ANNOTATED MINUTES

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

PLANNING ITEMS

Chair Gladys McCoy convened the meeting at 9:35 a.m., with Commissioners Sharron Kelley and Gary Hansen present, and Commissioner Pauline Anderson and Vice-Chair Rick Bauman excused.

The Following June 17, 1991 Decision of the Planning Commission is Reported to the Board of County Commissioners for Acknowledgement by the Presiding Officer:

P-1 *CU 13-91* *APPROVE, SUBJECT TO CONDITIONS, Requested Conditional Use Permit for a Two-Acre Mortgage Lot in the MUF-38 Zoning District, for Property Located at 16960 NW Skyline Blvd.*

DECISION READ, NO APPEAL FILED, DECISION STANDS.

P-2 *First Reading and Possible Adoption of an ORDINANCE Amending Fees for Action Proceedings and Administrative Actions Under MCC 11.05, 11.15 and 11.45, and Declaring an Emergency*

PROPOSED ORDINANCE READ BY TITLE ONLY. COPIES AVAILABLE. COMMISSIONER KELLEY MOVED AND COMMISSIONER HANSEN SECONDED, APPROVAL OF THE FIRST READING AND ADOPTION. SCOTT PEMBLE AND BOB HALL EXPLANATION AND RESPONSE TO BOARD QUESTIONS. NO ONE WISHED TO TESTIFY. ORDINANCE 688 UNANIMOUSLY APPROVED.

P-3 *First Reading and Possible Adoption of an ORDINANCE Amending MCC 11.15 by Adding Definitions and a Violation and Enforcement Section, and Declaring an Emergency*

PROPOSED ORDINANCE READ BY TITLE ONLY. COPIES AVAILABLE. COMMISSIONER HANSEN MOVED AND COMMISSIONER KELLEY SECONDED, APPROVAL OF THE FIRST READING AND ADOPTION. MR. PEMBLE EXPLANATION AND RESPONSE TO BOARD QUESTIONS. NO ONE WISHED TO TESTIFY. ORDINANCE 689 UNANIMOUSLY APPROVED.

P-4 *First Reading and Possible Adoption of an ORDINANCE Amending MCC*

11.15.8105 et seq. (Hearings Officer) to Empower the Hearings Officer to Adjudicate Alleged Violations of MCC 11.15, and Declaring an Emergency

PROPOSED ORDINANCE READ BY TITLE ONLY. COPIES AVAILABLE. COMMISSIONER HANSEN MOVED AND COMMISSIONER KELLEY SECONDED, APPROVAL OF THE FIRST READING AND ADOPTION. MR. PEMBLE AND JOHN DuBAY EXPLANATION AND RESPONSE TO BOARD QUESTIONS. UPON MOTION OF COMMISSIONER HANSEN, SECONDED BY COMMISSIONER KELLEY, AMENDMENTS WERE UNANIMOUSLY APPROVED SUBSTITUTING THE DIRECTOR OF THE DEPARTMENT OF ENVIRONMENTAL SERVICES INSTEAD OF COUNTY CLERK. NO ONE WISHED TO TESTIFY. ORDINANCE 690 UNANIMOUSLY APPROVED, AS AMENDED.

P-5 *First Reading and Possible Adoption of an ORDINANCE Amending the Multnomah County Code Chapter 11.15 by Amending Regulations Applicable to Grading and Land Disturbing Activities within the Balch Creek Drainage Basin*

PROPOSED ORDINANCE READ BY TITLE ONLY. COPIES AVAILABLE. COMMISSIONER KELLEY MOVED AND COMMISSIONER HANSEN SECONDED, APPROVAL OF THE FIRST READING AND ADOPTION. MR. PEMBLE EXPLANATION. JOHN SHERMAN, NANCY ROSENLUND, ARNOLD ROCHLIN AND MARY ELLEN MARMADUKE TESTIMONY IN SUPPORT. AT THE REQUEST OF MR. PEMBLE, ORDINANCE 691 UNANIMOUSLY APPROVED, WITH INCLUSION OF EMERGENCY CLAUSE LANGUAGE.

<u>HV 6-91</u> *APPROVE, SUBJECT TO CONDITIONS, Requested Rear Yard Setback Variance of 25 Feet to Allow Construction of an Accessory Building (i.e., Residential Garage) to be Located Five Feet from the County Property Line, for Property Located at 17930 NW Chestnut Lane*

MR. PEMBLE DISCUSSED APPLICANT JASON SAWYER'S REQUEST FOR AN EARLIER HEARING DATE. MR. PEMBLE AND MR. DuBAY RESPONSE TO BOARD QUESTIONS AND DISCUSSION. UPON MOTION OF COMMISSIONER KELLEY, SECONDED BY COMMISSIONER HANSEN, IT WAS UNANIMOUSLY APPROVED THAT THE HV 6-91 APPEAL HEARING BE RESCHEDULED TO <u>TUESDAY, JULY 23, 1991</u>, ON THE RECORD, WITH ADDITIONAL TESTIMONY LIMITED

TO 10 MINUTES PER SIDE.

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

OFFICE OF THE BOARD CLERK
for MULTNOMAH COUNTY, OREGON

Deborah L. Bogstad

Deborah L. Bogstad

Tuesday, July 9, 1991 - 10:30 AM
Multnomah County Courthouse, Room 602

AGENDA REVIEW

B-6 *Review of Agenda for Regular Meeting of July 11, 1991*

R-1 ***BOARD DISCUSSED AMENDMENT TO PROPOSED RESOLUTION.***

R-2 ***BOARD DISCUSSED AMENDMENT TO PROPOSED ORDINANCE. STAFF DIRECTED TO PROVIDE THE BOARD WITH INFORMATION REGARDING IMPLEMENTING A MONTHLY PAYROLL FOR COUNTY EMPLOYEES AND REMOVING THE ADVISORY FOR EMPLOYEES WHO HAVE DIRECT DEPOSITS. STAFF TO PREPARE ANALYSIS FOR BOARD CONSIDERATION PRIOR TO IMPLEMENTATION OF THE ORDINANCE.***

R-5 ***STAFF DIRECTED TO ASCERTAIN AND ADVISE BOARD ON PROCEEDS DISBURSAL.***

Thursday, July 11, 1991 - 9:30 AM
Multnomah County Courthouse, Room 602

REGULAR MEETING

Chair Gladys McCoy convened the meeting at 9:35 a.m., with Commissioners Sharron Kelley and Gary Hansen present, and Commissioner Pauline Anderson and Vice-Chair Rick Bauman excused.

CONSENT CALENDAR

UPON MOTION OF COMMISSIONER KELLEY,

SECONDED BY COMMISSIONER HANSEN, THE CONSENT CALENDAR (ITEMS C-1 THROUGH C-6) WAS UNANIMOUSLY APPROVED.

NON-DEPARTMENTAL

C-1 *In the Matter of the Appointment of Judith Madden Bryant to the Metropolitan Arts Commission. Term Expires June, 1993*

C-2 *In the Matter of the Appointment of Doug Rogers and the Re-appointments of Chair Gladys McCoy, Commissioner Rick Bauman, Mayor Gussie McRobert and Senator Frank Roberts to the Community Action Commission. Terms Expire June, 1993*

C-3 *In the Matter of the Appointment of John Ingle to the Multnomah County Planning Commission. Term Expires March, 1993*

DEPARTMENT OF HUMAN SERVICES

C-4 *Ratification of a Four Month Contract Renewal to the Intergovernmental Agreement Between Multnomah County and Tri-Met Allocating Federal Older Americans Act and County General Funds for the Purchase of Rides for Transportation-Handicapped Elderly*

JUSTICE SERVICES

SHERIFF'S OFFICE

C-5 *Ratification of an Intergovernmental Agreement Between Mt. Hood Community College and Multnomah County for the Provision of Educational Instruction for Inmates Leading to a General Equivalency Diploma for FY 91/92*

C-6 *Ratification of an Intergovernmental Agreement Between Portland Community College and Multnomah County for the Provision of Educational Instruction for Inmates Leading to a General Equivalency Diploma for FY 91/92*

REGULAR AGENDA

NON-DEPARTMENTAL

R-1 *RESOLUTION in the Matter of Establishing a Facilities and Land Holdings Task Force to Assist the County with Reviewing the Marketability and Use of its Interests in Real Property*

COMMISSIONER KELLEY MOVED AND COMMISSIONER HANSEN SECONDED, APPROVAL OF SUBSTITUTE R-1. COMMISSIONER KELLEY EXPLANATION. BLANCHE SCHROEDER TESTIMONY.

RESOLUTION 91-106 UNANIMOUSLY APPROVED.

R-2 *Second Reading and Possible Adoption of an ORDINANCE Amending Ordinance No. 683, in Order to Convert the Exempt Salary Range from an Hourly Basis to an Annual Basis Using Fiscal Year 1990-1991 as the Base*

PROPOSED ORDINANCE READ BY TITLE ONLY. COPIES AVAILABLE. COMMISSIONER HANSEN MOVED AND COMMISSIONER KELLEY SECONDED, APPROVAL OF THE SECOND READING AND ADOPTION. NO ONE WISHED TO TESTIFY. COMMISSIONER KELLEY EXPLANATION AND RESPONSE TO QUESTION OF JOHN DuBAY. UPON MOTION OF COMMISSIONER HANSEN, SECONDED BY COMMISSIONER KELLEY, IT WAS UNANIMOUSLY APPROVED THAT FY 1990-91 REFERENCES BE DELETED. ORDINANCE 692 UNANIMOUSLY APPROVED, AS AMENDED.

DEPARTMENT OF HUMAN SERVICES

R-3 *In the Matter of a Request for Approval of a Notice of Intent to Apply for a Two Year $350,000 Family Stabilization and Self Sufficiency Project Grant from the United States Department of Health and Human Services, Office of Community Services, Under the 1991 Demonstration Partnership Program*

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

DEPARTMENT OF ENVIRONMENTAL SERVICES

R-4 *ORDER in the Matter of the Quitclaim to the City of Portland of the Interest of Multnomah County in the Easterly Twenty Seven Feet of Lot 9, Towey's Addition, Portland, Multnomah County, Oregon*

UPON MOTION OF COMMISSIONER HANSEN, SECONDED BY COMMISSIONER KELLEY, ORDER 91-107 WAS UNANIMOUSLY APPROVED.

There being no further business, the meeting was adjourned at 9:45 a.m.

OFFICE OF THE BOARD CLERK
for MULTNOMAH COUNTY, OREGON

Deborah L. Bogstad

Deborah L. Bogstad

MULTNOMAH COUNTY OREGON

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

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

AGENDA

MEETINGS OF THE MULTNOMAH COUNTY BOARD OF COMMISSIONERS

FOR THE WEEK OF

JULY 8 - 12, 1991

Tuesday, July 9, 1991 - 9:30 AM - Planning Items. . . . . .Page 2

Tuesday, July 9, 1991 - 10:30 AM - Agenda Review. . . . . .Page 2

Thursday, July 11, 1991 - 9:30 AM - Regular Meeting . . . . .Page 3

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

AN EQUAL OPPORTUNITY EMPLOYER

Tuesday, July 9, 1991 - 9:30 AM

Multnomah County Courthouse, Room 602

PLANNING ITEMS

The Following June 17, 1991 Decision of the Planning Commission is Reported to the Board of County Commissioners for Acknowledgement by the Presiding Officer:

P-1 CU 13-91 **APPROVE, SUBJECT TO CONDITIONS,** Requested Conditional Use Permit for a Two-Acre Mortgage Lot in the MUF-38 Zoning District, for Property Located at **16960 NW Skyline Blvd.**

P-2 First Reading and Possible Adoption of an ORDINANCE Amending Fees for Action Proceedings and Administrative Actions Under MCC 11.05, 11.15 and 11.45, and Declaring an Emergency

P-3 First Reading and Possible Adoption of an ORDINANCE Amending MCC 11.15 by Adding Definitions and a Violation and Enforcement Section, and Declaring an Emergency

P-4 First Reading and Possible Adoption of an ORDINANCE Amending MCC 11.15.8105 et seq. (Hearings Officer) to Empower the Hearings Officer to Adjudicate Alleged Violations of MCC 11.15, and Declaring an Emergency

P-5 First Reading and Possible Adoption of an ORDINANCE Amending the Multnomah County Code Chapter 11.15 by Amending Regulations Applicable to Grading and Land Disturbing Activities within the Balch Creek Drainage Basin

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Tuesday, July 9, 1991 - 10:30 AM

Multnomah County Courthouse, Room 602

AGENDA REVIEW

B-6 Review of Agenda for Regular Meeting of **July 11, 1991**

Thursday, July 11, 1991 - 9:30 AM

Multnomah County Courthouse, Room 602

REGULAR MEETING

CONSENT CALENDAR

NON-DEPARTMENTAL

C-1 In the Matter of the Appointment of Judith Madden Bryant to the Metropolitan Arts Commission. Term Expires June, 1993

C-2 In the Matter of the Appointment of Doug Rogers and the Re-appointments of Chair Gladys McCoy, Commissioner Rick Bauman, Mayor Gussie McRobert and Senator Frank Roberts to the Community Action Commission. Terms Expire June, 1993

C-3 In the Matter of the Appointment of John Ingle to the Multnomah County Planning Commission. Term Expires March, 1993

DEPARTMENT OF HUMAN SERVICES

C-4 Ratification of a Four Month Contract Renewal to the Intergovernmental Agreement Between Multnomah County and Tri-Met Allocating Federal Older Americans Act and County General Funds for the Purchase of Rides for Transportation-Handicapped Elderly

JUSTICE SERVICES

SHERIFF'S OFFICE

C-5 Ratification of an Intergovernmental Agreement Between Mt. Hood Community College and Multnomah County for the Provision of Educational Instruction for Inmates Leading to a General Equivalency Diploma for FY 91/92

C-6 Ratification of an Intergovernmental Agreement Between Portland Community College and Multnomah County for the Provision of Educational Instruction for Inmates Leading to a General Equivalency Diploma for FY 91/92

REGULAR AGENDA

NON-DEPARTMENTAL

R-1 RESOLUTION in the Matter of Establishing a Facilities and Land Holdings Task Force to Assist the County with Reviewing the Marketability and Use of its Interests in Real Property

R-2 Second Reading and Possible Adoption of an ORDINANCE Amending Ordinance No. 683, in Order to Convert the Exempt Salary Range from an Hourly Basis to an Annual Basis Using Fiscal Year 1990-1991 as the Base

DEPARTMENT OF HUMAN SERVICES

R-3 In the Matter of a Request for Approval of a Notice of Intent to Apply for a Two Year $350,000 Family Stabilization and Self Sufficiency Project Grant from the United States Department of Health and Human Services, Office of Community Services, Under the 1991 Demonstration Partnership Program

DEPARTMENT OF ENVIRONMENTAL SERVICES

R-4 ORDER in the Matter of the Quitclaim to the City of Portland of the Interest of Multnomah County in the Easterly Twenty Seven Feet of Lot 9, Towey's Addition, Portland, Multnomah County, Oregon

0104C/4-7/dr

Meeting Date: July 9, 1991

Agenda No.: P-1

(Above space for Clerk's Office Use)

. . . . . .

AGENDA PLACEMENT FORM
(For Non-Budgetary Items)

SUBJECT: _____

BCC Informal _____ (date) BCC Formal July 9, 1991 (date)

DEPARTMENT DES DIVISION Planning

CONTACT Sharon Cowley TELEPHONE 2610

PERSON(S) MAKING PRESENTATION _____

ACTION REQUESTED:

☐ INFORMATIONAL ONLY ☐ POLICY DIRECTION ☒ APPROVAL

ESTIMATED TIME NEEDED ON BOARD AGENDA: _____

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

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

CU 13-91 Decision of the Planning Commission of June 17, 1991, with recommendation to the Board for approval, subject to conditions

BOARD OF COUNTY COMMISSIONERS
MULTNOMAH COUNTY
OREGON
1991 JUL -3 AM 9:31

(If space is inadequate, please use other side)

SIGNATURES:

ELECTED OFFICIAL _____

Or

DEPARTMENT MANAGER María Rojo de Steffey / for Paul Yarborough

(All accompanying documents must have required signatures)

MULTNOMAH COUNTY

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 and Conclusions.
June 17, 1991

CU 13–91, #43A-D Conditional Use Request
(Creation of a Mortgage Lot)

Applicant requests conditional use approval to allow for the creation of an approximate two-acre Mortgage Lot from an existing 38.5 acre parcel, to establish a forest related single family residence.

Location: 16960 NW Skyline Blvd.

Legal: Tax Lot '3', Section 24, T. 2 N., R. 2 W., 1990 Assessor's Map

Site Size: 38.5 Acres

Size Requested: Same

Property Owner: Christopher Pellico
13070 Santa Anita Court, Beaverton, 97006

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

Comprehensive Plan: Multiple Use Forest

Present Zoning: MUF-38, Multiple Use Forest District

Planning Commission Decision:

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

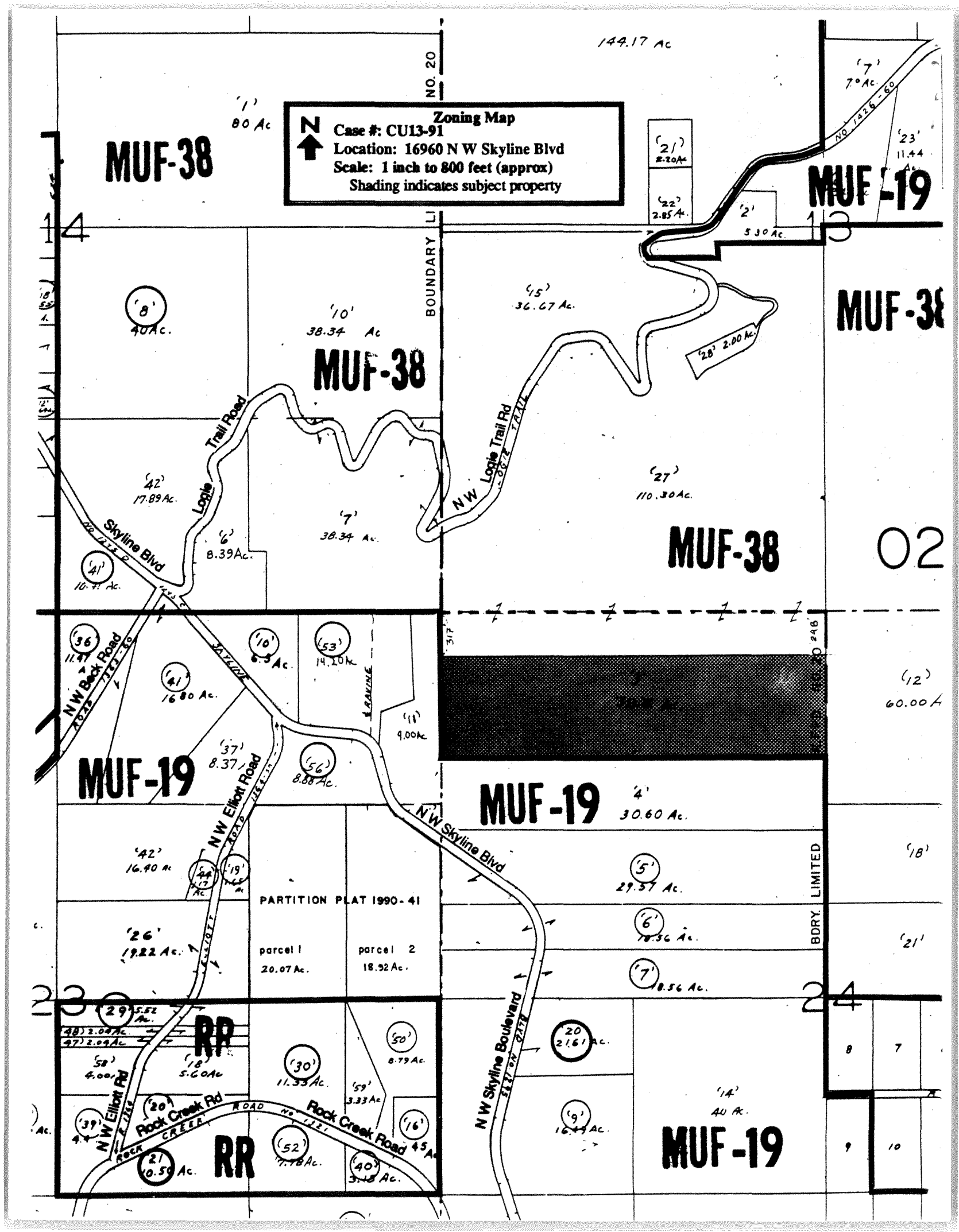
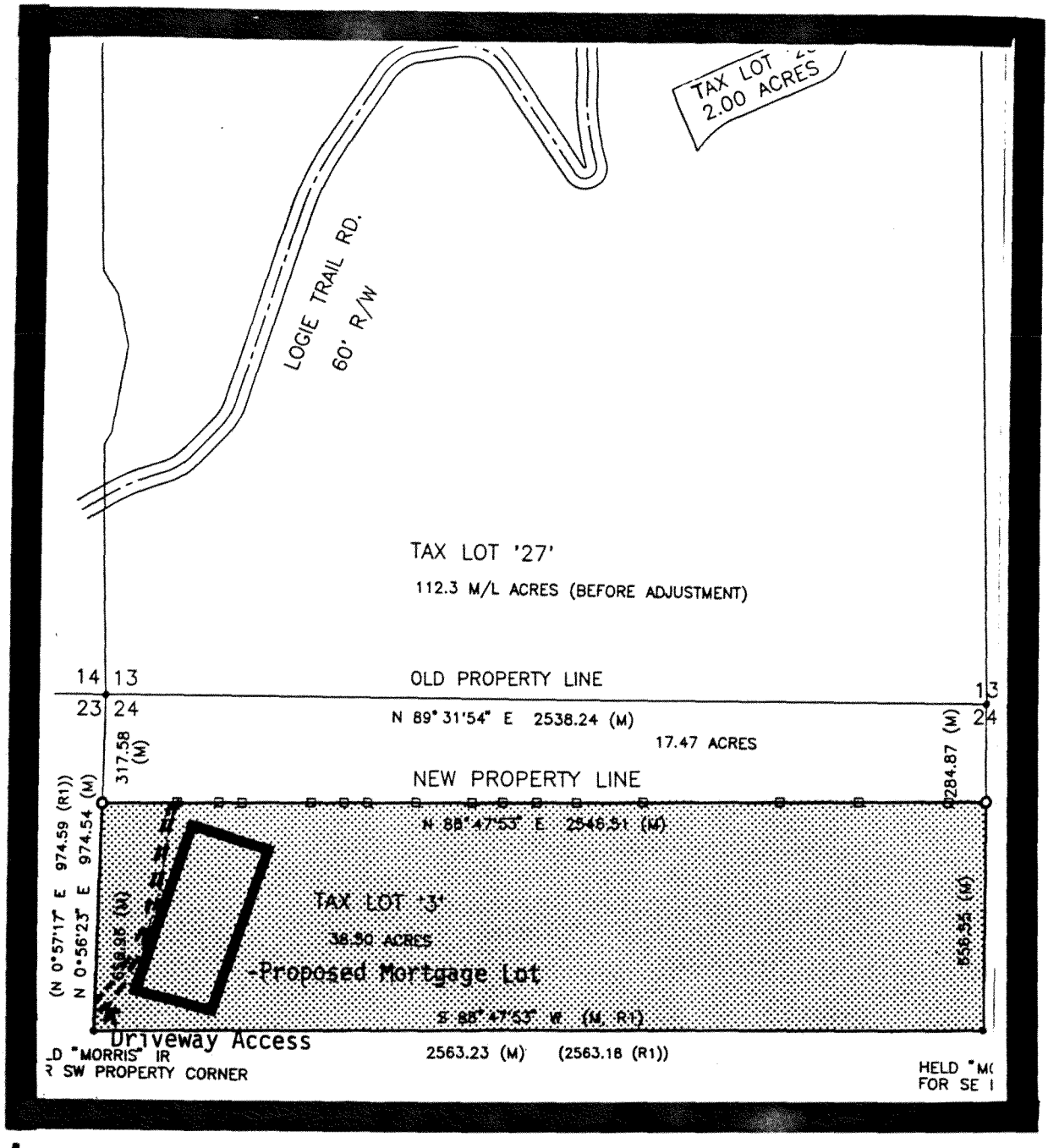

Zoning Map
Case #: CU13-91
Location: 16960 N W Skyline Blvd
Scale: 1 inch to 800 feet (approx)
Shading indicates subject property
N
MUF-38
MUF-19
RR
144.17 Ac
80 Ac
40Ac.
38.34 Ac
36.67 Ac.
2.00 Ac.
17.89Ac.
8.39Ac.
10.41 Ac.
110.30Ac.
11.41
16.80 Ac.
6.5 Ac.
14.20Ac.
9.00Ac
8.37
8.88Ac.
30.60 Ac.
16.40 Ac
29.37 Ac.
19.22 Ac.
parcel 1
20.07 Ac.
parcel 2
18.52 Ac.
8.56 Ac.
5.52 Ac.
2.04Ac.
2.04Ac.
4.00Ac
5.60Ac
11.33 Ac.
8.79Ac.
3.33Ac
21.61 Ac.
16.44 Ac.
40 Ac.
0.59 Ac.
11.78Ac.
3.18 Ac.
7.0Ac.
11.44 Ac.
2.20Ac.
2.85Ac.
5.30 Ac.
60.00Ac
NO. 20
BOUNDARY LI
Logie Trail Road
NW Logie Trail Rd
Skyline Blvd
NW Back Road
NW Elliott Road
NW Skyline Blvd
NW Skyline Boulevard
Rock Creek Rd
Rock Creek Road
PARTITION PLAT 1990-41
BDRY. LIMITED
02

Figure 1.

Plot Plan

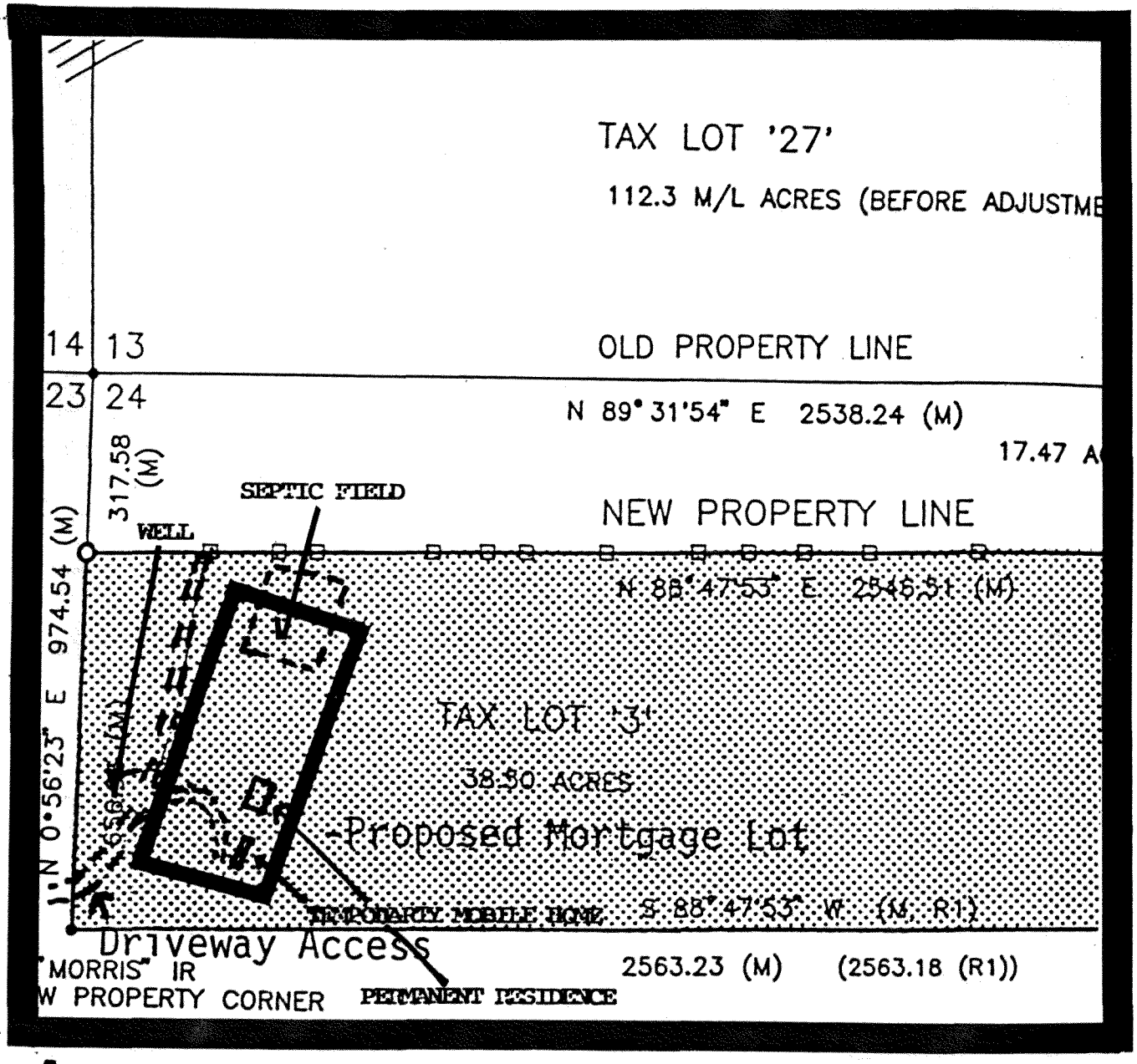


Scale: 1" = 480'

CU 13-91

N

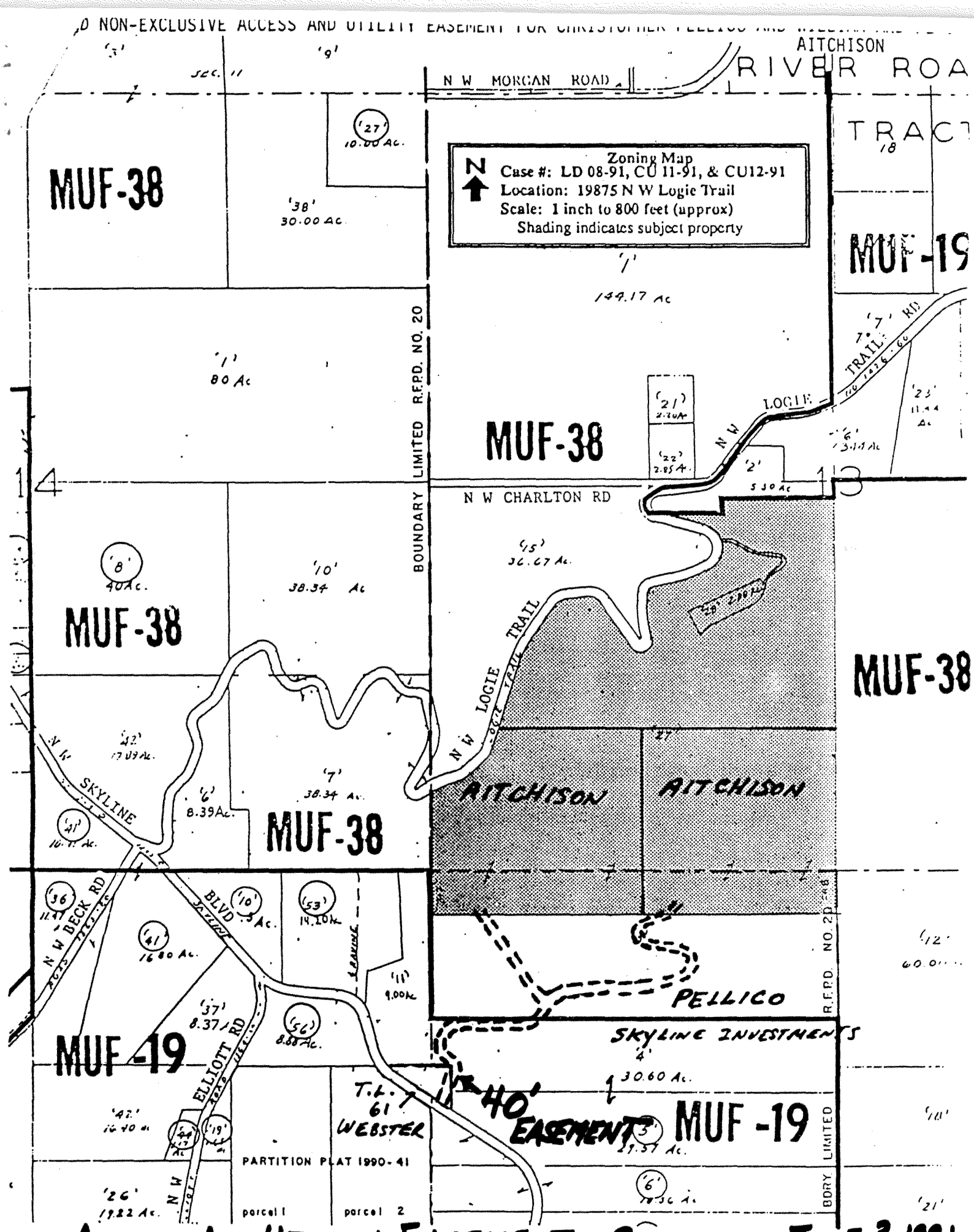
PLOT PLAN FOR MORTGAGE LOT



SCALE 1" = 800' (approximately)

N

CU 13-91



ACCESS AND UTILITY EASEMENT. SUBMITTED JUNE 3, 1991
CU 13-91

CONDITIONS OF APPROVAL:

1. The owner shall record a statement that, except as may be provided by law, the mortgage lot shall not be conveyed as a zoning lot separate from the tract out of which it was created or such portion of the tract as conforms with the dimensional requirements of the Zoning Ordinance in effect.

2. The mortgage lot shall be created within two years of the date of the Board Order pursuant to MCC 11.15.7110(C).

3. Site clearing or grading occurring after February 20, 1990 may require a ***Hillside Development and Erosion Control Permit*** pursuant to MCC .6700-6730. Contact the Division of Planning and Development for application materials.

4. At the time a building permit is applied for, County staff shall verify that the sanitary drainfield on the subject site will not adversely affect the drainfield on the parcel to the north.

FINDINGS OF FACT:

1. Applicant's Proposal:

Applicant requests conditional use approval to allow for the creation of a two-acre mortgage lot from an existing 38.5 acre parcel. The owner's objective is to establish the mortgage lot as a means of confirming the right to build. The owner does not have a mortgage or a purchase contract on the subject property and owns the property outright. However, he wants to retain the option for a mortgage lot in the event that the property is sold in the future or that he chooses to use the land as collateral for a mortgage at the time a permanent residence is built.

2. Ordinance Considerations:

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

(1) The minimum lot size for the mortgage lot shall be two acres;

(2) Except as may otherwise be provided by law, a mortgage lot shall not be conveyed as a zoning lot separate from the tract out of which it was created or such portion of the tract as conforms with the dimensional requirements of the zoning ordinance then in effect. The purchaser of a mortgage lot shall record a statement referring to this limitation in the Deed Records pertaining to said lot.

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

[Reference MCC 11.15.2172(D)]

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

(1) The fire safety measures outlined in the *Fire Safety Considerations for Development in Forested Areas*, published by the Northwest Inter-Agency Fire Prevention Group, including at least the following:

(a) Fire lanes at least 30 feet wide shall be maintained between a residential structure and an adjacent forested area;

(b) Maintenance of a water supply and of fire fighting equipment sufficient to prevent fire from spreading from the dwelling to adjacent forested areas;

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

(3) The dwelling shall be located in as close proximity to a publicly maintained street as possible, considering the requirements of MCC 11.15.2178(B).

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

(5) The dwelling shall be located on that portion of the lot having the lowest productivity characteristics for the proposed primary use, subject to the limitations of subpart #3 above.

(6) Building setbacks of at least 200 feet shall be maintained from all property lines, wherever possible, except:

(a) A setback of 30 feet or more may be provided for a public road, or

(b) The location of dwelling(s) on adjacent lot(s) at a lesser distance which allow for the clustering of dwellings or sharing of access.

(7) Construction shall comply with the standards of the building code or as prescribed in ORS 446.002 through 446.200 relating to mobile homes.

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

(9) The dwelling shall have a minimum floor area of 600 square feet.

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

[Reference MCC 11.15.2194]

3. Site and Vicinity Characteristics:

A. The subject property is a Lot of Record of 38.5 acres with no frontage on a public road. The lot was created prior to zoning regulations which required frontage on a public right-of-way and is approximately 450 feet from the nearest road which is NW Skyline Blvd.

B. A lot line adjustment was approved in February, 1991 which shifted the northerly lot line southward and reduced the area of the subject tax lot '3' from 60.8 acres to the present 38.5 acres.

C. The proposed two-acre mortgage lot is located on the westerly portion of the property close to a forty foot wide access easement from NW Skyline Blvd. The forty foot wide easement connects to NW Skyline Blvd through tax lots '4' and '5', Sec. 24 and tax lot '61', Sec. 23. The easement continues through the subject site to also provide access to the property to the north. The abutting lot to the north is the subject of a proposed two lot land division (LD 8-91).

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

(1). *Configuration of Mortgage Lot - The proposed mortgage lot occupies a narrow ridge line that runs north and south. The level ridgetop is 200 feet wide and approximately 650 feet long. The mortgage lot will occupy an area 440 feet long by 200 feet wide as indicated in Figure 1.*

(2). *Electric Power - Electric power to the subject property will be provided from a 7600 KV power line located along the Skyline Boulevard right-of-way. The existing power line is on the east side of Skyline Boulevard. The power will very likely be plowed in along the access drive to the mortgage lot. The power company is Portland General Electric, and they have indicated that they have adequate power resources to serve the area. Any cost for power extension could be the responsibility of the property owner.*

(3). *Water - Adequate volumes of water are found in the vicinity of the subject property as evidenced by recent well drillings and historical data from nearby wells. Don Feakin, a local well driller with over 14 years of experience also attests to the availability of water in the vicinity.*

Well log records for Sections 13 and 24 indicate that water is available in amounts adequate for domestic use. The average gallon yield per minute is 32 and 15 for Sections 13 and 24 respectively. The average depth where water is first encountered is 256 feet and 405 feet respectively for Sections 13 and 24 (see Appendix 1 for well log records).

(4). *Sewage Disposal - An application for on-site sewage disposal will be submitted concurrently with this application. The proposed drainfield area will be located on the eastern perimeter of the proposed mortgage lot and slightly downhill from where the residence will be located. The septic drainfield, in any event, will be located at least 200 feet from the well.*

(5). *Fire Protection - Fire Patrol Northwest provides fire Protection for the subject property. A special assessment is levied upon the property to provide service.*

4. Compliance With Ordinance Considerations:

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

A. Mortgage Lot:

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

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

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

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

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

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

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

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

B. Residential Use Development Standards:

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

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

In addition to the fire lane, other design protections could be implemented. For example, the proposed homesite will be situated on a level ridgetop away from any gullies that would act as a fire chimney, thus reducing fire damage potential to the home. The residential compound can also be landscaped with non-coniferous broadleaf shrubs and trees to minimize kindling temperatures for fire.

Staff Comment: The staff viewed the property from NW Skyline Blvd. and confirmed that the ridgetop was cleared.

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

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

Staff Comment: Staff does not recommend additional fire safety conditions. Fire protection is provided from Fire Patrol Northwest.

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

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

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

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

Staff Comment: Since the submittal of this application another easement to NW Skyline Blvd. has been obtained by the applicant. This new easement has two intervening ownerships separating the subject property from NW Skyline Blvd.

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

The existing driveway that serves the subject property is in excess of 500 feet. The driveway is within a 40-foot easement granted by Lloyd Maplethorp to Longview Fibre across the Maplethorp property. The only way to reach the subject property was to place a switchback in the road to avoid a very steeply incised headwater gully. The owner respectfully requests that the existing driveway and easement be recognized by Multnomah County for approval of this conditional use permit.

Staff Comment: The easement which the applicant will now be using does not cross the Maplethorp property but crosses property owned by Skyline Investments and Webster (see map submitted June 3, 1991). The applicant's statements regarding the physical limitations of the site satisfy the above standard to allow a driveway in excess of 500 feet.

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

The proposed dwelling will be located on the portion of the lot having the lowest productivity characteristics for the primary use subject to the limitations of subsection (C) above [B.(4)]. *The level ridgetop is not significantly less productive than the side slopes and ravines, but more management obstacles are present on the level ridgetop proposed for the homesite owing to shallower soils and associated problems. The ridgeline has shallower soils since gravity and water are perpetually moving soils downslope. When septic pits were being excavated on an adjoining parcel the soils were shallower on the ridgeline than on the protected side slopes. Sand filter septic systems were approved by the Multnomah County Sanitarian which clearly indicates an absence of soil mass in the root zone. The shallow soils and high wind velocities combined result in a higher number of blowover trees, leaners, and windthrown tops. These conditions were observed prior to the clearcuts in the area.*

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

Staff Comment: The entire tax lot is given a Douglas Fir Site Class designation of 3 with a site index of 149. Because the Soil Conservation Service *Soil Survey of Multnomah County, Oregon* does not differentiate portions of the property as having lower productivity characteristics, the staff concurs with the applicant's response.

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

The preferred setback of 200 feet would be contrary to subsections (a) and (C) above [B (1), (2) & (4) above].

[(7) (a)] *Since the subject property does not have public road frontage, this provision does not apply.*

[(7) (b)] *This proposal strongly conforms with this criterion since it enables dwellings to be clustered and also allows shared access. The Maplethorp residence and a recently approved forest management dwelling on the parcel to the south are located on the same ridgetop as the proposed dwelling.*

The Aitchison ownership to the north is being proposed for a land division creating two 38-acre parcels. Each of the proposed new parcels will have homesites that will share access with the subject property. One of the proposed homesites is directly north of the homesite for the subject property on the ridgetop, thus adding to the concept of clustering. The easternmost parcel of the Aitchisons will be served by the same access road.

Staff Comment: The proposed mortgage lot location would fulfill the concept of clustering.

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

The owner is proposing a mobile home as an interim residence until a stick-built home is constructed. The mobile home will conform to the statutory requirements of ORS 447.002 and 4a7.200.

The primary residence (not the interim mobile home) will be constructed according to the Uniform Building Code as administered by Multnomah County.

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

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

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

C. Applicant's "Summary":

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

1. The subject parcel is 38 acres and is zoned MUF-38.
2. The Multnomah County Ordinance allows a dwelling on 38 acres without specifically requiring a conditional use permit for the dwelling.
3. The application for a conditional use/mortgage lot is to assure the owner's right to build and to allow for future contingencies on the property.
4. The proposed dwelling and primary use of the property are compatible with nearby resource management parcels.
5. The development proposal for this property and adjacent properties allows for dwelling clustering and shared access.
6. The provision of utilities and services are consistent with county policy not to require services over and above what are planned for the area.
7. The provisions for fire prevention and mitigation can readily be met by the property owner.
8. The owner is willing to accept more than the minimum standard for fire lanes given the size of the proposed mortgage lot.
9. The owner is willing to maintain fire fighting equipment if required by Multnomah County.
10. The proposed dwelling site will be located on the least productive portion of the ownership.
11. The property was recently clearcut, and standards for dwelling siting and fire lanes can easily be met.
12. The availability of water for domestic purposes appears to be adequate based upon an examination of well log records in Sections 13 and 24. The gallons per minute rating is 15 and 32 respectively for Sections 13 and 24, and the average depth of well drilled is 256 feet and 405 feet respectively.

CONCLUSIONS:

1. Conditions are necessary to insure compliance with all Code provisions.

2. The applicant has carried the burden necessary for the approval of a mortgage lot in the MUF-19 zoning district.

Signed June 17,1991

By Richard Leonard, Chairperson

Filed with Clerk of the Board on June 27, 1991

Appeal to the Board of County Commissioners

Any person who appears and testifies at the Planning Commission hearing, or who submits written testimony in accord with the requirements on the prior Notice, and objects to their recommended decision, may file a Notice of Review with the Planning Director on or **before 4:30 p.m. on Monday, July 8, 1991** on the required Notice of Review Form which is available at the Planning and Development Office at 2115 SE Morrison Street.

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

Meeting Date: July 9, 1991

Agenda No.: P-2

(Above space for Clerk's Office Use)

. . . . . .

AGENDA PLACEMENT FORM
(For Non-Budgetary Items)

SUBJECT: _____

BCC Informal _____ (date) BCC Formal July 9, 1991 (date)

DEPARTMENT DES DIVISION Planning

CONTACT Sharon Cowley TELEPHONE 2610

PERSON(S) MAKING PRESENTATION Planning Staff

ACTION REQUESTED:

☐ INFORMATIONAL ONLY ☐ POLICY DIRECTION ☒ APPROVAL

ESTIMATED TIME NEEDED ON BOARD AGENDA: _____

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

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

C 4-91 An Ordinance amending fees for action proceedings and administrative actions under MCC 11.05, 11.15 and 11.45, and declaring an emergency

7/10/91 copies to Planning & Ordinance Distribution list

(If space is inadequate, please use other side)

SIGNATURES:

ELECTED OFFICIAL _____

OR

DEPARTMENT MANAGER Paul Yarborough /bhw

BOARD OF COUNTY COMMISSIONERS
MULTNOMAH COUNTY
OREGON
1991 JUL -3 AM 9:38

(All accompanying documents must have required signatures)

1/90

MULTNOMAH COUNTY OREGON

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

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

June 6, 1991

To: Board of County Commissioners

From: Bob Hall
Division of Planning and Development

Re: Proposed amendment of Zoning Code Fee Schedule C 4–91

Enclosed are materials relating to a proposed amendment of Zoning Code Fee Schedule which is recommended for your adoption by the Planning Commission. The packet contains:

- A Planning Commission resolution;
- Summaries of the processing costs of two recent quasi-judicial planning cases; and
- A comparison of our proposed fees with those of other jurisdictions in the metropolitan area.

This is the first major amendment of the fee schedule since 1980. As outlined it the findings section of the ordinance, increases reflect increases in labor and material and services costs incurred since the 1980 revision.

BEFORE THE PLANNING COMMISSION
OF COUNTY OF MULTNOMAH

In the Matter of Recommendation to the Board of County Commissioners Ordinances Amendment of MCC 11.15 to Revise the Fee Schedule	))))	**RESOLUTION** C 4–91

WHEREAS, It is appropriate to update the fee schedule for land use actions to reflect cost increases which have occurred since its 1980 revision; and

WHEREAS, It is appropriate to set fees which are reflect the cost of labor, supplies, and support services necessary to process land use application; and

WHEREAS, Adjudication of violations by the Hearings Officer would expedite the correction of illegal land uses; and

WHEREAS, It is appropriate to set fees that require the applicants for land use actions to assume all of the direct costs associated with the application, plus an equitable share of the indirect cost associated with such application,

THEREFORE, IT IS HEREBY RESOLVED:

That the Multnomah County Planning Commission recommends adoption by the Board of County Commissioners of the attach ordinance.

PLANNING COMMISSION
MULTNOMAH COUNTY, OREGON

Date

Richard Leonard, pc

Richard Leonard, Chairman

ORDINANCE FACT SHEET

Title Zoning & Land Division Fee Increases Effective Date Emergency

Brief statement of purpose of ordinance (include the rationale for adoption of ordinance, a description of persons benefited, and other alternatives explored)

- To update the fee schedule for land use actions to reflect cost increases which have occurred since its 1980 revision;
- To set fees which are appropriate to the cost of labor, supplies, and support services necessary to process land use applications; and
- To set fees that require the applicants for land use actions to assume all of the direct costs associated with the application, plus an equitable share of the indirect cost associated with such application. (See Exhibits 1 & 2)

What other local jurisdictions in the metropolitan area have enacted similar legislation?

All jurisdictions charge fees for zoning and land division requests.

What has been the experience in other areas with this type of legislation?

It is an appropriate revenue source supporting land development activities. (See Ehibit 3)

What authority is there for Multnomah County to adopt this legislation? (State statute, home rule charter). Are there constitutional problems?

Both State statute and home rule charter give the County authority to impose fees for zoning and land division requests.

Fiscal Impact Analysis

Will approximately double the General Fund revenue from zoning and land division requests. (i.e., from $32,300 in FY 1990/91 to $69,000 in FY 1991/92).

(If space is inadequate, please use other side)

SIGNATURES:

Office of County Counsel John L. DuBay

Office of County Management

Department Head R. Scott Pemble for Paul Yarborough

Liaison Commissioner Pauline Anderson

Comparison of Case Processing Costs				(Conditional Use)	
	Hours	# of Items	Cost	Current Fee	Proposed Fee
Staff Review of Pre-Aps	0.33		57.25	0.00	$0
Pre-Application Conference	2.00		43.96	35.00	$50
Conditional Use				400.00	$800
Total Cost			101.21		
Notice					
Maps	4.00		87.92		
Mailing List	2.00		29.70		
Publication	1.00		14.85		
Printing		45 copies	16.88		
Mailing		16 copies	4.64		
Newspaper			100.00		
Secretarial	3.00		44.55		
Site Visit	2.50		54.95		
Staff Report					
Publication	14.00		307.72		
Critique	0.50		92.52		
Revision	0.50		10.99		
Printing		45 copies	25.88		
Mailing		3 copies	1.95		
Secretarial	1.00		14.85		
Public Inquires	5.00		109.90		
Planning Commission Hearing					
Planner	3.00		65.94		
Secretary	3.00		63.21		
Board Notice	1.00		21.07		
Decision					
Printing	1.00		21.98		
Distribution					
Board Hearing	0.25		6.65		
Decision					
Print		16 copies	16.88		
Mail		16 copies	10.40		
Totals	44.08		1,123.41	435.00	$850

Comparison of Case Processing Costs (Zone Change & Plan Revision)

	Hours	# of Items	Cost	Current Fee	Proposed Fee
Staff Review of Pre-Aps	0.33		57.25	0.00	$0
Pre-Application Conference	2.00		43.96	35.00	$50
Plan Revision				200.00	$500
Zone Change				250-500	$500-1000
Total Cost			57.25		
Notice					
Maps	4.00		87.92		
Mailing List	2.00		29.70		
Publication	1.00		14.85		
Printing		45 copies	16.88		
Mailing		16 copies	4.64		
Newspaper			100.00		
Secretarial	3.00		44.55		
Site Visit	2.00		43.96		
Staff Report					
Publication	16.50		362.67		
Critique	0.50		92.52		
Revision	0.50		10.99		
Printing		45 copies	25.88		
Mailing		3 copies	1.95		
Secretarial	1.00		14.85		
Public Inquires	3.00		65.94		
Planning Commission Hearing					
Planner	3.00		65.94		
Secretary	3.00		63.21		
Board Notice	1.00		21.07		
Decision					
Printing	1.00		21.98		
Distribution					
Board Hearing	0.25		6.65		
Decision					
Print		16 copies	16.88		
Mail		16 copies	10.40		
Totals	44.08		1,123.41	485-735	$1050-1550

LAND DEVELOPMENT FEE COMPARISONS

June, 1991

Category	Multnomah County	Portland (New)	Gresham (Proposed)	Clackamas County	Washington County	City of West Linn	Multnomah Co. Proposed
Zone Change							
Residential	250 + 30/ac	$2,542.00		290 + 35/ac		$400.00	$500.00
High Density	375 + 30/ac	$2,542.00		290 + 35/ac		$800.00	$500.00
Comm. or Ind.	$500.00	$2,542.00		290 + 35/ac		$1,000.00	$500.00
Planned Development	500 + 40/ac	$2,932.00		300 + 25/lot	375 + 12/unit	800 to 1500	$1,000.00
Community Service							
Minor Alter. Use of School	$30.00	$1,065.00		$385.00		600 to 900	$500.00
Alter. Use of School	$100.00	$1,065.00		$385.00		600 to 900	$500.00
New Use	$400.00	$1,885.00		$385.00	$570.00	600 to 900	$500.00
Use of Existing Bldg.	$200.00	$1,885.00		$385.00	$570.00	600 to 900	$500.00
Landfill	$2,000 to $30,000	$1,885.00		$385.00		600 to 900	$2,000 to $30,000
Conditional Use							
New Use	$400.00	$1,885.00		$385.00	$570.00	600 to 900	$500.00
Use of Existing Bldg.	$200.00	$1,885.00		$385.00	$570.00	600 to 900	$500.00
Appeal of Admin. Decision	$150.00	$2,335.00		1/2 orig. fee	$280.00	$150.00	$300.00
Variance	$175.00	$550.00	$580.00	$185.00	$406.00	250 to 650	$300.00
Health Hardship	$125.00	na		$0.00			$250.00
Modification of Condition	$300.00	$1,885.00		$0.00	$180.00–$390.00	FFA	Full Fee for Action
Non-Farm/Forest Residence	$250.00	na		$240.00	$540.00	NA	$400.00
Other Contentested Case	$300.00	$1,000.00		?	$280.00	None	$500.00

Code Interpretation	$200.00	$2,335.00		$290.00		None	$300.00
Category	**Multnomah County**	**Portland (New)**	**Gresham (Proposed)**	**Clackamas County**	**Washington County**	**City of West Linn**	**Proposed**
Health Hardship Renew	$40.00	na		$0.00		None	$75.00
Land Use Permit	$40.00	na		?	$125.00	None	$75.00
Admin. Variance	$100.00	$300.00	$225.00	$185.00	$280.00	$250.00	$150.00
PRE	$40.00	na		$185.00	$62.00	None	$150.00
WRG							
Admin.	$75.00	$860.00		$100.00		$300.00	$150.00
Hearing	$300.00	$860.00		$300.00		$300.00	$500.00
SEC							
Admin.	$75.00	na		$0.00		$300.00	$150.00
Hearing	$300.00	na		$0.00		$300.00	$500.00
Admin. Mod. of Conditions	$50.00	na			$150.00–$180.00	None	new action
Notice Sign	$4.00			?	?	$0.00	$8.00
Appeal to Governing Body	150 + 1.75/min	1/2 Orig. Fee	550.00-900.00	1/2 Orig. Fee + Transcript	$330.00 + Transcript Fee	$595.00	1/2 orig. fee + $3.50/mi
Pre-Initiation Conf.	$35.00	$290.00	35.00-220.00	$0.00		None	$75.00
Flood Plain Review							
SFR & Duplex	$25.00	na		$185.00	$94.00	$75.00	$50.00
All Othera	$50.00	na		$185.00	$312.00	$75.00	$100.00
Design Review							
0-4999	$50.00	.003(value)		33% of Build. Permit Fee	0.0025 of Value	$300.00	0.003 of value
5000-24999	$75.00	.003(value)		33% of Build. Permit Fee	0.0025 of Value	$500.00	0.003 of value
25,000–1,000,000	.003 of Value	.003(value)		33% of Build. Permit Fee		$800.00	0.003 of value

>1,000,000	3000+0.0001 of Value	.003(value)		33% of Build. Permit Fee	400 + 0.000625 of Value	$800.00	0.003 of value
Category	**Multnomah County**	**Portland (New)**	**Gresham (Proposed)**	**Clackamas County**	**Washington County**	**City of West Linn**	**Proposed**
Signs							
0-6 sq.ft	$15.00	na	25.00-65.00	33% of Build. Permit Fee	$12.00	10 to 75	$1/sqft
6-59 sq.ft	$30.00	na	25.00-65.00	33% of Build. Permit Fee	$19.00	10 to 75	$1/sqft
60-100 sq.ft	0.5/sq.ft	na	25.00-65.00	33% of Build. Permit Fee	$19.00	10 to 75	$1/sqft
>100 sq.ft	0.6/sq.ft	na	25.00-65.00	33% of Build. Permit Fee	19 + 6/each extra 100sqft	10 to 75	$1/sqft
Land Divisions							
Type I	400 + 15/lot over 20	$1,845+50/lot		$250.00	375 + 13/lot	600 + 30/lot	$1,000.00
Type II	$240.00	$1,845+50/lot		$250.00	$244.00	$800.00	$500.00
Type III	$115.00	$1,845+50/lot		300 + 25/lot	$62.00	$350.00	$250.00
Type IV	$0.00	$270.00		$250.00	$32.00	$350.00	$125.00
Lot Line Adjustment	$30.00	$165.00		?	?	$350.00	$50.00
Hillside & Erosion Permit	$40.00	$860.00			7¢/100sqft of area (2000 max)	$300.00	$150.00
Planning Director Interp.	$0.00	$100.00		$0.00		None	$100.00
Reschedule	$100.00	na		$30.00	$62.00	None	1/2 original fee
Temporary Permit	$40.00	?		?	$150.00	$200.00	$100.00
Aerial Photos	$4.00	na		?			$8.00
Zoning Maps	$1.00	$1.25		?			$2.50
Copies	$0.30	$0.30		$0.30			$0.30
Comp. Plans	$4.00	?		?			$7.50
Community Plans	$4.00	?		?			$7.50

Transcripts	1.75/page	2.50/page					3.50/page
Home Occupation	$40.00	$50.00	25.00-90.00		$156.00		$150.00
Non Conforming Use	$300.00	$2,835.00		$385.00	$594.00		$750.00
Category	**Multnomah County**	**Portland (New)**	**Gresham (Proposed)**	**Clackamas County**	**Washington County**	**City of West Linn**	**Proposed**
Plan Revision	$200.00	$3,055.00	$1,500.00	$575.00		$800.00	$500.00

Comparison of Case Processing Costs

(Zone Change & Plan Revision)

	Hours	# of Items	Cost	Current Fee	Proposed Fee
Staff Review of Pre-Aps	0.33		57.25	0.00	$0
Pre-Application Conference	2.00		43.96	35.00	$50
Total Cost			101.21		
Notice					
Maps	4.00		87.92		
Mailing List	2.00		29.70		
Publication	1.00		14.85		
Printing		45 copies	16.88		
Mailing		16 copies	4.64		
Newspaper			100.00		
Secretarial	3.00		44.55		
Site Visit	2.00		43.96		
Staff Report					
Publication	16.50		362.67		
Critique	0.50		92.52		
Revision	0.50		10.99		
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Mailing		3 copies	1.95		
Secretarial	1.00		14.85		
Public Inquires	3.00		65.94		
Planning Commission Hearing					
Planner	3.00		65.94		
Secretary	3.00		63.21		
Board Notice	1.00		21.07		
Decision					
Printing	1.00		21.98		
Distribution					
Board Hearing	0.25		6.65		
Decision					
Print		16 copies	16.88		
Mail		16 copies	10.40		
Totals	44.08		1,123.41		$1,000

Comparison of Case Processing Costs

(Conditional Use)

	Hours	# of Items	Cost	Current Fee	Proposed Fee
Staff Review of Pre-Aps	0.33		57.25	0.00	$0
Pre-Application Conference	2.00		43.96	35.00	$50
Total Cost			101.21		
Notice					
Maps	4.00		87.92		
Mailing List	2.00		29.70		
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Decision					
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Mail		16 copies	10.40		
Totals	44.08		1,123.41		$800

Comparison of Case Processing Costs

(Zone Change & Plan Revision)

	Hours	# of Items	Cost	Current Fee	Proposed Fee
Staff Review of Pre-Aps	0.33		57.25	0.00	$0
Pre-Application Conference	2.00		43.96	35.00	$50
Total Cost			101.21		
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Board Hearing	0.25		6.65		
Decision					
Print		16 copies	16.88		
Mail		16 copies	10.40		
Totals	44.08		1,123.41		$1,000

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR MULTNOMAH COUNTY, OREGON

Ordinance No. 688

An Ordinance amending fees for action proceedings and administrative actions under MCC 11.05, 11.15 and 11.45, and declaring an emergency.

(Language in brackets [] is to be deleted; underlined language is new.)

Multnomah County ordains as follows:

SECTION I. PURPOSES

The purposes of this Ordinance are:

A. To update the fee schedule for land use actions to reflect cost increases which have occurred since its 1980 revision;

B. To set fees which are appropriate to the cost of labor, supplies, and support services necessary to process land use applications;

C. To set fees that require the applicants for land use actions to assume all of the direct costs associated with the application, plus an equitable share of the indirect cost associated with such application; and

SECTION II. FINDINGS

A. Multnomah County Code contains the Multnomah County Planning Commission regulations (11.05), the county land development regulations relating to zoning (11.15), and the county land division regulations (11.45). Administration of those regulations requires the efforts of ten County employees, all of them on a full-time basis. It requires that the procedures outlined therein be followed to process applications and to provide information and notice to the public and to other governmental approval authorities. It requires maintenance of files and records to enable enforcement and execution of the regulations. All of these requirements result in the County General Fund assuming the costs of administration of the land development regulations.

B. ORS 215.110(4) authorizes the County to require payment of fees necessary and convenient for carrying out the purposes of planning and land development ordinances.

C. Since 1966, the County has required applicants seeking approval of land development applications to assume some of those costs related to the proposal for which approval is sought. In 1977, the Board of County Commissioners adopted Ordinance No. 111, which substantially raised the fees charged pursuant to the Zoning Ordinance. Those fees were again amended in 1980 by Ordinance 254. The fee schedules for Planning Commission (MCC 11.05) and Land Division (MCC 11.45) applications have not been revised since 1976 and 1981, respectively.

D. Since 1980, there have been changes in the costs of administration of the County land development regulations due to the generally increasing cost of labor and supplies, and due also to the increased cost of associated support services. During the period between fiscal year 1980–81 and 1990–91, the budget of the County section responsible for processing land use applications has increased 111%. During the same period, the Con-

sumer Price Index for goods and services in the Portland Area has increased 134.8%. No increases, however, have been made to the fees for applications processed under MCC 11.05, 11.15 and 11.45. Therefore, more of the burden associated with applications and the benefits which accrue to individuals as a result of land development approvals is being paid by all citizens of the County through the General Fund.

E. The proposed fee revisions embody an average fee increase of 100% over those fees set in 1976, 1980 and 1981.

F. The proposed fee revisions continue to provide that applicants shall pay 100% of the direct costs associated with their applications and between 10%-20% of the indirect costs.

G. The proposed fees are based on an analysis of the direct costs associated with typical action proceedings and administrative actions.

SECTION III. AMENDMENTS

(A) Multnomah County Code Chapter 11.05 is amended to read as follows:

11.05.410 Fees.

(A) The following fees shall be paid by the applicant at the time of filing under subsection (B) of MCC 11.05.140:

(1) Legislative plan revision .....$[500] 1,000.00

(2) Legislative zoning map amendment.....[500] 1,000.00

(3) Quasi-judicial plan revision:

(a) One acre or less .....[300] 1,000.00

(b) Each additional acre or portion thereof (maximum $[800] 1,500) [25] 50.00

(4) Quasi-judicial plan revision in conjunction with other action as defined under MCC 11.15.8205.....[200] 500.00

(a) The fee for an action, as defined under MCC 11.15.8205 shall be as required under MCC 11.15.9005 to 11.15.9040.

(b) The fee for a subdivision application shall be as required under MCC 11.45.810.

(B) A fee of $[150] 300.00 shall be charged for the filing of a Notice of Review unless the action is in conjunction with another action under MCC 11.15.8205 in which case the fee shall be that set out in MCC 11.15.9020(B). The person filing the notice shall pay for the cost of a transcript of the commission hearing under subsections (D) and (E) of MCC 11.05.330 at a rate of $[1.75] 3.50 per minute of hearing time.

(C) A fee of 30 cents per page shall be charged for staff reports.

(B) Multnomah County Code Chapter 11.15 is amended to read as follows:

11.15.9005 Payment

All fees are payable at the time of application.

11.15.9010 Action Proceedings

(A) Change of zone classification

(1) Rural, Urban Future and Urban Low and Medium Density Residential:		
One acre or less	$[250.00]	500.00
Each additional acre	30.00	50.00
(2) Apartment Residential and Urban High Density Residential:		
One acre or less	[375.00]	1,000.00
Each additional acre	[30.00]	50.00
(3) Commercial or Industrial	[500.00]	1,000.00
([4] B) Planned Developments		
One acre or less	[500.00]	1,000.00
Each additional acre	[40.00]	50.00
Maximum charge	[2,500.00]	5,000.00
([B] C) Community Service		
(1) Minor alternative uses in public school buildings	[30.00]	250.00
(2) Alternative uses in public school buildings	[100.00]	400.00

(3) New Use	[400.00]	800.00
(4) Use of an existing building, or modification of a previous approval	[200.00]	400.00
(5) Regional Sanitary Landfill	(see MCC .7060(B))	
([C] D) Conditional Use		
(1) New Use	[400.00]	800.00
(2) Use of an existing building, or modification of a previous approval	[200.00]	400.00
([D] E) Appeal of administrative decision by Planning Director	[150.00]	300.00
([E] F) Variance	[175.00]	400.00
[(F) Health Hardship Permit		125.00]
(G) Modification of conditions on a prior [contested case] Action Proceeding requiring a rehearing	[300.00]	Full fee for Action
(H) Lots of Exception	[350.00]	400.00
(I) Conditional Use permitted under MCC 2012(B)(3); .2052(C); and .2172([D] C)	[250.00]	400.00
(J) Other [contested cases] Action Proceedings	[300.00]	500.00

(K) Zoning code interpretation by the Planning Commission	[200.00]	400.00
11.15.9015 Administrative Actions		
(A) Health Hardship Permit		125.00
Health hardship permit renewal	$[40.00]	75.00
(B) Land Use permit	[40.00]	75.00
(C) Non-hearing variance	[100.00]	150.00
(D) Use Under Prescribed Conditions	[40.00]	100.00
(E) Exceptions	[40.00]	100.00
(F) Administrative decision by Planning Director	[40.00]	100.00
(G) Willamette River Greenway Permit	[75.00]	125.00
(H) Significant Environmental Concern Permit	[75.00]	125.00
(I) Administrative modification of conditions established in prior [contested cases] Action Proceedings	[50.00]	150.00
(J) Hillside Development Permit		150.00
(K) Grading and Erosion Control Permit		150.00

The fee for multiple concurrent administrative actions, including Design Review, shall be the highest fee of the individual applications, plus 1/2 the appropriate fee of each additional application.

11.15.9020 Miscellaneous Charges

(A) Notice Sign	[4.00]	5.00
(B) Notice of Review	[150.00]	300.00
Transcript cost per minute of hearing time	1.75	3.50
(C) Records and reports (per page)	30¢	
(D) Pre-Initiation Conference	[35.00]	50.00
(E) Flood Plain Review (one and two family dwellings)	25.00	
(F) Flood Plain Review (all other uses)	50.00	

11.15.9025 Design Review

(A) Project Value

[$0 – $4,999 50.00

$5,000 – $24,999 75.00

$25,000]

$0 – 49,999 ..... $150.00

50,000 – $1,000,000 .....0.003 of the project value

Over $1,000,000 .....$3,000 + 0.001 of the project value

Project value shall be determined in accordance with the Uniform Building Code, or as otherwise determined by the Director.

(B) Staff time required for Design Review revisions submitted after a permit is issued shall be $[40.00] <u>80.00</u>/hour Minimum charge — one-half hour.

(C) For Design Review of on-premise advertising signs:

Single Sign [Area (one face):]	<u>$25.00</u>
[0 to 6 sq.ft.	$15.00
6 sq.ft. to 59 sq.ft.	30.00
60 sq.ft. to 100 sq.ft.	0.50/sq.ft.
100 sq.ft and over	0.60/sq.ft.

The second or additional face of display surface of a double-faced or V-shaped sign shall be subject to a fee of $10 per square foot when constructed under permit with the first face.

Painted wall sign areas in excess of 6 sq.ft.	30.00

Additional sign areas shall be assessed at one-half the above rates.]

11.15.9027 Transit Zones Development Standards Review Process

(A) Project Value

[$0 – $4,999 50.00

$5,000 – $24,999 75.00

$25,000]

$0 – 49,999 ..... $150.00

50,000 – $1,000,000 ..... 0.003 of the project value

Over $1,000,000 ..... $3,000 + 0.001 of the project value

Project value shall be determined in accordance with the Uniform Building Code, or as otherwise determined by the Director.

(B) Staff time required for Development Review revisions submitted after a permit is issued shall be $[40.00] 80.00/hour minimum charge — one half hour.

(C) For Development Review of on-premise advertising signs.

Single Sign [Area (one face)] 25.00

[0 to 6 sq. ft. 15.00

6 sq. ft. to 59 sq. ft. 30.00

60 sq. ft. to 100 sq. ft. 0.50/sq. ft.

100 sq. ft. and over 0.60/sq. ft.

The second or additional face of display surface of a double-faced or V-shaped sign shall be subject to a fee of $10 per square foot when constructed under per-

mit with the first face.

Painted wall sign areas in excess of 6 sq. ft. $30.00

Additional sign areas shall be assessed at one half the above rates.

All other fees shall be as provided by MCC 11.15.9005 through MCC 11.15.9040 and the provisions of MCC 11.15.9005 through MCC 11.15.9040 shall be amended to include the applicable provisions of this ordinance.]

11.15.9030 Rescheduling of Hearing

In the case of any hearing required under this Ordinance which must be rescheduled at the request of, or due to the neglect of the applicant, a fee of $[100.00] 200.00 shall be assessed against the applicant. Said fee may be waived in whole or part by the Director of the Department of Environmental Services if the Director determines that the necessity for the requested rescheduling was unavoidable or that the applicant proceeded with all possible diligence to give adequate advance notice of the request for rescheduling.

