



MULTNOMAH COUNTY

Department of Environmental Services  
Transportation and Land Use Planning Division  
2115 SE Morrison Street  
Portland, OR 97214 Phone: (503) 248-3043

## ADMINISTRATIVE DECISION

August 22, 1997

### HILLSIDE DEVELOPMENT PERMIT

File No.: HDP 11-97

**Proposal:** Applicant proposes to construct a single family dwelling and driveway.

**Location:** 10007 N.W. Thompson Road. (See attached map)

**Legal:** Lot '55', T1N, R1W, Section 26 NW ¼.

**Zoning:** RR, Rural Residential District.

**Applicant:** Craig S. Norman  
222 NW 11<sup>th</sup> Ave  
Portland, OR 97209

**Property Owner:** Lynn Nakamoto/Jocelyn White  
1017 SE 32<sup>nd</sup>  
Portland, OR 97214

_____	Notices
17	Decision Notices
mailed on	8-22-97
by	<i>JC</i>

**NOTE:** Any questions related to this case should be directed to Phil Bourquin, Staff Planner. Be advised, If you wish to come into the office to discuss this case or to finalize any condition of approval please call at least 24 hrs ahead, as an "Appointment is Required".

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### PLANNING DIRECTOR DECISION:

APPROVE, subject to conditions, a Hillside Development Permit for the purposes of establishing a single family dwelling and driveway.

General Location Map  
10007 N.W. Thompson Road  
Hillside Development Permit HDP 11-97



0.2 0 0.2 0.4 Miles

A horizontal scale bar with alternating black and white segments, corresponding to the 0.2, 0, 0.2, and 0.4 mile markings.

8. Prior to occupancy of the dwelling a final inspection by the County is required. The applicant shall notify the Planning Division at least 48 hours prior to the inspection. Occupancy shall not take place until all conditions noted in this approval have been satisfied.
9. This approval is based on the submitted material. Compliance with the applicants submittal is required, except as modified in the above conditions.

#### **FINDINGS:**

- A. **Applicant's proposal:** The applicant is requesting approval of a Hillside Development Permit for the purpose of constructing a single family residence and driveway. A Hillside Development Permit is required because the parcel is located within an identified slope hazard area.
- B. **Site Characteristics:** The lot is approximately 25, 158 square feet and located near the west boundary line of Multnomah County and the east boundary line of Washington County. The site is just west of the Forest Heights development. The property is part of a four lot development. The lot has frontage along N.W. Thomson Road. The lot is located within an area identified as a "Slope Hazard Area" however the topography of the site does not appear to be in the 25% slope range.

C. **Applicable County Code and Comprehensive Plan Policies:**

1. **Rural Residential (RR):**

- a. **MCC 11.15.2208 - Primary Uses:** (C) Residential use consisting of a single family dwelling constructed on a lot.

**Staff:** The applicant is proposing to construct a single family residence on a lot created through the Multnomah County Land Division Process.

b. **MCC 11.15.2218 - Dimensional Requirements:**

(1) **.2218 (C): Minimum Yard Dimensions - Feet**

Front	Side	Street Side	Rear
30	10	30	30

**Staff:** The applicant is proposing to place the dwelling in compliance with the front, side, and rear yard dimensional requirements.

- (2) **MCC 11.15.2228 - Access:** Any lot in this district shall abut a street, or shall have other access determined by the Hearings Officer to be safe and convenient for pedestrians and emergency vehicles.

**Staff:** The subject property abuts Thompson Road.

**2. Hillside Development and Erosion Control:**

- a. **MCC 11.15. 6720 - Application Information Required:** An application for development subject to the requirements of this subdistrict shall include the following:

(A) A map showing the property line locations, roads and driveways, existing structures, trees with 8-inch or greater caliper or an outline of wooded areas, watercourses and include the location of the proposed development(s) and trees proposed for removal.

**Finding:** The information need has been included in the site plan. There are no existing waterways on the property.

(B) An estimate of depths and the extent and location of all proposed cuts and fills.

