



MULTNOMAH COUNTY, OREGON

BOARD OF COMMISSIONERS

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Phone: (503) 248-3308 FAX (503) 248-3093
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ANY QUESTIONS? CALL BOARD CLERK DEB BOGSTAD @ 248-3277

Email: deborah.l.bogstad@co.multnomah.or.us

**INDIVIDUALS WITH DISABILITIES
MAY CALL THE BOARD CLERK AT
248-3277, OR MULTNOMAH COUNTY
TDD PHONE 248-5040, FOR
INFORMATION ON AVAILABLE
SERVICES AND ACCESSIBILITY.**

APRIL 15, 1999

BOARD MEETING

FASTLOOK AGENDA ITEMS OF INTEREST

Pg 2	9:30 a.m. Thursday Aging & Disability Services RESULTS Presentation
Pg 2	9:40 a.m. Thursday Roadway Capital Projects Audit Report
Pg 2	10:00 a.m. Thursday Volunteer Week Proclamation
Pg 3	10:13 a.m. Thursday 2 nd Reading & Adoption of 2 Land Use Ordinances
Pg 3	10:15 a.m. Thursday McNamee Road Legalization Hearing and Order
Pg 3	10:45 a.m. Thursday Alcohol and Drug Treatment Facility Work Session
*	Check the County Web Site: http://www.multnomah.lib.or.us

Thursday meetings of the Multnomah County Board of Commissioners are cable-cast live and taped and may be seen by Cable subscribers in Multnomah County at the following times:

Thursday, 9:30 AM, (LIVE) Channel 30
Friday, 10:00 PM, Channel 30
Sunday, 1:00 PM, Channel 30

Produced through Multnomah Community
Television

Thursday, April 15, 1999 - 9:30 AM
Multnomah County Courthouse, Boardroom 602
1021 SW Fourth Avenue, Portland

REGULAR MEETING

CONSENT CALENDAR

SHERIFF'S OFFICE

- C-1 Intergovernmental Revenue Agreement 0010303 with the City of Wood Village to Provide General Law Enforcement Services and Additional Patrols within the Corporate Limits of Wood Village

DEPARTMENT OF COMMUNITY AND FAMILY SERVICES

- C-2 ORDER Authorizing Designees of the Mental Health Program Director to Direct a Peace Officer to Take an Allegedly Mentally Ill Person into Custody

REGULAR AGENDA

PUBLIC COMMENT

- R-1 Opportunity for Public Comment on Non-Agenda Matters. Testimony Limited to Three Minutes Per Person.

AGING AND DISABILITY SERVICES DEPARTMENT

- R-2 Results from RESULTS: West Aging Services Office Customer Service Survey. Presented by Cathy Clay-Eckton and Dana Lloyd. 15 MINUTES REQUESTED.

NON-DEPARTMENTAL

- R-3 Briefing on Audit Results Concerning the Planning and Project Management Processes within the Transportation Division Used in the Completion of Roadway Capital Projects. Presented by Suzanne Flynn and Larry Nicholas. 20 MINUTES REQUESTED.
- R-4 PROCLAMATION Proclaiming MULTNOMAH COUNTY VOLUNTEER WEEK April 18 through April 24, 1999

- R-5 Petition for Order Granting the Disinterment of Molly Ann McMahon per ORS 97.220
- R-6 RESOLUTION Confirming the Interim Designation of a Certain Multnomah County Elected Official in the Event of a Vacancy

DEPARTMENT OF ENVIRONMENTAL SERVICES

- R-7 Second Reading and Possible Adoption of an ORDINANCE Deleting Flood Hazard Regulations Contained in MCC 11.15.6301 through 11.15.6323 and Amending the Significant Environmental Concern Regulations for Streams and Grading and Erosion Control Regulations and Adding to Chapter 29 and Amending the Flood Hazard Regulations to be in Compliance with the Standards of the National Flood Insurance Program
- R-8 Second Reading and Possible Adoption of an ORDINANCE Amending MCC 11.15, MCC 11.45 and MCC Section 29.305 to Enact Eight "Housekeeping" Amendments that Update, Clarify, or Correct Certain Zoning and Building Code Provisions
- R-9 PUBLIC HEARING and Consideration of an ORDER Legalizing McNamee Road from the City Limits of Portland (About 950 Feet North of Skyline Blvd.) Northerly Approximately 4.25 Miles to the South End of County Road No. 399-A as County Road No. 5016

COMMISSIONER COMMENT/LEGISLATIVE ISSUES

- R-10 Opportunity (as Time Allows) for Commissioners to Comment on Non-Agenda Items or to Discuss Legislative Issues.

Thursday, April 15, 1999 - 10:45 AM
OR IMMEDIATELY FOLLOWING REGULAR MEETING
Multnomah County Courthouse, Boardroom 602
1021 SW Fourth Avenue, Portland

WORK SESSION

- WS-1 Discuss Issues Around the Potential Siting of an Alcohol and Drug Treatment Facility at the Proposed Rivergate Jail Site. Presented by Karyne Dargan, Elyse Clawson and Sheriff Dan Noelle. 2 HOURS REQUESTED.

MEETING DATE: APR 15 1999
AGENDA NO: C-1
ESTIMATED START TIME: 9:30

(Above Space for Board Clerk's Use ONLY)

AGENDA PLACEMENT FORM

SUBJECT: Class III IGA between MCSO and the City of Wood Village

BOARD BRIEFING: DATE REQUESTED: _____
REQUESTED BY: _____
AMOUNT OF TIME NEEDED: _____

REGULAR MEETING: DATE REQUESTED: Next available
AMOUNT OF TIME NEEDED: five minutes

DEPARTMENT: SHERIFF'S OFFICE DIVISION: Law Enforcement

CONTACT: Larry Aab TELEPHONE #: 251-2489
BLDG/ROOM #: 313/228

PERSON(S) MAKING PRESENTATION: Larry Aab

ACTION REQUESTED:

[] INFORMATIONAL ONLY [] POLICY DIRECTION [X] APPROVAL [] OTHER

SUGGESTED AGENDA TITLE:

IGA (#0010303) to provide general law enforcement services and additional patrols to the city of Wood Village

4/16/99 ORIGINALS TO LARRY AAB

SIGNATURES REQUIRED:

ELECTED OFFICIAL: 
(OR)
DEPARTMENT
MANAGER:

BOARD OF
COUNTY COMMISSIONERS
MULTNOMAH COUNTY
OREGON
99 APR - 1 AM 8:19

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

Any Questions: Call the Board Clerk @ 248-3277

MULTNOMAH COUNTY CONTRACT APPROVAL FORM

Pre-approved Contract Boilerplate (with County Counsel signature) Attached Not Attached Contract #: 0010303
 Amendment #: _____

<p style="text-align: center;">CLASS I</p> <input type="checkbox"/> Professional Services not to exceed \$50,000 (and not awarded by RFP or Exemption) <input type="checkbox"/> Revenue not to exceed \$50,000 (and not awarded by RFP or Exemption) <input type="checkbox"/> Intergovernmental Agreement (IGA) not to exceed \$50,000 <input type="checkbox"/> Expenditure <input type="checkbox"/> Revenue <input type="checkbox"/> Architectural & Engineering not to exceed \$10,000 (for tracking purposes only)	<p style="text-align: center;">CLASS II</p> <input type="checkbox"/> Professional Services that exceed \$50,000 or awarded by RFP or Exemption (regardless of amount) <input type="checkbox"/> PCRB Contract <input type="checkbox"/> Maintenance Agreement <input type="checkbox"/> Licensing Agreement <input type="checkbox"/> Construction <input type="checkbox"/> Grant <input type="checkbox"/> Revenue that exceeds \$50,000 or awarded by RFP or Exemption (regardless of amount)	<p style="text-align: center;">CLASS III</p> <input checked="" type="checkbox"/> Intergovernmental Agreement (IGA) that exceeds \$50,000 <input type="checkbox"/> Expenditure <input checked="" type="checkbox"/> Revenue <p style="text-align: center;">APPROVED MULTNOMAH COUNTY BOARD OF COMMISSIONERS</p> <p style="text-align: center;">AGENDA # <u>C-1</u> DATE <u>4/15/99</u> <u>DEB BOGSTAD</u> BOARD CLERK</p>
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Department: Sheriff's Office Division: ENF Date: March 16, 1999
 Originator: Lt. Jones Phone: 251-2501 Bldg/Rm: 313/
 Contact: Larry Aab Phone: 251-2489 Bldg/Rm: 313/228

Description of Contract: Provide general law enforcement services and additional patrols within the corporate limits of Wood Village

RENEWAL: PREVIOUS CONTRACT #(S): _____
 RFP/BID: _____ RFP/BID DATE: _____
 EXEMPTION #/DATE: _____ EXEMPTION EXPIRATION DATE: _____ ORS/AR # _____
 CONTRACTOR IS: MBE WBE ESB QRF N/A NONE (Check all boxes that apply)

Contractor <u>City of Wood Village</u> Address <u>2055 NE 238th Dr.</u> <u>Wood Village, OR 97060-1095</u> <u>Sheila M. Ritz, City Coordinator</u> Phone <u>667-6211</u>	Remittance address _____ (If different) _____
Employer ID# or SS# _____ Effective Date <u>July 1, 1999</u> Termination Date <u>June 30, 2000</u>	Payment Schedule / Terms <input type="checkbox"/> Lump Sum \$ _____ <input type="checkbox"/> Due on Receipt <input type="checkbox"/> Monthly \$ _____ <input type="checkbox"/> Net 30 <input checked="" type="checkbox"/> Other \$ _____ <input type="checkbox"/> Other
Original Contract Amount \$ <u>77,515.00</u> Total Amt of Previous Amendments \$ _____ Amount of Amendment \$ _____ Total Amount of Agreement \$ _____	<input type="checkbox"/> Requirements Not to Exceed \$ _____ Encumber <input type="checkbox"/> Yes <input type="checkbox"/> No

REQUIRED SIGNATURES:

Department Manager [Signature] DATE 3-23-99
 Purchasing Manager _____ DATE _____
 County Counsel [Signature] DATE 3/31/99
 County Chair [Signature] DATE April 15, 1999
 Sheriff [Signature] DATE 3/23/99
 Contract Administration _____ DATE _____
 (Class I, Class II Contracts only)

LGFS VENDOR CODE						DEPT REFERENCE					
LINE #	FUND	AGENCY	ORG	SUB ORG	ACTIVITY	OBJ/ REV	SUB OBJ	REP CAT	LGFS DESCRIPTION	AMOUNT	INC DEC
01											
02											
03											

INTERGOVERNMENTAL AGREEMENT

This Agreement is made and entered into pursuant to the authority found in ORS 190.010 et seq. And ORS 206.345 by and between the Multnomah County Sheriff's Office (MCSO), jointly with and on behalf of Multnomah County (County), and the City of Wood Village (CITY), a municipal corporation in the State of Oregon.

PURPOSE:

The purpose of this agreement is for MCSO to provide police service within the corporate limits of the CITY.

The parties agree as follows:

1. **TERM** The term of this agreement shall be from July 1, 1999 to June 30, 2000. This agreement may be renewed for five (5) additional one (1) year terms.

2. CITY RESPONSIBILITIES

- A.) The CITY agrees to perform contractual agreements and pay costs for police dispatch and emergency and non-emergency call taking for the CITY, provided by the Bureau of Emergency Communications (BOEC), City of Portland.
- B.) The CITY agrees that all matters incident to the performance of the services described herein, including standards of performance and supervision and discipline of assigned personnel, shall be and remain the responsibility of the MCSO. The CITY further agrees that the assigned personnel provided hereunder by MCSO shall be and remain employees of the COUNTY. The assigned personnel shall be supervised by MCSO and shall perform their duties in accordance with the administrative and operational procedures of the MCSO. Scheduling, payment of salary, benefits and all other employee rights shall be in compliance with the negotiated contract between the Multnomah County Deputy Sheriff's Association and the MCSO.

3. COUNTY RESPONSIBILITIES

- A.) The MCSO agrees to provide police service within the corporate limits of the CITY. The police services shall include the duties and law enforcement functions customarily rendered by the MCSO under the statutes of the State of Oregon and the CITY. These services shall include response to emergency situations where life and property are in danger, criminal law enforcement, neighborhood patrol, traffic enforcement, and similar law enforcement activities within the legal authority of the MCSO to provide, including follow-up investigation of reported criminal activities. The MCSO shall assign armed uniformed deputy sheriffs to the CITY to perform police patrol functions.
- B.) MCSO agrees that ORS 206.345(2), which states, "During the existence of the contract, the Sheriff shall exercise such authority as may be vested in them by terms of the contract, including full power and authority to arrest for violation of all duly enacted ordinances of the contracting city," shall prevail and shall perform accordingly.

4. **TERMINATION** This agreement may be terminated by either party upon 90 days written notice.

5. **FUNDS AVAILABLE** In the event that funds cease to be available to County in the amounts anticipated for this agreement, County may terminate or reduce the scope of services to be provided and contract funding accordingly.

6. **INDEMNIFICATION** Subject to the conditions and limitations of the Oregon Constitution and the Oregon Tort Claims Act, ORS 30.260 through 30.300, County shall indemnify, defend and hold harmless City from and against all liability, loss and costs arising out of or resulting from the acts of County, its officers, employees and agents in the performance of this agreement. Subject to the conditions and limitations of the Oregon Constitution and the monetary limits of the Oregon Tort Claims Act, ORS 30.260 through 30.300 City shall indemnify, defend and hold harmless County from and against all liability, loss and costs arising out of or resulting from the acts of City, its officers, employees and agents in the performance of this agreement.

7. **INSURANCE** County and City shall each be responsible for providing worker's compensation insurance as required by law. Neither party shall be required to provide or show proof of any other insurance coverage.

8. **ADHERENCE TO LAW** County and City shall comply with all federal, state and local laws and ordinances applicable to this agreement.

9. **NON-DISCRIMINATION** County and City shall comply with all requirements of federal and state civil rights and rehabilitation statutes and local non-discrimination ordinances.

10. **ACCESS TO RECORDS** Each party shall have access to the books, documents and other records of the other which are related to this agreement for the purpose of examination, copying and audit.

11. **SUBCONTRACTS AND ASSIGNMENT** Neither party will subcontract or assign any part of this agreement without the written consent of the other party.

12. **THIS IS THE ENTIRE AGREEMENT** This Agreement constitutes the entire Agreement between the parties. This Agreement may be modified or amended only by the written agreement of the parties.

13. **ADDITIONAL TERMS AND CONDITIONS:**

CITY Responsibilities:

- A.) Upon receipt of quarterly billing, CITY agrees to compensate the MCSO for partial costs of delivering the above stated law enforcement services.

Billing schedule will be as follows:

October 1 st for	-	July, August, September
January 1 st for	-	October, November, December
April 1 st for	-	January, February, March
July 1 st for	-	April, May, June

B.) The remittance will equal the cost of one patrol officer at the rate of \$67,980 (based on the salary and benefits for an average Deputy Sheriff in Fiscal Year 1999-00). In addition , a prorated patrol vehicle at the rate of \$11,533 and indirect costs of \$9,981 for a total cost of \$89,515, less the one-year rental of MCSO office space of \$12,000. The total amount to be paid by the CITY for the 1999/2000 contract will be \$77,515.

C.) Payment is to be made on a quarterly basis and mailed to:

Multnomah County Sheriff's Office
ATTN: Accounts Receivable
12240 N.E. Glisan Street
Portland, OR 97230

D.) City will notify MCSO in writing at least 90 days in advance of the annual contract expiration date of the CITY's desire to continue or terminate the contract for the next fiscal year.

MCSO Responsibilities:

A.) The MCSO will provide all law enforcement services at a level not less than the level provided to the unincorporated areas of Multnomah County. Patrol services will be consistent with the scheduling and districting for other areas of Multnomah County.

B.) MCSO will assign deputies acceptable to the City of Wood Village to perform the services in fulfillment of this contract (names and phone numbers to be provided to the City Administrator). MCSO retains the right to reassign deputies, as they deem necessary.

C.) With the exception noted in Paragraph 5 below, the MCSO agrees to provide all necessary labor, supervision, equipment, communication facilities, supplies and administrative and support services—including police records functions, necessary to provide the services described herein. The MCSO will perform the law enforcement services with deputy sheriffs certified as police officers by the Oregon Department of Public Safety Standards and Training (DPSST).

D.) Neither the MCSO nor the COUNTY is responsible for the contractual agreements or costs for police dispatch and emergency and non-emergency call taking for the CITY, provided by the Bureau of Emergency Communications (BOEC), City of Portland.

E.) The MCSO shall provide to the CITY a monthly report that includes summary reports on criminal occurrences, a synopsis of enforcement and other activities related to community policing. The report will continue to document and report numbers of incidents to which MCSO responded and the amount of time spent on incidents, neighborhood patrol and investigations.

- F.) MCSO will provide an officer at the regular monthly City Council meetings (second Wednesday of each month at 7:00 p.m.) to orally inform the Council of service demands and any identified areas of concern.
- G.) The MCSO agrees to maintain a satellite patrol office within the Wood Village City Hall. The rental cost for the space will be the equivalent of \$1,000 per month, to be credited quarterly, for a total of \$12,000 during the 1999/2000 fiscal year and will be adjusted each year by the average rental market rate increase in the greater Gresham area.
- H.) MCSO will inform the CITY administrator by January 31st of each year the precise contract cost for the next fiscal year.

MULTNOMAH COUNTY, OREGON

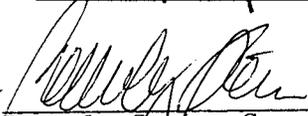
CITY OF WOOD VILLAGE

By 
Dan Noelle, Sheriff

By _____
Donald Robertson, Mayor

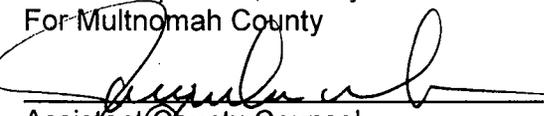
Date 3/23/99

Date _____

By 
Beverly Stein, County Chair

By _____
Sheila M. Ritz, City Administrator

Date April 15, 1999

Reviewed:
Thomas Sponsler, County Counsel
For Multnomah County

Assistant County Counsel

Approved as to form:

**APPROVED MULTNOMAH COUNTY
BOARD OF COMMISSIONERS**
AGENDA # C-1 DATE 4/15/99
DEB BOGSTAD
BOARD CLERK

MEETING DATE: APR 15 1999
AGENDA NO: C-2
ESTIMATED START TIME: 9:30

(Above Space for Board Clerk's Use ONLY)

AGENDA PLACEMENT FORM

SUBJECT: Director Custody Holds per ORS 426.215

BOARD BRIEFING: DATE REQUESTED: _____
REQUESTED BY: _____
AMOUNT OF TIME NEEDED: _____

REGULAR MEETING: DATE REQUESTED: _____
AMOUNT OF TIME NEEDED: N/A

DEPARTMENT: Community & Family Services DIVISION: Behavioral Health

CONTACT: Cathy Horey TELEPHONE #: 248-5464 Ext 24447
BLDG/ROOM #: 166/6

PERSON(S) MAKING PRESENTATION: Consent Calendar

ACTION REQUESTED:

INFORMATIONAL ONLY POLICY DIRECTION APPROVAL OTHER

SUGGESTED AGENDA TITLE:

Order Authorizing Designees of the Mental Health Program Director to Direct a Peace Officer to take an Allegedly Mentally Ill person into custody.

4/16/99 copies to Cathy Horey

SIGNATURES REQUIRED:

ELECTED OFFICIAL: _____
(OR)
DEPARTMENT
MANAGER: *Lorenzo Pae me*

BOARD OF
COUNTY COMMISSIONERS
99 APR - 7 AM 10: 26
MULTNOMAH COUNTY
OREGON

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

ORDER NO. 99-57

Authorizing Designees of the Mental Health Program Director to Direct a Peace Officer to Take an Allegedly Mentally Ill Person into Custody

The Multnomah County Board of Commissioners Finds:

- a) If authorized by a county governing body, a designee of a mental health program director may direct a peace officer to take into custody a person whom the designee has probable cause to believe is dangerous to self or others and whom the designee has probable cause to believe is in need of immediate care, custody, and treatment of mental illness.
- b) There is a current need for specified designees of the Multnomah County Mental Health Program Director to have the authority to direct a peace officer to take an allegedly mentally ill person into custody.
- c) All the designees listed below have been specifically recommended by the Mental Health Program Director and meet the standards established by the Mental Health Division.

The Multnomah County Board of Commissioners Orders:

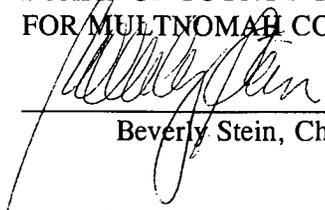
1. The individuals listed below are authorized as designees of the Mental Health Program Director for Multnomah County to direct any peace officer to take into custody a person whom the designee has probable cause to believe is dangerous to self or others and whom the designee has probable cause to believe is in need of immediate care, custody or treatment for mental illness.

2. Added to the list of designees are:

Greg Thackston	423-11-1800	David G. Mohler	534-50-0854
Sigrid A. Eilertson	231-37-0767	Candice Cruz	523-86-3017
Robin Weaver	552-86-0344	Lori Wakashige	576-90-2344
Renee Sheehan	015-48-5871	Tracy Hutch	021-54-3922
Daniel Haynes	544-78-6534	Elisabeth Rogolsky	278-42-4229
Jim Underwood	369-50-0311	Cassandra Gemelli	208-58-9309
Madelyn Antinucci	556-98-7479	Marla Dow	406-92-7934
Barry Knorr	161-52-5863	Cari Masters	564-74-8441
Nancy Moore	001-62-3465		

Adopted this 15th day of April, 1999.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON


Beverly Stein, Chair

REVIEWED

Thomas Sponster, County Counsel
For Multnomah County, Oregon

By 
Katie Gaetjens, Assistant County Counsel

What Is More Important Than Being Healthy?
It Is Your Ticket To Good Health and Stop Aging!

Get Energized!™

Unique Method of Physical
and Mental Fitness.

(Relaxation, Self-Massage and Exercise.)

Prevent illnesses, wrinkles, aging, Prostate and Breast Cancers.

Prevent becoming a full of illnesses "walking piece of meat."

10 min. workout for indiv./5 min. for organiz. M-F

Pavel Goberman - Founder/Instructor

(503) 6 GET FIT or 643-8348

Video Tape available

www.getenergized.com

SPEAKER SIGN UP CARDS

DATE 04/15/99

NAME PAVEL GOBERMAN

ADDRESS P.O. Box 1664
Beaverton, OR 97075

PHONE (503) 6 GET FIT

SPEAKING ON AGENDA ITEM NUMBER OR
TOPIC Health spending

GIVE TO BOARD CLERK

Pavel Goberman
Get Energized!
P.O. Box 1664
Beaverton, OR 97075
(503)6 GET FIT(643-8348)
www.getenergized.com

To: MULTNOMAH Co,

PROPOSAL

04/15/99

What is more important than being healthy? It cost too much to be sick and old(the Old Age is a disease). The good health is a big profit.

The national health care spending is rising:we spent \$1,035 B, it is 13,6% of budget.

The Baby Boomers started park cars in doctors' offices. We focus on treatment, but NOT on prevention.

I have developed and opened the innovative, unique method of physical and mental fitness: "Get Energized!"- relaxation, self-massage and exercise system. This workshop if fitness will relieve tension, headaches, back pain; prevent illnesses wrinkles, aging and Ergonomic Diseases; may greatly help to cut the risk to get prostate and breast cancers (I'm doing research in this). It is for fun, and for social too.

IT IS YOUR TICKET TO GOOD HEALTH AND POSITIVE SELF-IMAGE.

Very often people have no time to exercise, no motivation, don't like to exercise alone, and most of us aren't very disciplined exercisers. My goal is to help people to be healthy, prevent work-related stress and help you save money spent on employee time-loss due to illnesses. This also an accident, injury prevention program.

Since it is not convenient for many employees to drive to the exercise studios before, during or after their work day, I'm offering to lead exercise classes for group of employees: any age, any shape at your worksi-te. EVERY ONE MUST DO PROPER SELF-MASSAGE!

My method of enjoyable exercise would take 5 minutes each day (at established time), as there is no need for a change of clothing, but no high hills and wash hands before class-will touch own face. This program will pay large dividents to both you and your employees. Their mental and physical well-being will improve, they will boost their performance, and your saving on work-loss time will be diminish.You will see these results in a very short time. The benefits of this program is worth many thousands of dollars, and company will pay less for health insurance.

I WILL PAY SPECIAL ATTENTION TO WOMEN WHO HAVE THE HISTORY OF BREAST CANCER.

The cost for this program are:

Organizations:	One, 5-min workout a day, M-F,	\$400.00/month
	Two, 5-min workouts a day, M-F,	\$600.00/month

or, Individuals (minimum 20 people): One, 5-min workout a day, M-F, \$20.00/month

NO OBLIGATIONS!

My goal is to help people be healthy,prevent illnesses, help organizations make money!

I'm looking forward to hearing from you and developing a positive working relationship between your company and my program.

PREVENTION, NOT CURE IS THE KEY!

USE FITNESS FIRST AND DOCTORS SECOND!

THIS FITNESS PROGRAM IS THE BEST MEDICINE! AND IT IS NOT BORRING! IT IS A FUN!

USE FITNESS NOW OR WILL USE NURSING HOMES LATER!

Pavel Goberman- Founder/Instructor.



Department of Aging and Disability Services

West Branch Aging Services

Customer Satisfaction Survey Project

Project Purpose

- Identify Strengths and Opportunities
- Baseline for Customer Satisfaction
- Prototype for Department Survey

Survey Instrument

- Customers were asked a set of questions to evaluate their satisfaction with staff interaction and service delivery for reception and case management services.

Process

- Sample Selection
 - Stratified Random Sample
 - Sample of 88 Clients

Evaluating Reception

- Courteous Behavior
- Prompt Service
- Helpful Nature
- Ease of Getting through on Phone
- Use/Understanding of Voice Mail System

Demographics

- Client Profile
 - 73 Years of Age
 - 2/3 were Female
 - Majority non-Hispanic White
 - English Speaking
 - Lived in an Apartment
 - Client of 3 Years

Evaluating Case Management

- Courtesy and Respect
- Timeliness
- Responsiveness
- Reliability
- Knowledge and Competence
- Client Involvement in Decision Making

**West Branch Aging Services
Customer Satisfaction Survey ~ Page 2**



Rating System

- Response Scale
 - 1 ~ Low Score or Poor Service
 - 4 ~ High Score or Excellent Service
- Strengths and Opportunities
 - Mean or Average
 - Distribution of Low Scores



Branch Opportunities

- Ease of Getting through on Phone Line
- Workers Return Calls in Timely Manner
- Reception Offers Choice, Suggestions and Information
- Answers Calls and Puts through Promptly
- Client Involvement in Decision Making



Rating System

- Interpreting the Average
 - > 3.75 = Strength
 - 3.50 to 3.75 = Acceptable
 - < 3.50 = Opportunity
- Distribution of Low Scores
 - > 8% = Opportunity



Improvement Strategies

- Consultation with US West to Provide Consistent, Reliable Phone Service
- Improved Reception Resources and Training
- Better use of Phone Technology for Field Work
- Training on Client Decision Making
- Department-wide Survey



Branch Strengths

- Courtesy and Respectful Behavior
- Timely and Responsive to Needs
- Making Clients Feel Comfortable through Empathy and Understanding



Summary

- Information about Customers
- Customer-driven Planning Priorities
- Positive Feedback
- Staff Recognition
- Baseline Data
- Department-wide Survey



MULTNOMAH COUNTY AUDITOR'S OFFICE

Roadway Capital Projects Strengthen Management Controls March 1999

Suzanne Flynn
Multnomah County Auditor



SUZANNE FLYNN, Auditor

Multnomah County

1120 SW 5th Avenue, Room 1410

Portland, Oregon 97204

Telephone (503) 248-3320

Telefax 248-3019

www.multnomah.lib.or.us/aud

MEMORANDUM

Date: 3/18/99

To: Beverly Stein, Multnomah County Chair
Diane Linn, Commissioner, District 1
Serena Cruz, Commissioner, District 2
Lisa Naito, Commissioner, District 3
Sharron Kelley, Commissioner, District 4

From: Suzanne Flynn, Multnomah County Auditor

Subject: Audit of the Roadway Capital Projects

The attached report covers our audit of the Transportation Division in the Department of Environmental Services which was included in the FY98-99 Audit Schedule initiated by the previous Auditor. The Transportation Division was very involved throughout the audit process offering suggestions and initiating changes as the audit progressed. Because of the Division's responsiveness and level of involvement, we took a different approach to this audit. Areas of weakness, suggestions for improvement, and actions taken by the Division during the audit are integrated into the body of the report. There is not a recommendation section in the report. Instead, the Division responded to the audit with a project plan outlining a process to address the issues in the report.

Our Office will place a strong emphasis on follow-up and will re-visit the Division within a year to monitor their progress towards implementing the project plan.

We appreciate the cooperation and assistance extended to us by the management and staff of the Department of Environmental Services.

Audit Team: Craig Hunt, Senior Management Auditor
John Hutzler, Senior Management Auditor

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Summary

The County Transportation Division is responsible for managing a safe and balanced regional transportation network of major east County arterials, roads in the unincorporated areas, and the Willamette River bridges and bikeways. Since 1983, the Division's responsibility has been reduced from 1000 miles to 350 miles of roads as cities have assumed more control. The County retains jurisdiction over some roads in Gresham and the smaller cities. The Bridge Section in the Division maintains the six Willamette River Bridge crossings as well as other bridges within Multnomah County. The Planning Section develops a long-range, capital improvement plan every two years. The Engineering Section designs and completes construction of specific road projects identified in the plan.

Our review focuses on planning and project management of roadway capital projects. The objective of our audit was to determine whether systems are in place to ensure that roadway capital projects are properly planned and effectively managed.

Road projects generally involve staff from Planning and all six units of the Engineering Section. However, most of the staff devoted to roadway capital projects are from the Design, Construction and Project Engineering Units, which collectively have approximately 20 employees. County engineers design road projects, contract for construction and manage the project to completion. Roadway capital construction contracts managed by Engineering vary in size from a few thousand dollars to several million dollars. Since January 1996, Engineering has advanced or completed approximately 40 roadway capital projects worth over \$19,000,000.

Project management differs from operational management. In contrast to many County services that are on-going, those supplied by Engineering have a definite start and finish and result in a unique product. Projects proceed by inter-related or dependent steps. Careful planning and monitoring are required to ensure that projects are completed on time, at the least possible cost, and at an acceptable quality level.

Events in the recent past have impacted Engineering's ability to provide effective project management. During the last 3 years, Engineering has dealt with staff turnover, emergency roadway projects from winter storms, increased development, and the lack of a full-time

transportation director. We believe that these circumstances, combined with an absence of written procedures have weakened project management systems.

Careful planning provides the groundwork for good management. Improvements are needed in the roadway capital planning process. Criteria used to prioritize roadway projects should be thoroughly reviewed. Information in planning documents could be better communicated and management could better monitor implementation of roadway capital plans. Management began addressing these issues during our audit.

We used the Project Management's Institute's Guide to the Project Management Body of Knowledge (PMBOK) to assess project management controls over roadway capital projects in Engineering. PMBOK provides guidance for project management through principles and techniques to control project risk. We found that improvements could be made in each of the PMBOK areas of Integration, Scope, Time, Cost, Quality, Human Resources, Communications, Risk, and Procurement.

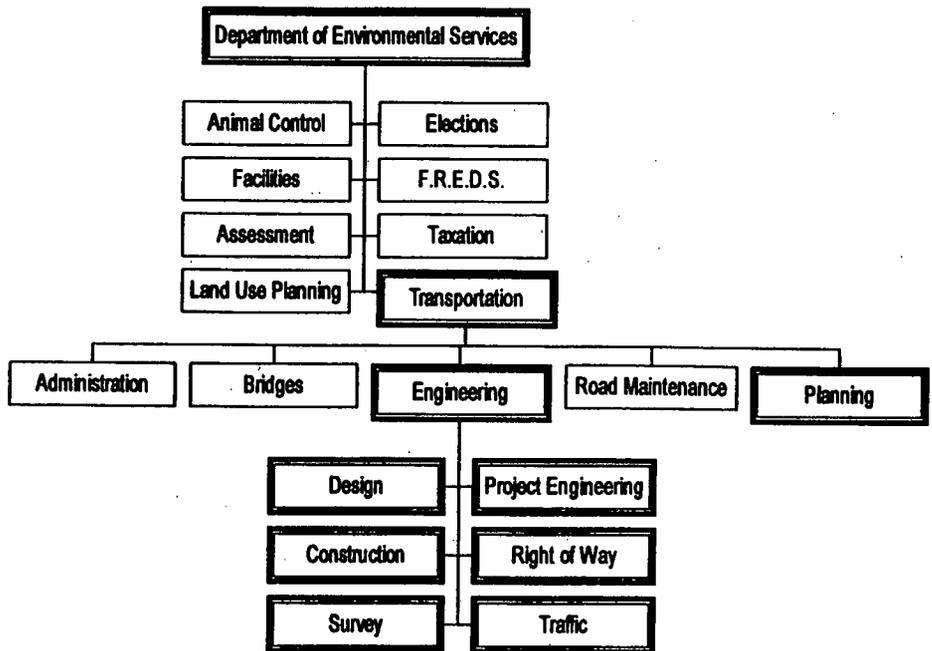
During the audit, we discovered that Engineering was in general agreement on the significant improvements that were needed. Given this environment, we modified our approach to the audit. Rather than narrowing our attention to specific problems and conducting quantitative analyses to determine their fiscal impacts, we broadened the audit to examine controls throughout the entire capital project management system for roads. We focused on working with management to address a broad range of project management issues. Engineering's dedicated commitment to process improvements provides us with a high level of confidence that needed improvements will be made.

In addition to this report, we provided a detailed, technical report of our analysis to management and reviewed it with them. We extended the time normally provided for an audit response so that a project plan could be prepared. The Division's response conveys a strong commitment to high quality project management and details a plan for addressing issues in this report. Engineering intends to make provisions for proposed changes in their 1999-2000 budget. This office will perform audit follow-ups at later dates to ensure that proposed changes have been implemented.

Background

Overview

Transportation is one of eight divisions within the County's Department of Environmental Services, a diverse department whose responsibilities range from Animal Control to Elections. The Transportation Division plans cooperatively for future transportation needs, develops improvements in the system and maintains the County surface street system. The Transportation Division is organized into five sections – Administration, Bridges, Engineering, Road Maintenance and Planning.



The County Transportation Division is responsible for managing a safe and balanced regional transportation network of major east County arterials, roads in the unincorporated areas, and the Willamette River bridges and bikeways. For many years Multnomah County has planned, designed, constructed and maintained a roadway system that is regarded as one of the best in the country. As a result of the transfer of many local roads to cities, the system of County roads has declined from approximately 1000 miles of roads in 1983 to approximately 350 miles today. The Bridge Section in the Division maintains the six

Willamette River Bridge crossings as well as other bridges within Multnomah County.

Roadway Capital Projects

This audit focuses on roadway capital projects. The Bridges and Road Maintenance Sections were not included. One of the most important functions of Engineering is to implement the Transportation Capital Improvement Plan and Program, which includes roadway capital projects. Road projects often involve staff from Planning and all six units of the Engineering Section. But most of the staff devoted to roadway capital projects are from the Design, Construction and Project Engineering Units, which collectively have approximately 20 employees.

Within the scope of its capital improvement functions, Engineering provides project management, produces project designs and plans, acquires and administers rights of way, prepares plans, specifications and estimates for competitive bidding, and performs construction engineering and field survey services.

While in-house engineers design most construction projects, contractors perform the actual construction. The Project Engineers manage the construction contracts. Staff within the Survey Section provide surveying and the Construction staff inspect the quality of completed work. Roadway capital construction contracts vary in size from a few thousand dollars to several million dollars. Since January 1996, Engineering has advanced or completed approximately 40 roadway capital projects worth over \$19,000,000.

Because most projects are unique, there is always a degree of uncertainty. Projects are usually divided into phases marked by the completion of one or more work products to provide better management control. Collectively, the project phases are known as the project life cycle. For roadway capital projects, the phases of the project life cycle generally include:

- planning and development
- preliminary design
- right-of-way
- detail design
- contract award
- construction
- close-out

Engineering uses two primary performance measures for capital construction management. For all projects completed, the total of the contract awards has consistently been less than 105% of the total of project managers' estimated construction costs. In addition, the total of final project costs has been less than 105% of the total contract awards.

Recent Events

There have been many changes in Transportation over the last three years. In July 1995, the Director of the Transportation Division, also the County Engineer, became the Director of the Department of Environmental Services although he retained his title as Director of Transportation. The new manager of Engineering became the new County Engineer. Day-to-day management of the Division became the responsibility of a management team composed of the five section managers who met with the Director twice a month. In July 1998, the DES Director hired a new Director of Transportation from outside the Division.

Historically, Engineering was organized by function. Staff were grouped by functional specialty, such as planning, road design, traffic engineering, inspection, construction management, etc. Projects were viewed as limited by function; they were planning projects, design projects or construction projects. In recent years, Engineering has experienced a restructuring of roles and responsibilities, shifting from a functional organization to a more project-based organization. The project manager is responsible for a roadway capital project from conception to conclusion and is viewed as the leader of a project team, made up of planners, surveyors, inspectors, etc. Project managers are now responsible for both the design and construction phases of the project.

Until recently, Engineering has also been a relatively stable organization with low staff turnover and promotion from within. Staff were familiar with one another's qualifications and expectations, and had forged clear working relationships. Recent retirements of experienced personnel have resulted in substantial reshuffling of positions and a significant number of new hires. As the project manager role has evolved and positions have been filled with new staff, well-established roles and relationships have been disrupted.

Engineering has recently dealt with widespread damage to County roads caused by the winter storms of 1996 and 1997. Both storms

caused severe damage to roads and restricted travel in rural areas of East and West County. Engineering worked diligently to restore and reopen damaged roads as soon as possible. During the last several years, Engineering has also responded to provide support for increasing development demands.

Scope and Methodology

The objective of our audit was to determine whether systems are in place to ensure that roadway capital projects are properly planned and effectively managed. As part of our review, we examined roadway capital improvement plans and programs from County transportation as well as other jurisdictions. We visited roadway construction projects in process during the summer months. We reviewed the most recent (1983) audit of Engineering, and we reviewed project management literature.

We conducted extensive interviews with personnel, including DES and transportation directors, the county engineer, administrative services manager, transportation planning manager and personnel, engineering service administrators, project managers, inspectors, materials testers, project support staff, and computer support staff. We also spoke with representatives from other jurisdictions, utility representatives, and contractors.

We used the Project Management Institute's Guide to the Project Management Body of Knowledge (PMBOK) as a framework to assess project management controls over roadway capital projects in Engineering. The PMBOK Guide describes generally accepted practices for managing project integration, scope, time, cost, quality, human resources, communication, risk management, and procurement.

Our review was limited to examining roadway capital project management systems. We did not examine bridge, bikeway or pedestrian project management systems. This review was included in our FY97-98 audit schedule, and was conducted in accordance with generally accepted government auditing standards.

Approach

We recognized early in the audit process that Engineering was motivated and committed to process improvement. Management made improvements to capital project systems as the audit progressed. During the audit, we also felt that there was general agreement on the significant process improvements that were needed. Given this environment, we modified our approach to the audit. Rather than

identifying specific problems and conducting quantitative analyses to determine their fiscal impacts, we broadened the audit to examine controls throughout the entire capital project management system for roads. Since management was already motivated to make needed improvements, we focused on working with management to address a broad range of project management issues.

In addition to this report, we provided a detailed, technical report of our analysis to management and reviewed it with them. We extended the time normally provided for an audit response so that a project plan detailing process improvements could be prepared.

The Division's response conveys a strong commitment to high quality project management and lays out a detailed plan for addressing issues in this report. Central to the Division's plan is the development of a Comprehensive Project Delivery System (CPDS). The project plan sets up a framework that will involve all levels of management and staff in developing a CPDS to improve capital project processes. The scope of this plan is extensive and will take approximately 18-24 months to complete. We will monitor the plan's progress as it is implemented.

Many positive changes were already underway as the audit progressed. These changes are noted in italics throughout the report.

Audit Results

Planning and Project Management

Successful completion of roadway projects requires careful planning and management, which are addressed in the three remaining sections of this report: Capital planning, project management and program management. Capital planning identifies, prioritizes and allocates funds to roadway projects through a collaborative process with residents and cities in the County. Once a roadway project is initiated, effective project management practices are critical to ensure that the project is completed on time, within budget and at a high quality level. Management of the capital program involves controlling overall operations and continually monitoring the results of ongoing projects.

Improvements are needed in roadway capital planning processes. Information in the plan could be updated and better communicated to stakeholders. Management also needs to monitor how well the capital plan is carried out.

Although Engineering has some processes in place to manage roadway projects, project management systems should be strengthened. Engineering has faced many pressures over the last several years that have weakened project management systems, including reshuffling of positions, new staff, road damage from winter storms and increased development demands. Recognized project management practices exist to assist Engineering in improving current management systems.

Engineering will need to institutionalize project management practices to better control the capital program. The roadway capital program could be more effectively coordinated and monitored with systems that summarize project information.

Roadway Capital Planning

The objective of the Roadway Capital Improvement Plan (Plan) is to identify and set priorities for road projects. The Roadway Transportation Capital Improvement Program (Program) implements the Plan by assigning available revenue to the highest ranked capital projects. A schedule is established of ranked projects for each fiscal year for funding. The Plan and Program are currently combined with plans and programs for bridge, pedestrian and bikeway capital projects into a single document, the Multnomah County Transportation Capital Improvement Plan (CIP). Our review was limited to roadway capital projects. We did *not* review the capital improvement plans or programs for bridge, pedestrian or bicycle projects.

A formal roadway planning process is completed every two years. However, capital projects can be identified at any time during the year. Regional projects included in the County's Plan compete for federal and state funds with projects of other jurisdictions in the region through Metro's regional transportation planning process.

The Plan identifies and ranks potential capital projects. Potential projects are identified through input from citizens, community associations, as well as cities within the County. Other data is collected by the Transportation Division and used to identify hazardous or congested roads and roads in need of reconstruction. Most projects included in the Plan appear in prior Plans; few new roadway capital projects are identified each two-year planning cycle.

Engineering's mission includes implementing the Program. The Program schedules roadway capital projects in various funding categories over a five-year period. Program adjustments are made in interim years between the two-year planning cycle. The Program assigns available resources to the highest ranked projects within each funding category in the Plan subject to their constraints. Scheduling of a highly ranked project may be constrained by a lack of resources, pending environmental studies, utility construction or right-of-way acquisition that delay or impact the timing within the five-year Program.

Other jurisdictions and the East Multnomah County Transportation Committee review the Plan and Program before the CIP is approved by the Board of County Commissioners. Although cities may be informally notified of mid-course adjustments to the Program which affect projects scheduled in the second year of the Program, there is no formal external review or approval of such changes.

Improvements are needed in roadway capital improvement planning processes. Based on our review of prior County CIP documents, it appears that the quality of the Plan and Program has declined. Financial information, and constraints could be better communicated, and the readability of the report could be improved. Management could also better monitor the implementation of the Program.

Planning recognizes these conditions and has already begun addressing them.

Ranking Criteria

Each capital project is ranked using evaluation criteria. Points are assigned based upon a project's designated priority and street classification. Priority criteria include hazardous conditions, levels of service, road condition, and funding availability. Bonus points are assigned to rank projects within priority and funding categories. Examples of bonus criteria include economic development, transit routes, designated land use, and street importance.

Project ranking criteria have not been revised in at least 10 years. During this time, the nature of the County's road system has changed. With the transfer of local roads to the cities, roads remaining under County jurisdiction serve the region as a whole. The funding situation has also changed. County road fund dollars dedicated to capital construction have diminished. To compete more effectively for regional funds, alignment of the County's criteria with regional criteria is an important consideration. The Planning section took steps in the most recent Plan to address this problem by adapting the Plan to include another funding category that recognized regional priorities.

The Plan outlines a process to review the project ranking criteria and to modify the computer program that ranks the projects based on any changes to the criteria. This process has not always been followed. Accordingly, the Plan's ranking criteria should be thoroughly reviewed through a process involving all stakeholders.

The computer program that tracks ranking criteria and prioritizes projects is not flexible. The criteria are currently "hard-coded" into an old program that does not allow modifications to the criteria. Software revisions are needed that will allow modifications of the ranking criteria during the planning process.

Planners reported that reliable data is difficult to obtain for some of the ranking criteria, and other criteria are difficult to interpret and apply. For example, we were told that projected and current level of service data is difficult to obtain and economic development information is difficult to apply. Inaccurate or inconsistent rankings could result in misallocation of scarce capital resources to less critical projects.

Selection of roadway capital projects involves both objective and subjective criteria. For example, professional judgement is required to allocate resources among funding categories (arterials, collectors, signals etc.). While we recognize that more subjective criteria and political consensus have a role to play in project selection, the Program could better describe that role.

Planning intends to review the Plan criteria within the next year. Planning is also working with Computer Support to reprogram the Plan's ranking system in Microsoft Access to allow flexibility.

**Communication and
Accountability**

The 1998-2002 Program could better define and communicate decision-making processes. Without such controls, the Program is less likely to be perceived as fair and objective by stakeholders. The reasons for changes to the Program should be documented and clearly communicated to stakeholders.

Although they are adjusted for inflation, project cost estimates in the Plan and Program are not routinely reviewed and revised. Cost estimates in the 1998-2002 Plan were recently re-evaluated and found to be unrealistically low. This resulted in "sticker shock" to some stakeholders when cost adjustments were finally made.

The availability of resources for projects in the Program is unclear. Engineering could clarify this by estimating available resources, applying those resources to the prioritized projects, and scheduling what can be completed with the projected available funds. The 1998-2002 Program includes partially funded and unfunded projects. We doubt that stakeholders could get a clear picture of planned projects from the most recent Program.

A well-defined process is essential for projecting capital expenditures over time. Prior Programs scheduled multi-year project dollars over a multi-year period rather than lumping all resources dedicated to the project in the first year.

The Plan did not adequately explain how some projects were scheduled into the Program or why certain projects were not scheduled even though they were more highly ranked. One project was included in the Program although it did not appear in the Plan's list of potential projects. Constraints that prevent a highly ranked project from being scheduled in the 5-year Program should be documented.

In some earlier CIP reports, it was easier to follow projects from the Plan to the Program because names were consistent, programmed projects were listed in order of the Plan's ranking, and project costs in the Plan were traceable to the Program. In prior years, the impact of constraints on the scheduling of projects was clearly documented.

The Division does not monitor or report its performance in meeting the Program's schedule and cost estimates. Monitoring performance in this way could provide important feedback to management. Some causes of failure to meet Program expectations, such as the winter storms of 1996 and 1997, are unavoidable. But, other possible causes, such as unrealistic cost or revenue projections, poor utility coordination, design delays, or inadequate project management systems, may be overlooked if performance is not monitored. An effective performance reporting system would also assist Engineering in explaining to stakeholders the reasons for any necessary adjustments.

Project Management

In contrast to on-going County operations, each roadway capital project managed by Engineering has a definite start and finish and results in a unique product. Projects usually include constraints and risks regarding cost, schedule and performance outcome. Project management is a set of principles, practices and techniques to help control project schedule, cost, and performance risks. It inevitably requires balancing competing demands among scope, time, cost and quality and among stakeholders with differing needs and expectations.

Although they overlap in many areas, project management differs from operational management. For example, the unique characteristics of road projects are defined more broadly early in a project and become more explicit and detailed as the project team develops a better and more complete understanding of the features required to satisfy the needs which the road must meet.

The Project Management Institute (PMI) has identified nine topic areas to define the scope of project management knowledge:

- integration
- scope
- time
- cost
- quality
- human resources
- communications
- risk
- procurement

Within each of these topic areas, the PMI Guide to the Project Management Body of Knowledge (PMBOK) describes *generally accepted* principles, practices and techniques to help manage project risks and capitalize on opportunities for success.

“Generally accepted” means that the practices described are applicable to most projects most of the time and that there is widespread consensus about their value and usefulness. It does not mean that they are or should be applied to every project. We used PMBOK as a framework for identifying weaknesses in project management processes that, in our judgement, represent significant risks to the achievement of the objectives of roadway capital projects and the Roadway Capital Improvement Program. Program and project managers must exercise their professional judgement in determining what level of project management is appropriate for any given project.

Project Integration

The objective of project integration is to bring the elements of project management (scope, cost, time, quality etc.) together into an overall project plan that can be used to implement the project and control changes to it. For example, the project plan would typically include the scope statement, cost estimates, and performance measurement baselines for schedule and cost. The project plan can be simple or detailed depending on the size, complexity and risk of the project. Regardless of whether the project plan is simple or complex, sound project management principles suggest that every project should have an approved project management plan.

Generally, project plans have not been prepared by Engineering for several years. During the last 3 years, Engineering has dealt with staff turnover, emergency roadway projects from winter storms, and the lack of a full-time transportation director. We believe that these circumstances, combined with an absence of written procedures have weakened project management systems.

During our review, management expressed its intention to begin preparing project schedules and work plans again.

A comprehensive project management information system is another vital component needed to draw together and manage all elements of the project. To effectively carry out and control projects, Engineering will need to further develop their project management information systems. Once fully developed, project management systems should have the capacity to collect and distribute information necessary for overall monitoring and control of the project from initiation through closing.

During our review of capital projects, Engineering began training project managers to use Microsoft Project and began setting up project information files on the local area network. The Project Management Institute's PMBOK guide has been distributed to all project managers.

Project Scope Management

Project scope management ensures that all the work required -- and only the work required -- to complete a project successfully is included. In the construction phase of roadway capital projects, Engineering generally follows scope management processes established by contracting requirements and the Oregon Department of

Transportation (ODOT) Construction Manual. However, Engineering processes for project scope management in the pre-construction phases need improvement.

We believe the planning process would be improved by assigning the project manager to work with planners in developing a scope statement, identifying project constraints and assumptions, and estimating project resource requirements before a project is included in the Roadway Capital Improvement Plan. A written project scope statement would provide a documented basis for making future project decisions and would ensure a common understanding of project scope among all stakeholders.

The new Director of Transportation has indicated that he is considering the assignment of a project manager to each project in the earliest planning stages.

The scope statement includes the justification for the project, a brief description of the facility to be constructed, and a list of sub-products that must be completed. Project objectives should be stated as quantifiable criteria for schedule, cost and quality that must be met for the project to be considered successful. We encourage Engineering, to develop project objectives that are performance-based and linked to the project justification.

The definition of project scope breaks down the work into small enough components that cost, time and resource requirements can be accurately estimated. When scope definition is inadequate, final project costs can be expected to be higher because of the inevitable changes that can cause rework, increase project time, and lower the productivity and morale of the workforce.

Engineering is developing a template of pre-construction tasks that can be used for most projects.

As a project progresses, changes in scope may be necessary. Systems for influencing the factors that create changes in scope, determining that a scope change has occurred, and managing changes when they occur are necessary. While the ODOT manual provides guidance for construction contract change control, improvements are needed for controlling changes in the pre-construction phases. Engineering should consider developing policies and procedures defining the scope change control process.

Project Time Management

Failure to effectively manage the scheduling of project activities can result in higher costs, inconvenience to the travelling public, and loss of credibility. Timely completion of a project can be ensured by:

- accurately identifying the activities that must be performed
- developing a schedule and resource requirements
- managing any changes that occur

Most road projects are defined and scheduled in terms of broad project phases (Design, Right of Way, Construction). Since the activities necessary to develop the work products of each phase are not specified, activity durations and resource requirements are not estimated, and activities are not sequenced or scheduled.

Engineering has recently required project managers to submit their proposed construction schedule as part of the design review process.

Project managers should submit a proposed project schedule as soon as possible after the project is authorized. Dependencies between activities need to be identified and activities sequenced. Project managers should estimate the durations of all activities and document the assumptions on which they base their estimates. Documenting assumptions regarding the scheduling of shared resources is particularly important so that management can coordinate the demand for such resources over multiple projects.

All project managers are receiving training in the use of Microsoft Project, which will become the Division's standard for project management software. This software supports the elements of project scheduling described above.

An approved project schedule and performance reporting against a schedule baseline are critical to schedule control. In recent years, few management systems were in place to control the schedule of design and development work on capital projects. Oral project status reports at monthly staff meetings have been the principal tool for management to monitor project progress. Engineering does not currently track performance measures relating to time.

We encourage management to broaden the scope of project audits to include the entire project, rather than just the construction phase, and to include project schedule management as an explicit topic of review

in project audits. Project audits can serve an important function by documenting the causes of construction delays, the actions taken to expedite the construction schedule, and lessons learned from schedule control.

Engineering has recently begun to audit the project development process.

Project Cost Management

Cost management ensures that projects are completed within the project budget. Effective cost management involves:

- determining the types and quantities of resources needed for project activities
- estimating the costs of these resources
- allocating costs to project activities over the time of the project
- managing changes to the project budget

We found that management of construction contract costs was fairly strong. Our concerns regarding costs focus on establishing a project cost baseline earlier in the project and tracking *all* costs associated with the project against an overall project budget.

The project plan should identify the types and quantities of resources required for the project, including in-house resources (engineers, survey crew, field inspectors, materials testers, project support, etc.) as well as resources to be procured (construction contract services, consultant services, etc.). Currently, only the cost of the construction contract for a project is estimated and budgeted. Data sources and assumptions supporting planning estimates could also be better documented. Except for construction bid items, historical cost information is not readily available for developing project cost estimates.

Determining resource requirements and estimating costs are necessary prerequisites for developing a project cost budget. Cost budgeting provides a baseline for management to monitor project costs in total and over time intervals as the project progresses. Accordingly, the cost budget sets the stage for cost control. Management could also monitor project cost variances and inform stakeholders of changes. While the construction process has contract cost control processes, in-house project costs could be better controlled.

Management reports that the DES cost accounting system does not effectively support project based budgeting and project cost management. Engineering developed its own information system for construction contract cost control. The Transportation Division, in collaboration with the Association of Oregon Counties, is now developing a new cost accounting system. The Division should take steps to ensure that the need for capital project cost management information is addressed in the system development process.

Project Quality Management

Project quality management increases the likelihood that the project will accomplish its purposes. Quality management should address the management of the project as well as the quality of the product. By minimizing rework, sound quality management helps to control costs, increase productivity, and meet stakeholder expectations. It should involve:

- identifying relevant quality standards
- determining how to satisfy them
- monitoring specific project results to determine whether they comply with standards
- identifying ways to eliminate causes of unsatisfactory performance
- regularly evaluating overall project performance to meet assurance standards

Engineering performs numerous quality control activities over the project's lifecycle, but has focused primarily on the product quality. For example, Engineering performs internal reviews for design and conducts inspection and materials testing during construction. However, project managers did report that inspection resources were not always adequate to insure project quality.

Recent improvements are beginning to address project management processes. Engineering has established some quality objectives for project management. An overall measure of contract cost management is calculated for each project, and the net result over all completed contracts is a Key Result reported annually in the County Budget.

Developing quality objectives and performance measures in other PMBOK areas could improve project management. Quality management could be improved by strengthening quality planning and further improving project management processes.

Written quality policies and procedures are needed to formally express management's quality objectives for all phases of a project and to

describe the project quality systems. Quality objectives, including the responsibilities, processes, and resources needed to fulfill those objectives, should be described in the project plan.

Project managers, inspectors and materials testers did not always agree on who was responsible for certain quality control activities. The ODOT Construction Manual delineates quality management responsibilities among the project manager, inspectors and materials testers. Additional training is needed to ensure that ODOT standards are followed and that project managers, inspectors and materials testers understand and carry out their responsibilities on projects. Any planned departures from standard procedures should be described in the project plan.

Overall, we have observed movement towards improving project management processes. Microsoft Project training has begun and Engineering initiated construction audits that address both process and product quality issues and identify areas for improvement. In response to this audit, management has drafted a plan to develop a comprehensive project delivery system that will address project management processes.

Project Human Resources Management

Historically, the Engineering Section was organized by function, and projects were viewed as limited by function. Projects were either planning projects, design projects or construction projects. As a result, different managers might work on the same capital road project depending upon the stage of completion.

In recent years, Engineering has experienced a restructuring of roles and responsibilities. Increasingly, the project manager is responsible for a roadway capital project from conception to conclusion and is viewed as the leader of a project team. Project managers are now responsible for both the design and construction phases of the project, and the new Director has indicated that he would like to see project managers assigned to road projects in the earliest planning phase.

Although management encourages project staff to see themselves as members of a team, most individual team members remain accountable to functional managers and identify themselves with their function rather than their project(s). Team development can be

complicated when individual team members are accountable to both a functional manager and to the project manager.

Until recently, Engineering has also been a relatively stable organization with low staff turnover and promotion from within. Staff familiar with one another's qualifications and expectations had established well-understood working roles and relationships. Recent retirements of experienced personnel have caused substantial reshuffling of positions and a significant number of new hires.

As the project manager role has evolved and positions have been filled with new hires or staff reassignment, well-established roles and relationships have been disrupted. Roles and responsibilities of project staff are not clearly defined and documented. As a result, it is not always clear to project staff what their responsibilities are on a particular project.

Engineering could develop a template for a responsibility assignment matrix that defines the roles, responsibilities, and reporting relationships of a typical project. Although the project team should be free to adapt and change responsibility assignments to suit the demands and the staffing of a particular project, such changes should be documented. The project responsibility assignment matrix should be distributed to all project stakeholders.

Engineering staff currently are assigned to projects by management with little opportunity for project managers to provide input for the staffing they feel the project requires. Project managers could provide input and promote a cooperative environment by meeting with the County Engineer and Engineering Service Administrators as a group to schedule staffing resources among projects.

Project managers, particularly new project managers, would likely benefit from training in general management and interpersonal relations skills, such as leading, communicating, negotiating, delegating, motivating, team building, and dealing with conflict.

The County Engineer has recently directed all project managers to participate in the County's conflict management training.

Additional steps could be taken to foster team development. Regular project team meetings should also be considered. Training in how to work in teams should be provided to all employees to facilitate the transition to a project-focused organization.

Team development training has recently begun. Management has also begun to include the field inspectors in the final design review. Both actions are positive steps towards team development.

Contractors have not always furnished staff with the appropriate experience to manage County projects. Contractors have also replaced key staff assigned to a project with inexperienced staff. Engineering should take steps to ensure that provisions in the ODOT Construction Manual regarding the qualifications of contractor staff are strictly enforced.

**Project Communication
Management**

Determining and satisfying the information needs of project stakeholders is the essence of project communication management. Project communications should be addressed as a part of the overall project plan, although the level of formality will vary with the size of the project and the organizational diversity of the stakeholders. Critical to effective communication management are performance reporting processes that provide timely information about how project resources are used to achieve project objectives. We found evidence of breakdowns in project communication, which could be attributed to inadequate communication planning.

Most of the detail of project communication management should be contained in Engineering policies and procedures, and standard contract provisions. Standard communication practices could then simply be referenced in the project plan, with departures from standard practice described in detail.

Performance reporting should provide information on scope, schedule, cost and quality. Performance reporting on roadway capital projects has historically been informal and limited. Status reports were provided orally by project managers during monthly Engineering staff meetings. Until recently there were no specific requirements for the form or content of status reports.

The County Engineer has recently directed project managers to report in writing on the percent completion of major elements of the project work breakdown structure (design, right of way, and construction).

Performance reporting on roadway capital projects should include an analysis of cost and schedule variances, which compares actual project results to planned or expected results. Accordingly, an effective performance reporting system is dependent upon the development of the project baselines described in the sections on project scope, time, and cost.

Currently, project communication is limited by the quality of data available. The Department's cost accounting reports are not timely enough for effective project management. In developing its new cost accounting system, the Transportation Division should consider the project management information needs of Engineering. The existing DES cost accounting system has not served these needs effectively. The new system has greater flexibility and the potential, in conjunction with the project support database, to provide meaningful and timely cost performance reporting.

To improve the quality of cost information, all engineering staff should be trained to take full advantage of the new cost accounting system. Labor hours should be conscientiously tracked, properly allocated among projects, and reviewed for accuracy. Project managers should be able to timely compare the project's budget to actual costs at regular intervals from the inception of the project to its completion.

Project documentation could be improved, and few standards exist to organize project records. As a result, information on a project gathered in one phase may not be readily available in subsequent phases of a project. For example, reasons for design decisions have not always been made clear to construction project managers. Work performed pursuant to design changes ordered in the field sometimes had to be reworked at additional cost to the County when the reasons for the original design were made clear. Because there are few standards to organize project files and no checklist of documentation that must be included in project records, the quality of project records varies considerably.

Project Risk Management

Project risk management identifies, assesses and responds to project risks. The concept of project risk management includes capitalizing on opportunities as well as mitigating threats to the project. Although some controls are in place that address project risk, we found that risk management of individual roadway capital projects does not occur systematically. As a result, project managers may not be prepared to respond promptly to risk events.

Risks should be analyzed for each project. However, the degree or formality of the analysis will vary with the size, familiarity, and complexity of the work. Small projects will not require extensive risk analysis but larger projects will require more attention.

While not all project risks can be anticipated, a checklist of common risks in roadway design and construction could be developed to assist the risk identification and assessment process. Project managers should evaluate the significance of each risk by assessing the likelihood of its occurrence and its potential impact on the project. Significant project risks should be described in the project plan, along with strategies for responding to identified risks.

Although no formal system exists, we found that many project risks are routinely managed, particularly in the construction phase of the project. For example, many procurement risks are addressed through standard contract provisions. Construction materials testers are aware of risks associated with certain materials suppliers and adjust their testing regimen to control these risks.

We observed other examples of mechanisms that manage project risk in the design phase of the project. The risk of design errors or omissions is reduced by internal design reviews. The risk of design misunderstandings is reduced by assigning the same engineer to design and construction and including the field inspector in the final design review and the pre-construction conference.

**Project Procurement
Management**

Project procurement management includes the processes required to acquire goods and services from outside the County necessary to complete a roadway capital project.

Although in-house engineers design most construction projects, actual construction is performed by contractors, with Engineering staff providing surveying and inspection work. Engineering also provides engineering review and inspection for private development within unincorporated Multnomah County. Most development is done by project agreement, whereby the County reviews improvement plans, inspects construction work, and charges developers a fee based on the estimated construction costs of the street improvements. Under these circumstances the developer generally contracts for construction and the County is not involved in project procurement processes.

Construction can be delayed by the procurement process when the need arises for professional services, such as geotechnical consulting services. Such services are routinely required on several projects each construction season, but it can be difficult to predict the specific services that an individual project will require. Contracting for such services under retainer contracts rather than on a project by project basis could avoid the delays that result when an unanticipated need for consulting services arises on a particular project. Engineering can also avoid construction delays by providing Purchasing with copies of the planned procurement schedule for projects well in advance of the submission of bid specifications.

Formal solicitation and procurement processes are specified by State law and County purchasing rules and are administered by the County's Purchasing Division within the Department of Support Services. These processes apply to contracts for more than \$50,000. For projects between \$2,500 and \$50,000, the Transportation Division itself administers an informal Sheltered Market contracting program. Project managers must be familiar with different procedures for different types of contracts.

The Department of Environmental Services recently collaborated with Purchasing in the development of a training program for project managers on the different contracting processes. Engineering project managers received this training early in the FY 97-98 construction season.

Contract administration is the process of ensuring that the contractor's performance meets contractual requirements. It involves the application to the contractual relationship of project management processes described in other sections of this report. Because of the legal nature of the contractual relationship, these processes are specified in contracts by reference to the ODOT Standard Conditions and the inclusion of County special conditions. However, procedures are not always followed in practice, and some project managers have been reluctant to enforce contract conditions designed to protect the County from certain project risks.

Contract management also has a financial management component. Road construction contracts appropriately specify a system of progress payments and retention of a portion of the contract amount until project completion.

Project managers should insure that written documentation is maintained for certain aspects of communication between the contractor and the County, especially warnings of unsatisfactory performance and any contract changes or clarifications. Deficiencies in project documentation may seriously compromise the County's position if a dispute arises.

Program Management

Program management is the overall management of the implementation of the roadway Transportation Capital Improvement Program. It includes Engineering's application of general management processes, such as planning, organizing, staffing, executing and controlling operations. Engineering needs written policies and procedures that require and support sound project management. Further, improved project management information systems that gather, integrate, and disseminate information generated by project management processes would enable Engineering to manage more effectively. Project management processes discussed in the previous sections of this report should ultimately combine into information needed at the program level to coordinate the capital program.

Some of our findings echo those of the last audit of Engineering conducted in 1983. Following that audit, steps were taken by the new Director of Engineering to improve project management processes. Staff were directed to develop projects plans which detailed project budget, schedule and manpower requirements. However, these changes in practice were not translated into written policies and procedures. Since new practices were never institutionalized in formal policies and procedures, practices deteriorated as management and staff were replaced.

Management reported that several unsuccessful attempts had been made to implement a comprehensive project management information system in Engineering. Implementation of such a system was a goal in several of the Transportation Division's strategic plans. Generally, these strategic goals for project management system implementation slipped further with each successive strategic plan. We identified several proposals or drafts of project management procedures, but were unable to confirm that any of these drafts had been adopted or implemented.

Project management systems are needed for program performance reporting. The only program performance measures currently reported are comparisons of the total of engineers' construction estimates for all completed projects to the total construction contract amounts for those projects, and the total of payments under those contracts to the total of the original contract amounts. No performance reporting is provided on the completion of programmed projects within programmed costs or according to program schedules.

Financial information at the program level could also be improved. As previously mentioned, project costs should be readily available for managers to monitor. Further, information regarding financial

resources available for capital projects could be improved. For example, the financial resources listed in the roadway Transportation Capital Improvement Plan is unclear. Management should also have the ability to compare total projected cost to complete all projects in process to the total of project budgets.

Project management information systems are also needed to coordinate the capital program. In a small agency with limited staff, coordination of project schedules is a critical element of effective program management. Effective coordination of project schedules allows management to make the most effective use of limited staff resources and of the construction season. Projects could be better coordinated if project managers used the project management processes and tools described in the previous sections and communicated their project plans to management, including proposed, approved and revised project schedules and project resource requirements.

Standardization of project management processes would allow management to combine the schedules and resource requirements of all projects, and better monitor the extent program objectives are met. Engineering should provide project managers with the tools for effective project management. They should also ensure through a system of policies and procedures that those tools are used consistently and that the results of project management processes are reported to management.

**Responses to
the Audit**



Beverly Stein, Multnomah County Chair

Room 1515, Portland Building
1120 S.W. Fifth Avenue
Portland, Oregon 97204

Phone: (503) 248-3308
FAX: (503) 248-3093
E-Mail: mult.chair@co.multnomah.or.us

March 19, 1999

Suzanne Flynn
Multnomah County Auditor
1120 SW 5th Room 1410
Portland, Oregon 97204

Dear Suzanne:

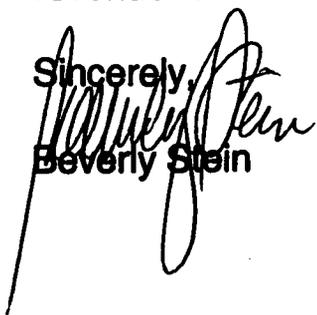
Thank you very much for your and your staff's work on the Roadway Capital Projects Audit report. Rather than focus on the specifics you uncovered which I believe are well covered in your report and the Department's response, I would like to comment on your process.

The willingness of your office and our Department to work cooperatively meant that much more was accomplished than would have been under standard procedures. The Division and Department requested the audit, were very receptive to your initial findings, and moved promptly to address the major issues.

This, in turn, enabled you to broaden your scope and spend less time developing specific documentation to substantiate your major points. A win-win situation. Thank you for the cooperative spirit demonstrated in this work. I hope we will be able to use this approach, when appropriate, in the future.

The areas you have mutually identified will enable our Division to use taxpayer money more efficiently. Given the probability of increased revenue for the first time in several years, this work is very timely.

Sincerely,


Beverly Stein





MULTNOMAH COUNTY OREGON

DEPARTMENT OF ENVIRONMENTAL SERVICES
1600 SE 190TH
PORTLAND, OREGON 97233
(503) 248-5000

BOARD OF COUNTY COMMISSIONERS
BEVERLY STEIN • CHAIR OF THE BOARD
DIANE LINN • DISTRICT 1 COMMISSIONER
SERENA CRUZ • DISTRICT 2 COMMISSIONER
LISA NAITO • DISTRICT 3 COMMISSIONER
SHARRON KELLEY • DISTRICT 4 COMMISSIONER

March 19, 1999

Suzanne Flynn
Multnomah County Auditor
1120 SW 5th Avenue Room 1410
Portland, Oregon 97204

Re: Roadway Capital Projects Audit Report

Dear Suzanne:

I appreciate the thorough and in-depth analysis provided in the Roadway Capital Projects Audit report. I believe that the Division's cooperative efforts in providing information and ideas to assist with the audit have resulted in a very useful product. This cooperative spirit is reflected in actions that the Division took to address several areas of concern, even while the audit was underway. The enclosed plan builds on the initiatives already started and represents our commitment to continued leadership in strengthening management and execution of the roadway capital improvement program.

This audit is different in its approach. It does not focus attention on specific problems. Instead, it examines controls throughout the entire capital project management system for roads. The response in turn is different. It provides a plan to improve the controls for the management system. This plan will address the issues identified in your report and provide valuable tools, concepts, and training for Division staff in managing projects of all sizes. It is likely changes in this plan will occur as we implement it. However, the goal to develop a systematic and comprehensive roadway capital project process that addresses the issues and concerns raised by the audit will not change. We recognize that timely and cost effective delivery of these projects is key to maintaining public trust in the agency's ability to solve transportation problems and use public resources wisely.

The Division's ability to commit resources to this effort will be restricted without an increase in its primary funding sources. Financial constraints notwithstanding, we will work to keep implementation of this plan a priority and accomplish its goal and major objectives.

Sincerely,


Larry F. Nicholas
Director,
Department of Environmental Services

C: Beverly Stein, Chair
Harold Lasley

PLAN OF ACTION
FOR DEVELOPMENT OF A
COMPREHENSIVE PROJECT DELIVERY SYSTEM

Goal

To develop and document a comprehensive project delivery system that addresses deficiencies raised in the Auditor's report and provides a framework of policies and procedures for managing projects of varying size and complexity.

Approach & Plan

Our approach to achieving this goal in the next 18 – 24 mos. will be to use sound project management principles and practices; in effect, to model the principles and processes of an effective project management system. These principles and processes include:

- Accountability
- Project planning, organization, and coordination
- Defining and managing project scope
- Scheduling, budgeting, and workplanning
- Cost management and control
- Quality control and performance measurements
- Communications management

This project will be referred to as the *Comprehensive Project Delivery System (CPDS)*. The CPDS will be approached in phases to facilitate planning and provide a stronger focus on producing useful results as the project progresses. Each phase will have a statement of objectives and clearly defined deliverables. The Engineering Services Manager will be responsible for developing a workplan, budget, and schedule approved by the Division Director for each phase.. We will employ a consultant to assist with the technical components of the CPDS, provide staff training, and develop a CPDS reference manual that will comprise Division policies, procedures, and processes for capital project management.

