

ANNOTATED MINUTES

Tuesday, July 3, 1990 - 1:30 PM
Multnomah County Courthouse, Room 602

Chair Gladys McCoy convened the meeting at 1:35 p.m., with Vice-Chair Gretchen Kafoury, Commissioners Pauline Anderson and Sharron Kelley present, and Commissioner Rick Bauman arriving at 1:40 p.m.

FORMAL ITEMS

1. Order in the Matter of the Sale of Property Acquired by Multnomah County Through the Foreclosure of Liens for Delinquent Taxes, Forfeited Property and Surplus Property

LARRY BAXTER EXPLANATION AND RESPONSE TO BOARD QUESTIONS. UPON MOTION OF COMMISSIONER ANDERSON, SECONDED BY COMMISSIONER KELLEY, ORDER 90-105 WAS UNANIMOUSLY APPROVED.

2. Notice of Intent to apply for Small Communities Tourism Development Grant

SHARON TIMKO EXPLANATION AND RESPONSE TO BOARD QUESTIONS. UPON MOTION OF COMMISSIONER KELLEY, SECONDED BY COMMISSIONER ANDERSON, NOTICE OF INTENT UNANIMOUSLY APPROVED.

Tuesday, July 3, 1990 - 1:30 PM
Multnomah County Courthouse, Room 602

PLANNING ITEMS

The following Decisions are reported to the Board for Acceptance and Implementation by Board Order:

3. RPD 3-90 APPROVE, SUBJECT TO CONDITIONS, requested RPD, rural planned-development designation on the subject site;

LD 15-90 APPROVE, SUBJECT TO CONDITIONS, requested two-lot land division, all for property located at 7413 NW Thompson Road

NO PLANNING STAFF AVAILABLE TO RESPOND TO BOARD QUESTIONS. UPON MOTION OF COMMISSIONER ANDERSON, SECONDED BY COMMISSIONER KAFOURY, IT WAS UNANIMOUSLY APPROVED THAT ITEM 3 BE RESCHEDULED FOR REVIEW AT 9:30 AM, TUESDAY, JULY 17, 1990, WITH PLANNING STAFF DIRECTED TO BE PRESENT AND ABLE TO RESPOND TO BOARD QUESTIONS.

4. PR 2-90 APPROVE requested amendment of the Comprehensive Plan Map, changing the designation of the subject property from Exclusive Farm Use to Multiple Use Forest;
ZC 4-90 APPROVE, SUBJECT TO CONDITIONS, requested amendment of Sectional Zoning Map #91-C, changing the described property from EFU, exclusive farm use to MUF-19, multiple use forest, all for property located at 10141 NW 160th Avenue
5. ZC 5-90 APPROVE, SUBJECT TO CONDITIONS, requested amendment of Sectional Zoning Map #418, changing the described property from LR-7, low density residential district (minimum lot size of 7,000 square feet) to LR-5, low density residential district (minimum lot size of 5,000 square feet)
LD 17-90 APPROVE, SUBJECT TO CONDITIONS, requested three-lot land divisions, all located on property at 10505 SE Schiller Street
6. ZC 6-90 APPROVE, SUBJECT TO CONDITIONS, request for amendment of Sectional Zoning Map #414, changing the described property from LR-7, low density residential district (minimum lot size of 7,000 square feet) to LR-5, low density residential district (minimum lot size of 5,000 square feet);
LD 19-90 APPROVE, SUBJECT TO CONDITIONS requested five-lot land division, all for property located at 12636 SE Boise Street

UPON MOTION OF COMMISSIONER KAFOURY, SECONDED BY COMMISSIONER ANDERSON, ITEMS 4, 5 AND 6 WERE UNANIMOUSLY

**ACCEPTED AND IMPLEMENTED BY BOARD
ORDER.**

The following decisions are reported to the board for acknowledgment by the Presiding Officer:

7. CS 4-90 APPROVE, SUBJECT TO CONDITIONS, requested change zone designation from LR-5, low density residential district to LR-5, C-S, low density residential, community service district, to allow construction of a church and parking facility to serve approximately 985 members, for property located at 5544 SE 128th Avenue

9. CU 10-90 APPROVE, SUBJECT TO CONDITIONS, request for a conditional use for development of this property with a non-resource related single family residence, for property located at 38755 NE Knieriem Road

10. CU 9-90 APPROVE, SUBJECT TO CONDITIONS, requested conditional use for development of this property with a non-resource related single family residence, for property located at 34234 SE Smith Road

11. CU 11-90 APPROVE, SUBJECT TO CONDITIONS, requested conditional use to convert an existing single family residence into a sporting goods and hobby supply store;
 SEC 6-90 APPROVE an SEC, Area of Significant Environmental Concern permit because the subject site is within the Columbia River Gorge Scenic Area, all for property located at 35935 East Crown Point Highway

**CHAIR McCOY ACKNOWLEDGED ITEMS 7, 9, 10
AND 11.**

8. CU 8-90 APPROVE, SUBJECT TO CONDITIONS, the relocation of an existing rural service commercial use for an automobile, truck and farm equipment repair shop onto this property, for property located at 400 NE Evans Road

**CHAIR McCOY ADVISED AN APPEAL WAS FILED
ON ITEM 8. FOLLOWING DISCUSSION WITH
JOHN DuBAY AND UPON MOTION OF
COMMISSIONER BAUMAN, SECONDED BY**

COMMISSIONER KAFOURY, IT WAS
UNANIMOUSLY APPROVED THAT A DE NOVO
HEARING BE SCHEDULED FOR 9:30 AM,
TUESDAY, AUGUST 7, 1990.

There being no further business, the planning meeting was adjourned at
1:55 p.m. and the information briefing convened at 1:55 p.m.

Tuesday, July 3, 1990 - TO FOLLOW
Multnomah County Courthouse, Room 602

INFORMAL BRIEFING

12. Informal Review of Formal Agenda of July 5, 1990

STAFF EXPLANATION AND RESPONSE TO
BOARD QUESTIONS. CHAIR McCOY ADVISED
SHE WOULD UPDATE THE BOARD ON THE
SHORT LIST AND LONG LIST NEGOTIATIONS
WITH THE CITY OF PORTLAND FOLLOWING
THE FORMAL MEETING ON THURSDAY, JULY 5,
1990.

There being no further business, the meeting was adjourned at 2:20 p.m.

OFFICE OF THE BOARD CLERK
FOR MULTNOMAH COUNTY, OREGON

DEBORAH L. BOGSTER

Thursday, July 5, 1990 - 9:30 AM
Multnomah County Courthouse, Room 602

FORMAL MEETING

Chair Gladys McCoy convened the meeting at 9:30 a.m., with Vice-Chair
Gretchen Kafoury, Commissioners Pauline Anderson, Rick Bauman and Sharron
Kelley present.

NONDEPARTMENTAL

- C-1 In the Matter of Appointment of Elizabeth Woody, term expires 6/92 and Re-Appointments of Richard Brown and Pat Wong, term expires 6/92 to the Metropolitan Arts Commission
- C-2 In the Matter of Appointments of Betty Larson and Peggy Hillman, term expires 6/91 to the Campaign Management Council
- C-3 In the Matter of Appointment of Harold McLaurin, term expires 12/31/90 to the Expo Center Advisory Board
- C-4 In the Matter of Appointment of Donnie Griffin, term expires 12/31/90 to the Metropolitan Human Relations Commission

CLERK READ APPOINTMENTS. BOARD ACKNOWLEDGED HAROLD McLAURIN AND DONNIE GRIFFIN IN AUDIENCE. UPON MOTION OF COMMISSIONER KAFOURY, SECONDED BY COMMISSIONER BAUMAN, ITEMS C-1 THROUGH C-4 WERE UNANIMOUSLY APPROVED.

DEPARTMENT OF GENERAL SERVICES

- R-1 Second Reading and Possible Adoption of an ORDINANCE in the Matter of Adoption of Salary Ranges for Fiscal Year 1990-91 for Employees Covered by the Exempt Classification/Compensation Plan and Repealing Ordinance No. 639

COMMISSIONER ANDERSON READ ORDINANCE BY TITLE ONLY. COPIES AVAILABLE. NO ONE WISHED TO TESTIFY. UPON MOTION OF COMMISSIONER ANDERSON, SECONDED BY COMMISSIONER KELLEY, ORDINANCE 655 WAS UNANIMOUSLY APPROVED.

DEPARTMENT OF HUMAN SERVICES

- R-2 First Reading of an ORDINANCE to Provide Fee Schedule Changes for the Environmental Health Section of the Department of Human Services

COMMISSIONER BAUMAN READ ORDINANCE BY TITLE ONLY. COPIES AVAILABLE. UPON MOTION OF COMMISSIONER BAUMAN, SECONDED BY COMMISSIONER KAFOURY, THE FIRST READING OF R-2 WAS UNANIMOUSLY APPROVED. LARRY SLOAN PRESENTED TESTIMONY IN OPPOSITION TO PROPOSED FEES AND REQUESTED THAT CONSIDERATION BE MADE BETWEEN LARGE AND SMALL OPERATIONS. ART BLOOM AND DUANE ZUSSY EXPLANATION AND RESPONSE TO BOARD QUESTIONS AND DISCUSSION. MR. BLOOM REQUESTED THE INCLUSION OF AN EMERGENCY CLAUSE IN ORDER THAT ORDINANCE WOULD BE EFFECTIVE IMMEDIATELY UPON ADOPTION. CHAIR McCOY DIRECTED STAFF TO DRAFT PROPOSED AMENDMENTS FOR CONSIDERATION AT END OF AGENDA. AT THE RECOMMENDATION OF COUNSEL LARRY KRESSEL AND UPON MOTION OF COMMISSIONER BAUMAN, SECONDED BY COMMISSIONER KAFOURY, THE MOTION TO RECONSIDER R-2 WAS UNANIMOUSLY APPROVED. UPON MOTION OF COMMISSIONER KAFOURY, SECONDED BY COMMISSIONER ANDERSON, CHANGES TO PAGE 3, LINES 17 AND 19 WERE UNANIMOUSLY APPROVED. MR. KRESSEL AND MR. BLOOM EXPLANATION AND RESPONSE TO BOARD QUESTIONS AND DISCUSSION. BOARD CONSENSUS THE ORDINANCE NOT CONTAIN AN EMERGENCY CLAUSE. UPON MOTION OF COMMISSIONER KAFOURY, SECONDED BY COMMISSIONER KELLEY, THE FIRST READING OF THE ORDINANCE WAS UNANIMOUSLY APPROVED, AS AMENDED. SECOND READING SCHEDULED FOR 9:30 AM, THURSDAY, JULY 12, 1990.

R-3

In the Matter of Approval of a Federal Emergency Management Agency Grant Award to Multnomah County from the Emergency Food and Shelter National Board Program

**UPON MOTION OF COMMISSIONER KELLEY,
SECONDED BY COMMISSIONER KAFOURY, R-3
WAS UNANIMOUSLY APPROVED.**

- R-4 Ratification of an Intergovernmental Agreement Between the City of Portland and Multnomah County, Social Services Division, to Provide Funding for the FY 90/91 Central City Concern Inebriate Pick-up Service Program

**UPON MOTION OF COMMISSIONER BAUMAN,
SECONDED BY COMMISSIONER ANDERSON, R-4
WAS UNANIMOUSLY APPROVED.**

- R-5 Ratification of an Intergovernmental Agreement Between the State of Oregon, Mental Health and Developmental Disabilities Services Division, Oregon State Hospital, and Multnomah County Department of Human Services, Social Services Division, to Provide Guidelines and Procedures to Ensure Effective Care and Treatment of Child and Adolescent Treatment Program Clients Admitted to Oregon State Hospital

**UPON MOTION OF COMMISSIONER BAUMAN,
SECONDED BY COMMISSIONER ANDERSON, R-5
WAS UNANIMOUSLY APPROVED.**

- R-6 Ratification of Contract Modification Number 2 to the Intergovernmental Agreement Between Multnomah County, Aging Services Division and Tri-Met, to Extend the Door-to-Door Rides for Elderly Program through September 30, 1990

**UPON MOTION OF COMMISSIONER KELLEY,
SECONDED BY COMMISSIONER ANDERSON, R-6
WAS UNANIMOUSLY APPROVED.**

JUSTICE SERVICES

SHERIFF'S OFFICE

- R-7 Ratification of an Intergovernmental Agreement Between Portland Community College and Multnomah County, to Provide a GED Instruction and Testing Program for Inmates of the Multnomah County Correctional Facilities

UPON MOTION OF COMMISSIONER KAFOURY,
SECONDED BY COMMISSIONER KELLEY, R-7
WAS UNANIMOUSLY APPROVED.

JUSTICE SERVICES

COMMUNITY CORRECTIONS

R-8 Ratification of an Intergovernmental Agreement Between the City of
Portland and Multnomah County to Provide Funding to the Council for
Prostitution Alternatives for Services to Clients

JOANNE FULLER EXPLANATION AND RESPONSE
TO BOARD QUESTIONS. UPON MOTION OF
COMMISSIONER KAFOURY, SECONDED BY
COMMISSIONER ANDERSON, R-8 WAS
UNANIMOUSLY APPROVED.

CHAIR McCOY REPORTED THAT NEGOTIATIONS
WITH THE CITY OF PORTLAND ARE
CONTINUING AND THAT THE BOARD WILL BE
BRIEFED UPON COMPLETION.

STAFF ADVISED THAT AN EXECUTIVE SESSION
IS SCHEDULED FOR 9:00 AM, FRIDAY, JULY 6,
1990.

There being no further business, the meeting was adjourned at 10:05 a.m.

OFFICE OF THE BOARD CLERK
FOR MULTNOMAH COUNTY, OREGON



Friday, July 6, 1990 - 9:00 AM
Multnomah County Courthouse, Room 602

EXECUTIVE SESSION

1. The Multnomah County Board of Commissioners will meet in Executive Session pursuant to ORS 192.660(2) for the purpose of discussing Labor Negotiations

EXECUTIVE SESSION HELD.



MULTNOMAH COUNTY OREGON

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

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

Tuesday, July 3, 1990 - 1:30 PM
Multnomah County Courthouse, Room 602

PLANNING ITEMS

The following Decisions are reported to the Board for Acceptance and Implementation by Board Order:

3. RPD 3-90
APPROVE, SUBJECT TO CONDITIONS, requested RPD, rural planned-development designation on the subject site;
LD 15-90
APPROVE, SUBJECT TO CONDITIONS, requested two-lot land division, all for property located at 7413 NW Thompson Road

CONTINUED TO 9:30 AM, TUESDAY, JULY 17, 1990.
PLANNING STAFF DIRECTED TO BE PRESENT AT
MEETING AND ABLE TO RESPOND TO BOARD QUESTIONS.

4. PR 2-90
APPROVE requested amendment of the Comprehensive Plan Map, changing the designation of the subject property from Exclusive Farm Use to Multiple Use Forest;
ZC 4-90
APPROVE, SUBJECT TO CONDITIONS, requested amendment of Sectional Zoning Map #91-C, changing the described property from EFU, exclusive farm use to MUF-19, multiple use forest, all for property located at 10141 NW 160th Avenue

ACCEPTED.

5. ZC 5-90
APPROVE, SUBJECT TO CONDITIONS, requested amendment of Sectional Zoning Map #418, changing the described property from LR-7, low density residential district (minimum lot size of 7,000 square feet) to LR-5, low density residential district (minimum lot size of 5,000 square feet)
LD 17-90
APPROVE, SUBJECT TO CONDITIONS, requested three-lot land divisions, all located on property at 10505 SE Schiller Street

ACCEPTED.

6. ZC 6-90
APPROVE, SUBJECT TO CONDITIONS, request for amendment of Sectional Zoning Map #414, changing the described property from LR-7, low density residential district (minimum lot size of 7,000 square feet) to LR-5, low density residential district (minimum lot size of 5,000 square feet);
LD 19-90
APPROVE, SUBJECT TO CONDITIONS requested five-lot land division, all for property located at 12636 SE Boise Street

ACCEPTED.

The following decisions are reported to the board for acknowledgment by the Presiding Officer:

7. CS 4-90
APPROVE, SUBJECT TO CONDITIONS, requested change zone designation from LR-5, low density residential district to LR-5, C-S, low density residential, community service district, to allow construction of a church and parking facility to serve approximately 985 members, for property located at 5544 SE 128th Avenue

ACKNOWLEDGED.

8. CU 8-90
APPROVE, SUBJECT TO CONDITIONS, the relocation of an existing rural service commercial use for an automobile, truck and farm equipment repair shop onto this property, for property located at 400 NE Evans Road

CHAIR MCCOY ADVISED AN APPEAL WAS FILED IN THIS MATTER. DE NOVO HEARING SCHEDULED FOR 9:30 AM, TUESDAY, AUGUST 7, 1990.

9. CU 10-90
APPROVE, SUBJECT TO CONDITIONS, request for a conditional use for development of this property with a non-resource related single family residence, for property located at 38755 NE Knieriem Road

10. CU 9-90
APPROVE, SUBJECT TO CONDITIONS, requested conditional use for development of this property with a non-resource related single family residence, for property located at 34234 SE Smith Road

ACKNOWLEDGED.

11. CU 11-90
APPROVE, SUBJECT TO CONDITIONS, requested conditional use to convert an existing single family residence into a sporting goods and hobby supply store;
SEC 6-90
APPROVE an SEC, Area of Significant Environmental Concern permit because the subject site is within the Columbia River Gorge Scenic Area, all for property located at 35935 East Crown Point Highway

ACKNOWLEDGED.



MULTNOMAH COUNTY OREGON

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

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

AGENDA

MEETINGS OF THE MULTNOMAH COUNTY BOARD OF COMMISSIONERS

FOR THE WEEK OF

JULY 2 - 6, 1990

Tuesday, July 3, 1990 - 1:30 PM - Formal Items Page 2
Tuesday, July 3, 1990 - 1:30 PM - Planning Items Page 2
Tuesday, July 3, 1990 - TO FOLLOW - Informal Briefing. . . Page 4
Thursday, July 5, 1990 - 9:30 AM - Formal Meeting. Page 4

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, July 3, 1990 - 1:30 PM

Multnomah County Courthouse, Room 602

FORMAL ITEM

1. Order in the Matter of the Sale of Property Acquired by Multnomah County Through the Foreclosure of Liens for Delinquent Taxes, Forfeited Property and Surplus Property
 2. Notice of Intent to apply for Small Communities Tourism Development Grant
-

Tuesday, July 3, 1990 - 1:30 PM

Multnomah County Courthouse, Room 602

PLANNING ITEMS

The following Decisions are reported to the Board for Acceptance and Implementation by Board Order:

3. RPD 3-90
APPROVE, SUBJECT TO CONDITIONS, requested RPD, rural planned-development designation on the subject site;

LD 15-90
APPROVE, SUBJECT TO CONDITIONS, requested two-lot land division, all for property located at 7413 NW Thompson Road
4. PR 2-90
APPROVE requested amendment of the Comprehensive Plan Map, changing the designation of the subject property from Exclusive Farm Use to Multiple Use Forest;

ZC 4-90
APPROVE, SUBJECT TO CONDITIONS, requested amendment of Sectional Zoning Map #91-C, changing the described property from EFU, exclusive farm use to MUF-19, multiple use forest, all for property located at 10141 NW 160th Avenue
5. ZC 5-90
APPROVE, SUBJECT TO CONDITIONS, requested amendment of Sectional Zoning Map #418, changing the described property from LR-7, low density residential district (minimum lot size of 7,000 square feet) to LR-5, low density residential district (minimum lot size of 5,000 square feet)

LD 17-90
APPROVE, SUBJECT TO CONDITIONS, requested three-lot land divisions, all located on property at 10505 SE Schiller Street

6. ZC 6-90
APPROVE, SUBJECT TO CONDITIONS, request for amendment of Sectional Zoning Map #414, changing the described property from LR-7, low density residential district (minimum lot size of 7,000 square feet) to LR-5, low density residential district (minimum lot size of 5,000 square feet);

LD 19-90
APPROVE, SUBJECT TO CONDITIONS requested five-lot land division, all for property located at 12636 SE Boise Street

The following decisions are reported to the board for acknowledgement by the Presiding Officer:

7. CS 4-90
APPROVE, SUBJECT TO CONDITIONS, requested change zone designation from LR-5, low density residential district to LR-5, C-S, low density residential, community service district, to allow construction of a church and parking facility to serve approximately 985 members, for property located at 5544 SE 128th Avenue

8. CU 8-90
APPROVE, SUBJECT TO CONDITIONS, the relocation of an existing rural service commercial use for an automobile, truck and farm equipment repair shop onto this property, for property located at 400 NE Evans Road

9. CU 10-90
APPROVE, SUBJECT TO CONDITIONS, request for a conditional use for development of this property with a non-resource related single family residence, for property located at 38755 NE Knieriem Road

CU 9-90
APPROVE, SUBJECT TO CONDITIONS, requested conditional use for development of this property with a non-resource related single family residence, for property located at 34234 SE Smith Road

CU 11-90
APPROVE, SUBJECT TO CONDITIONS, requested conditional use to convert an existing single family residence into a sporting goods and hobby supply store;

SEC 6-90
APPROVE an SEC, Area of Significant Environmental Concern permit because the subject site is within the Columbia River Gorge Scenic Area, all for property located at 35935 East Crown Point Highway.

Tuesday, July 3, 1990 - TO FOLLOW

Multnomah County Courthouse, Room 602

INFORMAL BRIEFING

10. Informal Review of Formal Agenda of July 5, 1990
-

Thursday, July 5, 1990 - 9:30 AM

Multnomah County Courthouse, Room 602

FORMAL MEETING

NONDEPARTMENTAL

- C-1 In the Matter of Appointment of Elizabeth Woody, term expires 6/92 and Re-Appointments of Richard Brown and Pat Wong, term expires 6/92 to the Metropolitan Arts Commission
- C-2 In the Matter of Appointments of Betty Larson and Peggy Hillman, term expires 6/91 to the Campaign Management Council
- C-3 In the Matter of Appointment of Harold McLaurin, term expires 12/31/90 to the Expo Center Advisory Board
- C-4 In the Matter of Appointment of Donnie Griffin, term expires 12/31/90 to the Metropolitan Human Relations Commission

DEPARTMENT OF GENERAL SERVICES

- R-1 Second Reading and Possible Adoption of an ORDINANCE in the Matter of Adoption of Salary Ranges for Fiscal Year 1990-91 for Employees Covered by the Exempt Classification/Compensation Plan and Repealing Ordinance No. 639

DEPARTMENT OF HUMAN SERVICES

- R-2 First Reading of an ORDINANCE to Provide Fee Schedule Changes for the Environmental Health Section of the Department of Human Services
- R-3 In the Matter of Approval of a Federal Emergency Management Agency Grant Award to Multnomah County from the Emergency Food and Shelter National Board Program

- R-4 Ratification of an Intergovernmental Agreement Between the City of Portland and Multnomah County, Social Services Division, to Provide Funding for the FY 90/91 Central City Concern Inebriate Pick-up Service Program
- R-5 Ratification of an Intergovernmental Agreement Between the State of Oregon, Mental Health and Developmental Disabilities Services Division, Oregon State Hospital, and Multnomah County Department of Human Services, Social Services Division, to Provide Guidelines and Procedures to Ensure Effective Care and Treatment of Child and Adolescent Treatment Program Clients Admitted to Oregon State Hospital
- R-6 Ratification of Contract Modification Number 2 to the Intergovernmental Agreement Between Multnomah County, Aging Services Division and Tri-Met, to Extend the Door-to-Door Rides for Elderly Program through September 30, 1990

JUSTICE SERVICES

SHERIFF'S OFFICE

- R-7 Ratification of an Intergovernmental Agreement Between Portland Community College and Multnomah County, to Provide a GED Instruction and Testing Program for Inmates of the Multnomah County Correctional Facilities

COMMUNITY CORRECTIONS

- R-8 Ratification of an Intergovernmental Agreement Between the City of Portland and Multnomah County to Provide Funding to the Council for Prostitution Alternatives for Services to Clients

0702C/1-5/cap
6/29/90



MULTNOMAH COUNTY OREGON

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

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

SUPPLEMENTAL AGENDA

Friday, July 6, 1990 - 9:00 AM

Multnomah County Courthouse, Room 602

EXECUTIVE SESSION

1. The Multnomah County Board of Commissioners will meet in Executive Session pursuant to ORS 192.660 (2) for the purpose of discussing Labor Negotiations

0702C/6/cap
7/5/90

DATE SUBMITTED _____

(For Clerk's Use)
Meeting Date JUL 03 1990
Agenda No. # 1 Formal

REQUEST FOR PLACEMENT ON THE AGENDA

SUBJECT: _____

Informal Only* _____

Formal Only _____

DEPARTMENT Environmental Services

DIVISION Tax Title

CONTACT Larry Baxter

TELEPHONE 248-3590

*NAME(s) OF PERSON MAKING PRESENTATION TO BOARD Larry Baxter

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

1. Request approval of public sale of surplus, forfeited and tax foreclosed property as provided by ORS 275.110.
2. 2 houses, 1 duplex, 1 commercial building and 39 lots will be offered.

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

ACTION REQUESTED: 7/5/90 copies to Larry B. & F.W. George

☐ INFORMATION ONLY ☐ PRELIMINARY APPROVAL ☐ POLICY DIRECTION ☒ APPROVAL

INDICATE THE ESTIMATED TIME NEEDED ON AGENDA _____

IMPACT:

PERSONNEL

☒ FISCAL/BUDGETARY

☒ General Fund

Other Tax Title

SIGNATURES:

DEPARTMENT HEAD, ELECTED OFFICIAL, or COUNTY COMMISSIONER: _____

BUDGET/PERSONNEL: _____

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

OTHER F.W. George
(Purchasing, Facilities Management, etc.)

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

BOARD OF
COUNTY COMMISSIONERS
MULTNOMAH COUNTY
OREGON
1990 JUN 27 AM 11:10

Heads McCay
Paul Mackay

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

In the Matter of the Sale of)
Property Acquired by Multnomah)
County Through the Foreclosure)
of Liens for Delinquent Taxes)
Forfeited Property and Surplus)
Property)

ORDER

90-105

It appearing that various properties on which liens for delinquent taxes were foreclosed have been deeded to Multnomah County, that the county has acquired one property through civil forfeiture and has declared one property surplus to its needs, and that it is for the best interest of the county to offer said properties at a public sale in accordance with the provisions of Section 275.110, ORS, now therefore;

It is hereby ORDERED that the Sheriff be, and he hereby is directed to offer at public sale, in accordance with the provisions of Sections 275.120 through 275.190, ORS, the properties described in the following list for not less than the minimum price set below the description of said properties in said list, which list of properties, market values and minimum prices follows:

PROPERTIES LOCATED IN PORTLAND, OREGON

ACCOUNT NUMBER	00960-8040
LEGAL DESCRIPTION	ALBINA
PROPERTY LOCATION	W 30' OF LOTS 12 & 13, BLOCK 23
MARKET VALUE	E OF 66-70 NE TILLAMOOK
	\$ 700.00 MINIMUM BID \$ 350.00
ACCOUNT NUMBER	00961-5600
LEGAL DESCRIPTION	ALBINA
PROPERTY LOCATION	TL #3 OF LOT 54 (1976 ASSESSOR'S MAP)
MARKET VALUE	SE CORNER N INTERSTATE AND RUSSELL
	\$ 18,400.00 MINIMUM BID \$ 9,200.00
ACCOUNT NUMBER	13390-2620
LEGAL DESCRIPTION	CAPITOL HILL
PROPERTY LOCATION	TL #4 OF BLOCK 17 (1982 ASSESSOR'S MAP)
MARKET VALUE	50X100 LOT, S SIDE S W CANBY, 100' E OF SW 17
	\$ 7,100.00 MINIMUM BID \$ 3,550.00
ACCOUNT NUMBER	17310-3940
LEGAL DESCRIPTION	COLUMBIA HEIGHTS
PROPERTY LOCATION	EXC PT IN ST, LOT 8, BLOCK 20
MARKET VALUE	40 X 100 LOT, SE CORNER NE 13TH AND HIGHLAND
	\$ 1,300.00 MINIMUM BID \$ 1,300.00
ACCOUNT NUMBER	23650-0730
LEGAL DESCRIPTION	EDGECLIFF
PROPERTY LOCATION	TL #1 OF LOT 25 (1986 ASSESSOR'S MAP)
MARKET VALUE	IRREGULAR LOT, SE CORNER SW LANCASTER PL & RD
	\$ 15,000.00 MINIMUM BID \$ 7,500.00
ACCOUNT NUMBER	23650-1070
LEGAL DESCRIPTION	EDGECLIFF
PROPERTY LOCATION	TL #3 OF LOT 33 (1986 ASSESSOR'S MAP)
MARKET VALUE	IRREGULAR LOT, SW 25TH PL, 150' N OF SW 25 AV
	\$ 10,000.00 MINIMUM BID \$ 5,000.00
ACCOUNT NUMBER	25530-5186
LEGAL DESCRIPTION	ERROL HEIGHTS
PROPERTY LOCATION	LOT 32, BLOCK 21
MARKET VALUE	50.05 X 100 LOT E OF 4829 SE MALDEN DR
	\$ 5,900.00 MINIMUM BID \$ 2,950.00
ACCOUNT NUMBER	26080-0010
LEGAL DESCRIPTION	EVELYN
PROPERTY LOCATION	LOTS 1-3, BLOCK 1 N 13' OF LOT 4, BLOCK 1
MARKET VALUE	26 X 110 LOT W OF 8632 SE ELLIS ST
	\$ 7,500.00 MINIMUM BID \$ 3,750.00

SALE ORDER, PAGE 2

ACCOUNT NUMBER	26080-1720
LEGAL DESCRIPTION	EVELYN LOT 9, BLOCK 9
PROPERTY LOCATION	40.5 X 100 LOT N OF 8601 SE WOODSTOCK
MARKET VALUE	\$ 15,000.00 MINIMUM BID \$ 7,500.00
ACCOUNT NUMBER	26080-2200
LEGAL DESCRIPTION	EVELYN LOT 3, BLOCK 12
PROPERTY LOCATION	FORMER 5817 SE 84TH
MARKET VALUE	\$ 12,100.00 MINIMUM BID \$ 6,050.00
ACCOUNT NUMBER	26840-2610
LEGAL DESCRIPTION	FAIRVALE LOT 26, BLOCK 8
PROPERTY LOCATION	4739-41 SW BEAVERTON HILLSDALE HWY
MARKET VALUE	\$ 72,900.00 MINIMUM BID \$ 36,450.00
ACCOUNT NUMBER	26840-2630
LEGAL DESCRIPTION	FAIRVALE LOT 27, BLOCK 8
PROPERTY LOCATION	4735 SW BEAVERTON HILLSDALE HWY
MARKET VALUE	\$ 46,800.00 MINIMUM BID \$ 23,400.00
ACCOUNT NUMBER	27500-2470
LEGAL DESCRIPTION	FERN PARK LOTS 23 & 24, BLOCK 8
PROPERTY LOCATION	8935 NE TILLAMOOK
MARKET VALUE	\$ 49,100.00 MINIMUM BID \$ 30,000.00
ACCOUNT NUMBER	28250-3130
LEGAL DESCRIPTION	FIRLAND N 30' OF E 19' OF LOT 15, BLOCK 16 N 30' OF LOT 16, BLOCK 16
PROPERTY LOCATION	30 X 74 VACANT LOT NORTH OF 5127 SE 70TH
MARKET VALUE	\$ 10,500.00 MINIMUM BID \$ 5,250.00
ACCOUNT NUMBER	34510-0810
LEGAL DESCRIPTION	GRIMES ADD TL #3 OF BLOCK 5 (1986 ASSESSOR'S MAP)
PROPERTY LOCATION	FORMER 8964-8966 N SMITH ST
MARKET VALUE	\$ 6,100.00 MINIMUM BID \$ 3,050.00
ACCOUNT NUMBER	37340-0150
LEGAL DESCRIPTION	HEINITZ LOT 4
PROPERTY LOCATION	2.35 ACRES E OF 12955 SE FLAVEL ST
MARKET VALUE	\$ 31,800.00 MINIMUM BID \$ 12,000.00
ACCOUNT NUMBER	38570-0190
LEGAL DESCRIPTION	HIGHLANDS CREST TL #5 OF LOT 4 (1989 ASSESSOR'S MAP)
PROPERTY LOCATION	FLAG LOT W OF 1515 SW SKYLINE BLVD
MARKET VALUE	\$ 11,100.00 MINIMUM BID \$ 5,550.00
ACCOUNT NUMBER	38570-0220
LEGAL DESCRIPTION	HIGHLANDS CREST TL #8 OF LOT 4 (1987 ASSESSOR'S MAP)
PROPERTY LOCATION	FORMER 1515 SW SKYLINE BLVD
MARKET VALUE	\$ 5,500.00 MINIMUM BID \$ 2,750.00
ACCOUNT NUMBER	41390-0290
LEGAL DESCRIPTION	INA PARK LOT 15, BLOCK 1
PROPERTY LOCATION	N OF 5405 NE 25TH AVE
MARKET VALUE	\$ 6,000.00 MINIMUM BID \$ 3,000.00
ACCOUNT NUMBER	56120-4770
LEGAL DESCRIPTION	MENTONE LOT 6, BLOCK 35
PROPERTY LOCATION	50 X 99.94 LOT W OF 10515 SE KNIGHT
MARKET VALUE	\$ 8,000.00 MINIMUM BID \$ 4,000.00
ACCOUNT NUMBER	58050-0390
LEGAL DESCRIPTION	MONTIA LOT 17
PROPERTY LOCATION	FORMER 6203 SE 103RD PL
MARKET VALUE	\$ 5,000.00 MINIMUM BID \$ 2,500.00