11.15.9035 Fractions of an Acre

For fees based upon acreage calculations, any fraction of an acre up to and including one-half, shall be disregarded; fractions over one-half shall be rounded to the next highest acre.

11.15.9040 Application of Fee Schedule

Fees provided in MCC 11.15.9005 to 11.15.9030 shall apply to all actions specified herein, regardless of applicant, unless waived in whole or in part by the Board of County Commissioners or the Planning Commission.

(C) Multnomah County Code Chapter 11.45 is amended to read as follows:

11.45.810 Fee Schedule

(A) Pre-filing Conference

(1) Type I, [or]Type II or Type III Land Division.....$[35. 00] 50.00

(2) Type [III and] IV Land Division or Lot Line Adjustment.....No Charge

(B) Type I Tentative Plan

(1) 20 lots or less .....$[400.00] 800.00

(2) More than 20 lot $[400] 800.00 plus $[15] 25.00 for each lot over twenty

(3) A land division which is classified as Type I according to the criteria in MCC 11.45.080(D) which would otherwise be designated a Type II, Type III, or Type IV land division shall be assessed the lesser respective fee.

(C) Type II Tentative Plan .....$[240.00] 450.00

(D) Type III Tentative Plan .....$[115.00] 250.00

(E) Type IV Tentative Plan.....$[30.00] 125.00

(F) Lot Line Adjustment.....$75.00

([F] G) Final Plat or Map Survey Check

(1) For subdivision as follows:

(a) The fee to be paid by the applicant to the County Surveyor for checking subdivision plats having all boundary and lot corner monuments in place on the subdivision site at the time of inspection by the County Surveyor, shall be $500.00 plus $25.00 for each lot contained in the subdivision.

(b) The fee to be paid by the applicant to the County Surveyor for checking subdivision plats having all boundary angle points and all points of intersection of parcel lines with the boundary marked by monuments at the time of inspection by the County Surveyor, but with the interior parcel and roadway monuments to be delayed in accordance with ORS 92.060(5), shall be $650.00 plus $35.00 for each lot contained within the subdivision.

(2) For partitions: The fee to be paid by the applicant to the County Surveyor for checking partition plats as required by ORS 92.100(3) shall be $300.00.

(3) In addition to the above fees the applicant shall pay to the County Surveyor for repeated calculations and review due to necessary data changes or erro-

neous data, and necessary repeated field inspections due to omitted, erroneously placed, disturbed or destroyed monuments, an amount equal to the actual cost to the Department of Environmental Services determined at the hourly rate as follows:

(a) Office checking and calculation: .....$30.00 hourly

(b) Field checking and inspection:.....$100.00 hourly

(4) The fees to be paid by the applicant for the services of the County Surveyor described in subsections (l) and (2) are payable to the County Surveyor in advance of inspections, at the time the final subdivision plat and/or survey map is submitted to the office of County Surveyor. Any fees necessarily assessed for services of the County Surveyor described in subsection (3) shall be payable prior to approval of the subject plat.

(5) As used in this section, *lot* means a unit of land that is created by a subdivision of land, and a *tract* will be considered a lot, except for street plugs.

([G] H) Variance [MCC 11.45.760] .....$[175.00] 400.00

([H] I) Notice Sign [MCC 11.15.9020(A)] .....$[4.00] 5.00

([I] J) Time Limit Extension [MCC 11.45.420].....$[30.00] 75.00

([J] K) Appeals

(1) From administrative decisions under MCC 11.45.320(C), 11.45.380(C) and 11.45.740.....$[150.00] 300.00

(2) From decisions of the Hearings Council or Planning Commission under MCC 11.45.770 $[150.00] 300.00

Plus transcript cost per minute of hearing time $[1.75] 3.50

([K] L) Records and Reports, per page.....$0.30

([L] M) Rescheduled Hearing.....$[100.00] 200.00

([M] N) The fees required under MCC 11.45.810 shall apply to all actions specified in this Chapter, regardless of applicant.

Section III. Adoption.

This ordinance, being necessary for the health, safety, and welfare of the people of Multnomah County, an emergency is declared to exist and this ordinance shall take effect on its passage, pursuant to Section 5.50 of the Charter of Multnomah County.

ADOPTED THIS 9th day of July, 1991, being the date of its first reading before the Board of County Commissioners of Multnomah County.

By Gladys McCoy

Gladys McCoy, County Chair

MULTNOMAH COUNTY, OREGON

REVIEWED: John L. DuBay

John DuBay, Deputy County Counsel

of Multnomah County, Oregon

Meeting Date: July 9, 1991

Agenda No.: P-3

(Above space for Clerk's Office Use)

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AGENDA PLACEMENT FORM
(For Non-Budgetary Items)

SUBJECT: _____

BCC Informal _____ (date) BCC Formal July 9, 1991 (date)

DEPARTMENT DES DIVISION Planning

CONTACT Sharon Cowley TELEPHONE 2610

PERSON(S) MAKING PRESENTATION Planning Staff

ACTION REQUESTED:

☐ INFORMATIONAL ONLY ☐ POLICY DIRECTION ☒ APPROVAL

ESTIMATED TIME NEEDED ON BOARD AGENDA: _____

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

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

C 5-91 An Ordinance amending MCC 11.15 by adding definitions and a Violation and Enforcement section, and declaring an emergency.

7/16/91 copies to Planning & Ordinance Distribution List

BOARD OF COUNTY COMMISSIONERS
MULTNOMAH COUNTY
OREGON
1991 JUL -3 AM 9:31

(If space is inadequate, please use other side)

SIGNATURES:

ELECTED OFFICIAL _____

Or:

DEPARTMENT MANAGER Paul Yarbrough/bkw

(All accompanying documents must have required signatures)

MULTNOMAH COUNTY OREGON

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

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

June 6, 1991

To: Board of County Commissioners

From: Bob Hall
Division of Planning and Development

Re: Proposed amendment of Zoning Code Establishing Violation and Penalty Provisions
C 5–91

Enclosed is a proposed amendment of Zoning Code which establishes violation and penalty provisions (including the ability to levy fines) which is recommended for your adoption by the Planning Commission. This ordinance works hand-in-hand with C 6–91 which empowers the Hearings Officer to adjudicate violation matters.

BEFORE THE PLANNING COMMISSION
OF COUNTY OF MULTNOMAH

In the Matter of Recommendation to the Board of County Commissioners Ordinances Amending MCC 11.15 by adding definitions, And Violation and Enforcement and Penalty Sections	)))))	**RESOLUTION** C 5–91

WHEREAS, There are an increasing number of violations of the Multnomah County Zoning Code; and

WHEREAS, The current civil court process for remedying land use violations is lengthy, costly, and often inefficient; and

WHEREAS, Adjudication of violations by the Hearings Officer would expedite the correction of illegal land uses; and

THEREFORE, IT IS HEREBY RESOLVED:

That the Multnomah County Planning Commission recommends adoption by the Board of County Commissioners of the attach ordinance.

PLANNING COMMISSION
MULTNOMAH COUNTY, OREGON

Date

Richard Leonard

Richard Leonard, Chairman

ORDINANCE FACT SHEET

Title Zoning Violation and Enforcement Definitions Effective Date Emergency

Brief statement of purpose of ordinance (include the rationale for adoption of ordinance, a description of persons benefited, and other alternatives explored)

There is an increasing number of zoning violations reported annually. Approximately 300 zoning violations are currently in dispute. The Multnomah County Zoning Code does not now have an efficient process for considering zoning violations or a deterrent to dissuade violators (penalties). All residents in unincorporated Multnomah County will benefit.

What other local jurisdictions in the metropolitan area have enacted similar legislation?

Most other County and City jurisdictions.

What has been the experience in other areas with this type of legislation?

Zoning Violation fines have typically deterred excessive abuse of the zoning code. The threat of fines usually results in faster compliance as violations are cited.

What authority is there for Multnomah County to adopt this legislation? (State statute, home rule charter). Are there constitutional problems?

MCC 11.15.8405 – 11.15.8420

Fiscal Impact Analysis

Collection of Zoning Violation Fines will help reduce the costs of enforcing the Zoning Code.

(If space is inadequate, please use other side)

SIGNATURES:

Office of County Counsel John L DuPay

Office of County Management

Department Head R. Scott Pemble for Paul Yarborough

Liaison Commissioner Lauren Anderson

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR MULTNOMAH COUNTY, OREGON

Ordinance No. 689

An Ordinance amending MCC 11.15 by adding definitions and a Violation and Enforcement section, and declaring an emergency.

(Language in brackets [] is to be deleted; underlined language is new.)

Multnomah County ordains as follows:

SECTION I. PURPOSES

The purposes of this Ordinance are:

A. To provide definitions for development permit and operator; and

B. To establish a process by which violations of MCC 11.15 may be abated.

SECTION II. AMENDMENT

Multnomah County Code Chapter 11.15 is amended to read as follows:

A. The following definitions are added to 11.15.0010:

Development Permit – Any land use decision initiated by an application, requiring application and/or interpretation of the standards and criteria in MCC 11.15 or the Multnomah County Comprehensive Plan.

Operator – Any person or legal entity, or their representatives, contractor or agents who undertake a development; or is the proprietor of a use or development; or is the owner of the land underlying the use or development.

B. The MCC 11.15.9045 to .9055 is amended as follows:

11.15.9045Planning Commission Duty

It shall be the duty of the Planning Commission to interpret the Zoning Ordinance. These interpretations shall be in writing and shall be established as policy of the Planning Commission.

11.15.9050Effect of Prior Permits

A building or structure for which a permit was issued prior to the effective date of this Chapter shall be permitted to be constructed or erected in accordance with such permit.

11.15.9052Violations and Enforcement

Any use of land in violation of any provision of MCC 11.15 or the terms and conditions of any development permit by an operator, shall be punishable as provided in MCC .9053.

(A) The Department of Environmental Services must give written notice of any violation to the operator of the violation. Failure of the operator to receive the notice of the violation does not invalidate any enforcement actions taken by the County.

(B) The provisions of MCC 11.15, or a land use decision made or conditions of a land use approval applied thereunder may be enforced in one or more of the following ways:

(1) By the Planning Director pursuant to MCC .8135; or

(2) County Counsel may institute appropriate legal proceedings on behalf of the County at the request of the Planning Director.

(C) The County may institute appropriate suit or legal action, in law or equity, in any court of competent jurisdiction to enforce the provisions of any order of the Hearings Officer acting under the provisions of MCC .8135, including, but not limited to, its suit or action to obtain judgment for any civil penalty imposed by an order of the Hearings Officer.

11.15.9053 Penalties

Violations as defined in MCC .9052 shall be subject to a fine of up to $500.00 per day.

11.15.9055 Savings Clause

If the article, section, subsection, subdivision, phrase, clause, sentence or work in the ordinance shall for any reason be held invalid or unconstitutional by a court of competent jurisdiction, it shall not nullify the remainder of this ordinance, but shall be confined to the article, section, subsection, subdivision, phrase, clause, sentence or work held invalid or

unconstitutional.

Section III. ADOPTION

This ordinance, being necessary for the health, safety, and welfare of the people of Multnomah County, an emergency is declared to exist and this ordinance shall take effect on its passage, pursuant to Section 5.50 of the Charter of Multnomah County.

ADOPTED THIS 9th day of July, 1991, being the date of its first reading before the Board of County Commissioners of Multnomah County.

By Gladys McCoy

Gladys McCoy, County Chair

MULTNOMAH COUNTY, OREGON

REVIEWED: John L DuBay

John DuBay, Deputy County Counsel

of Multnomah County, Oregon

Meeting Date: July 9, 1991

Agenda No.: P-4

(Above space for Clerk's Office Use)

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AGENDA PLACEMENT FORM
(For Non-Budgetary Items)

SUBJECT: _____

BCC Informal _____ (date) BCC Formal July 9, 1991 (date)

DEPARTMENT DES DIVISION Planning

CONTACT Sharon Cowley TELEPHONE 2610

PERSON(S) MAKING PRESENTATION Planning Staff

ACTION REQUESTED:

☐ INFORMATIONAL ONLY ☐ POLICY DIRECTION ☒ APPROVAL

ESTIMATED TIME NEEDED ON BOARD AGENDA: _____

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

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

C 6-91 An Ordinance amending MCC 11.15.8105 et seq. (Hearings Officer) to empower the Hearings Officer to adjudicate alleged violations of MCC 11.15, and declaring an emergency.

7/16/91 copies to Planning & Ordinance Distribution list

(If space is inadequate, please use other side)

SIGNATURES:

ELECTED OFFICIAL _____

OR

DEPARTMENT MANAGER Paul Yarbrough | bkw

(All accompanying documents must have required signatures)

BOARD OF COUNTY COMMISSIONERS
MULTNOMAH COUNTY
OREGON
'91 JUL -3 AM 9:31

1/90

MULTNOMAH COUNTY OREGON

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

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

June 6, 1991

To: Board of County Commissioners

From: Bob Hall
Division of Planning and Development

Re: Proposed amendment of Zoning Code to empower Hearings Officer to adjudicate violation matters C 6–91.

Enclosed is a proposed amendment of Zoning Code to empower Hearings Officer to adjudicate violation matters, which is recommended for your adoption by the Planning Commission. This ordinance works hand-in-hand with C 5–91 which establishes violation and penalty provisions.

BEFORE THE PLANNING COMMISSION
OF COUNTY OF MULTNOMAH

In the Matter of Recommendation to the Board of County Commissioners Ordinances Amending MCC 11.15 to Allow the Hearings Officer to Consider Violations and Take Enforcement Actions.	)))))	**RESOLUTION** C 6–91

WHEREAS, There are an increasing number of violations of the Multnomah County Zoning Code; and

WHEREAS, The current civil court process for remedying land use violations is lengthy, costly, and often inefficient; and

WHEREAS, Adjudication of violations by the Hearings Officer would expedite the correction of illegal land uses; and

THEREFORE, IT IS HEREBY RESOLVED:

That the Multnomah County Planning Commission recommends adoption by the Board of County Commissioners of the attach ordinance.

PLANNING COMMISSION
MULTNOMAH COUNTY, OREGON

Date

Richard Leonard, Chairman

ORDINANCE FACT SHEET

Title Hearings Officer to adjudicate violations of MCC 11.15 (the Zoning Ordinance) Effective Date Emergency

Brief statement of purpose of ordinance (include the rationale for adoption of ordinance, a description of persons benefited, and other alternatives explored)

This ordinance provides an alternative to the current court process for reviewing alleged zoning violations. Alleged zoning violations are now processed through the civil courts resulting in considerable expense and delay. A Hearings Officer process will expedite the process while insuring a fair tribunal. All residents of unincorporated Multnomah County will benefit.

What other local jurisdictions in the metropolitan area have enacted similar legislation?

The City of Portland.

What has been the experience in other areas with this type of legislation?

In the City of Portland, approximately 200 zoning violation cases are filed each year. On the average, between two to three of these cases are appealed to the civil courts. The Hearings Officer process generally reduces the litigation time by half.

What authority is there for Multnomah County to adopt this legislation? (State statute, home rule charter). Are there constitutional problems?

ORS 215.402 through 215.422
MCC 11.15

Fiscal Impact Analysis

In fiscal year 1991/92, $15,000 has been budgeted for a Hearings Officer. Part of this cost will be recouped by the collection of zoning violation fines.

(If space is inadequate, please use other side)

SIGNATURES:
Office of County Counsel
Office of County Management
Department Head R. Scott Pemble for Paul Yarborough
Liaison Commissioner Pauline Anderson

(P) Assessments.

(1) Costs incurred by Multnomah County for the repair, modification, or improvement of any real property, any costs incurred by the County which are reasonably necessary for nuisance abatement or removal, and any civil penalty imposed as a result of an order of the Hearings officer shall be an assessment lien upon the property subject to the order.

(2) The Planning Director shall serve a statement of such costs on the owner, in person or by registered or certified mail, return receipt requested, and shall provide a copy of such statement for the Hearings Officer with proof of service attached. If no objection to such statement is filed with the Office of the Hearings Officer within 15 days from the date of service or mailing, the Hearings Officer shall certify such statement and forward the same to the County Clerk who shall forthwith enter the same in the County Lien Records.

(a) If an objection to the statement is received within the 15-day period, the Hearings Officer shall schedule and hold an appeal hearing pursuant to MCC .8135(Q). After the hearing, the Hearings Officer shall certify such statement, or so much of it as he determines is correct and proper, and forward it to the County Clerk who shall enter it into the County Lien Record.

(b) The Hearings Officer shall certify to the County Clerk the amount of any civil penalty imposed under any order of the Hearings Officer and the County Clerk shall enter it into the County Lien Record. The lien imposed for the civil penalty shall be in addition to any lien imposed for costs actually incurred by the County.

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR MULTNOMAH COUNTY, OREGON

Ordinance No. 690

An Ordinance amending MCC 11.15.8105 *et seq.* (Hearings Officer) to empower the Hearings Officer to adjudicate alleged violations of MCC 11.15, and declaring an emergency.

(Language in brackets [] is to be deleted; underlined language is new.)

Multnomah County ordains as follows:

SECTION I. PURPOSES

The purposes of this Ordinance are:

A. To create a system that provides an expedient process for the determination of violations of the Zoning Ordinance of Multnomah County; and

B. To establish a process which allows the imposition and collection of fines when violations are found to exist.

SECTION II. AMENDMENT

Multnomah County Code Chapter 11.15 is amended to read as follows:

A. Hearings Officer

11.15.8105Establishment

There is hereby authorized the appointment of one or more Planning and Zoning Hearings Officers, hereinafter *Hearings Officer* who shall [advise the Board and] exercise such powers and duties as are described in this Chapter.

11.15.8110Appointment

(A) A Hearings Officer and one or more alternates shall be appointed by order of the Board of County Commissioners and shall serve at the pleasure of the Board. The terms of any such appointments shall be as setforth by professional service contract.

(B) In the event a Hearings Officer is not available to conduct an action proceedings as defined in MCC .8205, whether due to non-appointment, conflict of interest, absence, or other reason, the Planning Commission shall assume the powers and duties of the Hearings Officer. For the purposes of this Section, three members of the Planning Commission shall constitute a quorum. All decisions shall be made by a majority of those members present and voting.

11.15.8115Powers and Duties

Except as provided in this or other Ordinances, a Hearings Officer shall:

(A) Exercise the authority of a Planning and Zoning Hearings Officer under ORS 215.402 through 215.422.

(B) As provided by Ordinance, consider and decide applications:

(1) For variance involving:

(a) Yard or setback requirements;

(b) Height requirements;

(c) Lot Widths;

(d) Lot Depths;

(e) Lot Areas or Lot Coverages;

(f) Requirements relating to sight-obscuring fences;

(g) Requirements relating to the height, size and location of signs;

(h) Off-street parking and loading requirements; and

(i) Other dimensional requirements of this Ordinance.

(C) Recommend to the Board Ordinances renaming public thoroughfares and the numbering of property under ORS 215.110(2);

(D) Consider and decide applications for approval of land divisions;

(E) Hear and act upon appeals from administrative interpretations by the Planning Director

when such appeals are authorized by Ordinance;

(F) Consider and apply regulatory enactments and policies pertaining to the matters set forth in the Code.

([F] G) Enter upon any land and make examinations and surveys and place and maintain the necessary monuments and markers thereon, as required to perform assigned functions;

([G] H) Advise the Planning Commission and the Board concerning any problem comprehended within the powers and duties of the Hearings Officer; and

([H] I) Exercise such other powers and perform such other duties as may be given to the Hearings Officer by this or other Ordinance.

11.15.8120Hearings – Notices

(A) The Hearings Officer shall hold [at least one] public hearings [each month] at such times as are necessary to carry out the provisions of MCC .8115. [Additional hearings and t] The time and place of all hearings shall be as scheduled by the Planning Director.

(B) Before any hearing of the Hearings Officer, except for those held under the authority of MCC. 8115(F), for the conduct of business, notice shall be given as required by law and also in the following manner:

[(1)By posting a notice in a conspicuous place in the Multnomah County Courthouse not less than seven days prior to the hearing;]

([2] 1) Except for actions under MCC .8205(D) and (E), by notice of the date, time, place and agenda of the hearing at least once in any daily newspaper having general circulation in excess of 50,000 in Multnomah County not less than seven days before the hearing;

([3] 2) By providing notice as required by MCC .8220; and

([4] 3) By providing such notice and in such other manner as the Board or the Hearings Officer may direct.

[(C) The Hearings Officer shall hold a public meeting jointly with the Planning Commission at least once each four months to consider such matters as the Commission or the Officer may propose. Notice of each joint meeting shall be given as required by law and as required in MCC .8120(B)(2).

(D) The Chairperson of the Planning Commission or designated substitute shall preside at the joint meetings provided for under MCC .8120(C).]

11.15.8125 Rules of Procedure

(A) The conduct of hearings of the Hearings Officer shall be according to procedures prescribed by ORS and order of the Officer and filed with the Clerk of the Board.

(B) A Hearings Officer shall not participate in any proceeding or action specified by this Ordinance in which any of the following has a direct or substantial financial interest: the Officer, the Officer's spouse, brother, sister, child, parent, father-in-law, mother-in-law, partner in any business of which he or she is then a member or has been a member within the previous two years or in any business with which he or she is negotiating or

has an arrangement or understanding concerning prospective partnership or employment. Any actual or potential financial or other interest which would lead to bias or partiality shall be disclosed according to MCC .8250 at the hearing where the action is considered.

11.15.8130Coordination

(A) The Hearings Officer shall advise and cooperate with the Planning Commission and with other Planning Commissions, Hearings Officers, agencies or bodies within the State, and shall, upon request or on the Officer's own initiative, furnish advice or reports to the State or Federal government, to the Board, or to any city, county, officer or department on any problem comprehended within the assigned powers and duties.

(B) All County officials, departments and agencies having information, maps and data deemed by the Hearings Officer to be pertinent to the assigned powers and duties shall make such information available for the use of the Hearings Officer.

11.15.8135Enforcement Proceedings

The following procedures shall apply when the Hearings Officer acts under the authority of MCC .8115(F):

(A) Enforcement proceedings before the Hearings Officer shall be conducted in accordance with the procedure set forth in this section. The Hearings Officer may promulgate reasonable rules and regulations concerning procedure and the conduct of violation hearings.

(B) The Hearings Officer shall provide a copy of any rules or regulations proposed for pro-

mulgation to the Board for review. The proposed rules or regulations shall not be effective until approved by resolution of the Board. In conducting its review, the Board may amend the proposed rules or regulations as it deems appropriate.

(C) An enforcement proceeding before the Hearings Officer shall be initiated only by the Planning Director filing a complaint with the Office of the Hearings Officer on forms provided by that Office in substantially the following form:

COMPLAINT REGARDING

MULTNOMAH COUNTY CODE VIOLATION

County of Multnomah, Director of Planning and Development, petitioner,

1. Name and address of respondent(s)
2. Address and legal description of property involved.
3. Nature of violation(s).
4. Relief sought
5. Department initiating procedure

Dated

Signed

Title

The Hearings Officer shall hold a public hearing on the complaint no sooner than 10 days following the service of notice of the hearing pursuant to MCC .8135(D). If notice is given by mail, notice shall be deemed received 3 days after mailing to the residence or principal business address of the respondent(s).

(D) Notice of Hearing.

(1) The Hearings Officer shall cause notice of the hearing to be served on the respondent(s), and to the citizen(s) originally initiating a complaint with the Planning Director, if known, and if the citizen has not requested confidentiality, either personally or by registered or certified mail. The date of the service shall be the date the notice is personally served, or the date of deposit in the mail.

(2) The notice shall contain:

(a) A statement of the time, date, and place of the hearing,

(b) A statement of the authority and jurisdiction under which the hearing is to be held.

(c) A reference to the particular statutes, Code sections, and rules involved.

(d) A concise statement of the matters asserted or charged.

(e) A concise statement of the remedies, relief, and sanctions which may be granted or directed by the Hearings Officer after the hearing.

(3) Notice shall be given to any other person who reasonably appears may have an interest in or be adversely affected by any decision, determination, or order of the Hearings Officer. The Hearings Officer may provide, by rule subject to Board approval as provided in MCC .8135(B), for the manner and means of giving notice to such persons in a manner reasonably calculated to provide such persons with actual notice of the proceedings.

(5) The failure of any party to receive actual notice of the proceeding shall not invalidate the hearing or any determination, order, or decision of the Hearings Officer. The Hearings Officer, subject to Board approval as provided in MCC .8135(B), may adopt rules of procedure governing the participation of other persons in the hearings or proceedings.

(E) Notice; Rights; Procedure.

(1) Prior to the commencement of a violation hearing, the Hearings Officer shall inform each party to the hearing of the following matters:

(a) A general description of the hearing procedure including the order of presentation of evidence, what kinds of evidence are admissible, whether objections may be made to the introduction of evidence and what kind of objections may be made, and an explanation of the burdens of proof or burdens going forward with the evidence.

(b) That a record may be made of the proceedings and the manner of making the record and its availability to the parties.

(c) The function of the record-making with respect to the perpetuation of the testimony and evidence and with respect to any appeal from the determination or order of the Hearings Officer.

(d) Whether an Attorney will represent the County in the matters to be heard and whether the parties ordinarily and customarily are represented by an Attorney.

(e) The Title and function of the Hearings Officer, including the effect and authori-

ty of the Hearings Officer's determination.

(f) In the event a party is not represented by an Attorney, the party may, during the course of proceedings, request a recess to obtain representation by an Attorney.

(g) Whether there exists an opportunity for a continuation of the hearing if the party determines that additional evidence should be brought to the attention of the Hearings Officer and the hearing is reopened.

(h) Whether there exists an opportunity after the hearing and prior to the final determination or order of the Hearings Officer to review and object to any proposed findings of fact, conclusions of law, summary of evidence, or order of the Hearings Officer.

(i) A description of the judicial review process from the determination or order of the Hearings Officer.

(2) The failure to give notice of any item specified in MCC .8135(E)(1) shall not invalidate any determination or order of the Hearings Officer unless a court finds that the failure affects the substantive rights of the complaining party. In the event of such a finding, the court shall remand the matter to the Hearings Officer for a reopening of the hearing and shall direct the Hearings Officer as to what steps shall be taken to remedy the prejudice to the rights of the complaining party.

(F) Hearings Procedure.

(1) Unless precluded by law, informal disposition of any proceeding may be made, with or without a hearing, by stipulation, consent order, or agreed settlement.

(2) Parties may elect to be represented by counsel and to respond to and present evidence and argument on all issues involved.

(3) An order adverse to a party may be issued upon default only upon a *prima facie* case made on the record before the Hearings Officer.

(4) Testimony shall be taken upon oath or affirmation of the witness from whom received. The Hearings Officer may administer oaths or affirmations to witnesses.

(5) The Hearings Officer shall place on the record a statement of the substance of any written or oral *ex parte* communications made to the Hearings Officer on a fact in issue during the pendency of the proceedings. The Hearings Officer shall notify the parties of the communication and of their right to rebut such communications.

(6) The record in a contested case shall include:

(a) All pleadings, motions, and intermediate rulings;

(b) Evidence received or considered;

(c) Stipulations;

(d) A statement of matters officially noticed;

(e) Questions and offers of proof, objections, and rulings thereon;

(f) A statement of any *ex parte* communications on a fact in issue made to the Hearings Officer during the pendency of the proceedings;

(g) Proposed findings and exceptions; and

(h) Any proposed, intermediate, or final order prepared by the Code Hearings Officer.

(7) A verbatim, written or mechanical record shall be made on all motions, rulings, and testimony. The record need not be transcribed unless requested for purposes of court review. The Hearings Officer may charge the party requesting transcription the fee prescribed by MCC .9020(B) for a copy of the transcription, unless the party files an appropriate affidavit of indigency. However, upon petition, a court having jurisdiction to review may reduce or eliminate the charge upon finding that it is equitable to do so, or that matters of general interest would be determined by review of the order of the Hearings Officer.

(G) Depositions or Subpoena of Material Witness; Discovery.

(1) On petition of any party to a contested case, the Hearings Officer may order that the testimony of any material witness be taken by deposition in the manner prescribed by law for depositions in civil actions. Depositions may also be taken via audio or audio-visual recordings. The petition shall set forth the name and address of the witness whose testimony is desired, a showing of the materiality of the witness' testimony, and a request for an order that the testimony of such witness be taken before an officer named in the petition for that purpose. If the witness resides in this State and is unwilling to appear, the Hearings Officer may issue a subpoena as provided to require his appearance before such officer.

(2) The Hearings Officer may, by rule, prescribe other methods of discovery which may be used in proceedings before the Hearings Officer.

(H) Subpoena in Contested Cases.

(1) The Hearings Officer shall issue subpoenas to any party upon showing of general relevance and reasonable scope of the evidence sought. Witnesses appearing pursuant to subpoena, other than the parties or officers or employees of the County, shall receive fees and mileage as prescribed by law for witnesses in civil actions.

(2) If any person fails to comply with any subpoena so issued or any party or witness refuses to testify on any matter on which he may be lawfully interrogated, the judge of the Circuit Court of any county, on the application of the Hearings Officer, or of a designated representative of the Hearings Officer or of the party requesting the issuance of the subpoena, shall compel obedience by proceedings for contempt as in the case of disobedience of the requirements of subpoena issued from such court or a refusal to testify therein.

(I) Evidence in Contested Cases.

(1) Irrelevant, immaterial, or unduly repetitious evidence shall be excluded. Erroneous rulings on evidence shall not preclude action by the Hearings Officer on the record unless shown to have substantially prejudiced the rights of a party. All other evidence of a type commonly relied upon by reasonably prudent persons in the conduct of their serious affairs shall be admissible. The Hearings Officer shall give effect to the rules of privilege recognized by law. Objections to evidence may be received in written form.

(2) All evidence shall be offered and made a part of the record in the case, and except for matters stipulated to and except as provided in MCC .8135(I)(4), no other factual information or evidence shall be considered in the determination of the case.

Documentary evidence may be received in the form of copies or excerpts, or by incorporation by reference. The burden of presenting evidence to support a fact or position in a contested case rests on the proponent of the fact or position.

(3) Every party shall have the right of cross-examination of witnesses who testify and shall have the right to submit rebuttal evidence.

(4) The Hearings Officer may take notice of judicially recognizable facts, and the Hearings Officer may take official notice of general, technical, or scientific facts within the specialized knowledge of County employees. Parties shall be notified at any time during the proceeding, but in any event prior to the final decision, of material officially noticed and they shall be afforded an opportunity to contest the facts so noticed.

(5) No sanction shall be imposed or order be issued except upon consideration of the whole record as supported by, and in accordance with reliable, probative, and substantial evidence.

(J) Continuation of Tenancy.

After issuance of a notice of hearing, and until such time as the Hearings Officer issues his final decision, neither the respondent(s) nor the Planning Director shall take any action that results in the vacation of a building used for residential occupancy without the permission of the Hearings Officer, except that in cases where buildings are found to be imminently hazardous, the building official or Fire Marshal may order the building vacated if no other means are available to eliminate the imminent hazard.

(K) Final Orders.

The Hearings Officer shall prepare and mail to all parties a final order including findings of fact and conclusions of law. The order shall be final when received.

(L) Judicial Review.

Review of the final order of a Hearings Officer under this section by any aggrieved party, including the County of Multnomah, shall be by writ of reviews as provided in ORS 34.010–34.100.

(M) Order to Comply; Abatement, and Repair.

The Hearings Officer shall order a party found in violation of Multnomah County Code to comply with the provisions of the Code within such time as the Hearings Officer may by order allow. The order may require such party to do any and all of the following.

(1) Make any and all necessary repairs, modifications, and/or improvements to the structure, real property, or equipment involved;

(2) Change the use of the building, structure, or real property involved;

(3) Install any equipment necessary to achieve compliance;

(4) Pay to the County of Multnomah a civil penalty pursuant to MCC .9053.

(5) Undertake any other action reasonably necessary to correct the violation.

(P) Assessments.

(1) Costs incurred by Multnomah County for the repair, modification, or improvement of any real property, any costs incurred by the County which are reasonably necessary for nuisance abatement or removal, and any civil penalty imposed as a result of an order of the Hearings officer shall be an assessment lien upon the property subject to the order.

(2) The Planning Director shall serve a statement of such costs on the owner, in person or by registered or certified mail, return receipt requested, and shall provide a copy of such statement for the Hearings Officer with proof of service attached. If no objection to such statement is filed with the Office of the Hearings Officer within 15 days from the date of service or mailing, the Hearings Officer shall certify such statement and forward the same to the Director who shall forthwith enter the same in the County Lien Records.

(a) If an objection to the statement is received within the 15-day period, the Hearings Officer shall schedule and hold an appeal hearing pursuant to MCC .8135(Q). After the hearing, the Hearings Officer shall certify such statement, or so much of it as he determines is correct and proper, and forward it to the Director who shall enter it into the County Lien Record.

(b) The Hearings Officer shall certify to the Director the amount of any civil penalty imposed under any order of the Hearings Officer and the Director shall enter it into the County Lien Record. The lien imposed for the civil penalty shall be in addition to any lien imposed for costs actually incurred by the County.

(c) The Planning Director may serve and file separate statements for the costs and services as each is incurred or provided.

(3) In addition to the lien imposed under this section, any person found to be in violation of the Multnomah County Code shall be personally liable for costs incurred by the County and for any civil penalty imposed by order of the Hearings Officer. In cases of persons found to be in violation of the Multnomah County Code as owners of property, the persons shall be personally liable hereunder only if they have control of the property, the legal authority to correct the violation, and knowingly have committed the violation.

(Q) Nature of Determination.

The determination of the Hearings Officer regarding a violation is a quasi-judicial decision and is not appealable to the Board. Appeals from any such determination by the Hearings Officer shall be by writ of review to the Circuit Court of Multnomah County, Oregon.

B. Action Proceedings

11.15.8205Definition

Action means a proceeding, other than an enforcement proceeding pursuant to MCC .8135, in which the legal rights, duties or privileges of specific parties are determined only after a hearing in which such parties are entitled to appear and be heard, including requests for:

(A) Change of Zone Classification;

(B) Community Service Uses;

(C) Conditional Uses;

(D) Variances, Except as otherwise provided herein;

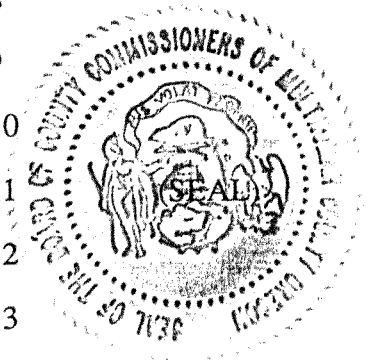
(E) Temporary Permits; and

(F) Other requests for permits and other contested cases determining permissible uses of specific property.

Section III. ADOPTION

This ordinance, being necessary for the health, safety, and welfare of the people of Multnomah County, an emergency is declared to exist and this ordinance shall take effect on its passage, pursuant to Section 5.50 of the Charter of Multnomah County.

ADOPTED THIS 9th day of July, 1991, being the date of its first reading before the Board of County Commissioners of Multnomah County.



By Gladys McCoy

Gladys McCoy, County Chair

MULTNOMAH COUNTY, OREGON

REVIEWED: John L. DuBay

John DuBay, Deputy County Counsel
of Multnomah County, Oregon

1 DATE 7/9/91

NAME JOHN SHERMAN

ADDRESS 1912 NW ASPEN

STREET PORTLAND OR 97210

CITY ZIP CODE

I WISH TO SPEAK ON AGENDA ITEM # P-5

SUBJECT BALCH CREEK ORDINANCE

X FOR _____ AGAINST

PLEASE PRINT LEGIBLY!

2 DATE 7/9/91

NAME NANCY ROSENLUND

ADDRESS 5830 N.W. CORNELL ROAD
STREET

PORTLAND OREGON 97210
CITY ZIP CODE

I WISH TO SPEAK ON AGENDA ITEM # C-1-91 P-5

SUBJECT BALCH CREEK BASIN

X FOR _____ AGAINST

PLEASE PRINT LEGIBLY!

3 DATE 7/9/91

NAME Arnold Rochlin

ADDRESS Rt 2 Box 58
STREET

Portland, OR 97231
CITY ZIP CODE

I WISH TO SPEAK ON AGENDA ITEM # P-5

SUBJECT Balch Creek Erosion Control

X FOR _____ AGAINST

PLEASE PRINT LEGIBLY!

P5 DATE 7/9/91

NAME Mary Ellen Mahaffey

ADDRESS 276 NW Quimby St
STREET

Portland, OR 97210
CITY ZIP CODE

I WISH TO SPEAK ON AGENDA ITEM # P5

SUBJECT Balch Creek

✓ FOR _____ AGAINST

PLEASE PRINT LEGIBLY!

Meeting Date: July 9, 1991

Agenda No.: P-5

(Above space for Clerk's Office Use)

. . . . . .

AGENDA PLACEMENT FORM
(For Non-Budgetary Items)

SUBJECT: _____

BCC Informal _____ (date) BCC Formal July 9, 1991 (date)

DEPARTMENT DES DIVISION Planning

CONTACT Sharon Cowley TELEPHONE 2610

PERSON(S) MAKING PRESENTATION _____

ACTION REQUESTED:

☐ INFORMATIONAL ONLY ☐ POLICY DIRECTION ☒ APPROVAL

ESTIMATED TIME NEEDED ON BOARD AGENDA: _____

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

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

C 7-91 An Ordinance amending the Multnomah County Code Chapter 11.15 by amending regulations applicable to grading and land disturbing activities within the Balch Creek Drainage Basin.

7/16/91 Copies to Planning & Ordinance Distribution List

(If space is inadequate, please use other side)

BOARD OF COUNTY COMMISSIONERS MULTNOMAH COUNTY OREGON 1991 JUL -3 AM 9:31

SIGNATURES:

ELECTED OFFICIAL _____

Or

DEPARTMENT MANAGER Paul Yarbrough/bkw

(All accompanying documents must have required signatures)

1/90

ORDINANCE FACT SHEET

Title Balch Creek Watershed; Erosion Control Effective Date September 12, 1991

Brief statement of purpose of ordinance (include the rationale for adoption of ordinance, a description of persons benefited, and other alternatives explored)

The ordinance amends zoning regulations in the Balch Creek Watershed. It would regulate most grading and land disturbing activities in the basin. It would protect Balch Creek from erosion effects such as turbidity, sedimentation, and bank failures. The ordinance would restrict the grading 'season' in the Balch Creek drainage basin to May 1st to October 1st of any year.

What other local jurisdictions in the metropolitan area have enacted similar legislation?

The City of Portland.

What has been the experience in other areas with this type of legislation?

The County contracts with the Portland Bureau of Buildings for inspections. Inspectors already implement erosion control provisions on construction sites in the Tualatin River watershed, and on sites in the Balch Creek watershed and inside the City.

What authority is there for Multnomah County to adopt this legislation? (State statute, home rule charter). Are there constitutional problems?

The proposed zoning provisions address Statewide Planning Goals: Goal 5 (Natural Resouces); Goal 6 (Water Quality); and Goal 7 (Natural Hazards).

Fiscal Impact Analysis

The costs of implementation (inspections) will be born by the development community (*i.e.*, 100% direct cost, and 10–20% indirect cost).

(If space is inadequate, please use other side)

SIGNATURES:

Office of County Counsel John L. DuBay

Office of County Management

Department Head R. Scott Pemble for Paul Yarborough.

Liaison Commissioner Pauline Anderson

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR MULTNOMAH COUNTY, OREGON

ORDINANCE NO. 691

An Ordinance amending the Multnomah County Code Chapter 11.15 by amending regulations applicable to grading and land disturbing activities within the Balch Creek Drainage Basin.

(Language in brackets [ ] is to be deleted; underlined sections are new text.)

Multnomah County Ordains as follows:

Section I. Findings.

(A). In November, 1989, Portland City Commissioner Earl Blumenauer appointed the Balch Creek Task Force to recommend cost effective facilities for sewage treatment and an appropriate level of development within the Balch Creek Drainage Basin. The Task Force adopted its report and findings in March, 1990. The Portland Planning Commission held hearings on the proposed **Balch Creek Watershed Protection Plan** (BCWPP) in June, July, and August, 1990; the City Council adopted the plan at its December 19, 1990 hearing, with a second reading January 9, 1991. The plan became effective in the City portion of the basin on February 8, 1991.

(B). The Balch Creek Plan includes an inventory of Goal 5 resources in the basin, with Environmental, Social, Economic, and Energy (ESEE) analyses for the identified resources. The plan's objectives are to: maintain Balch Creek cutthroat trout; maintain a wildlife corridor between Forest Park and Pittock Acres Park; limit floods; and protect streams and forests in the basin (BCWPP, pg. 109).

(C). The Balch Creek Watershed Protection Plan calls for, among other things, seasonal restsrictions on grading activities and vegetated buffers along Balch Creek to avoid or

minimize adverse water quality and erosion effects to the stream. The Balch Creek plan seeks to protect *"...natural resource values of the Balch Creek Watershed through the application of special development standards..."*. The County Zoning Code does not include seasonal restrictions for grading activities. However, the County can impose such restrictions on development in the basin through text amendments to the *Hillside Development and Erosion Control* subsection of MCC 11.15.

(D). Multnomah County Ordinance Number 643 amended MCC 11.15 on February 20, 1990. These amendments added a *"Hillside Development and Erosion Control"* subsection to the Multnomah County Zoning Ordinance (MCC 11.15.6700 -.6735). The subsection requires a *"Grading and Erosion Control Permit"* for most land disturbing activities in unincorporated areas, including lands within the Balch Creek Drainage Basin. Ordinance Number 643 also amended the *"Significant Environmental Concern"* (SEC) subdistrict by requireing an SEC Permit for any building, structure or physical improvement within 100-feet of the normal high water level of a Class I stream [MCC 11.15.6404(C)]. Balch Creek is identified as a Class I stream by the Oregon Department of Forestry.

(E). One available means of addressing the BCWPP goals is to implement the ***Erosion Control Plans Technical Guidance Handbook*** (January, 1991) within the Balch Creek basin. The handbook is already used to review grading proposals within the Tualatin Basin (ref. C 2-91)

Section II. Amendments.

Multnomah County Code Chapter 11.15 is amended to read as follows:

11.15.6700 Purposes

The purposes of the Hillside Development and Erosion Control subdistrict are to promote the public health, safety and general welfare, and minimize public and private losses due to

earth movement hazards in specified areas and minimize erosion and related environmental damage in unincorporated Multnomah County, all in accordance with ORS 215, LCDC Statewide Planning Goal No. 7 and OAR 340–41–455 for the Tualatin River Basin, and the Multnomah County Comprehensive Framework Plan Policy No. 14. This subdistrict is intended to:

(A) Protect human life;

(B) Protect property and structures;

(C) Minimize expenditures for rescue and relief efforts associated with earth movement failures;

(D) Control erosion, production and transport of sediment; and

(E) Regulate land development actions including excavation and fills, drainage controls and protect exposed soil surfaces from erosive forces.

(F) Control stormwater discharges and protect streams, ponds, and wetlands within the Tualatin River and Balch Creek Drainage Basins.

11.15.6710 Permits Required

(A) **Hillside Development Permit:** All persons proposing development, construction, or site clearing (including tree removal) on property located in hazard areas as identified on the "Slope Hazard Map", or on lands with average slopes of 25 percent or more shall obtain a Hillside Development Permit as prescribed by this subdistrict, unless specifically exempted by MCC .6715.

(B) **Grading and Erosion Control Permit:** All persons proposing site grading where the volume of soil or earth material disturbed, stored, disposed of or used as fill exceeds 50 cubic yards, or which obstruct or alter a drainage course, shall obtain a Grading and Erosion Control Permit as prescribed by this subdistrict, unless exempted by MCC .6715(B)(2) through (8) or .6715(C). Development projects subject to a Hillside

Development Permit do not require a separate Grading and Erosion Control Permit.

(C) **Grading and Erosion Control Permit:** All persons proposing land-disturbing activities within the Tualatin River and Balch Creek Drainage Basins shall first obtain a Grading and Erosion Control Permit, except as provided by MCC 11.15.6715(C) below.

11.15.6715 Exempt Land Uses and Activities

The following are exempt from the provisions of this Chapter:

(A) Development activities approved prior to February 20, 1990; except that within such a development, issuance of individual building permits for which application was made after February 20, 1990 shall conform to site-specific requirements applicable herein.

(B) General Exemptions – Outside the Tualatin River and Balch Creek Drainage Basins, all land-disturbing activities outlined below shall be undertaken in a manner designed to minimize earth movement hazards, surface runoff, erosion, and sedimentation and to safeguard life, limb, property, and the public welfare. A person performing such activities need not apply for a permit pursuant to this subdistrict, if :

(1) Natural and finished slopes will be less than 25 %; and,

(2) The disturbed or filled area is 20,000 square feet or less; and,

(3) The volume of soil or earth materials to be stored is 50 cubic yards or less; and,

(4) Rainwater runoff is diverted, either during or after construction, from an area smaller than 10,000 square feet; and,

(5) Impervious surfaces, if any, of less than 10,000 square feet are to be created; and,

(6) No drainageway is to be blocked or have its stormwater carrying capacities or characteristics modified; and,

(7) The activity will not take place within 100 feet by horizontal measurement from the top of the bank of a watercourse, the mean high watermark (line of vegetation) of a body of water ,or within the wetlands associated with a watercourse or water body, whichever distance is greater.

(C) Categorical Exemptions – Notwithstanding MCC .6715(A) and (B)(1) through (7), the following activities are exempt from the permit requirements:

(1) An excavation below finished grade for basements and footings of a building, retaining wall, or other structure authorized by a valid building permit. This shall not exempt any fill made with the material from such excavation, nor exempt any excavation having an unsupported finished height greater than five feet.

(2) Cemetery graves, but not cemetery soil disposal sites.

(3) Refuse disposal sites controlled by other regulations.

(4) Excavations for wells.

(5) Mineral extraction activities as regulated by MCC .7305 through .7335.

(6) Exploratory excavations under the direction of certified engineering geologists or geotechnical engineers.

(7) Routine agricultural crop management practices, residential gardening and landscape maintenance at least 100-feet by horizontal measurement from the top of the bank of a watercourse, or the mean high watermark (line of vegetation) of a body of water or wetland.

(8) Emergency response activities intended to reduce or eliminate an immediate danger to life, property, or flood or fire hazards.

(9) Forest practices as defined by ORS 527 (State Forest Practices Act) and approved by the Oregon Department of Forestry.

11.15.6730 Grading and Erosion Control Permit Standards

Approval of development plans on sites subject to a Grading and Erosion Control Permit shall be based on findings that the proposal adequately addresses the following standards. Conditions of approval may be imposed to assure the design meets the standards:

(A) Design Standards For Grading and Erosion Control

(1) Grading Standards

(a) Fill materials, compaction methods and density specifications shall be indicated. Fill areas intended to support structures shall be identified on the plan. The Director or delegate may require additional studies or information or work regarding fill materials and compaction;

(b) Cut and fill slopes shall not be steeper than 3:1 unless a geological and/or engineering analysis certifies that steep slopes are safe and erosion control measures are specified;

(c) Cuts and fills shall not endanger or disturb adjoining property;

(d) The proposed drainage system shall have adequate capacity to bypass through the development the existing upstream flow from a storm of 10-year design frequency;

(e) Fills shall not encroach on natural watercourses or constructed channels unless measures are approved which will adequately handle the displaced streamflow for a storm of 10-year design frequency;

(2)Erosion Control Standards

(a) On sites within the Tualatin River Drainage Basin, erosion and stormwater control plans shall satisfy the requirements of OAR 340. Land-disturbing activities within the Tualatin Basin shall provide a 100-foot undisturbed buffer from the top of the bank of a stream, or the ordinary high watermark (line of vegetation) of a water body, or within 100-feet of a wetland; unless a mitigation plan consistent with OAR 340 is approved for alterations within the buffer area.

(b) Stripping of vegetation, grading, or other soil disturbance shall be done in a manner which will minimize soil erosion, stabilize the soil as quickly as practicable, and expose the smallest practical area at any one time during construction;

(c) Development Plans shall minimize cut or fill operations and ensure conformity with topography so as to create the least erosion potential and adequately accommodate the volume and velocity of surface runoff;

(d) Temporary vegetation and/or mulching shall be used to protect exposed critical areas during development;

(e) Whenever feasible, natural vegetation shall be retained, protected, and supplemented;

(f) Permanent plantings and any required structural erosion control and drainage measures shall be installed as soon as practical;

(g) Provisions shall be made to effectively accommodate increased runoff caused by altered soil and surface conditions during and after development. The rate of surface water runoff shall be structurally retarded where necessary;

(h) Sediment in the runoff water shall be trapped by use of debris basins, silt traps, or other measures until the disturbed area is stabilized;

(i) Provisions shall be made to prevent surface water from damaging the cut face of excavations or the sloping surface of fills by installation of temporary or permanent drainage across or above such areas, or by other suitable stabilization measures such as mulching or seeding;

(j) All drainage provisions shall be designed to adequately carry existing and potential surface runoff to suitable drainageways such as storm drains, natural watercourses, drainage swales, or an approved drywell system;

(k) Where drainage swales are used to divert surface waters, they shall be vegetated or protected as required to minimize potential erosion;

(l) Erosion and sediment control devices shall be required where necessary to prevent polluting discharges from occurring. Control devices and measures which may be required include, but are not limited to:

(i) Energy absorbing devices to reduce runoff water velocity;

(ii) Sedimentation controls such as sediment or debris basins. Any trapped materials shall be removed to an approved disposal site on an approved schedule;

(iii)Dispersal of water runoff from developed areas over large undisturbed areas.

(m)Disposed spoil material or stockpiled topsoil shall be prevented from eroding into streams or drainageways by applying mulch or other protective covering; or by location at a sufficient distance from streams or drainageways; or by other sediment reduction measures;

(n) Such non-erosion pollution associated with construction such as pesticides, fertilizers, petrochemicals, solid wastes, construction chemicals, or wastewaters shall be prevented from leaving the construction site through proper handling, disposal, continuous site monitoring and clean-up activities.

(o) On sites within the Balch Creek Drainage Basin, erosion and stormwater control features shall be designed to perform as effectively as those prescribed in the *Erosion Control Plans Technical Guidance Handbook* (January, 1991). All land disturbing activities within the basin shall be confined to the period between May first and October first of any year. All permanent vegetation or a winter cover crop shall be seeded or planted by October first the same year the development was begun; all soil not covered by buildings or other impervious surfaces must be completely vegetated by December first the same year the development was begun.

(B) Responsibility

(1) Whenever sedimentation is caused by stripping vegetation, regrading or other development, it shall be the responsibility of the person, corporation or other entity causing such sedimentation to remove it from all adjoining surfaces and drainage systems prior to issuance of occupancy or final approvals for the project;

(2) It is the responsibility of any person, corporation or other entity doing any act on or across a communal stream watercourse or swale, or upon the floodplain or right-of-way thereof, to maintain as nearly as possible in its present state the stream, watercourse, swale, floodplain, or right-of-way during such activity, and to return it to its original or equal condition.

(C) Implementation

(1) Performance Bond – A performance bond may be required to assure the full cost of any required erosion and sediment control measures. The bond may be used to provide for the installation of the measures if not completed by the contractor. The bond shall be released upon determination the the control measures have or can be expected to perform satisfactorily. The bond may be waived if the Director determines the scale and duration of the project and the potential problems arising therefrom will be minor.

(2) Inspection and Enforcement. The requirements of this subdistrict shall be enforced by the Planning Director. If inspection by County staff reveals erosive conditions which exceed those prescribed by the Hillside Development Permit or Grading and Erosion Control Permit, work may be stopped until appropriate correction measures are completed.

(D) Final Approvals

A certificate of Occupancy or other final approval shall be granted for development subject to the provisions of this subdistrict only upon satisfactory completion of all applicable requirements.

Section III. Adoption.

This ordinance, being necessary for the health, safety, and general welfare of the people of Multnomah County, an emergency is declared and the Ordinance shall take effect upon its execution by the County Chair, pursuant to Section 5.50 of the Charter of Multnomah County.

ADOPTED THIS 9th day of July, 1991, being the date of its first reading before the Board of County Commissioners of Multnomah County.

By Gladys McCoy
Gladys McCoy, County Chair
MULTNOMAH COUNTY, OREGON

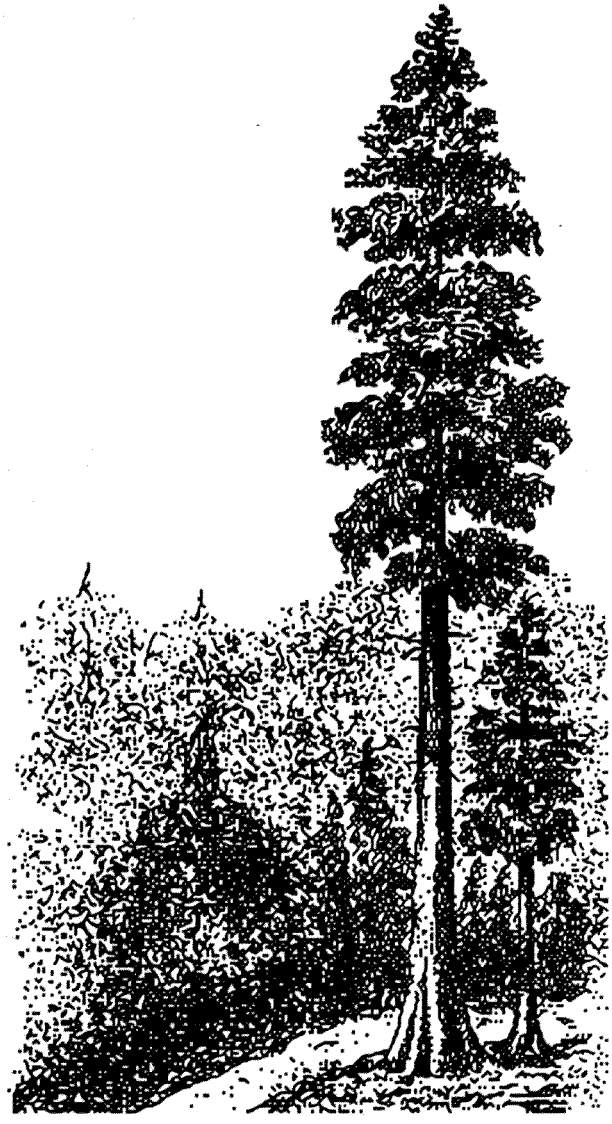
REVIEWED:

John L DuBay
John DuBay, Deputy County Counsel
of Multnomah County, Oregon

Balch Creek Watershed Protection Plan

Inventory, Analysis, and Regulations for Fish and Wildlife Habitats, Natural Areas, Open Space, Water Bodies, and Wetlands

City Planning Commission Recommendation to the Portland City Council



Bureau of Planning
City of Portland
December 19, 1990

Portland City Council

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Earl Blumenauer, Commissioner
Dick Bogle, Commissioner
Michael Lindberg, Commissioner

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Richard Caplan, Nob Hill Business Resident
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Scott Meyer, Portland Audubon Society Board Member
Chris Wrench, Northwest District Association

Balch Creek Watershed Protection Plan

Inventory, Analysis, and Regulations for Fish and Wildlife Habitats, Natural Areas, Open Space, Water Bodies, and Wetlands

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Bureau of Planning
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December 19, 1990

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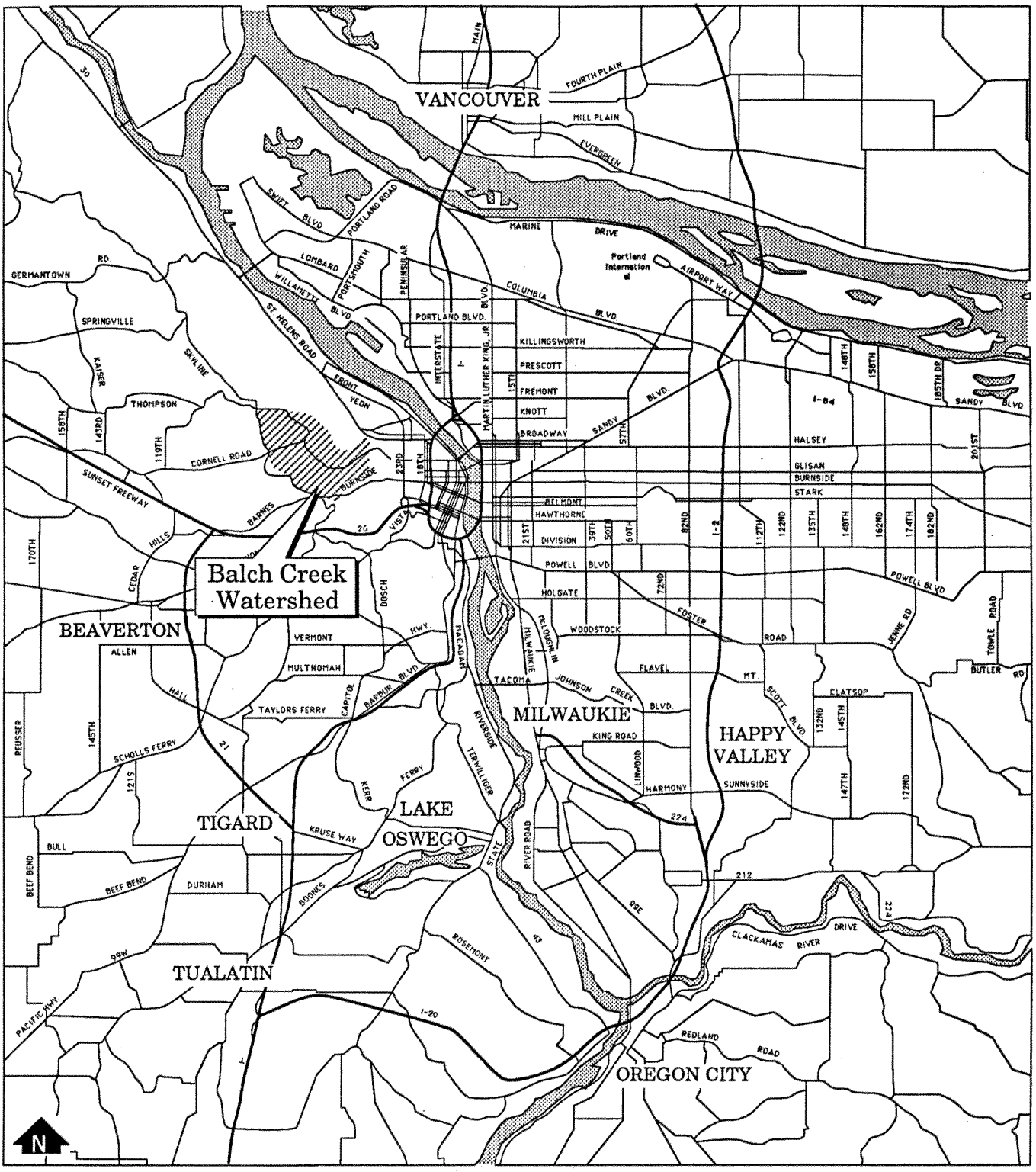
INTRODUCTION



Vicinity Map

Scale: 1 Inch = 2.6 Miles

BALCH CREEK

WATERSHED PROTECTION PLAN

Iventory, Analysis and Regulations for Fish and Wildlife Habitats, Natural Areas, Open Space, Water Bodies and Wetlands

Purpose

This plan protects the natural resources of the Balch Creek Watershed. Balch Creek flows down the northeast side of the City of Portland's West Hills. This plan is the second in a series of Planning Bureau documents.

The first was a five-part plan for the Columbia River Corridor. The Bureau of Planning is preparing similar plans for the following study areas: the reainder of the Northwest Hills (excluding the portion in the Tualatin River Watershed); the Southwest Hills (excluding the portion in the Tualatin River Watershed); the Tualatin River Watershed (in two parts, one for the Skyline Boulivard area and the other for Fanno Creek and its tributaries); Central and East Portland Buttes and Uplands; and the Johnson Creek Watershed.

The purpose of the Balch Creek Watershed Protection Plan is to identify, evaluate, and protect fish and wildlife habitats, ecologically and scientifically significant natural areas, open spaces, water bodies, wetlands, and the functions and values of the watershed as a whole. The plan is wriitten to comply with Statewide Planning Goal 5. This Goal established the following three-stepped process: (1) Inventory - identify, describe, and evaluate the location, quality, and quantity of each natural resource within the City; (2) Analysis - evaluate the economic, social, environmental, and energy consequences of allowing, limiting, and prohibiting uses which conflict with each identified resource; and (3) Decision - choose to protect or not protect each identified resource. Partial protection is accomplished by limiting conflicting uses. Full protection is accomplished by prohibiting conflicting uses. This plan contains documentation that the levels of protection afforded by the regulations are sufficient.

Organization of the Plan

This Balch Creek Watershed Protection Plan is organized in five parts. The first part is a general introduction to the study area and study process. This part also describes other Bureau of Planning studies and relates the Balch Creek Watershed Protection Plan to other work. The second part is a detailed examination of each resource site within the study area. The third part is an analysis of conflicts between resource use and resource protection. The fourth part is several regulations designed to protect or conserve the most significant resources. The final part is a series of appendices. These appendices contain both general background information and more detailed information for each resource site.

Portland's West Hills

Portland's West Hills are the southern part of the Tualatin Mountains. Geological evidence suggests that these mountains were formed by a variety of forces acting over millions of years. The oldest known rock in the West

Hills is known as the Scappoose formation, a thick bed of sandstone and shale believed to be deposited in an ancient ocean twenty-two million years ago.[1] These sedimentary rocks were subsequently covered by a thick layer of lava during a period of regional vulcanism. This lava is an igneous rock called Columbia River Basalt. Geologists think this basalt is sixteen million years old. Columbia River Basalt comprises most of the bulk of the West Hills.[2] The period of regional vulcanism was followed by a long period of weathering in which basalt was reduced to clay. The red crust now found on exposed basalt was deposited during a period when the West Hills enjoyed a tropical climate.[3] Tectonic forces reshaped and reoriented the originally flat basalt into the Tualatin Mountains at the same time the Coast and the Cascade Ranges were forming. This period of squeezing and folding was followed by a second period of deposition of waterborne sediment. The resulting rock is known as the Troutdale Formation. This rock contains quartz, and is found on the lower slopes of the West Hills.[4] A second period of more local vulcanism is quite recent in geological history. These smaller volcanos produced a type of igneous rock called Boring lava. Most of the taller isolated hills in Portland are Boring volcanoes. Boring lava is also a type of basalt and can be distinguished from Columbia River Basalt by its gray color. Boring lava can be found along the ridge tops and west slopes of the West Hills.[5] The most recent geological formation is a layer of wind blown silt deposited during the last ice age. This formation is a yellow-brown clay called Portland Hills Silt. This silt covers the upper portion of the West Hills. The deepest known deposit of this clay is a layer fifty-five feet thick found at the crest of the West Hills in Forest Park.[6]

Most soils in the West Hills drain poorly.[7] A typical soil profile on an undisturbed, convex, thirty-degree slope in the West Hills includes the following: (1) a dark brown or dark grayish-brown silt loam top soil about a foot thick, (2) a yellowish-brown silt soil about two feet thick, (3) and a dark brown, mottled, silt subsoil about five feet thick.[8] The subsoil usually includes a fragipan, which is a layer less permeable to water than the upper layers. Fragipans limit the rooting depth of many plants. A seasonal water table is perched on top of fragipans every winter. This typical soil profile amounts to a high erosion and slumping hazard due to the seasonal water table, slow permeability, low strength, and the tendency of the upper

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1. Marcy Cottrell Houle, *One City's Wilderness*, Portland's Forest Park, (Portland, Oregon: Oregon Historical Society Press), 1987, p. 2.
2. ibidem p. 3.
3. idem
4. ibidem p. 4.
5. idem
6. idem
7. Peggy A. Olds, "Site Investigation: Forest Park Neighborhood Association, Erosion Problems Impacting Balch Creek, Report of the Multnomah County Soil Conservationist, Soil Conservation Service, United States Department of Agriculture" (Portland, Oregon: March 29, 1989), p. 2
8. ibidem

layers to slide over the fragipan whenever they become saturated.[9] Slumping is common in the West Hills, especially when bare soil is exposed to rainfall or when soil is cut or filled.[10] Several major land slides have occurred in the West Hills.[11] The instability of the soil is a major reason why much of the West Hills has not been developed and is now included in parkland, wildlife sanctuaries, open space, and farm and forest zones.[12] Extreme care must be take when disturbing these soils, and vegetation must be reestablished quickly on disturbed areas to prevent erosion, sliding, and slumping.[13]

The climax vegetation of the West Hills is western hemlock forest. Forest researchers refer to areas which develop this type of forest as the *Tsuga heterophylla* Zone.[14] The zone name is taken from the the scientific name for western hemlock even though Douglas fir, *Pseudotsuga menziesii*, and western red cedar, *Thuja plicata*, are the dominant tree species in many forest stands. Most of the forests in this zone have been logged or burned, and these factors also contribute to the relative scarcity of western hemlock within its own zone.[15]

The *Tsuga heterophylla* Zone occurs only in areas with wet, mild, maritime climates in western British Columbia, Washington, and Oregon.[16] These forests obtained their present form after post-glacial warming six thousand years ago. These forests are unique because their coniferous species are the largest and longest lived members of genera of world-wide distribution. They are unusual in that conifers dominate hardwoods. The accumulated bio-mass of these forests is also greater than any other type of temperate forest.[17] Forest researchers place *Tsuga heterophylla* forest into categories by examining their understory. The understory reflects amount of moisture received by the forest. The forests of the West Hills are of the *Tsuga heterophylla /Polystichum munitum* association, the second wettest forest category of the zone. The term for this association is taken from the scientific name of our common sword fern, but other understory species are also found in the West Hills.[18]

Most of the forests in the West Hills have been logged, either selectively or by clear cutting. Clear cutting was often followed by controlled burning of

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9. ibidem
10. ibidem
11. Houle, p. 4.
12. idem, p. 5.
13. Olds p. 4.
14. Jerry F. Franklin and Tawny Blinn, *Natural Vegetation of Oregon and Washington* (Corvallis: Oregon State University Press for the United States Forest Service, 1987), p.70.
15. idem p. 71.
16. ibidem
17. Houle, p. 18.
18. Franklin and Blinn, p. 77.

slash to prevent wild fires.[19] West Hills forests have also been disturbed by natural fires and land slides. The type of forest that grows back after a disturbance depends on the nature and severity of the original disturbance, available seed sources, and climatic conditions.[20] The greater the disturbance, the more red alder will generally appear in the regenerating forest.[21] The stages through which a forest regenerates are called a successional pattern. The tables on the following two pages describe two typical successional patterns in the West Hills. Both successional patterns assume a complete disturbance and identical elevations, degrees of slope, slope aspects, soils, temperatures, and rainfalls. Table 1 assumes the presence of a conifer seed source, Table 2 assumes that a conifer seed source is not present.

Mature examples of old conifer forests are rarely found in cities, but in Portland, mature stands can be viewed in the upper portion of Macleay Park and near Germantown and Newton Roads.[22] Hardwood stands are forests which are "stuck" in an early stage of the conifer successional pattern. Large stands of alder and maple are not a natural forest type in the *Tsuga heterophylla* Zone. Mature hardwood stands are the result poor forest management practices and are common in the West Hills. Forests also suffer from intrusion by urban landscape and exotic plants. English ivy, blackberries, English holly, and western clematis vines are prevalent in some West Hills forests and can retard normal successional patterns. Red alder is also found in association with cottonwood along water courses. Red alder and cottonwood stream side forest are called a galleries. A gallery is a special forest type occurring within the *Tsuga heterophylla* Zone. Gallery forests are the natural habitat of alder and are not the result of logging. The other special forest type once found in the West Hills is stands of large western red cedar with no fir and little hemlock. This is an old growth climax forest type which occurs only on wet lower slopes and stream terraces within the *Tsuga heterophylla* Zone. The stands of large cedar have been logged, but large cedar stumps can still be found in Forest Park, and young cedar is growing on wet sites in the West Hills.

Wildlife in the West Hills is of exceptional quantity and quality. Much of the West Hills is parks, open space, wildlife sanctuaries, farms, and forests. The undeveloped parcels are often adjacent to or near other undeveloped parcels. Many undeveloped lands are also close enough to undeveloped lands in the Coast Range for many animals to travel safely from the Coast

19. idem p. 83.
20. idem p. 85.
21. Houle, p. 21.
22. idem p. 22.