The following plan outlines the goal and major of the CPDS project as we currently envision it. Phases 1 and 2 are fairly well defined in terms of objectives and deliverables. Phases 3 and 4 are less well defined. Near the conclusion of each phase we will re-

assess this plan and adjust it as needed to build on the progress and the information collected up to that point.

Phase 1

Objectives

- Review the audit report with key management and staff.
- Build understanding of, and support for project within staff.
- Establish effective communication and problemsolving processes among staff
- Categorize the audit recommendations into i) short term immediate action items; ii) action items fundamental to development of a CPDS to be included in remaining phases and iii) items of lesser or secondary importance that will only be addressed to the extent they bear directly on items in category ii), and budget and other resources allocated to this project allow.
- Begin implementation of items in category i)
- Clarification/definition of "cradle-to-grave" project management and "strong project manager" concepts
- Develop positive public relations strategy
- Approved FY 1999-2000 budget for this project

Deliverables

- Phase 1 workplan and FY 1999 – 2000 budget
- Categorization of issues/action items from auditor's report (refer to categories above)
- Summary of feedback and input from meeting with key staff regarding auditor's report and plans for development of CPDS.
- Consultant recruitment and selection
- Designation of project manager for phases 2, 3, 4
- Summary of issues and ideas emerging from team development session(s)
- Monthly status reports to include progress, problems, updated workplan and budget
- Fact sheet and "talking points" for public information, interviews, media inquiries, etc

Timeframe: Feb – June '99

Phase 2

Objectives

- Definition and phasing of remaining scope of work to complete principle elements of CPDS
- Develop resource requirements and cost estimate for remaining phases.
- Reach consensus on major components of comprehensive project management system (CPDS)
- Review county policy, procedures, forms, practices, and organization as relates to CPDS
- Continue implementing action items from category i) above
- Develop performance measures for management of project

Deliverables

- Consultant contract to cover remaining phases
- Specific job duties and responsibilities of Project Manager for Phases 2, 3 and 4
- Phase 2 scope of work definition, workplan and budget
- Flowchart of comprehensive project management system
- Definition of "strong project manager" responsibilities in CPDS
- List of specific documentation needed for each phase of CPDS
- Monthly status reports to include progress, problems, updated workplan and budget
- Develop internal and external Communications plan

Timeframe: Jul – Dec 99

Phase 3

Objectives

- Skills assessment tool for project manager development and training
- Assessment of current organizational structure for changes needed to support CPDS concept and processes
- Develop reference manual for CPDS (i.e., policies, guidelines, checklists, forms)

Deliverables

- List of issues and recommendations for organizational changes to support CPDS
- Phase 3 scope of work, workplan and budget; updated workplan for remaining phases

Timeframe: Dec 99 – Apr 00

Phase 4 (Implementation)

Objectives

- Remediate major shortcomings of existing projects to align with CPDS
- Address priority staff training needs
- Identify unresolved issues that need continued effort

Deliverables

- Implementation plan including financial and staff resource requirements
- Employee specific training plans
- Training sessions on priority topics
- Auditor's progress assessment

Timeframe: Apr 00 – Dec 00

Performance Measures

We believe that performance measures can serve as useful indicators of progress we are making toward the goal of the CPDS if they are accurate and timely. We will evaluate various performance measures for this project that focus on cost and completion of deliverables, planning, scope management, and employee involvement. Definition of

performance measures is included in Phase II, but identification and discussion of potential performance measures will begin during Phase I.

Quality Control

Management quality control will be accomplished through project oversight by the Division management team (TLT). The TLT will act as the Steering Committee to ensure management accountability, maintain organizational focus, and facilitate coordination of various work units and resources. The Engineering Services Manager, who is a member of the TLT, will be responsible for managing the ongoing work of the project, and accomplishing the objectives and deliverables throughout all phases of the project. The Division Director is the leader of the TLT, and by virtue of that position, will provide leadership to the CPDS Steering Committee.

We intend to hire a consultant with demonstrated experience in the field of project management. The consultant will provide technical expertise to supplement and enhance that of the Division's project management staff. During development of the CPDS, we will look for opportunities for external review and feedback from stakeholders, partners, and/or peers. We also welcome periodic review of our progress by the Auditor's office.

We believe that these measures provide effective quality control for the management and technical aspects of this project.

MEETING DATE: April 15, 1999
AGENDA NO: R-4
ESTIMATED START TIME: 10:00

(Above Space for Board Clerk's Use ONLY)

AGENDA PLACEMENT FORM

SUBJECT: Volunteer Awards Proclamation

BOARD BRIEFING: DATE REQUESTED: _____
REQUESTED BY: _____
AMOUNT OF TIME NEEDED: _____

REGULAR MEETING: DATE REQUESTED: April 15, 1999
AMOUNT OF TIME NEEDED: 5 minutes

DEPARTMENT: Non-Departmental DIVISION: Citizen Involvement Office

CONTACT: Carol Ward TELEPHONE #: 248-3450
BLDG/ROOM #: 412/206/CIC

PERSON(S) MAKING PRESENTATION: Jim Duncan

ACTION REQUESTED:

INFORMATIONAL ONLY POLICY DIRECTION APPROVAL OTHER

SUGGESTED AGENDA TITLE:

Proclaiming the Week of Week of April 18 through 24, 1999
as Multnomah County Volunteer Week

4/15/99 ORIGINAL TO Jim Duncan
4/16/99 COPY TO CAROL WARD

SIGNATURES REQUIRED:

ELECTED OFFICIAL: _____
(OR)

DEPARTMENT MANAGER: John Legry

BOARD OF
COUNTY COMMISSIONERS
99 MAR 16 PM 2:46
MULTNOMAH COUNTY
OREGON

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

Any Questions: Call the Board Clerk @ 248-3277

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

PROCLAMATION NO. _____

Proclaiming MULTNOMAH COUNTY VOLUNTEER WEEK April 18
through April 24, 1999

The Multnomah County Board of Commissioners finds:

- a. One of America's greatest national resources is its volunteers, and the human resources they devote toward a healthy, productive and human society
- b. Each year thousands of volunteers contribute to the betterment of their community
- c. Volunteers give freely of their time, energy, and ability, and ask only for a smile and a thank you for their countless hours of service
- d. It has long been a tradition in our community for men, women, and children volunteers to perform work of the highest quality and to brighten the lives of others
- e. The cities of Fairview, Gresham, Troutdale and Wood Village are recognizing their volunteers during National Volunteer Week

The Multnomah County Board of Commissioners proclaims:

1. The week of April 18 through April 24, 1999 as "MULTNOMAH COUNTY VOLUNTEER WEEK" and takes great pleasure in honoring the volunteers with our sincere gratitude and appreciation for their dedicated, selfless, and compassionate efforts.

ADOPTED this 15th day of April, 1999.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Beverly Stein, Chair

ADDENDUM TO PROCLAMATION

Re MULTNOMAH COUNTY VOLUNTEER WEEK April 18 through
April 24, 1999

The Citizen Involvement Committee wishes to surprise you with a "surprise announcement" this morning. We are identifying to you today the name of the individual who is to receive the 5th Annual Gladys McCoy Citizen Involvement Award.

She is a lady who has had a positive impact in the community for over 40 years, and at times shared in projects with Gladys McCoy. She like Gladys, has made a positive impact on her local school, neighborhood and family communities. But you'll have the opportunity to find out more about her at the Awards Ceremony.

So I'll share here name with you now: Doshie E. Clark, an activist from NE Portland.

Thank you very much for letting me make this surprise announcement from CIC at the Board meeting this morning.

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

PROCLAMATION NO. 99-58

Proclaiming MULTNOMAH COUNTY VOLUNTEER WEEK April 18 through April 24, 1999

The Multnomah County Board of Commissioners finds:

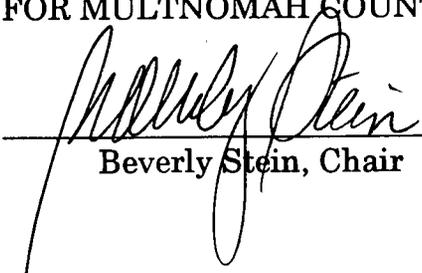
- a. One of America's greatest national resources is its volunteers, and the human resources they devote toward a healthy, productive and human society
- b. Each year thousands of volunteers contribute to the betterment of their community
- c. Volunteers give freely of their time, energy, and ability, and ask only for a smile and a thank you for their countless hours of service
- d. It has long been a tradition in our community for men, women, and children volunteers to perform work of the highest quality and to brighten the lives of others
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1. The week of April 18 through April 24, 1999 as "MULTNOMAH COUNTY VOLUNTEER WEEK" and takes great pleasure in honoring the volunteers with our sincere gratitude and appreciation for their dedicated, selfless, and compassionate efforts.

ADOPTED this 15th day of April, 1999.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON


Beverly Stein, Chair



SPEAKER SIGN UP CARDS

DATE 4/15/99

NAME Keely Duke-Anderson

ADDRESS 29735 SW Case Ln. # 159

Wilsonville, OR 97070

PHONE (503) 570-9918

SPEAKING ON AGENDA ITEM NUMBER OR
TOPIC R-5

GIVE TO BOARD CLERK



OFFICE OF
MULTNOMAH COUNTY COUNSEL

THOMAS SPONSLER
County Counsel

SANDRA N. DUFFY
Chief Assistant

1120 S.W. FIFTH AVENUE, SUITE 1530
PORTLAND, OREGON 97204-1977

FAX 248-3377
(503) 248-3138

SUSAN DUNAWAY
KATIE GAETJENS
PATRICK HENRY
GERALD H. ITKIN
JEFFREY B. LITWAK
MATTHEW O. RYAN
KATHRYN A. SHORT
AGNES SOWLE
JOHN S. THOMAS
JACQUELINE A. WEBER
Assistants

SUPPLEMENTAL STAFF REPORT

TO: Board of County Commissioners

FROM: County Counsel

DATE: April 1, 1999

RE: Petition for Order Granting Disinterment of
Molly Ann McMahon, Deceased, under ORS 97.220

1. Recommendation/Action Requested:

Joyce McMahon Hixson has filed the attached Petition for Disinterment of Molly Ann McMahon, her daughter. She seeks a Board order granting the disinterment to relocate and reinter Molly's remains at the Gospel Hill Church of Christ Cemetery in Pottersville, Missouri, where Ms. Hixson resides.

2. Background/Analysis:

Joyce McMahon Hixson and Gregory McMahon, natural parents of Molly Ann McMahon, were divorced on August 21, 1978. Custody of the child was awarded to Gregory McMahon. Upon the death of Molly McMahon on October 6, 1995, Gregory McMahon directed interment at Mt. Calvary Catholic Cemetery.

Ms. Hixson contacted the cemetery regarding the removal and reinterment of Molly McMahon's remains. Under the cemetery's written policy, it opposes the disinterment without the written consent of both parents or an order from the Board of County Commissioners. The cemetery is concerned about a possible liability should Gregory McMahon return and object to the relocation of his daughter's remains.

Joyce Hixson and her current husband, Darrell Hixson, have attempted to contact Gregory McMahon but cannot locate him. Based on information from Mt. Calvary Cemetery, Ms. Hixson represents to the Board that Gregory McMahon has not maintained contact with the cemetery and has not completed payments to the cemetery for Molly Ann McMahon's 1995 burial.

ORS 97.130(2)(c) grants Joyce McMahon Hixson, biological mother of the deceased, the right to control the disposition of the remains when the deceased's biological father cannot be located to agree to the disinterment. Under ORS 97.220, she may proceed with the disinterment with or without the consent of the cemetery if the Board of County Commissioners grants permission. The cemetery was timely notified of the petition for disinterment.

Joyce McMahon Hixson seeks an order to disinter her daughter's remains from Mt. Calvary Cemetery for relocation and reinterment at the Gospel Hill Church of Christ Cemetery in Pottersville, Missouri, where she resides.

3. Financial Impact:

None

4. Legal Issues:

None

5. Controversial Issues:

None

6. Link to Current County Policies:

There are no conflicts with County policies. This action furthers County goals of providing service to the public.

7. Citizen Participation:

None

8. Other Government Participation:

None

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6
7
8 BEFORE THE BOARD OF COUNTY COMMISSIONERS
9 FOR MULTNOMAH COUNTY

10
11 In the Matter of
12 Molly Ann McMahon, Deceased.

No.
13 PETITION FOR DISINTERMENT
14 OF MOLLY ANN MCMAHON

15 Joyce McMahon Hixson, by and through her attorney, Kevin L. Mannix of Kevin L. Mannix,
16 P.C., petitions the court for an order that Mount Calvary Cemetery disinter the body of Molly A.
17 McMahon from her grave site at the Mount Calvary Cemetery, located in the County of Multnomah,
18 state of Oregon.

19 Because the cemetery authority has not consented to the disinterment of Molly Ann
20 McMahon, ORS 97.220 states that we may petition the board of commissioners for permission to
21 disinter the body. In further accordance with ORS 97.220, we notified the cemetery on or around
22 August 26, 1998 (which is greater than 60 days notification from the date of the filing of this petition)
23 regarding this petition to the court for the removal of Molly Ann McMahon's remains.

24 Joyce McMahon Hixson is the biological mother of the deceased and has the right to control
25 the disposition of the remains pursuant to ORS 97.130(2)(c). Pursuant to ORS 97.220, Joyce
26 McMahon Hixson may proceed with the disinterment with or without the consent of the cemetery
authority. The cemetery authority has not consented to the disinterment. A copy of their letter

1 indicating that they would not consent to the disinterment without an order is attached as Exhibit 1
2 and is respectfully incorporated herein by reference. Mount Calvary Cemetery opposes the
3 disinterment of Molly Ann McMahon because they are concerned about their liability if Gregory
4 McMahon, Molly's biological father, returns and finds that his daughter's remains have been
5 relocated.

6 Joyce McMahon Hixson and Gregory McMahon were divorced on August 21, 1978. A
7 photocopy of the dissolution decree is attached hereto, marked as Exhibit 2, and incorporated herein
8 by reference.

9 Gregory McMahon, the deceased's natural father, cannot be located. As is evidenced by the
10 affidavits of Darrell Hixson and of Joyce McMahon Hixson, attached hereto, marked as Exhibits 3
11 and 4 and incorporated respectfully herein by reference, they have attempted on numerous occasions
12 to locate Gregory McMahon. These searches have been unsuccessful. Due to the fact that the
13 deceased's biological father cannot be located to agree to the disinterment, Joyce McMahon Hixson,
14 the mother, has the sole authority to do so. In addition, the undersigned represents to the board of
15 commissioners, based on information from Mt. Calvary Cemetery, that Gregory McMahon has not
16 maintained contact with the cemetery and has not completed payments to the cemetery for Molly
17 Ann McMahon's 1995 burial. Because Gregory McMahon has not paid for the 1995 interment of
18 Molly Ann McMahon, according to ORS 97.220(2), the cemetery has the authority to remove the
19 remains from the plot to another suitable place.

20 /////
21 /////
22 /////
23 /////
24 /////
25 /////
26 /////
27

CERTIFICATE OF FILING AND PROOF OF SERVICE

BY MAIL

I hereby certify that I filed the foregoing Petition for Disinterment of Molly Ann McMahon by mailing it by first class mail, postage prepaid, addressed to:

Marilyn Webber
Multnomah County Board of Commissioners
1120 SW Fifth, Suite 1530
Portland OR 97204

I further certify that I served the foregoing Petition for Disinterment of Molly Ann McMahon by mailing a true and correct copy thereof, contained in a sealed envelope, with first class postage prepaid, to the following individual at his last known address, to wit:

R. Tim Corbett
MT. CALVARY CATHOLIC CEMETERY
333 SW Skyline Boulevard
Portland OR 97221

and deposited on this date in the United States Postal Service office at Salem, Oregon.

DATED: 3-1-99



Kevin L. Mannix
Of Attorneys for Joyce McMahon Hixson

KLM:saj
g:\home\saj\hixson1.doc

CERTIFICATE OF FILING AND PROOF OF SERVICE, BY MAIL - 1 of 1

KEVIN L. MANNIX, P.C.
Attorneys at Law
2003 State Street
Salem OR 97301-4349
(503) 364-1913 - FAX (503) 362-0513

MT. CALVARY & GETHSEMANI



WEST SIDE / DOWNTOWN
Mt. Calvary Catholic Cemetery
333 S.W. Skyline Blvd.
Portland, Oregon 97221
(503) 292-6621
Fax (503) 292-6622

EAST SIDE
Gethsemani Catholic Cemetery
11666 S.E. Stevens Rd.
Portland, Oregon 97266
(503) 659-1350
Fax (503) 659-9429

August 26, 1998

Mr. Kevin Mannix, Attorney at Law
2003 State Street
Salem, Or 97301-4349

RE: Molly McMahan

Dear Mr. Mannix:

Your office has inquired into our what would be required to dis-inter Molly McMahan from her gravesite so that she can be cremated and moved to another cemetery. Without the written authorization of both of Molly's parents, we will require either a court order or written direction from the State Cemetery and Mortuary Board requiring us to make this dis-interment. I have enclosed a copy of our policy outlining this requirement.

In the case of Molly McMahan, we were directed to inter Molly by her father, the legal next of kin. At the time, we had no indication that this was not consistent with the wishes of both of Molly's parents. Allowing Ms. Hixson to direct Molly's dis-interment at this time would be in direct conflict with the written direction received from Mr. McMahan. The enclosed policy clearly outlines our requirements in situations where we have knowledge that the parents of a deceased child disagree on the final disposition of remains. We are confident that we have the legal authority to impose the restrictions outlined in the attached policy.

Sincerely,

R. Tim Corbett

Enclosure

RTC/rtc

EXHIBIT (-)

MEMO

TO: All Cemetery Counselors
FROM: Tim Corbett, Superintendent 
SUBJECT: Disinterments
DATE: 4/4/95
POLICY NUMBER: POLS - 9
EFFECTIVE DATE: Immediately

No disinterments are to be done without the Superintendent's approval. Although exceptions may be made to this policy by the superintendent, the general policy relating to dis-interments shall be as follows:

In all Cases: .

- * ⇒ Dis-interments will be done when a court order is presented or when directed to do so in writing by the State Cemetery Board.
- ⇒ As a matter of policy, the cemetery discourages the dis-interment of remains unless it is clear that the action of dis-interment/re-interment meets the original intent of the deceased and/or surviving heir(s) who made the original funeral arrangements. Generally, the concept of "original intent" shall guide approvals for dis-interments.
- ⇒ Prior to any dis-interment, all applicable cemetery records of the deceased will be shared with the family making the arrangements. This is to include maps, burial permits, marker orders, lot cards, interment cards, etc. Lot cards with interments of persons with similar names should also be shared with the family to avoid confusion. Some form of identification should be obtained from the family making the arrangements and photocopies and maintained as part of our cemetery records. If there is any question as to the relationship or identity of the deceased or family, some type of collaborating documentation should be obtained from the family such as a birth certificate, death certificate, copy of funeral arrangements, etc. and photocopied for our records. This is particularly important when no burial permit is on file.
- ⇒ The family is to be physically taken to the burial site of the deceased prior to dis-interment.
- ⇒ If the remains are not in a top seal cement vault, the family must contract with a mortuary for the handling of the remains.

In the absence of a court order:

- * ⇒ No disinterments will be made when there is a financial gain to the person arranging for the dis-interment or when it appears that the disinterment may be against the original intent of the grave owner or surviving heir who made the original funeral arrangements.

EXHIBIT 1-2

- ⇒ No disinterments will be made without the express approval of the Superintendent if the remains are to be re-interred within the cemetery and the remains are not in a top seal cement vault.
- ⇒ No disinterments will be made if the authorization is not signed by the spouse or, in the case when there is no surviving spouse, by the children (age 21 or older) of the deceased, or in the case where there are no surviving children, by the parents of the deceased. Other next of kin will not be allowed to authorized disinterment.
- ⇒ No dis-interred remains which are re-interred in the cemetery are to be co-mingled with any other remains. Dis-interred remains must be placed in separate containers with a permanent label to be placed in the container prior to re-interment. Cemetery records will reflect the date of disinterment and the location of the dis-interred/re-interred remains (i.e. head or foot of grave, or upper or lower portion of grave and approximate depth).

Fees and charges

The cemetery will charge its interment fee in all cases where the cemetery digs to expose the remains.

In cases where the cemetery completes the removal the charge will be twice the current interment fee.

Fees charged by contractors with whom the cemetery has directly entered into a contract with will be passed on to the family or party making the arrangement with a 25% service charge.

Other fees such as a marker setting and container charges are to be charged as applicable.

RTC/rtc

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF DESCHUTES

FILED
AUG 21 1978
4:32 PM
ROSEMARY PATTERSON
DESCHUTES COUNTY CLERK

1
2
3 In the Matter of the Marriage of)
4 GREGORY PATRICK McMAHON)
5 Petitioner)
6 and)
7 JOYCE ANN McMAHON,)
8 Respondent.)



CERTIFIED TRUE COPY OF THE ORIGINAL
DATED THIS 23 DAY OF JULY 1978
CIRCUIT COURT)
DESCHUTES COUNTY,)
STATE OF OREGON)
BY: BRB)

Case No. 22359
DECREE OF DISSOLUTION
OF MARRIAGE

9 This matter having come on for trial on August 21, 1978,
10 Petitioner having appeared in person and represented by his
11 attorney, David F.P. Guyett, and Respondent having waived her
12 right to appear further in this matter because she is in agree-
13 ment with the Petitioner's desire to obtain a Decree of
14 dissolution in this matter in accordance with the Custody and
15 Property Settlement Agreement dated February 9, 1978, and the
16 Addendum to Custody and Property Settlement Agreement dated
17 August 15, 1978.

18 The Court found that irreconcilable differences exist
19 between the parties, making the continuation of the marriage
20 relationship impossible, and that the parties were married
21 on August 29, 1975 in Vancouver, Washington, and that the
22 Petitioner is a fit person to be awarded custody of the minor
23 child of the parties.

24 The Petitioner and Respondent hereto having entered into
25 a Custody and Property Settlement Agreement and Addendum thereto;
26

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that:

Page 1. Decree of Dissolution of Marriage

LAW OFFICES
DAVID F. P. GUYETT
P.O. BOX 83
1183 N.W. WALL STREET
BEND, OREGON 97701
TELEPHONE (503) 389-0613

EXHIBIT 2-1

1. The marriage of the parties is hereby dissolved and
the dissolution is finally effective on the 21 day of
October, 1978.

2. Custody of the minor child of the parties, MOLLY ANN
McMAHON, is awarded to Petitioner, with rights of reasonable
visitation to the Respondent.

3. Disposition of the property of the parties shall be
made in accordance with the terms of the Property Settlement
Agreement dated February 9, 1978 and the Addendum thereto dated
August 15, 1978, a copy of which is on file herein with the
Court and the terms and provisions of which are incorporated
herein by reference.

4. This decree shall act as an assignment, transfer or
conveyance of all property interests, both real and personal,
as provided herein, and in the Property Settlement Agreement
and Addendum thereto incorporated herein by reference and shall
operate as a bill of sale or deed.

5. Additional relevant data:

Wife Joyce Ann McMahon
 Address *530 W. 10th, Prineville, Ore. 97754*
 Date of Birth 6-27-57 Age 21
 Social Security No. 487-66-6515
 Maiden Name Warren
 Husband Gregory Patrick McMahon
 Address 530 W. 10th, No. 3, Prineville, OR 97754

=====

DAVID F. P. GUYETT
P.O. BOX 98
1193 N.W. WALL STREET
BEND, OREGON 97701
TELEPHONE (503) 389-6613

1 -----

2 Date of Birth 6-11-45 Age 33

3 Social Security No. 541-50-2790

4 DATED this 21 day of August, 1978.

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Walter J. Edmunds
CIRCUIT COURT JUDGE

1183 N.W. WALL STREET
BEND, OREGON 97701
TELEPHONE (503) 389-6613

Page 3. Decree of Dissolution of Marriage

EXHIBIT 23

AFFIDAVIT OF DARRELL HIXSON

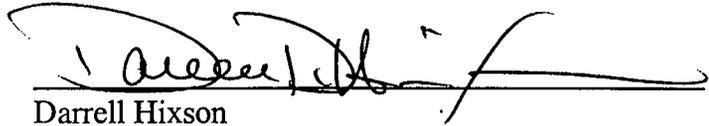
STATE OF MISSOURI)
) ss.
County of Howell)

I Darrell Hixson, being first duly sworn, on oath depose and say:

That I am the husband of Joyce McMahon Hixson who is the mother of the deceased, Molly Ann McMahon, who died on October 6, 1995 in Portland, Oregon.

That on numerous occasions I have attempted to contact Gregory McMahon, the biological father of Molly Ann McMahon. These attempts to locate Gregory McMahon have been unsuccessful.

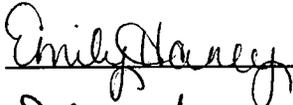
DATED this 23 day of October, 1998.


Darrell Hixson

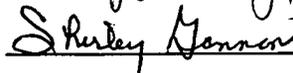
DECLARATION OF WITNESSES

We declare that Darrell Hixson is personally known to us, that she signed this Affidavit in our presence and that she appeared to be of sound mind and not acting under duress, fraud or undue influence.

Witnessed By:



Date: 10-23-98



Date: 10-23-98

The above Affidavit and the above Declaration of Witnesses were subscribed and sworn to before me on the date(s) above noted, by the named persons, whose identity is known to me or has been established by document(s) satisfactory under Missouri law.

Donna Burg
Notary Public for Missouri
My commission expires: 1-19-99

AFFIDAVIT - 1 of 1

KEVIN L. MANNIX, P.C.
Attorneys at Law
2003 State Street
Salem OR 97301-4349
(503) 364-1913 - FAX (503) 362-0513

EXHIBIT 3-2

AFFIDAVIT OF JOYCE MCMAHON HIXSON

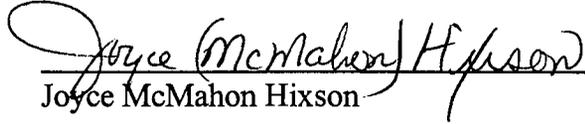
STATE OF MISSOURI)
) ss.
County of Howell)

I Joyce McMahon Hixson, being first duly sworn, on oath depose and say:

That I am the mother of the deceased, Molly Ann McMahon, who died on October 6, 1995 in Portland, Oregon. My parental rights were not restricted at the time of her death.

That on numerous occasions I have attempted to contact Gregory McMahon, the biological father of Molly Ann McMahon. These attempts to locate Gregory McMahon have been unsuccessful.

DATED this 23 day of October, 1998.

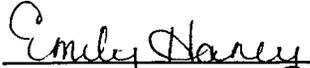


Joyce McMahon Hixson

DECLARATION OF WITNESSES

We declare that Joyce A. Hixson is personally known to us, that she signed this Affidavit in our presence and that she appeared to be of sound mind and not acting under duress, fraud or undue influence.

Witnessed By:



Date: 10-23-98



Date: 10-23-98

The above Affidavit and the above Declaration of Witnesses were subscribed and sworn to before me on the date(s) above noted, by the named persons, whose identity is known to me or has been established by document(s) satisfactory under Missouri law.

Donna O'Leary
Notary Public for Missouri
My commission expires: 1-19-99

AFFIDAVIT - 1 of 1

KEVIN L. MANNIX, P.C.
Attorneys at Law
2003 State Street
Salem OR 97301-4349
(503) 364-1913 - FAX (503) 362-0513

RECEIVED
EXHIBIT 4-2

1
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7
8 BEFORE THE BOARD OF COUNTY COMMISSIONERS
9 FOR MULTNOMAH COUNTY

10 In the Matter of
11 Molly Ann McMahon, deceased.

No.

12 ORDER GRANTING THE
13 DISINTERMENT OF MOLLY
ANN MCMAHON

14 The board, being fully advised in the premises, makes the following findings of fact:

- 15 1. Molly Ann McMahon is currently interred at the Mt. Calvary Cemetery.
16 2. Gregory McMahon, Molly's biological father cannot be located and is therefore
17 unavailable.
18 3. Joyce McMahon Hixson is Molly's biological mother and has the right to control the
19 disposition of Molly Ann McMahon's remains pursuant to ORS 97.130(c).
20 4. The cemetery has not consented to the disinterment of Molly Ann McMahon's
21 remains.
22 5. Pursuant to ORS 97.220, this court has the authority to order the disinterment of Molly
23 Ann McMahon's remains.

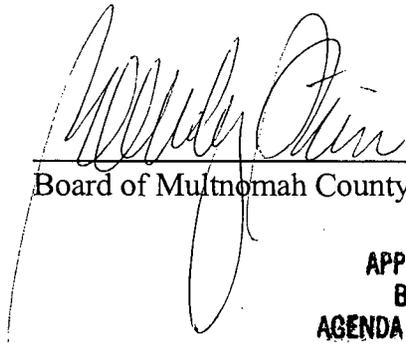
24 IT IS HEREBY ORDERED that Petitioner's request that the remains of Molly Ann
25 McMahon be disinterred from Mt. Calvary Cemetery and sent to Joyce McMahon Hixson.
26

1 - ORDER GRANTING THE DISINTERMENT OF MOLLY ANN MCMAHON

1 IT IS FURTHER ORDERED that Joyce McMahon Hixson place the remains of Molly Ann
2 McMahon at the Gospel Hill Church of Christ cemetery located in Pottersville, Missouri, or in any
3 other legally appropriate burial site in Oregon or Missouri, provided that all local burial statutes and
4 rules are followed.

5
6 DATED: April 15, 1999



7
8 
9 _____

Board of Multnomah County Commissioners

APPROVED MULTNOMAH COUNTY
BOARD OF COMMISSIONERS
AGENDA # R-5 DATE 4/15/99
DEB BOGSTAD
BOARD CLERK

10
11 Petitioner:
12 Joyce McMahon Hixson
13 7368 County Road #1770
14 West Plains, Missouri 65775
15 Telephone: (417)257-2431

16 Attorneys for Petitioner:
17 KEVIN L. MANNIX, P.C.
18 Kevin L. Mannix
19 2003 State Street
20 Salem, Oregon 97301-4349
21 Telephone: 364-1913
22 Bar Number: 74202

MEETING DATE: April 15, 1999
AGENDA NO: R-6
ESTIMATED START TIME: 10:10

(Above Space for Board Clerk's Use ONLY)

AGENDA PLACEMENT FORM

SUBJECT: Resolution Confirming Elected Official Interim Designee

BOARD BRIEFING: DATE REQUESTED: _____
REQUESTED BY: _____
AMOUNT OF TIME NEEDED: _____

REGULAR MEETING: DATE REQUESTED: Thursday, April 15, 1999
AMOUNT OF TIME NEEDED: 5 minutes

DEPARTMENT: Non-Departmental DIVISION: Chair's Office
CONTACT: Deb Bogstad TELEPHONE #: 248-3277
BLDG/ROOM #: 106/1515

PERSON(S) MAKING PRESENTATION: Commissioner Sharron Kelley

ACTION REQUESTED:

INFORMATIONAL ONLY POLICY DIRECTION APPROVAL OTHER

SUGGESTED AGENDA TITLE:

**RESOLUTION Confirming the Interim Designation of a
Multnomah County Elected Official in the Event of a Vacancy**

4/16/99 copies to SHARRON Kelley

SIGNATURES REQUIRED:

ELECTED OFFICIAL: *Beverly Stein*

(OR)
DEPARTMENT
MANAGER: _____

99 APR - 1 PM 2:51
MULTNOMAH COUNTY
OREGON
CLERK OF COUNTY COMMISSIONERS

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

Any Questions: Call the Board Clerk @ 248-3277



MULTNOMAH COUNTY OREGON

DEBORAH BOGSTAD, BOARD CLERK

OFFICE OF BEVERLY STEIN, COUNTY CHAIR
1120 SW FIFTH AVENUE, SUITE 1515
PORTLAND, OREGON 97204-1914
TELEPHONE = (503) 248-3277
FAX = (503) 248-3013

BOARD OF COUNTY COMMISSIONERS

BEVERLY STEIN*	CHAIR	248-3308
DIANE LINN*	DISTRICT 1	248-5220
SERENA CRUZ*	DISTRICT 2	248-5219
LISA NAITO*	DISTRICT 3	248-5217
SHARRON KELLEY*	DISTRICT 4	248-5213

SUPPLEMENTAL STAFF REPORT

TO: Board of County Commissioners
FROM: Deb Bogstad, Board Clerk *Deb Bogstad*
DATE: April 7, 1999
RE: Resolution Confirming the Interim Designation of a Certain Multnomah County Elected Official in the Event of a Vacancy

1. Recommendation/Action Requested: Confirm proposed interim designee for a certain Multnomah County elected official per MCC 5.005.
2. Background/Analysis: In the event of a vacancy in an elected office, Charter Section 4.50(3), MCC 5.005 provides procedures for elected officials to designate an interim occupant to serve until a vacancy is filled by election or appointment. A copy of Commissioner Sharron Kelley's interim designation letter is attached. The Board wishes to confirm Carol Cole as Commissioner Kelley's interim designee.
3. Financial Impact: N/A
4. Legal Issues: N/A
5. Controversial Issues: None known
6. Link to Current County Policies: Interim designees assure that there is continuous and appropriate representation of Multnomah County residents if there is a vacancy in certain elected offices. Interim designees for the Chair, Sheriff and Auditor also assure continuous and consistent provision of county services and management of county operations.
7. Citizen Participation: The Multnomah County Home Rule Charter Review Committee recommended Charter changes that resulted in Measure 26-80 relating to designation of interim County Commissioners in the event of a vacancy which was approved by voters participating in the November 3, 1998 election. The Multnomah County Board of Commissioners adopted Ordinance No. 923 following public hearings on January 7, 1999 and January 14, 1999. That Ordinance provides procedures for public notice and opportunity for the public to provide input in the election or appointment process.
8. Other Government Participation: None

SHARRON KELLEY
Multnomah County Commissioner
District 4



Portland Building
1120 S.W. Fifth Avenue, Suite 1500
Portland, Oregon 97204
(503) 248-5213
E-Mail: sharron.e.KELLEY@co.multnomah.or.us

MEMORANDUM

TO: Deb Bogstad, Board Clerk

FROM: Commissioner Sharron Kelley *SK*

RE: Interim Designee for Commissioner, District 4

DATE: April 5, 1999

I hereby select Carol Cole as the Interim Designee for the Office of Commissioner, District 4, pursuant to MCC 5.005 and section 4.50(3) of the Multnomah County Charter.

Carol has been a Community Health Nurse with Multnomah County since 1981 and is currently Field Services Manager in Gresham. She is an active participant in the Mid-County and East County Caring Communities. Carol also has a long record of civic involvement. She is currently the Chair of the East County Senior Coalition as well as the Community Development and Housing Committee for the City of Gresham. Additional biographical information is attached.

Attachment

Wpdata/rjt/mem99/cole.doc

BOARD OF
COUNTY COMMISSIONERS
99 APR -5 PM 4: 27
MULTNOMAH COUNTY
OREGON

Carol W. Cole
1819 SW 20th Ct.
Gresham, OR 97080

PROFESSIONAL EDUCATION

College of Nursing and Health University of Cincinnati	1959-1963	B.S. Nursing
School of Public Health Loma Linda University	1988-1992	M.P.H.

PROFESSIONAL EMPLOYMENT

Multnomah County Health Department	1981-1986	Community Health Nurse
	1986-1989	Lead Community Health Nurse
	1989-Present	Field Services Manager

ORGANIZATIONAL ACTIVITIES

American Public Health Association, Nursing Section Council, 1998-2000
Association of Oregon Public Health Nursing Supervisors, 1989-Present, President, 1990-1992
Children's Justice Act Task Force, 1993-Present
Community Development and Housing Committee, Gresham OR, 1993-Present,
Chair, 1997-Present
Early Childhood Action Team of the ECCC and MCCC, Co-Chair, 1995-Present
East County Caring Community, 1993-Present
East County Senior Coalition, 1994-Present, Chair, 1997-Present
East Metro Arts and Culture Council, Board of Directors, 1995-Present
Mid County Caring Community, 1995-Present, Chair, 1997-Present
Mt Hood Community College Head Start, Health Advisory Committee, 1989-Present
Mt Hood Pops Community Orchestra, Board of Directors, 1983-1989, 1994-Present
Multnomah County Community Action Commission, 1995-1998
Multnomah Community Television, Board of Directors, 1997-Present, Secretary, 1998-Present
Oregon Public Health Association, Board of Directors 1997-2000, President, 1998-1999

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. 99-53

Confirming the Interim Designation of Certain Multnomah County Elected Officials in the Event of a Vacancy

The Multnomah County Board of Commissioners Finds:

- a. As required by Multnomah County Home Rule Charter Section 4.50(3), MCC 5.005 provides procedures for elected officials to designate an interim occupant to serve until a vacancy is filled by election or appointment.
- b. In accordance with MCC 5.005(B)(1), Multnomah County elected officials each designate the following person as interim occupant of the office:

Elected Official

Suzanne Flynn, Auditor
Beverly Stein, Chair
Diane Linn, Commission District 1
Serena Cruz, Commission District 2
Lisa Naito, Commission District 3

Interim Designee

Courtney Wilton
Bill Farver
Pauline Anderson
Maria Elena Campisteguy-Hawkins
Steve March

- c. The Board wishes to confirm these designations as required by MCC 5.005(B)(1).

The Multnomah County Board of Commissioners Resolves:

In accordance with MCC 5.005(B)(1), the Board confirms the person designated above by each elected official.

Adopted this 1st day of April, 1999.



BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

for Beverly Stein, Chair

REVIEWED:

Thomas Sponsler, County Counsel
For Multnomah County, Oregon

By

Thomas Sponsler, County Counsel

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. 99-59

Confirming the Interim Designation of a Certain Multnomah County Elected Official in
the Event of a Vacancy

The Multnomah County Board of Commissioners Finds:

- a. Multnomah County Home Rule Charter Section 4.50(3), MCC 5.005 provides procedures for elected officials to designate an interim occupant to serve until a vacancy is filled by election or appointment.
- b. On April 1, 1999 in accordance with MCC 5.005(B)(1), the Board confirmed certain Multnomah County elected officials designees as interim occupants of the office.
- c. Multnomah County Commission District 4 Commissioner Sharron Kelley subsequently designated Carol Cole to serve in the event of a vacancy in her office; and the Board wishes to confirm the designation as required by MCC 5.005(B)(1).

The Multnomah County Board of Commissioners Resolves:

In accordance with MCC 5.005(B)(1), the Board confirms Carol Cole to serve as interim occupant for Commission District 4 in the event of a vacancy in that office.

Adopted this 15th day of April, 1999.



REVIEWED:

Thomas Sponsler, County Counsel
For Multnomah County, Oregon

By Thomas Sponsler
Thomas Sponsler, County Counsel

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Beverly Stein
Beverly Stein, Chair

APR 15 1999

Meeting Date: APR 08 1999
Agenda No: R-7
Est. Start Time: 10:20 10:13

(Above Space for Board Clerk's Use ONLY)

AGENDA PLACEMENT FORM

SUBJECT: Public Hearing of an Ordinance moving the Flood Hazard regulations from Chapter 11 Zoning Regulations to Chapter 29 Building Regulations and updating the Significant Environmental Concern, Flood Hazard and Grading and Erosion Control Regulations to comply with the standards of the National Flood Insurance Program administered by Federal Emergency Management Agency. C 2-99

BOARD BRIEFING Date Requested:
Amt. of Time Needed:
Requested By:

REGULAR MEETING Date Requested: April 8, 1999
Amt. of Time Needed: 15 Min.

DEPARTMENT: DES **DIVISION:** Land Use Planning
CONTACT: Lisa Estrin **TELEPHONE:** 248-3043
BLDG/ROOM: 455 / 116

PERSON(S) MAKING PRESENTATION: Lisa Estrin

ACTION REQUESTED

Informational Only Policy Direction Approval Other

SUGGESTED AGENDA TITLE

Public Hearing of an Ordinance moving the Flood Hazard regulations from Chapter 11 Zoning Regulations to Chapter 29 Building Regulations and updating the Significant Environmental Concern, Flood Hazard and Grading and Erosion Control Regulations to comply with the standards of the National Flood Insurance Program administered by Federal Emergency Management Agency. C 2-99

4/19/99 copies to Lisa Estrin & Ordinance Distribution list
SIGNATURES REQUIRED

99 APR - 1 AM 8:19
MULTNOMAH COUNTY
OREGON
BOARD OF
COUNTY COMMISSIONERS

Elected Official: _____

or

Department Manager: KB Louise Nicholas



**BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM BRIEFING
STAFF REPORT SUPPLEMENT**

To: Board of County Commissioners

From: Lisa Estrin, Planner

Today's Date: March 29, 1999

Requested

Placement Date: April 8, 1999

Subject: Public hearing on an ordinance moving the Flood Hazard regulations from Chapter 11 Zoning Regulations to Chapter 29 Building Regulations and update the Significant Environmental Concern, Flood Hazard and Grading and Erosion Control regulations to comply with the standards of the National Flood Insurance Program administered by FEMA (Planning case file C 2-99).

I. Recommendation / Action Requested

Recommend adoption of an ordinance that will:

1. Delete the Flood Hazard regulations contained in MCC 11.15.6301 through .6323; and
2. Add the Flood Hazard regulations to Chapter 29;
3. Amend the Flood Hazard regulations to comply with minimum standards specified in the National Flood Insurance Program (NFIP) as administered by FEMA; and
4. Amend the Grading and Erosion Control regulations contained in MCC 29.305 to comply with the standards of NFIP; and
5. Amend the Significant Environmental Concern regulation contained in MCC 11.15.6428(D)(1) to comply with the standards of NFIP.

II. Background / Analysis

In February 1998 FEMA conducted a Community Assistance Visit with Multnomah County Land Use Planning. FEMA found that the County's current regulations were missing critical elements for participation in the National Flood Insurance Program. The proposed ordinance changes are the minimum necessary to meet FEMA requirements to allow Multnomah County and the property owners in unincorporated Multnomah County to continue to receive flood insurance.

Streams act as a natural drainage system to prevent flooding of property and the ponding of stagnant water. A stream in its natural state has a channel and floodplain. During typical flow periods the stream stays within its banks and drains the area. When we alter the natural landscape during development, build adjacent to a stream, or place an undersized culvert in a stream, we can reduce its carrying capacity, causing increased erosion, sedimentation, flooding and property damage.

The County's current regulations have a variety of design standards such as "development must meet peak winter flows" or "handle the displaced stream flow for a storm of a ten year design frequency". These various design criteria do not protect the stream's natural water-holding capacity, but rather allow modification to an arbitrary design calculation that does not apply to a stream in its natural state of fluctuation.

The proposed amendments to the Grading and Erosion Control and Significant Environmental Concern regulations remove these arbitrary design standards and will require that a development project maintain the flood carrying capacity which currently exists on a given stream or watercourse. The proper sizing of a physical improvement such as a culvert will need to take into consideration the stream's bank to bank capacity during high water events. Proper development should reduce erosion and sedimentation from occurring when a stream reclaims its capacity, prevent or reduce flooding by artificial damming of streams from debris and decrease the frequency of flood events by maintaining a watercourse's capacity.

The changes to the Flood Hazard regulations are a little more involved than the above 2 section's modifications. Most of the changes made were to meet the minimum requirements of the National Flood Insurance Program. Planning staff has added definitions for the various sections of the Flood Hazard Code, modified the development standards to ensure that physical improvements were built with materials resistant to flood damages and constructed to minimize flood damage and clarified when an alteration or relocation to a watercourse requires review.

In addition, to the changes required to comply with the National Flood Insurance Program, planning staff is proposing to move the Flood Hazard regulations from the Zoning Ordinance (Chapter 11) to the Building Regulations section (Chapter 29) of the Multnomah County Code. By placing it into the Building Code section, a property owner will need to show that the criteria are met and then a Flood Hazard permit will be issued. By moving the Flood Hazard regulations to Chapter 29, a neighbor cannot appeal the issuance of the permit, nor can the property owner use the appeal process to gain relief from the requirements.

Finally, planning staff has reorganized the Flood Hazard Ordinance to be in keeping with the new Multnomah County Code format and has made it easier to use by breaking the requirements out by building type. In recent customer surveys, the public has expressed that they need to have the code organized in a clear fashion for their use. By breaking the code down by building or system type there should be less confusion by applicants when addressing the code criteria.

III. Financial Impact

Avoids indirect fiscal impacts associated with the loss of participation in the National Flood Insurance Program administered by FEMA.

IV. Legal Issues

The proposed modifications do not address any of the issues associated with the Endangered Species Act. These changes are at the direction of FEMA; the proposed modifications do not weaken any of the County's environmental protection regulations.

V. Controversial Issues

The Planning Commission requested that we contact the Sauvie Island Drainage (SID) District. Planning staff has met with a representative the SID District. The district expressed no concerns regarding these changes.

VI. Link to Current County Policies

- Comprehensive Plan Policy 2 (Off-Site Effects) requires that development proposals that affect adjacent properties and/or the community be conditioned to protect the public from potentially deleterious effects of the proposed use. The modified regulations will help to reduce damage to public and private property.
- Comprehensive Plan Policy 14 (Development Limitations) requires that the County direct development away from areas with development limitation such as land within the 100 year floodplain. With these amendments, structures built in the 100 year floodplain will be required to meet minimum standards to prevent damage and contamination of surface water during high water events.
- Comprehensive Plan Policy 16 (Natural Resources) specifies that the County will protect natural resources, such as our significant streams (SEC-s). The proposed modifications to the standards will help to assure that these protected streams remain in a more natural state and allow for natural flows.

VII. Citizen Participation

Notice of the Planning Commission hearing on the proposed ordinance was published in the *Oregonian* newspaper. No one testified at the Planning Commission hearing. Notice of this hearing before the Board was also published in the *Oregonian*.

VIII. Other Government Participation

Land Use Planning has worked closely with FEMA to assure that the changes proposed meets the requirements to participate in the National Flood Insurance Program.

Attachments: Ordinance C 2-99
Planning Commission Resolution
FEMA regulations

**DECISION OF THE
MULTNOMAH COUNTY PLANNING COMMISSION**

In the matter of modifying the Significant)
Environmental Concern regulations; repealing)
Multnomah County's Flood Hazard regulations)
contained in the Zoning Ordinance and adding and)
modifying the Flood Hazard regulations to Multnomah)
County's Building Regulations Chapter to comply)
with the National Flood Insurance Program's)
minimum requirements.)

**RESOLUTION
C 2-99**

WHEREAS, Amendments of the text of the Zoning Code may be initiated by request of the Planning Director (MCC 11.15.8405); and

WHEREAS, A public hearing shall be held by a majority of the entire Planning Commission on the proposed amendments to the Code; and

WHEREAS, The current sections of Multnomah County's Significant Environmental Concern and Flood Hazard regulations do not meet the minimum standards for the County's participation in the National Flood Insurance Program administered by FEMA and the continued participation protects and enhances the property values of property owners in unincorporated Multnomah County; and

WHEREAS, The modifications of the Significant Environmental Concern and Flood Hazard regulations will allow the continued participation in the National Flood Insurance Program.

WHEREAS, The Planning Commission conducted a public hearing on January 4, 1999, to accept public testimony on the proposed amendments and deletion to the zoning code text; and

NOW, THEREFORE BE IT RESOLVED that the Planning Commission hereby recommends that the Board of County Commissioners amend the zoning code as indicated in the draft ordinance prepared by staff and identified as the attached Exhibit A.

Approved this January 4, 1999

By 
John Ingle, Chair

6. NFIP Floodplain Development Standards

Floodway Standards

Floodways: No development is permitted in the floodway, unless a licensed engineer can certify through a scientific analysis that the development will cause no-rise to the BFE(s). This should include two studies: a step-backwater analysis and a conveyance compensation computation. (See Tab 14)

Please note that the “no rise” standard is to be interpreted exactly and strictly; that is, no-rise above the BFE will be permitted. Communities are encouraged to secure the services of an independent, third party, engineer to review the no-rise analysis.

General Standards

Anchoring: All structures are to be anchored to prevent hydrodynamic and hydrostatic forces from moving them from their foundations.

Construction Materials and Methods: The area below the lowest floor must be unfinished and remain free of water damage. This requires that new buildings and substantial improvements must be constructed with materials and by methods to resist or minimize flood damage.

Utilities: Utilities servicing flood prone structures must be floodproofed.

- Control panels must be located above the BFE.
- Heating, air conditioning, and ventilation equipment placed above BFE.
- Water supply systems and sanitary sewer systems designed or located to minimize or eliminate infiltration of floodwaters.

Subdivisions: All subdivisions must be designed to minimize flood damage and to not increase flood levels. Developer must provide BFE data (if unknown) for all subdivisions of 50 lots or 5 acres, whichever is less.

- Flood levels should not increase when subdivisions are developed
- Recommend building sites be at least two feet above streets
- Lowest floor of all structures must be above BFE
- Protect utilities
- Ensure adequate drainage
- Streets should drain rapidly
- Require evacuation plan

Encroachments: Proposed developments cumulatively may not increase base flood heights more than one-foot anywhere in the identified floodplain. (Applies only to floodplains with BFEs but without identified floodways)

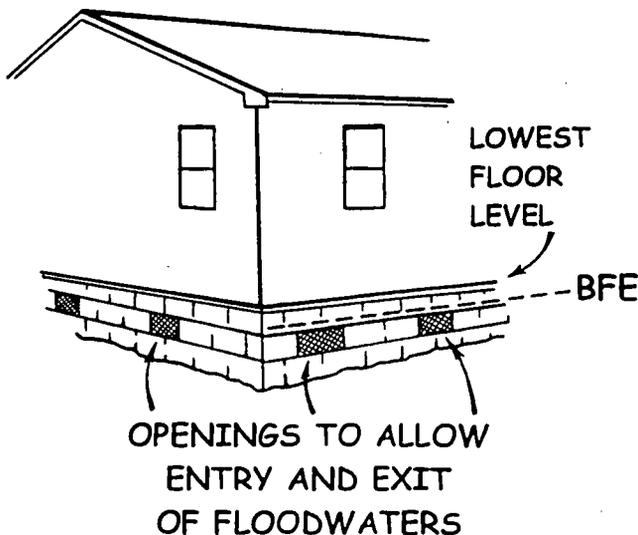
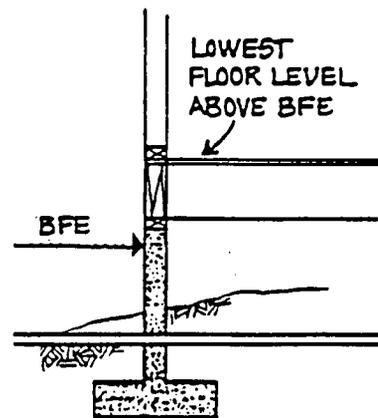
Watercourse Alterations: All watercourse alterations or modifications must not reduce the carrying capacity of the stream or increase BFEs.

- Applicant must provide a thorough description of activity
- Compare existing channel capacity with proposed capacity and assess changes
- Alteration or modification must maintain carrying capacity of the watercourse
- Notify State Coordinating Office and adjacent communities of proposal
- Notify FEMA of any significant changes to watercourse
- Floodway regulations apply for alterations within a designated floodway

Specific Standards

Residential Structures:

Residential structures must have the lowest floor including basement elevated at least to or above the BFE. This elevation requirement can be accomplished by any of the following three (3) methods:

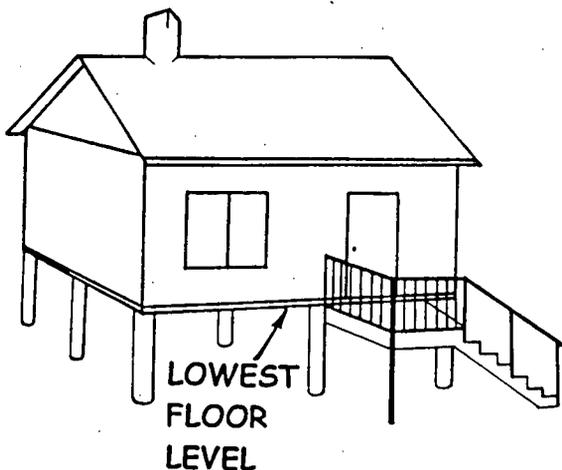
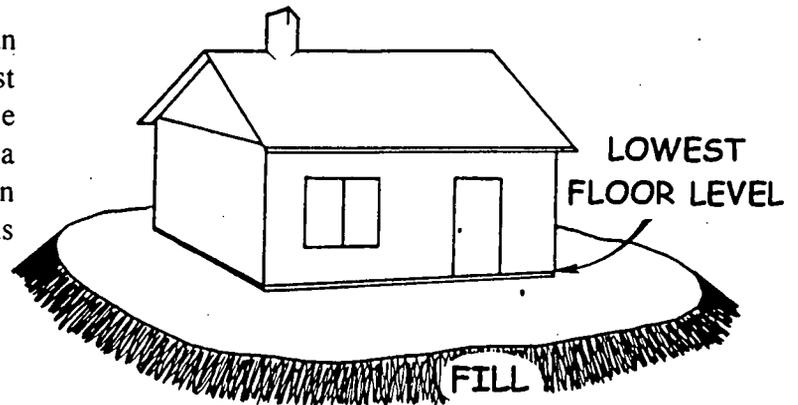


1. Foundation Stem Walls:

The crawlspace must not be below grade. It must have as a minimum two permanent openings no more than one foot above grade. The total area of the openings must be no less than 1 square inch for every square foot of enclosed space. This helps to relieve hydrostatic pressure on the foundation during a flood. Any cover placed over the openings must be able to open automatically during flood flows without human intervention. Screens are acceptable if they permit entry and exit of floodwater.

2. Fill:

A poured slab placed over fill can also be used to elevate the lowest floor of a structure above the BFE. Please note that when a building site is filled, it is still in the floodplain and no basements are permitted.



3. Piers, Piles and Posts:

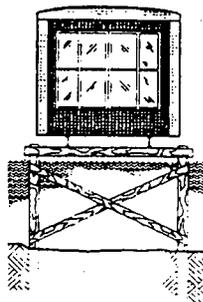
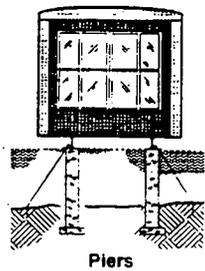
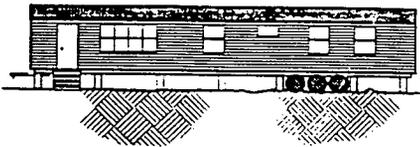
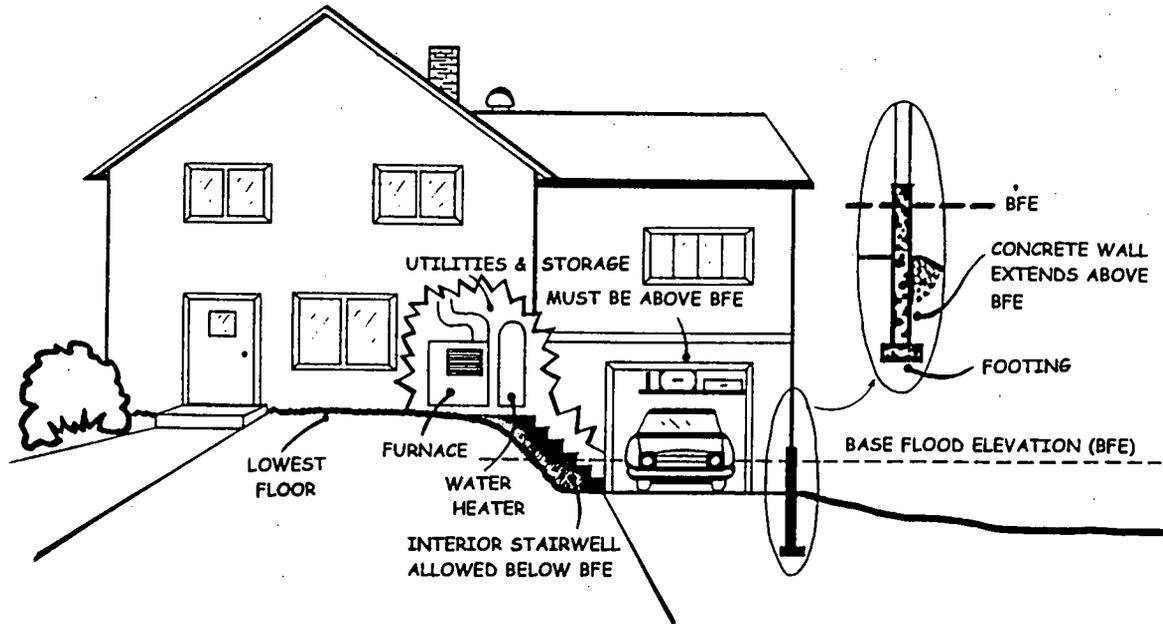
This method is commonly used to avoid large fills and when flood heights are extreme. The supporting members must be designed to resist hydrostatic and hydrodynamic forces.

Fully enclosed areas below the BFE can only be used for parking, access and limited storage. In addition, the following conditions must be met for any enclosed area below the BFE:

- a) Service equipment (e.g., furnaces, water heaters, washers/dryers, etc.) are NOT permitted below the BFE.
- b) All walls, floors, and ceiling materials located below the BFE must be unfinished and constructed of materials resistant to flood damage. (See Tech Bulletin, Tab 15)
- c) The walls of any enclosed area below the BFE must be designed by a registered professional engineer or architect in a manner to prevent lateral movement, collapse or flotation of the structure. There must be at least two openings on each wall and the bottom of all openings must be higher than one foot above grade. (See Technical Bulletin, Tab 16)

Note: Basements are not allowed in the floodplain. Any area having its floor below ground level on all sides is considered a basement by the NFIP.

Residence with Allowable Uses below the BFE



Manufactured Homes:

- ✓ Must be elevated to or above the BFE, and be anchored to a permanent foundation.
- ✓ Mobile homes on single lots must be elevated on permanent foundations to or above the base flood elevation (BFE).
- ✓ Homes in existing mobile home parks or subdivisions must be elevated on a permanent foundation and (1) have either its chassis elevated on foundations at least 36 inches above grade or, (2) have its lowest floor at or above BFE.
- ✓ For a mobile home park site or subdivision that has received substantial damage (over 50%), elevation must be to or above BFE.
- ✓ All mobile homes in flood hazard areas must be anchored to a permanent foundation.
- ✓ RVs must be on site for less than 180 consecutive days, or be fully licensed and ready for highway use, or be elevated to or above BFE and meet manufactured home standards.

Non-residential Structures: Must have the lowest floor including basement elevated to or above the BFE, or floodproofed at least one foot above BFE. If floodproofed, structures must be dry-floodproofed, which means keeping the water out. Non-residential (commercial) structures, together with attendant utility and sanitary facilities, are designed so that the structure is watertight below the base flood level. The walls are impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. Additionally, the structure must be designed to:

- prevent seepage, collapse or cracking of basement walls
- prevent buckling of basement floors
- prevent back-up of water from sewer lines
- have all openings located one foot above BFE
- all protective features must operate automatically without human intervention

Note: Dry floodproofing measures must be certified by a qualified engineer or architect and only apply to non-residential structures.

Additional Permits: Ensure applicants obtain any additional State or Federal permits prior to issuing permits.

Substantial Improvement: A Substantial Improvement is defined by NFIP regulations as: Any repair, reconstruction, or improvement of a structure the cost of which equals or exceeds 50 percent of the market value of the structure either, (a) before the improvement or repair started, or (b) if the structure has been damaged and is being restored, before the damage occurred.

Any substantially improved structure must be brought into compliance with the NFIP requirements for new construction; in other words, it must be elevated (or floodproofed if it is a non-residential structure) to the flood protection elevation.

When a structure is substantially improved, it is considered a new "post-FIRM" structure, and actuarial flood insurance rates would apply based on the lowest floor elevation of the structure.

Substantial Damage: Substantially damaged buildings fall under the substantial improvement criteria. Substantial damage means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition equals or exceeds 50 percent of the market value of the structure before the damage occurred.

RESOURCES:

See Tab 14 Floodway "No Rise" Analysis Guidelines

See Tab 15 Substantial Damage Determination Packet

See Tab 16 Technical Bulletins

See FEMA Publication #85 "Manufactured Home Installation in Flood Hazard Areas"

See FEMA Publication #54 "Elevated Residential Structures"

7. Flood Hazard Mitigation

Flooding is natural and cannot be eliminated. However, the damage resulting from floods can be minimized through flood hazard mitigation. Flood hazard mitigation is simply any strategy that reduces the severity of flood disasters through the use of both non-structural and structural means. Flood Hazard Mitigation is the cornerstone of wise floodplain management.

Non-Structural Methods

Non-structural methods to reduce flood damages are those which do not depend on controlling water, but rather emphasize *controlling activities* which might lead to future flood losses. Generally, non-structural methods are cheaper to institute, and when maintained, provide long-term flood damage protection. Some examples of non-structural mitigation are:

- Land Use Planning
- Zoning
- Floodplain and Wetlands Regulations
- Open Space Preservation
- Building Codes
- Elevation of Structures
- Floodproofing
- Stormwater Management Ordinances
- Subdivision Regulations
- Relocation/Acquisition of Structures

Acquisition: Public procurement and management of lands that are vulnerable to damage from hazards.

Relocation: Permanent evacuation of hazard-prone areas through movement of existing hazard-prone development and population to safer areas.

Planning and Regulatory Measures:

Land Use Plans: Specify the planned location of commercial, industrial and residential development activity. Land use plans can guide future development away from flood plains, fault zones, landslide areas, alluvial fan and hazardous waste sites. Hazard areas can be designated for open space or other low density uses, such as golf ranges.

Zoning: Ordinances used to regulate the use of land and structures to insure public health and safety. Hazard areas such as floodplains can be zoned as low-density (or even zero) districts. Hazard areas also can be identified in other zoning districts where special performance standards may be applied to development.

Environmental Regulations: Environmental regulations (e.g. wetlands protection) guide new developments away from hazardous areas, thereby reducing hazard impacts.

Subdivision Regulations: Requirements and standards for converting undeveloped land into building sites. Subdivision regulations can require: Floodproofing or elevating commercial structures; hazard information to be included on deeds for lots located in high hazard areas; or, land to be parceled into certain sizes to allow for flood storage retention.

Building Codes: Codes that set standards for construction material, techniques, and design procedures.

Structural Methods

Structural methods attempt to control flood waters by keeping the water away from the people. This has been the traditional response to flooding for many years. However, structural measures are costly, and they often provide a false sense of security. Some examples of structural flood mitigation include:

- Dams and Reservoirs
- Levees and Floodwalls
- Channel Modifications

Mitigation Grants

FEMA currently administers two programs which fund local non-structural flood hazard mitigation projects and some limited structural projects:

1. The Hazard Mitigation Grant Program (HMGP) – Available to local governments following a federally declared disaster. Provides up to 75 percent of the cost of a mitigation project.
2. The Flood Mitigation Assistance Program (FMA) – Pre-disaster mitigation funds to relocate or elevate existing insured structures.

To find out more about mitigation grants for projects, or for mitigation planning assistance, contact your State Hazard Mitigation Officer, FEMA or your State NFIP Coordinator.

RESOURCES:

Tab 17 Flood Protection Measures for the Homeowner

Tab 18 Model Flood Mitigation Plan

FEMA Publication #114 Retrofitting Flood-prone Residential Structures

FEMA Publication #102 Design Guidelines for Flood Damage Reduction

FEMA Publication: Subdivision Design in Flood Hazard Areas

1 BEFORE THE BOARD OF COUNTY COMMISSIONERS
2 FOR MULTNOMAH COUNTY, OREGON
3 ORDINANCE NO. _____

4 An Ordinance deleting Flood Hazard regulations contained in MCC 11.15.6301
5 through 11.15.6323 and amending the Significant Environmental Concern regulations
6 for streams and Grading and Erosion Control regulations and adding to Chapter 29
7 and amending the Flood Hazard regulations to be in compliance with the standards of
8 the National Flood Insurance Program.

9
10 (Language in ~~strikethrough~~ is to be deleted; underlined language is new)

11 Multnomah County Ordains as follows:

12 Section I. Findings

13
14 (A) The Flood Hazard Areas of Unincorporated Multnomah County are subject
15 to periodic inundation which can result in loss of life and property, health, and safety
16 hazards, disruption of commerce and governmental services, extraordinary public
17 expenditures for flood protection and relief, and impairment of the tax base, all of which
18 adversely affect the public health, safety and general welfare.

19 (B) These flood losses are caused by the inundation of buildings and services
20 unable to withstand water infiltration and other flood related damage. Flood damage
21 can be prevented or reduced by proper anchoring, construction materials and raising
22 of buildings above the flood level. By amending the Flood Hazard regulations,
23 Multnomah County will be in compliance with the standards specified in the National
24 Flood Insurance Program administered by FEMA. The County's compliance will allow
25 property owners in unincorporated Multnomah County to continue to participate in the
26 National Flood Insurance Program.

1 (C) On January 4, 1999 the Planning Commission held a work session on the
2 amendments to the Flood Hazard regulations. A public hearing was held before the
3 Planning Commission on February 1, 1999 and the Planning Commission found that
4 by amending and implementing the Flood Hazard and Significant Environmental
5 Concern regulations, the County will be protecting human life, private property and
6 structures, minimizing public costs for rescue and relief efforts associated with flooding
7 and maintaining the County's ability to participate in the National Flood Insurance
8 Program.

9 Section II. Deletion of the Flood Hazard Regulations from Chapter 11.15.6301
10 through 6323.

11 (A). Repeal section ~~MGC.15.6301 through 6323.~~

12 Section III. Addition and Amendment of the Flood Hazard Regulations to Chapter 29
13 Building Codes.

14
15 29.600 Purposes

16 The purposes of the Flood Hazard Standards are to promote the public health,
17 safety and general welfare, and to minimize public and private losses due to flood
18 conditions in specific areas and to allow property owners within unincorporated
19 Multnomah County to participate in the National Flood Insurance Program.

20
21 29.601 Definitions

22 For the purpose of this subchapter, the following definitions shall apply:

23
24 Alteration. To modify, change or make different.

25
26 Development. Any man-made change to improved or unimproved real estate,
including but not limited to buildings or other structures, mining, dredging, filling,

1 grading, paving, excavation or drilling operations located within the areas shown within
2 100-year flood boundary as identified on the Flood Boundary and Floodway Maps and
3 the Flood Insurance Rate Maps as published by the Federal Emergency Management
4 Agency (FEMA) and any watercourse.

5 Elevation Certificate. The document used to certify the FIRM Zone and base
6 flood elevation of the development area of a property, and to determine the required
7 elevation or floodproofing requirements of new and substantially improved structures.

8
9 Encroachment. To fill, construct, improve, or develop beyond the original bank
10 line of the watercourse. Bank stabilization or restoration of a watercourse which does
11 not protrude beyond the original banks line is not considered an encroachment by this
12 subdistrict.

13 Floodway. The channel of a river or other watercourse and the adjacent land
14 areas that must be reserved in order to discharge the base flood without cumulatively
15 increasing the water surface elevation more than one foot.

16
17 Recreational Vehicle. A vehicle which is built on a single chassis, 400 square
18 feet or less when measured at the largest horizontal projection, self-propelled or
19 permanently towable by a light duty truck and designed primarily not for use as a
20 permanent dwelling but as temporary living quarters for recreational, camping, travel,
21 or seasonal use.

22 Substantial Damage. Damage of any origin sustained by a structure whereby
23 the cost of restoring the structure to its before damaged condition would equal or
24 exceed 50 percent of the market value of the structure before the damage occurred.

25 Substantial Improvement. Any repair, reconstruction, or improvement of a
26 structure, the cost of which equals or exceeds 50 percent of the market value of the
structure either:

1 1. Before the improvement or repair is started; or

2 2. If the structure has been damaged and is being restored, before the damage
3 occurred. For the purposes of this definition *substantial improvement* is considered to
4 occur when the first alteration of any wall, ceiling, floor, or other structural part of the
5 building commences, whether or not that alteration affects the external dimensions of
6 the structure. The costs to repair must be calculated for full repair to "before-damage"
7 condition, even if the owner elects to do less. The total costs to repair include both
8 structural and finish materials and labor.

9 3. Substantial Improvement does not, however, include either:

10 a. The portion of any project for improvement of a structure to correct existing
11 violations of state or local health, sanitary, or safety code specifications which have
12 been identified by local building officials and which are the minimum necessary to
13 assure safe living conditions or

14 b. Any alteration of a structure listed on the National Register of Historic
15 Places or a State Inventory of Historic Places.

16 Watercourse. Natural and artificial features which transport surface water.
17 Watercourse includes a river, stream, creek, slough, ditch, canal, or drainageway.

18 29.602 Areas Affected

19 (A) The provisions of MCC 29.600 – 29.611 shall apply to all areas within the
20 100-year flood boundary as identified on the Flood Boundary and Floodway Maps and
21 the Flood Insurance Rate Maps as published by the Federal Emergency Management
22 Agency (FEMA) and any watercourse as defined by MCC 29.601.

23 (1) These maps may be periodically revised or modified by FEMA in
24 accordance with prescribed procedures pursuant to Section 206 of the Flood Disaster
25 Protection Act of 1973 (P.L. 92-234). In order to employ the best available information
26 and maintain compliance with Federal Flood Insurance Program regulations,
Multnomah County shall utilize any such revisions or modifications upon their effective
date.

1 (2) On the Multnomah County Zoning Map, all areas depicted as being
2 Flood Fringe (FF), Floodway (FW) or Flood Hazard (FH) with this ordinance are
3 repealed from requiring a Flood Hazard Permit.

4 29.603 Permits

6 (A) No structure, dwelling or manufactured home shall be erected, located,
7 altered, improved, repaired or enlarged and no other new development including but
8 not limited to grading, mining, excavation and filling shall occur on lands within the
9 100-year flood boundary unless a Floodplain Development Permit specifically
10 authorizing the proposal has been obtained from Multnomah County.

11 1. Improvements to a structure, dwelling or mobile home, which does not
12 require a land use permit, grading permit or building permit, are exempted from
13 obtaining a Flood Hazard Permit.

14 (B) Alterations, modifications or relocations to any watercourse as defined in
15 MCC 29.601 are subject to a Flood Hazard permit and the Watercourse Relocation
16 requirements of MCC 29.609.

17 1. Regular maintenance of ditches and dikes within the Sauvie Island
18 Drainage District is exempted from obtaining a Flood Hazard Permit.

19 29.604 Exemption from Development Standards.

20 The following are exempt:

21 (A) Land may be exempted from the requirements of MCC 29.606 upon review
22 and approval by the Director of an acceptable elevation survey, certified by a State of
23 Oregon Registered Professional Engineer or Land Surveyor, which demonstrates that
24 the entire subject parcel is at least one foot above the base flood level.

25 (B) The reconstruction, rehabilitation or restoration of structures listed on the
26 National Register of Historic Places or the State Historic Sites Inventory may be
permitted without regard to the requirements of MCC 29.606.

1
2 (C) Forest practices conducted under the Forest Practices Act.

3
4 29.605 Application Information Required.