SALE ORDER, PAGE 3

ACCOUNT NUMBER	58050-0410		
LEGAL DESCRIPTION	MONTIA		
	LOT 18		
PROPERTY LOCATION	S OF FORMER 6203 SE 103RD PL		
MARKET VALUE	\$ 12,300.00	MINIMUM BID	\$ 6,150.00
ACCOUNT NUMBER	59830-1040		
LEGAL DESCRIPTION	NATIONAL ADD		
	LOTS 15 & 16, BLOCK 3		
PROPERTY LOCATION	NE CORNER N DELAWARE AND HUNT		
MARKET VALUE	\$ 6,100.00	MINIMUM BID	\$ 3,050.00
ACCOUNT NUMBER	61150-1560		
LEGAL DESCRIPTION	NORTH IRVINGTON		
	W 1/2 OF LOTS 9 & 10, BLOCK 7		
PROPERTY LOCATION	NE FAILING, W OF 3911 NE 11TH		
MARKET VALUE	\$ 5,300.00	MINIMUM BID	\$ 2,650.00
ACCOUNT NUMBER	65524-0130		
LEGAL DESCRIPTION	PENINSULAR ADD #4		
	N 1/2 OF LOT 10, BLOCK 42, LOT 11, BLOCK 42		
PROPERTY LOCATION	37 1/2 X 100 LOT N OF 8744 N TYNDALL		
MARKET VALUE	\$ 5,400.00	MINIMUM BID	\$ 2,700.00
ACCOUNT NUMBER	65524-0830		
LEGAL DESCRIPTION	PENINSULAR ADD #4		
	LOTS 22 & 23, BLOCK 43		
PROPERTY LOCATION	FORMER 8848 N WILBUR AVE		
MARKET VALUE	\$ 7,000.00	MINIMUM BID	\$ 3,500.00
ACCOUNT NUMBER	66060-2640		
LEGAL DESCRIPTION	PITTOCK GROVE		
	LOT 9, BLOCK 7		
PROPERTY LOCATION	W SIDE OF SE 109TH AVE, 138' N OF SE TIBBETS		
MARKET VALUE	\$ 24,900.00	MINIMUM BID	\$ 12,450.00
ACCOUNT NUMBER	66800-4510		
LEGAL DESCRIPTION	PORTLAND CITY HOMESTEAD		
	INC PT VAC ST, LOTS 1-4 & 6 & 7, BLOCK 77; INC PT VAC STS LOTS 5 & 8, BLOCK 77		
PROPERTY LOCATION	W SIDE INTERSECTION, SW GIBBS & MARQUAM HILL		
MARKET VALUE	\$ 8,900.00	MINIMUM BID	\$ 4,450.00
ACCOUNT NUMBER	75020-1070		
LEGAL DESCRIPTION	SCOFFINS ADD		
	INC PT VAC ST, LOT 7, BLOCK 5 LOT 8, BLOCK 5		
PROPERTY LOCATION	E SIDE NE 11TH AVE, 60' N OF ONEONTA ST		
MARKET VALUE	\$ 2,000.00	MINIMUM BID	\$ 1,000.00
ACCOUNT NUMBER	83940-3300		
LEGAL DESCRIPTION	TOWN OF LINNTON		
	LOTS 9-11, BLOCK 55		
PROPERTY LOCATION	NW CORNER NW 4TH AND NW 107TH		
MARKET VALUE	\$ 7,700.00	MINIMUM BID	\$ 3,850.00
ACCOUNT NUMBER	85871-3240		
LEGAL DESCRIPTION	VENTURA PARK		
	EXC W 10', LOT 5, BLOCK 29 LOT 6, BLOCK 29		
PROPERTY LOCATION	S SIDE SE ANKENY, 110' E OF SE 119TH AVE		
MARKET VALUE	\$ 8,500.00	MINIMUM BID	\$ 4,250.00
ACCOUNT NUMBER	85871-3260		
LEGAL DESCRIPTION	VENTURA PARK		
	LOT 7, BLOCK 29 EXC E 15', LOT 8, BLOCK 29		
PROPERTY LOCATION	W OF 11930 SE ANKENY		
MARKET VALUE	\$ 2,800.00	MINIMUM BID	\$ 1,400.00
ACCOUNT NUMBER	85871-3310		
LEGAL DESCRIPTION	VENTURA PARK		
	LOTS 13 - 17, BLOCK 29		
PROPERTY LOCATION	E OF 11930 SE ANKENY		
MARKET VALUE	\$ 4,700.00	MINIMUM BID	\$ 2,350.00
ACCOUNT NUMBER	90150-0630		
LEGAL DESCRIPTION	WESTWOOD		
	LOTS 1 & 2, BLOCK 3		
PROPERTY LOCATION	SE CORNER SW MARIGOLD AND 45TH AVE		
MARKET VALUE	\$ 10,000.00	MINIMUM BID	\$ 5,000.00

SALE ORDER, PAGE 4

ACCOUNT NUMBER	91640-1920
LEGAL DESCRIPTION	WILLIAMS AVE ADD E 1/2 OF LOTS 16 & 17, BLOCK 7
PROPERTY LOCATION	E OF 77 NE COOK
MARKET VALUE	\$ 5,000.00 MINIMUM BID \$ 2,500.00
ACCOUNT NUMBER	91640-3980
LEGAL DESCRIPTION	WILLIAMS AVENUE ADD TL #1 OF LOTS 11-13, BLOCK 11 (1987 ASSESSOR'S MAP)
PROPERTY LOCATION	E OF 301 NE MORRIS
MARKET VALUE	\$ 24,800.00 MINIMUM BID \$ 12,400.00
ACCOUNT NUMBER	94234-3410
LEGAL DESCRIPTION	SEC 34, 1N 2E TL #341 0.11 AC (1980 ASSESSOR'S MAP)
PROPERTY LOCATION	NE 113TH AVE, E OF 11307 NE GLISAN ST
MARKET VALUE	\$ 4,900.00 MINIMUM BID \$ 2,350.00
ACCOUNT NUMBER	99121-2320
LEGAL DESCRIPTION	SEC 21, 1S 1E TL #232 0.60 AC (1986 ASSESSOR'S MAP)
PROPERTY LOCATION	LANDLOCKED S OF 340 SW CUSTER ST
MARKET VALUE	\$ 12,000.00 MINIMUM BID \$ 6,000.00
ACCOUNT NUMBER	99121-2360
LEGAL DESCRIPTION	SEC 21, 1S 1E TL #236 0.24 AC (1982 ASSESSOR'S MAP)
PROPERTY LOCATION	WEST OF 340 SW CUSTER ST
MARKET VALUE	\$ 15,000.00 MINIMUM BID \$ 7,500.00

PROPERTIES LOCATED IN GRESHAM, OREGON

ACCOUNT NUMBER	78930-4500
LEGAL DESCRIPTION	SQUIRE BROOK LOT A
PROPERTY LOCATION	LANDLOCKED 186,390 SQ FT, E OF SW FLORENCE DR
MARKET VALUE	\$ 14,300.00 MINIMUM BID \$ 7,650.00
ACCOUNT NUMBER	93640-0010
LEGAL DESCRIPTION	ZENITH ADD EXC MT HOOD RY CO'S R/W, EXC PT IN ST, LOTS A & B
PROPERTY LOCATION	NE 6TH AND CLEVELAND
MARKET VALUE	\$169,100.00 MINIMUM BID \$150,000.00
ACCOUNT NUMBER	99315-1450
LEGAL DESCRIPTION	SEC 15, 1S 3E TL #145 0.22 AC (1980 ASSESSOR'S MAP)
PROPERTY LOCATION	SW WALTERS HILL RD
MARKET VALUE	\$ 16,700.00 MINIMUM BID \$ 8,350.00

PROPERTIES LOCATED IN FAIRVIEW, OREGON

ACCOUNT NUMBER	26890-5870
LEGAL DESCRIPTION	FAIRVIEW TL #6 OF BLOCK 30 (1986 ASSESSOR'S MAP)
PROPERTY LOCATION	IRREGULAR LOT WEST OF 625 HALSEY ST
MARKET VALUE	\$ 10,500.00 MINIMUM BID \$ 5,250.00

Terms of the sale are as follow:

<u>SALE PRICE</u>	<u>TERMS</u>
\$100.00 TO \$1,499.00	Cash
\$1,500.00 to \$4,999.00	Contract Terms: 20% down, balance payable in equal monthly installments including interest at the rate of 10 percent per annum over a period not to exceed 36 months.
\$5,000.00 to \$9,999.00	Contract Terms: 20% down, balance payable in equal monthly installments including interest at the rate of 10 percent per annum over a period not to exceed 60 months.

SALE ORDER, PAGE 5

\$10,000.00 to \$19,999.00

Contract Terms: 20% down, balance payable in equal monthly installments including interest at the rate of 10 percent per annum over a period not to exceed 96 months.

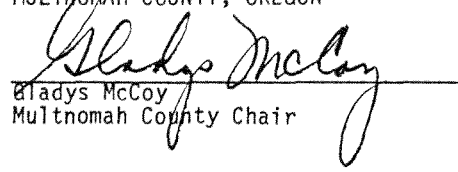
\$20,000.00 and over

Contract Terms: 10% down, balance payable in equal monthly installments including interest at the rate of 12 percent per annum over a period not to exceed 180 months.

Dated at Portland, Oregon this 3rd day of July, 1990.

(SEAL)

BOARD OF COUNTY COMMISSIONERS
MULTNOMAH COUNTY, OREGON


Gladys McCoy
Multnomah County Chair

REVIEWED:
Laurence Kressel, County Counsel
for Multnomah County, Oregon

By 

Journal

Page

Entered July 3, 1990

Return Original Notice to Sharon Timko

Meeting Date: JUL 3 1990
Agenda No.: #2 Formal
(Above space for Clerk's Office Use)

AGENDA PLACEMENT FORM
(For Non-Budgetary Items)

Notice of Intent to Apply for Small Communities
SUBJECT: Tourism Development Grant

BCC Informal _____ (date) BCC Formal 7/3/90 (date)
DEPARTMENT Nondepartmental DIVISION County Chair's Office
CONTACT Sharon Timko TELEPHONE 248-3308
PERSON(S) MAKING PRESENTATION Sharon Timko

ACTION REQUESTED:

☐ INFORMATIONAL ONLY ☐ POLICY DIRECTION ☒ APPROVAL

ESTIMATED TIME NEEDED ON BOARD AGENDA: 10 minutes

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

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

Application to the Oregon Tourism Alliance for Small Communities Tourism Development Grant in the amount of \$10,000 from State Lottery funds for the purpose of 1) Troutdale Information Center materials and supplies; 2) stone entry marker designating the entrance into the Corbett area

7/3/90 Originals to Sharon

(If space is inadequate, please use other side)

SIGNATURES:
[Signature]

ELECTED OFFICIAL _____
Or

DEPARTMENT MANAGER _____

(All accompanying documents must have required signatures)

OREGON TOURISM ALLIANCE

SMALL COMMUNITY TOURISM DEVELOPMENT - PHASE II

STRATEGIC PLAN IMPLEMENTATION APPLICATION

County: Multnomah

Community: Corbett

Project Name: Corbett Entry Marker

OTA Funds Requested: \$5,000

Project Contact Name: Teresa Kasner
33702 E. Bell Road, Corbett, OR 97019

Phone: (503) Hm 695-5911 or
Bus 695-2230

1. Describe you project. Include specifics of project, total budget, use of OTA funds, additional funding secured.

Our Small Community Tourism Development group identified as their project the development and construction of a stone entry marker to designate the entrance into the Corbett area. We need \$400 for the cost of the design, \$2,000 for the stone, \$2,000 for construction costs and \$1,600 for signage materials attached to the stone. This would be the use for the OTA funds. Additional funding would be covered by in kind labor by the community and the county and the community would locate any funding needed to finish the project beyond the monies granted by OTA.

2. What is the 'life' of the project? Is this a limited duration, one time activity or something that will last over time?

This project by its very nature, a stone marker, would most definitely be a project that would last over time.

3. Describe how the project enhances your community's tourism development. What are the benefits to your community?

This project would most assuredly enhance our community's tourism development because since Corbett is not an incorporated city, there are no signs designating one's arrival into the business area of our small village. Corbett is not even on most maps, even though it is the mailing address for one of the State's most often visited tourism attractions, Vista House at Crown Point State Park and for Rooster Rock State Park, both sites being premier visitor attractions in the western gateway to the recently designated Columbia River Gorge National Scenic Area.

4. Demonstrate how the project has the support/involvement of your community.

This project was selected and approved by Corbett Area Economic Development Committee (CAEDC), a sub-committee of Northeast Multnomah County Community Association (NEMCCA). The assemblage present at the CAEDC meeting when the voting occurred represented various groups such as: Kiwanis, Friends of Vista House, Larch Mt. Country Artisans, Crown Point Historical Society, NEMCCA and local community leaders.

5. Are you ready to proceed on this project? What else needs to be done before you can start?

The design is in progress and when it is completed and in hand (August 1, 1990) we will then get approval from the appropriate agencies.

6. Is this project identified in your strategic plan?

☒ Yes ☐ No Explain

7. How will you track the success of this project?

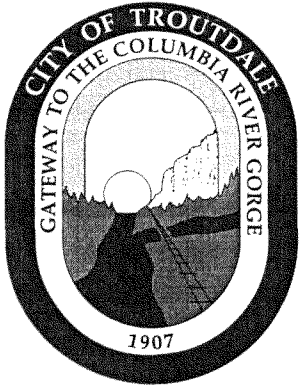
If the scores of visitors that pass through the area on their way to Vista House and Multnomah Falls can finally identify the location of Corbett, it will be a success. (The community is presently not identified by any signage whatsoever)

8. Will you agree to summarize this project upon completion, describing its successes, problems and tips for others considering a similar project? Include documentation of results, such as pictures, brochures, press coverage, etc.

☒ Yes ☐ No Explain

Signed by OTA County Representative _____

Mail to: Oregon Tourism Alliance
c/o POVA
26 SW Salmon
Portland, OR 97204



CITY OF TROUTDALE

JUNE 27, 1990

OREGON TOURISM ALLIANCE
c/o Sharon Timko
Multnomah County Representative

Dear Board Members:

The City of Troutdale adamantly supports the submission of this grant application. Since the adoption of the City's Downtown Plan in 1984, a high priority of the City Council has been to establish a visitor's center in the downtown area. With the cooperation of the Troutdale Historical Society, the Troutdale Area Business Association and the funding assistance of O.T.A., this goal is close to fruition.

The City has appropriated funds to assist this project. The additional funding will allow those this project to occur two years before the City estimated if would be financially able to complete the project.

The commitment of volunteer services fills a large "gap" in the City's implementation plan since it was impossible to fund personnel to staff the center.

We thank the O.T.A. Board for their consideration and support.

Sincerely,

CITY OF TROUTDALE

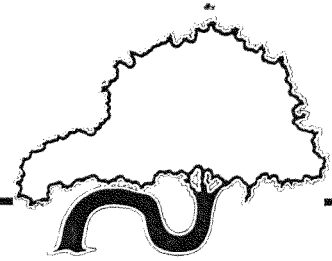

Sam K. Cox, Mayor

PW91:49

TROUTDALE HISTORICAL SOCIETY

104 S.E. Kibling Street

Troutdale, Oregon 97060



*The Lover's Oak or Praying Tree
An early Troutdale landmark.*

June 26, 1990

Attention: Oregon Tourism Alliance

Since 1976 when the Troutdale Rail Depot was moved to its present location on the Columbia River Highway at Troutdale, the railroad museum has been an attraction to visitors traveling the old highway up the Columbia River Gorge.

The volunteer hosts who keep the museum open soon learn that many of the people who stop also need tourist information and historical society volunteers have done their best to provide it.

The prominent location of the depot in downtown Troutdale and the weekend hours kept at the museum make it the most likely place in the community for people to stop for information.

Creation of the depot museum waiting room into a well-equipped visitor information center meets a number of needs. First, the questions of visitors are answered, especially in regard to traveling the historic Columbia River Highway. The route along the old highway sends visitors through other gorge communities badly in need of tourist dollars. Second, it is a logical use for a historic building that was once used for transportation. Third, the presence of an information center causes people to stop in Troutdale. And fourth, it offers the tourist the plus of a free museum as well as useful information.

The Troutdale Historical Society, which operates the Troutdale Rail Depot in conjunction with the City of Troutdale, is glad to share its museum space with a visitor center and to cooperate in this venture.

Sincerely,

Sharon Nesbit
Director

OREGON TOURISM ALLIANCE

Small Community Tourism Development - Phase II

Strategic Plan Implementation Application

County Multnomah Community Troutdale
Project Name Visitor Information Center OTA Funds Requested \$4,860
Project Contact Name Pam L. Christian, City Administrator Phone (503) 667-5165
Address City of Troutdale, 104 S.E. Kibling
Troutdale, Oregon 97060

1. Describe your project. Include specifics of project, total budget, use of OTA funds, additional funding secured. As the "Gateway to the Gorge", Troutdale plans to develop a Visitor Information Center in a historic 1907 Railroad Depot. Located on the Columbia River Highway, the building is adjacent to a City park with picnic facilities and within a short walk to the banks of the Sandy River. The location offers ample parking for visitors, access to downtown merchants and is across from City Hall. The original Depot waiting room will be transformed to showcase a myriad of displays promoting area attractions. From June through September, the building will be staffed on weekends with the support of community volunteers. (see attached exhibit #1 for specifics of project, budget and in-kind services)
2. What is the 'life' of the project? Is this a limited duration, one time activity or something that will last over time? Due to the historic significance of the Railroad Depot, any improvements to the property will provide the community with long-term benefits. The City of Troutdale and the Troutdale Historical Society are committed to the project as co-owners of the building.
3. Describe how the project enhances your community's tourism development. What are the benefits to your community? A Visitor Information Center in downtown Troutdale will provide increased exposure to our local tourism based industries (rafting trips, fishing outfitter, hotels, and picnic supplies). Other merchants will experience an increase in service needs (gas stations, restaurants). Increased tourism activity will generate a new interest in our downtown area, enabling Troutdale to attract new businesses.
Information presented at the Visitor Information Center will present more options for the tourist to stay longer in our community. Longer visits will generate more dollars into our economy and provide renewed interest in the economic development of the area.

c/o Portland/Oregon Visitors Association • 26 SW Salmon • Portland, OR 97204 • 228-5565

CLACKAMAS, CLATSOP, COLUMBIA, LINCOLN, MULTNOMAH, TILLAMOOK, WASHINGTON, YAMHILL
CITY OF PORTLAND, METROPOLITAN SERVICE DISTRICT, PORT OF PORTLAND

NORTHWEST OREGON
Things Look Different Here.

Funded by the Oregon Lottery

4. Demonstrate how the project has the support/involvement of your community. _____
Troutdale's most active organizations support the project.
The City of Troutdale, The Troutdale Historical Society (500 members),
and the Troutdale Area Business Association (38 members), will work as a team
to complete the Visitor Information Center. We hope to coincide the opening of
Center with one of our community special events in 1990.
5. Are you ready to proceed on this project? What else needs to be done before you can start?
All approvals for the use of the Railroad Depot have been secured. Ordering
of the goods and services will commence with the approval of the grant
application. Our goal is to complete the Visitor Information Center for
use in the late summer and fall tourist season of 1990.
6. Is this project identified in your strategic plan?
☒ Yes ☐ No Explain A Visitor Information Center was the committee's
first recommendation for the City of Troutdale.
A Visitor Information Center will provide the greatest impact on the remaining
tourism development strategies by developing an audience for new visitor attractions,
assisting in the recruitment of new business interests and generating renewed
public activity in downtown improvement projects.
7. How will you track the success of this project? A marketing survey will be implemented
in the facility for the first year of operation including a demographic study.
The results of this study on tourism will be distributed to area businesses
and to the City for long range planning purposes. The Harlow House Museum
will collect data and prepare an attendance comparison from past seasons.
Troutdale Area Business Association members will participate in a survey.
8. Will you agree to summarize this project upon completion, describing its successes,
problems and tips for other considering a similar project. Include documentation of results,
such as pictures, brochures, press coverage, etc.
☒ Yes ☐ No Explain The project will be documented on video from start
to finish. A grand opening will be organized to familiarize the community with
the facility and an estimated 5,000 brochures will announce the festivities.

Signed by OTA County Representative _____

Mail to: Oregon Tourism Alliance
c/o POVA
26 SW Salmon
Portland, OR 97204

SMALL COMMUNITY TOURISM DEVELOPMENT - PHASE II

Strategic Plan Implementation Application

County - Multnomah

Community - Troutdale

SPECIFICS OF PROJECT:

Permission has been granted by the owners of the Troutdale Rail Depot Museum to develop one room of the building into a Visitor Information Center for the City of Troutdale. Located on the main street of the city, the Historic Columbia River Highway, the building is adjacent to Depot Park and the banks of the Sandy River.

To fully utilize the facility as a Visitor Information Center, a kiosk, directional signs, a service counter, brochure display case, portable restrooms and interior modifications are needed. All building modifications and design will be in keeping with the historic nature of the property. The Troutdale Historical Society will supervise all work on the 1907 building.

The City of Troutdale will supply over \$12,000 annually in services to the Visitor Information Center. The Troutdale Historical Society will donate a variety of services, including staffing coordination. The Troutdale Area Business Association will maintain promotional materials inventory and supply staffing. Over 600 area residents are represented by these organizations.

PROJECTED BUDGET:

Kiosk	\$1,500
Directional Signage	1,500
Portable Restroom Facilities	560
Brochure Cases	500
Service Counter	500
Window Blinds	300

<u>Total Projected Budget</u>	<u>\$4,860</u>
-------------------------------	----------------

DONATED GOODS AND SERVICES:

CITY OF TROUTDALE

Use of Building	\$2,400
Building maintenance, security, grounds, utilities, insurance, rental	9,850
Brochure/promotion of grand opening	700

<u>Donated services from the city</u>	<u>\$12,950</u>
---------------------------------------	-----------------

TROUTDALE HISTORICAL SOCIETY

Use of building	\$2,400
Weekend staffing from June 20-Sept. 30	400
Furniture and displays (historic)	1,200

Printing, production and design of brochure	1,000
---	-------

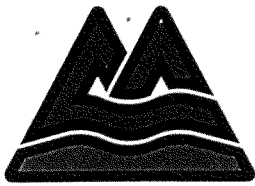
<u>Donated services from the Society</u>	<u>\$5,000</u>
--	----------------

TROUTDALE AREA BUSINESS ASSOCIATION

Staffing	\$ 200
Coordinate ordering and maintain inventory of promotional materials	1,200

<u>Donated services from the Business Association</u>	<u>\$1,400</u>
---	----------------

<u>TOTAL DONATED SERVICES</u>	<u>\$19,350</u>
-------------------------------	-----------------



MULTNOMAH COUNTY OREGON

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

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

BOARD OF COUNTY COMMISSIONERS

Tuesday, July 3, 1990

1:30 p.m., Room 602

A G E N D A

1990 JUL 24 PM 4:10
COUNTY CLERK
MULTNOMAH COUNTY
OREGON

The following Decisions are reported to the Board for acceptance and implementation by Board Order:

- RPD 3-90** Approve, subject to conditions, requested RPD, rural planned-development designation on the subject site;
- LD 15-90** Approve, subject to conditions, requested two-lot land division, all for property located at **7413 NW Thompson Road.**
- PR 2-90** Approve requested amendment of the Comprehensive Plan Map, changing the designation of the subject property from Exclusive Farm Use to Multiple Use Forest;
- ZC 4-90** Approve, subject to conditions, requested amendment of Sectional Zoning Map #91-C, changing the described property from EFU, exclusive farm use to MUF-19, multiple use forest, all for property located at **10141 NW 160th Avenue**
- ZC 5-90** Approve, subject to conditions, requested amendment of Sectional Zoning Map #418, changing the described property from LR-7, low density residential district (minimum lot size of 7,000 square feet) to LR-5, low density residential district (minimum lot size of 5,000 square feet);
- LD 17-90** Approve, subject to conditions, requested three-lot land division, all located on property at **10505 SE Schiller Street**

Continued

- ZC 6-90** **Approve, subject to conditions,** request for amendment of Sectional Zoning Map #414, changing the described property from LR-7, low density residential district (minimum lot size of 7,000 square feet) to LR-5, low density residential district (minimum lot size of 5,000 square feet);
- LD 19-90** **Approve, subject to conditions** requested five-lot land division, all for property located at **12636 SE Boise Street.**

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

- CS 4-90** **Approve, subject to conditions,** requested change in zone designation from LR-5, low density residential district to LR-5, C-S, low density residential, community service district, to allow construction of a church and parking facility to serve approximately 985 members, for property located at **5544 SE 128th Avenue.**
- CU 8-90** **Approve, subject to conditions,** the relocation of an existing rural service commercial use for an automobile, truck and farm equipment repair shop onto this property, for property located at **400 NE Evans Road.**
- CU 10-90** **Approve, subject to conditions,** request for a conditional use for development of this property with a non-resource related single family residence, for property located at **38755 NE Knieriem Road**
- CU 9-90** **Approve, subject to conditions,** requested conditional use for development of this property with a non-resource related single family residence, for property located at **34234 SE Smith Road.**
- CU 11-90** **Approve, subject to conditions,** requested conditional use to convert an existing single family residence into a sporting goods and hobby supply store;
- SEC 6-90** **Approve** an SEC, Area of Significant Environmental Concern permit because the subject site is within the Columbia River Gorge Scenic Area, all for property located at **35935 East Crown Point Highway.**



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

Decision

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

June 11, 1990

**RPD 3-90, #121/122
LD 15-90, #121/122**

**Rural Planned Development
Two-Lot Land Division**

Applicant requests change in zone designations from MUF-19, Multiple Use Forest District to MUF-19, RPD, Multiple Use Forest District, Rural Planned Development District, plus a land division in order to divide the subject property into two building lots.

Location: 7413 NW Thompson Road.

Legal: Tax Lots '102' and '32,' Section 25, 1N-1W,
1989 Assessor's Map

Site Size: 21.34 Acres

Size Requested: Same

Property Owner: James E. Bartels, et. al.
7144 NW Thompson Road Portland, 97229

Applicant: Same

Comprehensive Plan: Multiple Use Forest

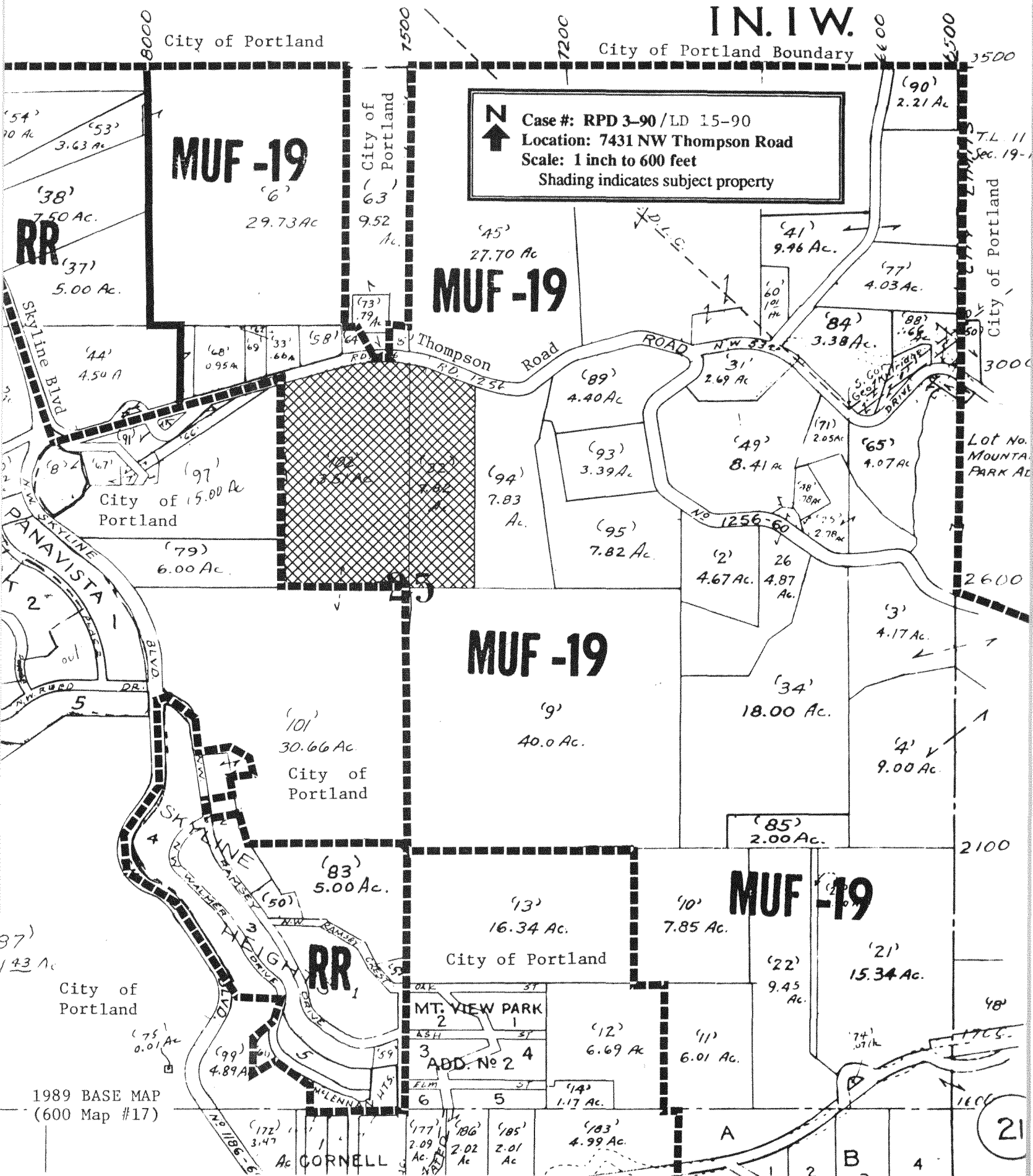
Present Zoning: MUF-19, Multiple Use Forest District
Minimum lot size of 19 acres

Sponsor's Proposal: MUF-19, Multiple Use Forest District
Rural Planned-Development; Lot sizes vary, average 10 acres

PLANNING COMMISSION

Decision #1: (RPD 3-90) **Approve**, subject to conditions, the requested RPD,
rural planned-development designation of the subject site;
Decision #2: (LD 15-90) **Approve**, subject to conditions, requested two-lot land
division of the subject site above based on the following
Findings and Conclusions

RPD 3-90/LD 15-90



MUF-19

MUF-19

MUF-19

MUF-19

N
Case #: RPD 3-90/LD 15-90
Location: 7431 NW Thompson Road
Scale: 1 inch to 600 feet
Shading indicates subject property

1989 BASE MAP
(600 Map #17)

21

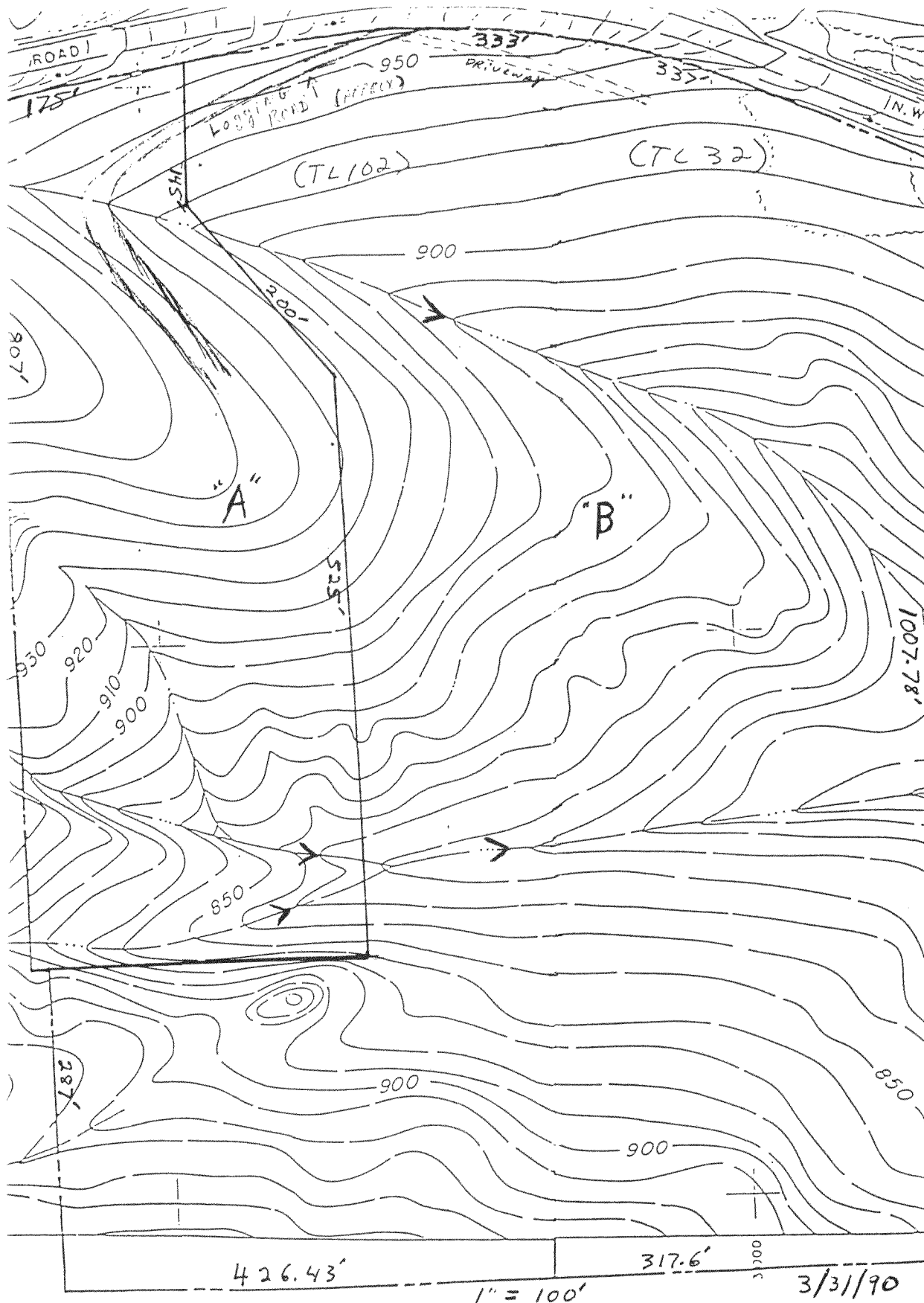
TENTATIVE MAP PLAN

TAX ROLL DESCRIPTION: TL102, ACRES

TL 32, ACRES

NATURAL FEATURES: WOODED

LD 15-90
RPD 3-90



Conditions of Approval (RPD 3-90 and LD 15-90)

