

---

## NOTICE OF DECISION

---

**Case File:** T2-2020-13660

**Permit:** Administrative Decision by the Planning Director and Category 3 Land Division

**Applicant:** Gregory Hathaway, Hathaway      **Owners:** A: Christine & Terry Hoffart;  
Larson LLP      B, C, D & E: Teresa & Stephen Douglas  
F & G: METRO

**Property A** 15330 NW Sauvie Island Road, Portland  
State ID #2N1W21 -00600      Tax Account #R971210030      Property ID #R325141

**Property B** No Address  
State ID #2N1W -02301      Tax Account #R971210230      Property ID #R530541

**Property C** No Address  
State ID #2N1W -02500      Tax Account #R971210210      Property ID #R325157

**Property D** No Address  
State ID #2N1W21 -00700      Tax Account #R971210200      Property ID #R325156

**Property E** No Address  
State ID #2N1W22 -00500      Tax Account #R971220350      Property ID #R325183

**Property F** 15322 NW Sauvie Island Road, Portland  
State ID #2N1W -02300      Tax Account #R971210040      Property ID #R325142

**Property G** No Address, NW Sauvie Island Road, Portland  
State ID #2N1W -02601      Tax Account #R971280770      Property ID #R693612

**Base Zone:** Exclusive Farm Use (EFU)

**Overlays:** Willamette River Greenway (R693612) / Significant Environmental Concern for Wetlands (R325141, R325183, R325157) / Flood Hazard (R693612)

**Proposal Summary:** The Applicants request an Administrative Decision by the Planning Director to reauthorize a Customary Farm Dwelling utilizing the income generated solely from Property A. The Applicants also request authorization of a Category 3 Land Division to correct a previous non-permitted land division. Following the approval of the Category 3 Land Division, the seven (7) tax lots will be reconfigured via a recorded plat into three (3) distinct lawful parcels.

---

**Decision:**      **Approved with Conditions**

**This decision is final at the close of the appeal period, unless appealed. The deadline for filing an appeal is Tuesday, August 3, 2021 at 4:00 pm.**

**Opportunity to Review the Record:** The complete digital case file, including the Planning Director Decision containing Findings, Conclusions, Conditions of Approval, and all evidence associated with this application is available for review. Copies of all documents are available at the rate of \$0.40/per page. For further information, contact Chris Liu, Staff Planner via email at [chris.liu@multco.us](mailto:chris.liu@multco.us)

**Opportunity to Appeal:** An appeal requires a \$250.00 fee and must state the specific legal grounds on which it is based. To obtain appeal forms or information on the procedure, contact the Land Use Planning office at 503-988-3043. This decision is not appealable to the Land Use Board of Appeals until all local appeals are exhausted.

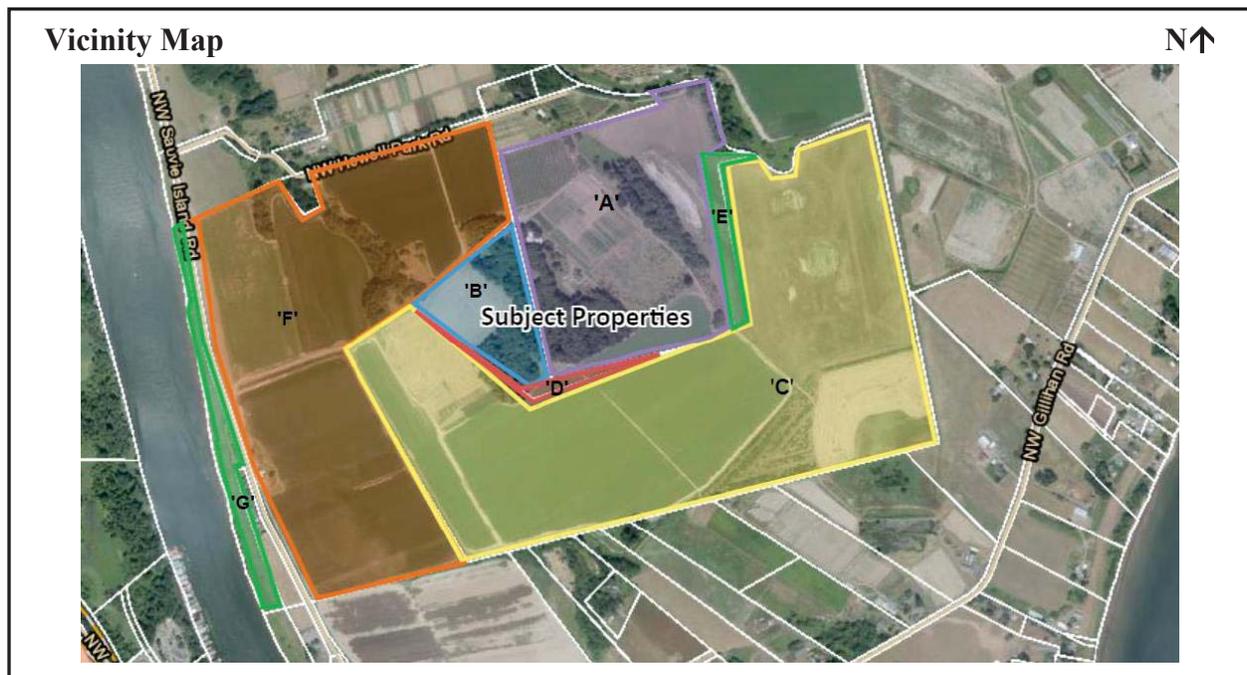
---

**Issued by:** \_\_\_\_\_

**By:** Chris Liu, Planner

**For:** Carol Johnson, AICP  
Planning Director

**Date:** Tuesday, July 20, 2021



**Applicable Approval Criteria:** [Multnomah County Code (MCC)]:

General Provisions:

- MCC 39.1515 Code Compliance and Applications;
- MCC 39.2000 Definitions;
- MCC 39.3005 Lot of Record – Generally;
- MCC 39.3070 Lot of Record – (EFU)

EFU Zone Criteria:

- MCC 39.4245 Dimensional Requirements and Development Standards;
- MCC 39.4260 Access

Farm Dwelling Criteria:

MCC 39.4225 Review Uses – (C) Customary Farm Dwelling;  
MCC 39.4240 Single Family Dwellings – Condition of Approval;  
MCC 39.4265(B)(1) Customary Farm Dwelling – High Value Farmland

Category 3 Land Division Criteria:

MCC 39.9045 Category 3 Land Division  
MCC 39.9430 Criteria for Approval: Category 3 Tentative Plan  
MCC 39.9435 Contents of Category 3 Tentative Plan  
MCC 39.9500 Application of General Standards and Requirements  
MCC 39.9505 Land Suitability  
MCC 39.9510 Lots and Parcels  
MCC 39.9515 Acreage Tracts  
MCC 39.9520 Street Layout  
MCC 39.9525 Street Design  
MCC 39.9555 Easements  
MCC 39.9570 Water System  
MCC 39.9575 Sewage Disposal  
MCC 39.9580 Surface Drainage and Storm Water Systems  
MCC 39.9585 Electrical and Other Wire  
MCC 39.9587 Required Improvements  
MCC 39.9588 Streets, Sidewalks, Pedestrian Paths and Bikeways, Water System, Sewage Disposal, Surface Drainage, and Storm Water Systems.

Copies of the referenced Multnomah County Code sections are available by contacting our office at (503) 988-3043 or by visiting our website at <https://multco.us/landuse/zoning-codes/> under the link:

**Chapter 39 - Zoning Code**

**Conditions of Approval**

The conditions listed are necessary to ensure that approval criteria for this land use permit are satisfied. Where a condition relates to a specific approval criterion, the code citation for that criterion follows in parenthesis. Approval of this land use permit is based on the submitted written narrative(s) and plan(s). No work shall occur under this permit other than that which is specified within these documents. It shall be the responsibility of the property owner(s) to comply with these documents and the limitations of approval described herein.

