

ANNOTATED MINUTES

Tuesday, October 29, 1991 - 9:30 AM
Multnomah County Courthouse, Room 602

PLANNING ITEMS

The Following October 7, 1991 Decisions of the Planning Commission are Reported to the Board of County Commissioners for Acceptance and Implementation by Board Order:

P-1 CU 23-91 In the Matter of APPROVAL, Subject to Conditions, of a Conditional Use Request to Create a Two Acre Mortgage Lot on this Property located at 19100 NW Skyline Blvd.

ACCEPTED.

P-2 CU 21-91 In the Matter of APPROVAL, Subject to Conditions, Conditional Use Request for the Development of this Property with a Non-Resource Related Single Family Residence for Property Located at 42000 SE Loudon Road

ACCEPTED.

P-3 CU 20-91 In the Matter of APPROVAL, Subject to Conditions, Conditional Use Request for the Development of this Property with a Non-Resource Related Single Family Residence for Property Located at 16016 NW McNamee Road

ACCEPTED.

REGULAR AGENDA ITEM
DEPARTMENT OF HUMAN SERVICES

R-1 Ratification of an Intergovernmental Agreement, Amendment #3, between Multnomah County Health Division and the Oregon Department of Human Resources, Office of Medical Assistance Programs for the Extension of Physicians Care Organization (POC) Agreement Extending Termination Date from October 31, 1991 to December 31, 1991

APPROVED.

Tuesday, October 29, 1991 - 9:40 AM
Multnomah County Courthouse, Room 602

BOARD BRIEFINGS

B-1 Overview of Estimated Revenues and Estimated Spending for 1991-92 - Presented by Dave Warren and Ben Buisman

DAVE WARREN AND BEN BUISMAN PRESENTED AND EXPLAINED A GENERAL FUND REVIEW. THE BOARD REQUESTED CONTINUATION OF QUARTERLY BUDGET UPDATES. BRIEFING TO BE SCHEDULED REGARDING RESIDENTIAL AND COMMERCIAL PROPERTY ASSESSMENTS BY ASSESSMENT & TAXATION STAFF, ALSO REQUESTED BY THE BOARD.

AGENDA REVIEW

B-2 Review of Agenda for Regular Meeting of October 31, 1991

R-2 CHAIR McCOY REQUESTED THAT THE PROPOSED ORDINANCE BE COMBINED WITH THE ADDITIONAL AMENDMENTS SUBMITTED BY COMMISSIONER ANDERSON FOR CONSIDERATION ON THURSDAY, NOVEMBER 7, 1991.

Thursday, October 31, 1991 - 9:30 AM
Multnomah County Courthouse, Room 602

REGULAR MEETING

BRIEFING/PRESENTATION

B-1 Willamette Bridge Public Information Slide Presentation before the Board - Presented by Larry Nicholas and Ed Sales
9:30 AM TIME CERTAIN

SLIDE PRESENTATION MADE.

CONSENT CALENDAR
NON-DEPARTMENTAL

C-1 In the Matter of the Appointments of Kim Sherwood, Term Expires 10/92; Muriel Goldman and Dr. Sarojini Budden, Terms Expire 10/95 to the MULTNOMAH COUNTY COMMUNITY CHILDREN & YOUTH SERVICES COMMISSION

APPROVED.

C-2 In the Matter of the Appointment of Nancy Wilson, Term Expires 10/93 to the MULTNOMAH COUNTY CITIZEN INVOLVEMENT COMMITTEE

APPROVED.

JUSTICE SERVICES
SHERIFF'S OFFICE

C-3 Liquor License Application Renewals Submitted by Sheriff's Office with Recommendation for Approval as Follows:
Package Store for:
a) Albertson's Food Center #502, 1350 SE 122nd Avenue, Portland;
b) Cracker Barrell Grocery, 15005 NW Sauvie Island Road, Portland;
c) Plaid Pantry Market #45, 4504 SE 122nd, Portland;
d) Plaid Pantry Market #113, 13521 SE Powell Blvd., Portland;
e) Plaid Pantry Market #154, 16216 SE Division, Portland;
f) Weece's Market, 7310 SE Pleasant Home Road, Gresham;
g) Quick Shop Minit Mart #12, 16437 SE Powell, Portland;

- h) Fred Meyer, 14700 SE Division, Portland;
 - i) Foster Food Mart, 12918 SE Foster Road, Portland
- Retail Malt Beverage for:
- j) Pleasant Home Saloon, 31637 Dodge Park Boulevard, Gresham
 - k) Lariat Tavern, 17238 SE Division, Portland

C-3a THROUGH C-3k APPROVED.

- C-4 Ratification of an Intergovernmental Agreement, Amendment #4, Between Multnomah County Sheriff's Office, Corrections Division and the U.S. Marshals Service to Incorporate Certain Cooperative Agreement Program (CAP) Language into this Agreement

APPROVED.

DEPARTMENT OF ENVIRONMENTAL SERVICES

- C-5 Ratification of an Intergovernmental Agreement Renewal for the City of Maywood Park join Multnomah County Community Development Division for the Community Development Block Grant Program for 1992 - 1994

APPROVED.

- C-6 Ratification of an Intergovernmental Agreement Renewal for the City of Wood Village join Multnomah County Community Development Division for the Community Development Block Grant Program for 1992 - 1994

APPROVED.

- C-7 Ratification of an Intergovernmental Agreement Renewal for the City of Troutdale join Multnomah County Community Development Division for the Community Development Block Grant Program for 1992 - 1994

APPROVED.

- C-8 Ratification of an Intergovernmental Agreement Renewal for the City of Fairview join Multnomah County Community Development Division for the Community Development Block Grant Program for 1992 - 1994

APPROVED.

- C-9 Ratification of an Intergovernmental Agreement Renewal for the City of Lake Oswego join Multnomah County Community Development Division for the Community Development Block Grant Program for 1992 - 1994

APPROVED.

REGULAR AGENDA
NON-DEPARTMENTAL

- R-1 RESOLUTION in the Matter of appointments to the Newly Formed County Peace Task Force

RESOLUTION 91-165 APPROVED.

R-2 First Reading of an ORDINANCE Amending Multnomah County Code 2.30.300 to Change the Function of the Justice Coordinating Council and the Number and Qualifications of Members

FIRST READING CONTINUED UNTIL THURSDAY,
NOVEMBER 21, 1991.

R-3 In the Matter of Establishing the Position of Hispanic Coordinator within Multnomah County

APPROVED.

JUSTICE SERVICES

DISTRICT ATTORNEY

R-4 Budget Modification DA #6 Authorizing the Appropriation of Additional Witness Fee Revenue from the State of Oregon to the District Attorney's Office Circuit Court Trial Section

APPROVED.

DEPARTMENT OF ENVIRONMENTAL SERVICES

R-5 ORDER in the Matter of Execution and Acceptance of a Deed from Multnomah County Conveying to the Public Certain Real Property for Dedicated Road Purposes

ORDER 91-166 APPROVED.

R-6 In the Matter of Approval for the Recommendations of the Multnomah Cable Regulatory Commission of the Allocation of Cable Regulatory Commission Carryover Funds

RECOMMENDATIONS APPROVED.

DEPARTMENT OF HUMAN SERVICES

R-7 Budget Modification DHS #37 Authorizing Increasing Appropriations in the Health Division, HIV Program, to Reflect Increased Funding from the NIDA Grant

APPROVED.

0179C/1-4
cap



MULTNOMAH COUNTY OREGON

BOARD OF COUNTY COMMISSIONERS
ROOM 606, COUNTY COURTHOUSE
1021 S.W. FOURTH AVENUE
PORTLAND, OREGON 97204

GLADYS McCOY • CHAIR • 248-3308
PAULINE ANDERSON • DISTRICT 1 • 248-5220
GARY HANSEN • DISTRICT 2 • 248-5219
RICK BAUMAN • DISTRICT 3 • 248-5217
SHARRON KELLEY • DISTRICT 4 • 248-5213
CLERK'S OFFICE • 248-3277

AGENDA

MEETINGS OF THE MULTNOMAH COUNTY BOARD OF COMMISSIONERS FOR THE WEEK OF

October 28 - November 1, 1991

Tuesday, October 29, 1991 - 9:30 AM - Planning Items . . .Page 2
Tuesday, October 29, 1991 - 9:40 AM - Board Briefings. . .Page 2
Tuesday, October 29, 1991 - 10:00 AM - Agenda Review . . .Page 2
Thursday, October 31, 1991 - 9:30 AM - Regular Meeting . .Page 2

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

Thursday, 10:00 PM, Channel 11 for East and West side subscribers
Friday, 6:00 PM, Channel 27 for Paragon Cable (Multnomah East) subscribers
Saturday 12:00 PM, Channel 21 for East Portland and East County subscribers

Tuesday, October 29, 1991 - 9:30 AM
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- R-2 First Reading of an ORDINANCE Amending Multnomah County Code 2.30.300 to Change the Function of the Justice Coordinating Council and the Number and Qualifications of Members
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DEPARTMENT OF HUMAN SERVICES

- R-7 Budget Modification DHS #37 Authorizing Increasing Appropriations in the Health Division, HIV Program, to Reflect Increased Funding from the NIDA Grant

0105C/20-23
cap



DEPARTMENT OF ENVIRONMENTAL SERVICES
Division of Planning and Development
2115 S.E. Morrison Street
Portland, Oregon 97214 (503) 248-3043

Decision

This Decision consists of Conditions, Findings of Fact and Conclusions.
October 7, 1991

CU 23-91, #34

Conditional Use Request (Creation of a Mortgage Lot)

Applicant requests conditional use approval to allow for the creation of an approximate two-acre Mortgage Lot from an existing 66.44 acre parcel. The purpose of the Mortgage Lot is to obtain conventional financing for a single family residence; the Mortgage Lot designation is required because the parcel is in an MUF zoning district - 38-acre minimum lot size. No additional dwellings will be permitted or requested.

Location: 19100 NW Skyline Blvd.

Legal: Tax Lot '16', Section 14, T. 2 N., R. 2 W., 1990 Assessor's Map

Site Size: 66.44 Acres

Size Requested: 2 Acres

Property Owner: SG/SL Murray
1543 NE 52nd Avenue, 97213

Applicant: Frank Walker and Associates
PO Box 299, Monmouth, 97361

Comprehensive Plan: Multiple Use Forest

Present Zoning: MUF-38, Multiple Use Forest District

Planning Commission

Decision: APPROVE, subject to conditions, a two acre mortgage lot on this property, based on the following Findings and Conclusions.

CU 23-91

476.97 Ac.

Zoning Map
 Case #: CU 23-91, #34
 Location: 19100 N W Skyline Blvd
 Scale: 1 inch to 600 feet
 Shading indicates subject property

'2'
 40 Ac.
CFU -80

'7'
 57.97 Ac.

'1'
 476.97 Ac

'4'
 40.63 Ac.

CFU -80

'3'
 80.0 Ac
MUF-38

'10'
 2.50 Ac
 '14'
 5.00 Ac

'15'
 2.50 Ac

'16'
 5.00 Ac
 '13'
 5.00 Ac

MUF-38

'38'
 30.00 Ac

CFU -80

'2'
 Ac.

MUF-38

'1'
 80 Ac.

MUF-38

MUF 19 CS
 '15'
 8.78 Ac
 '40'

Ac.

'23'
 5.67 Ac.

'24'
 8.29 Ac

'19'
 322 A

'20'
 314 A

'26'
 4.45 Ac.