**Finding:** The applicant has submitted a driveway cross-sections sheet prepared by Harper Righellis (HR), Inc. Engineers. The sheet includes a table of volumes and areas and determines the cumulative volume of earthwork to be done within the driveway to be 488 cubic yards. No other grading or filling will occur outside that which is covered under a building permit.

(C) The location of planned and existing sanitary drainfields and drywells.

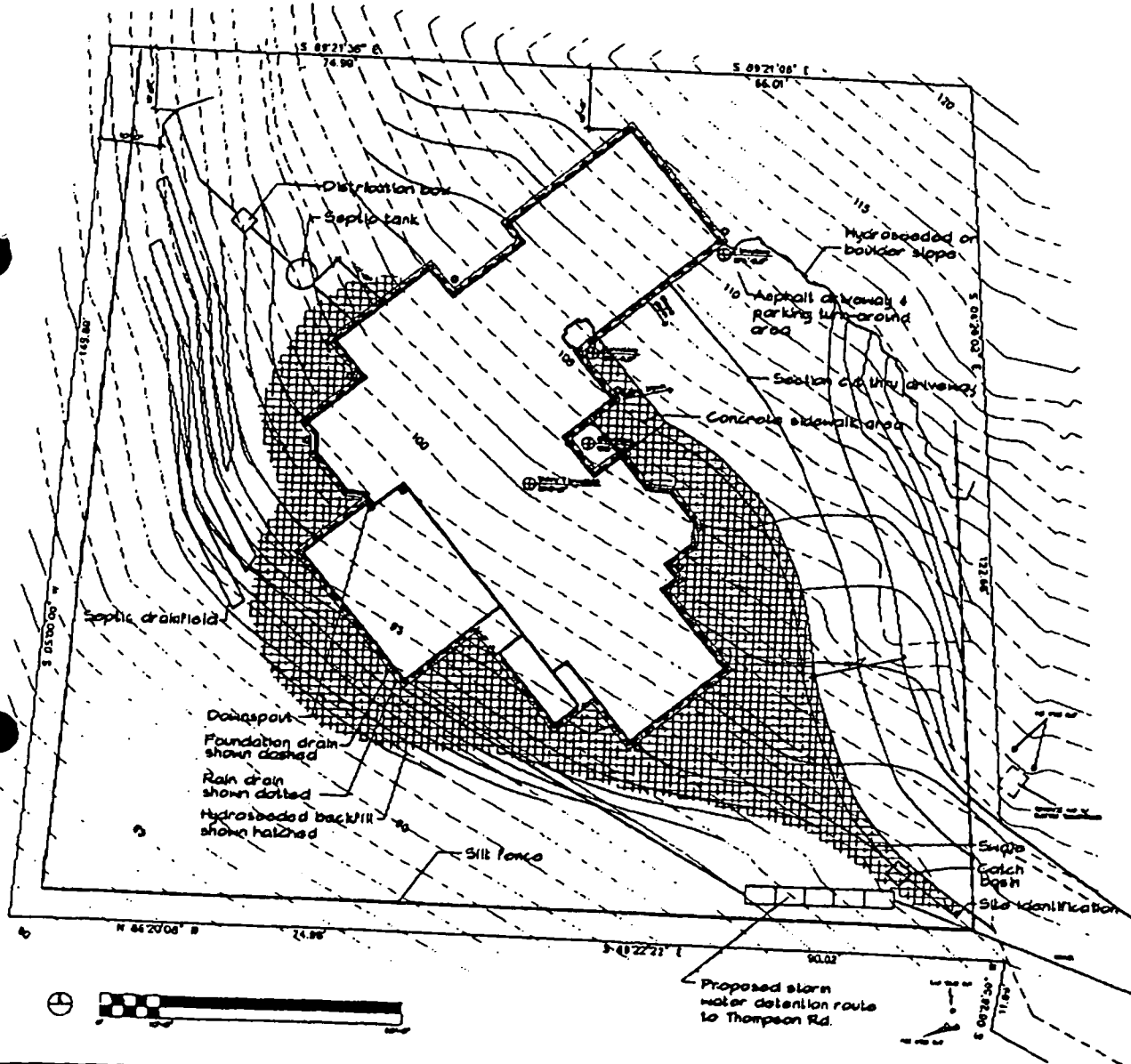
**Finding :** The applicants site plan as revised and illustrated on the HR driveway cross sections map clearly illustrates the location of the proposed drainfield and stormwater detention system.