1. Within one year of the date of this decision, deliver the final partition plat and other required attachments to the Planning and Development Division of the Department of Environmental Services in accordance with ORS Chapter 92 as amended. **Please obtain applicant's and surveyor's *Instructions for Finishing a Type III Land Division*.**
2. No further division of either parcel shall occur until the subject property is inside the Urban Growth Boundary.
3. There shall be a single access drive from N.W. Thompson Road to serve both parcels with the location to be generally as shown on the tentative plan map
4. Prior to issuance of building permits, meet requirements of the Engineering Services Division regarding access to NW Thompson Road. Contact Dick Howard at 248-3599 for additional information.
5. Prior to issuance of building permits, record a statement with the Division of Records and Elections acknowledging the rights of owners of nearby property to conduct accepted forest or farming practices.
6. Prior to issuance of building permits, complete County Design Review procedures. Design Review plans shall specify areas proposed for clearing, significant trees (6-inch or greater trunk diameter) to be removed or retained on the site, and specifications for the proposed private drive. The private drive shall be at least 20-feet wide for those portions serving two or more residences and 10-feet for the remainder. Plans should include details on driveway grade (slope) and any associated cut and/or fill. Contact Mark Hess at 248-3043 for additional information.
7. On the Design Review Plan designate 75% of the gross acreage of the total site as land to remain in trees and not to be used as a home site.
8. Prior to issuance of building permits, apply for and obtain permits for subsurface sewage disposal systems on each lot. Contact Phil Crawford at 796-7248 for additional information.
9. Prior to issuance of building permits obtain a Hillside Development Permit for each parcel under MCC 11.15.6710

Findings of Fact: (RPD 3-90)

1. Applicant's Proposal:

*NOTE: The applicant has provided a narrative statement in response to the General RPD Plan requirements and RPD approval criteria in MCC 11.15.7735 and .7750, respectively. The narrative is attached to this report as Attachment 1. Material from the applicant's statement quoted in this report appears in **bold type**.*

- A. The applicant proposes to divide a vacant 21.34-acre tract of land into two parcels. Parcel A would contain about 5 acres and Parcel B would contain about 16 acres. The subject site consists of two tax lots that are both owned by the applicant. Tax Lot 102 contains 13.51 acres and Tax Lot 32 contains 7.83 acres.
 - B. The County Comprehensive Plan designates the site as Multiple Use Forest and the zoning is MUF-19, Multiple Use Forest District. The applicant seeks Rural Planned Development (RPD) approval because although the site already contains two tax lots, the MUF zoning regulations aggregate the two lots and treat them as one because of their common ownership and because each lot individually is below the 19-acre minimum lot size in the zone. Approval of the RPD request would allow division of the site into two lots. The applicant intends to build a detached house on one parcel and sell the other parcel as a site for a detached single-family house.
 - C. The applicant states that the most likely building site on Parcel A is a plateau accessed by the current logging road, approximately 250 feet from Thompson Road. The most likely building site for [Parcel] B is along Thompson Road, on tax lot 32.
2. **Site Conditions and Vicinity Information:** Site conditions as shown on the Tentative Plan Map and general vicinity information are as follows:
- A. The site is located on the south side of N.W. Thompson Road approximately 1/4 mile east of N.W. Skyline Boulevard. Northwest Thompson Road is a 2-lane rural collector road.
 - B. The site abuts both the Portland city limits and the METRO Urban Growth Boundary (UGB) on all of its west and part of its south property line. In addition, the city limits and UGB extend to the centerline of Thompson Road for a short distance across from the site. Land inside the Portland city limits is zoned FF, Farm and Forest with a minimum lot size of 2 acres.
 - C. **Slope:** The site is steep, with slopes ranging from 30 to 36 percent or greater. Development or construction on the site would require County approval of a Hillside Development Permit under MCC 11,15.6710.
 - D. **Future Street Improvements (N.W.Thompson Road):** Northwest Thompson Road is not fully improved to county standards at this time. The County Engineer has determined that in order to comply with the provisions of the Street Standards Ordinance (MCC 11.60) it would be necessary for the owner to commit to participate in future improvements to N.W. Thompson Road through deed restrictions in conjunction with any development of the site.
3. **Ordinance Considerations:** *NOTE: The Rural Planed Development (RPD) provisions in the Zoning Ordinance were repealed on February 20, 1990. However, since this application was accepted February 5, it falls under the provisions that were then in effect. This report is written as if the RPD provisions still existed.*

The Multiple Use Forest District provides that Rural Planned Developments—a type of Conditional Use—may be permitted only upon affirmative findings as follows:

- A. The proposal must satisfies Conditional Use Approval Criteria in MCC 11.15.7120. For the proposal to satisfy those criteria, the approval authority must find that the use:
- (1) *Is consistent with the character of the area;*
 - (2) *Will not adversely affect natural resources;*
 - (3) *Will not conflict with farm or forest uses in the area;*
 - (4) *Will not require public services other than those existing or programmed for the area;*
 - (5) *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;*
 - (6) *Will not create hazardous conditions; and*
 - (7) *Will satisfy the applicable policies of the Comprehensive Plan.*
- B. Under MCC 11.15.2172(C) the approval authority must find, in approving an RPD, that:
- (1) *The capability of the land for resource production is maintained;*
 - (2) *The use will neither create nor be affected by any hazards; and*
 - (3) *Access for fire protection of timber is assured;*
- C. Under MCC 11.15.7750, the approval authority must find that the proposed RPD will:
- (1) *Substantially maintain or support the character and the stability of the overall land use pattern of the area;*
 - (2) *Utilize as gross site acreage, land generally unsuited for agricultural or forest uses, considering the terrain, adverse soil conditions, drainage or flooding, vegetation or the location or size of the tract;*
 - (3) *Be compatible with accepted farming or forestry practices on adjacent lands;*

- (4) *Be consistent with the Comprehensive Plan and the purposes described in MCC.7705.*
- (5) *Satisfy applicable standards of water supply, sewage disposal, and minimum access; and*
- (6) *Not require public services beyond those existing or programmed for the area.*

4. **Response to Approval Criteria:**

A. **General Conditional Use Criteria (MCC 11.15.7120)**

- (1) *consistent with the character of the area; [MCC 11.15.7120(A)]*

The portion of the basin outside the urban growth boundary, as is this property, currently has low-density residential development. The adjacent property inside Portland city limits has low to medium density (e.g., Ramsey Heights, Gale's Ridge--under development on sites ranging from one-half acre to five acres). To this applicant's knowledge, all the surrounding property is currently used essentially as residential property. The proposed two sites would be significantly larger than many, if not most, of the residential sites outside the urban growth boundary in the Basin. Further, property just over Skyline, within 1/4 to 1/2 mile of tax lot 102, has been or is being developed for residential use--e.g., Reed Drive, Panavista, Forest Park Estates, and the development at Skyline and Thompson. There are two houses to the immediate east of the property, one of which is our current residence. The other is on a 7.82 acre parcel. There are two houses across Thompson from the property.

In terms of building site size, the proposal satisfies this criterion. Approval of the proposed RPD would result in 2 parcels; one 5 acres and one 16 acres, with a house on each parcel. In those parts of the surrounding area with the same MUF-19 zoning as the subject site, there are houses on parcels ranging in size from under 2 to over 27 acres. In those parts of the surrounding area that are in Portland and have city zoning designations, there are houses on even smaller lots. Houses on parcels of the size proposed under this RPD request would not be out of character with those in the surrounding area. For these reasons, the proposal satisfies MCC 11.15.7120(A).

- (2) *Will not adversely affect natural resources; [MCC 11.15.7120(B)]*

The proposed RPD would not have a negative effect on protection of the area. Site development and the location of buildings in the long run would minimize any adverse environmental impact. The presence of the houses will have a smaller effect on natural

resources, including Balch Creek, than clear cutting at some date in the future on this site.

- (3) ***Will not conflict with farm or forest uses in the area;***
[MCC 11.15.7120(C)]

There is no established farming or forestry practices on adjacent lands. The property is surrounded by residential uses. Part of the south boundary adjoins a 40-acre parcel, which has not been developed, but which is not being used for forestry or farming. The building sites would be far removed from that parcel. The remaining adjacent land is residential.

As discussed above, adjacent land inside the City of Portland is experiencing increasing residential development, and there are houses on many of the parcels in the nearby unincorporated area. To the extent that farm or forest uses might at any time occur on the adjacent 40-acre parcel or elsewhere in the vicinity, the addition of two residences through approval of the requested RPD would not appear to conflict with such uses. For this reason, the proposal satisfies MCC 11.15.7120(C).

- (4) ***Will not require public services other than those existing or programmed for the area*** [MCC 11.15.7120(D)]

The proposal will not require public services beyond those already existing in the area. Power and phone already serves the area. Water and sewage will be on-site. Fire protection is from Fire District #1 JT. Schools are Portland School District. For these reasons, the proposal would satisfy MCC 11.15.7120(D)

- (5) ***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*** [MCC 11.15.7120(E)]

The site is not identified as a big game habitat area in the Comprehensive Plan or by the Oregon Department of Fish and Wildlife. For this reason the proposal would satisfy MCC 11.15.7120(E)

- (6) ***Will not create hazardous conditions;*** [MCC 11.15.7120(F)]

The property has no known development limitations which would preclude use of the property as proposed. It is anticipated any building construction on lot B would occur near Thompson Road, near the north property line. Lot A's probable building site is approximately 200 to 250 feet from Thompson, and is now served by a logging road. Both areas are relatively level and substantially removed from the drainageway leading to Balch Creek. The majority of vegetation will be retained during site development to mitigate any natural problems and minimize the visual impact of subsequent

residential construction. Although the proposed building sites appear to be on the least steep portions of the subject site, any construction on the site would require a Hillside Development Permit as stated in Finding 2.C. Subject to approval of appropriate Hillside Development Permits, the proposal would satisfy MCC 11.15.7120(F)

(7) ***Will satisfy the applicable policies of the Comprehensive Plan.*** [MCC 11.15.7120(G)]

(a) **No. 13 - Air and Water Quality and Noise Level**

Air and water quality should be unaffected by this proposed use. Disposal will be by an approved on-site disposal system. Prior to issuance of a building permit for any residence on the site the County Sanitarian would require a Land Feasibility Study confirming the ability to use on-site sewage disposal system for that residence. For these reasons, the proposal satisfies Policy 13.

(b) **No. 14 - Development Limitations**

For reasons stated in Finding 4.A.(6) above, the proposal satisfies Policy 14.

(c) **Policy 16 - Natural Resources**

For reasons stated in Finding 4.A.(2) above, the proposal satisfies Policy 16.

(d) **Policy 20 - Arrangement of Land Uses**

The applicant has stated that the proposed RPD would create two home sites. The proposed density that would be achieved by reducing the required minimum lot size from MUF-19 would still be substantially lower than the density that already exists for most home sites in the adjacent area. Impact on services would be minimal, as utilities are already present in the area, and sanitary and water would be supplied on-site.

The text of Policy 20 appears on page 81 of the Comprehensive Framework Plan and states that the County's policy *to support higher densities and mixed land uses within the framework of scale, location and design standards which (A) assure a complimentary blend of uses; (B) reinforce community identity; (C) create a sense of pride and recognition; and (D) maintain or create neighborhood long-term stability.* A reading of the related Introduction and Strategies on pages 80-81 suggests that the context of the policy is urban rather than rural, since

the text refers to "community plans," "the location of commercial uses in industrial areas" and so on. Since the Comprehensive Plan and Zoning designation (Multiple Use Forest) for the site is rural, Policy 20 is not applicable.

(e) **Policy 21 - Housing Choice**

This proposal, by allowing two single family residences to be built instead of one, should (admittedly to a very minimal extent) increase housing choice.

(f) **Policy 22 - Energy Conservation**

The Alder and Maple on this site would provide a renewable source of wood fuel. Thus, the residence would support wood utilization as a renewable energy resource.

(g) **Policy 23 - Redevelopment**

The applicant has stated that the proposed RPD will more efficiently utilize land that has remained essentially vacant after being logged off by the prior owners, and is in an unusual area surrounded by the city of Portland, and by residential uses. Applicant is uncertain when the conifer was logged, but it occurred numerous years ago. The proposal will allow the property to be more fully utilized without changing the low density residential character of this part of the upper basin outside the UGB.

The Redevelopment policy deals with urban as opposed to rural areas as shown by the reference in the introduction at page 90 of the Comprehensive Framework Plan Policy document the "redevelopment of blighted, obsolete, aging or inefficiently designed industrial, commercial and residential areas." Policy 23 is not applicable to the subject site.

(h) **Policy 37 - Utilities**

Upon approval of this conditional use proposal, land feasibility studies for septic approval will be conducted on each building site. No difficulty is anticipated, as septic tank drain field systems have been approved for property surrounding these parcels on all sides. Water supply will be provided by private wells. Portland General Electric and U.S. West/PNB have service in place along N.W. Thompson Road and can adequately serve the proposed sites.

(i) **Policy 38 - Facilities**

Chapman Grade School, West Sylvan Middle School and Lincoln High School are the applicable public education

facilities. Fire protection is provided by Fire District No. 1 JT. Police protection is provided by Multnomah County, using the city of Portland police via an intergovernmental agreement.

B. Specific Criteria For RPD's in MUF District [MCC .2172(C)]

- (1) *The capability of the land for resource production is maintained;* [MCC 11.15.2172(C)(1)]

The capability of the land for resource production is maintained and the proposal does not contemplate taking all or a substantial portion of the land out of timber production.

- (2) *The use will neither create nor be affected by any hazards; and* [MCC 11.15.2172(C)(2)]

For reasons stated in Finding 4.A.(6) above, the proposal satisfies MCC 11.15.2172(C)(2).

- (3) *Access for fire protection of timber is assured;* [MCC 11.15.2172(C)(3)]

Any residential development on the site would be subject to the Residential Use Development Standards of the MUF zoning district. Those standards address fire access among other things. For this reason, the proposal satisfies MCC 11.15.2172(C)(3)

C. Findings Required to Approve an RPD (MCC .7750)

- (1) *Substantially maintain or support the character and the stability of the overall land use pattern of the area;* [MCC 11.15.7750(A)]

For the reasons stated in Finding 4.A(1) the proposal satisfies MCC 11.15.7750(F)

- (2) *Utilize as gross site acreage, land generally unsuited for agricultural or forest uses, considering the terrain, adverse soil conditions, drainage or flooding, vegetation or the location or size of the tract;* [MCC 11.15.7750(B)]

At pages 3 and 4 of his narrative the applicant states that the topography and wooded land does not lend itself to farming. As to forest uses, most of the conifers were logged a number of years ago and not replanted. The property contains some remaining conifers and some Alder and Maple. As noted above, applicant has reason to believe intensive logging would be opposed by various interest groups. Further, as recent LCDC studies and Goal 4 proposed rules recognize, 20 acre parcels are too small for economical sustained commercial forest uses, particularly where a riparian strip may need

to be left along the drainage branches, and the land is surrounded by residences.

The applicant narrative also states in part at page 2 under the heading "Consistency with Comprehensive Plan" that the site's use for economic forestry purposes is limited because of the relatively small size of the parcel, the presence of drainage branches leading into Balch Creek, opposition of the Northwest District Association, and likely opposition of groups including Forest Park Neighborhood Association and Friends of Forest Park to intensive management of the property for logging and related forestry practices.

The combination of the location of the property and the terrain of the tract, including the presence of Balch Creek and including this odd spot not with reference to the Urban Growth Boundary and the City boundaries, but with reference to Cornell Road and Thompson Road going into urbanizing areas now, make it generally unsuitable for agricultural or forest uses, in particular, forest harvesting. Therefore, the proposal satisfies MCC 11.15.7750(B) and that the property is generally unsuited for forest uses.

- (3) ***Be compatible with accepted farming or forestry practices on adjacent lands; [MCC 11.15.7750(C)]***

For the reasons stated in Finding 4.A(4) the proposal satisfies MCC 11.15.7750(F)

- (4) ***Be consistent with the Comprehensive Plan and the purposes described in MCC.7705. [MCC 11.15.7750(D)]***

MCC.7705 states in part that the purpose of the RPD section is "provide . . . for the orderly development of rural land demonstrated as not suitable for agricultural or forest uses, . . ." For the reasons stated above, the subject site has been demonstrated as unsuitable for forest use. For this reason, the proposed RPD satisfies MCC 11.15.7750(D).

- (5) ***Satisfy applicable standards of water supply, sewage disposal, and minimum access; and [MCC 11.15.7750(E)]***

For the reasons stated in Findings 4.A(7)(a and h) and 4.B(3) the proposal satisfies MCC 11.15.7750(E)

- (6) ***Not require public services beyond those existing or programmed for the area. [MCC 11.15.7750(F)]***

For the reasons stated in Finding 4.A(4) the proposal satisfies MCC 11.15.7750(F)

Conclusions: (RPD 3-90)

1. Based on the above findings, the proposed RPD satisfies the approval criteria both for Rural Planned Developments in general and for Rural Planned Developments in the Multiple Use Forest district in particular.

Findings of Fact: (LD 15-90)

1. **Applicant's Proposal:** Please refer to Finding 1 under RPD 3-90.
2. **Site Conditions and Vicinity Information:** Please refer to Finding 2 under RPD 3-90.
3. **Land Division Ordinance Considerations (MCC 11.45):**
 - A. The proposed land division is closely related to the accompanying Rural Planned Development (RPD) request. Approval of the land division cannot occur without approval of the RPD.
 - A. The proposed land division is classified as a Type III because it is *a minor partition which will result in one or more parcels with a depth to width ratio exceeding 2.5 to 1* [MCC 11.45.100(D)]. Parcel A has a depth to width ratio of 2.9 to 1.
 - C. MCC 11.45.390 lists the approval criteria for a Type III Land Division. The approval authority must find that:
 - (1) *The Tentative Plan is in accordance with:*
 - a) *the applicable elements of the Comprehensive Plan;*
 - b) *the applicable Statewide Planning Goals adopted by the Land Conservation and Development Commission, until the Comprehensive Plan is acknowledged to be in compliance with said Goals under ORS Chapter 197; and*
 - c) *the applicable elements of the Regional Plan adopted under ORS Chapter 197.*[MCC 11.45.230(A)].
 - (2) *Approval will permit development of the remainder of the property under the same ownership, if any, or of adjoining land or of access thereto, in accordance with this and other applicable ordinances.* [MCC 11.45.230(B)].
 - (3) *The tentative plan complies with the applicable provisions, including the purposes and intent of* [the Land Division] *chapter.*[MCC 11.45.230(C)].

(4) . . . and that the tentative plan complies with the Zoning Ordinance. (MCC 11.45.390).

4. **Response to Type III Land Division Approval Criteria:**

- A. **Applicable Elements of the Comprehensive Plan [MCC 11.45.230(A)]:** Approval of the proposed land division depends on approval of the proposed RPD. For reasons stated in the Findings for RPD 3-90, the proposed RPD satisfies the RPD approval criteria, including the applicable elements of the Comprehensive Plan. Therefore, the proposal satisfies MCC 11.45.230(A)
- B. **Development of Property [MCC 11.45.230(B)]:** Approval of the land division would provide the opportunity for development of the site with two residences instead of one. Approval of the request would not affect the ability to develop or provide access to adjacent properties. For these reasons the proposal satisfies MCC 11.45.230(B)
- C. **Purposes and Intent of Land Division Ordinance [MCC 11.45.230(C)]:** For reasons stated in the Findings for RPD 3-90, the proposed RPD satisfies the RPD approval criteria and therefore satisfies the MUF-19 provisions of the Zoning Ordinance for reasons stated below. Since the proposed land division satisfies the provisions of the Zoning Ordinance it therefore complies with the purpose and intent of the Land Division Ordinance.
- D. **Zoning Ordinance Considerations [MCC 11.45.390]:** The applicable Zoning Ordinance criteria are as follows:
- (1) The site is zoned MUF-19, Multiple Use Forest, District.
 - (2) The following minimum area and dimensional standards apply per MCC 11.15.2178:
 - (a) The minimum lot size shall be 19 acres. As shown on the Tentative Plan Map, both proposed parcels contain less than 19 acres. Due to approval of the RPD the parcels are permitted to be of the size proposed.
 - (b) The minimum front lot line length shall be 50 feet. As shown on the Tentative Plan Map, both proposed parcels exceed this requirement.

Conclusions: (LD 15-90)


1. The proposed land division satisfies the applicable elements of the Comprehensive Plan.
2. The proposed land division satisfies the approval criteria for Type III land divisions.
3. The proposed land division complies with the zoning ordinance.

Decision
June 11, 1990

RPD 3-90/LD 15-90
Continued

IN THE MATTER OF RPD 3-90/LD 15-90

Signed June 11 1990

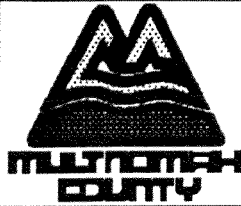

By Richard Leonard, Chairman 

Filed With the Clerk of the Board on June 21, 1990

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, July 2, 1990 on the required Notice of Review Form which is available at the Planning and Development Office at 2115 SE Morrison Street.

The Decision on this item will be reported to the Board of County Commissioners for review at 9:30 a.m. on Tuesday, July 3, 1990 in Room 602 of the Multnomah County Courthouse. For further information call the Multnomah County Planning and Development Division at 248-3043.



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

Decision

This Decision consists of Findings of Fact and Conclusions

June 11, 1990

**PR 3-90, #91C
ZC 4-90, #91C**

**Comprehensive Plan Revision
Multiple Use Forest District**

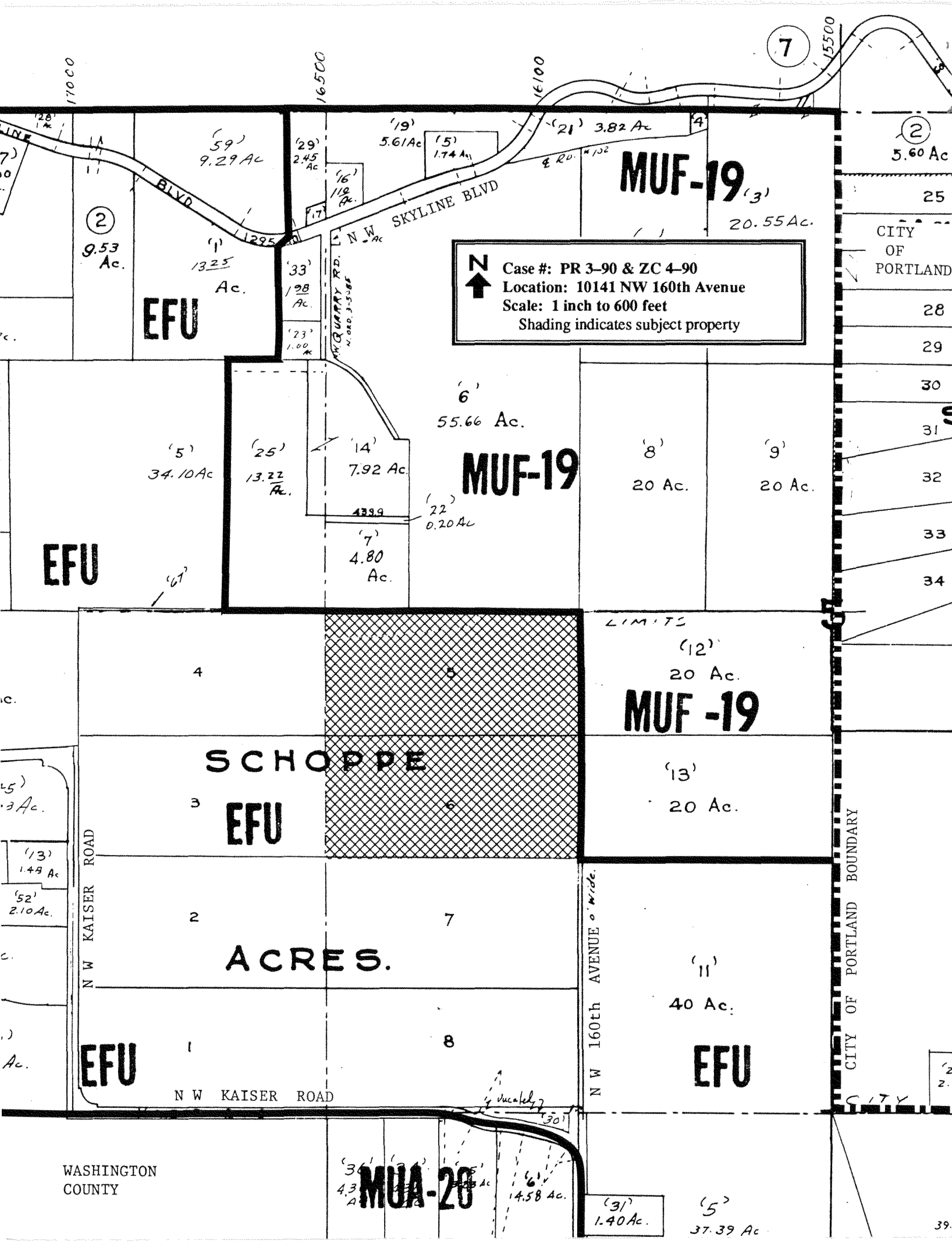
Applicant requests change in the Comprehensive Plan designation from Exclusive Farm Use to Multiple Use Forest, and amendment of Sectional Zoning Map #91C changing the described property from EFU, Exclusive Farm Use District to MUF-19, Multiple Use Forest District. Approval would result in Lot 5 and Lot 6, Schoppe Acres each being recognized as a "lot of record".

Location: 10141 NW 160th Avenue
Legal: Lots 5 and 6, Schoppe Acres
Site Size: 39.47 Acres
Size Requested: Same
Property Owner: Stanley J. Steinberg / Hans H. Grunbaum
6075 SW Mill Street, Portland, OR 97221
Applicant: Frank Walker and Associates
13500 Monmouth Highway, Monmouth, OR 97361
Comprehensive Plan: Exclusive Farm Use
Present Zoning: Exclusive Farm Use, EFU District
Sponsor's Proposal: Multiple Use Forest, MUF-19 District

PLANNING COMMISSION

DECISION No. 1: **Approve, subject to conditions,** requested amendment of the Comprehensive Plan Map changing the designation of the subject property from Exclusive Farm Use to Multiple Use Forest
(PR 3-90)
DECISION No. 2: **Approve, subject to conditions,** requested amendment of Sectional Zoning Map #91C, changing the subject property from EFU, Exclusive Farm Use to MUF-19, Multiple Use Forest, all based on the following Findings and Conclusions
(ZC 4-90)

PR 3-90 / ZC 4-90



Case #: PR 3-90 & ZC 4-90
Location: 10141 NW 160th Avenue
Scale: 1 inch to 600 feet
Shading indicates subject property

MUF-19

MUF-19

MUF-19

SCHOPPE
EFU

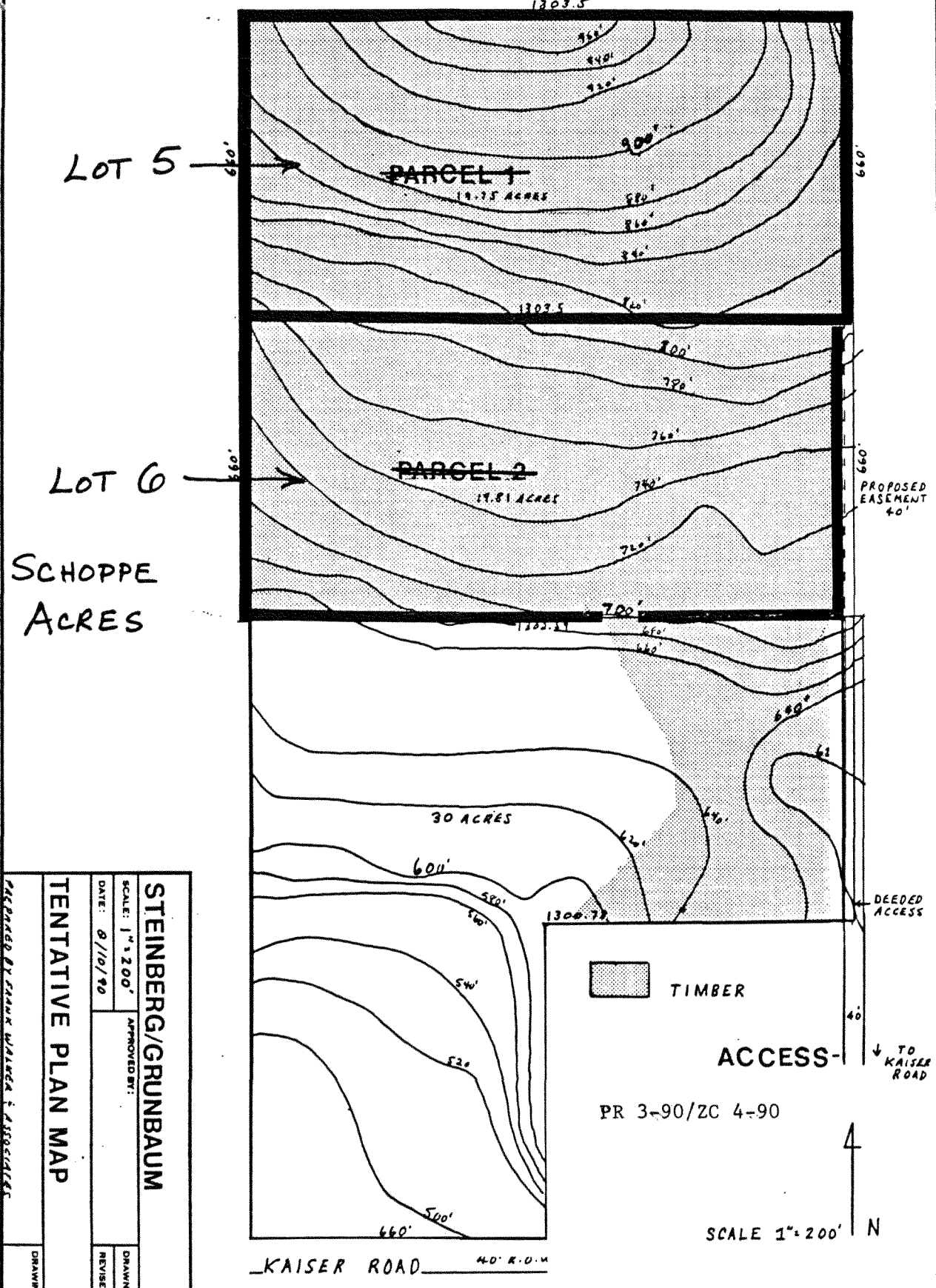
ACRES.