'32'
 8.41 Ac.

'31'
 10.04 Ac

'39'
 9.60 Ac.

'14'
 8.85 Ac

'18'
 55 A

'8'
 40 Ac.

MUF-38

'30'
 72A

JOHNSON ROAD

MUF-19

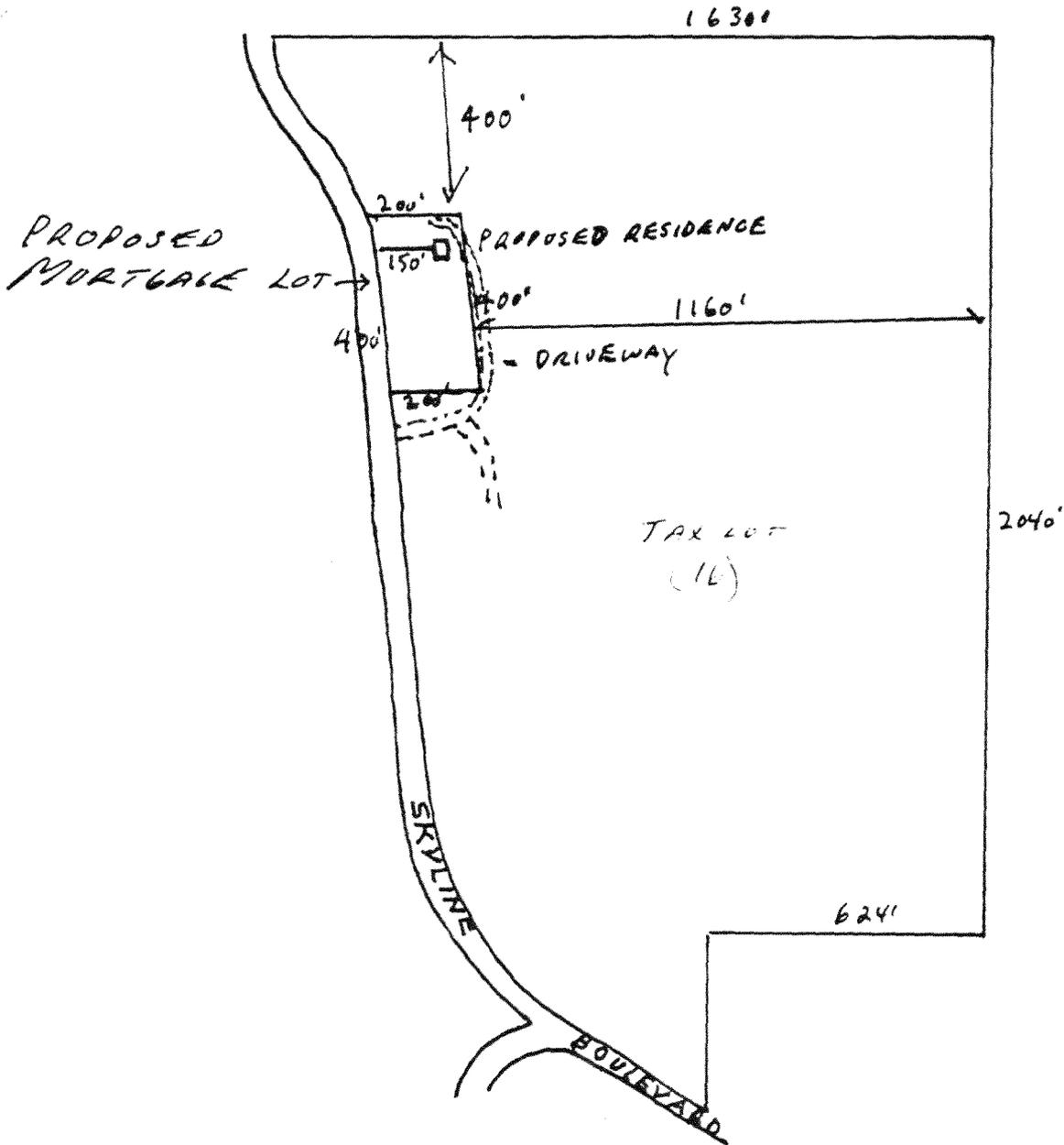
BOULEVARD

'12'
 0.64 Ac

'44'

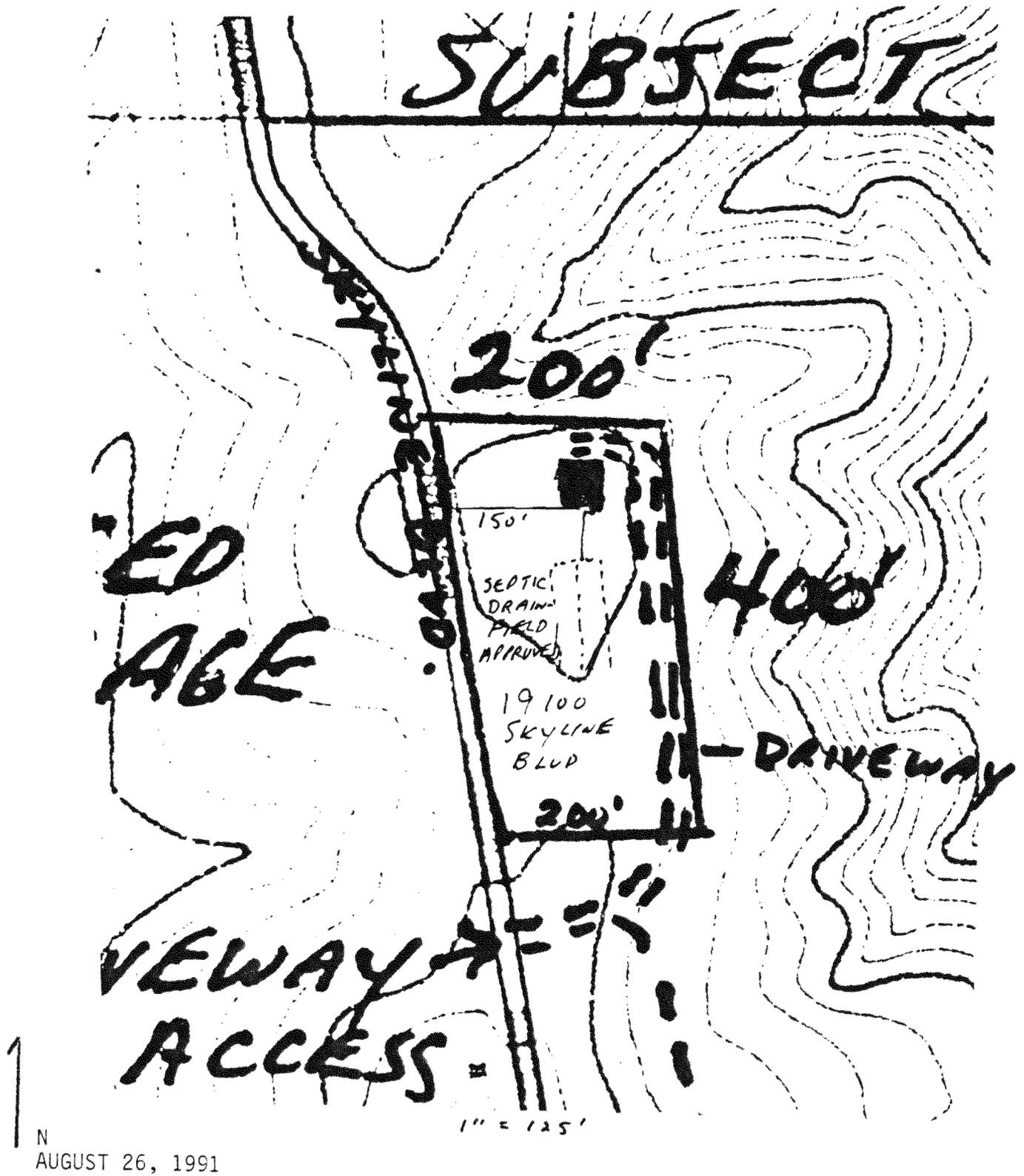
PLOT PLAN

CU 23-91



4
T N 1" = 400'

PLOT PLAN



CU 23-91

CONDITIONS OF APPROVAL:

1. The owner shall record a statement that, except as may be provided by law, the mortgage lot shall not be conveyed as a zoning lot separate from the tract out of which it was created or such portion of the tract as conforms with the dimensional requirements of the Zoning Ordinance in effect.
2. The mortgage lot shall be created within two years of the date of the Board Order pursuant to MCC 11.15.7110(C).
3. Site clearing or grading occurring after February 20, 1990 may require a *Hillside Development and Erosion Control Permit* pursuant to MCC .6700-6730. Contact the Division of Planning and Development for application materials.

FINDINGS OF FACT:

1. Applicant's Proposal:

Applicant requests conditional use approval to allow for the creation of a two-acre mortgage lot from an existing 66.44 acre parcel. The purpose of the mortgage lot is to provide a method of obtaining conventional financing for a single family residence. Approval of the request would allow the residence on two acres to be financed separately from the remainder of the property. Some financial institutions require this arrangement when very large acreages are involved in a loan request. Except as may otherwise be provided by law, the mortgage lot will not be conveyed as a separate lot from the remainder of the tract.

2. Ordinance Considerations:

A. **Mortgage Lot:** Residential use consisting of a single-family dwelling in conjunction with a primary use listed in MCC .2168, located on a mortgage lot created after August 14, 1980, subject to the following:

- (1) The minimum lot size for the mortgage lot shall be two acres;
- (2) Except as may otherwise be provided by law, a mortgage lot shall not be conveyed as a zoning lot separate from the tract out of which it was created or such portion of the tract as conforms with the dimensional requirements of the zoning ordinance then in effect. The purchaser of a mortgage lot shall record a statement referring to this limitation in the Deed Records pertaining to said lot.
- (3) No permit shall be issued for improvement of a mortgage lot unless the contract seller of the tract out of which the mortgage lot is to be created and the mortgagee of said mortgage lot have agreed in writing to the creation of the mortgage lot.

[Reference MCC 11.15.2172(D)]

B. Residential Use Development Standards: A residential use located in the MUF district after August 14, 1980 shall comply with the following:

- (1) The fire safety measures outlined in the *Fire Safety Considerations for Development in Forested Areas*, published by the Northwest Inter-Agency Fire Prevention Group, including at least the following:
 - (a) Fire lanes at least 30 feet wide shall be maintained between a residential structure and an adjacent forested area;
 - (b) Maintenance of a water supply and of fire fighting equipment sufficient to prevent fire from spreading from the dwelling to adjacent forested areas;
- (2) An access drive at least 16 feet wide shall be maintained from the property access road to any perennial water source on the lot or an adjacent lot.
- (3) The dwelling shall be located in as close proximity to a publicly maintained street as possible, considering the requirements of MCC 11.15.2178(B).
- (4) The physical limitations of the site which require a driveway in excess of 500 feet shall be stated in writing as part of the application for approval.
- (5) The dwelling shall be located on that portion of the lot having the lowest productivity characteristics for the proposed primary use, subject to the limitations of subpart #3 above.
- (6) Building setbacks of at least 200 feet shall be maintained from all property lines, wherever possible, except:
 - (a) A setback of 30 feet or more may be provided for a public road, or
 - (b) The location of dwelling(s) on adjacent lot(s) at a lesser distance which allow for the clustering of dwellings or sharing of access.
- (7) Construction shall comply with the standards of the building code or as prescribed in ORS 446.002 through 446.200 relating to mobile homes.
- (8) The dwelling shall be attached to a foundation for which a building permit has been obtained.
- (9) The dwelling shall have a minimum floor area of 600 square feet.
- (10) The dwelling will be located outside a big game winter habitat area as defined by the Oregon Department of Fish and Wildlife or that agency has certified that the impacts will be acceptable.

