

## NOTICE OF DECISION

**Case File:** T2-2019-11363

**Permit:** Geologic Hazards and Significant Environmental Concern Permits

**Applicant:** Brennan J. Stewart      **Owner:** Brennan J. Stewart

**Location:** 13200 NW Old Germantown Road  
Tax Lot 2700, Section 09D, Township 1 North, Range 1 West, W.M.  
Tax Account: R313902110      Property ID: R168769

**Zoning:** Rural Residential

**Overlays:** Significant Environmental Concern for Wildlife Habitat, Geologic Hazards

**Proposal Summary:** Request approval to build a new detached single story, 40 by 30 ft. garage with no plumbing in the Rural Residential Zone and in the Significant Environmental Concern for Wildlife Habitat and the Geologic Hazards Overlay Zones.


**Decision:** Approved with Conditions

**This decision is final and effective at the close of the appeal period, unless appealed. The deadline for filing an appeal is Wednesday, January 29, 2020 at 4:00 pm.**

**Opportunity to Review the Record:** The complete case file, including the Planning Director Decision containing Findings, Conclusions, Conditions of Approval, and all evidence associated with this application is available for review at the Land Use Planning office. Copies of all documents are available at the rate of \$0.30/per page. For further information, George Plummer, Planner at (503) 988-0202 (8 am to 4 pm Tuesday through Friday) or [george.a.plummer@multco.us](mailto:george.a.plummer@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 1600 SE 190<sup>th</sup> Avenue (Phone: 503-988-3043). This decision is not appealable to the Land Use Board of Appeals until all local appeals are exhausted.

**Issued By:**



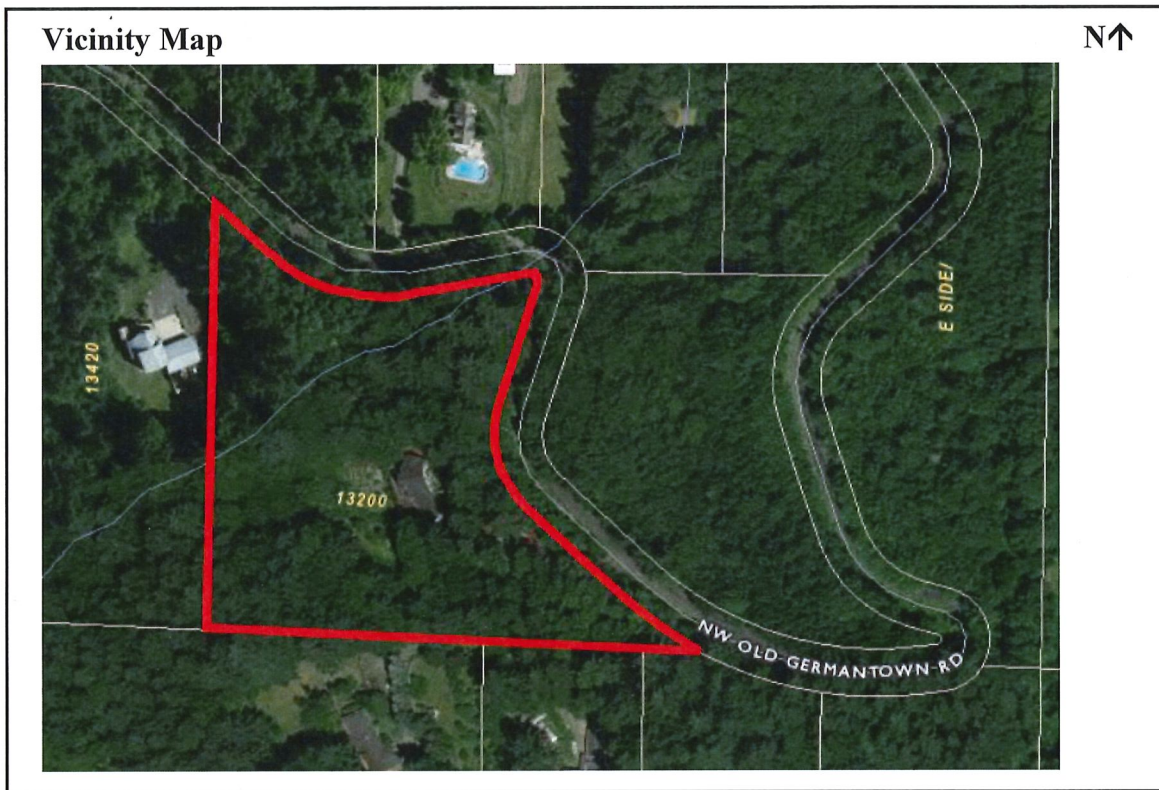
George A. Plummer, Planner II

**For:**

Carol Johnson, AICP  
Planning Director

**Date:**

Wednesday, January 15, 2020



For this application to be approved, the proposal will need to meet the applicable approval criteria below:

**Applicable Approval Criteria:** Multnomah County Code (MCC): Multnomah County Code (MCC): MCC 39.4350 - .4395, Rural Residential (RR); MCC 39.5070 - .5090, Geologic Hazards (GH); and MCC 39.5500 - .5545, Significant Environmental Concern (SEC); and MCC 39.5850-.5860, Significant Environmental Concern for Wildlife Habitat.

Copies of the referenced Multnomah County Code sections can be obtained by contacting our office or by visiting our website at [multco.us/landuse/zoning-codes](http://multco.us/landuse/zoning-codes) under the link Chapter 39.