MUA-20

WASHINGTON
COUNTY

CITY
OF
PORTLAND

CITY OF PORTLAND BOUNDARY



LOT 5

LOT 6

SCHOPPE
ACRES

STEINBERG/GRUNBAUM

SCALE: 1" = 200'

DATE: 8/10/90

APPROVED BY:

DRAWN BY: FRANK WARD

REVISED

TENTATIVE PLAN MAP

DRAWING NUMBER



TIMBER

ACCESS-

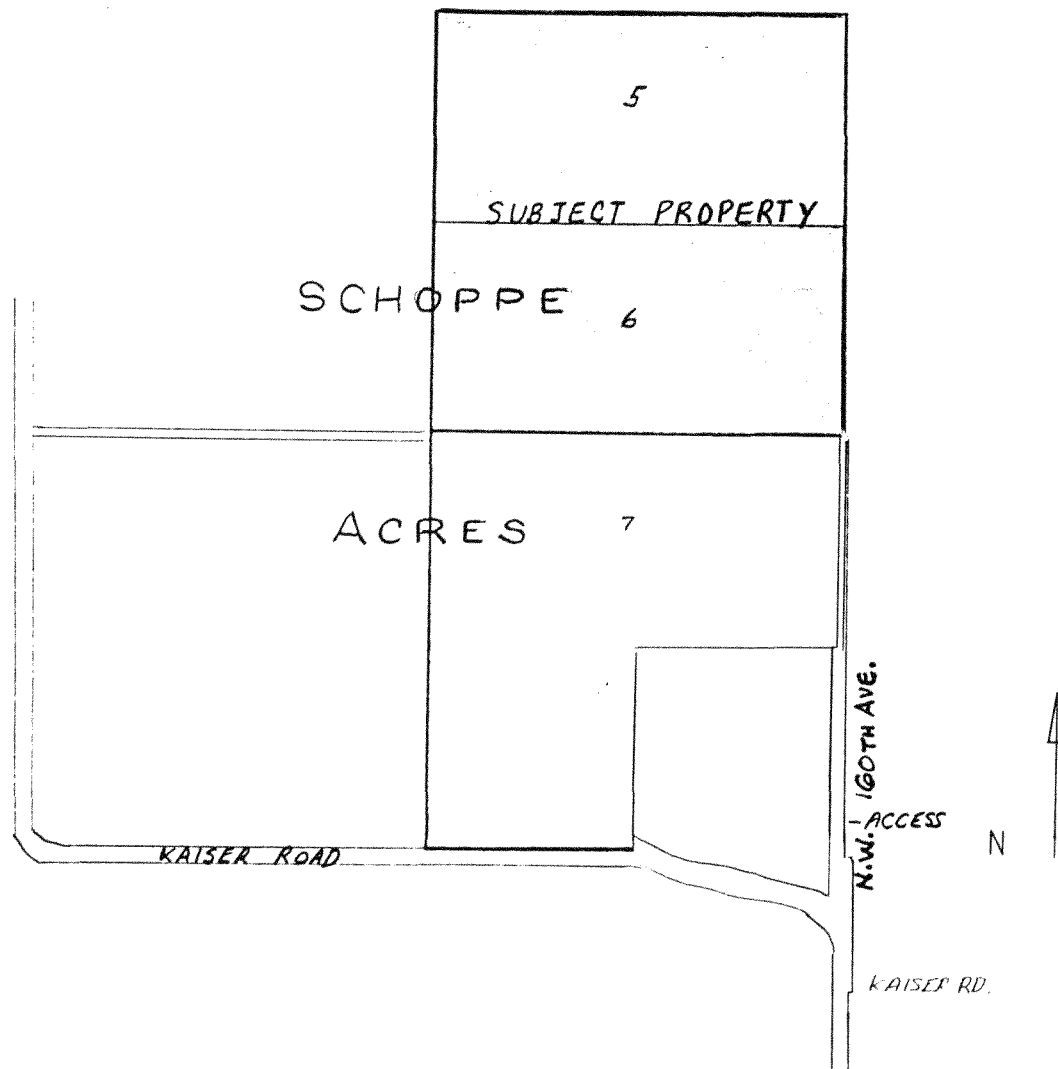
PR 3-90/ZC 4-90

SCALE 1" = 200'



TO
KAISER
ROAD

NOTICE MAP



STEINBERG		
SCALE: 1" = 400'	APPROVED BY:	DRAWN BY
DATE: 4/18/90		REVISED
		DRAWING NUMBER

Conditions of Approval:

1. Prior to issuance of building permits, meet the requirements of the Engineering Services Division. Contact Richard Howard at 248-3599 for additional information.
2. Obtain a Land Feasibility Study from the County Sanitarian confirming the ability to use an on-site sewage system on the property.
3. Satisfy the residential use development standards for the MUF District as contained in MCC 11.15.2194.

Findings of Fact: Portions of the submitted application narrative are used in the findings section of this report. To distinguish the applicant's submittal from staff comments they will be preceded by the page number from the application in bold parenthesis (**page 3**), be in quotes, and be indented. **Note: References by the applicant to Parcels 1 and 2 are referring to Lots 5 and 6, Schoppe Acres. Parcel 3 is referring to an adjoining 30 acre lot to the south, tax lot '1' of lots 7 and 8, Schoppe Acres, which is not a part of this application.**

1. **Applicant's Proposal:** The applicant requests a plan and zone change from Exclusive Farm Use (EFU zone) to Multiple Use Forest (MUF-19 zone) for property 39.47 acres in total area. The property contains Lots 5 and 6 of the Schoppe Acres Subdivision platted in 1912. Under the present EFU zoning the two lots are "aggregated" together because of common ownership and do not meet the minimum lot size of 38 acres for new land divisions. A change to MUF-19 zoning would result in Lot 5 and Lot 6 each being recognized as a "lot of record" of over 19 acres in area. After approval of a forest management plan, a resource-related residence could be placed on each lot.
2. **Background Information:** The subject property was part of a larger 136 acre area which was de-annexed from the City of Portland in 1984. Shortly after receiving jurisdiction over the properties, the County zoned properties within the area either MUF-19 or EFU. The two tax lots of 20 acres each which abut the subject property on the east were the only lots zoned MUF-19.
3. **Site Information:**
 - A. Land uses: The 39.47 acre site is heavily timbered and contains no dwelling or structures.
 - B. Soils:

(page 3)

"Five different soil series are present, and three variants occur within the Cascade Silt Loam series (7B, 7C and 7D). Two soil series in particular (the 7C and 10C) predominate on the property.

The significant factor with respect to soils is their location relative to slope changes, elevation, and slope orientation. Higher elevations (650 feet and above) and timber use correlate strongly with the Cornelius Silt Loam (10C) and the Cascade Silt Loam (7C). The aforementioned soil series that correlate with the timber growth area in proposed parcels 1 and 2 also have the highest site index rating for timber growth (165 and 157 respectively). Lower site index ratings (157 down to 136) are characteristically located in the farmed portion of the ownership (proposed parcel 3). The extreme southwest corner of the property is not rated for timber growth based on inherent soil limitations.

The portion of the property best suited for timber production is utilized for timber, and the portion that is optimum for agriculture is utilized for farm production (hay and pasture).

The steep south and east-facing slopes that would be highly erodible agricultural lands are in timber production. The gentler south-facing slopes between 490 feet and 600 feet are cleared and used for hay and pasture."

C. Topography:

(page 3 & 5)

"Elevations range from approximately 490 feet in the southwest corner to over 960 feet on the northern property boundary. This 470 feet of relative relief influences the treatment and use of the land.

The portion of the property below 650 feet in elevation is climatically different from that portion above that elevation. Below 650 feet frost and snow are less common, and wind exposure is less severe. Most varietal grapes, for example, are optimally grown at this elevation. Above the 650-foot elevation snow and cloud cover are more common in the winter. Fewer degree heating days are present at the higher elevations. While most crops are stressed by these conditions, timber thrives. This, in part, explains the abrupt change from farm to forest use at the 650-foot elevation mark. The northern property boundary is one of the highest elevation ridgetops locally."

D. Access to Site: The dedicated but unimproved public right-of-way of NW 160th Avenue connects the southeast corner of Lot 6 to NW Kaiser Road. The applicant is proposing to place a 40 foot easement along the east side of Lot 6 to connect Lot 5 with NW 160th Avenue. Due to the platted lot of record status of Lots 5 and 6, the site is not required to meet current access and street frontage requirements.

4. **Vicinity Information:** The zoning designation on the properties to the west and south is Exclusive Farm Use. On those properties are large cleared areas in current farm use. To the east and north the zoning is Multiple Use Forest-19 where significant portions of most prop-

erties are densely forested. The subject property is the only fully forested one zoned EFU in the area.

5. Ordinance Considerations:

A. MCC 11.05.290 specifies factors to consider in review of a quasi-judicial plan revision. MCC 11.05.120(B) classifies the proposed amendment as quasi-judicial since no Comprehensive Plan Policy amendments are proposed. It must be demonstrated that the revision is:

- (1) Consistent with standards in MCC 11.05.180 (LCDC goals);
- (2) In the public interest; and
- (3) In compliance with applicable elements of the Comprehensive Plan.

B. MCC 11.15.8230(D) lists approval criteria for a change of zoning classification. It must be demonstrated that:

- (1) Granting the request is in the public interest;
- (2) There is a public need for the requested change and that need will be best served by changing the classification of the property in question as compared with other property;
- (3) The proposed action fully accords with the applicable elements of the Comprehensive Plan."

6. Compliance with Ordinance Criteria:

(page 13)

"Description of How Proposal is in Public Interest

The proposal to divide and rezone this property is expressly intended to increase the agricultural and timber productivity of the land. The very intent of Goals 3 and 4 respectively is to preserve resource lands for the continued production of farm and forest products. Under this proposal both of these objectives will be obtained.

Proposed parcels 1 and 2 seem to fit perfectly with the Policy 12 (Multiple Use Forest Area) criteria. The second paragraph of the "Introduction" states: "The intent of this classification is to encourage small wood lot management, forestry, reforestation and agriculture." This proposal serves the public interest since it conforms to this intent statement.

Rezoning parcels 1 and 2 to MUF-19 in no way affects the agricultural potential of parcel 3. The purpose of the Agricultural Land Area Classification under Policy 9 is to preserve the best agricultural lands from inappropriate and incompatible development. Parcel 3 will be preserved for agricultural use and still be free from incompatible development under this proposal."

7. Comprehensive Plan Policies:

A. Policy No. 9, Agricultural Land Area:

Introduction

The purpose of the Agricultural Land Area Classification is to preserve the best agricultural lands from inappropriate and incompatible development and to preserve the essential environmental characteristics and economic value of these areas.

The intent of this classification is to establish these areas for exclusive farm use with farm use and the growing and harvesting of timber as primary uses.

Policy: The County's policy is to designate and maintain as exclusive agricultural, land areas which are:

- A. Predominantly agricultural soil capability I, II, III, and IV, as defined by U.S. Soil Conservation Service;
- B. Of parcel sizes suitable for commercial agriculture;
- C. In predominantly commercial agricultural use; and
- D. Other areas, predominantly surrounded by commercial agricultural lands, which are necessary to permit farm practices to be undertaken on these adjacent lands.

(pages 5 & 7)

"The areas that are best suited for agriculture based on historical use, current use, soils, topography, slope orientation, elevation, degree heating days, and minimal erosion potential are utilized for commercial agriculture. All of the land in this ownership utilized for agriculture will continue to be used for that purpose. In fact, the agricultural use will intensify since a large horse ranch is planned for proposed parcel 3.

The county was correct in designating proposed parcel 3 for agriculture based on the plan policies. The proposal to change the zoning on parcels 1 and 2 and divide off parcel 3 still conforms with policies 9 A. through E. Proposed parcel 3 will still be surrounded by commercial agricultural land and resource land. The three proposed parcels in this case were formerly separate

parcels of record. The area comprising parcels 1 and 2 should have more appropriately been zoned for forest use based upon the following factors:

1. The parcels always have been in timber use.
2. The elevation of the parcels (above 680 feet) precludes many types of frost sensitive agriculture (solar insolation is also diminished due, to cloud cover).
3. Steeper slopes largely prevent any type of mechanized agriculture.
4. The soils have a high site index for timber range in a from 157 to 166."

Staff Comment: Policy 9E allows in some circumstances the zoning of non-agricultural areas as EFU lands. However, the subject property has agricultural activities occurring on only two sides which does not make it necessary to zone this property EFU "to permit farm practices to be undertaken on these adjacent lands".

B. Policy No. 12, Multiple Use Forest Areas:

Introduction

The purpose of the Multiple Use Forest Area classification is to conserve those lands suited to the production of wood fibre by virtue of their physical properties and the lack of intensive development; however, in areas where the lands are suitable and the use does not impact existing forestry or agricultural uses, other uses will be allowed.

The intent of this classification is to encourage small wood lot management, forestry, reforestation and agriculture. Other non-forest or non-farm uses such as rural planned developments, limited service commercial, extractive industries and cottage industries may also be allowed.

Policy: The County's policy is to designate and maintain as Multiple Use Forest, land areas which are:

- A. Predominately in Forest Site Class I, II, III, for Douglas Fir As Classified by the U.S. Soil Conservation Service;
- B. Suitable For Forest Use and Small Wood Lot Management, But Not in Predominately Commercial Ownerships;
- C. Provide with rural services sufficient to support the allowed uses, and are not impacted by urban-level services; or
- D. Other areas which are:
 1. Necessary for watershed protection or are subject to landslide, erosion or slumping; or

2. Potential reforestation areas, but not at the present used for commercial forestry; or
3. Wildlife and Fishery habitat areas, potential recreation areas, or of scenic significance.

(pages 7 & 8)

"The proposed division and rezoning of parcels 1 and 2 conforms very closely with the intent statement of policy 12. Furthermore, this proposal conforms point by point with policies A through D as follows:

- A. The soils as identified in the Soil Survey for Multnomah County, Oregon are predominantly in Forest Site Class I, II, and III.
- B. Parcels 1 and 2 are small parcels in private ownership and are highly suitable for forest use and small wood lot management.
- C. The subject property has rural services such as paved road access, electricity, and telephone. In addition, the properties are capable of supporting a well (based on well log records from the Oregon Department of Water Resources) and septic drainfields (based on soils data from the Soil Survey for Multnomah County, Oregon).
- D. The subject property is sufficiently steep and high in elevation to require watershed protection. Snow and rainfall levels at the 960-foot elevation are higher than those at 480 feet near the southern property boundary. The forested area comprising parcels 1 and 2 are ideally suited for watershed protection and minimizing erosion. Parcels 1 and 2 should be maintained and encouraged for forest use instead of being suggested for farm use based on the current EFU zoning."

C. Policy No. 13, Air, Water, and Noise Quality:

(pages 8 & 9)

"Air, water and noise pollution are minimal on the subject property with the exception of jet aircraft leaving Portland International Airport.

The proposed use of the property for timber management (proposed parcels 1 and 2) and agriculture (horse ranch) on parcel 3 support air and water quality parameters.

The greatest potential threat to water quality would be ground water pollution from septic systems. Both of the predominant soil series, the Cascade Silt Loam (7C) and the Cornelius Silt Loam (10C) have a seasonal high water table perched on a fragipan. The fragipan ranges from 20-40 inches in depth. Either a cap and fill or sand filter septic system will have to be installed in

order to prevent septic system failure.

Any subsequent resource dwellings should be sensitively placed to minimize soil erosion and take advantage of optimum siting for septic tanks. This proposal substantially complies with this plan policy."

D. Policy No. 14, Development Limitations:

(pages 9 & 11)

"Despite the fact that the property increases in elevation from south to north, the slopes are fairly uniform. Slopes exceeding 20 percent are isolated in small pockets. The hazard of erosion is rated as "moderate" in the S.C.S. soil manuals with the exception of the extreme northwest corner of proposed parcel 1 and the east one-third of parcel 3.

Seasonally high water tables are present in all parcels, but only parcel 3 is totally predominated by this situation. Parcels 1 and 2 have water tables of 30-40 inches where the Cornelius Silt Loam (10C) predominates. By contrast, parcel 3 has water tables in the 18-30 inch range. The septic tank drainfield in parcel 3 would have to be designed so that it would not fail during winter wet periods.

The depth to fragipan is 30-40 inches where the Cornelius Silt Loam is present and 20-30 inches where the Cascade Silt Loam is located. This means that the majority of parcel 3 has a shallow depth to fragipan. Any roads, septic tank drainfields and home sites would have to be designed to mitigate any potential adverse impacts.

Overall, any proposal for development on these parcels could be accommodated as long as the limitations are considered during the design phase. Shallow soil depth and seasonal high water table are not problems in parcels 1 and 2 because large areas of land are available where these conditions are absent. Parcel 3 does have a moderately severe problem with shallow soils and seasonal wetness; however, with proper design and drainage any potential adverse impacts can be overcome."

E. Policy No. 16, Natural Resources:

(page 11)

"The subject property is unquestionably a wildlife habitat area, and the northern end is probably a significant aggregate resource area since it borders an existing gravel pit.

The Department of Geology and Mineral Industries has this general area

designated as a potential resource area. However, the possibility for developing the resource is relatively low due to the proximity of residences and the unwillingness of the owners to develop the resource. Only the west half of parcel 1 would be considered as an aggregate resource area.

The wildlife habitat area basically encompasses the whole ownership because there are no improvements or developed areas on the entire property. The forest/meadow interface provides excellent habitat for wildlife. Any proposal to develop this property would at the most result in three dwelling units. The proposed farm uses for horses and timber management are compatible with wildlife habitat requirements. Wildlife that currently utilize the pasture in parcel 3 would be deprived of that food source if horses are pastured. However, the area is zoned for agriculture, and wildlife habitat must yield to agricultural uses.

In summary, the existing and proposed uses of the property substantially conform to this goal."

F. Policy No. 22, Energy Conservation:

(page 11)

"This policy has limited application to this property. The development of energy-efficient land use practices is the major point of concern with respect to this proposal. Any increase in density would be for the purpose of managing the resource base for farm and forest uses."

G. Policy No. 37, Utilities:

(page 12)

"The subject property will place a relatively low demand on utility services since the zoning would only allow 3 dwellings. Paved road access, electrical power, and telephone are available to the site. However, sanitary sewer, storm sewer, and domestic water are unavailable. Sewage disposal will have to be provided by a septic tank, and water will be from wells.

Drainage is not a problem now. When the access road and resource dwellings are constructed drainage will have to be considered. The potential for modifying rainfall/runoff rates and volumes will come primarily from the proposed access road along the eastern property boundary (not so much from potential home sites). The proposed access road will be designed so as to minimize accelerated runoff. Rapid runoff would erode or undercut the road unless the speed of the runoff is arrested.

In summary, the property can be served by utilities without placing a heavy demand on public services or the local environment. Proper drainage will be required during driveway construction to protect the integrity of the driveway and to protect downhill residences and county ditches."

Staff Comment: There is the potential for only two additional dwellings on the subject property as a result of this action.

H. Policy No. 38, Facilities:

(pages 12 & 13)

"The subject property is currently in a fire protection district (see General Application). Any proposal to locate resource dwellings on the property (particularly in parcels 1 and 2) will take into account fire protection considerations. Dwelling units will have setbacks from timber harvesting areas, and fire fuel (such as low brush vegetation) will be removed from around the buildings.

The property is located in the Portland School District, and the General Application provides for their being contacted about this proposal. The impact of this proposal will be difficult to weigh until such time that an actual demand is placed on the system.

In summary, . . . the public facilities of the area should be adequate."

I. Summary of Conformance with Comprehensive Plan Policies:

(page 14)

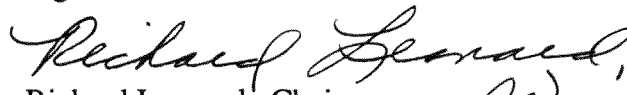
"This proposal substantially conforms with all the applicable policy standards of the Multnomah County Plan. Any potential adverse impacts from anticipated development can be mitigated. Sensitive placement of homes, buildings, and driveways will help satisfy policy requirements for reducing environmental impact.

The provision of utilities and public facilities to the subject property is favorable. The net increase in potential dwelling units is two; not enough to strain public facilities and services."

8. **Conclusions:**

- A. The proposed plan amendment and zone change satisfies the applicable approval criteria.
- B. Conditions of approval are necessary to assure site development is consistent with comprehensive plan policies and implementing regulations.

Signed June 11, 1990

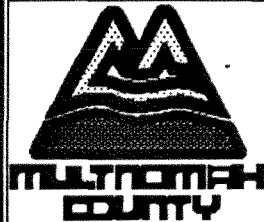

Richard Leonard, Chairman

Filed With the Clerk of the Board on June 21, 1990

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, July 2, 1990 on the required Notice of Review Form which is available at the Planning and Development Office at 2115 SE Morrison Street.

The Decision on this item will be reported to the Board of County Commissioners for review at 9:30 a.m. on Tuesday, July 3, 1990 in Room 602 of the Multnomah County Courthouse. For further information call the Multnomah County Planning and Development Division at 248-3043.



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

Decision

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

June 11, 1990

ZC 5-90, #418
LD 17-90, #418

LR-5, Low Density Residential District
Three-Lot Land Division

Applicant requests amendment of Sectional Zoning Map #418, changing the described property from LR-7, low density residential district (minimum lot size of 7,000 square feet) to LR-5, low density residential district (minimum lot size of 5,000 square feet) plus a three-lot land division.

Location: 10505 SE Schiller Street
Legal: Tax Lot '1' of Lot 21, D and O Little Homes No. 4
Site Size: 18,400 Square Feet
Size Requested: Same
Property Owner: Ralph Madison
5117 SE Powell Blvd., #5, 97206
Applicant: RA Lawrence
5001 Willamette Falls Drive, West Linn, OR 97068
Comprehensive Plan: Low Density Residential
Present Zoning: LR-7, Urban Low Density Residential District
Minimum lot size of 7,000 square feet
Sponsor's Proposal: LR-5, Urban Low Density Residential District
Minimum lot size of 5,000 square feet

Planning Commission

Decision #1 Approve, subject to conditions, the requested zone change from LR-7,
ZC 5-90 low density residential district to LR-5, low density residential district.

Decision #2 Approve, subject to conditions, the requested 3-lot land division, all based
LD 17-90 on the following findings and conclusions.

ZC 5-90/LD 17-90

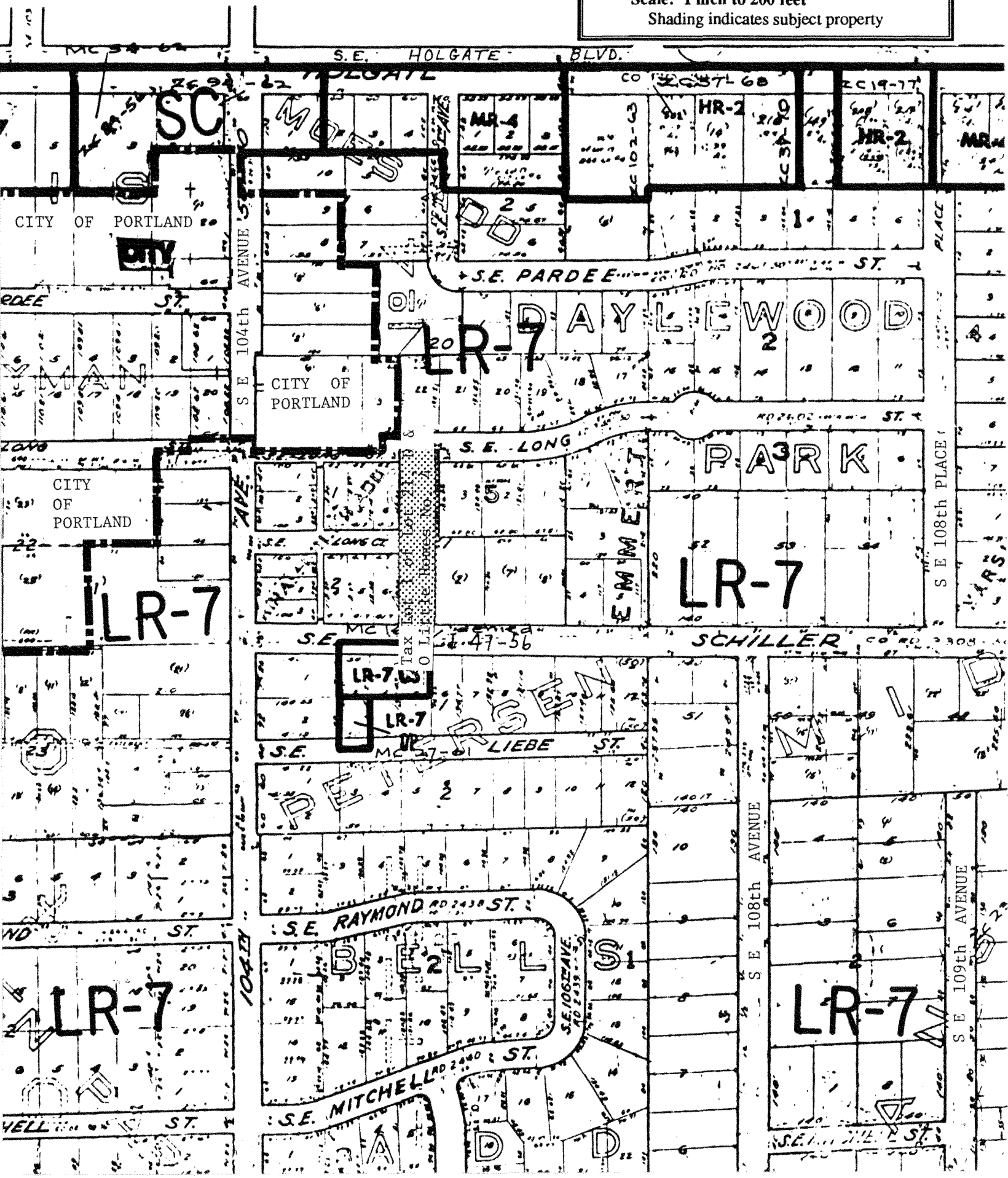


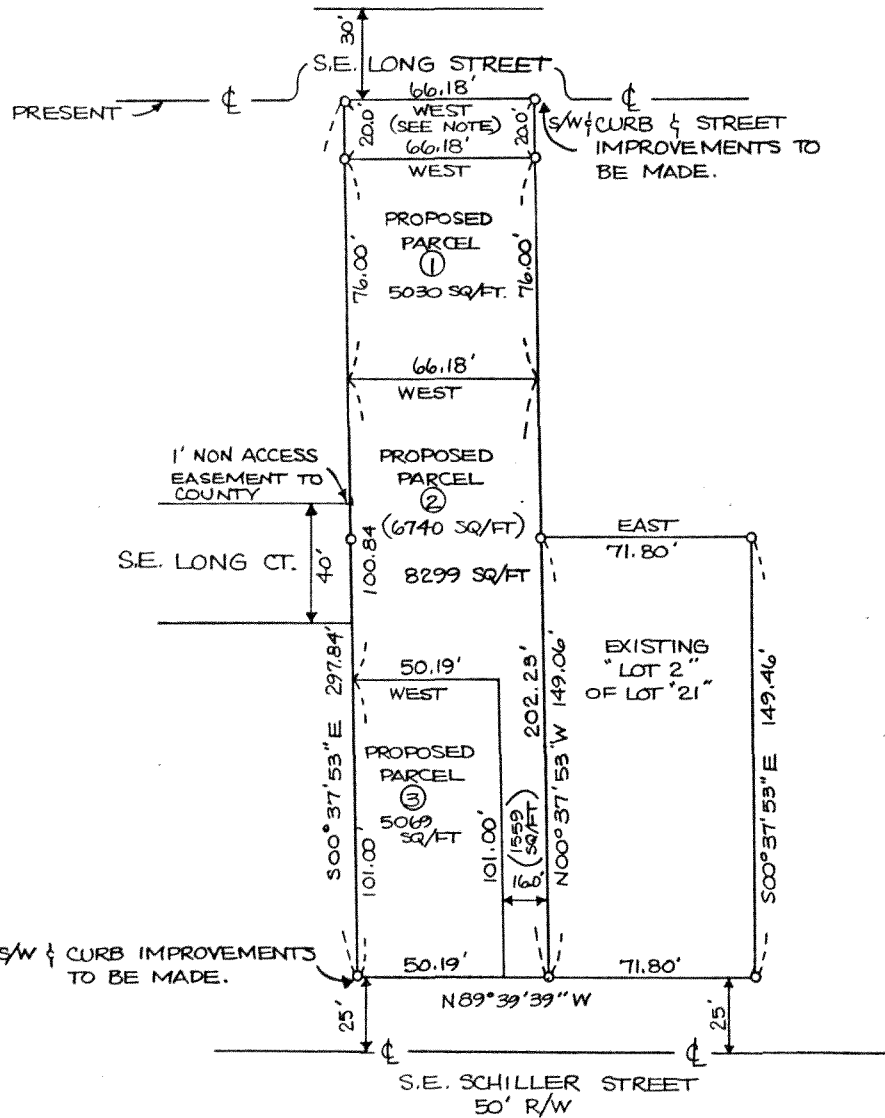
Case #: ZC 5-90 & LD 17-90

Location: 10505 SE Schiller Street

Scale: 1 inch to 200 feet

Shading indicates subject property

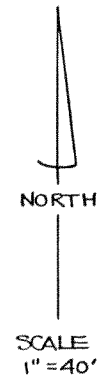




TENTATIVE PLAN MAP

MINOR PARTITION OF
A PORTION OF LOT 21 OF DELASHMUTT
AND OATMANS LITTLE HOMES NUMBER 4
LOCATED IN N.W. 1/4, SECTION 15, T.1S., R.2E., W.B. 1/4 M.
CITY OF PORTLAND, MULTNOMAH CO.

NOTE: THIS AREA TO BE DEDICATED
TO MULTNOMAH COUNTY FOR
ITS FUTURE USE.



APRIL 19, 1990
ACCT # 428-3-89

R. A. LAWRENCE & ASSOCIATES, INC.
5001 Willamette Falls Dr.
WEST LINN, OR 97068
(503) 656-6804

Conditions of Approval:

1. Within **one year** of the date of this decision, deliver the final partition plat and other required attachments to the Planning and Development Division of the Department of Environmental Services in accordance with ORS Chapter 92 as amended. **Please obtain applicant's and surveyor's *Instructions for Finishing a Type III Land Division*.**
2. Prior to recording the final partition plat, comply with the following Engineering Services Division requirements:
 - A. Dedicate 20 feet of additional right-of-way along SE Long Street to provide a total of 25 feet from centerline where the subject property abuts SE Long Street.
 - B. Make the following improvements within the public right-of-way of SE Schiller Street and SE Long Street:
 - (1) Construct a concrete sidewalk to Multnomah County standards across the entire frontage of the property abutting SE Schiller Street.
 - (2) Construct a concrete curb and sidewalk to Multnomah County standards 16 feet south of centerline on SE Long Street.
 - (3) Grade, rock, pave and construct drainage facilities from the new curb to match the existing paving in SE Long Street.
 - (4) Contact Dick Howard at 248-3599 for design specifications and information regarding the required surety bond to cover the improvements.
3. Prior to recording the final partition plat complete the enclosed Application for Sanitarian's Review, have it signed off by the County Sanitarian and return it to the Planning and Development Division.
4. Prior to recording the final partition plat complete the enclosed Application for Certification of Water Service, have it signed off by the water district serving the area and return it to the Planning and Development Division.
5. In conjunction with issuance of building permits, provide the following on-site improvements:
 - A. Improve the 16-foot wide panhandle portion of the flag lot (Parcel 2) to the following standards:
 1. **Paving:** Ten (10) feet in width to provide a durable, all-weather surface, which can be either (a) a two-inch thickness of asphaltic concrete paving on a four to six inch base or (b) the equivalent to (a) above in Portland cement construction on a suitably prepared base.
 - (2) The above improvements shall be installed between the front property line of Parcel 2 abutting S.E. Schiller Street and the garage of the residence on Parcel 2.

(3) The remaining width of the panhandle shall be landscaped and maintained.

6. In conjunction with issuance of building permits for any parcel construct on-site water retention and/or control facilities adequate to insure that surface runoff volume after development is no greater than that before development per MCC 11.45.600. Plans for the retention and/or control facilities shall be subject to approval by the County Engineer with respect to potential surface runoff on the adjoining public right-of-way.

Findings of Fact: (ZC 5-90)

1. **Applicant's Proposal:** The applicant proposes to divide a vacant parcel containing about 18,400 square feet into 3 smaller lots. Parcel 1 would contain 5,030 square feet. Parcel 2 would be a flag lot and would contain 8,299 square feet. Parcel 3 would contain 5,060 square feet. In order to accomplish the proposed land division the applicant also requests a zone change from LR-7, Low Density Residential District to LR-5, Low Density Residential District. The applicant received County land division approval in January, 1990 to divide the site into two lots under the existing LR-7 zoning.
2. **Site Conditions and Vicinity Information:** Site conditions as shown on the Tentative Plan Map are as follows:
 - A. The site abuts S.E. Schiller Street to the south and SE Long Street to the north, approximately 250 feet east of SE 104th Avenue. Southeast Schiller and Long Streets are both 2-lane local streets
 - B. **Slope:** The site is relatively flat and contains no slopes exceeding two percent.
 - C. **Right-of-Way Dedications and Future Street Improvements (SE Long Street):** Southeast Long Street is not fully improved to county standards at this time. The County Engineer has determined that in order to comply with the provisions of MCC 11.60 (The Street Standards Ordinance) it will be necessary for the owner to construct a curb and sidewalk and provide additional paving in S.E. Long Street abutting the site as a condition of approval. It will also be necessary for the owner to dedicate 20 feet of additional right-of-way in SE Long Street to provide a total of 25 feet from centerline as a condition of approval.
 - D. **Future Street Improvements (SE Schiller Street):** Southeast Schiller Street is not fully improved to county standards at this time because it has no sidewalk. The County Engineer has determined that in order to comply with the provisions of MCC 11.60 (The Street Standards Ordinance) it will be necessary for the owner to construct a concrete sidewalk to county standards as a condition of approval.
3. **Zoning Ordinance Considerations (MCC 11.15):**
 - A. The existing LR-7 zoning requires a minimum lot area of 7,000 square feet for a residence. Since the subject site contains about 18,400 square feet, the LR-7 zoning limits the property to two potential single-family building lots. The requested LR-5 zoning requires at least 5,000 square feet of lot area for a residence.
 - B. Under MCC 11.15.8230 (D) lists approval criteria for a zone change. The burden of proof is on the applicant to demonstrate that:

- (1) *Granting the request is in the public interest;* [MCC 11.15.8230 (D)(1)]
- (2) *There is a public need for the requested change and that need will be best served by changing the classification of the property in question as compared with other property;* [MCC 11.15.8230 (D)(2)]
- (3) *The proposed action fully accords with the applicable elements of the Comprehensive Plan.* [MCC 11.15.8230 (D)(1)]

4. Response to Approval Criteria *NOTE:* Information provided by the applicant in response to approval criteria appears in Helvetica type. Staff comments to the applicant's information appear under the heading **Staff Comment**,

A. Public Interest [MCC 11.15.8230 (D)(1)]

Applicant's Response

The subject property is currently zoned LR-7. Referral to the attached map will show this area is adjacent to LR-5 zoning to the West; Medium density residential uses are called for under the Powellhurst community use plan. In this case development has not occurred on any portion of the lot. Because of the current ownerships and existing development of the subject parcel and adjoining properties to the East and West, achievement of the development density goals shall be facilitated by this zone change.

This area is situated near several public amenities which encourage a maximum land use; i.e., a convenience shopping center is developed at the intersection of S.E. 104 and S.E. Holgate, North approximately 2 blocks. A substantial shopping center is located at S.E. 122nd and S.E. Powell to the North; and regularly scheduled public transportation is available 2 blocks to the North. These amenities make this area a prime location for the densities set forth under LR-5 zoning. Such considerations were probably instrumental in the decision to zone and plan the adjacent properties. It would seem logical to bring this area's zoning into keeping with the adjacent area as opposed to leaving it at lower density island.