Table 1. - Reestablishment of a disturbed forest with a conifer seed source

YEARS SINCE DISTURBANCE	SUCCESSIONAL STAGE	FOREST TYPE	TREE SPECIES PRESENT
0 to 5 years	Herbs with immature shrubs	None	None
3 to 30 years	Mature shrubs, with immature hardwoods and conifers	None	Red alder, big-leaf maple, Scouler's willow, bitter cherry, and Douglas fir
10 to 35 years	Mature hardwoods with small immature conifers	Hardwoods topping conifers	Red alder, big-leaf maple, Scouler's willow, bitter cherry, Douglas fir, grand fir, western red cedar, and western hemlock
30 to 100 years	Mature hardwoods with immature small and middle-sized conifers	Conifers topping hardwoods	Red alder, big-leaf maple, Scouler's willow, bitter cherry, Douglas fir, grand fir, western red cedar, western hemlock, and western yew
80 to 250 years	Small, middle-sized, and large immature conifers	Larger immature conifers topping smaller immature conifers	Douglas fir, grand fir, western red cedar, western hemlock, and western yew
200 to 800 years	Mature conifers with small, middle-sized, and large immature conifers	Sub-climax Douglas fir "Old Growth"	Douglas fir, grand fir, western red cedar, western hemlock, and western yew
600 years to next disturbance	Mature conifers with small, middle-sized, and large immature conifers	Climax western hemlock "Old Growth"	Grand fir, western red cedar, western hemlock, and western yew

Range to the West Hills. All of these factors contribute to the perpetuation of native animal species. The West Hills are a unique urban environment. Parks in other major North American cities are generally smaller, and undeveloped park land has usually disappeared parcel-by-parcel in a scattered jigsaw puzzle fashion. Some citizens also demand that natural park land be made more "park like" through the removal of downed logs, snags, and understory shrubs. Wildlife resulting from the loss of large areas of natural vegetation can include undesirable species more adapted to urban life. These species include the Norway rat, the house mouse, the house sparrow, and the pigeon.[23]

Portland has preserved native northwest wildlife by saving significant amounts of several native habitats. Within a ten minute drive from downtown Portland, the West Hills offer an opportunity to view a rare population of native trout, eight species of salamanders, one newt species, one toad species, four species of frogs, two species of lizards, five species of snakes, one skink species, two turtle species, 112 bird species and 62 mammalian species.[24] While a few of these species require ponds, wetlands, or exposed rocks for habitat, most are forest or forest stream animals. Different forest species require forest habitat of a certain successional stage. The variety of forest habitats in the West Hills contributes greatly to the diversity of animal species. Balch Creek Watershed forests facilitate the passage of deer and elk to other habitat areas. Older forests are also used seasonally by migratory neotropical bird species.

Table 2. - Reestablishment of a disturbed forest without a conifer seed source

TIME SINCE DISTURBANCE	SUCCESSIONAL STAGE	FOREST TYPE	TREE SPECIES PRESENT
0 to 5 years	Herbs with immature shrubs	None	None
3 to 30 years	Mature shrubs, with immature hardwoods	None	Red alder and big-leaf maple
10 to 50 years	Mature and immature hardwoods	Mixed hardwoods	Red alder and big-leaf maple
35 years to next disturbance	Mature hardwoods	Mixed hardwoods	Red alder and big-leaf maple

23. idem p. 36.
24. Information from Houle, the Nature Conservancy, and Portland Bureau of Planning field surveys.

BALCH CREEK
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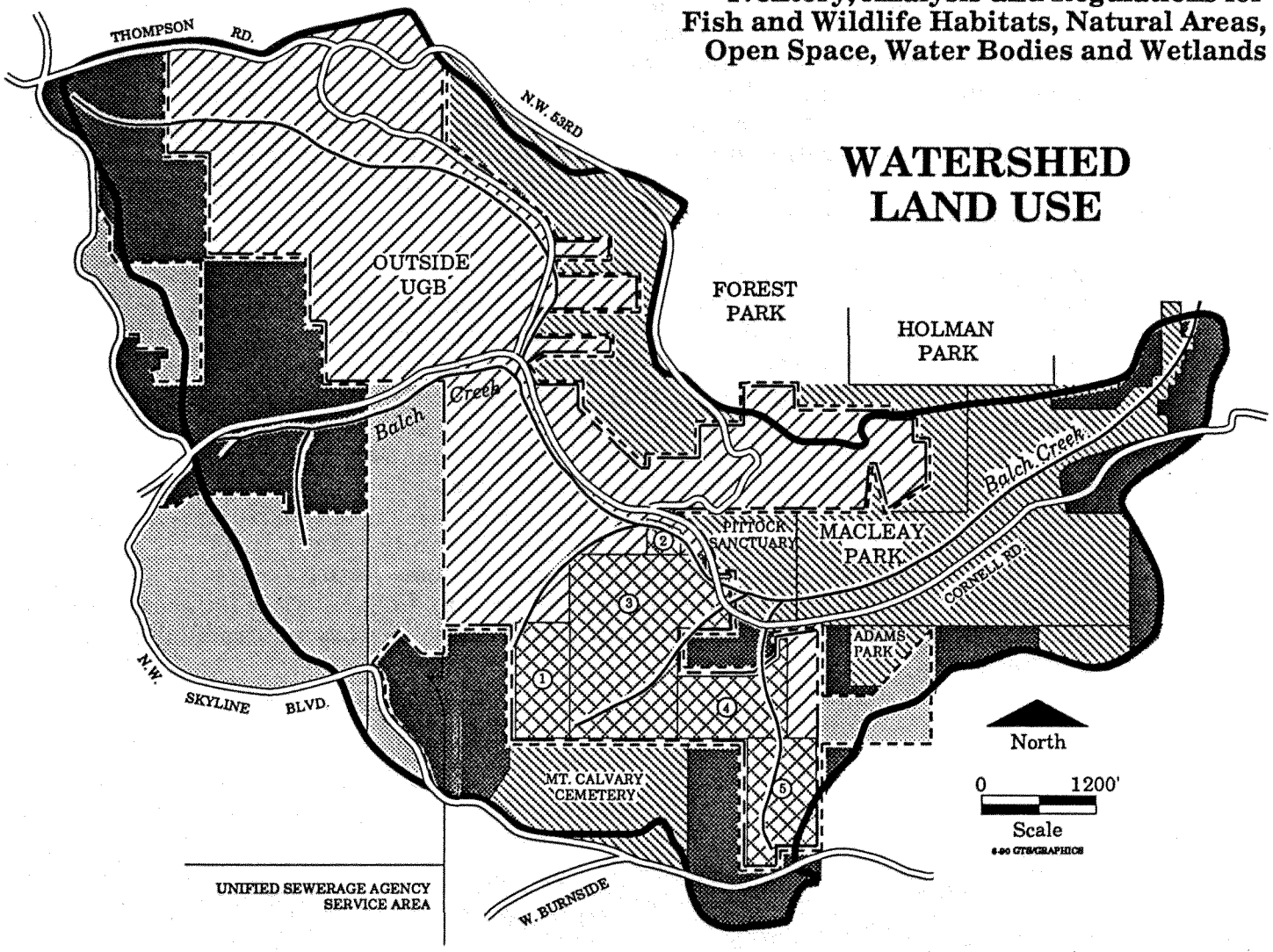
Iventory, Analysis and Regulations for Fish and Wildlife Habitats, Natural Areas, Open Space, Water Bodies and Wetlands



Legend:

Watershed Boundary

Urban Growth Boundary (UGB)

City Boundary

Areas Inside UGB

Urban Open Space

Urban Private Lands

Urbanizable Private Lands

Areas Outside UGB

Rural Private Lands

Rural Wildlife Areas

① Oregon Parks Foundation

② Heinrich Sanctuary

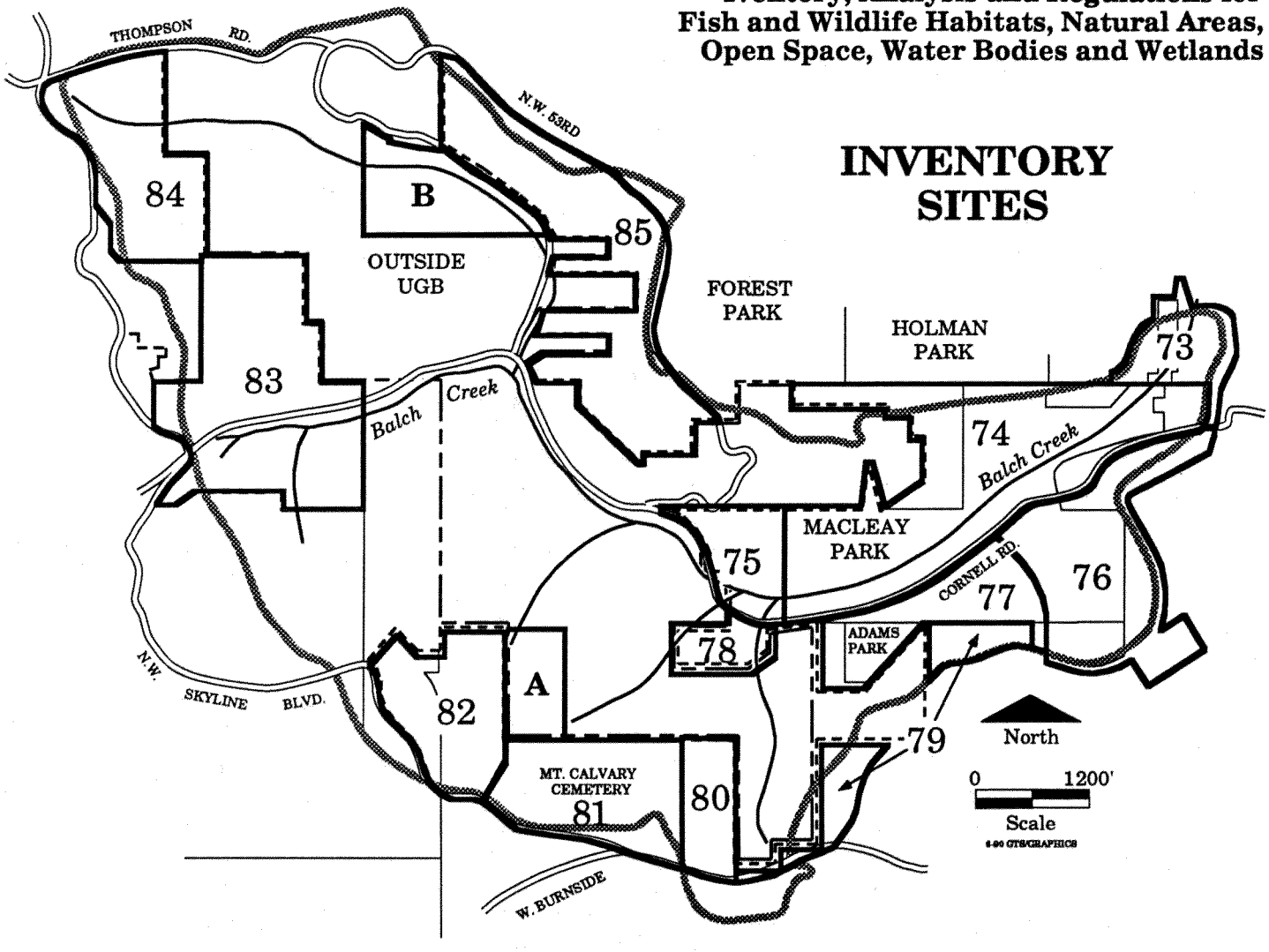
③ Collins Bird Sanctuary

④ Audubon Bird Sanctuary

⑤ Hoffman Donation

BALCH CREEK
WATERSHED PROTECTION PLAN

Iventory, Analysis and Regulations for Fish and Wildlife Habitats, Natural Areas, Open Space, Water Bodies and Wetlands



Legend:

- Watershed Boundary
- Urban Growth Boundary (UGB)
- City Boundary

Balch Creek Watershed

The Balch Creek Watershed has a rich history. Members of the indigenous northwest tribes travelled along Balch Creek and over the West Hills to reach the Tualatin Valley.[25] In the 1840's settlers of European origin began widening and using Native American trails to transport agricultural products from the Tualatin Valley to communities in the lower Willamette Valley. One of these early routes was called Balch Creek Road or Balch Road, but is now called Cornell Road. Homesteading and logging followed quickly after the development of roads. One of these early settlers was Danforth Balch, who filed a 640 acre donation land claim in 1850.[26] The creek flowing through the homestead now bears the family name of Danforth, his wife, Mary Jane, and their nine children. Danforth holds the distinction of being the first man legally hung in Portland, Oregon. He shot and killed his son-in-law, Mortimer Stump. Balch's crime was motivated by his resentment over the elopement of Anna, his fifteen-year-old daughter. Mary Jane remarried a few years after Danforth's execution, and her new husband conspired to deprive his step-children of their property. The scheme was successful, but the Oregon Supreme Court restored the property rights of four of the Balch children in a 1883 ruling. Anna Stump was not one of the four.[27] By the 1890's most of the Balch Creek Watershed was in private holdings, but the City had acquired the dams, intakes, and pipes constructed by a private water company to divert Balch Creek water to a wooden reservoir at S.W. Alder and 15th Streets.[28]

A major change in land use occurred in 1897 when Donald Macleay donated 105 acres of forest lands surrounding Balch Creek to the City of Portland as a park.[29] Macleay's land had experienced only selective cutting for firewood, steamboat fuel, and round logs for cabins. A 1939 gift of George F. and Mary Holman supplemented Macleay's donation by 52 acres. Other Balch Creek Watershed parkland was formed from tax-forfeited land in 1948.[30] Some of this tax forfeited land had experienced extensive clear cutting. Today the Balch Creek Watershed remains largely undeveloped with 34 percent of its land in parks (292 acres), sanctuaries (109 acres), and open space (67 acres). There are 96 single family homes scattered throughout the watershed, and another 17 single family homes in a small subdivision. The housing density of the watershed is 0.083 units per acre, or one unit for every twelve acres.

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25. Murray Smith and Associates for the Portland Bureau of Environmental Services,*Draft Royal Highlands Interceptor Sewer Facilities Plan* (Portland, Oregon: 1988), p. 2-1.
26. "Settler Slays Son-in-law! After Murder, Escape, Balch is First Man to Swing in Stumptown", The Neighbor (Portland, Oregon: John Henderson, January, 1990), p. 4.
27. idem p.5.
28. Murray Smith and Associates, p. 2-2.
29. Houle, p. 60.
30. idem p. 13.

The part of the Balch Creek Watershed examined by this protection plan has a total area of 1,367 acres. The protection plan does not consider lands downstream from the entrance of Balch Creek to the city sewer in lower Macleay Park. The lowest elevation in the watershed is slightly above mean sea level; the highest is about 1,200 feet. Most of the soils in Balch Creek Watershed are silty loams and clays which can reach depths of sixty inches. The United States Department of Agriculture, Soil Conservation Service classifies these soils in the Cascade or Goble series.[31] These soils are typical of the West Hills in their low permeability and low stability. Construction site grading has caused these soils to slide into Macleay Park[32] and an Audubon Society refuge.[33] Cascade and Goble soils are also responsible for the failure of many residential properties to qualify for subsurface sewage disposal systems.[34] At the bottom of the watershed, next to the Balch Creek stream bed, there is a gravelly loam soil which is classified in the Wauld series.[35]

The Balch Creek Watershed receives a normal annual precipitation of 45 inches. Half of this occurs during November, December, and January, with less than two percent of the annual precipitation in snowfall.[36] Balch Creek is a full year stream, with a small full-year tributary flowing from upper Macleay Park, crossing under Cornell Road between the tunnels, and joining the main stem in lower Macleay Park. A much larger full-year tributary flows along Thompson Road and joins the main stem at the Intersection of Thompson and Cornell Roads. There is also a wetland at this intersection. Balch Creek has several other tributaries, but these only flow during part of the year. The Portland Audubon Society has also created two small ponds and a small wetland in the watershed.

Balch Creek summer flows are low, but sufficient to support a population of 2,000 to 4,000 cutthroat trout. These trout have been isolated since the replacement of lower Balch Creek by a sewer in 1921. Balch Creek cutthroat cannot migrate to any other water body and other fish cannot enter Balch Creek through the sewer. The Oregon Fish and Wildlife Commission does not allow fishing in Balch Creek because cutthroat trout are the only fish species present, and the existence of these trout is threatened by land development. The Oregon Board of Forestry has designated Balch Creek a Class One stream, but only regulates forest practices outside the metropolitan urban growth boundary.[37]

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31. Murray Smith and Associates, p. 2-3. Soils information confirmed by a telephone call to staff of Bureau of Buildings, City of Portland.
32. Portland City Ordinance 102906 authorized action against persons believed responsible for at least two such slides.
33. H.G. Schlicker & Associates, Inc, *The Mt. Calvary Mausoleum Landslide* (Portland, Oregon, Project 87-303, 1987), p. 8.
34. Murray Smith and Associates, p. 2-3.
35. ibidem
36. ibidem
37. Opinion of Melinda L. Bruce, Assistant Attorney General (Salem: Oregon Department of Justice File Number 629-420-G0025-87, 1988), p. 5. The Lane County

The Balch Creek Watershed has an unusual jurisdictional pattern. Lands within the City are on the east, north, and west sides of the watershed. Lands beyond the City and urban growth boundary are in the center of the watershed and on the south side of the watershed. The complexity of regulatory and service authorities presents special challenges to the management of watershed resources as a whole.

Statewide Planning Goal 5 and Administrative Rule

Statewide Planning Goal 5 requires all city and county governments to, "conserve open space and protect natural and scenic resources." (The complete text of the goal is in Appendix A.) The Oregon Land Conservation and Development Commission adopted this Goal in 1974, and provided further guidance for carrying it out in 1981. Between 1974 and 1981 the City enacted a variety of land use regulations to meet Statewide Planning Goal 5. The State agreed that these regulations were sufficient, and approved the Portland Comprehensive Plan on May 1, 1981.

The State did not draft an administrative rule providing detailed guidance as to how Statewide Planning Goal 5 should be carried out until after the Portland Plan had been submitted for approval. Land Conservation and Development Commission records show that the Goal 5 Administrative Rule was adopted during the meeting in which the Portland Plan received state approval. The rule was not, however, applied to the Portland Plan because the rule was not effective until it was filed with the Secretary of State's office on May 8, 1981.[38] (The complete text of the rule is in Appendix B.) The new rule established substantive and procedural requirements for the protection of resources that the City of Portland had not followed in formulating its Comprehensive Plan. Inventory methods and protective measures were the most obvious examples. The Oregon Legislative Assembly also enacted legislation in 1981 authorizing periodic review of all previously approved land use plans.[39] The combined effect of the 1981 legislation and Goal 5 Administrative Rule was a requirement that the City bring its plan into compliance with the new rule before its first periodic review. The Portland City Council adopted ordinances in 1982 and 1988 correcting most deficiencies relating to Statewide Planning Goal 5 requirements, but the Goal 5 Administrative Rule was not applied to specific sites in Portland's West Hills. West Hills natural resources must, therefore, be identified, and in certain cases protected, before the State will allow the City to complete periodic review. The following paragraphs outline the content of this protection plan and describe process required by

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Circuit Court has, however, issued one Stipulated Temporary Restraining Order in City of Eugene v. State Forester (Case 16-90-03217) which implies that the Board of Forestry and local governments have concurrent authority to regulate forest practices within urban growth boundaries.

38. The last sentence of this rule also provided a specific exemption for Portland.
39. Now codified as Oregon Revised Statutes, Chapter 197, Section 640.

the 1981 administrative rule to identify, evaluate, and protect natural resources.

Natural resources are identified in the inventory section of this protection plan. The inventory describes the location of each site in the Balch Creek Watershed, determines the quantity of the resources present on each site, and provides information needed to rank the quality of each site. The location of resource sites is shown on maps. Resource quantity was determined by visiting each site and noting the type and abundance of resources. The quality of a site was determined by comparing its resource values with all other sites of the same resource category. Resource values were identified through field surveys and literature searches, and by reviewing the materials and testimony presented to the Balch Creek Task Force. Comparisons are made first with all Balch Creek Watershed sites, then with other resource sites in the City of Portland. No Balch Creek Watershed sites are considered of such low importance that they are excluded from the inventory, and enough information was collected for each site to perform analyses required by state law.

The next section of this protection plan is an evaluation. The evaluation describes and analyzes the economic, social, energy, and environmental consequences of two possible events. One event is the destruction of known resources by uses allowed by existing zoning. The other event is the protection of known resources by prohibiting uses allowed by existing zoning. This protection plan borrows language from the Goal 5 Administrative Rule by calling allowed uses which may harm known resources, "conflicting uses".[40] The purpose of the analyses is to weigh potential harm to resources against expected benefits of continuing conflicting uses.

Regulations designed to limit or prohibit conflicting uses comprise the final section of this protection plan. After conflicting uses are identified and analyses are completed, the Goal 5 Administrative Rule provides for three types of zoning decisions. Conflicting uses can be prohibited in resource sites and in buffer areas surrounding resource sites. The Goal 5 Administrative Rule requires this protection when an analysis demonstrates both of the following: that existing zoning is not adequate to protect a resource, and that a resource is more important than benefits expected from continuing the conflicting uses. New zoning can also be enacted to limit, but not prohibit, conflicting uses. The rule requires this decision when an analysis demonstrates that existing zoning is not adequate to protect a resource, but does not demonstrate either of the following: that a resource is more important than a benefit expected from conflicting uses, or that a benefit is more important than a resource. Decisions can also be made to leave in place existing zoning that is not adequate to protect a known resource. The rule requires this decision when

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40. Oregon Administrative Rules, Chapter 660, Division 16.

an analysis demonstrates that an expected benefit of allowing a conflicting use is more important than a harmed resource.

This protection plan also examines conflicting uses for cumulative effects on the entire Balch Creek Watershed. Many regulations are designed to preserve watershed functions as a whole rather than protect specific resources at specific sites. Examples of protected functions include hydrology and erosion control. The adequacy of site specific and general regulations was determined by comparing the restrictions and prohibitions to be established against the requirements of state and federal law. Statewide Planning Goal 5, for example, does not allow every example of a resource type within a local jurisdiction to remain unprotected. Nor does it allow resources of regional, state, or national importance to remain unprotected if benefits from conflicting uses have only local importance. Individual resources of the same type must also be examined for their contribution to a resource category as a whole. In situations where a resource of moderate importance is near a similar resource of high importance, state law allows, and in some cases requires, the protection of both resources. Similar situations arise when clustered resources of only moderate importance comprise a functional unit of high importance. The continuation of uses with widespread benefits may also be required if they harm resources of only local importance. All of these factors must be considered in a program to achieve the purpose of Statewide Planning Goal 5.

Relation to Other Policies

Other Statewide Planning Goals

There are nineteen Statewide Planning Goals. Statewide Planning Goal 5 and fourteen other Statewide Planning Goals apply to the Balch Creek Watershed. Some of these goals establish a decision making process. Procedural Goals include Goal 1, Citizen Involvement, and Goal 2, Land Use Planning. These state mandated procedures were applied during the preparation, review, and presentation of the various drafts of this protection plan.

Other Statewide Planning Goals address specific topics. Examples include Goal 9, Economy of the State, Goal 10, Housing, and Goal 14, Urbanization. The uses addressed by these goals were identified as conflicting with natural resource protection and required analysis under the Goal 5 Administrative Rule. This protection plan incorporates the requirements of these goals with the analyses of economic, social, environmental, and energy consequences.

The Willamette River Greenway Goal, Statewide Goal 15, applies only to a small portion of the Balch Creek Watershed. In this portion the natural stream bed has been replaced by a buried sewer line. Goal 15 was therefore not considered by this protection plan.

Statewide Goals 16, 17, 18, and 19 apply only to coastal and ocean resources and do not apply to the Balch Creek Watershed.

Portland Comprehensive Plan Goal 8 - Environment

The purpose of Portland's Environment Goal is to, "**Maintain and improve the quality of Portland's air, water and land resources and protect neighborhoods and business centers from detrimental noise pollution.**" The policies and objectives of this goal generally meet or exceed the requirements of the Statewide Planning Goals 5. The City Council, city administrators, and city hearings officers make all decisions affecting the use of land in conformance with the policies of Portland's Comprehensive Plan. Since state approval of the Portland Plan in 1981, conformance with this plan also means conformance with the Statewide Planning Goals.

Ordinances adopted through 1988 added new Goal 8 policies committing the City to regulate development in groundwater areas, drainage ways, natural areas, scenic areas, wetlands, riparian areas, water bodies, uplands, wildlife habitats, aggregate sites, and in areas affected by noise and radio frequency emissions. These ordinances also established new Goal 8 objectives. These objectives commit the City to controlling hazardous substances; conserving aquifers, drainage ways, wetlands, water bodies, riparian areas, and fish and wildlife habitat; prioritizing properties for public acquisition, coordinating City regulations with the regulations of state, federal, and other affected local governments; avoiding harm to natural resources; mitigating unavoidable harm to natural resources; maintaining vegetative cover; improving water quality; and preventing soil erosion and stormwater flooding.

The policies and objectives of Comprehensive Plan Goal 8 meet the requirements of Statewide Planning Goal 5 and are thus incorporated in the section of this protection plan which analyzes economic, social, environmental, and energy consequences.

Other Portland Comprehensive Plan Goals

There are ten Portland Comprehensive Plan goals in addition to the City environment goal. These policies address metropolitan coordination, urban development, neighborhoods, housing, economic development, transportation, energy, citizen involvement, plan review and administration, and public facilities.

As with the Statewide Planning Goals, required procedures were addressed in the preparation, review, and presentation of this protection plan. Applicable goals are addressed in the analyses of economic, social, environmental, and energy consequences.

Northwest Hills Study Policies

The City of Portland initiated a study of the Northwest Hills in 1984. This study was prompted by both a general demand for housing sites in the West Hills and by the City's approval of a planned unit development northwest of the intersection of Cornell Road and Skyline Boulevard. This development will add 2,100 residential units to the West Hills. The Study stated the following problem: "...questions have been asked about the ability of the Northwest Hills to absorb dense levels of development. Questions were raised about the City's and other service provider's abilities to provide the public facilities and services that are necessary to support the new development. Specifically, questions have been raised concerning the impact of new development on existing neighborhoods and the natural environment, its impact on an already congested transportation system, adequacy of fire protection to the area, and lack of sewer service. An increasing amont of commuter traffic on N. W. Cornell Road and W. Burnside Street originating in Washington County has also been identified as a major concern."[41]

The Northwest Hills Study concluded that future development in the Balch Creek Watershed should be limited because of the fragile environment, significant natural and recreational values, and the absence of urban services, particularly sewers. The study's fourth land use policy states the City's intent to **"Restrict development of the environmentally sensitive Balch Creek drainage."**[42] The sixth policy states, **"In areas suitable for urban development, but where landslide hazards are predominant or natural conditions are unique and sensitive, restrict potential development densities to below what would otherwise be warranted."**[43] These policies are addressed in the analyses of economic, social, environmental, and energy consequences.

Balch Creek Task Force Recommendations

The Balch Creek Task Force is a panel of eleven citizens appointed by the City of Portland's Commissioner of Public Works. The Task Force was chartered to provide two recommendations to the Commissioner.[44] The first was for cost effective facilities to correct existing water quality violations in the Balch Creek Watershed. This recommendation was made on March 1, 1990. The Task Force advised the Commissioner to prepare a facilities plan to replace the failing Royal Highlands sewage treatment plant with a station which would pump effluent to an existing gravity sewer.[45] The

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41. Portland Bureau of Planning, *Northwest Hills Study: Final Policy, Code and Map Actions*, Adopted by the City Council November 27, 1985 by Ordinance 158017 (Portland, Oregon: 1985), p. 3.
42. ibidem, p. 49.
43. ibidem, p. 51.
44. The charter is Appendix H of this Report.
45. City of Portland, Oregon, *The Balch Creek Task Force Report on Cost Effective Facilities for Royal Highlands: A Preliminary Report to Commissioner Earl Blumenauer and the Portland Planning Commission* (Portland, Oregon: 1990), p. 1.

construction of a new gravity sewer through the watershed was considered but was not recommended. The Task Force reasoned that most future residential development could be accommodated either by the new pumping station or, for lots of two acres or larger, by well maintained, on site, septic systems.[46]

The Task Force was also chartered to recommend an appropriate level of urban development for the Balch Creek Watershed based on the facilities proposed by their first recommendation. This protection plan shifts, reduces, and increases future urban development in accord with the pumping station recommendation.

Relation to other Studies

Mineral and Aggregate Sites

The City has completed its inventory, analysis, and recommendations for mineral and aggregate sites.[47] This inventory identified one potential aggregate site in the Balch Creek Watershed.[48] This site was not considered important and was deleted from the inventory.[49] All decisions concerning the use of mineral and aggregate resources in the Balch Creek Watershed have been made, so this protection plan does not address this use in the analyses of economic, social, environmental, and energy consequences.

Scenic Resources

The City Planning Commission has recommended a Scenic Resources Protection Plan to the City Council.[50] This plan designates Balch Creek, and the portions of N.W. Cornell Road, N.W. 53rd Drive, N.W. Skyline Boulevard, and N.W. Thompson Road within the Balch Creek Watershed as scenic corridors.[51] A companion volume to the Scenic Resources Protection Plan contains the required Statewide Planning Goal 5 analysis for these recommendations.[52] The Scenic Resources Protection Plan also recommends the adoption of new zoning code provisions. The new zoning code recommended by the Scenic Plan describes the relationship of scenic and environmental protection measures as follows: **"When an environmental zone has been applied at the location of a designated scenic resource, the environmental review must include consideration of the scenic qualities of the resource as identified in the ESEE** [economic, social,

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46. ibidem
47. Portland Bureau of Planning, Mineral and Aggregate Resource Inventory (Portland, Oregon: 1988), 27 pages.
48. ibidem, p. 11.
49. Portland Bureau of Planning, *Addendum to Mineral and Aggregate Resource Inventory* (Portland, Oregon: 1989), p. 1.
50. Portland Bureau of Planning, *Scenic Views, Sites, and Corridors: Scenic Resources Protection Plan* (Portland, Oregon: 1990) nine parts, multiple volumes.
51. ibidem, part vi, page 69.
52. ibidem, part ix, volume vi-Scenic Corridors, 97 pages.

environmental, and energy consequences] **Analysis for Scenic Resources. The development standards of** [the scenic protection chapter] . . . . . **must be applied as part of that** [environmental] **review."**[53] The inventory, analysis, and regulations of the Scenic Resources Protection Plan are incorporated with the Balch Creek Watershed Protection Plan by reference and are not repeated in the analysis section of the Balch Creek Watershed Protection Plan. Scenic value was only one factor weighed in the Bureau of Planning's decisions to recommend environmental protection for sites within the Balch Creek Watershed. Regulations in the form of scenic corridor development standards have already been recommended by the Scenic Resources Protection Plan for the portions of N.W. Cornell Road, N.W. 53rd Drive, N.W. Skyline Boulevard, and N.W. Thompson Road within the Balch Creek Watershed. These scenic standards are not repeated in the regulations section of the Balch Creek Watershed Protection Plan, but will be applied during environmental reviews. Separate scenic regulations for Balch Creek are not provided, because the level of protection provided by the regulations of the Balch Creek Watershed Protection Plan applicable to Balch Creek itself greatly exceed the level of protection provided scenic corridors by the Scenic Resources Protection Plan.

Sewer Facilities

The city of Portland's Bureau of Environmental Services has prepared an interceptor sewer plan carrying out the first recommendation of the Balch Creek Task Force. This plan states, **"Pumping** [of untreated effluent from the the Royal Highland subdivision] **to** [an existing] **City of Portland** [gravity sewer] **via West Burnside** . . . . . [Street] **(With Inverted Siphon), is selected as the preferred alternative and is recommended for presentation** [to the United States Environmental Protection Agency] . . . . . **as the alternative eligible for Federal assistance."**[54] This protection plan assumes that this recommendation will be carried out. This assumption is one factor considered in the urban services and public facilities portions of the analyses of economic, social, environmental, and energy consequences.

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53. ibidem, part vi, proposed code 33.480.050 pages 41 and 42. Language in brackets is not part of the original.
54. Murray, Smith and Associates, Inc.; Oman/Jerrick Associates; and CENTRAC for the Portland Bureau of Environmental Services, *Royal Highlands: Interceptor Sewer Facilities Plan* (Portland, Oregon: 1990), p. 9-1. Language in brackets not part of the original.

INVENTORY

Process

This protection plan examines fifteen sites. Thirteen of these sites are within the City of Portland. These sites are numbered from 73 to 85. Two Multnomah County sites were examined as well. These sites were assigned the letters "A" and "B".

Site Selection

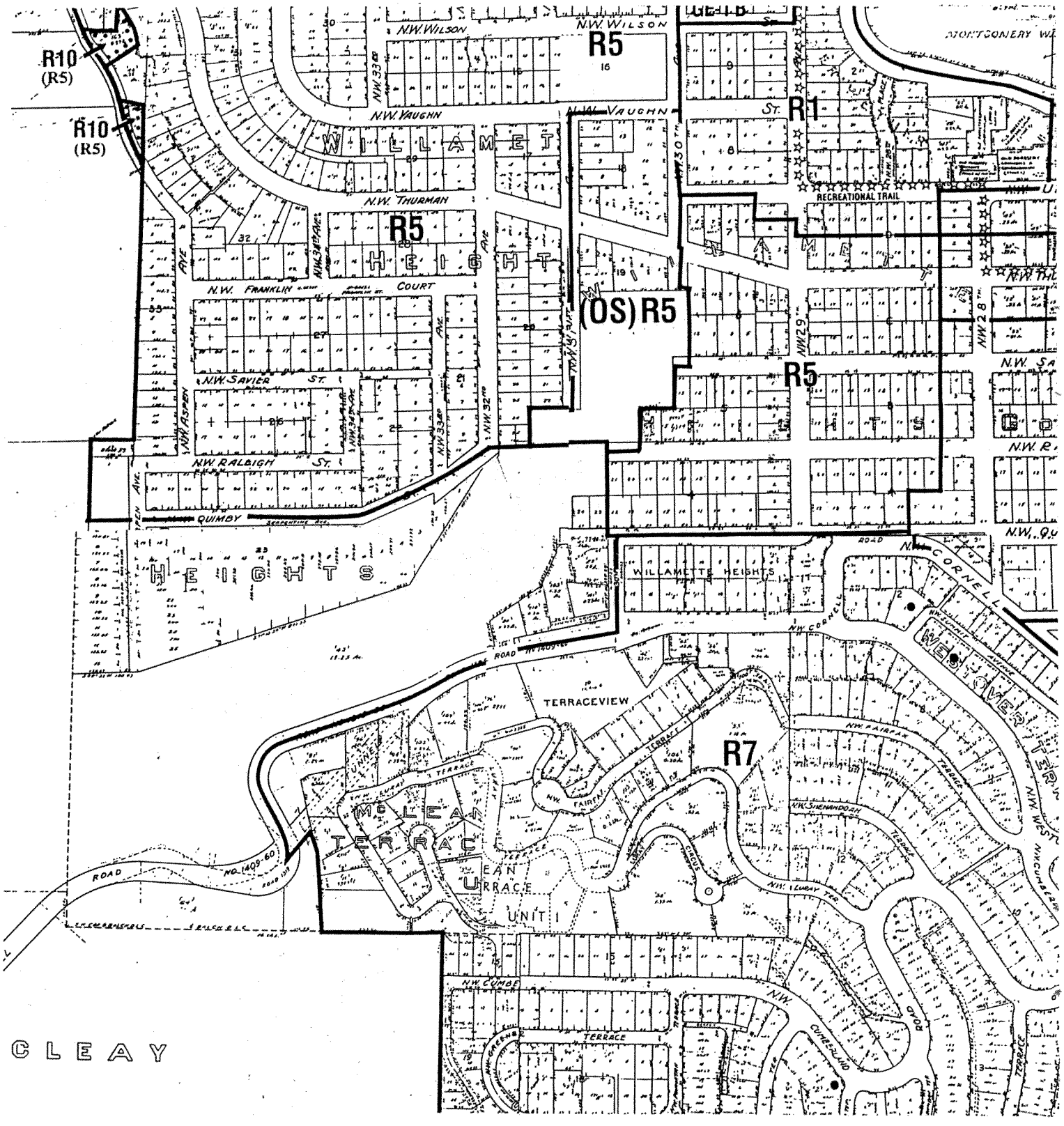
All of the Balch Creek Watershed was examined. Detailed field work was conducted on the thirteen City sites. Contiguous land with similar resources and similar zoning was combined to form these sites. Sites range in size from three acres to two hundred acres.

Inventory Method

Each site was visited and examined for resource functions and values. The only numerically measured value was wildlife habitat. Balch Watershed wildlife habitat scores ranged from 22 to 102, on a possible scale from zero to 116. All 85 City sites scored to date range from 17 to 106. Balch Creek Watershed wildlife habitat scores are among the highest in the City. Balch Creek Watershed functions like flood control, groundwater recharge, and pollution control rated highly. Fish habitat, scenery, recreational, and educational values also rate highly. All these functions and values were considered in determining the quality of a site.

Site Inventory Summaries

Individual site summaries follow. These summaries describe the location, quantity, and quality of resource values and functions for each site. A conclusion states the value of the site in relation to all other City sites examined.



Site 73 Existing Zoning	North 0 200' 400' Scale Bureau of Planning • City of Portland	BALCH CREEK WATERSHED PROTECTION PLAN

Site 73
Area in and near the Lower Macleay Park Lavatories, Parking Lot, and Lawn

NEIGHBORHOODS: Forest Park and Northwest
QUARTER SECTION MAPS: 2825 and 2826
APPROXIMATE AREA: Three Acres
OWNERSHIPS: Eight
PROPERTIES: Ten

Tax Account	Base Zone	Overlay Zone	Comp Plan	Acres
R-91340-2460	R5	none	OS	00.11
R-91340-2470	R5	none	OS	01.10
R-91340-2560	R5	none	OS	00.14
R-91340-2570	R5	none	OS	00.15
R-91340-2580	R5	none	OS	00.15
R-91340-2590	R5	none	OS	00.11
R-91340-2600	R5	none	OS	00.11
R-91340-2610	R5	none	OS	00.64
R-91340-2660	R5	none	OS	00.09
R-91340-2670	R5	none	OS	00.11

DATE OF LAST FIELD INVENTORY: April 28, 1990

WETLANDS HABITAT CLASSIFICATIONS: Full-Year Stream with a Riparian Gallery.

UPLANDS HABITAT CLASSIFICATIONS: Artificial Meadow (park lawn) with Second Growth Forest on slopes. Ornamental dawn redwoods planted next to lawn.

WILDLIFE HABITAT ASSESSMENT SCORE: 90

TYPES OF RESOURCES: Fish and wildlife habitat, rare flora and fauna, historic, open space, scenic, recreational, educational.

QUANTITY OF RESOURCES: There is more water per unit of area on this Site 73 than any other site in the watershed. Site 73 contains about two acres of park lawn and one acre of forest. The stream, forest, and lawn provide recreational, scenic, educational and open space resources. Four historic resources are on the site and three more, associated with the site, are nearby.

QUALITY OF RESOURCES: The stream provides very high fishery habitat values, but these values are diminished by a vertical section of concrete which restricts passage of fish to the upper stream spawning beds. Trapped fish provide educational value, but are lost from the population because they are periodically flushed into a storm sewer that does not support aquatic life. Wildlife values on this site would not be considered high, except for the fact that this site is close enough to provide water for

animals using better forest cover on adjacent, dryer sites. Educational, scenic, and open space resources are all high. Historic resources on the site are medium to low when considered individually, but high when considered as an historic assemblage associated with Danforth Balch. The the original Balch home built in 1850 was located on this site.[55] The site also contains remnants of water works purchased by the City of Portland in 1864,[56] remnants of sluicing flumes from a failed 1906 development[57], and the 1905 Thurman Street Bridge[58]. Two nearby homes were owned by Anna Hamilton, the remarried widow of Danforth Balch. One of these is of medium significance and was built in 1890 at 2729 N.W. Savier Street.[59] The other is of low significance and built in 1889 at 2748 N.W. Thurman Street.[60] Another nearby home was built in 1872 at 2149 N.W. 32nd Avenue, and this house has high historic significance.[61] Balch Creek is also worthy of scenic corridor status.[62] Rare species include a native isolated population of cutthroat trout, western wahoo shrubs, and dawn redwoods.

CONCLUSION: Site 73 is of high significance.

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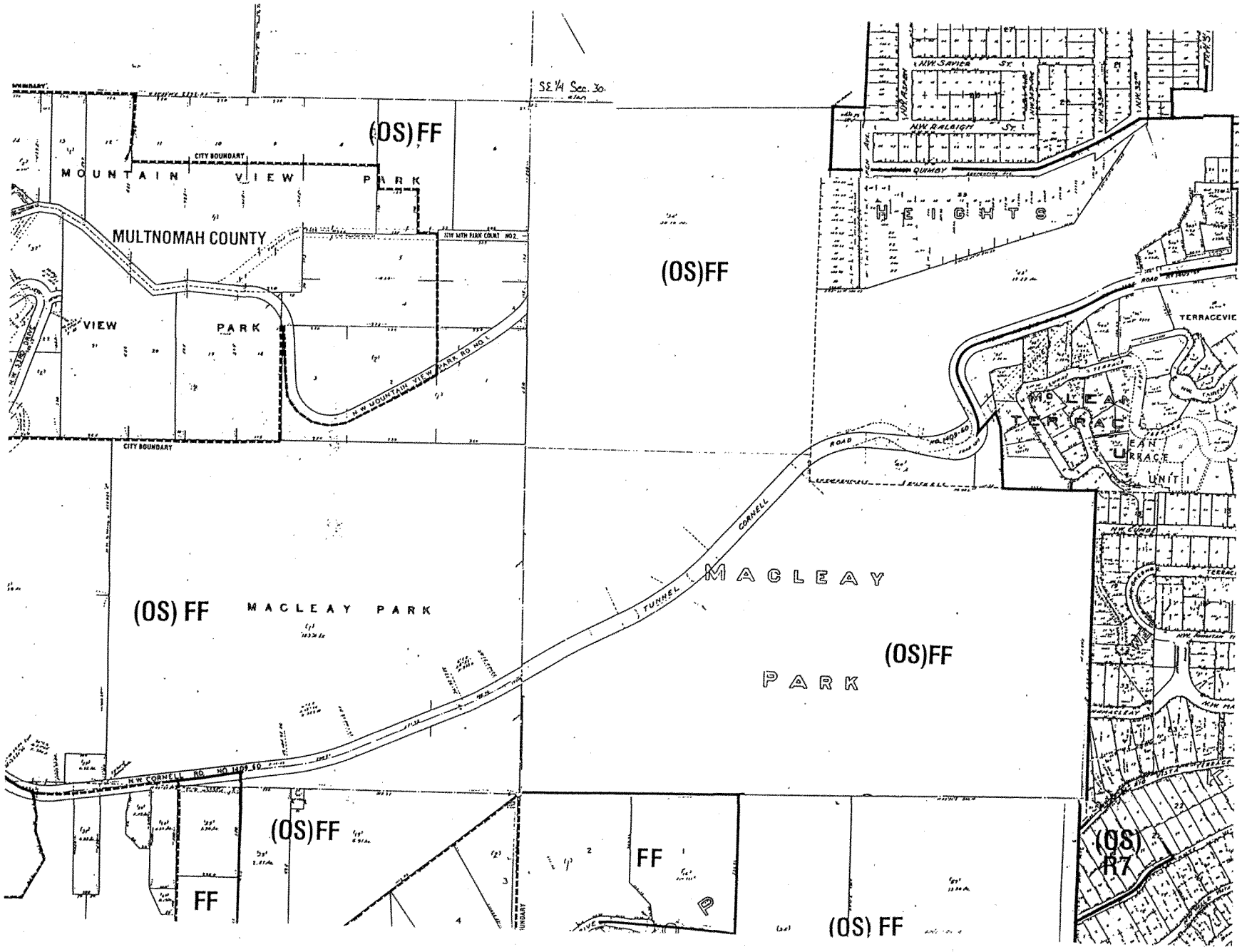
55. Portland Bureau of Planning, *Historic Resource Inventory* (Portland, Oregon: 1984) 14 loose leaf volumes, inventory number 2-888-03021.
56. idem, inventory number 2-888-03022.
57. idem, inventory number 2-888-03024. The scheme involved the construction of 14 miles of flume along the north side of Balch Creek by Lafe Pence, a California developer. The water was to be used to sluice the soil from Willamette Heights to fill in Guild's Lake. The fill was to be used for industrial developments, and the remaining terraced slopes for were to be used for residential development. Public opposition (members of the City Council broke up the flume with axes) and the instability of the Wilamette Heights slopes caused the project to be abandoned in 1910.
58. idem, inventory number 2-888-03010.
59. idem, inventory number 2-782-02729.
60. idem, inventory number 2-888-02748.
61. idem, inventory number 2-032-02149.
62. Portland Bureau of Planning, *Scenic Views, Sites, and Corridors: Scenic Resources Protection Plan* , part vi, map facing page vi7.

Site 74
Existing Zoning



North

Bureau of Planning • City of Portland

Scale 0 200' 400'

BALCH CREEK
WATERSHED PROTECTION PLAN

Site 74

Area in and near Lower Macleay Park South of the Lawn

NEIGHBORHOOD: Forest Park and Northwest
QUARTER SECTION MAPS: 2924, 2925, and 2926
APPROXIMATE AREA: One Hundred and Ninety-Six Acres
OWNERSHIPS: Seven
PROPERTIES: Eighteen

Tax Account	Base Zone	Overlay Zone	Comp Plan	Acres
R-59030-0010	FF	none	OS	05.34
R-59030-0170	FF	none	OS	04.00
R-59030-0260	FF	none	OS	03.28
R-59030-0310	FF	none	OS	03.16
R-59030-0370	FF	none	OS	05.65
R-91340-3390	FF	none	OS	02.87
R-91340-3740	FF	none	OS	02.13
R-94129-0190	FF	none	OS	16.90
R-94129-0200	FF	none	OS	52.43
R-94131-0010	FF	none	OS	49.00[63]
R-94132-0320	FF	none	OS	00.32
R-94132-0340	FF	none	OS	30.16
R-94132-0430	FF	none	OS	19.25
R-94132-0840	FF	none	OS	00.23
R-94132-0890	FF	none	OS	00.23
R-94132-1010	FF	none	OS	00.23
R-94132-1050	FF	none	OS	00.35
R-94132-1100	FF	none	OS	00.36

DATE OF LAST FIELD INVENTORY: April 28, 1990

WETLANDS HABITAT CLASSIFICATIONS: Full-Year Stream with a Hardwood Riparian Gallery.

UPLANDS HABITAT CLASSIFICATIONS: Mixed First and Second Growth Conifer Forest.

WILDLIFE HABITAT ASSESSMENT SCORE: 95

TYPES OF RESOURCES: Fish and wildlife habitat, rare flora and fauna, historic, open space, scenic, recreational, educational.

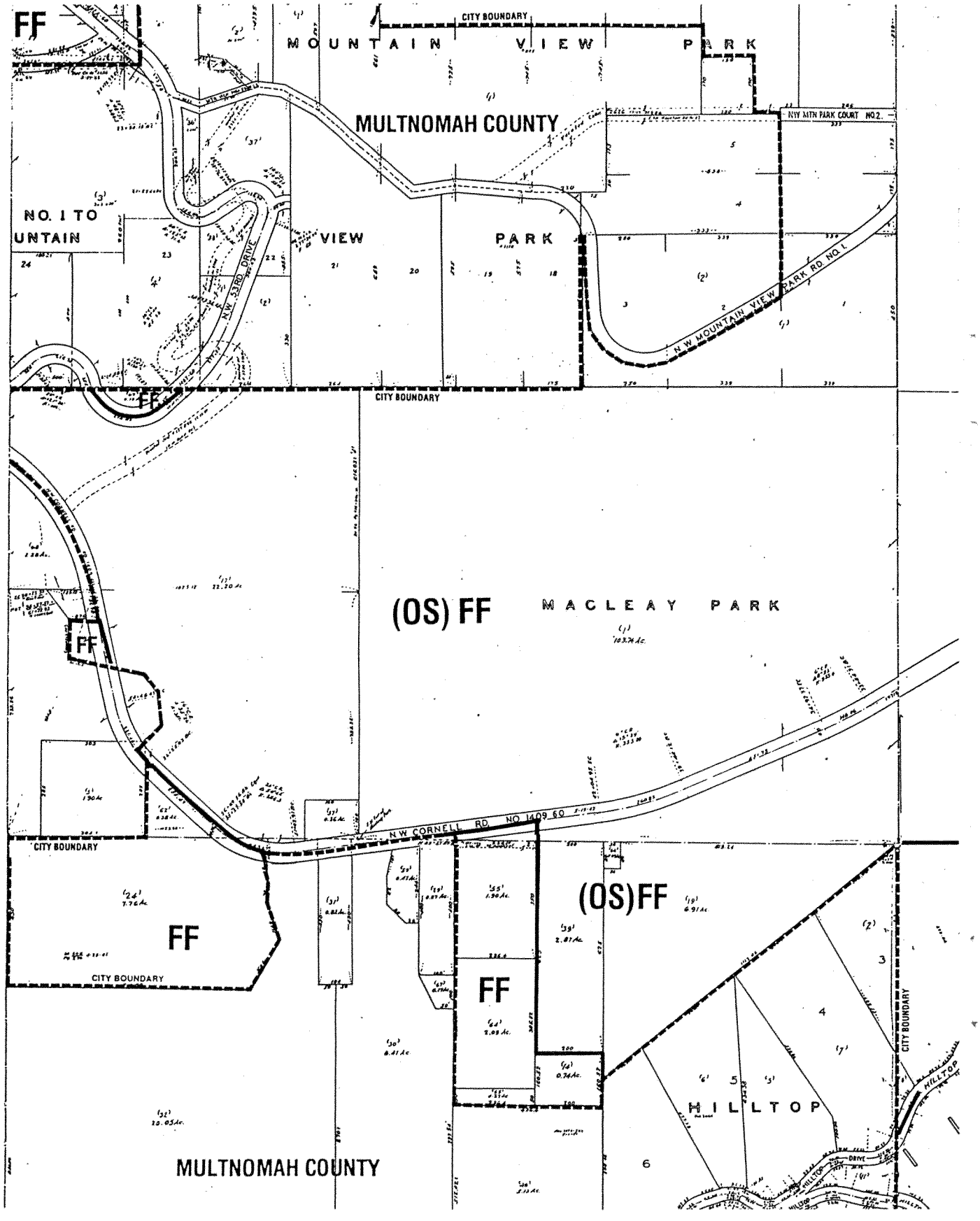
QUANTITY OF RESOURCES: About 180 acres of forested open space with a full-year stream, two hiking trails, and two historic resources.

63. The total area of this parcel is 103.74 acres. Portions of this parcel are included in three separate sites for inventory purposes.

QUALITY OF RESOURCES: Fish habitat is of the highest quality. Wildlife habitat, open space, recreation, and educational opportunities are of high quality. The stream supports cutthroat trout. Rare flora includes old conifers and an unusual shrub called western wahoo. Balch Creek is very scenic.[64] There are two historic resources in this site. The first is the Park itself which is of low historic significance. About 50 acres of this site is from the original Macleay Donation.[65] There is a WPA stonework building at the conjunction of Wildwood and Lower Macleay Trails. It was built in 1932 and provided public lavatories until its water supply was destroyed by the Columbus Day storm of 1962. This building is of moderate historic significance.[66]

CONCLUSION: Site 74 is of very high significance.

64. Portland Bureau of Planning, *Scenic Views, Sites, and Corridors: Scenic Resources Protection Plan* , part vi, map facing page vi7.
65. Portland Bureau of Planning, *Historic Resource Inventory* , inventory number 2-888-03020.
66. idem, inventory number 2-888-03026.



Site 75 **Existing Zoning**	North 0 200' 400' Scale Bureau of Planning • City of Portland	**BALCH CREEK** WATERSHED PROTECTION PLAN

Site 75

Area in and near the Portland Audubon Society's Pittock Sanctuary

NEIGHBORHOOD: Forest Park
QUARTER SECTION MAPS: 2923 and 2924
APPROXIMATE AREA: Twenty-Three Acres
OWNERSHIPS: Two
PROPERTIES: Three

Tax Account	Base Zone	Overlay Zone	Comp Plan	Acres
R-94131-0170	FF	none	OS	22.20
R-94131-0570	FF	none	OS	00.36
R-94131-0690	FF	none	OS	00.18

DATE OF LAST FIELD INVENTORY: April 28, 1990

WETLANDS HABITAT CLASSIFICATIONS: Full-Year Forested Stream with a Hardwood Riparian Gallery and an Artificial Pond.

UPLANDS HABITAT CLASSIFICATIONS: Mixed First and Second Growth Conifer Forest.

WILDLIFE HABITAT ASSESSMENT SCORE: 90

TYPES OF RESOURCES: Fish and wildlife habitat, rare flora and fauna, historic, open space, scenic, recreational, educational.

QUANTITY OF RESOURCES: About 20 acres of forested open space with a full-year stream, an artificial pond, many trails, and an historic resource.

QUALITY OF RESOURCES: Site 75 would have the same natural values as Site 74 if it were not managed so intensely for educational use. Fish habitat is degraded by a culvert which inhibits fish passage. Fish habitat would be degraded further if State permitted levels of water withdrawals were used to fill an existing artificial pond. Wildlife habitat is degraded by a high number of trails per unit of area. The site also suffers from intrusion from exotic and naturalized plant species. Recreation and the enjoyment of open space are degraded by trail placement and design. The site does, however, have significant natural values and contributes to the values of surrounding sites. Balch Creek is scenic.[67] The sanctuary is also an historic resource of moderate significance.[68] The site provides more educational value than any other site in the watershed. The intensity of human use is mitigated by a ban on pets. The site also contains cutthroat trout and a large sequoia specimen.

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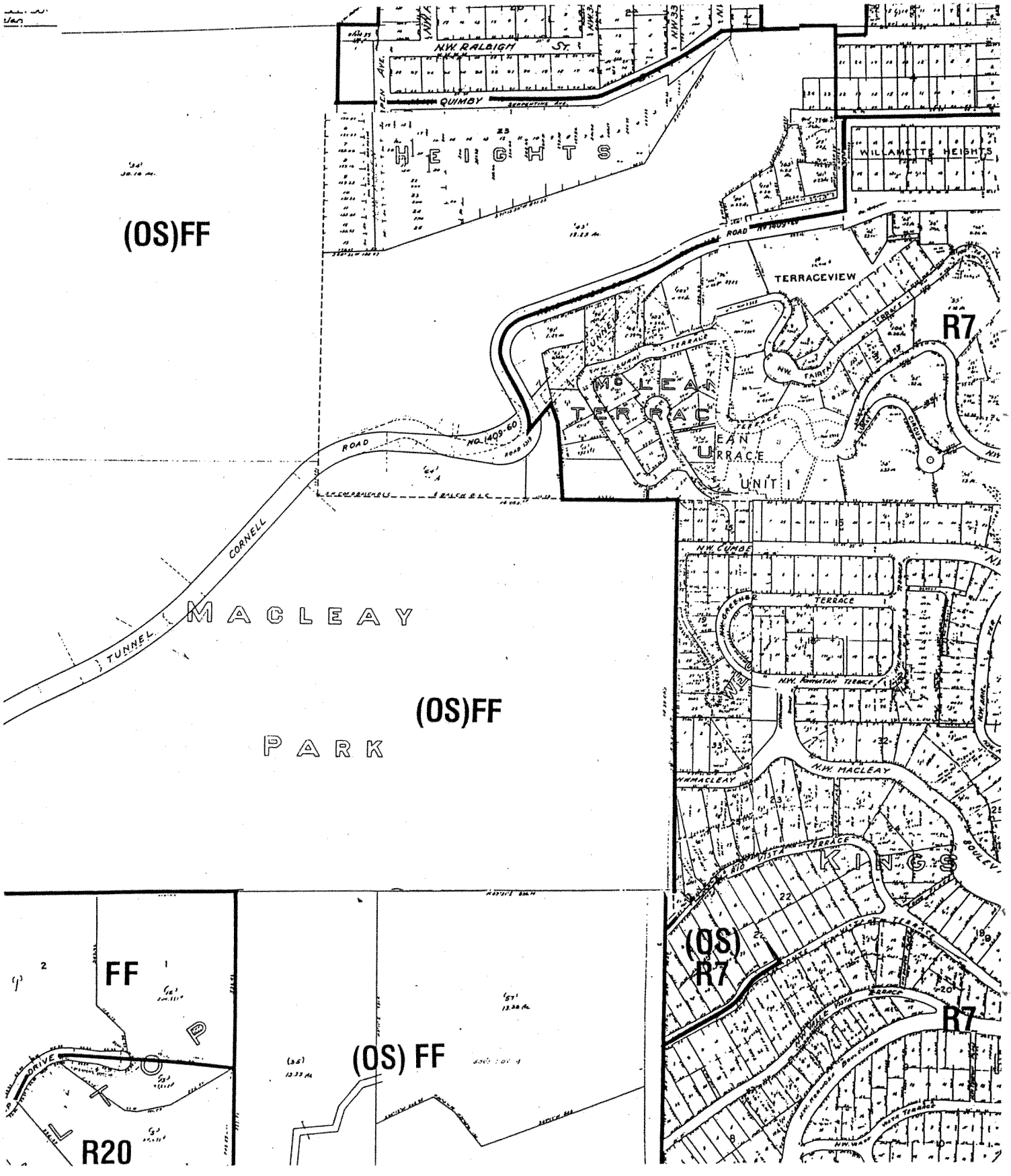
67. Portland Bureau of Planning, *Scenic Views, Sites, and Corridors: Scenic Resources Protection Plan* , part vi, map facing page vi7.
68. Portland Bureau of Planning, *Historic Resource Inventory*, inventory number 2-183-05151.

CONCLUSION: The site is of High Significance.



Site 76 **Existing Zoning**	North 0 200' 400' Scale Bureau of Planning • City of Portland	**BALCH CREEK** WATERSHED PROTECTION PLAN

Site 76
Area Between Cornell Road Tunnels, and in and near Upper Macleay Park

NEIGHBORHOOD: Forest Park and Hillside
QUARTER SECTION MAPS: 2925, 2926, 3025, and 3026
APPROXIMATE AREA: Ninety-one Acres
OWNERSHIPS: Thirteen
PROPERTIES: Twenty

Tax Account	Base Zone	Overlay Zone	Comp Plan	Acres
R-45200-4230	R7	none	OS	01.26
R-45200-4450	R7	none	OS	01.11
R-55150-0010	R7	none	R7	00.23
R-55150-0020	R7	none	R7	00.19
R-55150-0030	R7	none	R7	00.23
R-55150-0050	R7	none	R7	00.99
R-82460-0320	R7	none	R7	01.78
R-94131-0010	FF	none	OS	35.00[69]
R-94132-0350	FF	none	OS	13.33
R-94132-0360	FF	none	OS	17.16
R-94132-0570	FF	none	OS	13.80
R-94132-0640	FF	none	OS	01.80
R-94132-0910	R7	none	R7	01.29
R-94132-0930	R7	none	R7	00.34
R-94132-0940	R7	none	R7	00.39
R-94132-0960	R7	none	R7	00.40
R-94132-1030	R7	none	R7	00.29
R-94132-1040	R7	none	R7	00.70
R-94132-1090	R7	none	R7	00.44
R-94132-1260	R7	none	R7	00.42

DATE OF LAST FIELD INVENTORY: April 20, 1990

WETLANDS HABITAT CLASSIFICATIONS: Full-Year Stream with Wet Tolerant Conifers in Riparian Galleries

UPLANDS HABITAT CLASSIFICATIONS: Mixed First and Second Growth Conifer Forest.

WILDLIFE HABITAT ASSESSMENT SCORE: 102

TYPES OF RESOURCES: Wildlife habitat, rare flora and plant communities, historic, open space, scenic, recreational, educational.

QUANTITY OF RESOURCES: About 80 acres of forested open space with full-year tributary streams, two hiking trails, and two historic resources.

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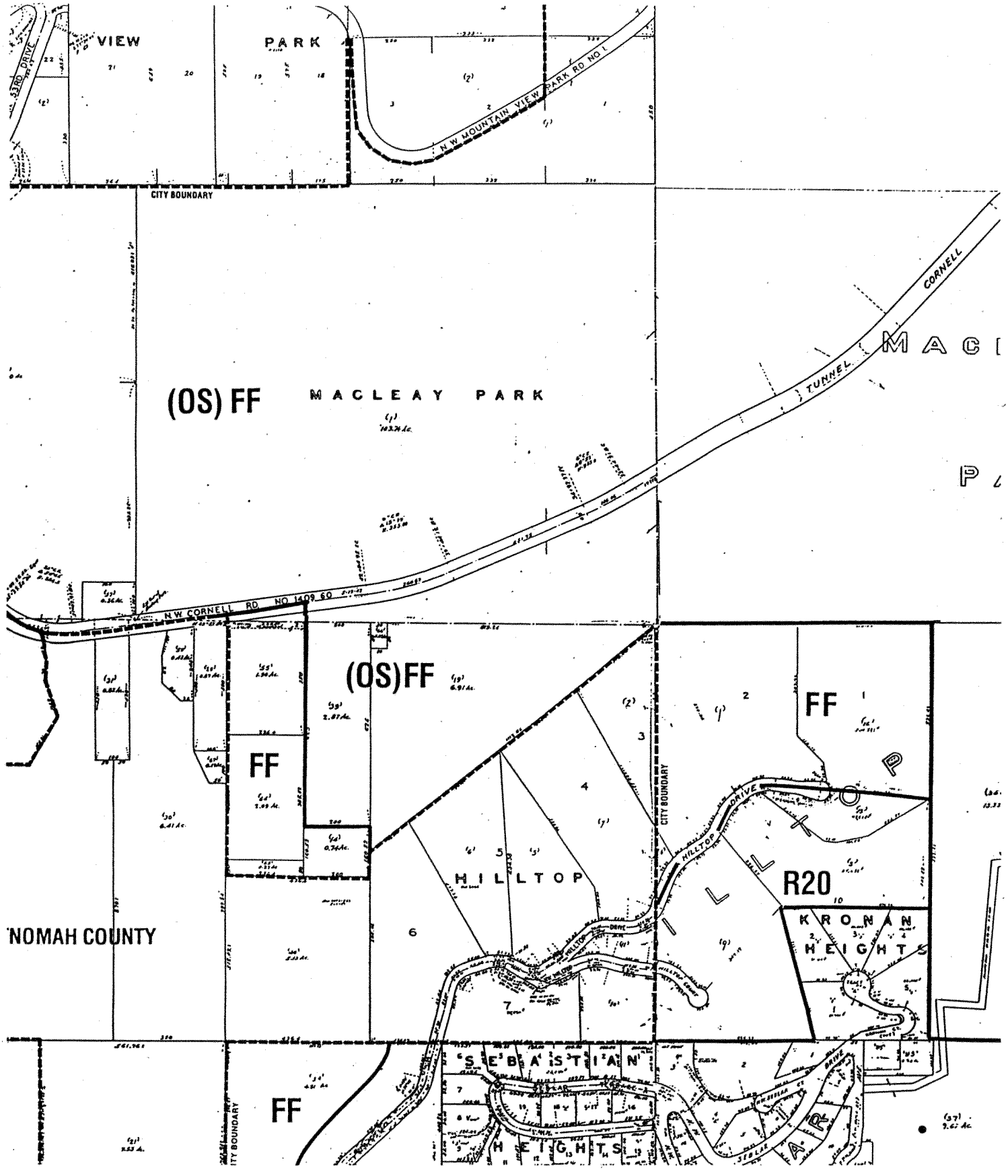
69. The total area of this parcel is 103.74 acres. Portions of this parcel are included in three separate sites for inventory purposes.

QUALITY OF RESOURCES: The forest is of the highest quality and represents a rare late successional community. It contains a variety of shade tolerant herbs and shrubs including cascara, a once abundant shrub now rare because of over collecting for pharmaceutical use. Recreation, open space and scenic resources are also of the highest quality. Cornell Road is worthy of scenic corridor status.[70] The two Cornell Road tunnels are historic resources of moderate significance.[71] A gravel area once considered a potential aggregate site has been determined to be of no significance.[72]

CONCLUSION: Site 76 is of the highest significance

70. Portland Bureau of Planning, *Scenic Views, Sites, and Corridors: Scenic Resources Protection Plan*, part vi, map facing page vi7.
71. Portland Bureau of Planning, Historic Resource Inventory, inventory numbers 2-183-0330 and 2-183-0430.
72. Portland Bureau of Planning, *u*, p. 1.



Site 77 Existing Zoning	North 0 200' 400' Scale Bureau of Planning • City of Portland	BALCH CREEK WATERSHED PROTECTION PLAN

Site 77
Area West of Cornell Road Tunnels in or near Adams and Upper Macleay Parks

NEIGHBORHOOD: Forest Park
QUARTER SECTION MAPS: 2924 and 3024
APPROXIMATE AREA: Thirty-Seven Acres
OWNERSHIPS: Five
PROPERTIES: Eight

Tax Account	Base Zone	Overlay Zone	Comp Plan	Acres
R-94131-0010	FF	none	OS	20.00[73]
R-94131-0140	FF	none	FF	00.74
R-94131-0190	FF	none	OS	06.91
R-94131-0390	FF	none	OS	02.87
R-94131-0550	FF	none	FF	01.90
R-94131-0640	FF	none	FF	02.09
R-94131-0650	FF	none	FF	00.27
R-94131-0660	FF	none	OS	00.09

DATE OF LAST FIELD INVENTORY: April 20, 1990

WETLANDS HABITAT CLASSIFICATIONS: Intermittent Forested Stream with a Conifer Riparian Gallery.

UPLANDS HABITAT CLASSIFICATIONS: Mixed First and Second Growth Forest; Developed Land is Used for Residences and a Community Garden.

WILDLIFE HABITAT ASSESSMENT SCORE: 97

TYPES OF RESOURCES: Wildlife habitat, Rare Flora and Plant Communities, Open Space, Scenic, Recreational, Educational.

QUANTITY OF RESOURCES: About thirty acres of open space, over half of this is forested.

QUALITY OF RESOURCES: The forested eastern portion of Site 77 is the near equal of Site 76. Site 77 has slightly less water than Site 76, but some of the trees on Site 77 are among the largest in the City. The western portion of Site 77 has three residences and a cleared area used as a community garden. These features reduce the wildlife value of the western portion of Site 77.

CONCLUSION: The eastern portion of Site 77 is of very high significance, while the western portion is of high significance.

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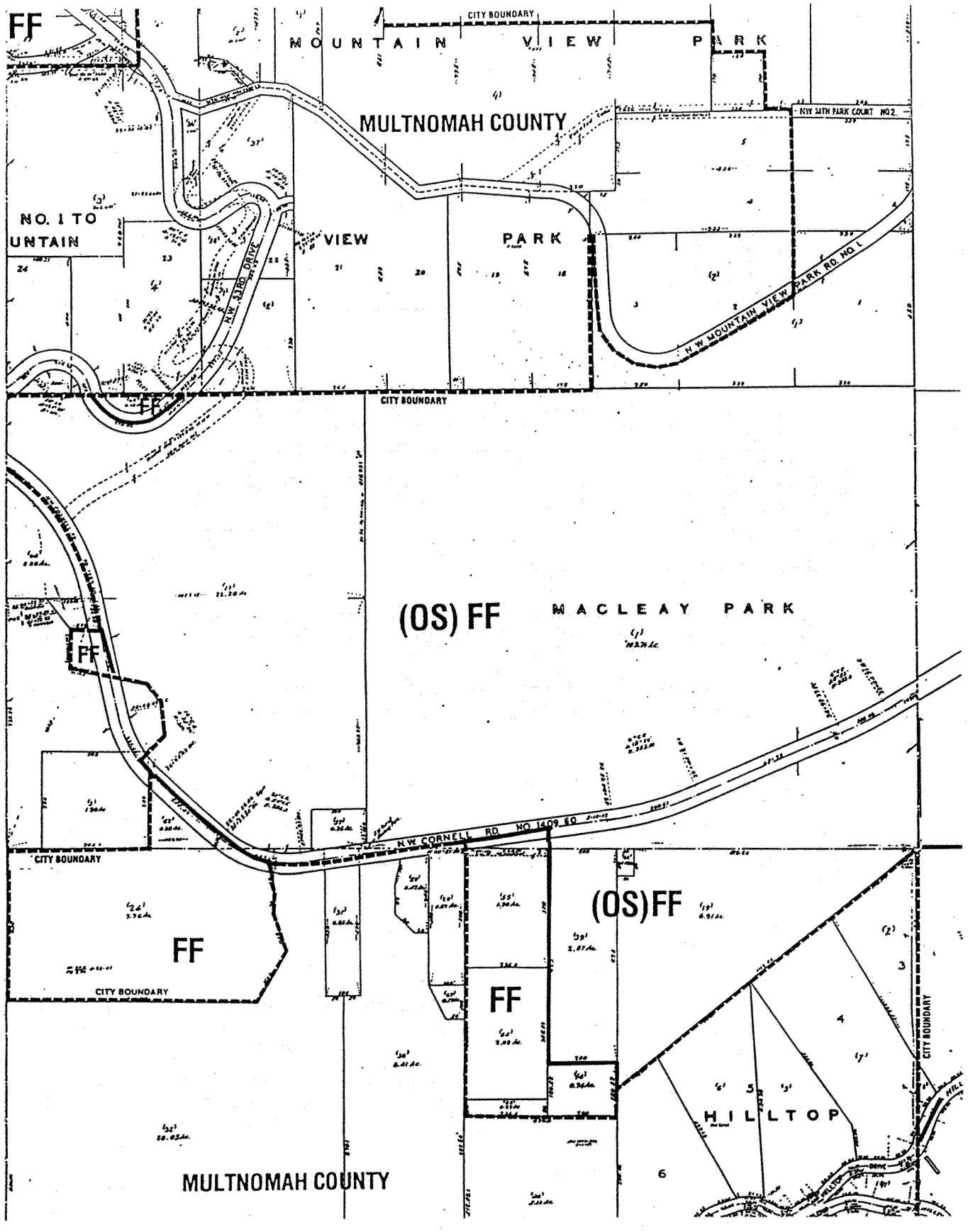
73. The total area of this parcel is 103.74 acres. Portions of this parcel are included in three separate sites for inventory purposes.