5 An application for development subject to a Floodplain Development Permit
6 shall include the following:

7 (A) A map showing the property line locations, the boundaries of the 100 year
8 floodplain on the parcel, roads, and driveways, existing structures, watercourses and
9 the location of the proposed development(s), topographic elevations for the proposed
10 development and areas of grading or filling required for the project.

11 (B) Detailed construction drawings showing compliance with the development
12 standards specified in MCC 29.606. A licensed engineer or architect shall stamp the
13 plans and include a statement that the plans meet the requirements of MCC 29.606.

14
15 (C) An elevation certificate signed by a Registered Professional Land Surveyor,
16 Engineer or Architect. The certificate shall be accompanied by a plan of the property
17 which shows the location and elevation of a benchmark on the property.

18 (D) A written narrative specifying building materials and methods that will be
19 utilized to comply with the requirements of the Floodplain Permit.

20
21 (E) Evidence that the applicant has obtained, when necessary, prior approval
22 from those Federal, State and/or local governmental agencies with jurisdiction over the
23 proposed development.

24 29.606 Development Standards

25
26 The following standards shall apply to all new construction, substantial
improvement or other development in areas within the 100-year flood boundary:

1
2 (A) All Structures.

3
4 (1) All new construction and substantial improvement shall:

5 (a) Comply with Oregon State Building Codes.

6 (b) Have the electrical, heating, ventilation, plumbing, and air conditioning
7 equipment and other service facilities shall be designed and/or located so as to
8 prevent water from entering or accumulating within the components during conditions
9 of flooding.

10 (c) Use materials resistant to flood damage.

11 (d) Using methods and practices that minimize flood damage.

12 (e) For areas that are fully enclosed below the lowest floor and that are
13 subject to flooding, shall be designed to automatically equalize hydrostatic flood forces
14 on exterior walls by allowing for the entry and exit of floodwaters.

15 1. Designs for meeting this requirement must either be certified by
16 a registered professional engineer or architect and must meet or exceed the following
17 minimum criteria:

18 a. A minimum of two openings having a total net area of not
19 less than one square inch for every square foot of enclosed area subject to flooding
20 shall be provided.

21 b. The bottom of all openings shall be no higher than one
22 foot above grade. Openings may be equipped with screens, louvers, or other
23 coverings or devices provided that they permit the automatic entry and exit of
24 floodwaters.

25 (B) Residential Structures.

26 New construction and substantial improvement of any residential structure,
27 including manufactured homes, shall:

28 (1) Have the lowest floor, including basement, elevated to at least one
29 foot above the base flood level as indicated on the Elevation Certificate. For purposes

1 of this section, an unfinished garage (either attached or detached) may be considered
2 a non-residential structure.

3 (2) Be placed on a permanent foundation and shall be anchored to resist
4 flotation, collapse and lateral movement by providing tie downs (anchor bolts, seismic
5 tie-downs) and anchoring as specified in OAR 814-23-005 through 080 and State of
6 Oregon 1 and 2 Family Dwelling Specialty Code, as appropriate to the construction
7 type.

8 (3) Conduct an as-built elevation survey of the lowest floor. This survey
9 shall be completed by a State of Oregon Registered Professional Engineer or Land
10 Surveyor and must certify that the structure's lowest floor was elevated to at least one
11 foot above the base flood level.

12 (a) The as-built elevation survey shall be submitted to Multnomah
13 County Land Use Planning prior to occupancy of the structure.

14 (b). Prior to issuance of a building permit or start of development,
15 a performance bond or cash deposit of \$1000.00 shall be required to assure that the
16 as-built elevation survey is submitted. The deposit/bond may be used to obtain the
17 elevation survey, without notice, if it is not completed and submitted prior to occupancy
18 of the dwelling. The performance bond or cash deposit shall be released upon
19 submittal of the as-built elevation survey, unless utilized to obtain compliance.

20 (C) Nonresidential Structures.

21 New construction and substantial improvement of any commercial, industrial
22 or other non-residential structure shall:

23 (1) Have the lowest floor including basement, elevated at least one foot
24 above the base flood level; or, together with attendant utility and sanitary facilities,
25 shall:

26 (a) Be floodproofed such that the structure, including the attendant
utility and sanitary facilities, shall be substantially impermeable to the passage of water
to an elevation at least one foot above the base flood level; and

1 (b) Have structural components capable of withstanding
2 hydrostatic and hydrodynamic loads, effects of buoyancy, flood depths, pressures,
3 velocities and other factors associated with the base flood; and

4 (c) Be certified by a registered professional engineer or architect
5 that the standards of this subsection are satisfied.

6 (2) Provide an as-built elevation survey of the lowest floor completed by a
7 State of Oregon Registered Professional Engineer or Land Surveyor certifying that the
8 structure's lowest floor was elevated to at least one foot above the base flood level; or
9 submit a stamped documentation by a State of Oregon Registered Professional
10 Engineer certifying the structure has been built in compliance with MCC
11 29.606(C)(1)(a) though (c).

12 (a) The as-built elevation survey or stamped documentation shall
13 be submitted to Multnomah County Land Use Planning prior to occupancy of the
14 structure.

15 (b) Prior to issuance of a building permit or start of development, a
16 performance bond or cash deposit of \$1000.00 shall be required to assure that the as-
17 built elevation survey or stamped documentation is submitted. The bond/deposit may
18 be used to obtain the elevation survey or documentation, without notice, if it is not
19 completed and submitted prior to occupancy or use of the structure or development.
20 Unless utilized to obtain compliance, the performance bond or cash deposit shall be
21 released upon submittal of the as-built elevation survey or stamped documentation,
22 unless utilized to obtain compliance.

23 (D) On Site Waste Disposal Systems, Wells, Water Systems and Sewer
24 Systems.

25 All new and replacement water and sewer systems, including on-site waste
26 disposal systems, shall be designed to:

- 27 (1) Minimize infiltration of floodwaters into the system;
- 28 (2) Minimize discharge from systems into floodwaters;
- 29 (3) Avoid impairment or contamination during flooding.

1
2 (E) Recreational Vehicles in Campground or Recreational Development

3
4 Recreational vehicles utilized on sites within Zones A1-A30, AH and AE on the
5 community's FIRM shall either:

6 (1) Be on the site for fewer than 180 consecutive days, or

7 (2) Be fully licensed and ready for highway uses, on its wheels or jacking
8 system, is attached to the site only by quick disconnect type utilities and security
9 devices, and has no permanently attached additions; or

10 (3) Meet the requirements of section 29.606(A) and (B).

11 29.607 Floodway Requirements

12 In areas identified as floodway on the Flood Boundary and Floodway Maps, the
13 following restrictions, in addition to the requirements of MCC 29.606, shall apply:

14 (A) No development shall be permitted that would result in any measurable
15 increase in base flood levels.

16 (1). Encroachment into the floodway is prohibited, unless a detailed step
17 backwater analysis and conveyance compensation calculations, certified by a
18 Registered Professional Engineer, are provided which demonstrates that the proposed
19 encroachment will cause no measurable increase in flood levels (water surface
20 elevations) during a base flood discharge.

21 29.608 Procedure When Base Flood Elevation Data is Not Available.

22 (A) For the purposes of administering MCC 29.606 in areas where detailed base
23 flood elevation data has not been provided by FEMA, the Land Use Planning Division
24 shall obtain, review and utilize any base flood elevation and floodway data available
25 from federal, state or local sources to assure that the proposed construction will be
26 reasonably safe from flooding and may exercise local judgment based on historical
data.

1
2 (B) In areas where detailed base flood elevation data has not been provided by
3 FEMA, all proposals for subdivisions or other new developments greater than 50 lots
4 or five acres, whichever is less, shall provide detailed base flood elevation data and
5 floodway data.

6 29.609 Watercourse Relocation & Alteration

7
8 Prior to approving any relocation, encroachment or alteration of a watercourse,
9 the Land Use Planning Division shall provide mailed notice of the proposal to adjoining
10 communities and to the Department of Land Conservation and Development
11 Floodplain Coordinator. Copies of such notice shall also be provided to the Federal
12 Insurance Administration.

13 (A) No relocation, encroachment or alteration of a watercourse shall be
14 permitted unless a detailed hydraulic analysis, certified by a Registered Professional
15 Engineer, is provided which demonstrates that:

16 (1) The flood carrying capacity for the altered or relocated portion of
17 the watercourse will be maintained;

18 (2) The area subject to inundation by the base flood discharge will not be
19 increased;

20 (3) The alteration or relocation will cause no measurable increase in base
21 flood levels.

22 29.610 County Records.

23 Multnomah County or its designee shall obtain and maintain on file the actual
24 elevation (in relation to NGVD) of the lowest floor, including basement, of all new or
25 substantially improved structures in areas subject to the provisions of this Section.

26 (A) For all new or substantially improved floodproofed structures in areas
subject to the provisions of this Section, Multnomah County shall obtain and maintain
Page 11 of 13 Ordinance

1 on file the actual elevation (in relation to NGVD) of the floodproofing and shall also
2 maintain the floodproofing certifications required pursuant to MCC 29.606(C)(1)(b)-(d).

3
4 Section IV. Modification of the Significant Environmental Concern Regulations

5 MCC 11.15.6428 (D)(1): Design Specifications

6
7 The following design specifications shall be incorporated, as appropriate, into
8 any developments within a Stream Conservation Area:

9
10 (1) A bridge or arched culvert which does not disturb the bed or banks of the
11 stream and ~~are of the minimum width necessary to allow passage of peak~~
12 winter flows which maintains the existing flood carrying capacity for the
13 altered portion of the stream shall be utilized for any crossing of a protected
14 streams.

15 Section V. Modification of the Grading and Erosion Control Regulations

16 MCC 29.305(A)(1)(d): The proposed drainage system shall have adequate capacity to
17 bypass all sheet flow through the development ~~existing upstream flow~~ from a storm of
18 ten-year design frequency and maintain the existing flood carrying capacity of all
19 watercourses passing through the property;

20
21 /// /// ///
22 /// /// ///
23 /// /// ///
24
25
26

1 MCC 29.305(A)(1)(e): Fills shall not encroach on natural watercourses or constructed
2 channels unless measures are approved which will adequately handle ~~the displaced~~
3 ~~streamflow for a storm of ten-year design frequency~~ the existing flood carrying capacity
4 for the altered portion of the stream;

5 ADOPTED this _____ day of _____, 1999, being the date of its second
6 reading before the Board of County Commissioners of Multnomah County.

7
8 BOARD OF COUNTY COMMISSIONERS
9 FOR MULTNOMAH COUNTY, OREGON

10
11 _____
12 Beverly Stein, Chair

13 REVIEWED:

14 THOMAS SPONSLER, COUNTY COUNSEL
15 FOR MULTNOMAH COUNTY, OREGON

16 By Jeffrey B. Litwak
17 Jeffrey B. Litwak, Assistant County Counsel

1 BEFORE THE BOARD OF COUNTY COMMISSIONERS
2 FOR MULTNOMAH COUNTY, OREGON
3 ORDINANCE NO. _____
4

5 An Ordinance deleting Flood Hazard regulations contained in MCC 11.15.6301
6 through 11.15.6323 and amending the Significant Environmental Concern regulations
7 for streams and Grading and Erosion Control regulations and adding to Chapter 29
8 and amending the Flood Hazard regulations to be in compliance with the standards of
9 the National Flood Insurance Program.

10 (Language in ~~strikethrough~~ is to be deleted; underlined language is new)

11
12 Multnomah County Ordains as follows:

13 Section I. Findings

14 (A) The Flood Hazard Areas of Unincorporated Multnomah County are subject
15 to periodic inundation which can result in loss of life and property, health, and safety
16 hazards, disruption of commerce and governmental services, extraordinary public
17 expenditures for flood protection and relief, and impairment of the tax base, all of
18 which adversely affect the public health, safety and general welfare.

19
20 (B) These flood losses are caused by the inundation of buildings and services
21 unable to withstand water infiltration and other flood related damage. Flood damage
22 can be prevented or reduced by proper anchoring, construction materials and raising
23 of buildings above the flood level. By amending the Flood Hazard regulations,
24 Multnomah County will be in compliance with the standards specified in the National
25 Flood Insurance Program administered by FEMA. The County's compliance will allow
26 property owners in unincorporated Multnomah County to continue to participate in the
National Flood Insurance Program.

1
2 (C) On January 4, 1999 the Planning Commission held a work session on the
3 amendments to the Flood Hazard regulations. A public hearing was held before the
4 Planning Commission on February 1, 1999 and the Planning Commission found that
5 by amending and implementing the Flood Hazard and Significant Environmental
6 Concern regulations, the County will be protecting human life, private property and
7 structures, minimizing public costs for rescue and relief efforts associated with flooding
8 and maintaining the County's ability to participate in the National Flood Insurance
9 Program.

10 Section II. Deletion of the Flood Hazard Regulations from Chapter 11.15.6301
11 through 6323.

12 (A). Repeal section ~~MCC.15.6301 through .6323.~~

13 Section III. Addition and Amendment of the Flood Hazard Regulations to Chapter 29
14 Building Codes.

15
16 29.600 Purposes

17
18 The purposes of the Flood Hazard Standards are to promote the public health,
19 safety and general welfare, and to minimize public and private losses due to flood
20 conditions in specific areas and to allow property owners within unincorporated
21 Multnomah County to participate in the National Flood Insurance Program.

22 29.601 Definitions

23
24 For the purpose of this subchapter, the following definitions shall apply:

25
26 Alteration. To modify, change or make different.

1 Development. Any man-made change to improved or unimproved real estate,
2 including but not limited to buildings or other structures, mining, dredging, filling,
3 grading, paving, excavation or drilling operations located within the areas shown within
4 100-year flood boundary as identified on the Flood Boundary and Floodway Maps and
5 the Flood Insurance Rate Maps as published by the Federal Emergency Management
6 Agency (FEMA) and any watercourse.

7 Elevation Certificate. The document used to certify the FIRM Zone and base
8 flood elevation of the development area of a property, and to determine the required
9 elevation or floodproofing requirements of new and substantially improved structures.

10
11 Encroachment. To fill, construct, improve, or develop beyond the original bank
12 line of the watercourse. Bank stabilization or restoration of a watercourse which does
13 not protrude beyond the original banks line is not considered an encroachment by this
14 subdistrict.

15 Floodway. The channel of a river or other watercourse and the adjacent land
16 areas that must be reserved in order to discharge the base flood without cumulatively
17 increasing the water surface elevation more than one foot.

18
19 Recreational Vehicle. A vehicle which is built on a single chassis, 400 square
20 feet or less when measured at the largest horizontal projection, self-propelled or
21 permanently towable by a light duty truck and designed primarily not for use as a
22 permanent dwelling but as temporary living quarters for recreational, camping, travel,
23 or seasonal use.

24 Substantial Damage. Damage of any origin sustained by a structure whereby
25 the cost of restoring the structure to its before damaged condition would equal or
26 exceed 50 percent of the market value of the structure before the damage occurred.

1
2 Substantial Improvement. Any repair, reconstruction, or improvement of a
3 structure, the cost of which equals or exceeds 50 percent of the market value of the
4 structure either:

5 1. Before the improvement or repair is started; or

6 2. If the structure has been damaged and is being restored, before the damage
7 occurred. For the purposes of this definition *substantial improvement* is considered to
8 occur when the first alteration of any wall, ceiling, floor, or other structural part of the
9 building commences, whether or not that alteration affects the external dimensions of
10 the structure. The costs to repair must be calculated for full repair to "before-damage"
11 condition, even if the owner elects to do less. The total costs to repair include both
12 structural and finish materials and labor.

13 3. Substantial Improvement does not, however, include either:

14 a. The portion of any project for improvement of a structure to correct existing
15 violations of state or local health, sanitary, or safety code specifications which have
16 been identified by local building officials and which are the minimum necessary to
17 assure safe living conditions or

18 b. Any alteration of a structure listed on the National Register of Historic
19 Places or a State Inventory of Historic Places.

20 Watercourse. Natural and artificial features which transport surface water.
21 Watercourse includes a river, stream, creek, slough, ditch, canal, or drainageway.

22 29.602 Areas Affected

23 (A) The provisions of MCC 29.600 – 29.611 shall apply to all areas within the
24 100-year flood boundary as identified on the Flood Boundary and Floodway Maps and
25 the Flood Insurance Rate Maps as published by the Federal Emergency Management
26 Agency (FEMA) and any watercourse as defined by MCC 29.601.

1 (1) These maps may be periodically revised or modified by FEMA in
2 accordance with prescribed procedures pursuant to Section 206 of the Flood Disaster
3 Protection Act of 1973 (P.L. 92-234). In order to employ the best available information
4 and maintain compliance with Federal Flood Insurance Program regulations,
5 Multnomah County shall utilize any such revisions or modifications upon their effective
6 date.

7 (2) On the Multnomah County Zoning Map, all areas depicted as being
8 Flood Fringe (FF), Floodway (FW) or Flood Hazard (FH) with this ordinance are
9 repealed from requiring a Flood Hazard Permit.

10 29.603 Permits

11 (A) No structure, dwelling or manufactured home shall be erected, located,
12 altered, improved, repaired or enlarged and no other new development including but
13 not limited to grading, mining, excavation and filling shall occur on lands within the
14 100-year flood boundary unless a Floodplain Development Permit specifically
15 authorizing the proposal has been obtained from Multnomah County.

16 1. Improvements to a structure, dwelling or mobile home, which does not
17 require a land use permit, grading permit or building permit, are exempted from
18 obtaining a Flood Hazard Permit.

19 (B) Alterations, modifications or relocations to any watercourse as defined in
20 MCC 29.601 are subject to a Flood Hazard permit and the Watercourse Relocation
21 requirements of MCC 29.609.

22 1. Regular maintenance of ditches and dikes within the Sauvie Island
23 Drainage District is exempted from obtaining a Flood Hazard Permit.

24 29.604 Exemption from Development Standards.

25 The following are exempt:
26

1 (A) Land may be exempted from the requirements of MCC 29.606 upon review
2 and approval by the Director of an acceptable elevation survey, certified by a State of
3 Oregon Registered Professional Engineer or Land Surveyor, which demonstrates that
4 the entire subject parcel is at least one foot above the base flood level.

5 (B) The reconstruction, rehabilitation or restoration of structures listed on the
6 National Register of Historic Places or the State Historic Sites Inventory may be
7 permitted without regard to the requirements of MCC 29.606.

8
9 (C) Forest practices conducted under the Forest Practices Act.

10 29.605 Application Information Required.

11
12 An application for development subject to a Floodplain Development Permit
13 shall include the following:

14 (A) A map showing the property line locations, the boundaries of the 100 year
15 floodplain on the parcel, roads, and driveways, existing structures, watercourses and
16 the location of the proposed development(s), topographic elevations for the proposed
17 development and areas of grading or filling required for the project.

18
19 (B) Detailed construction drawings showing compliance with the development
20 standards specified in MCC 29.606. A licensed engineer or architect shall stamp the
21 plans and include a statement that the plans meet the requirements of MCC 29.606.

22 (C) An elevation certificate signed by a Registered Professional Land Surveyor,
23 Engineer or Architect. The certificate shall be accompanied by a plan of the property
24 which shows the location and elevation of a benchmark on the property.

25
26 (D) A written narrative specifying building materials and methods that will be
utilized to comply with the requirements of the Floodplain Permit.

1
2 (E) Evidence that the applicant has obtained, when necessary, prior approval
3 from those Federal, State and/or local governmental agencies with jurisdiction over the
4 proposed development.

5 29.606 Development Standards
6

7 The following standards shall apply to all new construction, substantial
8 improvement or other development in areas within the 100-year flood boundary:

9
10 (A) All Structures.

11 (1) All new construction and substantial improvement shall:

12 (a) Comply with Oregon State Building Codes.

13 (b) Have the electrical, heating, ventilation, plumbing, and air
14 conditioning equipment and other service facilities shall be designed and/or located so
15 as to prevent water from entering or accumulating within the components during
16 conditions of flooding.

17 (c) Use materials resistant to flood damage.

18 (d) Using methods and practices that minimize flood damage.

19 (e) For areas that are fully enclosed below the lowest floor and that are
20 subject to flooding, shall be designed to automatically equalize hydrostatic flood forces
21 on exterior walls by allowing for the entry and exit of floodwaters.

22 1. Designs for meeting this requirement must either be certified by
23 a registered professional engineer or architect and must meet or exceed the following
24 minimum criteria:

25 a. A minimum of two openings having a total net area of not
26 less than one square inch for every square foot of enclosed area subject to flooding
shall be provided.

1 of the dwelling. The performance bond or cash deposit shall be released upon
2 submittal of the as-built elevation survey, unless utilized to obtain compliance.

3
4 (C) Nonresidential Structures.

5 New construction and substantial improvement of any commercial, industrial
6 or other non-residential structure shall:

7 (1) Have the lowest floor including basement, elevated at least one foot
8 above the base flood level; or, together with attendant utility and sanitary facilities,
9 shall:

10 (a) Be floodproofed such that the structure, including the attendant
11 utility and sanitary facilities, shall be substantially impermeable to the passage of
12 water to an elevation at least one foot above the base flood level; and

13 (b) Have structural components capable of withstanding
14 hydrostatic and hydrodynamic loads, effects of buoyancy, flood depths, pressures,
15 velocities and other factors associated with the base flood; and

16 (c) Be certified by a registered professional engineer or architect
17 that the standards of this subsection are satisfied.

18 (2) Provide an as-built elevation survey of the lowest floor completed by
19 a State of Oregon Registered Professional Engineer or Land Surveyor certifying that
20 the structure's lowest floor was elevated to at least one foot above the base flood
21 level; or submit a stamped documentation by a State of Oregon Registered
22 Professional Engineer certifying the structure has been built in compliance with MCC
23 29.606(C)(1)(a) through (c).

24 (a) The as-built elevation survey or stamped documentation shall
25 be submitted to Multnomah County Land Use Planning prior to occupancy of the
26 structure.

1 (b) Prior to issuance of a building permit or start of development, a
2 performance bond or cash deposit of \$1000.00 shall be required to assure that the as-
3 built elevation survey or stamped documentation is submitted. The bond/deposit may
4 be used to obtain the elevation survey or documentation, without notice, if it is not
5 completed and submitted prior to occupancy or use of the structure or development.
6 The performance bond or cash deposit shall be released upon submittal of the as-built
7 elevation survey or stamped documentation, unless utilized to obtain compliance.

8 (D) On Site Waste Disposal Systems, Wells, Water Systems and Sewer
9 Systems.

10 All new and replacement water and sewer systems, including on-site waste
11 disposal systems, shall be designed to:

- 12 (1) Minimize infiltration of floodwaters into the system;
13 (2) Minimize discharge from systems into floodwaters;
14 (3) Avoid impairment or contamination during flooding.

15 (E) Recreational Vehicles in Campground or Recreational Development

16
17 Recreational vehicles utilized on sites within Zones A1-A30, AH and AE on the
18 community's FIRM shall either:

- 19 (1) Be on the site for fewer than 180 consecutive days, or
20 (2) Be fully licensed and ready for highway uses, on its wheels or jacking
21 system, is attached to the site only by quick disconnect type utilities and security
22 devices, and has no permanently attached additions; or
23 (3) Meet the requirements of section 29.606(A) and (B).

24 29.607 Floodway Requirements

25
26 In areas identified as floodway on the Flood Boundary and Floodway Maps, the
following restrictions, in addition to the requirements of MCC 29.606, shall apply:

1 (A) No development shall be permitted that would result in any measurable
2 increase in base flood levels.

3 (1). Encroachment into the floodway is prohibited, unless a detailed step
4 backwater analysis and conveyance compensation calculations, certified by a
5 Registered Professional Engineer, are provided which demonstrates that the proposed
6 encroachment will cause no measurable increase in flood levels (water surface
7 elevations) during a base flood discharge.

8 29.608 Procedure When Base Flood Elevation Data is Not Available.

9
10 (A) For the purposes of administering MCC 29.606 in areas where detailed
11 base flood elevation data has not been provided by FEMA, the Land Use Planning
12 Division shall obtain, review and utilize any base flood elevation and floodway data
13 available from federal, state or local sources to assure that the proposed construction
14 will be reasonably safe from flooding and may exercise local judgment based on
15 historical data.

16 (B) In areas where detailed base flood elevation data has not been provided by
17 FEMA, all proposals for subdivisions or other new developments greater than 50 lots
18 or five acres, whichever is less, shall provide detailed base flood elevation data and
19 floodway data.

20 29.609 Watercourse Relocation & Alteration

21
22 Prior to approving any relocation, encroachment or alteration of a watercourse,
23 the Land Use Planning Division shall provide mailed notice of the proposal to adjoining
24 communities and to the Department of Land Conservation and Development
25 Floodplain Coordinator. Copies of such notice shall also be provided to the Federal
26 Insurance Administration.

1 (A) No relocation, encroachment or alteration of a watercourse shall be
2 permitted unless a detailed hydraulic analysis, certified by a Registered Professional
3 Engineer, is provided which demonstrates that:

4 (1) The flood carrying capacity for the altered or relocated portion of
5 the watercourse will be maintained;

6 (2) The area subject to inundation by the base flood discharge will not be
7 increased;

8 (3) The alteration or relocation will cause no measurable increase in base
9 flood levels.

10 29.610 County Records.

11 Multnomah County or its designee shall obtain and maintain on file the actual
12 elevation (in relation to NGVD) of the lowest floor, including basement, of all new or
13 substantially improved structures in areas subject to the provisions of this Section.

14
15 (A) For all new or substantially improved floodproofed structures in areas
16 subject to the provisions of this Section, Multnomah County shall obtain and maintain
17 on file the actual elevation (in relation to NGVD) of the floodproofing and shall also
18 maintain the floodproofing certifications required pursuant to MCC 29.606(C)(1)(b)-(d).

19 Section IV. Modification of the Significant Environmental Concern Regulations

20
21 MCC 11.15.6428 (D)(1): Design Specifications

22
23 The following design specifications shall be incorporated, as appropriate, into
24 any developments within a Stream Conservation Area:

25 (1) A bridge or arched culvert which does not disturb the bed or banks of the
26 ~~stream and are of the minimum width necessary to allow passage of peak~~

1 winter flows which maintains the existing flood carrying capacity for the
2 altered portion of the stream shall be utilized for any crossing of a protected
3 streams.

4
5 Section V. Modification of the Grading and Erosion Control Regulations

6 MCC 29.305(A)(1)(d): The proposed drainage system shall have adequate capacity to
7 bypass all sheet flow through the development ~~existing upstream flow~~ from a storm of
8 ten-year design frequency and maintain the existing flood carrying capacity of all
9 watercourses passing through the property;

10
11 /// /// ///

12 /// /// ///

13 /// /// ///

1 MCC 29.305(A)(1)(e): Fills shall not encroach on natural watercourses or constructed
2 channels unless measures are approved which will adequately handle the displaced
3 streamflow for a storm of ten year design frequency the existing flood carrying capacity
4 for the altered portion of the stream;

5
6 ADOPTED this 15th day of April, 1999, being the date of its second reading
7 before the Board of County Commissioners of Multnomah County.

8 BOARD OF COUNTY COMMISSIONERS
9 FOR MULTNOMAH COUNTY, OREGON

10
11 _____
12 Beverly Stein, Chair

13 REVIEWED:

14 THOMAS SPONSLER, COUNTY COUNSEL
15 FOR MULTNOMAH COUNTY, OREGON

16
17 By Jeffrey B. Litwak
18 Jeffrey B. Litwak, Assistant County Counsel

1 BEFORE THE BOARD OF COUNTY COMMISSIONERS
2 FOR MULTNOMAH COUNTY, OREGON
3 **ORDINANCE NO. 931**

4
5 An Ordinance deleting Flood Hazard regulations contained in MCC 11.15.6301
6 through 11.15.6323 and amending the Significant Environmental Concern regulations
7 for streams and Grading and Erosion Control regulations and adding to Chapter 29
8 and amending the Flood Hazard regulations to be in compliance with the standards of
9 the National Flood Insurance Program.

10 (Language in ~~strikethrough~~ is to be deleted; underlined language is new)

11
12 Multnomah County Ordains as follows:

13 Section I. Findings

14 (A) The Flood Hazard Areas of Unincorporated Multnomah County are subject
15 to periodic inundation which can result in loss of life and property, health, and safety
16 hazards, disruption of commerce and governmental services, extraordinary public
17 expenditures for flood protection and relief, and impairment of the tax base, all of
18 which adversely affect the public health, safety and general welfare.

19
20 (B) These flood losses are caused by the inundation of buildings and services
21 unable to withstand water infiltration and other flood related damage. Flood damage
22 can be prevented or reduced by proper anchoring, construction materials and raising
23 of buildings above the flood level. By amending the Flood Hazard regulations,
24 Multnomah County will be in compliance with the standards specified in the National
25 Flood Insurance Program administered by FEMA. The County's compliance will allow
26 property owners in unincorporated Multnomah County to continue to participate in the
National Flood Insurance Program.

1 (C) On January 4, 1999 the Planning Commission held a work session on the
2 amendments to the Flood Hazard regulations. A public hearing was held before the
3 Planning Commission on February 1, 1999 and the Planning Commission found that
4 by amending and implementing the Flood Hazard and Significant Environmental
5 Concern regulations, the County will be protecting human life, private property and
6 structures, minimizing public costs for rescue and relief efforts associated with flooding
7 and maintaining the County's ability to participate in the National Flood Insurance
8 Program.

9 Section II. Deletion of the Flood Hazard Regulations from Chapter 11.15.6301
10 through 6323.

11 (A). Repeal section MGC.15.6301 through 6323.

12 Section III. Addition and Amendment of the Flood Hazard Regulations to Chapter 29
13 Building Codes.

14 29.600 Purposes

15
16
17 The purposes of the Flood Hazard Standards are to promote the public health,
18 safety and general welfare, and to minimize public and private losses due to flood
19 conditions in specific areas and to allow property owners within unincorporated
20 Multnomah County to participate in the National Flood Insurance Program.

21 29.601 Definitions

22
23 For the purpose of this subchapter, the following definitions shall apply:

24
25 Alteration. To modify, change or make different.

1 Development. Any man-made change to improved or unimproved real estate,
2 including but not limited to buildings or other structures, mining, dredging, filling,
3 grading, paving, excavation or drilling operations located within the areas shown within
4 100-year flood boundary as identified on the Flood Boundary and Floodway Maps and
5 the Flood Insurance Rate Maps as published by the Federal Emergency Management
6 Agency (FEMA) and any watercourse.

7 Elevation Certificate. The document used to certify the FIRM Zone and base
8 flood elevation of the development area of a property, and to determine the required
9 elevation or floodproofing requirements of new and substantially improved structures.

10
11 Encroachment. To fill, construct, improve, or develop beyond the original bank
12 line of the watercourse. Bank stabilization or restoration of a watercourse which does
13 not protrude beyond the original banks line is not considered an encroachment by this
14 subdistrict.

15 Floodway. The channel of a river or other watercourse and the adjacent land
16 areas that must be reserved in order to discharge the base flood without cumulatively
17 increasing the water surface elevation more than one foot.

18
19 Recreational Vehicle. A vehicle which is built on a single chassis, 400 square
20 feet or less when measured at the largest horizontal projection, self-propelled or
21 permanently towable by a light duty truck and designed primarily not for use as a
22 permanent dwelling but as temporary living quarters for recreational, camping, travel,
23 or seasonal use.

24 Substantial Damage. Damage of any origin sustained by a structure whereby
25 the cost of restoring the structure to its before damaged condition would equal or
26 exceed 50 percent of the market value of the structure before the damage occurred.

1 Substantial Improvement. Any repair, reconstruction, or improvement of a
2 structure, the cost of which equals or exceeds 50 percent of the market value of the
3 structure either:

4 1. Before the improvement or repair is started; or

5 2. If the structure has been damaged and is being restored, before the damage
6 occurred. For the purposes of this definition *substantial improvement* is considered to
7 occur when the first alteration of any wall, ceiling, floor, or other structural part of the
8 building commences, whether or not that alteration affects the external dimensions of
9 the structure. The costs to repair must be calculated for full repair to "before-damage"
10 condition, even if the owner elects to do less. The total costs to repair include both
11 structural and finish materials and labor.

12 3. Substantial Improvement does not, however, include either:

13 a. The portion of any project for improvement of a structure to correct existing
14 violations of state or local health, sanitary, or safety code specifications which have
15 been identified by local building officials and which are the minimum necessary to
16 assure safe living conditions or

17 b. Any alteration of a structure listed on the National Register of Historic
18 Places or a State Inventory of Historic Places.

19 Watercourse. Natural and artificial features which transport surface water.
20 Watercourse includes a river, stream, creek, slough, ditch, canal, or drainageway.

21 29.602 Areas Affected

22 (A) The provisions of MCC 29.600 – 29.611 shall apply to all areas within the
23 100-year flood boundary as identified on the Flood Boundary and Floodway Maps and
24 the Flood Insurance Rate Maps as published by the Federal Emergency Management
25 Agency (FEMA) and any watercourse as defined by MCC 29.601.

1 (1) These maps may be periodically revised or modified by FEMA in
2 accordance with prescribed procedures pursuant to Section 206 of the Flood Disaster
3 Protection Act of 1973 (P.L. 92-234). In order to employ the best available information
4 and maintain compliance with Federal Flood Insurance Program regulations,
5 Multnomah County shall utilize any such revisions or modifications upon their effective
6 date.

7 (2) On the Multnomah County Zoning Map, all areas depicted as being
8 Flood Fringe (FF), Floodway (FW) or Flood Hazard (FH) with this ordinance are
9 repealed from requiring a Flood Hazard Permit.

10 29.603 Permits

11 (A) No structure, dwelling or manufactured home shall be erected, located,
12 altered, improved, repaired or enlarged and no other new development including but
13 not limited to grading, mining, excavation and filling shall occur on lands within the
14 100-year flood boundary unless a Floodplain Development Permit specifically
15 authorizing the proposal has been obtained from Multnomah County.

16 1. Improvements to a structure, dwelling or mobile home, which does not
17 require a land use permit, grading permit or building permit, are exempted from
18 obtaining a Flood Hazard Permit.

19 (B) Alterations, modifications or relocations to any watercourse as defined in
20 MCC 29.601 are subject to a Flood Hazard permit and the Watercourse Relocation
21 requirements of MCC 29.609.

22 1. Regular maintenance of ditches and dikes within the Sauvie Island
23 Drainage District is exempted from obtaining a Flood Hazard Permit.

24
25 29.604 Exemption from Development Standards.

26 The following are exempt:

1 (A) Land may be exempted from the requirements of MCC 29.606 upon review
2 and approval by the Director of an acceptable elevation survey, certified by a State of
3 Oregon Registered Professional Engineer or Land Surveyor, which demonstrates that
4 the entire subject parcel is at least one foot above the base flood level.

5 (B) The reconstruction, rehabilitation or restoration of structures listed on the
6 National Register of Historic Places or the State Historic Sites Inventory may be
7 permitted without regard to the requirements of MCC 29.606.

8
9 (C) Forest practices conducted under the Forest Practices Act.

10
11 29.605 Application Information Required.

12 An application for development subject to a Floodplain Development Permit
13 shall include the following:

14 (A) A map showing the property line locations, the boundaries of the 100 year
15 floodplain on the parcel, roads, and driveways, existing structures, watercourses and
16 the location of the proposed development(s), topographic elevations for the proposed
17 development and areas of grading or filling required for the project.

18 (B) Detailed construction drawings showing compliance with the development
19 standards specified in MCC 29.606. A licensed engineer or architect shall stamp the
20 plans and include a statement that the plans meet the requirements of MCC 29.606.

21
22 (C) An elevation certificate signed by a Registered Professional Land Surveyor,
23 Engineer or Architect. The certificate shall be accompanied by a plan of the property
24 which shows the location and elevation of a benchmark on the property.

1 (D) A written narrative specifying building materials and methods that will be
2 utilized to comply with the requirements of the Floodplain Permit.

3
4 (E) Evidence that the applicant has obtained, when necessary, prior approval
5 from those Federal, State and/or local governmental agencies with jurisdiction over the
6 proposed development.

7 29.606 Development Standards

8
9 The following standards shall apply to all new construction, substantial
10 improvement or other development in areas within the 100-year flood boundary:

11 (A) All Structures.

12
13 (1) All new construction and substantial improvement shall:

14 (a) Comply with Oregon State Building Codes.

15 (b) Have the electrical, heating, ventilation, plumbing, and air
16 conditioning equipment and other service facilities shall be designed and/or located so
17 as to prevent water from entering or accumulating within the components during
18 conditions of flooding.

19 (c) Use materials resistant to flood damage.

20 (d) Using methods and practices that minimize flood damage.

21 (e) For areas that are fully enclosed below the lowest floor and that are
22 subject to flooding, shall be designed to automatically equalize hydrostatic flood forces
23 on exterior walls by allowing for the entry and exit of floodwaters.

24 1. Designs for meeting this requirement must either be certified by
25 a registered professional engineer or architect and must meet or exceed the following
26 minimum criteria:

1 a. A minimum of two openings having a total net area of not
2 less than one square inch for every square foot of enclosed area subject to flooding
3 shall be provided.

4 b. The bottom of all openings shall be no higher than one
5 foot above grade. Openings may be equipped with screens, louvers, or other
6 coverings or devices provided that they permit the automatic entry and exit of
7 floodwaters.

8 (B) Residential Structures.

9
10 New construction and substantial improvement of any residential structure,
11 including manufactured homes, shall:

12 (1) Have the lowest floor, including basement, elevated to at least one
13 foot above the base flood level as indicated on the Elevation Certificate. For purposes
14 of this section, an unfinished garage (either attached or detached) may be considered
15 a non-residential structure.

16 (2) Be placed on a permanent foundation and shall be anchored to resist
17 flotation, collapse and lateral movement by providing tie downs (anchor bolts, seismic
18 tie-downs) and anchoring as specified in OAR 814-23-005 through 080 and State of
19 Oregon 1 and 2 Family Dwelling Specialty Code, as appropriate to the construction
20 type.

21 (3) Conduct an as-built elevation survey of the lowest floor. This survey
22 shall be completed by a State of Oregon Registered Professional Engineer or Land
23 Surveyor and must certify that the structure's lowest floor was elevated to at least one
24 foot above the base flood level.

25 (a) The as-built elevation survey shall be submitted to Multnomah
26 County Land Use Planning prior to occupancy of the structure.

(b). Prior to issuance of a building permit or start of development,
a performance bond or cash deposit of \$1000.00 shall be required to assure that the

1 as-built elevation survey is submitted. The deposit/bond may be used to obtain the
2 elevation survey, without notice, if it is not completed and submitted prior to occupancy
3 of the dwelling. The performance bond or cash deposit shall be released upon
4 submittal of the as-built elevation survey, unless utilized to obtain compliance.

5 (C) Nonresidential Structures.

6
7 New construction and substantial improvement of any commercial, industrial
8 or other non-residential structure shall:

9 (1) Have the lowest floor including basement, elevated at least one foot
10 above the base flood level; or, together with attendant utility and sanitary facilities,
11 shall:

12 (a) Be floodproofed such that the structure, including the attendant
13 utility and sanitary facilities, shall be substantially impermeable to the passage of
14 water to an elevation at least one foot above the base flood level; and

15 (b) Have structural components capable of withstanding
16 hydrostatic and hydrodynamic loads, effects of buoyancy, flood depths, pressures,
17 velocities and other factors associated with the base flood; and

18 (c) Be certified by a registered professional engineer or architect
19 that the standards of this subsection are satisfied.

20 (2) Provide an as-built elevation survey of the lowest floor completed by
21 a State of Oregon Registered Professional Engineer or Land Surveyor certifying that
22 the structure's lowest floor was elevated to at least one foot above the base flood
23 level; or submit a stamped documentation by a State of Oregon Registered
24 Professional Engineer certifying the structure has been built in compliance with MCC
25 29.606(C)(1)(a) through (c).
26

1 (a) The as-built elevation survey or stamped documentation shall
2 be submitted to Multnomah County Land Use Planning prior to occupancy of the
3 structure.

4 (b) Prior to issuance of a building permit or start of development, a
5 performance bond or cash deposit of \$1000.00 shall be required to assure that the as-
6 built elevation survey or stamped documentation is submitted. The bond/deposit may
7 be used to obtain the elevation survey or documentation, without notice, if it is not
8 completed and submitted prior to occupancy or use of the structure or development.
9 The performance bond or cash deposit shall be released upon submittal of the as-built
10 elevation survey or stamped documentation, unless utilized to obtain compliance.

11 (D) On Site Waste Disposal Systems, Wells, Water Systems and Sewer
12 Systems.

13 All new and replacement water and sewer systems, including on-site waste
14 disposal systems, shall be designed to:

- 15 (1) Minimize infiltration of floodwaters into the system;
- 16 (2) Minimize discharge from systems into floodwaters;
- 17 (3) Avoid impairment or contamination during flooding.

18 (E) Recreational Vehicles in Campground or Recreational Development

19
20 Recreational vehicles utilized on sites within Zones A1-A30, AH and AE on the
21 community's FIRM shall either:

- 22 (1) Be on the site for fewer than 180 consecutive days, or
- 23 (2) Be fully licensed and ready for highway uses, on its wheels or jacking
24 system, is attached to the site only by quick disconnect type utilities and security
25 devices, and has no permanently attached additions; or
26 (3) Meet the requirements of section 29.606(A) and (B).

1 29.607 Floodway Requirements

2
3 In areas identified as floodway on the Flood Boundary and Floodway Maps, the
4 following restrictions, in addition to the requirements of MCC 29.606, shall apply:

5 (A) No development shall be permitted that would result in any measurable
6 increase in base flood levels.

7 (1). Encroachment into the floodway is prohibited, unless a detailed step
8 backwater analysis and conveyance compensation calculations, certified by a
9 Registered Professional Engineer, are provided which demonstrates that the proposed
10 encroachment will cause no measurable increase in flood levels (water surface
11 elevations) during a base flood discharge.

12 29.608 Procedure When Base Flood Elevation Data is Not Available.

13 (A) For the purposes of administering MCC 29.606 in areas where detailed
14 base flood elevation data has not been provided by FEMA, the Land Use Planning
15 Division shall obtain, review and utilize any base flood elevation and floodway data
16 available from federal, state or local sources to assure that the proposed construction
17 will be reasonably safe from flooding and may exercise local judgment based on
18 historical data.

19 (B) In areas where detailed base flood elevation data has not been provided by
20 FEMA, all proposals for subdivisions or other new developments greater than 50 lots
21 or five acres, whichever is less, shall provide detailed base flood elevation data and
22 floodway data.

23
24 29.609 Watercourse Relocation & Alteration

25 Prior to approving any relocation, encroachment or alteration of a watercourse,
26 the Land Use Planning Division shall provide mailed notice of the proposal to adjoining

1 communities and to the Department of Land Conservation and Development
2 Floodplain Coordinator. Copies of such notice shall also be provided to the Federal
3 Insurance Administration.

4 (A) No relocation, encroachment or alteration of a watercourse shall be
5 permitted unless a detailed hydraulic analysis, certified by a Registered Professional
6 Engineer, is provided which demonstrates that:

7 (1) The flood carrying capacity for the altered or relocated portion of
8 the watercourse will be maintained;

9 (2) The area subject to inundation by the base flood discharge will not be
10 increased;

11 (3) The alteration or relocation will cause no measurable increase in base
12 flood levels.

13 29.610 County Records.

14
15 Multnomah County or its designee shall obtain and maintain on file the actual
16 elevation (in relation to NGVD) of the lowest floor, including basement, of all new or
17 substantially improved structures in areas subject to the provisions of this Section.

18 (A) For all new or substantially improved floodproofed structures in areas
19 subject to the provisions of this Section, Multnomah County shall obtain and maintain
20 on file the actual elevation (in relation to NGVD) of the floodproofing and shall also
21 maintain the floodproofing certifications required pursuant to MCC 29.606(C)(1)(b)-(d).

22
23 Section IV. Modification of the Significant Environmental Concern Regulations

24 MCC 11.15.6428 (D)(1): Design Specifications
25
26

1 The following design specifications shall be incorporated, as appropriate, into
2 any developments within a Stream Conservation Area:

3
4 (1) A bridge or arched culvert which does not disturb the bed or banks of the
5 stream and ~~are of the minimum width necessary to allow passage of peak~~
6 winter flows which maintains the existing flood carrying capacity for the
7 altered portion of the stream shall be utilized for any crossing of a protected
8 streams.

9 Section V. Modification of the Grading and Erosion Control Regulations

10
11 MCC 29.305(A)(1)(d): The proposed drainage system shall have adequate capacity to
12 bypass all sheet flow through the development ~~existing upstream flow~~ from a storm of
13 ten-year design frequency and maintain the existing flood carrying capacity of all
14 watercourses passing through the property:

15 /// /// ///

16 /// /// ///

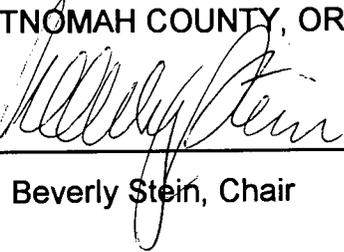
17 /// /// ///

1 MCC 29.305(A)(1)(e): Fills shall not encroach on natural watercourses or constructed
2 channels unless measures are approved which will adequately handle the displaced
3 streamflow for a storm of ten-year design frequency the existing flood carrying capacity
4 for the altered portion of the stream:

5 ADOPTED this 15th day of April, 1999, being the date of its second reading
6 before the Board of County Commissioners of Multnomah County.
7

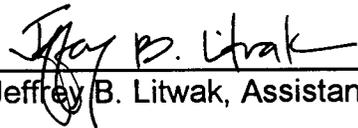


8 BOARD OF COUNTY COMMISSIONERS
9 FOR MULTNOMAH COUNTY, OREGON

10 
11 _____
12 Beverly Stein, Chair

13 REVIEWED:

14 THOMAS SPONSLER, COUNTY COUNSEL
15 FOR MULTNOMAH COUNTY, OREGON

16
17 By 
18 _____
19 Jeffrey B. Litwak, Assistant County Counsel
20
21
22
23
24
25
26

APR 15 1999

Meeting Date: APR 08 1999
Agenda No: R-8
Est. Start Time: 10:30 10:14

(Above Space for Board Clerk's Use ONLY)

AGENDA PLACEMENT FORM

SUBJECT: Public Hearing of an Ordinance that enacts eight "Housekeeping" Amendments that update, clarify, or correct certain provisions in the Zoning, Land Division and Building Codes. C 10-98

BOARD BRIEFING Date Requested:
Amt. of Time Needed:
Requested By:

REGULAR MEETING Date Requested: April 8, 1999
Amt. of Time Needed: 15 Min.

DEPARTMENT: DES **DIVISION:** Land Use Planning
CONTACT: Gary Clifford **TELEPHONE:** 248-3043
BLDG/ROOM: 455 / 116

99 MAR 31 PM 2:31
CLERK OF COUNTY COMMISSIONERS
MULTNOMAH COUNTY
OREGON

PERSON(S) MAKING PRESENTATION: Gary Clifford

ACTION REQUESTED

Informational Only Policy Direction Approval Other

SUGGESTED AGENDA TITLE

Public Hearing of an Ordinance that enacts eight "Housekeeping" Amendments that update, clarify, or correct certain provisions in the Zoning, Land Division and Building Codes. C 10-98

4/19/99 copies to Gary Clifford + Ordinance Distribution list

SIGNATURES REQUIRED

Elected Official: _____

or

Department Manager: KB Lou E. Nicholas



**BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM BRIEFING
STAFF REPORT SUPPLEMENT**

TO: Board of County Commissioners

FROM: Planning Staff

TODAY'S DATE: March 29, 1999

REQUESTED

PLACEMENT DATE: April 8, 1999

RE: Public hearing on an ordinance that enacts eight "housekeeping" amendments that update, clarify, or correct certain provisions in the Zoning, Land Division, and Building Codes. (Planning File No. C 10-98)

I. RECOMMENDATION / ACTION REQUESTED:

Planning Commission recommends adoption of an ordinance that will enact eight "housekeeping" amendments that update, clarify, or correct certain provisions in the Zoning, Land Division, and Building Codes.

After further review with County Counsel, the Planning Director recommends modifying the proposed amendments regarding the description of the Zoning Map. Rather than specifying that the official Zoning Map is an electronic layer in a Geographic Information System (GIS), it would be better to refer to a paper map that is generated from that GIS layer. The reason for the change is that a valid concern has been raised as to our ability to prove, in a legal challenge, that the integrity of an electronic layer has been maintained. There is no such concern if the official map is a signed paper map on file. Suggested language to address this are contained in the two proposed replacement pages attached to this staff report: Page 2 of 17 and Page 11 of 17.



II. BACKGROUND / ANALYSIS:

Over time it is common to accumulate a list of needed minor "housekeeping" amendments needed to: update out-of-date provisions/cross references; clarify the wording of an existing regulation; and correct various minor errors and omissions. This proposed ordinance has been approved by resolution by the Planning Commission and is now recommended to the Board for adoption. The list of code sections and explanation is summarized in the following table:

Subject	Code Section	Explanation for Amendment
1. Zoning maps allowed to be depicted on electronic (GIS) format	11.15.1010	The land use planning division is currently undergoing a comprehensive shift from paper maps to electronic maps on a geographic information system. This code revision would allow planning staff to update the Zoning Map in a format that does not have to reference the old "Sectional Zoning Maps" numbered from 1 to 828. In the rural areas those sectional maps only showed one square mile per map. Now, the GIS-generated maps are able to be produced at a wide range of scales and area coverage, allowing the map to be tailored to the subject and the customer. Attached to this staff report are two recommended replacement pages to the Ordinance which address a legal concern as to what is described as the official Zoning Map.
2. EFU dwelling type name change: "lot or parcel of record dwelling" to "heritage tract dwelling"	11.15.2010 – 11.15.2018	Ordinance 876 in 1997 replaced the entire EFU zoning district. One of the types of dwelling approvals added was a "lot or parcel of record dwelling". The term came from the State of Oregon legislature and is used only where the applicant or a chain of certain heirs owned a property since before 1985. Using the term "lot or parcel of record dwelling" can be confusing because in all other districts the term "lot of record" is used for defining the legal status of a property for all development based upon the date a lot or parcel was lawfully established. That is in contrast to the specific situation where the requirement is for continuous ownership from the year 1985 to today. To make the distinction between a dwelling type and the lawfully created status of a parcel, the CFU-2 and CFU-4 districts that were added in 1998 used the term "heritage tract dwelling" for this type of dwelling application review. That term has worked well and staff recommends that the name also be used in the EFU district.
3. Add "property line adjustment" to MUA-20, RR, and RC zones	11.15.2140; 11.15.2220; 11.15.2260; 11.45.115	There is a specific reference to how a property line adjustment is done in the EFU and CFU zoning districts. However, in the "exception zones" of Multiple Use Agriculture-20 (MUA-20), Rural Residential (RR) and Rural Center (RC) there are no provisions for property line adjustments. The proposed language allows the changing of property lines if no additional lots result from the change.
4. Include in WRG subdistrict regulations the text of certain definitions referred to in a 1975 publication	11.15.6356	The special definitions for five terms used in regulating land uses in the Willamette River Greenway Subdistrict are presently only found in a 1975 state publication. It is recommended that the definitions be added to the WRG Subdistrict regulations for ease of use by both applicants and staff, eliminating the need to locate a second out-of-print publication. The terms with special definitions as applied only to the WRG Subdistrict are: Change of Use; Development; Develop; Farm Use; and Intensification.
5. Delete superceded citation and add language allowing for GIS mapping of Significant Environmental Concern protected streams	11.15.6406; 11.15.6409	Ordinance 832 in 1995 deleted a provision that required review of timber harvesting in SEC zones. Such review was not allowed by statute. Missed at the time was a reference to that provision in the "exceptions" section of the SEC Subdistrict. This recommendation is to strike the reference. Otherwise, the reference is now to a renumbered provision that is unrelated to the original exception. The SEC maps produced as part of the West Hills Rural Area Plan have some inaccuracies with regards to stream location. This amendment specifies that the area within the West Hills SEC-stream overlay zoning subdistricts is an area 300 feet from the stream centerline, regardless of how the subdistrict may have been initially mapped. This clarification allows for ground surveys and more accurate mapping of the stream location to be used in application of the regulations.

6. Update name for revised grading / erosion control and stormwater facility design manuals	11.15.6730; § 29.305	Both manuals on erosion control and stormwater facilities cited in the Hillside Development Permit section of the Zoning Code and the Grading and Erosion Control section of the Building Code have been superceded. Also, adding a reference that allows future updated manuals to be the relevant manual for use will eliminate the need for any more amendments as this one.
7. Clarify that solar access protection provisions apply only within the urban zoning districts	11.15.6810; 11.15.6840 11.15.6878	The solar access section of the code is divided into 3 parts. The first part, land divisions, is clear in the purpose statement that the provisions are "to ensure that land in the urban portions of Multnomah County is divided so that structures can be oriented to maximize solar access". Yet, the next section states that the provisions apply in "any zone", not "any urban zone". The Planning Commission's recommendation is that the code clearly specify the solar protection provisions apply only to urban zoning districts located inside the Urban Growth Boundary.
8. Variance expiration extended and public notice corrected	11.15.8505 11.15.8515	The construction deadline for conditional uses and variances differs by six months. This results in the situation, for example, where approval of a variance to a setback requirement becomes void but the conditional use approval for a project remains valid. This amendment extends the time before a variance expires to match the two year limit for a conditional use or community service review. The original time frame for variances was enacted when there were far fewer other development reviews required to be completed before construction can begin. Today, before construction can begin there are often such additional reviews and permits as, design review, significant environmental concern, and grading and erosion permits; all of which shorten the available window for construction to take place. Granting of a variance "without notice" does not conform to statute notice requirements and has not been the practice. The wording dates from before notice was required for discretionary decisions.

III. FINANCIAL IMPACT:

No fiscal impact to the County has been identified.

IV. LEGAL ISSUES:

See Part I, Recommendation / Action Requested on page one for description of proposed replacement pages to the Ordinance to address a legal concern about the description of the Zoning Map.

Passage of Measure 56 in last November's general election requires extensive notification to affected property owners of any land use regulation amendment that limit or prohibit uses on property over that which exists in the code prior to enactment. Planning staff, the Planning Commission, and County Counsel are of the opinion that none of the subject "housekeeping" amendments further limits or prohibits land uses and, therefore, are not subject to those notice requirements.

Most of the amendments are minor technical corrections or updates. The few amendments that could be termed as enacting more of a change to the regulation of property are all doing the opposite of further limiting or prohibiting land uses – they: extend the time line for variances, clarify that solar protection regulations do not apply outside the Urban Growth Boundary, and add a provision for adjusting property lines that did not exist before in the MUA-20, RR, and RC zoning districts (added property line configuration option rights where none existed).

V. CONTROVERSIAL ISSUES:

There may be disagreement from some property owners as to whether these amendments should have been subject to the mailed public notice requirements of Measure 56. After passage of the measure, staff dropped from this “housekeeping” project all amendments that were judged to further limit or prohibit land uses. The cost to notify all property owners in unincorporated Multnomah County is not justified for these minor amendments.

VI. LINK TO CURRENT COUNTY POLICIES:

Periodic updating of land use regulations is recognized to be necessary and compiling several minor amendments together is a better use of resources than individual ordinances for each subject.

VII. CITIZEN PARTICIPATION:

Notice of the two Planning Commission hearings on the proposed ordinance was published in the *Oregonian* newspaper. At the Planning Commission hearing there was one person that gave testimony regarding proposed language concerning how the SEC-stream boundary could be described.

VIII. OTHER GOVERNMENT PARTICIPATION:

None requested.

**BEFORE THE PLANNING COMMISSION
FOR MULTNOMAH COUNTY**

In the matter of recommending adoption of an Ordinance)
amending MCC Chapter 11.15, the Zoning Ordinance,)
to correct, clarify, and update ten Code subsections in regard)
to: electronic mapping technology; renaming of EFU zone)
dwelling type; definitions cited in WRG subdistrict; solar)
access applicability; variance expiration; variance notice; and)
property line adjustments in the MUA-20, RR, and RC zones.)

**RESOLUTION
C 10-98**

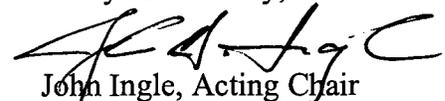
WHEREAS, The Planning Commission is authorized by Multnomah County Code, Chapter 11.05 and by ORS 215.110, to recommend to the Board of County Commissioners the adoption of Ordinances to implement the Multnomah County Comprehensive Plan; and

WHEREAS, It is recognized that continuing review and amendment of the Zoning Code is necessary to make corrections where discovered, clarification where advantageous, and updates to take advantage of and recognize new technology; and

WHEREAS, The Planning Commission considered these amendments at public hearings on October 19, 1998 and February 8, 1999 where all interested persons were given an opportunity to appear and be heard,

NOW, THEREFORE BE IT RESOLVED that the ten Zoning Code amendments in the attached Ordinance that include a variety of issues, characterized as "housekeeping", are hereby recommended for adoption by the Board of County Commissioners.

Approved this 8th day of February, 1999



John Ingle, Acting Chair
Multnomah County Planning Commission

(D) The nature of these land use code amendments are such that this ordinance does not limit or prohibit uses on a landowner's property over that which exists in the code prior to enactment. In particular, the extending of the time frame for construction to keep a variance from expiring and the addition of a provision allowing property line adjustments to occur in the MUA-20, RR, and RC zoning districts are allowing less time constraints and more property configuration options to a property owner. Therefore, a finding is made that this ordinance is not subject to the notice requirements contained in the commonly referred to Measure 56.

Section II. Amendment of Zoning Map Description to Add Reference to GIS Maps.

11.15.1010 Zoning Map

(A) The designations, locations and boundaries of the respective districts and certain combinations thereof described in this Chapter are established as shown by appropriate color designations, symbol or short title identification upon the *Multnomah County Zoning Map*. The Zoning Map [which] consists of a series of bound and indexed Sectional Zoning Maps numbered sheets 1 through 828 until such time as the districts and subdistricts depicted on each respective Sectional Zoning Map are replaced by maps generated as electronic layers within a Geographic Information System (GIS). All GIS Zoning Maps replacing the Sectional Zoning Maps shall be legislatively adopted. The GIS-generated Zoning Maps depicting districts and subdistricts shall be periodically re-adopted to reflect more accurate mapping information as it becomes available. The Zoning Map and all pertinent information shown thereon is incorporated herein and is to be deemed as much a part of this Chapter as if fully setforth; however, if a conflict appears between the Zoning Map and the written portion of this Chapter, the written portion shall control.

(B) A paper version of t[F]he Zoning Map and each amendment thereto shall be and remain on file in the office of the Director of the Department of Environmental Services.

* * *

PROPOSED

1 sources on the property, as indicated by the subscript letter in the zoning designation, as
2 follows:

3	zoning	approval
4	designation	criteria
5		
6		
7	SEC-w (wetlands)	MCC .6422
8	SEC-v (scenic views)	MCC .6424
9	SEC-h (wildlife habitat)	MCC .6426
10	SEC-s (streams)	MCC .6428

11

12 The zoning maps used to designate the SEC-s zoning subdistrict were created digi-
13 tally by interpreting various data sources including the hand drawn maps contained
14 in the Goal 5 ESEE report. Care was taken in the creation of the maps, but in some
15 instances mapping inaccuracies have occurred during the process. For those areas
16 included in Ordinance 830 (West Hills Rural Area Plan), the Stream Conservation
17 Area designated on the zoning maps as SEC-s is an area extending 300 feet from
18 the nearest point on the centerline on both sides of the protected stream. In the
19 event of a mapping inconsistency, the SEC-s zoning subdistrict shall be interpreted
20 to be the defined Stream Conservation Area.

21 * * *

1
2 BEFORE THE BOARD OF COUNTY COMMISSIONERS

3 FOR MULTNOMAH COUNTY, OREGON

4 ORDINANCE NO. _____
56 An Ordinance amending MCC 11.15, MCC 11.45 and MCC § 29.305 to enact eight
7 “housekeeping” amendments that update, clarify, or correct certain zoning and building code
8 provisions.9 (Language in brackets and [~~strike through~~] is to be deleted; underlined language is new.)10 Multnomah County Ordains as follows:
1112 Section I. Findings.13 (A) Periodically, there is a need to amend code language to recognize new technology, clarify
14 wording, add missing provisions, and correct minor reference errors. The following eight
15 amendments have been found by the Planning Commission to be of such a minor nature
16 that it is appropriate to group them together in one “housekeeping” ordinance.17 (B) Included are amendments that: reflect the increasing use of the Geographic Information
18 System (GIS) as a planning tool for mapping; change a term used in the EFU district to
19 match one used in the CFU district; add the full text of a definition that was only cited but
20 not included in the WRG overlay district; clarify where the solar access provisions apply;
21 add property line adjustment language to the only three rural zoning districts that do not
22 already contain that type of provision; extend the time deadline for substantial construction
23 of a project to keep a variance approval decision from expiring; and various updates and
24 corrections are made to cited publications and outdated code cross references.25 (C) Public hearings were held before the Planning Commission on October 19, 1998 and
26 February 8, 1999 where all interested persons were given the opportunity to appear and be
heard.

1 (D) The nature of these land use code amendments are such that this ordinance does not limit or
2 prohibit uses on a landowner's property over that which exists in the code prior to
3 enactment. In particular, the extending of the time frame for construction to keep a
4 variance from expiring and the addition of a provision allowing property line adjustments
5 to occur in the MUA-20, RR, and RC zoning districts are allowing less time constraints and
6 more property configuration options to a property owner. Therefore, a finding is made that
7 this ordinance is not subject to the notice requirements contained in the commonly referred
8 to Measure 56.
9

10 Section II. Amendment of Zoning Map Description to Add Reference to GIS Maps.

11 * * *

12 **11.15.1010 Zoning Map**

13 (A) The designations, locations and boundaries of the respective districts and certain combi-
14 nations thereof described in this Chapter are established as shown by appropriate color
15 designations, symbol or short title identification upon the *Multnomah County Zoning*
16 *Map*. The Zoning Map [which] consists of a series of bound and indexed Sectional
17 Zoning Maps numbered sheets 1 through 828 until such time as the districts and subdis-
18 tricts depicted on each respective Sectional Zoning Map is transferred to Geographic In-
19 formation System (GIS) electronic map layers, at which time the GIS maps shall become
20 the Multnomah County Zoning Map. Those GIS map layers will be periodically modi-
21 fied to employ the best available electronic information. The Zoning Map and all perti-
22 nent information shown thereon is incorporated herein and is to be deemed as much a
23 part of this Chapter as if fully setforth; however, if a conflict appears between the Zon-
24 ing Map and the written portion of this Chapter, the written portion shall control.

25 (B) The Zoning Map and each amendment thereto shall be and remain on file in the office of
26 the Director of the Department of Environmental Services.

* * *

1
2 Section III. Amendment of EFU District to Change Name for Lot or Parcel of Record
3 Dwelling to Heritage Tract Dwelling.

4 **Exclusive Farm Use Zoning District EFU**

5 * * *

6 **11.15.2010 Uses Permitted Under Prescribed Conditions**

7 The following uses may be permitted when approved by the Planning Director. These deci-
8 sions of the Planning Director may be appealed pursuant to MCC 11.15.8290 through
9 11.15.8295. The procedures and forms for obtaining approval of a Use Permitted Under Pre-
10 scribed Conditions shall be as provided by the Planning Director.

11 * * *

12 (F) A single family [~~lot or parcel of record~~] heritage tract dwelling may be allowed on land
13 not identified as high-value farmland when:

14 * * *

15 **11.15.2012 Conditional Uses**

16 The following uses may be permitted when approved by the Hearings Officer pursuant to
17 the provisions of MCC .7105 to .7135:

18 * * *

19 (O) A single family [~~lot or parcel of record~~] heritage tract dwelling may be allowed on land
20 identified as high-value farmland when:

21 * * *

22 (P) A single family [~~lot or parcel of record~~] heritage tract dwelling may be allowed on land
23 identified as high-value farmland when:

24 * * *

25 **11.15.2018 Lot, Parcel and Tract Requirement**

26 (A) The Lot, Parcel and Tract requirement shall be applied to all uses in this district except
for Single Family [~~Lot or Parcel of Record~~] Heritage Tract Dwellings: MCC

1 11.15.2010(E), MCC 11.15.2012(O) or MCC 11.15.2012(P). For the purposes of this
2 district, a lot, parcel or tract is defined as:

3 * * *

4
5 Section IV. Amendment of MUA-20, RR, and RC Districts by Adding Provision for Property
6 Line Adjustments and Adding Reference in Land Division Ordinance.

7 **Multiple Use Agriculture Zoning District MUA-20**

8 * * *

9 **11.15.2140 Lots of Exception and Property Line Adjustments**

10 (A) The [~~approval authority~~] Hearings Officer may grant an exception to permit the creation
11 of a lot of less than 20 acres, after October 6, 1977, when in compliance with the re-
12 quirements of MCC .2138(C) to (E). Any exception shall be based on findings that the
13 proposal will:

14 * * *

15 (C) The [~~approval authority~~] Hearings Officer may attach conditions to the approval of any
16 Lot of Exception to insure that the use is consistent with the Comprehensive Plan and
17 the purposes described in MCC .2122.

18 * * *

19 (E) Pursuant to the applicable provisions in the Multnomah County Land Division Ordi-
20 nance, the Planning Director may grant a property line adjustment between two contigu-
21 ous lots or parcels upon finding that the approval criteria in (1) and (2) are met. The in-
22 tent of the criteria is to ensure that the property line adjustment will not increase the po-
23 tential number of lots or parcels in any subsequent land division proposal over that
24 which could occur on the entirety of the combined lot areas before the adjustment.

25 (1) No additional lot or parcel is created; and

26 (2) One of the following situations occurs:

1 (a) The lot or parcel proposed to be reduced in area is larger than 20 acres prior to
2 the adjustment and remains 20 acres or larger in area after the adjustment, or

3 (b) The lot or parcel proposed to be enlarged in area is less than 40 acres in area
4 prior to the adjustment and remains less than 40 acres in area after the adjust-
5 ment.

6
7 **Rural Residential Zoning District RR**

8 * * *

9 **11.15.2220 Lots of Exception and Property Line Adjustments**

10 * * *

11 (E) Pursuant to the applicable provisions in the Multnomah County Land Division Ord-
12 inance, the Planning Director may grant a property line adjustment between two contigu-
13 ous lots or parcels upon finding that the approval criteria in (1) and (2) are met. The in-
14 tent of the criteria is to ensure that the property line adjustment will not increase the po-
15 tential number of lots or parcels in any subsequent land division proposal over that
16 which could occur on the entirety of the combined lot areas before the adjustment.

17 (1) No additional lot or parcel is created; and

18 (2) At least one of the following situations occurs:

19 (a) The lot or parcel proposed to be reduced in area is larger than 5 acres prior to
20 the adjustment and remains 5 acres or larger in area after the adjustment, or

21 (b) The lot or parcel proposed to be enlarged in area is less than 10 acres in area
22 prior to the adjustment and remains less than 10 acres in area after the adjust-
23 ment.

1 **Rural Center Zoning District RC**

2 * * *

3 **11.15.2260 Lots of Exception and Property Line Adjustments**

4 (A) The [~~approval authority~~] Hearings Officer may grant an exception to permit creation of a
5 lot of less than one acre, after October 6, 1977, when in compliance with the dimen-
6 sional requirements of MCC .2258(C) and (E). Any exception shall be based on findings
7 that the proposal will:

8 * * *

9 (C) The [~~approval authority~~] Hearings Officer may attach conditions to the approval of any
10 Lot of Exception to insure that the use is consistent with the Comprehensive Plan and
11 the purposes described in MCC .2242.

12 * * *

13 (E) Pursuant to the applicable provisions in the Multnomah County Land Division Ordi-
14 nance, the Planning Director may grant a property line adjustment between two contigu-
15 ous lots or parcels upon finding that the approval criteria in (1) and (2) are met. The in-
16 tent of the criteria is to ensure that the property line adjustment will not increase the po-
17 tential number of lots or parcels in any subsequent land division proposal over that
18 which could occur on the entirety of the combined lot areas before the adjustment.

19 (1) No additional lot or parcel is created; and

20 (2) At least one of the following situations occurs:

21 (a) The lot or parcel proposed to be reduced in area is larger than 1 acre prior to the
22 adjustment and remains 1 acre or larger in area after the adjustment, or

23 (b) The lot or parcel proposed to be enlarged in area is less than 2 acres in area
24 prior to the adjustment and remains less than 2 acres in area after the adjust-
25 ment.

1 **Land Division Ordinance**

2 * * *

3 **11.45.115 Property Line Adjustment (Lot Line Adjustment)**

4 A property line adjustment is the relocation of a common property line between two abutting
5 properties.

6 * * *

7 (B) The Planning Director may approve a property line adjustment between two properties in
8 the Rural Area where an additional lot or parcel is not created but where one or both of
9 the adjusted properties are below the minimum lot size established by the applicable
10 zoning district designation. Such an adjustment shall comply with any applicable zoning
11 district standards for a [~~Lot of Exception~~] Property Line Adjustment or Lot Line Adjust-
12 ment.

13 * * *

14
15 Section V. Cited WRG Definitions in State Publication Added to WRG Subdistrict.

16 **Willamette River Greenway Subdistrict WRG**

17 * * *

18 **11.15.6356 Definitions**

19 For the purposes of this district, the following terms and their derivations [~~change of use, de-~~
20 ~~velopment, develop, farm use, and intensification,~~] shall have the following meanings as de-
21 fined in paragraph a. of the *Order Adopting Preliminary Willamette River Greenway Plan of*
22 *the Oregon Land Conservation and Development Commission*, dated December 6, 1975:

23 (A) Change of use - means making a different use of the land or water than that which ex-
24 isted on December 6, 1975. It includes a change which requires construction, altera-
25 tions of the land, water or other areas outside of existing buildings or structures and
26 which substantially alters or affects the land or water. It does not include a change of
use of a building or other structure which does not substantially alter or affect the land

1 or water upon which it is situated. Change of use shall not include the completion of a
2 structure for which a valid permit has been issued as of December 6, 1975 and under
3 which permit substantial construction has been undertaken by July 1, 1976. The sale of
4 property is not in itself considered to be a change of use. An existing open storage area
5 shall be considered to be the same as a building. Landscaping, construction of drive-
6 ways, modifications of existing structures, or the construction or placement of such
7 subsidiary structures or facilities as are usual and necessary to the use and enjoyment
8 of existing improvements shall not be considered a change of use for purposes of this
9 order.

10 (B) *Development* - means the act, process or result of developing.

11 (Footnote: The definitions of *develop* and *development* should be read in harmony with
12 the definitions of *intensification* and *change of use* since it is not the intention of the
13 Commission to include in the definitions of *develop* and *development* any of the items
14 excluded specifically from the meanings of *intensification* or *change of use*.)

15 (C) *Develop* - means to bring about growth or availability; to construct or alter a structure,
16 to conduct a mining operation, to make a physical change in the use or appearance of
17 land, to divide land into parcels, or to create or terminate rights of access.