Staff Comment

Land in the unincorporated area north, east, south and west of the site is zoned LR-7; therefore, staff does not agree that the site is a "lower density island." However, Powellhurst Community Plan Policy No. 24 (Housing Location) indicates that it is in the public interest to allow LR-5 residential development in the subject area. The Plan refers to the area as a "Residential Development Area" or "Infill Area" because it is a partially developed area where new development will occur over time (page 212, Finding 8.A). Locational Criteria #5 of Policy 24 (page 215) states: *Detached dwellings will be allowed as an outright use in Residential Development Areas. The minimum required lot size per unit must be 5,000 square feet.* Approval of the proposed zone change would allow three parcels, with sizes of between 5,030 and

6,740 square feet. Similar to the County, the City of Portland has provisions in its comprehensive plan that allow for rezoning from R-7 to R-5 in certain areas, including the area north and west of the subject site that is inside the city limits and is zoned R-7. For these reasons, the proposed zone change satisfies MCC 11.15.8230 (D)(1).

B. Public Need [MCC 11.15.8230 (D)(2)]

Applicant's Response

Both the "Multnomah County Housing Report, 1977" (and addendums) and Policy 21, (Housing Choice) of the Powellhurst Community Plan refer to the substantial future housing need of unincorporated Multnomah County. The subject zone change will produce 1 lot beyond that attainable under LR-7 (current) zoning. This will help meet the County housing need by providing lot sizes somewhat smaller than most existing single family lots in the unincorporated County. In view of the difficulty of financing residential purchases, especially manifested for the first time buyer in the past several years, and as land and house costs are, in part, a function of the lot size, the requested LR-5 rezoning will assist to promote more affordable single family housing.

Staff Comment

For the reasons stated by the applicant, the proposed zone change satisfies MCC 11.15.8230 (D)(2)

C. Comprehensive Plan: The following Powellhurst Community Plan Policies are applicable

(1) Policy No. 13, Air, Water, and Noise Quality

Applicant's Response

The subject parcel is located approximately 1 block East of S.E. 104th between S.E. Long and S.E. Schiller Streets. The development of the parcel will not remove any particularly significant amount of vegetation. The subject parcel, will, if granted the zoned change, develop in keeping with the R-5 properties to the West and act as an intermediate size lot between the LR-7 to the East.

Staff Comment

Staff concurs with the applicant's statement except that the only "R-5 property to the west" is two blocks west and one block south of the site. It appears that no significant impact on air pollution will result from the one additional house allowed by the proposed zone change and land division. The County Sanitarian will require a Land Feasibility Study for each parcel before allowing an on-site sanitation system in conjunction with building permits for that parcel. When public sewer becomes available to the site,

each parcel will have to connect to the sewer. For these reasons, the proposal satisfies Policy 13.

(2) **Policy No. 14, Development Limitations**

The site is outside the 100 year flood zone and is not in an earth movement area. Surface run-off into the public right-of-way will be handled by storm drain facilities to be approved by the County Engineer. No slopes exceeding two percent exist on the site. For these reasons the proposal satisfies Policy 14.

(3) **Policy No. 21, Housing Choice**

Applicant's Response

Rezoning this property would aid in reducing the land cost of single family residences thus assisting in Policy 21 strategies implementation measures:

"C. Encourage housing that meets the need of youth in terms of size of unity, recreation opportunities, and rent & cost.

Support the provision of housing styles for single adults and childless couples in suburban areas.

E. Encourage housing choices for people who do not wish to maintain houses on large lots.

F. Secure fair and equal access to housing so that all segments of society have fair opportunity to secure needed housing."

Staff Comment

The strategies cited by the applicant appear on page 204 of the Powellhurst Community Plan. This policy directs the county to provide for "...an adequate number of housing units at price ranges and rent levels commensurate with the financial capabilities of Oregon and the regions' households, and to allow for flexibility in housing location, type and density." The county report, "Housing", as well as recent housing market statistics, indicate that there is a substantial unmet demand for affordable (housing cost not exceeding 30% of gross income) housing. Approval of the proposed zone change and land division will help meet that demand by providing for one additional house beyond the two allowed on the site under the present zoning. For these reasons and those stated by the applicant, the proposal satisfies Policy 21.

(4) **Policy No. 22, Energy Conservation**

Applicant's Response

Rezoning this property would aid in reducing the land cost of single family residences thus assisting in Policy 21 strategies implementation measures.

Staff Comment

The proposal will fully develop a vacant (partially developed) parcel within the county's urban area. Thus, the proposal will help discourage "urban sprawl," which is costly in energy use (see Finding 2, page 205). Also, the east-west orientation of the abutting streets will allow exposure of a larger surface area of homes on the site to winter sun for solar heating (see Finding 4, page 205). For these reasons the proposal satisfies Policy 22.

(5) Policy 24, Housing Choice

Applicant's Response

The usage identified in the Community Plan call for this area to be utilized as "Low Density Residential Infill" with 6-10 units per acre. The preliminary plan accompanying this zone change request creates 7.08 units per acre; current zoning would reduce that density to 4.72 units per acre (a loss of one lot), more in keeping with the goal of 6-10 units per acre.

Staff Comment

For the reasons stated by the applicant, the proposal satisfies Policy 24.

(6) Policy No. 35, Public Transportation

Tri-Met Line #17 provides east/west service along SE Holgate Boulevard about three blocks north of the site. For this reason, the proposal satisfies Policy 35.

(7) Policy No. 36, Transportation System Development Requirements

Applicant's Response

The development of the subject parcel will require satisfactory road and street improvements whether developed under LR-7 or LR-5 zoning, which will satisfy this policy.

Staff Comment

Conditions of approval requires the owner to dedicate additional right-of-way, install curbs and sidewalks and provide additional paving in SE Long Street abutting the site. Installation of a sidewalk along SE Schiller Street abutting the site is also a condition of approval. The County Engineer has determined that the dedication and improvements are necessary in order for the proposal to comply with the provisions of the county Street Standards Ordinance. For these reasons, the proposal satisfies Policy 36.

(8) Policy No. 37, Utilities

Applicant's Response

Sewage disposal, both sanitary and storm, shall be done through cesspools, such proposed use has been reviewed by the County Sanitarian and approved. Energy and Communications services are provided by P.G.E., U.S. West and Northwest Natural gas.

Staff Comment

The applicant has not obtained written verification from the water provider for the area that water service is available to the property. Obtaining such verification is a condition of approval. Either obtaining a Land Feasibility Study from the County Sanitarian regarding the use of on-site sanitation on each parcel or connecting to public sewer when it becomes available is a condition of approval.

(9) Policy No. 38, Facilities

The property is located in the Portland School District, which can accommodate student enrollment from houses located on the site. Multnomah County Fire District No.10 provides fire protection and the Multnomah County Sheriff's Office provides police protection.

Conclusions: (ZC 5-90)

1. Finding 4 indicates that the proposed zone change meets the Approval Criteria of the Zoning Ordinance as stated in MCC 11.15.8230 (D).

Findings of Fact: (LD 17-90)

1. **Applicant's Proposal:** Please refer to Finding 2 above for ZC 5-90.
2. **Site Conditions and Vicinity Information:** Please see Finding 2 for ZC 5-90.
3. **Land Division Ordinance Considerations (MCC 11.45):**
 - A. The proposed land division is classified as a Type III because it is *a minor partition abutting a street which has a centerline to property line width less than one-half width specified for that functional street classification according to the Multnomah County Street Standards Ordinance [MCC 11.45.100(B)]*. Southeast Long Street is classified under the Street Standards Ordinance as a local residential street with a planned total right-of-way width of 50 feet. The existing right-of-way width for S.E. Long Street abutting the site is 30 feet.
 - B. MCC 11.45.390 lists the approval criteria for a Type III Land Division. The approval authority must find that:
 - (1) *The Tentative Plan is in accordance with:*
 - a) *the applicable elements of the Comprehensive Plan;*
 - b) *the applicable Statewide Planning Goals adopted by the Land Conservation and Development Commission, until the Comprehensive Plan is acknowledged to be in compliance with said Goals under ORS Chapter 197; and*

- c) *the applicable elements of the Regional Plan adopted under ORS Chapter 197 [MCC 11.45.230(A)].*
- (2) *Approval will permit development of the remainder of the property under the same ownership, if any, or of adjoining land or of access thereto, in accordance with this and other applicable ordinances [MCC 11.45.230(B)].*
- (3) *The tentative plan complies with the applicable provisions, including the purposes and intent of [the Land Division] chapter [MCC 11.45.230(C)].*
- (4) *... and that the tentative plan complies with the Zoning Ordinance (MCC 11.45.390).*

4. **Response to Type III Land Division Approval Criteria**

A. **Applicable Elements of the Comprehensive Plan [MCC 11.45.230(A)]**

- (1) **Statewide Goals and Regional Plan:** For the reasons stated below, the proposal satisfies the applicable policies of the Comprehensive Plan. The Multnomah County Comprehensive Plan has been found to be in compliance with Statewide Goals and the Regional Plan by the State Land Conservation and Development Commission.
- (2) **Applicable Comprehensive Plan Policies:** Please refer to Finding 4.C for ZC 5-90:

B. **Development of Property [MCC 11.45.230(B)]:** Pending approval of the proposed zone change, approval of the land division will increase the opportunity for the site to be developed in accordance with the Comprehensive Plan and the LR-5 zoning. For this reason the proposed land division satisfies MCC 11.45.230(B).

C. **Purposes and Intent of Land Division Ordinance [MCC 11.45.230(C)]**

- (1) MCC 11.45.015 states that the Land Division Ordinance...*"is adopted for the purposes of protecting property values, furthering the health, safety and general welfare of the people of Multnomah County, implementing the Statewide Planning Goals and the Comprehensive Plan adopted under Oregon Revised Statutes, Chapters 197 and 215, and providing classifications and uniform standards for the division of land and the installation of related improvements in the unincorporated area of Multnomah County."* The proposed land division satisfies the purpose of the Land Division Ordinance for the following reasons:
 - (a) The size and shape of the proposed lots will accommodate proposed residential development without overcrowding, thereby protecting property values.
 - (b) Written verification that an adequate public water supply is available for the proposed land division is a condition of approval. A condition of approval assures that adequate provision will be made for on-site sewage disposal on all three parcels. As stated above, fire and police protection are available to the site. For these reasons,

the proposal furthers the health, safety, and general welfare of the people of Multnomah County.

- (c) As stated above, the proposed land division complies with the applicable elements of the Comprehensive Plan. Since the Comprehensive Plan has been found to be in compliance with Statewide Planning Goals by the State Land Conservation and Development Commission, the proposed land division complies with the Statewide Planning Goals.
 - (d) The proposal meets the purpose of "*providing classifications and uniform standards for the division of land and the installation of related improvements*" because the proposal is classified as a Type III Land Division and meets the approval criteria for Type III Land Divisions as stated herein. The conditions of approval assure the installation of appropriate improvements in conjunction with the proposed land division.
- (2) MCC 11.45.020 states that the intent of the Land Division Ordinance is to... "*minimize street congestion, secure safety from fire, flood, geologic hazards, pollution and other dangers, provide for adequate light and air, prevent the overcrowding of land and facilitate adequate provisions for transportation, water supply, sewage disposal, drainage, education, recreation and other public services and facilities.*" The proposal complies with the intent of the Land Division Ordinance for the following reasons:
- (a) The proposal minimizes street congestion by providing public street access to two lots and a private driveway to one flag lot as shown on the Tentative Plan Map.
 - (b) As stated above, public fire protection is available to the property. The property is not located within the 100-year floodplain, and there are no slopes exceeding two percent. The additional new house will not significantly increase air pollution levels. For these reasons, the proposal secures safety from fire, flood, geologic hazard, and pollution.
 - (c) The proposal meets the area and dimensional standards of the LR-5 zoning district as explained below and thereby provides for adequate light and air and prevents the overcrowding of land.
 - (d) Findings 2.C, 2.D and 4.C(7) above for ZC 5-90 address street and public transportation. Finding 4.C(8) addresses water supply and sewage disposal. Finding 4.C(2) addresses storm drainage. Finding 4.C(9) addresses education, fire protection and police service. Based on those findings, the proposed land division facilitates adequate provision for transportation, water supply, sewage disposal, drainage, education, and other public services and facilities.

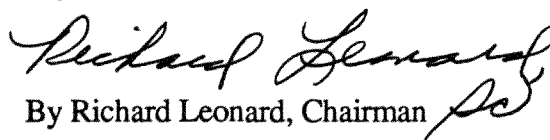
D. **Zoning Ordinance Considerations:** The applicable Zoning Ordinance criteria (MCC 11.15) are as follows:

- (1) Subject to approval of ZC 5-90, the site will be zoned LR-5, Urban Low Density Residential District.
- (2) The following minimum area and dimensional standards will apply per MCC 11.15.2634:
 - (a) The minimum lot size for a single family dwelling shall be 5,000 square feet. As shown on the Tentative Plan Map, all three lots exceed this requirement.
 - (b) The minimum lot width at the building line shall be 45 feet. As shown on the Tentative Plan Map, all three parcels have a width of 66.18 feet.
 - (c) The minimum yard setbacks shall be 20 feet front, 5 feet side, and 15 feet rear. As shown on the Tentative Plan Map, there is sufficient buildable area on all three parcels to satisfy this requirement.
 - (d) The proposed land division complies with the solar access provisions of the Zoning Ordinance. Parcels 1,2 and 3 meet the basic design standard of MCC 11.15.6815(A) because they each have a north-south dimension greater than 90 feet and a front lot line within 30 degrees of a true east-west orientation.

Conclusions: (LD 17-90)

1. Based on Finding 4.C for ZC 5-90, the proposed land division satisfies the applicable policies of the Comprehensive Plan.
2. Based on Findings 4 for LD 17-90, through 5, the proposed land division satisfies the approval criteria for Type III land divisions.

Signed June 11, 1990

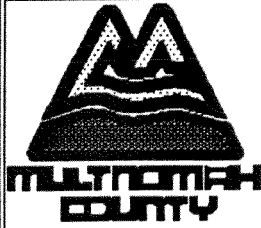

By Richard Leonard, Chairman

Filed With the Clerk of the Board on June 21, 1990

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, July 2, 1990 on the required Notice of Review Form which is available at the Planning and Development Office at 2115 SE Morrison Street.

The Decision on this item will be reported to the Board of County Commissioners for review at 9:30 a.m. on Tuesday, July 3, 1990 in Room 602 of the Multnomah County Courthouse. For further information call the Multnomah County Planning and Development Division at 248-3043.



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

Decision

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

June 11, 1990

ZC 6-90, #414
LD 19-90, #414

LR-5, Low Density Residential District
Five-Lot Land Division

Applicant requests amendment of Sectional Zoning Map #418, changing the described property from LR-7, low density residential district (minimum lot size of 7,000 square feet) to LR-5, low density residential district (minimum lot size of 5,000 square feet) plus a five-lot land division. This change is requested for the continuation of a development as set forth in the superblock street plan adopted in December, 1982 under ZC 16-82 and LD 36-82.

Location: 12636 SE Boise Street

Legal: Lot 19, Blk. E, Suburban Homes Club Tract

Site Size: 97' x 410'18, (39,787.46 Square Feet)

Size Requested: Same

Property Owner: Ralph Madison
5117 SE Powell Blvd., #5, 97206

Applicant: RA Lawrence
5001 Willamette Falls Drive, West Linn, OR 97068

Comprehensive Plan: Low Density Residential

Present Zoning: LR-7, Urban Low Density Residential (min. lot size, 7,000 sq. ft.)

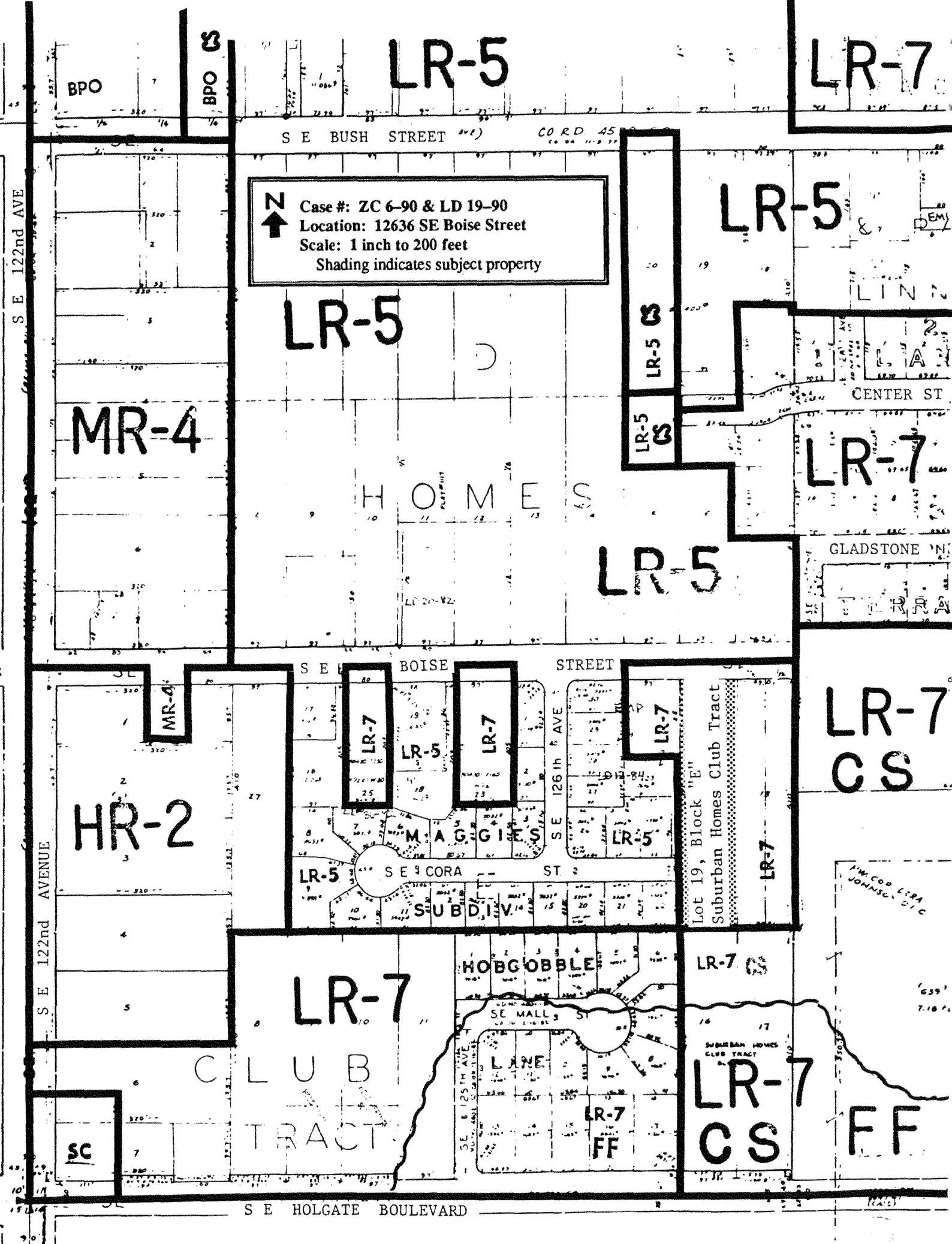
Sponsor's Proposal: LR-5, Urban Low Density Residential (min. lot size, 5,000 sq. ft.)

Planning Commission

Decision #1 **Approve**, subject to conditions, the requested zone change from LR-7,
ZC 6-90 low density residential district to LR-5, low density residential district.

Decision #2 **Approve**, subject to conditions, the requested 5-lot land division, all based
LD 19-90 on the following Findings and Conclusions.

ZC 6-90/LD 19-90



LR-5

LR-7



Case #: ZC 6-90 & LD 19-90
Location: 12636 SE Boise Street
Scale: 1 inch to 200 feet
Shading indicates subject property

LR-5

LR-5

MR-4

H O M E S

LR-5

LR-7

GLADSTONE

SE BOISE STREET

MR-4

LR-7

LR-7

LR-7

LR-7
CS

HR-2

LR-5

LR-5

LR-5

MAGGIE'S
SUBDIV.

Lot 19, Block "E"
Suburban Homes Club Tract

LR-7

SE 122nd AVENUE

LR-7

HOBGOBBLE

LR-7 CS

CLUB
TRACT

SE MALL

LANE

LR-7
FF

LR-7
CS

FF

SC

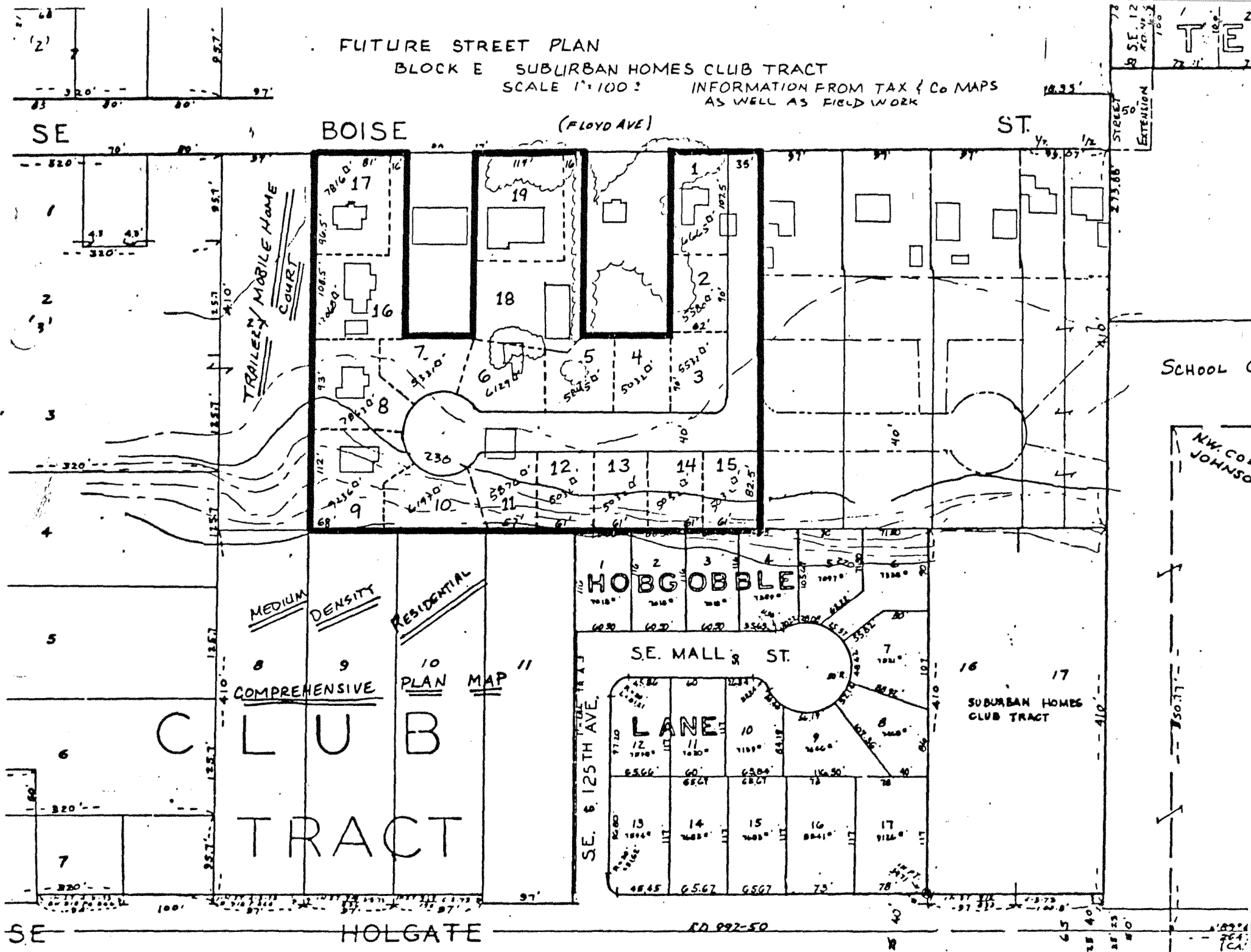
SE HOLGATE BOULEVARD

FUTURE STREET PLAN

BLOCK E SUBURBAN HOMES CLUB TRACT

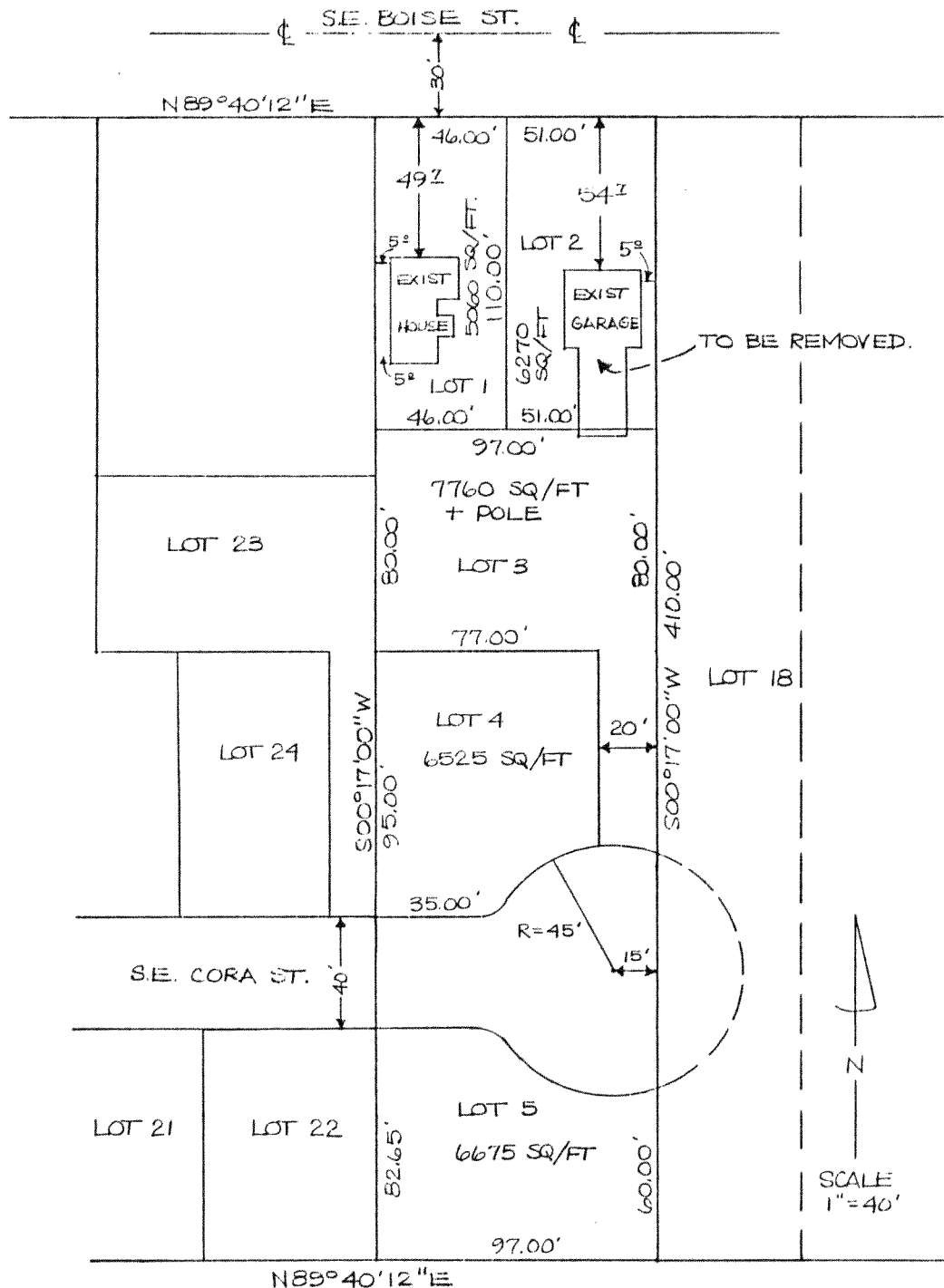
SCALE 1"=100'

INFORMATION FROM TAX & CO MAPS
AS WELL AS FIELD WORK

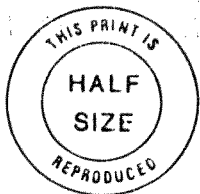


TENTATIVE PLAN MAP

MAGGIES III SUBDIVISION
 LOT 19 OF SUBURBAN HOMES CLUB TRACT
 1/4 MAP # 3443
 S.W. 1/4 SEC. 11 T.15., R.2E. W.B. & M.
 PORTLAND, OR. MULTNOMAH CO.



ZC 6-90/LD 19-90



FEB, 1990

R.A. LAWRENCE & ASSOCIATES, INC.
 5001 Willamette Falls Dr.
 WEST LINN, OREGON 97068
 (503) 656-6804

Conditions of Approval:

1. Within **one year** of the date of this decision, deliver the final plat and other required attachments to the Planning and Development Division of the Department of Environmental Services in accordance with ORS Chapter 92 as amended. **Please obtain applicant's and surveyor's *Instructions for Finishing a Type II Land Division*.** Incorporate the following changes into the final plat:
 - A. Show a 1-foot street plug where SE Cora Street terminates at the east edge of the subject property. Identify the street plug as Tract A to be deeded to Multnomah County.
2. Prior to recording the final plat, comply with the following Engineering Services Division requirements:
 - A. Dedicate 40 feet of additional right-of-way to extend SE Cora Street to the easterly edge of the subject property. The radius of the cul-de-sac portion of the dedication shall be 50 feet.
 - B. Make the following improvements within the public right-of-way of SE Cora Street:
 - (1) Construct concrete curbs and sidewalks to Multnomah County standards extending easterly from the existing curbs and sidewalks across the property in the right-of-way for SE Cora Street.
 - (2) Grade, rock, pave and construct drainage facilities between the curbs for that portion of SE Cora Street that bisects the subject property.
 - (3) Furnish and install street lighting facilities.
 - C. Make the following improvements within the public right-of-way of SE Boise Street:
 - (1) Construct a concrete curb and sidewalk to Multnomah County standards 16 feet south of centerline on SE Boise Street.
 - (2) Furnish and install street lighting facilities.
 - (3) Contact Dick Howard at 248-3599 for design specifications and information regarding the required surety bond to cover the improvements.
3. Commit to participate in future improvements in paving on SE Boise Street through deed restrictions. Contact Ike Azar at 248-5050 for additional information.
4. In conjunction with issuance of building permits for any parcel construct on-site water retention and/or control facilities adequate to insure that surface runoff volume after development is no greater than that before development per MCC 11.45.600. Plans for the retention and/or control facilities shall be subject to approval by the County Engineer with respect to potential surface runoff on the adjoining public right-of-way.
5. Prior to issuance of building permits for any lot, apply for and obtain a Land Feasibility Study confirming the ability to use on-site sewage disposal system on that lot. If the lot is

connected to public sewer at the time of the building permit application, the Land Feasibility Study will not be required.

6. In conjunction with issuance of building permits for Lot 3, provide the following on-site improvements:
 - A. Improve the 20-foot wide panhandle portion of the flag lot (Lot 3) to the following standards:
 - (1). **Paving:** Ten (10) feet in width to provide a durable, all-weather surface, which can be either (a) a two-inch thickness of asphaltic concrete paving on a four to six inch base or (b) the equivalent to (a) above in Portland cement construction on a suitably prepared base.
 - (2) The above improvements shall be installed between the front property line of Lot 3 abutting SE Cora Street and the garage of the residence on Lot 3.
 - (3) The remaining width of the panhandle shall be landscaped and maintained.
7. Prior to endorsement of the final plat, obtain a demolition or move permit for the existing detached garage on Lot 2 and provide written confirmation from the Bureau of Buildings that the work authorized by the permit has been completed.

Findings of Fact: (ZC 6-90)

1. Applicant's Proposal:

- A. **The Request:** The applicant proposes to subdivide a parcel containing 39,787 square feet into 5 lots. Lot 1 has a house on it and would contain 5,060 square feet. Lot 2 has a detached garage on it and would contain 6,270 square feet. Lot 3 is vacant and would be a flag lot with a buildable area of 7,760 square feet. Lots 4 and 5 are vacant and would contain 6,525 and 6,675 square feet, respectively. In order to accomplish the proposed land division the applicant also requests a zone change from LR-7, Low Density Residential District to LR-5, Low Density Residential District.
- B. **Background:** The site is in a superblock for which the Planning Commission adopted a Future Street Plan in 1982 when it approved the 19-lot first phase of Maggie's Subdivision (ZC 16-82/LD 36-82). That approval established S.E. 126th Avenue and S.E. Cora Street in the west half of the superblock. To accommodate the lotting pattern in the Future Street Plan, the Planning Commission concurrently approved a zone change from LR-7 to LR-5. In 1984 (ZC 5-84/LD 12-84), the Planning Commission further carried out the Future Street Plan by approving the 11-lot second phase of Maggie's Subdivision, extending S.E. Cora Street about 200 feet to the east. The 1984 approval also included a zone change from LR-7 to LR-5. The current 5-lot land division request would be the third phase of Maggie's Subdivision and would almost complete the Future Street Plan by creating about two-thirds of the cul-de-sac at the east end of S.E. Cora Street
- C. **Changes to Future Street Plan:** The proposed land division would modify the adopted Future Street Plan in three ways. First, Lots 1 and 2 cover what appears as one lot on the adopted plan. Second, the flagpole on Lot 3 is on the east

side of the lot instead of the west. Third, the cul-de-sac extends further east than it does in the adopted plan.