1. Permit Expiration – This land use permit for the shall **expire** as follows:
  - a. For the **Category 3 Land Division: Two (2) years** after the date of the final decision, unless the use or development was established according to all specifications and conditions of approval in the land use approval. [MCC 39.1185(A)]
    - i. For the purposes of 1.a, expiration of an approval means that a new application is required for uses that are not established during the approval period. For land divisions, “established” means the final deed or plat has been recorded with the county recorder.
  - b. For the **Customary Farm Dwelling:**
    - i. **Within four (4) years** of the date of the final decision when construction has not commenced.
      1. For the purposes of 1.b, commencement of construction shall mean actual construction of the foundation or frame of the approved structure.

2. For purposes of Condition 1.b, notification of commencement of construction will be given to Multnomah County Land Use Planning Division a minimum of seven (7) days prior to date of commencement. Work may commence once notice is completed. Commencement of construction shall mean actual construction of the foundation or frame of the approved structure.
  - ii. Within four years of the date of commencement of construction when the structure has not been completed.
    1. For the purposes of Condition 1.b, completion of the structure shall mean completion of the exterior surface(s) of the structure and compliance with all conditions of approval in the land use approval.

**Note:** The property owner may request to extend the timeframe within which this permit is valid, as provided under MCC 39.1195, as applicable. The request for a permit extension must be submitted prior to the expiration of the approval period.

2. Prior to land use sign-off of the partition plat, the property owners shall:
  - a. The landowner for Parcel 2 shall sign and record in the deed records for the county the EFU covenants, conditions, and restrictions form included as Exhibit B.12 of this Decision. [MCC 39.4240 & MCC 39.4265(B)(1)(e)]
3. Prior to Land Use Planning sign-off of the partition plat, the property owners or their representative shall:
  - a. Complete the land division according to the ‘Applicant’s Instructions for Finishing a Land Division’ (Exhibit B.10) and the ‘Surveyor’s Instructions for Finishing a Land Division’ (Exhibit B.11).
  - b. Provide proof of written easement for access to Parcel 2 and Parcel 3 via NW Sauvie Island Road. If access from N. Howell Park Road will also continue, provide proof of a written easement for access to Parcel 2 and Parcel 3. [MCC 39.4260]
  - c. Provide a copy of the partition plat prior to plan check by the County Survey so that plat can be reviewed for consistency with this decision.
4. To Finalize the proposed land division, the property owner or their representative shall complete the following:
  - a. Record a new partition plat with the Multnomah County Surveyor. [MCC 39.9620 – 39.9625]

**Notice to Mortgagee, Lien Holder, Vendor, or Seller:**

ORS Chapter 215 requires that if you receive this notice it must be promptly forwarded to the purchaser.

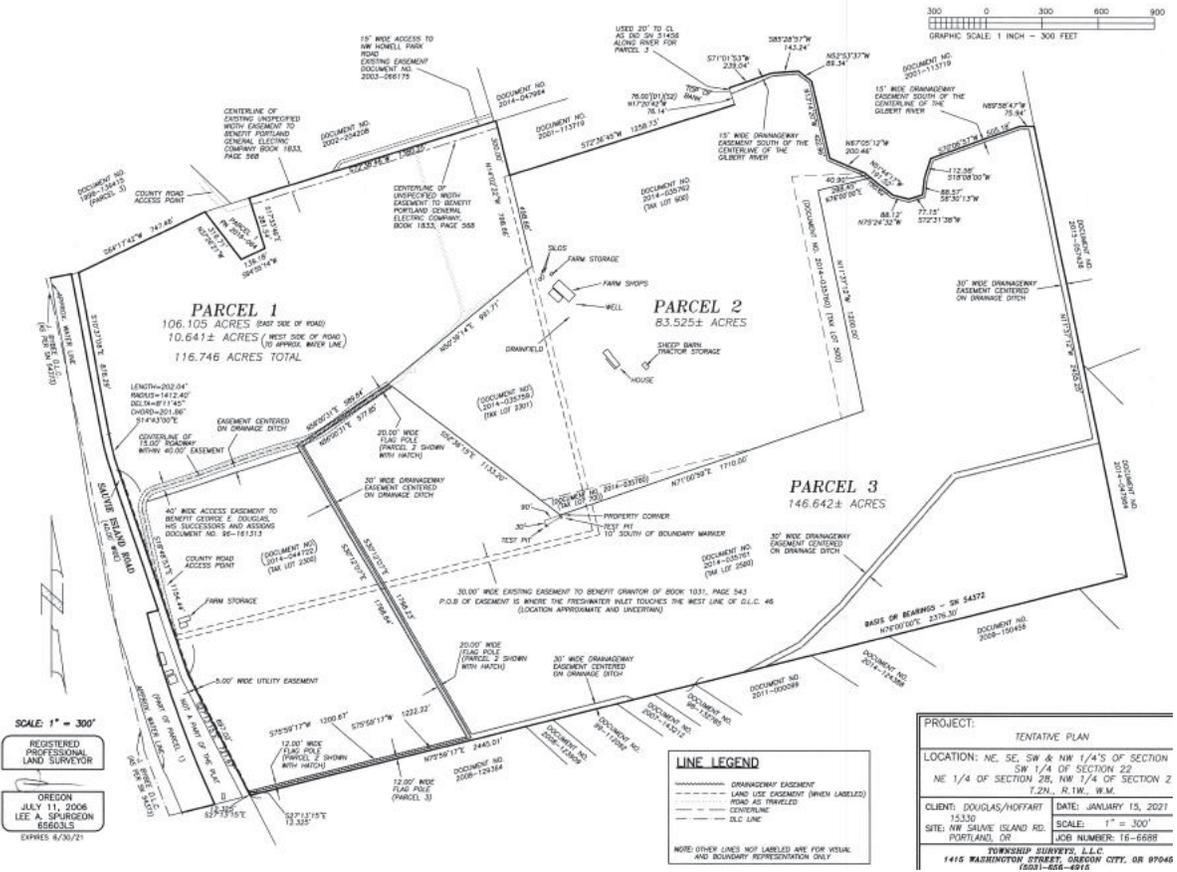
# Findings of Fact

**FINDINGS:** Written findings are contained herein. The Multnomah County Code (MCC) criteria and Comprehensive Plan Policies are in **bold font**. Staff analysis and comments are identified as ‘**Staff:**’ and address the applicable criteria. Staff comments may include a conclusionary statement in *italic*.

## 1.0 PROJECT DESCRIPTION:

**Staff:** The Applicants request an Administrative Decision by the Planning Director to reauthorize the Customary Farm Dwelling on high-value farmland, which is currently located on the proposed Parcel 2/Property A (Exhibit A.16 & A.32). When the plat is recorded creating Parcel 2, it will be approximately 83+ acres. The dwelling was previously authorized on the 208-acre farm by land use decision, PRE 7-96. The approval of the Administrative Decision by the Planning Director will allow the farm dwelling to remain and allow for Parcel 3 remain in the ownership of the Douglas’ correcting the ownership issue for PRE 7-96.

The Applicants also request authorization of a Category 3 Land Division to correct a non-permitted land division. Following the recordation of the partition plat, the seven (7) tax lots associated with this application will be reconfigured into three (3) distinct legal parcels. The tentative plan map (Exhibit A.16 & A.32) shown below refers to the reconfigured parcels as ‘Parcel 1’, ‘Parcel 2’, and ‘Parcel 3’.