[Reference MCC 11.15.2194]

3. Site and Vicinity Characteristics:

- A. The subject property is a Lot of Record of 66.44 acres. The Multiple Use Forest code provisions list a single family dwelling as a primary use on lots of 38 acres or more. It is only the desire to set up a mortgage lot that requires an action proceeding before the Planning Commission.

- B. The proposed two-acre mortgage lot is located in the northwesterly portion of the lot, adjacent to NW Skyline Boulevard. The mortgage lot is shown on the site plan to be 400 feet from the north property line and measure 200 feet east to west, 400 feet north to south. As mapped on the submitted plot plan showing contour lines, the mortgage lot encompasses a fairly level ridgetop on one of the highest areas on the property. The elevation within the mortgage lot is approximately 1190 feet to less than 1210 feet. To the east and northeast the elevation of tax lot '16' descends steeply to as low as 660 feet.

- C. Nearly all of the property has been recently clear cut, leaving only a few small areas of standing trees. One of those stands is adjacent to NW Skyline Blvd. and in the center of the mortgage lot. The plot plan indicates that the residence is proposed to be sited in a cleared area on the northern portion of the mortgage lot; which is also the highest location on the ridge. The driveway to the residence would be on an existing logging road that accesses NW Skyline Blvd. about 100 feet south of the proposed mortgage lot. The driveway proceeds to just inside the easterly line of the mortgage lot and follows the gentlest slope northward to the ridgetop.

- D. The property contains three general soil types: Cascade, Goble and Wauld. The Cubic Foot Site Classification of all the soils is 3 and the Site Class (which is the classification system referred to in the Comprehensive Plan) of the Cascade soil is II ; the Site Class of the Goble and Wauld soils is III. Those designations indicate that the property is equal to the best in the County for growing Douglas Fir.

- E. The adjacent property to the north of tax lot '16' was the subject of a requested plan revision and zone change from CFU to MUF at the July 1, 1991 Planning Commission meeting. The request, which was denied, would have allowed a lot line adjustment adding ten acres to the subject 66.44 acres.

- F. Surrounding properties to the east, north and west are all large lots zoned for either 38 or 80 acre minimum lot sizes. The nearest residence to the proposed mortgage lot is on the lot to the west, just south of the driveway onto the subject site. Adjacent to tax lot '16' on the south is a transmission tower owned and operated by the Federal Government.

- G. The applicant's description of the proposed mortgage lot and services is as follows (in *italic type style*):

- (1). *Configuration of Mortgage Lot - The proposed mortgage lot occupies a narrow ridge line that runs north and south. The level ridgetop is approximately 250 feet wide and 850 feet long. The mortgage lot will occupy an area 440 feet long by 200 feet wide, as indicated in Figure 1.*
- (2). *Access - Access to the subject property will be via an existing driveway originating at Skyline Boulevard. The existing access road is a one-lane gravel drive approximately 10 feet wide. The proposed mortgage lot will be served by the aforementioned driveway (Figure 1).*
- (3). *Electric Power - Electric power to the subject property will be provided from a 7600 KV power line located along the Skyline Boulevard right-of-way. The existing power line is on the east side of Skyline Boulevard. The power will very likely be plowed in along the access drive to the mortgage lot. The power company is Portland General Electric, and they have indicated that they have adequate power resources to serve the area. Any cost for power extension could be the responsibility of the property owner.*
- (4). *Water - Adequate volumes of water are found in the vicinity of the subject property as evidenced by recent well drillings and historical data from nearby wells. Don Feakin, a local well driller with over 14 years of experience, also attests to the availability of water in the vicinity.*

Well log records for Sections 11 and 24 indicate that water is available in amounts adequate for domestic use. The average gallon yield per minute is 40 and 15 for Sections 11 and 24 respectively. The average depth where water is first encountered is 364 feet and 405 feet respectively for Sections 11 and 24. Section 24 was used for judging water availability because it is situated on the ridge line.
- (5). *Sewage Disposal - An application for on-site sewage disposal will be submitted concurrently with this application. The proposed drainfield area will be located on the eastern perimeter of the proposed mortgage lot and slightly downhill from where the residence will be located. The septic drainfield, in any event, will be located at least 200 feet from the well.*
- (6). *Fire Protection - Fire Patrol Northwest provides fire protection for the subject property. A special assessment is levied upon the property to provide service.*

4. Compliance With Ordinance Considerations:

The following section presents findings regarding the proposed mortgage lot and residential use development standards; reference to **the applicable criteria is in bold type style**. Excerpts from the applicant's responses are presented first (*in italics*), followed by staff comments where appropriate.

A. Mortgage Lot:

- (1) **Lot size shall be two acres.**

The proposed mortgage lot will be the two-acre minimum as required by this section of the M.C.C.

- (2) **Mortgage lot shall not be conveyed as a lot separate from the tract out of which it was created. The purchaser of a mortgage lot shall record a statement referring to this limitation in the Deed Records.**

The owner of the subject property recognizes that the mortgage lot shall not be conveyed as a zoning lot separate from the rest of the tract out of which it was created. The owner is agreeable to entering a statement into the chain of title affirming the aforementioned statement.

Staff Comment: Condition of Approval number one requires that the owner record a statement that the mortgage lot does not constitute a separate zoning lot.

- (3) **No permit shall be issued for improvement of a mortgage lot unless the contract seller of the tract out of which the mortgage lot is to be created and the mortgagee of said mortgage lot have agreed in writing to the creation of the mortgage lot.**

This criterion does not apply since the owner has a clear title for the entire property.

Staff Comment: The applicant is the owner of the subject Lot of Record and is, by this action, put on notice that the sole purpose of the mortgage lot is for financing.

B. Residential Use Development Standards:

- (1) **Fire lanes at least 30 foot wide shall be maintained between a residential structure and an adjacent forested area.**

The subject property was recently clearcut by Olson Logging, and consequently the proposed residential site is totally clear. The new owner can easily implement the 30-foot-wide fire lane around the proposed home-site. A larger fire lane could be designed to provide greater protection to adjacent forested areas. A 100-foot fire lane could be allowed taking into account the dimensions of the mortgage lot. The fire lane would be free of fire fuel that could transmit fires to adjacent forested areas.

In addition to the fire lane, other design protections could be implemented. For example, the proposed homesite will be situated on a level ridgetop away from any gullies that would act as a fire chimney, thus reducing fire damage potential to the home. The residential compound

can also be landscaped with non-coniferous broadleaf shrubs and trees to minimize kindling temperatures for fire.

Staff Comment: There has been more than sufficient area cleared around the planned homesite to meet this criteria.

- (2) **Maintenance of a water supply and of fire fighting equipment sufficient to prevent fire from spreading from the dwelling to adjacent forested areas.**

The only source of water available to the owner for firefighting will be the domestic well. As stated in criterion 1 above, the best method for mitigating potential adverse effects from fire spreading is good design. Providing large fire lanes with no ground level fire fuel is the best preventative measure. Water from the well could be used to fight fire, or during high risk periods a pumper truck could be on standby. The owner has expressed a willingness to comply with county imposed conditions provided those conditions are reasonable and affordable.

Staff Comment: Staff recommends to the owner that there be several outside hose bibs and standpipes with ready hoses for on-site use. Fire protection is provided from Fire Patrol Northwest.

- (3) **An access drive at least 16 feet wide shall be maintained from the property access road to any perennial water source on the lot or an adjacent lot.**

No perennial water sources are located on the subject property or any adjacent property. Therefore, the owner need not conform with this criterion.

- (4) **The dwelling shall be located in as close proximity to a publicly maintained street as possible.**

The proposed dwelling will be located as close to a publicly maintained street as possible, as indicated in the plot plan. The homesite is as close to Skyline Boulevard as possible taking into consideration required setbacks from property lines.

Staff Comment: The dwelling is shown on the site plan to be near the end of an existing logging road. It would be setback 150 feet from NW Skyline Blvd. at the end of a drive that is less than 600 feet in length. On this portion of the ridgetop there is an almost twenty foot difference in elevation with the road to the west. At this location, moving the dwelling closer to the road would not result in making it easier for fire equipment to reach the home from the road. Only moving the dwelling location southward along the existing level and gently sloping logging road would actually serve to reduce travel time for fire response.

- (5) **The physical limitations of the site which require a driveway in excess of 500 feet shall be stated in writing as part of the application for approval.**

The existing driveway that serves the subject property is approximately 500 feet long and follows level to nearly level terrain. The road has an uncharacteristically thick base owing to the recent logging operation.

Staff Comment: The driveway appears to be longer than the 500 foot standard by less than an additional 100 feet. The access to NW Skyline Blvd. is at grade. Then the route of the existing and very heavily rocked drive is along the same elevation contour or has only a very gentle slope. The drive should provide very good accessibility for fire equipment. In staff's opinion, the site selected for the home is most likely the most desirable location for the owner as a viewpoint to the east. Because the driveway is close to the standard length limit guideline, is existing, and is sufficiently level for heavy truck and equipment, the staff recommends approval of the proposed homesite location.

- (6) **The dwelling shall be located on that portion of the lot having the lowest productivity characteristics for the proposed primary use.**

The proposed dwelling will be located on the portion of the lot having the lowest productivity characteristics for the primary use subject to the limitations of subsection (C) above. The level ridgetop is not significantly less productive than the side slopes and ravines, but more management obstacles are present on the level ridgetop proposed for the homesite owing to shallower soils and associated problems. The ridgeline has shallower soils since gravity and water are perpetually moving soils downslope. The shallow soils and high wind velocities combined result in a higher number of blow-over trees, leaners, and windthrown tops. These conditions were observed prior to the clearcuts in the area.

An affirmative finding can be made that the dwelling will be located on a slightly less productive part of the property.

Staff Comment: The Site Index for Douglas Fir for the three soil types on the property are: Cascade, 157; Goble, 149; and Wauld, 138. The dwelling site is either in the Goble soils mapped area or is very close to the boundary. The lowest productivity soils are at the lowest elevations on the property and are inaccessible. All three soils are very close in productivity and by one classification system are all rated the same (Cubic Foot Site Class 3).

- (7) **Building setbacks of at least 200 feet shall be maintained from all property lines, wherever possible, except: (a) A setback of 30 feet or more may be provided for a public road, or (b) The location of dwelling(s) on adjacent lot(s) at a lesser distance which allow for the clustering of dwellings or sharing of access.**

11.15.2194 (F) (1) - Does not apply.

11.15.2194 (F) (2) - Does not apply.

Staff Comment: The dwelling is proposed to be in excess of 400 feet to the property to the north; 1160 feet to the property to the east; more than 1500 feet to the property to the south; and 150 feet to the public road.

(8) Standards of the building code, foundation, and minimum floor area.

11.15.2194 (G) - The owner is proposing a stick-built home. The home will conform to the statutory requirements of ORS 447.002 and 447.200.

11.15.2194 (H) - The primary residence will be constructed according to the Uniform Building Code as administered by Multnomah County.

11.15.2194 (I) - The interim dwelling and permanent dwelling will both exceed the 600-square-foot floor area requirement.

(9) The dwelling shall be located outside a big game habitat area as defined by the Oregon Department of Fish and Wildlife or that agency has certified that the impacts will be acceptable.