2. **Site Conditions and Vicinity Information:** Site conditions as shown on the Tentative Plan Map are as follows:

- A. The site is on the south side of S.E. Boise Street at the eastern end of S.E. Cora street, about 200 feet east of S.E. 126th Avenue. Southeast Boise and Cora Streets are 2-lane local streets. Land to the north across S.E. Boise Street is zoned LR-5 as is land abutting the site on the west in Maggie's Subdivision. Land abutting the site on the east is the last remaining parcel in the superblock covered by the adopted Future Street Plan and is zoned LR-7, as is land abutting the site on the south.
- B. **Slope:** The site is relatively flat and contains no slopes exceeding two percent.
- C. **Right-of-Way Dedications and Street Improvements (S.E. Cora Street):** S.E. Cora Street presently stops at the west edge of the site. The County Engineer has determined that in order to comply with the adopted Future Street Plan it will be necessary for the owner to dedicate right-of-way to extend S.E. Cora Street across the site and provide about two-thirds of a cul-de-sac as shown on the Tentative Plan Map as a condition of approval. It will also be necessary for the owner to construct curbs and sidewalks and provide street lighting and additional paving in the newly dedicated portion of S.E. Cora Street abutting the site.
- D. **Present and Future Street Improvements (S.E. Boise Street):** Southeast Boise Street is not fully improved to county standards at this time because it has no sidewalk. The County Engineer has determined that in order to comply with the provisions of the Street Standards Ordinance (MCC 11.60) it will be necessary for the owner construct curbs and sidewalks and provide street lighting in S.E. Boise Street abutting the site as a condition of approval. It will also be necessary for the owner to commit to participate in future paving improvements to S.E. Boise Street through deed restrictions as condition of approval.

3. **Zoning Ordinance Considerations (MCC 11.15):**

- A. The existing LR-7 zoning requires a minimum lot area of 7,000 square feet for a residence. Since the subject site contains about 39,800 square feet, the LR-7 zoning limits the property to 4 potential single-family building lots. The requested LR-5 zoning requires at least 5,000 square feet of lot area for a residence and would make possible the division of the site into 5 lots.
- B. Under MCC 11.15.8230 (D) lists approval criteria for a zone change. The burden of proof is on the applicant to demonstrate that:
 - (1) ***Granting the request is in the public interest;*** [MCC 11.15.8230 (D)(1)]
 - (2) ***There is a public need for the requested change and that need will be best served by changing the classification of the property in question as compared with other property;*** [MCC 11.15.8230 (D)(2)]

- (3) *The proposed action fully accords with the applicable elements of the Comprehensive Plan.* [MCC 11.15.8230 (D)(1)]

4. **Response to Approval Criteria** *NOTE:* Information provided by the applicant in response to approval criteria appears in Helvetica type. Staff comments to the applicant's information appear under the heading **Staff Comment**,

A. **Public Interest** [MCC 11.15.8230 (D)(1)]

Applicant's Response

The subject property is currently zoned LR-7. Referral to the attached map will show this area is adjacent to LR-5 zoning to the North; extensive commercial use to the West and medium density residential uses are called for under the Powellhurst community use plan. The subject property is a part of one of the "Super Block" described in the county's urban infill dissertation. In this case development has occurred within approximately 70 feet of the street. Because of the current ownerships and existing development of the subject parcels and adjoining properties to the East; future development and achievement of the development density goals shall be facilitated by this zone change thus allowing the proposed site and future street plan.

This area is situated near several public amenities which encourage a maximum land use; i.e. a large park is approximately 400 feet to the West; a substantial shopping center is developed at the intersection of S.E. 122 and S.E. Powell, approximately 1/4 mile to the North; and regularly scheduled public transportation is available on block to the South. These amenities make this area a prime location for the densities set forth under LR-5 zoning. Such considerations were probably instrumental in the decision to zone and plan the surrounding properties. It would seem logical to bring this area's zoning into keeping with the surrounding area as opposed to leaving a lower density island.

Staff Comment

Powellhurst Community Plan Policy No. 24 (Housing Location) indicates that it is in the public interest to allow LR-5 residential development in the subject area. The Plan refers to the area as a "Residential Development Area" or "Infill Area" because it is a partially developed area where new development will occur over time (page 212, Finding 8.A). Locational Criteria #5 of Policy 24 (page 215) states: *Detached dwellings will be allowed as an outright use in Residential Development Areas. The minimum required lot size per unit must be 5,000 square feet.* Approval of the proposed zone change would allow division of the site into five lots in a manner consistent with the adopted Future Street Plan for the superblock. The proposed land division would be consistent with the first two phases of Maggie's Subdivision approved by the Planning Commission in 1983 and 1984. For these reasons, the proposed zone change satisfies MCC 11.15.8230 (D)(1).

B. **Public Need** [MCC 11.15.8230 (D)(2)]

Applicant's Response

Both the "Multnomah County Housing Report, 1977" (and addendums) and Policy 21, (Housing Choice) of the Powellhurst Community Plan refer to the substantial future housing need of unincorporated Multnomah County. The subject zone change will produce 3 lots beyond that attainable under LR-7 (current) zoning. This will help meet the County housing need by providing lot sizes somewhat smaller than most existing single family lots in the unincorporated County.

In view of the difficulty of financing residential purchases, especially manifested for the first time buyer in the past two years, and as land and house costs are, in part, a function of the lot size, the requested LR-5 rezoning will assist to promote more affordable single family housing.

Staff Comment

For the reasons stated by the applicant, there is a public need for the proposed zone change. As opposed to other property, changing the zone on the site in question meets that need best because adjacent land to the west already has LR-5 zoning and has already been subdivided into lots similar in size to those proposed by the applicant. For these reasons, the proposed zone change satisfies MCC 11.15.8230 (D)(2)

- C. **Comprehensive Plan:** The following Powellhurst Community Plan Policies are applicable

(1) **Policy No. 13, Air, Water, and Noise Quality**

Applicant's Response

The subject parcel is located on a portion of S.E. Boise which ends into a park. The development of the parcel will not remove a particularly significant amount of vegetation. The subject parcel, will, in view of the terrain, not have a significant impact on the neighboring properties to the South.

Staff Comment

It appears that no significant impact on air pollution will result from the additional house allowed by the proposed zone change and land division. The County Sanitarian will require a Land Feasibility Study for each lot before allowing an on-site sanitation system in conjunction with building permits for that lot. When public sewer becomes available to the site, each lot will have to connect to the sewer. For these reasons, the proposal satisfies Policy 13.

(2) **Policy No. 14, Development Limitations**

The site is outside the 100 year flood zone and is not in an earth movement area. Surface run-off into the public right-of-way will be handled by storm drain facilities to be approved by the County Engineer. No slopes exceeding two percent exist on the site. For these reasons the proposal satisfies Policy 14.

(3) **Policy No. 21, Housing Choice**

Applicant's Response

Rezoning this property would aid in reducing the land cost of single family residences thus assisting in Policy 21 strategies implementation measures:

"C. Encourage housing that meets the need of youth in terms of size of unity, recreation opportunities, and rent & cost.

Support the provision of housing styles for single adults and childless couples in suburban areas.

E. Encourage housing choices for people who do not wish to maintain houses on large lots.

F. Secure fair and equal access to housing so that all segments of society have fair opportunity to secure needed housing."

Staff Comment

The strategies cited by the applicant appear on page 204 of the Powellhurst Community Plan. This policy directs the county to provide for "...an adequate number of housing units at price ranges and rent levels commensurate with the financial capabilities of Oregon and the regions' households, and to allow for flexibility in housing location, type and density." The county report, "Housing", as well as recent housing market statistics, indicate that there is a substantial unmet demand for affordable (housing cost not exceeding 30% of gross income) housing. Approval of the proposed zone change and land division will help meet that demand by providing for additional house beyond the four allowed on the site under the present zoning. For these reasons and those stated by the applicant, the proposal satisfies Policy 21.

(4) **Policy No. 22, Energy Conservation**

The proposal will fully develop a vacant (partially developed) parcel within the county's urban area. Thus, the proposal will help discourage "urban sprawl," which is costly in energy use (see Finding 2, page 205). Also, the east-west orientation of the abutting streets will allow exposure of a larger surface area of homes on the site to winter sun for solar heating (see Finding 4, page 205). For these reasons the proposal satisfies Policy 22.

(5) **Policy 24, Housing Choice**

Applicant's Response

The usage identified in the Community Plan call for this area to be utilized as "Low Density Residential Infill" with 6-10 units per acre. The preliminary plan accompanying this zone change request creates 4.75 units per acre: current zoning would reduce that density to 4.25 units per acre (a loss of two lots).

Staff Comment

For the reasons stated by the applicant, the proposal satisfies Policy 24.

(6) **Policy No. 35, Public Transportation**

Tri-Met Line #17 provides east/west service along S.E. Holgate Boulevard about two blocks south of the site. For this reason, the proposal satisfies Policy 35.

(7) **Policy No. 36, Transportation System Development Requirements**

Applicant's Response

The development of the subject parcel will require satisfactory road and street improvements whether developed under LR-7 or LR-5 zoning, which will satisfy this policy.

Staff Comment

Conditions of approval requires the owner to extend S.E. Cora Street to the east edge of the site. Installation of curbs, sidewalks and street lighting along S.E. Boise Street abutting the site is also a condition of approval. The County Engineer has determined that the dedication and improvements are necessary in order for the proposal to comply with the adopted Future Street Plan and the provisions of the county Street Standards Ordinance. For these reasons, the proposal satisfies Policy 36.

(8) **Policy No. 37, Utilities**

Applicant's Response

Water service shall come from Powell Valley Road Water Dist., who indicates ample supply available from S.E. Boise. Sewage disposal, both sanitary and storm, shall be done through cess pools, such proposed use has been reviewed by the County Sanitarian and approved. Energy and Communications services are provided by P.G.E., P.N.B. and Northwest Natural gas.

Staff Comment

The Powell Valley Water District has verified that water service will be available to the property by extending a 6-inch line in S.E. Cora Street. Obtaining such verification is a condition of approval. Either obtaining a Land Feasibility Study from the County Sanitarian regarding the use of on-site sanitation on each lot or connecting to public sewer when it becomes available is a condition of approval.

(9) **Policy No. 38, Facilities**

The property is located in the David Douglas School District, which can accommodate student enrollment from houses located on the site.

Multnomah County Fire District No.10 provides fire protection and the Multnomah County Sheriff's Office provides police protection.

Conclusions: (ZC 6-90)

1. Finding 4 indicates that the proposed zone change meets the Approval Criteria of the Zoning Ordinance as stated in MCC 11.15.8230 (D).

Findings of Fact: (LD 19-90)

1. **Applicant's Proposal:** Please refer to Finding 2 above for ZC 6-90.
2. **Site Conditions and Vicinity Information:** Please see Finding 2 for ZC 6-90.
3. **Land Division Ordinance Considerations (MCC 11.45):**
 - A. The proposed land division is classified as a Type II because it is *a major partition in an urban area where the proposed street layout is consistent with a Future Street Plan approved under MCC 11.45.160 [MCC 11.45.090(B)(2)]*. The Planning Commission approved a Future Street Plan for the block containing the subject site in 1982 under ZC 16-82 and LD 36-82.
 - B. MCC 11.45.230 lists the approval criteria for a Type II Land Division. The approval authority must find that:
 - (1) The Tentative Plan is in accordance with:
 - a) *the applicable elements of the Comprehensive Plan;*
 - b) *the applicable Statewide Planning Goals adopted by the Land Conservation and Development commission, until the Comprehensive Plan is acknowledged to be in compliance with said Goals under ORS Chapter 197; and*
 - c) *the applicable elements of the Regional Plan adopted under ORS Chapter 197 [MCC 11.45.230(A)].*
 - (2) *Approval will permit development of the remainder of the property under the same ownership, if any, or of adjoining land or of access thereto, in accordance with this and other applicable ordinances [MCC 11.45.230(B)];*
 - (3) *The Tentative Plan or Future Street Plan complies with the applicable provisions, including the purposes and intent of [the Land Division Ordinance] [MCC 11.45.230(C)]*
 - (4) *The Tentative Plan or Future Street Plan complies with the Zoning Ordinance or a proposed change thereto associated with the Tentative Plan proposal [MCC 11.45.230(D)].*
 - (5) *If a subdivision, the proposed name has been approved by the Division of Assessment and Taxation and does not use a word which is the same as, similar to or pronounced the same as a*

word in the name of any other subdivision in Multnomah County, except for the words "Town", "City", "Place", "Court", "Addition" or similar words, unless the land platted is contiguous to and platted by the same applicant that platted the subdivision bearing that name and the block numbers continue those of the plat of the same name last filed [MCC 11.45.230(E)].

- (6) *The streets are laid out so as to conform, within the limits of the Street Standards Ordinance, to the plats of subdivisions and maps of major partitions already approved for adjoining property unless the approval authority determines it is in the public interest to modify the street pattern; and [MCC 11.45.230(E)].*
- (7) *Streets held for private use are clearly indicated on the Tentative Plan and all reservations or restrictions relating to such private streets are set forth thereon [MCC 11.45.230(G)].*

4. Response to Type II Land Division Approval Criteria

A. Applicable Elements of the Comprehensive Plan [MCC 11.45.230(A)]

- (1) **Statewide Goals and Regional Plan:** For the reasons stated below, the proposal satisfies the applicable policies of the Comprehensive Plan. The Multnomah County Comprehensive Plan has been found to be in compliance with Statewide Goals and the Regional Plan by the State Land Conservation and Development Commission.
- (2) **Applicable Comprehensive Plan Policies:** Please refer to Finding 4.C for ZC 6-90:

B. Development of Property [MCC 11.45.230(B)]: Pending approval of the proposed zone change, approval of the land division will increase the opportunity for development of the site in accordance with the Comprehensive Plan and the LR-5 zoning. The proposed land division extends the Cora Street cul-de-sac further into the adjoining property to the east, so that when future division occurs on that property, the resulting lots will have greater street frontage than they would have if the cul-de-sac remained in the orientation shown on the original Future Street Plan. The increased street frontage would allow more room for driveway aprons needed for houses on the future lots. Thus, approval of the proposed land division would actually improve access to future lots on the property to the east. For these reasons the proposed land division satisfies MCC 11.45.230(B)

C. Purposes and Intent of Land Division Ordinance [MCC 11.45.230(C)]

- (1) MCC 11.45.015 states that the Land Division Ordinance..."*is adopted for the purposes of protecting property values, furthering the health, safety and general welfare of the people of Multnomah County, implementing the Statewide Planning Goals and the Comprehensive Plan adopted under Oregon Revised Statutes, Chapters 197 and 215, and providing classifications and uniform standards for the division of land and the installation of related improvements in the unincorporated area of Multnomah*

County." The proposed land division satisfies the purpose of the Land Division Ordinance for the following reasons:

- (a) The size and shape of the proposed lots will accommodate proposed residential development without overcrowding, thereby protecting property values.
 - (b) As stated above, adequate public water supply is available for the proposed land division. A condition of approval assures that adequate provision will be made for on-site sewage disposal on all five lots. As stated above, fire and police protection are available to the site. For these reasons, the proposal furthers the health, safety, and general welfare of the people of Multnomah County.
 - (c) As stated above, the proposed land division complies with the applicable elements of the Comprehensive Plan. Since the Comprehensive Plan has been found to be in compliance with Statewide Planning Goals by the State Land Conservation and Development Commission, the proposed land division complies with the Statewide Planning Goals.
 - (d) The proposal meets the purpose of *"providing classifications and uniform standards for the division of land and the installation of related improvements"* because the proposal is classified as a Type II Land Division and meets the approval criteria for Type II Land Divisions as stated herein. The conditions of approval assure the installation of appropriate improvements in conjunction with the proposed land division.
- (2) MCC 11.45.020 states that the intent of the Land Division Ordinance is to...*"minimize street congestion, secure safety from fire, flood, geologic hazards, pollution and other dangers, provide for adequate light and air, prevent the overcrowding of land and facilitate adequate provisions for transportation, water supply, sewage disposal, drainage, education, recreation and other public services and facilities."* The proposal complies with the intent of the Land Division Ordinance for the following reasons:
- (a) The proposal minimizes street congestion by providing public street access to all five lots as shown on the Tentative Plan Map.
 - (b) As stated above, public fire protection is available to the property. The property is not located within the 100-year floodplain, and there are no slopes exceeding two percent. The additional new houses will not significantly increase air pollution levels. For these reasons, the proposal secures safety from fire, flood, geologic hazard, and pollution.
 - (c) The proposal meets the area and dimensional standards of the LR-5 zoning district as explained below and thereby provides for adequate light and air and prevents the overcrowding of land.
 - (d) Findings 2.C, 2.D and 4.C(7) above for ZC 6-90 address street and public transportation. Finding 4.C(8) addresses water supply and sewage disposal. Finding 4.C(2) addresses storm drainage.

Finding 4.C(9) addresses education, fire protection and police service. Based on those findings, the proposed land division facilitates adequate provision for transportation, water supply, sewage disposal, drainage, education, and other public services and facilities.

D. Zoning Ordinance Considerations: The applicable Zoning Ordinance criteria (MCC 11.15) are as follows:

- (1) Subject to approval of ZC 6-90, the site will be zoned LR-5, Urban Low Density Residential District.
- (2) The following minimum area and dimensional standards will apply per MCC 11.15.2634:
 - (a) The minimum lot size for a single family dwelling shall be 5,000 square feet. As shown on the Tentative Plan Map, all five lots exceed this requirement.
 - (b) The minimum lot width at the building line shall be 45 feet. As shown on the Tentative Plan Map, all five lots exceed this requirement.
 - (c) The minimum yard setbacks shall be 20 feet front, 5 feet side, and 15 feet rear. The existing house on Lot 1 has a 49.7-foot front yard setback, a 5-foot side yard setback and a 22-foot rear yard setback. Subject to removal of the garage on Lot 2, there is sufficient buildable area on all four remaining lots to satisfy the yard requirements.
 - (d) The proposed land division complies with the solar access provisions of the Zoning Ordinance. Lots 1, 2 and 4 meet the basic design standard of MCC 11.15.6815(A) because they each have a north-south dimension greater than 90 feet and a front lot line within 30 degrees of a true east-west orientation. Lots 3 and 5 do not meet the basic design standard because they do not have a north-south dimension greater than 90 feet. However, the proposed land division still complies with the solar access provisions of the Zoning Ordinance because the road pattern established for the area by the adopted Future Street Plan prevents Lots 3 and 5 from being oriented for solar access. Therefore, pursuant to MCC 11.15.6815(A)(3), the percentage of lots that must comply with MCC 11.15.6815 is reduced from 80 to 60 percent.

E. Subdivision Name [MCC 11.45.230(E)]: The Assessment and Taxation Division will ascertain that the name of the plat conforms with applicable statutes and ordinances, including MCC 11.45.230(E).

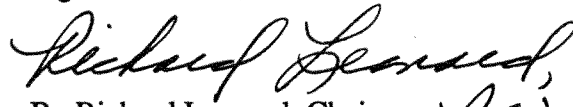
F. Street Layout [MCC 11.45.230(F)]: The extension of S.E. Cora Street in conjunction with the proposed land division is consistent with the adopted Future Street Plan for the surrounding superblock. Therefore, the proposal satisfies MCC 11.45.230(F).

G. Private Streets [MCC 11.45.230(G)]: The proposed land division does include any private streets. Therefore, MCC 11.45.230(G) is not applicable..

Conclusions: (LD 19-90)

1. Based on Finding 4.C for ZC 6-90, the proposed land division satisfies the applicable policies of the Comprehensive Plan.
2. Based on Findings 4 for LD 19-90, the proposed land division satisfies the approval criteria for Type II land divisions.

Signed June 11, 1990


By Richard Leonard, Chairman

Filed With the Clerk of the Board on June 21, 1990

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, July 2, 1990 on the required Notice of Review Form which is available at the Planning and Development Office at 2115 SE Morrison Street.

The Decision on this item will be reported to the Board of County Commissioners for review at 9:30 a.m. on Tuesday, July 3, 1990 in Room 602 of the Multnomah County Courthouse. For further information call the Multnomah County Planning and Development Division at 248-3043.



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

Decision

This Decision consists of Conditions, Findings of Fact and Conclusions

April 9, 1990

CS 4-90, #426

Community Service Classification
(850-985 Member Church Facility)

Applicant requests change in zone designation from LR-10, low density residential district to LR-10, C-S, low density residential, community service district, in order to construct an approximately 850-985 member church with off-street parking.

Location: 5544 SE 128th Avenue

Legal: Tax Lots '16', '17', and '76', Except for the narrow strip of land on the west side of Tax Lot '477', all in Section 14, 1S-2E, 1989 Assessor's Map

Site Size: Approximately 4-1/2 Acres

Size Requested: Same

Property Owner: The Heirs and Devisees of Evelyn Emerson
14927 South Maple Lane, Oregon City, 97045

Applicant: Romanian Assembly of God Church, c/o Kevin Chames
319 SW Washington Street, #920, Portland, 97204

Comprehensive Plan: Low Density Residential

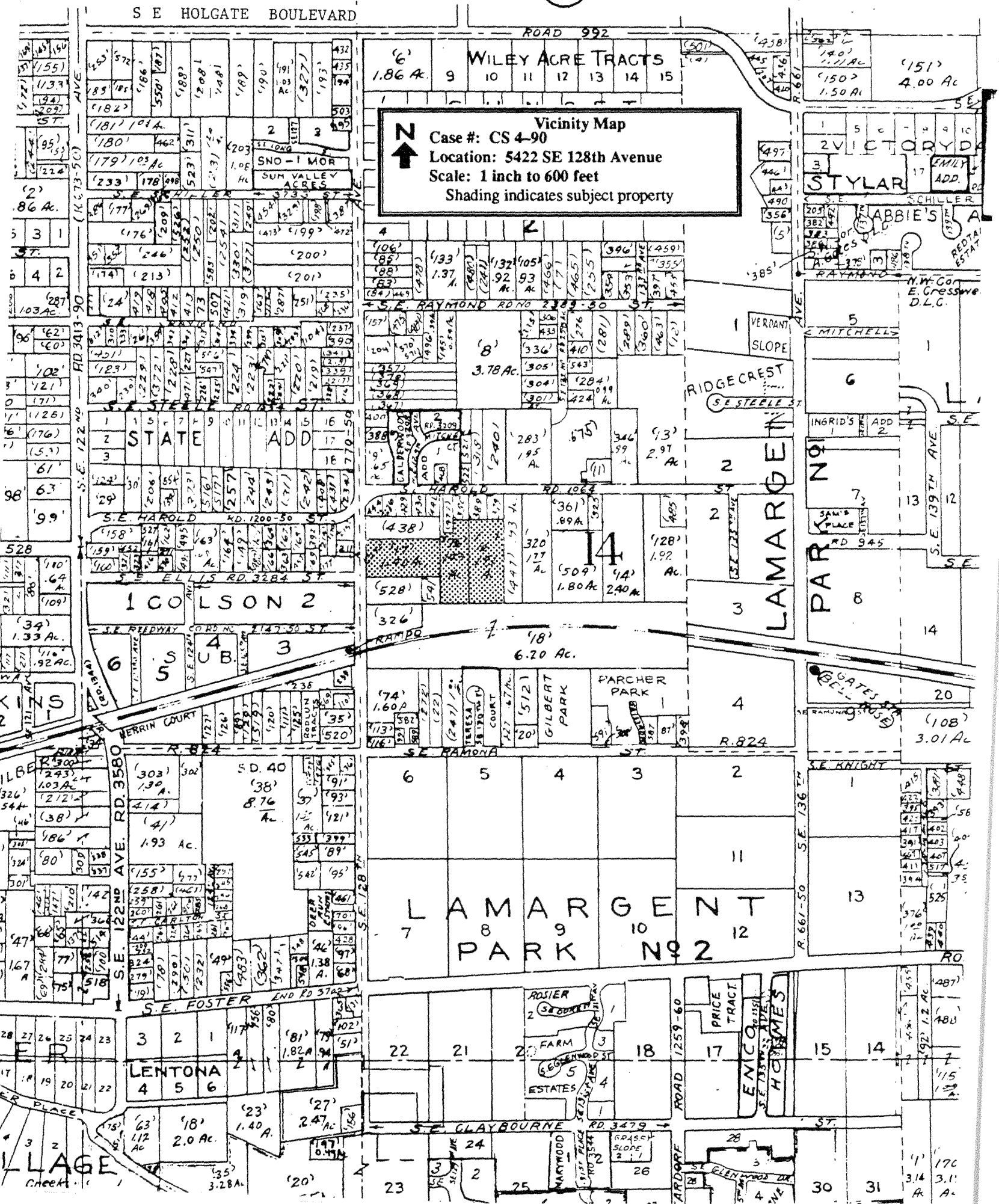
Present Zoning: LR-10, Urban Low Density Residential District
Minimum lot size of 10,000 square feet per dwelling

Sponsor's Proposal: LR-10, C-S, Urban Low Density Residential, Community Service District
Community Service designation shall be for the specific use or uses approved together with the limitations or conditions as determined by the approval authority.

Planning Commission

Decision: APPROVE, subject to conditions, requested change in zone designation from LR-10, low density residential to LR-10, C-S, low density residential, community service district, to allow construction of a church and parking facility to serve approximately 985 members, all based on the following Findings and Conclusions.

CS 4-90



LR-10
FF

Zoning Map
Case #: CS 4-90
Location: 5422 SE 128th Avenue
Scale: 1 inch to 200 feet
Shading indicates subject property

S E STEELE STREET

ADD
LR-7

SALE
WOOD
2
LR-7
ADD
SE 129th

LR-10

S E HAROLD STREET

HAROLD
LR-7

LR-10

Tax Lots 16, 17, and 76, except for a narrow strip of land along west side of Tax Lot 477, Sec 14, T1S, R2E

CS 2B-72/T

S E ELLIS STREET

S E REEDWAY STREET

LR-10
Portland Traction Company

LR-5
PRL & P CO

LR-5
MC 62-62

GILBERT PARK

S E RAMONA ST

LR-5
LR-5 CS
GILBERT
PRIMARY
SCHOOL

SE 128th AVE

EXIT

PARKING AREA

EXIT

PARKING AREA



OTHER PROPERTY

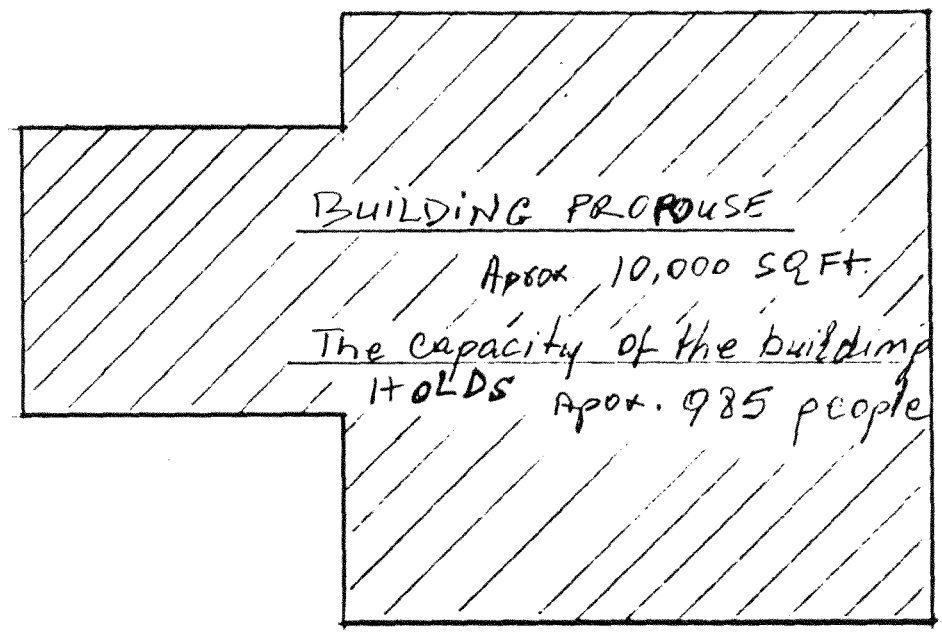
OTHER PROPERTY

OTHER PROPERTY

PARKING
AREA

PARKING
AREA

PARKING AREA



BUILDING PROPOSE

Approx 10,000 SQ FT.

The capacity of the building
HOLDS Approx. 985 people

CONDITIONS OF APPROVAL.

1. Obtain design review approval for total site, which includes:
 - A. Adequate parking to serve a 985-member congregation.
 - B. Siting of building to minimize impact on adjacent neighbors.
 - C. Install sight-obscuring fences, where appropriate, to provide a visual buffer between church and surrounding neighbors.
2. Consolidate tax roll accounts of the three properties into one.
3. Complete a "Lot Line Adjustment" to accommodate the "neck" of Tax Lot '76' (connected to SE Harold Street) being transferred to the adjacent Tax Lot '477'.
4. Approval of this community service use shall expire two years from the date of final approval if substantial construction or development has not taken place.
5. Meet Engineering Services requirements, which include the following:
 - A. Execute deed restrictions which commit the property owners to participate in future right-of-way improvements along SE 128th Avenue.
 - B. Prohibit parking within the dedicated public right-of-way of SE 128th Avenue adjacent to the site. (All church parking to be provided for on-site.)
6. Provide a plan for the disposal of sewage on-site that will be adequate until public sewers are available to serve the area. Verification of a suitable interim sewage disposal system to be provided by the public registered sanitarian for the vicinity (Mike Ebeling, City of Portland.)
7. Provide a plan for the disposal on-site of storm water runoff generated by the parking lot and the church building.

ORDINANCE CONSIDERATIONS (MULTNOMAH COUNTY CODE, CHAPTER 11.15):

1. LR-10, *Urban Low Density Residential*

MCC 11.15.2630, *Conditional Uses*

- A. Community Service Uses under the provisions of MCC .7005 through .7041.

2. CS, Community Service, MCC 11.15.7005 through .11.15.7041

Applicable portions of this Section, which include, but are not limited to, the following:
MCC 11.15.7010, General Provisions:

- C. *A Community Service approval shall be for the specific use or uses approved together with the limitations or conditions as determined by the approval authority.*
- D. *In granting approval of a Community Service Use, the approval authority may attach limitations or conditions to the development, operation or maintenance of such use including but not limited to setbacks, screening and landscaping, off-street parking and loading, access, performance bonds, noise or illumination controls, structure height and location limits, construction standards, periods of operation and expiration dates of approval.*
- E. *Uses authorized pursuant to this Section shall be subject to Design Review approval under MCC 11.15.7805 through .7865.*

MCC 11.15.7015, Approval Criteria:

In approving a Community Service Use, the approval authority shall find that the proposal meets the following approval criteria:

- A. *Is consistent with the character of the area;*
- B. *Will not adversely affect natural resources;*
- C. *Will not conflict with farm or forest uses in the area;*
- D. *Will not require public services other than those existing or programmed for the area;*
- E. *Will be located outside a big game winter habitat area as defined by the Oregon of Fish and Wildlife or that agency has certified that the impacts will be acceptable;*
- F. *Will not create hazardous conditions;*
- G. *Will satisfy the applicable policies of the Comprehensive Plan; (see item 4 below)*
- H. *Will satisfy such other applicable approval criteria as are stated in this section.*

MCC 11.15.7020, Uses

- A. *(4) Church*

3. ~OP, Off-Street Parking and Loading, MCC 11.15.6100 through MCC 11.15.6148.

Applicable portions of this Section.

4. Applicable Powellhurst Community Plan Policies (by Policy number):

FINDINGS OF FACT

1. Applicant's Proposal:

- A. Approval is being sought to add the Community Service classification to a 4.5 acre site to be used for church purposes.
- B. Site is located at 5544 S.E. 128th Avenue, between S.E. Harold Street and the Portland Traction Company tracks to the south.
- C. Building size, although not finalized, would cover approximately 10,000 square feet of ground and would have a capacity of 985 people.
- D. Parking would be provided for approximately 200 automobiles.
- E. Disposition of the one-story house (built in 1915) on Tax Lot '76' has been indicated.

2. Site and Vicinity Characteristics:

- A. The site is located within the interior of a "Superblock" bounded on three sides by SE Harold street (on the north), SE 128th Avenue (on the west), and the Portland Traction Company's railroad tracks to the south. The "block" continues eastward to SE 135th/136th Avenues.
 - (1) The " block" (including the subject property) consists of numerous large tracts of land ranging in size from 1.0 acres to 1.5 acres.
 - (2) Most of the large parcels are undeveloped by today's standards, having only one house.
 - (3) Some peripheral development, in the form of smaller parcel sizes (one-quarter of an acre or smaller), exist along the north edge of the "block" from 128th Avenue eastward for about 900 feet.
- B. The site, consisting of the three parcels (minus the "neck" on Tax Lot '76'), has approximately 145 feet of frontage on S.E. 128th Avenue (along the west edge of the "superblock").

3. Analysis of Ordinance Criteria:

The applicant has submitted the following in response to the approval criteria for a Commu-

A. *Consistency with the character of the area:*

The entire area is currently residential; however, there are a number of large lots in the area. Applicants do not believe that the operation of their church would substantially affect the character of the area.

B. *Affect on natural resources:*

Applicants do not believe that the natural resources of the area would be affected by their proposal. the land does not contain any brooks, streams or other natural resources which would in any way be compromised.

C. *Conflict with farm or forest uses in the area:*

Not applicable.

D. *Need for public services other than those existing or programmed for the area:*

All public services are currently existing in the area with the exception of sewer, which is scheduled for incorporation in 1996. Applicants can satisfy sanitation requirements prior to that time with a septic tank and seepage pits.

E. *Location with respect to big game winter habitat areas:*

Not applicable.

F. *Hazardous condition:*

None.

4. *Analysis of Ordinance criteria regarding Comprehensive Plan Policies:*

The applicant has submitted the following in response to the approval criteria per MCC 11.15.7015(G), Comprehensive Plan Policies:

The policy numbers for the Powellhurst Comprehensive Plan are listed below in serial fashion and will be addressed in that sequence.