### **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.

1. 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.
2. This land use permit expires two years from the date the decision is final pursuant to MCC 39.1185(B) as applicable, "when construction has not commenced within two years of the date of the final decision. Commencement of construction shall mean actual construction of the foundation or frame of the approved structure.

**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.

3. The property owner shall ensure that the nearest part of the garage building, including the foundation, wall and eaves are at least a minimum of 10 feet from the southern side yard lot line. [MCC 39.2000(Y) Yard (Side)]
4. Prior to County Land Use Planning zoning sign-off for the building permit for the garage, accessory building, the property owner shall record a covenant (Exhibit B.4) with County Records that states that the owner understands and agrees that the building cannot be occupied as a dwelling or for any other form of permanent or temporary residential use. [MCC 39.8860]
5. The following nuisance plants shall not be planted on the subject property and shall be removed and kept removed from cleared areas of the subject property. [MCC 33.4570(B)(7)]

Scientific Name	Common Name
<i>Chelidonium majus</i>	Lesser celandine
<i>Cirsium arvense</i>	Canada Thistle
<i>Cirsium vulgare</i>	Common Thistle
<i>Clematis ligusticifolia</i>	Western Clematis
<i>Clematis vitalba</i>	Traveler's Joy
<i>Conium maculatum</i>	Poison hemlock
<i>Convolvulus arvensis</i>	Field Morning-glory
<i>Convolvulus nyctagineus</i>	Night-blooming Morning-glory
<i>Convolvulus seppium</i>	Lady's nightcap
<i>Cortaderia selloana</i>	Pampas grass
<i>Crataegus sp. except C. douglasii</i>	hawthorn, except native species
<i>Cytisus scoparius</i>	Scotch broom
<i>Daucus carota</i>	Queen Ann's Lace
<i>Elodea densa</i>	South American Water-weed
<i>Equisetum arvense</i>	Common Horsetail

Scientific Name	Common Name
<i>Equisetum telmateia</i>	Giant Horsetail
<i>Erodium cicutarium</i>	Crane's Bill
<i>Geranium robertianum</i>	Robert Geranium
<i>Hedera helix</i>	English Ivy
<i>Hypericum perforatum</i>	St. John's Wort
<i>Ilex aquafolium</i>	English Holly
<i>Laburnum watereri</i>	Golden Chain Tree
<i>Lemna minor</i>	Duckweed, Water Lentil
<i>Loentodon autumnalis</i>	Fall Dandelion
<i>Lythrum salicaria</i>	Purple Loosestrife
<i>Myriophyllum spicatum</i>	Eurasian Watermilfoil
<i>Phalaris arundinacea</i>	Reed Canary grass
<i>Poa annua</i>	Annual Bluegrass
<i>Polygonum coccineum</i>	Swamp Smartweed
<i>Polygonum convolvulus</i>	Climbing Binaweed

Scientific Name	Common Name
<i>Polygonum sachalinense</i>	Giant Knotweed
<i>Prunus laurocerasus</i>	English, Portugese Laurel
<i>Rhus diversiloba</i>	Poison Oak
<i>Rubus discolor</i>	Himalayan Blackberry
<i>Rubus laciniatus</i>	Evergreen Blackberry
<i>Senecio jacobaea</i>	Tansy Ragwort
<i>Solanum dulcamara</i>	Blue Bindweed
<i>Solanum nigrum</i>	Garden Nightshade
<i>Solanum sarrachoides</i>	Hairy Nightshade
<i>Taraxacum officinale</i>	Common Dandelion
<i>Utricularia vulgaris</i>	Common Bladderwort
<i>Urtica dioica</i>	Stinging Nettle
<i>Vinca major</i>	Periwinkle (large leaf)
<i>Vinca minor</i>	Periwinkle (small leaf)
<i>Xanthium spinosum</i>	Spiny Cocklebur
<i>various genera</i>	Bamboo sp.

6. The property owner shall ensure observation of work of the earth work and installation of the storm water system by Randall Goode PE, Principal Geotechnical Engineer or another Certified Engineering Geologist or Geotechnical Engineer at the property owner's expense. The geologist's or engineer's name shall be submitted to the County Land Use Planning Office prior to issuance of zoning sign-off for the Building Permit. The property owner shall ensure the designated Certified Engineering Geologist or Geotechnical Engineer submit a certification



that the proposed garage was built according to recommendation of the geotechnical report and submitted plans. [MCC 39.5085 (C)]