The proposed dwelling site is located outside a big game habitat area as defined by the Oregon Department of Fish and Wildlife according to the Multnomah County Comprehensive Plan.

C. Applicant's "Summary":

The proposal for a forest management dwelling/conditional use mortgage lot appears to be in substantial conformance with the applicable provisions of the Multnomah County Comprehensive Plan and Zoning Ordinance. The following findings of fact are offered in support of this proposal:

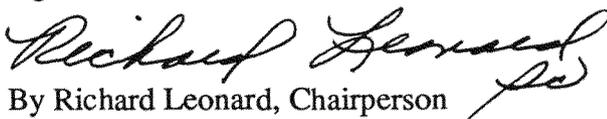
- 1. The subject parcel is 66.5 acres and is zoned MUF-38.*
- 2. The Multnomah County Ordinance allows a dwelling on 38 acres without specifically requiring a conditional use permit for the dwelling.*
- 3. The application for a conditional use mortgage lot is to assure the owner's right to build and to allow for future contingencies on the property.*
- 4. The proposed dwelling and primary use of the property are compatible with nearby resource management parcels.*
- 5. The provision of utilities and services are consistent with county policy not to require services over and above what are planned for the area.*
- 6. The provisions for fire prevention and mitigation can readily be met by the property owner.*

7. *The owner is willing to accept more than the minimum standard for fire lanes given the size of the proposed mortgage lot.*
8. *The owner is willing to maintain fire fighting equipment if required by Multnomah County.*
9. *The proposed dwelling site will be located on the least productive portion of the ownership.*
10. *The property was recently clearcut, and standards for dwelling siting and fire lanes can easily be met.*
11. *The availability of water for domestic purposes appears to be adequate based upon an examination of well log records in Sections 11 and 24. The gallons per minute ratings are 40 and 15 respectively for Sections 11 and 24, and the average depths of wells drilled are 364 feet and 405 feet respectively.*

CONCLUSIONS:

1. Conditions are necessary to insure compliance with all Code provisions.
2. The applicant has carried the burden necessary for the approval of a mortgage lot in the MUF-38 zoning district.

Signed October 7, 1991


By Richard Leonard, Chairperson

Filed with Clerk of the Board on October 17, 1991

Appeal to the Board of County Commissioners

Any person who appears and testifies at the Planning Commission hearing, or who submits written testimony in accord with the requirements on the prior Notice, and objects to their recommended decision, may file a Notice of Review with the Planning Director on or **before 4:30 p.m. on Monday, October 28, 1991** on the required Notice of Review Form which is available at the Planning and Development Office at 2115 SE Morrison Street.

The Decision in this item will be reported to the Board of County Commissioners for review at 9:30 a.m. on Tuesday, October 29, 1991 in Room 602 of the Multnomah County Courthouse. For further information call the Multnomah County Planning and Development at 248-3043.

Decision

October 7, 1991

13 of 13

CU 23-91

Meeting Date: October 29, 1991

Agenda No.: P-2

(Above space for Clerk's Office Use)

AGENDA PLACEMENT FORM
(For Non-Budgetary Items)

SUBJECT: Decision

BCC Informal _____ (date) BCC Formal October 29, 1991 (date)

DEPARTMENT DES DIVISION Planning

CONTACT Sharon Cowley TELEPHONE 2610

PERSON(S) MAKING PRESENTATION Planning Staff

ACTION REQUESTED:

INFORMATIONAL ONLY

POLICY DIRECTION

APPROVAL

ESTIMATED TIME NEEDED ON BOARD AGENDA: 3 Minutes

CHECK IF YOU REQUIRE OFFICIAL WRITTEN NOTICE OF ACTION TAKEN: xx

BRIEF SUMMARY (include statement of rationale for action requested, as well as personnel and fiscal/budgetary impacts, if applicable):

CU 21-91 Decision of the Planning Commission of October 7, 1991 with recommendation to the Board for approval of conditional use request for a non-resource related single family residence for property located at 42000 SE Loudon Road

(If space is inadequate, please use other side)

SIGNATURES:

ELECTED OFFICIAL _____

Or

DEPARTMENT MANAGER

Paul Yabunga / bkw

(All accompanying documents must have required signatures)



DEPARTMENT OF ENVIRONMENTAL SERVICES
Division of Planning and Development
2115 S.E. Morrison Street
Portland, Oregon 97214 (503) 248-3043

Decision

This Decision consists of Conditions of Approval, Findings of Fact and Conclusions.

October 7, 1991

CU 21-91, #791

Conditional Use Request (Non-Resource Related Single Family Dwelling)

Applicant requests conditional use approval for a non-resource related single family dwelling on this 4.05 acre Lot of Record in the MUF-19 zoning district

Location: 42000 SE Loudon Road

Legal: Tax Lot '27', Section 6, 1S-5E, 1990 Assessor's Map

Site Size: 4.05 Acres

Size Requested: Same

Property Owner: Lori & Bret Sines
6841 SE 48th Avenue
Portland, OR 97206

Applicant: Same

Comprehensive Plan: Multiple Use Forest

Present Zoning: MUF-19, Multiple Use Forest District

Planning Commission

Decision: APPROVE, subject to conditions, conditional use request for the development of this property with a non-resource related single family residence, based on the following Findings and Conclusions.

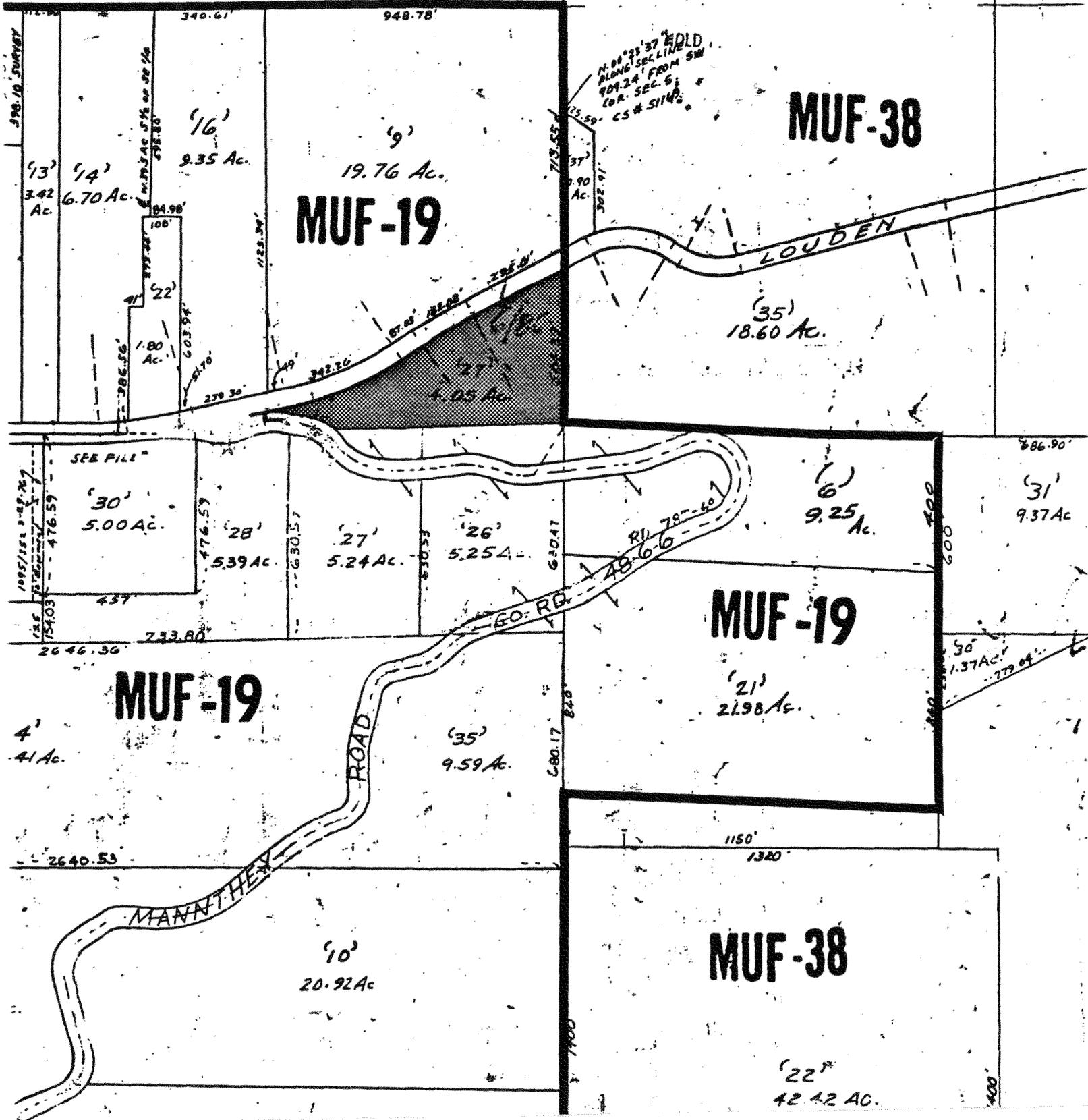
CU 21-91

(18)
80 Ac.

(15)
98.10 Ac.

MUF-38

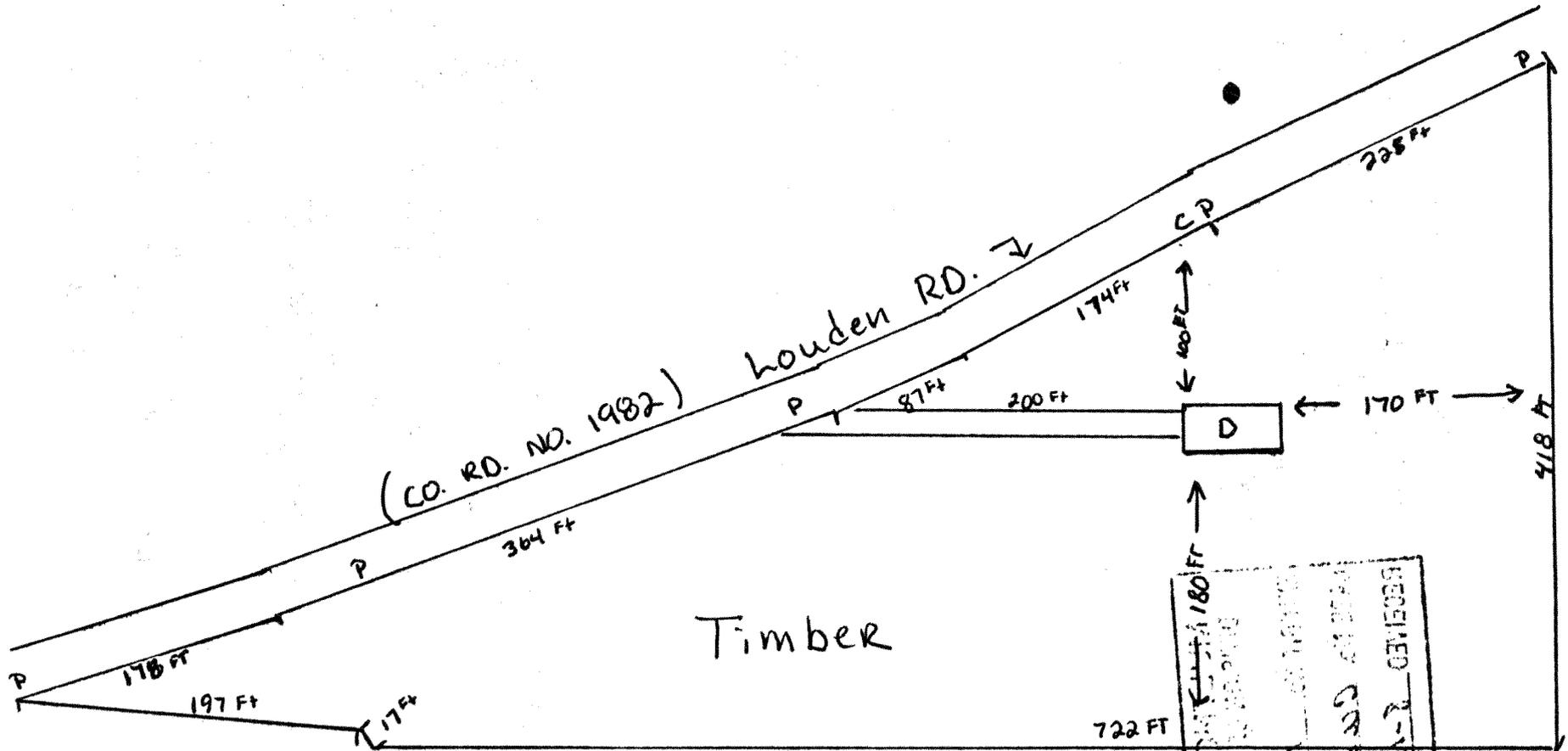
Zoning Map
Case #: CU 21-91, #791
Location: Louden Road at Mannthey Rd
Scale: 1 inch to 400 feet
Shading indicates subject property



1" = 100 FT

↑
NORTH

TAX LOT 27
SEC. 6, 1S, 5E.