1. Not applicable.

2. Off-site effects:

A. The developments as proposed would not impact negatively on the surrounding property or the community. There are other large uses in the area, and this use would be a relatively consistent use with the open area in character of the community.

- B. *It is not envisioned that the project would contribute to any erosion or sedimentation, flooding or water pollution, visual blight or safety hazards. it is true that it will generate more traffic into and out of the area of SE 128th and Harold; however, SE 128th is a collector street and the church itself would not cause a significant dangerous or hazardous increase in the amount of traffic going back and forth.*
- C. *The issues under Section 3 of Policy No. 2 regarding school, police, and fire protection would not appear to be a problem. Sanitary and water service have already been addressed in other portions of this application.*
- 3. *The majority of the congregation of the Romanian Assembly of God are members of the Powellhurst community and therefore, their application would seem to be consistent with Policy number 3.*
- 4-12. *Not applicable.*
- 13. *Air, water quality and noise level would not be significantly affected by this proposal. The congregation is looking to meet on Sundays and a few Sunday evenings through the week. Their activities would not generate any significant noise pollution.*
- 17. *The proposed use lot is located outside of the planned neighborhood design and therefore, would not impact negatively on the overall plan to recognize identifiable community and residential areas.*
- 18. *Not applicable.*
- 19. A. *The guidelines for community facilities under this policy guideline would appear to be met. the size of the church is appropriate to the scale of the development.*
- B. *There does not necessarily appear to be any problems with combining parking areas, driveways and pathways.*
- C. *The construction of the church would not impact upon the nearby residences in relation to lights, parking and/or loading areas.*
- D. *The proposed use is fronted on a collector street.*
- E. *The aesthetics of the proposed use could be tailored to fit the needs of the community with regards to signs. No lights are anticipated.*
- F. *Berming and landscaping could also be implemented to enhance the aesthetic use of the church*
Finally, the assembly would be happy to work with the Planning Commission, neighborhood and community in meeting any guidelines or concerns.

neighborhood and community in meeting any guidelines or concerns.

20-30. Not applicable.

31. 1.a. Not applicable.

1.b. As previously cited, the proposed use does not fall within a neighborhood service center. The design and scale of the proposed use is thought to be compatible with residential character of the neighborhood.

32. Not applicable.

33. As cited in the general application form, there is transit service available 50 feet away at S.E. Harold and 128th Street. This is the No. 10 Tri-Met line.

34-36. Not applicable.

37. Treated in other portions of the application.

38-40. Not applicable.

5. Additional Plan Policies considered applicable:

A. Policy No. 14, Development Limitations:

- (1) According to the sanitarian for East County (Mike Ebeling of the City of Portland), this area, the site in particular, has a high seasonal water table. This could limit sub-surface waste disposal and could also limit the construction of basements for the proposed church buildings
- (2) A large paved parking area may create problems in the disposition of surface water runoff on-site.

B. Policy No. 22, Energy Conservation:

- (1) Construction of a church on this site can be considered as "infill" (i.e., using the interiors of superblocks for development).

The new church will undoubtedly draw new members from the surrounding vicinity who now travel long distances to attend church. Shorter commutes can be considered to be energy saving.

- Close-by bus lines (#10 Harold and #71, 60th/122nd Avenue) are available to provide public transportation to church members who may not wish to drive, thus saving energy.
- (2) Construction of the church buildings should take advantage of energy-saving technologies available (particularly through insulation)

C Policy No. 34, Trafficways:

- (1) The proposed church site is within short distance of a major arterial, SE 122nd Avenue.
- (2) Southeast Foster Road, to the south, is classified as a minor arterial.
- (3) Southeast Harold Street, just north of the site, and SE 128th Avenue, adjacent to the site, are neighborhood collectors. Both of these streets will provide good access to the site. Southeast Harold Street can provide close access to SE 122nd Avenue, a major arterial.


D. Policy No. 35, Public Transportation:

- (1) Tri-Met bus line #10, Harold, operates along SE Harold Street approximately 300 feet north of the site.
- (2) Bus line #71, 60th/122nd Avenue, operates along SE 122nd Avenue west of the site.
- (3) Both bus lines can provide close-by public transportation to church members who do not wish to drive autos to attend church services.

CONCLUSIONS:

1. The proposed development of the 4.5 acre site for a 900 (plus or minus) member church meets all applicable approval criteria.
2. Conditions of approval will assure that proper development standards are met for construction.
3. Possible development limitations noted must be resolved prior to construction.
 - A. Provide an adequate means of sewage disposal on-site until public sewers are available.
 - B. Provide for adequate disposal of storm water runoff generated by the building and parking lot.
 - C. Basements under buildings may not be possible due to a seasonal high water table.
4. Utilizing a large portion of the undeveloped interior of the superblock is efficient because the project does not require the extension of any needed services (except sewer).
5. Design Review, as a condition of developing the site, will assure adequate screening between the church use and surrounding neighbors, adequate parking spaces, etc.
6. There appear to be no other development limitations, except those noted above in Item 3, to utilizing the site for the proposed use.

Signed June 11, 1990


Richard Leonard, Chairperson

Filed with Clerk of the Board on June 21, 1990

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, July 2, 1990 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, July 3, 1990 in Room 602 of the Multnomah County Courthouse. For further information call the office of Planning and Development at 248-3043.



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.

June 11, 1990

CU 8-90, #661

Conditional Use Request
Limited Rural Service Commercial Use

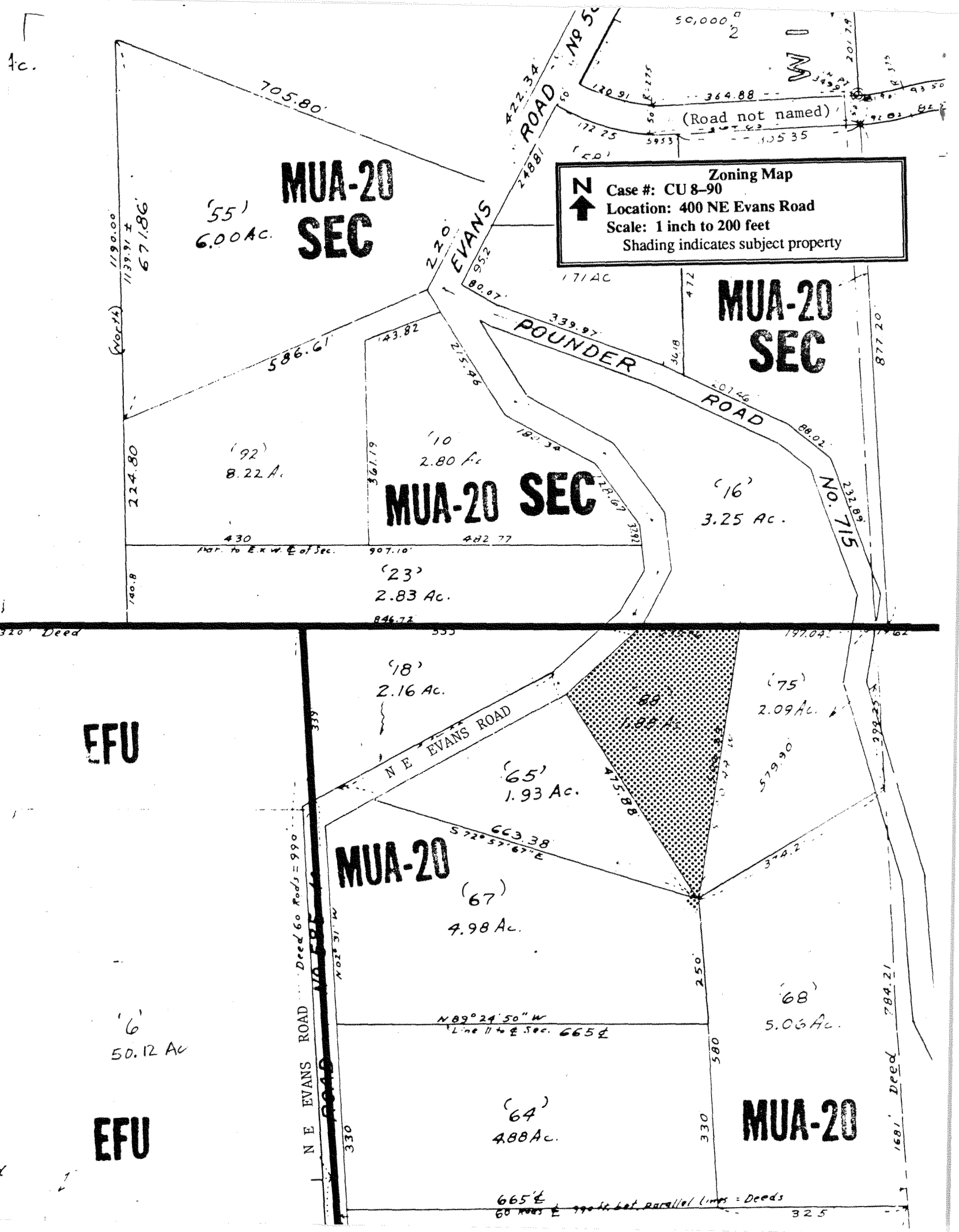
Applicant requests conditional use approval to allow the relocation of an existing rural service commercial use for an automobile, truck and farm equipment repair shop onto this Lot of Record in the Multiple Use Agriculture district.

Location: 400 NE Evans Road
Legal: Tax Lot '88', Section 34, T1N, R4E
Site Size: 1.88 acres
Size Requested: Same
Property Owner: Chris D & Victoria L. Mijares
400 NE Evans Road, Corbett 97019
Applicant: Same
Comprehensive Plan: Multiple Use Agriculture
Present Zoning: MUA-20

Planning Commission

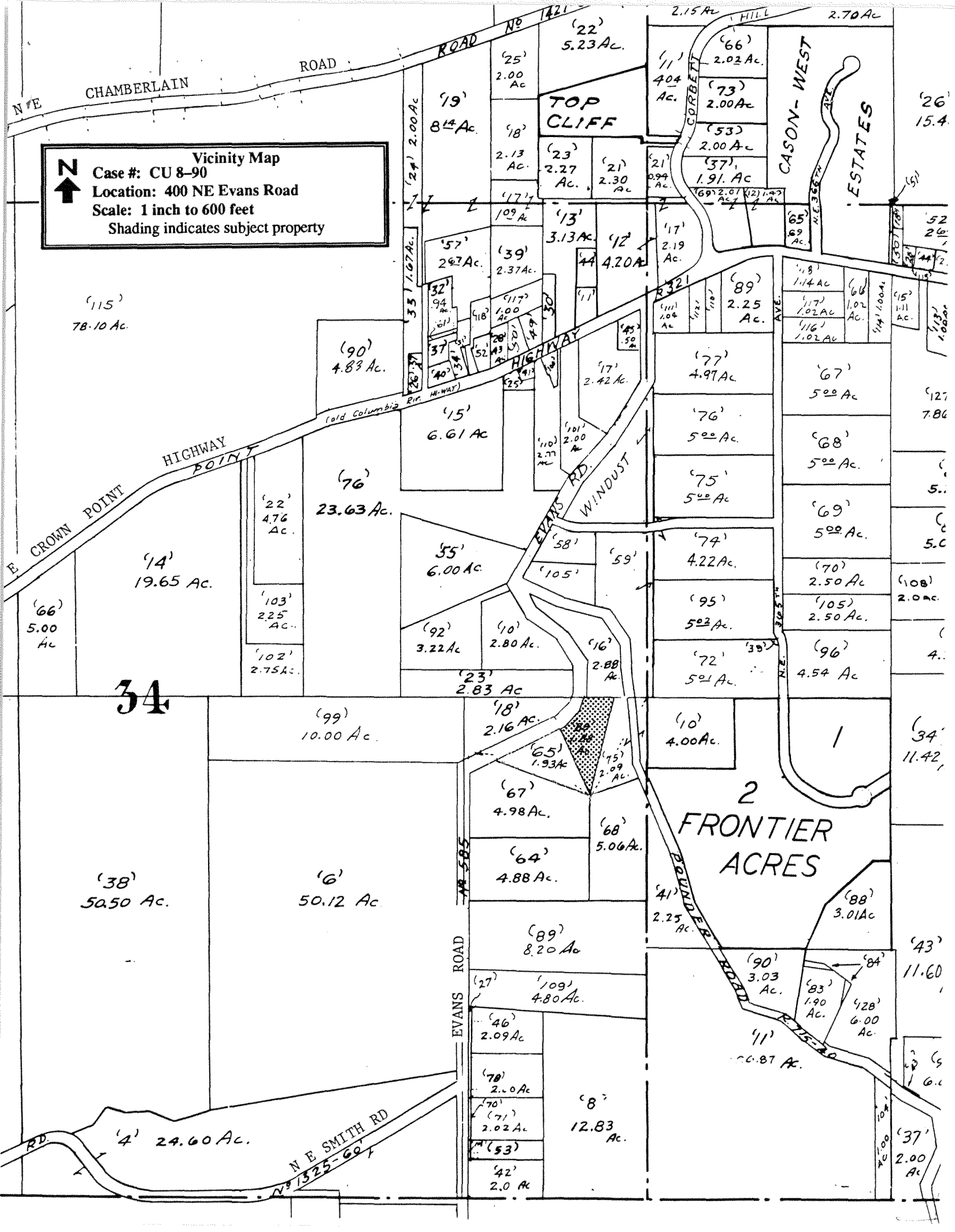
Decision: APPROVE, subject to conditions, the relocation of an existing rural service commercial use for an automobile, truck and farm equipment repair shop onto this property, based on the following Findings and Conclusions.

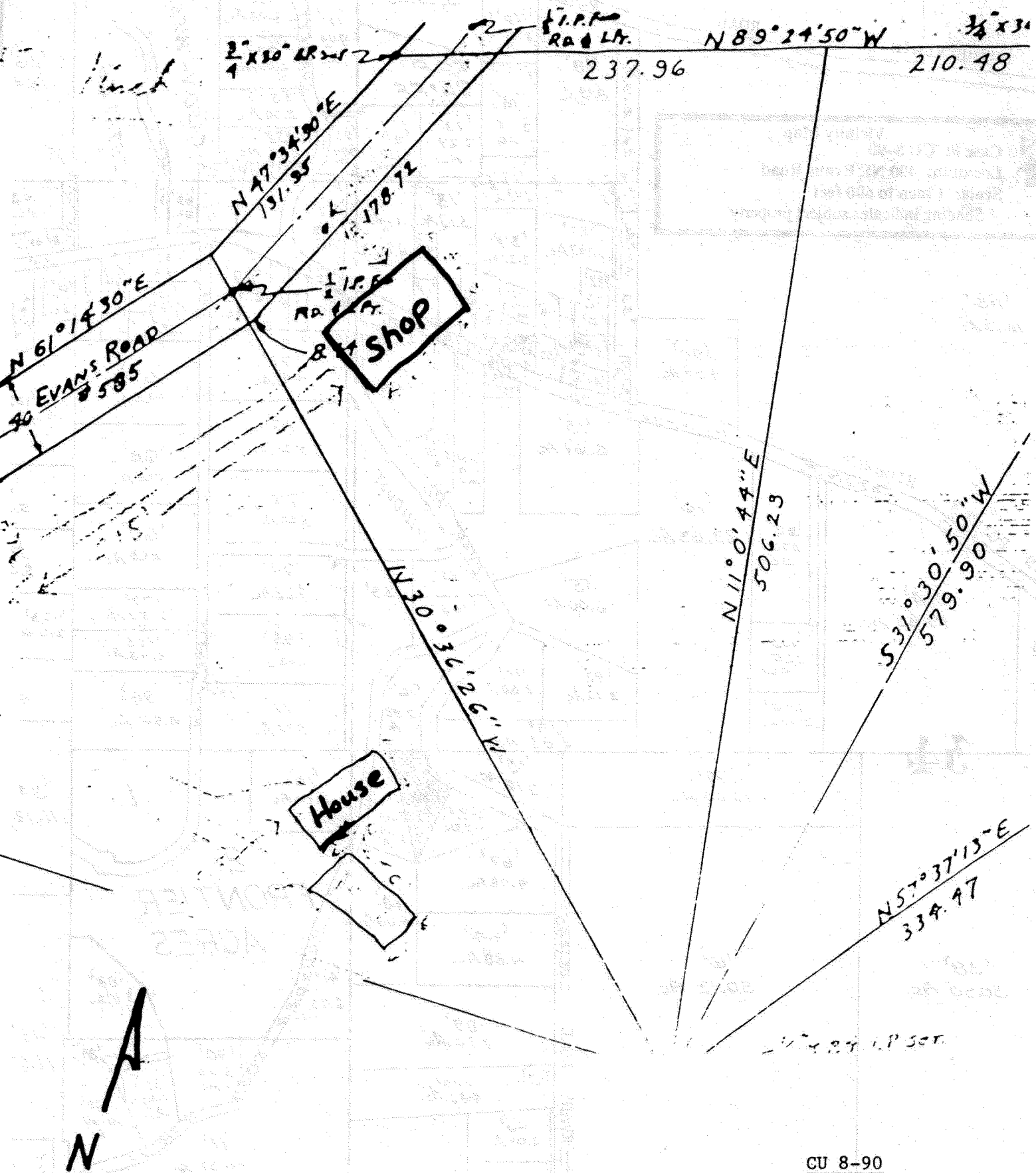
CU 8-90





Vicinity Map
Case #: CU 8-90
Location: 400 NE Evans Road
Scale: 1 inch to 600 feet
Shading indicates subject property





CONDITIONS OF APPROVAL:

Prior to the issuance of a Land Use permit the applicant shall:

1. Satisfy the applicable standards of Design Review, including sight-obscuring landscaping
2. Satisfy the requirements of Engineering Services regarding any further improvements of NE Evans Road.
3. If necessary, obtain a *Hillside Development and Erosion Control Permit* pursuant to MCC .6700-6730. Contact Mark Hess at 248-3043 for application materials.
4. All repair work and storage to be within a building. No more than four vehicles may be parked outside the building at any one time.

FINDINGS OF FACT:

I. Applicant's Proposal:

The applicant requests Planning Commission approval for the relocation of an existing rural service commercial use for an automobile, truck and farm equipment repair shop onto this property.

2. Ordinance Considerations:

The Planning Commission may approve a rural service commercial use in the Multiple Use Agricultural District when it is demonstrated that:

- (A) The lot is comprised of soils not predominately in Agricultural Capability Classes I, II or III.
- (B) The following Conditional Use approval criteria are satisfied:
- (1) Is consistent with the character of the area;
 - (2) Will not adversely affect natural resources;
 - (3) Will not conflict with farm or forest uses in the area;
 - (4) Will not require public services other than those existing or programmed for the area;
 - (5) 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;
 - (6) Will not create hazardous conditions; and
 - (7) Will satisfy the applicable policies of the Comprehensive Plan.

3. Site and Vicinity Characteristics:

The subject property is a Lot of Record of 1.88 acres located on the east side of NE Evans Road approximately one-fourth of a mile south of the community of Corbett. It developed with an accessory building which is proposed to be utilized for the repair business. The remainder of 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 less than two acres to over 50 acres in size. Many of the smaller lots are developed with rural residences, while most of the larger parcels are used for agricultural purposes.

The applicant proposes to relocate an automobile, truck and farm equipment repair repair business which has been conducted on property immediately to the south into the accessory building on this property. All necessary public facilities and services required by the proposed use are available to the property.

4. Compliance with Ordinance Criteria:

The applicant provides the following demonstration of compliance with the approval criteria in Finding No. 2:

(A) The soils of this property are approximately one-half Mershon silt loam on 8 to 15 percent slopes and one-half Hamplumbrepts on slopes of 50 to 90 percent. The former have an Agricultural Capability Classification of IIIe (high erosion potential), while the latter have a classification of VIe (high erosion potential). Therefore, the property is not dominated by Class I-III soils.

(B) The general Conditional Use criteria are satisfied as follows:

- (a) This automotive and farm equipment repair business is consistent with the character of the area in that it has operated on adjacent property for nearly 20 years. It is similar to other such limited service commercial operations being practiced in this rural community in conjunction with a rural residence
- (b) There is no indication that the use has or will adversely affected natural resources in the surrounding area. The repair service is proposed to be conducted wholly inside of the existing accessory building.
- (c) This use will not conflict with farm or forest uses in the area. In fact, the use is intended to complement the above uses as the operation has catered to the needs of local farmers and loggers for the last 20 years.
- (c) This use will not require any services other than those existing or programmed for the area. The site is presently served by the Corbett Water District, The Corbett Fire District, The Corbett School District, and Cascade Utilities Telephone Company.

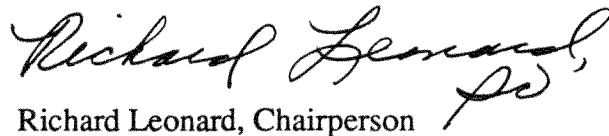
- (d) The subject site is located outside a big game management or winter habitat area as defined by the Oregon Department of Fish and Wildlife
- (e) There are no hazardous conditions that have been identified that would result from the proposed relocation.
- (f) The proposal satisfies Policy No. 10—Multiple Use Agricultural Land Use of the Comprehensive Framework Plan which allows rural service commercial uses as Conditional Uses.

CONCLUSIONS:

1. The applicant has carried the burden necessary for the approval of a rural service commercial use in the MUA-20 zoning District.
2. Conditions are necessary to insure compliance with all Code provisions.

In the Matter of CU 8-90

Signed June 11, 1990


Richard Leonard, Chairperson

Filed with Clerk of the Board on June 21, 1990

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, July 2, 1990 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, July 3, 1990 in Room 602 of the Multnomah County Courthouse. For further information call the Multnomah County Planning and Development at 248-3043.



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

804.95
204.75

NOTICE OF REVIEW

1. Name: STEFONEK, MICHAEL, DAVID
Last Middle First
2. Address: 324 NE EVANS RD, CORBETT, OR 97019
Street or Box City State and Zip Code
3. Telephone: (503) 695-5565

4. If serving as a representative of other persons, list their names and addresses:

5. What is the decision you wish reviewed (e.g., denial of a zone change, approval of a subdivision, etc.)? Approval of a conditional use request.

6. The decision was announced by the Planning Commission on June 11, 1990

7. On what grounds do you claim status as a party pursuant to MCC 11.15.8225?

I presented written testimony before the
hearing and oral testimony at the hearing

1990 JUL -3 11:33
MULTNOMAH COUNTY
CLERK OF COUNTY

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

See Item 8 on the attached sheet

9. Scope of Review (Check One):

(a) ☐ On the Record

(b) ☐ On the Record plus Additional Testimony and Evidence

(c) ☒ *De Novo* (i.e., Full Rehearing)

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

See Item 10 on the attached sheet.

Signed: *David M. Stephens*

Date: 6/27/90

For Staff Use Only

Fee:

Notice of Review = \$150.00

Transcription Fee:

Length of Hearing 77 min x \$1.75/minute = \$ 134.75

Total Fee = \$ 284.75

Received by: *Sharon Cawley*

Date: 6/27/90

Case No. CU 8-90

Item 8

The staff report stated that the business had been operating on adjacent property for 20 years but FAILED to state that:

- . The operation has always been illegal with no conditional use permit, no building permit, and no business license.
- . The operation started as a hobby and has recently expanded significantly.

The decision is inconsistent with past County Planning Commission reviews of development in the area.

Item 10

The decision was to approve an auto, truck, and farm equipment repair shop. Busses, which are often numerous at the current illegal shop, were not mentioned in the request, but were discussed at the hearing. The staff contact person, Mr. Bob Hall stated that busses would also be considered approved. The unique problems of busses are they can not be easily covered by the screening landscaping which is planned, and they make very annoying BEEPs as they are backed into position at odd hours of the day and night.

The proposed shop poses a danger to horseback riders. The proposed shop appears to be about 30 feet from the road right of way with the roof at road level and near a curve in the road. There is a steep bank on each side of the road. The road has moderate traffic ranging from motor cycles to log trucks. It also has significant horse and rider traffic. A sudden noise from the shop such as pounding on sheet metal dents or scream of air tools will, sooner or later, send a spirited horse out of control. These are sounds that are not consistent with the area or familiar to horses. The potential for serious injury is obvious.

The proposed site which is on the main road between the Columbia River Scenic Highway and the Oxbow park area on the east side of the Sandy river and will have a substantial negative impact on the area.

The shop could be located within a mile of the proposed site in an area already approved for commercial development. This would save the rural / agricultural environment of the proposed site without disrupting the business or the customers.

NOTE: I am going to be out of town from July 1-15 and would appreciate two weeks to prepare for this hearing after I return to Corbett.



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.
June 11, 1990

CU 10-90, #666

Conditional Use Request

Non-Resource Related Single Family Residence

Applicant requests conditional use approval of a non-resource related single family residence on a 8.89 acre Lot of Record in the MUF-19 zoning district

Location: 38755 NE Knieriem Road

Legal: Tax Lot '72', Section 36, T1N, R4E

Site Size: 8.89 acres

Size Requested: Same

Property Owner: William E. Maxson
11915 SE Madison Street, 97216

Applicant: Same

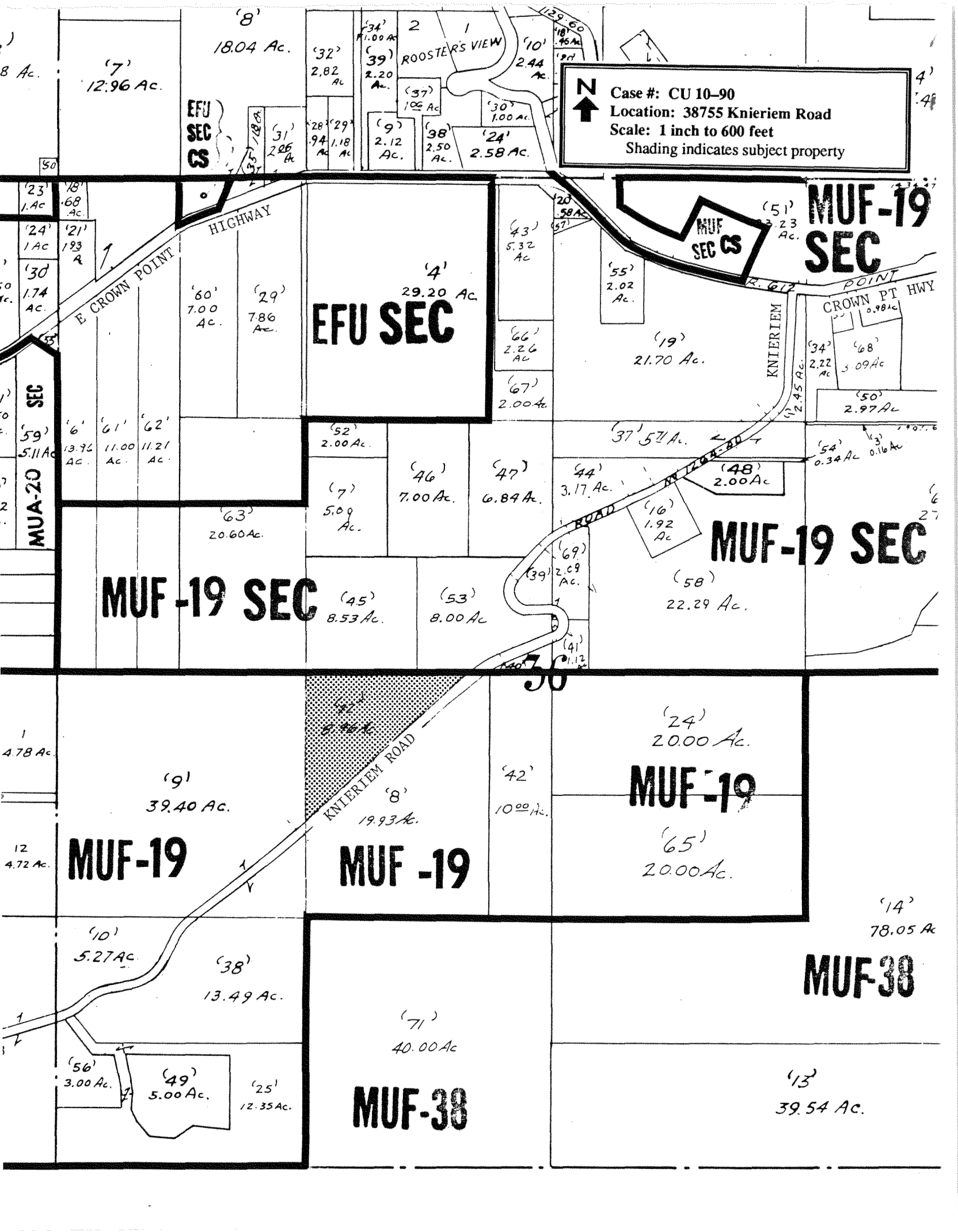
Comprehensive Plan: Multiple Use Forest

Present Zoning: MUF-19

Planning Commission

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

CU 10-90



PROPOSED HOME
SITE

KNIERIEMI ROAD

ESTABLISHED ACCESS ROAD

FORESTED AREAS TO REMAIN WITH
THINNING AND PLANTING

TAX LOT #72

SEC. 36 1 NORTH 4 EAST



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 NE Knieriem Road.
3. Prior to any site clearing or grading, obtain a *Hillside Development and Erosion Control Permit* pursuant to MCC .6700-6730. Contact Mark Hess at 248-3043 for application materials.

FINDINGS OF FACT:

1. Applicant's Proposal:

The applicant requests Planning Commission approval to develop the above described 8.89 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 8.89 acres located on the north side of NE Knieriem Road approximately one-fourth of a mile south of Crown Point Highway. It 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 two acres to over 40 acres in size. Many of the smaller lots are developed with rural residences, while most of the larger parcels are undeveloped.

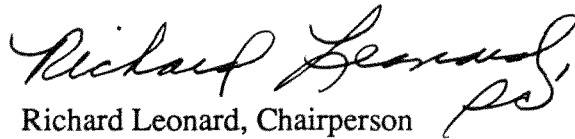
The applicant proposes to locate the residence on the property in compliance with the Residential Location Standards of the MUF zone. Water will be provided by the Corbett Water District and the property has been determined suitable for subsurface sewage disposal. Telephone and power facilities are available along the Knieriem Road frontage.

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.

In the Matter of CU 10-90

Signed June 11, 1990


Richard Leonard, Chairperson

Filed with Clerk of the Board on June 21, 1990

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, July 2, 1990 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, July 3, 1990 in Room 602 of the Multnomah County Courthouse. For further information call the Multnomah County Planning and Development at 248-3043.