7. The property owner shall ensure that prior to soil disturbance on-site for the project, silt fencing will be installed properly and tucked in down slope within 15 feet of the edge of any soil disturbance areas. The property owner shall ensure all disturbed soil will to be covered with straw mulch or erosion control hydro-spray munch. The property owner shall ensure Silt fencing is maintained in working order and all disturbed soil areas shall be mulched until the disturbed area is stabilized with either vegetation or gravel. All disturbed soil shall be seeded within a week of completion of the soil disturbing activities unless that is between November 1<sup>st</sup> and March 31<sup>st</sup> in which case it shall be all seed by April 1<sup>st</sup>. [MCC 39.5090 (G), (H), (J), (L), (M), (N), (O), and (P)]
8. The property owner shall ensure that only the areas necessary to build the garage as shown on the plans (Exhibit A.27 and A.28) be disturbed. Construction equipment shall not be allowed to operate in other areas other than for loading and unloading as close to the site as possible. [MCC 39.5090(K)]
9. The property owner shall ensure that the storm water drainage system to be installed meets the approved specification as shown on the submitted plans. [MCC 39.5090(P)]
10. The property owner shall ensure erosion and sediment control measures will be utilized such that no visible or measurable erosion or sediment shall exit the site, enter the public right-of-way or be deposited into any water body or storm drainage system. [MCC 39.5090(R)]
11. The property owner shall ensure spoil material or stockpiled topsoil will be prevented from eroding into water bodies by applying mulch or other protective covering and removing spoils from the site. [MCC 39.5090 (S)]
12. The property owner shall ensure non-erosion pollution associated with construction such as pesticides, fertilizers, petrochemicals, solid wastes, construction chemicals, or wastewaters will be prevented from leaving the construction site through proper handling, disposal, continuous site monitoring and clean-up activities. [MCC 39.5090(T)]
13. The property owner shall ensure the total daily number of fill haul truck trips will not cause a transportation impact (as defined in the Multnomah County Road Rules) to the transportation system or fill haul truck travel routes, unless mitigated as approved by the County Transportation Division. Fill trucks shall be constructed, loaded, covered, or otherwise managed to prevent any of their load from dropping, sifting, leaking, or otherwise escaping from the vehicle. No fill shall be tracked or discharged in any manner onto any public right-of-way. No compensation, monetary or otherwise, shall be received by the property owner for the receipt or placement of fill. [MCC 39.5090(W), (X) and (Y)]
14. MCC 39.6850(C) The following standards apply to all new exterior lighting exterior lighting for the new garage:
  - (1) The light source (bulbs, lamps, etc.) must be fully shielded with opaque materials and directed downwards. "Fully shielded" means no light is emitted above the horizontal plane

located at the lowest point of the fixture's shielding. Shielding must be permanently attached.

- (2) The lighting must be contained within the boundaries of the Lot of Record on which it is located. To satisfy this standard, shielding in addition to the shielding required in paragraph (C)(1) of this section may be required. [MCC 39.4375(H) and MCC 39.6850(C)]

**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.**

## **NOTE:**

Once this decision is final, application for building permits may be made with the City of Portland. When ready to have building permits signed off by land use planning, the applicant shall complete the following steps:

1. Read your land use decision, the conditions of approval and modify your plans, if necessary, to meet any condition that states, "Prior to land use sign-off for building plan check..." Be ready to demonstrate compliance with the conditions.
2. Contact Right-of-Way Permits at [row.permits@multco.us](mailto:row.permits@multco.us), or schedule an appointment at <https://multco.us/transportation-planning/webform/right-way-appointment-request/>, or at 503-988-3582 **for an appointment to review your plans, obtain your access permit, and satisfy any other requirements. Failure to make an appointment with County Right-of-Way will result in delaying your building plan review and obtaining building permits.**
3. Contact the City of Portland, Bureau of Development Services, On-Site Sanitation at 503-823-6892 or e-mail [septic@portlandoregon.gov](mailto:septic@portlandoregon.gov) for information on how to complete the Septic Permit process for the proposed development. All existing and/or proposed septic system components (including septic tank and drainfield) must be accurately shown on the site plan.
4. Contact George Plummer, Planner at (503) 988-0202 (8 am to 4 pm Tuesday through Friday) or [george.a.plummer@multco.us](mailto:george.a.plummer@multco.us) for an appointment for review of the conditions of approval and to sign the building permit plans. Land Use Planning must sign off on the plans and authorize the building permit before you can go to the Building Department. At the time of this review, Land Use Planning will collect additional fees.

The above must be completed before the applicant can obtain building permits from the City of Portland, Bureau of Development Services. Make appointment, bring five (5) sets of the building plans with a site plan on the front of each set, for County Land Use Planning zoning sign-off for the building permit, a fee will be collected. Show the erosion control measures on your site plan or include an erosion control plan. In addition, an erosion control inspection fee may be required.

## **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 PROJECT DESCRIPTION**

**Staff:** Request approval to build a new detached single story, 40 by 30 ft. garage with no plumbing in the Rural Residential Zone and in the Significant Environmental Concern for Wildlife Habitat and the Geologic Hazards Overlay Zones. The application includes a Type I Significant Environmental Concern for Wildlife Habitat Permit review and a Type II Geologic Hazards Permit review.

### **2 PROPERTY DESCRIPTION**

**Staff:** The subject property is 4.16 acre irregular shaped lot created as subdivision Lot 21 of Germantown Subdivision approved in 1891 along Old Germantown Road. The lot is a mostly forested residential property with a dwelling established in 1989 with a Building Permit for a

new single family dwelling issued August 12, 1988 (Exhibit B.3). The proposed recreational vehicle garage will be about 130 feet south of the existing dwelling.

### **3 COMMENTS RECEIVED**

#### **3.1. Comments Submitted by Mary Lourdes Young**

**Staff:** We received an email comment dated April 18, 2019 from Mary Lourdes Young, a neighbor across Old Germantown Road, addressing the proposed garage development (Exhibit C.1). Ms. Young is concerned about the wildlife habitat. For wildlife habitat review, there are certain standards that must be met for the new development for a Type I Development Permit approval. If the new development meets the standards it is a Type I review, with non-discretionary findings. The decision making process for a Type 1 application is described in MCC 39.1105 (A) as a development permit which does not include an appeal option. If the proposed development does not meet the standards under MCC 39.5520(B) then a Type II review is required. Under Section 6.2 of this decision are staff finding that demonstrate that the standards under MCC 39.5520(B) are met by the proposal thus the Type I Permit is approved. The review does not include a review of existing development.

Ms. Young states there is English ivy growing on the property. A condition of approval will require the ivy be removed from any cleared areas as required by the Zoning Code. Ms. Young also expressed concerns about a fence adjacent to the property's driveway gate. Only new development is subject to this review. Existing development is outside the scope of the review.