18 (D) *Farm Use* - means (a) "the current employment of land including that portion of such
19 lands under buildings supporting accepted farming practices for the purpose of obtain-
20 ing a profit in money by raising, harvesting and selling crops or by the feeding, breed-
21 ing management and sale of, or the produce of, livestock, poultry, fur-bearing animals
22 or honeybees or for dairying and the sale of dairy products or any other agricultural or
23 horticultural use or animal husbandry or any combination thereof. Farm use includes
24 the preparation and storage of the products raised on such land for man's use and ani-
25 mal use and disposal by marketing or otherwise. It does not include the use of land
26 subject to the provisions of ORS Chapter 321 . . . "

1 It includes, for this purpose, the installation of irrigation pumps, and the use of existing
2 pumps on the banks of the Willamette River, and the construction and use of dwellings
3 customarily provided in conjunction with farm use when such dwellings are located
4 150 feet or more from the ordinary low-water, line of the Willamette River. It also in-
5 cludes the construction and use of buildings other than dwellings customarily provided
6 in conjunction with farm use whether or not within 150 feet of the ordinary low-water
7 line. If a dwelling is destroyed or torn down, it may be replaced in kind with another
8 dwelling even though it is within 150 feet of the ordinary low-water line. (b) "Current
9 employment of land for farm use includes (A) land subject to the soil-bank provisions
10 of the Federal Agricultural Act of 1956, as amended (P.S. 84540, 70 Stat. 188); (B)
11 land lying fallow for one year as a normal and regular requirement of good agricultural
12 husbandry; (C) land planted in orchards or other perennials prior to maturity; and (D)
13 any land constituting a woodlot of less than 20 acres contiguous to and owned by the
14 owner of land specially assessed at true cash value for farm use even if the land con-
15 stituting the woodlot is not utilized in conjunction with farm use." (c) "As used in this
16 subsection, 'accepted farming practice' means a mode of operation that is common to
17 farms of a similar nature, necessary for the operation of such farms to obtain a profit in
18 money, and customarily utilized in conjunction with farm use."

19 (Footnote: The definition of farm use is taken from ORS 215.203(2). The addition to
20 the paragraph relating to farm dwellings is to incorporate the permitted non-farm uses
21 for customary farm dwellings provided in ORS 215.213(1)(e) but modified so as to
22 permit only new farm dwellings which will be 150 feet or more from ordinary low
23 water.)

24 (E) *Intensification* - means any additions which increase or expand the area or amount of
25 an existing use, or the level of activity. Remodeling of the exterior of a structure not
26 excluded below is an intensification when it will substantially alter the appearance of
the structure. Intensification shall not include the completion of a structure for which a

1 valid permit has been issued as of December 6, 1975 and under which permit substan-
2 tial construction has been undertaken by July 1, 1976. Maintenance and repair usual
3 and necessary for the continuance of an existing use is not an intensification of use.
4 Reasonable emergency procedures necessary for the safety or protection of property are
5 not an intensification of use. Residential use of land within the Greenway includes the
6 practices and activities customarily related to the use and enjoyment of one's home.
7 Landscaping, construction of driveways, modification of existing structures, or con-
8 struction or placement of such subsidiary structures or facilities adjacent to the resi-
9 dence as are usual and necessary to such use and enjoyment shall not be considered an
10 intensification for the purposes of this order. Seasonal increases in gravel operations
11 shall not be considered an intensification of use.

12
13 Section VI. Deletion of Superseded Subsection and Add Reference to GIS Mapping.

14 **Significant Environmental Concern Zoning Subdistrict SEC**

15 * * *

16 **11.15.6406 Exceptions**

17 An SEC permit shall not be required for the following:

18 * * *

19 (B) [~~Except as provided in MCC .6420(C), †~~] The propagation of timber or the cutting of
20 timber for public safety or personal use or the cutting of timber in accordance with the
21 State Forest Practices Act;

22 * * *

23 **11.15.6409 Applicable Approval Criteria**

24 (A) The approval criteria in MCC .6420 shall apply to those areas designated SEC on the
25 Multnomah County zoning maps.

26 (B) The approval criteria that apply to uses in areas designated SEC-w, SEC-v, SEC-h and
SEC-s on Multnomah County zoning maps shall be based on the type of protected re-

1 sources on the property, as indicated by the subscript letter in the zoning designation, as
2 follows:

3	zoning	approval
4	designation	criteria
5		
6		
7	SEC-w (wetlands)	MCC .6422
8	SEC-v (scenic views)	MCC .6424
9	SEC-h (wildlife habitat)	MCC .6426
10	SEC-s (streams)	MCC .6428

11

12 (1) The zoning maps used to designate the SEC-s zoning subdistrict were created digi-
13 tally by interpreting various data sources including the hand drawn maps contained
14 in the Goal 5 ESEE report. Care was taken in the creation of the maps, but in some
15 instances mapping inaccuracies have occurred during the process. For those areas
16 included in Ordinance 830 (West Hills Rural Area Plan), the Stream Conservation
17 Area designated on the zoning maps as SEC-s is an area extending 300 feet from
18 the nearest point on the centerline on both sides of the protected stream. In the
19 event of a mapping inconsistency, the SEC-s zoning subdistrict shall be interpreted
20 to be the defined Stream Conservation Area.

21 (2) A Geographic Information System (GIS) map layer depicting the SEC-s subdistrict
22 shall, as it is completed, be the zoning map utilized for implementation of the SEC-
23 s subdistrict and shall supercede all respective adopted paper maps. That GIS layer
24 may be periodically modified to employ the best available electronic information.

25 * * *

1 Section VII. Update Title to Erosion Control Publication.

2 **Hillside Development and Erosion Control HD**

3 * * *

4 **11.15.6730 Grading and Erosion Control Standards**

5 Approval of development plans on sites subject to a Hillside Development Permit shall be
6 based on findings that the proposal adequately addresses the following standards. Conditions
7 of approval may be imposed to assure the design meets the standards:

8 (A) Design Standards For Grading and Erosion Control

9 * * *

10 (2) Erosion Control Standards

11 (a) On sites within the Tualatin River Drainage Basin, erosion and stormwater
12 control plans shall satisfy the requirements of OAR 340. Erosion and stormwa-
13 ter control plans shall be designed to perform as prescribed by the currently
14 adopted edition of the "Erosion Prevention & Sediment Control Plans Techni-
15 cal Guidance Handbook (1994)" and the "~~Surface Water Quality Facilities~~
16 ~~Technical Guidance Handbook~~ City of Portland Stormwater Quality Facili-
17 ties, A Design Guidance Manual (1995)". Land-disturbing activities within the
18 Tualatin Basin shall provide a 100-foot undisturbed buffer from the top of the
19 bank of a stream, or the ordinary high watermark (line of vegetation) of a water
20 body, or within 100-feet of a wetland; unless a mitigation plan consistent with
21 OAR 340 is approved for alterations within the buffer area.

22 * * *

23 (e) Whenever feasible, natural vegetation shall be retained, protected, and supple-
24 mented;

25 * * *

26 (ii) The buffer required in (i) may only be disturbed upon the approval of a
mitigation plan which utilizes erosion and stormwater control features de-

signed to perform as effectively as those prescribed in the currently adopted edition of the "Erosion Prevention & Sediment Control Plans Technical Guidance Handbook (1994)" and the "~~Surface Water Quality Facilities Technical Guidance Handbook~~ City of Portland Stormwater Quality Facilities, A Design Guidance Manual (1995)", and which is consistent with attaining equivalent surface water quality standards as those established for the Tualatin River Drainage Basin in OAR 340;

* * *

§ 29.305 GRADING AND EROSION CONTROL PERMIT STANDARDS.

* * *

(A) Design standards for grading and erosion control.

* * *

(2) Erosion control standards.

(a) On sites within the Tualatin River Drainage Basin, erosion and stormwater control plans shall satisfy the requirements of OAR 340. Erosion and stormwater control plans shall be designed to perform as prescribed by the currently adopted edition of the "Erosion Prevention & Sediment Control Plans Technical Guidance Handbook (1994)" and the "~~Surface Water Quality Facilities Technical Guidance Handbook~~ City of Portland Stormwater Quality Facilities, A Design Guidance Manual (1995)". Land-disturbing activities within the Tualatin Basin shall provide a 100-foot undisturbed buffer from the top of the bank of a stream, or the ordinary high watermark (line of vegetation) of a water body, or within 100-feet of a wetland; unless a mitigation plan consistent with OAR 340 is approved for alterations within the buffer area.

* * *

(e) Whenever feasible, natural vegetation shall be retained, protected, and supplemented;

1 **11.15.6835 Solar Balance Point Provisions**

2 The purposes of these provisions are to promote the use of solar energy, to minimize shading
3 of structures by structures and accessory structures, and, where applicable, to minimize
4 shading of structures by trees. Decisions related to these provisions are intended to be minis-
5 terial.

6 **11.15.6840 Applicability [Building Permit]**

7 This ordinance applies to an application for a building permit for all structures in LR-40, LR-
8 30, LR-20, LR-10, LR-7.5, LR-7, LR-5, R-40, R-30, R-20, R-10, R-7 zones, and all single
9 family detached structures in any urban zone, except to the extent the approval authority
10 finds the applicant has shown that one or more of the conditions listed in Sections .6855 or
11 .6858 exists, and exemptions or adjustments provided therein are warranted. In addition, non
12 exempt vegetation planted on lots subject to the provisions of Section .6825 of the Solar Ac-
13 cess Provisions for New Development shall comply with the shade point height standards as
14 provided in Sections .6850 and .6855 of this ordinance.

15 * * *

16 **11.15.6875 Solar Access Permit Provisions**

17 The purpose of the following sections is to protect solar access features on lots designated or
18 used for a single family detached dwelling under some circumstances. It authorizes owners of
19 such lots to apply for a permit that, if granted, prohibits solar features from being shaded by
20 certain future vegetation on and off the permittees site.

21 **11.15.6878 Applicability [Property Owner Request]**

22 An owner or contract purchaser of property may apply for and/or be subject to a solar access
23 permit for a solar feature if that property is in a LR-40, LR-30, LR-20, LR-10, LR-7.5, LR-7,
24 LR-5, R-40, R-30, R-20, R-10, R-7 zone, or is or will be developed with a single family
25 dwelling in any urban zone. The county's decision whether or not to grant a solar access per-
26 mit is intended to be ministerial.

* * *

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Section IX. Extension of Time Limit Before Variance is Void and Remove Exemption From Public Notice Requirement.

11.15.8505 Variance Approval Criteria

* * *

(B) A variance shall be void if the Planning Director finds that no substantial construction or substantial expenditure of funds has occurred on the affected property within [~~18 months~~] two years after the variance is granted. That determination shall be processed as follows:

* * *

11.15.8515 Variance Classification

* * *

(B) A Minor Variance is one that is within 25 percent of an applicable dimensional requirement. The Planning Director is authorized to grant a Minor Variance in accordance with the following procedures and conditions:

* * *

1 (4) The Planning Director may, without [~~notice or~~] hearing, grant the variance for
2 which the application is made and may attach reasonable conditions thereto.

3 * * *

4
5 Section X. Adoption.

6
7 Approved this _____ day of _____, 199__ being the date of its
8 _____ reading before the Board of County Commissioners of Multnomah County,
9 Oregon.

10 BOARD OF COUNTY COMMISSIONERS
11 MULTNOMAH COUNTY, OREGON

12
13
14
15
16 By _____

17 Beverly Stein, Chair

18
19 REVIEWED:

20 THOMAS SPONSLER, COUNTY COUNSEL

21 for MULTNOMAH COUNTY, OREGON

22
23 By Jeffrey B. Litwak

24 Jeffrey B. Litwak, Assistant County Counsel

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR MULTNOMAH COUNTY, OREGON

ORDINANCE NO. _____

An Ordinance amending MCC 11.15, MCC 11.45 and MCC § 29.305 to enact eight "housekeeping" amendments that update, clarify, or correct certain zoning and building code provisions.

(Language in brackets and ~~struckthrough~~ is to be deleted; underlined language is new.)

Multnomah County Ordains as follows:

Section I. Findings.

(A) Periodically, there is a need to amend code language to recognize new technology, clarify wording, add missing provisions, and correct minor reference errors. The following eight amendments have been found by the Planning Commission to be of such a minor nature that it is appropriate to group them together in one "housekeeping" ordinance.

(B) Included are amendments that: reflect the increasing use of the Geographic Information System (GIS) as a planning tool for mapping; change a term used in the EFU district to match one used in the CFU district; add the full text of a definition that was only cited but not included in the WRG overlay district; clarify where the solar access provisions apply; add property line adjustment language to the only three rural zoning districts that do not already contain that type of provision; extend the time deadline for substantial construction of a project to keep a variance approval decision from expiring; and various updates and corrections are made to cited publications and outdated code cross references.

1 (C) Public hearings were held before the Planning Commission on October 19, 1998 and
2 February 8, 1999 where all interested persons were given the opportunity to appear and be
3 heard.

4 (D) The nature of these land use code amendments are such that this ordinance does not limit or
5 prohibit uses on a landowner's property over that which exists in the code prior to
6 enactment. In particular, the extending of the time frame for construction to keep a variance
7 from expiring and the addition of a provision allowing property line adjustments to occur in
8 the MUA-20, RR, and RC zoning districts are allowing less time constraints and more
9 property configuration options to a property owner. Therefore, a finding is made that this
10 ordinance is not subject to the notice requirements contained in the commonly referred to
11 Measure 56.

12
13 Section II. Amendment of Zoning Map Description to Add Reference to GIS Maps.

14 **11.15.1010 Zoning Map**

15 (A) The designations, locations and boundaries of the respective districts and certain combi-
16 nations thereof described in this Chapter are established as shown by appropriate color
17 designations, symbol or short title identification upon the *Multnomah County Zoning*
18 *Map*. The Zoning Map [which] consists of a series of bound and indexed Sectional Zon-
19 ing Maps numbered sheets 1 through 828 until such time as the districts and subdistricts
20 depicted on each respective Sectional Zoning Map are replaced by maps generated as
21 electronic layers within a Geographic Information System (GIS). All GIS Zoning Maps
22 replacing the Sectional Zoning Maps shall be legislatively adopted. The GIS-generated
23 Zoning Maps depicting districts and subdistricts shall be periodically readopted to reflect
24 more accurate mapping information as it becomes available. The Zoning Map and all per-
25 tinent information shown thereon is incorporated herein and is to be deemed as much a
26 part of this Chapter as if fully setforth; however, if a conflict appears between the Zoning

1 Map and the written portion of this Chapter, the written portion shall control.

2 (B) A paper version of t[F]he Zoning Map and each amendment thereto shall be and remain
3 on file in the office of the Director of the Department of Environmental Services.

4 * * *

5
6 Section III. Amendment of EFU District to Change Name for Lot or Parcel of Record
7 Dwelling to Heritage Tract Dwelling.

8 **Exclusive Farm Use Zoning District EFU**

9 * * *

10 **11.15.2010 Uses Permitted Under Prescribed Conditions**

11 The following uses may be permitted when approved by the Planning Director. These deci-
12 sions of the Planning Director may be appealed pursuant to MCC 11.15.8290 through
13 11.15.8295. The procedures and forms for obtaining approval of a Use Permitted Under Pre-
14 scribed Conditions shall be as provided by the Planning Director.

15 * * *

16 (F) A single family [~~lot or parcel of record~~] heritage tract dwelling may be allowed on land
17 not identified as high-value farmland when:

18 * * *

19 **11.15.2012 Conditional Uses**

20 The following uses may be permitted when approved by the Hearings Officer pursuant to the
21 provisions of MCC .7105 to .7135:

22 * * *

23 (O) A single family [~~lot or parcel of record~~] heritage tract dwelling may be allowed on land
24 identified as high-value farmland when:

25 * * *

26 (P) A single family [~~lot or parcel of record~~] heritage tract dwelling may be allowed on land

1 identified as high-value farmland when:

2 * * *

3 **11.15.2018 Lot, Parcel and Tract Requirement**

4 (A) The Lot, Parcel and Tract requirement shall be applied to all uses in this district except
5 for Single Family [~~Lot or Parcel of Record~~] Heritage Tract Dwellings: MCC
6 11.15.2010(E), MCC 11.15.2012(O) or MCC 11.15.2012(P). For the purposes of this
7 district, a lot, parcel or tract is defined as:

8 * * *

9
10 Section IV. Amendment of MUA-20, RR, and RC Districts by Adding Provision for Property
11 Line Adjustments and Adding Reference in Land Division Ordinance.

12 **Multiple Use Agriculture Zoning District MUA-20**

13 * * *

14 **11.15.2140 Lots of Exception and Property Line Adjustments**

15 (A) The [~~approval authority~~] Hearings Officer may grant an exception to permit the creation
16 of a lot of less than 20 acres, after October 6, 1977, when in compliance with the re-
17 quirements of MCC .2138(C) to (E). Any exception shall be based on findings that the
18 proposal will:

19 * * *

20 (C) The [~~approval authority~~] Hearings Officer may attach conditions to the approval of any
21 Lot of Exception to insure that the use is consistent with the Comprehensive Plan and the
22 purposes described in MCC .2122.

23 * * *

24 (E) Pursuant to the applicable provisions in the Multnomah County Land Division Ordinance,
25 the Planning Director may grant a property line adjustment between two contiguous lots
26 or parcels upon finding that the approval criteria in (1) and (2) are met. The intent of the

1 criteria is to ensure that the property line adjustment will not increase the potential num-
2 ber of lots or parcels in any subsequent land division proposal over that which could oc-
3 cur on the entirety of the combined lot areas before the adjustment.

4 (1) No additional lot or parcel is created; and

5 (2) One of the following situations occurs:

6 (a) The lot or parcel proposed to be reduced in area is larger than 20 acres prior to
7 the adjustment and remains 20 acres or larger in area after the adjustment, or

8 (b) The lot or parcel proposed to be enlarged in area is less than 40 acres in area
9 prior to the adjustment and remains less than 40 acres in area after the adjust-
10 ment.

11
12 **Rural Residential Zoning District RR**

13 * * *

14 **11.15.2220 Lots of Exception and Property Line Adjustments**

15 * * *

16 (E) Pursuant to the applicable provisions in the Multnomah County Land Division Ordinance,
17 the Planning Director may grant a property line adjustment between two contiguous lots
18 or parcels upon finding that the approval criteria in (1) and (2) are met. The intent of the
19 criteria is to ensure that the property line adjustment will not increase the potential num-
20 ber of lots or parcels in any subsequent land division proposal over that which could oc-
21 cur on the entirety of the combined lot areas before the adjustment.

22 (1) No additional lot or parcel is created; and

23 (2) At least one of the following situations occurs:

24 (a) The lot or parcel proposed to be reduced in area is larger than 5 acres prior to
25 the adjustment and remains 5 acres or larger in area after the adjustment, or
26

1 **(b) The lot or parcel proposed to be enlarged in area is less than 10 acres in area**
2 **prior to the adjustment and remains less than 10 acres in area after the adjust-**
3 **ment.**

4
5 **Rural Center Zoning District RC**

6 * * *

7 **11.15.2260 Lots of Exception and Property Line Adjustments**

8 (A) The [~~approval authority~~] **Hearings Officer** may grant an exception to permit creation of a
9 lot of less than one acre, after October 6, 1977, when in compliance with the dimensional
10 requirements of MCC .2258(C) and (E). Any exception shall be based on findings that
11 the proposal will:

12 * * *

13 (C) The [~~approval authority~~] **Hearings Officer** may attach conditions to the approval of any
14 Lot of Exception to insure that the use is consistent with the Comprehensive Plan and the
15 purposes described in MCC .2242.

16 * * *

17 **(E) Pursuant to the applicable provisions in the Multnomah County Land Division Ordinance,**
18 **the Planning Director may grant a property line adjustment between two contiguous lots**
19 **or parcels upon finding that the approval criteria in (1) and (2) are met. The intent of the**
20 **criteria is to ensure that the property line adjustment will not increase the potential num-**
21 **ber of lots or parcels in any subsequent land division proposal over that which could oc-**
22 **cur on the entirety of the combined lot areas before the adjustment.**

23 **(1) No additional lot or parcel is created; and**

24 **(2) At least one of the following situations occurs:**

25 **(a) The lot or parcel proposed to be reduced in area is larger than 1 acre prior to the**
26 **adjustment and remains 1 acre or larger in area after the adjustment, or**

1 **(b) The lot or parcel proposed to be enlarged in area is less than 2 acres in area**
2 **prior to the adjustment and remains less than 2 acres in area after the adjust-**
3 **ment.**

4
5 **Land Division Ordinance**

6 * * *

7 **11.45.115 Property Line Adjustment (Lot Line Adjustment)**

8 A property line adjustment is the relocation of a common property line between two abutting
9 properties.

10 * * *

11 **(B) The Planning Director may approve a property line adjustment between two properties in**
12 **the Rural Area where an additional lot or parcel is not created but where one or both of**
13 **the adjusted properties are below the minimum lot size established by the applicable zon-**
14 **ing district designation. Such an adjustment shall comply with any applicable zoning dis-**
15 **trict standards for a [~~Lot of Exception~~] Property Line Adjustment or Lot Line Adjust-**
16 **ment.**

17 * * *

18
19 **Section V. Cited WRG Definitions in State Publication Added to WRG Subdistrict.**

20 **Willamette River Greenway Subdistrict WRG**

21 * * *

22 **11.15.6356 Definitions**

23 For the purposes of this district, the following terms and their derivations [~~change of use, de-~~
24 ~~velopment, develop, farm use, and intensification,~~] shall have the following meanings as de-
25 fined in paragraph a. of the *Order Adopting Preliminary Willamette River Greenway Plan of*
26 *the Oregon Land Conservation and Development Commission*, dated December 6, 1975:

1 (A) Change of use - means making a different use of the land or water than that which ex-
2 isted on December 6, 1975. It includes a change which requires construction, alterations
3 of the land, water or other areas outside of existing buildings or structures and which
4 substantially alters or affects the land or water. It does not include a change of use of a
5 building or other structure which does not substantially alter or affect the land or water
6 upon which it is situated. Change of use shall not include the completion of a structure
7 for which a valid permit has been issued as of December 6, 1975 and under which per-
8 mit substantial construction has been undertaken by July 1, 1976. The sale of property is
9 not in itself considered to be a change of use. An existing open storage area shall be
10 considered to be the same as a building. Landscaping, construction of driveways, modi-
11 fications of existing structures, or the construction or placement of such subsidiary
12 structures or facilities as are usual and necessary to the use and enjoyment of existing
13 improvements shall not be considered a change of use for purposes of this order.

14 (B) Development - means the act, process or result of developing.

15 (Footnote: The definitions of *develop* and *development* should be read in harmony with
16 the definitions of *intensification* and *change of use* since it is not the intention of the
17 Commission to include in the definitions of *develop* and *development* any of the items
18 excluded specifically from the meanings of *intensification* or *change of use*.)

19 (C) Develop - means to bring about growth or availability; to construct or alter a structure,
20 to conduct a mining operation, to make a physical change in the use or appearance of
21 land, to divide land into parcels, or to create or terminate rights of access.

22 (D) Farm Use - means (a) "the current employment of land including that portion of such
23 lands under buildings supporting accepted farming practices for the purpose of obtain-
24 ing a profit in money by raising, harvesting and selling crops or by the feeding, breeding
25 management and sale of, or the produce of, livestock, poultry, fur-bearing animals or
26 honeybees or for dairying and the sale of dairy products or any other agricultural or

1 horticultural use or animal husbandry or any combination thereof. Farm use includes the
2 preparation and storage of the products raised on such land for man's use and animal
3 use and disposal by marketing or otherwise. It does not include the use of land subject
4 to the provisions of ORS Chapter 321 "

5 It includes, for this purpose, the installation of irrigation pumps, and the use of existing
6 pumps on the banks of the Willamette River, and the construction and use of dwellings
7 customarily provided in conjunction with farm use when such dwellings are located 150
8 feet or more from the ordinary low-water, line of the Willamette River. It also includes
9 the construction and use of buildings other than dwellings customarily provided in con-
10 junction with farm use whether or not within 150 feet of the ordinary low-water line. If
11 a dwelling is destroyed or torn down, it may be replaced in kind with another dwelling
12 even though it is within 150 feet of the ordinary low-water line. (b) "Current employ-
13 ment of land for farm use includes (A) land subject to the soil-bank provisions of the
14 Federal Agricultural Act of 1956, as amended (P.S. 84540, 70 Stat. 188); (B) land lying
15 fallow for one year as a normal and regular requirement of good agricultural husbandry;
16 (C) land planted in orchards or other perennials prior to maturity; and (D) any land con-
17 stituting a woodlot of less than 20 acres contiguous to and owned by the owner of land
18 specially assessed at true cash value for farm use even if the land constituting the
19 woodlot is not utilized in conjunction with farm use." (c) "As used in this subsection,
20 'accepted farming practice' means a mode of operation that is common to farms of a
21 similar nature, necessary for the operation of such farms to obtain a profit in money, and
22 customarily utilized in conjunction with farm use."

23 (Footnote: The definition of farm use is taken from ORS 215.203(2). The addition to
24 the paragraph relating to farm dwellings is to incorporate the permitted non-farm uses
25 for customary farm dwellings provided in ORS 215.213(1)(e) but modified so as to
26

1 permit only new farm dwellings which will be 150 feet or more from ordinary low wa-
2 ter.)

3 (E) Intensification - means any additions which increase or expand the area or amount of an
4 existing use, or the level of activity. Remodeling of the exterior of a structure not ex-
5 cluded below is an intensification when it will substantially alter the appearance of the
6 structure. Intensification shall not include the completion of a structure for which a valid
7 permit has been issued as of December 6, 1975 and under which permit substantial con-
8 struction has been undertaken by July 1, 1976. Maintenance and repair usual and neces-
9 sary for the continuance of an existing use is not an intensification of use. Reasonable
10 emergency procedures necessary for the safety or protection of property are not an in-
11 tensification of use. Residential use of land within the Greenway includes the practices
12 and activities customarily related to the use and enjoyment of one's home. Landscaping,
13 construction of driveways, modification of existing structures, or construction or
14 placement of such subsidiary structures or facilities adjacent to the residence as are
15 usual and necessary to such use and enjoyment shall not be considered an intensification
16 for the purposes of this order. Seasonal increases in gravel operations shall not be con-
17 sidered an intensification of use.

18
19 Section VI. Deletion of Superseded Subsection and Amend Description of SEC-s Zone Map.

20 **Significant Environmental Concern Zoning Subdistrict SEC**

21 * * *

22 **11.15.6406 Exceptions**

23 An SEC permit shall not be required for the following:

24 * * *

25 (B) [~~Except as provided in MCC .6420(C), †~~] The propagation of timber or the cutting of
26 timber for public safety or personal use or the cutting of timber in accordance with the

1 State Forest Practices Act;

2 * * *

3 **11.15.6409 Applicable Approval Criteria**

4 (A) The approval criteria in MCC .6420 shall apply to those areas designated SEC on the
5 Multnomah County zoning maps.

6 (B) The approval criteria that apply to uses in areas designated SEC-w, SEC-v, SEC-h and
7 SEC-s on Multnomah County zoning maps shall be based on the type of protected re-
8 sources on the property, as indicated by the subscript letter in the zoning designation, as
9 follows:

zoning designation	approval criteria
SEC-w (wetlands)	MCC .6422
SEC-v (scenic views)	MCC .6424
SEC-h (wildlife habitat)	MCC .6426
SEC-s (streams)	MCC .6428

17 The zoning maps used to designate the SEC-s zoning subdistrict were created digi-
18 tally by interpreting various data sources including the hand drawn maps contained
19 in the Goal 5 ESEE report. Care was taken in the creation of the maps, but in some
20 instances mapping inaccuracies have occurred during the process. For those areas
21 included in Ordinance 830 (West Hills Rural Area Plan), the Stream Conservation
22 Area designated on the zoning maps as SEC-s is an area extending 300 feet from the
23 nearest point on the centerline on both sides of the protected stream. In the event of
24 a mapping inconsistency, the SEC-s zoning subdistrict shall be interpreted to be the
25 defined Stream Conservation Area.

26 * * *

1
2 Section VII. Update Title to Erosion Control Publication.

3 **Hillside Development and Erosion Control HD**

4 * * *

5 **11.15.6730 Grading and Erosion Control Standards**

6 Approval of development plans on sites subject to a Hillside Development Permit shall be
7 based on findings that the proposal adequately addresses the following standards. Conditions
8 of approval may be imposed to assure the design meets the standards:

9 (A) Design Standards For Grading and Erosion Control

10 * * *

11 (2) Erosion Control Standards

12 (a) On sites within the Tualatin River Drainage Basin, erosion and stormwater con-
13 trol plans shall satisfy the requirements of OAR 340. Erosion and stormwater
14 control plans shall be designed to perform as prescribed by the currently adopted
15 edition of the "Erosion Prevention & Sediment Control Plans Technical Guid-
16 ance Handbook (1994)" and the "~~Surface Water Quality Facilities Technical~~
17 ~~Guidance Handbook]~~ City of Portland Stormwater Quality Facilities, A Design
18 Guidance Manual (1995)". Land-disturbing activities within the Tualatin Basin
19 shall provide a 100-foot undisturbed buffer from the top of the bank of a stream,
20 or the ordinary high watermark (line of vegetation) of a water body, or within
21 100-feet of a wetland; unless a mitigation plan consistent with OAR 340 is ap-
22 proved for alterations within the buffer area.

23 * * *

24 (e) Whenever feasible, natural vegetation shall be retained, protected, and supple-
25 mented;

26 * * *

1 (ii) The buffer required in (i) may only be disturbed upon the approval of a miti-
2 gation plan which utilizes erosion and stormwater control features designed
3 to perform as effectively as those prescribed in the currently adopted edition
4 of the "Erosion Prevention & Sediment Control Plans Technical Guidance
5 Handbook (1994)" and the "[Surface Water Quality Facilities Technical
6 Guidance Handbook] City of Portland Stormwater Quality Facilities, A
7 Design Guidance Manual (1995)", and which is consistent with attaining
8 equivalent surface water quality standards as those established for the Tu-
9 alatin River Drainage Basin in OAR 340;

10 * * *

11
12 **§ 29.305 GRADING AND EROSION CONTROL PERMIT STANDARDS.**

13 * * *

14 **(A) *Design standards for grading and erosion control.***

15 * * *

16 **(2) *Erosion control standards.***

17 (a) On sites within the Tualatin River Drainage Basin, erosion and
18 stormwater control plans shall satisfy the requirements of OAR 340. Erosion and stormwater
19 control plans shall be designed to perform as prescribed by the currently adopted edition of the
20 "Erosion Prevention & Sediment Control Plans Technical Guidance Handbook (1994)" and the
21 "[Surface Water Quality Facilities Technical Guidance Handbook] City of Portland Stormwater
22 Quality Facilities, A Design Guidance Manual (1995)". Land-disturbing activities within the
23 Tualatin Basin shall provide a 100-foot undisturbed buffer from the top of the bank of a stream,
24 or the ordinary high watermark (line of vegetation) of a water body, or within 100-feet of a
25 wetland; unless a mitigation plan consistent with OAR 340 is approved for alterations within the
26 buffer area.

1 * * *

2 (e) Whenever feasible, natural vegetation shall be retained, protected, and
3 supplemented;

4 2. The buffer required in subsection (e)1. may only be disturbed
5 upon the approval of a mitigation plan which utilizes erosion and stormwater control features
6 designed to perform as effectively as those prescribed in the currently adopted edition of the
7 "Erosion Prevention & Sediment Control Plans Technical Guidance Handbook (1994)" and the
8 "[Surface Water Quality Facilities Technical Guidance Handbook] City of Portland Stormwater
9 Quality Facilities, A Design Guidance Manual (1995)" and which is consistent with attaining
10 equivalent surface water quality standards as those established for the Tualatin River Drainage
11 Basin in OAR 340;

12 * * *

13
14 Section VIII. Clarify That Solar Access Requirements Apply Only in Urban Zoning Districts.
15 **PROVISIONS FOR LAND DIVISIONS, BUILDING PERMITS & ACCESS PERMITS –**
16 **SOLAR ACCESS**

17 **11.15.6805 Purpose**

18 The purposes of the solar access provisions for new development are to ensure that land in
19 the urban portions of Multnomah County is divided so that structures can be oriented to
20 maximize solar access and to minimize shade on adjoining properties from structures and
21 trees.

22 **11.15.6810 Applicability [Land Divisions]**

23 The solar design standard in Section .6815 shall apply to applications for a development to
24 create lots in LR-40, LR-30, LR-20, LR-10, LR-7.5, LR-7, LR-5, R-40, R-30, R-20, R-10,
25 and R-7 zones and for single family detached dwellings in any urban zone, except to the ex-
26 tent the approval authority finds that the applicant has shown one or more of the conditions

1 listed in Sections .6820 and .6822 exist, and exemptions or adjustments provided for therein
2 are warranted.

3 * * *

4
5 **11.15.6835 Solar Balance Point Provisions**

6 The purposes of these provisions are to promote the use of solar energy, to minimize shading
7 of structures by structures and accessory structures, and, where applicable, to minimize shad-
8 ing of structures by trees. Decisions related to these provisions are intended to be ministerial.

9 **11.15.6840 Applicability [Building Permit]**

10 This ordinance applies to an application for a building permit for all structures in LR-40, LR-
11 30, LR-20, LR-10, LR-7.5, LR-7, LR-5, R-40, R-30, R-20, R-10, R-7 zones, and all single
12 family detached structures in any urban zone, except to the extent the approval authority finds
13 the applicant has shown that one or more of the conditions listed in Sections .6855 or .6858
14 exists, and exemptions or adjustments provided therein are warranted. In addition, non ex-
15 empt vegetation planted on lots subject to the provisions of Section .6825 of the Solar Access
16 Provisions for New Development shall comply with the shade point height standards as pro-
17 vided in Sections .6850 and .6855 of this ordinance.

18 * * *

19 **11.15.6875 Solar Access Permit Provisions**

20 The purpose of the following sections is to protect solar access features on lots designated or
21 used for a single family detached dwelling under some circumstances. It authorizes owners of
22 such lots to apply for a permit that, if granted, prohibits solar features from being shaded by
23 certain future vegetation on and off the permittees site.

24 **11.15.6878 Applicability [Property Owner Request]**

25 An owner or contract purchaser of property may apply for and/or be subject to a solar access
26 permit for a solar feature if that property is in a LR-40, LR-30, LR-20, LR-10, LR-7.5, LR-7,

1 LR-5, R-40, R-30, R-20, R-10, R-7 zone, or is or will be developed with a single family
2 dwelling in any urban zone. The county's decision whether or not to grant a solar access per-
3 mit is intended to be ministerial.

4 * * *

5
6 Section IX. Extension of Time Limit Before Variance is Void and Remove Exemption From
7 Public Notice Requirement.

8 **11.15.8505 Variance Approval Criteria**

9 * * *

10 (B) A variance shall be void if the Planning Director finds that no substantial construction or
11 substantial expenditure of funds has occurred on the affected property within [~~18 months~~]
12 two years after the variance is granted. That determination shall be processed as follows:

13 * * *

14 **11.15.8515 Variance Classification**

15 * * *

16 (B) A Minor Variance is one that is within 25 percent of an applicable dimensional require-
17 ment. The Planning Director is authorized to grant a Minor Variance in accordance with
18 the following procedures and conditions:

19 * * *

1 (4) The Planning Director may, without [~~notice of~~] hearing, grant the variance for
2 which the application is made and may attach reasonable conditions thereto.

3 * * *

4
5 Section X. Adoption.

6
7 Approved this 15th day of April, 1999 being the date of its second reading before the
8 Board of County Commissioners of Multnomah County, Oregon.

9
10 BOARD OF COUNTY COMMISSIONERS
11 FOR MULTNOMAH COUNTY, OREGON

12
13
14 By _____
15 Beverly Stein, Chair

16
17 REVIEWED:
18 THOMAS SPONSLER, COUNTY COUNSEL
19 for MULTNOMAH COUNTY, OREGON

20
21 By Jeffrey B. Litwak
22 Jeffrey B. Litwak, Assistant County Counsel

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON
ORDINANCE NO. 932

An Ordinance amending MCC 11.15, MCC 11.45 and MCC § 29.305 to enact eight “housekeeping” amendments that update, clarify, or correct certain zoning and building code provisions.

(Language in brackets and ~~struckthrough~~ is to be deleted; underlined language is new.)

Multnomah County Ordains as follows:

Section I. Findings.

(A) Periodically, there is a need to amend code language to recognize new technology, clarify wording, add missing provisions, and correct minor reference errors. The following eight amendments have been found by the Planning Commission to be of such a minor nature that it is appropriate to group them together in one “housekeeping” ordinance.

(B) Included are amendments that: reflect the increasing use of the Geographic Information System (GIS) as a planning tool for mapping; change a term used in the EFU district to match one used in the CFU district; add the full text of a definition that was only cited but not included in the WRG overlay district; clarify where the solar access provisions apply; add property line adjustment language to the only three rural zoning districts that do not already contain that type of provision; extend the time deadline for substantial construction of a project to keep a variance approval decision from expiring; and various updates and corrections are made to cited publications and outdated code cross references.

1 (C) Public hearings were held before the Planning Commission on October 19, 1998 and
2 February 8, 1999 where all interested persons were given the opportunity to appear and be
3 heard.

4 (D) The nature of these land use code amendments are such that this ordinance does not limit or
5 prohibit uses on a landowner's property over that which exists in the code prior to
6 enactment. In particular, the extending of the time frame for construction to keep a variance
7 from expiring and the addition of a provision allowing property line adjustments to occur in
8 the MUA-20, RR, and RC zoning districts are allowing less time constraints and more
9 property configuration options to a property owner. Therefore, a finding is made that this
10 ordinance is not subject to the notice requirements contained in the commonly referred to
11 Measure 56.

12
13 Section II. Amendment of Zoning Map Description to Add Reference to GIS Maps.

14 **11.15.1010 Zoning Map**

15 (A) The designations, locations and boundaries of the respective districts and certain combi-
16 nations thereof described in this Chapter are established as shown by appropriate color
17 designations, symbol or short title identification upon the *Multnomah County Zoning*
18 *Map*. The Zoning Map [which] consists of a series of bound and indexed Sectional Zon-
19 ing Maps numbered sheets 1 through 828 until such time as the districts and subdistricts
20 depicted on each respective Sectional Zoning Map are replaced by maps generated as
21 electronic layers within a Geographic Information System (GIS). All GIS Zoning Maps
22 replacing the Sectional Zoning Maps shall be legislatively adopted. The GIS-generated
23 Zoning Maps depicting districts and subdistricts shall be periodically readopted to reflect
24 more accurate mapping information as it becomes available. The Zoning Map and all per-
25 tinent information shown thereon is incorporated herein and is to be deemed as much a
26 part of this Chapter as if fully setforth; however, if a conflict appears between the Zoning

1 Map and the written portion of this Chapter, the written portion shall control.

2 (B) A paper version of t[F]he Zoning Map and each amendment thereto shall be and remain
3 on file in the office of the Director of the Department of Environmental Services.

4 * * *

5
6 Section III. Amendment of EFU District to Change Name for Lot or Parcel of Record
7 Dwelling to Heritage Tract Dwelling.

8 **Exclusive Farm Use Zoning District EFU**

9 * * *

10 **11.15.2010 Uses Permitted Under Prescribed Conditions**

11 The following uses may be permitted when approved by the Planning Director. These deci-
12 sions of the Planning Director may be appealed pursuant to MCC 11.15.8290 through
13 11.15.8295. The procedures and forms for obtaining approval of a Use Permitted Under Pre-
14 scribed Conditions shall be as provided by the Planning Director.

15 * * *

16 (F) A single family [~~lot or parcel of record~~] heritage tract dwelling may be allowed on land
17 not identified as high-value farmland when:

18 * * *

19 **11.15.2012 Conditional Uses**

20 The following uses may be permitted when approved by the Hearings Officer pursuant to the
21 provisions of MCC .7105 to .7135:

22 * * *

23 (O) A single family [~~lot or parcel of record~~] heritage tract dwelling may be allowed on land
24 identified as high-value farmland when:

25 * * *

26 (P) A single family [~~lot or parcel of record~~] heritage tract dwelling may be allowed on land

1 identified as high-value farmland when:

2 * * *

3 **11.15.2018 Lot, Parcel and Tract Requirement**

4 (A) The Lot, Parcel and Tract requirement shall be applied to all uses in this district except
5 for Single Family [~~Lot or Parcel of Record~~] Heritage Tract Dwellings: MCC
6 11.15.2010(E), MCC 11.15.2012(O) or MCC 11.15.2012(P). For the purposes of this
7 district, a lot, parcel or tract is defined as:

8 * * *

9
10 Section IV. Amendment of MUA-20, RR, and RC Districts by Adding Provision for Property
11 Line Adjustments and Adding Reference in Land Division Ordinance.

12 **Multiple Use Agriculture Zoning District MUA-20**

13 * * *

14 **11.15.2140 Lots of Exception and Property Line Adjustments**

15 (A) The [~~approval authority~~] Hearings Officer may grant an exception to permit the creation
16 of a lot of less than 20 acres, after October 6, 1977, when in compliance with the re-
17 quirements of MCC .2138(C) to (E). Any exception shall be based on findings that the
18 proposal will:

19 * * *

20 (C) The [~~approval authority~~] Hearings Officer may attach conditions to the approval of any
21 Lot of Exception to insure that the use is consistent with the Comprehensive Plan and the
22 purposes described in MCC .2122.

23 * * *

24 (E) Pursuant to the applicable provisions in the Multnomah County Land Division Ordinance,
25 the Planning Director may grant a property line adjustment between two contiguous lots
26 or parcels upon finding that the approval criteria in (1) and (2) are met. The intent of the

1 criteria is to ensure that the property line adjustment will not increase the potential num-
2 ber of lots or parcels in any subsequent land division proposal over that which could oc-
3 cur on the entirety of the combined lot areas before the adjustment.

4 (1) No additional lot or parcel is created; and

5 (2) One of the following situations occurs:

6 (a) The lot or parcel proposed to be reduced in area is larger than 20 acres prior to
7 the adjustment and remains 20 acres or larger in area after the adjustment, or

8 (b) The lot or parcel proposed to be enlarged in area is less than 40 acres in area
9 prior to the adjustment and remains less than 40 acres in area after the adjust-
10 ment.

11
12 **Rural Residential Zoning District RR**

13 * * *

14 **11.15.2220 Lots of Exception and Property Line Adjustments**

15 * * *

16 (E) Pursuant to the applicable provisions in the Multnomah County Land Division Ordinance,
17 the Planning Director may grant a property line adjustment between two contiguous lots
18 or parcels upon finding that the approval criteria in (1) and (2) are met. The intent of the
19 criteria is to ensure that the property line adjustment will not increase the potential num-
20 ber of lots or parcels in any subsequent land division proposal over that which could oc-
21 cur on the entirety of the combined lot areas before the adjustment.

22 (1) No additional lot or parcel is created; and

23 (2) At least one of the following situations occurs:

24 (a) The lot or parcel proposed to be reduced in area is larger than 5 acres prior to
25 the adjustment and remains 5 acres or larger in area after the adjustment, or

1 (b) The lot or parcel proposed to be enlarged in area is less than 10 acres in area
2 prior to the adjustment and remains less than 10 acres in area after the adjust-
3 ment.

4
5 **Rural Center Zoning District RC**

6 * * *

7 **11.15.2260 Lots of Exception and Property Line Adjustments**

8 (A) The [~~approval authority~~] Hearings Officer may grant an exception to permit creation of a
9 lot of less than one acre, after October 6, 1977, when in compliance with the dimensional
10 requirements of MCC .2258(C) and (E). Any exception shall be based on findings that
11 the proposal will:

12 * * *

13 (C) The [~~approval authority~~] Hearings Officer may attach conditions to the approval of any
14 Lot of Exception to insure that the use is consistent with the Comprehensive Plan and the
15 purposes described in MCC .2242.

16 * * *

17 (E) Pursuant to the applicable provisions in the Multnomah County Land Division Ordinance,
18 the Planning Director may grant a property line adjustment between two contiguous lots
19 or parcels upon finding that the approval criteria in (1) and (2) are met. The intent of the
20 criteria is to ensure that the property line adjustment will not increase the potential num-
21 ber of lots or parcels in any subsequent land division proposal over that which could oc-
22 cur on the entirety of the combined lot areas before the adjustment.

23 (1) No additional lot or parcel is created; and

24 (2) At least one of the following situations occurs:

25 (a) The lot or parcel proposed to be reduced in area is larger than 1 acre prior to the
26 adjustment and remains 1 acre or larger in area after the adjustment, or

1 **(b) The lot or parcel proposed to be enlarged in area is less than 2 acres in area**
2 **prior to the adjustment and remains less than 2 acres in area after the adjust-**
3 **ment.**

4
5 **Land Division Ordinance**

6 * * *

7 **11.45.115 Property Line Adjustment (Lot Line Adjustment)**

8 A property line adjustment is the relocation of a common property line between two abutting
9 properties.

10 * * *

11 (B) The Planning Director may approve a property line adjustment between two properties in
12 the Rural Area where an additional lot or parcel is not created but where one or both of
13 the adjusted properties are below the minimum lot size established by the applicable zon-
14 ing district designation. Such an adjustment shall comply with any applicable zoning dis-
15 trict standards for a [~~Lot of Exception~~] Property Line Adjustment or Lot Line Adjust-
16 ment.

17 * * *

18
19 Section V. Cited WRG Definitions in State Publication Added to WRG Subdistrict.

20 **Willamette River Greenway Subdistrict WRG**

21 * * *

22 **11.15.6356 Definitions**

23 For the purposes of this district, the following terms and their derivations [~~change of use, de-~~
24 ~~velopment, develop, farm use, and intensification,~~] shall have the following meanings as de-
25 fined in paragraph a. of the *Order Adopting Preliminary Willamette River Greenway Plan of*
26 *the Oregon Land Conservation and Development Commission*, dated December 6, 1975:

1 (A) Change of use - means making a different use of the land or water than that which ex-
2 isted on December 6, 1975. It includes a change which requires construction, alterations
3 of the land, water or other areas outside of existing buildings or structures and which
4 substantially alters or affects the land or water. It does not include a change of use of a
5 building or other structure which does not substantially alter or affect the land or water
6 upon which it is situated. Change of use shall not include the completion of a structure
7 for which a valid permit has been issued as of December 6, 1975 and under which per-
8 mit substantial construction has been undertaken by July 1, 1976. The sale of property is
9 not in itself considered to be a change of use. An existing open storage area shall be
10 considered to be the same as a building. Landscaping, construction of driveways, modi-
11 fications of existing structures, or the construction or placement of such subsidiary
12 structures or facilities as are usual and necessary to the use and enjoyment of existing
13 improvements shall not be considered a change of use for purposes of this order.

14 (B) Development - means the act, process or result of developing.

15 (Footnote: The definitions of *develop* and *development* should be read in harmony with
16 the definitions of *intensification* and *change of use* since it is not the intention of the
17 Commission to include in the definitions of *develop* and *development* any of the items
18 excluded specifically from the meanings of *intensification* or *change of use*.)

19 (C) Develop - means to bring about growth or availability; to construct or alter a structure,
20 to conduct a mining operation, to make a physical change in the use or appearance of
21 land, to divide land into parcels, or to create or terminate rights of access.

22 (D) Farm Use - means (a) "the current employment of land including that portion of such
23 lands under buildings supporting accepted farming practices for the purpose of obtain-
24 ing a profit in money by raising, harvesting and selling crops or by the feeding, breeding
25 management and sale of, or the produce of, livestock, poultry, fur-bearing animals or
26 honeybees or for dairying and the sale of dairy products or any other agricultural or

1 horticultural use or animal husbandry or any combination thereof. Farm use includes the
2 preparation and storage of the products raised on such land for man's use and animal
3 use and disposal by marketing or otherwise. It does not include the use of land subject
4 to the provisions of ORS Chapter 321"

5 It includes, for this purpose, the installation of irrigation pumps, and the use of existing
6 pumps on the banks of the Willamette River, and the construction and use of dwellings
7 customarily provided in conjunction with farm use when such dwellings are located 150
8 feet or more from the ordinary low-water, line of the Willamette River. It also includes
9 the construction and use of buildings other than dwellings customarily provided in con-
10 junction with farm use whether or not within 150 feet of the ordinary low-water line. If
11 a dwelling is destroyed or torn down, it may be replaced in kind with another dwelling
12 even though it is within 150 feet of the ordinary low-water line. (b) "Current employ-
13 ment of land for farm use includes (A) land subject to the soil-bank provisions of the
14 Federal Agricultural Act of 1956, as amended (P.S. 84540, 70 Stat. 188); (B) land lying
15 fallow for one year as a normal and regular requirement of good agricultural husbandry;
16 (C) land planted in orchards or other perennials prior to maturity; and (D) any land con-
17 stituting a woodlot of less than 20 acres contiguous to and owned by the owner of land
18 specially assessed at true cash value for farm use even if the land constituting the
19 woodlot is not utilized in conjunction with farm use." (c) "As used in this subsection,
20 'accepted farming practice' means a mode of operation that is common to farms of a
21 similar nature, necessary for the operation of such farms to obtain a profit in money, and
22 customarily utilized in conjunction with farm use."

23 (Footnote: The definition of farm use is taken from ORS 215.203(2). The addition to
24 the paragraph relating to farm dwellings is to incorporate the permitted non-farm uses
25 for customary farm dwellings provided in ORS 215.213(1)(e) but modified so as to
26

1 permit only new farm dwellings which will be 150 feet or more from ordinary low wa-
2 ter.)

3 (E) Intensification - means any additions which increase or expand the area or amount of an
4 existing use, or the level of activity. Remodeling of the exterior of a structure not ex-
5 cluded below is an intensification when it will substantially alter the appearance of the
6 structure. Intensification shall not include the completion of a structure for which a valid
7 permit has been issued as of December 6, 1975 and under which permit substantial con-
8 struction has been undertaken by July 1, 1976. Maintenance and repair usual and neces-
9 sary for the continuance of an existing use is not an intensification of use. Reasonable
10 emergency procedures necessary for the safety or protection of property are not an in-
11 tensification of use. Residential use of land within the Greenway includes the practices
12 and activities customarily related to the use and enjoyment of one's home. Landscaping,
13 construction of driveways, modification of existing structures, or construction or
14 placement of such subsidiary structures or facilities adjacent to the residence as are
15 usual and necessary to such use and enjoyment shall not be considered an intensification
16 for the purposes of this order. Seasonal increases in gravel operations shall not be con-
17 sidered an intensification of use.

18
19 Section VI. Deletion of Superseded Subsection and Amend Description of SEC-s Zone Map.

20 **Significant Environmental Concern Zoning Subdistrict SEC**

21 * * *

22 **11.15.6406 Exceptions**

23 An SEC permit shall not be required for the following:

24 * * *

25 (B) [~~Except as provided in MCC 6420(C), t~~] The propagation of timber or the cutting of
26 timber for public safety or personal use or the cutting of timber in accordance with the

1 State Forest Practices Act;

2 * * *

3 **11.15.6409 Applicable Approval Criteria**

4 (A) The approval criteria in MCC .6420 shall apply to those areas designated SEC on the
5 Multnomah County zoning maps.

6 (B) The approval criteria that apply to uses in areas designated SEC-w, SEC-v, SEC-h and
7 SEC-s on Multnomah County zoning maps shall be based on the type of protected re-
8 sources on the property, as indicated by the subscript letter in the zoning designation, as
9 follows:

10 zoning	approval
11 designation	criteria
12	
13 SEC-w (wetlands)	MCC .6422
14 SEC-v (scenic views)	MCC .6424
15 SEC-h (wildlife habitat)	MCC .6426
16 SEC-s (streams)	MCC .6428

17 The zoning maps used to designate the SEC-s zoning subdistrict were created digi-
 18 tally by interpreting various data sources including the hand drawn maps contained
 19 in the Goal 5 ESEE report. Care was taken in the creation of the maps, but in some
 20 instances mapping inaccuracies have occurred during the process. For those areas
 21 included in Ordinance 830 (West Hills Rural Area Plan), the Stream Conservation
 22 Area designated on the zoning maps as SEC-s is an area extending 300 feet from the
 23 nearest point on the centerline on both sides of the protected stream. In the event of
 24 a mapping inconsistency, the SEC-s zoning subdistrict shall be interpreted to be the
 25 defined Stream Conservation Area.

26 * * *

1
2 Section VII. Update Title to Erosion Control Publication.

3 **Hillside Development and Erosion Control HD**

4 * * *

5 **11.15.6730 Grading and Erosion Control Standards**

6 Approval of development plans on sites subject to a Hillside Development Permit shall be
7 based on findings that the proposal adequately addresses the following standards. Conditions
8 of approval may be imposed to assure the design meets the standards:

9 (A) Design Standards For Grading and Erosion Control

10 * * *

11 (2) Erosion Control Standards

12 (a) On sites within the Tualatin River Drainage Basin, erosion and stormwater con-
13 trol plans shall satisfy the requirements of OAR 340. Erosion and stormwater
14 control plans shall be designed to perform as prescribed by the currently adopted
15 edition of the "Erosion Prevention & Sediment Control Plans Technical Guid-
16 ance Handbook (1994)" and the "~~Surface Water Quality Facilities Technical~~
17 ~~Guidance Handbook~~ City of Portland Stormwater Quality Facilities, A Design
18 Guidance Manual (1995)". Land-disturbing activities within the Tualatin Basin
19 shall provide a 100-foot undisturbed buffer from the top of the bank of a stream,
20 or the ordinary high watermark (line of vegetation) of a water body, or within
21 100-feet of a wetland; unless a mitigation plan consistent with OAR 340 is ap-
22 proved for alterations within the buffer area.

23 * * *

24 (e) Whenever feasible, natural vegetation shall be retained, protected, and supple-
25 mented;

26 * * *

1 (ii) The buffer required in (i) may only be disturbed upon the approval of a miti-
2 gation plan which utilizes erosion and stormwater control features designed
3 to perform as effectively as those prescribed in the currently adopted edition
4 of the "Erosion Prevention & Sediment Control Plans Technical Guidance
5 Handbook (1994)" and the "[Surface Water Quality Facilities Technical
6 Guidance Handbook] City of Portland Stormwater Quality Facilities, A
7 Design Guidance Manual (1995)", and which is consistent with attaining
8 equivalent surface water quality standards as those established for the Tu-
9 alatin River Drainage Basin in OAR 340;

10 * * *

11
12 **§ 29.305 GRADING AND EROSION CONTROL PERMIT STANDARDS.**

13 * * *

14 (A) *Design standards for grading and erosion control.*

15 * * *

16 (2) *Erosion control standards.*

17 (a) On sites within the Tualatin River Drainage Basin, erosion and
18 stormwater control plans shall satisfy the requirements of OAR 340. Erosion and stormwater
19 control plans shall be designed to perform as prescribed by the currently adopted edition of the
20 "Erosion Prevention & Sediment Control Plans Technical Guidance Handbook (1994)" and the
21 "[Surface Water Quality Facilities Technical Guidance Handbook] City of Portland Stormwater
22 Quality Facilities, A Design Guidance Manual (1995)". Land-disturbing activities within the
23 Tualatin Basin shall provide a 100-foot undisturbed buffer from the top of the bank of a stream,
24 or the ordinary high watermark (line of vegetation) of a water body, or within 100-feet of a
25 wetland; unless a mitigation plan consistent with OAR 340 is approved for alterations within the
26 buffer area.

1 * * *

2 (e) Whenever feasible, natural vegetation shall be retained, protected, and
3 supplemented;

4 2. The buffer required in subsection (e)1. may only be disturbed
5 upon the approval of a mitigation plan which utilizes erosion and stormwater control features
6 designed to perform as effectively as those prescribed in the currently adopted edition of the
7 “Erosion Prevention & Sediment Control Plans Technical Guidance Handbook (1994)” and the
8 “[Surface Water Quality Facilities Technical Guidance Handbook] City of Portland Stormwater
9 Quality Facilities, A Design Guidance Manual (1995)” and which is consistent with attaining
10 equivalent surface water quality standards as those established for the Tualatin River Drainage
11 Basin in OAR 340;

12 * * *

13
14 Section VIII. Clarify That Solar Access Requirements Apply Only in Urban Zoning Districts.

15 **PROVISIONS FOR LAND DIVISIONS, BUILDING PERMITS & ACCESS PERMITS –**
16 **SOLAR ACCESS**

17 **11.15.6805 Purpose**

18 The purposes of the solar access provisions for new development are to ensure that land in
19 the urban portions of Multnomah County is divided so that structures can be oriented to
20 maximize solar access and to minimize shade on adjoining properties from structures and
21 trees.

22 **11.15.6810 Applicability [Land Divisions]**

23 The solar design standard in Section .6815 shall apply to applications for a development to
24 create lots in LR-40, LR-30, LR-20, LR-10, LR-7.5, LR-7, LR-5, R-40, R-30, R-20, R-10,
25 and R-7 zones and for single family detached dwellings in any urban zone, except to the ex-
26 tent the approval authority finds that the applicant has shown one or more of the conditions

1 listed in Sections .6820 and .6822 exist, and exemptions or adjustments provided for therein
2 are warranted.

3 * * *

4
5 **11.15.6835 Solar Balance Point Provisions**

6 The purposes of these provisions are to promote the use of solar energy, to minimize shading
7 of structures by structures and accessory structures, and, where applicable, to minimize shad-
8 ing of structures by trees. Decisions related to these provisions are intended to be ministerial.

9 **11.15.6840 Applicability [Building Permit]**

10 This ordinance applies to an application for a building permit for all structures in LR-40, LR-
11 30, LR-20, LR-10, LR-7.5, LR-7, LR-5, R-40, R-30, R-20, R-10, R-7 zones, and all single
12 family detached structures in any urban zone, except to the extent the approval authority finds
13 the applicant has shown that one or more of the conditions listed in Sections .6855 or .6858
14 exists, and exemptions or adjustments provided therein are warranted. In addition, non ex-
15 empt vegetation planted on lots subject to the provisions of Section .6825 of the Solar Access
16 Provisions for New Development shall comply with the shade point height standards as pro-
17 vided in Sections .6850 and .6855 of this ordinance.

18 * * *

19 **11.15.6875 Solar Access Permit Provisions**

20 The purpose of the following sections is to protect solar access features on lots designated or
21 used for a single family detached dwelling under some circumstances. It authorizes owners of
22 such lots to apply for a permit that, if granted, prohibits solar features from being shaded by
23 certain future vegetation on and off the permittees site.

24 **11.15.6878 Applicability [Property Owner Request]**

25 An owner or contract purchaser of property may apply for and/or be subject to a solar access
26 permit for a solar feature if that property is in a LR-40, LR-30, LR-20, LR-10, LR-7.5, LR-7,

1 LR-5, R-40, R-30, R-20, R-10, R-7 zone, or is or will be developed with a single family
2 dwelling in any urban zone. The county's decision whether or not to grant a solar access per-
3 mit is intended to be ministerial.

4 * * *

5
6 Section IX. Extension of Time Limit Before Variance is Void and Remove Exemption From
7 Public Notice Requirement.

8 **11.15.8505 Variance Approval Criteria**

9 * * *

10 (B) A variance shall be void if the Planning Director finds that no substantial construction or
11 substantial expenditure of funds has occurred on the affected property within [~~18 months~~]
12 two years after the variance is granted. That determination shall be processed as follows:

13 * * *

14 **11.15.8515 Variance Classification**

15 * * *

16 (B) A Minor Variance is one that is within 25 percent of an applicable dimensional require-
17 ment. The Planning Director is authorized to grant a Minor Variance in accordance with
18 the following procedures and conditions:

19 * * *

1 (4) The Planning Director may, without [~~notice of~~] hearing, grant the variance for
2 which the application is made and may attach reasonable conditions thereto.

3 * * *

4
5 Section X. Adoption.

6
7 Approved this 15th day of April, 1999 being the date of its second reading before the
8 Board of County Commissioners of Multnomah County, Oregon.



BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

15 By Beverly Stein
16 Beverly Stein, Chair

17 REVIEWED:

18 THOMAS SPONSLER, COUNTY COUNSEL
19 for MULTNOMAH COUNTY, OREGON

20
21 By Jeffrey B. Litwak
22 Jeffrey B. Litwak, Assistant County Counsel

MEETING DATE: APR 15 1999
AGENDA NO: R-9
ESTIMATED START TIME: 10:15

(Above Space for Board Clerk's Use ONLY)

AGENDA PLACEMENT FORM

SUBJECT: McNamee Road Legalization Hearing

BOARD BRIEFING: BOARD STAFF MEETING
DATE REQUESTED: 2:00 PM April 12, 1999
REQUESTED BY: Matt Ryan/ Bob Hovden
AMOUNT OF TIME NEEDED: 30 Minutes

REGULAR MEETING: DATE REQUESTED: April 15, 1999
AMOUNT OF TIME NEEDED: 30 Minutes

DEPARTMENT: DES DIVISION: Transportation

CONTACT: Bob Hovden TELEPHONE #: 306-5573
BLDG/ROOM #: 455/121

PERSON(S) MAKING PRESENTATION: Bob Hovden

ACTION REQUESTED:

INFORMATIONAL ONLY POLICY DIRECTION APPROVAL OTHER

SUGGESTED AGENDA TITLE:

Public Hearing to consider Legalization of McNamee Road

4/19/99 copies to Robert Hovden & certified true copies

SIGNATURES REQUIRED:

ELECTED OFFICIAL: _____
(OR)
DEPARTMENT MANAGER: Law E. Nicholas

BOARD OF
COUNTY COMMISSIONERS
MULTNOMAH COUNTY
OREGON
99 APR -7 PM 12 22

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

Any Questions: Call the Board Clerk @ 248-3277



MULTNOMAH COUNTY OREGON

DEPARTMENT OF ENVIRONMENTAL SERVICES
TRANSPORTATION DIVISION
1600 SE 190TH AVENUE
PORTLAND, OREGON 97233
(503) 248-5050

BOARD OF COUNTY COMMISSIONERS
BEVERLY STEIN • CHAIR • 248-3308
DIANE LINN • DISTRICT 1 • 248-5220
SERENA CRUZ • DISTRICT 2 • 248-5219
LISA NAITO • DISTRICT 3 • 248-5217
SHARRON KELLEY • DISTRICT 4 • 248-5213

April 7, 1999

Board of County Commissioners
County Courthouse
1120 SW Fifth Avenue
Portland, Oregon 97204

RE: County Engineer's Report for Legalization of McNamee Road No. 5016

Dear Commissioners:

The Department of Environmental Services Transportation Division has completed preliminary proceedings for legalization of McNamee Road. The existing road as traveled and used for more than ten years does not conform to the location of the road as described in the County Records. McNamee Road was first established in 1885 as County Road No. 399, and in 1926, the southerly 3 miles was reestablished as County Road No. 1112. Maintenance and improvements have changed its location over the years. Some property development has also contributed to this change.

The field survey has been completed and the final map and description have been prepared. A letter and a map showing their property has been sent to all the property owners along this road. The right-of-way varies between 40 and 60 feet. A well owned by Jim Graham is near the right-of-way. The right-of-way has been reduced 3 feet so that the well is not within the proposed right-of-way. No other structures are within the right-of-way except for fences and gates, which will be allowed to stay.

Written notice of the proceedings for legalization have been mailed to all the property owners and have been posted along McNamee Road as required by ORS 368.206 (B)(c).

In 1980, a permit was issued to Larry Luethe for access from existing County Road No. 1112. The proposed legalization would move the westerly right-of-way of the road about 20 feet east so that the right-of-way does not cross into the Luethe property. The driveway of Luethe would cross property owned by Dorothy English. I don't believe that this issue can be resolved before the April 15th hearing or by the legalization process and therefore request that the property owned by Dorothy English be excluded from this legalization.

The County Engineer is requesting that the Board of County Commissioners approve an Order legalizing McNamee Road as it is now traveled and shown in its true location on the final map, excepting that portion lying within the property owned by Dorothy English.

Very truly yours,

W.E. CHUCK HENLEY, P.E.
County Engineer/Engineering Service Manager

In the matter of the legalization)
McNamee Road, No. 5016)
_____)

AFFIDAVIT
OF
POSTING NOTICES

I, Robert A. Hovden, P.L.S., County Surveyor for Multnomah County, Oregon, certify that on March 19, 1999, I posted Notices on McNamee Road of the public hearing before the Board of County Commissioners to be held on Thursday, the 15th day of April 1999, at 9:30 a.m., in room 602 at the County Courthouse, 1021 SW Fourth Avenue, Portland, Oregon, to consider the matter of the legalization of the following road:

McNamee Road, County Road No. 5016, from the City Limits of Portland (about 950 feet north of Skyline Blvd.) northerly approximately 4.25 miles to the south end of County Road No. 399-A, lying in Sections 19, 20, 29, 30 and 32, Township 2 North, Range 1 West, Willamette Meridian, Multnomah County; a copy of said Notice is hereto attached and made a part of this affidavit; that each of said Notices was posted in a public place as follows, to wit:

1. Posted on power pole # B2132 295 on the east side of road near Engineer's Station 26+60.
2. Posted on PGE pole # 1513 (1957) on the east side of road near Engineer's Station 88+47.
3. Posted on PGE pole # 1948 (1957) on the west side of road near Engineer's Station 165+25.
4. Posted on piling of trestle of Untied Railway Company railroad bridge over McNamee Road, on the west side of road near Engineer's Station 230+70.

Robert A. Hovden

Robert A. Hovden, P.L.S., County Surveyor
Department of Environmental Services
Multnomah County, Oregon

Subscribed and sworn to before me this 24th day of March, 1999.



Mollie E. Ballew
Notary Public for Oregon

My commission expires Oct. 03, 1999

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

ORDER NO. 99-25

Notice of Public Hearing for Legalization of McNamee Road

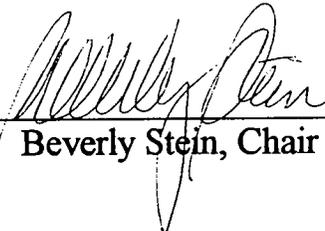
The Multnomah County Board of Commissioners Orders:

1. The Board of County Commissioners will hold a hearing on Thursday, April 15, 1999, at 9:30 a.m., in Room 602, Multnomah County Courthouse, 1021 SW Fourth Avenue, Portland, Oregon.
2. The purpose of the hearing is to determine if a portion of McNamee Road, County Road No. 5013, should be ordered as a lawful County road and public highway. The hearing will concern McNamee Road from the City Limits of Portland (about 950 feet north of Skyline Blvd.) northerly approximately 4.25 miles to the south end of County Road No. 399-A.
3. This road has been resurveyed. All persons interested in or concerned with the road are invited to attend the hearing. Objections must be filed in the Multnomah County Surveyor's Office, 1600 SE 190th Avenue, Portland, Oregon 97233, on or before the April 15, 1999 public hearing. For more information, call Robert Hovden, County Surveyor at 306-5573.
4. This legalization proceeding is under authority of ORS 368.201 to 368.221.

ADOPTED this 4th day of March, 1999.

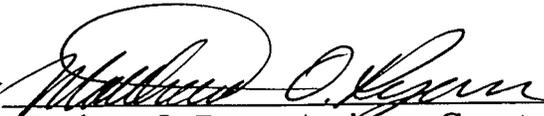


BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON


Beverly Stein, Chair

REVIEWED:

THOMAS SPONSLER, COUNTY COUNSEL
For MULTNOMAH COUNTY, OREGON

By 
Matthew O. Ryan, Assistant County Counsel

In the Matter of the Legalization of)
McNamee Road, No. 5016)
_____)

AFFIDAVIT
OF
SERVING NOTICES

I, Robert A. Hovden, P.L.S., County Surveyor for Multnomah County, Oregon, do hereby certify that on March 5, 1999, Notice was served of the public hearing on the Legalization of McNamee Road to be held on April 15, 1999, at 9:30 a.m. before the Board of County Commissioners. A copy of said Notice is attached hereto and made a part of this Affidavit.

The Notice was served by Certified Mail Return Receipt requested to all abutting land owners and the following is a list of those persons served:

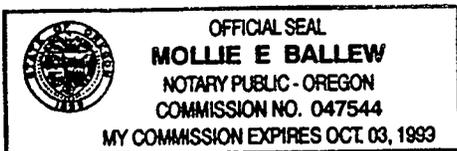
MADSEN, WILLY A & BARBARA K
VONFELD, JACQUES M & BEVERLY J
STEINER, THOMAS A & PATRICIA A
FLEURY, LOUIS B & DOROTHY S
STEINER, JAMES E & LINDA J
JOHNSON, RODGER C & MARILYN K
JOHNSON, MARK R & SUSAN E
BUTLER, GEORGE S
HOWELL, A G & KAREN
AGENCY CREEK MANAGEMENT CO
YOUNG, J RANDOLPH & KITTY L
BACHRACH, JEFF & WIDDER, SUSAN
WITKOWSKI, LYNETTE R
SUGURA, SAMUEL F II & CHRISTINE L
MARSH, CYNTHIA D
ROMINE, RANDY & MARY H
JOHNSON, TIMOTHY J & SUSAN K
GESSERT, DAVID J & TERI J
MILDREXLER, BRADLEY P & WONG, JAYNE L
BERTRAM, BRAD W & BRENDA D
FRANT, DAVID
GILKESON, RICHARD J & JEANINE H
KOTILA, STEVEN G & PAMELA M
STYSKAL, RICHARD A & BETSY L
GRUBE, WOLFGANG F & DIANE E
GRAHAM, JAMES A & BAKER, BETTINA
KRAMER, CHARLES W TR, KRAMER, ALMA M TRUST
JOYCE, DON II
PORTLAND GENERAL ELECTRIC CO
RUGH, DAVID L & COLLEEN B
LONG, TOMMY & DELORES
ADAMS, LOWELL R JR
CHEN, JOHN TAO-FAN & FLYNN, JUDY E
KING, DAVID R JR & SUSAN M
MC CURDY, HANK J & CHRISTINE
PEDERSEN, DORINNE J & KIMSEY, KURT J

BEWICK, JAMES S & PENELOPE H
 SULLIVAN, E JEAN TR
 FOSTER, KEVIN M
 LAW, IVAN P & CLARA T
 LEISER, MICHAEL W & BONNIE T
 ROY, R RONALD TR, % I BERGREN
 HOLMAN, THOMAS L & EVELYNN L
 ROBERTSON, STEPHEN K & BETTY J
 TATE, EUGENE W & MARGARET
 TANNER, K NOLEN & JOAN K
 BARTEL, LAWRENCE W & BARTEL, SHERYL
 FOLBERG, MARY V & OVENBURG, RICHARD
 TECHNICAL RESOURCES CORP
 QUIGG, GRETCHEN S
 D'ALMEIDA, DANIEL A & CATHLEEN S
 WEST, JAMES K & BARBARA L, % TECHNICAL RESOURCES CORP
 BRUCH, ROBERT & AHERN, BRUCH ALAN D & HUNT, WILLIAM F
 LUETHE, LARRY L & LAURA B
 LUETHE, VIRGINIA K
 MURPHY, JAMES & DONNA
 PLETZ, RUDIE W & EMMA
 HART, WILLIAM A
 LINNTON ROCK CORP, % WILSON, W L
 THOMAS, DONALD N & JANE S
 FOSTER, CHRISTOPHER H & CARLSTROM, ANDREA L
 STAPLES, J PETER & CANDICE R
 BERNARDS, DAVID K & THERESA
 ENGLISH, DOROTHY P
 RUETER, JOHN G & JONI H
 BECK, STEPHEN R & EMILY J
 PENGILLY, MARK E & LYNN, SUSAN

Robert A Hovden

Robert A. Hovden, P.L.S., County Surveyor
 Department of Environmental Services
 Multnomah County, Oregon

Subscribed and sworn to before me this 19th day of March, 1999.