Site 78 Existing Zoning	North 0 200' 400' Scale Bureau of Planning • City of Portland	BALCH CREEK WATERSHED PROTECTION PLAN

Site 78

Area of New Construction near Audubon Caretaker House

NEIGHBORHOOD: Forest Park
QUARTER SECTION MAPS: 2924 and 3024
APPROXIMATE AREA: Eight Acres
OWNERSHIPS: One
PROPERTIES: Two

Tax Account	Base Zone	Overlay Zone	Comp Plan	Acres
R-94131-0240	FF	none	FF	07.76
R-94131-0620	FF	none	FF	00.38

DATE OF LAST FIELD INVENTORY: April 28, 1990

WETLANDS HABITAT CLASSIFICATIONS: Riparian Gallery

UPLANDS HABITAT CLASSIFICATIONS: Second Growth Mixed Conifer Hardwood Forest

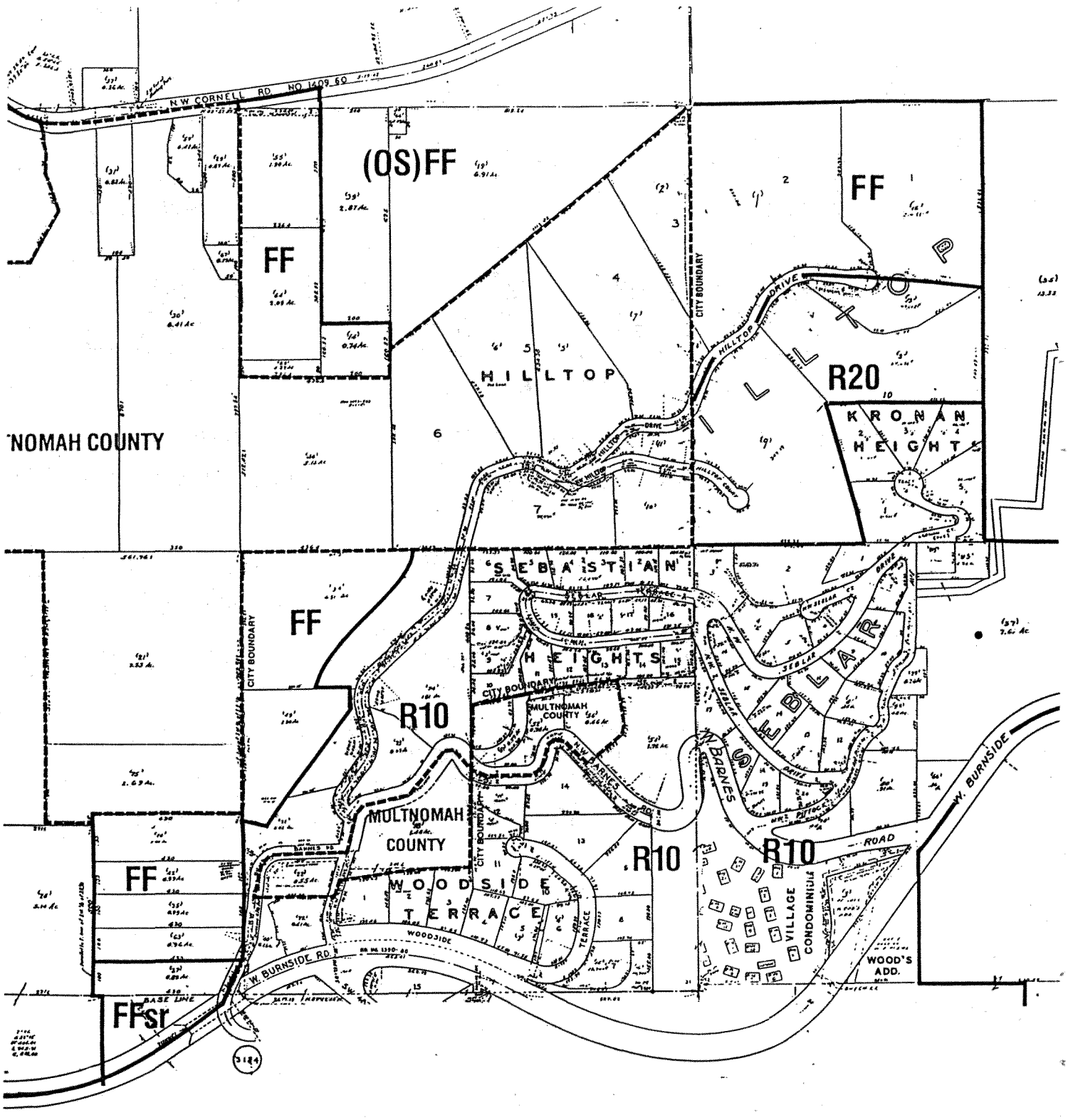
WILDLIFE HABITAT ASSESSMENT SCORE: 79

TYPES OF RESOURCES: Wildlife and Scenic

QUANTITY OF RESOURCES: Eight acres of forested open space except for one home site and an access drive.

QUALITY OF RESOURCES: The forest on Site 78 is of medium to high quality, with conifers growing above a hardwood canopy. Site 78 provides high quality scenery along Cornell Road. Site 78 is valuable because it provides cover to an adjacent Audubon Society Property in unincorporated Multnomah County. The Audubon property has year-round water but lower quality cover.

CONCLUSION: Site 78 is of high significance.



Site 79 Existing Zoning	North 0 200' 400' Scale Bureau of Planning • City of Portland	BALCH CREEK WATERSHED PROTECTION PLAN

Site 79

Areas near intersection of Barnes Road and Hilltop Drive

NEIGHBORHOOD: Forest Park
QUARTER SECTION MAPS: 3024, 3025, and 3124
APPROXIMATE AREA: Twenty-Six Acres
OWNERSHIPS: Nine
PROPERTIES: Eleven

Tax Account	Base Zone	Overlay Zone	Comp Plan	Acres
R-39000-0010	FF	none	FF	07.70
R-39000-0100	FF	none	FF	04.70
R-94131-0270	FF	sr	FF	00.89
R-94131-0340	FF and R10	none	FF	04.51
R-94131-0350	FF	none	FF	00.99
R-94131-0420	FF	none	FF	00.99
R-94131-0490	FF and R10	none	FF	02.50
R-94131-0630	FF	none	FF	00.96
R-94131-0760	FF	none	FF	01.40
R-94131-0770	R10	none	FF	00.82
R-99106-2710	FF	sr	FF	00.97

DATE OF LAST FIELD INVENTORY: January 24, 1990

UPLANDS HABITAT CLASSIFICATIONS: Second Growth Mixed Conifer and Hardwood Forest

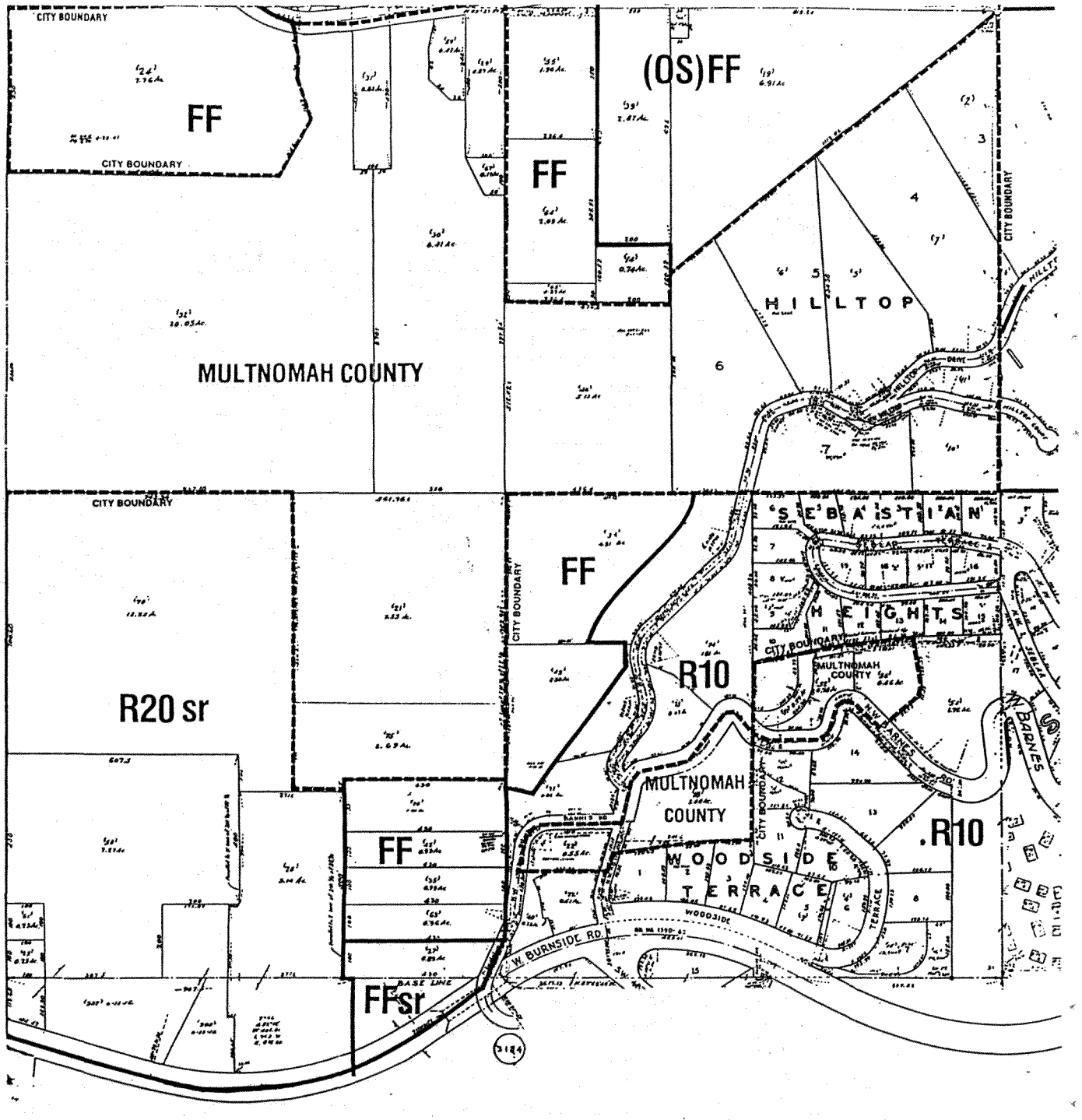
WILDLIFE HABITAT ASSESSMENT SCORE: 59

TYPES OF RESOURCES: Wildlife and Scenic

QUANTITY OF RESOURCES: About twenty acres of forest.

QUALITY OF RESOURCES: Site 79 is mapped as two separate areas. But since these areas are separated by an unincorporated area with very similar forest cover, topography, and development pattern, the City portions form a functional whole and are included in a single site inventory. The forest is fragmented by residences and ornamental plantings on the south side of Site 79. The forest cover becomes contiguous sloping north into Macleay Park and northwest into Audubon Sanctuaries in unincorporated Multnomah County. There are dry ravines in the forest which carry water during storms. The forest cover provides flood control as well wildlife values. The forest also provides high quality scenery from Barnes Road and Hilltop Drive.

CONCLUSION: The southern portion of Site 79 is of medium significance and the northern portion of Site 79 is of high significance.



Site 80 **Existing Zoning**	North 0 200' 400' Scale Bureau of Planning • City of Portland	**BALCH CREEK** WATERSHED PROTECTION PLAN

Site 80

Area in or near the proposed Pittock Place, Planned Unit Development

NEIGHBORHOOD:
QUARTER SECTION MAPS: 3024 and 3123
APPROXIMATE AREA: Twenty-Nine Acres
OWNERSHIPS: Four
PROPERTIES: Seven

Tax Account	Base Zone	Overlay Zone	Comp Plan	Acres
R-94131-0250	R20	sr	R20	00.23
R-94131-0280	R20	sr	R20	05.14
R-94131-0580	R20	sr	R20	07.17
R-94131-0610	R20	sr	R20	00.23
R-94131-0700	R20	sr	R20	12.28
R-99106-3070	R20	sr	R20	00.72
R-99106-3080	R20	sr	R20	03.04

DATE OF LAST FIELD INVENTORY: January 24, 1990

UPLANDS HABITAT CLASSIFICATIONS: Second Growth Forest With Conifers Topping Hardwoods

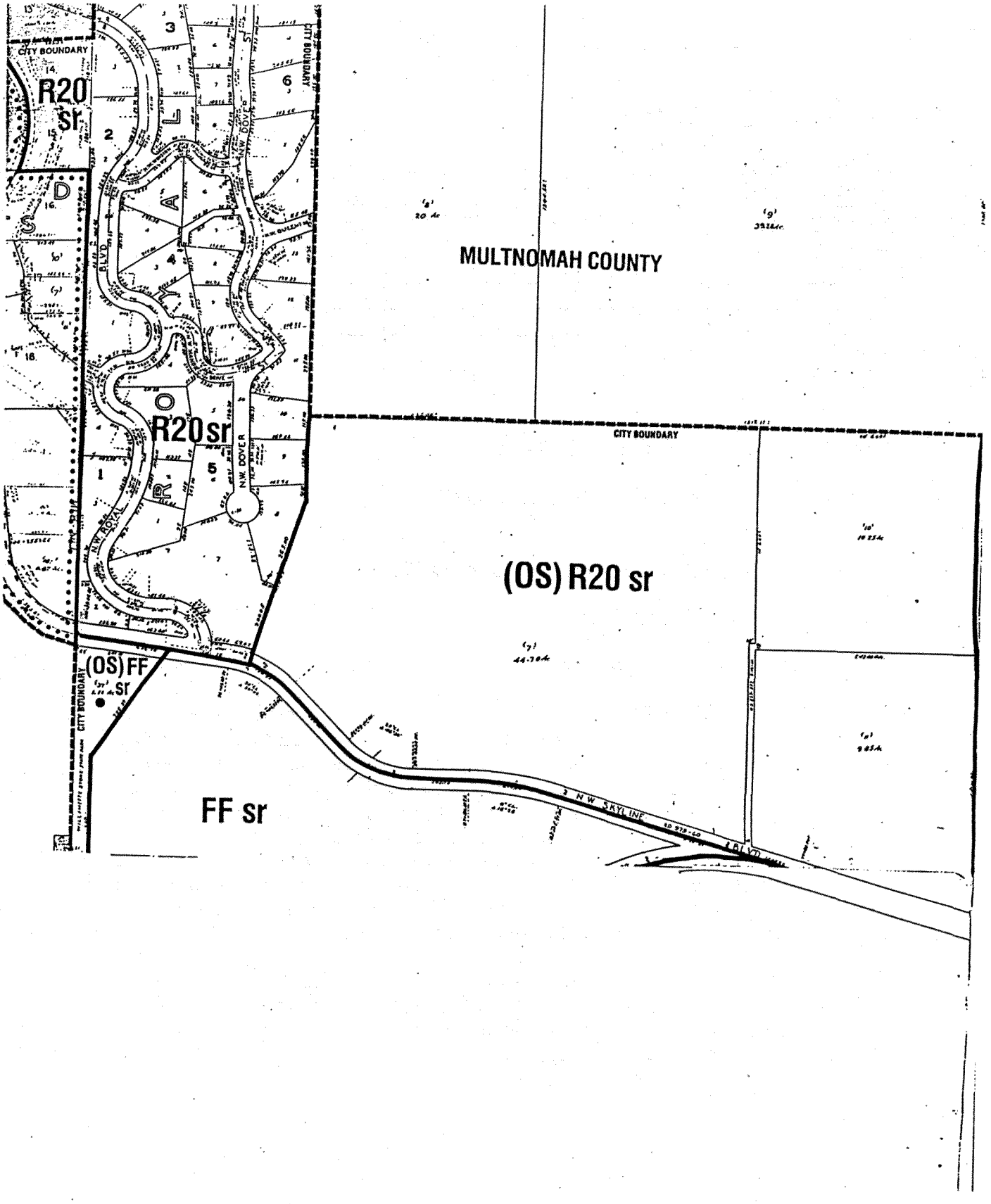
WILDLIFE HABITAT ASSESSMENT SCORE: 62

TYPES OF RESOURCES: Wildlife and Scenic

QUANTITY OF RESOURCES: About twenty acres of forest.

QUALITY OF RESOURCES: This forest is in a later stage of succession than the forest in Site 79. The conifers are growing through the alder and maple canopy, and shade tolerant conifer tree species like cedar, yew, and hemlock are well established in the understory. Site 80 is cut by several steep ravines. These ravines are completely vegetated and this vegetation prevents soil erosion and helps to control storm flooding. The forest is interrupted on the south side by water reservoirs and two residences, but the remaining forest has high wildlife quality and plays an important role in protecting the fish life in Balch Creek. The forest also provides high quality scenery from Skyline Boulevard and Barnes Road.

CONCLUSION: The forested ravine areas are of Site 80 are of high significance, the remainder of the north side of the site is also of high significance because of the character of its forest cover; the south side of the site has high scenic significance.



Site 81 **Existing Zoning**	North 0 200' 400' Scale Bureau of Planning • City of Portland	**BALCH CREEK** WATERSHED PROTECTION PLAN

Site 81

Area in Mount Calvary Cemetery

NEIGHBORHOOD: Forest Park
QUARTER SECTION MAPS: 3023 and 3123
APPROXIMATE AREA: Sixty-Five Acres
OWNERSHIPS: One
PROPERTIES: Three

Tax Account	Base Zone	Overlay Zone	Comp Plan	Acres
R-94131-0100	R20	sr	OS	10.25
R-94131-0110	R20	sr	OS	09.85
R-94131-0070	R20	sr	OS	44.70

DATE OF LAST FIELD INVENTORY: January 24, 1990

UPLANDS HABITAT CLASSIFICATIONS: Cemetery Landscaping and Second Growth Forest.

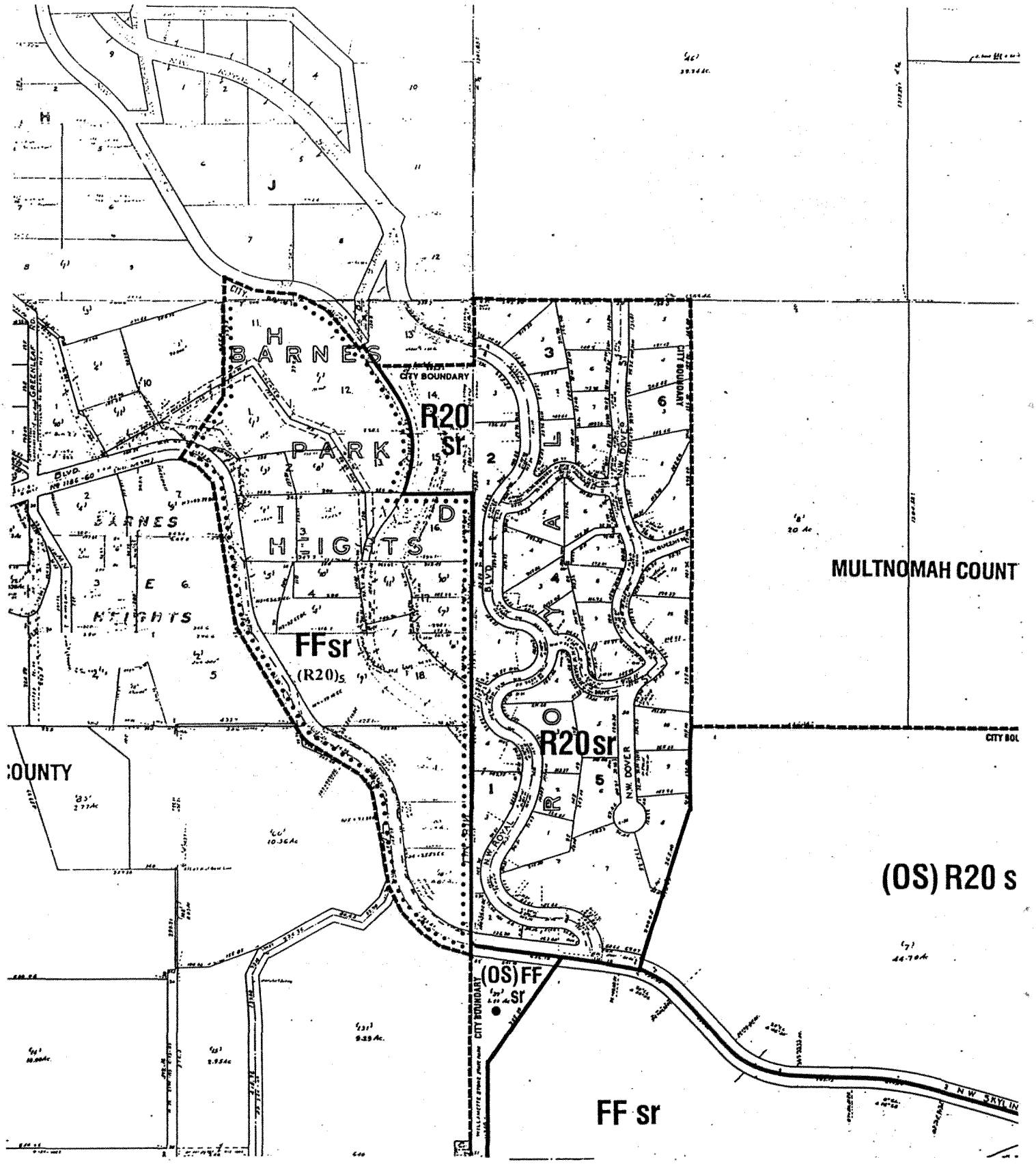
WILDLIFE HABITAT ASSESSMENT SCORE: 23

TYPES OF RESOURCES: Wildlife, Open Space, and Scenic

QUANTITY OF RESOURCES: About 30 Acres of Second Growth Forest.

QUALITY OF RESOURCES: The wildlife habitat assessment score for Site 81 was calculated from observation of the lawn area of a cemetery. Site 81 contains more forest than lawn, and this forest combines the topographic and vegetative features of Sites 79 and 80. This site has experienced a major slide which emphasized the instability of the soils and the importance of reestablishing vegetation after construction. This slide, although originating near the top of the watershed, seriously threatened fish life in lower Balch Creek. Evidence of continuing erosion was present on the inventory date. The effects of this erosion was mitigated by thick forest cover between an eroding fill and the nearest open water, but this cover is not capable of capturing all sediment during storms. The remaining forest in Site 81 has high wildlife and scenic values. The developed lawns have poor wildlife value, but high open space and scenic values.

CONCLUSION: The forested area of Site 81 is of high significance; the lawns are of low significance.



Site 82
Existing Zoning

North

0 200' 400'
Scale

Bureau of Planning • City of Portland

BALCH CREEK
WATERSHED PROTECTION PLAN

Site 82

Area in or near the Royal Highlands and Barnes Park Subdivisions

NEIGHBORHOOD: Forest Park
QUARTER SECTION MAPS: 3022 and 3023
APPROXIMATE AREA: Forty-Three Acres
OWNERSHIPS: Thirty-Two
PROPERTIES: Fifty-Eight

Tax Account	Base Zone	Overlay Zone	Comp Plan	Acres
R-05530-0980	R20	sr	R20	01.90
R-05530-1020	FF	sr	R20	01.53
R-05530-1060	FF	sr	R20	00.45
R-05530-1090	FF	sr	R20	03.25
R-05530-1100	FF	sr	R20	00.59
R-05530-1120	FF	sr	R20	00.30
R-05530-2070	FF	sr	R20	01.61
R-05530-2120	FF	sr	R20	04.36
R-05530-2180	FF	sr	R20	01.38
R-05530-2220	FF	sr	R20	00.67
R-05530-2240	FF	sr	R20	00.47
R-05530-2260	FF	sr	R20	00.79
R-05530-2310	FF	sr	R20	00.69
R-05530-2340	FF	sr	R20	00.48
R-05530-2360	FF	sr	R20	00.40
R-73100-0010	R20	sr	R20	00.12
R-73100-0030	R20	sr	R20	00.29
R-73100-0050	R20	sr	R20	00.83
R-73100-0150	R20	sr	R20	00.60
R-73100-0200	R20	sr	R20	01.17
R-73100-0300	R20	sr	R20	00.36
R-73100-0340	R20	sr	R20	00.41
R-73100-0380	R20	sr	R20	00.65
R-73100-0420	R20	sr	R20	00.60
R-73100-0460	R20	sr	R20	00.56
R-73100-0500	R20	sr	R20	00.37
R-73100-0530	R20	sr	R20	00.28
R-73100-0560	R20	sr	R20	00.34
R-73100-0600	R20	sr	R20	00.33
R-73100-0640	R20	sr	R20	00.30
R-73100-0680	R20	sr	R20	00.44
R-73100-0690[74]	R20	sr	R20	00.00
R-73100-0720	R20	sr	R20	00.47
R-73100-0760	R20	sr	R20	00.46

74. This property is on the zoning map as lot one, block five, of the Royal Highlands Subdivision, but is not on the Multnomah County Tax Assessor's Computer; it has probably been consolidated with an adjoining lot.

Site 82 (Continued)

Tax Account	Base Zone	Overlay Zone	Comp Plan	Acres
R-73100-0800	R20	sr	R20	00.44
R-73100-0840	R20	sr	R20	00.34
R-73100-0880	R20	sr	R20	00.40
R-73100-0920	R20	sr	R20	00.34
R-73100-1000	R20	sr	R20	00.36
R-73100-1040	R20	sr	R20	00.71
R-73100-1090	R20	sr	R20	00.35
R-73100-1130	R20	sr	R20	00.52
R-73100-1170	R20	sr	R20	00.68
R-73100-1210	R20	sr	R20	02.29
R-73100-1310	R20	sr	R20	00.75
R-73100-1350	R20	sr	R20	00.52
R-73100-1390	R20	sr	R20	00.50
R-73100-1430	R20	sr	R20	00.55
R-73100-1470	R20	sr	R20	00.50
R-73100-1510	R20	sr	R20	00.50
R-73100-1550	R20	sr	R20	00.38
R-73100-1590	R20	sr	R20	00.64
R-73100-1630	R20	sr	R20	00.67
R-73100-1670	R20	sr	R20	00.56
R-73100-1710	R20	sr	R20	00.63
R-96136-1790	FF	sr	R20	01.49
R-96136-1800	FF	sr	R20	00.69
R-96136-1810	FF	sr	R20	00.87

DATE OF LAST FIELD INVENTORY: January 24, 1990

UPLANDS HABITAT CLASSIFICATIONS: Residential Landscaping and Second Growth Hardwood Forest

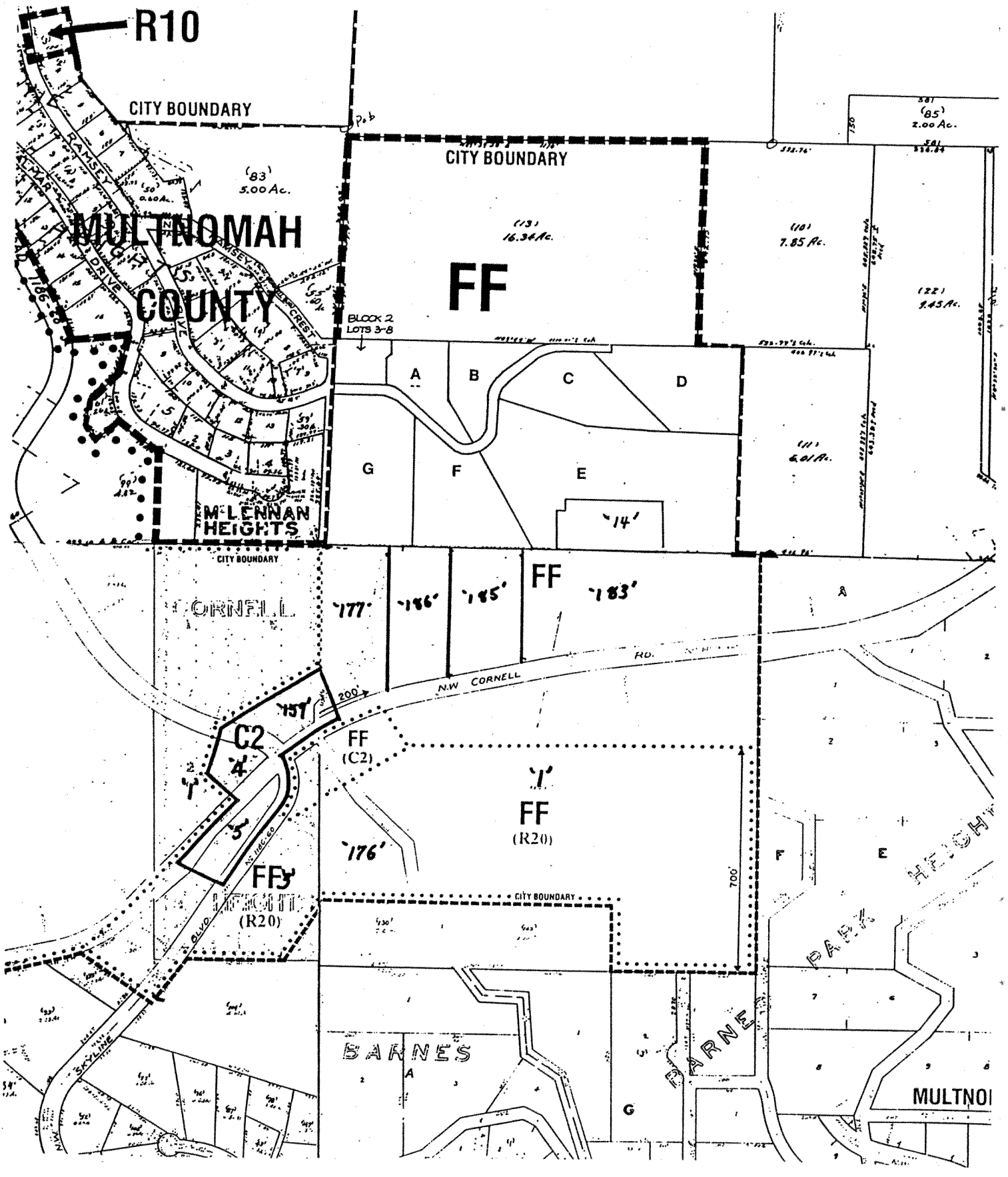
WILDLIFE HABITAT ASSESSMENT SCORE: 22

TYPES OF RESOURCES: Wildlife and Scenic

QUANTITY OF RESOURCES: About Twenty Acres of Second Growth Forest

QUALITY OF RESOURCES: The wildlife habitat assessment score for Site 82 was calculated from the observation of developed lots of a R20 subdivision. The site also contains several forested undeveloped lots similar in character to Multnomah County Site A. Undeveloped lots on the north side of the subdivision have high value for flood and erosion control, and may help to complete a critical wildlife corridor. Forest on the north side of the site provides high quality scenery from Skyline Boulevard.

CONCLUSION: Forested areas on the north side of Site 82 are of high significance, developed areas are not significant except for remaining forest along Skyline Boulevard which has high scenic corridor significance.



Site 83 Existing Zoning	North Bureau of Planning • City of Portland	0 200' 400' Scale	BALCH CREEK WATERSHED PROTECTION PLAN

Site 83

Area near Intersection of Greenleaf and Cornell Roads

NEIGHBORHOOD:
QUARTER SECTION MAPS: 2821, 2822, 2921, and 2922
APPROXIMATE AREA: Seventy Acres
OWNERSHIPS: Thirteen
PROPERTIES: Fifteen

Tax Account	Base Zone	Overlay Zone	Comp Plan	Acres
Unassigned A[75]	FF	none	FF	00.98
Unassigned B[76]	FF	none	FF	00.99
Unassigned C[77]	FF	none	FF	01.64
Unassigned D[78]	FF	none	FF	02.13
Unassigned E[79]	FF	none	FF	05.56
Unassigned F[80]	FF	none	FF	02.12
Unassigned G[81]	FF	none	FF	02.15
R-17870-0250	FF	none	R10	04.12
R-17870-0290	C2	none	C2	00.74
R-17870-0330	FF	none	R20	00.60
R-17870-0380	FF	none	R20 and C2	02.92
R-59040-0280[82]	FF	none	FF	00.00
R-59040-0300	FF	none	FF	00.34[83]
R-96125-0130	FF	none	FF	16.34
R-96125-0140	FF	none	FF	01.70
R-96136-0010	FF	none	FF, R20, C2	15.20
R-96136-1760	FF	none	C2 and R20	01.37
R-96136-1770	FF	none	FF	02.09
R-96136-1830	FF	none	FF	04.99
R-96136-1850	FF	none	FF	02.01
R-96136-1860	FF	none	FF	02.02

75. This property is lot 1 of the Mountain View Park No 2 subdivision which was replatted on March 1, 1990.
76. This property is lot 2 of the Mountain View Park No 2 subdivision which was replatted on March 1, 1990.
77. This property is lot 3 of the Mountain View Park No 2 subdivision which was replatted on March 1, 1990.
78. This property is lot 4 of the Mountain View Park No 2 subdivision which was replatted on March 1, 1990.
79. This property is lot 5 of the Mountain View Park No 2 subdivision which was replatted on March 1, 1990.
80. This property is lot 6 of the Mountain View Park No 2 subdivision which was replatted on March 1, 1990.
81. This property is lot 7 of the Mountain View Park No 2 subdivision which was replatted on March 1, 1990.
82. This lot no longer exists; it is part of the replat described above.
83. A variance (VZ 60-89) allows one house on 15,000 square feet of area for this lot only in a Farm and Forest zone. The Farm and Forest zone requires a two acre (87,120 square feet) minimum lot size.

DATE OF LAST FIELD INVENTORY: January 3, 1990

WETLANDS HABITAT CLASSIFICATIONS: Full-Year Stream With Riparian Gallery.

UPLANDS HABITAT CLASSIFICATIONS: Second Growth Forest and a Meadow

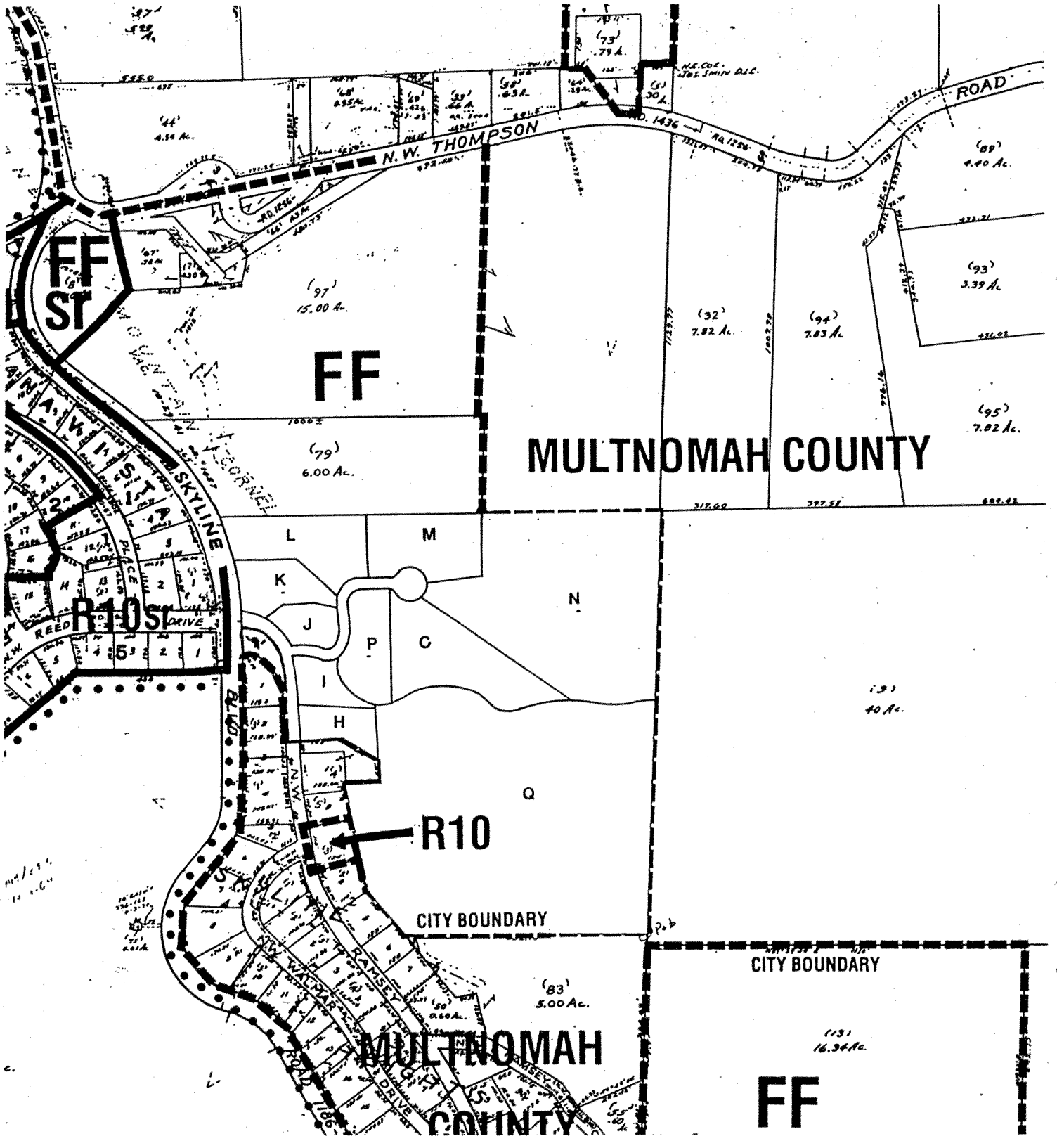
WILDLIFE HABITAT ASSESSMENT SCORE: 85

TYPES OF RESOURCES: Wildlife and Fish Habitat, Scenic

QUANTITY OF RESOURCES: About 90 Acres of Second Growth Forest with a Class One Forest Stream.

QUALITY OF RESOURCES: Site 83 contains the headwaters of Balch Creek. The site has second growth mixed conifer and hardwood cover with some remnant first growth Douglas fir trees. A meadow is also established on an unpermitted fill. Maintenance of the hydrography of Site 83 is of critical importance for Balch Creek. The existing fill harms the creek in two ways, by continuing to erode and by covering a spring which flows through the fill. The combination of fill and spring introduces discolored water into Balch Creek. Down steam water quality tests, however, have not discovered any significant levels of pollutants. The harm appears to be limited to increased turbidity and the silting of trout spawning beds. This is another site with steep forested ravines. Maintenance of forest cover in these ravines and stream banks is critical for erosion and flood control. The forest also provides high scenic value from Skyline Boulevard and Cornell Road. There is a stand of high quality conifer forest west of and beyond the Cornell Road scenic corridor, but this forest is disconnected from other similar forests in the watershed.

CONCLUSION: The portion of Site 83 east of Cornell Road is of very high significance; the portion east of Cornell Road is of high significance.



Site 84 Existing Zoning	North 0 200' 400' Scale Bureau of Planning • City of Portland	BALCH CREEK WATERSHED PROTECTION PLAN

Site 84

Area near Skyline and Thompson Roads

NEIGHBORHOOD: Forest Park
QUARTER SECTION MAPS: 2721 and 2821
APPROXIMATE AREA: Fifty-Two Acres
OWNERSHIPS: Seven
PROPERTIES: Seventeen

Tax Account	Base Zone	Overlay Zone	Comp Plan	Acres
Unassigned H[84]	FF	none	FF	00.61
Unassigned I[85]	FF	none	FF	00.36
Unassigned J[86]	FF	none	FF	00.50
Unassigned K[87]	FF	none	FF	00.77
Unassigned L[88]	FF	none	FF	01.50
Unassigned M[89]	FF	none	FF	01.43
Unassigned N[90]	FF	none	FF	06.15
Unassigned O[91]	FF	none	FF	02.14
Unassigned P[92]	FF	none	FF	00.93
Unassigned Q[93]	FF	none	FF	12.76
R-77380-0410	R10	none	R10	00.35
R-96125-0070	FF	none	FF	00.30
R-96125-0080	FF	none	FF	01.96
R-96125-0670	FF	none	FF	00.78
R-96125-0790	FF	none	FF	06.00
R-96125-0910	FF	none	FF	00.53
R-96125-0970	FF	none	FF	15.00
R-96125-1010[94]	FF	none	FF	00.00

DATE OF LAST FIELD INVENTORY: January 24, 1990

WETLANDS HABITAT CLASSIFICATIONS: Full-Year Stream with Riparian Gallery Forest

UPLANDS HABITAT CLASSIFICATIONS: Second Growth Mixed Conifer and Hardwood Forest

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84. This property is Lot 1, Block 1, of the Gales Ridge, Planned Unit Development.
85. This property is Lot 2, Block 1, of the Gales Ridge, Planned Unit Development.
86. This property is Lot 3, Block 1, of the Gales Ridge, Planned Unit Development.
87. This property is Lot 4, Block 1, of the Gales Ridge, Planned Unit Development.
88. This property is Lot 5, Block 1, of the Gales Ridge, Planned Unit Development.
89. This property is Lot 6, Block 1, of the Gales Ridge, Planned Unit Development.
90. This property is Lot 7, Block 1, of the Gales Ridge, Planned Unit Development.
91. This property is Lot 8, Block 1, of the Gales Ridge, Planned Unit Development.
92. This property is Lot 9, Block 1, of the Gales Ridge, Planned Unit Development.
93. This property is Lot 10, Block 1, of the Gales Ridge, Planned Unit Development.
94. This lot no longer exists; it has been replatted as the Gales Ridge, Planned Unit Development.

WILDLIFE HABITAT ASSESSMENT SCORE: 80

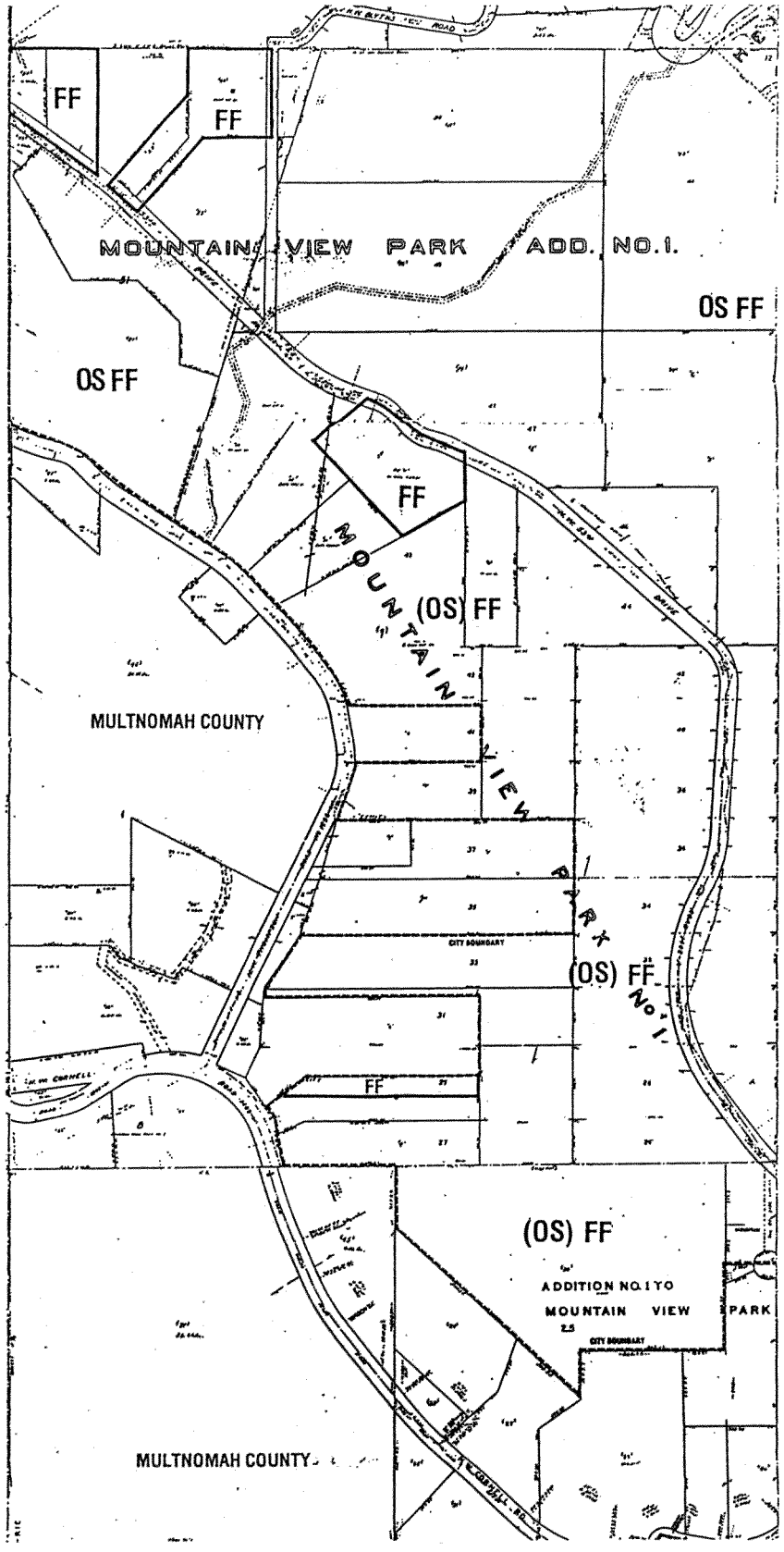
TYPES OF RESOURCES: Wildlife and Fish Habitat, Scenic

QUANTITY OF RESOURCES: About 45 Acres of Second Growth Forest

QUALITY OF RESOURCES: Although second growth, the forest on Site 84 has many conifers topping the hardwoods, and some remnant first growth fir remain. This site is also the headwaters of the Thompson Road stem of Balch Creek. This stem contains some of the best trout spawning beds in the watershed. This is another site with steep forested ravines. Very dark muddy water was observed in lowest section of Balch Creek during the spring of 1990. This mud was silting spawning beds and reducing clarity to a point that trout would have difficulty feeding. The source of some of this mud was a blowout at the juncture of a public and private water line in Site 84. This incident is yet another example of soil instability and erosion problems on steep, denuded banks. Site 84 has high fish and wildlife values. The forest on this site also provides scenery from Thompson Road and Skyline Boulevard, both of which are worthy of scenic corridor status.[95]

CONCLUSION: The steep forested slopes, ravines and streams on Site 84 are of the highest quality; the remainder of the forest provides high scenic value.

95. Portland Bureau of Planning, Scenic Views, Sites, and Corridors: Scenic Resources Protection Plan, part vi, map facing page vi7.



Site 85
Existing Zoning

North

Scale 0 200' 400'

Bureau of Planning • City of Portland

BALCH CREEK
WATERSHED PROTECTION PLAN

Site 85

Area in and near Forest Park Between Thompson Road and 53rd Avenue

NEIGHBORHOOD: Forest Park
QUARTER SECTION MAPS: 2723, 2823, 2923 and 2924
APPROXIMATE AREA: Seventy-Eight Acres
OWNERSHIPS: Two
PROPERTIES: Eleven

Tax Account	Base Zone	Overlay Zone	Comp Plan	Acres
R-59030-1860	FF	none	OS	15.00
R-59030-2100	FF	none	OS	14.27
R-59030-2340	FF	none	OS	06.19
R-59030-2660	FF	none	OS	12.37
R-59030-2910	FF	none	OS	02.60
R-59030-3310	FF	none	OS	07.03
R-59030-3510	FF	none	FF	03.00
R-59030-3560	FF	none	OS	02.70
R-59030-3610	FF	none	OS	03.00
R-59030-4010	FF	none	OS	06.00
R-59030-4014	FF	none	OS	06.00

DATE OF LAST FIELD INVENTORY: January 24, 1990

WETLANDS HABITAT CLASSIFICATIONS: Full-Year Forested Stream with a Riparian Gallery

UPLANDS HABITAT CLASSIFICATIONS: Second Growth Conifer Forest

WILDLIFE HABITAT ASSESSMENT SCORE: 97

TYPES OF RESOURCES: Fish and Wildlife Habitat, Open Space, Rare Plant Communities, Recreation, Education, Scenic.

QUANTITY OF RESOURCES: About Eighty-Nine Acres of Forest With Three Tributary Streams

QUALITY OF RESOURCES: Site 85 has a very high quality conifer forest with several species and of different ages. Although the forest is second growth, enough first growth fir remain to give the forest canopy good vertical structure. Fish and wildlife habitat are excellent because of proximity to Balch Creek and several hundred acres of adjoining forested land. There is one cleared lot in this site, but the clearing is far enough removed from other clearings to do no serious harm. Open space, recreation, and educational opportunities are also excellent. The forest provides scenery for Thompson Road and 53rd Avenue, both of which are worthy of scenic corridor status.[96]

96. Portland Bureau of Planning, Scenic Views, Sites, and Corridors: Scenic Resources Protection Plan, part vi, map facing page vi7.

CONCLUSION: The Forested Portion of Site 85 is of High Significance.

Multnomah County Site A
Area North of the Royal Highlands Sewage Plant

QUARTER SECTION MAPS: 2923 and 3023

APPROXIMATE AREA: Twenty Acres

DATE OF LAST FIELD INVENTORY: December 2, 1989

WETLANDS HABITAT CLASSIFICATIONS: Intermittent Stream with Riparian Forest Gallery

UPLANDS HABITAT CLASSIFICATIONS: Second Growth Hardwood Forest

WILDLIFE HABITAT ASSESSMENT SCORE: 59

TYPES OF RESOURCES: Wildlife

QUANTITY OF RESOURCES: Twenty Acres of Second Growth Forest

QUALITY OF RESOURCES: Site A is important for its location and flood and erosion control functions. It has only medium habitat value, and this value is mainly provided to species preferring or requiring early succession forests. This forest appears to be "stuck" in an early stage because of the lack of a seed source for shade tolerant conifers. The result is a thick low canopy of maple and alder. However, a few old Douglas fir do remain, and cedar and grand fir seedlings are established.

CONCLUSION: Site A is significant because of its location. It is probably a critical link in a corridor for deer and elk, and its forest preserve water quantity and quality for Balch Creek.

Multnomah County Site B
Area near Balch Creek Tributary South of Thompson Road

QUARTER SECTION MAPS: 2833

APPROXIMATE AREA: Forty-Five Acres

DATE OF LAST FIELD INVENTORY: January 3, 1990

WETLANDS HABITAT CLASSIFICATIONS: Full-Year Stream with a Riparian Forest Gallery

UPLANDS HABITAT CLASSIFICATIONS: Second Growth Forest

WILDLIFE HABITAT ASSESSMENT SCORE: 88

TYPES OF RESOURCES: Fish and Wildlife Habitat, Scenic

QUANTITY OF RESOURCES: About 40 acres of Forest

QUALITY OF RESOURCES: The Forest is of high quality and contains some the best trout spawning beds in the watershed. Wildlife values are also high. Site B also provides forest scenery from Thompson Road

CONCLUSION: Site B is of high significance.

ANALYSIS

Method

This section analyses the consequences of protecting the natural resources of the Balch Creek Watershed and the consequences of allowing the resources to be diminished or lost. These consequences can be site specific or can effect the watershed as a whole. Uses which affect the entire watershed are addressed in the general analysis. Site specific uses are examined in the individual site analyses.

Compatible Uses

Only three uses allowed by present zoning are compatible with every resource in the Balch Creek Watershed. These compatible uses are the following:

1. Aesthetic enjoyment of natural features from existing roads or trails,
2. Educational use of natural areas by individuals and groups, and
3. Low intensity recreation on established trails such as walking, jogging, running, and nature observation.

Since these uses do not conflict with any identified resource, they are not addressed in either the general analysis of conflicting uses or the supplemental site by site analyses.

Conflicting Uses

Conflicting uses are those uses which are incompatible with resource protection but allowed by present City of Portland zoning. If these uses actually occurred at the intensities and during the times allowed by the Comprehensive Plan, they would diminish or destroy the identified resources of the Balch Creek Watershed. This protection plan identifies eleven uses which conflict with at least one Balch Creek Watershed resource. These uses, and their adverse effects on resources, are described and analyzed below. Other uses which would conflict with resource protection, but are not allowed by the existing zoning of the Balch Creek Watershed (an example is heavy industry), are not conflicting uses within the meaning of state law. These hypothetical conflicts are not analyzed by this protection plan.

Environmental Consequences of Allowing Conflicting Uses

The following is a general analysis of the effects of conflicting uses on the Balch Creek Watershed as a whole. Conflicts with site specific resources are analyzed in the sections examining the individual sites.

Agriculture

Most common farm practices are allowed in the City's Farm and Forest Zone. Many of these practices cause erosion which silt spawning beds and

muddy the water. Agriculture also takes irrigation water from streams and wells. This water is often needed to support aquatic life. To support the Balch Creek cutthroat trout population, the creek water must be maintained at its present quantity and purity, and at proper seasonal flows, clarity, and temperature. Irrigation could turn Balch Creek into a seasonal stream or a dry bed.

The conversion of forest to farm land also replaces diverse forest plant communities with only a few cultivated species. The forest cover in the Balch Creek Watershed is needed to prevent the synchronization of flood events, prevent bank erosion, and prevent silting of stream beds. Forest cover is also needed to maintain maximum and minimum stream flows at proper levels. Forest leaf mass and decaying organic matter act like a sponge by trapping and absorbing rainwater during wet periods and releasing stored water during dryer periods. The removal of cover would be enough to turn Balch Creek into a seasonal stream or a dry bed, even if the creek was not also used for irrigation. The removal of cover would also cause more frequent and severe flooding of City park land and the Northwest Industrial area.

Preparing land for planting or grazing often fills wetlands and removes riparian vegetation from stream banks. The removal of these natural features increases storm water runoff and eliminates the purifying effects of these natural features. Purifying vegetation is particularly valuable on farm land because crops often require the use of herbicides, fertilizers and pesticides. Some of these chemicals harm to aquatic life.

Farm use does not diminish open space, but can degrade some scenic areas and recreational opportunities. Farming also fragments, degrades, or destroys wildlife habitat. Clearing and planting provide opportunities for nonnative and intrusive plants to become established in adjacent forest. Clearing of forests destroys forest plants. Some of the Balch Creek Watershed plant species and plant communities are quite rare. Clearing also removes habitat needed by some native animals. Lost habitat includes nesting, perching and roosting places for birds. Clearing also removes plants which produce edible seeds, berries, nuts, bark, leaves, stems, and roots for animals.

The clearing of older forests removes habitat with shade tolerant tree species such as grand fir, Pacific silver fir, western hemlock, western red cedar, and western yew. These older forests are needed to resist intrusion of nonnative species, facilitate succession to climax ecosystems, and provide seed to less mature forests. These old forests have complex structure in the form of multiple layered canopies, downed logs, large trees, and snags. Several animals depend exclusively on older forests. Some of these species require more old forest than others, and as the amount of old forest is fragmented into small patches or reduced in total area, fewer native species can survive. At some point native animals are replaced by domestic pests, such as mice and rats, as the forest continues to diminish. These old forest

also contain more leaf mass than younger forest, so they are better able to retain and detain storm water.

Forestry

Most common forest culture and harvest practices are allowed in the City's Farm and Forest Zone. Often forest harvest practices cause more erosion than farming because forestry is economically practicable on steeper slopes than farming. Forestry also uses irrigation water to establish tree plantations. The erosion, sedimentation, and water withdrawal effects of tree harvesting would be at least as destructive to the Balch Creek cutthroat trout population as the farm practices described above. The harvest of trees would also lead to more frequent and more severe flooding of City Park land and the Northwest Industrial area.

Forestry can replace multi function forest ecosystems with more simple systems or monoculture tree plantations. Cultured forests and tree plantations often have less leaf mass than the natural forests they replace; and the leaf mass they have is usually closer to the ground than in natural forests. Tree plantations have less ability to prevent the synchronization of flood events, prevent bank erosion, and prevent silting of stream beds than do old natural forests. Stream temperatures and flows are also more variable in tree plantations.

The harvest of trees also removes riparian vegetation from stream banks. The removal of riparian vegetation increases storm water runoff and eliminates the purifying effects stream side vegetation. Forestry also involves the use of herbicides, fertilizers and pesticides. Some of these chemicals can harm aquatic life.

Forestry does not diminish open space, but degrades scenic areas and diminishes recreational opportunities. The harvest of trees also fragments, degrades, or destroys wildlife habitat. Tree cutting and planting provide opportunities for nonnative and intrusive plants to become established in adjacent natural forest. Tree cutting, and the storing and transport of logs, destroys a variety of forest plants. Timber harvest has the same effects on native plants, fish, and wildlife as the clearing activities described in the analysis for agriculture. The establishment of tree plantations does, however, provide appropriate habitat for species which prefer or require early successional natural forests, or benefit from the forests fringes around clearings.

The harvest of older natural forests removes shade tolerant tree species, multiple layered canopies, downed logs, large trees, and snags. Shade tolerant trees are not usually grown in tree plantations. Monoculture plantations are also more vulnerable to forest diseases and pests than natural forests. The loss of these older forests have the same effects on wildlife and flooding as described in the analysis of agriculture above.

Landscaping

The clearing of native forest and the establishment of lawns and other artificial landscape features is allowed in Farm and Forest, Residential, and Commercial zones. The clearing of forests, whether for homes, businesses, golf courses, school yards, cemeteries, or parks has the same effects as clearing done for agriculture or forestry. Like farming and forestry, the maintenance of landscaping requires the use of irrigation water. The erosion, sedimentation, and water withdrawal effects of clearing forests to establish landscapes would be as destructive to the Balch Creek cutthroat trout population as the farm and forest practices described above. The loss of native forests would also lead to more frequent and more severe flooding of City Park land and the Northwest Industrial area.

Urban landscapes often have less leaf mass than the forests they replace; and the leaf mass they have is usually closer to the ground than in natural forests or tree plantations. Urban landscapes have less ability to prevent the synchronization of flood events, prevent bank erosion, and prevent silting of stream beds than do natural forests or tree plantations. Stream temperatures and flows are also more variable through landscapes than through natural forests or tree plantations.

The establishment of urban landscapes often removes riparian vegetation from stream banks. The removal of riparian vegetation increases storm water runoff and eliminates the purifying effects stream side vegetation. The maintenance of landscapes also involves the use of herbicides, fertilizers and pesticides. Some of these chemicals can harm aquatic life.

Landscaping does not diminish open space, but can degrade scenic areas and diminish recreational opportunities. The effects of landscaping on fish and wildlife habitat is similar to the effects of forestry described above. Landscape trees and shrubs often invade adjoining native forests. Ivy, holly, laurel, and clematis are particular problems in the Balch Creek Watershed. Some animals do, however, benefit from the proximity of landscaping to forests. These species feed on seeds and berries produced by landscape plant, and while they are not feeding they find protective cover in the forest. This feeding pattern is, however, responsible for the spread of exotic seeds to the forest.

Urban landscaping rarely involves the reestablishment of shade tolerant tree species, and seldom attempts to replicate the multiple layered canopies, downed logs, large trees, and snags found in old native forests. The loss of older forests have the same effects on wildlife and flooding as described for agriculture and forestry above.

Housing

Homes are allowed in Farm and Forest, Residential, and Commercial zones. Many farm and forest practices are also allowed in residential zones

but these are not usually practicable because of small lot sizes. Residential use has all the landscape effects described above. It also has aggravating effects on storm water detention and retention, erosion, and sedimentation. These effects are most pronounced during construction, but continue afterward. The continuing effects are caused by soil compaction and by permanent surfaces impermeable to rain water. These surfaces include streets, private roads, drives, patios, sidewalks and roof tops. Compacted soil and hard surfaces accelerate stormwater runoff, and faster water causes more erosion. Runoff can also carry pollutants. Hard surfaces also prevent rain water from soaking into the soil and recharging ground water. Homes on drain fields can pollute ground and surface water. Household pets also kill and harass livestock and wildlife. Residences also generate traffic. Multifamily attached residential development generates less traffic per household than single family detached development, but could result in more total traffic because of greater total density. Residential use also diminishes open space, scenic values, and recreational opportunities.

Businesses

Businesses are allowed in commercial zones. There is less than an acre of commercial zoning in the Balch Creek Watershed. Two activities which have the character of businesses, the Mount Calvary Cemetery and the Portland Audubon Society, have conditional use permits for their use of farm and forest lands. Many farm and forest practices are also allowed in commercial zones but these are not usually practicable because of small lot sizes. Residential use is allowed in commercial zones at multifamily densities. Commercial use has all the landscape and residential effects described above, but increased lot coverage allowances compounds the problem of impermeable surfaces. Businesses also generate more traffic than homes, and diminish or destroy open space, scenic values, and recreational opportunities.

Developed Open Space

In the Balch Creek Watershed an Open Space Comprehensive Plan designation has been applied to cemeteries and parks. Cemeteries and developed park areas, such as lawns, groves, and arboretums, have the same effects described for landscaping. These uses also generate traffic. The Open Space designation has also been mistakenly applied to some residential lots. The regulation section of this protection plan corrects these mistakes.

Recreation

Park trail construction and maintenance practices in the more natural areas of parks can cause erosion by placing trails near creeks or on steep banks. Certain trail designs seem to invite people and domestic animals to walk on or down stream banks. Fecal contamination of creeks by pets can

also be aggravated by trail configuration. Pets exercised off leash or allowed to roam free can also kill and harass wildlife. Intensive recreation such as cycling, motoring, and equestrian sports occur on trails designed for hiking, and these activities cause erosion. Camping in public parks either for shelter by homeless persons or for recreation, although not allowed by park rules, does occur and degrades natural, recreational, and scenic values. Particularly dangerous is the use of camp fires during dry seasons. Although not allowed, trash dumping and littering does occur in parks. Trash degrades natural, recreational, and scenic values. Trash is also a seed source for nonnative intrusive plants, it pollutes water, and it can harm wildlife. Undeveloped open space generates some traffic and automobile parking at unpaved access points causes erosion.

Public Facilities and Utilities

Construction and maintenance practices for roads, storm water control structures, sewers, water lines and reservoirs, gas lines, utility poles, and electrical and telephone wiring have a variety of effects. These activities can cause erosion and provide opportunities for the establishment of nonnative plant species by disturbing soil and destroying perennial plant species. These practices degrade streams and wetlands and block fish passage. The establishment and maintenance of utilities often fragment wildlife habitat; increase storm water run-off; pollute water and reduce forest cover needed to support full-year streams at proper flows, clarity, and temperature. Maintenance removes important structural components from forests and removes vegetative cover. This cover is needed to prevent the synchronization of flood events, prevent bank erosion, prevent the silting of stream beds, and is needed to maintain maximum and minimum stream flows at proper levels.

Traffic

Traffic originating south and west of the the Balch Creek Watershed travels along Cornell Road at commuter speeds, often exceeding the posted limit, and at commuter volumes. This level of service continues despite the City's classification of Cornell Road as a neighborhood collector and the Planning Bureau's pending recommended for scenic corridor status. Traffic at present levels of service degrades recreational opportunities, scenic values, and wildlife habitat.

Education and Research

Certain research and environmental education practices modify natural areas and compare the effects of the modifications with similar untouched areas. Modifications include the introduction of nonnative species, collecting native species at rate beyond the ability of affected populations to replace lost members by reproduction or recruitment; and the creation of habitats which would either not develop or not stabilize in nature. Many of

these practices would conflict with the fish and wildlife habitat values of the Balch Creek Watershed.

County Zoning and Partition Practices

The uses identified and analyzed above are also allowed by adjacent Multnomah County Zoning. For the different conflicting uses county zoning is comparable to city zoning but can be more restrictive or more permissive for certain uses. Because land use regulation of the Balch Creek Watershed is shared between Multnomah County and the City of Portland, incompatible or uncoordinated land use regulations can jeopardize development opportunities and resource protection. The county is, however, at a disadvantage to the city in carrying out certain decisions to protect resources, because an Oregon Statute bans county regulation of forest practices beyond urban growth boundaries.

Economic Consequences of Allowing Conflicting Uses

Agricultural opportunities are not significant under present zoning. Small parcel size or steep slopes make the Balch Creek Watershed uneconomic for agriculture, although it is conceivable that some of the larger steep forested slopes could be cleared and used for grazing. Food production presently occurs only at the community garden in Adams Park and on home garden plots. This production appears to be more of a hobby than an economic activity, but may be important to some households.

Industrial forestry is no longer practiced in the Balch Creek Watershed. Most of the remaining significant timber resources are in City park land. The production of wood and firewood is, however, economic, and woodlot operations could continue under existing farm and forest zoning.

Existing commercial type activities are the Mount Calvary Cemetery and the Portland Audubon Society. These are not for profit activities which would continue under existing conditional use permits. The existing acre or so of commercial zoning in the Balch Creek Watershed might be used for higher density residential development instead of businesses.

The most significant economic activity allowed by present zoning of the Balch Creek Watershed is residential development. Because residential development has such a high economic importance, this protection plan analyzes it on a site by site basis rather than generally.

Social Consequences of Allowing Conflicting Uses

The increased residential development allowed by present zoning and Comprehensive Plan designations would have a positive effect on education by enhancing the school district tax base. It would also provide greater housing opportunities for wealthy families. Employment would increase in the construction trade and home service industries. Public health and

safety would not be enhanced because increased tax bases generally do not cover the costs of providing police and fire protection response times to outlying areas which are equivalent to central areas. Sewer and water bills would not cover the costs of providing these services. Similar arguments can be made for public utilities. Recreational opportunities would be diminished. Existing transportation problems would be aggravated because the two Cornell Road tunnels and a winding entrance to downtown limit the service capability of this road to that of a neighborhood collector. W. Burnside Street could be improved to accommodate more traffic, but this would involve considerable public expense. Existing traffic pattern projections indicate that N. W. Cornell Road Commuter traffic will get as bad as it can get and will stay that way. Commuter traffic now originating in Washington County will be displaced by Forest Heights Planned Unit Development traffic, which will in turn be slightly displaced by commuter traffic originating in the Balch Creek Watershed. The displaced traffic will use W. Burnside Street and Highway 26, or be replaced by west side light rail commuting.

Energy Consequences of Allowing Conflicting Uses

Existing zoning would ensure a small by steady supply of biomass fuel in the form of firewood. Electrical energy loss through low voltage transmission lines would be greater than the loss for similar numbers of homes served at a higher urban density. Employment opportunities in the Balch Creek Watershed are limited to one conservation organization and one religious institution, so almost every employed householder would commute. This commuting would use a considerable amount of fossil fuels, because existing densities do not justify mass transit.

Economic Consequences of Limiting or Prohibiting Conflicting Uses

The limiting or prohibiting of conflicting uses would have a negligible adverse effect on agriculture, a small but significant adverse effect on forestry and commerce, and a large and significant adverse effect on residential development. This effect is related more to costs associated with limiting the adverse environmental effects of housing rather than the opportunity costs of prohibiting housing. The significance to residential development warrants site by site analysis.

Social Consequences of Limiting or Prohibiting Conflicting Uses

The limiting or prohibiting of conflicting uses would have an adverse effect on education and housing, but a positive effect on public health, safety, and facilities. Projected traffic patterns would be only slightly improved, but recreational opportunities would be significantly enhanced.

Environmental Consequences of Limiting or Prohibiting Conflicting Uses

The limiting or prohibiting of conflicting uses would have a positive effect on the following ecologically significant forests, riparian areas, streams, wetlands, fish habitat, and wildlife habitat. Flood storage and desynchronization functions and groundwater recharge and discharge functions would be enhanced. Hazard areas would be avoided and heritage values would be protected. Minimum and maximum stream flows would be maintained within suitable ranges. Nutrient trapping and removal functions would be maintained and enhanced. Open space, recreation opportunities, and scenic values would be retained. Sediment trapping and shoreline anchoring functions would be enhanced. The erosive forces of flooding would also be dissipated. Water purity and water quantity would be maintained and eventually increased.

Energy Consequences of Limiting or Prohibiting Conflicting Uses

The limiting or prohibiting of conflicting uses would have a large positive effect on energy conservation if alternative sites could be found for the some of the unbuilt homes now allowed in the Balch Creek Watershed, provided that these alternatives are closer to downtown, would allow more dense development, or could be served by public transit.