#### **3.2. Comments Submitted by Robert VanDerWerf**

**Staff:** We received a letter of comments dated April 22, 2019 from Robert VanDerWerf, an adjacent neighbor, addressing the proposed garage development (Exhibit C.2). His letter discusses the following issues:

- The minimum yard setbacks. Staff addresses the minimum yard setbacks in the findings under Subsection 4.4.1. of this decision.
- Mr. VanDerWerf points out that there has been a series of plans submitted, some of which change the proposed garage location. The applicant amended the plans providing additional information, redesigning the site work, redesigning the garage, and moving the storm water detention system. That has been addressed in staff findings of Section 7.
- Mr. VanDerWerf expressed concerns about the Geologic Hazards Report. Staff reviewed the Geologic Hazards Permit application according to the Zoning Code standards and provided findings those standard for the Geologic Hazards permit review in Section 7 of this decision.

We received an additional email dated June 19, 2019 from Mr. VanDerWerf concerned that his previous comments would not be taken seriously. Staff forwarded the previous comments to the applicant and asked him to have his geotechnical engineer consider the comments. Additionally the proposal has been amended to address items that Mr. VanDerWerf cited in his earlier comments, the proposed plans have been amended, the proposed storm water detention system has been moved, and the garage height has been reduced and several documents have been revised to better address the proposed development.

#### 4. RURAL RESIDENTIAL ZONE

##### 4.1. Rural Residential Uses

**MCC 39.4355:** No building, structure or land shall be used and no building or structure shall be hereafter erected, altered or enlarged in this base zone except for the uses listed in MCC 39.4360 through 39.4370 when found to comply with MCC 39.4375 through 39.4395 provided such uses occur on a Lot of Record.

**Staff:** The proposed garage use, an accessory building, is listed under MCC 39.4360(F) as an Allowed Use. Findings for applicable Rural Residential standards follow in the next sections of this decision. Lot of Record findings are in Section 5 of this decision. *This standard is met.*

##### 4.2. Allowed Uses

**MCC 39.4360:** The following uses and their accessory uses are allowed, subject to all applicable supplementary regulations contained in MCC Chapter 39.

**(F) Accessory Structures subject to the following:**

**(1) The Accessory Structure is customarily accessory or incidental to any use permitted or approved in this base zone and is a structure identified in the following list:**

**(a) Garages**

\* \* \*

**(2) The Accessory Structure shall not be designed or used, whether temporarily or permanently, as a primary dwelling, accessory dwelling unit, apartment, guesthouse, housing rental unit, sleeping quarters or any other residential use.**

\* \* \*

**(5) Compliance with MCC 39.8860 is required.**

**(6) ...the combined footprints of all Accessory Buildings on a Lot of Record, ..., shall not exceed 2,500 square feet.**

**Staff:** The proposal is to build a recreational vehicle garage. Garages are included on the list of types of buildings and structures that are customarily accessory or incidental to any use permitted or approved in this base zone. The proposed building is designed as a garage only. The proposed building will have a footprint of 1200 square feet. The property is a lot of record (Finding 5 of this decision). *These standards are met.*

##### 4.3. Condition of Approval --Accessory Structures

**MCC 39.8860:** Prior to issuance of any development permit involving an Accessory Building, the property owner shall record a covenant with County Records that states that the owner understands and agrees that the structure cannot be occupied as a dwelling or for any other form of permanent or temporary residential use.

**Staff:** A condition of approval requires the property owner record a covenant with County Records that states that the owner understands and agrees that the structure cannot be occupied as a dwelling or for any other form of permanent or temporary residential use (Exhibit B.4). *This standard is met by the property owner implementing the condition.*



#### 4.4. Dimensional Requirements and Development Standards

##### 4.4.1. Minimum Yards

###### MCC 39.4375(C): Minimum Yard Dimensions – Feet

Front	Side	Street Side	Rear
30	10	30	30

###### MCC 39.2000: Definitions

(L) **Lot Line (Rear)** – The line dividing one lot from another and on the opposite side of the lot from the front lot line; and in the case of an irregular or triangular shaped lot, a line ten feet in length within the lot, parallel to and at the maximum distance from the front lot line.

**Lot Line (Side)** – Any lot line not a front or rear lot line.

(Y) **Yard (Front)** – A yard extending across the full width of the lot, the depth of which is the minimum horizontal distance between the front lot line and a line parallel thereto on the lot.

**Yard (Rear)** – A yard extending across the full width of the lot between the most rear building other than an accessory building and the rear lot line. The depth of the required rear yard shall be measured horizontally from the nearest point of the rear lot line toward the nearest part of the building. Where there is no rear lot line, the depth of the rear yard shall be the distance from a ten foot line parallel to the front lot line, measured from one side line to the other.

**Yard (Side)** – A yard between any building and the side lot line, extending from the front yard to the rear yard, or front lot line to rear lot line where no front yard or rear yard is required. The width of the required side yard shall be measured horizontally from the nearest point of the side lot line to the nearest part of the building.

**Yard (Side)** – A yard between any building and the side lot line, extending from the front yard to the rear yard, or front lot line to rear lot line where no front yard or rear yard is required. The width of the required side yard shall be measured horizontally from the nearest point of the side lot line to the nearest part of the building.

**Staff:** The front line of the property winds along the edge of the curvy Old Germantown Road right-of-way forming an irregular shaped lot (Exhibit A.17). In the case of an irregular shaped lot the rear yard a line ten feet in length within the lot, parallel to and at the maximum distance from the front lot line, the southwestern corner of the lot. Thus the southern lot line is a side yard.

