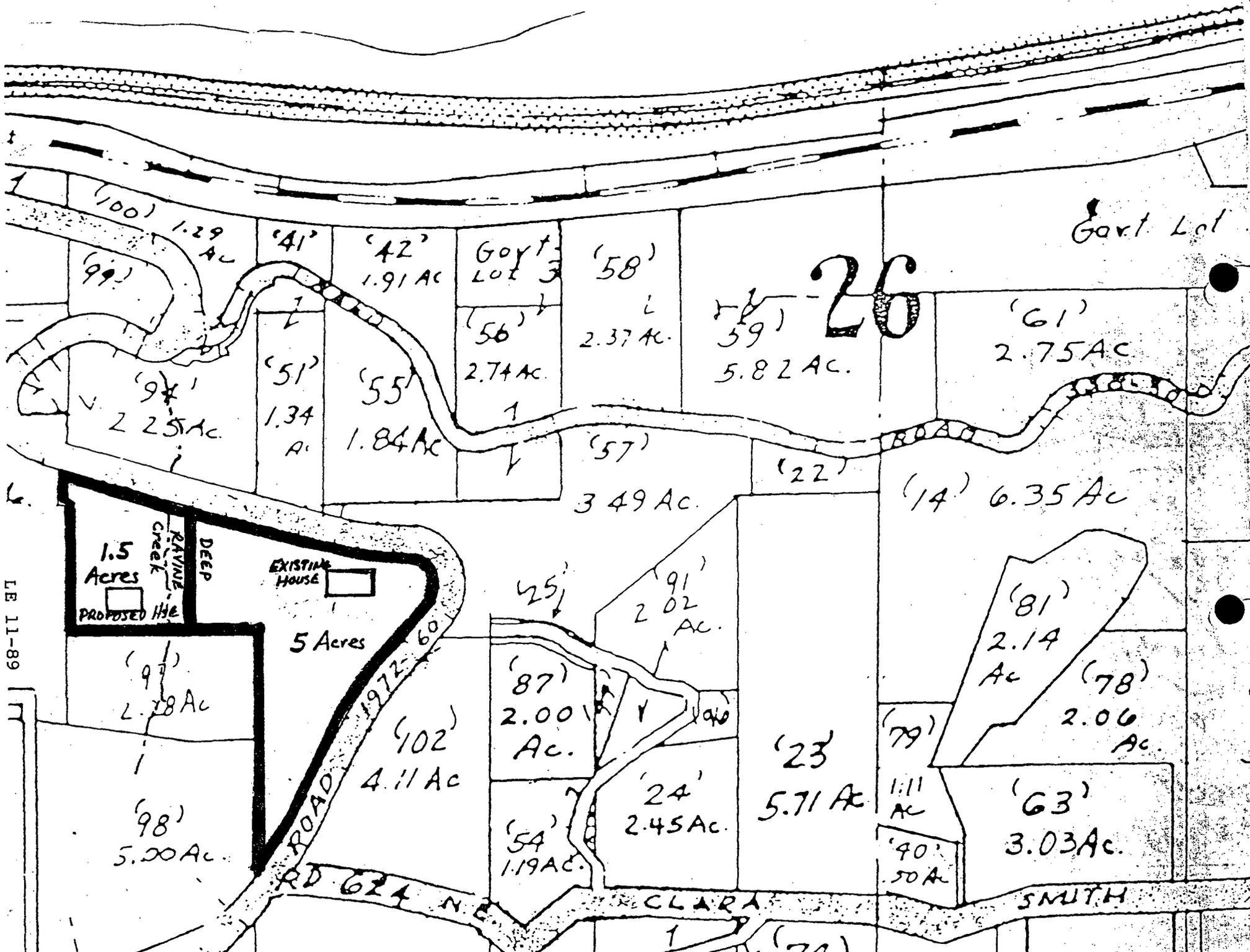
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N Case #: LE 11-89
 Location: 2207 NE Corbett Hill Road
 Scale: 1 inch to 400 feet
 Shading indicates subject property

Highway Dep
1-42A

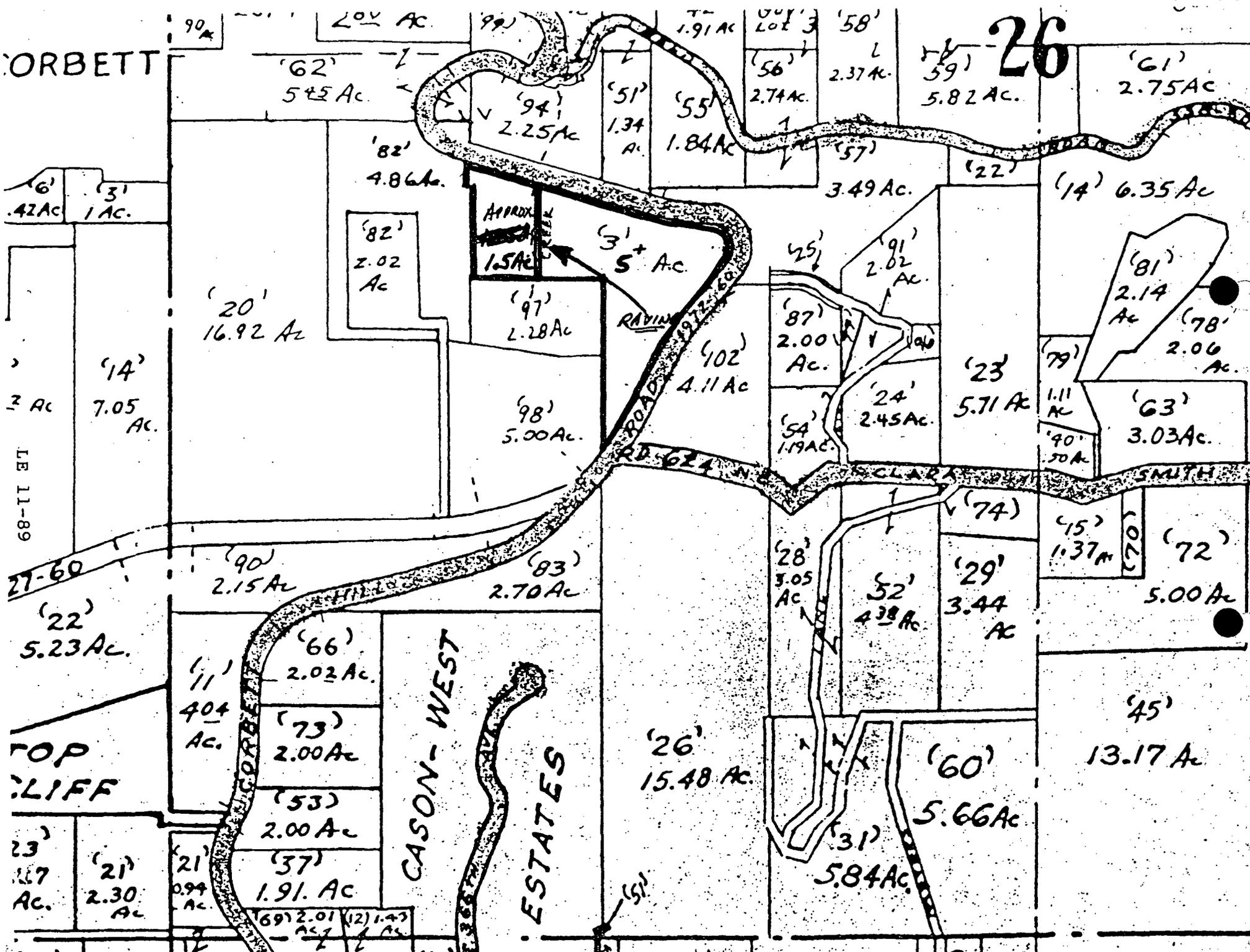


LE 11-89



ORBETT

26



'6' 0.42 Ac
'3' 1 Ac

'14' 7.05 Ac

LE 11-89

'22' 5.23 Ac

TOP
CLIFF

'23' 1.67 Ac
'21' 2.30 Ac

'13'

'62' 5.45 Ac

'82' 4.86 Ac

'82' 2.02 Ac

'20' 16.92 Ac

'90' 2.15 Ac

'11' 4.04 Ac

'73' 2.00 Ac

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'53' 2.00 Ac

'37' 1.91 Ac

'65'

'51' 1.34 Ac
'55' 1.84 Ac

'3' 5+ Ac

'102' 4.11 Ac

'87' 2.00 Ac

'28' 3.05 Ac

'26' 15.48 Ac

'31' 5.84 Ac

'52'

'52'

'58' 2.37 Ac
'56' 2.74 Ac

'57' 3.49 Ac

'91' 2.02 Ac

'24' 2.45 Ac

'52' 4.38 Ac

'29' 3.44 Ac

'60' 5.66 Ac

'31' 5.84 Ac

'31' 5.84 Ac

'52'

'59' 5.82 Ac
'61' 2.75 Ac

'14' 6.35 Ac

'81' 2.14 Ac
'78' 2.06 Ac

'23' 5.71 Ac

'74' 3.44 Ac

'72' 5.00 Ac

'45' 13.17 Ac

'60' 5.66 Ac

'60' 5.66 Ac

'52'

CASON-WEST
ESTATES

RAVINE
RD 624

CLARA SMITH RD

APPROX
1.5 AC

'3' 5+ Ac

'79' 1.11 Ac
'40' 1.50 Ac

'45' 1.37 Ac

'70'

'45' 13.17 Ac

'60' 5.66 Ac

'60' 5.66 Ac

'52'

4511-89

WINDUST, FRANK A & MYRTLE C
2207 NE CORBETT HILL RD
CORBETT, OREGON 97019
SECTION 26 1 N 4 E
TL 3 5.58 ACRES

WORSHAM, CLYDE W JR & LUCILLE
2131 NE CORBETT HILL RD
CORBETT, OREGON 97019
SECTION 26 1N 4E
TL 97 2.28 ACRES

WORSHAM, CLYDE W JR & LUCILLE
2131 NE CORBETT HILL RD
CORBETT, OREGON 97019
SECTION 26 1N 4E
TL 98 5.00 ACRES

HOLCOMBE, FORT E
3938 SE 91ST AV
PORTLAND, OREGON 97266
SECTION 26 1N 4E
TL 104 4.75 ACRES

HOLCOMBE, FORT E
3938 SE 91ST AV
PORTLAND, OREGON 97266
SECTION 26 1N 4E
TL 103 5.00 ACRES

HOLCOMBE, FORT E
3938 SE 91ST AVE
PORTLAND, OREGON 97266
SECTION 26 1 N 4 E
TL 20 7.51 ACRES

WORSHAM, CLYDE W JR & LUCILLE
2131 NE CORBETT HILL RD
CORBETT, OREGON 97019
SECTION 26 1 N 4 E
TL 88 2.02 ACRES

WORSHAM, CLYDE W JR & LUCILLE
2131 NE CORBETT HILL RD
CORBETT, OREGON 97019
SECTION 26 1 N 4 E
TL 82 4.86 ACRES

POSTING SIGNS

This is to filled out by the staff personnel that received the application,
ready for public hearing.

How many sign 6

Signs issued Yes

Mail agenda(s) for sign(s) to:

Frank A. Windust, Jr.

(Name)

%Oregon Realty Co.

36039 E. Crown Point Hwy.

(Mailing Address)

Corbett, OR

97019

(Zip code)

695-2222

(Telephone No.)