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.
June 11, 1990

CU 9-90, #679

Conditional Use Request

Non-Resource Related Single Family Residence

Applicant requests conditional use approval of a non-resource related single family residence on a 6.66 acre Lot of Record in the MUF-19 zoning district

Location: 34234 SE Smith Road

Legal: Tax Lot '88', Section 3, T1S, R4E
1989 Assessor's Map

Site Size: 6.66 acres

Size Requested: Same

Property Owner: Robert B. Turner
34224 SE Smith Road, Corbett 97019

Applicant: Same

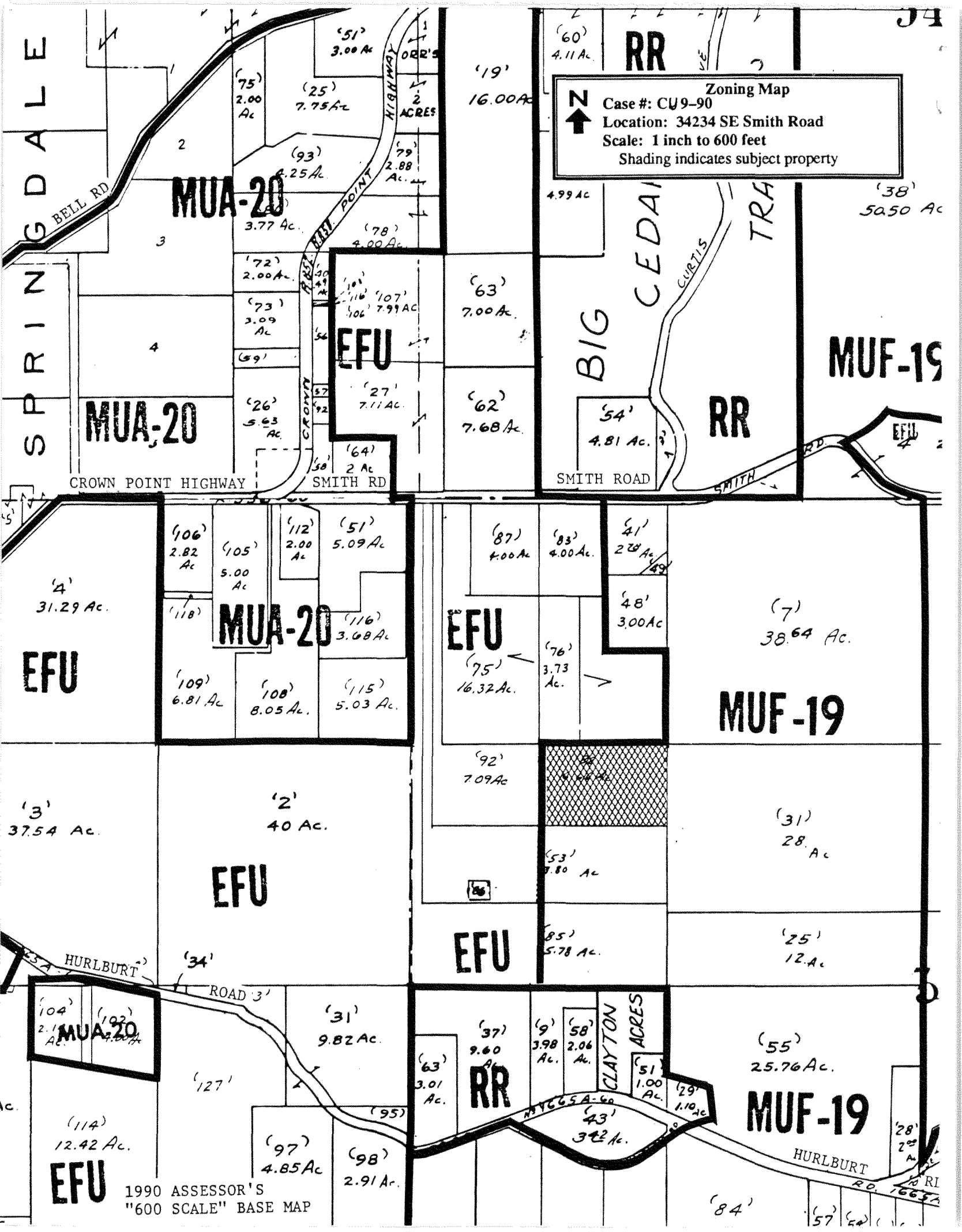
Comprehensive Plan: Multiple Use Forest

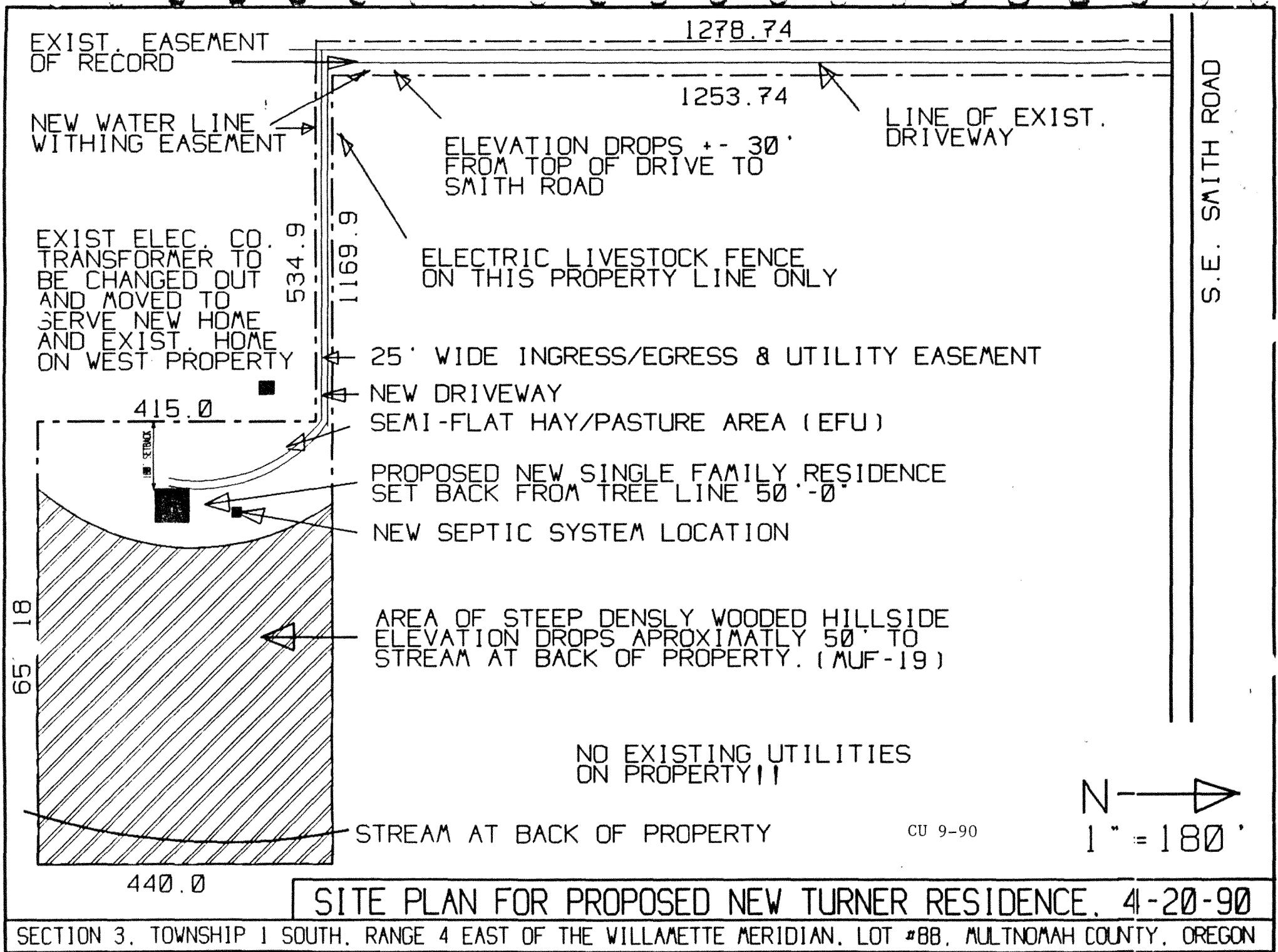
Present Zoning: MUF-19

Planning Commission

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

CU 9-90

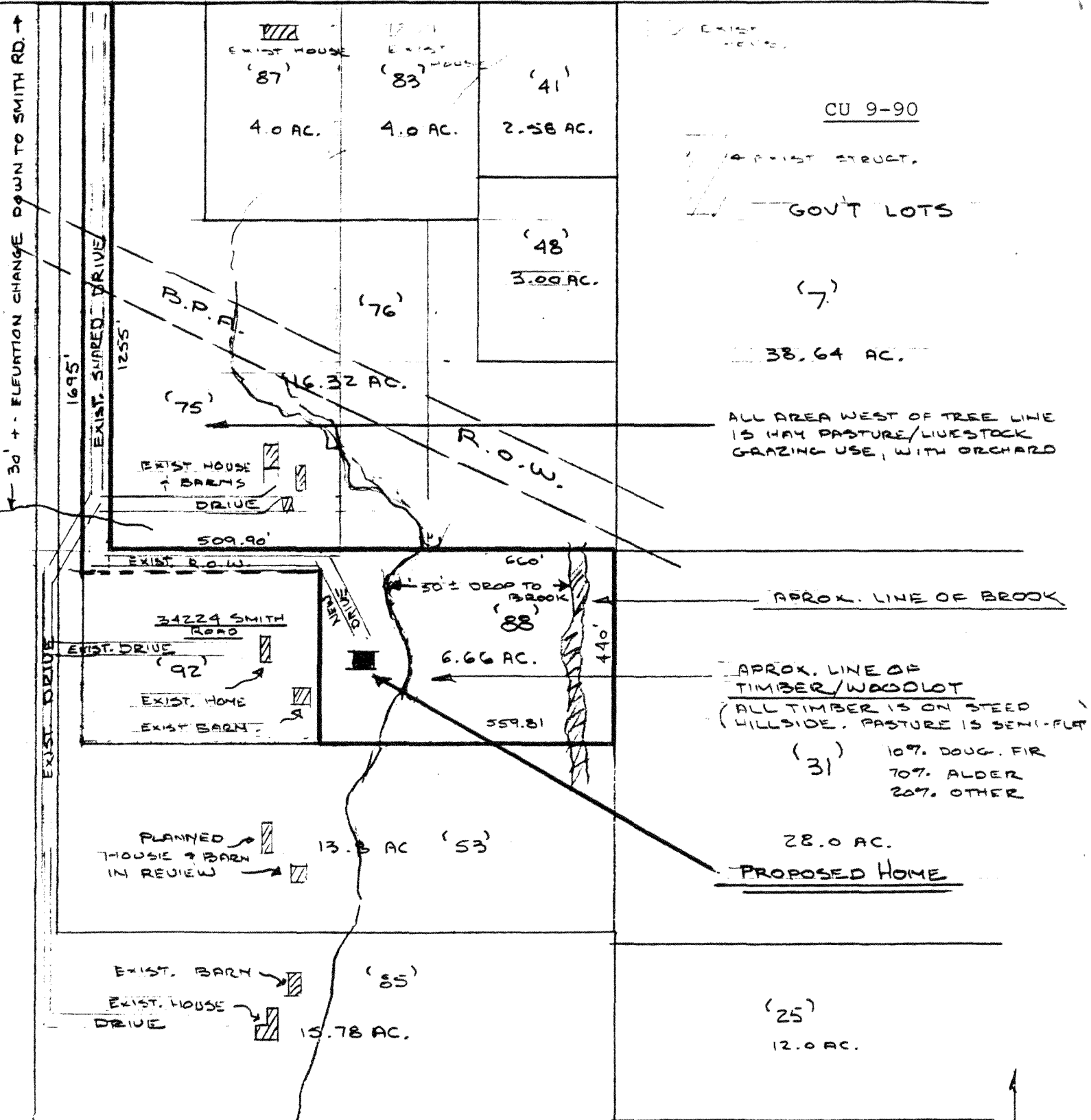




SPRINGDALE - 4 MILES (SCENIC HW. 1/4 MILE)

2 MILES

SMITH ROAD



PERIPHERAL AREA MAP

PROPOSED HOMESITE - LOT '88'

MULTNOMAH COUNTY, OR.

1" = 300'-0" ±

4-15-90

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 Smith Road.
3. Prior to any site clearing or grading, obtain a *Hillside Development and Erosion Control Permit* pursuant to MCC .6700-6730. Contact Mark Hess at 248-3043 for application materials.

FINDINGS OF FACT:

1. Applicant's Proposal:

The applicant requests Planning Commission approval to develop the above described 6.66 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 6.66 acres located on the south side of SE Smith Road approximately one-fourth of a mile east of Crown Point Highway. It 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 two acres to over 40 acres in size. Many of the smaller lots are developed with rural residences, while most of the larger parcels are undeveloped.


The applicant proposes to locate the residence on the property in compliance with the Residential Location Standards of the MUF zone. Water will be provided by the Corbett Water District and the property has been determined suitable for subsurface sewage disposal. Telephone and power facilities are available along the Smith Road frontage.

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.

In the Matter of CU 9-90

Signed June 11, 1990


Richard Leonard, Chairperson

Filed with Clerk of the Board on June 21, 1990

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, July 2, 1990 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, July 3, 1990 in Room 602 of the Multnomah County Courthouse. For further information call the Multnomah County Planning and Development at 248-3043.



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

Decision

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

June 11, 1990

CU 11-90 #659 **Conditional Use Request**
SEC 6-90, #659 **Area of Significant Environmental Concern**
(Sporting Goods and Hobby Supply Store in the Columbia River Gorge)

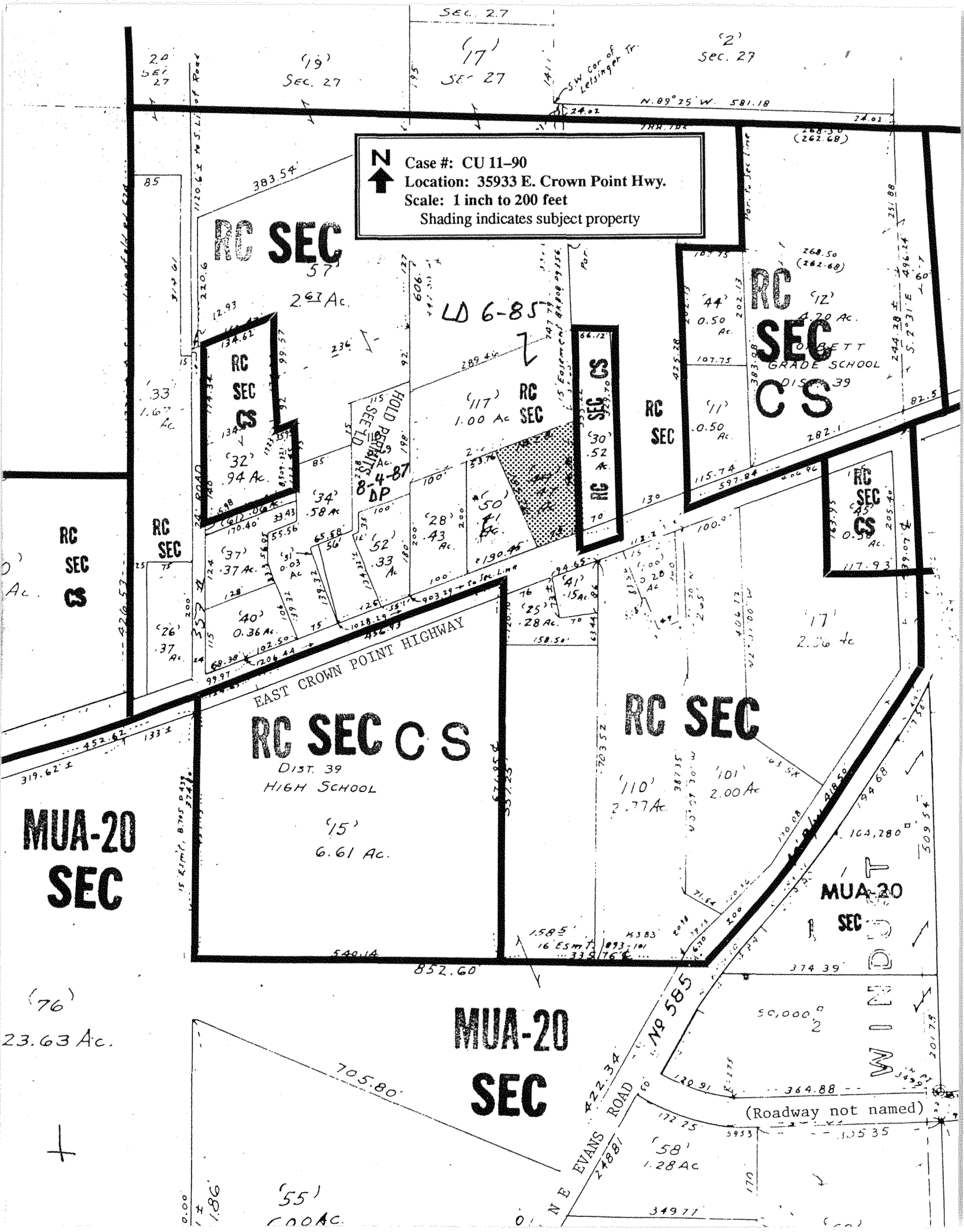
Applicant requests approval of a Conditional Use and SEC Permit to convert an existing house into a sporting goods and hobby supply store. The proposed use requires an SEC (Significant Environmental Concern) Permit because the site is within the Columbia River Gorge Scenic Area

Location: 35935 East Crown Point Highway
Legal: Tax Lot '49', Section 34, 1N-4E 1989 Assessor's Map
Site Size: .47 acres
Size Requested: Same
Property Owner: Terry W. Van Hee
Applicant: Terry W. Van Hee and Dennis Parrish
Comprehensive Plan: Rural Center/Significant Environmental Concern
Present Zoning: RC, Rural Center District; Minimum lot size of 1 acre;
 SEC, Area of Significant Environmental Concern

PLANNING COMMISSION

DECISION: Approve, subject to conditions the requested Conditional Use and SEC Permits, based on the following Findings and Conclusions.

CU 11-90/SEC 6-90



Case #: CU 11-90
Location: 35933 E. Crown Point Hwy.
Scale: 1 inch to 200 feet
Shading indicates subject property

RC SEC

RC SEC CS

LD 6-85

RC SEC

RC SEC CS

RC SEC

RC SEC CS

RC SEC

MUA-20 SEC

MUA-20 SEC

MUA-20 SEC

DIST. 39
HIGH SCHOOL

OBETT
GRADE SCHOOL
DIST. 39

EAST CROWN POINT HIGHWAY

NE EVANS ROAD

(Roadway not named)

RC SEC

RC SEC CS

LD 6-85

RC SEC

RC SEC CS

RC SEC

RC SEC CS

RC SEC

MUA-20 SEC

MUA-20 SEC

MUA-20 SEC

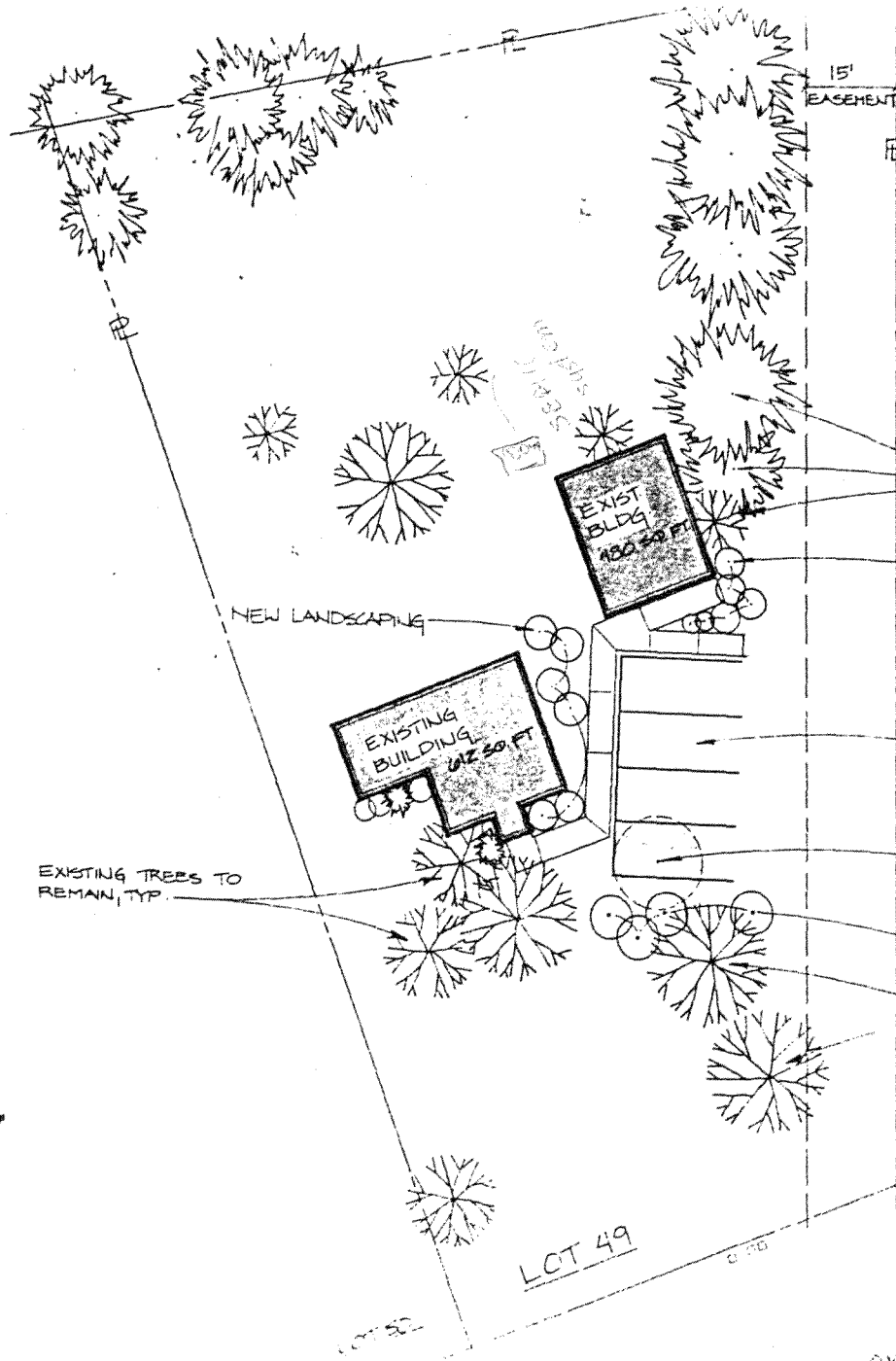
DIST. 39
HIGH SCHOOL

OBETT
GRADE SCHOOL
DIST. 39

EAST CROWN POINT HIGHWAY

NE EVANS ROAD

(Roadway not named)



CU 11-90/SEC 6-90

SCOPE OF WORK:
CONVERT EXISTING RESIDENCE
TO RETAIL SALES & CREATE
4 PARKING SPACES.

EXISTING LANDSCAPING, TYP.
TO REMAIN.

NEW LANDSCAPING

4-9-20' PARKING SPACES - NEW.

REMOVE EXISTING TREE

NEW LANDSCAPING

EXISTING TREES, TO REMAIN

EXISTING TREES TO
REMAIN, TYP.

NEW LANDSCAPING

LEGAL DESCRIPTION:
SEC 34, 1N 4E, TL#49.

Crown Point Highway



SCALE 1"=20'-0"

TOP

Conditions of Approval:

1. Obtain Design Review approval of all proposed site improvements including, but not limited to, grading, clearing, landscaping, fencing and exterior building colors. Site work or occupancy of the building for the commercial use shall not proceed until required Design Review approvals are obtained.
2. As part of Design Review, insure that no outdoor storage area is created on the site and screen refuse containers from surrounding properties and from the Historic Columbia River Highway.
3. Fulfill the Columbia River Gorge Commission conditions of approval prior to initiating the commercial uses on the site [Reference File No. C90-0056-M-G-15].
4. Limit the hours of operation for both the retail and office use to 7:30 am to 7:30 pm.

Findings of Fact:

1. Summary of the Proposal:

The applicant requests approval to convert an existing house for use as a sporting goods store and office. A small parking area (4-spaces) would be developed on-site to serve the retail use. Applicant indicates the retail space would be used to sell athletic supplies such as shoes, sweats, sports bags, and shirts. They also plan to carry hobby supplies and sports cards. The office space would be used as a small office for a construction company.

The application includes an SEC Permit request. The site is within an area designated Significant Environmental Concern; the overlay is designed to protect scenic and other resources associated with the Columbia River Gorge.

2. Site and Vicinity Information:

The 0.47 acre site is within the unincorporated community of Corbett, near the Corbett High School. The property fronts onto the Historic Columbia River Highway. The Corbett Hardware Store lies approximately 300-feet to the west. Surrounding land uses are mixed; residences dominate to the north and east and further west. Coyote Archery — a light manufacturing firm — occupies a converted church building about 250-feet to the east. The Corbett Grade School is east of Coyote Archery. The Corbett Post Office is across the Highway from these uses.

Applicant indicates the house contains 612 square feet. It is a one story wood frame building constructed in 1922 (according to County Assessor's records). A detached garage stands northeast of the house

Decision

June 11, 1990

3. Zoning and Comprehensive Plan Designations.

The plan designation of the parcel is Rural Center/Significant Environmental Concern. The parcel is zoned RC, (Rural Center) with an SEC (Area of Significant Environmental Concern) overlay.

4. Ordinance Considerations:

Conditional uses allowed in rural centers are specified in MCC 11.15.2252. Subsection (B)(1) specifies "...***Limited rural service commercial uses such as local stores, shops, offices, repair shops, and similar uses.***" Subsection (B)(2) specifies "...***Tourist commercial uses such as restaurants, taverns, gas stations, motels, guest ranches, and similar uses***". Such uses may be permitted when found to satisfy *Conditional Use Approval Criteria* in MCC .7105 – .7640. New uses proposed within an Area of Significant Environmental Concern must meet approval criteria specified in MCC .6420.

The following section presents findings regarding the proposed Conditional Use and SEC Permit; the applicable standard is in ***bold italics***, applicant's responses are presented first in *italics*, followed by staff comments.

A. Conditional Use Criteria (MCC .7120)

A(1) ***Is consistent with the character of the area;***

"We would like to take an existing building, which needs repair and remodel it so we can use it to sell sports, athletic and hobby materials. There would be office and retail areas. In doing this we feel the remodel would give new life to an old building and a useable store for the area, and office space for an area business.

These [sports] items are not available in the Corbett area; the nearest area to buy these items is in Gresham (approx. 6-8 miles).

The office space would be used as a small office for a construction company. The construction company interested in this space does small remodeling jobs and pole buildings. In the Corbett area the use of pole buildings is very popular for barns and storage.

We believe this would be beneficial to the community as both services are needed"

Staff Comment: Commercial uses in the Corbett rural center are small in scale and limited in their service area.. The area surrounding the subject site is described above under Finding #2. The use of the site for a small sporting goods retail outlet and an office space is consistent with the mixed residential/commercial/and light industrial character of the area. The use will not add any new structures. Parking on the site will be similar in scale and num-

ber to surrounding residential and commercial/light industrial uses.

The applicant proposes planting additional landscaping to partially screen the new parking spaces from the Historic Columbia River Highway; plant species and sizes are not indicated. Potential negative visual impacts to the Historic Columbia River Highway would be addressed through Design Review; Condition # 1 requires Design Review approval prior to initiating the commercial use on the site.

Condition #2 prohibits outdoor storage on the site and requires screening of refuse containers to further insure the proposed use is consistent with the area character.

The Columbia River Gorge Commission approved the proposed retail and office use in a decision dated May 4, 1990. Condition #3 requires that the Gorge Commission conditions of approval be met prior to initiating the commercial uses on the site.

A(2) *Will not adversely affect natural resources;*

"We will not conflict with farm or forest uses in the area nor will any natural resources be disturbed."

Staff Comment: The site is within a predominantly developed *rural center area*. It is not an area identified for natural resource protection in the County Framework Plan. The proposal will use an existing building. The only new development or land disturbing activities is the four new parking spaces. The effect on natural resources is negligible.

A(3) *Will not conflict with farm or forest uses in the area;*

"We will not conflict with farm or forest uses in the area nor will any natural resources be disturbed."

Staff Comment: The nearest agricultural crop land is over 1/2 mile away at Schwartz Berry stand (west on the Historic Columbia River Highway). Forested areas are concentrated several miles to the west and south. Staff concurs that the proposal's effects on farm or forest uses in the area are insignificant.

A(4) *Will not require public services other than those existing or programmed for the area;*

Staff Comments:

a. Water Supply.

The Corbett Water District supplies water service to the site; no changes are contemplated for the retail store or office use.

b. Sewage Disposal.

Sewage is disposed through an on-site septic system. The County Sanitarian (Mike Ebeling) indicates the proposed use can be accommodated with the existing system.

A(5) *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;*

"This area is not a big game area or have any hazardous conditions."

Staff Comment: The site is not identified as a big game habitat area in the Comprehensive Plan or by the Oregon Department of Fish and Wildlife.

A(6) *Will not create hazardous conditions;*

"This area is not a big game area or have any hazardous conditions."

Staff Comment: The unsecured outdoor storage of equipment and materials for either the retail or construction office use may pose hazards to area children or others who have access to the site. Condition #2 prohibits outdoor storage on the site in part to address this hazard potential.

A(7) *Will satisfy the applicable policies of the Comprehensive Plan.*

The following policies of the County's Comprehensive Plan are applicable to this request: Policy 3 (Citizen Involvement), Policy 7 (Rural Centers), Policy 13 (Air, Water and Noise Quality), Policy 14 (Development Limitations), Policy 15 (Areas of Significant Environmental Concern).

a. Policy 3 – Citizen Involvement.

Staff Comment: The public will be informed of the proposed development through the County's notification procedures and given an opportunity to comment at the Planning Commission public hearing.

b. Policy 7 – Rural Centers.

Staff Comments: The Framework Plan states that "...[T]he County's policy is to establish and maintain rural centers which are intended primarily for commercial and community services needed by the residents of the rural areas of the county, and to provide some tourist ser-

vices." The intensity and type of use proposed is consistent with the rural scale and character of Corbett (reference Finding above under *consistency with the area character*). The visual impacts of the proposed uses on the Historic Highway would be negligible. Conditions of approval will further insure the scale and visual effects of the uses are consistent with the Rural Centers policy.

c. Policy 13 – Air, Water, and Noise Quality.

Staff Comment: Staff notes that the noise level would likely not exceed that level typically associated with a residence and additionally would be expected to occur only during business hours. The principle noise effects would be from motorized vehicles. Since conditions of approval prohibit outdoor storage on the site, noises associated with construction material unloading and loading should not be a problem. Staff recommends limiting the hours of operation for both the retail and office use to not more than 7:30 A.M. to 7:30 P.M. in order to limit any off-site noise effects to those hours.

d. Policy 14 – Development Limitations.

Staff Comment: The site is not in an identified flood hazard area. It is not identified on the County slope hazards map. The only development proposed is four new parking spaces.

e. Policy 15 – Areas of Significant Environmental Concern

Staff Comment: The property is highly visible from the Historic Columbia River Highway. The Corbett community is a gateway into the Columbia River Gorge National Scenic Area. It provides many visitors their first impressions of the Gorge as they travel up the old highway on their way to Women's Forum State Park, Vista House and attractions further east. The County's policy in areas of significant environmental concern is to review development allowed by the base zone to ensure minimum impact to areas valued for their scenic qualities and as tourist attractions. Proposed and existing screening vegetation and conditions requiring Design Review approval and review of signs and exterior colors will insure the commercial uses are consistent with this policy.

B. SEC Approval Criteria (MCC .6420)

(a) The maximum possible landscaped area, scenic and aesthetic enhancement, open space or vegetation shall be provided between any use and a river, stream, lake, or floodwater storage area.

Staff Comment: The site does not affect any water body or flood storage area.

(b) Agricultural land and forest land shall be preserved and maintained for farm and forest use.

Staff Comment: No farm or forest lands are near the site; they would not be affected by the proposed use.

(c) The harvesting of timber on lands designated SEC shall be conducted in a manner which shall insure that the natural, scenic, and watershed qualities will be maintained to the greatest extent practicable or will be restored within a brief period of time.

Staff Comment: There is no timber harvest associated with the request.

(d) A building, structure, or use shall be located on a lot in a manner which will balance functional considerations and costs with the need to preserve and protect areas of environmental significance.

Staff Comment: The siting of the structure on the site occurred long before this standard was written, however, the accessory uses often associated with a construction office (i.e. outdoor storage of equipment, and truck on and off-loading) could diminish scenic visual qualities in the gorge and detract from the area's value as a tourist attraction. These accessory uses must be sited according to the standard noted above. Conditions of approval will insure the site development is consistent with this standard.

(e) Recreational needs shall be satisfied by public and private means in a manner consistent with the carrying capacity of the land and with minimum conflicts with areas of environmental significance.

Staff Comment: No recreational use is proposed.

(f) The protection of the public safety and protection of public and private property, especially from vandalism and trespass, shall be provided to the maximum extent practicable.

Staff Comment: As noted above under the *Hazards* discussion, the site is not secured, and the outdoor storage may pose hazards to area children. Conditions of approval prohibit outdoor storage on the site.

(g) Significant fish and wildlife habitats shall be protected.

Staff Comment: The site is not in areas containing significant fish or wildlife habitat.

(h) The natural vegetative fringe along rivers, lakes, and streams shall be enhanced and protected to the maximum extent practicable to assure scenic quality, protection from erosion.

Staff Comment: The site is not located near any river, lake or stream.

(i) Buildings, structures and sites of historic significance shall be preserved, protected, enhanced, restored, and maintained in proportion to their importance to the County's history.

Staff Comment: The structure, although relatively old compared to others in the area, is not identified in the County's Historic Resource inventory. It's original architectural details have been somewhat altered. We conclude it has little historic value meriting restoration or protection. However, Design Review offers some measure of protection in terms of minimizing inappropriate alteration of the exterior of the structure.

(j) Archeological areas shall be preserved for their historic, scientific, and cultural value and protected from vandalism or unauthorized entry.

Staff Comment: The site is not known to possess any archeologic resources. The proposed use would not require excavation except as necessary to develop the parking area.

(k) Extraction of aggregates and minerals, the depositing of dredge spoils, and similar activities permitted pursuant to the provisions of MCC .7105 through .7640, shall be conducted in a manner designed to minimize adverse effects on water quality, fish and wildlife, historical or archeological features, vegetation, erosion, stream flow, visual quality, noise, safety, and to guarantee necessary reclamation.

Staff Comment: No aggregate extraction is proposed.

(l) Areas of annual flooding, flood plains, water areas and wetlands shall be retained in their natural state to the maximum possible extent to preserve water quality and protect water retention, overflow and natural functions.

Staff Comment: The site is not in an identified flood plain and there are no wetlands on the property.

(m) Areas of erosion or potential erosion shall be protected from loss by appro-

priate means which are compatible with the environmental character.

Staff Comment: The site is generally flat; no erosion impacts should result from the use.

(n) The quality of the air, water and land resources and ambient noise levels in areas classified SEC shall be preserved in the development and use of such areas.

Staff Comment: Reference findings above under Policy 13.

(o) The design, bulk, construction materials, color and lighting of buildings, structures and signs shall be compatible with the character and visual quality of the areas of significant environmental concern.

Staff Comment: The design and materials of the exterior of the building are generally compatible with the character and visual qualities valued in the Columbia River Gorge Scenic Area. The only changes to the building design are to painting it a "nonreflective natural or dark earth-tone color that will not noticeably contrast with the surrounding environment" as stipulated by the Gorge Commission approval.

(p) An area generally recognized as fragile or endangered plant habitat or which is valued for specific vegetative features, or which has an identified need for protection of the natural vegetation, shall be retained in a natural state to the maximum extent possible.

Staff Comment: No such areas exist on the subject property.


(q) The applicable policies of the Comprehensive Plan shall be satisfied.

Staff Comment: Reference findings above under the *Conditional Use* criteria.

Conclusions:

1. The proposal — as conditioned — satisfies Conditional Use approval criteria due its consistency with the area character, the limited scale and service area of the proposed businesses, and consistency with Comprehensive Plan Policies.
2. The proposal satisfies SEC approval criteria as detailed in the findings section above.

Signed June 11, 1990


By Richard Leonard, Chairman

Filed With the Clerk of the Board on June 21, 1990

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 PM. on Monday, July 2, 1990** on the required Notice of Review Form which is available at the Planning and Development Office at 2115 SE Morrison Street.

The Decision on this item will be reported to the Board of County Commissioners for review at 9:30 a.m. on Tuesday, July 3, 1990 in Room 602 of the Multnomah County Courthouse. For further information call the Multnomah County Planning and Development Division at 248-3043.