Proposed Dwelling
 Existing PGE.
 Existing Cascade
 Utilities (Telephone)

RECEIVED 2-12-91
 CU 21-91
 D
 P
 C

CONDITIONS OF APPROVAL:

1. Prior to the issuance of building permits, the property owner shall provide the Land Development Section with a copy of the recorded restrictions required under MCC 11.15.2172(A)(5). A prepared blank copy of this deed restriction is available at the Land Development Offices.
2. Satisfy the requirements of Engineering Services regarding any further improvements of SE Louden or Mannthey Roads.
3. Prior to any site clearing or grading, obtain a *Hillside Development and Erosion Control Permit* pursuant to MCC .6700-6730 if applicable. Contact Mark Hess at 248-3043 for application materials.
4. The final site plan shall demonstrate compliance with the Residential Use Development Standards of MCC .2194.

FINDINGS OF FACT:

1. Applicant's Proposal:

The applicant requests Planning Commission approval to develop the above described 4.05 acre Lot of Record with a non-resource related single family dwelling.

2. Ordinance Considerations:

- A. A non-resource related single family dwelling is permitted in the MUF zoning district as a Conditional Use where it is demonstrated that:
 - (1) The lot size shall meet the standard of MCC 11.15.2178(A) or .2182(A) to (C).
 - (2) The land is incapable of sustaining a farm or forest use, based upon one of the following:
 - a) A Soil Conservation Service Agriculture Capability Class of IV or greater for at least 75% of the lot area, and physical conditions insufficient to produce 50 cubic feet/acre/year or any commercial trees species for at least 75% of the area;
 - b) Certification by the Oregon State University Extension Service, the Oregon Department of Forestry, or a person or group having similar agricultural and forestry expertise, that the land is inadequate for farm and forest uses and stating the basis for the conclusions; or
 - c) The lot is a Lot of Record under MCC 11.15.2192(A) through (C) and is ten acres

or less in size.

- (3) A dwelling, as proposed, is compatible with the primary uses as listed in MCC 11.15.2168 on nearby property and will not interfere with the resources or the resource management practices or materially alter the stability of the overall land use pattern of the area.
 - (4) The dwelling will not require public services beyond those existing or programmed for the area.
 - (5) The owner shall record with the Division of Records and Elections a statement that the owner and the successors in interest acknowledge the rights of owners of nearby property to conduct accepted forestry or farming practices.
 - (6) The dwelling will be located outside a big game winter habitat area as defined by the Oregon Department of Fish and Wildlife, or that agency has certified that the impacts are acceptable.
- B. A residential use located in the MUF district after August 14, 1980 shall comply with the following:**
- (1) The fire safety measures outlined in the "Fire Safety Considerations for Development in Forested Areas", published by the Northwest Inter-Agency Fire Prevention Group, including at least the following:
 - a) Fire lanes at least 30 feet wide shall be maintained between a residential structure and an adjacent forested area;
 - b) Maintenance of a water supply and of fire fighting equipment sufficient to prevent fire from spreading from the dwelling to adjacent forested areas;
 - (2) An access drive at least 16 feet wide shall be maintained from the property access road to any perennial water source on the lot or an adjacent lot;
 - (3) The dwelling shall be located in as close proximity to a publicly maintained street as possible, considering the requirements of MCC 11.15.2058(B). The physical limitations of the site which require a driveway in excess of 500 feet shall be stated in writing as part of the application for approval;
 - (4) The dwelling shall be located on that portion of the lot having the lowest productivity characteristics for the proposed primary use, subject to the limitations of subpart #3 above;
 - (5) Building setbacks of at least 200 feet shall be maintained from all property lines, wherever possible, except:
 - a) a setback of 30 feet or more may be provided for a public road, or

- b) the location of dwelling(s) of adjacent lots at a lesser distance which allows for clustering of dwellings or sharing of access;
- (6) The dwelling shall comply with the standards of the Uniform Building Code or as prescribed in ORS 446.002 through 446.200, relating to mobile homes;
- (7) The dwelling shall be attached to a foundation for which a building permit has been obtained;
- (8) The dwelling shall have a minimum floor area of 600 square feet; and
- (9) The dwelling will be located outside a big game winter habitat area as defined by the Oregon Department of Fish and Wildlife or that agency has certified that the impacts will be acceptable.

3. Site and Vicinity Characteristics:

The subject property is a Lot of Record of 4.05 acres located on the south side of Se Louden Road at its intersection with Mannthey Road. The property is vegetated with a mixture of conifer and deciduous trees. The property is not within a designated big game winter habitat area.

Properties in the surrounding area range in size from nearly two acres to nearly 100 acres in size. Most of the smaller lots are developed with rural residences, while most of the larger parcels are undeveloped and used for commercial resource uses consisting of a mixture of forestry and farming.

The tentative site plan indicates compliance with the Residential Location Standards of the MUF zone. Condition #5 insures that all standards will be met before any development permits are issued on the property. Water will be provided by Corbett Water District. The property has been tested as to its suitability for subsurface sewage disposal and approved. Telephone and power facilities are available along the road frontage.

4. Compliance With Ordinance Considerations:

The applicant provides the following responses (in *italic*) to the applicable approval criteria:

COMPLIANCE WITH SPECIFIC CONDITIONAL USE APPROVAL CRITERIA MCC 11.15.7172(C) specifies the following approval criteria:

1. Lot Size Requirements

The lot size meets the standards of MCC .2182(A) since it is an 4.05 acre Lot of Record.

2. Land Incapable of Sustaining Farm or Forest Use

The lot is a Lot of Record less than ten acres in size; therefore, incapable of sustaining a farm or forest use.

3. Dwelling Compatible with Primary Uses in the Area

Adjacent lot to the north sustains a daffodil bulb farm. This farm is naturally divided by Louden Road a county maintained road. Adjacent lot to the east sustains timber and is privately owned with no residential dwelling. Adjacent lot to the south is a small lot sustaining a single family dwelling. There is no physical lot to the west.

4. Public Services Other than Those Existing not Required

County maintained Louden Road borders this lot. Corbett Water District maintains service on this road. Fire protection is provided by Corbett Fire District #14. Cascade Utilities will provide phone service. PGE will provide electrical services. Water, electrical and phone services will be extended approximately 75 feet to the site. Septic/drainfield will also be needed.

5. Owner Record Acknowledgment of Forestry or Farming Practices

The owner agrees to record this statement.

6. Residential Use Development Standards

MCC 11.15.2194 establishes the following standards which apply to a residential use located in the MUF District after 8/14/80:

A. Fire Safety Measures

The proposal use will adhere to the Fire Safety Considerations for Development in Forested Areas as published by the Northwest Interagency Fire Prevention Group, namely:

B. Access Drive to Water Source and Water Supply

The owner agrees to provide sufficient fire lanes and water supply to prevent fire from spreading to adjacent forested areas.

The owner agrees to supply this access.

C. Dwelling Located Close to a Publicly Maintained Street

The dwelling will be located approximately 75 feet from a publicly maintained street.

D. Driveway in Excess of 500 Feet

We will not require a driveway in excess of 500 feet.

E. Dwelling Location on Lot Portion Having Lowest Productivity

This lot is incapable of sustaining a farm or forest use based upon it being a Lot of Record and is under ten acres.

F. Building Setbacks of at least 200 Feet.

Building setback will be approximately 75 feet from a public road and will have sufficient setback from all other property lines.

G. Building Code Standards

The owner agrees to conform with the building code requirements relating to mobile homes. the building code.

H. The dwelling shall be attached to a foundation for which a building permit has been obtained.

The owner agrees to attach any mobile home to a foundation and obtain a building permit.

I. The dwelling shall have a minimum floor area of 600 square feet.

The owner agrees to have a minimum floor space of at least 600 square feet, relating to the mobile home.

J. The dwelling shall be located outside of a big game habitat area as defined by the Oregon Department of Fish and Wildlife or that agency has certified that the impacts will be acceptable.

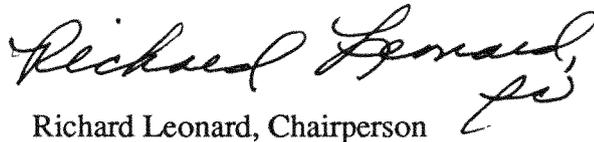
The dwelling will not be located in a big game habitat area as defined by the Oregon Department of Fish and Wildlife.

Staff Comment: The staff concurs with the applicant's analysis of compliance with the applicable approval criteria.

CONCLUSIONS:

1. The property is a Lot of Record of less than ten acres in size; thereby, incapable of sustaining a farm or forest use.
2. Conditions are necessary to insure compliance with all Code provisions.
3. The applicant has carried the burden necessary for the approval of a non-resource related single family dwelling in the MUF-19 zoning District.

October 7, 1991


Richard Leonard, Chairperson

Filed with Clerk of the Board on October 17, 1991

Appeal to the Board of County Commissioners

Any person who appears and testifies at the Planning Commission hearing, or who submits written testimony in accord with the requirements on the prior Notice, and objects to their recommended decision, may file a Notice of Review with the Planning Director on or before 4:30 p.m. Monday, October 28, 1991 on the required Notice of Review Form which is available at the Planning and Development Office at 2115 SE Morrison Street.

The Decision in this item will be reported to the Board of County Commissioners for review at 9:30 a.m. on Tuesday, October 29, 1991 in Room 602 of the Multnomah County Courthouse. For further information call the Multnomah County Planning and Development at 248-3043.