GENERAL APPLICATION FORM

DEPT. OF ENVIRONMENTAL SERVICES
DIVISION OF PLANNING AND DEVELOPMENT
LAND DEVELOPMENT SECTION

2115 S.E. MORRISON ST.
PORTLAND, OREGON 97214
(503) 248-3043



PROPERTY ADDRESS 2207 N.E. Corbett Hill Rd.
Corbett, Oregon 97019

LEGAL DESCRIPTION Tax Lot 3, Section 26, 1N, 4E, WM.

SITE SIZE 6.5 Acres

PROPERTY OWNER/DEED HOLDER Myrtle C. Windust, %Powell Valley Res.
ADDRESS 4001 S.E. 182nd Av. PHONE 661-4553
Gresham, OR CITY 97030

APPLICANT Myrtle C. Windust & Frank A. Windust, Jr.
ADDRESS %Oregon Realty Co. PHONE 695-2222
56059 E. Crown Point Hwy. CITY Corbett, OR ZIP 97019

FOR STAFF USE ONLY

CASE NUMBER: 11 350.00 80
42 11-89 24 80
43 11-89 24 80
44 11-89 24 80

ASSOCIATED CASES:

INTERNAL PROCESSING

ACCEPTED FOR PRE-APP:
[Signature]

BY: 29 AUG 89

PRE-APP: PA 40-89

DATE AND TIME: 31 AUG 89

ACCEPTED FOR DECISION:

9/6/89

BY: RS

HEARING DATE: 10/9/89

DECISION FILED: 1

DECISIONS/S.R. BY:

ACCEPTED FOR APPEAL:

BY:

DATE OF HEARING:

DESCRIPTION

COMP. PLAN DESIG:

COMMUNITY: Gorge

ZONING DISTRICT: RR SEC

ZONING MAP NO.: 646

QUARTER SECTION NO.: [2867]

TO BE COMPLETED BY APPLICANT ONLY IN THE PRESENCE OF A NOTARY PUBLIC

STATE OF OREGON
COUNTY OF MULTNOMAH

I, FRANK A. WINDUST, JR.
EACH BEING FIRST DULY SWORN, DEPOSE AND SAY THAT I AM (ONE OF) THE
APPLICANT(S) IN THE FOREGOING APPLICATION AND THAT THE SAME IS TRUE
AS I VERILY BELIEVE.

SUBSCRIBED AND SWORN TO BEFORE ME THIS 29th DAY OF AUGUST, 19 89

NOTARY [Signature]
MY COMMISSION EXPIRES 15 AUG 92

GENERAL DESCRIPTION OF APPLICATION: (To Be Filled In By Applicant and Reviewed by Staff)

This is an application for a Lot of Exception to divide a 1.5 acre lot of exception from a 6.5 acre parcel. The 5 acre parcel would meet the lot size of the zoning district.

APPLICATION FOR SANITARIAN'S REVIEW

CASE NUMBER

DEPT. OF ENVIRONMENTAL SERVICES
DIVISION OF PLANNING AND DEVELOPMENT
LAND DEVELOPMENT SECTION

2115 S.E. MORRISON ST.
PORTLAND, OREGON 97214
(503) 248-3043

ADDRESS OF PROPOSED USE OR PARCEL 2207 N.E. Corbett Hill Rd.

Corbett, OR 97019

LEGAL DESCRIPTION OF SITE Tax Lot 3, Section 26, 1N, 4E, WM.

ASSESSOR'S MAP NO. _____

DESCRIPTION OF PROPOSED USE Lot of Exception approval to divide the subject property into a 5 acre and a 1.5 acre parcel.

IF RESIDENTIAL USE, DESCRIBE TOTAL NUMBER OF BEDROOMS Three

—TO THE APPLICANT—

ANY LAND USE INVOLVING A NEW OR EXPANDED USE OR INVOLVING CREATION OF A NEW PARCEL REQUIRES AUTHORIZATION BY THE COUNTY SANITARIAN. THEREFORE, PLEASE COMPLETE THE APPLICABLE SECTIONS OF THIS FORM AND DELIVER IT TO THE COUNTY SANITARIAN AT THE ADDRESS ABOVE, PRIOR TO MAKING ANY APPLICATIONS. AFTER THE SANITARIAN HAS REVIEWED AND RETURNED THIS FORM TO YOU, INCLUDE IT WITH YOUR APPLICATION. IF YOU PROPOSE TO CREATE A FLAG LOT OR A LOT SERVED BY AN ACCESSWAY, OR ANY USE ON A SITE WHERE AN EXISTING RESIDENCE WILL BE RETAINED, YOU MUST ACCOMPANY THIS FORM WITH A SCALED SITE PLAN SHOWING THE LOCATION OF THE EXISTING RESIDENCE'S SEWAGE AND STORM WATER DISPOSAL SYSTEMS WHEN SUBMITTING THIS FORM TO THE SANITARIAN.

APPLICANT Myrtle C. Windust and Frank A. Windust, Jr.
%Oregon Realty Co.
ADDRESS 36039 E. Crown Point Hwy. PHONE 695-2222
CITY Corbett, Oregon ZIP 97019

—APPLICANT SHOULD NOT WRITE IN SHADED SPACE—

BASED ON PRESENT KNOWLEDGE OF THE AREA AND OF THE PROPOSED USE DESCRIBED ABOVE, AND ON CURRENT REGULATIONS OF THE OREGON DEPARTMENT OF THE ENVIRONMENTAL QUALITY, THE COUNTY SANITARIAN HEREBY FINDS THAT THE PROPOSED USE CAN BE SERVED BY:

(PLEASE CHECK APPROPRIATE BOX AND CROSS OUT INAPPROPRIATE INFORMATION.)

A SANITARY SEWER SYSTEM WHOSE NEAREST CONNECTION IS LOCATED AT _____

AND IS LOCATED IN THE INVERNESS/GRESHAM/PORTLAND SERVICE AREA
OTHER (DESCRIBE) _____

A SUBSURFACE SANITATION SYSTEM IN THE FORM OF: A CESSPOOL/SEPTIC TANK/SEPTIC TANK AND THE DRAINFIELD/SEPTIC TANK AND SEEPAGE PIT/OTHER (DESCRIBE) _____

PRESENT KNOWLEDGE OF THIS AREA IS INCONCLUSIVE AND FURTHER STUDIES WILL BE REQUIRED TO DETERMINE SUITABLE MEANS OF SANITARY WASTE DISPOSAL.

LAND FEASIBILITY STUDY NO. _____ WAS CONDUCTED ON THIS SITE ON (DATE): _____

(PLEASE ATTACH COPY.)

DATE _____

RETURN THIS FORM TO THE APPLICANT

COUNTY SANITARIAN

APPLICATION FOR CERTIFICATION OF WATER SERVICE

CASE NUMBER

DEPT. OF ENVIRONMENTAL SERVICES
DIVISION OF PLANNING AND DEVELOPMENT
LAND DEVELOPMENT SECTION

2115 S.E. MORRISON ST.
PORTLAND, OREGON 97214
(503) 248-3043

ADDRESS OF SITE 2207 N.E. Corbett Hill Rd.

Corbett, OR ~~97019~~ 97019

LEGAL DESCRIPTION OF SITE Tax Lot 3, Section 26, 1N, 3E, W1.

DESCRIPTION OF PROPOSED USE Lot of Exception approval to divide the subject property into a 5 acre and a 1.5 acre parcel.

IF RESIDENTIAL USE, DESCRIBE TOTAL NUMBER OF UNITS Two, (one new and one is existing)

SOURCE OF WATER: PUBLIC PRIVATE

—TO THE APPLICANT—

ANY LAND USE INVOLVING A NEW OR EXPANDED USE OR INVOLVING CREATION OF A NEW PARCEL REQUIRES ADEQUATE WATER SERVICE. THEREFORE, PLEASE COMPLETE THE APPLICABLE SECTIONS OF THIS FORM.

IF YOU PROPOSE TO USE A PUBLIC WATER SUPPLY, DELIVER THIS FORM TO THE APPROPRIATE WATER DISTRICT PRIOR TO MAKING ANY APPLICATION. AFTER THE WATER DISTRICT REVIEWS AND RETURNS THE FORM TO YOU, INCLUDE IT WITH YOUR APPLICATION.

APPLICANT Myrtle C. Windust & Frank A. Windust, Jr.

ADDRESS %Oregon Realty Co.

36039 E. Crown Point Hwy

PHONE 695-2222

CITY Corbett, OR

ZIP 97019

—TO THE WATER DISTRICT—

THE PROPOSED USE CAN BE ADEQUATELY SERVED WITH WATER AT A PRESSURE OF 100 P.S.I.
THE DISTRICT WILL PROVIDE SERVICE FROM A 4 INCH LINE LOCATED Corbett Hill
Road. THE PROPOSED USE SHOULD BE REQUIRED TO MAKE THE
FOLLOWING WATER SYSTEM IMPROVEMENTS AS A CONDITION OF APPROVAL:

8-29-89
DATE

Corbett Water Dist.
NAME OF WATER DISTRICT

Karl Stahl
NAME OF OFFICIAL

Asst. Superintendent
OFFICE HELD BY OFFICIAL

RETURN THIS FORM TO THE APPLICANT

LOT OF EXCEPTION APPLICATION
Applicant, Frank A. Windust, Jr.
Owner, Myrtle C. Windust

Date: 10/27/88

Applicant requests a land division of an approximately 6.5 acre parcel into a 5 acre and a 1.25 to 1.5 acre parcel. The 5 acre parcel would meet the lot size standard of the RR-5 zoning district and the newly created 1.5 acre lot of exception would be a substandard lot as allowed under MCC 11.15.2180.

Any Exception shall be based on findings that the proposal will:

1. Substantially maintain or support the character and stability of the overall land use pattern of the area;

The subject property is bordered on the North by parcels that are 2.25, 1.34 and 1.84 in size and all developed with single family residences. The most immediate parcels to the East are 3.49, 2.02, 2.45, 2.0, 1.19, and 4.1 acres in size and are all developed with single family residences. To the South is a 15 acre parcel undeveloped due to the terrain and to the West are parcels that are 5, 2.28, 2.02 and 4.86 acres in size and mostly all developed with single-family residences. Due to the numerous other small non-resource rural residential used parcels adjacent to and nearby the subject property, the granting of this Lot of Exception request would substantially maintain or support the character and stability of the overall land use patterns of the area.

2. Be situated upon generally unsuitable land for the production of farm crops and livestock or for Forest use, considering the terrain, adverse soil or land conditions, drainage and flooding, vegetation, and the location or size of the tract;

The terrain on over 50% of the subject property is too steep for any farming activity to occur. Taking out the steep areas and the creek area and the ravine that it is in which divides the property leaves very little area that could be used for anything other than residential. The configuration of the total parcel, as you can see, as well as the overall size of the parcel makes it generally if not totally unsuitable for the production of crops or any type of forest use. Weather conditions would also render this site unusable for any forest use as you can see from the wind damaged trees presently on the site. Wind and ice have mutilated the trees that grow on the site. The location of this site amongst other small residential development also makes this site unsuitable for farm or forest production.

3. Be compatible with accepted farming or forestry practices on adjacent lands;

No farming or forestry practices are being carried on on any of the parcels adjacent to this property. The only property that would even be capable of any such use is to the West and due to size and terrain even it would be a very marginal operation since only about 3 acres of it is level enough.