(D) Narrative, map or plan information necessary to demonstrate compliance with MCC .6730 (A). The application shall provide applicable supplemental reports, certifications, or plans relative to: engineering, soil characteristics, stormwater drainage, stream protection, erosion control, and/or replanting.

**Applicant:** Please see the Septic System Layout and Drainage Analysis and Calculations from Harper Righellis, inc. dated August 1, 1997.

- b. **MCC 11.15.6725 - Hillside Development Permit process and Standards:**

(A) A Hillside Development permit may be approved by the Director only after the applicant provides:



**GENERAL PROJECT NOTES**  
 Parking system, roads, and utility systems to be designed / noted

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 200 S.W. 10th Ave.  
 Portland, OR 97204  
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**Nakamoto / White Residence**  
 100 W. 1st St., 2nd Fl., Rm. 101  
 Multnomah County, Oregon

**Site Plan**  
 A.1  
 For Permit

## CONDITIONS OF APPROVAL:

1. The site shall be maintained and cleared of construction debris, waste, and solid waste material during and after placement of the dwelling.
2. Prior to sign off of a building permit, the applicant shall submit a statement certified by a State of Oregon Registered Professional Engineer stating the proposed 2:1 slopes along the driveway are safe.
3. A silt fence (or a silt fence combined with the use of hay bales) is required along all areas down slope from the project site (south of the dwelling site). The silt fence will be required to be in place prior to any earth movement (includes digging footings) and shall remain in place through completion and replanting of trees and vegetation.
4. The applicant shall be responsible for compliance with all requirements related to the Multnomah County Right-of-Way, contact Alan Young, (503)248-5050.
5. Prior to occupancy of the dwelling, the applicant shall submit a letter prepared and certified by A. O. Righellis, Patrick B. Kelly, P.E., or other State Of Oregon Registered Professional Engineer indicating the grading and drainage methods approved have been completed as recommended and presented in the submitted Geotechnical Reconnaissance and Stability Preliminary Study, formal study (March 12, 1997), drainage calculations report (received Aug. 1, 1997), and Driveway Cross Sections sheet.
6. Reseeding/Replanting of all disturbed areas outside the footprint of the dwelling shall occur by no later than September 15, 1997 and shall be established (as determined by Multnomah County) prior to October 15, 1997. This will assure plant growth and soil stability prior to fall and winter rains. Best Management Practices will be required through all phases of construction. If it is determined replanting of the cleared areas has not or cannot be satisfactorily established by October 15, 1997, the applicant shall have 10 days to prepare and submit a mitigation plan along with a \$150 application fee for modification of this decision.
7. Inspection and Enforcement. The conditions of this approval 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 measures are completed. Appropriate measures could include submittal of a new application, bonding, or the contracting of an Engineer by the County to oversee the project, at the applicants expense.

PB  
11/26/97

- (1) Additional topographical information showing that the proposed development to be on land with average slopes less than 25 percent, and located more than 200 feet from a known landslide, and that no cuts or fills in excess of 6 feet in depth are planned. High groundwater conditions shall be assumed unless documentation is available, demonstrating otherwise; or
- (2) A geological report prepared by a Certified Engineering Geologist or Geotechnical Engineer certifying that the site is suitable for the proposed development; or,
- (3) An HDP Form -1 completed, signed and certified by a Certified Engineering Geologist or Geotechnical Engineer with his/her stamp and signature affixed indicating that the site is suitable for the proposed development.
  - (a) If the HDP form -1 indicates a need for further investigation, or if the Director requires further study based upon information contained in the HDP Form-1, a geotechnical report as specified by the Director shall be prepared and submitted.

c. **MCC 11.15.6730 - Grading and Erosion Control Permit Standards:**

- (1) **MCC .6730 (A)(1)(a)- Grading Standards:** 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;

**Applicant:** All fill will be spread in maximum 9-inch loose lifts for compaction by self propelled or tractor-towed compactors and maximum 6-inch loose lifts for light, manually guided compactors. Each lift will be thoroughly compacted as follows:

Application	ASTM D698 Minimum Relative Compaction
Beneath Foundation	97%
Beneath Floor Slabs	97%
Beneath Sidewalks and Pavements	
Baserock for pavement slabs	95%
Subgrade for pavement and slabs	95%
Within 3 ft. of grade	92%
Below 3 ft of grade	90%
Retaining or basement wall backfill	92%
Interior footing backfill	92%
Utility trench backfill	
Upper 3 ft. beneath pavements, slabs or structures	92%

Below 3 ft. beneath pavements, slabs or structures	90%
In landscaped areas above pipe zone	85%
Random site or landscape fill	85%

Prior to compacting each lift, the fill will be properly moisture conditioned by the uniform addition of water or by drying, as required to achieve a moisture content which is within + or - 2% of the optimum moisture content as determined by ASTM D698 (AASHTO T99). All fill surfaces will be firm and deflect only slightly beneath rubber-tired construction equipment. Fills which rut, pump or weave will be considered to possess excess moisture and will be removed and replaced with fill material of proper moisture content or moisture-conditioned as specified.

- (2) **MCC .6730 (A)(1)(b): Cut and fill slopes shall not be greater than 3:1 unless a geological and/or engineering analysis certifies that steep slopes are safe and erosion control measures are specified;**

**Applicant:** Based on the typical soils for this area 2:1 cut slopes are proposed. The slopes are proposed to be hydroseeded following excavation and permanently landscaped. Typical highway slopes in the area of Multnomah County and the Forest Heights development exceed 2:1 slopes. The area drain at the end of the driveway will contain a sump to settle out any depress which may runoff. The home plans when submitted to the City of Portland will follow City of Portland Standards for erosion control. [Harper Righellis Aug. 1, 1997]

**Staff:** The example of cut slopes in the Forest Heights subdivision were not regulated by Chapter 9 of the Multnomah County Code as it lies within the City of Portland and not subject to County regulations. The implied argument however, that 2:1 slopes are feasible is accepted by Staff and is consistent with the intent of this criteria.

In order to ensure compliance with this criteria, a condition of approval will require prior to sign off of a building permit, the applicant shall submit a statement certified by a State of Oregon Registered Professional Engineer stating the proposed 2:1 slopes along the driveway are safe.

- (3) **MCC .6730 (A)(1)(c): Cuts and fills shall not endanger or disturb adjoining property;**

**Applicant:** The site plan has been revised to delete the on-site storm water drainage system. This system will be replaced with a detention pipe system designed to carry stormwater off-site to the existing Thompson Road drainage system. Please refer to the attached drawings and calculations as prepared by Harper Righellis, Inc., dated June 24, 1997.



**Staff:** Staff concurs. However the calculations of Harper Righellis were modified and resubmitted on Aug. 1, 1997. Staff accepts the applicants statement but relies on the Aug. 1, 1997 calculations.

- (4) **MCC .6730 (A)(1)(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;

**Applicant:** Please see attached calculations as prepared by Harper Righellis, inc. dated June 24, 1997.

**Staff:** The Harper Righellis Drainage Calculations report of June 24, 1997 was revised and resubmitted August 1, 1997 to reflect the ODOT zone 8 rainfall chart instead of the Fanno Creek study area. An orifice connected to the stormpipe will be constructed to release the 10-year storm event.

A condition of approval will require compliance with the recommendations quoted above. This will assure compliance with this criteria.

- (5) **MCC .6730 (1)(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.

**Applicant:** There are no natural water courses on the site. As stated previously, the storm water drainage system has been designed to carry runoff off-site, per attached drawings and calculations.

- (6) **MCC .6730 (2)(a):** On sites within the Tualatin River Drainage Basin, erosion and stormwater control plans shall satisfy the requirements of OAR 340. Erosion and stormwater control plans shall be designed to perform as prescribed by the "*Erosion Control Plans Technical Guidance handbook*" and the "*Surface Water Quality Facilities Technical Guidance Handbook*". Land -disturbing activities within the Tualatin Basin shall provide a 100-foot undisturbed buffer from the top of bank of stream, or the ordinary high water mark (line of vegetation) of a water body, or with 100-feet of a wetland; unless a mitigation plan consistent with OAR 340 is approved for alterations within the buffer area.