## **2.0 PROPERTY DESCRIPTION:**

**Staff:** The subject properties are located on Sauvie Island in west unincorporated Multnomah County and zoned Exclusive Farm Use (EFU). Currently, Property A contains a dwelling and outbuildings. The dwelling was originally approved in 1996 on a 208-acre farm. Property F contains an outbuilding adjacent to Sauvie Island Road. It also has an accessory building that is encroaching upon it from a neighboring property. None of the other properties involved in this proposal contain any buildings. All of the properties involved in the proposal contain fields and/or generally resemble the character of farmland typical in the Sauvie Island area.

## **3.0 PUBLIC COMMENT:**

**Staff:** Staff mailed a notice of application and invitation to comment on the proposed application to the required parties per MCC 39.1105 (Exhibit C.4). Staff did not receive any public comments during the 14-day comment period.

## **4.0 GENERAL PROVISIONS:**

### **4.1 MCC 39.1515 Code Compliance and Applications**

**Except as provided in subsection (A), the County shall not make a land use decision approving development, including land divisions and property line adjustments, or issue a building permit for any property that is not in full compliance with all applicable provisions of the Multnomah County Zoning Code and/or any permit approvals previously issued by the County.**

**(A) A permit or other approval, including building permit applications, may be authorized if:**

- (1) It results in the property coming into full compliance with all applicable provisions of the Multnomah County Zoning Code. This includes sequencing of permits or other approvals as part of a voluntary compliance agreement; or**
- (2) It is necessary to protect public safety; or**
- (3) It is for work related to and within a valid easement over, on or under an affected property.**

**(B) For the purposes of this section, Public Safety means the actions authorized by the permit would cause abatement of conditions found to exist on the property that endanger the life, health, personal property, or safety of the residents or public. Examples of that situation include but are not limited to issuance of permits to replace faulty electrical wiring; repair or install furnace equipment; roof repairs; replace or repair compromised utility infrastructure for water, sewer, fuel, or power; and actions necessary to stop earth slope failures.**

**Staff:** This standard provides that the County shall not make a land use decision approving development for a property that is not in full compliance with County Code or previously issued County approvals, except in the following instances: approval will result in the property coming into full compliance, approval is necessary to protect public safety, or the approval is for work related to or within a valid easement.

This standard was originally codified in the Zoning Code chapter related to land use application procedures and, by its terms, expressly applies to the application review process. Although now codified in the enforcement Part of the Zoning Code as a result of the more recent code

consolidation project, the language and intent was not changed during that project and remains applicable to the application review process and not to the post-permit-approval enforcement process.

Importantly, a finding of satisfaction of this standard does not mean that a property is in full compliance with the Zoning Code and all prior permit approvals (and, accordingly, does not preclude future enforcement actions relating to uses and structures existing at the time the finding is made). Instead, a finding of satisfaction of this standard simply means that there is not substantial evidence in the record affirmatively establishing one or more specific instances of noncompliance. As such, an applicant has no initial burden to establish that all elements of the subject property are in full compliance with the Zoning Code and all previously approved permits; instead, in the event of evidence indicating or establishing one or more specific instances of noncompliance on the subject property, the applicant bears the burden to either rebut that evidence or demonstrate satisfaction of one of the exceptions in MCC 39.1515.

Property F contains a portion of a structure that crosses a property line from the neighboring property. The Applicant entered into a Voluntary Compliance Agreement (VCA) with the County Code Compliance office (Exhibit A.33). The VCA allows the review of the current application as part of a sequencing of applications to resolve the compliance issue.

The proposed Category 3 Land Division submitted by the applicant at the request of the property owners is to correct an unauthorized land division that occurred with the transfer of various tax lots to Metro and through the George Douglas estate. The approval of the land division and the recordation of a partition plat will correct these issues.

PRE 7-96 approved a Customary Farm Dwelling for a 208-acre farm. Portions of the farm are now owned by the Hoffarts, Douglas' and Metro. The approval of the Administrative Decision will reduce the area involved in the farm for the Customary Farm Dwelling to 83 acres and correct any issues associated with PRE 7-96.

*Criterion is met.*

#### **4.2 MCC 39.3005 Lot of Record – Generally**

**(A) An area of land is a “Lot of Record” if it meets the standards in Subsection (B) of this Section and meets the standards set forth in this Part for the Zoning District in which the area of land is located.**

**(B) A Lot of Record is a parcel, lot, or a group thereof that, when created or reconfigured, either satisfied all applicable zoning laws and satisfied all applicable land division laws, or complies with the criteria for the creation of new lots or parcels described in MCC 39.9700. Those laws shall include all required zoning and land division review procedures, decisions, and conditions of approval.**

**(a) “Satisfied all applicable zoning laws” shall mean: the parcel, lot, or group thereof was created and, if applicable, reconfigured in full compliance with all zoning minimum lot size, dimensional standards, and access requirements.**

**(b) “Satisfied all applicable land division laws” shall mean the parcel or lot was created:**

**1. By a subdivision plat under the applicable subdivision requirements in effect at the time; or**

- 2. By a deed, or a sales contract dated and signed by the parties to the transaction, that was recorded with the Recording Section of the public office responsible for public records prior to October 19, 1978; or
- 3. By a deed, or a sales contract dated and signed by the parties to the transaction, that was in recordable form prior to October 19, 1978; or

\* \* \*

**Staff:** The purpose of the proposed Category 3 Land division is to correct an unpermitted land division completed in the 1980s and 2000s. Through the recombination of the seven subject properties and subsequent recordation of a 3-lot partition, the three newly created parcels will be in compliance with the current zoning and land division requirements of the Multnomah County Code.

**4.3 MCC 39.3070 Lot of Record – (EFU)**

**(A) In addition to the standards in MCC 39.3005, for the purposes of the EFU district a Lot of Record is either:**

- (1) A parcel or lot which was not contiguous to any other parcel or lot under the same ownership on February 20, 1990, or
- (2) A group of contiguous parcels or lots:
  - (a) Which were held under the same ownership on February 20, 1990; and
  - (b) Which, individually or when considered in combination, shall be aggregated to comply with a minimum lot size of 19 acres, without creating any new lot line.

\* \* \*

- (3) A parcel or lot lawfully created by a partition or a subdivision plat after February 20, 1990.
- (4) Exception to the standards of (A)(2) above:
  - (a) Where approval for a “Lot of Exception” or a parcel smaller than 19 acres under the “Lot size for Conditional Uses” provisions has been given by the Hearing Authority and the parcel was subsequently lawfully created, then the parcel shall be a Lot of Record that remains separately transferable, even if the parcel was contiguous to another parcel held in the same ownership on February 20, 1990.

**(B) In this district, significant dates and ordinances applicable for verifying zoning compliance may include, but are not limited to, the following:**

\* \* \*

**(C) A Lot of Record which has less than the minimum lot size for new parcels, less than the front lot line minimums required, or which does not meet the access requirements of MCC 39.4260 may be occupied by any allowed use, review use or conditional use when in compliance with the other requirements of this district.**

**(D) The following shall not be deemed a Lot of Record:**

- (1) An area of land described as a tax lot solely for assessment and taxation purposes;**
- (2) An area of land created by the foreclosure of a security interest;**
- (3) A Mortgage Lot.**
- (4) An area of land created by court decree.**

**Staff:** As noted in section 4.2 above, the purpose of the proposed Category 3 Land division is to correct an illegal land division completed in the 1980s and 2000s. Through the recordation of the three (3) parcel partition, the newly created parcels will be in compliance with the current zoning and land division requirements of the Multnomah County Code. The newly created Parcel 1 will be 116.746 +/- acres; Parcel 2 will be 83.525 +/- acres; and Parcel 3 will be 146.642 +/- acre. Provided the plat is recorded as required by Multnomah County Code, each newly created parcel will be a Lot of Record.