4. Be consistent with the purposes described in MCC .2202;

This proposal meets all the provisions and is consistent with the purposes described in MCC .2202.

5. Satisfy the applicable standards of water supply, sewage disposal and minimum access;

The Corbett Water District Main Line is adjacent to the subject property

along Corbett Hill Road, and adequate water is available according to the Corbett Water District to properly serve this site. The soils in this area, sandy loam, have no history of having problems with septic system failures and should perk without any problems. Adequate access can be provided from Corbett Hill Rd. and power and telephone services also are available and within easy access from Corbett Hill Rd.

6. Not Require public services beyond those existing or programmed for the area.

The property is served by all the necessary services, Corbett Water, Portland General Electric, Cascade Utilities (phone), Corbett Fire Department, and Corbett Schools. There are no required services beyond those existing at this time.



MULTNOMAH COUNTY OREGON

DEPARTMENT OF ENVIRONMENTAL SERVICES
DIVISION OF PLANNING
AND DEVELOPMENT
2115 S.E. MORRISON STREET
PORTLAND, OREGON 97214
(503) 248-3043

BOARD OF COUNTY COMMISSIONERS
GLADYS McCOY • CHAIR OF THE BOARD
PAULINE ANDERSON • DISTRICT 1 COMMISSIONER
GRETCHEN KAFOURY • DISTRICT 2 COMMISSIONER
RICK BAUMAN • DISTRICT 3 COMMISSIONER
SHARRON KELLEY • DISTRICT 4 COMMISSIONER

November 1, 1989

Honorable Board of County Commissioners
Room 605, Multnomah County Courthouse
1021 SW Fourth Avenue
Portland, Oregon 972904

RE: **Auto Wrecker's License - New**

Jack H. Benson
dba A and B Automotive and Towing, Inc.
5838 SE 111th Avenue
(Zoned LM, Light Manufacturing District)

MULTNOMAH COUNTY
OREGON
1989 NOV - 1 AM 11:46
BOARD OF
COUNTY COMMISSIONERS

Recommend: Approval of Business Location

Dear Commissioners;

The staff of the Division of Planning and Development respectfully recommends that the above license be approved, based upon findings that they satisfy the location requirements for same as contained in ORS 822.10 and .135.

Sincerely,

MULTNOMAH COUNTY DIVISION OF PLANNING AND DEVELOPMENT

Robert N. Hall, Senior Planner

RNH:sec

Enclosure - Wrecker's Application



APPLICATION FOR BUSINESS CERTIFICATE

AS A WRECKER OF MOTOR VEHICLES OR SALVAGE POOL OPERATOR

Map # 364

ORIGINAL
 RENEWAL

NOTES: FAILURE TO ACCURATELY COMPLETE THIS FORM WILL CAUSE UNAVOIDABLE DELAY.

PLEASE TYPE OR PRINT LEGIBLY WITH INK.

DO NOT SUBMIT THIS APPLICATION WITHOUT YOUR SURETY BOND AND THE REQUIRED FEE.

CERTIFICATE NO: _____

1	NAME (CORPORATION AND/OR ASSUMED BUSINESS NAME) A & B AUTOMOTIVE AND TOWING INC			BUSINESS TELEPHONE 760-7369
2	MAIN BUSINESS LOCATION (STREET AND NUMBER) 5838 S.E. 111TH	CITY PORTLAND	ZIP CODE 97266	COUNTY MULT.
3	MAILING ADDRESS 3455 S.E. 21ST AVENUE	CITY PORTLAND	STATE OREGON	ZIP CODE 97202

LIST THE ADDRESSES OF ALL ADDITIONAL BUSINESS LOCATIONS. A SEPARATE APPLICATION FORM MUST BE COMPLETED FOR ANY ADDITIONAL LOCATIONS IN A DIFFERENT CITY.

4	STREET ADDRESS (OFFICE) 3455 SE. 21ST AVENUE	CITY PORTLAND	ZIP CODE 97202	COUNTY MULT.	TELEPHONE 233-5189
5	STREET ADDRESS	CITY	ZIP CODE	COUNTY	TELEPHONE

6	CHECK ORGANIZATION TYPE: <input type="checkbox"/> INDIVIDUAL <input type="checkbox"/> PARTNERSHIP <input checked="" type="checkbox"/> CORPORATION	IF CORPORATION, LIST THE STATE UNDER WHOSE LAW BUSINESS IS INCORPORATED: OREGON
---	--	---

LIST NAME AND RESIDENCE ADDRESS OF ALL INDIVIDUAL OWNERS, PARTNERS OR PRINCIPAL CORPORATE OFFICERS

7	NAME JACK H. BENSON	TITLE PRESIDENT	DATE OF BIRTH 7-14-49	RESIDENCE TELEPHONE (503) 655-5930
8	RESIDENCE ADDRESS 6131 CHURCHILL DOWNS DRIVE	CITY WEST LINN	STATE OREGON	ZIP CODE 97066
9	NAME	TITLE	DATE OF BIRTH	RESIDENCE TELEPHONE
10	RESIDENCE ADDRESS	CITY	STATE	ZIP CODE
11	NAME	TITLE	DATE OF BIRTH	RESIDENCE TELEPHONE
12	RESIDENCE ADDRESS	CITY	STATE	ZIP CODE

13 THE DIMENSIONS OF THE PROPERTY ON WHICH THE BUSINESS IS LOCATED ARE 122.65 ft. x 697.2 ft.

I CERTIFY THAT I AM THE APPLICANT OR AN AUTHORIZED REPRESENTATIVE AND THAT ALL INFORMATION ON THIS APPLICATION IS ACCURATE AND TRUE. I ALSO CERTIFY THAT THE RIGHT OF WAY OF ANY HIGHWAY ADJACENT TO THE LOCATION(S) LISTED ABOVE IS USED FOR ACCESS TO THE PREMISES AND PUBLIC PARKING.

14	NAME JACK H. BENSON	TITLE PRESIDENT	RESIDENCE TELEPHONE (503) 655-5930
15	ADDRESS, CITY, STATE, ZIP CODE 6131 CHURCHILL DOWNS DR. WEST LINN OREG.	SIGNATURE <i>Jack H. Benson</i>	DATE 10/24/89

16 APPROVAL: I CERTIFY THAT THE GOVERNING BODY OF THE CITY COUNTY OF Multnomah HAS:

- A) APPROVED THE APPLICANT AS BEING SUITABLE TO ESTABLISH, MAINTAIN OR OPERATE A WRECKING YARD OR BUSINESS (ORIGINAL APPLICATIONS ONLY).
- B) DETERMINED THAT THE LOCATION OR PROPOSED LOCATION MEETS THE REQUIREMENTS FOR LOCATION UNDER OREGON REVISED STATUTE 822.110.
- C) DETERMINED THAT THE LOCATION DOES NOT VIOLATE ANY PROHIBITION UNDER OREGON REVISED STATUTE 822.135.
- D) APPROVED THE LOCATION AND DETERMINED THAT THE LOCATION COMPLIES WITH ANY REGULATIONS ADOPTED BY THE JURISDICTION UNDER OREGON REVISED STATUTE 822.140.

I ALSO CERTIFY THAT I AM AUTHORIZED TO SIGN THIS APPLICATION AND AS EVIDENCE OF SUCH AUTHORITY DO AFFIX HEREON THE SEAL OR STAMP OF THE CITY OR COUNTY.

FEE: \$54.00

PLACE STAMP OR SEAL HERE

17	NAME <i>Multnomah County</i>	TITLE <i>Chair</i>
18	SIGNATURE <i>Glady McLoay</i>	DATE 11/7/89

SUBMIT APPLICATION AND SURETY BOND, WITH ALL REQUIRED FEES AND SIGNATURES TO:
BUSINESS LICENSING UNIT
1905 LANA AVE. NE
SALEM, OR 97314-2350

SURETY BOND

FAILURE TO ACCURATELY COMPLETE THIS FORM WILL CAUSE UNAVOIDABLE DELAY.

BOND NO.: _____

KNOW ALL MEN BY THESE PRESENTS:

THAT _____
(INDIVIDUAL, PARTNERS, CORPORATION NAME)

DOING BUSINESS AS _____
(ASSUMED BUSINESS NAME, IF ANY)

HAVING PRINCIPAL PLACE OF BUSINESS AT _____
(ADDRESS, CITY, STATE, ZIP CODE)

WITH ADDITIONAL PLACES OF BUSINESS AT _____
(ADDRESS, CITY, STATE, ZIP CODE)

(ADDRESS, CITY, STATE, ZIP CODE)

STATE OF OREGON, AS PRINCIPAL(S), AND _____
(SURETY NAME) _____
(ADDRESS, CITY, STATE, ZIP CODE) () TELEPHONE NUMBER

A CORPORATION ORGANIZED AND EXISTING UNDER AND BY VIRTUE OF THE LAWS OF THE STATE OF _____ AND AUTHORIZED TO TRANSACT A SURETY BUSINESS IN THE STATE OF OREGON, AS SURETY, ARE HELD AND FIRMLY BOUND UNTO THE STATE OF OREGON IN THE PENAL SUM OF \$2,000.00 FOR THE PAYMENT OF WHICH WE HEREBY BIND OURSELVES, OUR RESPECTIVE SUCCESSORS AND ASSIGNS, JOINTLY AND SEVERALLY, FIRMLY BY THESE PRESENTS.

THE CONDITION OF THIS OBLIGATION IS SUCH THAT, WHEN THE ABOVE NAMED PRINCIPAL HAS BEEN ISSUED A CERTIFICATE TO CONDUCT, IN THIS STATE, A BUSINESS WRECKING, DISMANTLING AND SUBSTANTIALLY ALTERING THE FORM OF VEHICLES, SAID PRINCIPAL SHALL CONDUCT SUCH BUSINESS WITHOUT FRAUD OR FRAUDULENT REPRESENTATION, AND WITHOUT VIOLATION OF ANY OF THE PROVISIONS OF THE OREGON VEHICLE CODE SPECIFIED IN ORS 822.120(2), THEN AND IN THAT EVENT THIS OBLIGATION TO BE VOID, OTHERWISE TO REMAIN IN FULL FORCE AND EFFECT UNLESS CANCELLED PURSUANT TO ORS 743.755.

THIS BOND IS EFFECTIVE _____ 19 _____ AND EXPIRES _____ 19 _____

ANY ALTERATION VOIDS THIS BOND

IN WITNESS WHEREOF, THE SAID PRINCIPAL AND SAID SURETY HAVE EACH CAUSED THESE PRESENTS TO BE EXECUTED BY ITS AUTHORIZED REPRESENTATIVE OR REPRESENTATIVES AND THE SURETY CORPORATE SEAL TO BE HEREUNTO AFFIXED THIS _____ DAY OF _____ 19 _____

SIGNATURE OF PRINCIPAL/REPRESENTATIVE TITLE

SIGNATURE OF SURETY/REPRESENTATIVE TITLE

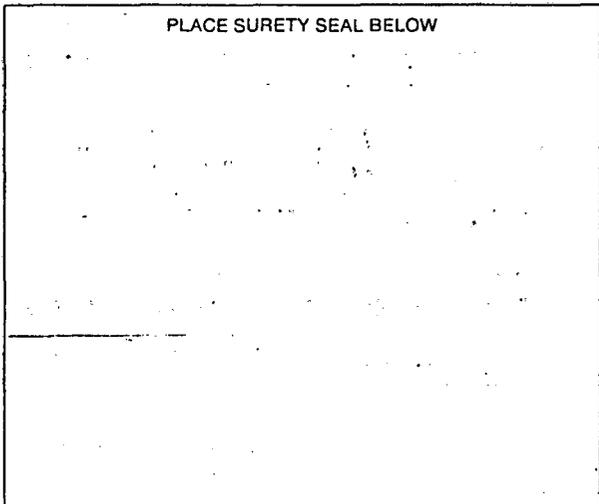
SURETY'S AGENT OR REPRESENTATIVE MUST COMPLETE THIS SECTION.