Meeting Date: October 29, 1991

Agenda No.: P-3

(Above space for Clerk's Office Use)

AGENDA PLACEMENT FORM
(For Non-Budgetary Items)

SUBJECT: Decision

BCC Informal _____ (date) BCC Formal October 29, 1991 (date)

DEPARTMENT DES DIVISION Planning

CONTACT Sharon Cowley TELEPHONE 2610

PERSON(S) MAKING PRESENTATION Planning Staff

ACTION REQUESTED:

INFORMATIONAL ONLY POLICY DIRECTION APPROVAL

ESTIMATED TIME NEEDED ON BOARD AGENDA: 3 Minutes

CHECK IF YOU REQUIRE OFFICIAL WRITTEN NOTICE OF ACTION TAKEN: xx

BRIEF SUMMARY (include statement of rationale for action requested, as well as personnel and fiscal/budgetary impacts, if applicable):

CU 20-91 Decision of the Planning Commission of October 7, 1991 with recommendation to the Board for approval of a conditional use request for the development of a non-resource related single family residence for property located at 16016 NW McNamee Road

(If space is inadequate, please use other side)

SIGNATURES:

ELECTED OFFICIAL _____

Or

DEPARTMENT MANAGER Paul Yarbrough / blw

(All accompanying documents must have required signatures)



DEPARTMENT OF ENVIRONMENTAL SERVICES
Division of Planning and Development
2115 S.E. Morrison Street
Portland, Oregon 97214 (503) 248-3043

Decision

This Decision consists of Conditions of Approval, Findings of Fact and Conclusions.

October 7, 1991

CU 20-91, #47

Conditional Use Request (Non-Resource Related Single Family Dwelling)

Applicant requests conditional use approval for a non-resource related single family dwelling on this 7.46-acre Lot of Record in the MUF-19 zoning district

Location: 16016 NW McNamee Road

Legal: Tax Lot '32', Section 19, 2N-1W, 1990 Assessor's Map

Site Size: 7.46 Acres

Size Requested: Same

Property Owner: Rodger & Marilyn Johnson
2530 NE 86th Avenue
Portland, OR 97220

Applicant: Same

Comprehensive Plan: Multiple Use Forest

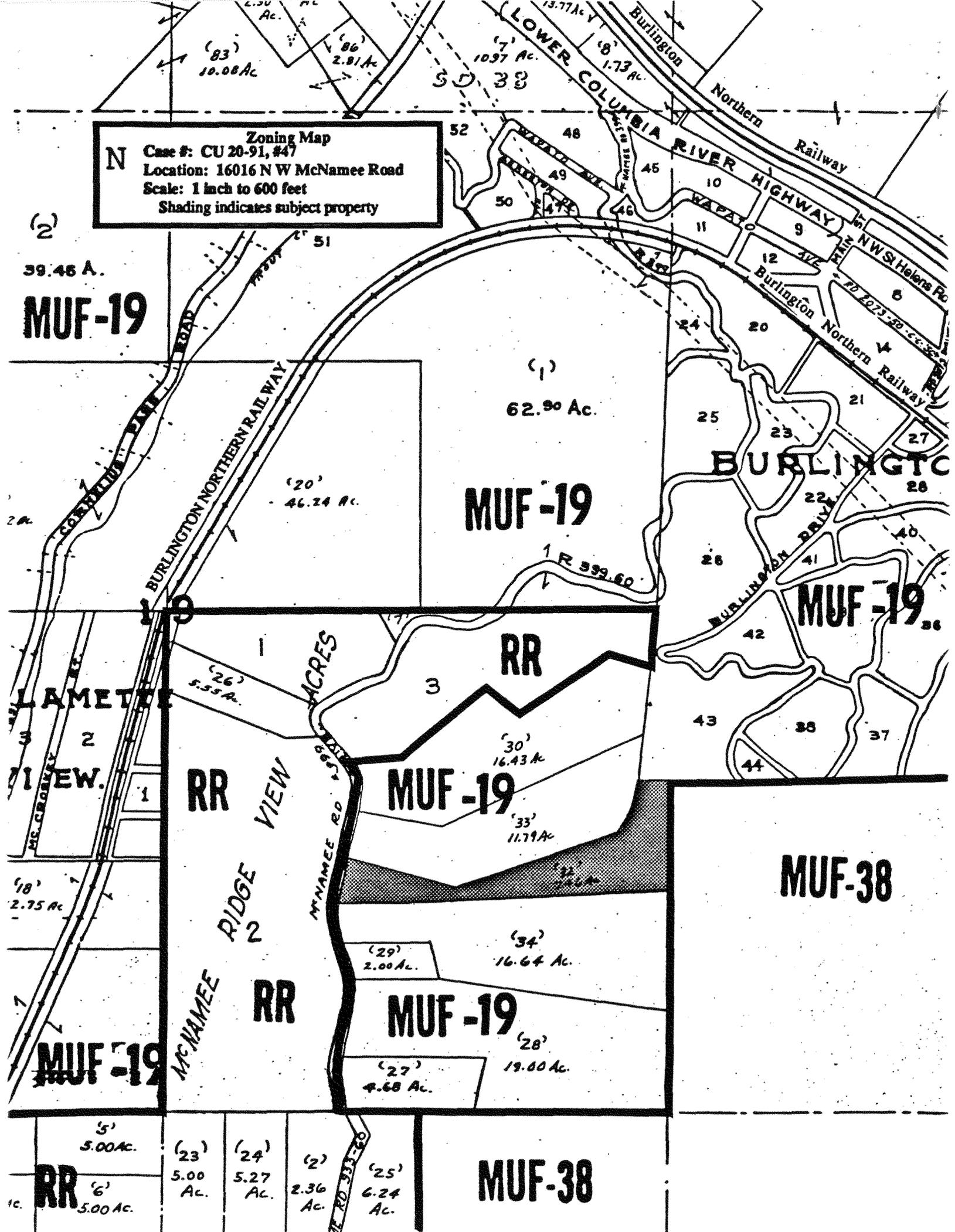
Present Zoning: MUF-19, Multiple Use Forest District

Planning Commission

Decision: APPROVE, subject to conditions, conditional use request for the development of this property with a non-resource related single family residence, based on the following Findings and Conclusions.

CU 20-91

Zoning Map
 Case #: CU 20-91, #47
 Location: 16016 N W McNamee Road
 Scale: 1 inch to 600 feet
 Shading indicates subject property



39.46 A.
MUF-19

MUF-19

MUF-19

MUF-19

MUF-38

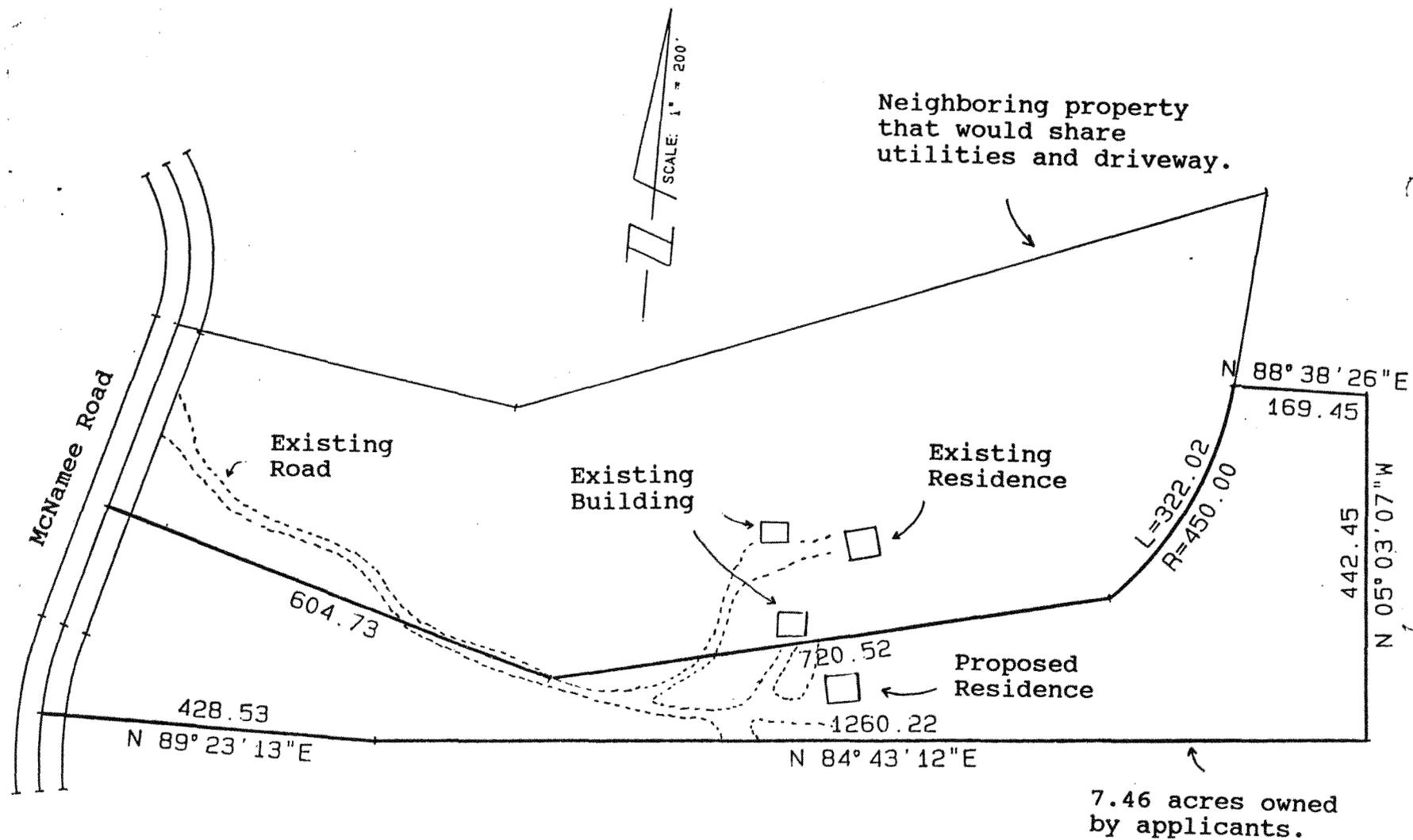
MUF-19

MUF-19

MUF-38

(5) 5.00 Ac.	(23) 5.00 Ac.	(24) 5.27 Ac.	(2) 2.36 Ac.	(25) 6.24 Ac.
RR (6) 5.00 Ac.				

Add Section 19 2N 1W
TL32 Acct # R-97119-0320
Driveway leaves McNamee Road
at 16032 N.W. McNamee Road
(address of residence to North
that shares driveway).



CU 20-91

CONDITIONS OF APPROVAL:

1. Prior to the issuance of building permits, the property owner shall provide the Land Development Section with a copy of the recorded restrictions required under MCC 11.15.2172(C)(5). A prepared blank copy of this deed restriction is available at the Land Development Offices.
2. Satisfy the requirements of Engineering Services regarding any further improvements of NW McNamee Road.
3. Prior to any site clearing or grading, obtain a *Hillside Development and Erosion Control Permit* pursuant to MCC .6700-6730 if applicable. Contact Mark Hess at 248-3043 for application materials.
4. The final site plan shall demonstrate compliance with the Residential Use Development Standards of MCC .2194.

FINDINGS OF FACT:

I. Applicant's Proposal:

The applicant requests Planning Commission approval to develop the above described 7.46 acre Lot of Record with a non-resource related single family dwelling.