**5.0 EFU ZONE CRITERIA:**

**5.1 MCC 39.4245 Dimensional Requirements and Development Standards**

**(A) Except as provided in MCC 39.3070, the minimum lot size for new parcels shall be 80 acres in the EFU base zone.**

**(B) That portion of a street which would accrue to an adjacent lot if the street were vacated shall be included in calculating the size of such lot.**

**(C) Minimum Yard Dimensions – Feet**

<b>Front</b>	<b>Side</b>	<b>Street Side</b>	<b>Rear</b>
<b>30</b>	<b>10</b>	<b>30</b>	<b>30</b>

**Maximum Structure Height – 35 feet**

**Minimum Front Lot Line Length – 50 feet.**

\* \* \*

**Staff:** As shown on the tentative plan map (Exhibit A.16 & A.32), following the completion of the partition plat, each of the three (3) resulting parcels will be above 80 acres in size. Each of the 3 resulting parcels will also have a front lot line length over 50 feet (Exhibit A.16 & A.32). Parcel 2 and Parcel 3 are both flag lots and hence the front lot line of each parcel is the parcel line closest to and most nearly parallel with Sauvie Island Road. Parcel 1 exists on the east and west side of Sauvie Island Road and hence has over 1000+ feet for its front lot line. A condition of approval (condition no. 4) requires the recording of a new partition plat to complete the proposed land division.

The Customary Farm Dwelling and all outbuildings located on Parcel 2 will comply with the Minimum Yard Dimensions as demonstrated on Exhibit A.16 & A.32. The farm building on Parcel 1 is 991 ft. from the front lot line and significantly further from all other

property lines (Exhibit A.16). The building encroaching onto Parcel 1 from the neighboring property known as 2N1W21 -00801 is in violation of the Minimum Yard Dimensions and will need to be removed from Parcel 1 in the near future as outline in the Voluntary Compliance Agreement for UR 2014-3568.

*Through a condition of approval, the above criteria can be met.*

- 5.2 (D) The minimum yard requirement shall be increased where the yard abuts a street having insufficient right-of-way width to serve the area. The county Road Official shall determine the necessary right-of-way widths based upon the county “Design and Construction Manual” and the Planning Director shall determine any additional yard requirements in consultation with the Road Official.**

\* \* \*

**Staff:** The County Road Official did not provide any comments indicating that the subject properties abut a street having insufficient right-of-way width. Therefore, no minimum yard requirement increase is necessary. *Criterion met.*

- 5.3 (F) On-site sewage disposal, storm water/drainage control, water systems unless these services are provided by public or community source, shall be provided on the Lot of Record.**

**(1) Sewage and stormwater disposal systems for existing development may be off-site in easement areas reserved for that purpose.**

**(2) Stormwater/drainage control systems are required for new impervious surfaces. The system shall be adequate to ensure that the rate of runoff from the lot for the 10 year 24-hour storm event is no greater than that before the development.**

\* \* \*

**Staff:** No new development is proposed. An adequate sewage disposal system serves the existing development as per the Septic Reviews included as Exhibit A.19 – A.22, and A.35. No new development and no new impervious surfaces are proposed. *Criteria met.*

- 5.4 (H) All exterior lighting shall comply with MCC 39.6850.**

**Staff:** No new development is proposed (Exhibit A.16 & A.32). Therefore, the proposal is not subject to the Dark Sky Lighting Standards of MCC 39.6850 at this time. *Criteria not applicable.*

- 5.5 MCC 39.4260 Access**

**All lots and parcels in this base zone shall abut a public street or shall have other access determined by the approval authority to be safe and convenient for pedestrians and for passenger and emergency vehicles. This access requirement does not apply to a pre-existing lot and parcel that constitutes a Lot of Record described in MCC 39.3070(C).**

**Staff:** Following the approval of the proposed land division and completion of the partition plat, the three resulting parcels will each have frontage along NW Sauvie Island Road (Exhibit A.16 & A.32). Parcel 1 will maintain an existing access from NW Sauvie Island Road. Parcel 2 and 3 will each have a 12 ft. wide access pole connecting both Parcel 2 and Parcel 3 to NW Sauvie Island Road. However, Parcel 2 and 3 will continue to utilize an access easement from NW Sauvie Island Road as the primary access.

Alternative access for Parcel 2 and 3 is via NW Howell Park Road, then south towards Parcel 1. The Applicant indicated that a written easement has not been located, so a new easement may need to be created. A condition of approval (condition no. 3) requires proof of a written easement for the access from NW Sauvie Island Road for Parcel 2 and 3 prior to the recording of the new partition plat. Proof of written easement from NW Howell Park Road is also required if that access will continue to be utilized.

*The above criterion can be met through a condition of approval.*

## **6.0 CUSTOMARY FARM DWELLING CRITERIA:**

### **6.1 MCC 39.4225 Review Uses**

\* \* \*

**(C) A dwelling, including a mobile or modular home, customarily provided in conjunction with a farm use subject to the standards in MCC 39.4265 (B).**

**Staff:** As noted in the application materials (Exhibit A.1 & A.23), the Applicants request a customary farm dwelling in conjunction with a farm use on Parcel 2 (“the subject property”).

### **6.2 MCC 39.4240 Single Family Dwellings – Condition of Approval**

**As a condition of approval of a single family dwelling, the landowner for the dwelling shall sign and record in the deed records for the county a document binding the landowner, and the landowner's successors in interest, prohibiting them from pursuing a claim for relief or cause of action alleging injury from farming or forest practices for which no action or claim is allowed under ORS 30.936 or 30.937.**

**Staff:** A condition of approval (condition no. 2) requires the recording of a EFU covenant (Exhibit B.12) as described in MCC 39.4240. *The above criterion can be met through a condition of approval.*

### **6.3 MCC 39.4265(B)(1) Customary Farm Dwelling – High Value Farmland**

**(B) Customary Farm Dwelling: A dwelling, including a mobile or modular home, customarily provided in conjunction with a farm use as provided in MCC 39.4225(C) is not allowed unless the following standards are met:**

**(1) High-value farmland soils, \$80,000 income. On lands identified as high-value farmland, a dwelling may be considered customarily provided in conjunction with farm use if:**

**(a) The subject tract is currently employed for the farm use, as defined in ORS 215.203, that produced at least \$80,000 in gross annual income from the sale of farm products in the last two years or three of the last five years, or the average farm income earned on the tract in the best three of the last five years; and**

**Staff:** County soil maps identify high-value farmland soils on the subject property. The Applicants provided supporting documentation (Exhibit A.23 – A.38), including Schedule F forms from their 2019 and 2020 federal tax return, demonstrating the subject property employs

a farm use [as defined in ORS 215.203] that produced a minimum of \$80,000 in gross annual income the last two years (2019 -2020).

The subject property is 83 acres, including a 600 tree peach orchard and berry field consisting of five varieties. A Declaration and business plan (Exhibit A.26 – A.27) outlines the scope of the farming operations and documents that the Applicants are the farm operator(s). Crops include vegetables, fruits and berries grown for direct consumer consumption through a U-Pick model, herbs, and flowers. The Applicants conduct crop planning; plant, prune, irrigate, and harvest the crops; repair and operate farm equipment (i.e. tractors); make day-to-day decision on crop planting, harvesting, and care, as well as marketing the U-Pick operations. A detailed monthly crop calendar is included in the business plan (Exhibit A.27, pp. 3-5). The Applicants provided 95 pages of business receipts (Exhibit A.28) related to purchases to support their farm operation.