Mollie E. Ballew

Notary Public of Oregon

My commission expires Oct. 03, 1999

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

ORDER NO. 99-25

Notice of Public Hearing for Legalization of McNamee Road

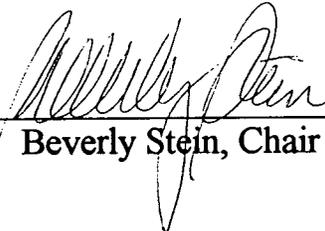
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3. This road has been resurveyed. All persons interested in or concerned with the road are invited to attend the hearing. Objections must be filed in the Multnomah County Surveyor's Office, 1600 SE 190th Avenue, Portland, Oregon 97233, on or before the April 15, 1999 public hearing. For more information, call Robert Hovden, County Surveyor at 306-5573.
4. This legalization proceeding is under authority of ORS 368.201 to 368.221.

ADOPTED this 4th day of March, 1999.

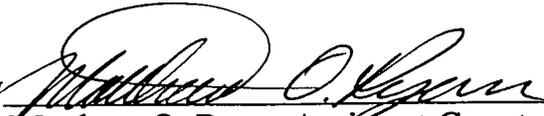


BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON


Beverly Stein, Chair

REVIEWED:

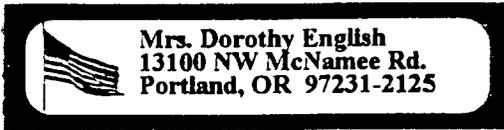
THOMAS SPONSLER, COUNTY COUNSEL
For MULTNOMAH COUNTY, OREGON

By 
Matthew O. Ryan, Assistant County Counsel

R-9



DOROTHY ENGLISH



Phone (503) 286-5671

Dept. of Environmental Services
Transportation Division
Portland, Oregon

April 9, 1999

Robert Hovden

Dear Sir;

Thank you for meeting with us at my home last week. As I told you, my disagreement with the county, should not be decided at the April 15th hearing.

This issue started June 9, 1980. After members of the Luethe family tried various times to claim our property east of our west property line. It is the center section line of section 32 as well. Larry Luethe cut a driveway from his land across our line to a "ghost road". The "ghost road" is not there and never has been.

Please note a certified letter to Multnomah County from Mark McCulloch dated April 20, 1981 and the letter from Lisa Naito dated July 24, 1989.

Multnomah County allowed Mr. Luethe to illegally dump hundreds of loads of dirt and material without a fill permit using this driveway across our line. See records of Mr. Luethe's violation noted by Mr. Ewen and Lisa Estron's department. Since the county allowed Mr. Luethe to cut our trees and take them and dumping illegally, it gave him the opening to cause extreme stress to our family for 19 years.

We protested with phone calls and letters from us and our attorneys. We met with members of the road department twice. We were told at these meetings, that the county would not settle this dispute until we brought suit.

These actions were negligent in 1980 and are still at the present time. I will be glad to meet with or furnish the county with copies of information they may or may not have.

I wrote to the county December 7, 1989, that due to our ages, I felt you were stalling, thinking we would die and you wouldn't have to deal with this. You were half right, Mr. English died February 12, 1990.

Maps furnished to me by the Road Dept. always noted the "ghost road" as a dedicated road. Also showing the paved road as traveled. I always maintained Road 1112 was legalized in 1926, and have copies proving it. Now you are agreeing that it was legalized in 1926. But you have to legalize it again. This was mishandled from day one. It has not only caused us years of stress but also thousands of dollars on surveyors and attorney fees.

You stated in the letter dated Feb. 26, 1999, you were legalizing the paved road and vacating the "ghost road". I want it vacated to my west property line, the illegal driveway of Larry Lyethe revoked. I want a barrier placed across said driveway and the Luethe's notified they may never use it again.

When this is settled, we will discuss the property on the east side of the paved road you need to acquire for the new 40' right-of-way.

I hereby object to Multnomah County claiming McNamee Rd., as traveled, and the "ghost road". The legalization process should correct these past errors on my property.

Sincerely,

Donothy P. English

copies to:

Beverly Stein - Chair
Diane Linn - Dist. 1
Serena Cruz - Dist. 2
Lisa Naito - Dist. 3
Sharron Kelley - Dist. 4

CLIFFORD W. POWERS
MARK MCCULLOCH

LAW OFFICES OF
POWERS & McCULLOCH
2208 FIRST NATIONAL BANK TOWER
1300 S. W. FIFTH AVENUE
PORTLAND, OREGON 97201

AREA CODE 503
TELEPHONE 228-8588

April 20, 1981

CERTIFIED MAIL - RETURN
RECEIPT REQUESTED

C
O
P
Y
Multnomah County Environmental Services
Permit Section
2115 S.E. Morrison Street
Portland, OR 97214

Gentlemen:

I write regarding Permit No. 80-1223-1 approved June 9, 1980. My information is this permit is no longer valid since 90 days have elapsed since its issuance. I represent Mr. and Mrs. N. C. English who own property adjoining the property of the Luethes situated at Route 2, Box 143D, Portland, Oregon 97231. This property is very close to McNamee Road, to which the Luethes have applied for a permit to connect a road.

The Englishes have surveyed the property sought to be constructed on by the Luethes and I have viewed it. It is apparent that the planned construction must go over the Englishes' property in order to connect with McNamee Road.

You are hereby notified that such construction and its approval by your department will constitute a trespass on the Englishes' property and we would consider your issuance of a permit for this purpose to be negligence. If you receive any further applications from the Luethes for such construction permit, please contact me.

Thank you.

Yours very truly,

MM/mf

cc: ✓ Mr. and Mrs. N.C. English
Mr. Robert J. Miller, Sr.

Mark McCulloch

LAW OFFICES OF
PRESTON, THORGRIMSON, ELLIS & HOLMAN

3200 U. S. BANCORP TOWER
111 S. W. FIFTH AVENUE
PORTLAND, OREGON 97204-3635
(503) 228-3200

TELECOPY (503) 248-9085

5400 COLUMBIA SEAFIRST CENTER
701 FIFTH AVENUE
SEATTLE, WASHINGTON 98104-7011
(206) 623-7560
TELEX 4740035
TELECOPY (206) 623-7022

1735 NEW YORK AVE., N.W., SUITE 500
WASHINGTON, D. C. 20006
(202) 628-1700
TELEX 904059 WSH
TELECOPY (202) 331-1024

420 L STREET, SUITE 404
ANCHORAGE, ALASKA 99501
(907) 276-1969
TELECOPY (907) 276-1365

SEAFIRST FINANCIAL CENTER
SUITE 1480
SPOKANE, WASHINGTON 99201
(509) 624-2100
TELECOPY (509) 458-0146

July 24, 1989

Mr. Larry F. Nicholas, P.E.
County Engineer/Director
Department of Environmental Services
Transportation Division
1620 S.E. 190th Avenue
Portland, Oregon 97213

Re: McNamee Road Access
Multnomah County Permit No. 80-1223-1

Dear Mr. Nicholas:

Our office has been retained by Mrs. N. C. English to assist her in preventing trespasses onto her property by an adjoining landowner and the county. This letter is in response to your letter to her of December 14, 1988. Although we are in the preliminary stages of investigation, I feel it is important to respond to the claims that you make in your letter.

In your letter, you attached a map to show the 40 foot existing McNamee Road and the boundaries between the Luethe property and the English property. You refer to a "right-of-way" owned by the county, to which you claim the county is authorized to grant a driveway permit to the Luethe property.

My preliminary investigation of this case suggests that you have no claim to the alleged "right-of-way" under Oregon law. It is my information that this was and is a dedicated public road. When the public abandoned the unpaved portion of the road, the fee continued in the successors to the abutting landowners, discharged of any public easement. It is our position that the unpaved portion of the claimed right-of-way is property belonging to the English family free from any county claim, as the property has not been used by the county for a public road and the county has shown an intent to abandon the property by virtue of the fact that the English's have been taxed on this property since they acquired the property in 1953.

It appears you are aware that the exiting road in fact extends outside of the dedicated road in certain areas. County representatives have told Ms. English that the county

Mr. Larry F. Nicholas, P.E.
July 24, 1989
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is claiming it has acquired the public right of way for those portions by adverse possession. I can represent to you that there is no adverse possession in this case because Ms. English has permitted the public to use the road. Should the county seek to exercise a claim to the unpaved "ghost" road, Ms. English will withdraw her permission to the public to use the existing road and we will seek to have the county move the road. It seems unnecessary to charge the taxpayers of the county the costs of moving a road in this case.

On the map you submitted to Ms. English, you drew in a proposed driveway for the Luethe property. First, I will point out that the Luethe property is not landlocked and that there is in fact access to a public road from another portion of the Luethe property. Secondly, in 1980, after litigation between the Luethes and the Englishes, the county was given notice that construction on a road connecting the Luethe property with McNamee Road would constitute a trespass on the English property. Enclosed is a copy of a letter to the county from Mark McCulloch, attorney for the English family at that time. No use was made of the "driveway" until 1989. There was simply a pile of stones at that location, with weeds growing on it. Now, it appears that the Luethes and others have caused vehicles to cross the "driveway" and dump dirt onto the Luethe property. It may, of course, be necessary to sue the Luethes for crossing the property and obtain an injunction preventing them from crossing in the future. I agree that the Luethe trespasses are a matter between the Luethes and the Englishes. However, the county's claim over the proposed "right of way" and the possible claim of Luethe through the county is properly a matter between Ms. English and the county.

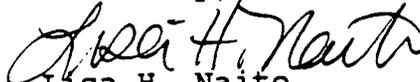
I hereby request that you respond to my letter by stating that the county claims no interest in what you refer to as the right-of-way, but is only claiming an easement for the public use of the existing, paved McNamee road. I will then draw up a quitclaim deed from the county to that effect. If you disagree with my legal analysis of this, I would appreciate a call from you or your attorneys indicating what your position is. It is my hope that we can resolve this without litigation and/or a formal vacation proceeding. I am sure other landowners along McNamee Road are not aware that the county is claiming a "right-of-way" in portions of their property for which they are being taxed. It may be that Ms. English would consider granting the county an interest in the paved portion of the road that goes outside the original dedicated road in exchange for the county's release of any interest in the unpaved portion.

PRESTON, THORGRIMSON, ELLIS & HOLMAN

Mr. Larry F. Nicholas, P.E.
July 24, 1989
Page 3

I look forward to your response to this letter within
ten days.

Sincerely,



Lisa H. Naito

LHN/emg
Enclosure

cc: Mrs. N. C. English
Pauline Anderson, Multnomah County Commissioner
E9019-89.001\4GLNICH0.059

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

ORDER NO. 99-60

Legalization of McNamee Road from the City Limits of Portland (about 950 feet north of Skyline Blvd.) Northerly Approximately 4.25 miles to the South End of County Road No. 399-A as County Road No. 5016

The Multnomah County Board of Commissioners Finds:

- a. The above described portion of McNamee Road is a road that has been traveled and used by the public for more than 10 years in a location that does not conform to the location of the road as described in the County Records. The County Surveyor has surveyed said road in accordance with ORS 368.206(a). The County Engineer has filed a written report with the Board of Commissioners. Written notice of the proceedings for legalization was served by certified mail and has been posted in four locations along McNamee Road, as required under ORS 368.206(1)(c).
- b. The County Engineer recommends to the Board that said portion of McNamee Road be legalized as a County Road, except that portion lying within the Dorothy English property and the Board being fully advised, finds that the Legalization of this road is in the public interest.

The Multnomah County Board of Commissioners Orders:

1. That portion of McNamee Road from the City Limits of Portland (about 950 feet north of Skyline Blvd.) northerly approximately 4.25 miles to the south end of County Road No. 399-A, is hereby legalized as County Road No. 5016 in accordance with ORS 368.201 through ORS 368.221, as described in the attached Exhibit "A" and as shown on Survey No. 56579, Multnomah County Survey Records, EXCEPTING that portion lying within the Dorothy English property.

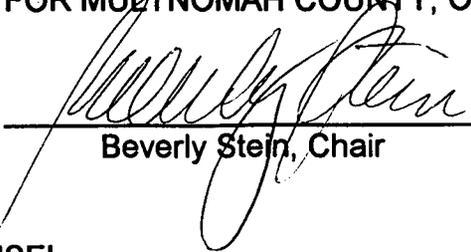
Adopted this 15th day of April, 1999.



REVIEWED:

THOMAS SPONSLER, COUNTY COUNSEL
FOR MULTNOMAH COUNTY, OREGON

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON


Beverly Stein, Chair

By


Matthew O. Ryan, Assistant County Counsel

EXHIBIT "A"

McNAMEE ROAD No. 5016

A strip of land in the East one-half of Section 19, the Northwest one-quarter of Section 20, the Southwest one-quarter of Section 29, the East one-half of Section 30, and the Northwest one-quarter and the East one-half of Section 32, Township 2 North, Range 1 West, Willamette Meridian, Multnomah County, Oregon, the centerline of which is described as follows:

Beginning at Engineer's Station 9+56.59 P.O.C. on the existing traveled McNamee Road, said station being on the boundary of the City of Portland and bears N24°46'34"E, a distance of 1067.31 feet from the South one-quarter corner of said Section 32;

Thence on a curve to the left, having a radius of 160.00 feet (long chord of which bears N66°05'36"E, a distance of 106.67 feet), an arc distance of 108.76 feet to Engineer's Station 10+65.35 PT;

Thence N46°37'14"E, a distance of 81.65 feet to Engineer's Station 11+47.00 PC;

Thence on a curve to the right, having a radius of 500.00 feet (long chord of which bears N51°22'41"E, a distance of 82.94 feet), an arc distance of 83.03 feet to Engineer's Station 12+30.03 PT;

Thence N56°08'08"E, a distance of 66.65 feet to Engineer's Station 12+96.68 PC;

Thence on a curve to the right, having a radius of 220.00 feet (long chord of which bears N77°28'12"E, a distance of 160.08 feet), an arc distance of 163.84 feet to Engineer's Station 14+60.52 PT;

Thence S81°11'44"E, a distance of 316.64 feet to Engineer's Station 17+77.16 PC;

Thence on a curve to the left, having a radius of 120.00 feet (long chord of which bears N39°20'06"E, a distance of 206.73 feet), an arc distance of 249.11 feet to Engineer's Station 20+26.26 PT;

Thence N20°08'04"W, a distance of 147.96 feet to Engineer's Station 21+74.23 PC;

Thence on a curve to the right, having a radius of 180.00 feet (long chord of which bears N01°16'29"W, a distance of 116.37 feet), an arc distance of 118.50 feet to Engineer's Station 22+92.73 PT;

Thence N17°35'06"E, a distance of 58.43 feet to Engineer's Station 23+51.16 PC;

Thence on a curve to the left, having a radius of 70.00 feet (long chord of which bears N17°20'36"W, a distance of 80.16 feet), an arc distance of 85.35 feet to Engineer's Station 24+36.51 PT;

Thence N52°16'17"W, a distance of 60.18 feet to Engineer's Station 24+96.69 PC;

Thence on a curve to the right, having a radius of 100.00 feet (long chord of which bears N10°02'41"W, a distance of 134.41 feet), an arc distance of 147.40 feet to Engineer's Station 26+44.09 PT;

Thence N32°10'55"E, a distance of 63.87 feet to Engineer's Station 27+07.96
PC;
Thence on a curve to the left, having a radius of 130.00 feet (long chord of which bears N01°49'18"E, a distance of 131.41 feet), an arc distance of 137.77 feet to Engineer's Station 28+45.73 PT;
Thence N28°32'19"W, a distance of 81.17 feet to Engineer's Station 29+26.90
PC;
Thence on a curve to the left, having a radius of 240.00 feet (long chord of which bears N42°02'07"W, a distance of 112.03 feet), an arc distance of 113.07 feet to Engineer's Station 30+39.97 PT;
Thence N55°31'55"W, a distance of 58.66 feet to Engineer's Station 30+98.63
PC;
Thence on a curve to the right, having a radius of 380.00 feet (long chord of which bears N51°52'48"W, a distance of 48.41 feet), an arc distance of 48.44 feet to Engineer's Station 31+47.07 PT;
Thence N48°13'41"W, a distance of 74.16 feet to Engineer's Station 32+21.23
PC;
Thence on a curve to the left, having a radius of 260.00 feet (long chord of which bears N63°50'19"W, a distance of 139.93 feet), an arc distance of 141.68 feet to Engineer's Station 33+62.91 PT;
Thence N79°26'57"W, a distance of 68.54 feet to Engineer's Station 34+31.45
PC;
Thence on a curve to the right, having a radius of 250.00 feet (long chord of which bears N67°49'57"W, a distance of 100.68 feet), an arc distance of 101.37 feet to Engineer's Station 35+32.82 PT;
Thence N56°12'57"W, a distance of 83.61 feet to Engineer's Station 36+16.43
PC, from which the Center one-quarter corner of said Section 32 bears N81°31'18"W, a distance of 661.52 feet;
Thence on a curve to the right, having a radius of 130.00 feet (long chord of which bears N19°40'39"W, a distance of 154.79 feet), an arc distance of 165.81 feet to Engineer's Station 37+82.24 PT;
Thence N16°51'38"E, a distance of 71.87 feet to Engineer's Station 38+54.11
PC;
Thence on a curve to the left, having a radius of 190.00 feet (long chord of which bears N11°25'16"W, a distance of 180.05 feet), an arc distance of 187.57 feet to Engineer's Station 40+41.68 PT;
Thence N39°42'10"W, a distance of 155.48 feet to Engineer's Station 41+97.16
PC;
Thence on a curve to the right, having a radius of 140.00 feet (long chord of which bears N04°57'17"W, a distance of 159.59 feet), an arc distance of 169.81 feet to Engineer's Station 43+66.97 PT;
Thence N29°47'36"E, a distance of 111.64 feet to Engineer's Station 44+78.61
PC;
Thence on a curve to the left, having a radius of 150.00 feet (long chord of which bears N03°47'16"W, a distance of 165.93 feet), an arc distance of 175.83 feet to Engineer's Station 46+54.44 PT;
Thence N37°22'08"W a distance of 133.90 feet to Engineer's Station 47+88.34
PC;

Thence on a curve to the right, having a radius of 350.00 feet (long chord of which bears N26°37'51"W, a distance of 130.42 feet), an arc distance of 131.19 feet to Engineer's Station 49+19.53 PT;

Thence N15°53'35"W, a distance of 19.71 feet to Engineer's Station 49+39.24
PC;

Thence on a curve to the right, having a radius of 150.00 feet (long chord of which bears N00°52'13"E, a distance of 86.53 feet), an arc distance of 87.77 feet to Engineer's Station 50+27.01 PT;

Thence N17°38'02"E, a distance of 61.30 feet to Engineer's Station 50+88.31
PC;

Thence on a curve to the left, having a radius of 180.00 feet (long chord of which bears N00°01'29"W, a distance of 109.20 feet), an arc distance of 110.95 feet to Engineer's Station 51+99.26 PT;

Thence N17°41'00"W, a distance of 123.83 feet to Engineer's Station 53+23.09
PC;

Thence on a curve to the left, having a radius of 160.00 feet (long chord of which bears N48°16'48"W, a distance of 162.88 feet), an arc distance of 170.88 feet to Engineer's Station 54+93.97 PT;

Thence N78°52'36"W, a distance of 80.18 feet to Engineer's Station 55+74.15
PC;

Thence on a curve to the right, having a radius of 170.00 feet (long chord of which bears N39°02'54"W, a distance of 217.77 feet), an arc distance of 236.35 feet to Engineer's Station 58+10.50 PT;

Thence N00°46'48"E, a distance of 131.21 feet to Engineer's Station 59+41.71
PC;

Thence on a curve to the right, having a radius of 400.00 feet (long chord of which bears N06°59'53"E, a distance of 86.65 feet), an arc distance of 86.82 feet to Engineer's Station 60+28.53 PT;

Thence N13°12'59"E, a distance of 50.84 feet to Engineer's Station 60+79.37
PC;

Thence on a curve to the left, having a radius of 150.00 feet (long chord of which bears N38°01'48"W, a distance of 233.95 feet), an arc distance of 268.33 feet to Engineer's Station 63+47.70 PT, from which the North one-quarter corner of said Section 32 bears N10°00'21"E, a distance of 386.39 feet;

Thence N89°16'35"W, a distance of 295.09 feet to Engineer's Station 66+42.79
PC;

Thence on a curve to the left, having a radius of 650.00 feet (long chord of which bears S83°31'03"W, a distance of 163.07 feet), an arc distance of 163.50 feet to Engineer's Station 68+06.29 PT;

Thence S76°18'42"W, a distance of 110.15 feet to Engineer's Station 69+16.44
PC;

Thence on a curve to the right, having a radius of 900.00 feet (long chord of which bears S81°28'25"W, a distance of 161.95 feet), an arc distance of 162.17 feet to Engineer's Station 70+78.61 PT;

Thence S86°38'08"W, a distance of 125.25 feet to Engineer's Station 72+03.86
PC;

Thence on a curve to the left, having a radius of 220.00 feet (long chord of which bears S64°24'20"W, a distance of 166.46 feet), an arc distance of 170.71 feet to Engineer's Station 73+74.57 PT;

Thence S42°10'33"W, a distance of 99.11 feet to Engineer's Station 74+73.68
PC;

Thence on a curve to the right, having a radius of 180.00 feet (long chord of which bears S68°58'37"W, a distance of 162.32 feet), an arc distance of 168.40 feet to Engineer's Station 76+42.08 PT;

Thence N84°13'19"W, a distance of 504.13 feet to Engineer's Station 81+46.21
PC;

Thence on a curve to the right, having a radius of 130.00 feet (long chord of which bears N51°45'11"W, a distance of 139.58 feet), an arc distance of 147.63 feet to Engineer's Station 82+93.55 PT;

Thence N19°17'03"W, a distance of 121.74 feet to Engineer's Station 84+15.29
PC;

Thence on a curve to the right, having a radius of 300.00 feet (long chord of which bears N09°00'31"W, a distance of 107.03 feet), an arc distance of 107.61 feet to Engineer's Station 85+22.90 PT;

Thence N01°16'02"E, a distance of 267.64 feet to Engineer's Station 87+90.54
PC, from which the Northwest corner of said Section 32 bears N86°11'01"W, a distance of 661.15 feet;

Thence on a curve to the right, having a radius of 500.00 feet (long chord of which bears N06°33'34"E, a distance of 92.24 feet), an arc distance of 92.37 feet to Engineer's Station 88+82.91 PT;

Thence N11°51'06"E, a distance of 221.69 feet to Engineer's Station 91+04.60
PC; Thence on a curve to the right, having a radius of 320.00 feet (long chord of which bears N30°48'17"E, a distance of 207.87 feet), an arc distance of 211.71 feet to Engineer's Station 93+16.31 PT;

Thence N49°45'28"E, a distance of 65.25 feet to Engineer's Station 93+81.56
PC;

Thence on a curve to the left, having a radius of 240.00 feet (long chord of which bears N34°35'47"E, a distance of 125.54 feet), an arc distance of 127.02 feet to Engineer's Station 95+08.58 PT;

Thence N19°26'06"E, a distance of 101.37 feet to Engineer's Station 96+09.95
PC;

Thence on a curve to the right, having a radius of 500.00 feet (long chord of which bears N23°28'16"E, a distance of 70.39 feet), an arc distance of 70.44 feet to Engineer's Station 96+80.39 PT;

Thence N27°30'26"E, a distance of 91.27 feet to Engineer's Station 97+71.66
PC;

Thence on a curve to the left, having a radius of 130.00 feet (long chord of which bears N24°16'24"W, a distance of 204.27 feet), an arc distance of 234.97 feet to Engineer's Station 100+06.63 PT;

Thence N76°03'14"W, a distance of 114.82 feet to Engineer's Station 101+21.45
PC;

Thence on a curve to the right, having a radius of 320.00 feet (long chord of which bears N55°15'13"W, a distance of 227.27 feet), an arc distance of 232.34 feet to Engineer's Station 103+53.79 PT;

Thence N34°27'11"W, a distance of 37.39 feet to Engineer's Station 103+91.18
PC;

Thence on a curve to the right, having a radius of 310.00 feet (long chord of which bears N17°33'13"W, a distance of 180.23 feet), an arc distance of 182.87 feet to Engineer's Station 105+74.05 PT;

Thence N00°39'14"W, a distance of 67.36 feet to Engineer's Station 106+41.41
PC;

Thence on a curve to the left, having a radius of 300.00 feet (long chord of which bears N12°06'06"W, a distance of 119.08 feet), an arc distance of 119.88 feet to Engineer's Station 107+61.29 PT;

Thence N23°32'58"W, a distance of 280.63 feet to Engineer's Station 110+41.92
PC;

Thence on a curve to the left, having a radius of 240.00 feet (long chord of which bears N41°21'19"W, a distance of 146.78 feet), an arc distance of 149.17 feet to Engineer's Station 111+91.09 PT;

Thence N59°09'41"W, a distance of 256.02 feet to Engineer's Station 114+47.11
PC;

Thence on a curve to the right, having a radius of 1000.00 feet (long chord of which bears N57°35'10"W, a distance of 54.98 feet), an arc distance of 54.98 feet to Engineer's Station 115+02.09 PT;

Thence N56°00'40"W, a distance of 91.60 feet to Engineer's Station 115+93.69
PC, from which the East one-quarter corner of said Section 30 bears N03°17'28"W, a distance of 490.66 feet;

Thence on a curve to the left, having a radius of 150.00 feet (long chord of which bears N87°43'57"W, a distance of 157.74 feet), an arc distance of 166.09 feet to Engineer's Station 117+59.78 PT;

Thence S60°32'45"W, a distance of 320.19 feet to Engineer's Station 120+79.97
PC;

Thence on a curve to the right, having a radius of 520.00 feet (long chord of which bears S67°44'39"W, a distance of 130.32 feet), an arc distance of 130.66 feet to Engineer's Station 122+10.63 PT;

Thence S74°56'33"W, a distance of 179.19 feet to Engineer's Station 123+89.82
PC;

Thence on a curve to the right, having a radius of 100.00 feet (long chord of which bears N50°55'21"W, a distance of 162.08 feet), an arc distance of 188.97 feet to Engineer's Station 125+78.79 PT;

Thence N03°12'45"E, a distance of 195.68 feet to Engineer's Station 127+74.47
PC;

Thence on a curve to the left, having a radius of 140.00 feet (long chord of which bears N18°30'31"W, a distance of 103.62 feet), an arc distance of 106.15 feet to Engineer's Station 128+80.62 PT;

Thence N40°13'47"W, a distance of 319.81 feet to Engineer's Station 132+00.43
PC, from which the East one-quarter corner of said Section 30 bears N84°45'11"E, a distance of 1060.64 feet;

Thence on a curve to the right, having a radius of 120.00 feet (long chord of which bears N11°56'22"E, a distance of 189.56 feet), an arc distance of 218.53 feet to Engineer's Station 134+18.96 PT;

Thence N64°06'30"E, a distance of 25.06 feet to Engineer's Station 134+44.02
PC;
Thence on a curve to the left, having a radius of 135.00 feet (long chord of which bears N13°20'41"E, a distance of 209.13 feet), an arc distance of 239.22 feet to Engineer's Station 136+83.24 PT;
Thence N37°25'09"W, a distance of 115.47 feet to Engineer's Station 137+98.71
PC;
Thence on a curve to the right, having a radius of 400.00 feet (long chord of which bears N32°13'10"W, a distance of 72.50 feet), an arc distance of 72.60 feet to Engineer's Station 138+71.31 PT;
Thence N27°01'11"W, a distance of 82.84 feet to Engineer's Station 139+54.15
PC;
Thence on a curve to the right, having a radius of 2500.00 feet (long chord of which bears N24°23'08"W, a distance of 229.79 feet), an arc distance of 229.88 feet to Engineer's Station 141+84.03 PT;
Thence N21°45'05"W, a distance of 143.64 feet to Engineer's Station 143+27.67
PC;
Thence on a curve to the left, having a radius of 250.00 feet (long chord of which bears N35°00'48"W, a distance of 114.70 feet), an arc distance of 115.73 feet to Engineer's Station 144+43.40 PT;
Thence N48°16'31"W, a distance of 309.05 feet to Engineer's Station 147+52.45
PC;
Thence on a curve to the right, having a radius of 250.00 feet (long chord of which bears N38°14'32"W, a distance of 87.11 feet), an arc distance of 87.55 feet to Engineer's Station 148+40.00 PT;
Thence N28°12'33"W, a distance of 228.96 feet to Engineer's Station 150+68.96
PC;
Thence on a curve to the right, having a radius of 850.00 feet (long chord of which bears N08°08'49"W, a distance of 583.17 feet), an arc distance of 595.26 feet to Engineer's Station 156+64.22 PT;
Thence N11°54'55"E, a distance of 470.33 feet to Engineer's Station 161+34.55
PC;
Thence on a curve to the left, having a radius of 350.00 feet (long chord of which bears N02°34'14"W, a distance of 175.10 feet), an arc distance of 175.98 feet to Engineer's Station 163+11.53 PT, from which the North one-quarter corner of said Section 30 bears N89°28'59"W, a distance of 914.57 feet;
Thence N17°03'24"W, a distance of 113.26 feet to Engineer's Station 164+24.79
PC;
Thence on a curve to the right, having a radius of 300.00 feet (long chord of which bears N00°41'32"W, a distance of 169.05 feet), an arc distance of 171.37 feet to Engineer's Station 165+96.16 PT;
Thence N15°40'19"E, a distance of 268.77 feet to Engineer's Station 168+64.93
PC;
Thence on a curve to the left, having a radius of 400.00 feet (long chord of which bears N05°59'19"W, a distance of 295.29 feet), an arc distance of 302.44 feet to Engineer's Station 171+67.37 PT;
Thence N27°38'57"W, a distance of 94.37 feet to Engineer's Station 172+61.74
PC;

Thence on a curve to the right, having a radius of 280.00 feet (long chord of which bears N13°01'21"W, a distance of 141.41 feet), an arc distance of 142.96 feet to Engineer's Station 174+04.70 PCC;

Thence on a curve to the right, having a radius of 800.00 feet (long chord of which bears N10°30'52"E, a distance of 247.82 feet), an arc distance of 248.82 feet to Engineer's Station 176+53.52 PT;

Thence N19°25'29"E, a distance of 285.64 feet to Engineer's Station 179+39.16 PC;

Thence on a curve to the left, having a radius of 260.00 feet (long chord of which bears N03°16'26"E, a distance of 200.66 feet), an arc distance of 206.01 feet to Engineer's Station 181+45.17 PT;

Thence N25°58'22"W, a distance of 121.95 feet to Engineer's Station 182+67.12 PC;

Thence on a curve to the left, having a radius of 300.00 feet (long chord of which bears N31°56'15"W, a distance of 62.35 feet), an arc distance of 62.46 feet to Engineer's Station 183+29.58 PT;

Thence N37°54'07"W, a distance of 84.68 feet to Engineer's Station 184+14.26 PC;

Thence on a curve to the right, having a radius of 110.00 feet (long chord of which bears N00°52'52"E, a distance of 137.80 feet), an arc distance of 148.92 feet to Engineer's Station 185+63.18 PT;

Thence N39°39'51"E, a distance of 569.23 feet to Engineer's Station 191+32.41 PC;

Thence on a curve to the right, having a radius of 100.00 feet (long chord of which bears N73°52'47"E, a distance of 112.46 feet), an arc distance of 119.44 feet to Engineer's Station 192+51.85 PT;

Thence S71°54'16"E, a distance of 83.17 feet to Engineer's Station 193+35.02 PC;

Thence on a curve to the left, having a radius of 110.00 feet (long chord of which bears N77°05'12"E, a distance of 113.34 feet), an arc distance of 119.06 feet to Engineer's Station 194+54.08 PT;

Thence N46°04'41"E, a distance of 66.31 feet to Engineer's Station 195+20.39 PC;

Thence on a curve to the right, having a radius of 230.00 feet (long chord of which bears N65°00'18"E, a distance of 149.21 feet), an arc distance of 151.95 feet to Engineer's Station 196+72.34 PT;

Thence N83°55'54"E, a distance of 70.60 feet to Engineer's Station 197+42.94 PC;

Thence on a curve to the left, having a radius of 100.00 feet (long chord of which bears N37°36'07"E, a distance of 144.67 feet), an arc distance of 161.73 feet to Engineer's Station 199+04.67 PRC;

Thence on a curve to the right, having a radius of 100.00 feet (long chord of which bears N09°38'39"E, a distance of 63.04 feet), an arc distance of 64.13 feet to Engineer's Station 199+68.80 PCC;

Thence on a curve to the right, having a radius of 230.00 feet (long chord of which bears N60°35'59"E, a distance of 247.72 feet), an arc distance of 261.60 feet to Engineer's Station 202+30.40 PT;

Thence S86°49'00"E, a distance of 90.55 feet to Engineer's Station 203+20.95
PC;

Thence on a curve to the right, having a radius of 150.00 feet (long chord of which bears S67°36'14"E, a distance of 98.72 feet), an arc distance of 100.60 feet to Engineer's Station 204+21.55 PT;

Thence S48°23'29"E, a distance of 104.66 feet to Engineer's Station 205+26.21
PC, from which the East one-quarter corner of said Section 19 bears S29°10'19"E, a distance of 222.34 feet;

Thence on a curve to the left, having a radius of 95.00 feet (long chord of which bears N60°50'19"E, a distance of 179.40 feet), an arc distance of 234.68 feet to Engineer's Station 207+60.89 PT;

Thence N09°55'52"W, a distance of 144.43 feet to Engineer's Station 209+05.32
PC;

Thence on a curve to the right, having a radius of 65.00 feet (long chord of which bears N42°46'22"E, a distance of 103.42 feet), an arc distance of 119.58 feet to Engineer's Station 210+24.90 PT;

Thence S84°31'23"E, a distance of 172.17 feet to Engineer's Station 211+97.07
PC;

Thence on a curve to the left, having a radius of 90.00 feet (long chord of which bears N53°32'19"E, a distance of 120.29 feet), an arc distance of 131.74 feet to Engineer's Station 213+28.81 PT;

Thence N11°36'42"E, a distance of 50.45 feet to Engineer's Station 213+79.26
PC;

Thence on a curve to the right, having a radius of 170.00 feet (long chord of which bears N22°46'45"E, a distance of 65.85 feet), an arc distance of 66.27 feet to Engineer's Station 214+45.53 PT;

Thence N33°56'48"E, a distance of 87.49 feet to Engineer's Station 215+33.02
PC;

Thence on a curve to the left, having a radius of 150.00 feet (long chord of which bears N10°55'26"E, a distance of 117.33 feet), an arc distance of 120.55 feet to Engineer's Station 216+53.57 PT;

Thence N12°05'57"W, a distance of 93.82 feet to Engineer's Station 217+47.39
PC;

Thence on a curve to the left, having a radius of 200.00 feet (long chord of which bears N18°25'10"W, a distance of 44.04 feet), an arc distance of 44.13 feet to Engineer's Station 217+91.52 PT;

Thence N24°44'24"W, a distance of 333.44 feet to Engineer's Station 221+24.96
PC;

Thence on a curve to the right, having a radius of 200.00 feet (long chord of which bears N17°02'15"W, a distance of 53.61 feet), an arc distance of 53.77 feet to Engineer's Station 221+78.73 PT;

Thence N09°20'07"W, a distance of 47.34 feet to Engineer's Station 222+26.07
PC;

Thence on a curve to the left, having a radius of 250.00 feet (long chord of which bears N20°13'38"W, a distance of 94.48 feet), an arc distance of 95.05 feet to Engineer's Station 223+21.12 PT;

Thence N31°07'10"W, a distance of 36.77 feet to Engineer's Station 223+57.89
PC;

Thence on a curve to the left, having a radius of 120.00 feet (long chord of which bears N69°42'56"W, a distance of 149.72 feet), an arc distance of 161.67 feet to Engineer's Station 225+19.56 PCC;

Thence on a curve to the left, having a radius of 150.00 feet (long chord of which bears S61°36'13"W, a distance of 52.53 feet), an arc distance of 52.80 feet to Engineer's Station 225+72.36 PT;

Thence S51°31'08"W, a distance of 69.99 feet to Engineer's Station 226+42.35 PC;

Thence on a curve to the right, having a radius of 40.00 feet (long chord of which bears N68°22'50"W, a distance of 69.35 feet), an arc distance of 83.92 feet to Engineer's Station 227+26.27 PT;

Thence N08°16'48"W, a distance of 43.68 feet to Engineer's Station 227+69.95 PC;

Thence on a curve to the left, having a radius of 400.00 feet (long chord of which bears N16°22'08"W, a distance of 112.57 feet), an arc distance of 112.94 feet to Engineer's Station 228+82.89 PT;

Thence N24°27'28"W, a distance of 70.08 feet to Engineer's Station 229+52.97 PC;

Thence on a curve to the right, having a radius of 250.00 feet (long chord of which bears N14°40'32"W, a distance of 84.95 feet), an arc distance of 85.37 feet to Engineer's Station 230+38.34 PT;

Thence N04°53'35"W, a distance of 85.15 feet to Engineer's Station 231+23.49 PC;

Thence on a curve to the right, having a radius of 130.00 feet (long chord of which bears N15°29'15"E, a distance of 90.55 feet), an arc distance of 92.48 feet to Engineer's Station 232+15.97 PT;

Thence N35°52'06"E, a distance of 53.47 feet to Engineer's Station 232+69.44 PC;

Thence on a curve to the left, having a radius of 130.00 feet (long chord of which bears N14°06'46"E, a distance of 96.37 feet), an arc distance of 98.72 feet to Engineer's Station 233+68.16 PT;

Thence N07°38'33"W, a distance of 18.58 feet to Engineer's Station 233+86.74 POT which equal Engineer's Station 240+09.34 at the Southerly end of County Road No. 399-A, from which the Northeast corner of said Section 19 bears N21°36'57"E, a distance of 498.65 feet.

The width of the strip of land heretofore described is as follows:

That portion located in the East one-half and the Northwest one-quarter of said Section 32; The right of way is 40 feet in width, 20 feet on each side of the centerline, except that portion located in the Southwest one-quarter of the Northeast one-quarter of said Section 32, which is 25 feet on the west side of centerline and 20 feet on the east side of centerline.

That portion located in the Southwest one-quarter of said Section 29 and the East one-half of the East one-half of said Section 30; The right of way is 60 feet in width, 30 feet on each side of the centerline.

That portion located in the Southwest one-quarter of the Northeast one-quarter of said Section 30 lying southerly of Engineer's Station 146+54.35 POT; The right of way is 40 feet in width, 20 feet on each side of the centerline.

That portion located in the West one-half of the Northeast one-quarter said Section 30, and that portion located in the East one-half of said Section 19, and that portion of the Northwest one-quarter of said Section 20, all lying Northerly of Engineer's Station 146+54.35 POT; The right of way is 60 feet in width, 30 feet on each side of the centerline; EXCEPT on the East side of centerline between Engineer's Station 183+43.00 and 183+51.00, the right of way is 27 feet.

EXCEPTING therefrom, that portion of the heretofore described strip of land that lies within the property owned by Dorothy English in the Northwest one-quarter of the Northeast one-quarter of said Section 32.

The heretofore description is written and based on a survey by Robert A. Hovden, Multnomah County Surveyor, recorded as Survey Number 56579, Multnomah County Survey Records, and by said reference is hereby made a part thereof.

McNAMEE ROAD NO. 5016

PORTLAND CITY LIMITS TO SOUTH END OF COUNTY RD. NO. 399A

SITUATED IN THE SOUTHEAST 1/4 OF SECTION 18,
 THE EAST 1/2 OF SECTION 19, THE NORTHWEST 1/4 OF SECTION 20,
 THE EAST 1/2 OF SECTION 30, THE SOUTHWEST 1/4 OF SECTION 29,
 THE NORTH 1/2 AND THE SOUTHEAST 1/4 OF SECTION 32,
 TOWNSHIP 2 NORTH, RANGE 1 WEST, WILLAMETTE MERIDIAN,
 MULTNOMAH COUNTY, OREGON

NARRATIVE

The purpose of this survey is to survey the as-traveled McNamee Road from the Portland city limits (about 950 feet north of Skyline Blvd.) to the south end of County Road No. 399-A, for legalization purposes. McNamee Road was established in 1885 as County Road No. 399. In 1925, the southerly half was surveyed and legalized as County Road No. 1112 (40' wide). In 1949, the northerly 700 feet was legalized as County Road No. 399-A (60' wide). In 1950, the southerly 550 feet was legalized as County Road No. 1745 (50' wide).

County Road No. 1745 was established as follows: Station 569+45.95 E.C. of Skyline Blvd. Road No. 1295 was held, and the tangent extended northeasterly 48.00 feet therefrom per field book 932, page 2, Multnomah County Road Records, to the centerline of County Road No. 1745. The centerline northwesterly from this point was held at record deflection angle of 85°26' from said tangent per said field book 932. Station 1+86.28 EC of County Road No. 1745 was established at proportionate distance from the found reference points (363) and (365). County Road No. 1745 record angles and distances were held from these points as shown hereon.

County Road No. 1112 from the north end of County Road No. 1745 was held at record bearing and distance from said north end per the 1925 survey thereof (see map D13/6A). As the existing McNamee Road does not fit this right of way, a centerline was developed to fit the existing traveled roadway. The station at the north end of County Road No. 1745 was held and the stationing was continued easterly along the existing traveled roadway to the Portland city limits and the point of beginning for the legalization of McNamee Road.

County Road No. 399-A was established as follows: Station 240+09.34 was established at proportionate distance from points (336) and (335). Station 241+89.17 PC was established at proportionate distance from points (333) and (334). The PI for the curve between station 241+89.17 PC and 243+71.68 PT was held at record tangent distance of 92.38 feet from said station 241+89.17 PC. The centerline was held 30 feet (right angle distance) from point (248) and 40 feet (right angle distance) from point (246). Point (249) was held as the tangent extended. The centerline was then held to these points and record data was held where possible.

The Portland city limits line was established 460 feet east of and parallel to the west line of the southeast quarter of section 32, as shown on sheet 3.

The centerline of the portion of McNamee Road to be legalized was determined by surveying the existing traveled roadway and using a best-fit method.

Basis of Bearings: Bearings are geodetic bearings based on GPS observations.

The width of the right-of-way of the legalized McNamee Road is as follows:

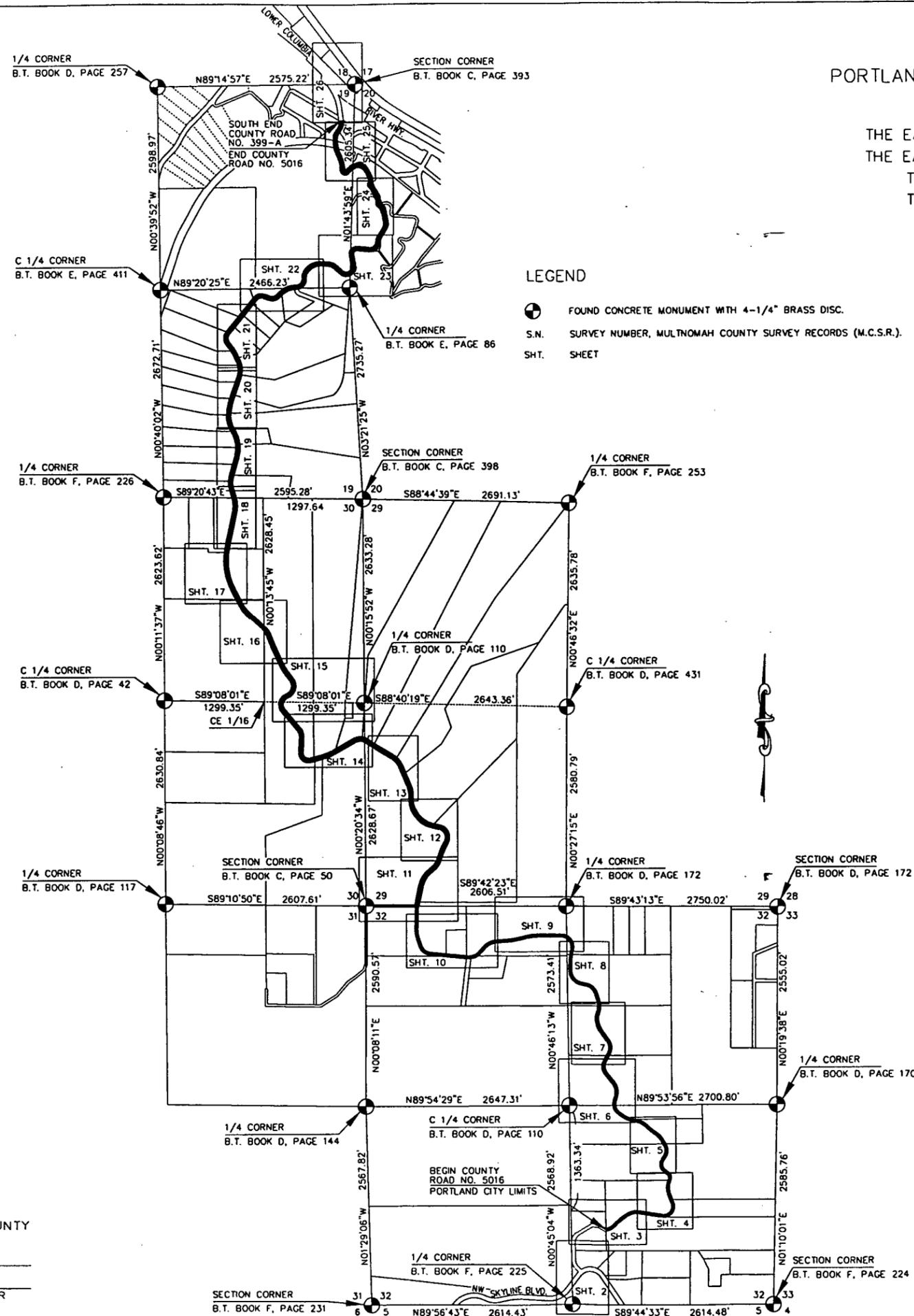
That portion located in the East one-half and the Northwest one-quarter of said Section 32; The right-of-way is 40 feet in width, 20 feet on each side of the centerline, except that portion located in the Southwest one-quarter of the Northeast one-quarter of said Section 32, which is 25 feet on the west side of centerline and 20 feet on the east side of centerline.

That portion located in the Southwest one-quarter of said Section 29 and the East one-half of the East one-half of said Section 30; The right-of-way is 60 feet in width, 30 feet on each side of the centerline.

That portion located in the Southwest one-quarter of the Northeast one-quarter of said Section 30 lying southerly of Engineer's Station 146+54.35 POT; The right-of-way is 40 feet in width, 20 feet on each side of the centerline.

That portion located in the West one-half of the Northeast one-quarter of said Section 30, and that portion located in the East one-half of said Section 19, and that portion of the Northwest one-quarter of said Section 20, all lying Northerly of Engineer's Station 146+54.35 POT; The right-of-way is 60 feet in width, 30 feet on each side of the centerline, excepting that portion east of centerline from engineer's station 183+43.00 to 183+51.00 where the right-of-way is 27' wide.

NOTE: Right-of-way widths are based on the right-of-way as it legally exists as of this date.



LEGEND

- FOUND CONCRETE MONUMENT WITH 4-1/4" BRASS DISC.
- S.N. SURVEY NUMBER, MULTNOMAH COUNTY SURVEY RECORDS (M.C.S.R.).
- SHT. SHEET

MULTNOMAH COUNTY
 SURVEY RECORDS
 DATE FILED _____
 REGISTER NUMBER _____

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

Robert A. Hovden

OREGON
 JULY 16, 1971
 ROBERT A. HOVDEN
 954

RENEWAL DATE: 6/30/1999



MULTNOMAH COUNTY
 DEPARTMENT OF ENVIRONMENTAL SERVICES
 TRANSPORTATION DIVISION
 1600 S.E. 190TH AVE. PORTLAND, OR 97233-5999

McNAMEE ROAD NO. 5016
 PORTLAND CITY LIMITS TO S. END OF CO. RD. NO. 399A
 ROBERT A. HOVDEN PLS COUNTY SURVEYOR

DRAFTED: KSH	CHECKED: RAH	SHT. 1	26
DATE: 3/30/99	SCALE: 1"=1000'	OF	

SEE SHEET 3
(4+27.55 B.C.)₂
MATCH LINE

McNAMEE ROAD NO. 5016

PORTLAND CITY LIMITS TO SOUTH END OF COUNTY RD. NO. 399A

SITUATED IN THE SOUTHEAST 1/4 OF SECTION 18,
THE EAST 1/2 OF SECTION 19, THE NORTHWEST 1/4 OF SECTION 20,
THE EAST 1/2 OF SECTION 30, THE SOUTHWEST 1/4 OF SECTION 29,
THE NORTH 1/2 AND THE SOUTHEAST 1/4 OF SECTION 32,
TOWNSHIP 2 NORTH, RANGE 1 WEST, WILLAMETTE MERIDIAN,
MULTNOMAH COUNTY, OREGON

ELLIOT N. & JANET MICHAEL
BOOK 2322, PAGE 3029
YEAR: 1990

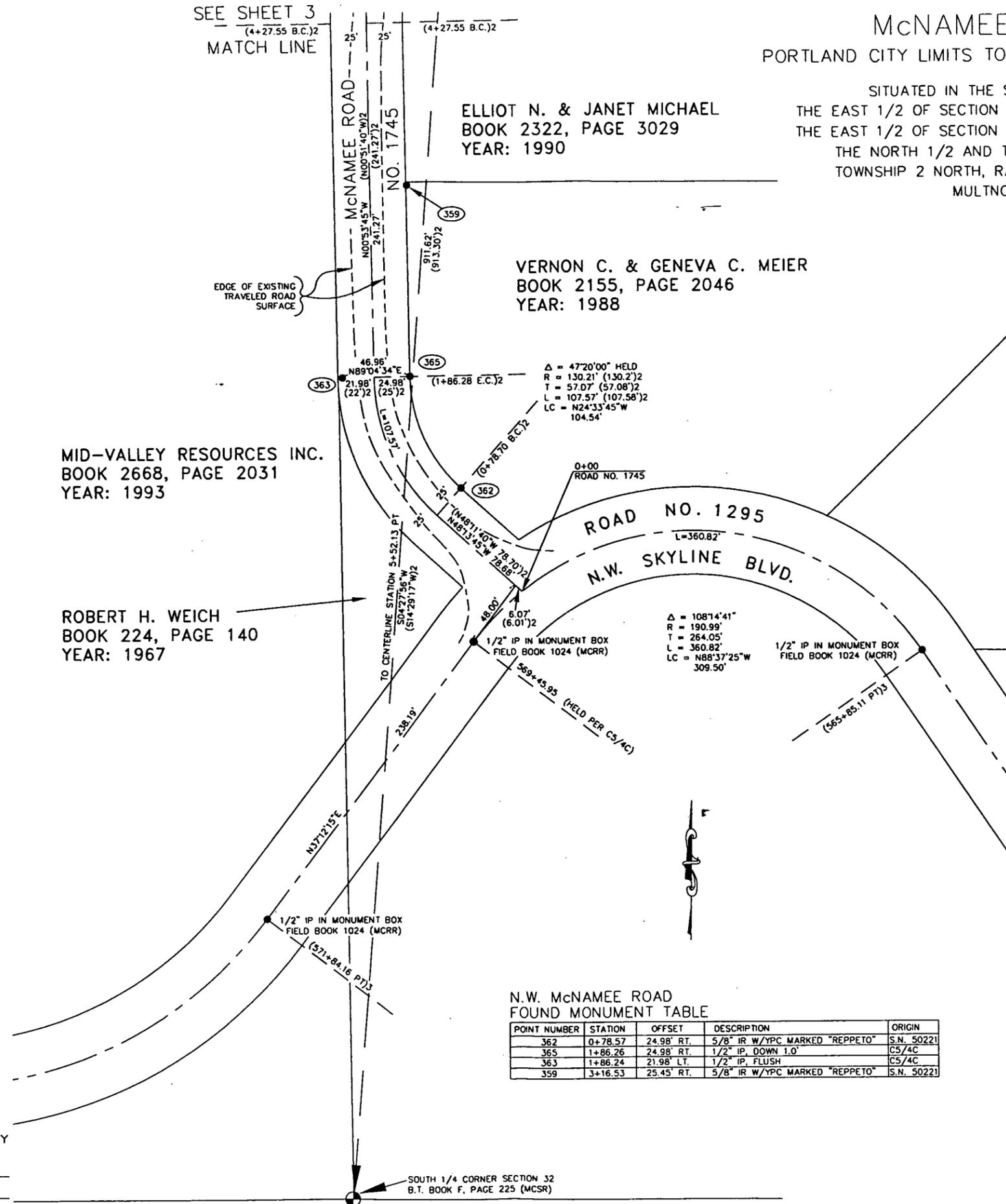
VERNON C. & GENEVA C. MEIER
BOOK 2155, PAGE 2046
YEAR: 1988

MID-VALLEY RESOURCES INC.
BOOK 2668, PAGE 2031
YEAR: 1993

ROBERT H. WEICH
BOOK 224, PAGE 140
YEAR: 1967

LEGEND

- FOUND MONUMENT AS NOTED IN MONUMENT TABLES, OR AS NOTED.
- ⊕ FOUND CONCRETE MONUMENT WITH 4-1/4" BRASS DISC.
- ⊗ SET 5/8" X 30" IRON ROD WITH 2" ALUMINUM CAP MARKED "MULTNOMAH COUNTY SURVEYOR" WITH PUNCHMARK.
- Ⓜ MONUMENT IDENTIFIER, SEE MONUMENT TABLES.
- S.N. SURVEY NUMBER, MULTNOMAH COUNTY SURVEY RECORDS (MCSR)
- MCRR MULTNOMAH COUNTY ROAD RECORDS
- W/YPC WITH YELLOW PLASTIC CAP.
- ()₂ RECORD DATA PER COUNTY ROAD 1745 - MAP F7/11, FIELD BOOK 932, MCRR.
- ()₃ RECORD DATA PER COUNTY ROAD 1295 - MAP C5/4C, FIELD BOOK 1024, MCRR.
- IP IRON PIPE
- IR IRON ROD



N.W. McNAMEE ROAD
FOUND MONUMENT TABLE

POINT NUMBER	STATION	OFFSET	DESCRIPTION	ORIGIN
362	0+78.57	24.98' RT.	5/8" IR W/YPC MARKED "REPPETO"	S.N. 50221
365	1+86.26	24.98' RT.	1/2" IP, DOWN 1.0'	CS/4C
363	1+86.24	21.98' LT.	1/2" IP, FLUSH	CS/4C
359	3+16.53	25.45' RT.	5/8" IR W/YPC MARKED "REPPETO"	S.N. 50221

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Robert A. Hovden

OREGON
JULY 16, 1971
ROBERT A. HOVDEN
954

RENEWAL DATE: 6/30/1999

MULTNOMAH COUNTY
DEPARTMENT OF ENVIRONMENTAL SERVICES
TRANSPORTATION DIVISION
1600 S.E. 190TH AVE. PORTLAND, OR 97233-5999

McNAMEE ROAD NO. 5016
PORTLAND CITY LIMITS TO S. END OF CO. RD. NO. 399A

ROBERT A. HOVDEN PLS COUNTY SURVEYOR

DRAFTED: KSH CHECKED: RAH SH. 2 OF 26
DATE: 3/30/99 SCALE: 1"=50'

MULTNOMAH COUNTY
SURVEY RECORDS

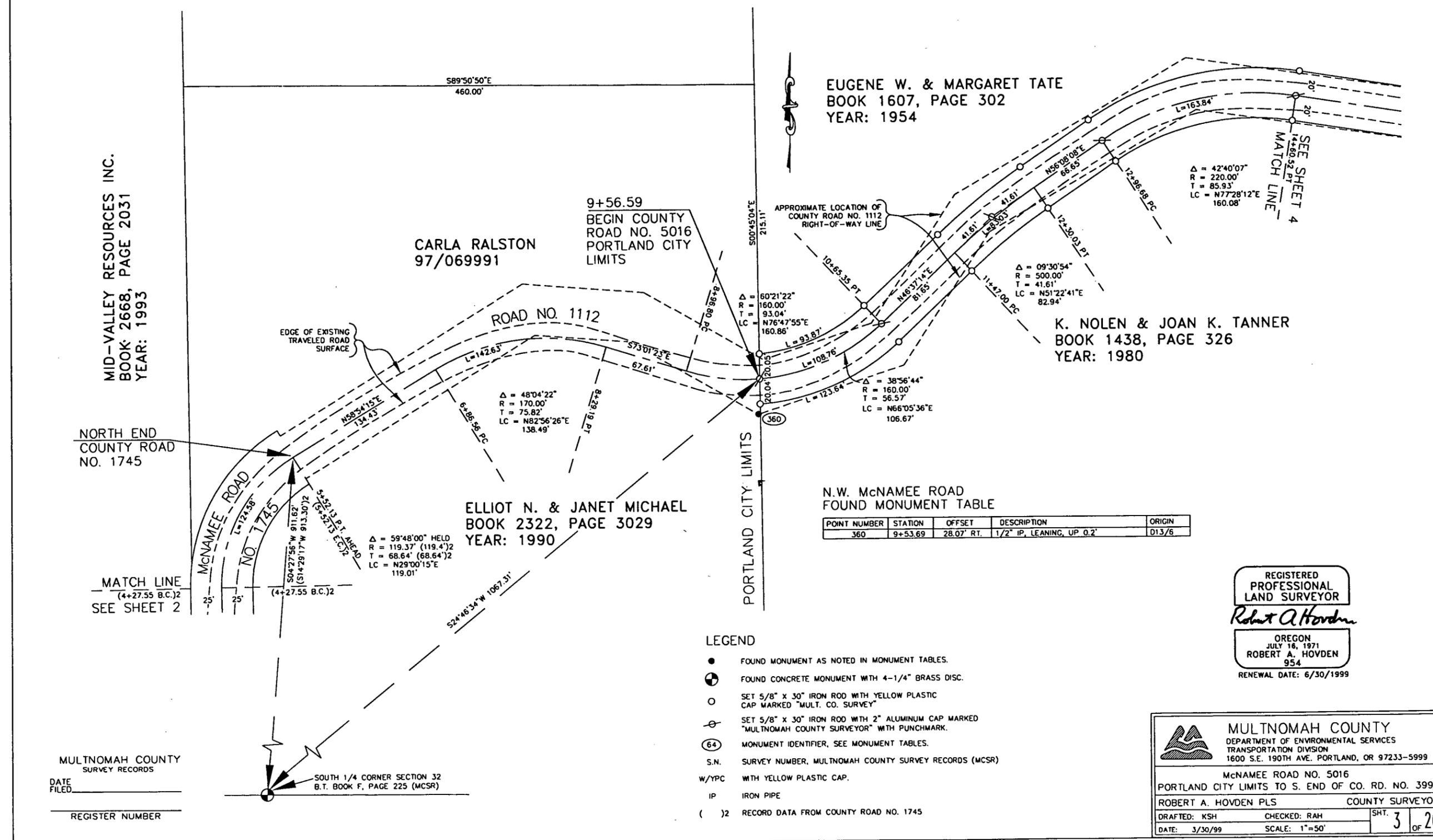
DATE FILED _____

REGISTER NUMBER _____

McNAMEE ROAD NO. 5016

PORTLAND CITY LIMITS TO SOUTH END OF COUNTY RD. NO. 399A

SITUATED IN THE SOUTHEAST 1/4 OF SECTION 18,
 THE EAST 1/2 OF SECTION 19, THE NORTHWEST 1/4 OF SECTION 20,
 THE EAST 1/2 OF SECTION 30, THE SOUTHWEST 1/4 OF SECTION 29,
 THE NORTH 1/2 AND THE SOUTHEAST 1/4 OF SECTION 32,
 TOWNSHIP 2 NORTH, RANGE 1 WEST, WILLAMETTE MERIDIAN,
 MULTNOMAH COUNTY, OREGON



MID-VALLEY RESOURCES INC.
 BOOK 2668, PAGE 2031
 YEAR: 1993

NORTH END
 COUNTY ROAD
 NO. 1745

MATCH LINE
 (4+27.55 B.C.)2
 SEE SHEET 2

MULTNOMAH COUNTY
 SURVEY RECORDS
 DATE FILED _____
 REGISTER NUMBER _____

CARLA RALSTON
 97/069991

9+56.59
 BEGIN COUNTY
 ROAD NO. 5016
 PORTLAND CITY
 LIMITS

ELLIOT N. & JANET MICHAEL
 BOOK 2322, PAGE 3029
 YEAR: 1990

EUGENE W. & MARGARET TATE
 BOOK 1607, PAGE 302
 YEAR: 1954

K. NOLEN & JOAN K. TANNER
 BOOK 1438, PAGE 326
 YEAR: 1980

N.W. McNAMEE ROAD
 FOUND MONUMENT TABLE

POINT NUMBER	STATION	OFFSET	DESCRIPTION	ORIGIN
360	9+53.69	28.07' RT.	1/2" IP, LEANING, UP 0.2'	D13/6

- LEGEND**
- FOUND MONUMENT AS NOTED IN MONUMENT TABLES.
 - ⊕ FOUND CONCRETE MONUMENT WITH 4-1/4" BRASS DISC.
 - SET 5/8" x 30" IRON ROD WITH YELLOW PLASTIC CAP MARKED "MULT. CO. SURVEY"
 - ⊙ SET 5/8" x 30" IRON ROD WITH 2" ALUMINUM CAP MARKED "MULTNOMAH COUNTY SURVEYOR" WITH PUNCHMARK.
 - Ⓜ MONUMENT IDENTIFIER, SEE MONUMENT TABLES.
 - S.N. SURVEY NUMBER, MULTNOMAH COUNTY SURVEY RECORDS (MCSR)
 - W/YPC WITH YELLOW PLASTIC CAP.
 - IP IRON PIPE
 - () RECORD DATA FROM COUNTY ROAD NO. 1745

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR
Robert A. Hovden
 OREGON
 JULY 16, 1971
 ROBERT A. HOVDEN
 954
 RENEWAL DATE: 6/30/1999

MULTNOMAH COUNTY
 DEPARTMENT OF ENVIRONMENTAL SERVICES
 TRANSPORTATION DIVISION
 1600 S.E. 190TH AVE. PORTLAND, OR 97233-5999

McNAMEE ROAD NO. 5016
 PORTLAND CITY LIMITS TO S. END OF CO. RD. NO. 399A

ROBERT A. HOVDEN PLS COUNTY SURVEYOR

DRAFTED: KSH	CHECKED: RAH	SHT. 3 OF 26
DATE: 3/30/99	SCALE: 1"=50'	

McNAMEE ROAD NO. 5016
 PORTLAND CITY LIMITS TO SOUTH END OF COUNTY RD. NO. 399A

SITUATED IN THE SOUTHEAST 1/4 OF SECTION 18,
 THE EAST 1/2 OF SECTION 19, THE NORTHWEST 1/4 OF SECTION 20,
 THE EAST 1/2 OF SECTION 30, THE SOUTHWEST 1/4 OF SECTION 29,
 THE NORTH 1/2 AND THE SOUTHEAST 1/4 OF SECTION 32,
 TOWNSHIP 2 NORTH, RANGE 1 WEST, WILLAMETTE MERIDIAN,

TECHNICAL RESOURCES CORP.
 BOOK 2728, PAGE 691
 YEAR: 1993

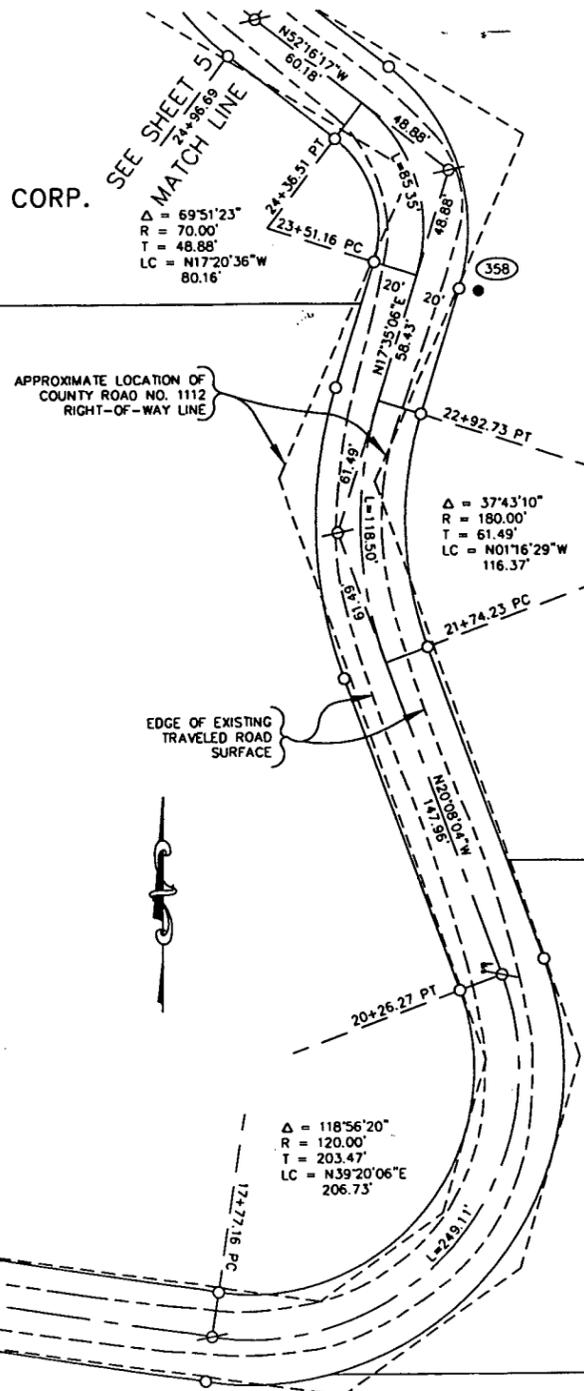
MARY V. FOLBERG &
 RICHARD F. OVENBURG
 BOOK 2393, PAGE 2032
 YEAR: 1991

EUGENE W. & MARGARET TATE
 BOOK 1607, PAGE 302
 YEAR: 1954

LAWRENCE W. BARTEL &
 SHERYL J. BARTEL
 BOOK 1741, PAGE 552
 YEAR: 1984

K. NOLEN & JOAN K. TANNER
 BOOK 1438, PAGE 326
 YEAR: 1980

MULTNOMAH COUNTY
 SURVEY RECORDS
 DATE FILED _____
 REGISTER NUMBER _____



N.W. McNAMEE ROAD
 FOUND MONUMENT TABLE

POINT NUMBER	STATION	OFFSET	DESCRIPTION	ORIGIN
358	23+52.22	28.47' RT.	1/2" IP, FLUSH	D13/8

LEGEND

- FOUND MONUMENT AS NOTED IN MONUMENT TABLES.
- ⊕ FOUND CONCRETE MONUMENT WITH 4-1/4" BRASS DISC.
- SET 5/8" X 30" IRON ROD WITH YELLOW PLASTIC CAP MARKED "MULT. CO. SURVEY"
- ⊖ SET 5/8" X 30" IRON ROD WITH 2" ALUMINUM CAP MARKED "MULTNOMAH COUNTY SURVEYOR" WITH PUNCHMARK.
- Ⓜ MONUMENT IDENTIFIER, SEE MONUMENT TABLES.
- S.N. SURVEY NUMBER, MULTNOMAH COUNTY SURVEY RECORDS (MCSR)
- W/YPC WITH YELLOW PLASTIC CAP.
- IP IRON PIPE

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

Robert A. Hovden

OREGON
 JULY 16, 1971
 ROBERT A. HOVDEN
 954

RENEWAL DATE: 6/30/1999

MULTNOMAH COUNTY
 DEPARTMENT OF ENVIRONMENTAL SERVICES
 TRANSPORTATION DIVISION
 1600 S.E. 190TH AVE. PORTLAND, OR 97233-5999

McNAMEE ROAD NO. 5016
 PORTLAND CITY LIMITS TO S. END OF CO. RD. NO. 399A

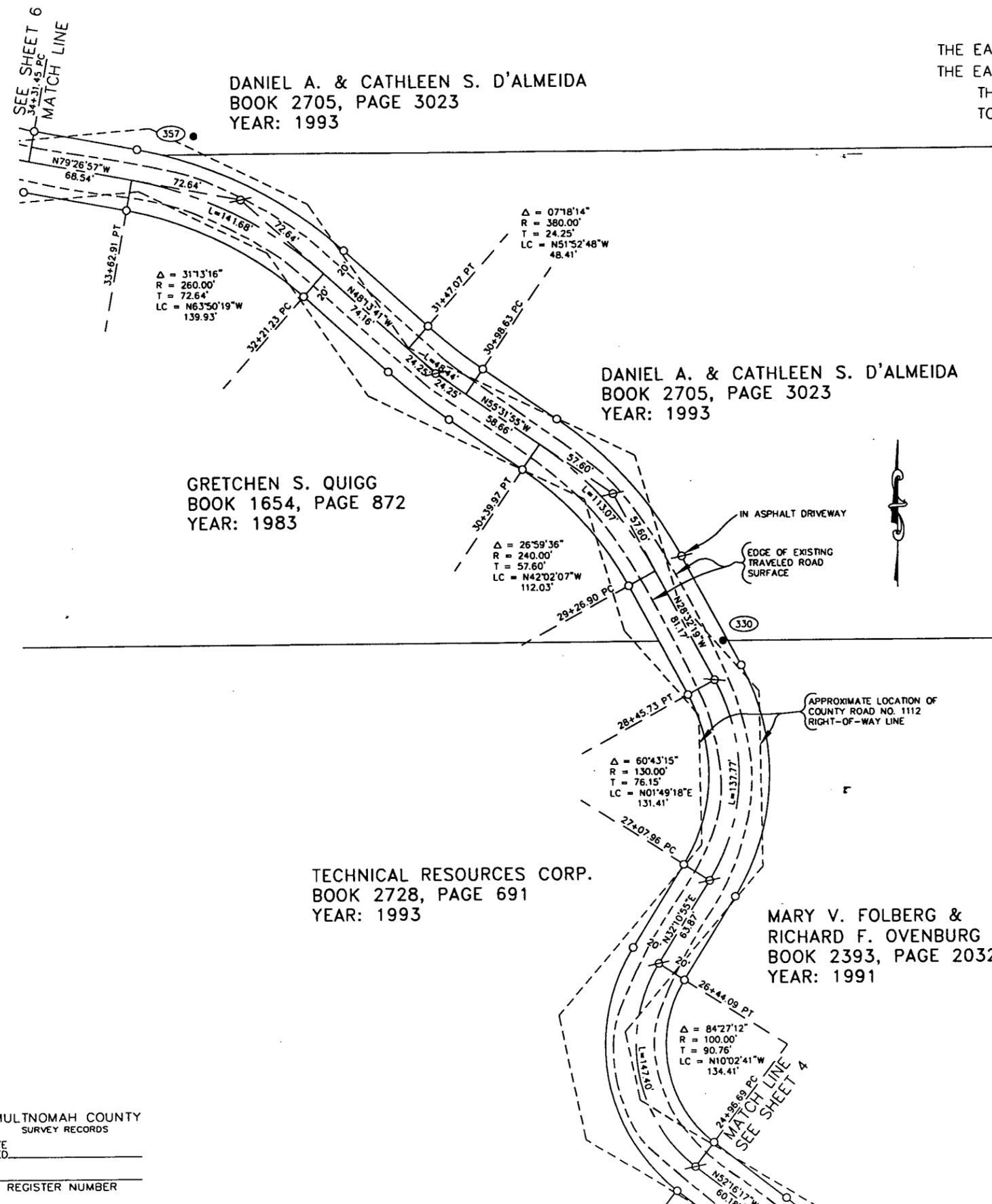
ROBERT A. HOVDEN PLS COUNTY SURVEYOR

DRAFTED: KSH CHECKED: RAH SH. 4 OF 26
 DATE: 3/30/99 SCALE: 1"=50'