2. Ordinance Considerations:

- A. A non-resource related single family dwelling is permitted in the MUF zoning district as a Conditional Use where it is demonstrated that:
 - (1) The lot size shall meet the standard of MCC 11.15.2178(A) or .2182(A) to (C).
 - (2) The land is incapable of sustaining a farm or forest use, based upon one of the following:
 - a) A Soil Conservation Service Agriculture Capability Class of IV or greater for at least 75% of the lot area, and physical conditions insufficient to produce 50 cubic feet/acre/year or any commercial trees species for at least 75% of the area;
 - b) Certification by the Oregon State University Extension Service, the Oregon Department of Forestry, or a person or group having similar agricultural and forestry expertise, that the land is inadequate for farm and forest uses and stating the basis for the conclusions; or
 - c) The lot is a Lot of Record under MCC 11.15.2192(A) through (C) and is ten acres or less in size.

- (3) A dwelling, as proposed, is compatible with the primary uses as listed in MCC 11.15.2168 on nearby property and will not interfere with the resources or the resource management practices or materially alter the stability of the overall land use pattern of the area.
 - (4) The dwelling will not require public services beyond those existing or programmed for the area.
 - (5) The owner shall record with the Division of Records and Elections a statement that the owner and the successors in interest acknowledge the rights of owners of nearby property to conduct accepted forestry or farming practices.
 - (6) The dwelling will be located outside a big game winter habitat area as defined by the Oregon Department of Fish and Wildlife, or that agency has certified that the impacts are acceptable.
- B. A residential use located in the MUF district after August 14, 1980 shall comply with the following:
- (1) The fire safety measures outlined in the "Fire Safety Considerations for Development in Forested Areas", published by the Northwest Inter-Agency Fire Prevention Group, including at least the following:
 - a) Fire lanes at least 30 feet wide shall be maintained between a residential structure and an adjacent forested area;
 - (2) An access drive at least 16 feet wide shall be maintained from the property access road to any perennial water source on the lot or an adjacent lot;
 - (3) The dwelling shall be located in as close proximity to a publicly maintained street as possible, considering the requirements of MCC 11.15.2058(B). The physical limitations of the site which require a driveway in excess of 500 feet shall be stated in writing as part of the application for approval;
 - (4) The dwelling shall be located on that portion of the lot having the lowest productivity characteristics for the proposed primary use, subject to the limitations of subpart #3 above;
 - (5) Building setbacks of at least 200 feet shall be maintained from all property lines, wherever possible, except:
 - a) a setback of 30 feet or more may be provided for a public road, or
 - b) the location of dwelling(s) of adjacent lots at a lesser distance which allows for clustering of dwellings or sharing of access;

- (6) The dwelling shall comply with the standards of the Uniform Building Code or as prescribed in ORS 446.002 through 446.200, relating to mobile homes;
- (7) The dwelling shall be attached to a foundation for which a building permit has been obtained;
- (8) The dwelling shall have a minimum floor area of 600 square feet; and
- (9) The dwelling will be located outside a big game winter habitat area as defined by the Oregon Department of Fish and Wildlife or that agency has certified that the impacts will be acceptable.

3. Site and Vicinity Characteristics:

The subject property is a Lot of Record of 7.46 acres located on the east side of McNamee Road approximately one-half mile south of the Lower Columbia River Highway. The property is vegetated with a mixture of conifer and deciduous trees. The property is not within a designated big game winter habitat area.

Properties in the surrounding area range in size from nearly one acre to over 20 acres in size. Most of the smaller lots are developed with rural residences, while most of the larger parcels are undeveloped and used for commercial resource uses consisting mainly of forestry.

The tentative site plan indicates compliance with the Residential Location Standards of the MUF zone. Condition #5 insures that all standards will be met before any development permits are issued on the property. Water will be provided by private well, but the property has not yet been tested as to its suitability for subsurface sewage disposal. Telephone and power facilities are available to the proposed building site.

4. Compliance With Ordinance Considerations:

The applicant provides the following responses (in *italic*) to the applicable approval criteria:

COMPLIANCE WITH SPECIFIC CONDITIONAL USE APPROVAL CRITERIA MCC 11.15.7172(C) specifies the following approval criteria:

1. Lot Size Requirements

The lot size meets the standards of MCC .2182(A) since it is an 7.46 acre Lot of Record.

2. Land Incapable of Sustaining Farm or Forest Use

The lot is a Lot of Record less than ten acres in size; therefore, incapable of sustaining a farm or forest use.

3. Dwelling Compatible with Primary Uses in the Area

The dwelling is fully compatible with the intended land use pattern designated for the area. Our property is currently forested and will remain forested. We would like to be closer to the management and maintenance of the property. The proposed location of the dwelling on the property will minimize the removal of trees, utilize existing roads, and not impact other intended uses of the area.

4. Public Services Other than Those Existing not Required

..my brother is the owner and resident of the property directly North of our proposed dwelling. We have both anticipated building for many years. When his residence was actually constructed, services were anticipated for our future building needs. Underground electrical and telephone services to the approximate building site were installed, and are available.

5. Owner Record Acknowledgment of Forestry or Farming Practices

We will fully comply with this requirement.

6. Residential Use Development Standards

MCC 11.15.2194 establishes the following standards which apply to a residential use located in the MUF District after 8/14/80:

A. Fire Safety Measures

The proposal use will adhere to the Fire Safety Considerations for Development in Forested Areas as published by the Northwest Interagency Fire Prevention Group, namely:

For obvious safety reasons these lanes will be maintained.

B. Access Drive to Water Source and Water Supply

We share the concern for the danger of a spreading fire and intend to maintain an adequate water supply and appropriate fire fighting equipment.

A road will be maintained to allow vehicle access to the water source.

C. Dwelling Located Close to a Publicly Maintained Street

The dwelling is not proposed to be located as close to a publicly maintained street as possible. An explanation is included in (D) below.

D. Driveway in Excess of 500 Feet

The proposed dwelling site is actually in excess of 500 feet from the publicly maintained street. It will not, however, require the development of a driveway. We would use the existing road, shared by my brother, in the access to his house on the property adjacent to ours. Development of another driveway would not be necessary.

The proposed dwelling site has been cleared for many years. It was the access route for delivery, and later removal, of our neighbor's mobile home. Building on this property will have the least impact on the forest. Very few trees would have to be removed to allow a residence on the proposed site. Construction on another portion of the property, closer to the publicly maintained street, will require complete clearing of forested areas.

The proposed dwelling site is located closer to our neighbor and would allow the common use of the underground services, electric and telephone, installed in anticipation of our residence on this site. Additional disruption of the area will not be necessary.

The proposed dwelling site is located on high ground, with adequate slope to allow the most efficient establishment of a drain field sewage system. Areas closer to the publicly maintained street do not meet this requirement.

E. Dwelling Location on Lot Portion Having Lowest Productivity

The dwelling site has been clear for many years. It is the least productive portion of the lot. Establishment of a dwelling on this location would be in compliance with the intentions of the primary uses stated in the zoning definitions for this area. Building on another site will require substantial forest clearing and violate the purpose of the Multiple Use Forest District.

F. Building Setbacks of at least 200 Feet.

The The proposed dwelling site has a setback from the North and South property lines of approximately 50 feet. ...this location allows clustering of dwellings and the sharing of access with our neighbor to the North. The setbacks to the East and the West are in excess of 200 feet.

G. Building Code Standards

We will comply with the standards of the building code.

H. The dwelling shall be attached to a foundation for which a building permit has been obtained.

We will obtain, and comply with, all appropriate building permits.

I. The dwelling shall have a minimum floor area of 600 square feet.

We will construct a dwelling in excess of 600 square feet.

- J. The dwelling shall be located outside of a big game habitat area as defined by the Oregon Department of Fish and Wildlife or that agency has certified that the impacts will be acceptable.

This is not a big game habitat area as defined by the Oregon Department of Fish and Wildlife.

Staff Comment: The staff concurs with the applicant's analysis of compliance with the applicable approval criteria.

CONCLUSIONS:

1. The property is a Lot of Record of less than ten acres in size; thereby, incapable of sustaining a farm or forest use.
2. Conditions are necessary to insure compliance with all Code provisions.
3. The applicant has carried the burden necessary for the approval of a non-resource related single family dwelling in the MUF-19 zoning District.

October 7, 1991

Richard Leonard, Jr.
Richard Leonard, Chairperson

Filed with Clerk of the Board on October 17, 1991

Appeal to the Board of County Commissioners

Any person who appears and testifies at the Planning Commission hearing, or who submits written testimony in accord with the requirements on the prior Notice, and objects to their recommended decision, may file a Notice of Review with the Planning Director on or before 4:30 p.m. Monday, October 28, 1991 on the required Notice of Review Form which is available at the Planning and Development Office at 2115 SE Morrison Street.

The Decision in this item will be reported to the Board of County Commissioners for review at 9:30 a.m. on Tuesday, October 29, 1991 in Room 602 of the Multnomah County Courthouse. For further information call the Multnomah County Planning and Development at 248-3043.

Decision
October 7, 1991

9 of 10

CU 20-91



CONTRACT APPROVAL FORM

(See Administrative Procedure #2106)

Fy91-92

MULTNOMAH COUNTY OREGON

Contract # 102781

Amendment # 3

CLASS I	CLASS II	CLASS III
<input type="checkbox"/> Professional Services under \$10,000	<input type="checkbox"/> Professional Services over \$10,000 (RFP, Exemption) <input type="checkbox"/> PCRB Contract <input type="checkbox"/> Maintenance Agreement <input type="checkbox"/> Licensing Agreement <input type="checkbox"/> Construction <input type="checkbox"/> Grant <input checked="" type="checkbox"/> Revenue	<input checked="" type="checkbox"/> Intergovernmental Agreement <p style="text-align: center; font-size: 24pt;">REVENUE</p> <p style="text-align: center;">R-1 October 29, 1991</p>

Contact Person Brame ^{10/14} Phone x2670 Date 10/14/91

Department Human Services Division Health Bldg/Room 160/2

Description of Contract Amendment extends the termination date for the PCO Agreement to December 31, 1991. Additionally the Capitation Fee is \$42.04 per month including Optional Services, Risk Limitation Coverage is \$3,000 per member per 12 month period. The Net Capitation Fee will be \$41.88, Pharmacy \$4.88 per member per month, \$4.19 per member per month for Dental.

RFP/BID # _____ Date of RFP/BID _____ Exemption Exp. Date _____

ORS/AR # _____ Contractor is MBE WBE QRF

Contractor Name Oregon Dept. of Human Resources
Office of Medical Assistance Programs
Mailing Address 203 Public Service Bldg.
Salem, Or 97310

Phone 378-2263

Employer ID # or SS # N/A

Effective Date November 1, 1991

Termination Date December 31, 1991

Original Contract Amount \$ _____

Amount of Amendment \$ _____

Total Amount of Agreement \$ _____

N/A

Payment Term

- Lump Sum \$ _____
- Monthly \$ _____
- Other \$ _____
- Requirements contract - Requisition required.
- Requirements contract - Requisition required.
- Purchase Order No. _____
- Requirements Not to Exceed \$ _____

MULTNOMAH COUNTY BOARD OF COUNTY COMMISSIONERS 1991 NOV - 18 AM 10:08

REQUIRED SIGNATURES:

Department Manager Billie Berglund

Purchasing Director _____
(Class II Contracts Only)

County Counsel [Signature]

County Chair/Sheriff [Signature]

Date _____

Date _____

Date 10-18-91

Date 10/29/91

VENDOR CODE			VENDOR NAME						TOTAL AMOUNT		\$	
LINE NO.	FUND	AGENCY	ORGANIZATION	SUB ORG	ACTIVITY	OBJECT	SUB OBJ	REPT CATEG	LGFS DESCRIPTION	AMOUNT	INC/ DEC IND	
01.	156	010	0700						2600 Rev. Source Requirements			
02.												
03.												