The proposed garage is about 90 feet from the front lot lines, more than 300 feet from the rear yard line, more than 300 feet from the west side yard line, and as shown on the site plan the proposed garage is 10 feet from the southern side yard line (Exhibit A.17). The site plans shows that all the minimum yard requirements are met. Given the site plan shows the garage at ten feet from the south property line and that the minimum yard is from any point on the building

including the eaves, a condition of approval will require that 10 foot minimum be met with certainty with the setback including the eaves. *This standard will be met through implementing the condition.*

#### **4.4.2. Maximum Structure Height**

**MCC 39.4375(C) Maximum Structure Height is 35 feet**

**MCC 39.2000 Definitions - Building Height**

**(A)(a) The vertical distance above a reference datum measured to the highest point of the coping of a flat roof or to the deck line of a mansard roof or to the average height of the highest gable of a pitched or hipped roof. The reference datum shall be selected by either of the following, whichever yields a greater height of building:**

- 1. The elevation of the highest adjoining sidewalk or ground surface within a 5-foot horizontal distance of the exterior wall of the building when such sidewalk or ground surface is not more than 10 feet above the lowest grade.**
- 2. An elevation 10 feet higher than the lowest grade when the sidewalk or ground surface described in Item (1) above is more than 10 feet above the lowest grade.**

**(b) The height of a stepped or terraced building is the maximum height of any segment of the building, or as amended by the State of Oregon Structural Specialty Code and Fire and Life Safety Regulations.**

**Staff:** The elevation plan shows the garage height at 18 feet above finished grade is well below the maximum building height of 35 feet as defined (Exhibit A.27). *This standard is met.*

#### **4.4.3. On-site sewage disposal, storm water/drainage control**

**MCC 39.4375(F)(1) 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.**

**(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:** The application submittal includes a Septic Review Certification (Exhibit A.31) with an attached site plan signed by the County/City Sanitarians certifying no impact on the existing septic system. The application submittal includes a Storm Water Certificate for new impervious surface that indicates “construction of an on-site storm water drainage system is required.” Randall Goode PE, of Strata Designed LLC stamped and signed the Certificate indicating, “I certify the attached stamped and signed site plan, stamped and signed storm water system design details, and stamped and signed calculations dated 9/24/19 will meet the requirements listed above,” referring to 10 year 24-hour storm event standard. *These standards are met.*

#### **4.4.4. Exterior Lighting**

**MCC 39.4375(H) All exterior lighting shall comply with MCC 39.6850.**

**Staff:** Findings for exterior lighting per MCC 39.6850 are under Section 8 of this decision.

## 5. LOT OF RECORD

### **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

**Staff:** The subject property was created as Lot 21 of the Germantown Subdivision approved the 8th day of July 1891 meeting MCC 39.3005(B)(b) create “by a subdivision plat under the applicable subdivision requirements in effect at the time.” Zoning laws were first adopted in 1958, thus the lots were created prior to zoning. *The lot met the land division laws and zoning did not apply. The property is a Lot-of-Record.*

## 6. SIGNIFICANT ENVIRONMENTAL CONCERN FOR WILDLIFE HABITAT

**Staff:** This section of the review for the Significant Environmental Concern for Habitat (SEC-h) is a Type I Review. It is a development permit not a land use decision because the standards are non-discretionary which is not appealable on the County level (no appeal to a Hearings Officer). The decision making process for a Type 1 application is described in MCC 39.1105 (A).

If the proposal meets the Type I non-discretionary standards, the proposal does not need the Type II discretionary review for the SEC-h portion of the required county permits. The findings below are confirming that the proposal meets the Type I non-discretionary standards under MCC 39.5860(B).

### 6.1. Application for SEC Permit

**MCC 39.5520** An application for an SEC permit for a use or for the change or alteration of an existing use on land designated SEC, shall address the applicable criteria for approval, under MCC 39.5540 through 39.5860.

- (A) An application for an SEC permit shall include the following:
- (1) A written description of the proposed development and how it complies with the applicable approval criteria of MCC 39.5540 through 39.5860.
  - (2) A map of the property showing:

- (a) Boundaries, dimensions, and size of the subject parcel;
- (b) Location and size of existing and proposed structures;
- (c) Contour lines and topographic features such as ravines or ridges;
- (d) Proposed fill, grading, site contouring or other landform changes;
- (e) Location and predominant species of existing vegetation on the parcel, areas where vegetation will be removed, and location and species of vegetation to be planted, including landscaped areas;
- (f) Location and width of existing and proposed roads, driveways, and service corridors.

**Staff:** The applicable criteria for the SEC-h Type I Review are those listed under MCC 39.5860(B). The application included the information necessary to determine whether the non-discretionary standards under MCC 39.5860(B) are met.

## **6.2. Development standards**

**Staff:** Following are findings confirming non-discretionary standards under MCC 39.5860(B) are met.

- 6.2.1. (1) Where a parcel contains any non-forested "cleared" areas, development shall only occur in these areas, except as necessary to provide access and to meet minimum clearance standards for fire safety.**

**Staff:** There is no cleared on the property except a small area behind the dwelling that is lawn and garden area as well as the septic system area. To provide driveway access for the garage and fire access there will need to be seven trees removed. This standard is met because there is no un-developed cleared area where there is access. *This standard is met.*

- (2) Development shall occur within 200 feet of a public road capable of providing reasonable practical access to the developable portion of the site.**

**Staff:** The proposed garage is entirely within 200 feet of the Old Germantown Road right-of-way which provides practical access to the developable portion of the site. *This standard is met.*

- (3) The access road/driveway and service corridor serving the development shall not exceed 500 feet in length.**

**Staff:** The driveway is less than 500 feet in length. *This standard is met.*

- (4) For the purpose of clustering access road/driveway approaches near one another, one of the following two standards shall be met:**

- (a) The access road/driveway approach onto a public road shall be located within 100 feet of a side property line if adjacent property on the same side of the road has an existing access road or driveway approach within 200 feet of that side property line; or
- (b) The access road/driveway approach onto a public road shall be located within 50 feet of either side of an existing access road/driveway on the opposite side of the road.