Site 73 **Natural Features**	North 0 200' 400' Scale Bureau of Planning • City of Portland	**BALCH CREEK** WATERSHED PROTECTION PLAN

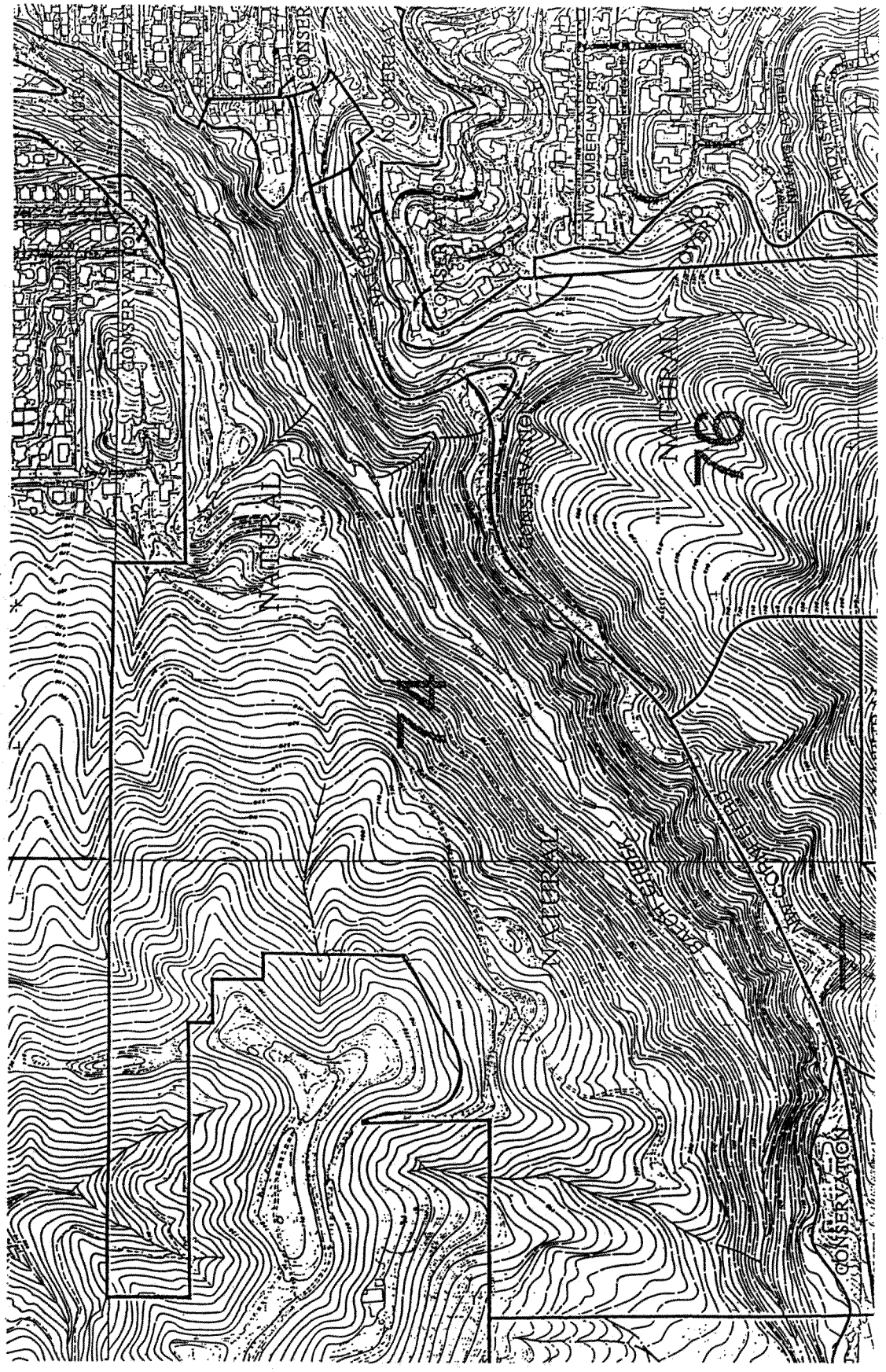
Site 73
Area in and near the Lower Macleay Park Lavatories, Parking Lot, and Lawn

Conflicting Uses:
Identified conflicting uses on Site 73 include residential landscaping, park landscaping, and public storm water control facilities. The steep forested slopes of this site are heavily infected with ivy and clematis vines. Storm water controls block fish passage and degrade the aesthetic appeal and historic significance of an old sluice way.

Housing Potential:
The housing capacity of Site 73 is fully utilized with seven existing homes and no remaining potential. Since further residential development opportunities do not exist, new home construction can be prohibited without adverse economic consequences. A lot by lot housing analysis follows.

Tax Account	Comp Plan	Acres	Existing	Potential
R-91340-2460[97]	OS	00.11	1	0
R-91340-2470	OS	01.10	0	0
R-91340-2560[98]	OS	00.14	1	0
R-91340-2570[99]	OS	00.15	1	0
R-91340-2580[100]	OS	00.15	1	0
R-91340-2590	OS	00.11	0	0
R-91340-2600[101]	OS	00.11	1	0
R-91340-2610	OS	00.64	0	0
R-91340-2660[102]	OS	00.09	1	0
R-91340-2670[103]	OS	00.11	1	0

97. The Open Space Comprehensive Plan Designation has been mistakenly applied to this lot; the correct designation is R5.
98. The Open Space Comprehensive Plan Designation has been mistakenly applied to this lot; the correct designation is R5.
99. The Open Space Comprehensive Plan Designation has been mistakenly applied to this lot; the correct designation is R5.
100. The Open Space Comprehensive Plan Designation has been mistakenly applied to this lot; the correct designation is R5.
101. The Open Space Comprehensive Plan Designation has been mistakenly applied to this lot; the correct designation is R5.
102. The Open Space Comprehensive Plan Designation has been mistakenly applied to this lot; the correct designation is R5.
103. The Open Space Comprehensive Plan Designation has been mistakenly applied to this lot; the correct designation is R5.


NW CUMBERLAND RD
SKYLINE BLVD
CONSERVATION
CONSERVATION
CONSERVATION

Site 74

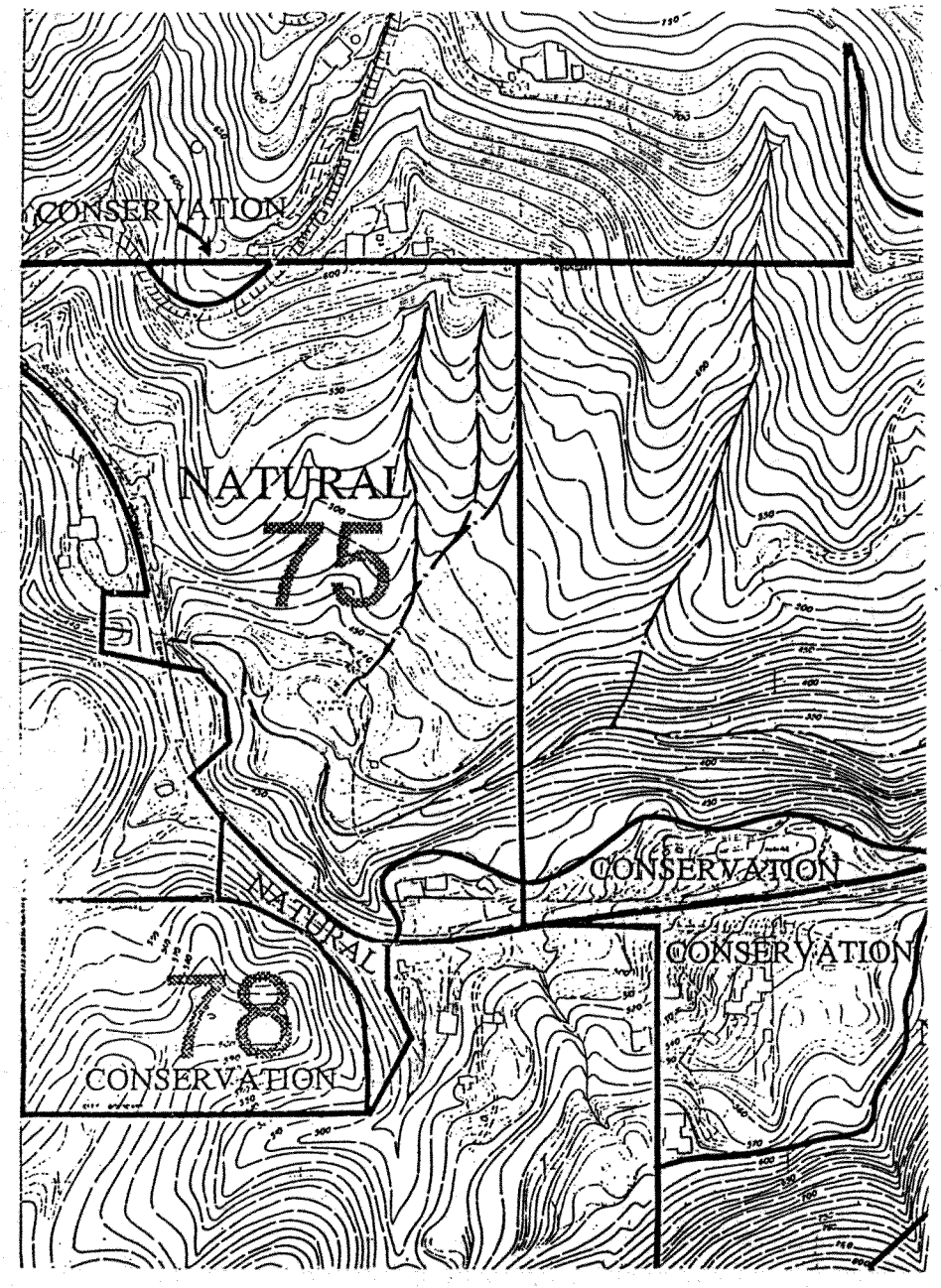
Area in and near Lower Macleay Park South of the Lawn

Conflicting Uses:
Identified conflicting uses on Site 74 include agriculture, forestry, landscaping, housing, intensive recreation, shelters erected by homeless persons,maintenance of public streets, maintenance of public park trails, maintenance of public utilities, commuter traffic, trash dumping, and similar uses allowed by adjacent county zoning.

Housing Potential:
Site 74 contains five homes and no remaining housing potential. Protection of this site would have no adverse housing or economic effects. A lot by lot housing analysis follows.

Tax Account	Comp Plan	Acres	Existing	Potential
R-59030-0010	OS	05.34	0	0
R-59030-0170	OS	04.00	0	0
R-59030-0260	OS	03.28	0	0
R-59030-0310	OS	03.16	0	0
R-59030-0370	OS	05.65	0	0
R-91340-3390	OS	02.87	0	0
R-91340-3740	OS	02.13	0	0
R-94129-0190	OS	16.90	0	0
R-94129-0200	OS	52.43	0	0
R-94131-0010	OS	49.00	0	0
R-94132-0320[104]	OS	00.32	1	0
R-94132-0340	OS	30.16	0	0
R-94132-0430	OS	19.25	0	0
R-94132-0840[105]	OS	00.23	0	0
R-94132-0890[106]	OS	00.23	1	0
R-94132-1010[107]	OS	00.23	1	0
R-94132-1050[108]	OS	00.35	1	0
R-94132-1100[109]	OS	00.36	1	0

104. The Open Space Comprehensive Plan Designation has been mistakenly applied to this lot; the correct designation is Farm and Forest.
105. The Open Space Comprehensive Plan Designation has been mistakenly applied to this lot; the correct designation is Farm and Forest.
106. The Open Space Comprehensive Plan Designation has been mistakenly applied to this lot; the correct designation is Farm and Forest.
107. The Open Space Comprehensive Plan Designation has been mistakenly applied to this lot; the correct designation is Farm and Forest.
108. The Open Space Comprehensive Plan Designation has been mistakenly applied to this lot; the correct designation is Farm and Forest.
109. The Open Space Comprehensive Plan Designation has been mistakenly applied to this lot; the correct designation is Farm and Forest.



Site 75 Natural Features	North 0 200' 400' Scale Bureau of Planning • City of Portland	BALCH CREEK WATERSHED PROTECTION PLAN

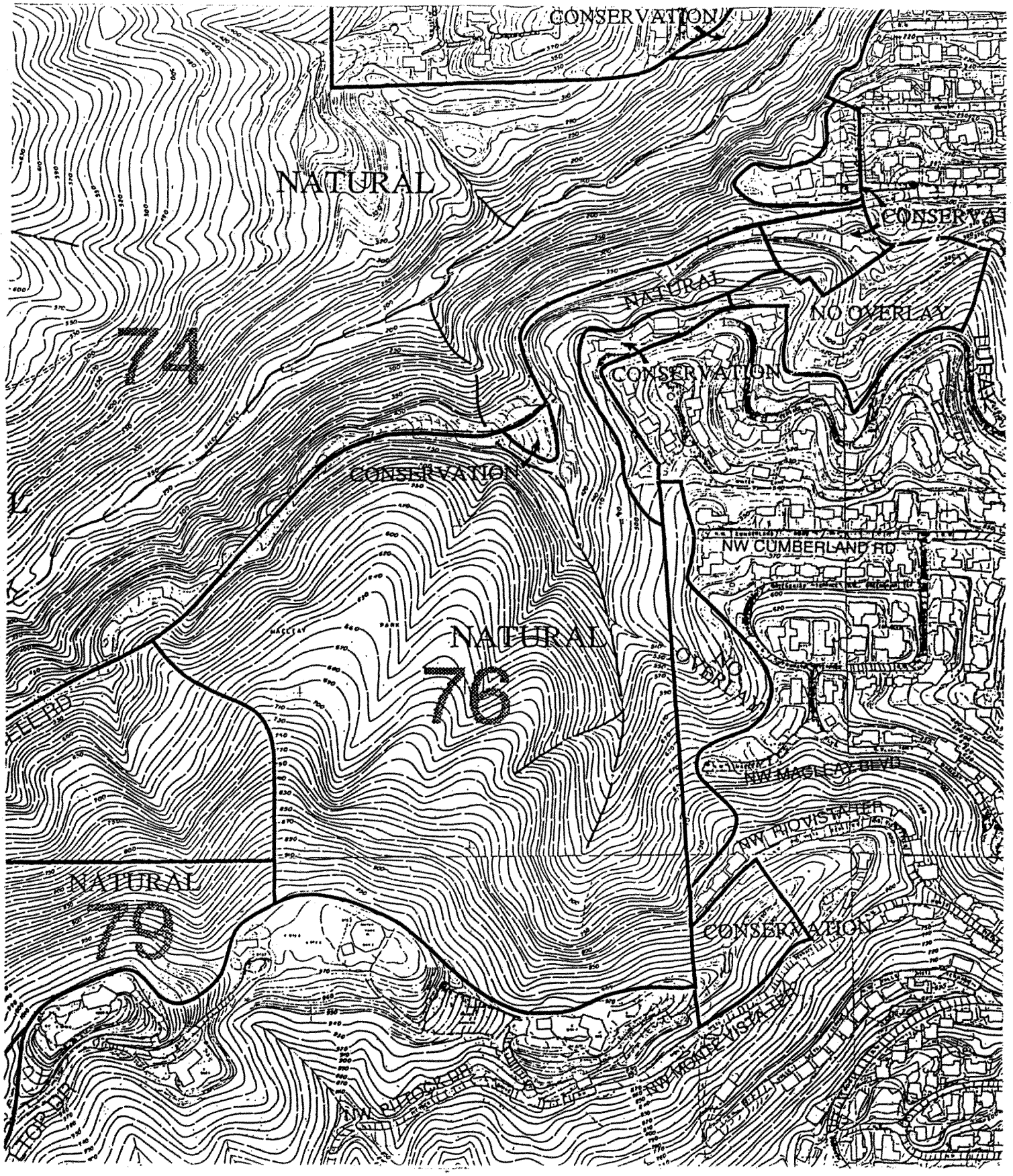
Site 75

Area in and near the Portland Audubon Society's Pittock Sanctuary

Conflicting Uses:
Identified conflicting uses on Site 75 include agriculture, forestry, landscaping, commercial type activities occurring under conditional use permits, intensive recreation, maintenance of public streets, maintenance of public utilities maintenance of public private trails, commuter traffic, withdrawal of creek water for educational purposes, trash dumping, and adjacent county zoning allowing similar uses. Water withdrawals, too many trails, poor trail design, poor trail locations, and invasive nonnative plants are particular problems on this site.

Housing Potential:
Site 75 has no houses and no remaining housing potential. A lot by lot analysis follows.

Tax Account	Comp Plan	Acres	Existing	Potential
R-94131-0170	FF and OS	22.20	0	0
R-94131-0570	OS	00.36	0	0
R-94131-0690	FF	00.18	0	0



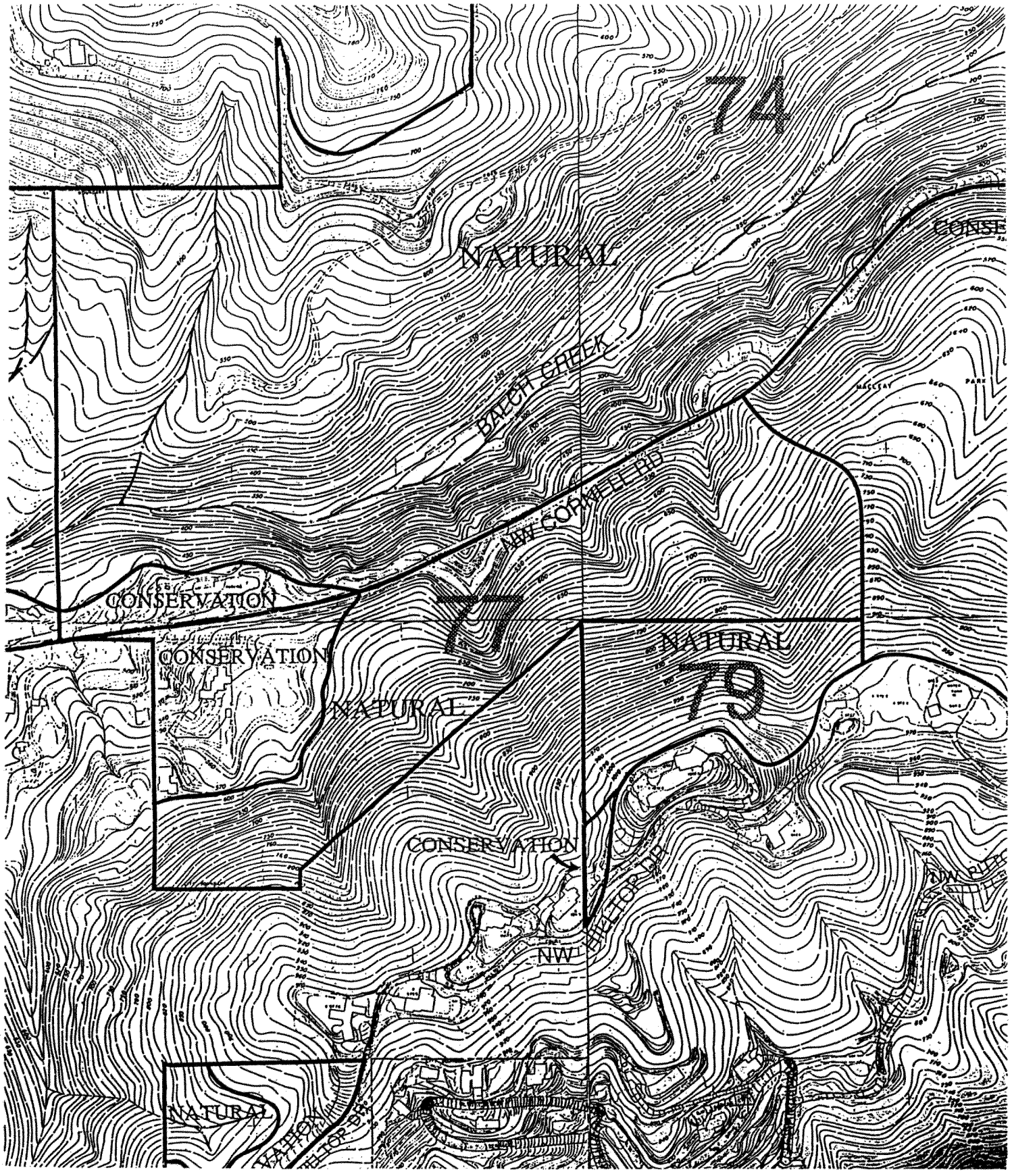
Site 76 **Natural Features**	North 0 200' 400' Scale Bureau of Planning • City of Portland	**BALCH CREEK** WATERSHED PROTECTION PLAN

Site 76
Area Between Cornell Road Tunnels, and in and near Upper Macleay Park

Conflicting Uses:
Identified conflicting uses include agriculture, forestry, landscaping, housing, intensive recreation, maintenance of public streets, maintenance of public utilities, maintenance of public park trails, commuter traffic, trash dumping, and similar uses allowed by county zoning. Invasive problem plants include holly, laurel, ivy, and clematis.

Housing Potential:
Site 76 contains nine homes with a potential for twenty-one more. A lot by lot analysis follows.

Tax Account	Comp Plan	Acres	Existing	Potential
R-45200-4230	OS	01.26	0	0
R-45200-4450	OS	01.11	0	0
R-55150-0010	R7	00.23	0	1
R-55150-0020	R7	00.19	0	1
R-55150-0030	R7	00.23	0	1
R-55150-0050	R7	00.99	1	5
R-82460-0320	R7	01.78	1	3
R-94131-0010	OS	45.00	0	0
R-94132-0350	OS	13.33	0	0
R-94132-0360	OS	17.16	0	0
R-94132-0570	OS	13.80	1	0
R-94132-0640	OS	01.80	0	0
R-94132-0910	R7	01.29	0	0
R-94132-0930	R7	00.34	1	1
R-94132-0940	R7	00.39	1	1
R-94132-0960	R7	00.40	1	1
R-94132-1030	R7	00.29	1	0
R-94132-1040	R7	00.70	1	3
R-94132-1090	R7	00.44	1	1
R-94132-1260	R7	00.42	0	2



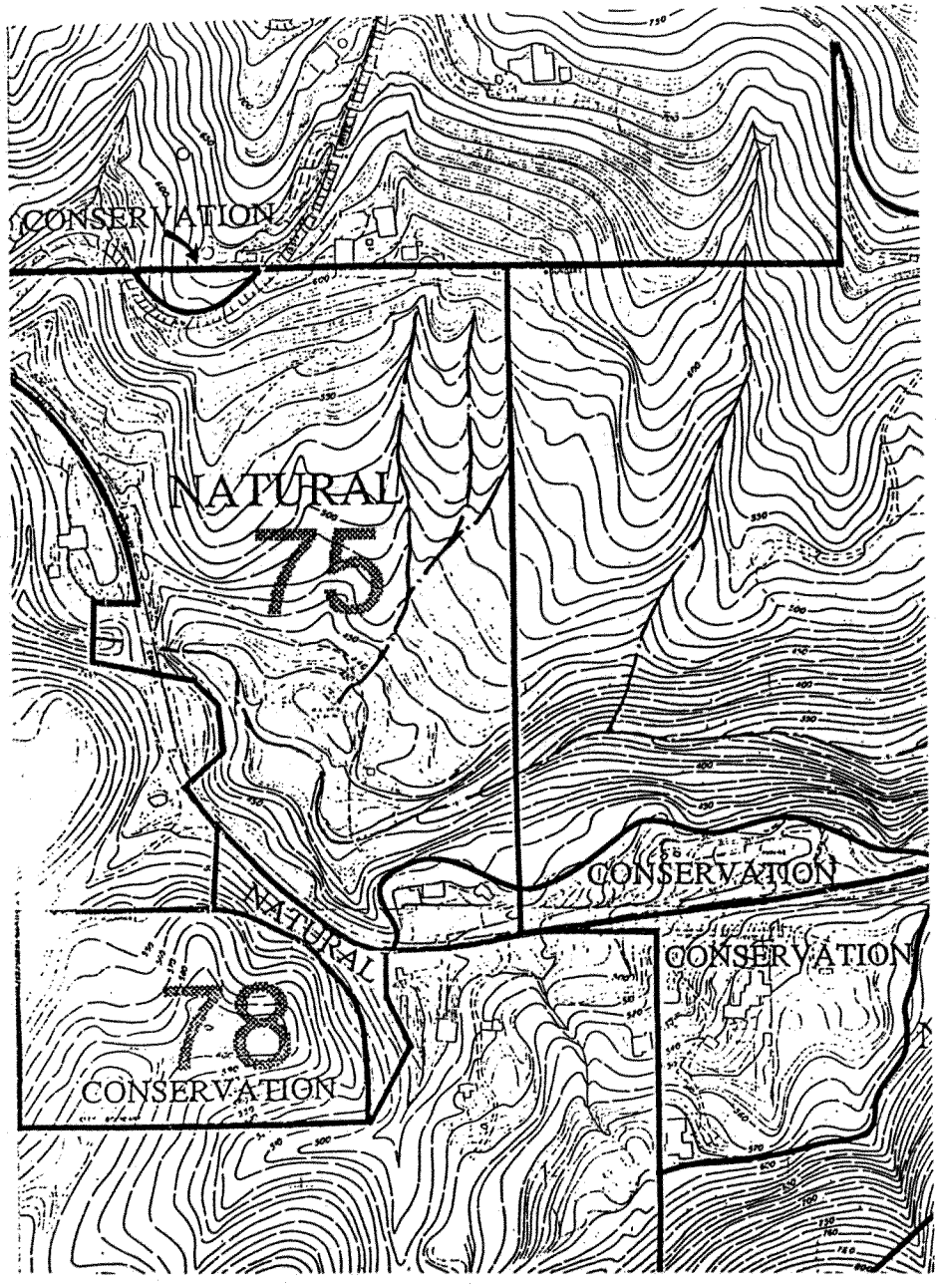
Site 77 Natural Features	North 0 200' 400' Scale Bureau of Planning • City of Portland	BALCH CREEK WATERSHED PROTECTION PLAN

Site 77
Area West of Cornell Road Tunnels in or near Adams and Upper Macleay Parks

Conflicting Uses:
Identified conflicting uses include agriculture, forestry, landscaping, housing, intensive recreation, maintenance of public streets, maintenance of public park trails, maintenance of public utilities, community gardening, commuter traffic, trash dumping, and similar uses allowed by county zoning. Problem invasive plants include English laurel and tansy ragwort.

Housing Potential:
Site 77 has three homes and no remaining housing potential. A lot by lot analysis follows.

Tax Account	Comp Plan	Acres	Existing	Potential
R-94131-0010	OS	10.00	0	0
R-94131-0140	FF	00.74	0	0
R-94131-0190	OS	06.91	0	0
R-94131-0390	OS	02.87	0	0
R-94131-0550	FF	01.90	1	0
R-94131-0640	FF	02.09	1	0
R-94131-0650	FF	00.27	0	0
R-94131-0660	OS	00.09	1	0



Site 78 **Natural Features**	North 0 200' 400' Scale Bureau of Planning • City of Portland	**BALCH CREEK** WATERSHED PROTECTION PLAN

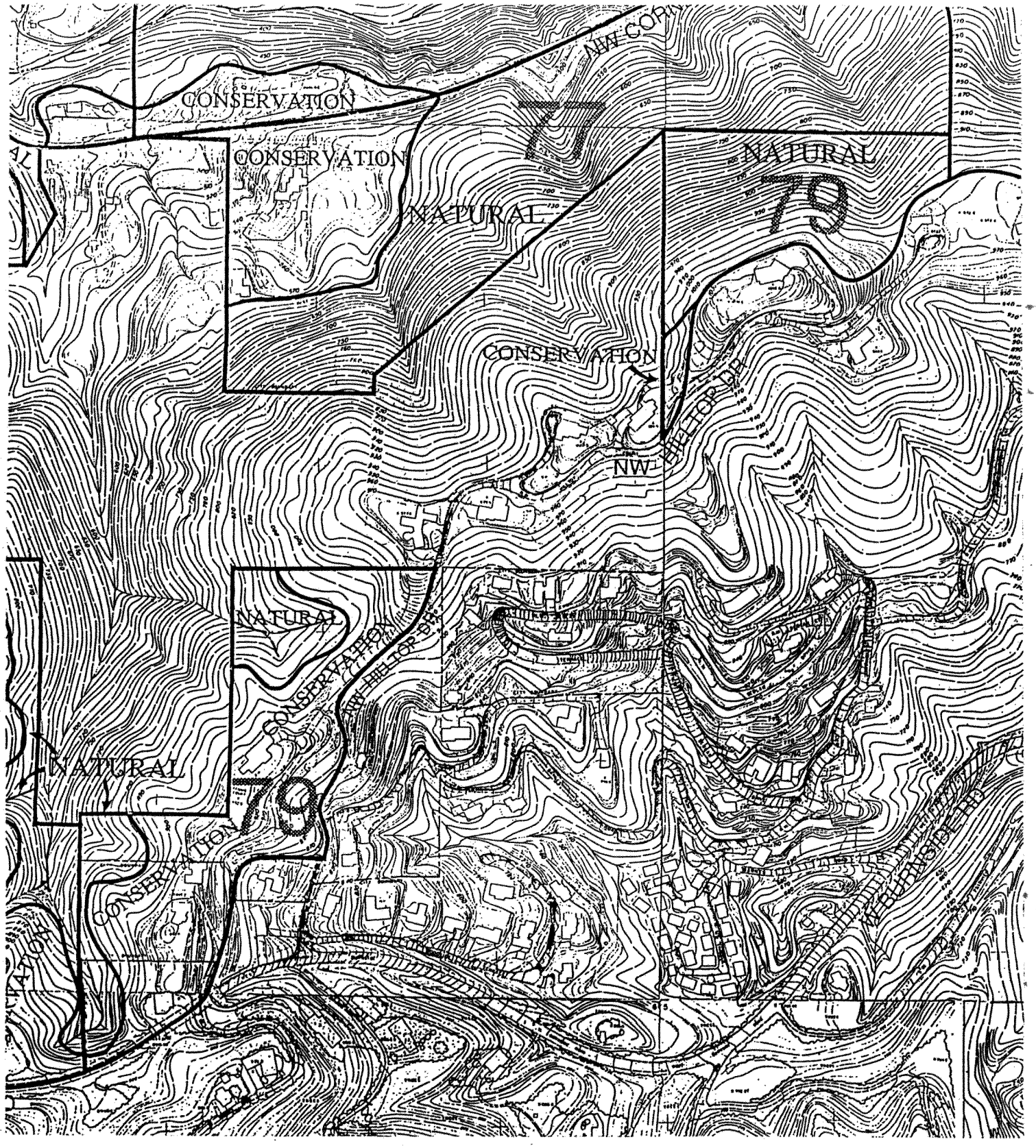
Site 78

Area of New Construction near Audubon Caretaker House

Conflicting Uses:
Identified conflicting uses include agriculture, forestry, landscaping, housing, maintenance of public streets, maintenance of public utilities, maintenance of a long private drive way, commuter traffic, and similar uses allowed by county zoning.

Housing Potential:
Site 78 has one house built in 1990 and the potential for two more. The site has two lots in common ownership, which if consolidated would provide for three rather than two additional homes. The lots are analyzed in the chart below.

Tax Account	Comp Plan	Acres	Existing	Potential
R-94131-0240	FF	07.76	1	2
R-94131-0620	FF	00.38	0	0



Site 79 Natural Features	North 0 200' 400' Scale Bureau of Planning • City of Portland	BALCH CREEK WATERSHED PROTECTION PLAN

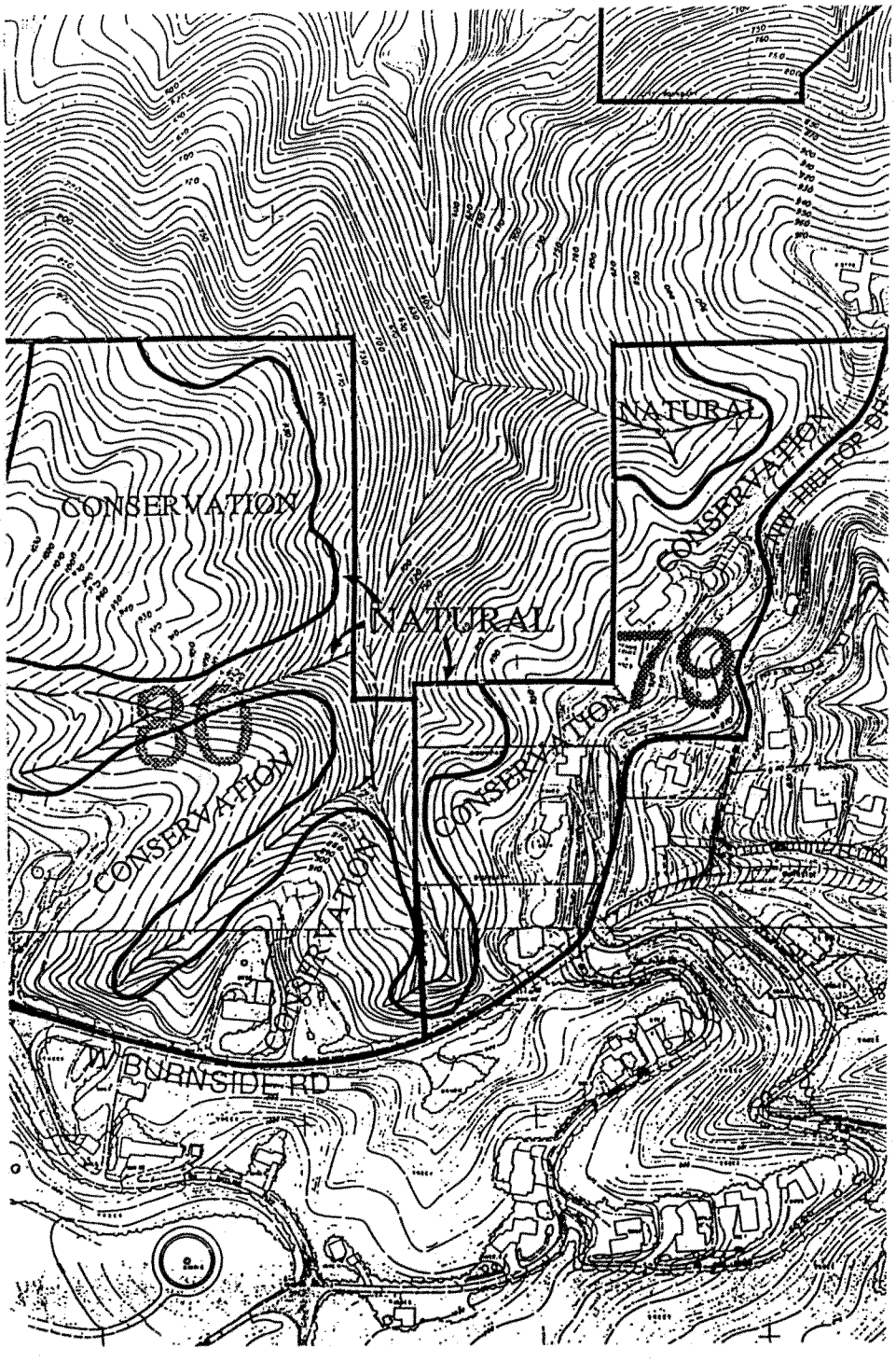
Site 79

Areas near intersection of Barnes Road and Hilltop Drive

Conflicting Uses:
Identified conflicting uses on Site 79 include agriculture, forestry, landscaping, housing, maintenance of public and private streets, maintenance of public utilities, traffic, trash dumping, and similar uses allowed by adjacent county zoning.

Housing Potential:
Site 79 contains six homes with the potential for five more. A lot by lot analysis follows.

Tax Account	Comp Plan	Acres	Existing	Potential
R-39000-0010	FF	07.70	1	2
R-39000-0100	FF	04.70	1	1
R-94131-0270	FF	00.89	0	0
R-94131-0340	FF and R10	04.51	0	2
R-94131-0350	FF	00.99	1	0
R-94131-0420	FF	00.99	1	0
R-94131-0490	FF and R10	02.50	1	0
R-94131-0630	FF	00.96	0	0
R-94131-0760	FF	01.40	0	0
R-94131-0770	FF	00.82	0	0
R-99106-2710	FF	00.97	1	0



Site 80 **Natural Features**	North 0 200' 400' Scale Bureau of Planning • City of Portland	**BALCH CREEK** WATERSHED PROTECTION PLAN

Site 80

Area in or near the Proposed Pittock Place, Planned Unit Development

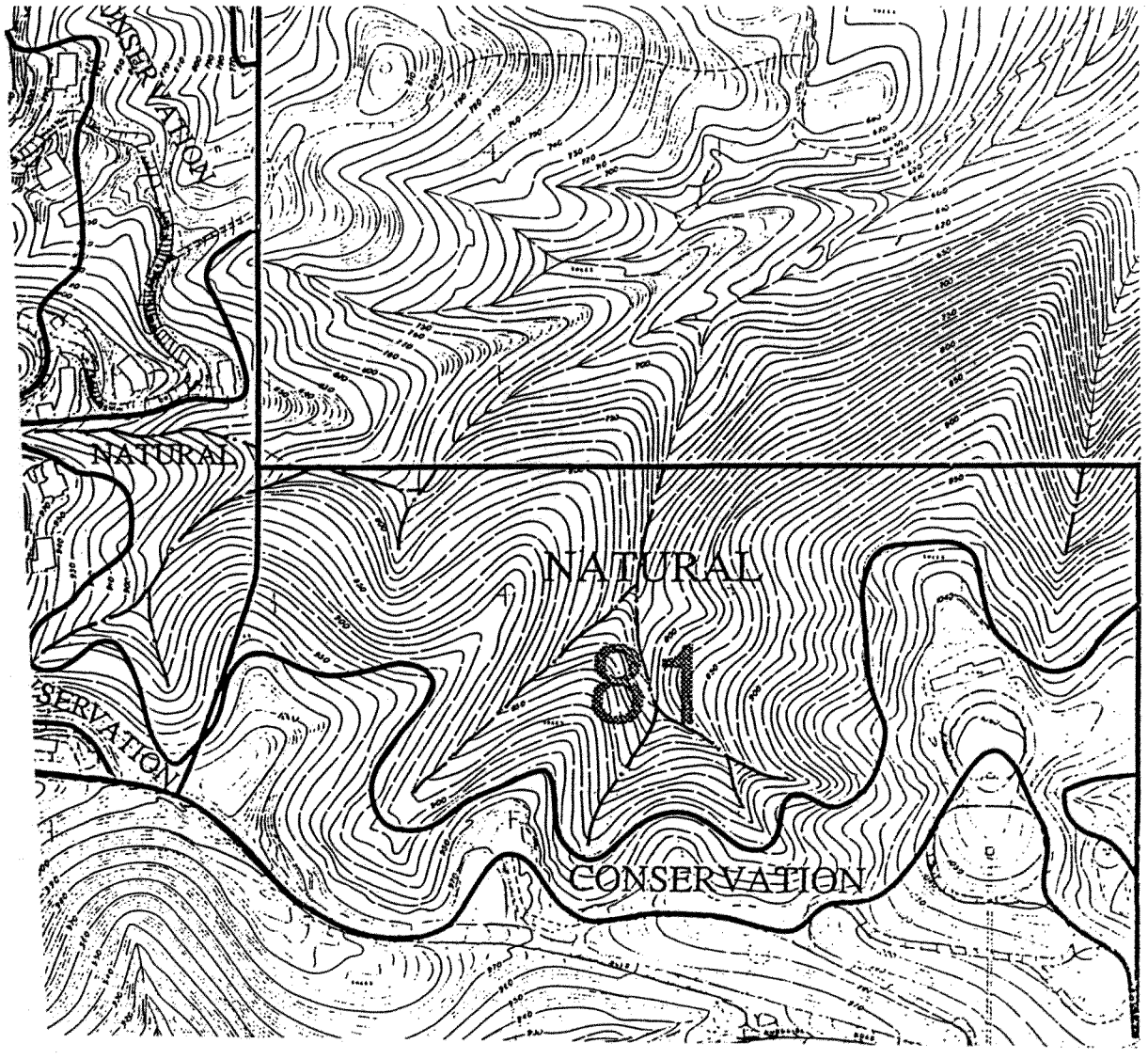
Conflicting Uses:

Identified conflicting uses on Site 80 include agriculture, forestry, landscaping, housing, maintenance of public streets, maintenance of public utilities, trash dumping, and similar uses allowed by county zoning.

Housing Potential:

Site 80 contains two houses. Comprehensive Plan designations would allow fifty-seven more. A lot by lot analysis follows.

Tax Account	Comp Plan	Acres	Existing	Potential
R-94131-0250	R20	00.23	0	0
R-94131-0280	R20	05.14	1	10
R-94131-0580	R20	07.17	0	15
R-94131-0610	R20	00.23	0	0
R-94131-0700	R20	12.28	0	26
R-99106-3070	R20	03.04	0	6
R-99106-3080	R20	00.72	1	0



Site 81 **Natural Features**	North 0 200' 400' Scale Bureau of Planning • City of Portland	**BALCH CREEK** WATERSHED PROTECTION PLAN

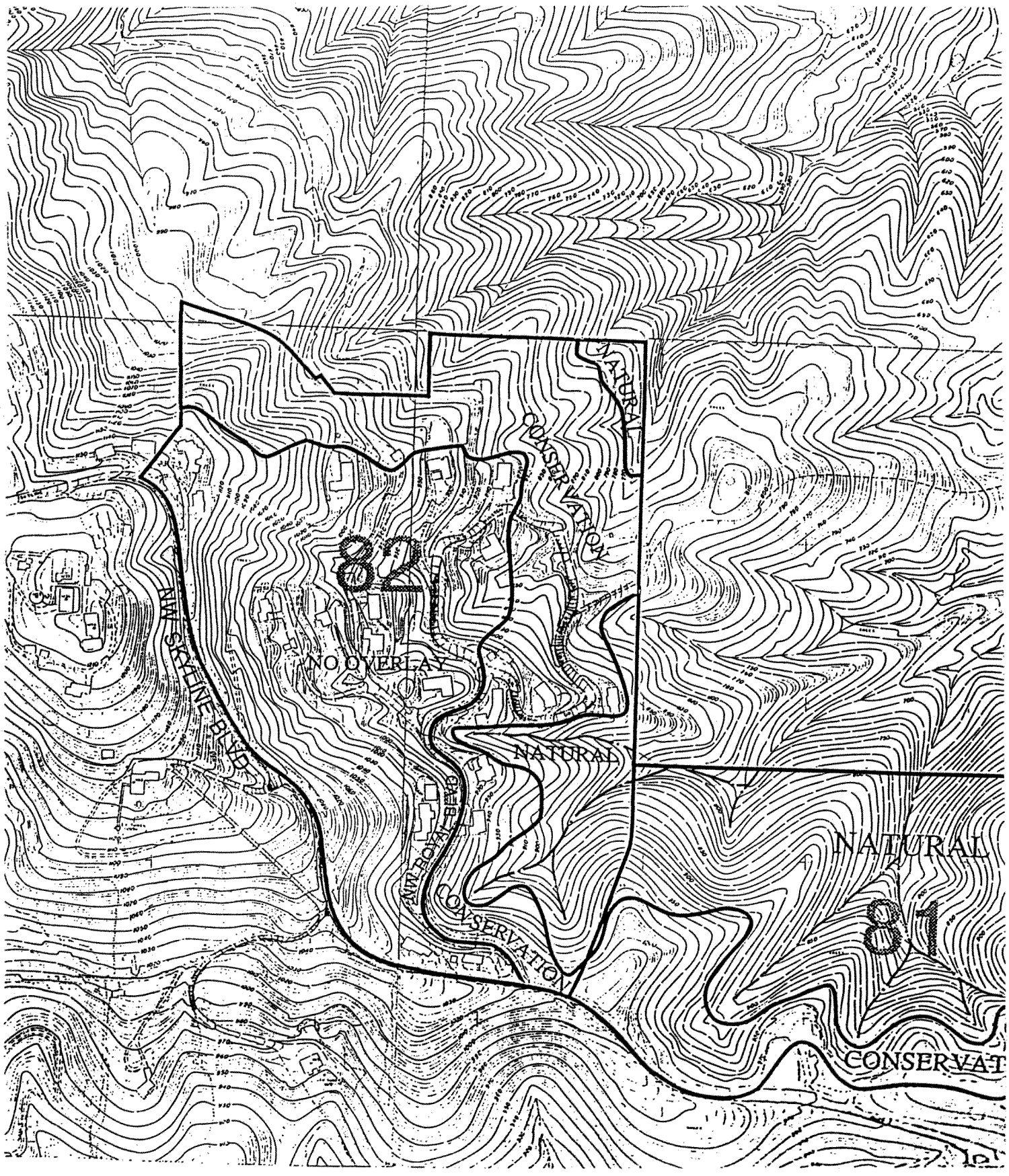
Site 81

Area in Mount Calvary Cemetery

Conflicting Uses:
Identified conflicting uses on Site 81 include agriculture, forestry, landscaping, housing, commercial type cemetery activities occurring under conditional use permits, maintenance of public and private streets, maintenance of public utilities, and similar uses allowed by county zoning.

Housing Potential:
Site 81 has no houses and no housing potential under existing Comprehensive Plan designations. The site is three lots in one ownership. A chart follows.

Tax Account	Comp Plan	Acres	Existing	Potential
R-94131-0100	OS	10.25	0	0
R-94131-0110	OS	09.85	0	0
R-94131-0070	OS	44.70	0	0



Site 82 Natural Features	North 0 200' 400' Scale Bureau of Planning • City of Portland	BALCH CREEK WATERSHED PROTECTION PLAN

Site 82

Area in or near the Royal Highlands and Barnes Park Subdivisions

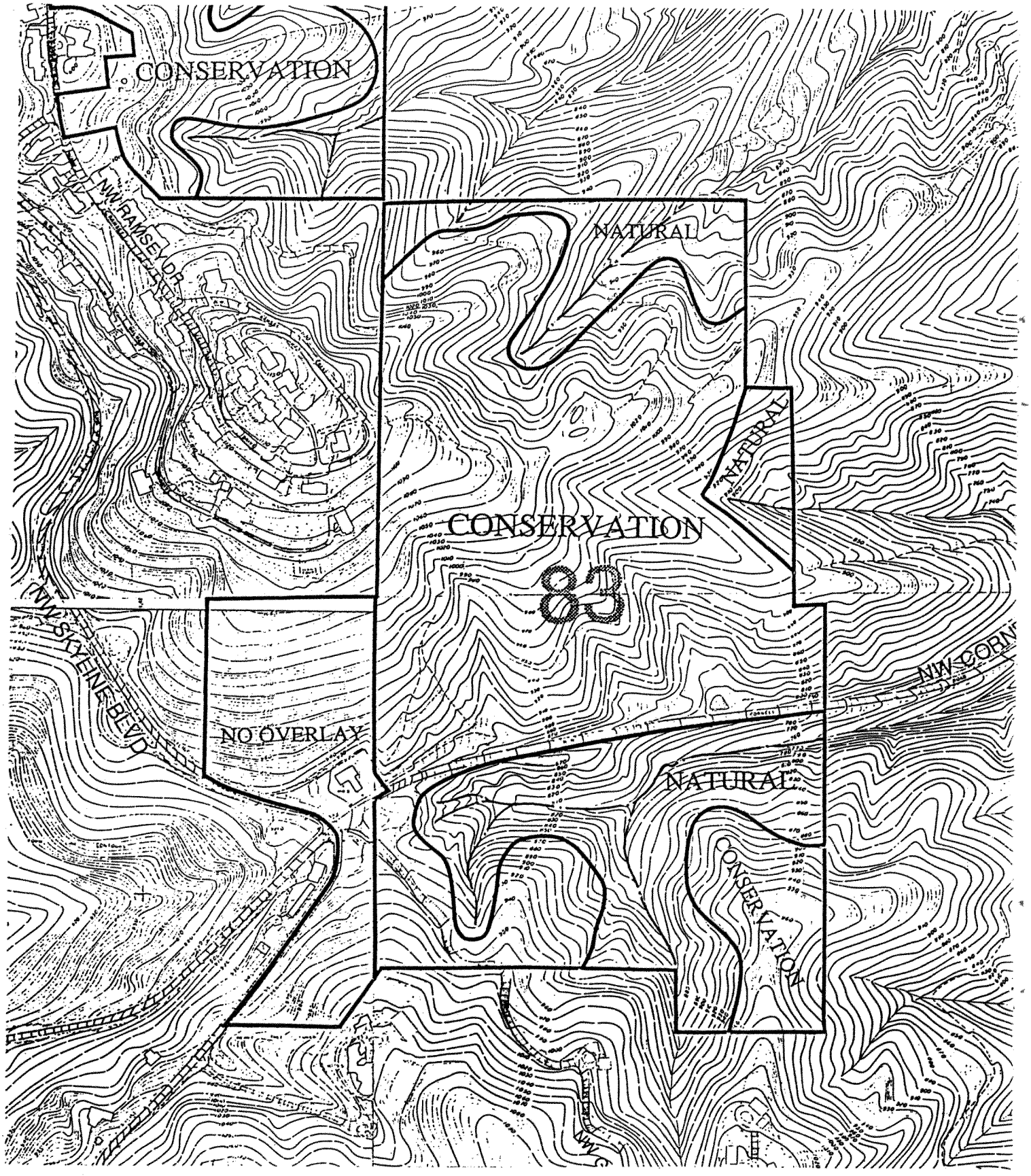
Conflicting Uses:
Identified conflicting uses on Site 82 include agriculture, forestry, landscaping, housing, maintenance of public streets, maintenance of public utilities, operation and maintenance of a private sewage treatment plant, trash dumping, and similar uses allowed by county zoning.

Housing Potential:
Site 82 contains twenty-six homes. Existing Comprehensive Plan designations would allow forty-nine more homes. A lot by lot analysis follows.

Tax Account	Comp Plan	Acres	Existing	Potential
R-05530-0980	R20	01.90	1	3
R-05530-1020	R20	01.53	0	3
R-05530-1060	R20	00.45	1	0
R-05530-1090	R20	03.25	0	7
R-05530-1100	R20	00.59	1	0
R-05530-1120	R20	00.30	0	0
R-05530-2070	R20	01.61	1	2
R-05530-2120	R20	04.36	1	8
R-05530-2180	R20	01.38	1	2
R-05530-2220	R20	00.67	1	0
R-05530-2240	R20	00.47	1	0
R-05530-2260	R20	00.79	0	1
R-05530-2310	R20	00.69	0	1
R-05530-2340	R20	00.48	1	0
R-05530-2360	R20	00.40	0	0
R-73100-0010	R20	00.12	1	0
R-73100-0030	R20	00.29	1	0
R-73100-0050	R20	00.83	1	0
R-73100-0150	R20	00.60	1	0
R-73100-0200	R20	01.17	1	2
R-73100-0300	R20	00.36	1	0
R-73100-0340	R20	00.41	0	0
R-73100-0380	R20	00.65	0	1
R-73100-0420	R20	00.60	0	1
R-73100-0460	R20	00.56	0	1
R-73100-0500	R20	00.37	0	0
R-73100-0530	R20	00.28	0	0
R-73100-0560	R20	00.34	0	0
R-73100-0600	R20	00.33	1	0
R-73100-0640	R20	00.30	1	0
R-73100-0680	R20	00.44	0	0
R-73100-0720	R20	00.47	0	1

Site 82 (Continued)

Tax Account	Comp Plan	Acres	Existing	Potential
R-73100-0760	R20	00.46	1	0
R-73100-0800	R20	00.44	0	0
R-73100-0840	R20	00.34	0	0
R-73100-0880	R20	00.40	0	0
R-73100-0920	R20	00.34	0	0
R-73100-1000	R20	00.36	1	0
R-73100-1040	R20	00.71	1	0
R-73100-1090	R20	00.35	1	0
R-73100-1130	R20	00.52	1	0
R-73100-1170	R20	00.68	0	1
R-73100-1210	R20	02.29	0	4
R-73100-1310	R20	00.75	0	1
R-73100-1350	R20	00.52	0	1
R-73100-1390	R20	00.50	0	1
R-73100-1430	R20	00.55	1	0
R-73100-1470	R20	00.50	0	1
R-73100-1510	R20	00.50	0	1
R-73100-1550	R20	00.38	0	0
R-73100-1590	R20	00.64	0	1
R-73100-1630	R20	00.67	0	1
R-73100-1670	R20	00.56	0	1
R-73100-1710	R20	00.63	0	1
R-96136-1790	R20	01.49	1	2
R-96136-1800	R20	00.69	1	0
R-96136-1810	R20	00.87	1	0



Site 83 Natural Features	North 0 200' 400' Scale Bureau of Planning • City of Portland	BALCH CREEK WATERSHED PROTECTION PLAN

Site 83

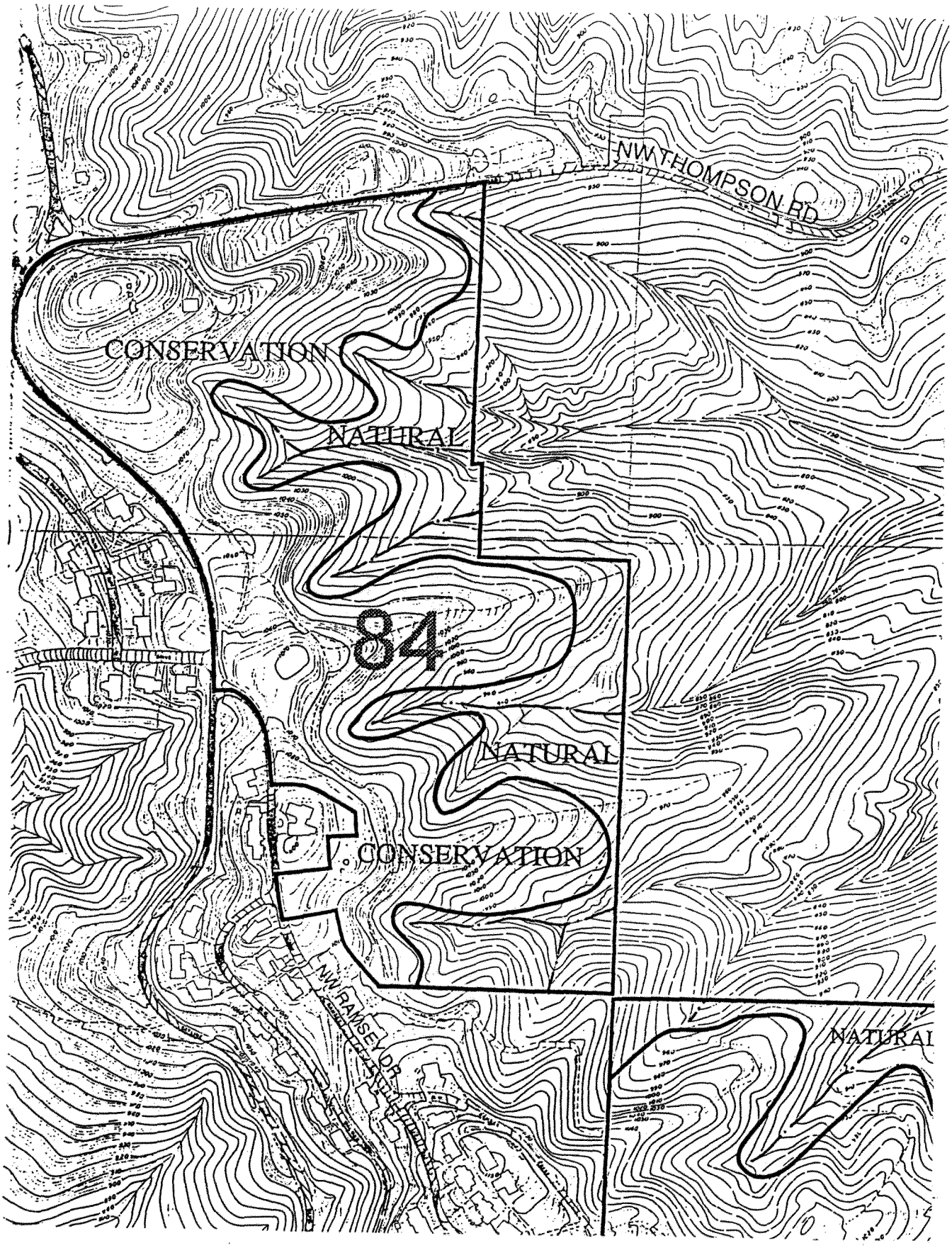
Area near Intersection of Greenleaf and Cornell Roads

Conflicting Uses:
Identified conflicting uses include agriculture, forestry, landscaping, housing, commercial development, maintenance of public streets, maintenance of public utilities, trash dumping, and similar uses allowed by county zoning. This is the only site in the Balch Creek Watershed with commercial zoning. The residential density and lot coverage provisions of C2 zoning would cause severe damage to identified resources.

Housing Potential:
Site 83 has four homes. Comprehensive Plan designations would allow one hundred more. Sixty-five of these allowed residences would be on two lots with C2 Comprehensive Plan designations. This zoning allows multifamily attached dwellings at R1 density. A lot by lot analysis follows.

Tax Account	Comp Plan	Acres	Existing	Potential
Unassigned A	FF	00.98	0	1
Unassigned B	FF	00.99	0	1
Unassigned C	FF	01.64	0	1
Unassigned D	FF	02.13	0	1
Unassigned E	FF	05.56	0	1
Unassigned F	FF	02.12	0	1
Unassigned G	FF	02.15	0	1
R-17870-0250	R10	04.12	1	7
R-17870-0290	C2	00.74	0	32
R-17870-0330	R20	00.60	1	0
R-17870-0380	R20 and C2	02.92	0	6
R-59040-0300	FF	00.34[110]	0	1
R-96125-0130	FF	16.34	0	8
R-96125-0140	FF	01.70	0	0
R-96136-0010	FF, R20, C2	15.20	0	23
R-96136-1760	C2 and R20	01.37	0	2
R-96136-1770	FF	02.09	0	1
R-96136-1830	FF	04.99	0	2
R-96136-1850	FF	02.01	1	0
R-96136-1860	FF	02.02	0	1

110. A variance (VZ 60-89) allows one house on 15,000 square feet of area for this lot only in a Farm and Forest zone. The Farm and Forest zone requires a two acre (87,120 square feet) minimum lot size.



Site 84 Natural Features	North 0 200' 400' Scale Bureau of Planning • City of Portland	BALCH CREEK WATERSHED PROTECTION PLAN

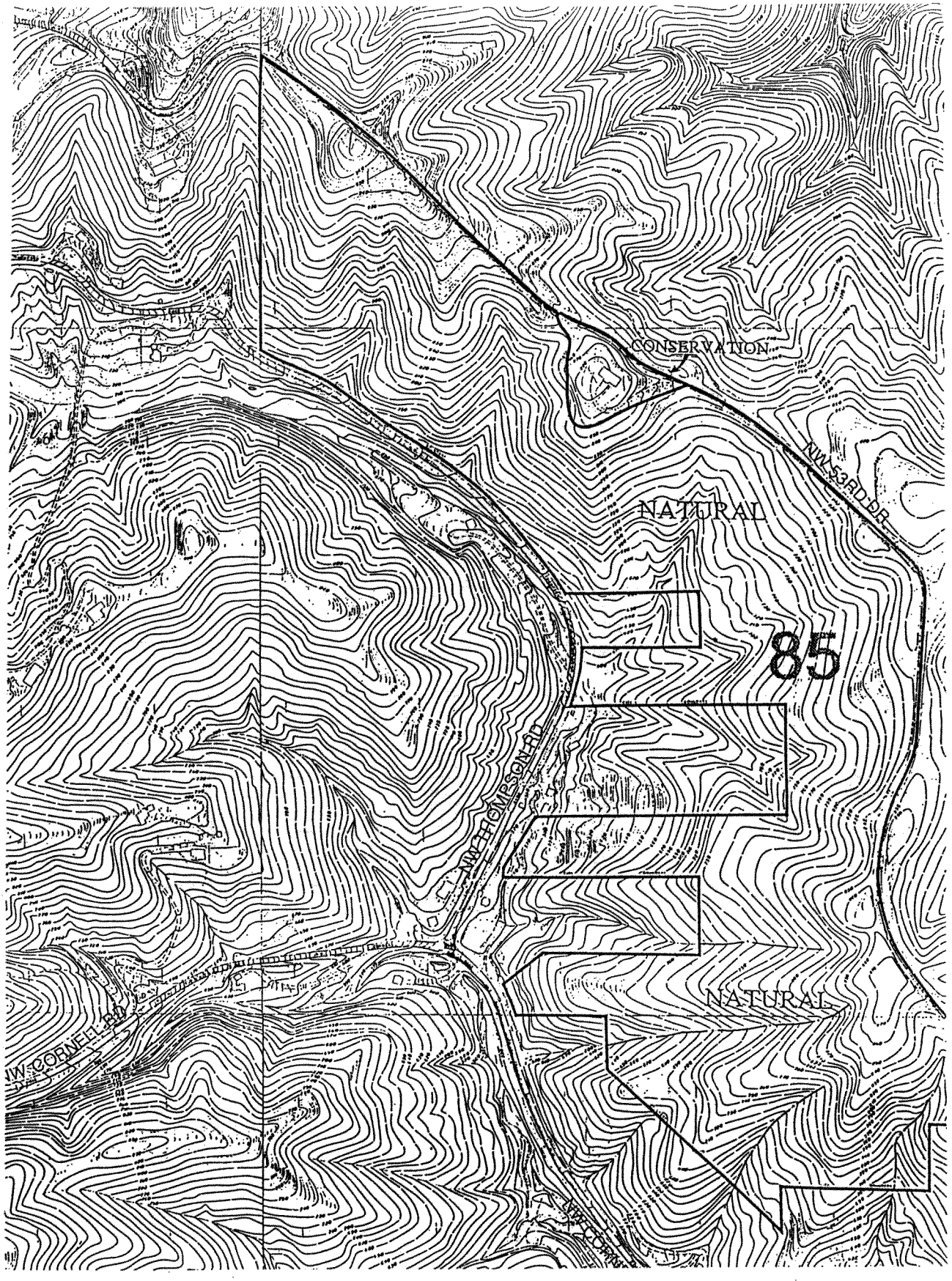
Site 84

Area near Skyline and Thompson Roads

Conflicting Uses:
Identified conflicting uses on Site 84 include agriculture, forestry, landscaping, housing, maintenance of public and private streets, maintenance of public utilities, trash dumping, and similar uses allowed by county zoning.

Housing Potential:
Site 84 contains two houses with the potential for twenty-three more. A lot by lot analysis follows.

Tax Account	Comp Plan	Acres	Existing	Potential
Unassigned H	FF	00.61	0	1
Unassigned I	FF	00.36	0	1
Unassigned J	FF	00.50	0	1
Unassigned K	FF	00.77	0	1
Unassigned L	FF	01.50	0	1
Unassigned M	FF	01.43	0	1
Unassigned N	FF	06.15	0	1
Unassigned O	FF	02.14	0	1
Unassigned P	FF	00.93	0	1
Unassigned Q	FF	12.76	0	4
R-77380-0410	R10	00.35	1	0
R-96125-0070	FF	00.30	1	0
R-96125-0080	FF	01.96	0	0
R-96125-0670	FF	00.78	0	0
R-96125-0790	FF	06.00	0	3
R-96125-0910	FF	00.53	0	0
R-96125-0970	FF	15.00	0	7



Site 85 Natural Features	North 0 200' 400' Scale Bureau of Planning • City of Portland	BALCH CREEK WATERSHED PROTECTION PLAN

Site 85

Area in and near Forest Park Between Thompson Road and 53rd Avenue

Conflicting Uses:

Identified conflicting uses on Site 85 include agriculture, forestry, landscaping, housing, maintenance of park trails, intensive recreation, maintenance of public streets, maintenance of public utilities, trash dumping, and similar uses allowed by county zoning.

Housing Potential:

Site 85 contains one house. It has no further housing potential under current Comprehensive Plan designations.

Tax Account	Comp Plan	Acres	Existing	Potential
R-59030-1860	OS	15.00	0	0
R-59030-2100	OS	14.27	0	0
R-59030-2340	OS	06.19	0	0
R-59030-2660	OS	12.37	0	0
R-59030-2910	OS	02.60	0	0
R-59030-3310	OS	07.03	0	0
R-59030-3510	FF	03.00	1	0
R-59030-3560	OS	02.70	0	0
R-59030-3610	OS	03.00	0	0
R-59030-4010	OS	06.00	0	0
R-59030-4014	OS	06.00	0	0

REGULATIONS

General Summary

New regulations are needed to limit and prohibit conflicting uses in the Balch Creek Watershed. High resource values and functions warrant a high degree of protection. Significant watershed resources include a full year stream, an isolated population of cutthroat trout, and old conifer forests. The regulations listed below can accomplish the needed protection with a net reduction of only one home site. Protection is accomplished by directing residential development away from the center of the watershed and toward the least sensitive edge.

The regulations are designed to preserve watershed functions and values as a whole. By preserving storm water and erosion control functions and fish and wildlife habitat values, site specific resources such as streams and forests are also preserved. The regulations do this by carrying out four management objectives. These objectives are the product of the preceding inventory of resources and preceding analysis of conflicting uses. All applicable policies of Oregon land use law and the Portland Comprehensive Plan are met through these objectives. The objectives are:

- **Maintain Balch Creek Cutthroat Trout.**
  These fish should be maintained in all of their present range and at population of at least 2,000. Opportunities for stream enhancement should also be maintained.

- **Maintain a Wildlife Corridor between Forest Park and Pittock Acres Park.**
  Contiguous forest and contiguous forest cover should be maintained as habitat and a corridor sufficient for of deer and elk.

- **Limit Floods.**
  The frequency and severity of flooding in Macleay Park and the Northwest industrial area should not increase. Opportunities to reduce the severity and frequency of flooding should also be maintained.

- **Protect Streams and Forests.**
  All full year streams, intermittent streams, ravine bottoms, springs, and all significant ground water recharge areas should be protected; significant conifer forests and significant mixed broad-leafed and conifer forests should also be protected.

The following regulations are needed to carry out these objectives:

- **Adopt One New Goal 8 Comprehensive Plan Policy.**

- **Change One Existing Goal 2 Comprehensive Plan Policy.**

- **Replace the Natural Resource Overlay Zone Chapter of the January 1, 1991, City Zoning Code with a Future Urban Overlay Zone.**

- **Add Special Use Restrictions, Development Standards, and Approval Criteria to the Environmental Zones Chapter of the January 1, 1991 City Zoning Code.**

- **Change Several Existing Comprehensive Plan Designations.**

- **Change Several Existing Base Zones.**

- **Apply the Natural Resource Overlay Zone (recommended Future Urban Overlay Zone).**

- **Apply the Environmental Natural Overlay Zone (Environmental Protection Overlay Zone in the January 1, 1991, City Zoning Code).**

- **Apply the Environmental Conservation Overlay Zone.**

The following existing regulations are not needed to carry out the objects, and should be repealed because they are made obsolete or unnecessary by the new regulations, or because they were erroneously applied when first adopted:

- **Repeal Stream Feature Designations.**

- **Repeal Site Review Overlay Zones.**

- **Repeal Open Space Designations on Residential Properties.**

The following is the regulatory language needed to protect Balch Creek Watershed resources:

Change Policy 8.11
Change Goal 8.11 of the Portland Comprehensive Plan by adding a new policy for the Balch Creek Watershed. The existing policy reads,

~~"8.11 Willamette River Greenway~~
~~Protect and preserve the natural and economic qualities of lands along the Willamette River through implementation of the City's Willamette River Greenway Plan."~~

Change this policy to read,

"*8.11 Special Areas*
Recognize unique land qualities and adopt specific planning objectives for special areas.

A. Willamette River Greenway

Protect and preserve the natural and economic qualities of lands along the Willamette River through implementation of the City's Willamette River Greenway Plan.

B. Balch Creek Watershed
Protect and preserve fishery, wildlife, flood control, and other natural resource values of the Balch Creek Watershed through the application of special development standards and approval criteria in the environmental overlay zones."

Change Policy 2.5
Current Comprehensive Plan policy limits the application of the Natural Resource overlay zone (recommended Future Urban overlay zone) to lands which are both within the City and beyond the Urban Growth Boundary. Both of these overlay zone limits the minimum area of new lots to 20 acres. In special cases this limit should also apply within the Urban Growth Boundary. Such a case is the portion of the Balch Creek Watershed, which is within both the City and the Urban Growth Boundary, but has no access to a sewer line. Providing a sewer to this area would be costly and would do great harm to the environment. The minimum area of new lots in this portion of the watershed should be limited to twenty acres. The application of the Natural Resource overlay zone is, however, governed by Comprehensive Plan Policy 2.5 which reads,

~~"2.5 Natural Resource Area~~
~~Limit extension of development-related facilities, except for reasons of public health and safety, in areas designated Natural Resource on the Land Use Framework Map adopted by the Metropolitan Service District."~~

It should also be noted that the existing policy makes references to a map which has been superseded by the Comprehensive Plan maps and zoning maps of Portland and the other metropolitan jurisdictions.

Change the existing policy 2.5 to read,

"2.5 Future Urban Areas
Do not extend urban services to areas within the Urban Services Boundary which are designated future urban areas. Provide exceptions only to correct declared health hazards and violations of pollution control laws.

Objectives:

A Future Urban Area
Designate, as future urban areas, (1) all areas beyond the Urban Growth Boundary, and (2) areas within the Urban Growth Boundary for which the extension of services would

not be cost effective or would not be environmentally acceptable as determined by a detailed facility study.