McNAMEE ROAD NO. 5016

PORTLAND CITY LIMITS TO SOUTH END OF COUNTY RD. NO. 399A

SITUATED IN THE SOUTHEAST 1/4 OF SECTION 18,
 THE EAST 1/2 OF SECTION 19, THE NORTHWEST 1/4 OF SECTION 20,
 THE EAST 1/2 OF SECTION 30, THE SOUTHWEST 1/4 OF SECTION 29,
 THE NORTH 1/2 AND THE SOUTHEAST 1/4 OF SECTION 32,
 TOWNSHIP 2 NORTH, RANGE 1 WEST, WILLAMETTE MERIDIAN,



DANIEL A. & CATHLEEN S. D'ALMEIDA
 BOOK 2705, PAGE 3023
 YEAR: 1993

DANIEL A. & CATHLEEN S. D'ALMEIDA
 BOOK 2705, PAGE 3023
 YEAR: 1993

GRETCHEN S. QUIGG
 BOOK 1654, PAGE 872
 YEAR: 1983

TECHNICAL RESOURCES CORP.
 BOOK 2728, PAGE 691
 YEAR: 1993

MARY V. FOLBERG &
 RICHARD F. OVENBURG
 BOOK 2393, PAGE 2032
 YEAR: 1991

N.W. McNAMEE ROAD
 FOUND MONUMENT TABLE

POINT NUMBER	STATION	OFFSET	DESCRIPTION	ORIGIN
330	28+65.40	17.15' RT.	5/8" IR, UP 0.3"	S.N. 23722
357	33+32.12	37.02' RT.	5/8" IR, FLUSH	S.N. 23722

LEGEND

- FOUND MONUMENT AS NOTED IN MONUMENT TABLES.
- ⊕ FOUND CONCRETE MONUMENT WITH 4-1/4" BRASS DISC.
- SET 5/8" X 30" IRON ROD WITH YELLOW PLASTIC CAP MARKED "MULT. CO. SURVEY"
- ⊗ SET 5/8" X 30" IRON ROD WITH 2" ALUMINUM CAP MARKED "MULTNOMAH COUNTY SURVEYOR" WITH PUNCHMARK.
- ④ MONUMENT IDENTIFIER, SEE MONUMENT TABLES.
- S.N. SURVEY NUMBER, MULTNOMAH COUNTY SURVEY RECORDS (MCSR)
- W/YPC WITH YELLOW PLASTIC CAP.
- IR IRON ROD

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

Robert A. Hojden

OREGON
 JULY 16, 1971
 ROBERT A. HOVDEN
 954

RENEWAL DATE: 6/30/1999

MULTNOMAH COUNTY
 SURVEY RECORDS

DATE FILED _____

REGISTER NUMBER _____



MULTNOMAH COUNTY
 DEPARTMENT OF ENVIRONMENTAL SERVICES
 TRANSPORTATION DIVISION
 1600 S.E. 190TH AVE. PORTLAND, OR 97233-5999

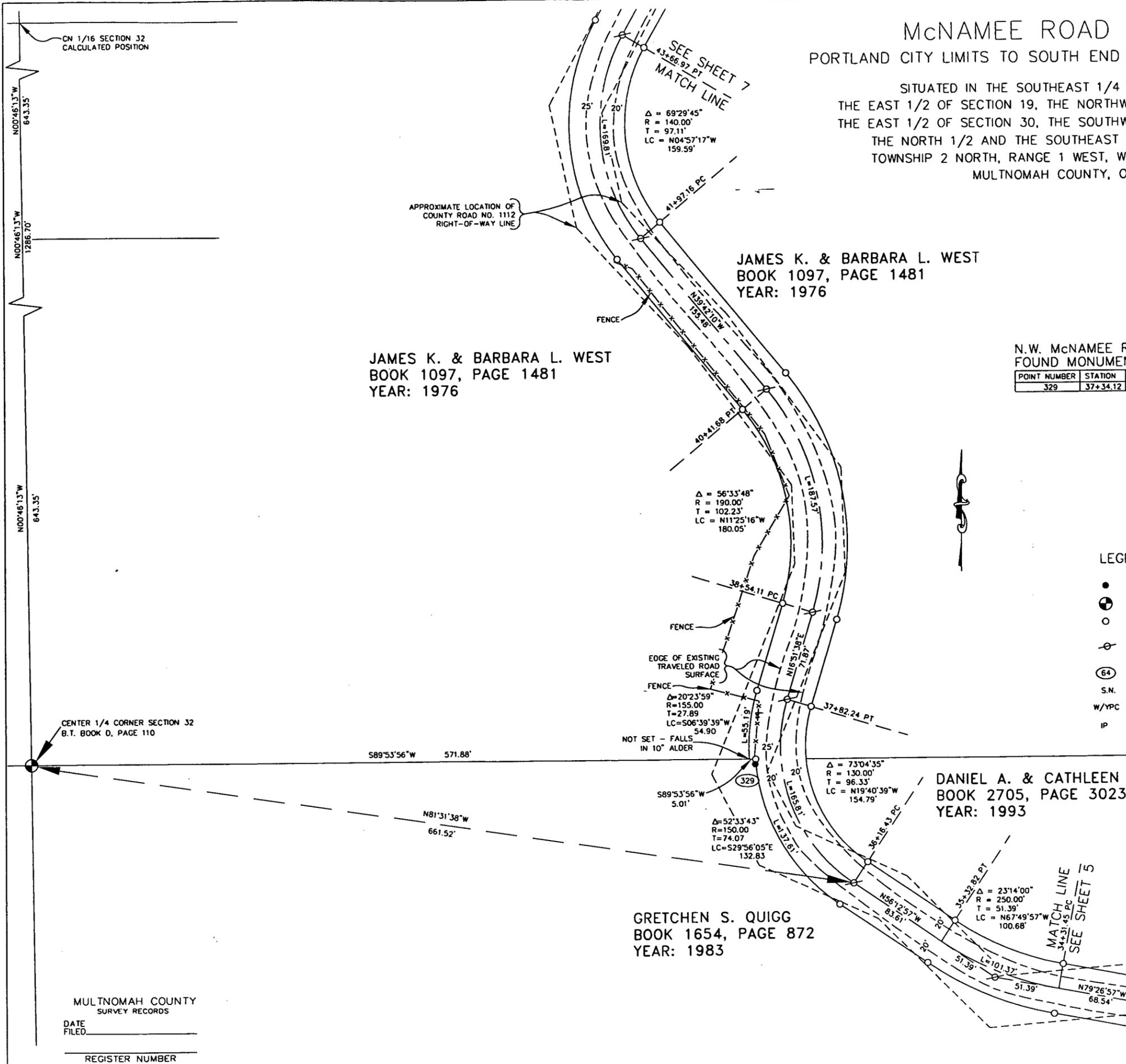
McNAMEE ROAD NO. 5016
 PORTLAND CITY LIMITS TO S. END OF CO. RD. NO. 399A

ROBERT A. HOVDEN PLS COUNTY SURVEYOR

DRAFTED: KSH CHECKED: RAH SHT. 5 OF 26
 DATE: 3/30/99 SCALE: 1"=50'

McNAMEE ROAD NO. 5016
 PORTLAND CITY LIMITS TO SOUTH END OF COUNTY RD. NO. 399A

SITUATED IN THE SOUTHEAST 1/4 OF SECTION 18,
 THE EAST 1/2 OF SECTION 19, THE NORTHWEST 1/4 OF SECTION 20,
 THE EAST 1/2 OF SECTION 30, THE SOUTHWEST 1/4 OF SECTION 29,
 THE NORTH 1/2 AND THE SOUTHEAST 1/4 OF SECTION 32,
 TOWNSHIP 2 NORTH, RANGE 1 WEST, WILLAMETTE MERIDIAN,
 MULTNOMAH COUNTY, OREGON



JAMES K. & BARBARA L. WEST
 BOOK 1097, PAGE 1481
 YEAR: 1976

JAMES K. & BARBARA L. WEST
 BOOK 1097, PAGE 1481
 YEAR: 1976

DANIEL A. & CATHLEEN S. D'ALMEIDA
 BOOK 2705, PAGE 3023
 YEAR: 1993

GRETCHEN S. QUIGG
 BOOK 1654, PAGE 872
 YEAR: 1983

N.W. McNAMEE ROAD
 FOUND MONUMENT TABLE

POINT NUMBER	STATION	OFFSET	DESCRIPTION	ORIGIN
329	37+34.12	20.25' LT.	5/8" IR W/YPC MARKED "SHAPIRO"	S.N. 47022

- LEGEND
- FOUND MONUMENT AS NOTED IN MONUMENT TABLES.
 - ⊙ FOUND CONCRETE MONUMENT WITH 4-1/4" BRASS DISC.
 - SET 5/8" X 30" IRON ROD WITH YELLOW PLASTIC CAP MARKED "MULT. CO. SURVEY"
 - ⊕ SET 5/8" X 30" IRON ROD WITH 2" ALUMINUM CAP MARKED "MULTNOMAH COUNTY SURVEYOR" WITH PUNCHMARK.
 - Ⓜ MONUMENT IDENTIFIER, SEE MONUMENT TABLES.
 - S.N. SURVEY NUMBER, MULTNOMAH COUNTY SURVEY RECORDS (MCSR)
 - W/YPC WITH YELLOW PLASTIC CAP.
 - IP IRON PIPE

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR
Robert A. Hovden
 OREGON
 JULY 16, 1971
 ROBERT A. HOVDEN
 954
 RENEWAL DATE: 6/30/1999

MULTNOMAH COUNTY
 SURVEY RECORDS
 DATE FILED _____
 REGISTER NUMBER _____

MULTNOMAH COUNTY
 DEPARTMENT OF ENVIRONMENTAL SERVICES
 TRANSPORTATION DIVISION
 1600 S.E. 190TH AVE. PORTLAND, OR 97233-5999

McNAMEE ROAD NO. 5016
 PORTLAND CITY LIMITS TO S. END OF CO. RD. NO. 399A

ROBERT A. HOVDEN PLS COUNTY SURVEYOR

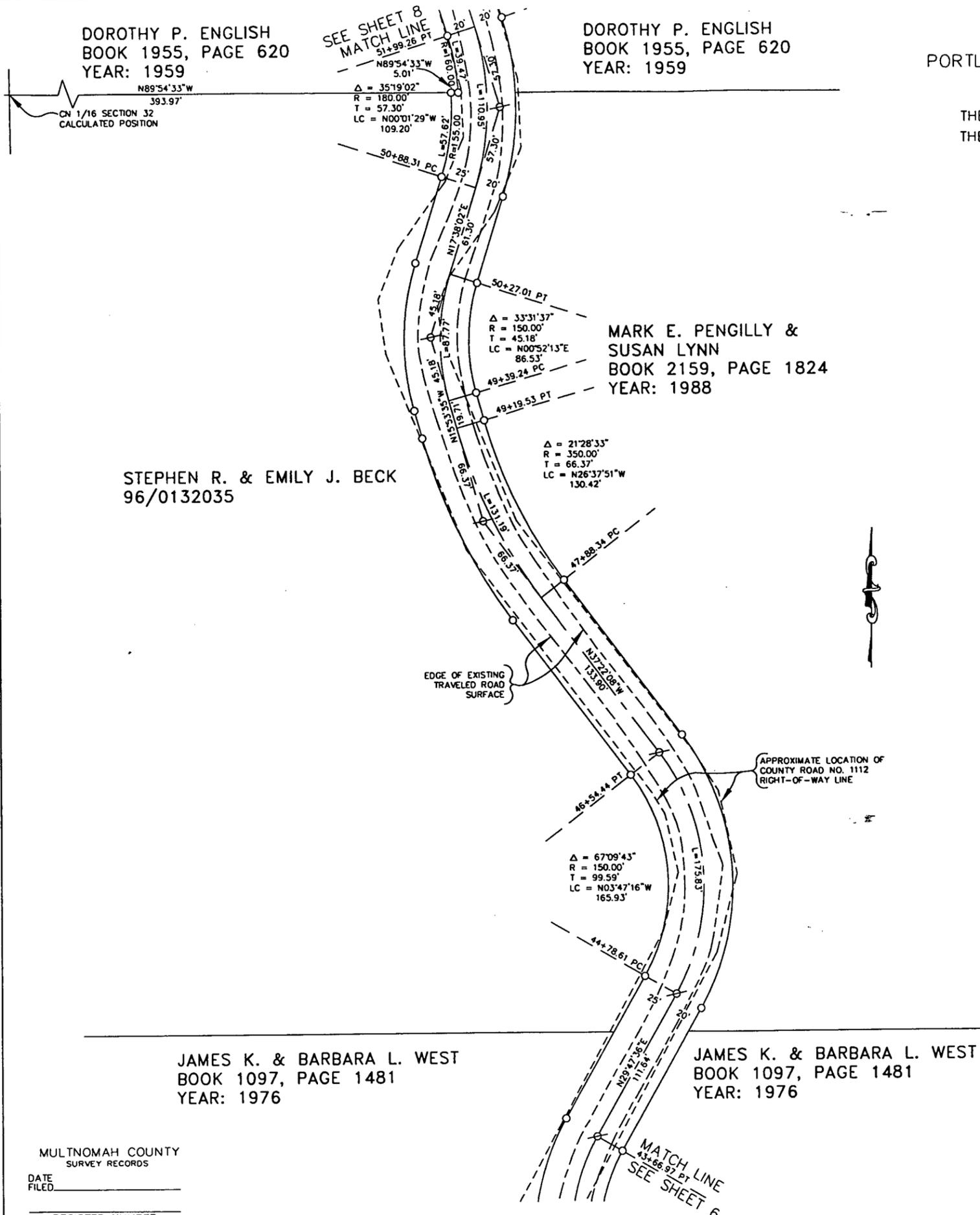
DRAFTED: KSH	CHECKED: RAH	SHT. 6	OF 26
DATE: 3/30/99	SCALE: 1"=50'		

DOROTHY P. ENGLISH
BOOK 1955, PAGE 620
YEAR: 1959

DOROTHY P. ENGLISH
BOOK 1955, PAGE 620
YEAR: 1959

McNAMEE ROAD NO. 5016
PORTLAND CITY LIMITS TO SOUTH END OF COUNTY RD. NO. 399A

SITUATED IN THE SOUTHEAST 1/4 OF SECTION 18,
THE EAST 1/2 OF SECTION 19, THE NORTHWEST 1/4 OF SECTION 20,
THE EAST 1/2 OF SECTION 30, THE SOUTHWEST 1/4 OF SECTION 29,
THE NORTH 1/2 AND THE SOUTHEAST 1/4 OF SECTION 32,
TOWNSHIP 2 NORTH, RANGE 1 WEST, WILLAMETTE MERIDIAN,
MULTNOMAH COUNTY, OREGON



STEPHEN R. & EMILY J. BECK
96/0132035

MARK E. PENGILLY &
SUSAN LYNN
BOOK 2159, PAGE 1824
YEAR: 1988

JAMES K. & BARBARA L. WEST
BOOK 1097, PAGE 1481
YEAR: 1976

JAMES K. & BARBARA L. WEST
BOOK 1097, PAGE 1481
YEAR: 1976

LEGEND

- FOUND MONUMENT AS NOTED IN MONUMENT TABLES.
- ⊕ FOUND CONCRETE MONUMENT WITH 4-1/4" BRASS DISC.
- SET 5/8" X 30" IRON ROD WITH YELLOW PLASTIC CAP MARKED "MULT. CO. SURVEY"
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- ⑥ MONUMENT IDENTIFIER, SEE MONUMENT TABLES.
- S.N. SURVEY NUMBER, MULTNOMAH COUNTY SURVEY RECORDS (MCSR)
- W/YPC WITH YELLOW PLASTIC CAP.

REGISTERED
PROFESSIONAL
LAND SURVEYOR
Robert A. Hovden
OREGON
JULY 16, 1971
ROBERT A. HOVDEN
954
RENEWAL DATE: 6/30/1999

MULTNOMAH COUNTY
SURVEY RECORDS
DATE FILED _____
REGISTER NUMBER _____

MULTNOMAH COUNTY
DEPARTMENT OF ENVIRONMENTAL SERVICES
TRANSPORTATION DIVISION
1600 S.E. 190TH AVE. PORTLAND, OR 97233-5999

McNAMEE ROAD NO. 5016
PORTLAND CITY LIMITS TO S. END OF CO. RD. NO. 399A

ROBERT A. HOVDEN PLS COUNTY SURVEYOR

DRAFTED: KSH	CHECKED: RAH	SHT. 7	OF 26
DATE: 3/30/99	SCALE: 1"=50'		

McNAMEE ROAD NO. 5016

PORTLAND CITY LIMITS TO SOUTH END OF COUNTY RD. NO. 399A

SITUATED IN THE SOUTHEAST 1/4 OF SECTION 18,
 THE EAST 1/2 OF SECTION 19, THE NORTHWEST 1/4 OF SECTION 20,
 THE EAST 1/2 OF SECTION 30, THE SOUTHWEST 1/4 OF SECTION 29,
 THE NORTH 1/2 AND THE SOUTHEAST 1/4 OF SECTION 32,
 TOWNSHIP 2 NORTH, RANGE 1 WEST, WILLAMETTE MERIDIAN,
 MULTNOMAH COUNTY, OREGON

ROBERT & AHERN BRUCH
 ALAN D. BRUCH
 WILLIAM F. HUNT
 BOOK 1155, PAGE 196
 YEAR: 1977

JOHN G. & JONI H. RUETER
 98/0803332

LARRY L. & LAURA B. LUETHE
 BOOK 943, PAGE 233
 YEAR: 1973

DOROTHY P. ENGLISH
 BOOK 1955, PAGE 620
 YEAR: 1959

DOROTHY P. ENGLISH
 BOOK 1955, PAGE 620
 YEAR: 1959

N.W. McNAMEE ROAD
 FOUND MONUMENT TABLE

POINT NUMBER	STATION	OFFSET	DESCRIPTION	ORIGIN
361	55+80.49	26.30' LT.	1/2" IP, DOWN 0.5'	D13/6
11253	59+82.71	18.05' RT.	1/2" IP	D13/6
11261	59+96.87	14.70' LT.	1/2" IP	D13/6
11260	60+51.79	5.96' LT.	1/2" IP	D13/6
11259	60+85.51	23.47' RT.	1/2" IP	D13/6
11258	61+06.55	44.16' RT.	1/2" IP	D13/6
11257	61+31.86	46.43' RT.	1/2" IP	D13/6
11256	61+64.04	32.84' RT.	1/2" IP	D13/6

LEGEND

- FOUND MONUMENT AS NOTED IN MONUMENT TABLES.
- ⊕ FOUND CONCRETE MONUMENT WITH 4-1/4" BRASS DISC.
- SET 5/8" X 30" IRON ROD WITH YELLOW PLASTIC CAP MARKED "MULT. CO. SURVEY"
- ⊖ SET 5/8" X 30" IRON ROD WITH 2" ALUMINUM CAP MARKED "MULTNOMAH COUNTY SURVEYOR" WITH PUNCHMARK.
- Ⓢ MONUMENT IDENTIFIER, SEE MONUMENT TABLES.
- S.N. SURVEY NUMBER, MULTNOMAH COUNTY SURVEY RECORDS (MCSR)
- W/YPC WITH YELLOW PLASTIC CAP.
- IP IRON PIPE

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR
Robert A. Hovden
 OREGON
 JULY 16, 1971
 ROBERT A. HOVDEN
 954
 RENEWAL DATE: 6/30/1999

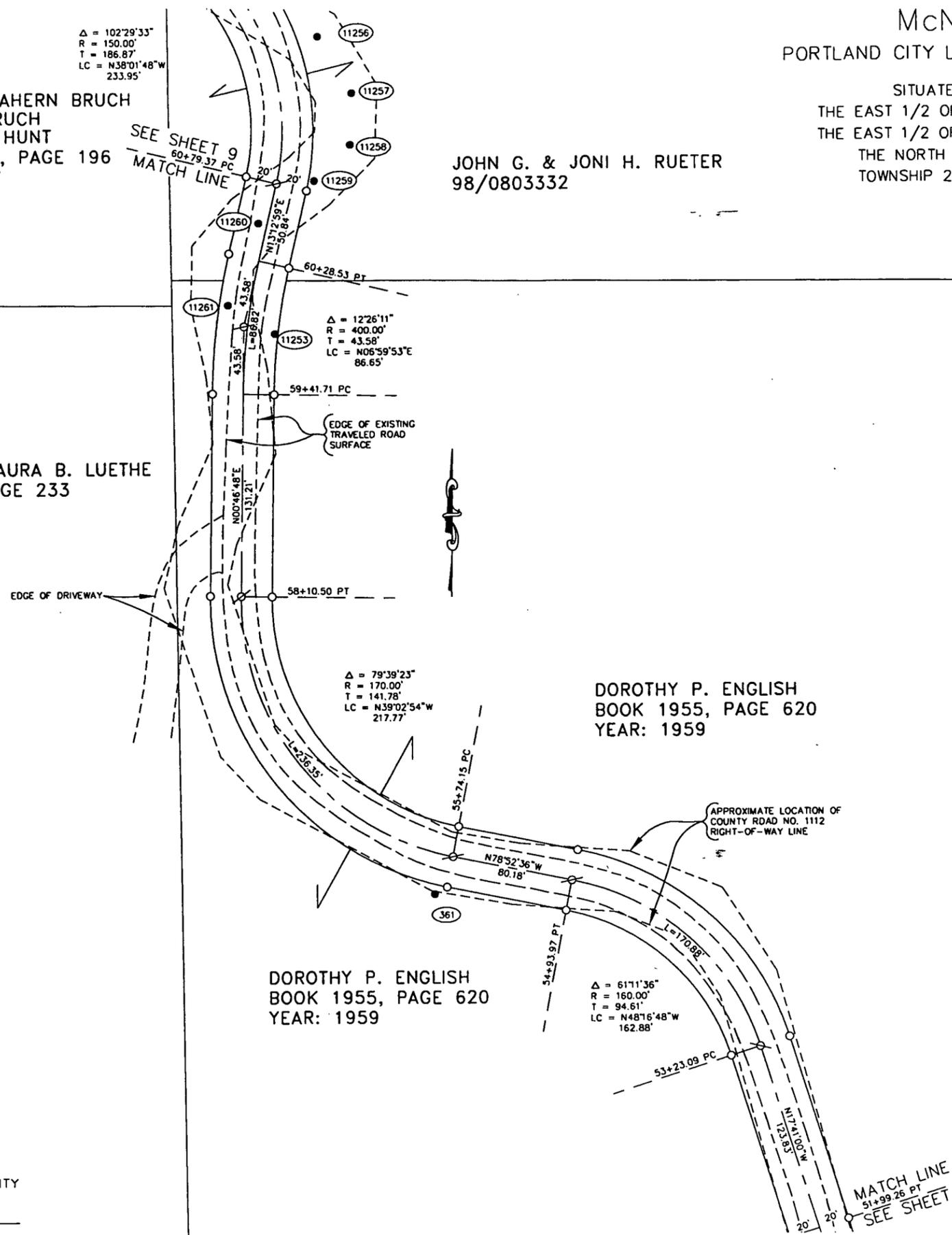
MULTNOMAH COUNTY
 SURVEY RECORDS
 DATE FILED _____
 REGISTER NUMBER _____

MULTNOMAH COUNTY
 DEPARTMENT OF ENVIRONMENTAL SERVICES
 TRANSPORTATION DIVISION
 1600 S.E. 190TH AVE. PORTLAND, OR 97233-5999

McNAMEE ROAD NO. 5016
 PORTLAND CITY LIMITS TO S. END OF CO. RD. NO. 399A

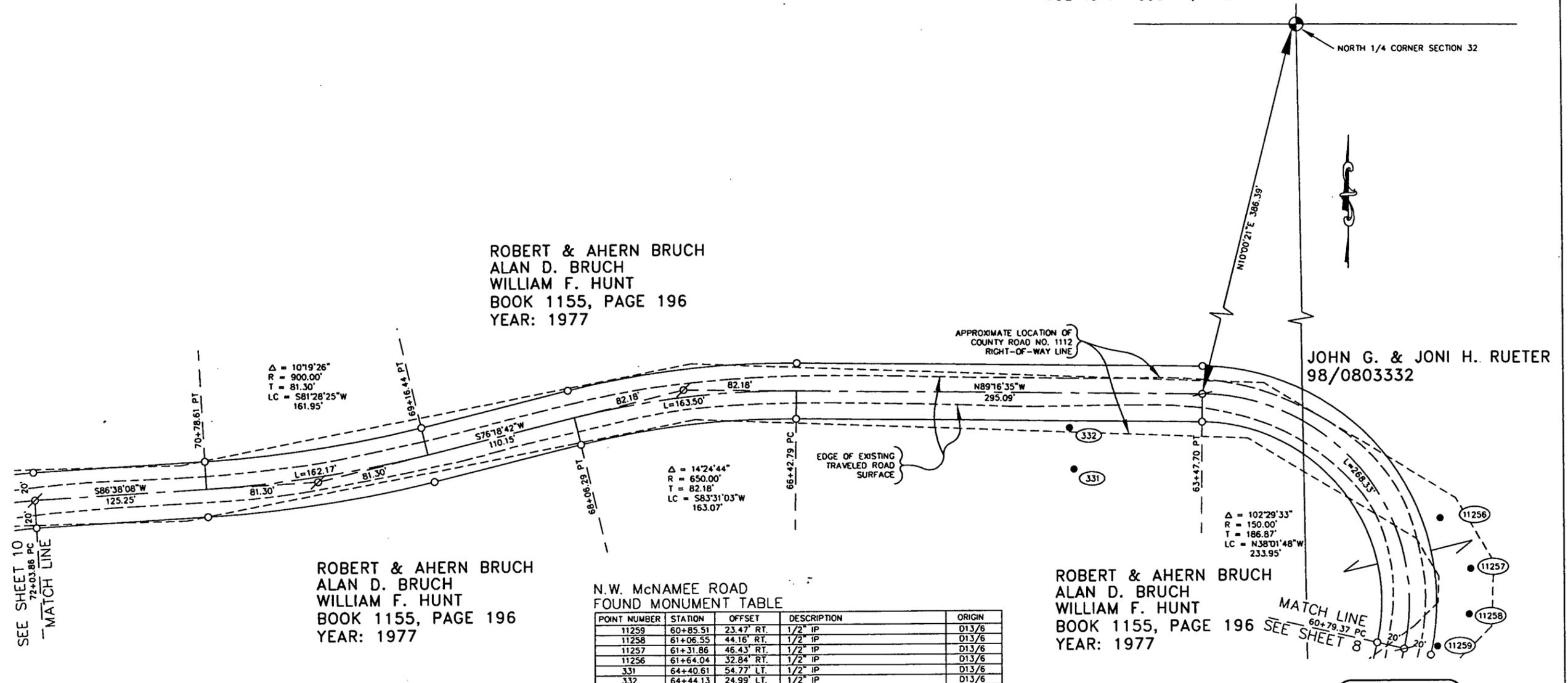
ROBERT A. HOVDEN PLS COUNTY SURVEYOR

DRAFTED: KSH CHECKED: RAH SHT. 8 OF 26
 DATE: 3/25/99 SCALE: 1"=50'



McNAMEE ROAD NO. 5016
 PORTLAND CITY LIMITS TO SOUTH END OF COUNTY RD. NO. 399A

SITUATED IN THE SOUTHEAST 1/4 OF SECTION 18,
 THE EAST 1/2 OF SECTION 19, THE NORTHWEST 1/4 OF SECTION 20,
 THE EAST 1/2 OF SECTION 30, THE SOUTHWEST 1/4 OF SECTION 29,
 THE NORTH 1/2 AND THE SOUTHEAST 1/4 OF SECTION 32,
 TOWNSHIP 2 NORTH, RANGE 1 WEST, WILLAMETTE MERIDIAN,
 MULTNOMAH COUNTY, OREGON



ROBERT & AHERN BRUCH
 ALAN D. BRUCH
 WILLIAM F. HUNT
 BOOK 1155, PAGE 196
 YEAR: 1977

JOHN G. & JONI H. RUETER
 98/0803332

ROBERT & AHERN BRUCH
 ALAN D. BRUCH
 WILLIAM F. HUNT
 BOOK 1155, PAGE 196
 YEAR: 1977

ROBERT & AHERN BRUCH
 ALAN D. BRUCH
 WILLIAM F. HUNT
 BOOK 1155, PAGE 196
 YEAR: 1977

N.W. McNAMEE ROAD
 FOUND MONUMENT TABLE

POINT NUMBER	STATION	OFFSET	DESCRIPTION	ORIGIN
11259	60+85.51	23.47' RT.	1/2" IP	D13/6
11258	61+06.55	44.16' RT.	1/2" IP	D13/6
11257	61+31.86	46.43' RT.	1/2" IP	D13/6
11256	61+64.04	32.84' RT.	1/2" IP	D13/6
331	64+40.61	54.77' LT.	1/2" IP	D13/6
332	64+44.13	24.99' LT.	1/2" IP	D13/6

LEGEND

- FOUND MONUMENT AS NOTED IN MONUMENT TABLES.
- ⊙ FOUND CONCRETE MONUMENT WITH 4-1/4" BRASS DISC.
- SET 5/8" X 30" IRON ROD WITH YELLOW PLASTIC CAP MARKED "MULT. CO. SURVEY"
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- W/YPC WITH YELLOW PLASTIC CAP.
- IP IRON PIPE

MULTNOMAH COUNTY
 SURVEY RECORDS
 DATE FILED _____
 REGISTER NUMBER _____

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR
Robert A. Hovden
 OREGON
 JULY 16, 1971
 ROBERT A. HOVDEN
 954
 RENEWAL DATE: 6/30/1999

MULTNOMAH COUNTY
 DEPARTMENT OF ENVIRONMENTAL SERVICES
 TRANSPORTATION DIVISION
 1600 S.E. 190TH AVE. PORTLAND, OR 97233-5999

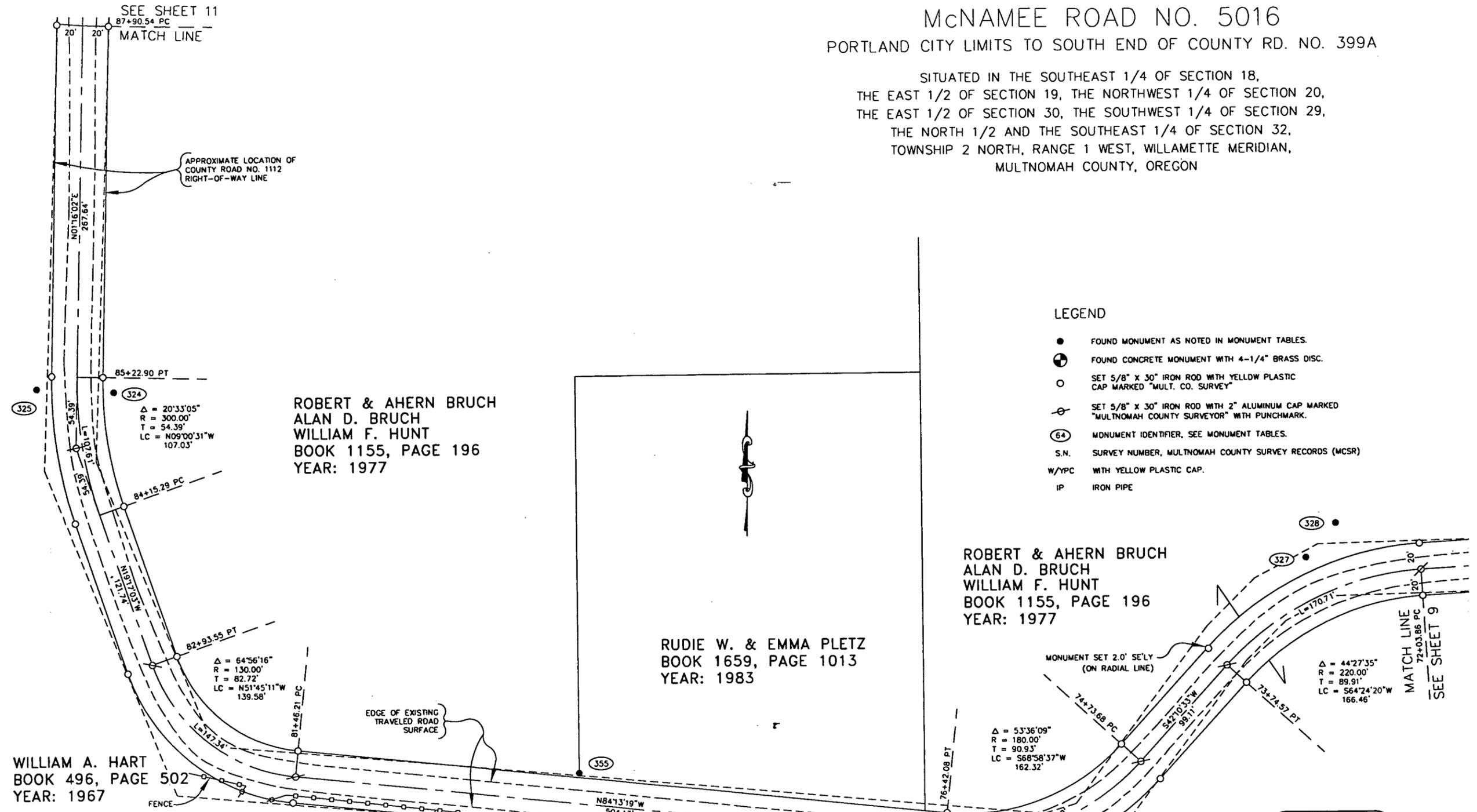
McNAMEE ROAD NO. 5016
 PORTLAND CITY LIMITS TO S. END OF CO. RD. NO. 399A

ROBERT A. HOVDEN PLS COUNTY SURVEYOR

DRAFTED: KSH CHECKED: RAH SH. 9 OF 26
 DATE: 3/30/99 SCALE: 1"=50'

McNAMEE ROAD NO. 5016
 PORTLAND CITY LIMITS TO SOUTH END OF COUNTY RD. NO. 399A

SITUATED IN THE SOUTHEAST 1/4 OF SECTION 18,
 THE EAST 1/2 OF SECTION 19, THE NORTHWEST 1/4 OF SECTION 20,
 THE EAST 1/2 OF SECTION 30, THE SOUTHWEST 1/4 OF SECTION 29,
 THE NORTH 1/2 AND THE SOUTHEAST 1/4 OF SECTION 32,
 TOWNSHIP 2 NORTH, RANGE 1 WEST, WILLAMETTE MERIDIAN,
 MULTNOMAH COUNTY, OREGON



LEGEND

- FOUND MONUMENT AS NOTED IN MONUMENT TABLES.
- ⊙ FOUND CONCRETE MONUMENT WITH 4-1/4" BRASS DISC.
- SET 5/8" X 30" IRON ROD WITH YELLOW PLASTIC CAP MARKED "MULT. CO. SURVEY"
- ⊖ SET 5/8" X 30" IRON ROD WITH 2" ALUMINUM CAP MARKED "MULTNOMAH COUNTY SURVEYOR" WITH PUNCHMARK.
- Ⓜ MONUMENT IDENTIFIER, SEE MONUMENT TABLES.
- S.N. SURVEY NUMBER, MULTNOMAH COUNTY SURVEY RECORDS (MCSR)
- W/YPC WITH YELLOW PLASTIC CAP.
- IP IRON PIPE

ROBERT & AHERN BRUCH
 ALAN D. BRUCH
 WILLIAM F. HUNT
 BOOK 1155, PAGE 196
 YEAR: 1977

RUDIE W. & EMMA PLETZ
 BOOK 1659, PAGE 1013
 YEAR: 1983

ROBERT & AHERN BRUCH
 ALAN D. BRUCH
 WILLIAM F. HUNT
 BOOK 1155, PAGE 196
 YEAR: 1977

WILLIAM A. HART
 BOOK 496, PAGE 502
 YEAR: 1967

JAMES & DONNA MURPHY
 96/0162424

LARRY L. & LAURA B. LUETHE
 BOOK 943, PAGE 233
 YEAR: 1973

VIRGINIA K. LUETHE
 BOOK 544, PAGE 185
 YEAR: 1987

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR
Robert A. Hooven
 OREGON
 JULY 16, 1971
 ROBERT A. HOVDEN
 954
 RENEWAL DATE: 6/30/1999

POINT NUMBER	STATION	OFFSET	DESCRIPTION	ORIGIN
328	72+56.78	47.54' RT.	1/2" IP	D13/6
327	72+83.13	31.31' RT.	1/2" IP	D13/6
326	76+40.84	12.96' LT.	3/4" IP	S.N. 35712
355	79+27.79	23.21' RT.	3/4" IP, UP 0.2'	S.N. 40922
324	85+10.26	28.00' RT.	1/2" IP	D13/6
325	85+13.61	31.90' LT.	1/2" IP	D13/6

MULTNOMAH COUNTY
 SURVEY RECORDS
 DATE FILED _____
 REGISTER NUMBER _____

MULTNOMAH COUNTY
 DEPARTMENT OF ENVIRONMENTAL SERVICES
 TRANSPORTATION DIVISION
 1600 S.E. 190TH AVE. PORTLAND, OR 97233-5999

McNAMEE ROAD NO. 5016
 PORTLAND CITY LIMITS TO S. END OF CO. RD. NO. 399A

ROBERT A. HOVDEN PLS COUNTY SURVEYOR

DRAFTED: KSH CHECKED: RAH SH. 10 OF 26
 DATE: 3/30/99 SCALE: 1"=50'

McNAMEE ROAD NO. 5016
 PORTLAND CITY LIMITS TO SOUTH END OF COUNTY RD. NO. 399A

SITUATED IN THE SOUTHEAST 1/4 OF SECTION 18,
 THE EAST 1/2 OF SECTION 19, THE NORTHWEST 1/4 OF SECTION 20,
 THE EAST 1/2 OF SECTION 30, THE SOUTHWEST 1/4 OF SECTION 29,
 THE NORTH 1/2 AND THE SOUTHEAST 1/4 OF SECTION 32,
 TOWNSHIP 2 NORTH, RANGE 1 WEST, WILLAMETTE MERIDIAN,
 MULTNOMAH COUNTY, OREGON

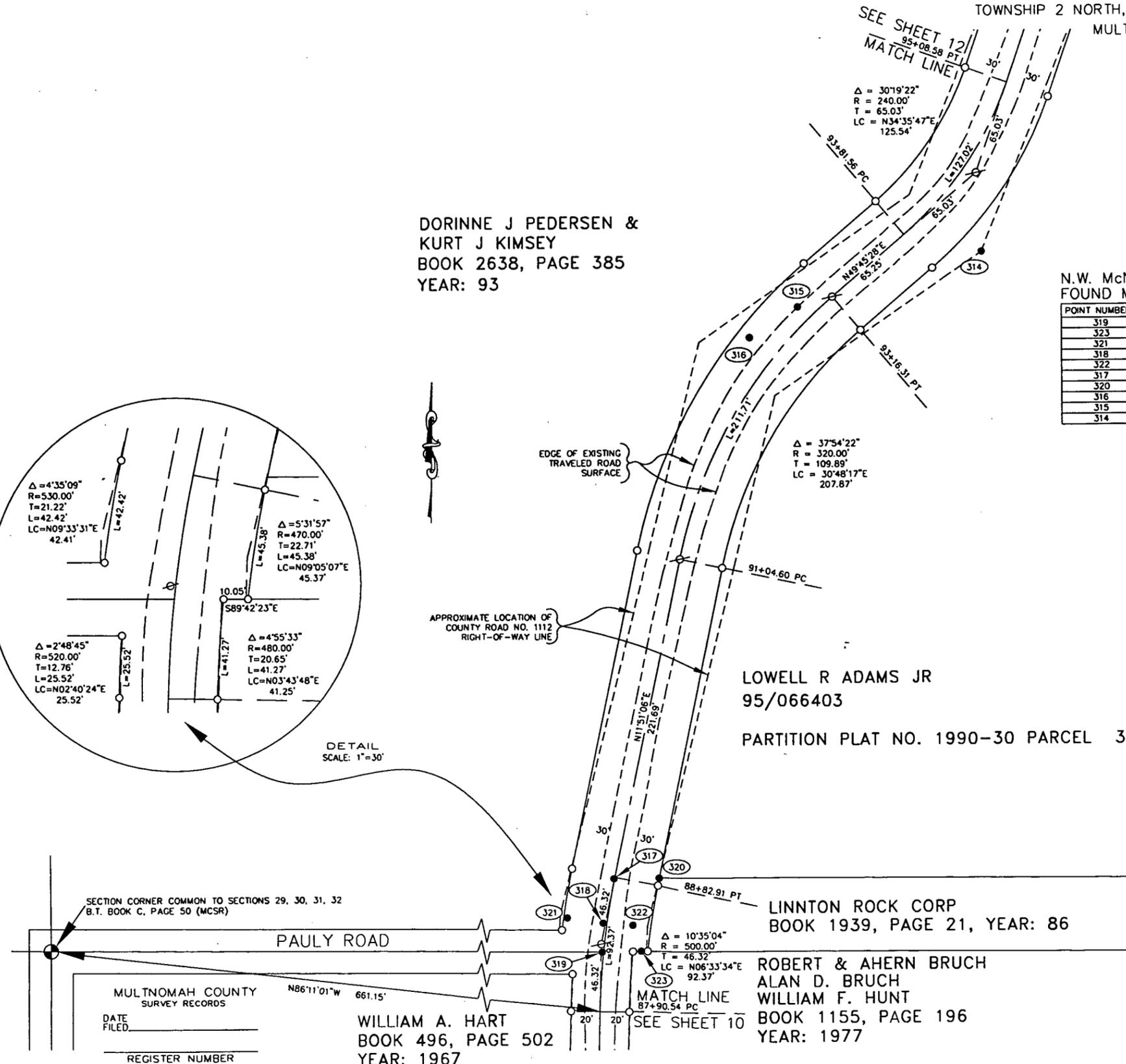
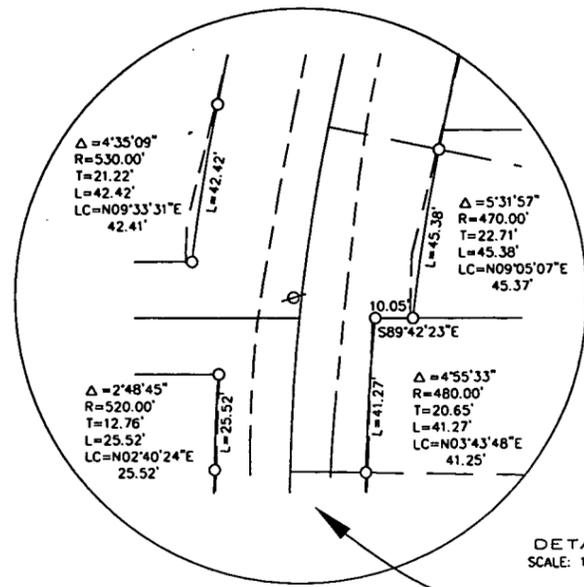
DORINNE J PEDERSEN &
 KURT J KIMSEY
 BOOK 2638, PAGE 385
 YEAR: 93

N.W. McNAMEE ROAD
 FOUND MONUMENT TABLE

POINT NUMBER	STATION	OFFSET	DESCRIPTION	ORIGIN
319	88+31.16	0.99' LT.	5/8" IR	S.N. 33076
323	88+34.16	25.55' RT.	5/8" IR	S.N. 33076
321	88+50.93	27.58' LT.	1/2" IP	D13/6
318	88+50.85	2.63' LT.	5/8" IR	S.N. 50852
322	88+51.97	17.65' RT.	1/2" IP	D13/6
317	88+61.75	0.49' LT.	5/8" IR	S.N. 50852
320	88+87.97	29.77' RT.	5/8" IR W/YPC MARKED "CHASE/JONES AND ASSOC."	PP NO. 1990-30
316	92+58.06	21.55' LT.	1/2" IP	D13/6
315	92+94.19	11.05' LT.	5/8" IR W/YPC "NOT LEGIBLE"	S.N. 50852
314	94+09.04	45.20' RT.	5/8" IR W/YPC MARKED "CHASE/JONES AND ASSOC."	PP NO. 1990-30

LEGEND

- FOUND MONUMENT AS NOTED IN MONUMENT TABLES.
- ⊕ FOUND CONCRETE MONUMENT WITH 4-1/4" BRASS DISC.
- SET 5/8" X 30" IRON ROD WITH YELLOW PLASTIC CAP MARKED "MULT. CO. SURVEY"
- ⊗ SET 5/8" X 30" IRON ROD WITH 2" ALUMINUM CAP MARKED "MULTNOMAH COUNTY SURVEYOR" WITH PUNCHMARK.
- Ⓜ MONUMENT IDENTIFIER, SEE MONUMENT TABLES.
- S.N. SURVEY NUMBER, MULTNOMAH COUNTY SURVEY RECORDS (MCSR)
- PP NO. PARTITION PLAT NO.
- W/YPC WITH YELLOW PLASTIC CAP.
- IP IRON PIPE
- IR IRON ROD



REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

Robert A. Hovden

OREGON
 JULY 16, 1971
 ROBERT A. HOVDEN
 954

RENEWAL DATE: 6/30/1999

MULTNOMAH COUNTY
 DEPARTMENT OF ENVIRONMENTAL SERVICES
 TRANSPORTATION DIVISION
 1600 S.E. 190TH AVE. PORTLAND, OR 97233-5999

McNAMEE ROAD NO. 5016
 PORTLAND CITY LIMITS TO S. END OF CO. RD. NO. 399A
 ROBERT A. HOVDEN PLS COUNTY SURVEYOR

DRAFTED: KSH CHECKED: RAH SHT. 11 OF 26
 DATE: 3/30/99 SCALE: 1"=50'

SECTION CORNER COMMON TO SECTIONS 29, 30, 31, 32
 B.T. BOOK C, PAGE 50 (MCSR)

MULTNOMAH COUNTY
 SURVEY RECORDS
 DATE FILED _____
 REGISTER NUMBER _____

WILLIAM A. HART
 BOOK 496, PAGE 502
 YEAR: 1967

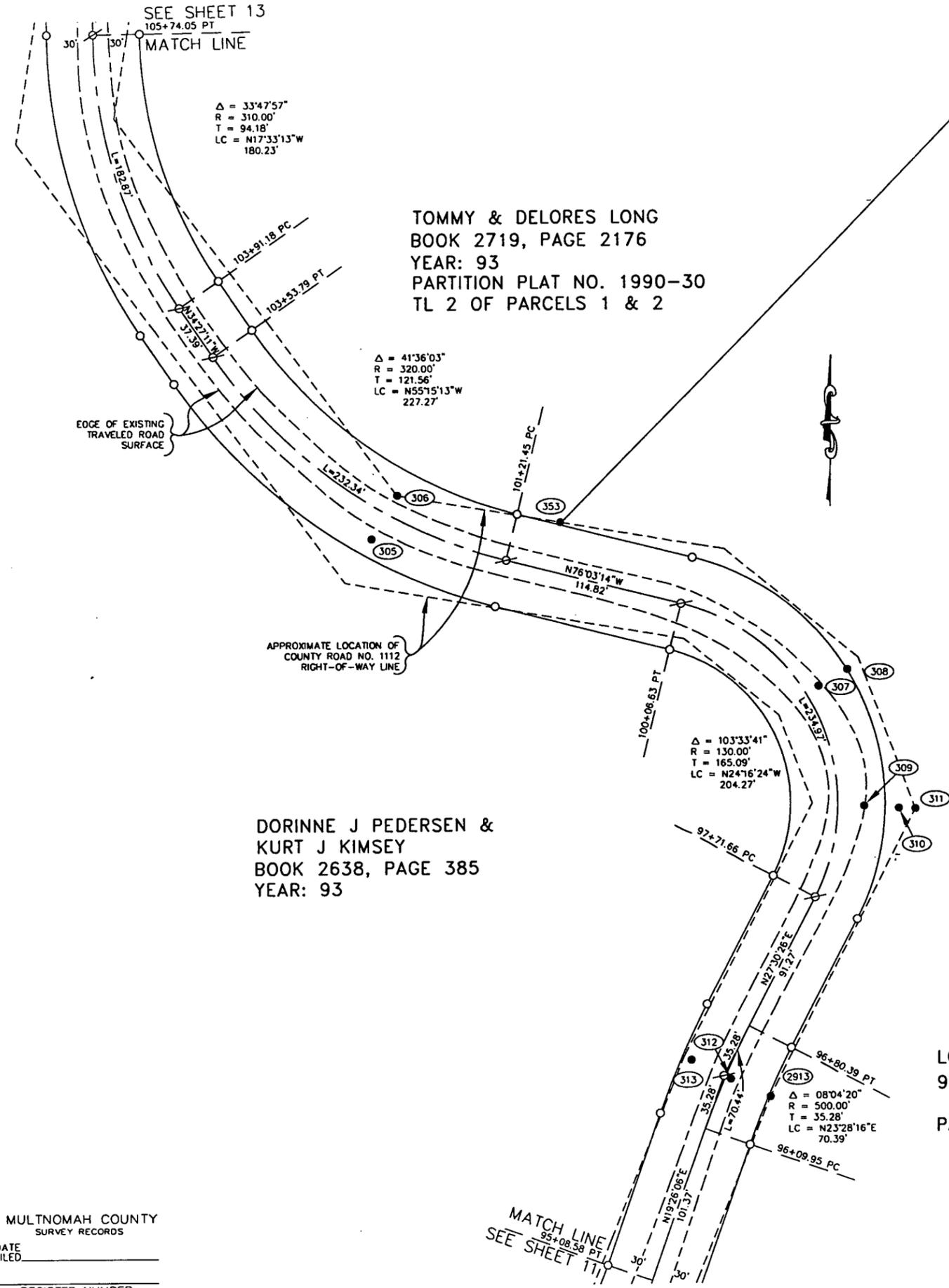
LOWELL R ADAMS JR
 95/066403
 PARTITION PLAT NO. 1990-30 PARCEL 3

LINNTON ROCK CORP
 BOOK 1939, PAGE 21, YEAR: 86

ROBERT & AHERN BRUCH
 ALAN D. BRUCH
 WILLIAM F. HUNT
 BOOK 1155, PAGE 196
 YEAR: 1977

McNAMEE ROAD NO. 5016
 PORTLAND CITY LIMITS TO SOUTH END OF COUNTY RD. NO. 399A

SITUATED IN THE SOUTHEAST 1/4 OF SECTION 18,
 THE EAST 1/2 OF SECTION 19, THE NORTHWEST 1/4 OF SECTION 20,
 THE EAST 1/2 OF SECTION 30, THE SOUTHWEST 1/4 OF SECTION 29,
 THE NORTH 1/2 AND THE SOUTHEAST 1/4 OF SECTION 32,
 TOWNSHIP 2 NORTH, RANGE 1 WEST, WILLAMETTE MERIDIAN,
 MULTNOMAH COUNTY, OREGON



N.W. McNAMEE ROAD
 FOUND MONUMENT TABLE

POINT NUMBER	STATION	OFFSET	DESCRIPTION	ORIGIN
2913	96+44.88	31.12' RT.	5/8" IR	PP NO. 1990-30
313	96+45.94	23.91' LT.	OLD 1/2" IP	D13/6
312	96+45.19	1.05' RT.	5/8" IR W/YPC MARKED "CHASE/JONES AND ASSOC."	S.N. 50852
310	98+31.12	38.74' RT.	1/2" IP, BENT	D13/6
311	98+31.04	49.39' RT.	5/8" IR W/YPC MARKED "CHASE/JONES AND ASSOC."	PP NO. 1990-30
309	98+32.02	16.58' RT.	5/8" IR W/YPC MARKED "CHASE/JONES AND ASSOC.", DOWN 0.2'	S.N. 50852
308	99+05.82	30.10' RT.	OLD 1/2" IP	D13/6
307	99+06.49	9.13' RT.	5/8" IR W/YPC MARKED "CHASE/JONES AND ASSOC."	S.N. 50852
353	100+93.33	31.63' RT.	5/8" IR W/YPC MARKED "CHASE JONES AND ASSOC." 0.3'	PP NO. 1990-30
306	102+03.10	13.34' RT.	5/8" IR, BENT	PP NO. 1990-30
305	102+04.35	18.75' LT.	5/8" IR W/YPC MARKED "CHASE/JONES AND ASSOC."	S.N. 50852

LEGEND

- FOUND MONUMENT AS NOTED IN MONUMENT TABLES.
- ⊕ FOUND CONCRETE MONUMENT WITH 4-1/4" BRASS DISC.
- SET 5/8" X 30" IRON ROD WITH YELLOW PLASTIC CAP MARKED "MULT. CO. SURVEY"
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- S.N. SURVEY NUMBER, MULTNOMAH COUNTY SURVEY RECORDS (MCSR)
- PP NO. PARTITION PLAT NO.
- W/YPC WITH YELLOW PLASTIC CAP
- IP IRON PIPE
- IR IRON ROD

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR
Robert A. Hovden
 OREGON
 JULY 16, 1971
 ROBERT A. HOVDEN
 954
 RENEWAL DATE: 6/30/1999

LOWELL R ADAMS JR
 95/066403
 PARTITION PLAT NO. 1990-30 PARCEL 3

MULTNOMAH COUNTY
 SURVEY RECORDS
 DATE FILED _____
 REGISTER NUMBER _____

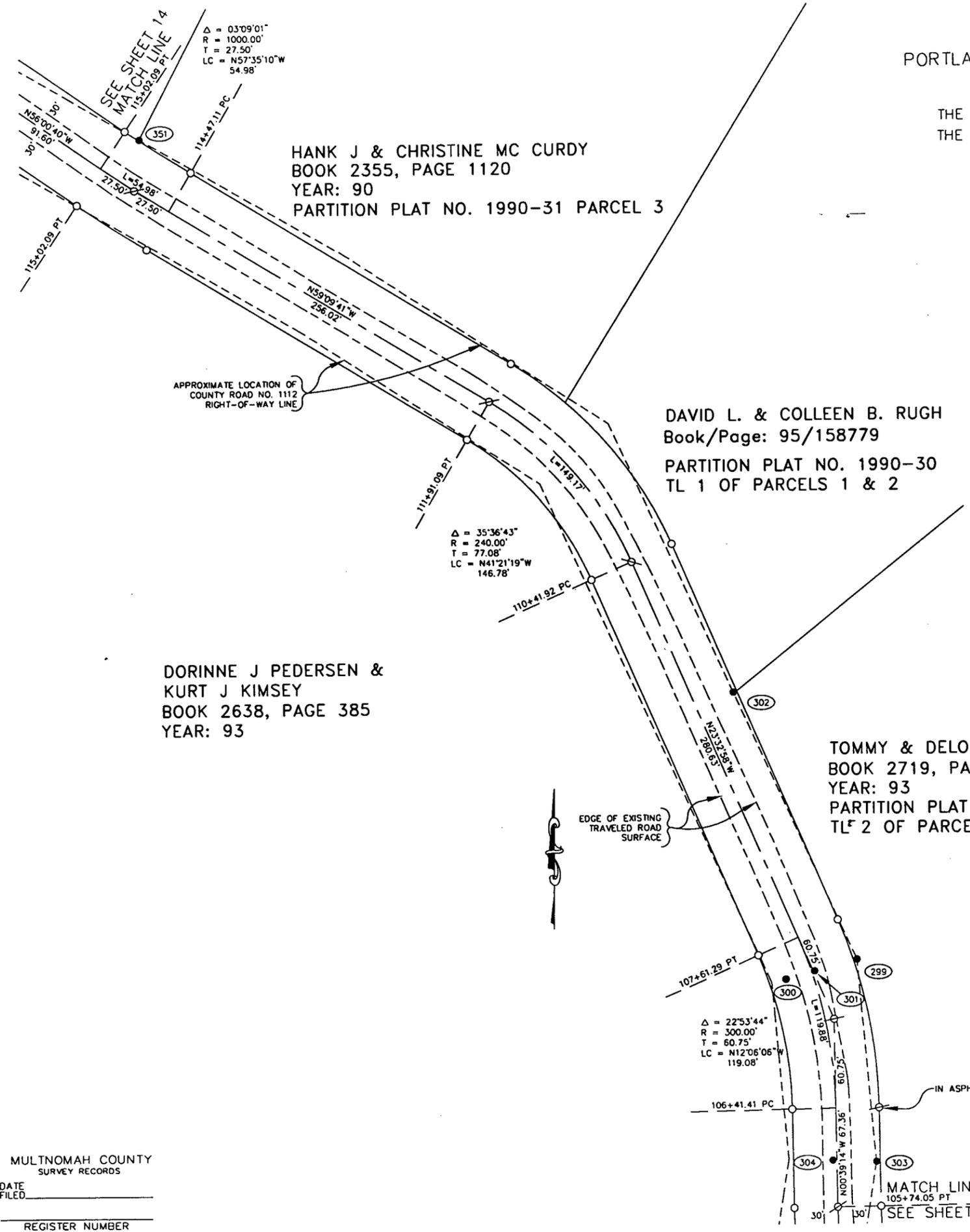
MULTNOMAH COUNTY
 DEPARTMENT OF ENVIRONMENTAL SERVICES
 TRANSPORTATION DIVISION
 1600 S.E. 190TH AVE. PORTLAND, OR 97233-5999

McNAMEE ROAD NO. 5016
 PORTLAND CITY LIMITS TO S. END OF CO. RD. NO. 399A
 ROBERT A. HOVDEN PLS COUNTY SURVEYOR

DRAFTED: KSH CHECKED: RAH SHT. 12 OF 26
 DATE: 3/30/99 SCALE: 1"=50'

McNAMEE ROAD NO. 5016
 PORTLAND CITY LIMITS TO SOUTH END OF COUNTY RD. NO. 399A

SITUATED IN THE SOUTHEAST 1/4 OF SECTION 18,
 THE EAST 1/2 OF SECTION 19, THE NORTHWEST 1/4 OF SECTION 20,
 THE EAST 1/2 OF SECTION 30, THE SOUTHWEST 1/4 OF SECTION 29,
 THE NORTH 1/2 AND THE SOUTHEAST 1/4 OF SECTION 32,
 TOWNSHIP 2 NORTH, RANGE 1 WEST, WILLAMETTE MERIDIAN,
 MULTNOMAH COUNTY, OREGON



N.W. McNAMEE ROAD
 FOUND MONUMENT TABLE

POINT NUMBER	STATION	OFFSET	DESCRIPTION	ORIGIN
303	106+04.47	27.37' RT.	5/8" IR W/YPC MARKED "CHASE/JONES AND ASSOC." DOWN 0.3'	PP NO. 1990-30
304	106+05.93	2.85' LT.	5/8" IR W/YPC MARKED "CHASE/JONES AND ASSOC."	S.N. 50852
299	107+34.06	32.39' RT.	5/8" IR W/YPC MARKED "CHASE/JONES AND ASSOC."	PP NO. 1990-30
301	107+35.91	2.00' RT.	5/8" IR	S.N. 50852
300	107+37.10	18.58' LT.	1/2" IP BENT	013/6
302	109+32.33	27.50' RT.	5/8" IR W/YPC MARKED "CHASE/JONES AND ASSOC."	PP NO. 1990-30
351	114+90.37	30.49' RT.	5/8" IR W/YPC MARKED "CHASE/JONES AND ASSOC." FLUSH	PP NO. 1990-31

LEGEND

- FOUND MONUMENT AS NOTED IN MONUMENT TABLES.
- ⊕ FOUND CONCRETE MONUMENT WITH 4-1/4" BRASS DISC.
- SET 5/8" x 30" IRON ROD WITH YELLOW PLASTIC CAP MARKED "MULT. CO. SURVEY"
- ⊗ SET 5/8" x 30" IRON ROD WITH 2" ALUMINUM CAP MARKED "MULTNOMAH COUNTY SURVEYOR" WITH PUNCHMARK.
- ⑥ MONUMENT IDENTIFIER, SEE MONUMENT TABLES.
- S.N. SURVEY NUMBER, MULTNOMAH COUNTY SURVEY RECORDS (MCSR)
- PP NO. PARTITION PLAT NO.
- W/YPC WITH YELLOW PLASTIC CAP.
- IP IRON PIPE
- IR IRON ROD

HANK J & CHRISTINE MC CURDY
 BOOK 2355, PAGE 1120
 YEAR: 90
 PARTITION PLAT NO. 1990-31 PARCEL 3

DAVID L. & COLLEEN B. RUGH
 Book/Page: 95/158779
 PARTITION PLAT NO. 1990-30
 TL 1 OF PARCELS 1 & 2

DORINNE J PEDERSEN &
 KURT J KIMSEY
 BOOK 2638, PAGE 385
 YEAR: 93

TOMMY & DELORES LONG
 BOOK 2719, PAGE 2176
 YEAR: 93
 PARTITION PLAT NO. 1990-30
 TL 2 OF PARCEL 1 & 2

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR
Robert A. Hovden
 OREGON
 JULY 16, 1971
 ROBERT A. HOVDEN
 954
 RENEWAL DATE: 6/30/1999

MULTNOMAH COUNTY
 DEPARTMENT OF ENVIRONMENTAL SERVICES
 TRANSPORTATION DIVISION
 1600 S.E. 190TH AVE. PORTLAND, OR 97233-5999

McNAMEE ROAD NO. 5016
 PORTLAND CITY LIMITS TO S. END OF CO. RD. NO. 399A

ROBERT A. HOVDEN PLS COUNTY SURVEYOR

DRAFTED: KSH CHECKED: RAH SHT. 13 OF 26
 DATE: 3/30/99 SCALE: 1"=50'

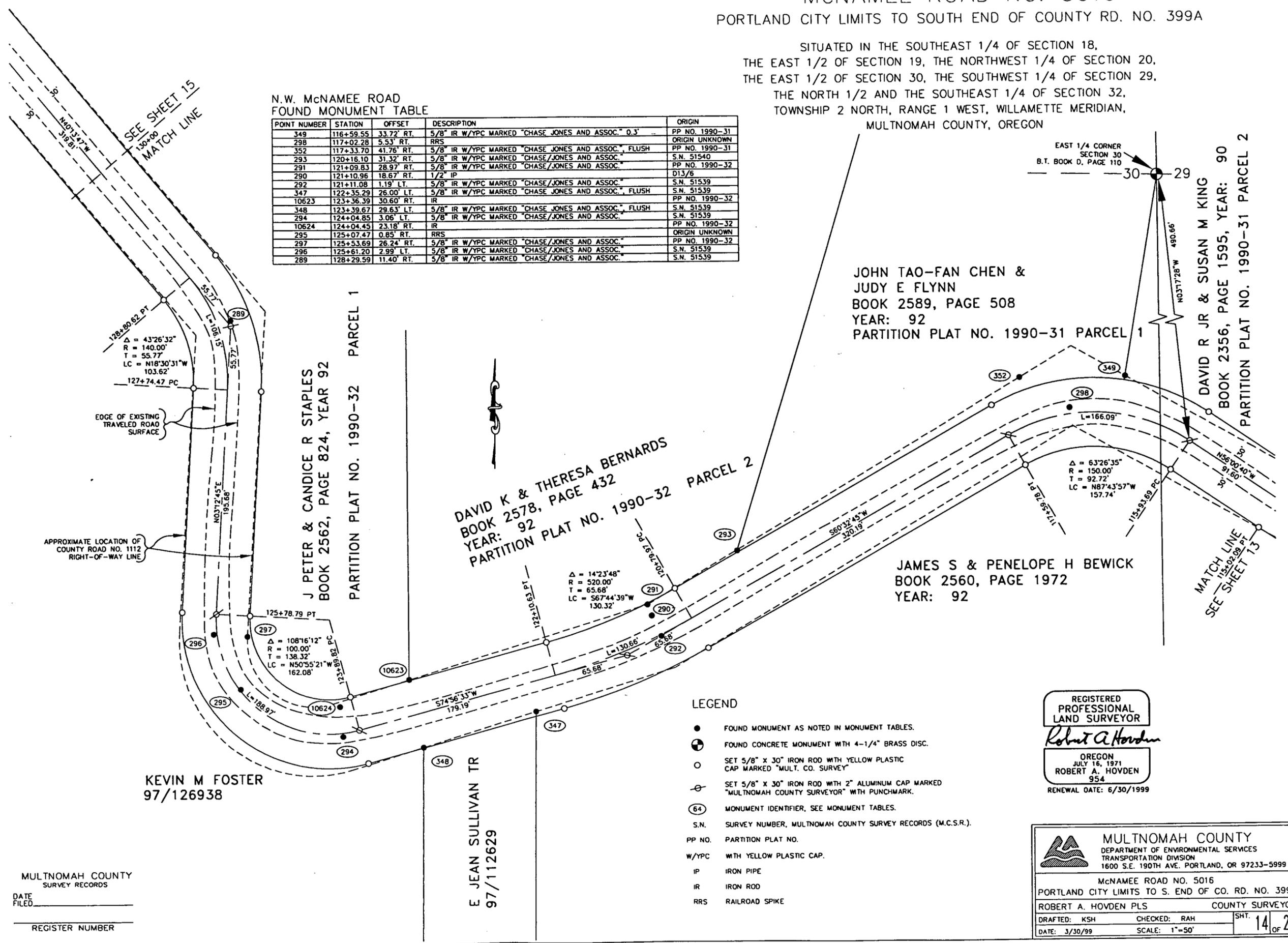
MULTNOMAH COUNTY
 SURVEY RECORDS
 DATE FILED _____
 REGISTER NUMBER _____

McNAMEE ROAD NO. 5016
 PORTLAND CITY LIMITS TO SOUTH END OF COUNTY RD. NO. 399A

SITUATED IN THE SOUTHEAST 1/4 OF SECTION 18,
 THE EAST 1/2 OF SECTION 19, THE NORTHWEST 1/4 OF SECTION 20,
 THE EAST 1/2 OF SECTION 30, THE SOUTHWEST 1/4 OF SECTION 29,
 THE NORTH 1/2 AND THE SOUTHEAST 1/4 OF SECTION 32,
 TOWNSHIP 2 NORTH, RANGE 1 WEST, WILLAMETTE MERIDIAN,
 MULTNOMAH COUNTY, OREGON

N.W. McNAMEE ROAD
 FOUND MONUMENT TABLE

POINT NUMBER	STATION	OFFSET	DESCRIPTION	ORIGIN
349	116+59.55	33.72' RT.	5/8" IR W/YPC MARKED "CHASE JONES AND ASSOC." 0.3'	PP NO. 1990-31
298	117+02.28	5.53' RT.	RRS	ORIGIN UNKNOWN
352	117+33.70	41.76' RT.	5/8" IR W/YPC MARKED "CHASE JONES AND ASSOC." FLUSH	PP NO. 1990-31
293	120+16.10	31.32' RT.	5/8" IR W/YPC MARKED "CHASE/JONES AND ASSOC."	S.N. 51540
291	121+09.83	28.97' RT.	5/8" IR W/YPC MARKED "CHASE/JONES AND ASSOC."	PP NO. 1990-32
290	121+10.96	18.67' RT.	1/2" IP	D13/6
292	121+11.08	1.19' LT.	5/8" IR W/YPC MARKED "CHASE/JONES AND ASSOC."	S.N. 51539
347	122+35.29	26.00' LT.	5/8" IR W/YPC MARKED "CHASE JONES AND ASSOC." FLUSH	S.N. 51539
10623	123+36.39	30.60' RT.	IR	PP NO. 1990-32
348	123+39.67	29.63' LT.	5/8" IR W/YPC MARKED "CHASE JONES AND ASSOC." FLUSH	S.N. 51539
294	124+04.85	3.06' LT.	5/8" IR W/YPC MARKED "CHASE/JONES AND ASSOC."	S.N. 51539
10624	124+04.45	23.18' RT.	IR	PP NO. 1990-32
295	125+07.47	0.85' RT.	RRS	ORIGIN UNKNOWN
297	125+53.69	26.24' RT.	5/8" IR W/YPC MARKED "CHASE/JONES AND ASSOC."	PP NO. 1990-32
296	125+61.20	2.99' LT.	5/8" IR W/YPC MARKED "CHASE/JONES AND ASSOC."	S.N. 51539
289	128+29.59	11.40' RT.	5/8" IR W/YPC MARKED "CHASE/JONES AND ASSOC."	S.N. 51539



JOHN TAO-FAN CHEN &
 JUDY E FLYNN
 BOOK 2589, PAGE 508
 YEAR: 92
 PARTITION PLAT NO. 1990-31 PARCEL 1

J PETER & CANDICE R STAPLES
 BOOK 2562, PAGE 824, YEAR 92
 PARTITION PLAT NO. 1990-32 PARCEL 1

DAVID K & THERESA BERNARDS
 BOOK 2578, PAGE 432
 YEAR: 92
 PARTITION PLAT NO. 1990-32 PARCEL 2

JAMES S & PENELOPE H BEWICK
 BOOK 2560, PAGE 1972
 YEAR: 92

DAVID R JR & SUSAN M KING
 BOOK 2356, PAGE 1595, YEAR: 90
 PARTITION PLAT NO. 1990-31 PARCEL 2

KEVIN M FOSTER
 97/126938

E JEAN SULLIVAN TR
 97/112629

LEGEND

- FOUND MONUMENT AS NOTED IN MONUMENT TABLES.
- ⊙ FOUND CONCRETE MONUMENT WITH 4-1/4" BRASS DISC.
- SET 5/8" X 30" IRON ROD WITH YELLOW PLASTIC CAP MARKED "MULT. CO. SURVEY"
- ⊖ SET 5/8" X 30" IRON ROD WITH 2" ALUMINUM CAP MARKED "MULTNOMAH COUNTY SURVEYOR" WITH PUNCHMARK.
- ⑥ MONUMENT IDENTIFIER, SEE MONUMENT TABLES.
- S.N. SURVEY NUMBER, MULTNOMAH COUNTY SURVEY RECORDS (M.C.S.R.).
- PP NO. PARTITION PLAT NO.
- W/YPC WITH YELLOW PLASTIC CAP.
- IP IRON PIPE
- IR IRON ROD
- RRS RAILROAD SPIKE

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR
Robert A. Hovden
 OREGON
 JULY 16, 1971
 ROBERT A. HOVDEN
 954
 RENEWAL DATE: 6/30/1999