IN THE EVENT A PROBLEM ARISES CONCERNING THIS BOND, CONTACT:

NAME _____ TELEPHONE _____

ADDRESS _____

CITY, STATE, ZIP CODE _____



① Informal 11/7/89 Item #1

Current syst at capacity — concerned abt. levels of care, staffing & ability to meet care needs of rising client population. Emphasis on safety & quality of care. Community placement very successful but w/o add'l resources cannot guarantee success. That is why we recommend partial participation. Unable to feel comfortable in saying yes to State. State officials present can provide add'l info.

GM — Reserve comments for DZ until after invited speakers are finished.

Kevin Conannon — w/R. Hippincott — Emphasize p'ship between St. & MC. State over-reliant on lg. institution for care — now emphasis changing to community care — overdue emphasis. Stress in area in recruiting & retaining personnel for ^{community} care. Reg. Board to increase salaries to bolster #'s of care givers.

Dr. R. Hippincott — add that Comm. Integration Project part. in phase I was working & hope phase II can be undertaken. for 1st yr. of phase II there are very few #'s to come into MC.

Kafooy — How will MC not partic. impact

Toews - Core group of people who will need intense supervision - maybe done in community programs or could be centralized facility.

GM - Fairview always there?

Toews - Always be State supported services, not necessarily central facility.

BK - Barriers to Fed. Downsizing

Toews - Stretched provider ability & wage/work force issue also barrier. Competing for shrinking worker pool. Instability problem in labor force. Wage issue alone won't solve this... Also benefit packages, recruitment, career track options

RB - ~~GM~~ - Where are the DD people coming from & what are the #'s?

Toews - Don't have hard data, ~~but~~ bigger concern drug addicted infants > have severe physical & emotional disabilities later on

RB - Assume E Board approves wage increase apply to Phase II?

Toews - Cause other programs to destabilize - once KIP II enacted, wage increase overall.

RB - ~~Not~~ Backing out of KIP I?

DE - No already absorbed 165 in KIP I

RB - Do same standards apply when indiv. moved to community?

Concannon - No in that inst. must provide "active treatment" - active treatment not req. in community

PA - 66 or 67 in phase 2
hippincott - between 62-67 for entire 3 years.

PA - No of all at one time?

hippincott - most into MC w/ be in 2nd & 3rd yrs. of program - recognize saturation levels of staffing, etc.

PA - Continue to be maybe's. Inability to find care providers of grave concern.

~~hippincott~~ - St. shares concern. Developing programs to deal w/ issue & recognize workload increase needs to be met w/ increase in resources. Title 19. # that goes into community would also be lost w/ no MC participation.

SK - Summarize changes

Toews - #'s of people unchanged over 3 yr. period. New programs under phase 3 - rate increases involve #'s of staff to meet increased client care needs. Monitoring, training & technicals also beefed up in budget

GM - any of clients need to be left at Fairview or goal to get all out?

State.
James ~~Tears~~ — Fairview still decertified
add'l money ^(Medicaid) only received only
if Community placement continuing
Absent reduction ^{community placement} plan, the
plan loses \$100,000 Medicaid
funds. St. will develop
Community plan on its own
w/ private providers & alternatives
if MC opts out

~~RB~~ GK - No way to move Jan. EBoard
date?

Concannon - pretty set because of financial
considerations statewide.

GK - Will P. affect this population?

Concannon - Definitely

RB - Equity problem for you?

Concannon - Yes, but trying to minimize.

RB - long-term prognosis for Fairview?

Concannon - ~~to~~ legislature in 7/90 for
plan for Fairview & for DD facilities.
w/ options, regardless of options,
will be small Fairview than
current — to less than 500.
Smaller central facility w/ greater
community capacity.

RB - option to not take ~~to~~ \$?

Concannon - Not really.

Em - Kathryn Weit?

Ass.
Retarded
Citizens

K. Weit - also B. Stauson.

B. Stauson - Desc. of sr. in-law behavior
in Fairview vs. Community home.

K. Weit - Budget makers ^{at} haven't recognized
that needs ^{to} be met. Urge MC to
support Fairview downsizing & adeg. State
funding of Comm. programs.

Robin Williams - MC Case Manager. low
wages / high turnover - little or
no training. Professionals saturated
w/ clients.

DATE SUBMITTED Nov. 1, 1989

(For Clerk's Use)
Meeting Date NOV 7 1989
Agenda No. #1 pm

REQUEST FOR PLACEMENT ON THE AGENDA

Subject: Community Integration Project

Informal Only* Nov. 7, 1989
(Date)

Formal Only _____
(Date)

DEPARTMENT Human Services DIVISION Social Services

CONTACT Gary Smith TELEPHONE 248 3691

*NAME(S) OF PERSON MAKING PRESENTATION TO BOARD Duane Zussy, Gary Smith, State DD
program staff and directors

BRIEF SUMMARY Should include other alternatives explored, if applicable, and clear statement of rationale for the action requested.

This is a follow up to the October 31 informal presentation on CIP II.

MULTIOMAH COUNTY
OREGON
1989 NOV - 1 PM 1:58
BOARD OF
COUNTY COMMISSIONERS

(IF ADDITIONAL SPACE IS NEEDED, PLEASE USE REVERSE SIDE)

ACTION REQUESTED:

INFORMATION ONLY PRELIMINARY APPROVAL POLICY DIRECTION APPROVAL

INDICATE THE ESTIMATED TIME NEEDED ON AGENDA Time Certain

IMPACT: 1:30 pm

PERSONNEL

FISCAL/BUDGETARY

-General Fund

Other _____

SIGNATURES:

DEPARTMENT HEAD, ELECTED OFFICIAL, or COUNTY COMMISSIONER [Signature]

BUDGET / PERSONNEL _____

COUNTY COUNSEL (Ordinances, Resolutions, Agreements, Contracts) _____

OTHER _____
(Purchasing, Facilities Management, etc.)

NOTE: If requesting unanimous consent, state situation requiring emergency action on back.



MULTNOMAH COUNTY OREGON

*Informal 11/7/89
Item # 1
SAS Handout #1*

DEPARTMENT OF HUMAN SERVICES
SOCIAL AND FAMILY SERVICES DIVISION
ADMINISTRATIVE OFFICES
426 S.W. STARK ST., 6TH FLOOR
PORTLAND, OREGON 97204
(503) 248-3691

BOARD OF COUNTY COMMISSIONERS
GLADYS McCOY • CHAIR OF THE BOARD
PAULINE ANDERSON • DISTRICT 1 COMMISSIONER
GRETCHEN KAFOURY • DISTRICT 2 COMMISSIONER
RICK BAUMAN • DISTRICT 3 COMMISSIONER
SHARRON KELLEY • DISTRICT 4 COMMISSIONER

MEMORANDUM

TO: Gladys McCoy, Multnomah County Chair
Commissioner Gretchen Kafoury
Commissioner Pauline Anderson
Commissioner Rick Bauman
Commissioner Sharron Kelley

VIA: Duane Zussy

FROM: Gary Smith *GS*

DATE: November 7, 1989

SUBJECT: Further Information on CIP II

We submit the following to further explain our recommendation to you regarding the County's options for participation in the next phase of Fairview Downsizing, and to elaborate on the data we previously submitted.

- We continue to recommend non-participation, or partial participation, depending on the extent to which the "conditions" we previously outlined are met by the State. We would like to continue to work cooperatively with the State to successfully transfer persons with developmental disabilities to the community, however we will be unable to do so without the availability of at least a minimum level of resources. The Department has previously reported to you the successes of community programming for many individuals (the Rob Horner study) and maintains its belief that adequately staffed, supervised, and supported community programs offer the best opportunity to maximize the human potential of persons with developmental disabilities.

- Critical Incidents

The County issues guidelines to subcontractors for critical incident reporting. Agencies have some flexibility in determining the incidents they will report. We aggressively collect critical incident reports submitted by providers. These reports (the 649 figure earlier provided to you) typically do not provoke an "investigation" per se, but rather give County staff and providers data from which to make changes in client services.

- Protective Services

Critical incident reports can lead to protective service investigations depending upon the nature of the incident and its actual or potential harm to clients.

° Conditions Leading to Program De-Licensure

Programs who fail to receive permanent licenses do so as a result of significant health, safety, or personal rights deficiencies. Of the six residential programs that have been reviewed in Multnomah County thus far, one half of them did not receive a permanent license based on a decision by the State Mental Health Division.

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GWS/mas

[4357B]



OREGON ASSOCIATION OF REHABILITATION FACILITIES

2866 Center Street NE • Salem, Oregon 97301 • Telephone: (503) 378-5502

Alvord Taylor Houses, Eugene
ARC of Washington County, Aloha
Bay Area Rehabilitation Ctr., Coos Bay
Bend Work Activity Center
Bonney Enterprises, Corvallis
The Challenge Center, Milwaukie
Columbia Gorge Rehabilitation Ctrs.,
Hood River and The Dalles
Douglas Residential Training Facility
Eastco Diversified Services, Gresham
Edwards Center, Aloha
Garten Foundation, Salem
Goodwill Indus. of Lane County
Goodwill Indus. of Oregon, Portland
Salem Goodwill Division
Greenleaf Industries, Grants Pass
Kingsmen Community Srvcs., Salem
Lake Activity Center, Lakeview
Lane Community College WAC
Laurel Hill Center, Eugene
Living Opportunities, Medford
Marie Mills Center, Tillamook
Midcoast Enterprises, Florence
Mid Valley Workshop, Amity
NOVA Enterprises, Pendleton
Open Door, Corvallis
The Opportunity Center, Albany
Opprtny. Fndtn/Cent. Oreg., Redmond
Pearl Buck Center, Eugene
Polk Community Living, Monmouth
Polk Enterprises, Independence
Port City Development, Portland
Portland Habilitation Center, Portland
REACH, Inc., Klamath Falls
Rockwest Training Company, Salem
Rogue River Enterprises, Gold Beach
Salem Rehabilitation Facility
Shangri-La Corporation, Salem
So. Oreg. Goodwill Industries, Medford
So. Oreg. Training/Habilitation, Ashland
SPARC Enterprises, Grants Pass
St. Vincent De Paul Rehabiltn., Portland
Star of Hope, North Bend
Step Forward, LaGrande
Sunshine Indus. Unlimited, Sweet Home
Treasure Valley Opportunities, Ontario
Tualatin Valley Mental Health, Hillsboro
Umpqua Homes for the Aged, Roseburg
Wasco Habilitation, The Dalles
Willamette Valley Rehabiltn. Ctr., Lebanon
Dammasch State Hospital, Wilsonville
Portland Employment Program
SE Mental Health Network, Portland
Supported Employment Res. Proj., OHSU

Members provide services through their workshops, group homes, and at integrated community worksites through contracts from County Mental Health Programs for the Divisions of Mental Health and Developmental Disabilities Services and Vocational Rehabilitation.