B ***Replacement Areas***
Identify areas which could replace areas designated pursuant to (A) (2) above, and cooperate with the Metropolitan Service District and interested city and county governments to include these areas within the Urban Service Boundary."

Replace the Natural Resource Overlay Zone with the Future Urban Overlay Zone
Change the January 1, 1991, City Zoning Code to carry out amended Policy 2.5 above. The January 1, 1991, code now reads,

~~"CHAPTER 33.460~~
~~NATURAL RESOURCE ZONE~~

~~Sections:~~
~~33.460.010 Purpose~~
~~33.460.020 Map Symbol~~
~~33.460.030 Applying and Removing the Zone~~
~~33.460.040 Minimum Lot Area~~

~~33.460.010 Purpose~~
~~The Natural Resource overlay zone limits development in the Natural Resource area outside of the Metropolitan Service District's adopted Urban Growth Boundary (UGB). This is achieved by limiting the minimum area of new lots to 20 acres.~~

~~33.460.020 Map Symbol~~
~~The Natural Resource zone is shown on the Official Zoning Maps with an "f" map symbol (for forest).~~

~~33.460.030 Applying and Removing the Zone~~
~~The Natural Resource zone must be applied to all lands designated "Natural Resource" on the Metro Regional Land Use Framework Map. When the UGB is expanded to include Natural Resource-zoned land, the Natural Resource zone is to be removed from that land following the zoning map amendment procedures in 33.855.080.~~

~~33.460.040 Minimum Lot Area~~

~~The minimum lot area for the creation of new lots in the Natural Resource zone is 20 acres. Existing lots of less than 20 acres may be developed, but may not be reduced in area."~~

Change the January 1, 1991, code to read,

"CHAPTER 33.435
FUTURE URBAN ZONE

Sections:
33.435.010 Purpose
33.435.020 Map Symbol
33.435.030 Applying and Removing the Zone
33.435.040 Minimum Lot Area

33.435.010 Purpose
The Future Urban overlay zone limits development in future urban areas. Future urban areas are, (1) all areas beyond the the Metropolitan Service District's Urban Growth Boundary (UGB), and (2) areas within the UGB to which the extension of full urban services would not be cost effective or would cause unacceptable harm to the environment. The Future Urban overlay zone limits development by prohibiting the creation of new lots with a total area of less than 20 acres.

33.435.020 Map Symbol
The Future Urban zone is shown on the Official Zoning Maps with an 'f' map symbol (for future).

33.435.030 Applying and Removing the Zone
The Future Urban zone must be applied to all lands designated 'Natural Resource" on the Metro Regional Land Use Framework Map. When the UGB is expanded to include Future Urban-zoned land, the Future Urban zone is to be removed from that land following the zoning map amendment procedures in 33.855.080.

33.435.040 Minimum Lot Area
The minimum lot area for the creation of new lots in the Future Urban zone is 20 acres. The creation of new lots of less than 20 acres is prohibited. Existing lots of less than 20 acres may be developed, but may not be reduced in area."

Change existing Comprehensive Plan and Zoning Designations
Change several existing Comprehensive Plan and Zoning Designations. Charts and maps of these changes follow in the individual site summaries. These changes are recommended under the existing code but would probably not take effect until after the January 1, 1991, effective date of the new City Zoning Code. Under the new code the Open Space (OS) Comprehensive Plan designation would become the Open Space (OS) base zone, This would have the effect of (OS)FF, (OS)R20, (OS)R10, (OS)R7, and (OS)R5 base zones under the existing code all becoming OS base zones under the new code. The Farm and Forest (FF) base zone under the existing code would become the Residential Farm and Forest (RF) base zone under the new code. The single example of the Commercial Four (C4) base zone in the Balch Creek Watershed would become a Neighborhood Commercial Two (CN2) base zone under the new code. The Environmental Natural (en) overlay zone in the existing code would become the Environmental Protection (p) overlay zone in the new code. The Environmental Conservation (ec) overlay zone in the existing code would become Environmental Conservation (c) overlay zone in the new code. Finally, the Natural Resource (nr) overlay zone in both the existing code and the present version of the new code would become the Future Urban (f) overlay zone if the recommendations of this plan were adopted. For the sake of simplicity, only existing zone designations are used in maps and charts. The following is a summary of the recommended comprehensive plan map zone map changes:

- **Redesignate Commercial Property**
  Change the C2 Comprehensive Plan designation on parts of three properties to FF, and change the C2 Comprehensive Plan Designation for all of another property to C4.

- **Redesignate Residential Property**
  Change the R20 Comprehensive Plan designation to FF on one property, and change the R7 Comprehensive Plan Designation to OS on three properties.

- **Remove Open Space Designations**
  Change the OS Comprehensive Plan designation to R5 on seven properties. The original application of this designation was an error.

- **Increase Future Housing Density in Some Areas**
  Change the R20 Comprehensive Plan designation to R10 on 17 properties.

- **Lower Level of Commercial Development**
  Change the C2 base zone for one property to C4.

- **Decrease Future Housing Density in Other Areas**

Change the R7 Comprehensive Plan Designation to FF on three properties and change the R5 Base Zone Designation to FF on three properties.

- **Discontinue Site Review**
  Remove the Site Review (sr) overlay zone from all properties in the Balch Creek Watershed. Site review is not needed in conjunction with environmental review.

- **Replace Stream Features**
  Amend the City Map of Stream Features to removed all stream feature designations from the Balch Creek Watershed. Environmental overlay zones provide more protection to Balch Creek and its tributaries than existing stream feature designations.

- **Limit future lot sizes**
  Apply the Natural Resource (nr) overlay zone to 39 properties zoned FF.

- **Preserve Natural Resources**
  Apply the Environmental Natural (en) overlay zone completely to 13 properties and partially to 91 properties. Little or no development will be allowed in en zones. Allowed development will comply with special development standards and approval criteria.

- **Conserve Natural Resources**
  Apply the Environmental Conservation (ec) overlay zone completely to 65 properties and to the remainder of the 91 properties with partial en zoning. Most development allowed by base zones will be allowed in ec zones. Allowed development will comply with special development standards and approval criteria.

Adopt New Use Restrictions, Development Standards, and Approval Criteria
One use restriction, two development standards, and four approval criteria are needed to protect Balch Creek Watershed resources. These standards and criteria will provide certainty to developers and ensure consistency of environmental reviews. Only those proposed developments that are in accord with the criteria will be approved, and approved developments will abide by uniform standards.

Adopt the following as amendments to Chapter 33.430.100, .200, .330 and .340 of the January 1, 1991, City Zoning Code:

33.430.100 Uses Allowed

A. Review required. Uses and development allowed by the base zone, overlay zone, and plan district regulations are allowed in the

environmental zones if they comply with the development standards and are approved through an environmental review. The amount and placement of development may be restricted to ensure conformance with the regulations of this chapter.

B. Hazardous substances. Hazardous substances greater than the consumer commodity quantity are prohibited in the environmental zones. See 33.140.120 for descriptions of hazardous material quantities.

C. *Balch Creek Watershed. In the Balch Creek Watershed, residential development is prohibited in commercial zones.*

33.430.200 Development Standards
The development standards of this section apply to all transition and natural resource areas.

A. Building placement. This standard is intended to protect adjacent natural resource areas by allowing for solar access and controlling the scale and bulk of buildings near natural resources. A building or structure up to 25 feet in height may be placed up to the boundary of the natural resource area. A setback from the natural resource area boundary of at least 1 foot for every 1 foot in height over 25 feet is required.

B. Parking and truck areas. These regulations are intended to provide a transition between the natural resource area and development, to assist in controlling runoff, and to protect the visual amenity values of the natural resource.

1. Auto and light truck areas. Parking areas for autos and light trucks must be set back at least 10 feet from natural resource area boundaries. The setback must be landscaped to at least the L2 standard, as stated in Chapter 33.248, Landscaping and Screening.

2. Medium and heavy truck areas. Parking, loading, and maneuvering areas for medium and heavy trucks must be set back at least 10 feet from natural resource area boundaries. The setback must be landscaped to at least the L3 standard.

C. Exterior work activities. Exterior work activities are prohibited unless in conjunction with a river-related or river-dependent use.

D. Exterior storage and display. Exterior storage and display areas must be set back at least 10 feet from resource area boundaries. The setback must be landscaped to at least the L3 standard.

E. Drainage and topography.

1. The site must be contoured, planted, or developed to prevent erosion, pollution, and sedimentation into the adjacent natural resource area.

2. The Bureau of Environmental Services may require water pollution mitigation measures as a condition of approving the discharge of runoff into a natural resource or into a stormwater drainage facility which discharges into a natural resource. Preferred treatment is with natural pollution control systems compatible in character with the natural resource. The type of mitigation measure or facility, will be determined by the Bureau of Environmental Services.

F. Landscape materials.

1. The first 10 feet of landscaping, measured from the natural resource boundary line, must be planted with plant species native to the Willamette Valley or to the Pacific Northwest. Allowable plant species are described in Section IV.C, Landscaping, of the Willamette Greenway Plan. This requirement applies to all landscaping whether required or optional.

2. The standard in Paragraph 1. above does not apply where the identified natural resource does not include native plant species as a characteristic or value. In these cases, landscaping may be similar in type and character to that in the natural resource area.

G. Lighting. Exterior and interior lights must be placed so that they do not shine directly into natural resource areas.

H. Trash collection areas. Outdoor trash collection areas are prohibited.

I. Noise. Buildings must be placed and constructed to meet the noise standards for nonresidential development adjacent to residential zones. See Title 18, Nuisance Abatement and Noise Control.

J. Construction management. Construction must be done in a manner which will ensure that the remainder of the site with Environmental zoning will not be adversely impacted.

K. Balch Creek Watershed. In the Balch Creek Watershed the following additional development standards apply:

1. *Development Season. All ground disturbing activities regulated by this chapter must take place between May 1 and September 30 of any year. Any activity which exposes soil to direct contact with stormwater between October 1 and April 30 is prohibited. An exception to this standard allows emergency repair of existing structures during any time of year.*

2. *Prohibited Plants. The propagation of Himalayan Blackberry (Rubis discolor), English Ivy (Hedra helix), Western Clematis (Clematis lingusticiflora), Traveler's-Joy (Clematis vitalba) or any plant identified as a nuisance plant on the Portland Plant List is prohibited.*

33.430.330 Supplemental Application Requirements
All of the information listed below must be included with an environmental review application, in addition to the standard application requirements of 33.730.060.

A. Special site plan requirements.

1. **The site plan must clearly show the boundaries of the natural resource area and the transition area at a scale of at least 1 inch for every 100 feet. Location of the environmental zone is based upon the maps adopted with the ESEE analysis for the area.**

2. **Additional site plan requirements. In addition, the site plan must show:**

   - **Proposed site contouring;**
   - **Proposed stormwater management and disposal;**
   - **Existing or proposed, above or below ground utilities;**
   - **Proposed right-of-way dedication;**
   - **All trees greater than six inches in diameter measured at five feet above the ground. As an option to showing all trees greater than 6 inches in wooded areas not being disturbed, the crown cover outline can be shown;**
   - **Other vegetation cover types, general distribution, and identification of vegetation affected by the proposed project;**
   - **Existing floodplains and elevations;**
   - **Proposed sanitary waste disposal systems; and**
   - **Proposed recreational trails, viewpoints, and outdoor recreational spaces.**
   - ***Erosion control features to be employed during construction.***

B. Additional plans and analyses. The following information is required in either a site plan or narrative form, or in a combination of the two:

1. A construction management plan showing enough detail to fully address the concerns described in 33.430.210.J. above. The plan should address the handling of construction equipment, construction materials, excess fill, runoff, erosion, how trees and vegetation will be protected, and similar items;

2. If the development is proposed for a transition area, a detailed description of any proposed on-site or off-site mitigation measures;

3. An impact evaluation if the development is proposed for a natural resource area, See 33.430.350. If the impact evaluation shows that there will be a degradation or loss of functional values, a mitigation plan will also be required. See 33.430.360.

C. *Balch Creek Watershed site plans. In addition to the requirements stated above, site plans in the Balch Creek Watershed must show vegetation to remain, vegetation to be removed during construction, and vegetation to be reestablished.*

33.430.340 Approval Criteria
An environmental review application will be approved if the review body finds that the applicant has shown that all of the applicable approval criteria stated below are met.

A. Recreational trails.

1. Which approval criteria apply. Recreational trails to be located outside of a natural resource area are subject to the approval criterion stated in Paragraph 2. below. Recreational trails to be located in a natural resource area in the EP and EC zones are subject to the approval criteria stated in Subsection E. below.

2. Approval criterion. Trails, rest points, view points, and other facilities constructed for the enjoyment of the natural resource limit and balance significant detrimental environmental impacts with the potential for enjoyment of the natural resource.

B. Resource enhancement projects. Resource enhancement projects must have adequate mitigation measures to ensure that there will be no net loss of natural resources and functional values and that the objectives of the enhancement project will be achieved.

C. Excavations and fills. Excavations and fills are subject to the approval criteria of Subsections D, E, or F below and the approval criteria for excavations and fills stated in Chapter 33.830, Excavations and Fills.

D. Development in transition areas.

1. Development within the the transition area will have no significant detrimental environmental impacts on adjacent natural resource areas due to any change of drainage patterns, erosion, sedimentation, hazardous material spills, litter, or exterior lighting.

2. Existing trees and other vegetation are retained to the greatest extent possible.

3. The proposed construction management plan is adequate to protect the adjacent natural resource area.

E. Development in natural resource areas in the EC zone.

1. The proposal has as few significant detrimental environmental impacts on functional values as is practical.

2. All identified significant detrimental environmental impacts on the functional values will be compensated for through a mitigation plan.

3. Proposed construction management measures are adequate to protect remaining natural resource areas during the construction period.

F. Development in natural resource areas in the EP zone.

1. There are no alternative sites available within the City that are suitably zoned to allow the proposal and that would have less impact on natural resources.

2. The applicant's analysis of the economic, social, environmental, and energy consequences (ESEE) of the proposal is able to show that the City's prior ESEE analysis for the site is no longer valid due to a change in the factors considered. The applicant's ESEE analysis also clearly demonstrates that there is a public need for the proposal in the natural resource, and that the public benefit resulting from the proposal outweighs the significant detrimental environmental impacts on the natural resource.

3. All significant detrimental environmental impacts on the functional values will be compensated for through a mitigation plan.

4. Proposed construction management measures are adequate to protect remaining natural resource areas during the construction period.

G. Development in the Balch Creek Watershed. In addition to the approval criteria stated above, the following approval criteria must also be met in resource areas and transition areas in the Balch Creek Watershed:

1. Fish. Balch Creek cutthroat trout must be maintained in a range at least as extensive as their range in 1987 and at population of at least 2,000. Opportunities for stream enhancement must also be maintained.

2. Wildlife. The location, quantity, and quality of forest and contiguous forest cover must be sufficient to provide habitat for deer and elk and to provide for the passage of deer and elk between Forest Park and Pittock Acres Park.

3. Stormwater Runoff. The frequency and severity of flooding in Macleay Park and the Northwest industrial area must not increase. Post-development flows must not exceed pre-development flows. Flow calculations must be based on a typical Portland area 25 year, 24 hour storm and be made in accord with the methods described in the United States Department of Agriculture, Soil Conservation Services', Technical Release 55, Urban Hydrology for Small Watersheds. Private stormwater control facilities must have an operation and maintenance plan.

4. Soil Erosion. Erosion control features effective as those described in the City of Portland's and Washington County's joint Erosion Control Plans Technical Guidance Handbook must be employed during all ground disturbing construction. Site clearing must be limited to the minimum necessary for construction. All cleared areas which are not within a building foundation or a graveled entrance way must be covered with mulch, matting, or other effective erosion control features within fifteen days of the initial clearing. Temporary erosion control features must be removed by October first of the same year the development was begun. All permanent vegetation must be seeded or planted by October first of the same year the development was begun, and all soil not covered by buildings or other impervious surfaces must be completely vegetated by December first of the same year the development was begun.

5. Forest Cover. Ninety percent of the portion of development sites in environmental zones must be retained or established in closed canopy forest. An exception to this standard allows 3,000 square feet of unforested area for sites less than 30,000 square feet in total area. Planned unit developments, subdivisions, and clustered subdivisions must combine ninety percent of the portion of their plat within environmental zones into forested common open space. The planting of trees and shrubs for forest

restoration, forest establishment, or landscaping must be done with native plants, but not with red alder or big-leaf maple. This standard allows the granting of adjustments to allow more than ninety percent of total area to remain unforested for designated park and cemetery, agriculture, or forestry activities provided that approval criteria (1), (2), (3), and (4) above are met.

Natural Resource Management Plans

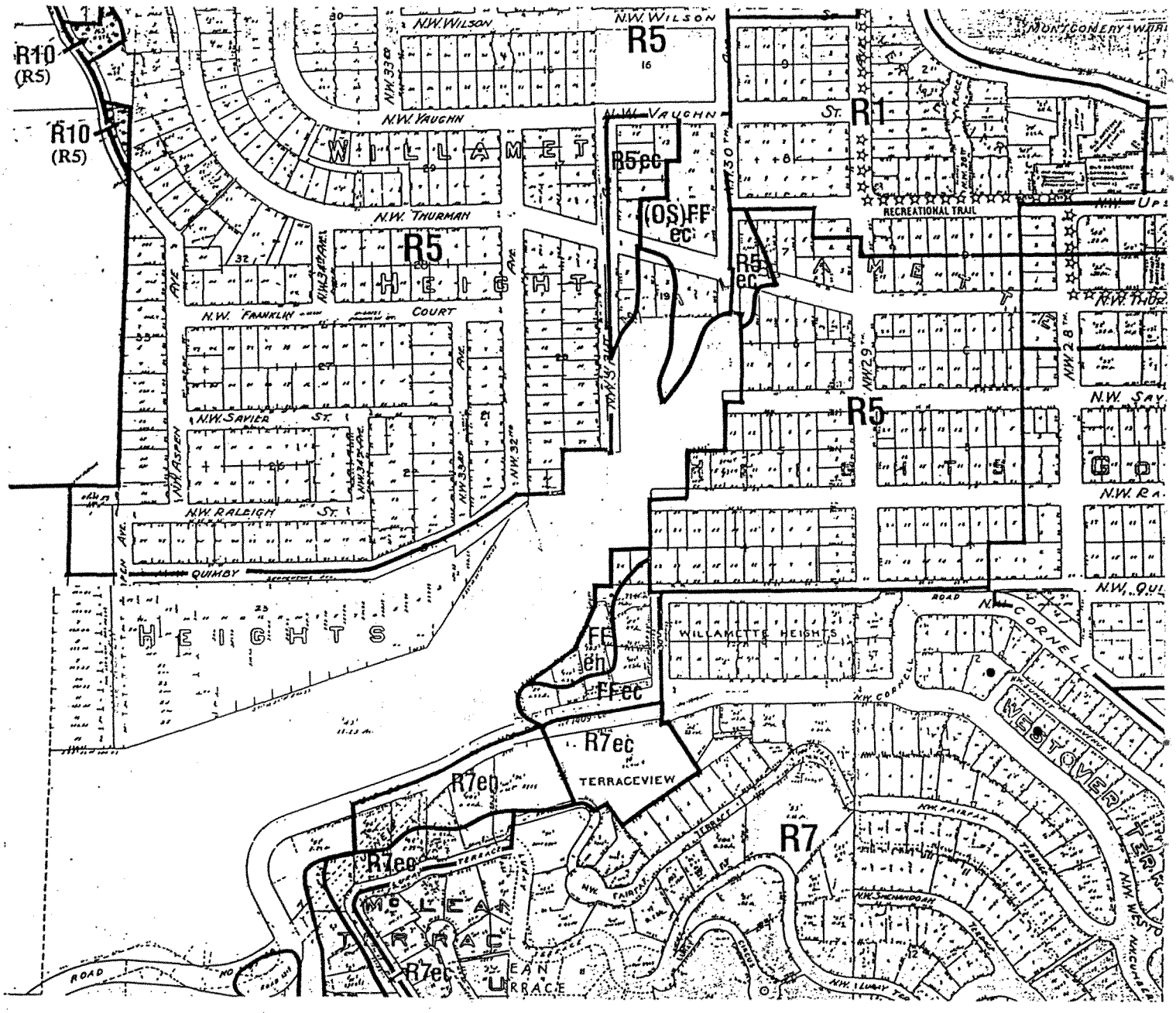
The Planning Bureau recognizes that natural resource management plans might be an appropriate, and in some cases a superior, alternative for limiting conflicting uses within the Balch Creek Watershed. These plans are provided for and encouraged by Policy 8.18 of the Comprehensive Plan, Section 33.430.370 of the January 1, 1991, City Zoning Code. If proposed by an interested business, organization, or agency, and if approved by the Planning Commission and the City Council, the provisions of these plans would supersede the environmental zoning regulations described above. The Planning Bureau believes that the following natural resource management plans would be most appropriate:

- **Parks Bureau**
  Portions of Adams, Forest, Holman, Pittock, and Macleay Parks would fall within conservation or preservation zones. Issues concerning the location, design and maintenance of trails, parking lots, overlooks, lavatories, and landscaping would be better addressed through a plan rather than case-by-case reviews.

- **Maintenance Bureau**
  Portions of rights of way for N.W. Cornell, Greenleaf, and Thompson Roads, N.W. Skyline Boulevard, and N.W. 53rd Avenue would fall within conservation zones. Since road maintenance occurs in accord with specifications and schedules, simple modifications of existing practices would be the basis for a management plan.

- **Portland Audubon Society**
  The Portland Audubon Society manages its lands for both resource protection and environmental education. Audubon society lands would fall within conservation and preservation zones. A management plan would provide a unique opportunity to balance education and conservation objectives and to coordinate management with adjacent park land.

- **Mount Calvary Cemetery**
  Cemeteries are unique uses of open space which require extensive areas of landscaping and can require large structures. Maintenance and construction of these facilities would be better addressed through a management plan than case-by-case reviews.



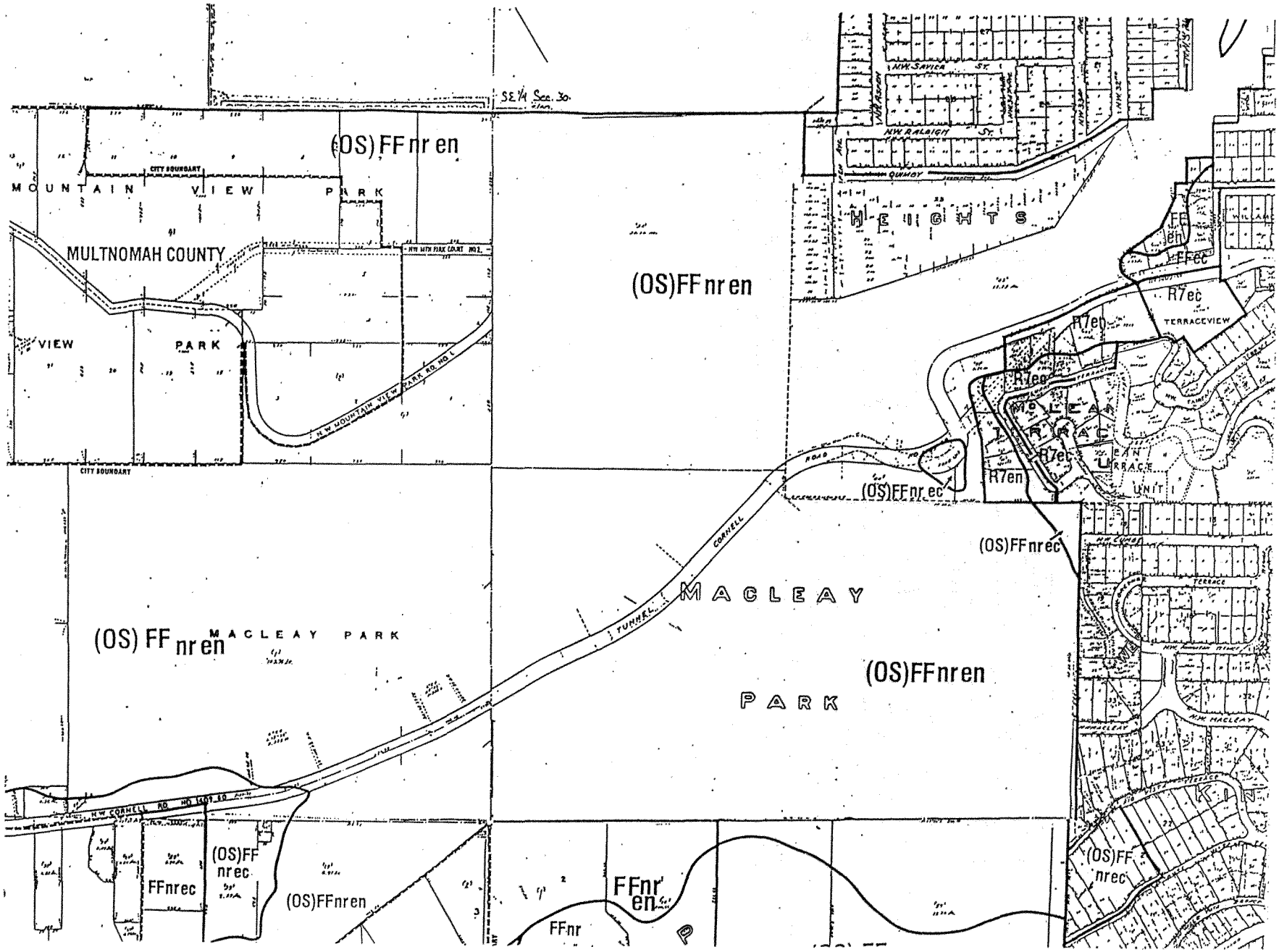
Site 73 Recommended Zoning	North 0 200' 400' Scale Bureau of Planning • City of Portland	BALCH CREEK WATERSHED PROTECTION PLAN

Site 73
Area in and near the Lower Macleay Park Lavatories, Parking Lot, and Lawn

New Overlay Zones ec, en, and nr

Housing Potential Change None

Tax Account	Base Zone	Overlay Zones	Comp Plan	Housing
R-91340-2460	R5	ec	R5	no change
R-91340-2470	FF	ec and en	OS	no change
R-91340-2560	R5	ec and en	R5	no change
R-91340-2570	R5	ec and en	R5	no change
R-91340-2580	R5	ec and en	R5	no change
R-91340-2590	FF	ec and en	OS	no change
R-91340-2600	R5	ec and en	R5	no change
R-91340-2610	FF	ec and en	OS	no change
R-91340-2660	R5	ec and en	R5	no change
R-91340-2670	R5	ec	R5	no change



Site 74
Recommended Zoning

Bureau of Planning • City of Portland

BALCH CREEK

WATERSHED PROTECTION PLAN

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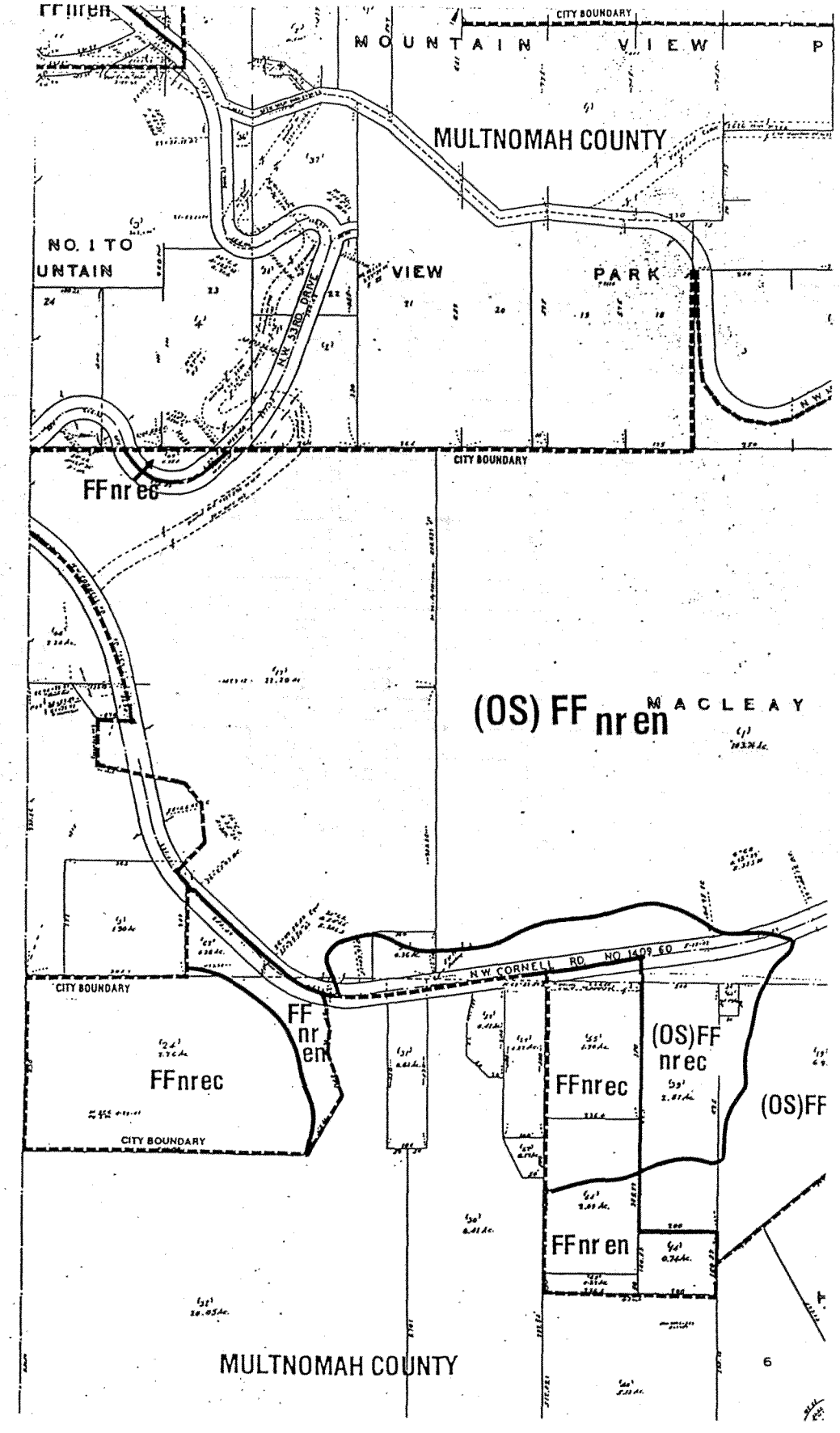
Site 74

Area in and near Lower Macleay Park South of the Lawn

New Overlay Zones ec, en, and nr

Housing Potential Change None

Tax Account	Base Zone	Overlay Zones	Comp Plan	Housing
R-59030-0010	FF	en and nr	OS	no change
R-59030-0170	FF	en and nr	OS	no change
R-59030-0260	FF	en and nr	OS	no change
R-59030-0310	FF	en and nr	OS	no change
R-59030-0370	FF	en and nr	OS	no change
R-91340-3390	FF	en and nr	OS	no change
R-91340-3740	FF	en and nr	OS	no change
R-94129-0190	FF	en and nr	OS	no change
R-94129-0200	FF	en and nr	OS	no change
R-94131-0010	FF	ec, en and nr	OS	no change
R-94132-0320	FF	ec and nr	FF	no change
R-94132-0340	FF	en and nr	OS	no change
R-94132-0430	FF	ec, en, and nr	OS	no change
R-94132-0840	FF	ec, en, and nr	FF	no change
R-94132-0890	FF	ec and nr	FF	no change
R-94132-1010	FF	ec, en, and nr	FF	no change
R-94132-1050	FF	ec, en, and nr	FF	no change
R-94132-1100	FF	ec, en, and nr	FF	no change



Site 75 Recommended Zoning	North 0 200' 400' Scale Bureau of Planning • City of Portland	BALCH CREEK WATERSHED PROTECTION PLAN

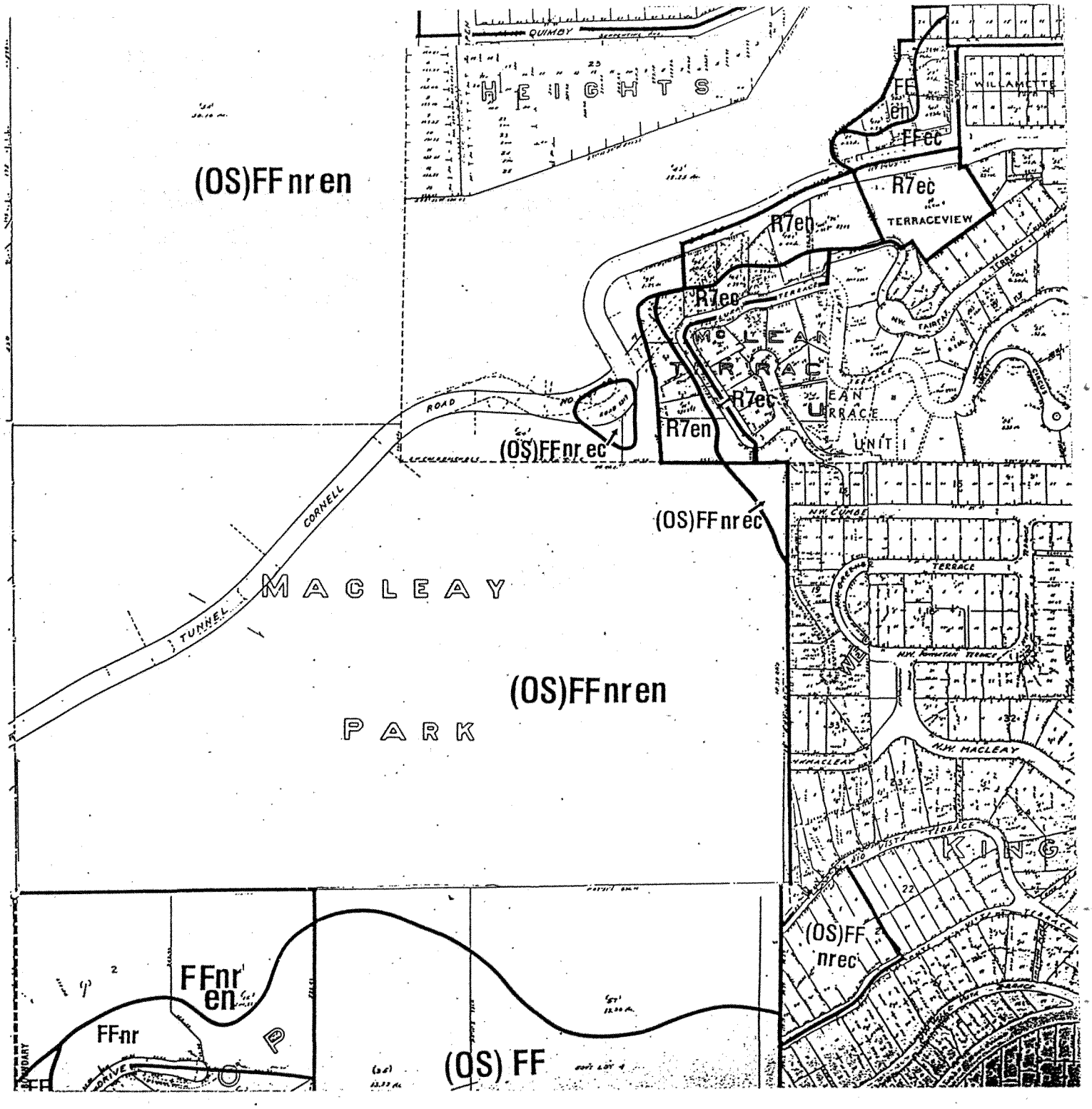
Site 75

Area in and near the Portland Audubon Society's Pittock Sanctuary

New Overlay Zones ec, en, and nr

Housing Potential Change None

Tax Account	Base Zone	Overlay Zones	Comp Plan	Housing
R-94131-0170	FF	ec, en, and nr	OS	no change
R-94131-0570	FF	ec, en, and nr	OS	no change
R-94131-0690	FF	ec and nr	FF	no change



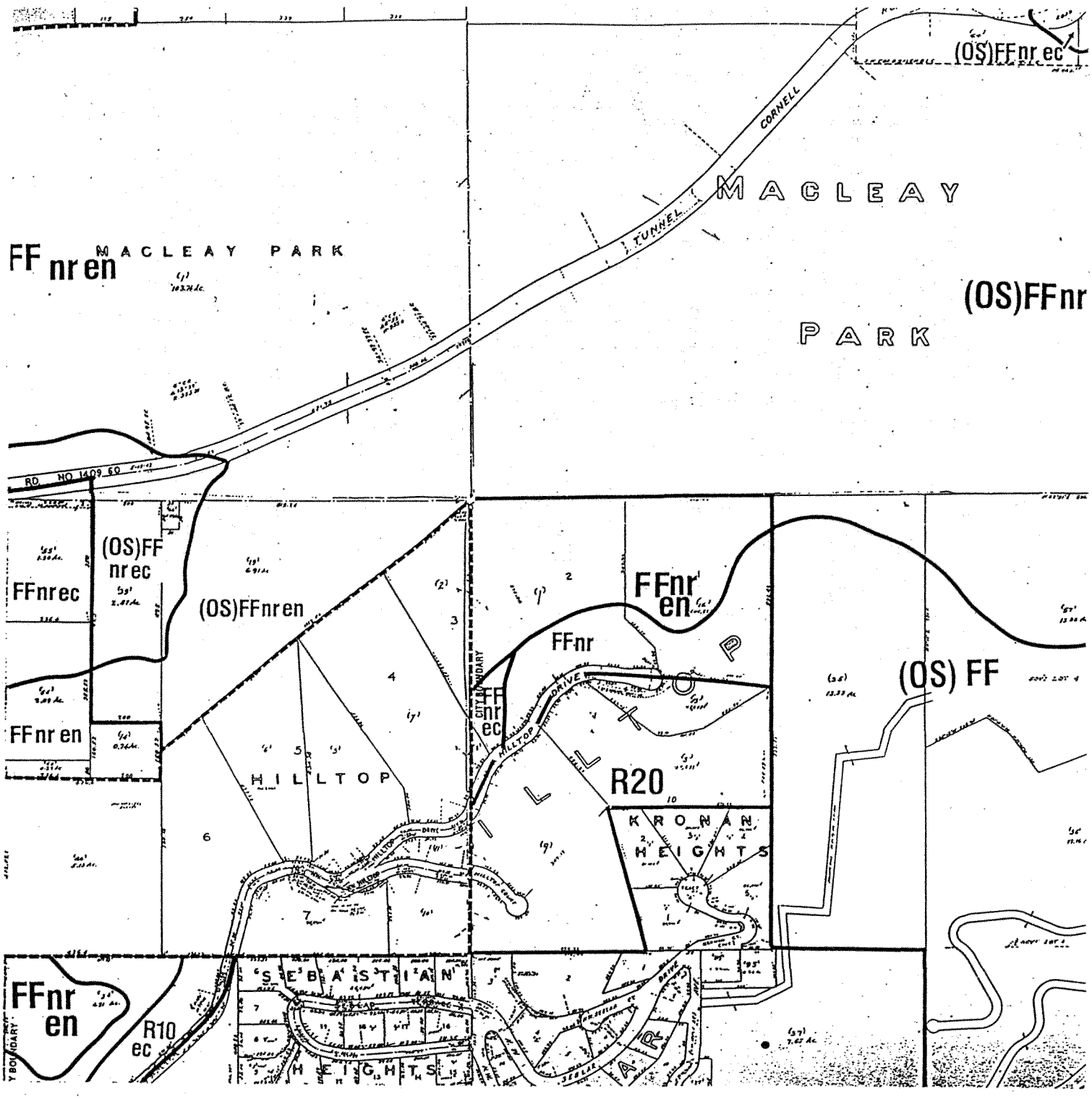
Site 76 Recommended Zoning	North 0 200' 400' Scale Bureau of Planning • City of Portland	BALCH CREEK WATERSHED PROTECTION PLAN

Site 76
Area Between Cornell Road Tunnels, and in and near Upper Macleay Park

New Overlay Zones ec, en, and nr

Housing Potential Change None

Tax Account	Base Zone	Overlay Zones	Comp Plan	Housing
R-45200-4230	FF	ec	OS	no change
R-45200-4450	FF	ec	OS	no change
R-55150-0010	R7	ec and en	R7	no change
R-55150-0020	R7	ec and en	R7	no change
R-55150-0030	R7	ec and en	R7	no change
R-55150-0050	R7	ec and en	R7	no change
R-82460-0320	R7	ec and en	R7	no change
R-94131-0010	FF	ec, en, and nr	OS	no change
R-94132-0350	FF	ec and nr	OS	no change
R-94132-0360	FF	ec and nr	OS	no change
R-94132-0570	FF	ec and nr	OS	no change
R-94132-0640	FF	ec, en, and nr	OS	no change
R-94132-0910	FF	en	OS	no change
R-94132-0930	R7	ec and en	R7	no change
R-94132-0940	R7	ec and en	R7	no change
R-94132-0960	R7	ec and en	R7	no change
R-94132-1030	R7	ec and en	R7	no change
R-94132-1040	R7	ec and en	R7	no change
R-94132-1090	R7	ec and en	R7	no change
R-94132-1260	R7	ec and en	R7	no change



Site 77 Recommended Zoning	North 0 200' 400' Scale Bureau of Planning • City of Portland	BALCH CREEK WATERSHED PROTECTION PLAN

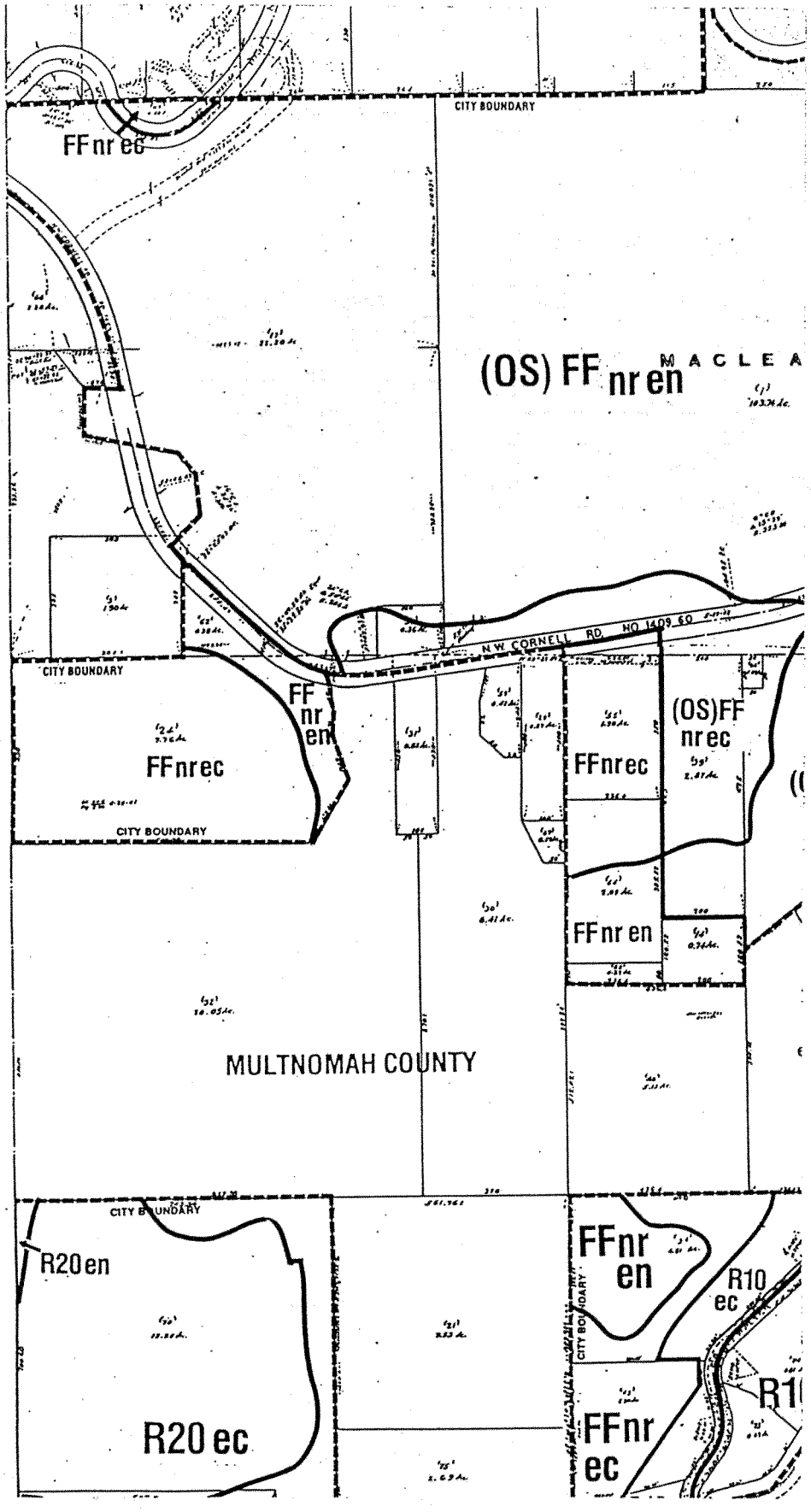
Site 77
Area West of Cornell Road Tunnels in or near Adams and Upper Macleay Parks

New Overlay Zones ec, en, and nr

Housing Potential Change None

Tax Account	Base Zone	Overlay Zones	Comp Plan	Housing
R-94131-0010	FF	ec, en, and nr	OS	no change
R-94131-0140[111]	FF	en and nr	FF	no change
R-94131-0190	FF	ec, en, and nr	OS	no change
R-94131-0390	FF	ec, en, and nr	OS	no change
R-94131-0550	FF	nr	FF	no change
R-94131-0640	FF	ec, en, and nr	FF	no change
R-94131-0140[112]	FF	en and nr	FF	no change
R-94131-0660	FF	ec and nr	OS	no change

111. R-94131-0140 and R-94131-0140 are in common ownership. These lots cannot be used for housing under existing zoning.
112. R-94131-0140 and R-94131-0140 are in common ownership. These lots cannot be used for housing under existing zoning.



Site 78 Recommended Zoning	North 0 200' 400' Scale Bureau of Planning • City of Portland	BALCH CREEK WATERSHED PROTECTION PLAN

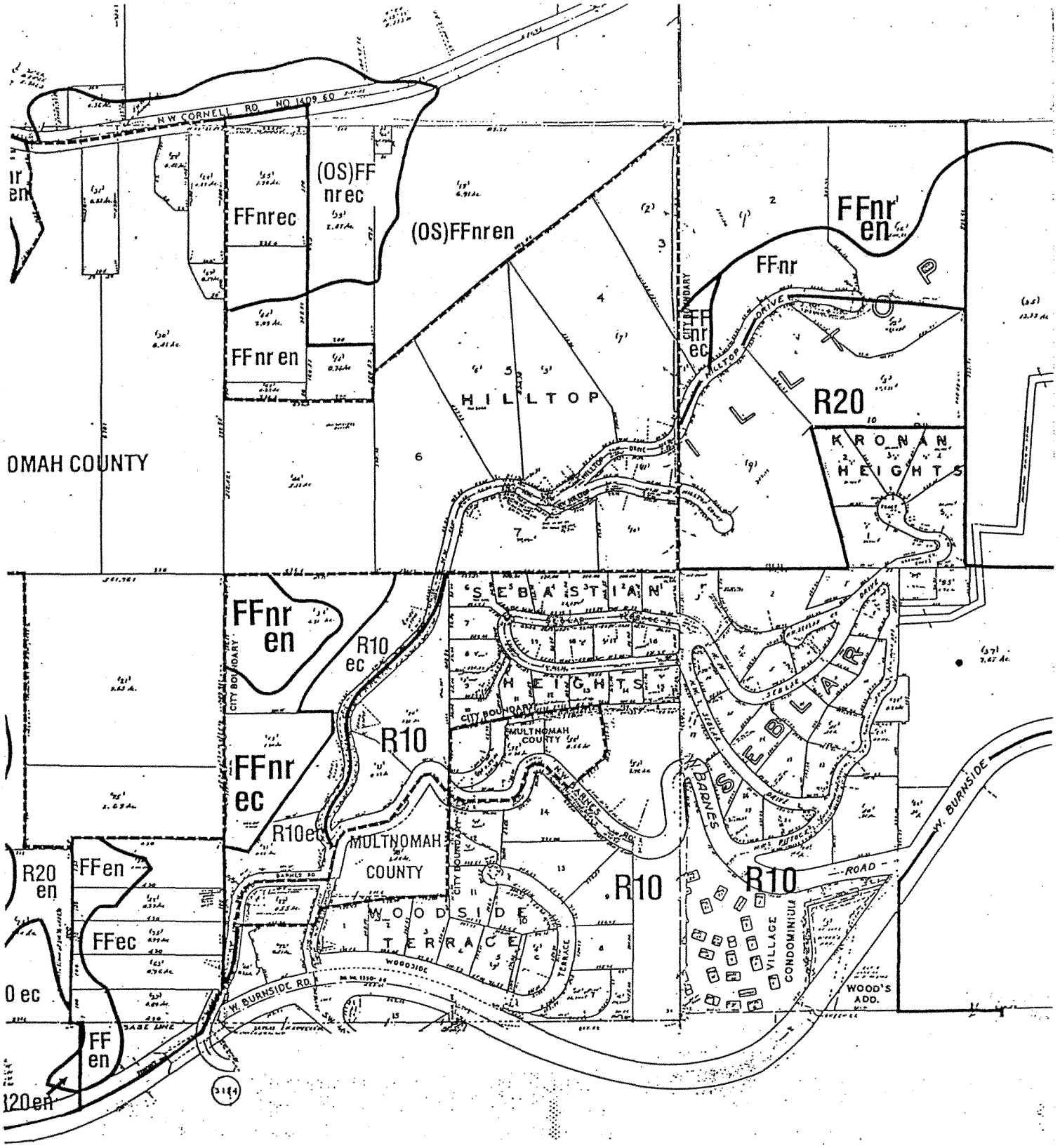
Site 78

Area of New Construction near Audubon Caretaker House

New Overlay Zones ec, en, and nr

Housing Potential Change Loss of Two

Tax Account	Base Zone	Overlay Zones	Comp Plan	Housing
R-94131-0240	FF	ec, en, and nr	FF	-2
R-94131-0620	FF	ec, en, and nr	FF	no change



Site 79 Recommended Zoning	North 0 200' 400' Scale Bureau of Planning • City of Portland	BALCH CREEK WATERSHED PROTECTION PLAN

Site 79

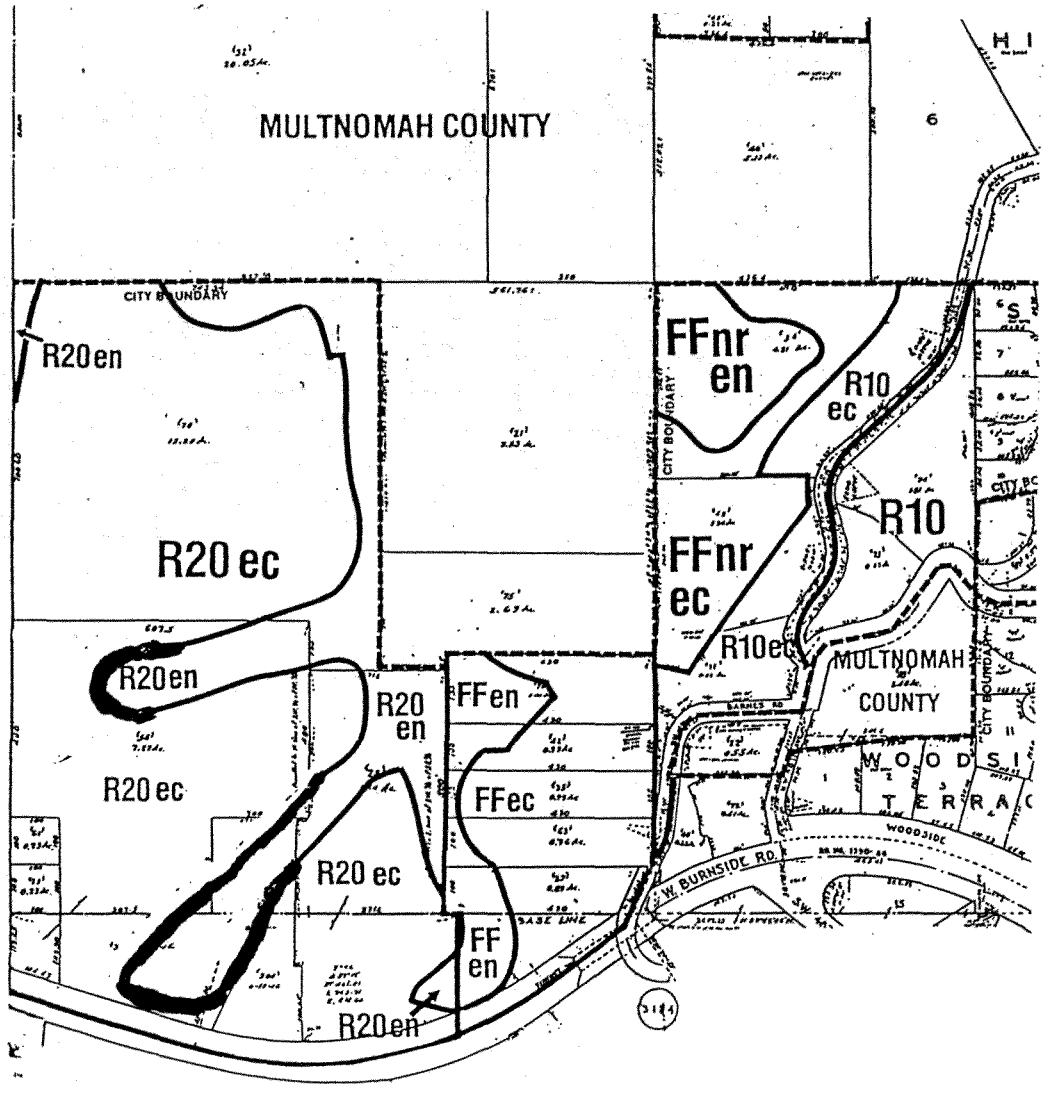
Areas near intersection of Barnes Road and Hilltop Drive

New Overlay Zones ec and en

Housing Potential Change Loss of Two

Tax Account	Base Zone	Overlay Zones	Comp Plan	Housing
R-39000-0010[113]	FF	en and nr	FF	-2
R-39000-0100[114]	FF	ec, en, and nr	FF	no change
R-94131-0270	FF	ec and en	FF	no change
R-94131-0340	FF and R10	ec, en, and nr	FF	no change
R-94131-0350	FF	ec and en	FF	no change
R-94131-0420	FF	ec and en	FF	no change
R-94131-0490	FF and R10	ec and nr	FF	no change
R-94131-0630	FF	ec and en	FF	no change
R-94131-0760	FF	ec and en	FF	no change
R-94131-0770	R10	ec	FF	no change
R-99106-2710	FF	ec and en	FF	no change

113. A portion of this lot has no environmental overlay zones.
114. A portion of this lot has no environmental overlay zones.



Site 80 Recommended Zoning	North 0 200' 400' Scale Bureau of Planning • City of Portland	BALCH CREEK WATERSHED PROTECTION PLAN

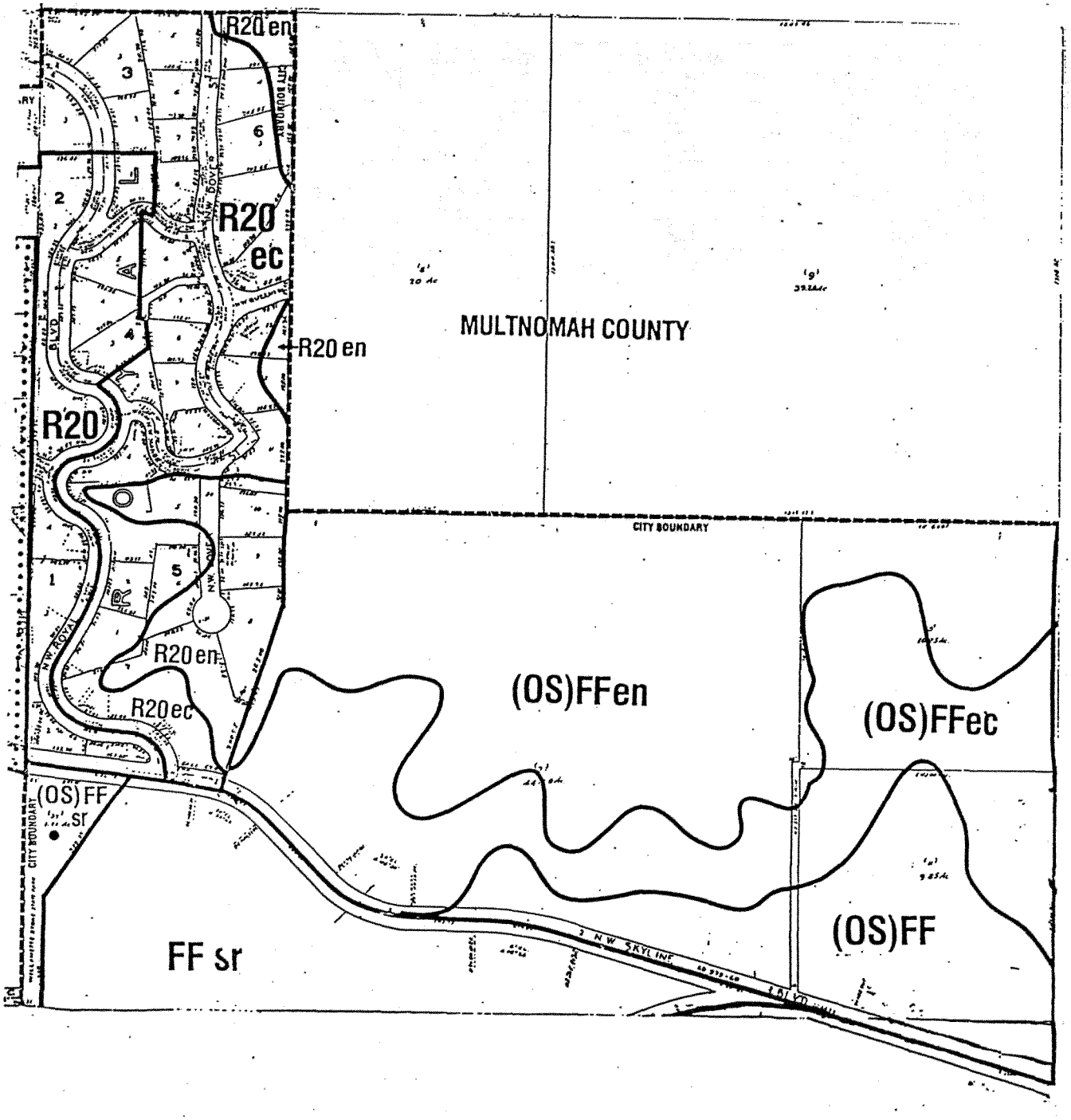
Site 80

Area in or near the Proposed Pittock Place, Planned Unit Development

New Overlay Zones ec and en

Housing Potential Change None

Tax Account	Base Zone	Overlay Zones	Comp Plan	Housing
R-94131-0250	R20	ec	R20	no change
R-94131-0280	R20	ec and en	R20	no change
R-94131-0580	R20	ec and en	R20	no change
R-94131-0610	R20	ec	R20	no change
R-94131-0700	R20	ec and en	R20	no change
R-99106-3070	R20	ec and en	R20	no change
R-99106-3080	R20	ec	R20	no change



Site 81 Recommended Zoning	North 0 200' 400' Scale Bureau of Planning • City of Portland	BALCH CREEK WATERSHED PROTECTION PLAN

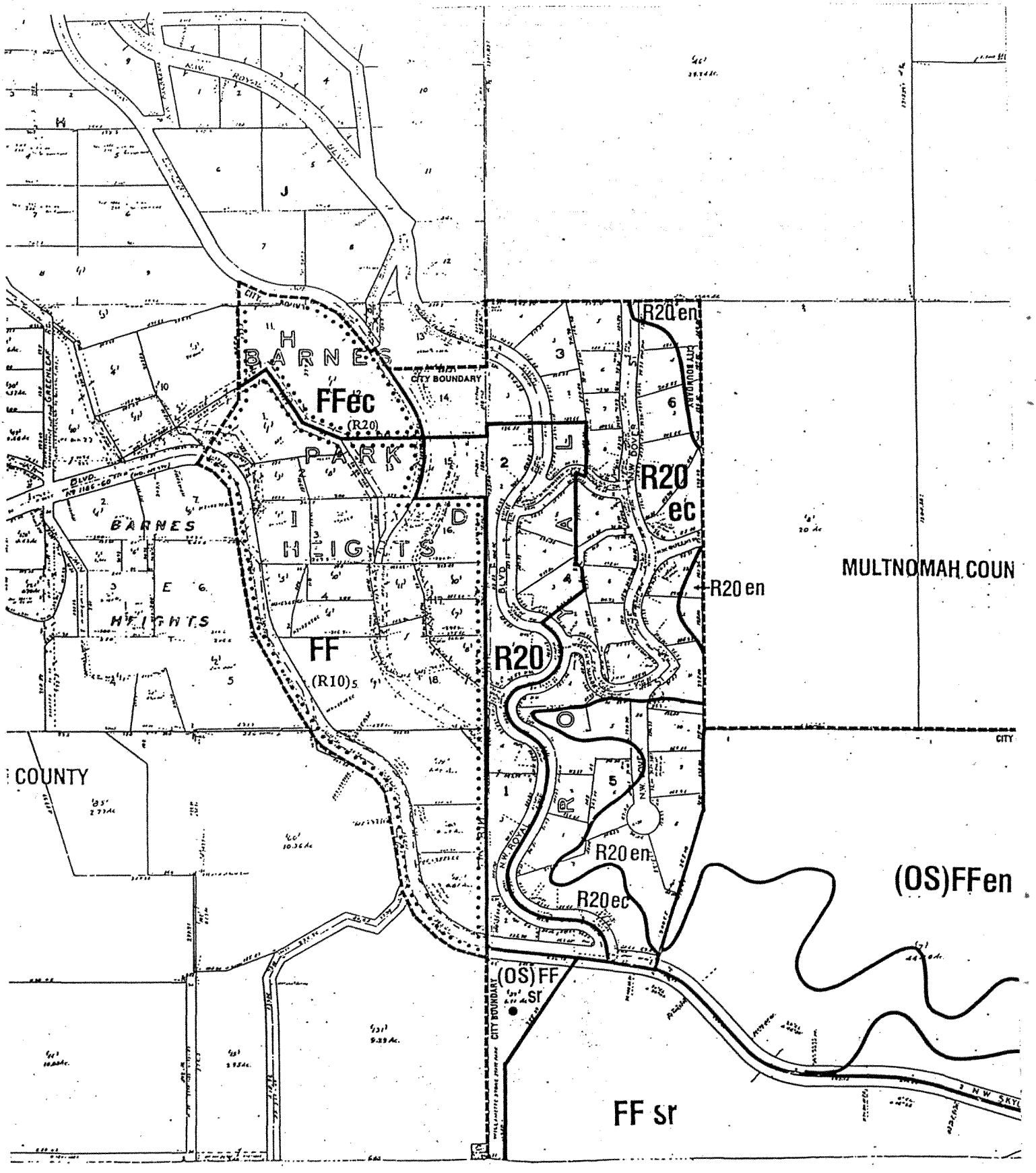
Site 81

Area in Mount Calvary Cemetery

New Overlay Zones ec and en

Housing Potential Change None

Tax Account	Base Zone	Overlay Zones	Comp Plan	Housing
R-94131-0100	FF	ec and en	OS	no change
R-94131-0110	FF	ec and en	OS	no change
R-94131-0070	FF	ec and en	OS	no change



Site 82 Recommended Zoning	North 0 200' 400' Scale Bureau of Planning • City of Portland	BALCH CREEK WATERSHED PROTECTION PLAN

Site 82

Area in or near the Royal Highlands and Barnes Park Subdivisions

New Overlay Zones ec and en

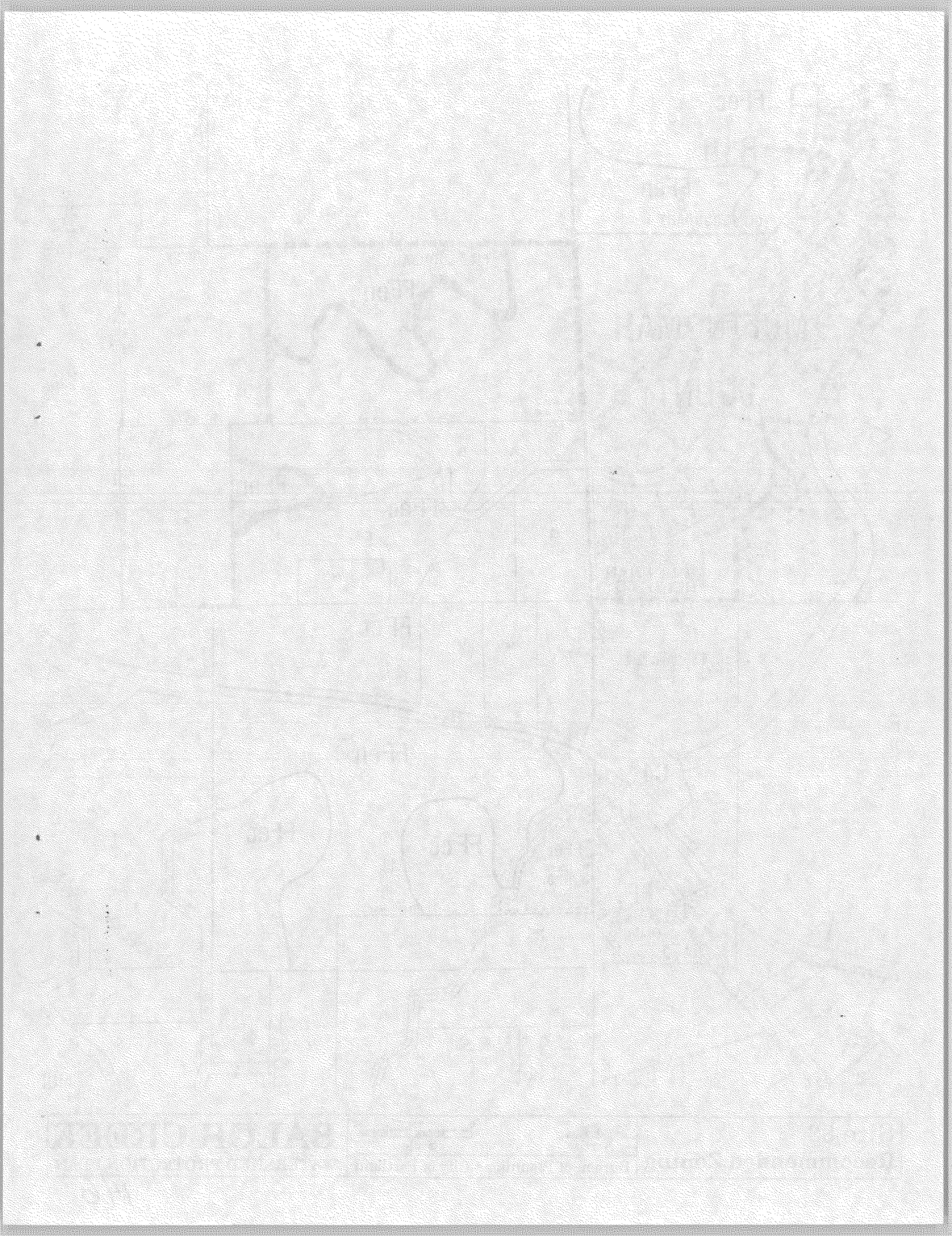
Housing Potential Change Gain of Thirty-Five

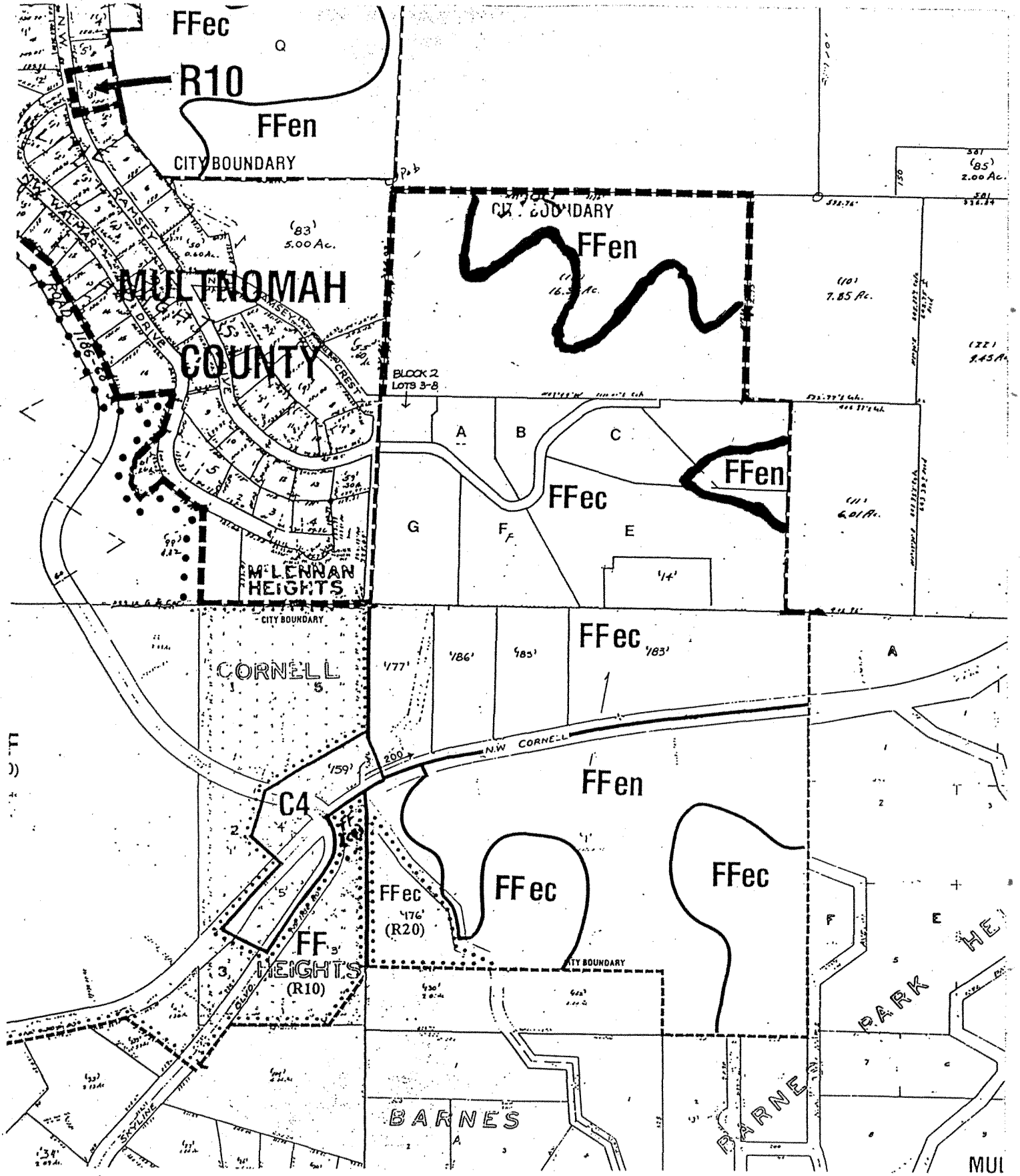
Tax Account	Base Zone	Overlay Zones	Comp Plan	Housing
R-05530-0980	R20	ec	R20	no change
R-05530-1020	FF	none	R10	+3
R-05530-1060	FF	none	R10	+1
R-05530-1090	FF	none	R10	+7
R-05530-1100	FF	none	R10	+1
R-05530-1120	FF	none	R10	+1
R-05530-2070	FF	none	R10	+2
R-05530-2120	FF	ec	R10	+8
R-05530-2180	FF	ec	R10	+2
R-05530-2220	FF	ec	R10	+1
R-05530-2240	FF	ec	R10	+1
R-05530-2260	FF	ec	R10	+2
R-05530-2310	FF	ec	R10	+1
R-05530-2340	FF	ec	R10	+1
R-05530-2360	FF	ec	R10	+1
R-73100-0010	R20	ec	R20	no change
R-73100-0030	R20	ec	R20	no change
R-73100-0050	R20	ec	R20	no change
R-73100-0150	R20	ec	R20	no change
R-73100-0200	R20	ec	R20	no change
R-73100-0300	R20	ec	R20	no change
R-73100-0340	R20	ec	R20	no change
R-73100-0380	R20	ec	R20	no change
R-73100-0420	R20	ec	R20	no change
R-73100-0460	R20	ec	R20	no change
R-73100-0500	R20	ec	R20	no change
R-73100-0530	R20	ec	R20	no change
R-73100-0560	R20	ec	R20	no change
R-73100-0600	R20	ec	R20	no change
R-73100-0640	R20	ec	R20	no change
R-73100-0680	R20	ec	R20	no change
R-73100-0720	R20	ec	R20	no change
R-73100-0760	R20	ec	R20	no change
R-73100-0800	R20	ec	R20	no change
R-73100-0840	R20	ec	R20	no change
R-73100-0880	R20	ec	R20	no change
R-73100-0920	R20	ec	R20	no change

Site 82 (Continued)

Tax Account	Base Zone	Overlay Zones	Comp Plan	Housing
R-73100-1000	R20	ec and en	R20	no change
R-73100-1040	R20	ec and en	R20	no change
R-73100-1090	R20	ec and en	R20	no change
R-73100-1130[115]	R20	ec and en	R20	no change
R-73100-1170[116]	R20	ec and en	R20	no change
R-73100-1210	R20	ec and en	R20	no change
R-73100-1310[117]	R20	en	R20	-1
R-73100-1350[118]	R20	en	R20	-1
R-73100-1390[119]	R20	en	R20	-1
R-73100-1430	R20	ec and en	R20	no change
R-73100-1470	R20	ec and en	R20	no change
R-73100-1510	R20	ec and en	R20	no change
R-73100-1550	R20	ec	R20	no change
R-73100-1590	R20	ec	R20	no change
R-73100-1630	R20	ec and en	R20	no change
R-73100-1670	R20	ec and en	R20	no change
R-73100-1710	R20	ec and en	R20	no change
R-96136-1790	FF	ec	R10	+2
R-96136-1800	FF	ec	R10	+2
R-96136-1810	FF	ec	R10	+2

115. R-73100-1130, R-73100-1170, R-73100-1310, R-73100-1350, and R-73100-1390 are in common ownership.
116. R-73100-1130, R-73100-1170, R-73100-1310, R-73100-1350, and R-73100-1390 are in common ownership.
117. R-73100-1130, R-73100-1170, R-73100-1310, R-73100-1350, and R-73100-1390 are in common ownership.
118. R-73100-1130, R-73100-1170, R-73100-1310, R-73100-1350, and R-73100-1390 are in common ownership.
119. R-73100-1130, R-73100-1170, R-73100-1310, R-73100-1350, and R-73100-1390 are in common ownership.