**Staff:** The adjacent property has a driveway within 200 feet of the side property line. The subject property access approach is about 85 feet from the side property line, meeting (a). *This standard is met.*

**(5) The development shall be within 300 feet of a side property line if adjacent property has structures and developed areas within 200 feet of that common side property line.**

**Staff:** The adjacent property has development within 200 feet of the side property line. The proposed development will entirely be within 300 feet of the side property line. *This standard is met.*

**(6) Fencing within a required setback from a public road shall meet the following criteria:**

- (a) Fences shall have a maximum height of 42 inches and a minimum 17 inch gap between the ground and the bottom of the fence.**
- (b) Wood and wire fences are permitted. The bottom strand of a wire fence shall be barbless. Fences may be electrified, except as prohibited by County Code.**
- (c) Cyclone, woven wire, and chain link fences are prohibited.**
- (d) Fences with a ratio of solids to voids greater than 2:1 are prohibited.**
- (e) Fencing standards do not apply in an area on the property bounded by a line along the public road serving the development, two lines each drawn perpendicular to the principal structure from a point 100 feet from the end of the structure on a line perpendicular to and meeting with the public road serving the development, and the front yard setback line parallel to the public road serving the development. (See Figure 4 below.)**
- (f) Fencing standards do not apply where needed for security of utility facilities.**

**Staff:** No new fencing is not proposed. *This standard is met.*

**(7) The nuisance plants in MCC 39.5580 Table 1 shall not be planted on the subject property and shall be removed and kept removed from cleared areas of the subject property.**

**Staff:** A condition will require that the nuisance plants in MCC 39.5580 Table 1 shall not be planted on the subject property and shall be removed and kept removed from cleared areas of the subject property. *This standard is met.*

## **7. GEOLOGIC HAZARDS**

### **7.1 Permit Required**

**MCC 39.5075 Unless exempt under this code or authorized pursuant to a Large Fill permit, no development, or ground disturbing activity shall occur: (1) on land located in hazard areas as identified on the Geologic Hazards Overlay map, or (2) where the disturbed area or the land on which the development will occur has average slopes of 25 percent or more, except pursuant to a Geological Hazards permit (GH).**



**Staff:** The proposed garage is located within a hazard area as identified on the Geologic Hazards Overlay map and is within the Tualatin Basin, thus, this application was submitted and decision for a Geologic Hazards Permit decision is issued.

## **7.2. Geologic Hazards Permit Application Information Required**

**MCC 39.5085** An application for a Geologic Hazards Permit shall include two copies of each of the following:

### **7.2.1. (A) A scaled site plan showing the following both existing and proposed:**

- (1) Property lines;**
- (2) Building structures, driveways, roads and right of way boundaries;**
- (3) Location of wells, utility lines, site drainage measures, stormwater disposal system, sanitary tanks and drainfields (primary and reserve);**
- (4) Trees and vegetation proposed for removal and planting and an outline of wooded areas;**
- (5) Water bodies;**
- (6) Boundaries of ground disturbing activities;**
- (7) Location and height of unsupported finished slopes;**
- (8) Location for wash out and cleanup of concrete equipment;**
- (9) Storage location and proposed handling and disposal methods for potential sources of non-erosion pollution including pesticides, fertilizers, petrochemicals, solid waste, construction chemicals, and wastewaters;**
- (10) Soil types;**
- (11) Ground topography contours (contour intervals no greater than 10-feet); and**
- (12) Erosion and sediment control measures.**

**Staff:** The materials submitted have been determined to be sufficient to demonstrate compliance with the Multnomah County Code (MCC) for development within the Geologic Hazards Overlay Zone in the Tualatin Valley.

### **7.2.2. (B) Calculations of the total area of proposed ground disturbance (square feet), volume of proposed cut (cubic yards) and fill (cubic yards), total volume of fill that has been deposited on the site over the 20-year period preceding the date of application, and existing and proposed slopes in areas to be disturbed (percent slope). For purposes of this subsection, the term “site” shall mean either a single lot of record or contiguous lots of record under same ownership, whichever results in the largest land area.**

**Staff:** Randall Goode PE, Principal Geotechnical Engineer, Stata Design, LLC states that the “Cumulative amount of fill over past 20 years (plus the proposal of 100 CY) is 5,000 CY or less” (Exhibit A.32). Mr. Goode also states that the amount of disturbed area as 0.5 acres.” It appears to staff, according to the submitted plans) that the amount of disturbed area for the subject project equals about 12,000 square feet. It appears that Mr. Goode measured the scope of work area shown on the site plan including the existing septic system (no disturbance area). That would about double the area. The HDP 1 form included slope information as does the site plans (Exhibit A.32).