MULTNOMAH COUNTY
 DEPARTMENT OF ENVIRONMENTAL SERVICES
 TRANSPORTATION DIVISION
 1600 S.E. 190TH AVE. PORTLAND, OR 97233-5999

McNAMEE ROAD NO. 5016
 PORTLAND CITY LIMITS TO S. END OF CO. RD. NO. 399A

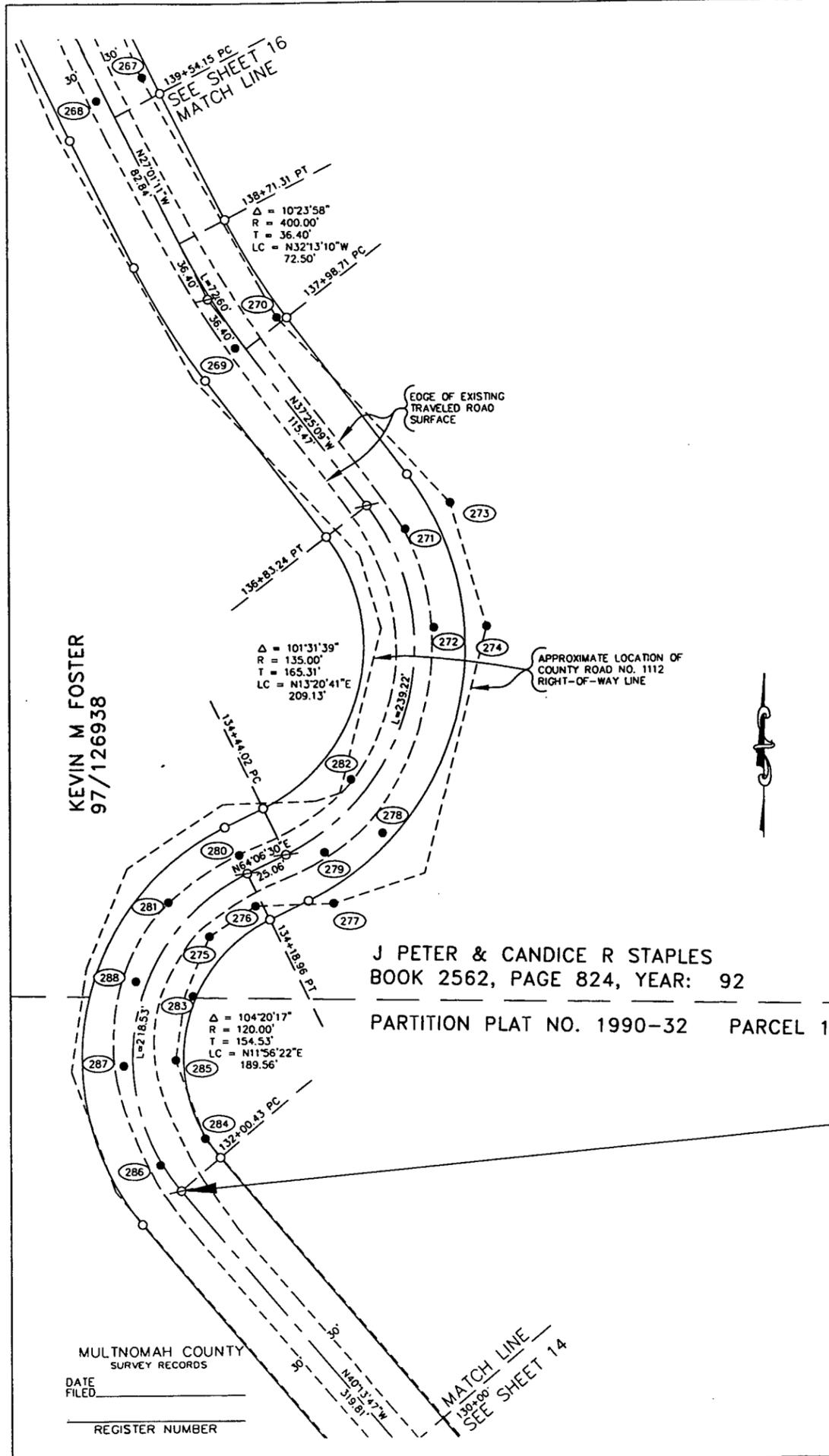
ROBERT A. HOVDEN PLS COUNTY SURVEYOR

DRAFTED: KSH CHECKED: RAH SHT. 14 OF 26
 DATE: 3/30/99 SCALE: 1"=50'

MULTNOMAH COUNTY
 SURVEY RECORDS
 DATE FILED _____
 REGISTER NUMBER _____

McNAMEE ROAD NO. 5016
 PORTLAND CITY LIMITS TO SOUTH END OF COUNTY RD. NO. 399A

SITUATED IN THE SOUTHEAST 1/4 OF SECTION 18,
 THE EAST 1/2 OF SECTION 19, THE NORTHWEST 1/4 OF SECTION 20,
 THE EAST 1/2 OF SECTION 30, THE SOUTHWEST 1/4 OF SECTION 29,
 THE NORTH 1/2 AND THE SOUTHEAST 1/4 OF SECTION 32,
 TOWNSHIP 2 NORTH, RANGE 1 WEST, WILLAMETTE MERIDIAN,
 MULTNOMAH COUNTY, OREGON



N.W. McNAMEE ROAD
 FOUND MONUMENT TABLE

POINT NUMBER	STATION	OFFSET	DESCRIPTION	ORIGIN
286	132+19.73	1.25' LT.	5/8" IR W/YPC MARKED "CHASE/JONES AND ASSOC."	S.N. 51539
284	132+19.25	29.24' RT.	5/8" IR W/YPC MARKED "CHASE/JONES AND ASSOC."	PP NO.1990-32
287	132+80.52	5.57' LT.	5/8" IR W/YPC MARKED "CHASE/JONES AND ASSOC."	S.N. 51539
285	132+83.24	25.29' RT.	5/8" IR W/YPC MARKED "CHASE/JONES AND ASSOC."	PP NO.1990-32
288	133+40.00	6.49' LT.	5/8" IR W/YPC MARKED "CHASE/JONES AND ASSOC."	S.N. 51539
283	133+33.36	28.00' RT.	5/8" IR W/YPC MARKED "CHASE/JONES AND ASSOC."	PP NO.1990-32
281	133+74.13	14.45' LT.	5/8" IR W/YPC MARKED "CHASE/JONES AND ASSOC.", DOWN 0.1'	S.N. 51539
275	133+75.98	16.78' RT.	5/8" IR W/YPC MARKED "CHASE/JONES AND ASSOC.", BENT ELY	PP NO.1990-32
276	134+13.96	19.17' RT.	5/8" IR W/YPC MARKED "CHASE/JONES AND ASSOC."	PP NO.1990-32
280	134+19.34	11.61' LT.	5/8" IR W/YPC MARKED "CHASE/JONES AND ASSOC.", DOWN 0.1'	S.N. 51539
277	134+53.73	38.33' RT.	5/8" IR W/YPC MARKED "CHASE/JONES AND ASSOC."	PP NO.1990-32
279	134+63.41	10.25' RT.	5/8" IR W/YPC MARKED "CHASE/JONES AND ASSOC."	S.N. 51539
278	134+92.90	23.94' RT.	5/8" IR W/YPC MARKED "CHASE/JONES AND ASSOC."	PP NO.1990-32
282	135+03.84	10.55' LT.	5/8" IR W/YPC MARKED "CHASE/JONES AND ASSOC."	S.N. 51539
274	136+03.46	42.86' RT.	5/8" IR W/YPC MARKED "CHASE/JONES AND ASSOC."	PP NO.1990-32
272	136+04.76	11.82' RT.	5/8" IR	S.N. 51539
271	136+60.40	11.50' RT.	5/8" IR	S.N. 51539
273	136+61.33	42.31' RT.	5/8" IR	PP NO.1990-32
270	138+02.49	25.38' RT.	5/8" IR W/YPC MARKED "CHASE/JONES AND ASSOC."	PP NO.1990-32
269	138+02.81	4.84' LT.	5/8" IR W/YPC MARKED "CHASE/JONES AND ASSOC."	S.N. 51539
267	139+67.25	24.70' RT.	5/8" IR W/YPC MARKED "CHASE/JONES AND ASSOC.", BENT	PP NO.1990-32
268	139+67.25	5.74' LT.	5/8" IR W/YPC MARKED "CHASE/JONES AND ASSOC."	S.N. 51539

J PETER & CANDICE R STAPLES
 BOOK 2562, PAGE 824, YEAR: 92
 PARTITION PLAT NO. 1990-32 PARCEL 1

DAVID K & THERESA BERNARDS
 BOOK 2578, PAGE 432, YEAR: 92
 PARTITION PLAT NO. 1990-32 PARCEL 2

EAST 1/4 CORNER
 SECTION 30
 B.T. BOOK D, PAGE 110

N84°45'11"E
 1060.64'

LEGEND

- FOUND MONUMENT AS NOTED IN MONUMENT TABLES.
- ⊕ FOUND CONCRETE MONUMENT WITH 4-1/4" BRASS DISC.
- SET 5/8" X 30" IRON ROD WITH YELLOW PLASTIC CAP MARKED "MULT. CO. SURVEY"
- ⊖ SET 5/8" X 30" IRON ROD WITH 2" ALUMINUM CAP MARKED "MULTNOMAH COUNTY SURVEYOR" WITH PUNCHMARK.
- Ⓜ MONUMENT IDENTIFIER, SEE MONUMENT TABLES.
- S.N. SURVEY NUMBER, MULTNOMAH COUNTY SURVEY RECORDS (M.C.S.R.).
- PP NO. PARTITION PLAT NO.
- W/YPC WITH YELLOW PLASTIC CAP.
- IP IRON PIPE
- IR IRON ROD

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR
Robert A. Hovden
 OREGON
 JULY 16, 1971
 ROBERT A. HOVDEN
 954
 RENEWAL DATE: 6/30/1999

MULTNOMAH COUNTY
 DEPARTMENT OF ENVIRONMENTAL SERVICES
 TRANSPORTATION DIVISION
 1600 S.E. 190TH AVE. PORTLAND, OR 97233-5999

McNAMEE ROAD NO. 5016
 PORTLAND CITY LIMITS TO S. END OF CO. RD. NO. 399A

ROBERT A. HOVDEN PLS COUNTY SURVEYOR

DRAFTED: KSH CHECKED: RAH SHT. 15 OF 26
 DATE: 3/30/99 SCALE: 1"=50'

MULTNOMAH COUNTY
 SURVEY RECORDS
 DATE FILED _____
 REGISTER NUMBER _____

MATCH LINE
 SEE SHEET 14

McNAMEE ROAD NO. 5016
 PORTLAND CITY LIMITS TO SOUTH END OF COUNTY RD. NO. 399A

SITUATED IN THE SOUTHEAST 1/4 OF SECTION 18,
 THE EAST 1/2 OF SECTION 19, THE NORTHWEST 1/4 OF SECTION 20,
 THE EAST 1/2 OF SECTION 30, THE SOUTHWEST 1/4 OF SECTION 29,
 THE NORTH 1/2 AND THE SOUTHEAST 1/4 OF SECTION 32,
 TOWNSHIP 2 NORTH, RANGE 1 WEST, WILLAMETTE MERIDIAN,
 MULTNOMAH COUNTY, OREGON

J PETER & CANDICE R STAPLES
 BOOK 2562, PAGE 824, YEAR: 92'

PARTITION PLAT NO. 1990-32 PARCEL 1
 N.W. McNAMEE ROAD
 FOUND MONUMENT TABLE

POINT NUMBER	STATION	OFFSET	DESCRIPTION	ORIGIN
267	139+67.25	24.70' RT.	5/8" IR W/YPC MARKED "CHASE/JONES AND ASSOC." BENT	PP NO. 1990-32
268	139+67.25	5.74' LT.	5/8" IR W/YPC MARKED "CHASE/JONES AND ASSOC."	S.N. 51539
345	144+03.98	30.31' LT.	5/8" IR W/YPC MARKED "CHASE/JONES AND ASSOC." FLUSH	S.N. 51539
266	144+16.30	36.25' RT.	5/8" IR W/YPC MARKED "CHASE/JONES AND ASSOC."	S.N. 51539
265	144+18.77	5.51' RT.	5/8" IR W/YPC MARKED "CHASE/JONES AND ASSOC." DOWN 0.1'	S.N. 51539
264	144+41.41	3.05' RT.	5/8" IR W/YPC MARKED "CHASE/JONES AND ASSOC." DOWN 0.1'	S.N. 51539
344	144+67.19	31.79' RT.	5/8" IR W/YPC MARKED "CHASE/JONES AND ASSOC." FLUSH	S.N. 51540
259	146+53.93	3.11' LT.	1/2" IP, DOWN 0.3' IN AC	D13/6
261	146+96.58	39.38' LT.	1/2" IP	FB 692
260	146+97.56	25.22' LT.	1/2" IP, DOWN 0.3'	FB 692
258	146+99.44	14.82' RT.	1/2" IP, BADLY BENT	FB 692
257	149+23.69	23.29' RT.	1/2" IP	FB 692
256	149+28.77	36.48' LT.	1/2" IP, DOWN 1.3'	FB 692

LEGEND

- FOUND MONUMENT AS NOTED IN MONUMENT TABLES.
- ⊙ FOUND CONCRETE MONUMENT WITH 4-1/4" BRASS DISC.
- SET 5/8" x 30" IRON ROD WITH YELLOW PLASTIC CAP MARKED "MULT. CO. SURVEY"
- ⊖ SET 5/8" x 30" IRON ROD WITH 2" ALUMINUM CAP MARKED "MULTNOMAH COUNTY SURVEYOR" WITH PUNCHMARK.
- ④ MONUMENT IDENTIFIER, SEE MONUMENT TABLES.
- S.N. SURVEY NUMBER, MULTNOMAH COUNTY SURVEY RECORDS (MCSR)
- PP NO. PARTITION PLAT NO.
- FB FIELD BOOK NO. - MULTNOMAH COUNTY ROAD RECORDS
- W/YPC WITH YELLOW PLASTIC CAP.
- IP IRON PIPE
- IR IRON ROD

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

Robert A. Hovden

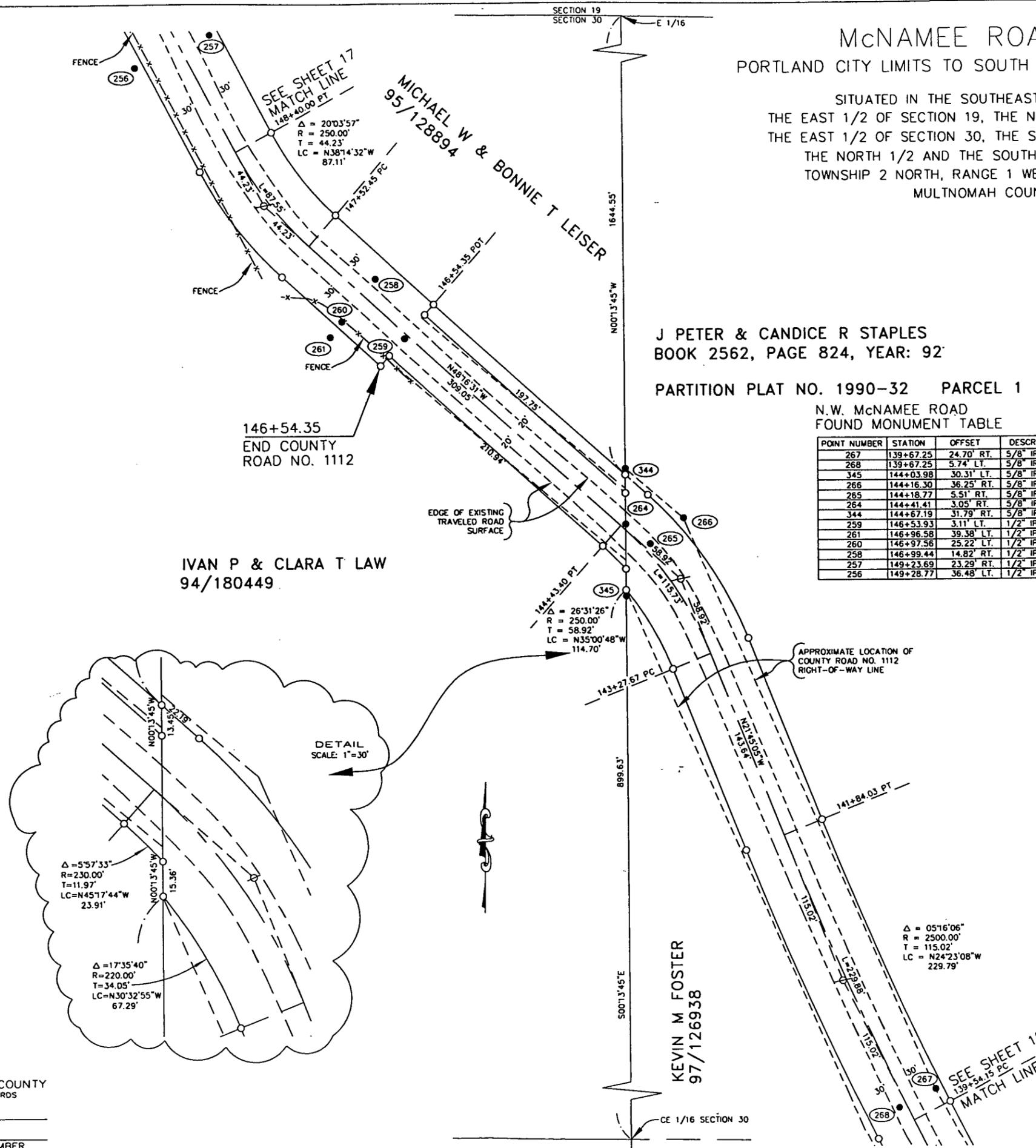
OREGON
 JULY 16, 1971
 ROBERT A. HOVDEN
 954
 RENEWAL DATE: 6/30/1999

MULTNOMAH COUNTY
 DEPARTMENT OF ENVIRONMENTAL SERVICES
 TRANSPORTATION DIVISION
 1600 S.E. 190TH AVE. PORTLAND, OR 97233-5999

McNAMEE ROAD NO. 5016
 PORTLAND CITY LIMITS TO S. END OF CO. RD. NO. 399A

ROBERT A. HOVDEN PLS COUNTY SURVEYOR

DRAFTED: KSH CHECKED: RAH SHT. 16 OF 26
 DATE: 3/30/99 SCALE: 1"=50'

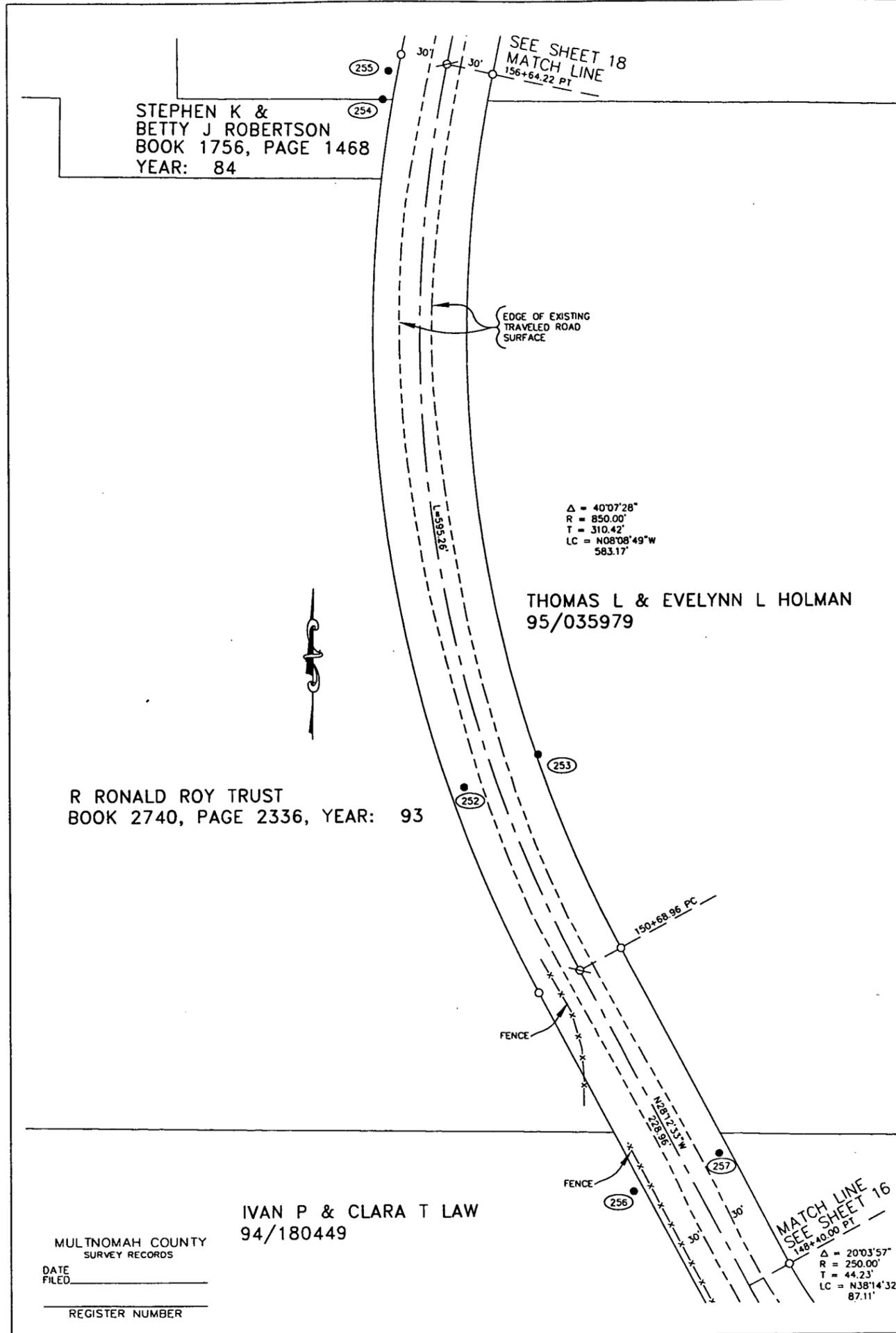


MULTNOMAH COUNTY
 SURVEY RECORDS
 DATE FILED _____
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McNAMEE ROAD NO. 5016

PORTLAND CITY LIMITS TO SOUTH END OF COUNTY RD. NO. 399A

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 THE EAST 1/2 OF SECTION 19, THE NORTHWEST 1/4 OF SECTION 20,
 THE EAST 1/2 OF SECTION 30, THE SOUTHWEST 1/4 OF SECTION 29,
 THE NORTH 1/2 AND THE SOUTHEAST 1/4 OF SECTION 32,
 TOWNSHIP 2 NORTH, RANGE 1 WEST, WILLAMETTE MERIDIAN,
 MULTNOMAH COUNTY, OREGON



$\Delta = 40'07'28''$
 $R = 850.00'$
 $T = 310.42'$
 $LC = N08'08'49''W$
 $583.17'$

THOMAS L & EVELYNN L HOLMAN
 95/035979

R RONALD ROY TRUST
 BOOK 2740, PAGE 2336, YEAR: 93

IVAN P & CLARA T LAW
 94/180449

MULTNOMAH COUNTY
 SURVEY RECORDS
 DATE FILED _____
 REGISTER NUMBER _____

MATCH LINE
 SEE SHEET 16
 $\Delta = 20'03'57''$
 $R = 250.00'$
 $T = 44.23'$
 $LC = N38'14'32''W$
 $87.11'$

N.W. McNAMEE ROAD
 FOUND MONUMENT TABLE

POINT NUMBER	STATION	OFFSET	DESCRIPTION	ORIGIN
257	149+23.69	23.29' RT.	1/2" IP	FB 692
256	149+28.77	36.48' LT.	1/2" IP, DOWN 1.3'	FB 692
252	152+04.77	20.73' LT.	1/2" IP	FB 692
253	152+08.83	30.99' RT.	1/2" IP	FB 692
254	156+35.31	36.29' LT.	5/8" IR W/YPC MARKED "W.B. WELLS"	S.N. 51363
255	156+52.88	35.95' LT.	1/2" IP	FB 692

LEGEND

- FOUND MONUMENT AS NOTED IN MONUMENT TABLES.
- ⊕ FOUND CONCRETE MONUMENT WITH 4-1/4" BRASS DISC.
- SET 5/8" X 30" IRON ROD WITH YELLOW PLASTIC CAP MARKED "MULT. CO. SURVEY"
- ⊖ SET 5/8" X 30" IRON ROD WITH 2" ALUMINUM CAP MARKED "MULTNOMAH COUNTY SURVEYOR" WITH PUNCHMARK.
- 64 MONUMENT IDENTIFIER, SEE MONUMENT TABLES.
- S.N. SURVEY NUMBER, MULTNOMAH COUNTY SURVEY RECORDS (MCSR)
- FB FIELD BOOK NO. - MULTNOMAH COUNTY ROAD RECORDS
- W/YPC WITH YELLOW PLASTIC CAP.
- IP IRON PIPE
- IR IRON ROD

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR
Robert A. Hovden
 OREGON
 JULY 16, 1971
 ROBERT A. HOVDEN
 954
 RENEWAL DATE: 6/30/1999

MULTNOMAH COUNTY
 DEPARTMENT OF ENVIRONMENTAL SERVICES
 TRANSPORTATION DIVISION
 1600 S.E. 190TH AVE. PORTLAND, OR 97233-5999

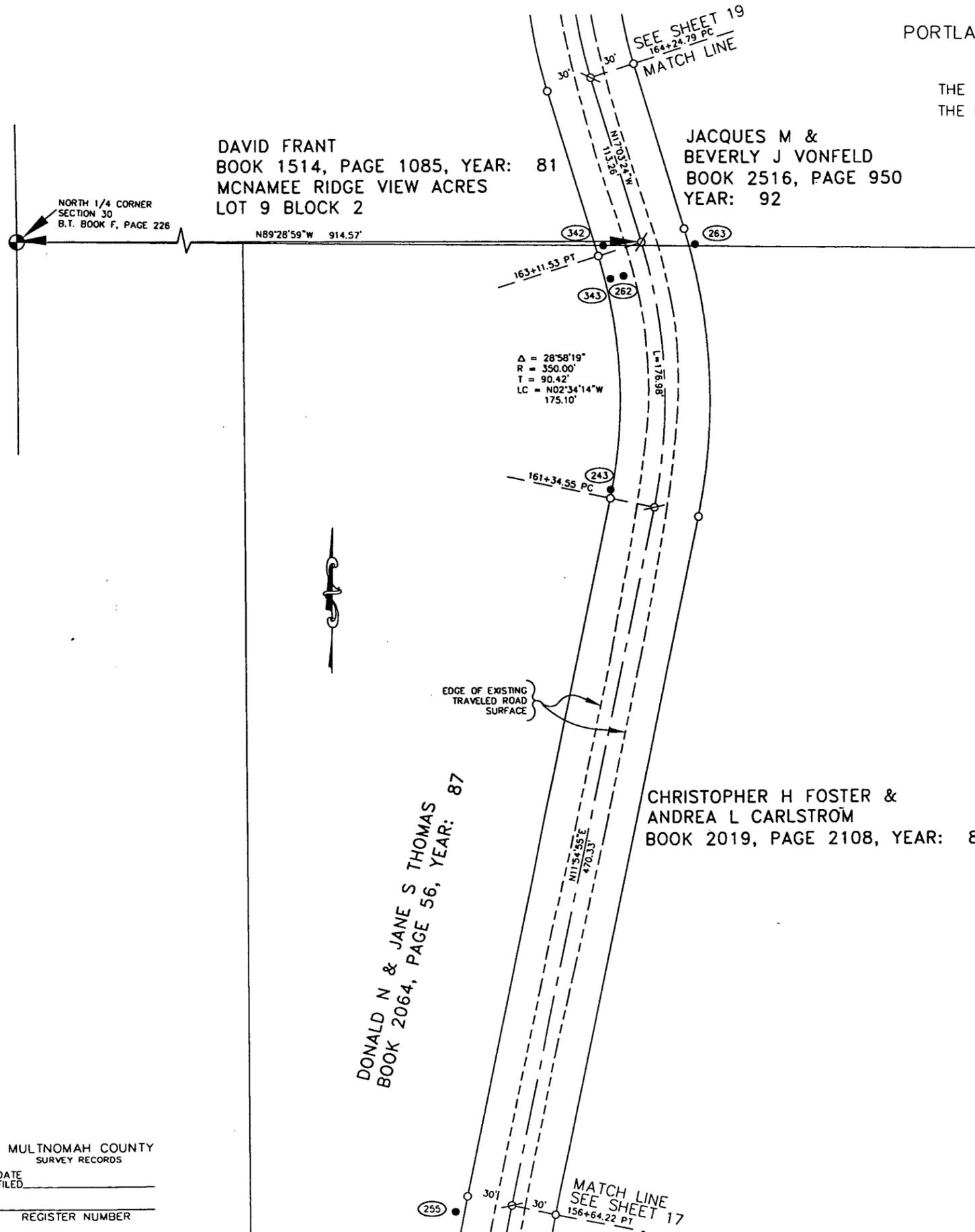
McNAMEE ROAD NO. 5016
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ROBERT A. HOVDEN PLS COUNTY SURVEYOR

DRAFTED: KSH CHECKED: RAH SHT. 17 OF 26
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McNAMEE ROAD NO. 5016
 PORTLAND CITY LIMITS TO SOUTH END OF COUNTY RD. NO. 399A

SITUATED IN THE SOUTHEAST 1/4 OF SECTION 18,
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 THE NORTH 1/2 AND THE SOUTHEAST 1/4 OF SECTION 32,
 TOWNSHIP 2 NORTH, RANGE 1 WEST, WILLAMETTE MERIDIAN,
 MULTNOMAH COUNTY, OREGON



N.W. McNAMEE ROAD
 FOUND MONUMENT TABLE

POINT NUMBER	STATION	OFFSET	DESCRIPTION	ORIGIN
255	156+52.88	35.95' LT.	1/2" IP	FB 692
243	161+40.55	31.04' LT.	5/8" IR W/YPC MARKED "W.B. WELLS"	S.N. 51363
262	162+92.93	17.60' LT.	1/2" IP	FB 692
343	162+93.40	26.55' LT.	5/8" IR W/YPC MARKED "W.B. WELLS", FLUSH	S.N. 51363
263	163+00.64	33.90' RT.	3/4" IP	FB 692
342	163+16.99	25.02' LT.	5/8" IR, FLUSH	ORIGIN UNKNOWN

LEGEND

- FOUND MONUMENT AS NOTED IN MONUMENT TABLES.
- ⊕ FOUND CONCRETE MONUMENT WITH 4-1/4" BRASS DISC.
- SET 5/8" X 30" IRON ROD WITH YELLOW PLASTIC CAP MARKED "MULT. CO. SURVEY"
- ⊖ SET 5/8" X 30" IRON ROD WITH 2" ALUMINUM CAP MARKED "MULTNOMAH COUNTY SURVEYOR" WITH PUNCHMARK.
- Ⓜ MONUMENT IDENTIFIER, SEE MONUMENT TABLES.
- S.N. SURVEY NUMBER, MULTNOMAH COUNTY SURVEY RECORDS (MCSR)
- FB FIELD BOOK NO. - MULTNOMAH COUNTY ROAD RECORDS
- W/YPC WITH YELLOW PLASTIC CAP.
- IP IRON PIPE
- IR IRON ROD

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

Robert A. Hovden

OREGON
 JULY 16, 1971
 ROBERT A. HOVDEN
 954
 RENEWAL DATE: 6/30/1999

MULTNOMAH COUNTY
 DEPARTMENT OF ENVIRONMENTAL SERVICES
 TRANSPORTATION DIVISION
 1620 S.E. 190TH AVE. PORTLAND, OR 97233-5999

McNAMEE ROAD NO. 5016
 PORTLAND CITY LIMITS TO S. END OF CO. RD. NO. 399A

ROBERT A. HOVDEN PLS COUNTY SURVEYOR

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MULTNOMAH COUNTY
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McNAMEE ROAD NO. 5016

PORTLAND CITY LIMITS TO SOUTH END OF COUNTY RD. NO. 399A

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 THE NORTH 1/2 AND THE SOUTHEAST 1/4 OF SECTION 32,
 TOWNSHIP 2 NORTH, RANGE 1 WEST, WILLAMETTE MERIDIAN,
 MULTNOMAH COUNTY, OREGON

DAVID J & TERI J GESSERT
 BOOK 2423, PAGE 647 Year: 91
 MCNAMEE RIDGE VIEW ACRES
 LOT 6 BLOCK 2

LOUIS B & DOROTHY S FLEURY
 BOOK 937, PAGE 47, YEAR: 73

$\Delta = 43^{\circ}19'17''$
 $R = 400.00'$
 $T = 158.86'$
 $LC = N05^{\circ}59'19''W$
 $295.29'$

BRADLEY P MILDREXLER &
 JAYNE L WONG
 BOOK 2103, PAGE 1120, YEAR: 88
 MCNAMEE RIDGE VIEW ACRES
 LOT 7, BLOCK 2

THOMAS A &
 PATRICIA A STEINER
 BOOK 2487, PAGE 2105 YEAR: 91

BRAD W & BRENDA D BERTRAM
 BOOK 2803, PAGE 1049, YEAR: 93
 MCNAMEE RIDGE VIEW ACRES
 LOT 8, BLOCK 2

DAVID FRANT
 BOOK 1514, PAGE 1085, YEAR: 81
 MCNAMEE RIDGE VIEW ACRES
 LOT 9 BLOCK 2

JACQUES M &
 BEVERLY J VONFELD
 BOOK 2516, PAGE 950
 YEAR: 92

N.W. McNAMEE ROAD
 FOUND MONUMENT TABLE

POINT NUMBER	STATION	OFFSET	DESCRIPTION	ORIGIN
341	165+30.62	12.03' LT.	5/8" IR, DOWN 0.5'	MRVA
340	166+19.48	40.57' RT.	2" IP W/WOOD PLUG AND TACK	ORIGIN UNKNOWN
242	166+47.13	39.18' RT.	1/2" IP	FB 692
241	168+08.75	35.85' RT.	1/2" IP, DOWN 0.5'	FB 692
240	169+82.06	42.43' LT.	5/8" IR	MRVA
239	170+21.84	14.55' RT.	5/8" IR, UP 0.3'	ORIGIN UNKNOWN
339	172+24.68	42.05' LT.	5/8" IR, UP 0.2'	MRVA
238	172+29.38	18.82' RT.	5/8" IR	S.N. 38627

LEGEND

- FOUND MONUMENT AS NOTED IN MONUMENT TABLES.
- ⊕ FOUND CONCRETE MONUMENT WITH 4-1/4" BRASS DISC.
- SET 5/8" X 30" IRON ROD WITH YELLOW PLASTIC CAP MARKED "MULT. CO. SURVEY"
- ⊗ SET 5/8" X 30" IRON ROD WITH 2" ALUMINUM CAP MARKED "MULTNOMAH COUNTY SURVEYOR" WITH PUNCHMARK.
- Ⓜ MONUMENT IDENTIFIER, SEE MONUMENT TABLES.
- S.N. SURVEY NUMBER, MULTNOMAH COUNTY SURVEY RECORDS (M.C.S.R.).
- FB FIELD BOOK NO. - MULTNOMAH COUNTY ROAD RECORDS
- MRVA SUBDIVISION PLAT - McNAMEE RIDGE VIEW ACRES
- W/YPC WITH YELLOW PLASTIC CAP.
- IP IRON PIPE
- IR IRON ROD

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR
Robert A. Hovden
 OREGON
 JULY 16, 1971
 ROBERT A. HOVDEN
 954
 RENEWAL DATE: 6/30/1999

MULTNOMAH COUNTY
 DEPARTMENT OF ENVIRONMENTAL SERVICES
 TRANSPORTATION DIVISION
 1600 S.E. 190TH AVE. PORTLAND, OR 97233-5999

McNAMEE ROAD NO. 5016
 PORTLAND CITY LIMITS TO S. END OF CO. RD. NO. 399A

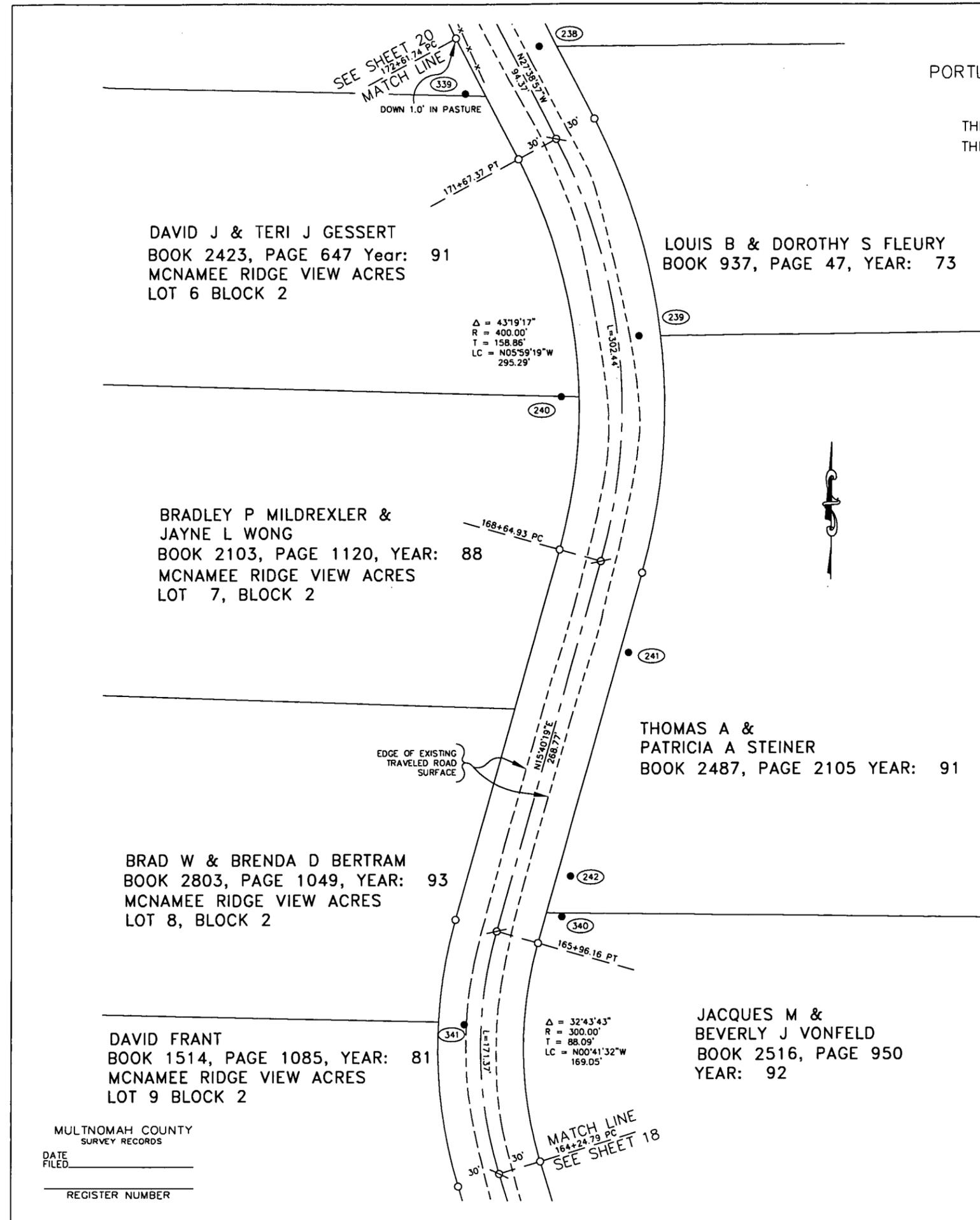
ROBERT A. HOVDEN PLS COUNTY SURVEYOR

DRAFTED: KSH CHECKED: RAH SH. 19 OF 26
 DATE: 3/30/99 SCALE: 1"=50'

MULTNOMAH COUNTY
 SURVEY RECORDS

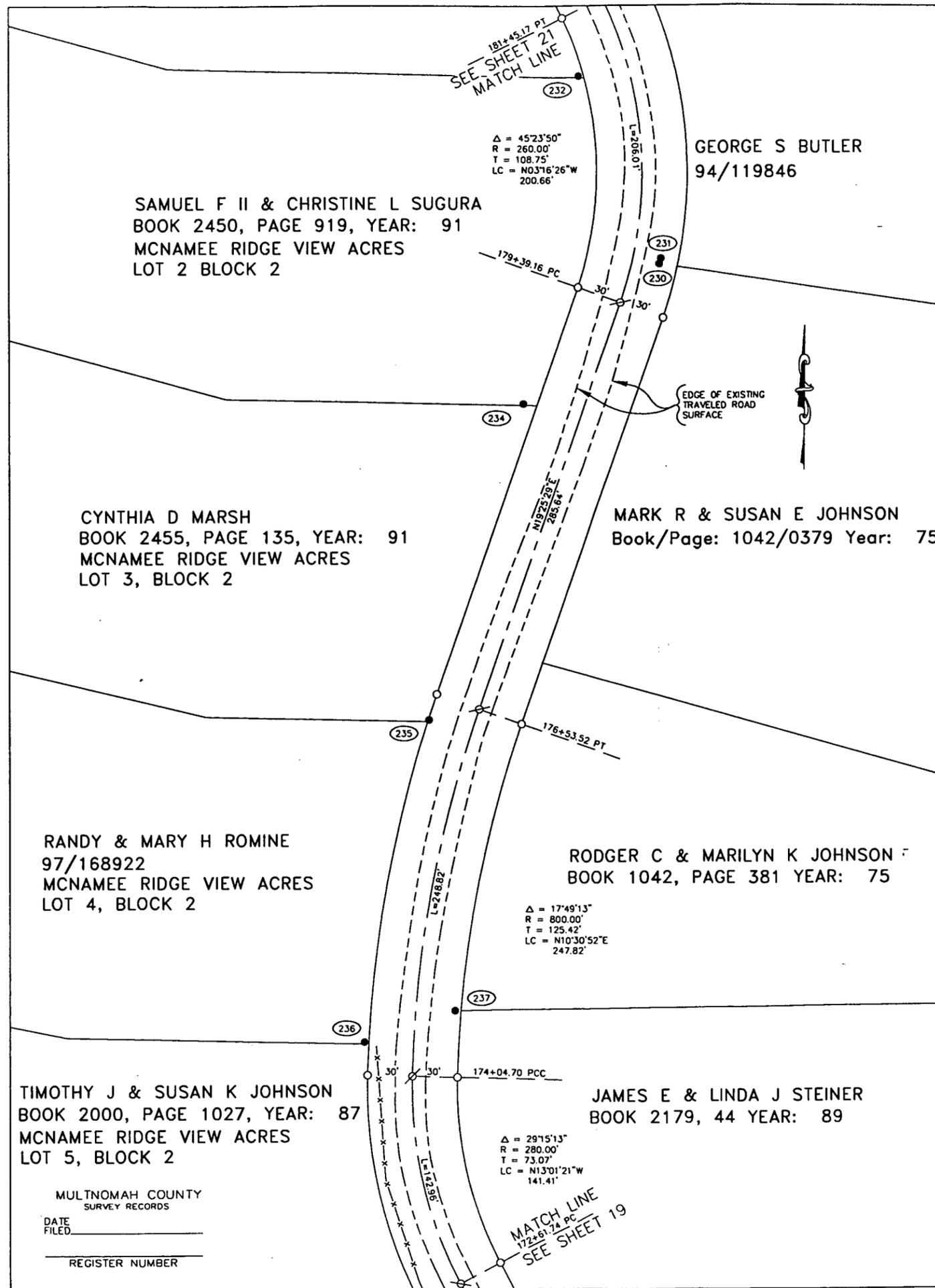
DATE FILED _____

REGISTER NUMBER _____



McNAMEE ROAD NO. 5016
 PORTLAND CITY LIMITS TO SOUTH END OF COUNTY RD. NO. 399A

SITUATED IN THE SOUTHEAST 1/4 OF SECTION 18,
 THE EAST 1/2 OF SECTION 19, THE NORTHWEST 1/4 OF SECTION 20,
 THE EAST 1/2 OF SECTION 30, THE SOUTHWEST 1/4 OF SECTION 29,
 THE NORTH 1/2 AND THE SOUTHEAST 1/4 OF SECTION 32,
 TOWNSHIP 2 NORTH, RANGE 1 WEST, WILLAMETTE MERIDIAN,
 MULTNOMAH COUNTY, OREGON



N.W. McNAMEE ROAD
 FOUND MONUMENT TABLE

POINT NUMBER	STATION	OFFSET	DESCRIPTION	ORIGIN
236	174+25.60	32.94' LT.	5/8" IR, DOWN 0.5', BENT	MRVA
237	174+50.28	25.98' RT.	5/8" IR	S.N. 38627
235	176+36.36	29.54' LT.	5/8" IR	MRVA
234	178+54.18	39.04' RT.	5/8" IR, UP 0.3'	MRVA
230	179+69.68	17.77' RT.	1/2" IP, DOWN 0.3'	FB 692
231	179+73.25	18.17' RT.	5/8" IR W/YPC MARKED "KEENON"	S.N. 53729
232	180+99.61	33.64' LT.	5/8" IR	MRVA

LEGEND

- FOUND MONUMENT AS NOTED IN MONUMENT TABLES.
- ⊕ FOUND CONCRETE MONUMENT WITH 4-1/4" BRASS DISC.
- SET 5/8" X 30" IRON ROD WITH YELLOW PLASTIC CAP MARKED "MULT. CO. SURVEY"
- ⊗ SET 5/8" X 30" IRON ROD WITH 2" ALUMINUM CAP MARKED "MULTNOMAH COUNTY SURVEYOR" WITH PUNCH-MARK.
- Ⓢ MONUMENT IDENTIFIER, SEE MONUMENT TABLES.
- S.N. SURVEY NUMBER, MULTNOMAH COUNTY SURVEY RECORDS (MCSR)
- FB FIELD BOOK NO. - MULTNOMAH COUNTY ROAD RECORDS
- MRVA SUBDIVISION PLAT - McNAMEE RIDGE VIEW ACRES
- W/YPC WITH YELLOW PLASTIC CAP.
- IP IRON PIPE
- IR IRON ROD

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

Robert A. Hovden

OREGON
 JULY 16, 1971
 ROBERT A. HOVDEN
 954
 RENEWAL DATE: 6/30/1999

MULTNOMAH COUNTY
 DEPARTMENT OF ENVIRONMENTAL SERVICES
 TRANSPORTATION DIVISION
 1600 S.E. 190TH AVE. PORTLAND, OR 97233-5999

McNAMEE ROAD NO. 5016
 PORTLAND CITY LIMITS TO S. END OF CO. RD. NO. 399A

ROBERT A. HOVDEN PLS COUNTY SURVEYOR

DRAFTED: KSH CHECKED: RAH SHT. 20 OF 26
 DATE: 3/30/99 SCALE: 1"=50'

MULTNOMAH COUNTY
 SURVEY RECORDS

DATE FILED _____

REGISTER NUMBER _____

McNAMEE ROAD NO. 5016
 PORTLAND CITY LIMITS TO SOUTH END OF COUNTY RD. NO. 399A

SITUATED IN THE SOUTHEAST 1/4 OF SECTION 18,
 THE EAST 1/2 OF SECTION 19, THE NORTHWEST 1/4 OF SECTION 20,
 THE EAST 1/2 OF SECTION 30, THE SOUTHWEST 1/4 OF SECTION 29,
 THE NORTH 1/2 AND THE SOUTHEAST 1/4 OF SECTION 32,
 TOWNSHIP 2 NORTH, RANGE 1 WEST, WILLAMETTE MERIDIAN,
 MULTNOMAH COUNTY, OREGON

J RANDOLPH & KITTY L YOUNG
 95/047107
 MCNAMEE RIDGE VIEW ACRES
 TL 1 OF LOT 1, BLOCK 1

RICHARD A & BETSY L STYSKAL
 BOOK 1091, PAGE 720, YEAR: 76
 MCNAMEE RIDGE VIEW ACRES
 LOT 5, BLOCK 3

JEFF BACHRACH &
 SUSAN WIDDER
 BOOK 2495, PAGE 1317, YEAR: 92
 MCNAMEE RIDGE VIEW ACRES
 LOT 2, BLOCK 1

WOLFGANG F & DIANE E GRUBE
 BOOK 810, PAGE 59 YEAR: 71
 MCNAMEE RIDGE VIEW ACRES
 LOT 6, BLOCK 3

WILLY A &
 BARBARA K MADSEN
 BOOK 1071, PAGE 903
 YEAR: 75

JAMES A GRAHAM &
 BETTINA BAKER
 96/185373
 MCNAMEE RIDGE VIEW ACRES
 LOT 7, BLOCK 3

LYNETTE R WITKOWSKI
 98/023801
 MCNAMEE RIDGE VIEW ACRES
 LOT 1, BLOCK 2

GEORGE S BUTLER
 94/119846

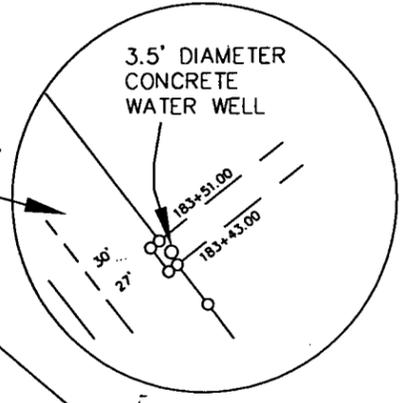
MULTNOMAH COUNTY
 SURVEY RECORDS

DATE FILED _____

REGISTER NUMBER _____

SEE SHEET 20
 181+45.17 PT
 MATCH LINE

DETAIL
 SCALE: 1"=30'



N.W. McNAMEE ROAD
 FOUND MONUMENT TABLE

POINT NUMBER	STATION	OFFSET	DESCRIPTION	ORIGIN
232	180+99.61	33.64' LT.	5/8" IR	MRVA
233	181+87.26	26.74' RT.	1/2" IP	FB 692
338	183+26.82	44.79' LT.	5/8" IR, FLUSH	MRVA
229	185+58.55	37.46' LT.	5/8" IR W/YPC MARKED "HERTEL 1896"	S.N. 55202
228	185+67.80	37.55' LT.	1/2" IP, DOWN 0.5'	FB 692
226	186+72.03	24.32' RT.	5/8" IR, UP 0.3'	MRVA3
227	188+12.18	33.18' LT.	5/8" IR, UP 0.2'	MRVA
337	188+66.14	28.19' RT.	5/8" IR, UP 0.2'	MRVA3
222	190+60.57	31.03' RT.	5/8" IR	MRVA3

LEGEND

- FOUND MONUMENT AS NOTED IN MONUMENT TABLES.
- ⊙ FOUND CONCRETE MONUMENT WITH 4-1/4" BRASS DISC.
- SET 5/8" X 30" IRON ROD WITH YELLOW PLASTIC CAP MARKED "MULT. CO. SURVEY"
- ⊖ SET 5/8" X 30" IRON ROD WITH 2" ALUMINUM CAP MARKED "MULTNOMAH COUNTY SURVEYOR" WITH PUNCHMARK.
- Ⓜ MONUMENT IDENTIFIER. SEE MONUMENT TABLES.
- S.N. SURVEY NUMBER, MULTNOMAH COUNTY SURVEY RECORDS (MCSR)
- MRVA SUBDIVISION PLAT - McNAMEE RIDGE VIEW ACRES
- MRVA3 SUBDIVISION PLAT - McNAMEE RIDGE VIEW ACRES BLOCK 3
- FB FIELD BOOK NO. - MULTNOMAH COUNTY ROAD RECORDS
- W/YPC WITH YELLOW PLASTIC CAP.
- IP IRON PIPE
- IR IRON ROD

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

Robert A. Hovden

OREGON
 JULY 16, 1971
 ROBERT A. HOVDEN
 954
 RENEWAL DATE: 6/30/1999

MULTNOMAH COUNTY
 DEPARTMENT OF ENVIRONMENTAL SERVICES
 TRANSPORTATION DIVISION
 1600 S.E. 190TH AVE. PORTLAND, OR 97233-5999

McNAMEE ROAD NO. 5016
 PORTLAND CITY LIMITS TO S. END OF CO. RD. NO. 399A

ROBERT A. HOVDEN PLS COUNTY SURVEYOR

DRAFTED: KSH CHECKED: RAH SHT. 21 OF 26
 DATE: 3/30/99 SCALE: 1"=50'

McNAMEE ROAD NO. 5016
 PORTLAND CITY LIMITS TO SOUTH END OF COUNTY RD. NO. 399A

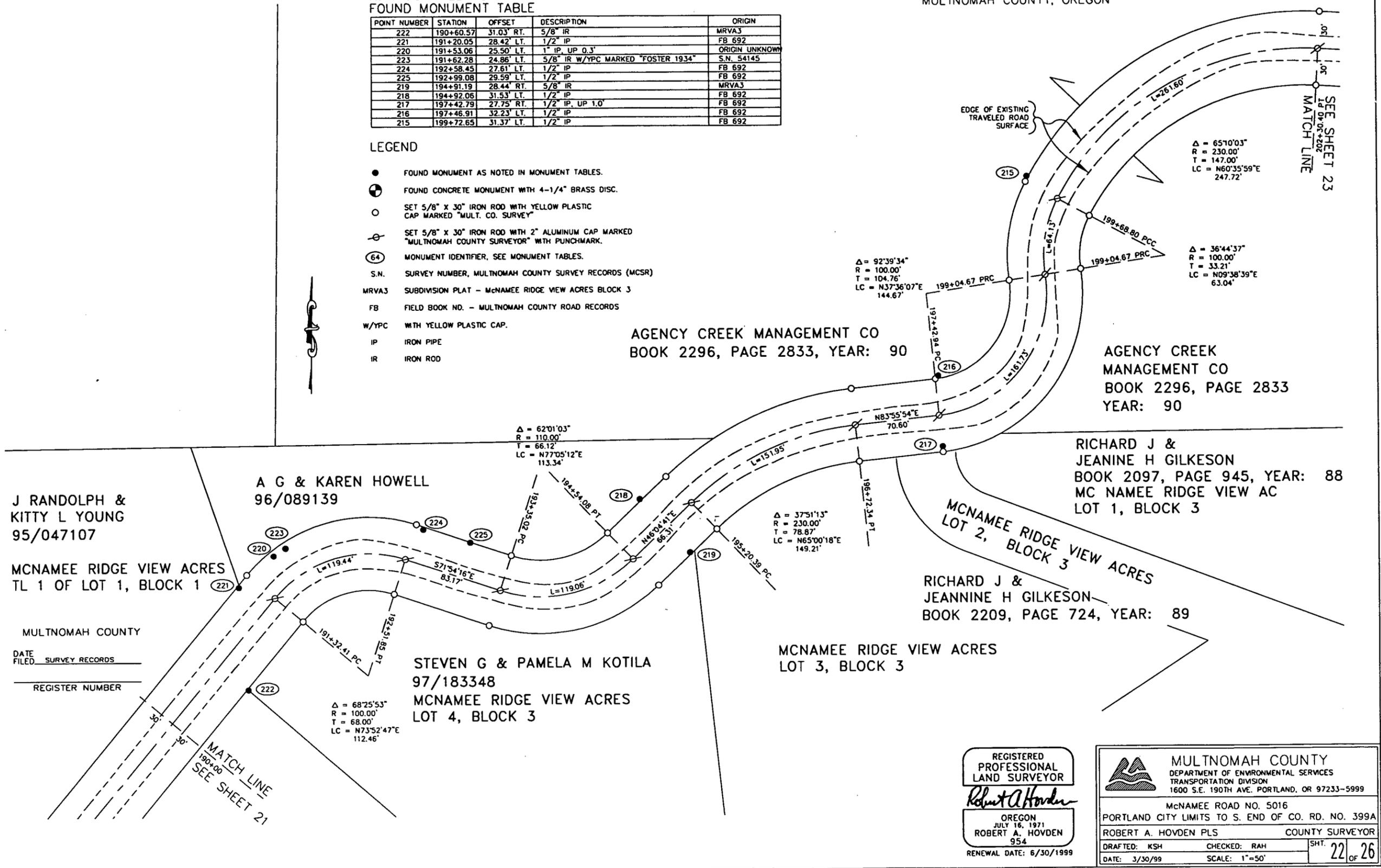
SITUATED IN THE SOUTHEAST 1/4 OF SECTION 18,
 THE EAST 1/2 OF SECTION 19, THE NORTHWEST 1/4 OF SECTION 20,
 THE EAST 1/2 OF SECTION 30, THE SOUTHWEST 1/4 OF SECTION 29,
 THE NORTH 1/2 AND THE SOUTHEAST 1/4 OF SECTION 32,
 TOWNSHIP 2 NORTH, RANGE 1 WEST, WILLAMETTE MERIDIAN,
 MULTNOMAH COUNTY, OREGON

N.W. McNAMEE ROAD
 FOUND MONUMENT TABLE

POINT NUMBER	STATION	OFFSET	DESCRIPTION	ORIGIN
222	190+60.57	31.03' RT.	5/8" IR	MRVA3
221	191+20.05	28.42' LT.	1/2" IP	FB 692
220	191+53.06	25.50' LT.	1" IP, UP 0.3'	ORIGIN UNKNOWN
223	191+62.28	24.86' LT.	5/8" IR W/YPC MARKED "FOSTER 1934"	S.N. 54145
224	192+58.45	27.61' LT.	1/2" IP	FB 692
225	192+99.08	29.59' LT.	1/2" IP	FB 692
219	194+91.19	28.44' RT.	5/8" IR	MRVA3
218	194+92.06	31.53' LT.	1/2" IP	FB 692
217	197+42.79	27.75' RT.	1/2" IP, UP 1.0'	FB 692
216	197+46.91	32.23' LT.	1/2" IP	FB 692
215	199+72.65	31.37' LT.	1/2" IP	FB 692

LEGEND

- FOUND MONUMENT AS NOTED IN MONUMENT TABLES.
- ⊙ FOUND CONCRETE MONUMENT WITH 4-1/4" BRASS DISC.
- SET 5/8" X 30" IRON ROD WITH YELLOW PLASTIC CAP MARKED "MULT. CO. SURVEY"
- ⊙ SET 5/8" X 30" IRON ROD WITH 2" ALUMINUM CAP MARKED "MULTNOMAH COUNTY SURVEYOR" WITH PUNCHMARK.
- Ⓜ MONUMENT IDENTIFIER, SEE MONUMENT TABLES.
- S.N. SURVEY NUMBER, MULTNOMAH COUNTY SURVEY RECORDS (MCSR)
- MRVA3 SUBDIVISION PLAT - McNAMEE RIDGE VIEW ACRES BLOCK 3
- FB FIELD BOOK NO. - MULTNOMAH COUNTY ROAD RECORDS
- W/YPC WITH YELLOW PLASTIC CAP.
- IP IRON PIPE
- IR IRON ROD



J RANDOLPH &
 KITTY L YOUNG
 95/047107

McNAMEE RIDGE VIEW ACRES
 TL 1 OF LOT 1, BLOCK 1

MULTNOMAH COUNTY
 DATE FILED SURVEY RECORDS
 REGISTER NUMBER

A G & KAREN HOWELL
 96/089139

STEVEN G & PAMELA M KOTILA
 97/183348
 McNAMEE RIDGE VIEW ACRES
 LOT 4, BLOCK 3

RICHARD J &
 JEANNINE H GILKESON
 BOOK 2209, PAGE 724, YEAR: 89

McNAMEE RIDGE VIEW ACRES
 LOT 2, BLOCK 3

RICHARD J &
 JEANINE H GILKESON
 BOOK 2097, PAGE 945, YEAR: 88
 McNAMEE RIDGE VIEW AC
 LOT 1, BLOCK 3

AGENCY CREEK MANAGEMENT CO
 BOOK 2296, PAGE 2833, YEAR: 90

AGENCY CREEK
 MANAGEMENT CO
 BOOK 2296, PAGE 2833
 YEAR: 90

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR
Robert A. Hovden
 OREGON
 JULY 16, 1971
 ROBERT A. HOVDEN
 954
 RENEWAL DATE: 6/30/1999

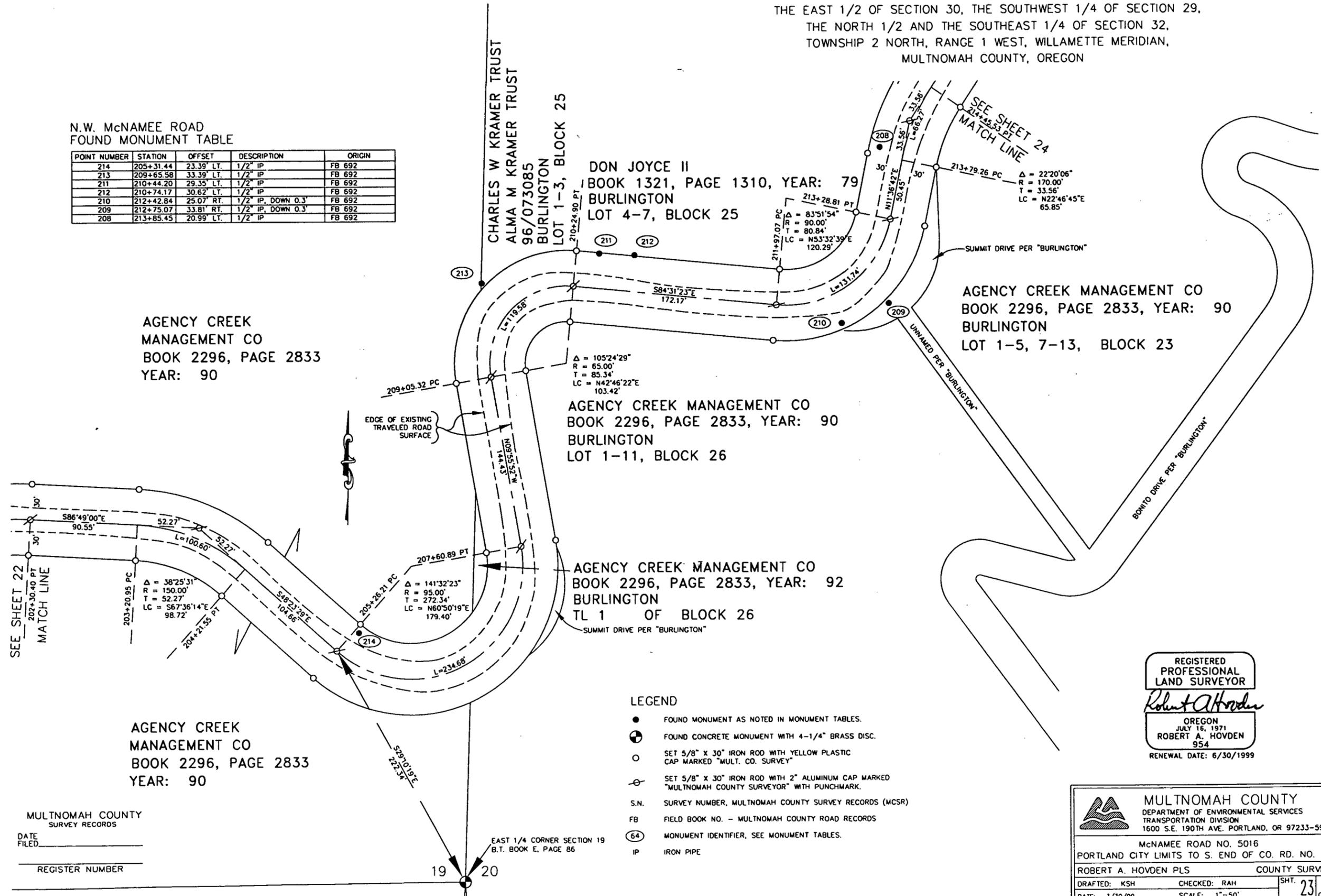
MULTNOMAH COUNTY
 DEPARTMENT OF ENVIRONMENTAL SERVICES
 TRANSPORTATION DIVISION
 1600 S.E. 190TH AVE. PORTLAND, OR 97233-5999
 McNAMEE ROAD NO. 5016
 PORTLAND CITY LIMITS TO S. END OF CO. RD. NO. 399A
 ROBERT A. HOVDEN PLS COUNTY SURVEYOR
 DRAFTED: KSH CHECKED: RAH SHT. 22 OF 26
 DATE: 3/30/99 SCALE: 1"=50'

McNAMEE ROAD NO. 5016
 PORTLAND CITY LIMITS TO SOUTH END OF COUNTY RD. NO. 399A

SITUATED IN THE SOUTHEAST 1/4 OF SECTION 18,
 THE EAST 1/2 OF SECTION 19, THE NORTHWEST 1/4 OF SECTION 20,
 THE EAST 1/2 OF SECTION 30, THE SOUTHWEST 1/4 OF SECTION 29,
 THE NORTH 1/2 AND THE SOUTHEAST 1/4 OF SECTION 32,
 TOWNSHIP 2 NORTH, RANGE 1 WEST, WILLAMETTE MERIDIAN,
 MULTNOMAH COUNTY, OREGON

N.W. McNAMEE ROAD
 FOUND MONUMENT TABLE

POINT NUMBER	STATION	OFFSET	DESCRIPTION	ORIGIN
214	205+31.44	23.39' LT.	1/2" IP	FB 692
213	209+65.58	33.39' LT.	1/2" IP	FB 692
211	210+44.20	29.35' LT.	1/2" IP	FB 692
212	210+74.17	30.62' LT.	1/2" IP	FB 692
210	212+42.84	25.07' RT.	1/2" IP, DOWN 0.3'	FB 692
209	212+75.07	33.81' RT.	1/2" IP, DOWN 0.3'	FB 692
208	213+85.45	20.99' LT.	1/2" IP	FB 692



AGENCY CREEK
 MANAGEMENT CO
 BOOK 2296, PAGE 2833
 YEAR: 90

DON JOYCE II
 BOOK 1321, PAGE 1310, YEAR: 79
 BURLINGTON
 LOT 4-7, BLOCK 25

AGENCY CREEK MANAGEMENT CO
 BOOK 2296, PAGE 2833, YEAR: 90
 BURLINGTON
 LOT 1-5, 7-13, BLOCK 23

AGENCY CREEK MANAGEMENT CO
 BOOK 2296, PAGE 2833, YEAR: 90
 BURLINGTON
 LOT 1-11, BLOCK 26

AGENCY CREEK MANAGEMENT CO
 BOOK 2296, PAGE 2833, YEAR: 92
 BURLINGTON
 TL 1 OF BLOCK 26

AGENCY CREEK
 MANAGEMENT CO
 BOOK 2296, PAGE 2833
 YEAR: 90

MULTNOMAH COUNTY
 SURVEY RECORDS
 DATE FILED _____
 REGISTER NUMBER _____

- LEGEND
- FOUND MONUMENT AS NOTED IN MONUMENT TABLES.
 - ⊕ FOUND CONCRETE MONUMENT WITH 4-1/4" BRASS DISC.
 - SET 5/8" X 30" IRON ROD WITH YELLOW PLASTIC CAP MARKED "MULT. CO. SURVEY"
 - ⊗ SET 5/8" X 30" IRON ROD WITH 2" ALUMINUM CAP MARKED "MULTNOMAH COUNTY SURVEYOR" WITH PUNCHMARK.
 - S.N. SURVEY NUMBER, MULTNOMAH COUNTY SURVEY RECORDS (MCSR)
 - FB FIELD BOOK NO. - MULTNOMAH COUNTY ROAD RECORDS
 - Ⓜ MONUMENT IDENTIFIER, SEE MONUMENT TABLES.
 - IP IRON PIPE

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR
Robert A. Hovden
 OREGON
 JULY 16, 1971
 ROBERT A. HOVDEN
 954
 RENEWAL DATE: 6/30/1999

MULTNOMAH COUNTY
 DEPARTMENT OF ENVIRONMENTAL SERVICES
 TRANSPORTATION DIVISION
 1600 S.E. 190TH AVE. PORTLAND, OR 97233-5999

McNAMEE ROAD NO. 5016
 PORTLAND CITY LIMITS TO S. END OF CO. RD. NO. 399A

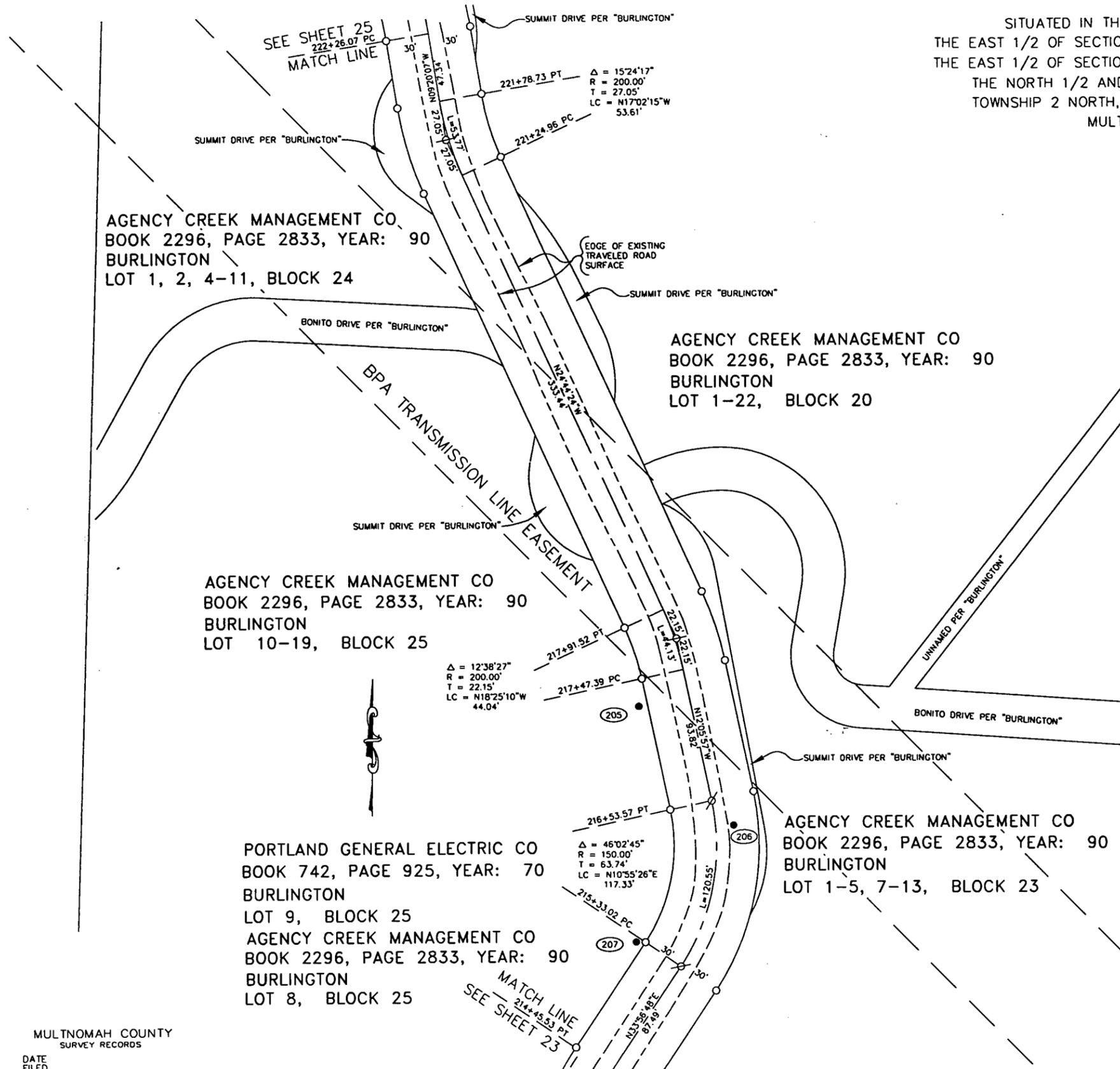
ROBERT A. HOVDEN PLS COUNTY SURVEYOR

DRAFTED: KSH CHECKED: RAH SHT. 23 OF 26
 DATE: 3/30/99 SCALE: 1"=50'

EAST 1/4 CORNER SECTION 19
 B.T. BOOK E, PAGE 86

McNAMEE ROAD NO. 5016
 PORTLAND CITY LIMITS TO SOUTH END OF COUNTY RD. NO. 399A

SITUATED IN THE SOUTHEAST 1/4 OF SECTION 18,
 THE EAST 1/2 OF SECTION 19, THE NORTHWEST 1/4 OF SECTION 20,
 THE EAST 1/2 OF SECTION 30, THE SOUTHWEST 1/4 OF SECTION 29,
 THE NORTH 1/2 AND THE SOUTHEAST 1/4 OF SECTION 32,
 TOWNSHIP 2 NORTH, RANGE 1 WEST, WILLAMETTE MERIDIAN,
 MULTNOMAH COUNTY, OREGON



AGENCY CREEK MANAGEMENT CO
 BOOK 2296, PAGE 2833, YEAR: 90
 BURLINGTON
 LOT 1, 2, 4-11, BLOCK 24

AGENCY CREEK MANAGEMENT CO
 BOOK 2296, PAGE 2833, YEAR: 90
 BURLINGTON
 LOT 1-22, BLOCK 20

AGENCY CREEK MANAGEMENT CO
 BOOK 2296, PAGE 2833, YEAR: 90
 BURLINGTON
 LOT 10-19, BLOCK 25

PORTLAND GENERAL ELECTRIC CO
 BOOK 742, PAGE 925, YEAR: 70
 BURLINGTON
 LOT 9, BLOCK 25
 AGENCY CREEK MANAGEMENT CO
 BOOK 2296, PAGE 2833, YEAR: 90
 BURLINGTON
 LOT 8, BLOCK 25

AGENCY CREEK MANAGEMENT CO
 BOOK 2296, PAGE 2833, YEAR: 90
 BURLINGTON
 LOT 1-5, 7-13, BLOCK 23

N.W. McNAMEE ROAD
 FOUND MONUMENT TABLE

POINT NUMBER	STATION	OFFSET	DESCRIPTION	ORIGIN
207	215+29.44	35.47' LT.	1/2" IP	FB 692
206	216+34.93	12.69' RT.	1/2" IP, BENT N'LY	FB 692
205	217+28.79	36.29' LT.	1/2" IP	FB 692

LEGEND

- FOUND MONUMENT AS NOTED IN MONUMENT TABLES.
- ⊙ FOUND CONCRETE MONUMENT WITH 4-1/4" BRASS DISC.
- SET 5/8" X 30" IRON ROD WITH YELLOW PLASTIC CAP MARKED "MULT. CO. SURVEY"
- ⊖ SET 5/8" X 30" IRON ROD WITH 2" ALUMINUM CAP MARKED "MULTNOMAH COUNTY SURVEYOR" WITH PUNCHMARK.
- S.N. SURVEY NUMBER, MULTNOMAH COUNTY SURVEY RECORDS (M.C.S.R.).
- FB FIELD BOOK NO. - MULTNOMAH COUNTY ROAD RECORDS
- ⑥ MONUMENT IDENTIFIER, SEE MONUMENT TABLES.
- IP IRON PIPE

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

Robert A. Hovden

OREGON
 JULY 16, 1971
 ROBERT A. HOVDEN
 954
 RENEWAL DATE: 6/30/1999

MULTNOMAH COUNTY
 SURVEY RECORDS

DATE FILED _____

REGISTER NUMBER _____

MULTNOMAH COUNTY
 DEPARTMENT OF ENVIRONMENTAL SERVICES
 TRANSPORTATION DIVISION
 1600 S.E. 190TH AVE. PORTLAND, OR 97233-5999

McNAMEE ROAD NO. 5016
 PORTLAND CITY LIMITS TO S. END OF CO. RD. NO. 399A

ROBERT A. HOVDEN PLS COUNTY SURVEYOR

DRAFTED: KSH CHECKED: RAH SHT. 24 OF 26
 DATE: 3/30/99 SCALE: 1"=50'

McNAMEE ROAD NO. 5016

PORTLAND CITY LIMITS TO SOUTH END OF COUNTY RD. NO. 399A

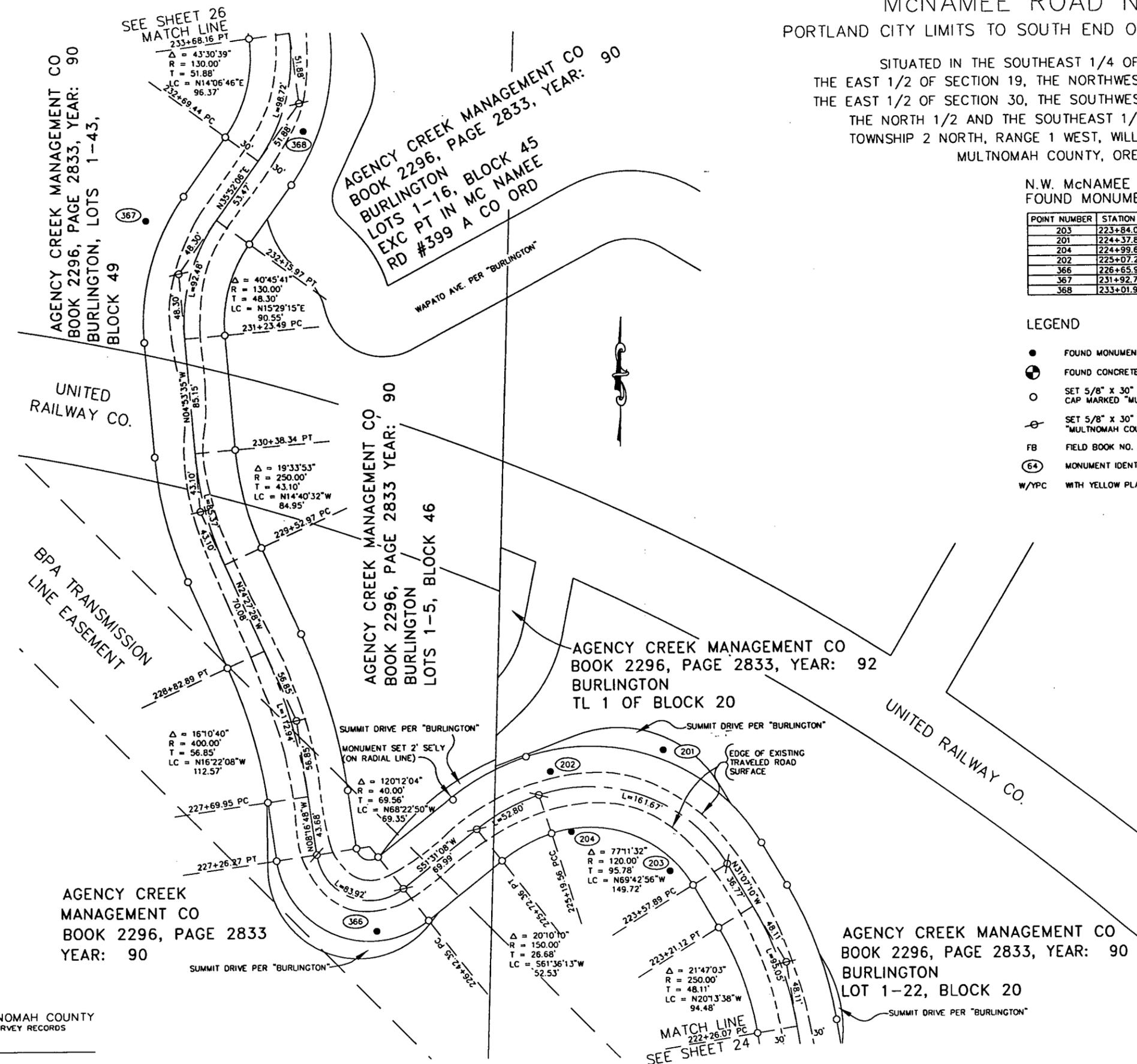
SITUATED IN THE SOUTHEAST 1/4 OF SECTION 18,
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 THE NORTH 1/2 AND THE SOUTHEAST 1/4 OF SECTION 32,
 TOWNSHIP 2 NORTH, RANGE 1 WEST, WILLAMETTE MERIDIAN,
 MULTNOMAH COUNTY, OREGON

N.W. McNAMEE ROAD
 FOUND MONUMENT TABLE

POINT NUMBER	STATION	OFFSET	DESCRIPTION	ORIGIN
203	223+84.07	37.42' LT.	1/2" IP	FB 692
201	224+37.83	36.76' RT.	1/2" IP	FB 692
204	224+99.63	32.31' LT.	1/2" IP	FB 692
202	225+07.29	14.43' RT.	1/2" IP, DOWN 0.5'	FB 692
366	226+65.93	22.75' LT.	1/2" IP, DOWN 0.5'	FB 692
367	231+92.77	45.19' LT.	1/2" IP, FLUSH	FB 692
368	233+01.91	19.01' RT.	1/2" IP, DOWN 1.0'	FB 692

LEGEND

- FOUND MONUMENT AS NOTED IN MONUMENT TABLES.
- ⊙ FOUND CONCRETE MONUMENT WITH 4-1/4" BRASS DISC.
- SET 5/8" X 30" IRON ROD WITH YELLOW PLASTIC CAP MARKED "MULT. CO. SURVEY"
- ⊕ SET 5/8" X 30" IRON ROD WITH 2" ALUMINUM CAP MARKED "MULTNOMAH COUNTY SURVEYOR" WITH PUNCHMARK.
- FB FIELD BOOK NO. - MULTNOMAH COUNTY ROAD RECORDS
- Ⓜ MONUMENT IDENTIFIER, SEE MONUMENT TABLES.
- W/YPC WITH YELLOW PLASTIC CAP.