In addition to the confidential Schedule F forms from the Applicants 2019 – 2020 federal tax returns, the Applicants provided sales reports from ‘Square’, an online payment system company (Exhibit A.29 – A.31). The Square sales report provide additional supporting documentation to demonstrate that the Applicants produced a minimum of \$80,000 in gross annual income the last two years (2019 -2020). *Criteria met.*

**6.4 (b) Except as permitted in ORS 215.283 (1) (p) (1999 Edition) (i.e. seasonal farmworker housing), there is no other dwelling on land designated for exclusive farm use that is owned by the farm or ranch operator, or that is on the farm or ranch operation. “Farm or ranch operation” shall mean all lots or parcels of land owned by the farm or ranch operator that are used by the farm or ranch operator for farm use as defined in ORS 215.203; and**

**(c) The dwelling will be occupied by a person or persons who produced the commodities which grossed the income in subsection (a) of this subsection; and**

**Staff:** Per the Applicants narrative (Exhibit A.23), they do not own any other property designated for Exclusive Farm Use that contains a dwelling. The Applicants provided a Declaration (Exhibit A.26), attesting that they are the farm operator(s) producing the income grossed in subsection (a) above and occupy the dwelling. *Criteria met.*

**6.5 (d) In determining the gross income required by subsection (a) of this subsection:**

**1. The cost of purchased livestock shall be deducted from the total gross income attributed to the farm or ranch operation;**

**2. Only gross income from land owned, not leased or rented, shall be counted; and**

**3. Gross farm income earned from a lot or parcel which has been used previously to qualify another lot or parcel for the construction or siting of a primary farm dwelling may not be used; and**

**4. For the purposes of this subsection, lots or parcels zoned for farm use in Multnomah County or contiguous counties may be used to meet the gross income requirements.**

**Staff:** The Applicants do not have any livestock on the subject property per the submitted narrative (Exhibit A.23). The Applicants own the subject property per the deed documents included as Exhibit A.24 – A.25. There are no records available that suggest the gross income

utilized for this application qualified another lot or parcel for a primary farm dwelling. The subject property is located in Multnomah County and zoned Exclusive Farm Use. *Criteria met.*

- 6.6 (e) Prior to the final approval for a dwelling, the applicant shall provide evidence that the covenants, conditions and restrictions form referred to as “Exhibit A” in OAR 660-033-0135(5)(b) has been recorded with the county clerk of the county or counties where the property subject to the covenants, conditions and restrictions is located. The covenants, conditions and restrictions shall be recorded for each lot or parcel subject to the application for the primary farm dwelling.**
- 1. The covenants, conditions and restrictions shall preclude all future rights to construct a dwelling except for accessory farm dwellings, relative farm help dwellings, temporary hardship dwellings or replacement dwellings allowed by ORS Chapter 215.**
  - 2. The covenants, conditions and restrictions shall preclude the use of any gross farm income earned on the lots or parcels to qualify another lot or parcel for a primary farm dwelling.**
  - 3. The covenants, conditions and restrictions are irrevocable, unless a statement of release is signed by an authorized representative of the county or counties where the property subject to the covenants, conditions and restrictions is located.**
  - 4. Enforcement of the covenants, conditions and restrictions may be undertaken by the Department of Land Conservation and Development or by the county or counties where the property subject to the covenants, conditions and restrictions is located.**
  - 5. The failure to follow the requirements of this section shall not affect the validity of the transfer of property or the legal remedies available to the buyers of property which is subject to the covenants, conditions and restrictions required by this section.**
  - 6. The Planning Director shall maintain a copy of the covenants, conditions and restrictions that have been filed in the county deed records pursuant to this subsection and a map or other record depicting the lots and parcels subject to the covenants, conditions and restrictions. The map or other record required by this subsection shall be readily available to the public in the county planning office**

**Staff:** A Condition of Approval (condition no. 2) requires that the property owner provide proof of recording for the conditions and restrictions referenced above. The County’s Covenant Form regarding Farm and Forest Practices (Exhibit B.12) implements the restrictions of “Exhibit A” in OAR 660-033-0135(5)(b). Proof of recording is due at the time of plan check for the dwelling. *As conditioned, the above criteria can be met.*

## **7.0 CATEGORY 3 LAND DIVISION CRITERIA:**

### **7.1 MCC 39.9045 Category 3 Land Division**

**A land division proposal under any of the following circumstances is designated a Category 3 Land Division:**

- (A) A partition located at the end of a street;
- (B) A partition abutting a street which has a centerline to property line width less than one-half the width specified for that functional street classification according to the Multnomah County Road Rules and Design and Construction Manual;
- (C) A partition which will result in a flag lot;
- (D) A partition which will result in one or more parcels with a depth-to-width ratio exceeding 2.5 to 1;
- (E) A partition which will result in a proposed parcel with an area four or more times the area of the smallest proposed parcel; and
- (F) A partition of land located within the Significant Environmental Concern Overlay (SEC), Willamette River Greenway Overlay (WRG), Flood Hazard Overlay, or Exclusive Farm Use (EFU) base zone.
- (G) A partition resulting in the creation of a lot for which an Exception, Adjustment or Variance is required under another part of this Chapter.

**Staff:** The proposed land division is a partition within the EFU base zone. Therefore, the proposed land division is designated a Category 3 Land Division. *Criteria met.*

**7.2 MCC 39.9430 Criteria for Approval: Category 3 Tentative Plan**

**In granting approval of a Category 3 tentative plan, the Planning Director shall find that the criteria listed in Subsections (B), (C) and (H) of MCC 39.9400 are satisfied and that the tentative plan complies with the area and dimensional requirements of the base zone.**

**MCC 39.9400 (B), (C), and (H)**

**In granting approval of a Category 1 or Category 2 tentative plan, the approval authority shall find that:**

\* \* \*

**(B) Approval will permit development of the remainder of the property under the same ownership, if any, or of adjoining land or of access thereto, in accordance with this and other applicable ordinances;**

**(C) The tentative plan [or future street plan] complies with the applicable provisions, including the purposes and intent of this Ordinance.**

\* \* \*

**(H) Approval will permit development to be safe from known flooding and flood hazards. Public utilities and water supply systems shall be designed and located so as to minimize or prevent infiltration of flood waters into the systems. Sanitary sewer systems shall be designed and located to minimize or prevent:**

**(1) The infiltration of flood waters into the system; and**

**(2) The discharge of matter from the system into flood waters.**

**Staff:** The subject properties are located within the EFU zone. The three proposed parcels are limited in potential development opportunities. There are no adjacent lands under the

ownership of the three property owners that would need access from the subject properties in order to be developed. The proposed tentative plan satisfies the Minimum Lot Size and Minimum Front Lot Line Length of the EFU zone as discussed in Section 5.1 – 5.2 of this decision. The applicable approval criteria referenced on pp. 3 – 4 of this decision were evaluated in Sections 3.1 – 7.15 and found to be met or can be met via a condition of approval. The mapped flood plain is located west of the Sauvie Island Road where the existing levee is located. The areas containing existing development are outside of the mapped flood hazard areas. *Criteria met.*

### **7.3 MCC 39.9435 Contents of Category 3 Tentative Plan**

**A tentative plan for a Category 3 Land Division shall consist of maps, written information and supplementary material adequate to provide the following:**

**(A) Category 3 tentative plan map contents. A tentative plan map of a sheet size and scale as specified in MCC 39.9410 shall indicate the following:**

\* \* \*

**(B) Written information; Category 3 tentative plan. Written information shall include:**

\* \* \*

**(C) Supplementary material; Category 3 tentative plan. The Planning Director may require such additional information, listed in sections MCC 39.9405 through 39.9425, as the Director deems necessary to assist in the review and assessment of the land division proposal according to the provisions of this Ordinance.**