Several Multnomah County programs were instrumental in the creation of this Association over twenty years ago and remain members today, the largest being Portland Habilitation Center and Portland Goodwill. Our membership includes five Multnomah County programs serving hundreds of its citizens with disabilities.

Never have the problems facing community programs been greater. We weathered the recession of the early 80's by supplementing stagnant state rates of payment with grants, contributions, and other resources we developed from our local communities. We believe it is the responsibility of the nonprofit sector to augment state rates to offer improved services to the people we are incorporated to serve -- it is our mission. We were able to survive because we were innovative and because there was an adequate labor force to draw from. Now we are learning that the gap between what the state is able to pay and the true costs are so great that our FUNDRAISING EFFORTS AREN'T sufficient to keep us in business. There must be an increase in the wages and benefits we can offer to our employees.

The community system has grown over 50% in the past four years ('84-'88), while the competition for labor has dramatically increased. The wages and benefits built into state rates have remained only slightly above minimum and we are rapidly learning that the physically and emotionally demanding jobs we offer cannot compete with similarly paying jobs in the service industry.

The absolute minimum that we believe is necessary for the community system to survive this biennium is the 4.7 million recommended in the 9/89 Executive Department study, titled "A Review of the Staffing Situation of the Direct Care Workers in the Developmental Disability Field".

If started 1/1/90, the 4.7 million would provide for a 10% increase in direct care wages for residential and vocational employees and increase OPE (Other Payroll Expenses) from 21% to 25% (which is still well below true cost -- in public employment this figure approaches 40%).

This is not a long-term solution, but, if implemented quickly, one that will allow the community to hold together while longer-term strategies can be developed for the next legislative session.

We recognize that these problems and their solutions cannot be fixed by Multnomah County. We are asking that the County uses its power to advocate for the immediate release of 4.7 million dollars for direct care wages and benefits.

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

In the Matter of County Participation) RESOLUTION
in Phase Two of the Community Integration)
Project (Fairview downsizing))

WHEREAS the Board of County Commissioners believes that individuals with developmental disabilities are entitled to a full range of opportunities for community living, and

WHEREAS the Board of County Commissioners is committed to the process of reducing the size of Fairview Training Center and providing community living options for Fairview residents, and

WHEREAS Multnomah County has been a participant in past state/county efforts to place Fairview residents into neighborhood living options, and

WHEREAS the Board recognizes that the number of community providers available to accept additional Fairview residents has fallen to drastic levels and that recruitment of new providers has become increasingly difficult, and

WHEREAS the Executive Department of the State of Oregon has reported that the inadequacy of wages paid to direct care staff employed by these providers is a critical element in recruiting new providers and retaining those now in economic crisis, and

WHEREAS the State has been unable to assure the Board that sufficient monies will be made available to improve the wage base for these direct care staff, and

WHEREAS other critical elements of a successful community system remain unaddressed to date by the State, and

WHEREAS Multnomah County would be willing to continue its commitment to a joint state-county effort to expand community options but is unwilling to be a participant in destabilizing the community service system,

NOW, THEREFORE BE IT RESOLVED THAT:

Multnomah County declines to participate in Phase Two of the Community Integration Project until the following conditions are satisfactorily addressed by the State of Oregon:

1. Residential direct care staff salaries increased to \$6/hour and fringe from 21 to 25 percent.
2. Professional resources to provide basic medical care, occupational and physical therapy, dentistry, and consultation must be expanded in the community.
3. Funds must be provided for psychiatric services beyond what is currently covered by the Medicaid program.
4. Case management funds already budgeted must be advanced to the County so that sufficient staff may be hired to plan for and serve the increased number of clients.
5. Subcontractor administrative support must be increased by ten percent.

BE IT FURTHER RESOLVED THAT:

The Board of County Commissioners is prepared to join with advocates, providers, and others to urge the State Department of Human Resources to make available sufficient resources to meet the above conditions and, if necessary, will support the Department of Human Resources before the Emergency Board in seeking these resources.

ADOPTED this _____ day of November, 1989

Gladys McCoy, Chair
Multnomah County, Oregon

SEAL

REVIEWED:



Paul G. Mackey
Assistant County Counsel

The death of David Bashaw; A case study in downsizing

By DON LOVING

This is a story about a boy named David.

At 34, David was not a "boy" physically. But mentally, socially and in other respects, David was a boy — a very young boy. He was an MR/DD client and resident at Fairview Training Center. According to sources at Fairview, David's diagnostic age was profiled at under one year.

Nonetheless, for over five years, David had been happy at Fairview. Then things began to change:

- On May 3, 1989, Fairview and the federal government agreed on a consent decree that called for hundreds of Fairview clients to be 'downsized' from the institution to community living centers. David was one of those scheduled to leave.

- On June 23, 1989, officials of the community center in Portland where David was scheduled to go asked for "a couple of more weeks" so that their staff could be better trained to handle a client with David's disabilities. Their request was denied, because David had to "be out of Fairview by the end of the biennium"

- On June 30, 1989, David was moved to his new living quarters in the Clackamas County area of Portland.

- On July 17, 1989, David was dead.

A Little History

For the past several years, Oregon AFSCME Council 75 has been engaged in an ongoing struggle against deinstitutionalization, particularly — but *not* exclusively — at Fairview. For those same years, Council 75 has been warning that "clients will die" if all physically and mentally handicapped patients are placed in community settings.

For that same period of time, the Council's critics have had but many verses of the same song: "All the union's concerned about is jobs."

Longtime Council activists beg to differ. "AFSCME has always advocated for the patients in these kinds of homes," said Arlene Collins of AFSCME Local 88 (Multnomah County). "I spoke about this very issue at a privatization conference back in 1981!"

Collins was there when Multnomah County closed Edgefield Manor earlier this decade. Many residents of the county-operated nursing home died within a year of their being "downsized" (which wasn't the in-vogue term in 1981) to community settings.

"The reaction to those deaths was a sort of 'So what?' response," said Cecil Tibbetts, Council 75's executive director. "It was like, 'They're old; they're going to die anyway.' It was very sad."

Now, almost 10 years later, despite the warnings, someone else has died. What will the reaction be this time?

Beginning Of The End

For five years, David Bashaw lived happily at Fairview's Martin Cottage, one of the institution's intensive care cottages. He came to Fairview from another institution. AFSCME Local 1246 member Linda Matthias, who works at Martin, described David as severely retarded and handicapped with an additional severe seizure disorder; nonetheless, in general he was "healthier" than most intensive care clients.

"He did suffer from a cleft palate," said Matthias. (A cleft palate is what has been known colloquially for years as a "hair lip.") "But

relative to other patients, David had no significant feeding or swallowing disorders." That fact becomes more significant as you understand the nature of David's death.

There was nothing ominous as July 17 began. David, now in his eighteenth day at his new group home, was taken to his work activity center. He was positioned in a prone stander, which is simply an assisted, strap-in standing device for people who have difficulty standing up.

According to a state official (who spoke on the basis of not being identified), during the morning work shift, someone noticed that David's color wasn't good. Witnesses said he looked "gray." The group home was called, and a staffer from the group home was dispatched to bring David back to the home, located about four miles from the work center.

The work activity center is an operation independent of the home, and its workers monitored David's vital signs. Most employees of the activity center do have at least basic medical training. But then David was placed into a vehicle by the lead *group home* worker on duty, a 20-year-old with no emergency medical training. As he was being transported, David "started looking worse." The lead worker stopped at a phone booth to call the group home and ask for advice; he was told to take David to a hospital. The driver headed toward Providence Hospital, but it was too late. David died en route, and was pronounced

DOA at Providence.

"According to everyone I've talked to — both on and off the record — David never received any emergency treatment," said Matthias. "No one attempted CPR, or mouth-to-mouth resuscitation, or any kind of first aid.

The person from the group home overseeing him had no training in those areas."

Though his understanding was limited due to his diagnostic or "mental" age of 11 months, it's still safe to say that David did not want to leave Fairview. To him, Martin Cottage was "home." ("Even movement from one cottage to another was traumatic for David," said Matthias.) Generally, patients go out on a pre-placement visit — usually for three days. David was not afforded that opportunity. And the group home did not want David — at least not as soon as they got him. Again, the home had asked the state for more time to train staff. The request was denied by state management officials who had a paper deadline to meet: *X* number of Fairview clients were to be downsized by June 30. No exceptions. The state had promised the feds to move 300 people out within three years, and David was one of those they wanted to get started with. Ready or not — applied equally to either the client or the group home — here we come! And 18 days later, David was dead.

'No Feeding Or Swallowing Disorders'

Officially, David died from an abnormally "high serum sodium level." In more understandable terms, he died of dehydration. He simply didn't have enough to eat or drink while living at the group home.

Dr. Joanne Icovino, a member of AFSCME Local 3327 (Oregon State Physicians), works at Fairview. She writes discharge orders for many of the patients being released to the community. David was one of her patients.

(Please turn the page)

The word "FAIRVIEW" is written in a large, white, serif font, centered within a solid black rectangular box.

● David

(Continued from front page)

"For David to have died of dehydration, I can only assume that not enough attention was paid to his food and water intake level [at the group home]," Icovino said. "He was certainly healthy when we discharged him.

"Obviously," she continued, "the term 'healthy' is relative with all of these patients. But David had a good appetite, and he generally ate and drank well.

"He most certainly wasn't on the verge of dehydration when he left Fairview."

Icovino did say that David took a lot of time eating, and that the person attending him — essentially, David could not feed himself — may not have taken enough time feeding him.

"There's just not enough knowledge out there by the people taking care of our clients," Icovino said. "The aide should have realized David wasn't eating, and a nurse should have been called in. But there's no professional follow-up for these patients.

"All of the doctors are concerned," said Icovino. "There's no way of monitoring our people once

they leave. These are people that we care about and love, yet we can only hope everything works out all right.

"And we've just talked about physical needs," Icovino added. "I'm sure there are a lot of unanswered questions about meeting the emotional needs of our patients. Leaving Fairview causes a significant emotional reaction in these patients."

Tibbetts believes most workers in the community living centers do care about the clients' welfare, but don't receive proper training.

"It's not that the employees in the group homes don't care," said Tibbetts. "They *do* care. We understand that. They just aren't being trained properly to take care of cases as severe as the Fairview releases."

Others Hospitalized

To the employees of Fairview who mourn David's death, there's one fact that is most distressing of all: *David's case is NOT an isolated incident.* Both before and after David's passing, three other former Fairview patients were

hospitalized soon after their placement into the community. Because each of the three is still living, not even their first names will be used for sake of privacy. This is all you need to know about the three:

- Client No. 7137 — Hospitalized May 26. Cause: Dehydration.

- Client No. 8366 — Hospitalized June 18. Cause: Dehydration.

- Client No. 7422 — Hospitalized Aug. 11. Cause: Dehydration.

In the case of Client No. 8366, she was hospitalized *just five days after* her release from Fairview.

And that's only the beginning. Two other patients, Client No. 8815 and Client No. 7391, were treated for "dramatic weight loss" in the short weeks after their placement out of Fairview.

Yet three other clients have developed "a dramatic increase in seizures" since leaving Fairview. One of those patients, Client No. 7702, is in her 30s. Her Fairview records indicate she hadn't had a seizure since 1962. She had her first seizure in 27 years shortly after being downsized out of Fairview.

"These patients are as healthy as

they can be when they're discharged," said Icovino. "It takes me four to five hours to write up the extensive medical discharge and instruction forms that are required before one of our patients leaves Fairview.