Site 83 Recommended Zoning	North 0 200' 400' Scale Bureau of Planning • City of Portland	BALCH CREEK WATERSHED PROTECTION PLAN

Site 83

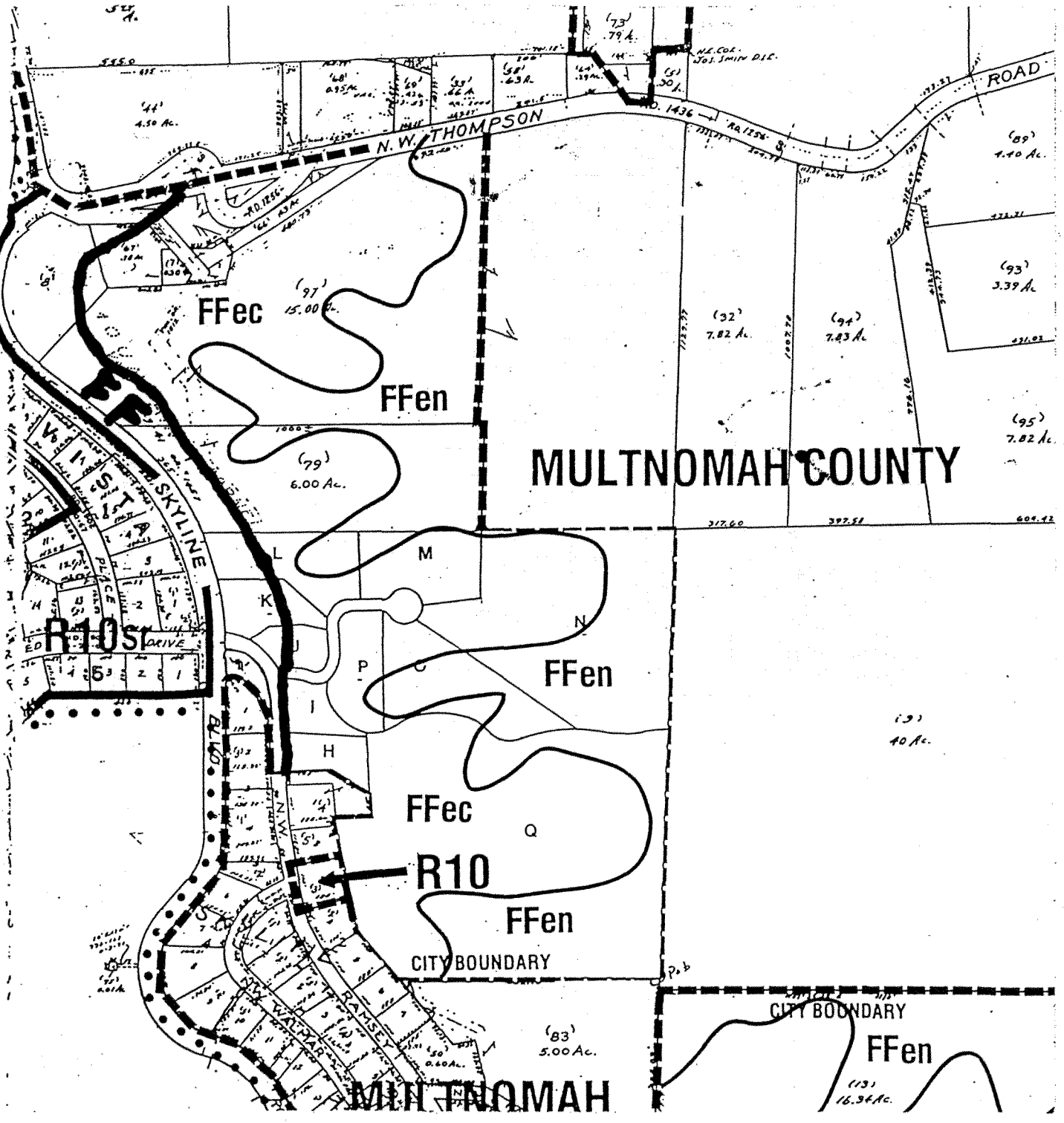
Area near Intersection of Greenleaf and Cornell Roads

New Overlay Zones ec and en

Housing Potential Change Loss of Thirty-Two

Tax Account	Base Zone	Overlay Zones	Comp Plan	Housing
Unassigned A	FF	ec	FF	no change
Unassigned B	FF	ec	FF	no change
Unassigned C	FF	ec and en	FF	no change
Unassigned D	FF	ec and en	FF	no change
Unassigned E	FF	ec and en	FF	no change
Unassigned F	FF	ec	FF	no change
Unassigned G	FF	ec	FF	no change
R-17870-0250	FF	ec	R10	+9
R-17870-0290	C4	ec	C4	-32[120]
R-17870-0330	FF	ec	R10	+1
R-17870-0380	FF	ec	R10	+6
R-59040-0300	FF	ec	FF	no change
R-96125-0130	FF	ec and en	FF	no change
R-96125-0140	FF	ec	FF	no change
R-96136-0010	FF	ec and en	FF	-16
R-96136-1760	FF	ec and en	R20	no change
R-96136-1770	FF	ec	FF	no change
R-96136-1830	FF	ec	FF	no change
R-96136-1850	FF	ec	FF	no change
R-96136-1860	FF	ec	FF	no change

120. The reduction of thirty-two units assumes that a commercial property would develop at R1 density.



Site 84 Recommended Zoning	North 0 200' 400' Scale Bureau of Planning • City of Portland	BALCH CREEK WATERSHED PROTECTION PLAN

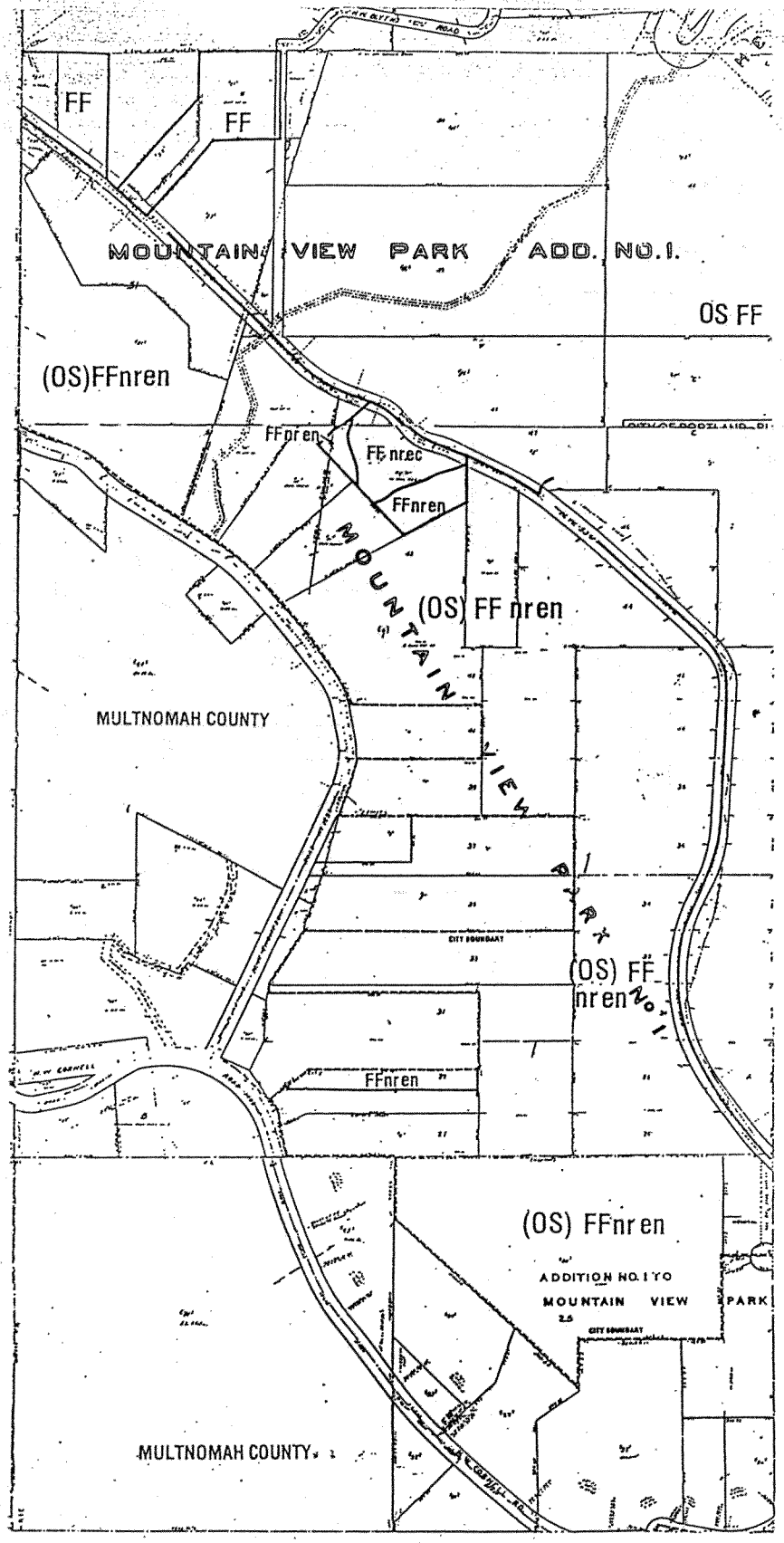
Site 84

Area near Skyline and Thompson Roads

New Overlay Zones ec and en

Housing Potential Change None

Tax Account	Base Zone	Overlay Zones	Comp Plan	Housing
Unassigned H	FF	ec	FF	no change
Unassigned I	FF	ec	FF	no change
Unassigned J	FF	ec	FF	no change
Unassigned K	FF	ec	FF	no change
Unassigned L	FF	ec and en	FF	no change
Unassigned M	FF	ec and en	FF	no change
Unassigned N	FF	ec and en	FF	no change
Unassigned O	FF	ec and en	FF	no change
Unassigned P	FF	ec and en	FF	no change
Unassigned Q	FF	ec and en	FF	no change
R-77380-0410	R10	ec	R10	no change
R-96125-0070	FF	ec	FF	no change
R-96125-0080	FF	ec	FF	no change
R-96125-0670	FF	ec	FF	no change
R-96125-0790	FF	ec and en	FF	no change
R-96125-0910	FF	ec	FF	no change
R-96125-0970	FF	ec and en	FF	no change



Site 85
Recommended Zoning

North

0 200' 400'
Scale

Bureau of Planning • City of Portland

BALCH CREEK
WATERSHED PROTECTION PLAN

Site 85

Area in and near Forest Park Between Thompson Road and 53rd Avenue

New Overlay Zones en, ec, and nr

Housing Potential Change None

Tax Account	Base Zone	Overlay Zone	Comp Plan	Standards
R-59030-1860	FF	en and nr	OS	no change
R-59030-2100	FF	en and nr	OS	no change
R-59030-2340	FF	en and nr	OS	no change
R-59030-2660	FF	en and nr	OS	no change
R-59030-2910	FF	en and nr	OS	no change
R-59030-3310	FF	en and nr	OS	no change
R-59030-3510	FF	ec, en, and nr	FF	no change
R-59030-3560	FF	ec, en, and nr	OS	no change
R-59030-3610	FF	en and nr	OS	no change
R-59030-4010	FF	en and nr	OS	no change
R-59030-4014	FF	en and nr	OS	no change

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APPENDICES

APPENDIX A

Statewide Planning Goal 5

5. OPEN SPACES, SCENIC AND HISTORIC AREAS, AND NATURAL RESOURCES

GOAL: To conserve open space and protect natural and scenic resources.

Programs shall be provided that will: (1) insure open space, (2) protect scenic and historic areas and natural resources for future generations, and (3) promote healthy and visually attractive environments in harmony with the natural landscape character. The location, quality and quantity of the following resources shall be inventoried:

- **a. Land needed or desirable for open space;**
- **b. Mineral and aggregate resources;**
- **c. Energy sources;**
- **d. Fish and wildlife areas and habitats;**
- **e. Ecologically and scientifically significant natural areas, including desert areas;**
- **f. Outstanding scenic views and sites;**
- **g. Water areas, wetlands, watersheds and groundwater resources;**
- **h. Wilderness areas;**
- **i. Historic areas, sites, structures and objects;**
- **j. Cultural areas;**
- **k. Potential and approved Oregon recreation trails;**
- **l. Potential and approved federal wild and scenic waterways and state scenic waterways.**

Where no conflicting uses for such resources have been identified, such resources shall be managed so as to preserve their original character. Where conflicting uses have been identified the economic, social, environmental and energy consequences of the conflicting uses shall be determined and programs developed to achieve the goal.

Cultural Area — refers to an area characterized by evidence of an ethnic, religious or social group with distinctive traits, belief and social forms.

Historic Areas — are lands with sites, structures and objects that have local, regional, statewide or national historical significance.

Natural Area — includes land and water that has substantially retained its natural character and land and water that, although altered in character, is important as habitats for plant, animal or marine life, for the study of its natural historical, scentific or paleontological features, or for the appreciation of its natural features.

Open Space — consists of lands used for agricultural or forest uses, and any land area that would, if preserved and continued in its present use:

(a) Conserve and enhance natural or scenic resources;
(b) Protect air or streams or water supply;
(c) Promote conservation of soils, wetlands, beaches or tidal marshes;
(d) Conserve landscaped areas, such as public or private golf courses, that reduce air pollution and enhance the value of abutting or neighboring property;
(e) Enhance the value to the public of abutting or neighboring parks, forests, wildlife preserves, nature reservations or sanctuaries or other open space;
(f) Promote orderly urban development.

Scenic Areas — are lands that are valued for their aesthetic appearance.

Wilderness Areas — are areas where the earth and its community of life are untrammeled by man, where man himself is a visitor who does not remain. It is an area of undeveloped land retaining its primeval character and influence, without permanent improvement or human habitation, which is protected and managed so as to preserve its natural conditions and which (1) generally appears to have been affected primarily by the forces of nature, with the imprint of man's work substantially unnoticeable; (2) has outstanding opportunities for solitude or a primitive and unconfined type of recreation; (3) may also contain ecological, geological, or other features of scientific, educational, scenic or historic value.

GUIDELINES:

A. **Planning:**

1. The need for open space in the planning area should be determined, and standards developed for the amount, distribution, and type of open space.
2. Criteria should be developed and utilized to determine what uses are consistent with open space values and to evaluate the effect of converting open space lands to inconsistent uses. The maintenance and development of open space in urban areas should be encouraged.
3. Natural resources and required sites for the generation of energy (i.e. natural gas, oil, coal, hydro, geothermal, uranium, solar and others) should be conserved and protected; reservoir sites should be identified and protected against irreversible loss.
4. Plans providing for open space, scenic and historic areas, and natural resources should consider as a major determinant the carrying capacity of the air, land and water resources of the planning area. The land conservation and development actions provided for by such plans should not exceed the carrying capacity of such resources.
5. The National Register of Historic Places and the recommendations of the State Advisory Committee on Historic Preservation should be utilized in designating historic sites.
   utilized in designating historic sites.
6. In conjunction with the inventory of mineral and aggregate resources, sites for removal and processing of such resources should be identified and protected.
7. As a general rule, plans should prohibit outdoor advertising signs except in commercial or industrial zones. Plans should not provide for the reclassification of land for the purpose of accommodating an outdoor advertising sign. The term "outdoor advertising sign" has the meaning set forth in ORS 377.710(23).

B. **Implementation:**

1. Development should be planned and directed so as to conserve the needed amount of open space.
2. The conservation of both renewable and nonrenewable natural resources and physical limitations of the land should be used as the basis for determining the quantity, quality, location, rate and type of growth in the planning area.
3. The efficient consumption of energy should be considered when utilizing natural resources.
4. Fish and wildlife areas and habitats should be protected and managed in accordance with the Oregon Wildlife Commission's fish and wildlife management plans.
5. Stream flow and water levels should be protected and managed at a level adequate for fish, wildlife, pollution abatement, recreation, aesthetics and agriculture.
6. Significant natural areas that are historically, ecologically or scientifically unique, outstanding or important, including those identified by the State Natural Area Preserves Advisory Committee, should be inventoried and evaluated. Plans should provide for the preservation of natural areas consistent with an inventory of scientific, educational, ecological and recreational needs for significant natural areas.
7. Local, regional and state governments should be encouraged to investigate and utilize fee acquisition, easements, cluster developments, preferential assessment, development rights acquisition and similar techniques to implement this goal.
8. State and federal agencies should develop statewide natural resource, open space, scenic and historic area plans and provide technical assistance to local and regional agencies. State and federal plans should be reviewed and coordinated with local and regional plans.
9. Areas identified as having nonrenewable mineral and aggregate resources should be planned for interim, transitional and "second use" utilization as well as for the primary use.

APPENDIX B

Goal 5 Administrative Rule

DIVISION 16

REQUIREMENTS AND APPLICATION PROCEDURES FOR COMPLYING WITH STATEWIDE GOAL 5

Inventory Goal 5 Resources

660-16-000 (1) The inventory process for Statewide Planning Goal 5 begins with the collection of available data from as many sources as possible including experts in the field, local citizens and landowners. The local government then analyzes and refines the data and determines whether there is sufficient information on the location, quality and quantity of each resource site to properly complete the Goal 5 process. This analysis also includes whether a particular natural area is "ecologically and scientifically significant", or an open space area is "needed", or a scenic area is "outstanding", as outlined in the Goal. Based on the evidence and local government's analysis of those data, the local government then determines which resource sites are of significance and includes those sites on the final plan inventory.

(2) A "valid" inventory of a Goal 5 resource under subsection (5)(c) of this rule must include a determination of the location, quality, and quantity of each of the resource sites. Some Goal 5 resources (e.g., natural areas, historic sites, mineral and aggregate sites, scenic waterways) are more site-specific than others (e.g., groundwater, energy sources). For site-specific resources, determination of *location* must include a description or map of the boundaries of the resource site and of the impact area to be affected, if different. For non-site-specific resources, determination must be as specific as possible.

(3) The determination of *quality* requires some consideration of the resource site's relative value, as compared to other examples of the same resource in at least the jurisdiction itself. A determination of *quantity* requires consideration of the relative abundance of the resource (of any given quality). The level of detail that is provided will depend on how much information is available or "obtainable".

(4) The inventory completed at the local level, including options (5)(a), (b), and (c) of this rule, will be adequate for Goal compliance unless it can be shown to be based on inaccurate data, or does not adequately address location, quality or quantity. The issue of adequacy may be raised by the Department or objectors, but final determination is made by the Commission.

(5) Based on data collected, analyzed and refined by the local government, as outlined above, a jurisdiction has three basic options:

(a) Do Not Include on Inventory: Based on information that is available on location, quality and quantity, the local government might determine that a particular resource site is not important enough to warrant inclusion on the plan inventory, or is not required to be included in the inventory based on the specific Goal standards. No further action need be taken with regard to these sites. The local government is not required to justify in its comprehensive plan a decision not to include a particular site in the plan inventory unless challenged by the Department, objectors or the Commission based upon contradictory information.

(b) Delay Goal 5 Process: When some information is available, indicating the possible existence of a resource site, but that information is not adequate to identify with particularity the location, quality and quantity of the resource site, the local government should only include the site on the comprehensive plan inventory as a special category. The local government must express its intent relative to the resource site through a plan policy to address that resource site and proceed through the Goal 5 process in the future. The plan should include a time-frame for this review. Special implementing measures are not appropriate or required for Goal 5 compliance purposes until adequate information is available to enable further review and adoption of such measures. The statement in the plan commits the local government to address the resource site through the Goal 5 process in the post-acknowledgment period. Such future actions could require a plan amendment.

(c) Include on Plan Inventory: When information is available on location, quality and quantity, and the local government has determined a site to be significant or important as a result of the data collection and analysis process, the local government must include the site on its plan inventory and indicate the location, quality and quantity of the resource site (see above). Items included on this inventory must proceed through the remainder of the Goal 5 process.

Stat. Auth.: ORS Ch. 183 & 197
Hist: LCD 5-1981(Temp), f. & ef. 5-8-81; LCD 7-1981, f. & ef. 6-29-81

[ED. NOTE: The text of Temporary Rules is not printed in the Oregon Administrative Rules Compilation. Copies may be obtained from the adopting agency or the Secretary of State.]

Identify Conflicting Uses

660-16-005 It is the responsibility of local government to identify conflicts with inventoried Goal 5 resource sites. This is done primarily by examining the uses allowed in broad zoning districts established by the jurisdiction (e.g., forest and agricultural zones). A conflicting use is one which, if allowed, could negatively impact a Goal 5 resource site. Where conflicting uses have been identified, Goal 5 resource sites may impact those uses. These impacts must be considered in analyzing the economic, social, environmental and energy (ESEE) consequences:

(1) Preserve the Resource Site: If there are no conflicting uses for an identified resource site, the jurisdiction must adopt policies and ordinance provisions, as appropriate, which insure preservation of the resource site.

(2) Determine the Economic, Social, Environmental, and Energy Consequences: If conflicting uses are identified, the economic, social, environmental and energy consequences of the conflicting uses must be determined. Both the impacts on the resource site and on the conflicting use must be considered in analyzing the ESEE consequences. The applicability and requirements of other Statewide Planning Goals must also be considered, where appropriate, at this stage of the process. A determination of the ESEE consequences of identified conflicting uses is adequate if it enables a jurisdiction to provide reasons to explain why decisions are made for specific sites.

Stat. Auth.: ORS Ch. 183 & 197
Hist: LCD 5-1981(Temp), f. & ef. 5-8-81; LCD 7-1981, f. & ef. 6-29-81

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Develop Program to Achieve the Goal

660-16-010 Based on the determination of the economic, social, environmental and energy consequences, a jurisdiction must "develop a program to achieve the Goal". Assuming there is adequate information on the location, quality, and quantity of the resource site as well as on the nature of the conflicting use and ESEE consequences, a jurisdiction is expected to "resolve" conflicts with specific sites in any of the following three ways listed below. Compliance with Goal 5 shall also be based on the plan's overall ability to protect and

conserve each Goal 5 resource. The issue of adequacy of the overall program adopted or of decisions made under sections (1), (2) and (3) of this rule may be raised by the Department or objectors, but final determination is made by the Commission, pursuant to usual procedures:

(1) Protect the Resource Site: Based on the analysis of the ESEE consequences, a jurisdiction may determine that the resource site is of such importance, relative to the conflicting uses, and the ESEE consequences of allowing conflicting uses are so great that the resource site should be protected and all conflicting uses prohibited on the site and possibly within the impact area identified in OAR 660-16-000(5)(c). Reasons which support this decision must be presented in the comprehensive plan, and plan and zone designations must be consistent with this decision.

(2) Allow Conflicting Uses Fully: Based on the analysis of ESEE consequences and other Statewide Goals, a jurisdiction may determine that the conflicting use should be allowed fully, not withstanding the possible impacts on the resource site. This approach may be used when the conflicting use for a particular site is of sufficient importance, relative to the resource site. Reasons which support this decision must be presented in the comprehensive plan, and plan and zone designations must be consistent with this decision.

(3) Limit Conflicting Uses: Based on the analysis of ESEE consequences, a jurisdiction may determine that both the resource site and the conflicting use are important relative to each other, and that the ESEE consequences should be balanced so as to allow the conflicting use but in a limited way so as to protect the resource site to some desired extent. To implement this decision, the jurisdiction must designate with certainty what uses and activities are allowed fully, what uses and activities are not allowed at all and which uses are allowed conditionally, and what specific standards or limitations are placed on the permitted and conditional uses and activities for each resource site. Whatever mechanisms are used, they must be specific enough so that affected property owners are able to determine what uses and activities are allowed, not allowed, or allowed conditionally and under what clear and objective conditions or standards. Reasons which support this decision must be presented in the comprehensive plan, and plan and zone designations must be consistent with this decision.

Stat. Auth.: ORS Ch. 183 & 197
Hist: LCD 5-1981(Temp), f. & ef. 5-8-81; LCD 7-1981, f. & ef. 6-29-81

[ED. NOTE: The text of Temporary Rules is not printed in the Oregon Administrative Rules Compilation. Copies may be obtained from the adopting agency or the Secretary of State.]

Post-Acknowledgment Period

660-16-015 All data, findings, and decisions made by a local government prior to acknowledgment may be reviewed by that local government in its periodic update process. This includes decisions made as a result of OAR 660-16-000(5)(a), 660-16-005(1), and 660-16-010. Any changes, additions, or deletions would be made as a plan amendment, again following all Goal 5 steps.

If the local government has included in its plan items under OAR 660-16-000(5)(b), the local government has committed itself to take certain actions within a certain time frame in the post-aknowledgment period. Within those stated time frames, the local government must address the issue as stated in its plan, and treat the action as a plan amendment.

Stat. Auth.: ORS Ch. 183 & 197
Hist: LCD 5-1981(Temp), f. & ef. 5-8-81; LCD 7-1981, f. & ef. 6-29-81

[ED. NOTE: The text of Temporary Rules is not printed in the Oregon Administrative Rules Compilation. Copies may be obtained from the adopting agency or the Secretary of State.]

Landowner Involvement

660-16-020 (1) The development of inventory data, identification of conflicting uses and adoption of implementing measures must, under Statewide Planning Goals 1 and 2, provide opportunities for citizen involvement and agency coordination. In addition, the adoption of regulations or plan provisions carries with it basic legal notice requirements. (County or city legal counsel can advise the planning department and governing body of these requirements.) Depending upon the type of action involved, the form and method of landowner notification will vary. State statutes and local charter provisions contain basic notice requirements. Because of the nature of the Goal 5 process as outlined in this paper it is important to provide for notification and involvement of landowners, including public agencies, at the earliest possible opportunity. This will likely avoid problems or disagreements later in the process and improve the local decision-making process in the development of the plan and implementing measures.

(2) As the Goal 5 process progresses and more specificity about the nature of resources, identified conflicting uses, ESEE consequences and implementing measures is known, notice and involvement of affected parties will become more meaningful. Such notice and landowner involvement, although not identified as a Goal 5 requirement is in the opinion of the Commission, imperative.

Stat. Auth.: ORS Ch. 183 & 197
Hist: LCD 5-1981(Temp), f. & ef. 5-8-81; LCD 7-1981, f. & ef. 6-29-81

[ED. NOTE: The text of Temporary Rules is not printed in the Oregon Administrative Rules Compilation. Copies may be obtained from the adopting agency or the Secretary of State.]

Policy Application

660-16-025 OAR 660-16-000 through 660-16-025 are applicable to jurisdictions as specified below:

(1) Category 1: Compliance with OAR 660-16-000 through 660-16-025 is required prior to granting acknowledgment of compliance under ORS 197.251 and OAR 660-03-000 through 660-03-040 for those jurisdictions which:

(a) Have not submitted their comprehensive plan for acknowledgment as of the date of adoption of this rule;

(b) Are under denial orders as of the date of adoption of this rule;

(c) Are not scheduled for review prior to or at the June 1981 Commission meeting.

(2) Category 2:

(a) Compliance with OAR 660-16-000 through 660-16-025 is required as outlined below for those jurisdictions which:

(A) Are under continuance orders adopted pursuant to OAR 660-03-040;

(B) Are scheduled for review at the April 30/May 1, May 29 or June 1981 Commission meetings.

(b) For these jurisdictions a notice will be given to all parties on the original notice list providing a 45-day period to object to the plan based on OAR 660-16-000 through 660-16-025.

(c) OAR 660-16-000 will be applied based on objections alleging violations of specific provisions of the rule on specific resource sites. Objections must be filed following requirements outlined in OAR 660-03-000 through 660-03-040 (Acknowledgment of Compliance Rule). Where no objections are filed or objections are not specific as to which elements of OAR 660-16-000 through 660-16-025 have been violated, and on what resource sites, the plan will be reviewed against Goal 5

standards as they existed prior to adoption of OAR 660-16-000 through 660-16-025.

(3) Jurisdictions which receive acknowledgment of compliance (as outlined in ORS 197.251) at the April 30/May 1, 1981 Commission meeting will not be subject to review procedures outlined above, but will be treated as other previously acknowledged jurisdictions.

Stat. Auth.: ORS Ch. 183 & 197
Hist: LCD 5-1981(Temp), f. & ef. 5-8-81; LCD 7-1981, f. & ef. 6-29-81

[ED. NOTE: The text of Temporary Rules is not printed in the Oregon Administrative Rules Compilation. Copies may be obtained from the adopting agency or the Secretary of State.]

APPENDIX C

Introduction to Wildlife Habitat Assessment Form

The Bureau of Planning reviewed several methods of rating habitat areas and decided to use a wildlife habitat assessment rating system first employed by the City of Beaverton in 1983. This method was developed for a Goal 5 examination of sites containing wetlands or water bodies. This rating method provides an appropriate level of detail, has been tested in the Portland area, and land use decisions made from this method have been found compliant with Goal 5 by the Oregon Land Conservation and Development Commission.

The selected wildlife habitat assessment system was developed by biologists from a number of agencies. These biologist established criteria for examination and assigned relative numeric values for the quantity and quality of various habitat components. The originally technical advisory team was comprised of representatives from the following agencies and organizations:

United States Environmental Protection Agency;
United States Fish and Wildlife Service;
United States Army Corps of Engineers;
Oregon Department of Fish and Wildlife;
Audubon Society of Portland;
The Wetlands Conservancy; and
Beaverton Planning Bureau.

The City of Portland modified the Beaverton method before employing it in Willamette and Columbia River Goal 5 studies, The system was reviewed for application to the new study areas by a technical advisory committee similar in makeup to the original committee. This committee developed a second rating form to assess upland areas, sites containing no wetlands or water bodies. The second form eliminated the bias of the original form toward the presence of water. The original form required water in order to recognize high quality habitat. A method which allows the use of an alternative uplands form recognizes that certain wildlife species do not need large water bodies to thrive. Both rating forms were revised for the Balch Creek Study. These revisions were limited form and style. The forms and field notes were also automated and linked to an electronic data base.

The revised Portland Bureau of Planning method of assessing wildlife habitat is used in field inventories to rate the value of wildlife habitat. The premise of the rating system is that all wildlife species share three basic requirements for survival- food, water, and cover. These requirements are the three principle components evaluated in part three of the assessment forms. Each site is evaluated in terms of quantity, quality, diversity, and seasonal presence of food, water, and cover offered on the site. Also considered is the degree and permanence of physical and human disturbance on the site, whether there are other usable habitats nearby, and the unique features on the site. These unique features include wildlife, flora, scenic qualities, rarity of habitat, and educational potential. Each of these is discussed in the instructions for the wildlife habitat forms.

The rating system is not intended to provide a comprehensive analysis of each site, but allows relative values between habitat areas to be determined and compared. The method is not designed to be the sole basis of a Goal 5 decision for any specific site. More thorough biological analysis are appropriate whenever the importance of a site is in question.

APPENDIX D

Instructions for Wildlife Habitat Assessment Form

The Wetlands Wildlife Habitat Assessment form is a single page divided into four parts. Each part has several blanks. Observers should fill in these spaces in the field. Before entering the field observers should have prepared by reviewing aerial photography, topographic maps, and zoning maps. Sites to be assessed should be delineated from these resources. Always carry a map, compass, thermometer, camera, and binoculars into the field. Suitable clothing and safety equipment are also advised. Upon returning from the field observers should enter the information collected in computer data base version of the assessment form.

PART ONE, HEADER:

The first part of the form is a header. The header includes a site number, the total habitat score for the site, the potential total score the site could obtain if restoration or enhancement measures were carried out, the area of the site, the location of the site, the field dates, and the names of the field observers.

Site Number	A space is provided for the observer to assign each site a number. Fill in this space before beginning parts two, three, or four. The computer data base will accept only unique numbers. It will not accept letters, nor will it accept a number which has been assigned to another site.
Total Habitat Score as Existing	Leave this space blank. The computer will automatically calculate the cumulative existing score as the individual existing scores are entered from parts three and four below.
Total Habitat Score as Enhanced	Leave this space blank. The computer will automatically calculate the cumulative enhanced score as the individual enhanced scores are entered from parts three and four below.
Total Acres	Measure the site area from a map. The computer will only accept numbers. If the site is smaller than an acre use a decimal point and then numbers. There are 43,560 square feet in an acre.
Location	Use this space to briefly describe the location of the site. Fill it out before you begin parts two, three, or four. The computer will only accept text.

Field dates — Enter the date the site was observed. The computer will only accept dates in the six digit, two slash, month/day/year format; an example of this format is 07/04/76 for July 4, 17776.

Field Observers — Enter your name and the names of any field partners. The computer will accept only text.

PART TWO, GENERAL COMMENTS:

This is the only space on the form for general comments. Fill it out it in the field, either before or after you complete parts three and four. Use this space for additional remarks on reasoning behind individual numeric scores, opinions on the potential of the site for rehabilitation or enhancement, and any other comments. The computer will only accept text.

PART THREE, HABITAT COMPONENTS:

This part assesses the wildlife habitat components of water, food, and cover. Each of these components is divided into three, four, or five factors. This section must be completed in the field. Each habitat component factor should be scored as it exists. And if the existing score is not the maximum score, examine the site for rehabilitation and restoration potential. If no potential exists reenter the existing score in the adjacent enhanced score space. If restoration or enhancement measures could improve a habitat component factor, enter the score which would result if the measures are carried out. This score must be at least one point higher than the existing score but no more than the maximum score. Also list the measures used to derive the enhanced score in the adjacent comment space. In the case of multiple field dates resulting in different scores, always record the higher rather than the lower scores. Partners observing together in the field should try to score by consensus. But if partners are deadlocked, add all scores, divide by the number of partners, and round up to the nearest whole number. The computer will accept only numbers within the ranges listed on the form in the score spaces, and only text in the comment spaces.

WATER — The water habitat component factors are seasonal presence, diversity of types, proximity to cover, and how often the water is flushed. These factors play an important role in the site's significance to wildlife. Note that the relative value of the water factors is higher than the food and cover factors. The total number of possible points from the water is 30 points, while the highest totals for food and cover are 24 and 28 points, respectively. The reason the reason the water component is weighted so highly is that wetlands and riparian zones are important to all wildlife species and are the only places where some species can survive and reproduce.

Seasonal Presence	This factor is the amount of water available and its seasonal variability. Give sites with significant seasonal water sources a score of four and those with significant perennial water sources a value of eight. If there is no evidence of any water on a site, do not use the wetlands form; use the Uplands Wildlife Habitat Assessment form.
Diversity Of Types	Give sites with one type of water feature a score of two, those with two types a score between two and eight, and sites with three or more types a score of eight. Habitats with streams, open ponds, lakes, swamps, and marshes have a higher wildlife value than sites with only one type of water feature.
Proximity to Cover	Give sites with dense cover immediately adjacent to a water source a score of eight, those with nearby cover a score of four, and those with no cover a score of zero. Wildlife will use water more readily if it is close to vegetative cover. Cover provides escape from predators and protection from weather extremes. A source of water becomes more important to wildlife as its cover grows closer and denser.
Flushed How Often	Give sites with only stagnant water a score of zero, those with seasonally flushed water a score of three, and those with continually flushed water a score of six. Water flushing is only a indirect measure of quality. It would be better to take water samples and judge quality from laboratory reports, but this method is too expensive. Although stagnant water has some wildlife habitat value, assign it a value of zero because seasonally and continually-flushed water have higher values, and because stagnant water probability contains substances which can harm wildlife.

FOOD The food habitat component factors are variety, quantity and seasonal presence, and proximity to cover. Food is a basic requirement for any organism. Wildlife cannot survive in one area for any appreciable period of time without food. The greater the variety and quantity of food, the greater a habitat's the potential for serving the needs of more wildlife species.

Seasonal Presence — This factor is the amount of food available at different times of year. Give sites having large quantities of food available year-round a score of eight, those with large quantities of food available only on a seasonal basis a score of four, and those which never have large quantities of food a score of zero.

Diversity Of Kinds — Give sites with only one kind of food a score of zero and sites with many kinds of food a score of eight.

Proximity to Cover — Cover provides safe space to forage for food and escape predation. Give sites with cover immediately adjacent to a food source a value of eight, those with nearby cover a value of four, and those with no cover a value of zero.

COVER The cover habitat component factors are seasonal presence, diversity of structure, variety of species, nesting places, and escape places. Cover provides shelter from the elements, concealment from predators, and places to needed to forage, travel, reproduce.

Seasonal Presence — Habitat with cover available year-round is more valuable than than habitat with only seasonal cover. Observe whether the vegetation is deciduous or evergreen. If there is some evergreen vegetation, or the deciduous vegetation retains some of its canopy year-round, the site is more valuable. Give a site with all year-round cover a score of four, those with some year-round cover a score of two, and those with only seasonal cover a score of zero.

Diversity Of Structure — Observe the vertical stratification of vegetation. Is there only one layer of plants like in a lawn or blackberry thicket, or are there more? The most

diverse structural system you could encounter in the City would be multi-layered, with a ground layer of herbaceous vegetation (grasses and wild flowers), a second layer consisting of shrubs (salmonberry, snowberry, Oregon grape, sword fern), a third layer of taller plants (red and blue elderberry, Indian plum, red osier dogwood), a fourth short tree layer (flowering dogwood, hazelnut, saplings of taller species), and finally a tall canopy layer (Douglas fir, western hemlock, big-leaf maple, black cottonwood, Oregon white ash, Oregon white oak). Habitat values increase as the number of these layers increase. Give sites with only one of these layers a score of zero, those with two well developed layers a score of four, and those with three or more well developed layers a score of eight.

Variety Of Species

Observe how many plant species are in each vegetative layer. Habitat values increase as the number of plant species per layer increases. A wetland with a mixture of rushes, sedges, smartweed, spirea, and willow is much more valuable as wildlife habitat than a wetland with a monoculture of reed canarygrass. Give sites with only single species layers a score of zero, those with two multispecies layers a score of four, and those with three or more multispecies layers a score of eight.

Nesting Places

While there may be both good variety and diversity of vegetative cover, the overall nesting potential may vary from site to site. This factor is added to address the overall nesting potential of a site for a variety of bird species. Give sites with high nesting potential a score of eight and those with little or no nesting potential a score of zero.

Escape Places

This factor is primarily a function of density of cover and its ability to afford escape from predation. Give sites with

dense cover a score of eight, those with moderate cover a score of four, and those with little cover a score of zero.

PART FOUR, ADDITIONAL VALUES:

The fourth part of the form examines values other than food, water, and cover. These values are physical disturbance, human disturbance, interspersion with habitats, rare habitat, rare flora, rare fauna, educational value, scenic value. This section must be scored in the field. Each additional value should be scored as it exists. And if the existing score is not the maximum score, you should examine the site for rehabilitation and restoration potential. If no rehabilitation potential exists reenter the existing score in the adjacent enhanced score space. If restoration or enhancement measures could improve a value, enter the score which would result if the measures are carried out. This score must be at least one point higher than the existing score but no more than the maximum score. Also list the measures used to derive the enhanced score in the adjacent comment space. Follow the procedures outlined in part three for multiple field dates or observers. The computer will accept only numbers within the ranges listed on the form in the score spaces and only text in the comment spaces

Physical Disturbance

Use this value to assign a higher score to those sites with little physical disturbance. Disturbance or elimination of a habitat component such as food, water, or cover is detrimental to wildlife. However, recognize that some disturbances are relatively short-lived while others are long-term or permanent. Give relatively undisturbed sites a score of four, sites with temporary physical disturbance a score of two, and those with permanent or long-term disturbance a score of zero.

Human Disturbance

Use this value to assign a higher score to sites with little human disturbance. Human and human-related disturbances can be very detrimental to wildlife. On the other hand, an area that is highly disturbed from a physical perspective may receive little human use. Give a site with low human or domestic animal disturbance a score of four and those with high human or domestic animal disturbance a score of zero.

Interspersion With Habitats	Habitats are more important whenever a number of different adjacent habitats can provide a diversity of water, food, and cover lacking in any single habitat. An isolated habitat surrounded physical disturbances and human activities has a lower interspersion value than a similar habitat surrounded by wetlands, upland forests, shrubby areas, and meadows. A habitat becomes more valuable as the number of different adjacent habitat types increases. Give sites surrounded by habitats of different types a score of six, those surrounded by habitats of similar types a score of three, and those which are isolated from other habitats a score of zero
Rare Habitat	Give sites with habitat types which are rare within the City a score between one and four depending the rarity from a City, regional, and national perspective.
Rare Flora	Give sites with plant communities which are not commonly found in the City a score between one and four depending the rarity from a City, regional, and national perspective. You should also give sites which support a plant species threatened with or endangered of extinction; a plant species likely to be extricated from the City, region, or nation; or a plant species observed only rarely within the City a score between one and four depending the rarity of the species from a City, regional, and national perspective.
Rare Fauna	Give sites with habitat types which support animals not commonly found in the City a score between one and four depending the rarity of these animals from a City, regional, and national perspective. You should also give sites which support an animal species threatened with or endangered of extinction; an animal species likely to be extricated from the City, region, or nation; or an animal species observed only rarely within the City a score

between one and four depending the rarity of the species from a City, regional, and national perspective.

Educational Value

You should determine whether a site has potential for educational uses by either school groups or individuals. Give sites which provides good visual or physical access to the public a score between one and four, depending upon the overall significance of the site as wildlife habitat.

Scenic Value:

Make a subjective evaluation of the visual quality of the site. Give sites having aesthetic qualities or providing aesthetic views of areas beyond the site a score between one and four depending on the significance of these qualities.

APPENDIX E

Wildlife Habitat Site Assessments

WETLANDS WILDLIFE HABITAT ASSESSMENT

SITE NUMBER	73	TOTAL HABITAT SCORE AS EXISTING	90	POTENTIAL HABITAT SCORE IF ENHANCED	103	TOTAL ACRES	3
SITE LOCATION	Lower Balch Creek, Lower Macleay Trail Head	FIELD DATES	11/09/89 to 04/28/90	FIELD OBSERVERS	Duncan Brown Al Burns		

GENERAL COMMENTS This site is the Balch Creek Basin north of the steel "I"-beam log barrier in Macleay Park. The unit contains a parking lot, rest rooms, the overhead Thurman Bridge, park lawn, paved trail, trash rack, cat walk, storm water control structures, and residences.

	HABITAT COMPONENT	DEGREE PRESENT			SCORE EXISTING	SCORE ENHANCED	SPECIFIC COMMENTS
WATER	SEASONAL PRESENCE	SELDOM 4	HALF YEAR 6	FULL YEAR 8	8	8	
	DIVERSITY OF TYPES	ONE 2	TWO 4	THREE 8	2	4	Remove concrete falls and enlarge pool
	PROXIMITY TO COVER	FAR 0	NEAR 4	ADJACENT 8	8	8	
	FLUSHED HOW OFTEN	SELDOM 0	HALF YEAR 3	FULL YEAR 6	6	6	
FOOD	SEASONAL PRESENCE	SELDOM 0	HALF YEAR 4	FULL YEAR 8	6	6	
	DIVERSITY OF KINDS	LOW 0	MEDIUM 4	HIGH 8	5	6	Reduce lawn area
	PROXIMITY TO COVER	FAR 0	NEAR 4	ADJACENT 8	7	8	Plant shrubs along creek
COVER	SEASONAL PRESENCE	SELDOM 0	HALF YEAR 2	FULL YEAR 4	3	4	
	DIVERSITY OF STRUCTURE	LOW 0	MEDIUM 4	HIGH 8	6	8	Plant more native shrubs and have less grass lawn
	VARIETY OF SPECIES	LOW 0	MEDIUM 4	HIGH 8	6	8	Remove English ivy
	NESTING PLACES	LOW 0	MEDIUM 2	HIGH 4	3	4	More small trees and shrubs
	ESCAPE PLACES	LOW 0	MEDIUM 2	HIGH 4	3	4	
ADDITIONAL VALUES	PHYSICAL DISTURBANCE	HIGH 0	MEDIUM 2	LOW 4	2	1	Developed park and storm water controls
	HUMAN DISTURBANCE	HIGH 0	MEDIUM 2	LOW 4	2	2	
	INTERSPERSION WITH HABITATS	LOW 0	MEDIUM 3	HIGH 6	6	6	Parks, sanctuaries, unincorporated lands
	RARE HABITAT	LOW 0	MEDIUM 2	HIGH 4	4	4	Full-year stream
	SIGNIFICANT FLORA	LOW 0	MEDIUM 2	HIGH 4	3	4	Dawn redwoods
	SIGNIFICANT FAUNA	LOW 0	MEDIUM 2	HIGH 4	4	4	Proteced population of cutthroat trout
	EDUCATIONAL VALUE	LOW 0	MEDIUM 2	HIGH 4	4	4	
	SCENIC VALUE	LOW 0	MEDIUM 2	HIGH 4	2	4	Remove catwalk, redesign storm water controls

City of Portland, Oregon
Bureau of Planning

DEVELOPED BY:
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Michael Jennings - Portland Bureau of Planning
COMPUTER AUTOMATION BY:
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DEVELOPMENT ASSISTED BY:
Dennis Peters - U.S. Fish and Wildlife Service
Ralph Rogers - U.S. Environmental Protection Agency
Gene Herb - Oregon Department of Fish and Wildlife
Jack Broome - Wetlands Conservancy
Diana Hwang - U.S. Fish and Wildlife Service

WETLANDS WILDLIFE HABITAT ASSESSMENT

SITE NUMBER	74	TOTAL HABITAT SCORE AS EXISTING	95	POTENTIAL HABITAT SCORE IF ENHANCED	104	TOTAL ACRES	180
SITE LOCATION	Lower Balch Creek, Lower Macleay Trail	FIELD DATES	11/09/89 to 04/28/90	FIELD OBSERVERS	Al Burns and Duncan Brown		

GENERAL COMMENTS This site is the potion of the Balch Creek Basin from the steel "I"-beam log barrier south to the fence at the Portland Audubon Society's Pittock Bird Sanctuary and west to N.W 53rd Avenue. It includes the Lower Macleay Trail and some of the Wildwood Trail.

	HABITAT COMPONENT	DEGREE PRESENT			SCORE EXISTING	SCORE ENHANCED	SPECIFIC COMMENTS
WATER	SEASONAL PRESENCE	SELDOM 4	HALF YEAR 6	FULL YEAR 8	8	8	
	DIVERSITY OF TYPES	ONE 2	TWO 4	THREE 8	3	3	
	PROXIMITY TO COVER	FAR 0	NEAR 4	ADJACENT 8	8	8	
	FLUSHED HOW OFTEN	SELDOM 0	HALF YEAR 3	FULL YEAR 6	6	6	
FOOD	SEASONAL PRESENCE	SELDOM 0	HALF YEAR 4	FULL YEAR 8	5	7	Plant shrubs with winter berries
	DIVERSITY OF KINDS	LOW 0	MEDIUM 4	HIGH 8	4	6	Plant seed and berry producing shrubs
	PROXIMITY TO COVER	FAR 0	NEAR 4	ADJACENT 8	8	8	
COVER	SEASONAL PRESENCE	SELDOM 0	HALF YEAR 2	FULL YEAR 4	3	3	
	DIVERSITY OF STRUCTURE	LOW 0	MEDIUM 4	HIGH 8	7	8	Plant more shrubs
	VARIETY OF SPECIES	LOW 0	MEDIUM 4	HIGH 8	7	8	Plant western hemlock and grand fir
	NESTING PLACES	LOW 0	MEDIUM 2	HIGH 4	3	3	
	ESCAPE PLACES	LOW 0	MEDIUM 2	HIGH 4	3	4	Plant native shrubs
ADDITIONAL VALUES	PHYSICAL DISTURBANCE	HIGH 0	MEDIUM 2	LOW 4	2	3	Trails allow easy access to creek which causes erosion
	HUMAN DISTURBANCE	HIGH 0	MEDIUM 2	LOW 4	3	3	
	INTERSPERSION WITH HABITATS	LOW 0	MEDIUM 3	HIGH 6	6	6	Parks, sanctuaries, unincorporated lands
	RARE HABITAT	LOW 0	MEDIUM 2	HIGH 4	4	4	Full-year stream, downed logs, and snags
	SIGNIFICANT FLORA	LOW 0	MEDIUM 2	HIGH 4	3	4	Some large trees
	SIGNIFICANT FAUNA	LOW 0	MEDIUM 2	HIGH 4	4	4	Protected population of cutthroat trout
	EDUCATIONAL VALUE	LOW 0	MEDIUM 2	HIGH 4	4	4	
	SCENIC VALUE	LOW 0	MEDIUM 2	HIGH 4	4	4	

City of Portland, Oregon
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WETLANDS WILDLIFE HABITAT ASSESSMENT

SITE NUMBER	75	TOTAL HABITAT SCORE AS EXISTING	90	POTENTIAL HABITAT SCORE IF ENHANCED	99	TOTAL ACRES	23
SITE LOCATION	Lower Balch Creek, Portland Audubon Society	FIELD DATES	11/09/89 to 04/28/90	FIELD OBSERVERS	Duncan Brown and Al Burns		

GENERAL COMMENTS This site the portion of the Balch Creek Basin within the Portland Audubon Society's Pittock Bird Sanctuary.

	HABITAT COMPONENT	DEGREE PRESENT			SCORE EXISTING	SCORE ENHANCED	SPECIFIC COMMENTS
WATER	SEASONAL PRESENCE	SELDOM 4	HALF YEAR 6	FULL YEAR 8	8	8	
	DIVERSITY OF TYPES	ONE 2	TWO 4	THREE 8	4	4	
	PROXIMITY TO COVER	FAR 0	NEAR 4	ADJACENT 8	8	8	
	FLUSHED HOW OFTEN	SELDOM 0	HALF YEAR 3	FULL YEAR 6	6	6	
FOOD	SEASONAL PRESENCE	SELDOM 0	HALF YEAR 4	FULL YEAR 8	5	6	
	DIVERSITY OF KINDS	LOW 0	MEDIUM 4	HIGH 8	5	6	
	PROXIMITY TO COVER	FAR 0	NEAR 4	ADJACENT 8	8	8	
COVER	SEASONAL PRESENCE	SELDOM 0	HALF YEAR 2	FULL YEAR 4	3	4	
	DIVERSITY OF STRUCTURE	LOW 0	MEDIUM 4	HIGH 8	5	6	
	VARIETY OF SPECIES	LOW 0	MEDIUM 4	HIGH 8	6	6	
	NESTING PLACES	LOW 0	MEDIUM 2	HIGH 4	3	4	
	ESCAPE PLACES	LOW 0	MEDIUM 2	HIGH 4	2	4	
ADDITIONAL VALUES	PHYSICAL DISTURBANCE	HIGH 0	MEDIUM 2	LOW 4	2	2	
	HUMAN DISTURBANCE	HIGH 0	MEDIUM 2	LOW 4	2	2	
	INTERSPERSION WITH HABITATS	LOW 0	MEDIUM 3	HIGH 6	6	6	Parks, sanctuaries, unincorporated lands
	RARE HABITAT	LOW 0	MEDIUM 2	HIGH 4	4	4	Full-year stream, cutthroat trout, sanctuary
	SIGNIFICANT FLORA	LOW 0	MEDIUM 2	HIGH 4	2	4	
	SIGNIFICANT FAUNA	LOW 0	MEDIUM 2	HIGH 4	4	4	
	EDUCATIONAL VALUE	LOW 0	MEDIUM 2	HIGH 4	4	4	
	SCENIC VALUE	LOW 0	MEDIUM 2	HIGH 4	3	3	

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WETLANDS WILDLIFE HABITAT ASSESSMENT

SITE NUMBER	76	TOTAL HABITAT SCORE AS EXISTING	102	POTENTIAL HABITAT SCORE IF ENHANCED	102	TOTAL ACRES	25
SITE LOCATION	Balch Creek Tributary, Tunnel and Cumberland	FIELD DATES	01/13/89 to 04/20/90	FIELD OBSERVERS	Al Burns and Gail Curtis		

GENERAL COMMENTS This site is an area beginning at the portion of Cornell Road between the tunnels and includes the part of Macleay Park containing the Tunnel and Cumberland Trails, and part of the Wildwood and Upper Macleay Trails.

	HABITAT COMPONENT	DEGREE PRESENT			SCORE EXISTING	SCORE ENHANCED	SPECIFIC COMMENTS
WATER	SEASONAL PRESENCE	SELDOM 4	HALF YEAR 6	FULL YEAR 8	8	8	
	DIVERSITY OF TYPES	ONE 2	TWO 4	THREE 8	2	2	
	PROXIMITY TO COVER	FAR 0	NEAR 4	ADJACENT 8	8	8	
	FLUSHED HOW OFTEN	SELDOM 0	HALF YEAR 3	FULL YEAR 6	6	6	
FOOD	SEASONAL PRESENCE	SELDOM 0	HALF YEAR 4	FULL YEAR 8	8	8	
	DIVERSITY OF KINDS	LOW 0	MEDIUM 4	HIGH 8	6	6	
	PROXIMITY TO COVER	FAR 0	NEAR 4	ADJACENT 8	8	8	
COVER	SEASONAL PRESENCE	SELDOM 0	HALF YEAR 2	FULL YEAR 4	3	3	
	DIVERSITY OF STRUCTURE	LOW 0	MEDIUM 4	HIGH 8	8	8	
	VARIETY OF SPECIES	LOW 0	MEDIUM 4	HIGH 8	8	8	
	NESTING PLACES	LOW 0	MEDIUM 2	HIGH 4	4	4	
	ESCAPE PLACES	LOW 0	MEDIUM 2	HIGH 4	4	4	
ADDITIONAL VALUES	PHYSICAL DISTURBANCE	HIGH 0	MEDIUM 2	LOW 4	1	1	Tunnels, parking lot, near residences
	HUMAN DISTURBANCE	HIGH 0	MEDIUM 2	LOW 4	4	4	
	INTERSPERSION WITH HABITATS	LOW 0	MEDIUM 3	HIGH 6	6	6	
	RARE HABITAT	LOW 0	MEDIUM 2	HIGH 4	4	4	
	SIGNIFICANT FLORA	LOW 0	MEDIUM 2	HIGH 4	4	4	
	SIGNIFICANT FAUNA	LOW 0	MEDIUM 2	HIGH 4	2	2	
	EDUCATIONAL VALUE	LOW 0	MEDIUM 2	HIGH 4	4	4	
	SCENIC VALUE	LOW 0	MEDIUM 2	HIGH 4	4	4	

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WETLANDS WILDLIFE HABITAT ASSESSMENT

SITE NUMBER	77	TOTAL HABITAT SCORE AS EXISTING	97	POTENTIAL HABITAT SCORE IF ENHANCED	98	TOTAL ACRES	24
SITE LOCATION	Upper Macleay Trail and Wildwood Trail Segments	FIELD DATES	12/14/89 to 04/20/90	FIELD OBSERVERS	Al Burns Gail Curtis Duncan Brown		

GENERAL COMMENTS This site is an area south of Cornell Road and West of the Tunnels including Adams Park and a small part of the upper portion of Macleay Park. It contains portions of the Wildwood and Upper Macleay Trails.

	HABITAT COMPONENT	DEGREE PRESENT			SCORE EXISTING	SCORE ENHANCED	SPECIFIC COMMENTS
WATER	SEASONAL PRESENCE	SELDOM 4	HALF YEAR 6	FULL YEAR 8	4	4	
	DIVERSITY OF TYPES	ONE 2	TWO 4	THREE 8	2	2	
	PROXIMITY TO COVER	FAR 0	NEAR 4	ADJACENT 8	8	8	
	FLUSHED HOW OFTEN	SELDOM 0	HALF YEAR 3	FULL YEAR 6	3	3	
FOOD	SEASONAL PRESENCE	SELDOM 0	HALF YEAR 4	FULL YEAR 8	8	8	
	DIVERSITY OF KINDS	LOW 0	MEDIUM 4	HIGH 8	6	6	
	PROXIMITY TO COVER	FAR 0	NEAR 4	ADJACENT 8	8	8	
COVER	SEASONAL PRESENCE	SELDOM 0	HALF YEAR 2	FULL YEAR 4	3	3	
	DIVERSITY OF STRUCTURE	LOW 0	MEDIUM 4	HIGH 8	8	8	
	VARIETY OF SPECIES	LOW 0	MEDIUM 4	HIGH 8	8	8	
	NESTING PLACES	LOW 0	MEDIUM 2	HIGH 4	4	4	
	ESCAPE PLACES	LOW 0	MEDIUM 2	HIGH 4	4	4	
ADDITIONAL VALUES	PHYSICAL DISTURBANCE	HIGH 0	MEDIUM 2	LOW 4	3	4	Better Designed Trail Near Cornell Road
	HUMAN DISTURBANCE	HIGH 0	MEDIUM 2	LOW 4	4	4	
	INTERSPERSION WITH HABITATS	LOW 0	MEDIUM 3	HIGH 6	6	6	Parks, sanctuaries, unincorporated lands
	RARE HABITAT	LOW 0	MEDIUM 2	HIGH 4	4	4	Very large trees and snags, diverse conifers
	SIGNIFICANT FLORA	LOW 0	MEDIUM 2	HIGH 4	4	4	
	SIGNIFICANT FAUNA	LOW 0	MEDIUM 2	HIGH 4	2	2	
	EDUCATIONAL VALUE	LOW 0	MEDIUM 2	HIGH 4	4	4	
	SCENIC VALUE	LOW 0	MEDIUM 2	HIGH 4	4	4	

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WETLANDS WILDLIFE HABITAT ASSESSMENT

SITE NUMBER	78	TOTAL HABITAT SCORE AS EXISTING	79	POTENTIAL HABITAT SCORE IF ENHANCED	88	TOTAL ACRES	8
SITE LOCATION	Upper Balch Creek, Near Audubon Caretaker House	FIELD DATES	12/14/89 to 04/28/90	FIELD OBSERVERS	Al Burns Gail Curtis Duncan Brown		

GENERAL COMMENTS This site is is a farm and forest zone north of Cornell Road and west of the Audubon Society's caretakers house.

	HABITAT COMPONENT	DEGREE PRESENT			SCORE EXISTING	SCORE ENHANCED	SPECIFIC COMMENTS
WATER	SEASONAL PRESENCE	SELDOM 4	HALF YEAR 6	FULL YEAR 8	4	4	
	DIVERSITY OF TYPES	ONE 2	TWO 4	THREE 8	2	2	Balch Creek Tributary
	PROXIMITY TO COVER	FAR 0	NEAR 4	ADJACENT 8	8	8	
	FLUSHED HOW OFTEN	SELDOM 0	HALF YEAR 3	FULL YEAR 6	6	6	
FOOD	SEASONAL PRESENCE	SELDOM 0	HALF YEAR 4	FULL YEAR 8	5	5	
	DIVERSITY OF KINDS	LOW 0	MEDIUM 4	HIGH 8	6	6	
	PROXIMITY TO COVER	FAR 0	NEAR 4	ADJACENT 8	8	8	
COVER	SEASONAL PRESENCE	SELDOM 0	HALF YEAR 2	FULL YEAR 4	2	3	Plant more conifer species
	DIVERSITY OF STRUCTURE	LOW 0	MEDIUM 4	HIGH 8	4	6	Plant more shrub species
	VARIETY OF SPECIES	LOW 0	MEDIUM 4	HIGH 8	5	6	Plant more shrub species
	NESTING PLACES	LOW 0	MEDIUM 2	HIGH 4	2	4	Plant more shrub species
	ESCAPE PLACES	LOW 0	MEDIUM 2	HIGH 4	3	4	Plant more shrub species
ADDITIONAL VALUES	PHYSICAL DISTURBANCE	HIGH 0	MEDIUM 2	LOW 4	0	0	Cornell Road and residences
	HUMAN DISTURBANCE	HIGH 0	MEDIUM 2	LOW 4	2	2	Trash dumping and high speed traffic
	INTERSPERSION WITH HABITATS	LOW 0	MEDIUM 3	HIGH 6	6	6	Parks, sanctuaries, unincorporated lands
	RARE HABITAT	LOW 0	MEDIUM 2	HIGH 4	4	4	Full-year stream, cutthroat trout
	SIGNIFICANT FLORA	LOW 0	MEDIUM 2	HIGH 4	2	4	
	SIGNIFICANT FAUNA	LOW 0	MEDIUM 2	HIGH 4	4	4	
	EDUCATIONAL VALUE	LOW 0	MEDIUM 2	HIGH 4	3	3	
	SCENIC VALUE	LOW 0	MEDIUM 2	HIGH 4	3	3	Scenic drive

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UPLANDS WILDLIFE HABITAT ASSESSMENT

SITE NUMBER	79	TOTAL HABITAT SCORE AS EXISTING	59	POTENTIAL HABITAT SCORE IF ENHANCED	62	TOTAL ACRES	26
SITE LOCATION	Barnes and Hilltop	FIELD DATES	01/24/90	FIELD OBSERVERS	Al Burns		

GENERAL COMMENTS This site is the area within the City near the intersection of Barnes Road and Hilltop Drive .

	HABITAT COMPONENT	DEGREE PRESENT			SCORE EXISTING	SCORE ENHANCED	SPECIFIC COMMENTS
FOOD	SEASONAL PRESENCE	SELDOM 0	HALF YEAR 5.5	FULL YEAR 11	11	11	
	DIVERSITY OF KINDS	LOW 0	MEDIUM 5.5	HIGH 11	10	10	
	PROXIMITY TO COVER	FAR 0	NEAR 5.5	ADJACENT 11	3	3	
COVER	SEASONAL PRESENCE	SELDOM 0	HALF YEAR 4	FULL YEAR 8	4	4	
	DIVERSITY OF STRUCTURE	LOW 0	MEDIUM 5.5	HIGH 11	5	5	
	VARIETY OF SPECIES	LOW 0	MEDIUM 5.5	HIGH 11	5	5	
	NESTING PLACES	LOW 0	MEDIUM 4	HIGH 8	4	4	
	ESCAPE PLACES	LOW 0	MEDIUM 4	HIGH 8	4	4	
ADDITIONAL VALUES	PHYSICAL DISTURBANCE	PERMANENT 0	TEMPORARY 2	NONE 4	0	0	
	HUMAN DISTURBANCE	HIGH 0	MEDIUM 2	LOW 4	2	2	
	INTERSPERSION WITH HABITATS	LOW 0	MEDIUM 4	HIGH 9	4	4	
	RARE HABITAT	LOW 0	MEDIUM 2	HIGH 4	0	0	
	SIGNIFICANT FLORA	LOW 0	MEDIUM 2	HIGH 4	2	4	
	SIGNIFICANT FAUNA	LOW 0	MEDIUM 2	HIGH 4	1	2	
	EDUCATIONAL VALUE	LOW 0	MEDIUM 2	HIGH 4	0	0	
	SCENIC VALUE	LOW 0	MEDIUM 2	HIGH 4	4	4	Views of Mount Hood and Balch Canyon

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UPLANDS WILDLIFE HABITAT ASSESSMENT

SITE NUMBER	80	TOTAL HABITAT SCORE AS EXISTING	62	POTENTIAL HABITAT SCORE IF ENHANCED	64	TOTAL ACRES	29
SITE LOCATION	Pittock Place, Planned Unit Development	FIELD DATES	01/24/90	FIELD OBSERVERS	Al Burns		

GENERAL COMMENTS This site contains the proposed Pittock Place, Planned Unit Development and the Wolf Creek water tanks.