AGENCY CREEK MANAGEMENT CO
 BOOK 2296, PAGE 2833, YEAR: 90
 BURLINGTON, LOTS 1-43,
 BLOCK 49

AGENCY CREEK MANAGEMENT CO
 BOOK 2296, PAGE 2833, YEAR: 90
 BURLINGTON, BLOCK 45
 LOTS 1-16, MC NAMEE
 EXC PT IN MC NAMEE
 RD #399 A CO ORD

AGENCY CREEK MANAGEMENT CO
 BOOK 2296, PAGE 2833 YEAR: 90
 BURLINGTON
 LOTS 1-5, BLOCK 46

AGENCY CREEK MANAGEMENT CO
 BOOK 2296, PAGE 2833, YEAR: 92
 BURLINGTON
 TL 1 OF BLOCK 20

AGENCY CREEK
 MANAGEMENT CO
 BOOK 2296, PAGE 2833
 YEAR: 90

AGENCY CREEK MANAGEMENT CO
 BOOK 2296, PAGE 2833, YEAR: 90
 BURLINGTON
 LOT 1-22, BLOCK 20

MULTNOMAH COUNTY
 SURVEY RECORDS
 DATE FILED _____
 REGISTER NUMBER _____

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR
Robert A. Hovden
 OREGON
 JULY 16, 1971
 ROBERT A. HOVDEN
 954
 RENEWAL DATE: 6/30/1999

MULTNOMAH COUNTY
 DEPARTMENT OF ENVIRONMENTAL SERVICES
 TRANSPORTATION DIVISION
 1600 S.E. 190TH AVE. PORTLAND, OR 97233-5999

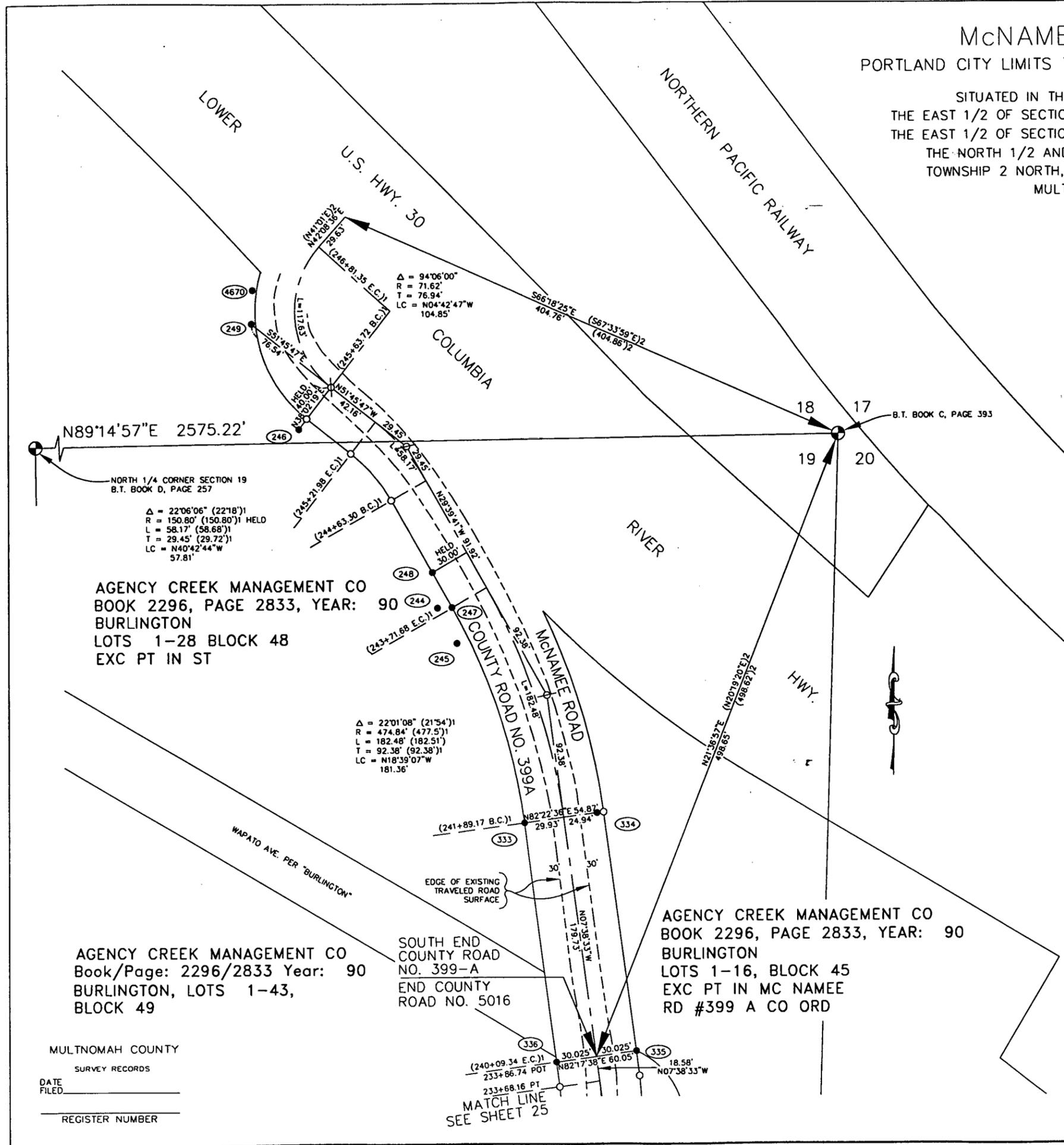
McNAMEE ROAD NO. 5016
 PORTLAND CITY LIMITS TO S. END OF CO. RD. NO. 399A

ROBERT A. HOVDEN PLS COUNTY SURVEYOR

DRAFTED: KSH CHECKED: RAH SHT. 25 OF 26
 DATE: 3/30/99 SCALE: 1"=50'

McNAMEE ROAD NO. 5016
 PORTLAND CITY LIMITS TO SOUTH END OF COUNTY RD. NO. 399A

SITUATED IN THE SOUTHEAST 1/4 OF SECTION 18,
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 THE EAST 1/2 OF SECTION 30, THE SOUTHWEST 1/4 OF SECTION 29,
 THE NORTH 1/2 AND THE SOUTHEAST 1/4 OF SECTION 32,
 TOWNSHIP 2 NORTH, RANGE 1 WEST, WILLAMETTE MERIDIAN,
 MULTNOMAH COUNTY, OREGON



N.W. McNAMEE ROAD
 FOUND MONUMENT TABLE

POINT NUMBER	STATION	OFFSET	DESCRIPTION	ORIGIN
335	233+86.74	30.02' RT.	1/2" IP. FLUSH	FB 917
336	233+86.68	30.02' LT.	1/2" IP. FLUSH	FB 917
334	235+66.43	24.94' RT.	1/2" IP BENT E'LY. FLUSH	FB 692
333	235+66.45	29.93' LT.	1/2" IP. FLUSH	FB 917
245	237+21.86	39.45' LT.	3/4" IP	FB 692
247	237+49.01	30.21' LT.	1/2" IP	FB 917
244	237+54.13	39.91' LT.	1/2" IP. UP 1.0	FB 692
248	237+79.01	30.00' LT.	1/2" IP	FB 917
246	239+41.03	40.00' LT.	3/4" IP	FB 917
249	239+99.80	33.20' LT.	1/2" IP	FB 917
4670	240+16.91	33.25' LT.	5/8" IR. DOWN 0.6'	UNKNOWN ORIGIN

LEGEND

- FOUND MONUMENT AS NOTED IN MONUMENT TABLES.
- ⊙ FOUND CONCRETE MONUMENT WITH 4-1/4" BRASS DISC.
- SET 5/8" X 30" IRON ROD WITH YELLOW PLASTIC CAP MARKED "MULT. CO. SURVEY"
- ⊕ SET 5/8" X 30" IRON ROD WITH 2" ALUMINUM CAP MARKED "MULTNOMAH COUNTY SURVEYOR" WITH PUNCHMARK.
- Ⓜ MONUMENT IDENTIFIER, SEE MONUMENT TABLES.
- FB FIELD BOOK NO. - MULTNOMAH COUNTY ROAD RECORDS
- W/YPC WITH YELLOW PLASTIC CAP.
- () RECORD DATA PER RI, UNLESS NOTED OTHERWISE.

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR
Robert A. Hovden
 OREGON
 JULY 16, 1971
 ROBERT A. HOVDEN
 954
 RENEWAL DATE: 6/30/1999

MULTNOMAH COUNTY
 DEPARTMENT OF ENVIRONMENTAL SERVICES
 TRANSPORTATION DIVISION
 1600 S.E. 190TH AVE. PORTLAND, OR 97233-5999

McNAMEE ROAD NO. 5016
 PORTLAND CITY LIMITS TO S. END OF CO. RD. NO. 399A
 ROBERT A. HOVDEN PLS COUNTY SURVEYOR

DRAFTED: KSH CHECKED: RAH SHT. 26 OF 26
 DATE: 3/30/99 SCALE: 1"=50'

MULTNOMAH COUNTY
 SURVEY RECORDS
 DATE FILED _____
 REGISTER NUMBER _____

Beverly Stein



OFFICE OF
MULTNOMAH COUNTY COUNSEL

THOMAS SPONSER
County Counsel

1120 S.W. FIFTH AVENUE, SUITE 1530
PORTLAND, OREGON 97204-1977

- FAX 248-3377
(503) 248-3138

SANDRA N. DUFFY
Chief Assistant

SUSAN DUNAWAY
KATIE GAETJENS
GERALD H. ITKIN
JEFFREY B. LITWAK
STEVEN J. NEMIROW
MATTHEW O. RYAN
AGNES SOWLE
JOHN S. THOMAS
JACQUELINE A. WEBER
Assistants

TO: BOARD OF COUNTY COMMISSIONERS
FROM: Matthew O. Ryan (106/1530)
Assistant County Counsel
RE: McNAMEE ROAD FOLLOW UP
DATE: SEPTEMBER 15, 1999

99 SEP 15 PM 3:31
MULTNOMAH COUNTY
OREGON
COUNTY COMMISSIONERS

This is in response to a memorandum earlier this year from Commissioner Naito regarding the McNamee Road Legalization hearing and the English-Luthe property dispute. At the BCC meeting on April 15, 1999, Bob Hovden, the County Surveyor, and I advised that the property dispute complicated the attempt to legalize (pursuant to ORS Chapter 368) a section of McNamee Road that primarily runs over a portion of the English property at its western edge. The final BCC action on April 15th did not legalize that section of McNamee Road right of way (r-o-w). This memorandum will briefly explain the factual background to the issue and one proposal to finalize the legalization or realignment of McNamee Road.

As shown on the attached map, McNamee Road follows a general north/south route through this section. On the map, the solid black lines show the r-o-w as originally proposed, with the slotted black lines within the solid lines showing the territory presently paved. Further, the slotted black lines outside the solid lines show the *existing* dedicated r-o-w. The colored shaded and striped areas will be discussed below.

The basic problem is the road as paved on the land is not consistent with the legally described and dedicated r-o-w. The r-o-w of course needs to include both the unpaved shoulder easements as well as the paved road. I believe the total McNamee Road r-o-w is about 40 ft. wide with the paved portion about 20 ft.

In order to correct this problem, the Transportation Division has proposed:

1. Purchasing from Mrs. English the dedication to the property where the road as paved is over her land, and additional territory as necessary

- for shoulder easements (20 feet on each side of the centerline of the existing as traveled roadway that lies outside of the existing r-o-w); and
2. Retaining as dedicated r-o-w, the existing unpaved r-o-w at the western boundary of the English property where Mr. Luthe's access to McNamee Road is located.

Again referring to the map, the area shaded in red indicates the territory on Mrs. English's property the County needs to acquire to complete the McNamee Road realignment. The yellow shaded/ striped area represents the existing unpaved County r-o-w over the English property at its western boundary.

The additional complication of course is with the access permit the County granted to Mr. Luthe in 1980 within the unpaved County r-o-w area. The area covered by the Luthe access permit is shown on the attached map by the yellow striping.

Mrs. English wanted the County to vacate the area shaded and striped in yellow, because she is upset with Mr. Luthe's activities at his access point there. However, the County would probably be best served by maintaining all of that territory for several reasons. First of all, because there is a utility pole and supporting braces in that area, vacation would require negotiations with the utilities to either move their power lines or reserve an additional easement. Second, in order to vacate the yellow colored r-o-w area, the County would have to revoke Mr. Luthe's access permit, which is essentially a contract, and without adequate grounds the County's revocation could be seen as a breach. Third, Mr. Luthe might come under the protection of ORS 368.331, which prohibits street vacations that would cut off recorded access rights.

To reiterate, the resolution would be to acquire from Mrs. English the r-o-w rights over the red shaded area, and not vacate the yellow striped / shaded areas. This solution does not resolve the English-Luthe dispute. But it does allow the County to have McNamee Road properly described, surveyed and established as a County road.

Cc: John Dorst, Robert Hovden

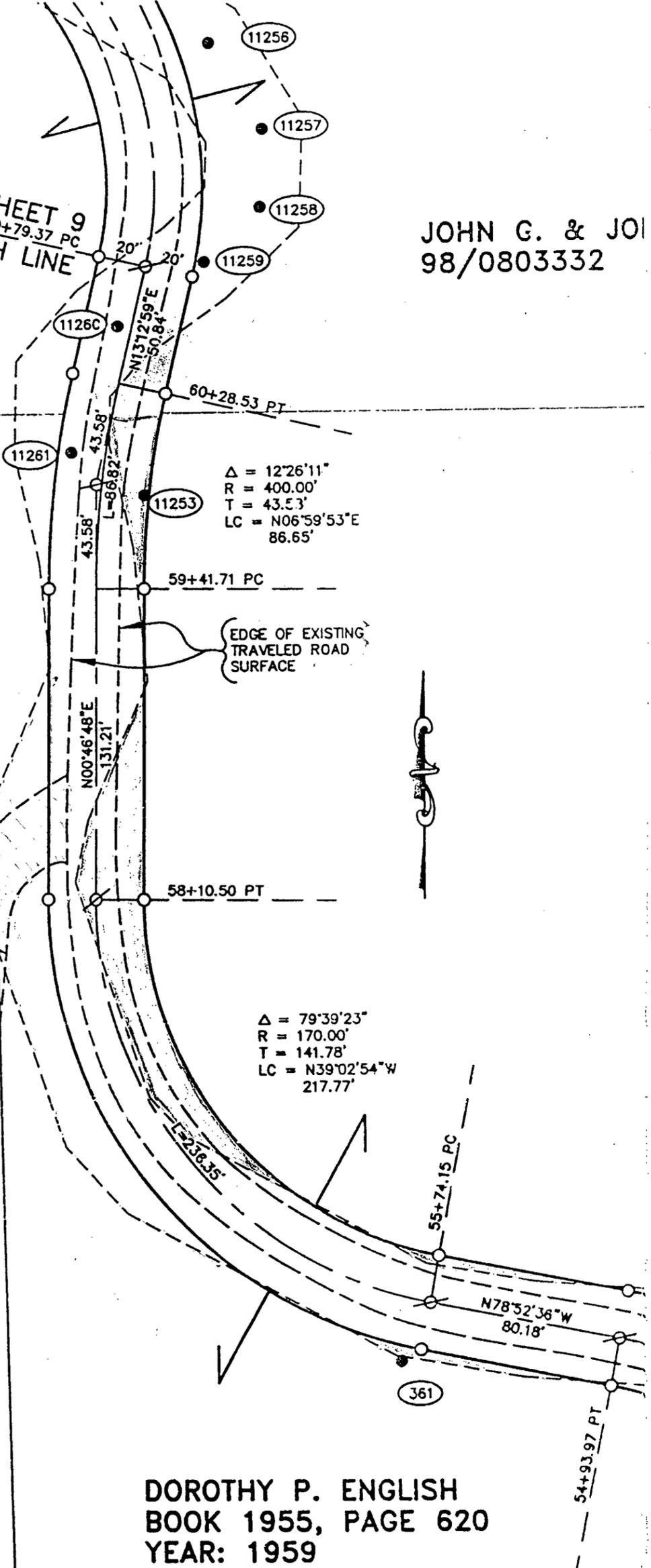
H:\Data\Advisory\Ryan Advisory\McNamee Road Follow Up Memo NO. 2

$\Delta = 102^{\circ}29'33''$
 $R = 150.00'$
 $T = 186.87'$
 $LC = N38^{\circ}01'48''W$
 $233.95'$

ROBERT & AHERN BRUCH
 ALAN D. BRUCH
 WILLIAM F. HUNT
 BOOK 1155, PAGE 196
 YEAR: 1977

JOHN G. & JOI
 98/0803332

SEE SHEET 9
 50+79.37 PC
 MATCH LINE



$\Delta = 12^{\circ}26'11''$
 $R = 400.00'$
 $T = 43.53'$
 $LC = N06^{\circ}59'53''E$
 $86.65'$

LARRY L. & LAURA B. LUETHE
 BOOK 943, PAGE 233
 YEAR: 1973

EDGE OF DRIVEWAY

$\Delta = 79^{\circ}39'23''$
 $R = 170.00'$
 $T = 141.78'$
 $LC = N39^{\circ}02'54''W$
 $217.77'$

DOROTHY P. ENGLISH
 BOOK 1955, PAGE 620
 YEAR: 1959

MULTNOMAH COUNTY SURVEY RECORDS

DATE FILED APRIL 9, 1999

56579 REGISTER NUMBER

56579

14.5x

MEETING DATE: APR 15 1999
AGENDA NO: WS-1
ESTIMATED START TIME: 10:45

(Above Space for Board Clerk's Use ONLY)

AGENDA PLACEMENT FORM

SUBJECT: Worksession on Alcohol & Drug Treatment Facility Siting at Rivergate Site

BOARD BRIEFING: DATE REQUESTED: _____
REQUESTED BY: _____
AMOUNT OF TIME NEEDED: _____

REGULAR MEETING: DATE REQUESTED: April 15, 1999
AMOUNT OF TIME NEEDED: 1.5 hrs - 2 hrs

DEPARTMENT: Non-Departmental **DIVISION:** Chair's Office

CONTACT: Carol M. Ford **TELEPHONE #:** 248-3956
BLDG/ROOM #: 106/1515

PERSON(S) MAKING PRESENTATION: Karyne Dargan, Budget Office; Elyse Clawson, Dept of Community Justice; and Sheriff Dan Noelle.

ACTION REQUESTED:

INFORMATIONAL ONLY POLICY DIRECTION APPROVAL OTHER

SUGGESTED AGENDA TITLE:

Board Worksession To Discuss The Issues Around The Potential Siting Of an Alcohol & Drug Treatment Facility At The Rivergate Jail Site

SIGNATURES REQUIRED:

ELECTED OFFICIAL: Beverly Steinberg
(OR)
DEPARTMENT
MANAGER: _____

BOARD OF
COUNTY COMMISSIONERS
MULTNOMAH COUNTY
OREGON
99 APR - 7 PM 12: 24

ALL ACCOMPANYING DOCUMENTS MUST HAVE REQUIRED SIGNATURES

Any Questions: Call the Board Clerk @ 248-3277



MULTNOMAH COUNTY, OREGON

BOARD OF COUNTY COMMISSIONERS
 BEVERLY STEIN
 DIANE LINN
 SERENA CRUZ
 LISA NAITO
 SHARRON KELLEY

BUDGET & QUALITY
 PORTLAND BUILDING
 1120 S.W. FIFTH - ROOM 1400
 P. O. BOX 14700
 PORTLAND, OR 97214
 PHONE (503) 248-3883

TO: Board of County Commissioners
 Sheriff Dan Noelle
 Elyse Clawson, Director of Community Justice

FROM: Dave Warren, Budget Manager *DCW*

DATE: April 14, 1999

SUBJECT: Levying Capacity Available for Public Safety Levy

BOARD OF COUNTY COMMISSIONERS
 99 APR 14 AM 11:46
 MULTNOMAH COUNTY
 OREGON

Attached is Mark Campbell's preliminary estimate of the maximum collection from an additional local option levy. Mark believes that by 2000-01 about \$26 million of levying capacity would be available. More refined estimates based on a property by property analysis will change the number, but probably not materially.

Cost of Levy Components

Commissioner Kelley has inquired about the cost of operating a 225 bed jail facility. The following table shows ballpark estimates of that cost, the cost of a 300 bed Alcohol and Drug facility, and the cost of continuing existing levy funded justice programs. Other potential uses for additional local option levy revenues have been discussed as well. Presumably, they will compete with these components in any final levy proposal.

Program Component	Approximate Cost
Current Service Levels in Excess of Fossil Levy Revenue	
Community Justice	\$ 2,500,000
Sheriff	4,500,000
Health	600,000
Subtotal	\$ 7,600,000
New 225 Bed Jail	\$ 8,000,000.00
New 300 Bed A&D Facility	9,000,000
Total	\$ 24,600,000

Assuming the overall shortfall is spread in proportion to the net cost of programs to Fossil Levy.

Based on current Inverness Jail costs plus 3% inflation for two years plus Corrections Health
 Total cost is about \$11 million, offset by SB 1145 revenue for A&D clients

April 14, 1999

Caveats and Intergovernmental Relations

I want to emphasize a factor Mark touches lightly. This potential capacity is the amount available under the \$10 Measure 5 cap. It is the *total available* to us, Portland, Tri-Met, and the Port, all together. Any additional taxes by *any* of these jurisdictions will reduce the potential for the other jurisdictions.

Given this fact, there are two ways in which Multnomah County and the City of Portland may become entangled in difficulties.

Share Agreement with Portland

First, the two jurisdictions agreed, following the passage of Measure 5, not to encroach upon each other's share of the property taxes. Those shares were never defined precisely, but they were in the neighborhood of 38% County, 61% City, 1% all other. The primary point of the agreement was to limit Measure 5 damage.

Under Measure 5, compression was spread proportionately to the size of the levying authority. Additional taxes by Multnomah County would cause additional compression to both the County and the City. Since the City's taxes were roughly twice the County's taxes, any compression stood to cost the City roughly twice as much as the County. Once property values grew fast enough that neither government's taxes were compressed, the agreement became difficult to deal with objectively. Since neither government stood to lose revenue, the share of taxing capacity became a political and theoretical concern rather than a pragmatic one.

Measure 50, by changing the way compression is applied, makes the agreement both more difficult to conceptualize and of more uncertain import. Local option levies cannot cause compression to occur in any other kind of property tax. Local option levies can only create compression among each other. Voter approval of a second local option levy for the County would not reduce property taxes for Portland. However, the agreement has not been rewritten to reflect this fact. Passage of the Library levy has raised the County's portion of property taxes in Portland from about 40% to about 42% of the taxes collected.

Note that the 1997 Library and Public Safety levies had already raised the County's property taxes in Portland to about 42% of the *taxes collected*. However, under Measure 5, there was an untapped property tax capacity so that the County collected about 38% of the *potential taxes*. Under Measure 5 the untapped capacity was easy to calculate and to show. Under Measure 50 it is far more difficult to express. Of the \$10 per \$1,000 of real market value that is theoretically available in Portland, the County's 1998-99 operating levies collect about 39%. Portland's operating taxes constitute about 54%. Approximately 5% is not collected, yet both governments already encounter compression.

However I look at it, *we may not now comply with the terms of the property tax sharing agreement* – irrelevant though I believe those terms to be under the new Constitutional provision. An additional levy will raise the question again.

Police and Fire Disability and Retirement System

Second, Portland continues to wrestle with funding its Police and Fire Disability and Retirement system. The financially prudent way to confront the \$800 million "unfunded liability" in that system would be to issue bonds to cover the long term cost of benefits and use the City's charter-established property tax

April 14, 1999

authority to cover the principle and interest payments to retire those bonds. To do this, Portland will need voter approval of a charter amendment allowing the system to be "funded". (The current charter prohibits collecting property taxes in excess of current year benefits costs.) The financial consequences of this strategy would be, in the next five to ten years, that the cost of principle and interest payments to amortize bonds would exceed the cost of PFD&R benefits, and the property taxes imposed by Portland would also be higher. Portland's bond amortization tax would cause compression in the County's local option levy(ies) (whatever they may be at the time) and, potentially, in the taxes collected through our Measure 50 permanent tax rate. That is, a levy to amortize debt has priority over other kinds of levies.

About a year ago, Portland's Office of Financial Administration proposed that the City Council place a charter amendment before the voters and, subsequent to its passage, that the City issue bonds. At that time, the estimate was for bond principle and interest payments to cost \$27 million more than the likely benefits cost of PFD&R retirees. An increase in Portland's property taxes of that amount would virtually eliminate any additional local option levy for the County, would cut into the Library local option levy, and (probably) would cause compression in both the County and the City permanent tax rate receipts. I believe it might have these consequences even if Portland stayed within its "share" of property tax capacity.



MULTNOMAH COUNTY, OREGON

BOARD OF COUNTY COMMISSIONERS
 BEVERLY STEIN
 DIANE LINN
 SERENA CRUZ
 LISA NAITO
 SHARRON KELLEY

BUDGET & QUALITY OFFICE
 PORTLAND BUILDING
 1120 SW FIFTH - ROOM 1400
 P. O. BOX 14700
 PORTLAND, OR 97214
 PHONE (503)248-3883

TO: Dave Warren, Budget Manager
 FROM: J. Mark Campbell, Budget Analyst
 DATE: March 17, 1999
 SUBJECT: Estimated Levying Capacity

I was asked to provide an answer to the question:

“How much could a the County expect to receive were we to seek voter approval for a local option levy to support public safety programs?”

As you know, Measure 50 has resulted in a very complex set of processes for determining the amount of tax revenue which jurisdictions can expect to receive. The process is complicated by the fact that Measure 47 requires tax bills to be based on assessed value while maintaining the one and a half percent Measure 5 limitation. This set of circumstances makes it virtually imperative that taxes be calculated on a property by property basis in order to determine the outcome of any proposed local option levy.

I have not performed that property by property calculation yet. For various reasons I have been unable to access the A&T files in the same manner I downloaded them last year. I anticipate being able to resolve that situation when A&T cuts over to their new computer system. In the absence of individual FY 98-99 account data, I have been able to determine a methodology that should provide us with a reasonable estimate of available property tax revenue. Attachment “A” shows the FY 00-01 forecast assessed (AV) and real market values (RMV) by jurisdiction within Multnomah County. It is true that there is a theoretical maximum tax capacity resulting from the merging of Measures 5 and 50. That capacity can be expressed by dividing the RMV by the Measure 5 limit. My analysis focuses solely on the one percent limitation for local government – or, expressed in tax calculation terms \$10/\$1,000 of AV.

Based on my forecast RMV in Multnomah County will be slightly more than \$48 billion in FY 00-01. All but \$10 billion of that value is within the City of Portland. I have estimated that local government levies within Portland will total \$360,050,746 in that year. Using the notion that capacity equals RMV x \$10/\$1,000 one might expect the amount available to be as follows:

FY 00-01 RMV (w/in PDX)	\$38,618,691,431
x \$10/\$1,000	\$386,186,194
- Total Levies (Est FY 00-01)	<u>360,050,746</u>
<i>Available Capacity</i>	<i>\$ 26,135,448</i>

That figure (\$26.1M) represents the total amount of taxes which, in theory, could be levied inside Portland within the Measure 5 limit.

Why focus primarily on the tax situation in Portland? As the attachment indicates, the current tax rate within the City of Portland is approximately \$11.63/\$1,000 – well over the M5 limit. None of the other jurisdictions within Multnomah County have a tax rate exceeding \$9/\$1,000. We know that between the City and County there is a loss of roughly \$9.5 million to Measure 5 compression. The Library Levy accounts for more than a third of that total (about 15% of the authorized levy) because of the way Measure 50 treats local option levies. Based on those figures, **any additional local option levy can be expected to experience a loss of at least 15% to compression** although it isn't possible to tell exactly how much until we can do a property by property analysis. The primary variables are overall AV growth, AV attributable to new growth and the value of personal property that gets extended to the tax rolls. If my estimates of value growth are accurate it appears there is roughly **\$0.70/\$1,000** of AV available within Portland for additional levies.

I believe this is a fairly conservative estimate to the extent that my assumptions provide for average RMV growth that is lower than recent history would indicate. I believe we would be able to collect this full amount if the City of Portland does not take action on the following:

- ⇒ the City has put together a task force to study the possibility of using additional tax capacity to finance the unfunded liability in FPD&R; they are authorized to levy up to \$2.80/\$1,000 of AV. There is approximately **\$0.75 currently available** within the Charter limit.
- ⇒ authorization of additional urban renewal increment.

Assuming neither of the above conditions occur I believe I can arrive at a ballpark estimate of the revenue we would actually receive from an additional \$0.70/\$1,000 levy. We know that virtually all (if not all) of the personal property tax accounts are in compression so we would not expect to collect any additional taxes on those properties. Depending on where growth occurs within the City of Portland it is possible that additional properties may be pushed into compression. Based on the amount we lose to compression in the Library Levy I estimate that we could expect to lose about **\$4.25 million** of the amount shown above. Thus, a levy that would allow us to reach the theoretical tax capacity within Portland would **generate net revenue of \$20.9 million** in the first year.

I have assumed that there would be no additional compression outside of Portland, since a \$0.70/\$1,000 levy would not push any other jurisdiction above the Measure 5 limitation. We do lose some revenue in Gresham from compression on personal property accounts but it is very minimal compared to the amount we lose in Portland. Based on this assumption, a \$0.70/\$1,000 levy would generate an **additional \$5.5 million** from the remainder of the County.

The FY 00-01 estimated revenue (\$26.4 million) could be expected to grow by **about 4% per year** under the same assumptions I have used to estimate revenue in the Library Levy. Additional value growth will absolutely increase the amount we can collect outside Portland. Additional value growth might increase the amount we can collect within Portland but it is more dependent upon the ratio of AV compared to RMV.

Lacking a property by property analysis I believe this is the estimate we should use in considering the maximum size of a new local option levy. I will continue to work with A&T and Information Services to get access to the individual account data and will be prepared to update my tax calculation model accordingly. Please let me know if you have any questions or if I can provide any additional information.

Multnomah Board of County Commissioners
Worksession: Alcohol & Drug Treatment Facility at Rivergate

April 15, 1999 10:45 to 12:30

Approx Start Time	Minutes	
10:45	5 mins	Purpose of Worksession/Agenda Review Chair Stein
10:50	20 mins	Presentation of Community Justice Proposal Elyse Clawson & Ginger Martin
11:10	20 mins	Sheriff's Office Issues and Concerns Sheriff Noelle
11:30	15 mins	Comparative Analysis/ Summary of Issues Karyne Dargan, Budget and Quality Office Jacquie Weber, County Counsel's Office
11:45	45 mins	Board Discussion /Next Steps

Secure Treatment in a Continuum

- Custody level between community supervision and jail
- Offenders who are unable to be successful in community programs
- Preferred sanction over jail for addicts, tied to greater reductions in recidivism
- Licensed as a residential treatment facility by the state

•Treatment Principles

- Dual goal to reduce both criminal behavior and addiction
- Evidence-based practice: treatment approach is guided by research

•Treatment Objectives

- Reduce chemical dependencies
- Change anti-social attitudes and thinking
- Increase self-control, self-management, and problem solving skills
- Reduce anti-social peer groups and associations
- Promote association with prosocial role models

•Theoretical Approach

- Cognitive-behavioral: focus is on changing thinking and acting
- Social learning theory: change occurs through the use of practice, feedback, modeling, and positive and negative consequences to shape behavior

Components of the Treatment Program

- Length of stay from 90 to 180 days
- Intensive treatment activities, 8-10 hours per day
- Group therapy, individual counseling, group education
- Family therapy program
- Transition planning

Eligibility for the Program

- Sanctioned by a Probation/Parole Officer
- Sentenced by a judge
- Moved by the supervisory authority
- Admission is by appointment
- Offenders are accepted following risk classification and clinical assessment

Differences Between Jail and Secure Treatment

- Primary functions
- Reasons for intake and release
- Length of stay
- Custody levels

Importance of Non-Jail Setting for Treatment

- Jail is reserved as a consequence for non-compliance
- If the treatment program operates like a jail, it is a jail
- Implications if the treatment facility is defined as a jail
 - effects length of stay
 - intensive treatment then becomes treatment readiness
 - limits eligibility to jail sentences only

Security in the Secure Treatment Program

- Treatment programs reduce misconduct
- Participants transported in custody for admission
- Search for contraband upon admission
- No contact with jail inmates
- Four weeks of security training for all staff

Security in the Secure Treatment Program

- A CO presence (2 posts) if desired by Sheriff or Board
- Participants identified by clothing
- Frequent and random urinalysis
- PPO's on staff with powers of arrest, search and seizure
- Consider a perimeter fence if desired by neighbors

Transition

- In-house transition planning
 - preparation for employment
 - relapse prevention planning
 - prepare for success on supervision
 - referrals for ongoing service needs
- Begin continuing care with community provider
- Arrange for housing, employment

Transition Options

- Transport to appointments in the community for ongoing treatment, housing and employment
- Site and operate a transitional program with consistent treatment approach at another location



MULTNOMAH COUNTY DEPARTMENT OF
COMMUNITY CORRECTIONS

95 NOV -5 PM 2:00

EXECUTIVE OFFICE

Dave O'Brien

MEMORANDUM

TO: Sheriff ~~Dan~~ Noelle

FROM: Cary Harkaway *Cary*
Deputy Director

DATE: November 4, 1996

SUBJECT: Residential A&D Center

The following pages contain information on the planned treatment center organized into five categories:

1. HOW WILL THIS FACILITY ENHANCE PUBLIC SAFETY?
2. WHO WILL BE SENT TO THE FACILITY?
3. HOW WILL THIS FACILITY ASSURE THE SAFETY OF THE SURROUNDING COMMUNITY?
4. HOW WILL THE TREATMENT PROGRAM BE STRUCTURED?
5. WHAT WILL THE FACILITY LOOK LIKE?

Feel free to pick out whatever seems appropriate for your presentation to the SAC.

RESIDENTIAL A&D TREATMENT CENTER

HOW WILL THIS FACILITY ENHANCE PUBLIC SAFETY?

- ◆ Our objective is to enhance public safety by returning offenders to community supervision who are drug-free, ready to work, and able to avoid the patterns of behavior that lead to drug use and criminality.
- ◆ 70-80% of the offenders under our supervision have substance abuse problems. The Department of Community Corrections needs a full range of treatment options for dealing with this population. Drug testing and outpatient services are already in place. Our assessment of system needs indicates a shortage of residential treatment beds. The planned center will add residential treatment capacity designed as *secure correctional treatment*.
- ◆ A large body of research now supports the conclusion that appropriately designed and delivered treatment can significantly reduce the recidivism of drug-using offenders. Research also supports the conclusion that providing treatment is cost-effective public policy. Those conclusions were recently tested and validated through extensive follow-up studies in California and Oregon.

Gerstein, Dean R., et. al. 1994. *Evaluating Recovery Services: The California Drug and Alcohol Treatment Assessment*.

Finigan, Michael. 1996. *Societal Outcomes and Cost Savings of Drug and Alcohol Treatment in the State of Oregon*.

- ◆ The planned residential treatment center will incorporate a number of "best practices" adopted from programs that have demonstrated their effectiveness, including emphasis on relapse prevention, cognitive training, life skills training, and release planning.

WHO WILL BE SENT TO THE FACILITY FOR TREATMENT?

- ◆ The target population will include male and female felony offenders with substance abuse problems serious enough to warrant residential treatment.
- ◆ Suicidal, homicidal, or psychotic offenders would be ineligible for the program.
- ◆ Offenders who are unable to participate in group settings would be ineligible for the program.

- ◆ Offenders will be expected to have stabilized medically and behaviorally before entering the program.
- ◆ A majority of those who enter the program will be offenders who have been unable to succeed on parole or probation because of their substance abuse.
- ◆ Most participants will have been convicted of drug possession or property crimes with underlying drug issues.

HOW WILL THE FACILITY ASSURE THE SAFETY OF THE SURROUNDING COMMUNITY?

- ◆ Offenders will undergo screening and assessment to assure that the facility is the most appropriate response to their individual risk and need factors.
- ◆ The new program will be a secure facility. Offenders will not be permitted to leave the premises, unless escorted by staff for a legitimate purpose.
- ◆ The facility will be a correctional treatment program from the ground up. That means the program will emphasize offender accountability. Offenders unwilling to comply with program rules will be returned to custody.
- ◆ Frequent random drug testing and searches will be done to limit contraband.
- ◆ Visitation will be limited and supervised.
- ◆ Facility security will be provided by uniformed Correctional Officers, Residential Supervisors, and other Community Corrections staff. Clinical services will be provided by certified personnel. Both clinical and security staff will receive training in conflict resolution techniques.
- ◆ The facility will not provide aftercare or outpatient services. Those services will be provided at programs already in operation throughout the county.

HOW WILL THE TREATMENT PROGRAM BE STRUCTURED?

- ◆ The program will operate in compliance with Oregon Administrative Rules for residential A&D treatment.
- ◆ Staffing will include an appropriate mix of counseling and security personnel.

- ◆ The program will include a strong assessment component and development of individual treatment plans.
- ◆ The program will emphasize relapse prevention and release planning for transition to the community.
- ◆ Random urinalysis will be included.
- ◆ Group and individual counseling will be provided.
- ◆ Culture and gender specific approaches will be developed.
- ◆ The program will include capacity to deal with co-existing mental health issues.
- ◆ Program content areas will include:
 - addiction/recovery/relapse
 - life skills training; vocational planning
 - adult basic education
 - recreation/leisure skills
 - health/HIV education
 - criminality; cognitive training
 - domestic violence education
 - parent training

WHAT WILL THE FACILITY LOOK LIKE?

- ◆ Designed to complement the new jail and surrounding commercial structures.
- ◆ Offset from street by buffer zone landscaped to meet site requirements.
- ◆ Secure entrance/exit.
- ◆ Off street parking.
- ◆ Internally divided into six housing units of fifty offenders, with flexible program and counseling rooms.
- ◆ One housing unit will be reserved for women.
- ◆ Secure recreation area.

**PLAN TO SUPPORT CREATION OF
A SECURE A&D PROGRAM**



MULTNOMAH COUNTY SHERIFF'S OFFICE

DAN NOELLE, Sheriff

April 1999



Multnomah County Sheriff's Office

12240 N.E. GLISAN ST., PORTLAND, OREGON 97230

DAN NOELLE
SHERIFF

(503) 255-3600
TTY (503) 251-2484

Executive Summary

The Sheriff's Office believes partnering with Adult Community Justice to provide secure alcohol and drug treatment is a model that capitalizes on each agency's expertise and training without duplicating services.

MCSO Strength's and Skills	Adult Community Justice Strength's and Skills
<ul style="list-style-type: none"> • Providing security services 	<ul style="list-style-type: none"> • Providing program/treatment services *
<ul style="list-style-type: none"> • Assessing and managing behavior in a custodial environment 	<ul style="list-style-type: none"> • Assessing and managing behavior in the community
<ul style="list-style-type: none"> • State certified to manage secure offender population 	<ul style="list-style-type: none"> • State certified to manage community based offender population
<ul style="list-style-type: none"> • Providing program/treatment services * 	<ul style="list-style-type: none"> •

The Sheriff has promised the community that if the jail and the secure alcohol and drug treatment program are jointly sited:

- There will be no outpatient treatment from the site (including transition housing).
- There will be no bookings, admissions, or releases from the site.
- The Sheriff's Office will be responsible for the security of the site.

To accomplish joint siting of the jail and the secure alcohol and drug treatment program, while maintaining commitments to the community, the Sheriff's Office proposes:

1. **One central point of Intake for entry into Secure Alcohol and Drug Treatment program.**
2. **The minimum-security treatment program be located within the security envelope of the planned medium security jail complex.**
3. **Off-site transitional housing that includes the release point for all offenders.**

Centralized intake can be accomplished at the Detention Center if sanctions and sentencing orders incorporate language indicating "one day jail, book and transport to secure treatment" as part of the final order.

A minimum security treatment program, within a medium security jail complex can be accomplished by defining the operational procedures of security staff, which will require different tasks, and level of control than other areas of the facility. This will allow for a higher inmate to staff ratio than other parts of the facility.

Transitional Housing can be provided at the Restitution Center by a trained interdisciplinary team, where beds and administrative space are already available.

* See Table describing programming offered by MCSO and ACJ.

MCSO PLAN FOR ESTABLISHMENT OF A SECURE ALCOHOL AND DRUG PROGRAM

Sampling of jail admissions reveals that approximately 73.6% of the inmates booked into Multnomah County Jail are under the influence of at least one drug.¹ National studies have shown that approximately 37 % of inmates admitted to State Prison were drinking alcohol when they committed a criminal offense.¹¹ Research has shown that individuals with anti-social thinking patterns and attitudes increase their criminal behavior while under the influence of alcohol or drugs, and that drug seeking addicted individuals frequently turn toward criminal behavior. Treating offenders who have serious substance abuse problems has long been the goal of the criminal justice system since successful treatment reduces recidivism and makes efficient use of taxpayer dollars.

Many good programs exist in the community that address substance abuse needs, but offenders with lifelong dysfunction in the area of impulse control, self-management and problem solving often fail traditional programs, and continue to cost the system with new arrests, absconding supervision, violations of probation, and periods of incarceration. In 1996, in response to this need, voters passed measures enabling the creation of secure alcohol and drug treatment beds. Building these beds has been delayed because of siting issues, but could be accelerated if they can be successfully fit within the site and structure of the County's medium security jail site at Rivergate.

The Sheriff's Office believes treatment is a constructive alternative to jail. If jail and the secure alcohol and drug treatment program are jointly sited, the Sheriff has promised the community:

- There will be no outpatient treatment from the site (including transition housing).
- There will be no bookings, admissions, or releases from the site.
- The Sheriff's Office will be responsible for the security of the site.

The Sheriff's Office believes that we can keep promises made to the community and still support the goals of a treatment program by taking a collaborative approach with Adult Community Justice to provide services to an identified offender population.

In forming a partnership for use of the property both agencies would augment their resources by taking advantage of their collective strengths and areas of expertise. This approach would capitalize on each Department's expertise and training without duplicating services.

MCSO Strength's and Skills	Adult Community Justice Strength's and Skills
• Providing security services	• Providing program/treatment services *
• Assessing and managing behavior in a custodial environment	• Assessing and managing behavior in the community
• State certified to manage secure offender population	• State certified to manage community based offender population
• Providing program/treatment services *	•

To support this approach the Sheriff's Office proposes:

1. One central point of Intake for entry into Secure Alcohol and Drug Treatment program.
2. The minimum-security treatment program be located within the security envelope of the planned medium security jail complex.
3. Off-site transitional housing that includes the release point for all offenders.

* See Table describing programming offered by MCSO and ACJ.

ONE CENTRAL INTAKE POINT

See attached flow chart for description of central intake process.

The Secure Alcohol and Drug Program has been designed to accept offenders from ADULT COMMUNITY JUSTICE, the Courts, and from the jails. Screening criteria for the program include offenders who:

- Have failed a community program due to leaving against medical advice, non-compliance or repeated alcohol and drug use
- Are facing revocation to jail which is related to alcohol and drug use, or
- Are to be sentenced to jail, and there is evidence of an alcohol and drug problem, and the program could be used as an alternative to jail.

In each sanctioning or sentencing strategy available in the management of these offenders, jail is an option. The availability of the jail option allows for the creation of a centralized intake process using the county Detention Center space and processing. Creating a central intake supports security functions with the following activities:

- Search of the person and their belongings
- Data entry for record keeping and tracking
- Positive ID and Warrant Check
- Intake Medical Screening
- Intake classification interview
- Storage of personal belongs and clothing
- Secure transport of offenders to the program in custodial clothing

Possible sentencing, sanctioning, or management scenarios that allow for centralized booking, but preserve available custody units would include:

Adult Community Justice Sanctions or Violation Hearings:

Structured sanctions from either probation, or parole/post prison supervision should include one day jail, with the stipulation that the offender be booked and transported to the Secure Alcohol And Drug Treatment Program. A treatment assessment and classification review should be completed prior to transporting the offender to booking.

If the administrative sanction is refused following a violation of the conditions of probation, a court hearing is held. The judge may sentence the offender to 5 days jail, no credit for time served, early release to the Secure Alcohol And Drug Treatment Program, and 180 days in the program, with earlier release upon successful completion of the program. A treatment assessment and classification review should be completed prior to the violation hearing

Court Ordered Sentences:

Sentencing orders for Offenders entering the program via a one day jail sentence should be accompanied by an order to the Sheriff to "book and transport" the offender to the Secure Alcohol and Drug Program. Offenders sentenced to one day jail with transfer to the Secure Alcohol and Drug Program should be assessed in the field prior to their jail sentence. If this does not occur prior to admission, they will be assessed upon reaching Secure Alcohol and Drug Program. If the assessment indicates a treatment option other than the Secure Alcohol and Drug Program, the offender would remain at the Program until staff contacts the sentencing authority to arrange for re-sentencing to an appropriate option.

Offenders sentenced to longer sentences should be sentenced with the condition of "early release to alcohol and drug treatment." For offenders sentenced in this manner, the evaluation could be completed at IJIP. If the assessment indicates a less severe treatment need, IJIP staff could work

with the Courts and Adult Community Justice to identify appropriate outside treatment and prepare the offender for transition to an outside program. If the secure treatment is indicated, the offender would be routed to the program.

Management of Jailed Offenders:

Jailed offenders will be screened and assessed for the secure alcohol and drug treatment as part of their participation in the IJIP program. IJIP will also function as an intermediary step for those offenders who need the Program, but whose behavior in jail makes them a risk to a minimum-security program. Since IJIP operates in a medium security setting, these offenders will be given an opportunity and the right combination of challenge of behavior and support for change to help them transition to the Secure Alcohol and Drug Program.

With centralized intake the Sheriff 's Office will transport all offenders to and from the site. This influences certain program design features such as provision of health care. Adequate medical care must be provided on site except for emergency situations. Medical care will begin with the intake medical screening provided at booking and be followed by on site medical care provided by Corrections Health.

Philosophically, Adult Community Justice has described the jail as part of the Secure Alcohol and Drug Treatment Program's continuum of care, in that program failure results in the offender's return to jail, followed by return to secure treatment. This philosophy reinforces for the offender that there is no escape from treatment. Entering the program through the jail will serve as a reminder for the offender that jail and treatment are both part of this continuum of care.

MINIMUM-SECURITY TREATMENT PROGRAM LOCATED WITHIN THE SECURITY ENVELOPE OF THE PLANNED MEDIUM SECURITY JAIL COMPLEX

The Secure Alcohol and Drug Treatment Program area of the facility at Rivergate can be run as minimum security within the perimeter of a medium security facility. Minimum security will be defined by the operational procedures of security staff, which will require different tasks, and level of control than other areas of the facility. This will allow for a higher inmate to staff ratio than other parts of the facility. Contact visiting will be allowed in keeping with transition goals and minimum security status of the program. Both agencies must be committed to defining boundaries and roles for staff and participants, developing clear program goals, and defining behaviors that are acceptable within the program. The Sheriff's Office commits to providing a continuity of service with select staff trained in program goals and protocols.

OFF-SITE TRANSITION SERVICES AND RELEASE

Adult Community Justice's first choice of the available options for transitional housing is choosing a site outside the Secure Alcohol and Drug Program, with continued involvement of Adult Community Justice staff. The Sheriff's Office proposes that transitional housing be provided in existing off-site space at the Multnomah County Restitution Center.

Sheriff's Office Staff at this facility are already involved in most of the activities required of a good transition site. Restitution Center staff, prepare inmates for employment, help with housing, and financial management, and involve family members in Anger Control and Parenting groups.

Restitution Center staff chosen to be involved in transition activities from the Secure Alcohol and Drug Treatment Program would need to be specially selected for their skills, and receive training at the program in order to become a part of an interdisciplinary team. Office space could be made available at the Restitution Center to Adult Community Justice staff who are involved in this final stage of treatment.

Offenders completing the transitional phase of their treatment at the Restitution Center would be released from this site.

SUMMARY:

The Sheriff's Office Supports Alcohol & Drug treatment for offenders and is willing to partner with Adult Community Justice in providing secure alcohol and drug treatment to offenders. The Sheriff's Office and Adult Community Justice have complementary skill sets that when used in tandem will avoid duplication of county services and resources. This plan outlined provides the framework for a collaborative approach to managing and identified offender population, and supports commitments to the community made by the Sheriff during the siting process.

ⁱ ADAM (Arrestee Drug Abuse Monitoring Program) 1997 Report

ⁱⁱ Bureau of Justice Statistics "Substance Abuse and Treatment, State and Federal Prisoners, 1997"

MCSO

ACJ

Cognitive Restructuring

Cognitive Restructuring

<u>Location</u>	<u>Curriculum</u>	<u>Duration</u>	<u>Hours</u>	<u>Population</u>	<u>Location</u>	<u>Curriculum</u>	<u>Duration</u>	<u>Hours</u>	<u>Population</u>
MCCF	Samenow			Intro/Orientation	ASSP	Busch	6 wks	3 hrs/wk	low risk sentenced sanctioned any risk
	Busch	2 wks	20	Voluntary Low Med Security					
	Busch	continuous	3 hrs/wk		DRC	Busch	2 wks	12 hr total	
MCDC	Busch			High Security Women		Samenow			short term or cog/behavior impaired
MCDC	Success Stories	6 wks	2 hr/wk	Women A&D, Hi Risk		Success Stories	2 wks	6 hr/wk	Stabilization/Assessment
						Think Wisc.	10 wks	3 hr/wk	Falling Superv. Med-Hi Risk
IJIP				Male A&D, Med Risk		Aggression Replacement	8 wks	3 hrs/wk	Sanctioned Med-Hi Risk
						Price Freedom	2 wks	3 hrs/wk	Stabilization/Assessment
					TFC	Samenow		3/wk	Sanctioned or Alternative
					Women Trans	Samenow	up to 9 mos	11/2 hr/wk	
Parenting					Parenting				
MCRC	SCF Approved	9 wks	1.5 hr/wk	Male/Female Work Rel	?	SCF Approved	12 wks	1.5 hr/wk	
MCIJ	VOA Based			Male/Female Med Risk					
MCDC	Sheridan Based	8 wks	1.5 hr/wk	Female A&D, Hi Risk					

Location Curriculum Duration Hours Population

Life Skills:

Job Readiness

MCRC In- House 5 wks 1.5 hr/wk Male/Female W/R
 MCIJ In-House

Location Curriculum Duration Hours Population

Life Skills:

Job Readiness

DRC 1-5 session 1.5 hr/wk Any w/ assessed need
 ASSP
 Women Sant
 TFC
 Learning Ctr

Anger Management

MCRC Psychologist Develo 24 wk 2 hr/wk Male/Female W/R
 MCIJ Psychologist Develo 24 wk 2 hr/wk Male/Female W/R

Anger Management

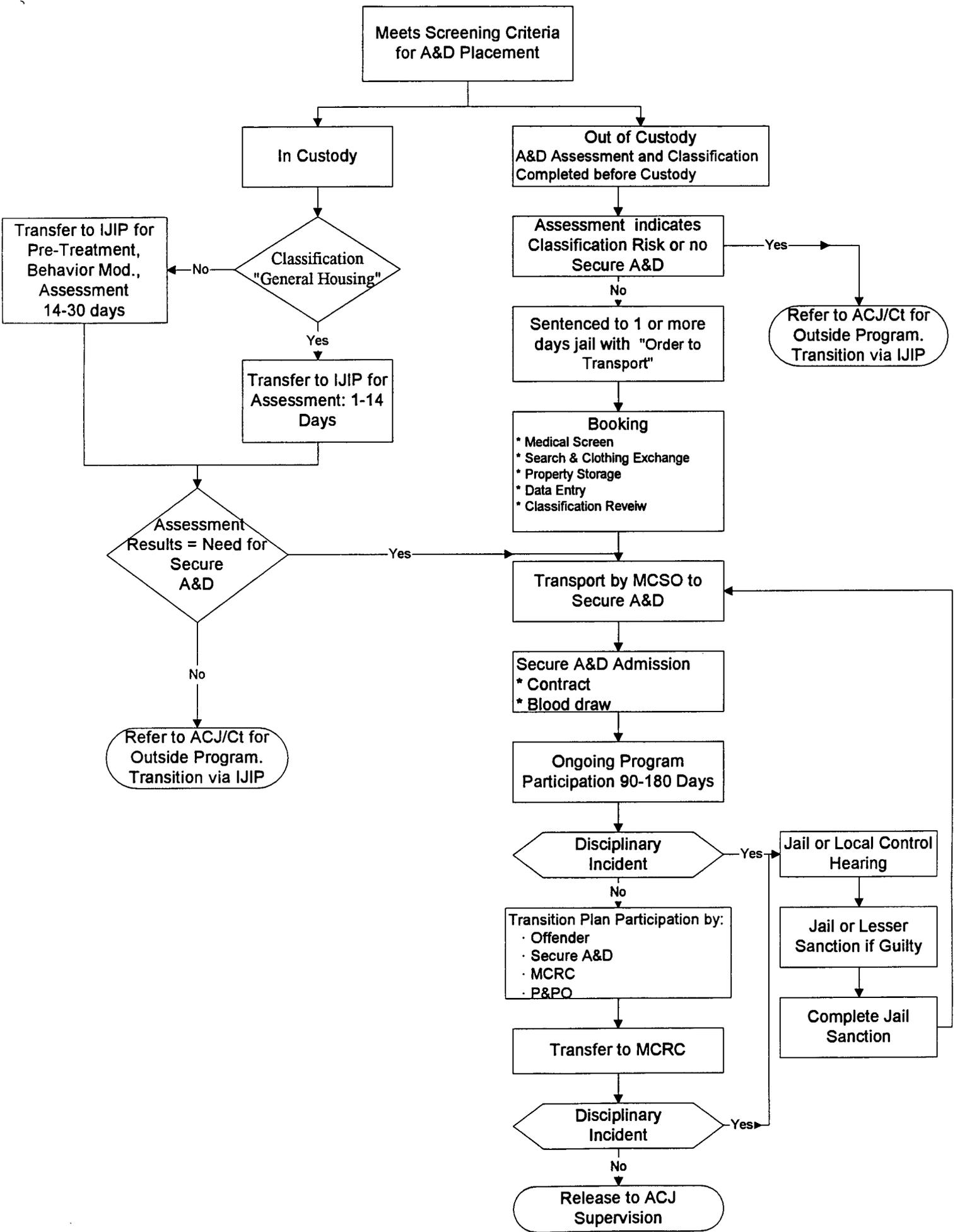
DRC 4 sessions 1.5 hr/wk
 Womens Sanct 9 wk 2 hr/wk
 D.V. 24 wk 2 hr/wk Batterers
 Women Serv. Ongoing 1.5 hr/wk sanct & vol victims
 ASSP 10 2 hr/wk Batterers

Mental Illness

MCDC
 Group Case Management
 Life Skills
 Stabiliization

Mental Illness

DRC
 Group Case Management
 Life Skills
 Stabiliization





MULTNOMAH COUNTY, OREGON

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BUDGET & QUALITY
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TO: Board of County Commissioners

FROM: Karyne Dargan, Budget Office

DATE: April 15, 1999

SUBJECT: Summary of Issues Concerning the Potential Siting of an Alcohol and Drug Treatment Facility at the Proposed Rivergate Jail Site.

The Office of Budget and Quality was requested to identify issues related to siting an alcohol and drug facility and a jail facility on the Rivergate site. We interviewed Ginger Martin, Alcohol and Drug Services Manager and Sheriff Noelle to obtain the information for the comparative analysis.

The issues each department identified are outlined in the Comparative Analysis on the following pages.

After completing the interviews and developing the matrix, we concluded that there is a fundamental difference in the type of alcohol and drug facility envisioned by each department. This is the key issue: ***Will the facility be classified and run as a licensed community residential treatment facility or a medium security jail complex?***

Many of the other issues and concerns highlighted in the comparative analysis stem from this issue. When this key issue is decided, each department's model flows logically from that determination.

We have contacted County Counsel because there are legal definitions for these types of facilities. The definitions have legal, programmatic and operational implications regarding the ultimate determination for the type of facility sited. Jacquie Weber, County Counsel will be addressing these definitions and two other important legal issues. Those issues are: the legal status of offenders, and the County's Supervisory Authority as established by the Multnomah County Code.

Alcohol and Drug Comparative Analysis

Component	Community Justice Summary Proposal	Sheriff's Issues & Concerns
Facility	<ol style="list-style-type: none"> 1. Licensed as a Community Residential Treatment Program. 2. Location: Rivergate, other. 3. Facility: Stand alone/ adjacent but separate. Commissary, laundry, kitchen can be shared. 	<ol style="list-style-type: none"> 1. Operate minimum-security treatment program within security envelope of medium security jail complex. 2. Concerns with safety/security at any location. If sited with Jail, MCSO must keep community promises made during siting process: <ul style="list-style-type: none"> • MCSO responsible for security of site and facility • No outpatient treatment including transitional housing • No bookings, admissions or releases from site 3. Would not support unnecessary duplication of facility or program infrastructure.
Program	<ol style="list-style-type: none"> 4. Target population: medium to high risk offenders who can be safely managed in a non-custodial setting 5. 3-6 months intensive treatment services delivered. Dual goals: reduce criminal behavior and reduce addiction. 6. Program departure is based upon successful completion, not sentence expiration. 	<ol style="list-style-type: none"> 4. Behavioral classification completed prior to program entry 5. Program goals appropriate to reduce recidivism. Supported with security services by MCSO. 6. Offenders leaving program will be transported by MCSO. Success = transport to MCRC for transitional housing. Program failure = to jail on detainer.
Legal Status of Participants	<p>Eligibility for the program (as a condition of parole/probation, post-prison supervision, and as a sanction):</p> <ol style="list-style-type: none"> 7. Sanctioned by a PO. 8. Moved by a Supervisory Authority. 9. Sentenced by a judge as a condition of probation. 10. Admission by appointment. Risk classification and clinical assessment performed prior to acceptance, regardless of prior assessments. 	<p>County Counsel should answer question of offender's legal status if program is located within security envelope of jail complex. Should also answer whether secure program can be licensed as a residential treatment facility under OAR 410-010-0010 as proposed, or what variances might be required.</p> <ol style="list-style-type: none"> 7. Treatment orders or sentencing include "one day jail and transport." Allows for centralized booking without duplicating processes and facilities. 8. Sheriff responsible and liable for sentenced offenders. Sheriff requires DPSST certified corrections deputies. 9. 10. MCSO supports assessment prior to admission.

Component	Community Justice Summary Proposal	Sheriff's Issues & Concerns
Security	<p>11. Admission to program will occur at scheduled times.</p> <p>12. Offenders transported in custody for admissions. If transported by PO, then they will handcuff, transport in caged car at specific times.</p> <p>13. Offenders searched for contraband upon admission.</p> <p>14. No contact with jail inmates.</p> <p>15. Security training for all staff (comparable to DPSST)</p> <p>16. PO's on staff have authority of search, seizure and arrest.</p> <p>17. 2 CO's from MCSO assigned to program.</p> <p>18. Enhanced security through perimeter fencing.</p> <p>19. Frequent and random urinalysis.</p>	<p>11. MCSO transport and booking can support scheduled admission times.</p> <p>12. MCSO will be responsible for security of facility and site, transport and Booking.</p> <p>13. No duplication of services: contraband controlled at Booking. Medical and psychiatric screening completed.</p> <p>14. Limited contact may occur in areas where infrastructure shared, i.e. medical and processing. Opposed to costs associated with developing separate facilities and staffing where services can be shared.</p> <p>15. Labor relation issues if new job classification developed to provide security services in place of Corrections Deputies.</p> <p>16. Joint approach proposed: ACJ provides program training; MCSO provides security training. If conflicts occur, program and security will work toward a common solution. In all instances, sound security practices will prevail.</p> <p>17. MCSO will determine. Staffing determined by census, offender classification and facility design.</p> <p>18. Fencing does not provide security, only barrier. Staff and operations provide security.</p> <p>19. Frequent and random urinalysis supported.</p>
Transition Back into Community or at Completion of Program	<p>20. In-house transition planning: providing for continuing care through community provider, arranging for housing and employment.</p> <p>21. Option: site and operate a transitional program with consistent treatment approach at another location. At completion of program, staff will transport to off-site transition. Option: Staff transports participants to appointments in community for employment, housing, community service, on-going service needs.</p> <p>22. If offender refuses participation in program, on-site PO will arrest, handcuff and transport in caged car to downtown jail.</p>	<p>20. No issue with in-house planning MCRC staff trained and part of interdisciplinary team for planning purposes.</p> <p>21. Transitional housing at MCRC. No transitional housing at Rivergate site. Concern with safety commitment to the community. Offenders released from MCRC after completion of transition phase. All transports conducted by MCSO Deputies.</p> <p>22. Upon arrest PO will deliver offender to the custody of on-site Corrections Deputy for transport and processing.</p>