**Staff:** The Applicant provided the required tentative plan map and supplemental information as Exhibit A.16 – A.22, and A.10 – A.15. *Criteria met.*

### **7.4 MCC 39.9500 Application of General Standards and Requirements**

**Every land division proposal shall comply with the applicable provisions of MCC 39.9505 through 39.9585.**

**Staff:** Sections 7.5 – 7.15 discuss the applicable provisions of MCC 39.9505 – 39.9585. *Criterion met.*

### **7.5 MCC 39.9505 Land Suitability**

**A land division shall not be approved on land found by the approval authority to be both unsuitable and incapable of being made suitable for the intended uses because of any of the following characteristics:**

**(A) Slopes exceeding 20%;**

**(B) Severe soil erosion potential;**

**(C) Within the 100-year flood plain;**

**(D) A high seasonal water table within 0-24 inches of the surface for three or more weeks of the year;**

**(E) A fragipan or other impervious layer less than 30 inches from the surface;**

**(F) Subject to slumping, earth slides or movement;**

**(G) Pre-existing field drains or other subsurface drainage systems.**

**Staff:** The subject properties do not contain slopes in excess of 20% as per available topographical maps. A small section (10.641 acres) of Parcel 1 is adjacent to the Multnomah Channel and located west of NW Sauvie Island Road within the mapped floodplain; however, 106.105 acres of Parcel 1 is located outside of the 100-year floodplain (Exhibit A.16 & A.32) and is available for farming and other uses allowed in the EFU zone. Parcel 2 and Parcel 3 are not located within the 100-year floodplain. The existing and planned farming activities for the subject properties are expected to continue without interference from one of the other characteristics listed in (A) – (G) above. Land Use Planning finds the proposed parcels suitable for the intended uses at this time. *Criteria met.*

**7.6 MCC 39.9510 Lots and Parcels**

**The design of lots and parcels shall comply with the following:**

**(A) The size, shape, width, orientation and access shall be appropriate:**

- (1) To the types of development and uses contemplated;**
- (2) To the nature of existing or potential development on adjacent tracts;**
- (3) For the maximum preservation of existing slopes, vegetation and natural drainage;**
- (4) To the need for privacy through such means as transition from public to semi-public to private use areas and the separation of conflicting areas by suitable distances, barriers or screens; and**
- (5) To the climactic conditions including solar orientation and winter wind and rain.**

**(B) The side lot lines shall be perpendicular to the front lot line or radial to the curve of a street, to the extent practicable.**

**(C) Double frontage or reverse frontage lots or parcels shall be provided only when essential for separation of land uses from arterials or to overcome specific disadvantages of topography or orientation.**

**(D) A land division may include creation of a flag lot with a pole that does not satisfy the minimum frontage requirement of the applicable base zone, subject to the following:**

- (1) When a flag lot does not adjoin another flag lot, as shown in MCC 39.9510 Figure 1, the pole portion of the flag lot shall be at least 16 feet wide.**
- (2) Where two flag lots are placed back to back as shown in MCC 39.9510 Figure 2, the pole portion of each flag lot shall be at least 12 feet wide.**

**(E) Within a land division, flag lots shall not be stacked one behind the other as shown in MCC 39.9510 Figure 3. Instead, a private accessway shall be used as shown in MCC 39.9510 Figure 4.**

**Staff:** (A) The three resulting parcels from the proposed land division each meet the 80-acre minimum lot size for the EFU zone. The primary use allowed in the EFU zone is farming and the proposed parcels will remain in the use. Adjacent parcels to the north, east and west are also zoned EFU and have limited development potential. To the south is an area of Multiple Use

Agriculture -20 zoned land, but due to the existing lot sizes potential development on these units of land are limited also. No new development is proposed on any of the new parcels, ensuring the preservation of existing slopes, vegetation, and natural drainage (Exhibit A.16 & A.32). Privacy on the three proposed parcels is available to the owners due to the size of each parcel and the ability to setback any improvements from the public road or public park to the north of the subject site. The large size of the parcels allow for future development to be properly sited for solar orientation and weather conditions in the area. The proposed parcel configurations considered the need for existing development to continue to satisfy the dimensional and access requirements for the EFU zone.

(B) Each of the three parcels are multi-sided (Exhibit A.16 & A.32). The side lot lines are as perpendicular to the front lot line as allowed for these very large parcels and existing development on Parcel 2.

(C) The parent parcel(s) have frontage on both sides of NW Sauvie Island Road. The area west of the public right of way is only 10.641 acres and cannot be placed into its own parcel. This requires that Parcel 1 have double frontage. The area west of NW Sauvie Island Road is extremely limited for development due to the placement of the levee and it being adjacent to Multnomah Channel.

(D) & (E) Following the completion of the partition, Parcel 2 and Parcel 3 will each have a 12 ft. access pole (flagpole) that abuts NW Sauvie Island Road (Exhibit A.16 & A.32). The flagpoles will be placed back to back as shown in MCC 39.9510 Figure 2. Based on the presence of drainage areas, it appears a culvert would be necessary to develop these flagpoles. However, primary access to Parcel 2 and Parcel 3 will continue to be through a private easement allowing access from a graveled driveway off NW Sauvie Island Road. The proposal does not require a private accessway as shown in MCC 39.9510 Figure 4 as there are only two access poles proposed. *Criteria met.*

## 7.7 MCC 39.9515 Acreage Tracts

**Where a tract of land is to be divided into lots or parcels capable of redivision in accordance with this or any other ordinance, the approval authority shall require an arrangement of lots, parcels and streets which facilitates future redivision. In such a case, building setback lines may be required in order to preserve future rights-of-way or building sites.**

**Staff:** The minimum lot size in the EFU zone is 80 acres to create a new parcel. Parcel 1 will be 116+ acres. Parcel 2 will be 83+ acres. Parcel 3 will be 146+ acres. None of the proposed parcels can be redivided under present zoning regulations. *Therefore, the above criterion is not applicable.*

## 7.8 MCC 39.9520 Street Layout

**(A) Except as otherwise provided in subsections (B) and (C) of this Section, the arrangement of streets in a land division shall be designed:**

**(1) To conform to the arrangement established or approved in adjoining land divisions;**

**(2) To continue streets to the boundary of any adjoining undivided tract where such is necessary to the proper development of the adjoining land;**

- (3) To assure the maximum possible preservation of existing slopes, vegetation and natural drainage;**
- (4) To limit unnecessary through traffic in residential areas;**
- (5) To permit surveillance of street areas by residents and users for maximum safety;**
- (6) To assure building sites with appropriate solar orientation and protection from winter wind and rain;**
- (7) To assure storm water drainage to an approved means of disposal; and**
- (8) To provide safe and convenient access.**

**(B) Where topography or other conditions make conformance to the existing street pattern or continuance to an adjoining tract impractical, the street layout shall conform to an alternate arrangement authorized by the approval authority.**

**(C) Where a street layout affecting the proposed land division has been established by the Comprehensive Plan, the arrangement of streets in the land division shall conform to the established layout.**

**(D) A half street may be permitted only where appropriate to the future division of adjoining undeveloped property, provided that when possible, additional dedicated right-of-way exceeding one-half of a street may be required to provide adequate width to accommodate two-way vehicle traffic.**

**(E) When necessary for adequate protection of existing or proposed land uses or to afford separation of through and local traffic, a land division abutting or containing an existing or proposed arterial may be required to include, among other things, a frontage street, reverse frontage lots with extra depth, or screen plantings in a non-access reservation along a property line.**