	HABITAT COMPONENT	DEGREE PRESENT			SCORE EXISTING	SCORE ENHANCED	SPECIFIC COMMENTS
FOOD	SEASONAL PRESENCE	SELDOM 0	HALF YEAR 5.5	FULL YEAR 11	5	5	
	DIVERSITY OF KINDS	LOW 0	MEDIUM 5.5	HIGH 11	9	9	
	PROXIMITY TO COVER	FAR 0	NEAR 5.5	ADJACENT 11	9	9	
COVER	SEASONAL PRESENCE	SELDOM 0	HALF YEAR 4	FULL YEAR 8	4	4	
	DIVERSITY OF STRUCTURE	LOW 0	MEDIUM 5.5	HIGH 11	4	4	
	VARIETY OF SPECIES	LOW 0	MEDIUM 5.5	HIGH 11	11	11	
	NESTING PLACES	LOW 0	MEDIUM 4	HIGH 8	4	4	
	ESCAPE PLACES	LOW 0	MEDIUM 4	HIGH 8	6	6	
ADDITIONAL VALUES	PHYSICAL DISTURBANCE	PERMANENT 0	TEMPORARY 2	NONE 4	1	1	
	HUMAN DISTURBANCE	HIGH 0	MEDIUM 2	LOW 4	0	0	
	INTERSPERSION WITH HABITATS	LOW 0	MEDIUM 4	HIGH 9	4	4	
	RARE HABITAT	LOW 0	MEDIUM 2	HIGH 4	0	0	
	SIGNIFICANT FLORA	LOW 0	MEDIUM 2	HIGH 4	2	4	
	SIGNIFICANT FAUNA	LOW 0	MEDIUM 2	HIGH 4	2	2	
	EDUCATIONAL VALUE	LOW 0	MEDIUM 2	HIGH 4	0	0	
	SCENIC VALUE	LOW 0	MEDIUM 2	HIGH 4	1	1	

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UPLANDS WILDLIFE HABITAT ASSESSMENT

SITE NUMBER	81	TOTAL HABITAT SCORE AS EXISTING	23	POTENTIAL HABITAT SCORE IF ENHANCED	26	TOTAL ACRES	65
SITE LOCATION	Mount Calvary Cemetery	FIELD DATES	01/24/90	FIELD OBSERVERS	Al Burns		

GENERAL COMMENTS This site is the portion of Mount Calvary Cemetery within the Balch Creek Watershed.

	HABITAT COMPONENT	DEGREE PRESENT			SCORE EXISTING	SCORE ENHANCED	SPECIFIC COMMENTS
FOOD	SEASONAL PRESENCE	SELDOM 0	HALF YEAR 5.5	FULL YEAR 11	4	4	
	DIVERSITY OF KINDS	LOW 0	MEDIUM 5.5	HIGH 11	0	3	More seed and Berry producing landscaping
	PROXIMITY TO COVER	FAR 0	NEAR 5.5	ADJACENT 11	0	0	
COVER	SEASONAL PRESENCE	SELDOM 0	HALF YEAR 4	FULL YEAR 8	4	4	
	DIVERSITY OF STRUCTURE	LOW 0	MEDIUM 5.5	HIGH 11	0	0	
	VARIETY OF SPECIES	LOW 0	MEDIUM 5.5	HIGH 11	0	0	
	NESTING PLACES	LOW 0	MEDIUM 4	HIGH 8	3	3	
	ESCAPE PLACES	LOW 0	MEDIUM 4	HIGH 8	0	0	
ADDITIONAL VALUES	PHYSICAL DISTURBANCE	PERMANENT 0	TEMPORARY 2	NONE 4	0	0	
	HUMAN DISTURBANCE	HIGH 0	MEDIUM 2	LOW 4	2	2	
	INTERSPERSION WITH HABITATS	LOW 0	MEDIUM 4	HIGH 9	6	6	
	RARE HABITAT	LOW 0	MEDIUM 2	HIGH 4	0	0	
	SIGNIFICANT FLORA	LOW 0	MEDIUM 2	HIGH 4	0	0	
	SIGNIFICANT FAUNA	LOW 0	MEDIUM 2	HIGH 4	0	0	
	EDUCATIONAL VALUE	LOW 0	MEDIUM 2	HIGH 4	0	0	
	SCENIC VALUE	LOW 0	MEDIUM 2	HIGH 4	4	4	Scenic views, open space

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UPLANDS WILDLIFE HABITAT ASSESSMENT

SITE NUMBER	82	TOTAL HABITAT SCORE AS EXISTING	22	POTENTIAL HABITAT SCORE IF ENHANCED	22	TOTAL ACRES	46
SITE LOCATION	Royal Highlands and Barnes Heights	FIELD DATES	01/24/90	FIELD OBSERVERS	Al Burns		

GENERAL COMMENTS This site is the Royal Highlands Subdivision and the portion of the Barnes Heights Subdivision within the City.

	HABITAT COMPONENT	DEGREE PRESENT			SCORE EXISTING	SCORE ENHANCED	SPECIFIC COMMENTS
FOOD	SEASONAL PRESENCE	SELDOM 0	HALF YEAR 5.5	FULL YEAR 11	4	4	
	DIVERSITY OF KINDS	LOW 0	MEDIUM 5.5	HIGH 11	0	0	
	PROXIMITY TO COVER	FAR 0	NEAR 5.5	ADJACENT 11	4	4	
COVER	SEASONAL PRESENCE	SELDOM 0	HALF YEAR 4	FULL YEAR 8	4	4	
	DIVERSITY OF STRUCTURE	LOW 0	MEDIUM 5.5	HIGH 11	0	0	
	VARIETY OF SPECIES	LOW 0	MEDIUM 5.5	HIGH 11	0	0	
	NESTING PLACES	LOW 0	MEDIUM 4	HIGH 8	2	2	
	ESCAPE PLACES	LOW 0	MEDIUM 4	HIGH 8	2	2	
ADDITIONAL VALUES	PHYSICAL DISTURBANCE	PERMANENT 0	TEMPORARY 2	NONE 4	0	0	
	HUMAN DISTURBANCE	HIGH 0	MEDIUM 2	LOW 4	2	2	
	INTERSPERSION WITH HABITATS	LOW 0	MEDIUM 4	HIGH 9	4	4	
	RARE HABITAT	LOW 0	MEDIUM 2	HIGH 4	0	0	
	SIGNIFICANT FLORA	LOW 0	MEDIUM 2	HIGH 4	0	0	
	SIGNIFICANT FAUNA	LOW 0	MEDIUM 2	HIGH 4	0	0	
	EDUCATIONAL VALUE	LOW 0	MEDIUM 2	HIGH 4	0	0	
	SCENIC VALUE	LOW 0	MEDIUM 2	HIGH 4	0	0	

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WETLANDS WILDLIFE HABITAT ASSESSMENT

SITE NUMBER	83	TOTAL HABITAT SCORE AS EXISTING	85	POTENTIAL HABITAT SCORE IF ENHANCED	93	TOTAL ACRES	94
SITE LOCATION	Upper Balch Creek Headwaters	FIELD DATES	01/03/90	FIELD OBSERVERS	Al Burns and Duncan Brown		

GENERAL COMMENTS This site includes the headwaters of the main stem of Balch Creek. It also contains the portion of Mountain View Park No.2 subdivision which was replatted in March of 1990.

	HABITAT COMPONENT	DEGREE PRESENT			SCORE EXISTING	SCORE ENHANCED	SPECIFIC COMMENTS
WATER	SEASONAL PRESENCE	SELDOM 4	HALF YEAR 6	FULL YEAR 8	8	8	
	DIVERSITY OF TYPES	ONE 2	TWO 4	THREE 8	2	4	a wetland could be created
	PROXIMITY TO COVER	FAR 0	NEAR 4	ADJACENT 8	8	8	
	FLUSHED HOW OFTEN	SELDOM 0	HALF YEAR 3	FULL YEAR 6	6	6	pollution problem from fill
FOOD	SEASONAL PRESENCE	SELDOM 0	HALF YEAR 4	FULL YEAR 8	4	6	more conifer species
	DIVERSITY OF KINDS	LOW 0	MEDIUM 4	HIGH 8	4	6	restoration of filled site
	PROXIMITY TO COVER	FAR 0	NEAR 4	ADJACENT 8	8	8	
COVER	SEASONAL PRESENCE	SELDOM 0	HALF YEAR 2	FULL YEAR 4	2	2	
	DIVERSITY OF STRUCTURE	LOW 0	MEDIUM 4	HIGH 8	6	6	
	VARIETY OF SPECIES	LOW 0	MEDIUM 4	HIGH 8	6	6	
	NESTING PLACES	LOW 0	MEDIUM 2	HIGH 4	2	2	
	ESCAPE PLACES	LOW 0	MEDIUM 2	HIGH 4	4	4	
ADDITIONAL VALUES	PHYSICAL DISTURBANCE	HIGH 0	MEDIUM 2	LOW 4	1	1	Roads, fill, low density residential
	HUMAN DISTURBANCE	HIGH 0	MEDIUM 2	LOW 4	2	2	
	INTERSPERSION WITH HABITATS	LOW 0	MEDIUM 3	HIGH 6	6	6	Parks, sanctuaries, unincorporated lands
	RARE HABITAT	LOW 0	MEDIUM 2	HIGH 4	4	4	full year stream
	SIGNIFICANT FLORA	LOW 0	MEDIUM 2	HIGH 4	2	4	
	SIGNIFICANT FAUNA	LOW 0	MEDIUM 2	HIGH 4	4	4	
	EDUCATIONAL VALUE	LOW 0	MEDIUM 2	HIGH 4	2	2	
	SCENIC VALUE	LOW 0	MEDIUM 2	HIGH 4	4	4	Several large Douglas fir trees near Cornell Road

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WETLANDS WILDLIFE HABITAT ASSESSMENT

SITE NUMBER	84	TOTAL HABITAT SCORE AS EXISTING	80	POTENTIAL HABITAT SCORE IF ENHANCED	90	TOTAL ACRES	52
SITE LOCATION	Near intersection of Skyline and Thompson	FIELD DATES	01/24/90	FIELD OBSERVERS	Al Burns		

GENERAL COMMENTS This site is the headwaters of the Thompson Road branch of Balch Creek in City farm and forest zones and the Gales Ridge Planned Unit Development.

	HABITAT COMPONENT	DEGREE PRESENT			SCORE EXISTING	SCORE ENHANCED	SPECIFIC COMMENTS
WATER	SEASONAL PRESENCE	SELDOM 4	HALF YEAR 6	FULL YEAR 8	8	8	
	DIVERSITY OF TYPES	ONE 2	TWO 4	THREE 8	2	2	
	PROXIMITY TO COVER	FAR 0	NEAR 4	ADJACENT 8	5	6	Plant shrub species.
	FLUSHED HOW OFTEN	SELDOM 0	HALF YEAR 3	FULL YEAR 6	6	6	
FOOD	SEASONAL PRESENCE	SELDOM 0	HALF YEAR 4	FULL YEAR 8	6	6	
	DIVERSITY OF KINDS	LOW 0	MEDIUM 4	HIGH 8	6	7	Plant berry producing plants.
	PROXIMITY TO COVER	FAR 0	NEAR 4	ADJACENT 8	6	6	
COVER	SEASONAL PRESENCE	SELDOM 0	HALF YEAR 2	FULL YEAR 4	3	4	Plant shrub species.
	DIVERSITY OF STRUCTURE	LOW 0	MEDIUM 4	HIGH 8	6	7	Plant shrub species.
	VARIETY OF SPECIES	LOW 0	MEDIUM 4	HIGH 8	5	7	Plant shrub species.
	NESTING PLACES	LOW 0	MEDIUM 2	HIGH 4	3	4	Plant shrub species.
	ESCAPE PLACES	LOW 0	MEDIUM 2	HIGH 4	3	4	Plant shrub species.
ADDITIONAL VALUES	PHYSICAL DISTURBANCE	HIGH 0	MEDIUM 2	LOW 4	1	1	
	HUMAN DISTURBANCE	HIGH 0	MEDIUM 2	LOW 4	4	4	
	INTERSPERSION WITH HABITATS	LOW 0	MEDIUM 3	HIGH 6	3	3	
	RARE HABITAT	LOW 0	MEDIUM 2	HIGH 4	4	4	Full year stream.
	SIGNIFICANT FLORA	LOW 0	MEDIUM 2	HIGH 4	2	4	
	SIGNIFICANT FAUNA	LOW 0	MEDIUM 2	HIGH 4	4	4	
	EDUCATIONAL VALUE	LOW 0	MEDIUM 2	HIGH 4	1	1	
	SCENIC VALUE	LOW 0	MEDIUM 2	HIGH 4	2	2	

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WETLANDS WILDLIFE HABITAT ASSESSMENT

SITE NUMBER	85	TOTAL HABITAT SCORE AS EXISTING	97	POTENTIAL HABITAT SCORE IF ENHANCED	99	TOTAL ACRES	89
SITE LOCATION	Thompson Tributary in Forest Park	FIELD DATES	01/24/90	FIELD OBSERVERS	Al Burns		

GENERAL COMMENTS This site is the portion of Forest Park south and west of 53rd and north and east of Thompson and Cornell Roads and includes the the Thompson tributary of Balch Creek north of Balch Creek.

	HABITAT COMPONENT	DEGREE PRESENT			SCORE EXISTING	SCORE ENHANCED	SPECIFIC COMMENTS
WATER	SEASONAL PRESENCE	SELDOM 4	HALF YEAR 6	FULL YEAR 8	8	8	
	DIVERSITY OF TYPES	ONE 2	TWO 4	THREE 8	2	2	
	PROXIMITY TO COVER	FAR 0	NEAR 4	ADJACENT 8	8	8	
	FLUSHED HOW OFTEN	SELDOM 0	HALF YEAR 3	FULL YEAR 6	6	6	
FOOD	SEASONAL PRESENCE	SELDOM 0	HALF YEAR 4	FULL YEAR 8	7	7	
	DIVERSITY OF KINDS	LOW 0	MEDIUM 4	HIGH 8	6	6	
	PROXIMITY TO COVER	FAR 0	NEAR 4	ADJACENT 8	6	6	
COVER	SEASONAL PRESENCE	SELDOM 0	HALF YEAR 2	FULL YEAR 4	4	4	
	DIVERSITY OF STRUCTURE	LOW 0	MEDIUM 4	HIGH 8	7	7	
	VARIETY OF SPECIES	LOW 0	MEDIUM 4	HIGH 8	7	7	
	NESTING PLACES	LOW 0	MEDIUM 2	HIGH 4	4	4	
	ESCAPE PLACES	LOW 0	MEDIUM 2	HIGH 4	4	4	
ADDITIONAL VALUES	PHYSICAL DISTURBANCE	HIGH 0	MEDIUM 2	LOW 4	1	1	
	HUMAN DISTURBANCE	HIGH 0	MEDIUM 2	LOW 4	2	3	Better Controlled curb side pull outs
	INTERSPERSION WITH HABITATS	LOW 0	MEDIUM 3	HIGH 6	6	6	
	RARE HABITAT	LOW 0	MEDIUM 2	HIGH 4	4	4	
	SIGNIFICANT FLORA	LOW 0	MEDIUM 2	HIGH 4	3	4	
	SIGNIFICANT FAUNA	LOW 0	MEDIUM 2	HIGH 4	4	4	
	EDUCATIONAL VALUE	LOW 0	MEDIUM 2	HIGH 4	4	4	
	SCENIC VALUE	LOW 0	MEDIUM 2	HIGH 4	4	4	

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WETLANDS WILDLIFE HABITAT ASSESSMENT

SITE NUMBER	A	TOTAL HABITAT SCORE AS EXISTING	59	POTENTIAL HABITAT SCORE IF ENHANCED	84	TOTAL ACRES	20
SITE LOCATION	Balch Creek Tributaries South of Balch Creek	FIELD DATES	12/02/89	FIELD OBSERVERS	Task Force Field Trip		

GENERAL COMMENTS This site is within thejurisdiction of Multnomah County and includes Oregon Parks Foundation land and the Royal Highlands sewage treatment plant.

	HABITAT COMPONENT	DEGREE PRESENT			SCORE EXISTING	SCORE ENHANCED	SPECIFIC COMMENTS
WATER	SEASONAL PRESENCE	SELDOM 4	HALF YEAR 6	FULL YEAR 8	4	4	
	DIVERSITY OF TYPES	ONE 2	TWO 4	THREE 8	2	2	
	PROXIMITY TO COVER	FAR 0	NEAR 4	ADJACENT 8	4	6	
	FLUSHED HOW OFTEN	SELDOM 0	HALF YEAR 3	FULL YEAR 6	3	3	
FOOD	SEASONAL PRESENCE	SELDOM 0	HALF YEAR 4	FULL YEAR 8	5	8	
	DIVERSITY OF KINDS	LOW 0	MEDIUM 4	HIGH 8	6	8	
	PROXIMITY TO COVER	FAR 0	NEAR 4	ADJACENT 8	4	6	
COVER	SEASONAL PRESENCE	SELDOM 0	HALF YEAR 2	FULL YEAR 4	2	3	
	DIVERSITY OF STRUCTURE	LOW 0	MEDIUM 4	HIGH 8	4	8	
	VARIETY OF SPECIES	LOW 0	MEDIUM 4	HIGH 8	4	8	
	NESTING PLACES	LOW 0	MEDIUM 2	HIGH 4	2	4	
	ESCAPE PLACES	LOW 0	MEDIUM 2	HIGH 4	2	4	
ADDITIONAL VALUES	PHYSICAL DISTURBANCE	HIGH 0	MEDIUM 2	LOW 4	3	3	
	HUMAN DISTURBANCE	HIGH 0	MEDIUM 2	LOW 4	2	1	
	INTERSPERSION WITH HABITATS	LOW 0	MEDIUM 3	HIGH 6	6	6	Parks, sanctuaries, unincorporated lands
	RARE HABITAT	LOW 0	MEDIUM 2	HIGH 4	1	1	A few large trees and snags
	SIGNIFICANT FLORA	LOW 0	MEDIUM 2	HIGH 4	1	4	
	SIGNIFICANT FAUNA	LOW 0	MEDIUM 2	HIGH 4	1	2	
	EDUCATIONAL VALUE	LOW 0	MEDIUM 2	HIGH 4	1	1	
	SCENIC VALUE	LOW 0	MEDIUM 2	HIGH 4	2	2	

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WETLANDS WILDLIFE HABITAT ASSESSMENT

SITE NUMBER	B	TOTAL HABITAT SCORE AS EXISTING	88	POTENTIAL HABITAT SCORE IF ENHANCED	98	TOTAL ACRES	45
SITE LOCATION	Balch Creek Tributary Thompson Road	FIELD DATES	01/03/90	FIELD OBSERVERS	City/County Team		

GENERAL COMMENTS This site is within jurisdiction of Multnomah County. It includes the major tributary of Balch Creek south of Thompson Road.

	HABITAT COMPONENT	DEGREE PRESENT			SCORE EXISTING	SCORE ENHANCED	SPECIFIC COMMENTS
WATER	SEASONAL PRESENCE	SELDOM 4	HALF YEAR 6	FULL YEAR 8	8	8	
	DIVERSITY OF TYPES	ONE 2	TWO 4	THREE 8	2	2	
	PROXIMITY TO COVER	FAR 0	NEAR 4	ADJACENT 8	8	8	
	FLUSHED HOW OFTEN	SELDOM 0	HALF YEAR 3	FULL YEAR 6	6	6	
FOOD	SEASONAL PRESENCE	SELDOM 0	HALF YEAR 4	FULL YEAR 8	6	6	
	DIVERSITY OF KINDS	LOW 0	MEDIUM 4	HIGH 8	4	6	
	PROXIMITY TO COVER	FAR 0	NEAR 4	ADJACENT 8	8	8	
COVER	SEASONAL PRESENCE	SELDOM 0	HALF YEAR 2	FULL YEAR 4	3	4	
	DIVERSITY OF STRUCTURE	LOW 0	MEDIUM 4	HIGH 8	7	7	
	VARIETY OF SPECIES	LOW 0	MEDIUM 4	HIGH 8	4	6	
	NESTING PLACES	LOW 0	MEDIUM 2	HIGH 4	3	3	
	ESCAPE PLACES	LOW 0	MEDIUM 2	HIGH 4	4	4	
ADDITIONAL VALUES	PHYSICAL DISTURBANCE	HIGH 0	MEDIUM 2	LOW 4	1	1	Roads and houses
	HUMAN DISTURBANCE	HIGH 0	MEDIUM 2	LOW 4	2	3	Garbage dumping and low density residential
	INTERSPERSION WITH HABITATS	LOW 0	MEDIUM 3	HIGH 6	6	6	Parks, sanctuaries, unincorporated lands
	RARE HABITAT	LOW 0	MEDIUM 2	HIGH 4	4	4	Full year stream and Cutthroat trout
	SIGNIFICANT FLORA	LOW 0	MEDIUM 2	HIGH 4	2	4	
	SIGNIFICANT FAUNA	LOW 0	MEDIUM 2	HIGH 4	4	4	
	EDUCATIONAL VALUE	LOW 0	MEDIUM 2	HIGH 4	2	4	
	SCENIC VALUE	LOW 0	MEDIUM 2	HIGH 4	4	4	Scenic drive

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APPENDIX F

Preferred Native Plant List

Preferred native plants observed in the Balch Creek Watershed are indicated with an asterix.

Common Name	Relatives	Scientific Name
Compact Selaginella	Lesser-clubmoss	*Selaginella densa*
Northern Maidenhair Fern*	Common Fern	*Adiantum pedatum*
Maidenhair Spleenwort	Common Fern	*Asplenium trichomanes*
Lady Fern*	Common Fern	*Athyrium filix-femina*
Deer Fern	Common Fern	*Blechnum spicant*
Brittle Bladder Fern	Common Fern	*Cystopteris fragilis*
Spreading Wood Fern*	Common Fern	*Dryopteris austriaca*
Licorice Fern*	Common Fern	*Polypodium glycyrrhiza*
Licorice Fern	Common Fern	*Polypodium hesperium*
Anderson's Sword Fern	Common Fern	*Polystichum andersonii*
Sword Fern*	Common Fern	*Polystichum munitum*
Bracken*	Common Fern	*Pteridium aquilinum*
Wood Fern*	Common Fern	*Thelypteris nevadensis*
Duckweed	Water Fern	*Azolla filiculoides*
Pacific Silver Fir*	Pine	*Abies amabilis*
Grand Fir	Pine	*Abies grandis*
Lodgepole Pine	Pine	*Pinus contorta*
Ponderosa Pine*	Pine	*Pinus ponderosa*
Douglas Fir*	Pine	*Pseudotsuga menziesii*
Western Hemlock*	Pine	*Tsuga heterophylla*
Western Red Cedar*	Cypress	*Thuja plicata*
Western Yew*	Yew	*Taxus brevifolia*
American Water-plantain	Water-plantain	*Alisma plantago-aquatica*
Wapato	Water-plantain	*Sagittaria latifolia*
Water Lentil	Duckweed	*Lemna minor*
Common Cattail	Cattail	*Typha latifolia*
Skunk Cabbage	Calla-lily	*Lysichitum americanum*
Baltic Rush	Rush	*Juncus balticus*
Short-leaved Rush	Rush	*Juncus brachyphyllus*
Toad Rush	Rush	*Juncus bufonius*
Common Rush	Rush	*Juncus effusus*
Dagger-leaf rush	Rush	*Juncus ensifolius*
Field Woodrush	Rush	*Luzula campestris*
Small-flowered Woodrush	Rush	*Luzula parviflora*
Big-leaf Sedge	Sedge	*Carex amplifolia*
Columbia Sedge	Sedge	*Carex aperta*
Slenderbeaked Sedge	Sedge	*Carex athrostachys*
Gray Sedge	Sedge	*Carex canescens*
Cusick's Sedge	Sedge	*Carex cusickii*
Dewey's Sedge	Sedge	*Carex deweyana*
Henderson's Wood Sedge	Sedge	*Carex hendersonii*
Inland Sedge	Sedge	*Carex interior*
Pale Sedge	Sedge	*Carex livida*
Slough Sedge	Sedge	*Carex obnupta*
Meadow Sedge	Sedge	*Carex praticola*

Beaked Sedge	Sedge	*Carex rostrata*
Sitka Sedge	Sedge	*Carex sitchensis*
Sawbeak Sedge	Sedge	*Carex stipata*
Inflated Sedge	Sedge	*Carex vesicaria*
Creeping Spikesedge	Sedge	*Eleocharis palustris*
Hardstem Bulrush	Sedge	*Scirpus acutus*
Pale Great Bulrush	Sedge	*Scirpus heterochaetus*
Small-fruited Bulrush	Sedge	*Scirpus microcarpus*
Olney's Bulrush	Sedge	*Scirpus olneyi*
Softstem Bulrush	Sedge	*Scirpus validus*
Water Foxtail	Grass	*Alopecurus geniculatus*
California Brome-grass	Grass	*Bromus carinatus*
Alaska Brome	Grass	*Bromus sitchensis*
Large Barnyard-grass	Grass	*Echinochloa grusgalli*
Western Fescue-grass	Grass	*Festuca occidentalis*
Bearded Fescue-grass	Grass	*Festuca subulata*
Coast Range Fescue-grass	Grass	*Festuca subuliflora*
Oniongrass	Grass	*Melica bulbosa*
Old-witch Grass	Grass	*Panicum capillare*
Annual Bluegrass	Grass	*Poa annua*
Canada Bluegrass	Grass	*Poa compressa*
Gray's Bluegrass	Grass	*Poa grayana*
Howell's Bluegrass	Grass	*Poa howellii*
Kentucky Bluegrass	Grass	*Poa pratensis*
Wild Onion	Lily	*Allium amplectens*
Slim-leafed Onion*	Lily	*Allium amplectens*
Howell's Brodiaea	Lily	*Brodiaea howellii*
Leichtlin's Camas	Lily	*Camassia leichlinii*
Common Camas	Lily	*Camassia quamash*
Hooker Fairy-bell*	Lily	*Disporum hookeri*
Large-flowered Fairy-bell*	Lily	*Disporum smithii*
Giant Fawn-lily	Lily	*Erythronium oregonum*
Mission Bells	Lily	*Fritillaria lanceolata*
Columbia Lily	Lily	*Lilium columbianum*
Red Lily	Lily	*Lilium philadelphicum*
Deerberry	Lily	*Maianthemum dilatatum*
Oregon Fetid Adder's-tongue	Lily	*Scoliopus hallii*
Western False Solomon's Seal	Lily	*Smilacina racemosa*
Starry False Solomon's Seal	Lily	*Smilacina stellata*
Clasping-leaved Twisted-stalk	Lily	*Streptopus amplexifolius*
Giant Trillium	Lily	*Trillium chloropetalum*
Western Trillium*	Lily	*Trillium ovatum*
False Hellebore	Lily	*Veratrum californicum*
Oregon Iris	Iris	*Iris tenax*
Blue-eyed grass	Iris	*Sisyrinchium angustifolium*
Fairy Slipper	Orchid	*Calypso bulbosa*
Pacific Coral-root	Orchid	*Corallorhiza maculata*
Hooded Coral-root	Orchid	*Corallorhiza striata*
Snow-orchid	Orchid	*Eburophyton austiniae*

Giant Rattlesnake-plantain	Orchid	*Goodyera oblongifolia*
Heart-leafed Listera	Orchid	*Listera cordata*
Water-shield	Water-lily	*Brasenia schreberi*
Yellow Water-lily	Water-lily	*Nuphar polysepalum*
Baneberry	Buttercup	*Actaea rubra*
Western White Anemone	Buttercup	*Anemone deltoidea*
Lyall's Anemone	Buttercup	*Anemone lyallii*
Oregon Anemone	Buttercup	*Anemone oregana*
Red Columbine	Buttercup	*Aquilegia formosa*
Cutleaf Goldthread	Buttercup	*Coptis laciniata*
Pale Larkspur	Buttercup	*Delphinium leucophaeum*
Menzies' Larkspur	Buttercup	*Delphinium menziesii*
Nuttall's Larkspur	Buttercup	*Delphinium nuttallii*
Shore Buttercup	Buttercup	*Ranunculus cymbalaria*
Creeping Buttercup*	Buttercup	*Ranunculus flammula*
Macoun's Buttercup	Buttercup	*Ranunculus macounii*
Western Buttercup	Buttercup	*Ranunculus occidentalis*
Straightbeak Buttercup	Buttercup	*Ranunculus orthorhyncus*
Pennsylvania Buttercup	Buttercup	*Ranunculus pensylvanicus*
Little Buttercup	Buttercup	*Ranunculus uncinatus*
Western Meadowrue	Buttercup	*Thalictrum occidentale*
Lanceleaved Stonecrop	Stonecrop	*Sedum lanceolatum*
Spatula-leaf Stonecrop	Stonecrop	*Sedum spathulifolium*
Coontail	Hornwort	*Ceratophyllum demersum*
Vanillaleaf*	Barberry	*Achlys triphylla*
Tall Oregongrape	Barberry	*Berberis aquifolium*
Dull Oregongrape*	Barberry	*Berberis nervosa*
White Inside-out Flower*	Barberry	*Vancouveria hexandra*
Meadow Lotus	Pea	*Lotus denticulatus*
Seaside Lotus	Pea	*Lotus formosissimus*
Small-flowered Deervetch	Pea	*Lotus micranthus*
Spanish Clover	Pea	*Lotus purshiana*
Two-color Lupine	Pea	*Lupinus bicolor*
Broadleaf Lupine	Pea	*Lupinus latifolius*
Spurred Lupine	Pea	*Lupinus laxiflorus*
Prarie Lupine	Pea	*Lupinus lepidus*
Field Lupine	Pea	*Lupinus micranthus*
Chick Lupine	Pea	*Lupinus microcarpus*
Large-leaved Lupine	Pea	*Lupinus polyphyllus*
Stream Lupine	Pea	*Lupinus rivularis*
Sulfur Lupine	Pea	*Lupinus sulphureus*
American Vetch	Pea	*Vicia americana*
Bergia	Waterwort	*Bergia texana*
Three-stamen Waterwort	Waterwort	*Elatine triandra*
Different-leaf Water-starwort	Water-starwort	*Callitriche hetrophylla*
Black Cottonwood*	Willow	*Populus trichocarpa*
Columbia River Willow	Willow	*Salix fluviatilis*
Pacific Willow	Willow	*Salix lasiandra*
Piper's Willow	Willow	*Salix piperi*

Rigid Willow	Willow	*Salix rigida*
Scouler Willow*	Willow	*Salix scouleriana*
Soft-leaved Willow	Willow	*Salix sessilifolia*
Sitka Willow	Willow	*Salix sitchensis*
Oregon Ash*	Ash	*Fraxinus latifolia*
Red Alder*	Birch	*Alnus rubra*
Hazelnut*	Birch	*Corylus cornuta*
Garry Oak	Beech	*Quercus garryana*
Branching Montia	Purslane	*Montia diffusa*
Narrow-leaved Montia	Purslane	*Montia linearis*
Streambank Springbeauty	Purslane	*Montia parvifolia*
Miner's Lettuce	Purslane	*Montia perfoliata*
Siberian Montia	Purslane	*Montia sibirica*
Bigleaf Sandwart	Pink	*Arenaria macrophylla*
Western Pearlwort	Pink	*Sagina occidentalis*
Crisped Starwort	Pink	*Stellaria crispa*
Water Smartweed	Buckwheat	*Polygonum amphibium*
Doorweed	Buckwheat	*Polygonum aviculare*
American Bistort	Buckwheat	*Polygonum bistoides*
Water Smartweed	Buckwheat	*Polygonum coccineum*
Douglas' Knotweed	Buckwheat	*Polygonum douglasii*
Common Waterpepper	Buckwheat	*Polygonum hydropiperoides*
Kellogg's Knotweed	Buckwheat	*Polygonum kelloggii*
Nutall's Knotweed	Buckwheat	*Polygonum nutallii*
Water Smartweed	Buckwheat	*Polygonum punctatum*
Fall Knotweed	Buckwheat	*Polygonum spergulariaeforme*
Western Dock	Buckwheat	*Rumex occidentalis*
Gold Poppy	Poppy	*Eschscholzia californica*
Pacific Bleedingheart	Fumitory	*Dicentra formosa*
Meadow Sidalcea	Mallow	*Sidalcea campestris*
Bolandra	Saxifrage	*Bolandra oregana*
Greater Boykinia	Saxifrage	*Boykinia major*
Pacific Water-carpet	Saxifrage	*Chrysosplenium glechomaefolium*
Smooth Alumroot	Saxifrage	*Heuchera glabra*
Smallflowered Alumroot	Saxifrage	*Heuchera micrantha*
Leafy Mitrewort	Saxifrage	*Mitella caulescens*
Five-stamened Mitrewort	Saxifrage	*Mitella pentandra*
Rusty Saxifrage	Saxifrage	*Saxifraga ferruginea*
Swamp Saxifrage	Saxifrage	*Saxifraga integrifolia*
Western Saxifrage	Saxifrage	*Saxifraga occidentalis*
Sullivantia	Saxifrage	*Sullivantia oregana*
Fringecup	Saxifrage	*Tellima grandiflorum*
Laceflower	Saxifrage	*Tiarella trifoliata*
Angled Bittercress	Mustard	*Cardamine angulata*
Little Western Bittercress	Mustard	*Cardamine oligosperma*
Pennsylvania Bittercress	Mustard	*Cardamine pensylvanica*
Slender Toothwort	Mustard	*Cardamine pulcherrima*
Spring Whitlow-grass	Mustard	*Draba verna*
Prairie Rocket	Mustard	*Erysimum asperum*

Columbia Cress	Mustard	*Rorippa columbiae*
Early Blue Violet	Violet	*Viola adunca*
Stream Violet*	Violet	*Viola glabella*
Marsh Violet	Violet	*Viola palustris*
Evergreen Violet*	Violet	*Viola sempervirens*
Oregon Oxalis	Wood-sorrel	*Oxalis oregana*
Western Yellow Oxalis	Wood-sorrel	*Oxalis suksdorfii*
Trillium-leaved Wood-sorrel	Wood-sorrel	*Oxalis trilliifolia*
Vine Maple*	Maple	*Acer circinatum*
Big-leaf Maple*	Maple	*Acer macrophyllum*
Western Wahoo*	Staff-tree	*Euonymus occidentalis*
Oregon Tea-tree	Buckthorn	*Ceanothus sanguineus*
Cascara*	Buckthorn	*Rhamnus purshiana*
Madrone*	Heath	*Arbutus menziesii*
Salal*	Heath	*Gaultheria shallon*
Indian-pipe	Heath	*Monotropa uniflora*
Western Rhododendron*	Heath	*Rhododendron macrophyllum*
Western Azalea	Heath	*Rhododendron occidentale*
Alaska Blueberry	Heath	*Vaccinium alaskaense*
Evergreen Huckleberry	Heath	*Vaccinium ovatum*
Red Huckleberry*	Heath	*Vaccinium parvifolium*
Mockorange*	Hydrangea	*Philadelphus lewisii*
Western Serviceberry	Rose	*Amelanchier alnifolia*
Goatsbeard*	Rose	*Aruncus sylvester*
Black Hawthorn	Rose	*Crataegus douglasii*
Wood Strawberry*	Rose	*Fragaria vesca*
Broadpetal Strawberry	Rose	*Fragaria virginiana*
Oregon Avens*	Rose	*Geum macrophyllum*
Ocean-spray	Rose	*Holodiscus discolor*
Indian Plum*	Rose	*Oemleria cerasiformis*
Pacific Ninebark	Rose	*Physocarpus capitatus*
Sticky Cinquefoil	Rose	*Potentilla glandulosa*
Marsh Cinquefoil	Rose	*Potentilla palustris*
Bitter Chokecherry*	Rose	*Prunus emarginata*
Common Chokecherry	Rose	*Prunus virginiana*
Western Crabapple	Rose	*Pyrus fusca*
Baldhip Rose	Rose	*Rosa gymnocarpa*
Nootka Rose	Rose	*Rosa nutkana*
Swamp Rose	Rose	*Rosa pisocarpa*
Trailing Blackberry*	Rose	*Rubus lasiococcus*
Blackcap*	Rose	*Rubus leucodermis*
Thimbleberry*	Rose	*Rubus parviflorus*
Fiveleaved Bramble	Rose	*Rubus pedatus*
Salmonberry*	Rose	*Rubus spetabilis*
Pacific Blackberry*	Rose	*Rubus ursinus*
Annual Burnet	Rose	*Sanguisorba occidentalis*
Sitka Mountain-ash	Rose	*Sorbus sitchensis*
Douglas's Spirea	Rose	*Spirea douglasii*
Wild Ginger*	Birthwort	*Asarum caudatum*

Enchanter's Nightshade	Evening-primrose	*Circeae alpina*
Fireweed	Evening-primrose	*Epilobium angustifolium*
Common Willow-weed	Evening-primrose	*Epilobium glandulosum*
Watson's Willow-weed	Evening-primrose	*Epilobium watsonii*
Bastard Toad-flax	Sandalwood	*Comandra umbellata*
Bunchberry	Dogwood	*Cornus canadensis*
Western Flowering Dogwood*	Dogwood	*Cornus nuttallii*
Red-osier Dogwood	Dogwood	*Cornus stolenif*
Blue Currant	Currant	*Ribes bracteosum*
Western Black Currant	Currant	*Ribes laxiflorum*
Red Currant	Currant	*Ribes sanguineum*
Sticky Currant	Currant	*Ribes viscosissimum*
Sharptooth Angelica	Parsley	*Angelica arguta*
Cow-parsnip	Parsley	*Heracleum lanatum*
Parsley-leaved Lovage	Parsley	*Ligusticum apiifolium*
Gray's Lovage	Parsley	*Ligustucum grayii*
Common Lomatium	Parsley	*Lomatium utriculatum*
Pacific Water-parsley	Parsley	*Oenanthe sarmentosa*
Mountain Sweet-root	Parsley	*Osmorhiza chilensis*
Pacific Sanicle	Parsley	*Sanicula crassicaulis*
Fringed Loosestrife	Primrose	*Lysimachia ciliata*
Tufted Loosestrife	Primrose	*Lysimachia thyrsiflora*
Western Starflower	Primrose	*Trientalis latifolia*
Common Bladderwort	Bladderwort	*Utricularia vulgaris*
Common Forget-me-not	Borage	*Cryptantha intermedia*
Pacific Hound's-tongue	Borage	*Cynoglossum grande*
Western Bluebells	Borage	*Mertensia platyphylla*
Fragrant Plagiobothrys	Borage	*Plagiobothrys figuratus*
Wild Hyssop	Verbena	*Verbena hastata*
Field Mint	Mint	*Mentha arvensis*
Savory	Mint	*Satureja douglasii*
Marsh Skullcap	Mint	*Scutellaria galericulata*
Marsh Betony	Mint	*Stachys palustris*
Wood Sage	Mint	*Teucrium canadense*
Northern Gentian	Gentian	*Gentiana amarella*
Staff Gentian	Gentian	*Gentiana sceptrum*
Spreading Dogbane	Dogbane	*Apocynum androsaemifolium*
Large-flowered Collomia	Phlox	*Collomia grandiflora*
Varied-leaf Collomia	Phlox	*Collomia heterophylla*
Bicolored Linanthus	Phlox	*Linanthus bicolor*
Microsteris	Phlox	*Microsteris gracilis*
Skunkweed	Phlox	*Navarretia squarrosa*
Buckbean	Buck-bean	*Menyanthes trifoliata*
Pacific Waterleaf*	Waterleaf	*Hydrophyllum tenuipes*
Shade Phacelia	Waterleaf	*Phacelia nemoralis*
Garden Nightshade	Nightshade	*Solanum nigrum*
Lesser's Snapdragon	Figwort	*Antirrhinum orontium*
Golden Indian-paintbrush	Figwort	*Castilleja levisecta*
Large-flowered Blue-eyed Mary	Figwort	*Collinsia grandiflora*

Small-flowered Blue-eyed Mary	Figwort	*Collinsia parviflora*
Mudwort	Figwort	*Limosella aquatica*
Chickweed Monkey-flower	Figwort	*Mimulus alsinoides*
Yellow Monkey-flower	Figwort	*Mimulus guttatus*
Musk-flower	Figwort	*Mimulus moschatus*
Hairy Owl-Clover	Figwort	*Orthocarpus hispidus*
Broad-leaved Penstemon	Figwort	*Penstemon ovatus*
California Figwort	Figwort	*Scrophalaria californica*
Snow Queen	Figwort	*Synyhyris reniformis*
Small-flowered Tonella	Figwort	*Tonella tenella*
American Brooklime	Figwort	*Veronica americana*
Manroot	Cucumber	*Marah oreganus*
Scouler's Bellflower	Harebell	*Campanula scouleri*
Howellia	Harebell	*Howellia aquatilis*
Sweet Woodruff	Madder	*Asperula odorata*
Cleavers	Madder	*Galium aparine*
Rough Bedstraw	Madder	*Galium asperrimum*
Small Bedstraw	Madder	*Galium trifidum*
Sweetscented Bedstraw*	Madder	*Galium triflorum*
Twinflower	Honeysuckle	*Linnaea borealis*
Trumpet Vine	Honeysuckle	*Lonicera ciliosa*
Black Twinberry	Honeysuckle	*Lonicera involucrata*
Blue Elderberry	Honeysuckle	*Sambucus cerulea*
Red Elderberry*	Honeysuckle	*Sambucus racemosa*
Common Snowberry*	Honeysuckle	*Symphoricarpos albus*
Creeping Snowberry	Honeysuckle	*Symphoricarpos mollis*
Yarrow	Aster	*Achillea millefolium*
Pathfinder*	Aster	*Adenocaulon bicolor*
Large-flowered Agoseris	Aster	*Agoseris grandiflora*
Pearly-everlasting	Aster	*Anaphalis margaritacea*
Douglas's Sagewort	Aster	*Artemisia douglasiana*
Columbia River Mugwort	Aster	*Artemisia lindleyana*
Common California Aster	Aster	*Aster chilensis*
White-topped Aster	Aster	*Aster curtus*
Douglas's Aster	Aster	*Aster subspicatus*
Nodding Beggars-tick	Aster	*Bidens cernua*
Leafy Beggars-tick	Aster	*Bidens frondosa*
Western Beggars-tick	Aster	*Bidens vulgata*
Horseweed	Aster	*Conyza canadensis*
Annual Fleabane	Aster	*Erigeron annuus*
Philadelphia Fleabane	Aster	*Erigeron Philadelphicus*
Marsh Cudweed	Aster	*Gnaphalium palustre*
White-flowered Hawkweed	Aster	*Hieracium albiflorum*
Cluster Tarweed	Aster	*Madia glomerata*
Chile Tarweed	Aster	*Madia sativa*
Pineapple Weed	Aster	*Matricaria matricarioides*
Sweet Coltsfoot	Aster	*Petasites frigidus*
Canada Goldenrod	Aster	*Solidago canadensis*
Cocklebur	Aster	*Xanthium strumarium*

APPENDIX G

Vertebrate List

Common Name	Scientific Name
Cutthroat Trout	*Salmo clarki*
Northwestern Salamander	*Ambystoma gracile*
Long-toed Salamander	*Ambystoma macrodactylum*
Pacific Giant Salamander	*Dicamptodon ensatus*
Olympic Salamander	*Rhyacotriton olympicus*
Clouded Salamander	*Aneides ferreus*
Oregon Slender Salamander	*Batrachoseps wrighti*
Dunn's Salamander	*Plethodon dunni*
Western Red-backed Salamander	*Plethodon vehiculum*
Ensatina	*Ensatina eschscholtz*
Rough-skinned Newt	*Taricha granulosa*
Western Toad	*Bufo boreas*
Pacific Treefrog	*Hyla regilla*
Red-legged Frog	*Rana aurora*
Spotted Frog	*Rana pretisoa*
Bullfrog	*Rana catesbeiana*
Western Pond Turtle	*Clemmys marmorat*
Painted Turtle	*Chrysemys picta*
Western Fence Lizard	*Sceloporus occidentalis*
Northern Alligator Lizard	*Gerrhonotus coeruleus*
Southern Alligator Lizard	*Gerrhonotus multicarinatus*
Western Skink	*Eumeces skiltonianus*
Rubber Boa	*Charina bottae*
Racer	*Coluber constrictor*
Ringneck Snake	*Diadophis punctatus*
Common Garter Snake	*Thamnophis sirtalia*
Northwestern Garter Snake	*Thamnophis ordinoides*
Common Loon	*Gavia immer*
Horned Grebe	*Podiceps auritus*
Pied-billed Grebe	*Podilymbus podiceps*
Western Grebe	*Aechmophorus occidentalis*
Double-crested Cormorant	*Phalacrocorax auritus*
American Bittern	*Botaurus lentiginosus*
Black-crowned Night Heron	*Nycticorax nycticorax*
Green-backed Heron	*Butorides striatus*
Great Blue Heron	*Ardea herodias*
Snow Goose	*Chen caerulescens*
Canada Goose	*Branta canadensis*
Mallard	*Anas platyrhynchos*
Gadwall	*Anas strepera*
Green-winged Teal	*Anas crecca*
American Wigeon	*Anas americana*
Eurasian Wigeon	*Anas penelope*
Northern Pintail	*Anas acuta*
Northern Shoveler	*Anas clypeata*
Blue-winged Teal	*Anas discors*
Cinnamon Teal	*Anas cyanoptera*

Ruddy Duck	*Oxyura jamaicensis*
Wood Duck	*Aix sponsa*
Canvasback	*Aythya valisineria*
Ring-necked Duck	*Aythya collaris*
Greater Scaup	*Aythya marila*
Lesser Scaup	*Aythya affinis*
Barrow's Goldeneye	*Bucephala islandica*
Common Goldeneye	*Bucephala clangula*
Bufflehead	*Bucephala albeola*
Common Merganser	*Mergus merganser*
Red-breasted Merganser	*Mergus serrator*
Hooded Merganser	*Lophodytes cucullatus*
Virginia Rail	*Rallus limicola*
Sora Rail	*Coturnicops noveboracensis*
American Coot	*Fulica americana*
Semipalmated Plover	*Charadrius semipalmatus*
Killdeer	*Charadrius vociferus*
Whimbrel	*Numenius phaeopus*
Long-billed Curlew	*Numenius americanus*
Greater Yellowlegs	*Tringa melanoleuca*
Solitary Sandpiper	*Tringa solitaria*
Spotted Sandpiper	*Actitis macularia*
Short-billed Dowitcher	*Limnodromus griseus*
Long-billed Dowitcher	*Limnodromus scolopaceus*
Common Snipe	*Gallinaga gallinago*
Dunlin	*Calidris alpina*
Western Sandpiper	*Calidris mauri*
Least Sandpiper	*Calidris minutilla*
Bonaparte's Gull	*Larus philadelphia*
Ring-billed Gull	*Larus delawarensis*
Herring Gull	*Larus argentatus*
California Gull	*Larus californicus*
Glaucous Gull	*Larus hyperboreus*
Western Gull	*Larus occidentalis*
Forster's Tern	*Sterna forsteri*
Caspian Tern	*Sterna caspia*
Turkey Vulture	*Cathartes aura*
Bald Eagle	*Haliaeetus leucocephalus*
Northern Harrier	*Circus cyaneus*
Sharp-shinned Hawk	*Accipiter striatus*
Cooper's Hawk	*Accipiter cooperii*
Northern Goshawk	*Accipiter gentilis*
Red-tailed Hawk	*Buteo jamaicensis*
Swainson's Hawk	*Buteo swainsoni*
Rough-legged Hawk	*Buteo lagopus*
Osprey	*Pandion haliaetus*
American Kestrel	*Falco sparverius*
Merlin	*Falco columbarius*
Peregrine Falcon	*Falco peregrinus*

Ruffed Grouse	*Bonasa umbellus*
California Quail	*Callipepla*
Ring-necked Pheasant	*Phasianus colchicus*
Band-tailed Pigeon	*Columba fasciata*
Rock Dove	*Columba livia*
Mourning Dove	*Zenaida macroura*
Monk Parakeet	*Myiopsitta monachus*
Barn Owl	*Tyto alba*
Short-eared Owl	*Asio flammeus*
Long-eared Owl	*Asio otus*
Great Horned Owl	*Bubo virginianus*
Western Screech Owl	*Otus kennicottii*
Burrowing Owl	*Athene cunicularia*
Northern Pygmy Owl	*Glaucidium gnoma*
Northern Saw-whet Owl	*Aegolius acadicus*
Common Nighthawk	*Chordeiles minor*
Anna's Hummingbird	*Calypte ann*
Rufous Hummingbird	*Selasphorus rufus*
Allen's Hummingbird	*Selasphorus sasin*
Belted Kingfisher	*Ceryle alcyon*
Northern Flicker	*Colaptes auratus*
Lewis' Woodpecker	*Melanerpes lewis*
Red-breasted Sapsucker	*Sphyrapicus ruber*
Downy Woodpecker	*Picoides pubescens*
Hairy Woodpecker	*Picoides villosus*
Pileated Woodpecker	*Dryocopus pileatus*
Western Kingbird	*Tyrannus verticalis*
Olive-sided Flycatcher	*Contopus borealis*
Western Wood-Peewee	*Contopus sordidulus*
Say's Phoebe	*Sayornis saya*
Dusky Flycatcher	*Empidonax oberholseri*
Hammond's Flycatcher	*Empidonax hammondii*
Willow Flycatcher	*Empidonax traillii*
Western Flycatcher	*Empidonax difficilis*
Horned Lark	*Ermophila alpestris*
Tree Swallow	*Tachycineta bicolor*
Violet-green Swallow	*Tachycineta thalassina*
Purple Martin	*Progne subis*
Bank Swallow	*Riparia riparia*
Northern Rough-winged Swallow	*Stelgidopteryx serripennis*
Cliff Swallow	*Hirundo pyrrhonota*
Barn Swallow	*Hirundo rustica*
Scrub Jay	*Aphelocoma coerulescens*
Stellar's Jay	*Cyanocitta stelleri*
American Crow	*Corvus brachyrhynchos*
Common Raven	*Corvus corax*
Black-capped Chickadee	*Parus atricapillus*
Chestnut-backed Chickadee	*Parus rufescens*
Bushtit	*Psaltriparus minimus*

Brown Creeper	*Certhia americana*
White-breasted Nuthatch	*Sitta carolinensis*
Red-breasted Nuthatch	*Sitta canadensis*
House Wren	*Troglodytes aedon*
Winter Wren	*Troglodytes troglodytes*
Bewick's Wren	*Thryomanes bewickii*
Marsh Wren	*Cistothorus palustris*
Golden-crowned Kinglet	*Regulus satrapa*
Ruby-crowned Kinglet	*Regulus calendula*
Western Bluebird	*Sialia mexicana*
Swainson's Thrush	*Catharus ustulatus*
Varied Thrush	*Ixoreus naevius*
American Robin	*Turdus migratorius*
Northern Shrike	*Lanius excubitor*
Water Pipit	*Anthus spinoletta*
American Dipper	*Cinclus mexicanus*
Waxwings	*Bombycillidae*
Cedar Waxwing	*Bombycilla cedrorum*
European Starling	*Sturnus vulgaris*
Hutton's Vireo	*Vireo huttoni*
Solitary Vireo	*Vireo solitarius*
Warbling Vireo	*Vireo gilvus*
Orange-crowned Warbler	*Vermivora celata*
Yellow-rumped Warbler	*Dendroica coronata*
Townsend's Warbler	*Dendroica townsendi*
Yellow Warbler	*Dendroica petechia*
MacGillivray's Warbler	*Oporornis tolmiei*
Wilson's Warbler	*Wilsonia pusilla*
Common Yellowthroat	*Geothlypis trichas*
Yellow-breasted Chat	*Icteria virens*
Black-headed Grosbeak	*Pheucticus melanocephalus*
Lazuli Bunting	*Passerina amoena*
Rufous-sided Towhee	*Pipilo erthrophthalmus*
Savannah Sparrow	*Passerculus sandwichensis*
Song Sparrow	*Melospiza melodia*
Chipping Sparrow	*Spizella passerina*
Dark-eyed Junco	*Junco hyemalis*
White-crowned Sparrow	*Zonotrichia leucophrys*
Golden-crowned Sparrow	*Zonotrichia atricapilla*
Fox Sparrow	*Passerella iliaca*
Western Meadowlark	*Sturnella neglecta*
Yellow-headed Blackbird	*Xanthocephalus xanthocephalus*
Red-winged Blackbird	*Agelaius phoeniceus*
Tricolored Blackbird	*Agelaius tricolor*
Brewer's Blackbird	*Euphagus carolinus*
Brown-headed Cowbird	*Molothrus ater*
Northern Oriole	*Icterus galbula*
Western Tanager	*Piranga ludoviciana*
House Sparrow	*Passer domesticus*

Pine Siskin	*Carduelis pinus*
American Goldfinch	*Carduelis tristis*
Pine Grosbeak	*Pinicola enucleator*
Rosy Finch	*Leucosticte arctoa*
Purple Finch	*Carpodacus*
Cassin's Finch	*Carpodacus cassinii*
House Finch	*Carpodacus*
Evening Grosbeak	*Coccothraustes vespertinus*
Virginia Oppossum	*Didelphis virginiana*
Vagrant Shrew	*Sorex vagrans*
Dusky Shrew	*Sorex monticolus*
Marsh Shrew	*Sorex bendirii*
Trowbridge Shrew	*Sorex trowbridgii*
American Shrew Mole	*Neurotrichus gibbsii*
Townsend's Mole	*Scapanus townsendii*
Coast Mole	*Scapanus orarius*
Yuma Bat	*Myotis yumanensis*
Little Brown Bat	*Myotis lucifugus*
California Bat	*Myotis californicus*
Long Eared Bat	*Myotis evotis*
Fringed Bat	*Myotis thysanodes*
Pacific Pallid Bat	*Antrozous pallidus*
Silver Haired Bat	*Lasionycteris noctivagans*
Big Brown Bat	*Eptesicus fuscus*
Hoary Bat	*Lasiurus cinereus*
Western Big Eared Bat	*Plecotus townsendii townsendii*
Brush Rabbit	*Sylvilagus bachmani*
Snowshoe Hare	*Lepus americanus*
Mountain Beaver	*Aplondontia rufa*
Townsend's Chipmunk	*Eutamias townsendii*
Beechey Chipmunk	*Spermophilus beecheyi*
Western Ground Squirrel	*Sciurus griseus*
Chickaree	*Tamiasciurus douglasii*
Northern Flying Squirrel	*Glaucomys sabrinus*
Mazama Pocket Gopher	*Thomomys mazama*
Camas Pocket Gopher	*Thomomys bulbivorus*
Beaver	*Castor canadensis*
Deer Mouse	*Peromyscus maniculatus*
Dusky Footed Wood Rat	*Neotoma fuscipes*
Bushy Tailed Wood Rat	*Neotoma cinerea*
California Redbacked Vole	*Clethrionomys californicus*
Pacific Phenacomys	*Phenacomys albipes*
Red Tree Vole	*Phenacomys canicaudus*
Townsend's Vole	*Microtus townsendii*
Long Tailed Vole	*Microtus longicaudus*
Creeping Vole	*Microtus oregoni*
Muskrat	*Ondatra zibethica*
Black Rat	*Rattus rattus*
Norway Rat	*Rattus norvegicus*

House Mouse	*Mus musculus*
Pacific Jumping Mouse	*Zapus trinatatus*
Nutria	*Myocastor coypus*
Coyote	*Canis latrans*
Red Fox	*Vulpes vulpes*
Gray Fox	*Urocyon cinereoargenteus*
Black Bear	*Ursus americanus*
Raccoon	*Procyon lator*
Marten	*Martes americana*
Short Tailed Weasel	*Mustela erminea*
Long Tailed Weasel	*Mustela frenata*
Mink	*Mustela vison*
Spotted Skunk	*Spilogale putorius*
Striped Skunk	*Mephitis mephitis*
River Otter	*Lutra canadensis*
Mule Deer	*Odocoileus hemionus*
Roosevelt Elk	*Cervus elaphus*

APPENDIX H

Charter of the Balch Creek Task Force

The purpose of the Balch Creek Task Force is to provide two recommendations to Commissioner of Public Works for the City of Portland. The first recommendation shall propose cost effective facilities necessary to correct existing violations of state water quality standards. The second recommendation shall propose an appropriate level of urban development for the Balch Creek Watershed based on the facilities proposed in the first recommendation. The task force shall develop and evaluate alternative recommendations. These evaluations shall include an analysis of the effects of various levels of urban development on the recreational, scenic, fisheries, wildlife, water quality, and storm water control and drainage values of the watershed. The second recommendation shall propose comprehensive plan policies, land use regulations, and public facilities sufficient to restore, protect, and enhance the kinds, quality, and quantity of natural values in the Balch Creek Watershed.

The Balch Creek Task Force shall begin work on November 6, 1989, provide its first recommendation before March 1, 1990, and conclude its work before December 31, 1990. The task force shall not have any legal identity separate from the Department of Public Works of the City of Portland.

The Balch Creek Task force shall be composed of eleven members appointed by the Commissioner of Public Works. The members shall serve a single term coincident with the existence of the task force.

A quorum of the Balch Creek Task Force necessary to do business shall be six members. The task force shall seek consensus on all issues. But in the absence of consensus, recommendations to the Commissioner of Public Works shall have the support of at least a majority of the entire membership of the task force. The task force, by consensus or by at least a two-thirds vote of its entire membership, may adopt or suspend procedural rules necessary for the conduct of its business. Any such rules shall be accord with the provisions of this charter.

The Balch Creek Task Force shall have a first, second, and third officer chosen by and serving at the pleasure of at least a majority of the entire membership of the task force. The first officer shall facilitate meetings and the second officer shall present the minutes of the previous meeting. In the absence of the first officer the second officer shall facilitate and the third officer shall present minutes. In the absence of the first and second officers the third officer shall both facilitate and present minutes. No business of the task force shall be conducted in the absence of an officer. The task force may divide itself into groups of three, four, or five members for the purpose of field inspections or technical analysis, provided that each group have at least one member who is an officer of the task force.

The Commissioner of Public Works shall promptly fill any vacancy on the Balch Creek Task Force resulting from death, disability, resignation, or removal. In making such replacement appointments the Commissioner

shall give first consideration to persons recommended by the remaining members of the task force.

The character of the Balch Creek Task Force is advisory. Members of the task force are not officials or employees of the City of Portland and shall not receive any salary, wage, stipend, or honorarium. Nor shall the members receive reimbursement of any expenses related to the work of the task force.

Any member of the Balch Creek Task Force who would realize a substantial material gain or who has a spouse or near relation by blood or by marriage who would realize a substantial material gain from a recommendation of the task force shall declare the circumstances of this gain during an announced meeting of the task force.

All meetings of the Balch Creek Task Force shall be announced, shall be open to all persons without regard to race, creed, color, gender, sexual persuasion, or national origin, and shall be accessible to persons with disabilities. The task force shall schedule its own meetings and establish its own agendas. Schedules of meeting dates shall be provided to interested persons as these schedules are adopted and revised. Meetings of less than six members of the task force need not be announced.

The Balch Creek Task Force shall keep and approve minutes of its meetings. These minutes shall be not be verbatim records, but shall chronicle in summary fashion all decisions made and conflicts of interest declared. The meetings of the task force may be tape recorded by any member or attender, but these tapes will not constitute an official record of proceedings and shall not be maintained by the Department of Public Works.

The Department of Public Works Bureau of Environmental Services and Bureau of Planning shall assist the the Balch Creek Task Force in scheduling, announcing, facilitating, and recording its meetings. All agendas, minutes, written testimony, reports, correspondence, procedural rules, and recommendations received or adopted by the task force shall be public records and shall be maintained by the Department of Public Works. The final recommendation of the task force will be published, maintained, and distributed by the Department of Public Works.

APPENDIX I

Glossary of Habitat Terms

BANK	The rising ground surrounding a lake, river, or other water body.
CHANNEL	The bed where a stream of water runs.
COVER	Vegetation that serves to protect animals from excessive sunlight, drying, or predators.
DOMINANT EDGE EFFECT	The species controlling the environment. The opportunities afforded along the boundary (also ECOTONE) between two plant communities for animals that can feed in one and take shelter in the other.
ENHANCE	To raise to a higher degree; improve quality or available capacity; intensify; magnify.
EMERGENT VEGETATION	Various aquatic plants usually rooted in shallow water and having most of their vegetative growth above water, such as cattails and bullrushes.
EUTROPHICATION	The process by which a lake becomes rich in dissolved nutrients and deficient in oxygen.
GALLERY FOREST	A strip of forest bordering a river or lake where tree growth is supported by water flowing through the soil for a short distance.
GOAL 5	A portion of the Oregon Land Conservation and Development Commission land use goals, dealing with the protection and conservation of open spaces, scenic and historic areas, and natural resources.
HABITAT	Place where a plant or animal species naturally lives and grows; its immediate surroundings.
HYDRIC SOILS	Soil that is wet long enough to periodically produce anaerobic conditions, thereby influencing the growth of plants.
HYDROPHITE	A vascular plant that grows in water with its buds below the water surface.
INTERSPERSION	The proximity and interaction of one natural area to other adjacent areas.

INUNDATE	To flood; overspread with water; overflow.
LACUSTRINE	Related to or within lakes.
LITTORAL	Relating to, situated in or near a shoreline.
LIMNIC	Relating to or inhabiting a marshy lake.
MESIC	Of or pertaining to, or adapted to an environment having a balanced supply of moisture; being neither extremely wet nor dry.
MITIGATE	To make less severe. "Mitigation" includes: avoiding the impact altogether by not taking a certain action or parts of an action; minimizing impacts by limiting the degree or rectifying the impact by repairing, rehabilitating, or restoring the affected environment; reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action; compensating for the impact by providing substitute resources or environments.
PALUSTRINE	Wetlands dominated by trees, shrubs, persistent emergent herbs, emergent mosses or lichens.
PASSERINE	Birds of the Order Passeriformes, comprising more than half of all bird species, and typically having feet adapted for perching (sparrows, warblers, etc.).
RAPTORS	Birds of the families Accipitridae, Falconidae, Tytonidae, and Strigidae; birds of prey equipped with long hooked bills and strong talons (hawks, eagles, falcons, and owls).
RIPARIAN	Relating to, living, or located on the bank of a natural water course (stream, river, etc.).
RIVERINE	Related to, formed by, or resembling a river.
SATURATED	Soaked, impregnated, or imbued thoroughly (soils).

SERIAL STAGE	A characteristic association of plants and animals during succession and before climax.
SHOREBIRD	Birds of the Families Charadridae and Scolopacidae that are generally mud feeders and shore inhabiting.
SLOUGH	Usually a channel containing water which may or may not be moving, and often alluvial in nature.
SMALL MAMMALS	Fur covered animals that bear their young alive and nurse, those of the Orders Rodentia and Insectivors (mice, voles, shrews, etc.).
STRUCTURAL.DIVERSITY	Different habitat types within a Natural Area (i.e., grasslands, forest, open water, etc.).
WATERFOWL	Birds of the Family Anatidae. Aquatic, web-footed, gregarious birds ranging from small ducks to large swans, including geese.
WETLANDS	Lands transitional between terrestrial and aquatic where the water table is usually at or near the surface or the land is covered by shallow water. Those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.
XERIC	Of, pertaining to, or adapted to a dry environment.

APPENDIX J

Bibliography

City of Eugene v. State Forester (Case 16-90-03217).

City of Portland, Oregon, *The Balch Creek Task Force Report on Cost Effective Facilities for Royal Highlands: A Preliminary Report to Commissioner Earl Blumenauer and the Portland Planning Commission* (Portland, Oregon: 1990).

Franklin Jerry F., and Tawny Blinn, *Natural Vegetation of Oregon and Washington* (Corvallis: Oregon State University Press for the United States Forest Service, 1987).

Marcy Cottrell Houle, *One City's Wilderness, Portland's Forest Park*, (Portland, Oregon: Oregon Historical Society Press, 1987).

Murray Smith and Associates for the Portland Bureau of Environmental Services,*Draft Royal Highlands Interceptor Sewer Facilities Plan* (Portland, Oregon: 1988).

Murray, Smith and Associates, Inc.; Oman/Jerrick Associates; and CENTRAC for the Portland Bureau of Environmental Services, *Royal Highlands: Interceptor Sewer Facilities Plan* (Portland, Oregon: 1990).

Olds, Peggy A., "Site Investigation: Forest Park Neighborhood Association, Erosion Problems Impacting Balch Creek, Report of the Multnomah County Soil Conservationist, Soil Conservation Service, United States Department of Agriculture" (Portland, Oregon: March 29, 1989).

Opinion of Melinda L. Bruce, Assistant Attorney General (Salem: Oregon Department of Justice File Number 629-420-G0025-87, 1988).

Oregon Administrative Rules, Chapter 660, Division 16.

Oregon Revised Statutes, Chapter 197, Section 640.

Portland Audubon Society v. Archdiocese of Portland in Oregon.

Portland Bureau of Planning, *Addendum to Mineral and Aggregate Resource Inventory* (Portland, Oregon: 1989).

Portland Bureau of Planning, *Historic Resource Inventory* (Portland, Oregon: 1984) 14 loose leaf volumes, inventory number 2-888-03021.

Portland Bureau of Planning, *Northwest Hills Study: Final Policy, Code and Map Actions, Adopted by the City Council November 27, 1985 by Ordinance 158017* (Portland, Oregon: 1985).

Portland Bureau of Planning, *Scenic Views, Sites, and Corridors: Scenic Resources Protection Plan* (Portland, Oregon: 1990) nine parts, multiple volumes.

H.G. Schlicker & Associates, Inc, The Mt. Calvary Mausoleum Landslide (Portland, Oregon, Project 87-303, 1987), p. 8.

"Settler Slays Son-in-law! After Murder, Escape, Balch is First Man to Swing in Stumptown", *The Neighbor* (Portland, Oregon: John Henderson, January, 1990), p. 4.

7-5-91

TO: Chair McCoy
Office of the Clerk

From: Jean Bucciarelli

RE: Planning HV 6-91 and request for earlier hearing date

Attached is a note I wrote to Pauline on June 28 and a letter from Jason Sawyer, Jr. that was hand-delivered here on the afternoon of July 3.

Pauline indicated she was more than willing to put this matter on the agenda for July 9, but I didn't have enough information by agenda deadline time to do so.

What needs to be done now to give Sawyer consideration to move the hearing date from August 27th to July 23rd? Please let me know as soon as possible.

_____ DATE 7 9 91

NAME Jason A Sawyer Jr

ADDRESS 17930 NW Nestucca

STREET Road One 97231

CITY ZIP CODE

I WISH TO SPEAK ON AGENDA ITEM # _____

SUBJECT file NO. HV 6-91 #36
Re Scheduling

_____ FOR _____ AGAINST

PLEASE PRINT LEGIBLY!

BOARD OF COUNTY COMMISSIONERS
1991 JUL -5 AM 11:12
MULTNOMAH COUNTY
OREGON

6-28

Scott Pemble called this afternoon about one of the planning items (HV 6-91) you decided Tuesday to hold over (till August 27).

The applicant wants a variance in order to build a residential garage. The Planning Commission recommended approval, subject to conditions. A neighbor has appealed that Planning Commission decision.

The applicant doesn't want to wait until August 27 to know whether or not he can build his garage. Normally there wouldn't be such a wait, but since you and Rick are gone most of July and since their are other things being held over till August 13, this item was set over till August 27. The applicant wants it heard sooner. Scott called because he thinks the best approach would be for him to call the applicant and tell him that his best approach is probably to contact his County Commissioner and ask to be on the agenda for July 9th at which time he could state his case as to why the BCC should hear his case July 23 and not make him wait till August 27.

Scott knows that you won't be here on July 9th nor the 23rd and that the applicant will have to get all three commissioners to vote yes on July 9th to hear the case July 23 and then all three would have to vote yes July 23 to support the Planning Commission decision.

So, are you willing to put an agenda item on for July 9th at which time the applicant requests the BCC hear the matter on July 23 rather than August 27?

jean

July 2, 1991

BOARD OF COUNTY COMMISSIONERS
1991 JUL -3 PM 3:22
MULTNOMAH COUNTY
OREGON

subject: Application for a major variance by Jason Sawyer Jr. 17930 N.W. Chestnut Lane
Tax Lot 40, section 18, 2N-1W
File No. HV 6-91 #36

Dear Commissioners:

As owner of the property listed above. I have been in the process of approval for a major variance to build a garage for over 3½ months. I have had 2 hearing dates and have been to the office on many occations. On the June 3rd hearing the variance was approved, but now there has been an appeal at the last minute.
I was really hoping to start construction before fall, because of rising lumber prices and weather conditions. I feel postponing the next hearing until August 27th would give me a really late start on a project I wanted to have completed by the end of Summer.

I would appreciate it greatly if the next hearing date could be moved up

from August 27th, to July 23rd or at the latest August 13th. This would help gaurantee my lumber bid and give me an earlier start.

Thank you for your consideration.

Jason Sawyer

Jason Sawyer Jr.