**Staff:** The subject parcel is not located within the Tualatin River Drainage Basin.

- (7) **MCC .6730 (2)(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 practicable area at any one time during construction.**

**Applicant:** Stripping of vegetation, which consists of grass only, will be limited to the footprint of the building. The site will be hydroseeded immediately following backfill. This work is intended to be complete in the fall of 1997.

**Staff:** A condition of approval will require all grading to be completed and disturbed areas replanted no later than October 15, 1997. Conditions will ensure compliance.

- (8) MCC .6730 (2)(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.**

**Applicant:** Please refer to the site plan, site section and drainage calculations attached. The house has been sited so as to conform to the existing topography and the floor elevations have been established so as to minimize cutting and filling.

- (9) MCC .6730 (2)(d): Temporary vegetation/and or mulching may be required if protection is required on exposed critical areas during development. (see MCC .6730 (2)(e), below)**

**Applicant:** Any area of the site which is disturbed by the excavation and re-grading processes will be hydroseeded immediately after backfilling so as to stabilize the soil.

- (10) MCC .6730 (2)(e): Whenever feasible, natural vegetation shall be retained, protected, and supplemented.**

- (i) A 100-foot undisturbed buffer of natural vegetation shall be retained from the top of the bank stream, or from the ordinary high watermark (line of vegetation) of a water body, or within 100-feet of a wetland;**
- (ii) The buffer requirement in (i.) may only be disturbed upon the approval of a mitigation plan which utilizes erosion and stormwater control features designed to perform as effectively as those prescribed in the "*Erosion Control Plans Technical Guidance Handbook*" and the "*Surface Water Quality Facilities Technical Guidance Handbook*" and which is consistent with attaining equivalent surface water quality standards as those established for Tualatin River Drainage Basin in OAR 340;**

**Staff:** The parcel and proposed development is not located within 100 feet of a stream. Reseeding will be required to be in place by September 15, 1997, and growing prior to the rainy season (October 15, 1997).

**(11)MCC .6730 (2)(f):** Permanent plantings and any required structural erosion control and drainage measures shall be installed as soon as practical.

**Applicant:** Silt fencing locations have been shown of the attached site plan. Silt fencing will be placed prior to excavation and removed twelve months after completion of construction.

**Staff:** All replanting will be required to be established (growing and taking to the land) prior to October 15, 1997 or a mitigation plan approved. Staff could find no silt fencing on the submitted plans. Conditions placed on approval will ensure compliance with this criteria.

**(12)MCC .6730 (2)(g):** Provisions shall be made to effectively accommodate increased runoff caused by altered soil and surface conditions during and after development.

**Applicant:** Revised site plan, site section drainage calculations and detention pipe system design as attached should address the above concern. (July 9, 1997 applicant submittal)

**Staff:** The applicant has submitted pre and post development Stormwater Detention Calculations prepared for the property by A.O. Righellis, a Registered Professional Engineer (August 1, 1997). The data used to calculate rainfall runoff is based on Oregon Department of Transportation Hydroautics charts and graphs using the rational method.

**(13)MCC .6730 (2)(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.

**Applicant:** Please refer to Drainage Analysis and Calculations by Harper Righellis, Inc..

**Staff:** Best Erosion Control Practices will be required through all phases of development.

**(14)MCC .6730 (2)(i):** Provisions shall be made to prevent surface water from damaging the sloping surfaces 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.**

**Staff:** The applicant is proposing no fill areas. As such, the criteria is inapplicable.

**(15)MCC .6730 (2)(j):** All drainage provisions shall be designed to adequately carry existing and potential surface runoff to suitable drainageways such as storm drains or natural watercourses.

**Staff:** As described above, the applicants engineer has determined the detention needs for the parcel based on the development proposed, and developed a system to handle the increased surface water.

**(16)MCC .6730 (2)(k):** Where drainage swales are used to divert surface waters, they shall be vegetated or protected as required to minimize potential erosion.