The materials submitted have been determined to be sufficient to demonstrate compliance with the Multnomah County Code (MCC) for development within the Geologic Hazards Overlay Zone in the Tualatin Valley. *These standards are met.*

**7.2.3 (C) Written findings, together with any supplemental plans, maps, reports or other information necessary to demonstrate compliance of the proposal with all applicable provisions of the Geologic Hazards standards in MCC 39.5090. Necessary reports, certifications, or plans may pertain to: engineering, soil characteristics, stormwater drainage control, stream protection, erosion and sediment control, and replanting. The written findings and supplemental information shall include:**

**(1) With respect to fill:**

**(a) Description of fill materials, compaction methods, and density specifications (with calculations). The planning director may require additional studies or information or work regarding fill materials and compaction.**

**(b) Statement of the total daily number of fill haul truck trips, travel timing, loaded haul truck weight, and haul truck travel route(s) to be used from any fill source(s) to the fill deposit site.**

**(2) A description of the use that the ground disturbing activity will support or help facilitate.**

**(3) One of the following:**

**(a) Additional topographic information showing the proposed development to be on land with average slopes less than 25 percent, and located more than 200 feet from a 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**

**(b) A geological report prepared by a Certified Engineering Geologist or Geotechnical Engineer certifying that the site is suitable for the proposed development; or,**

**(c) A GHP Form– 1 completed, signed and certified by a Certified Engineering Geologist or Geotechnical Engineer with their stamp and signature affixed indicating that the site is suitable for the proposed development.**

**(i) If the GHP Form– 1 indicates a need for further investigation, or if the director requires further study based upon information contained in the GHP Form– 1, a geotechnical report as specified by the director shall be prepared and submitted.**

**[a] A geotechnical investigation in preparation of a geotechnical report shall be conducted at the applicant's expense by a Certified Engineering Geologist or Geotechnical Engineer. The report shall include specific investigations required by the director and recommendations for any further work or changes in proposed work which may be necessary to ensure reasonable safety from landslide hazards.**

**[b] Any development related manipulation of the site prior to issuance of a permit shall be subject to corrections as recommended by the geotechnical report to ensure safety of the proposed development.**

**[c] Observation of work required by an approved geotechnical report shall be conducted by a Certified Engineering Geologist or Geotechnical Engineer at the applicant's expense; the geologist's or engineer's name shall be submitted to the director prior to issuance of the permit.**

**[d] The director, at the applicant's expense, may require an evaluation of GHP Form– 1 or the geotechnical report by another Certified Engineering Geologist or Geotechnical Engineer.**

**(4) Documentation of approval by each governing agency having authority over the matter of any new stormwater discharges into public right-of-way.**

**(5) Documentation of approval by the City of Portland Sanitarian and any other agency having authority over the matter of any new stormwater**

**Staff:** A Storm Water Certificate stamped and signed by Randall Goode PE, indicates that the proposed storm water detention system meets the required standards (Exhibit A.33).

The application submittal includes an HDP Form 1 (Exhibit A.32) stamped and signed by Randall Goode PE, Principal Geotechnical Engineer, Stata Design, LLC and a geological report prepared by a Certified Engineering Geologist or Geotechnical Engineer certifying that the site is suitable for the proposed development stamped and signed by Randall Goode PE (Exhibit A.7).

A condition of approval will require observation of work required by an approved geotechnical report shall be conducted by Randall Goode PE, Principal Geotechnical Engineer or another Certified Engineering Geologist or Geotechnical Engineer at the applicant's expense; the geologist's or engineer's name shall be submitted to the director prior to issuance of the permit *These standards is met through implementing conditions of approval.*

### **7.3. Geologic Hazards Permit Standards**

**MCC 39.5090 A Geologic Hazards (GH) permit shall not be issued unless the application for such permit establishes compliance with MCC 39.6210 and satisfaction of the following standards:**

**7.3.1. (A) The total cumulative deposit of fill on the site for the 20-year period preceding the date of the application for the GH permit, and including the fill proposed in the GH permit application, shall not exceed 5,000 cubic yards. For purposes of this provision, the term "site" shall mean either a single lot of record or contiguous lots of record under same ownership, whichever results in the largest land area.**

**Staff:** The application submittal states that the fill for the last 20-years does not exceed not exceed 5,000 cubic yards (see Finding 7.2.2. above). The proposed project will include less than 100 cubic yards of fill (Exhibit A.29). *This standard is met.*

**7.3.2. (B) Fill shall be composed of earth materials only.**

**Staff:** The application submittal (Exhibit A.29) states the "fill will be composed of earth materials only." *This standard is met.*

**7.3.3. (C) Cut and fill slopes shall not exceed 33 percent grade (3 Horizontal: 1 Vertical) unless a Certified Engineering Geologist or Geotechnical Engineer certifies in writing that a grade in excess of 33 percent is safe (including, but not limited to, not endangering or disturbing adjoining property) and suitable for the proposed development.**

**Staff:** Randall Goode PE, Principal Geotechnical Engineer on the stamped and signed HDP-1 form (Exhibit A.32) that the proposed project does not create a potential stability problem for the subject property or the adjacent properties. The HDP-1 form certifies in writing that a grade in excess of 33 percent is safe including, not endangering or disturbing adjoining property and suitable for the proposed development as addressed by Mr. Goode in Number 6 on that form. *This standard is met.*

- 7.3.4. (D) Unsupported finished cuts and fills greater than 1 foot in height and less than or equal to 4 feet in height at any point shall meet a setback from any property line of a distance at least twice the height of the cut or fill, unless a Certified Engineering Geologist or Geotechnical Engineer certifies in writing that the cuts or fills will not endanger or disturb adjoining property. All unsupported finished cuts and fills greater than 4 feet in height at any point shall require a Certified Engineering Geologist or Geotechnical Engineer to certify in writing that the cuts or fills will not endanger or disturb adjoining property.**