"These people aren't sick when they leave."

Matthias says some of these clients — and countless others who have suffered less severe reactions to downsizing — may have demonstrated what mental health professionals are beginning to identify as "shock displacement syndrome," which appears to affect many MR/DD patients when their setting is abruptly changed.

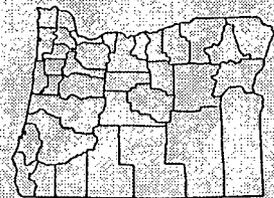
But the verdict on SDS is still out. The verdict on recent Fairview releases is in: one dead, three hospitalized, two treated for dramatic weight loss, three more treated for dramatic increase in seizures — one for the first time in 27 years.

Again, what will the reaction be?

(Don Loving is Managing Editor of The AFSCME Advocate, published in Salem by Oregon AFSCME Council 75.)

Where They're Going

*A breakdown of planned Fairview discharges through 1992
(Chart indicates number to be discharged to each county)*



Benton	15	Lane	16
Clackamas	23	Lincoln	10
Clatsop	3	Linn	16
Columbia	10	Malheur	10
Coos	10	Marion	15
Curry	5	Multnomah	64
Deschutes	5	Polk	17
Grant	10	Umatilla	5
Hood	5	Washington	20
Jackson	15	Yamhill	15
Josephine	5	*Foster Care	17

TOTAL 311

Source: State of Oregon

Workers cleared in death

SALEM — The Department of Human Resources announced Tuesday that an investigation into the death of a former Fairview Training Center patient had found no wrongdoing.

David B. Bashaw, 34, died in a Clackamas County care home on July 17. An autopsy showed that dehydration was one of several factors that could have contributed to his death.

Kevin Concannon, director of the Department of Human Resources, asked for the investigation last month. He said the investigation cleared the involved individuals of wrongdoing.

However, Concannon said, the investigation prompted changes in the way the state monitors the care given to Fairview patients who move to care homes. One area of change involves procedures for keeping medical records.

— *Oregonian*, Oct. 4, 1989

C6577 I.D. TAG NO. 1113 Local File Number		OREGON DEPARTMENT OF HUMAN RESOURCES HEALTH DIVISION Vital Records Unit CERTIFICATE OF DEATH		136	89-015118-1 State File Number
1. DECEDENT'S NAME First: David Middle: Bruce Last: BASHAW			2. SEX M	3. DATE OF DEATH (Month, Day, Year) July 17, 1989	
4. SOCIAL SECURITY NUMBER 541-82-5962		5a. AGE - Last Birthday (Years) 34	5b. Under 1 Year Mos. Days Hours Mins.	6. BIRTHPLACE (City and State or Foreign Country) Bremerton, WA	7. DATE OF BIRTH (Month, Day, Year) March 15, 1955
8. WAS DECEDENT EVER IN U.S. ARMED FORCES? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			9a. PLACE OF DEATH (Check only one) <input type="checkbox"/> HOSPITAL <input type="checkbox"/> Inpatient <input type="checkbox"/> ER/Outpatient <input type="checkbox"/> DOA <input type="checkbox"/> OTHER <input type="checkbox"/> Nursing Home <input type="checkbox"/> Decedent's Home <input type="checkbox"/> Other (Specify)		
9b. FACILITY NAME (If not institution, give street and number) Kaiser-Sunnyside Hospital			9c. CITY, TOWN, OR LOCATION OF DEATH Clackamas		9d. COUNTY OF DEATH Clackamas
10a. DECEDENT'S USUAL OCCUPATION (Give kind of work done during most of working life. Do not use retired.) Disabled		10b. KIND OF BUSINESS/INDUSTRY Lifetime		11. MARITAL STATUS Never Married <input type="checkbox"/> Never Married, Widowed, Divorced (Specify)	
12. SPOUSE (If Married, Widowed)					
TO BE COMPLETED BY CERTIFYING PHYSICIAN			TO BE COMPLETED ONLY BY MEDICAL EXAMINER		
27. TIME OF DEATH M		28. WAS MEDICAL EXAMINER NOTIFIED? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		31a. TIME OF DEATH 2:05P M	
29. To the best of my knowledge, death occurred at the time, date, place and due to the cause(s) and manner stated. (Signature)		31b. DATE PRONOUNCED DEAD (Month, Day, Year, Hour) July 17, 1989		31c. DATE PRONOUNCED DEAD (Month, Day, Year, Hour) 2:05P M	
30. DATE SIGNED (Month, Day, Year)		32. On the basis of examination and/or investigation, in my opinion death occurred at the time, date, place and due to the cause(s) and manner stated. (Signature) Susan K. Schnell		33. DATE SIGNED (Month, Day, Year) July 28, 1989	
34. NAME, TITLE, ADDRESS AND ZIP OF CERTIFIER/MEDICAL EXAMINER (Type or Print) SUSAN K. SCHNELL, M. D., DEPUTY MEDICAL EXAMINER, 301 N. E. KNOTT, PORTLAND, OREGON 97212		35. NAME OF ATTENDING PHYSICIAN IF OTHER THAN CERTIFIER (Type or Print)			
36. IMMEDIATE CAUSE (ENTER ONLY ONE CAUSE PER LINE FOR (a), (b), AND (c). Do not enter mode of dying, e.g. Cardiac or Respiratory Arrest.)					
PART I (a) CEREBRAL PALSY (INCLUDING MENTAL RETARDATION, HYDROCEPHALUS, SPASTIC DUE TO, OR AS A CONSEQUENCE OF: QUADRIPLÉGIA) WITH TERMINAL DEHYDRATION				Interval between onset and death	
(b) DUE TO, OR AS A CONSEQUENCE OF:				Interval between onset and death	
(c)				Interval between onset and death	
PART II OTHER SIGNIFICANT CONDITIONS - Conditions contributing to death but not related to cause given in PART I.				37. Did tobacco use contribute to the death? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Probably <input type="checkbox"/> Unk	
38. AUTOPSY <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		39. If YES were findings considered in determining cause of death? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A			
40. MANNER OF DEATH <input checked="" type="checkbox"/> Natural <input type="checkbox"/> Pending Investigation <input type="checkbox"/> Accident <input type="checkbox"/> Undetermined Manner <input type="checkbox"/> Suicide <input type="checkbox"/> Homicide <input type="checkbox"/> Legal Intervention		41a. DATE OF INJURY (Month, Day, Year)		41b. TIME OF INJURY M <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
41c. INJURY AT WORK? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		41d. PLACE OF INJURY - At home, farm, street, factory, office building, etc. (Specify)		41e. DESCRIBE HOW INJURY OCCURRED	
41f. LOCATION (Street and Number or Rural Route Number, City or Town, State)					

Questions remain unanswered in Bashaw death

The investigation into the death of David Bashaw has been officially closed.

The state Department of Human Resources announced in October that their investigation found no wrongdoing on the part of workers involved in the incident.

Bashaw was downsized out of Fairview into a Clackamas County group home on June 30. He died July 17 after taking ill at a group work activity center near the home. Despite his relative health when discharged from Fairview, his cause of death was listed as terminal dehydration, meaning simply that he hadn't had enough to eat or drink in the 17 days after his release from Fairview.

An article in the September issue of *The AFSCME Advocate* caused enough of a stir to prompt Director of the Department of Human Resources Kevin Concannon to call for the inquiry. According to Concannon, dehydration was one of several factors that "could have contributed" to Bashaw's death. He said the investigation cleared all of the individuals involved in handling Bashaw of any wrongdoing.

Concannon did say the investigation had prompted the state to change some methods it uses to monitor the care given to Fairview patients who are downsized out of the institution.

Despite the neat package presented by state officials regarding the case, there are still many unanswered questions. The state is unwilling, for example, to publicly admit that dehydration — plain and simple — was the cause of Bashaw's death.

Concannon said the doctor who oversaw the investigation was unable to identify a clear cause of death because of Bashaw's complex medical history. But officials with access to Bashaw's Fairview medical records and a local coroner don't agree.

The *Advocate* obtained a photocopy of Bashaw's death certificate.

The official cause of death was listed as "cerebral palsy (including mental retardation, hydrocephalus, spastic quadriplegia) with terminal dehydration." But a Fairview staff member said the listing of "cerebral palsy . . . quadriplegia" simply came off of Bashaw's Fairview medical chart.

"That was David's MR/DD diagnosis — his permanent condition," said the staffer. "That wasn't a cause of death. All those things were just part of his existence."

A Marion County medical examiner familiar with the case said it was strange that the attending coroner had used the term "terminal dehydration" with no further explanation.

"Dehydration is not a typical cause of death," he said. "For a person to die of 'terminal dehydration' to me certainly raises some questions about the quality of care received by the individual."

However, this source quickly added, Oregon law does not currently allow medical examiners to "investigate" deaths past the autopsy. In other words, the system doesn't work the way Jack Klugman did it on the old "Quincy, M.E." television series.

What's next? The answer, sadly, is nothing. Now that the state has closed the case, the only people who have standing to push for a further investigation would be relatives of Bashaw. According to Fairview sources, he had none.

But employees close to Bashaw at Fairview say his death was not in vain. The controversy surrounding his demise so quickly after release from Fairview has spurred great interest from a diverse group of people, who are currently meeting to plan strategies for the future (please see back page).

"Unfortunately," said one, "it took David's life to really get people going all out on this issue."



Members of the Fairview Downsizing Coalition gather in Salem to plan strategy.

Angry parents, citizens vow to fight back

They come from throughout the Willamette Valley, and they aren't happy. They are, in fact, angry. Angry parents, angry citizens — angry over the events surrounding the downsizing of MR/DD patients out of Fairview Training Center, pulled together by the focus over the recent death of David Bashaw.

"The most important thing to emphasize is that this is *not* a union committee," said Mary Botkin, AFSCME Council 75's Political Coordinator. "We do have some of our individual members involved, we helped publicize the initial meetings, and we're willing to let the group use our building to meet.

"But this is an independent, ad hoc group of concerned citizens. They are developing their own leadership, and their own agenda of action.

"We will, of course, fully support them in their endeavors, and we'll help them get legislation introduced at the 1991 Legislature. But again, this is not an AFSCME committee."

The group identified a list of preliminary goals at its first pair of meetings. Group members stress, however, that the list of goals will continue to increase.

"The committee wants to fully embrace the wide spectrum of concerns related to downsizing at Fairview," said Botkin. "There's room for everyone's concerns."

"We've had such a good turnout. I'm really pleased," said Linda Matthias, a member of AFSCME Local 1246 (Fairview) and long-time activist on behalf of the MR/DD population.

"I'd gotten to the point after two years where I felt ready to give up. But the feeling in the room has been so intense. Everyone wanted to cry, they were so frustrated. I know that sounds corny, but it was real. People were angry to the point of tears, and they're ready to do something."

Typical of the group is Betty Cumberland of Canby. "Mrs. C.," as everyone calls her, has an 18-year-old daughter, Muriel, residing at Fairview. Muriel Cumberland lives in the institution's hospital — as a per-

manent intensive care patient.

This is Muriel Cumberland's condition: she has a diagnostic (or "mental") age of two to four months, and is profoundly retarded. She is blind and suffers from mental deafness, which quite simply means at times she doesn't hear at all. She has cerebral palsy and scoliosis (curvature of the spine). She is fed by a tube in her nose and is incapable of receiving food through her mouth. She has a permanent tracheotomy in her throat to help her breathe and cough. In general she's very lethargic, except she's also prone to seizures. To continue to live, she receives respiratory therapy four times daily.