**Staff:** There are no changes to any existing streets as per the tentative plan map (Exhibit A.16 & A.32). The proposal does not include any new streets. Each proposed parcel has frontage onto the local road known as NW Sauvie Island Road. Transportation Planning received notice of the proposed land division and provided no comments regarding the need for right-of-way dedication. *Criteria met.*

## **7.9 MCC 39.9525 Street Design**

**The width, design and configuration of all streets in or abutting the land division shall comply with applicable ordinance standards as follows:**

**(A) For a public street, in accordance with the Multnomah County Road Rules and Design and Construction Manual; and**

**(B) For a private street, in accordance with the Multnomah County Road Rules and Design and Construction Manual, subject to the following additional requirements:**

- (1) Accessways shall be designed in accordance with Permit Requirements for Accessway Construction published by the Multnomah County Department of Community Services Transportation Division. Accessways shall have a maximum length of 300 feet.**

**(C) A cul-de-sac shall be as short as possible and shall have a maximum length of 400 feet and serve building sites for not more than 18 dwelling units. A cul-de-sac shall terminate with a turnaround having a radius of 50 feet.**

**Staff:** Parcel 1, Parcel 2, or Parcel 3 are adjacent to NW Sauvie Island Road (Exhibit A.16 & A.32). NW Sauvie Island Road is a public road maintained by Multnomah County and subject to the Multnomah County Road Rules. No new public or private streets are proposed as part of this land division application. *Criteria met.*

#### **7.10 MCC 39.9555 Easements**

**Easements shall be provided and designed according to the following:**

**(A) Along the front property line abutting a street, a five foot utility easement shall be required. The placement of the utility easement may be modified as requested by a public or private utility provider. Utility infrastructure may not be placed within one foot of a survey monument location noted on a subdivision or partition plat.**

**(B) Where a tract is traversed by a water course such as a drainage way, channel or stream, a storm water easement or drainage right-of-way adequate to conform substantially with the lines of the water course shall be provided. In a Drainage District or Water Control District, such easement or right-of-way shall be approved by the District Board, in accordance with ORS 92.110. If not within such District, approval shall be by the County Engineer.**

**(C) Easements for pedestrian paths and bikeways shall be not less than 10 feet in width.**

**Staff:** A 5 ft. utility easement dedication for is noted on the tentative plan map along the NW Sauvie Island Road frontage (Exhibit A.16 & A.32). Drainage-ways and the Gilbert River exist on one or more of the proposed parcels. The deed record included as Exhibit A.17 documents the existing drainage way easements. There are no pedestrian paths or bikeways along the NW Sauvie Island Road. *Criteria met.*

#### **7.11 MCC 39.9570 Water System**

**The provision of domestic water to every lot or parcel in a land division shall comply with the requirements of Subsections (4)(a), (b), or (c) of ORS 92.090 and the following:**

**(A) Water mains, service and fire hydrants shall meet the requirements of the Water District and shall be located as follows:**

**(1) In a public street, in accordance with the Multnomah County Road Rules and Design and Construction Manual; and**

**(2) In a private street, as approved by the approval authority.**

**Staff:** There is no public water available to serve the parcels. A private well serves the existing dwelling located on Parcel 2. All farming activities on the parcels primarily obtain irrigation via a network of ditches and dikes. *Criteria met.*

#### **7.12 MCC 39.9575 Sewage Disposal**

**The provision for the disposal of sewage from every lot or parcel in a land division shall comply with the requirements of Subsections (5)(a), (b) or (c) of ORS 92.090 and the following:**

**(A) Except as provided in Subsection (B) of this Section, a sanitary sewer line shall be installed to serve every lot or parcel in a land division by extension of an existing sewer line:**

**(1) In a public street, in accordance with the Multnomah County Road Rules and Design and Construction Manual; and**

**(2) In a private street, as approved by the approval authority.**

**(B) Where sanitary sewer is not available to the site or where the State Department of Environmental Quality determines that it is impractical to serve any lot or parcel by an existing sewer system, a private sewage disposal system approved by the Department shall be provided. All lots or parcels in a proposed land division which will utilize private subsurface sewage disposal system shall apply for and obtain approval of a Land Feasibility Study confirming the ability to utilize the system prior to tentative plan approval. In such cases, the approval authority may require that a sanitary sewer line, with branches to the right-of-way line for connection to a future sewer system, be constructed and sealed.**

**(C) Where a private subsurface sewage disposal system is used, the parcel or lot shall contain adequate land area to accommodate both a primary and reserve septic system drainfield area, and for surface and storm drainage systems.**

**Staff:** Public sanitary sewer is not available on Sauvie Island. Site Evaluation Reports completed by the County Sanitarian are included as Exhibits A.19 – A.22. The Site Evaluation Reports acknowledge that each parcel would be able to accommodate a private subsurface sewage disposal system. Parcel 2 contains an existing septic system serving an existing dwelling, which the Sanitarian deemed adequate to serve the needs of the existing dwelling (Exhibit A.35). *Criteria met.*

### **7.13 MCC 39.9580 Surface Drainage and Storm Water Systems**

**Surface drainage and storm water control systems shall be provided as required by this section .**

**(A) On-site water disposal or retention facilities shall be adequate to insure that surface runoff rate or volume from the new parcels after development is no greater than that before development.**

**(B) Drainage facilities shall be constructed as follows:**

**(1) In a public street, in accordance with the Multnomah County Road Rules and Design and Construction Manual; and**

**(2) In a private street and on lots or parcels, in accordance with the plans prepared by an Oregon licensed and registered professional engineer and approved by the approval authority.**

**Staff:** The proposed land division does not include any new roadways, dwellings, or other types of new impervious surfaces (Exhibit A.16). Therefore, one can infer that the proposed land division would not result in an increased rate or volume of surface runoff. Existing drainage ditches within the parcels serve the parcels. The Applicant did not propose any alterations to the existing drainage ditches. *Criteria met.*

### **7.14 MCC 39.9585 Electrical and Other Wire**

**Wires serving within a land division, including but not limited to electric power, communication, street lighting and cable television wires, shall be placed underground. The approval authority may modify or waive this requirement in acting on a tentative plan upon a finding that underground installation:**

**(A) Is impracticable due to topography, soil or subsurface conditions;**

**(B) Would result in only minor aesthetic advantages, given the existence of above-ground facilities nearby; or**

**(C) Would be unnecessarily expensive in consideration of the need for low-cost housing proposed on the lots or parcels to be served.**

**Staff:** All parcels currently involve various levels of farming related activities. Requiring the burial of existing electrical wires is impractical in this situation given the propensity for exposed soils. Therefore, the County may waive the requirement to bury electrical lines as per the above criteria. *Criteria met.*

## **7.15 MCC 39.9587 Required Improvements**

**Improvements in a land division shall be made in accordance with the provisions of MCC 39.9587 through 39.9590 and 39.9600.**

**MCC 39.9588 Streets, Sidewalks, Pedestrian Paths and Bikeways, Water System, Sewage Disposal, Surface Drainage, and Storm Water Systems.**

**(A) Any street, pedestrian path or bikeway shall be improved as follows:**

**(1) In a public street — in accordance with this Chapter and the Street Standards Code and Rules; and,**

**(2) In a private street — in accordance with the Street Standards Code and Rules.**

**(3) Underground utilities and street lighting facilities, storm drains and water mains located in a street shall be installed prior to the surfacing of the street.**

**(B) Water mains, service and fire hydrants shall meet the requirements of the Water District and shall be located as follows:**