INSTRUCTIONS ON REVERSE SIDE

WHITE - PURCHASING CANARY - INITIATOR PINK - CLERK OF THE BOARD GREEN - FINANCE

INSTRUCTIONS FOR COMPLETING CONTRACT APPROVAL FORM

1. **CLASS I, CLASS II, CLASS III** - Check off appropriate class of contract in one of the three columns on the top of the form.
2. **CONTRACT #** - To be issued by designated person in each Division or call Purchasing to get a number.
3. **AMENDMENT #** - Sequential numbering to original contract as changes are made and approved.
4. **DESCRIPTION OF CONTRACT** - Summary of product purchased or services to be performed. Note if an amendment or extension.
5. **RFP/BID #** - Enter number if contract is a result of RFP/Bid selection process.
6. **DATE RFP/BID** - Enter date of RFP/Bid public opening.
7. **EXEMPTION EXPIRATION DATE** - Enter exemption expiration date from competitive bidding granted by BCC or the Chair.
8. **ORS/AR#** - Refer to Oregon Revised Statutes and/or Administrative Rule #, when applicable.
9. **CONTRACTOR IS MBE, WBE, QRF** - Check appropriate box if contractor is certified as an MBE, WBE, or QRF (Qualified Rehabilitation Facility).
10. **CONTRACTOR NAME, MAILING ADDRESS, PHONE** - Enter current information.
11. **EMPLOYEE ID# OR SS#** - Enter employee federal ID# or Social Security # if contractor is an individual.
12. **EFFECTIVE DATE** - Date stated on contract to begin services.
13. **TERMINATION DATE** - Date stated on contract to terminate services.
14. **ORIGINAL CONTRACT AMOUNT** - Enter amount of original contract.
15. **AMOUNT OF AMENDMENT** - Enter amendment or change order amount only, if applicable.
16. **TOTAL AMOUNT OF AGREEMENT** - Enter original amount of contract. If this is an amendment or change order, please include original amount and amended amount.
17. **PAYMENT TERMS** - Designate payment terms by checking appropriate box and entering dollar amount.
18. **REQUIREMENTS CONTRACT - Requisition Required** - Check this box to note that a purchase order will be issued to initiate payment.
19. **PURCHASE ORDER #** - Enter number of purchase order to be issued. If number is not known, enter "PO will be issued."
20. **REQUIREMENTS NOT TO EXCEED** - List the estimated dollar amount of requirements contracts.
21. **REQUIRED SIGNATURES** - To be completed as approved. Purchasing Director needs to sign all Class II contracts only.
22. **ACCOUNT CODE STRUCTURE** - Enter account code structure for the type of agreement; i.e., expense or revenue.
23. **LGFS DESCRIPTION** - Abbreviated description for Data Entry purposes.
24. **AMOUNT** - If total dollar amount is being split among different account numbers, indicate dollar amounts here.

Meeting Date: OCT 29 1991

Agenda No.: R-1

(Above space for Clerk's Office Use)

AGENDA PLACEMENT FORM
(For Non-Budgetary Items)

SUBJECT: Physicians Care Organization Agreement

BCC Informal _____ (date) BCC Formal _____ (date)

DEPARTMENT Human Services DIVISION Health

CONTACT Tom Fronk TELEPHONE x4274

PERSON(S) MAKING PRESENTATION Tom Fronk

ACTION REQUESTED:

INFORMATIONAL ONLY POLICY DIRECTION APPROVAL

ESTIMATED TIME NEEDED ON BOARD AGENDA: 5 minutes or less

CHECK IF YOU REQUIRE OFFICIAL WRITTEN NOTICE OF ACTION TAKEN: X

BRIEF SUMMARY (include statement of rationale for action requested, as well as personnel and fiscal/budgetary impacts, if applicable):

Board ratification of extension of Physicians Care Organization (PCO) Agreement extending termination date from October 31, 1991 to December 31, 1991.

*Can we this
ratify this
on Tuesday
29th*

(If space is inadequate, please use other side)

SIGNATURES:

ELECTED OFFICIAL _____

Or

DEPARTMENT MANAGER x Billi Odgaard

(All accompanying documents must have required signature)

BOARD OF
COUNTY COMMISSIONERS
1991 OCT 23 PM 12:44
MULTI-NOMAH COUNTY
OREGON



MULTNOMAH COUNTY OREGON

DEPARTMENT OF HUMAN SERVICES
HEALTH DIVISION
426 S.W. STARK STREET, 8TH FLOOR
PORTLAND, OREGON 97204
(503) 248-3674
FAX (503) 248-3676

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

MEMORANDUM

TO: Gladys McCoy, Multnomah County Chair

VIA: Bill Deegaard, Director, Health Division and
Acting Director, Department of Human Services

FROM: Tom Fronk, Business Services Manager, Health Division

DATE: October 11, 1991

SUBJECT: Amendment #3 of the Physicians Care Organization Agreement

Recommendation The Department of Human Services and the Health Division recommend County Chair approval and Board ratification of amendment number two to the Physicians Care Organization Agreement with the Oregon Department of Human Resources, Office of Medical Assistance Programs effective November 1, 1991 to and including December 31, 1991.

Analysis The amendment will provide for extending the agreement through December 31, 1991. The present agreement expires October 31, 1991. The amount payable per member per month for the capitation fee, including any optional services is \$42.04. The risk limitation coverage selected by the County is at \$3,000 per member per 12 month period. The Net capitation fee will be \$41.88 after deducting for risk limitation coverage. Other services included are pharmacy \$4.88 per member per month, and dental \$4.19 per member per month. A further agreement extending the termination date until September 30, 1992, is expected from OMAP when negotiations for the 1991-92 capitation rate are completed.

Background This program was mandated by the State Legislature and has been operational since January 1985. Under this agreement the County provides health care on a prepaid basis to approximately 7200 Medicaid clients.



CONTRACT APPROVAL FORM
(See Administrative Procedure #2106)

Fy91-92

MULTNOMAH COUNTY OREGON

Contract # 102781

Amendment # 3

<p>CLASS I</p> <input type="checkbox"/> Professional Services under \$10,000	<p>CLASS II</p> <input type="checkbox"/> Professional Services over \$10,000 (RFP, Exemption) <input type="checkbox"/> PCRB Contract <input type="checkbox"/> Maintenance Agreement <input type="checkbox"/> Licensing Agreement <input type="checkbox"/> Construction <input type="checkbox"/> Grant <input checked="" type="checkbox"/> Revenue	<p>CLASS III</p> <input checked="" type="checkbox"/> Intergovernmental Agreement <p style="text-align: center;">RATIFIED Multnomah County Board of Commissioners <u>R-1 October 29, 1991</u></p>
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Contact Person Brame ^{HH} Phone x2670 Date 10/14/91

Department Human Services Division Health Bldg/Room 160/2

Description of Contract Amendment extends the termination date for the PCO Agreement to December 31, 1991. Additionally the Capitation Fee is \$42.04 per month including Optional Services, Risk Limitation Coverage is \$3,000 per member per 12 month period. The Net Capitation Fee will be \$41.88, Pharmacy \$4.88 per member per month, \$4.19 per member per month for Dental.

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Contractor Name Oregon Dept. of Human Resources
Office of Medical Assistance Programs
 Mailing Address 203 Public Service Bldg.
Salem, Or 97310

N/A

Phone 378-2263
 Employer ID # or SS # N/A
 Effective Date November 1, 1991
 Termination Date December 31, 1991
 Original Contract Amount \$ _____
 Amount of Amendment \$ _____
 Total Amount of Agreement \$ _____

Payment Term

Lump Sum \$ _____

Monthly \$ _____

Other \$ _____

Requirements contract - Requisition required.
 Purchase Order No. _____

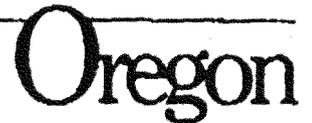
Requirements Not to Exceed \$ _____

REQUIRED SIGNATURES:

Department Manager Billie Osegard
 Purchasing Director _____
 (Class II Contracts Only)
 County Counsel [Signature]
 County Chair/Sheriff [Signature]

Date _____
 Date _____
 Date 10.18.91
 Date 10/29/91

VENDOR CODE			VENDOR NAME						TOTAL AMOUNT	\$	
LINE NO.	FUND	AGENCY	ORGANIZATION	SUB ORG	ACTIVITY	OBJECT	SUB OBJ	REPT CATEG	LGFS DESCRIPTION	AMOUNT	INC/ DEC IND
01.	156	010	0700						2600 Rev. Source Requirements		
02.											
03.											



DEPARTMENT OF
HUMAN
RESOURCES

Office of Medical
Assistance Programs

AMENDMENT NUMBER THREE TO
PHYSICIAN CARE ORGANIZATION AGREEMENT

THIS AMENDMENT TO AGREEMENT is hereby entered into, by and between Multnomah County Department of Human Resources of Oregon, hereinafter called "Contractor", and the State of Oregon by and through its Office of Medical Assistance Programs, hereinafter called "OMAP".

WHEREAS, Contractor and OMAP are parties to OMAP Contract # 90-H-076 entitled "Physician Care Organization Agreement", hereinafter called "Agreement"; and

WHEREAS, the parties mutually desire to amend said Agreement in the manner hereinafter set forth;

NOW THEREFORE, the parties agree as follows:

- 1) The term of the Agreement is extended through December 31, 1991.
- 2) Section 3, Consideration, is hereby amended by the addition of the following provision:

For the period November 1, 1991 through the term of this or any subsequent amendment:

The amount payable per Member per month as the Capitation Fee, including Optional Services, if any, is \$ 42.04. Risk limitation coverage selected by Contractor under this Agreement is at \$3,000.00 per Member per 12 month period and the premium is payable by Contractor. After deducting the cost for risk limitation coverage, the Net Capitation Fee will be \$41.88 which is a reduction of \$0.16 per Member per month.

The Capitation payable for the optional services,

BARBARA ROBERTS
Governor



203 Public Service Bldg.
Salem, OR 97310
(503) 378-2263
For hearing impaired:
TDD 378-6791

included above is:

- A. Pharmacy \$4.88 per member per month.
- B. Dental \$4.19 per Member per month.

3) If the Parties enter into a new Agreement to provide prepaid medical services to OMAP clients

during the term of this or any subsequent Amendment, this OMAP Contract # 90-H-076 will automatically terminate as of the effective date of that new Agreement.

4) All other terms in the original Agreement or amendments to the original Agreement remain in full force and effect.

IN WITNESS WHEREOF, OMAP and Contractor have caused this Amendment to be executed.

Signatures

CONTRACTOR
I hereby certify that I am authorized to execute this Amendment on behalf of the Contractor

STATE OF OREGON
OFFICE OF MEDICAL ASSISTANCE PROGRAMS
203 Public Service Building
Salem, Oregon 97310

By Gladys McCoy
Authorized Representative
Gladys McCoy, Multnomah County Chair
Date 10/29/91

By _____
Jean Thorne, Director, OMAP
Date _____

Reviewed by OMAP Asst. Director: _____

Reviewed by OMAP Contracts Manager: _____

Reviewed by Budget/Program Authority: _____

Approved for Legal Sufficiency: Skinner 10/29/91

RATIFIED
Multnomah County Board
of Commissioners
R-1 10-29-91

REVIEWED:
LAURENCE B. KRESSELL, County Counsel
for Multnomah County, Oregon

By: Laurence B. Kressell
Date: 10-18-91