Yet because Muriel Cumberland is under 21, the State of Oregon and the federal government say she must be placed into a community group home as soon as possible. She is part of the under-21 primary target group for downsizing, and that scares Betty Cumberland to death.

"If she goes into the community, she's going to die," Betty Cumberland says with tears in her eyes. These aren't common tears, however. They're tears of concern, of course — but they are also tears of anger.

"I'll fight to the Supreme Court. I'll go to jail. I don't care. I will not see my daughter die in the community. Fairview is her home."

People with the resolve of Betty Cumberland caused Matthias to sound a warning to state and federal officials still intent on maximum downsizing of Fairview.

"There's not just a handful of us anymore," she said.



AFSCME
in the public service

DATE SUBMITTED _____

(For Clerk's Use)
Meeting Date NOV 7 1989
Agenda No. _____

#2 pm

REQUEST FOR PLACEMENT ON THE AGENDA

Subject: Demonstration of Hand-Held Computers

Informal Only* November 7, 1989
(Date)

Formal Only _____
(Date)

DEPARTMENT Human Services

DIVISION Health Division

CONTACT Art Bloom

TELEPHONE x3400

*NAME(S) OF PERSON MAKING PRESENTATION TO BOARD Duane Zussy, Art Bloom

BRIEF SUMMARY Should include other alternatives explored, if applicable, and clear statement of rationale for the action requested.

Briefing scheduled to provide demonstration of hand-held Computer inspection system for food service inspections in Environmental Health Program.

(IF ADDITIONAL SPACE IS NEEDED, PLEASE USE REVERSE SIDE)

ACTION REQUESTED:

- INFORMATION ONLY
- PRELIMINARY APPROVAL
- POLICY DIRECTION
- APPROVAL

INDICATE THE ESTIMATED TIME NEEDED ON AGENDA 20 minutes

IMPACT:

PERSONNEL

FISCAL/BUDGETARY

General Fund

Other _____

1989 OCT 31 PM 3:15
 CLERK OF COUNTY COMMISSIONERS
 MULTNOMAH COUNTY
 OREGON

SIGNATURES:

DEPARTMENT HEAD, ELECTED OFFICIAL, or COUNTY COMMISSIONER: Duane Zussy (m)

BUDGET / PERSONNEL _____

COUNTY COUNSEL (Ordinances, Resolutions, Agreements, Contracts) _____

OTHER _____
(Purchasing, Facilities Management, etc.)

NOTE: If requesting unanimous consent, state situation requiring emergency action on back.

DATE SUBMITTED 10/30/89

(For Clerk's Use)
Meeting Date NOV 7 1989
Agenda No. #1 Am

REQUEST FOR PLACEMENT ON THE AGENDA

Subject: Update Concerning Library Negotiations

Informal Only* 11/7/89 AM
(Date)

Formal Only _____
(Date)

DEPARTMENT Nondepartmental DIVISION County Chair's Office

CONTACT Merlin Reynolds TELEPHONE 248-3308

*NAME(S) OF PERSON MAKING PRESENTATION TO BOARD _____

BRIEF SUMMARY Should include other alternatives explored, if applicable, and clear statement of rationale for the action requested.

Briefing to review issues and questions concerning the negotiations with the Library Association of Portland and discussion of future direction for the County.

(IF ADDITIONAL SPACE IS NEEDED, PLEASE USE REVERSE SIDE)

ACTION REQUESTED:

INFORMATION ONLY PRELIMINARY APPROVAL POLICY DIRECTION APPROVAL

INDICATE THE ESTIMATED TIME NEEDED ON AGENDA 30-45 Min.

IMPACT:

PERSONNEL
 FISCAL/BUDGETARY
 General Fund
 Other _____

CLERK OF
COUNTY COMMISSIONERS
MULTNOMAH COUNTY
OREGON
1989 OCT 31 PM 3:45

SIGNATURES:

DEPARTMENT HEAD, ELECTED OFFICIAL, or COUNTY COMMISSIONER: Stacy McLaughlin

BUDGET / PERSONNEL _____

COUNTY COUNSEL (Ordinances, Resolutions, Agreements, Contracts) _____

OTHER _____
(Purchasing, Facilities Management, etc.)

NOTE: If requesting unanimous consent, state situation requiring emergency action on back.

LIBRARY TRANSFER NEGOTIATIONS

Informal Briefing
Multnomah County Board of Commissioners

November 7, 1989
Following 9:30 a.m. Planning Agenda

John DuBay: Status analysis of Agreement drafts and sticking points in negotiations prior to their suspension

Charles Davis: Views and concerns of Acting Library Director and Library Board

Bruce Ward: Views and concerns of Library Association of Portland

Bill Naito: Views and concerns of Multnomah County Library Commission

Board of Commissioners discussion and policy direction

DATE SUBMITTED 10-9-89

(For Clerk's Use)
Meeting Date NOV 7 1989
Agenda No. # 2 Am

REQUEST FOR PLACEMENT ON THE AGENDA

Subject: OSU Extension Service-North Willamette
Research and Extension Center.

Informal Only* Nov. 7, 89 AM
(Date)

Formal Only _____
(Date)

DEPARTMENT DES DIVISION (Liasion) OSU Extension Service

CONTACT Paul Sunderland TELEPHONE 254-1500

*NAME(s) OF PERSON MAKING PRESENTATION TO BOARD Paul Sunderland, Dr. Lloyd Martin, & Dr. Dave Adams

BRIEF SUMMARY Should include other alternatives explored, if applicable, and clear statement of rationale for the action requested.

OSU is developing a Dist Extension Center for Horticultural programs in the North Willamette Valley at Aurora (site of present experiment station). Through a phase in program. It is planned for extension agents with horticultural responsibilities to eventually be relocated at the center. Presentation will focus on mission of the center; enhanced opportunities for Extension education programs dealing with horticultural crops, to benefits to Multnomah County.

(IF ADDITIONAL SPACE IS NEEDED, PLEASE USE REVERSE SIDE)

ACTION REQUESTED:

INFORMATION ONLY PRELIMINARY APPROVAL POLICY DIRECTION APPROVAL

INDICATE THE ESTIMATED TIME NEEDED ON AGENDA 15 minutes

IMPACT:

PERSONNEL
 FISCAL/BUDGETARY
 General Fund
 Other _____

MULTNOMAH COUNTY
OREGON
1989 OCT 31 PM 3:45
BOARD OF
COUNTY COMMISSIONERS

SIGNATURES:

DEPARTMENT HEAD, ELECTED OFFICIAL, or COUNTY COMMISSIONER: Gladys McCall

BUDGET / PERSONNEL _____

COUNTY COUNSEL (Ordinances, Resolutions, Agreements, Contracts) _____

OTHER _____
(Purchasing, Facilities Management, etc.)

NOTE: If requesting unanimous consent, state situation requiring emergency action on back.

North Willamette Research and Extension Center

OBJECTIVES

November 7, 1989

Primary objectives of the North Willamette Research and Extension Center are:

1. Bring the research and extension function of the College of Agricultural Sciences together in this location. In doing this, Research and Extension will...

Be more responsive to the research and extension needs of the horticultural industries in the district. This will involve Clackamas, Marion, Multnomah, Polk, Washington and Yamhill counties;

Provide identified Extension faculty the opportunity to target specific commodities and their needs in the areas of production, marketing, management and policy;

Strengthen the partnership between agricultural industries of the district and Research and Extension;

Develop programs that are not only timely and responsive to needs but that are on the "leading edge" of production, marketing, management and policy issues affecting agriculture.

2. Build a state-of-the-art horticultural information center that makes creative use of computer technology for the establishment and maintenance of several data bases important to the industries. It is planned that much of this information will be available for direct access by growers, processors, agri-businesses and Extension and Research faculty from other areas of the state.
3. Use these facilities for centrally located - and easily accessible - meetings, field days and other education efforts in order to...

address the educational and research needs of agriculture, and to;

provide an agricultural showcase and information center for the broader public who are interested in, and want to be informed about, the importance of agriculture to the area and the state.

Roles of Extension Faculty at the Center

The primary role of Center Extension faculty will be to serve the six counties educational needs in specific horticulture education programs. Programs will focus on production, marketing, management, as well as other needs that may affect the economic vitality of the district.

A secondary role of Center Extension faculty will be to address the broader "service" needs of Extension at the county. Examples of this role are...

participation in development and delivery of programs that cross geographic and commodity lines (e.g. water quality, pesticide safety, quality control in production for specific markets, etc);

Master Gardening training for those volunteers who address the home horticultural demands on county Extension offices.

A third role will be to apply each agent's disciplinary expertise across commodity lines. It is expected that agents with a discipline background in entomology, pest management, pathology, business management, soils and fertility, water management, for example, will apply that knowledge to industry needs outside their particular commodity assignments.

It is anticipated that Extension and Research faculty will share assignments where needs and expertise match. Some faculty may carry both a Research and Extension commitment.

Transition Phase - New FTE will not be used for Phase I or II. Instead, some horticultural agents will relocate from county offices to the Center.

Phase I Move three agents to the Center:

1/1/90

- Dave Adams, Multnomah county, greenhouse and broadleaf, evergreen.

- Diane Kaufman, Clackamas county, cane-berries.

- Parson's replacement, Clackamas county, fresh market vegetables.

Phase II Move three agents to the Center:

7/1/91

- Richard Regan, Marion county, conifer and Christmas tree nursery stock.

- Blueberry/Strawberry agent, from Marion or Washington county.

- Deciduous nursery agent, to be arranged.

Other suggestions have been made for the future that may require new FTE's.

It has also been suggested that the transitions not be abrupt, but that commodity assignment shifts be graduated in order to assure continuity.

Funding

1. The 1987 legislature authorized \$310 thousand for capital construction.
2. State and federal dollars provide salary dollars for Extension faculty on site.
3. County's are being asked to continue their support for these district positions as they do for county positions (see Table I for a description of how these operational costs would be shared by participating counties).
4. No dollars exist for equipping the Center. A major fund raising venture will be undertaken by a CAS appointed task force to raise \$200 thousand.

Administration

The North Willamette Research and Extension Center, on the Extension side, will be treated as a 37th county. The Station Superintendent, Lloyd Martin, has agreed to serve as both Superintendent and Staff Chair.

Annual Reviews

The North Willamette Task Force has recommended an annual review of the Center to assure continued relevancy of Research and Extension to the needs of the district. At least one Board of Commissioners have suggested an in-depth review at the end of three years.