**(1) In a public street - in accordance with the Street Standards Code and Rules; and**

**(2) In a private street - as approved by the approval authority.**

**(C) A sewage disposal system approved by the State Department of Environmental Quality, shall be provided. All lots or parcels in a proposed land division which will utilize private subsurface sewage disposal system shall apply for and obtain approval of a Land Feasibility Study confirming the ability to utilize the system prior to tentative plan approval. In such cases, the approval authority may require that a sanitary sewer line, with branches to the right-of-way line for connection to a future sewer system, be constructed and sealed.**

**(D) Drainage facilities shall be constructed as follows:**

**(1) In a public street - in accordance with the Street Standards Code and Rules; and**

**(2) In a private street and on lots or parcels - in accordance with the plans prepared by an Oregon licensed and registered professional engineer and approved by the approval authority.**

**Staff:** There are no improvements associated with the proposed land division. *Therefore, the above criteria relating to the construction of new improvements are not applicable.*

**8.0 CONCLUSION:**

Based on the findings and other information provided above, the Applicant has carried the burden necessary for the Category 3 Land Division to correct a non-permitted land division. In addition, the Applicant has also carried the burden necessary for the Administrative Decision by the Planning Director to modify the original approval for the existing Customary Farm Dwelling and limiting the farm land involved in its approval to the 83+ acres on Parcel 2 in the EFU zone. This approval is subject to the conditions of approval established in this report.

**9.0 EXHIBITS:**

- ‘A’ Applicant’s Exhibits
- ‘B’ Staff Exhibits
- ‘C’ Procedural Exhibits

Exhibits with a “\*” after the exhibit # have been included as part of the mailed decision. Those exhibits have been reduced to a size of 8.5” x 11” for mailing purposes. All other exhibits are available for digital review in Case File T2-2020-13660.

Exhibit #	# of Pages	Description of Exhibit	Date Received / Submitted
A.1	1	General Application Form – TL 600	08.18.2020
A.2	7	Applicant Narrative – Farm Dwelling	08.18.2020
A.3	36	Initial Submission Documents.  Note: The revised materials listed below replaced these initial documents. Therefore, these initial documents are for record keeping purposes only.	08.18.2020
A.4	4	General Application Forms – Category 3 Land Division	08.18.2020
A.5	13	Applicant Narrative – Category 3 Land Division	08.18.2020
A.6	1	Aerial Photo of Dwelling	08.18.2020
A.7	1	Farm Storage Building Picture	08.18.2020
A.8	3	Tax Maps	08.18.2020
A.9	3	Revised Cover Page, Table of Exhibits, and Table of Contents	02.16.2021
A.10	14	Revised Narrative – Category 3 Land Division	02.16.2021
A.11	7	Revised ‘Exhibit B’: Warranty Deed recorded October 07, 2002 as instrument no. 2002-179034	02.16.2021

A.12	3	Revised 'Exhibit C': Quit Claim Deed recorded October 02, 2017 as instrument no. 2017-117849	02.16.2021
A.13	9	Revised 'Exhibit D': Termination and Access Easement Agreement recorded July 13, 2016 as instrument no. 2016-085780	02.16.2021
A.14	8	Revised 'Exhibit E': Quitclaim, Settlement And Amended Access Easement Agreement recorded March 25, 2003 as instrument no. 2003-066175	02.16.2021
A.15	2	Revised 'Exhibit F': Warranty Deed recorded November 26, 2012 as instrument no. 2012-151500	02.16.2021
A.16	1	Revised 'Exhibit J': Tentative Plan	02.16.2021
A.17	2	Revised 'Exhibit K': Easement recorded October 18, 1961 in Book 2086, Page 293-294	02.16.2021
A.18	3	Revised 'Exhibit L': Fire Service Agency Review	02.16.2021
A.19	14	Revised 'Exhibit M(1)': 1996 Site Evaluation Report – TL 600 & 700	02.16.2021
A.20	7	Revised 'Exhibit M(2)': 2018 Site Evaluation Report – TL 2500	02.16.2021
A.21	6	Revised 'Exhibit M(3)': 2018 Site Evaluation Report – TL 2300	02.16.2021
A.22	7	Revised 'Exhibit M(4)': 2018 Site Evaluation Report – TL 2600	02.16.2021
A.23	14	Revised Farm Dwelling Narrative	02.16.2021
A.24	7	Revised 'Exhibit A' Bargain & Sale Deed recorded April 17, 2014 as instrument #2014-035757	02.16.2021
A.25	4	Revised 'Exhibit A' Bargain & Sale Deed recorded April 17, 2014 as instrument #2014-035762	02.16.2021
A.26	5	'Exhibit B' Declaration of Christine, Terrance and Megan Hoffart	02.16.2021
A.27	5	'Exhibit B' – Item A – Business Plan	02.16.2021
A.28	95	'Exhibit B' – Item B – Business Receipts	02.16.2021
A.29	19	'Exhibit B' – Item C – Square Sales Reports June 2018 – October 2018	02.16.2021
A.30	23	'Exhibit B' – Item D – Square Sales Reports June 2019 – October 2019	02.16.2021
A.31	27	'Exhibit B' – Item E – Square Sales Reports June 2020 – October 2020	02.16.2021
A.32*	1	Revised 'Exhibit C' Tentative Plan	02.16.2021

A.33	2	'Exhibit D' Code Compliance Case UR-2014-3568 Timeline Extension	02.16.2021
A.34	3	Revised 'Exhibit E' Fire Service Agency Review	02.16.2021
A.35	13	Revised 'Exhibit F' 1996 Site Evaluation Report – 15330 NW Sauvie Island Rd.	02.16.2021
A.36	1	'Exhibit G' Transportation Planning Review - Unsigned	02.16.2021
A.37	1	*Confidential* - 2019 Schedule F form	03.31.2021
A.38	1	*Confidential* - 2020 Schedule F form	07.13.2021
<b>'B'</b>	<b>#</b>	<b>Staff Exhibits</b>	<b>Date</b>
B.1	2	Division of Assessment, Recording, and Taxation (DART): Property Information for 2N1W21 -00600 (Alt Acct# R971210030)	02.16.2021
B.2	2	Division of Assessment, Recording, and Taxation (DART): Property Information for 2N1W21 -02301 (Alt Acct # R971210030)	02.16.2021
B.3	2	Division of Assessment, Recording, and Taxation (DART): Property Information for 2N1W21 -02500 (Alt Acct # R971210210)	02.16.2021
B.4	2	Division of Assessment, Recording, and Taxation (DART): Property Information for 2N1W21 -00700 (Alt Acct # R971210200)	02.16.2021
B.5	2	Division of Assessment, Recording, and Taxation (DART): Property Information for 2N1W22 -00500 (Alt Acct # R971220350)	02.16.2021
B.6	2	Division of Assessment, Recording, and Taxation (DART): Property Information for 2N1W21 -02300 (Alt Acct # R971210040)	02.16.2021
B.7	2	Division of Assessment, Recording, and Taxation (DART): Property Information for 2N1W28 -02601 (Alt Acct # R971280770)	02.16.2021
B.8	1	Copy of Tentative Plan Map	02.24.2021
B.9	6	PRE 7-96 Decision	02.24.2021
B.10	1	Applicant's Instructions for Finishing a Land Division	07.13.2021
B.11	1	Surveyor's Instructions for Finishing a Land Division	07.13.2021
B.12	1	EFU Covenant	07.13.2021
<b>'C'</b>	<b>#</b>	<b>Administration &amp; Procedures</b>	<b>Date</b>
C.1	5	Incomplete letter	09.09.2020

C.2	1	Applicant's acceptance of 180 day clock	10.21.2020
C.3	1	Complete letter (day 1)	03.11.2021
C.4	4	Opportunity to Comment	05.18.2021
C.5	25	Administrative Decision	07.20.2021