**Applicant:** Please refer to Drainage Analysis and Calculations by Harper Righellis, Inc. The revised stormwater detention system is designed to carry runoff to the existing roadside drainage system. Therefore, this requirement no longer applies.

**Staff:** A drainage is proposed and the Engineers Report states, "The swale shall be vegetated to minimize potential erosion". The swale will be required to be vegetated.

**(17)MCC .6730 (2)(l):** Erosion and sediment control devices shall be required where necessary to prevent polluting discharge from occurring. Control devices and measures which may be required to include, but are not limited to:

- (i) Energy absorbing devices to reduce runoff 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.**

**Applicant:** The aforementioned silt fence will be constructed of manufactured plastic mesh. The fence will be 3-feet tall and will be dug into the soil to a depth of 6-inches.

**Staff:** As provided under this section, staff is requiring the applicant to establish erosion control devices as identified through this report.

**(18)MCC .6730 (2)(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;

**Applicant:** Disturbed soil will be covered with plastic until used as backfill. The disturbed soil will not be in close proximity to a drainageway.

**(19)MCC .6730 (2)(n):** Such non-erosion pollution associated with construction such as pesticides, fertilizers, petrochemicals, solid wastes, construction chemicals, or wastewater's shall be prevented from leaving the construction site through proper handling, disposal, continuous site monitoring and clean-up activities.

**Applicant:** No pesticides or fertilizers will be used in the construction of the residence. Portable toilets will be used by construction crews, therefore there will be no solid waste disposed of on-site. All construction materials will be non-toxic. Nothing will leave the site via runoff.

**(20)MCC .6730 (2)(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 of the same year the development was begun; 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.

**Staff:** Not applicable to this site. The subject property is not located within the Balch Creek Drainage Basin.

c. **MCC .6730 (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 original or equal condition.

d. **MCC .6730 (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 it is not completed by the contractor. The bond shall be released upon determination that 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 conditions are completed.

**Applicant:** We will comply to all county and city standards for grading and erosion control. We will work with all inspectors or county staff to insure that all standards are met.

e. **MCC .6730 (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.

**Applicant:** We will obtain final erosion control approval before obtaining a certificate of Occupancy.

**Staff:** Final approval of grading and erosion control is required by Multnomah County prior to occupancy. Final approval will not be issued unless a statement is submitted by a Certified Engineer that all drainage and erosion control issues have been satisfactorily handled on site in the methods described in this report and applicants Engineering submittals.

3. **Comprehensive Framework Plan Policies:**

a. **Policy No. 13, Air, Water and Noise Quality:**

**Multnomah County, ... Supports efforts to improve air and water quality and to reduce noise levels. ... Furthermore, it is the County's policy to require, prior to approval of a legislative or quasi-judicial action, a statement from the appropriate agency that all standards can be met with respect to Air Quality, Water Quality, and Noise Levels.**

**Staff:** No significant impact on air pollution will result from the placement of a single-family manufactured home. Water provided to the site will be required to be in concert with D.E.Q. and State Water Resource requirements.

b. **Policy No. 22, Energy Conservation:**

**The County's policy is to promote the conservation of energy and to use energy resources in a more efficient manner. ... The County shall require a finding prior to approval of a legislative or quasi-judicial action that the following factors have been considered:**

- A. The development of energy-efficient land uses and practices;**
- B. Increased density and intensity of development in urban areas, especially in proximity to transit corridors and employment, commercial and recreation centers;**
- C. An energy-efficient transportation system linked with increased mass transit, pedestrian and bicycle facilities;**
- D. Street layouts, lotting patterns and designs that utilize natural environmental and climactic conditions to advantage.**
- E. Finally, the County will allow greater flexibility in the development and use of renewable energy resources.**

**Staff:** The proposal satisfies subpart "A" of this policy because the dwelling will meet current energy conservation standards of the Uniform Building Code. Subparts "B", "C" and "D" of this policy are not applicable because the site is not in an urban area. Approval of the applicants proposal will not adversely impact the ability of the owner of the parcel to take advantage of subpart "E". The proposal satisfies Policy 22.