TABLE I

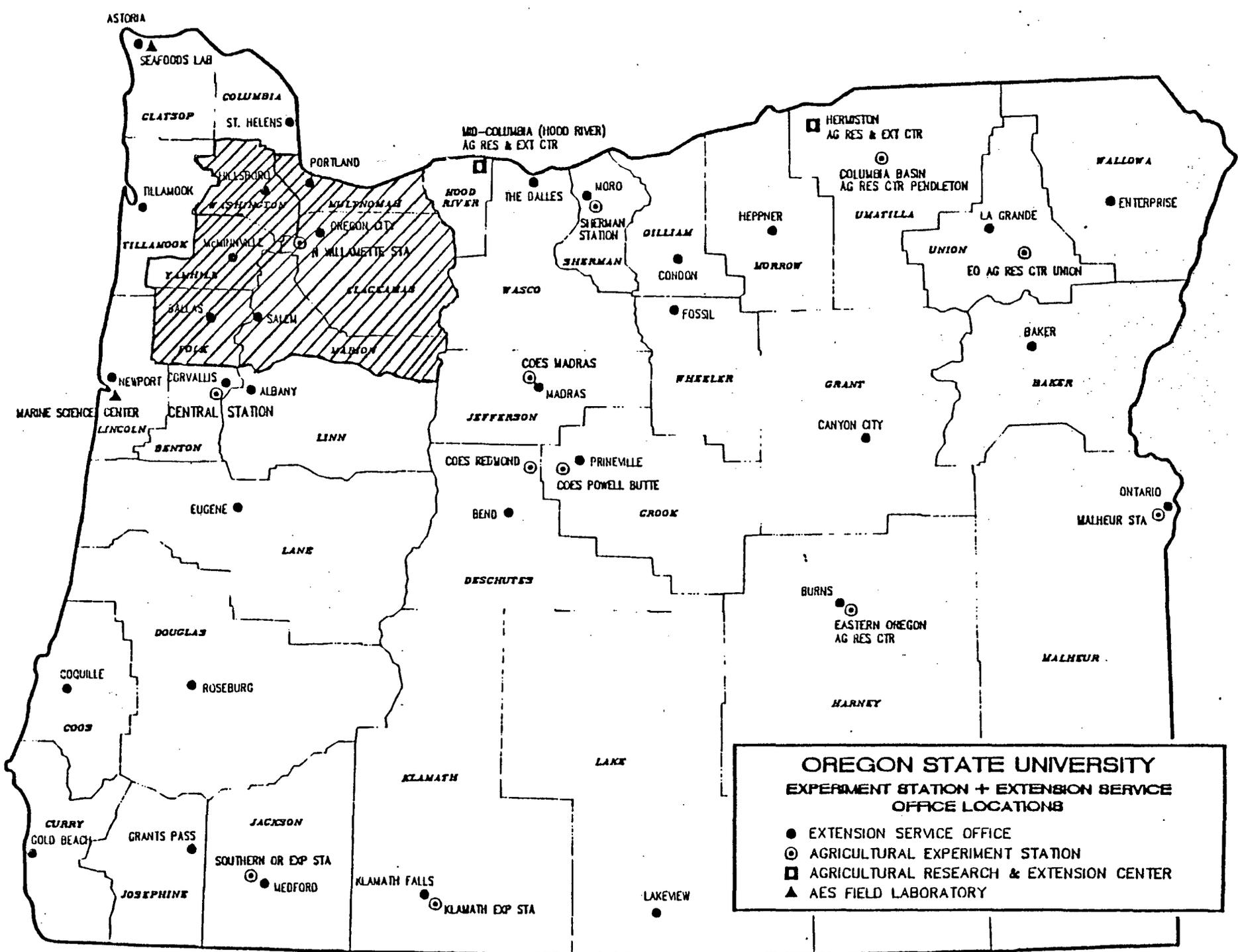
MAXIMUM REQUEST PER COUNTY AT TODAY'S DOLLAR VALUE

- o Phase I = 3 agents, January 1, 1990 - June 30, 1991
- o Phase II = 6 agents, beginning July 1, 1991

<u>Fiscal Period</u>	<u>Clackamas</u>	<u>Marion</u>	<u>Multnomah</u>	<u>Polk</u>	<u>Washington</u>	<u>Yamhill</u>	<u>Total County</u>
1/1/90-6/30/90	\$ 5,156	\$ 6,772	\$ 3,304	\$1,257	\$ 4,817	\$ 2,244	\$35,478
7/1/90-6/30/91	10,312	13,544	6,607	2,513	9,634	4,487	47,097
7/1/91-6/30/92	20,964	24,095	12,795	4,937	21,287	10,086	94,164

NOTES: State support for operations will be \$6,750 for 1/90-6/90; \$13,500 for 7/90-6/91; then \$27,000 from 7/91 on.

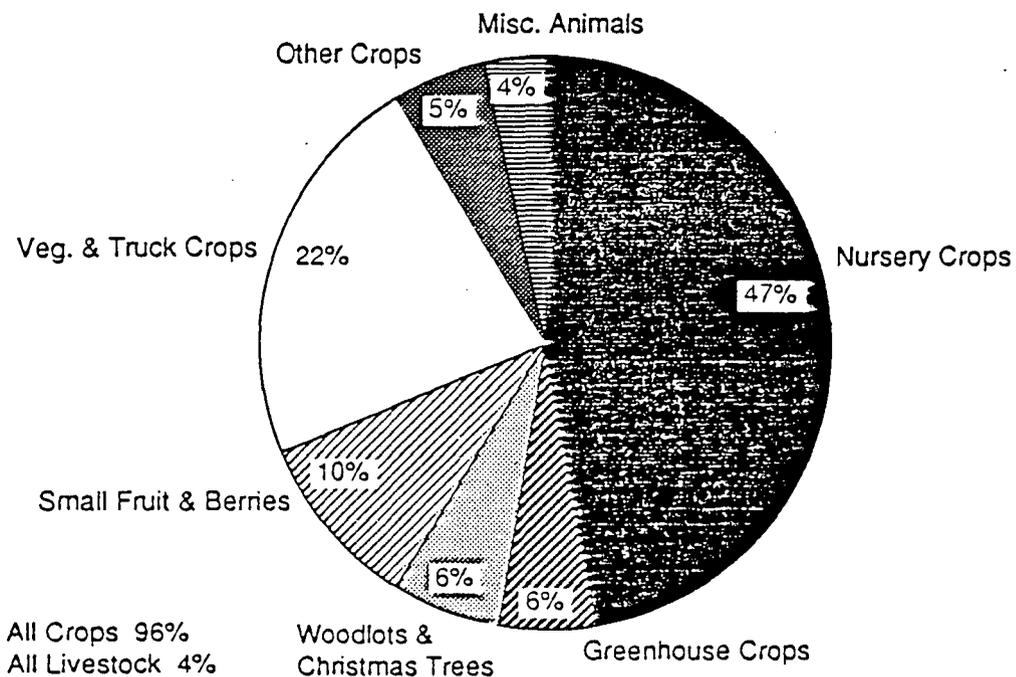
Operational support from each county is based on a 25% flat fee of the cost to support agents. The remaining 75% is pro-rated according to Farm Gate value of crops assigned to an agent.



OREGON STATE UNIVERSITY
EXPERIMENT STATION + EXTENSION SERVICE
OFFICE LOCATIONS

- EXTENSION SERVICE OFFICE
- ⊙ AGRICULTURAL EXPERIMENT STATION
- AGRICULTURAL RESEARCH & EXTENSION CENTER
- ▲ AES FIELD LABORATORY

AGRICULTURAL COMMODITY SALES MULTNOMAH COUNTY, 1988p



1988p Sales by Commodity

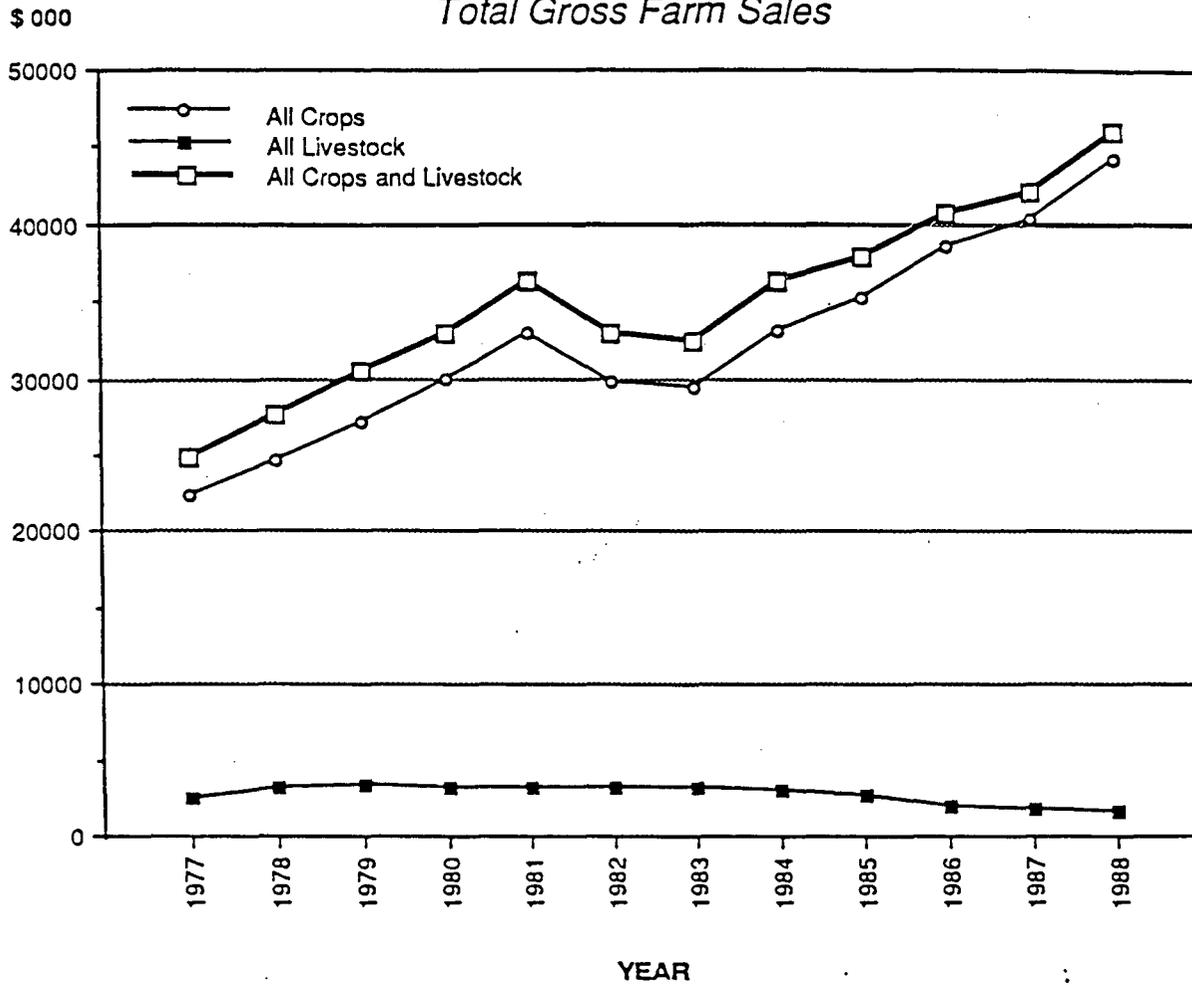
Small Fruit & Berries	\$ 4,564,000
Veg. & Truck Crops	10,276,000
Nursery Crops	21,600,000
Greenhouse Crops	2,600,000
Woodlots & Christmas Trees	2,790,000
Other Crops	2,395,000
ALL CROPS	\$44,225,000
Misc. Animals	1,638,000
ALL LIVESTOCK	\$1,638,000
ALL CROPS & LIVESTOCK	\$45,863,000

Agricultural Sales by Year \$ 000

<u>Year</u>	<u>Crops</u>	<u>Livestock</u>	<u>Total</u>
1986	38,620	1,968	40,588
1987	40,395	1,725	42,120
1988p	44,225	1,638	45,863

Multnomah County 1977-88

Total Gross Farm Sales



source: Economic Information Office, Oregon State University

December 14, 1988