c. **Policy No. 37, Utilities:**

**The County's policy is to require a finding prior to approval of a legislative hearing or quasi-judicial action that:**

**WATER DISPOSAL SYSTEM:**

- A. The proposed use can be connected to a public sewer and water system, both of which have adequate capacity; or**
- B. The proposed use can be connected to a public water system, and the Oregon Department of Environmental Quality (DEQ) will approve a subsurface sewage disposal system on the site; or**
- C. There is an adequate private water system, and the Oregon Department of Environmental Quality (DEQ) will approve a subsurface sewage disposal system; or**
- D. There is an adequate private water system, and a public sewer with adequate capacity.**

**Staff:** The applicant has submitted Service Provider forms indicating the site is suitable for a standard on site sewage disposal system and water is available from the Tualatin Valley Water District from a 2' line located at Thompson Road.

**DRAINAGE:**

- E. There is adequate capacity in the storm water system to handle the increased run-off; or**
- F. The water run-off can be handled on the site or adequate provisions can be made; and**
- G. The run-off from the site will not adversely affect the water quality in adjacent streams, ponds, lakes or alter the drainage on adjacent lands.**

**Finding:** The applicant has applied for and demonstrated compliance with the Hillside Development Permit Requirements through this report. Consistency with this policy will be ensured through conditions placed on approval.

**ENERGY AND COMMUNICATIONS:**

- H. There is an adequate energy supply to handle levels projected by the plan; and**



**I. Communications facilities are available.**

**Finding:** Public utilities are feasible based on the proximity of utility lines, easements and dwelling located in the area. Also building code requirements will ensure necessary power and heating resources are in place.

**d. Policy No. 38, Facilities:**

**The County's Policy is to require a finding prior to approval of a legislative or quasi-judicial action that:**

- A. The appropriate School District has had an opportunity to review and comment on the proposal.**
- B. There is adequate water pressure and flow for fire fighting purposes; and**
- C. The appropriate fire district has had an opportunity to review and comment on the proposal.**
- D. The proposal can receive adequate local police protection with the standards of the jurisdiction providing police protection.**

**Staff:** The applicant has submitted a letter from the Tualatin Valley Fire and Rescue services the site and has conditionally approved the access road. The applicant has submitted service provider forms from the Beaverton School District indicating "no impact". The Multnomah County Sheriff's Office has indicated the level of police service to serve the proposal is Adequate.

**e. Policy No. 40, Development Requirements:**

**The County's policy is to encourage a connected park and recreation system and to provide for small private recreation areas by requiring a finding prior to approval of legislative or quasi-judicial action that:**

- A. Pedestrian and bicycle path connections to parks, recreation areas and community facilities will be dedicated where appropriate and where designated in the bicycle corridor capital improvements program and map.**
- B. Landscaped areas with benches will be provided in commercial, industrial and multiple family developments, where appropriate.**

- C. **Areas for bicycle parking facilities will be required in development proposals, where appropriate.**

**Staff:** There are no pedestrian or bicycle path connections to parks, recreation areas or community facilities plans for the site or in the vicinity.

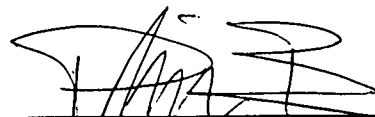
**CONCLUSIONS- Hillside Development Permit:**

- A. The applicant has carried the burden necessary for granting Hillside Development Permit for the purposes of constructing a single family residence.
- B. Conditions of approval are necessary to insure compliance with applicable Code provisions. The proposal as conditioned, satisfies the HDP approval criteria as detailed in the findings section above.

**CONCLUSIONS- Minor Variance**

- A. The applicant has carried the burden necessary for granting a Minor Variance to the 30-foot rear yard requirement.
- B. Conditions of approval are necessary to insure compliance with applicable Code provisions.

**NOTICE:** This decision was made May 6, 1997 in the manner required by ORS 197.763. Opportunity to appeal this decision and have the application considered at a public hearing will be provided until the close of business on May 16, 1997.



By: Phil Bourquin, Planner  
For: Kathy Busse, Planning Director  
Department of Environmental  
Services

**NOTICE:**