**Staff:** Mr. Goode Geotechnical Engineer certifies in writing on the HDP-1 form that the cuts or fills will not endanger or disturb adjoining property (Exhibit A.32). He states "Engineer finds no endangerment or adverse disturbance to neighboring properties." *This standard is met.*

- 7.3.5. (E) Fills shall not encroach on any water body unless an Oregon licensed Professional Engineer certifies in writing that the altered portion of the waterbody will continue to provide equal or greater flood carrying capacity for a storm of 10-year design frequency.**

**Staff:** The proposed project is located more 300 feet from any water body. *This standard is met.*

- 7.3.6. (F) Fill generated by dredging may be deposited on Sauvie Island only to assist in flood control or to improve a farm's soils or productivity, except that it may not be deposited in any SEC overlay, WRG overlay, or designated wetland.**

**Staff:** Project is not located on Sauvie Island. *Standard not applicable.*

- 7.3.7. (G) On sites within the Tualatin River drainage basin, erosion, sediment and stormwater drainage control measures shall satisfy the requirements of OAR 340-041-0345(4) and shall be designed to perform as prescribed in the most recent edition of the City of Portland Erosion and Sediment Control Manual and the City of Portland Stormwater Management Manual. Ground-disturbing activities within the Tualatin Basin shall provide a 100-foot undisturbed buffer from the top of the bank of a stream, or the ordinary high watermark (line of vegetation) of a water body, or within 100-feet of a wetland; unless a mitigation plan consistent with OAR 340-041-0345(4) is approved for alterations within the buffer area.**

**Staff:** A condition of approval will require silt fencing down slope within 10 feet of the edge of any soil disturbance areas. All disturbed soil will need to be covered with straw mulch or erosion control hydro-spray mulch including seeds. All disturbed soil shall be seeded within a

week of completion of the soil disturbing activities. *This standard is met through implementing conditions of approval.*

- 7.3.8. (H) Stripping of vegetation, ground disturbing activities, or other soil disturbance shall be done in a manner which will minimize soil erosion, stabilize the soil as quickly as practicable, and expose the smallest practical area at any one time during construction.**

**Staff:** About half of the site was previously cleared and leveled when the dwelling was established. To meet this standard, soil disturbance must be limited to what is necessary to establish the use. Disturbed areas will be required to be mulched and seeded as soon as the earth disturbing activity is complete prior to foundation/floor slab being poured. A condition will require this standard be met. *This standard is met through implementing conditions of approval.*

- 7.3.9. (I) 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.**

**Staff:** The submitted plans (Exhibits A.27 and A.28) show the proposal minimizes cut and fill operations ensuring conformity with topography through a combination of both cut and fill. *This standard is met.*

- (J) Temporary vegetation and/or mulching shall be used to protect exposed critical areas during development.**

**Staff:** A condition of approval will require mulching of area of disturbed soil. *This standard is met through implementing a condition.*

- (K) Whenever feasible, natural vegetation shall be retained, protected, and supplemented;**

**Staff:** A condition will require the soil disturbance be minimized to the amount necessary to establish the garage and access. *These standards are met by the property owner implementing the condition.*

- (1) A 100-foot undisturbed buffer of natural vegetation shall be retained from the top of the bank of a stream, or from the ordinary high watermark (line of vegetation) of a water body, or within 100-feet of a wetland;**  
**(2) The buffer required in subsection (K)(1) may only be disturbed upon the approval of a mitigation plan which utilizes erosion, sediment, and stormwater control measures designed to perform as effectively as those prescribed in the most recent edition of the City of Portland Erosion and Sediment Control Manual and the City of Portland Stormwater Management Manual and which is consistent with attaining equivalent surface water quality standards as those established for the Tualatin River drainage basin in OAR 340-041-0345(4).**

**Staff:** The project area is more than 100 feet from the stream (Exhibits A.27 and A.28). *This standard is met.*



**(L) Permanent plantings and any required structural erosion control and drainage measures shall be installed as soon as practical.**

**Staff:** A condition will require the soil disturbance be replanted with grass, covered with gravel or permanent mulch installed and maintained soon as the soil disturbing activity related to the project has been complete. An exception is allowed during the period between November 1<sup>st</sup> and March 31<sup>st</sup> in which case the grass seed must be planted the first week of April. *These standards are met by the property owner implementing the condition.*

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

**Staff:** A condition will require silt fencing/sediment fencing and/or biobags/wattles shall be installed immediately downslope of the areas of soil disturbance to process the increased runoff. *These standards are met by the property owner implementing the condition.*

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

**Staff:** Silt fencing/sediment fencing and/or biobags/wattles shall be installed downslope of the areas of soil disturbance to control erosion and sediment prior to any earth disturbing activity. *This standard is met through implementing a condition.*

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

**Staff:** A condition will require the soil disturbance on any cut face or sloped area be replanted with grass and mulched as soon as the soil disturbing activity related to the project has been complete. An exception is allowed during the period between November 1<sup>st</sup> and March 31<sup>st</sup> in which case the grass seed must be planted the first week of April, however the area must be mulched as soon as possible. *These standards are met by the property owner implementing the condition.*

**(P) All drainage measures shall be designed to prevent erosion and adequately carry existing and potential surface runoff to suitable drainageways such as storm drains, natural water bodies, drainage swales, or an approved drywell system.**

**Staff:** The application submittal includes an engineer designed storm water drainage management/detention systems that meets the that the engineer certifies meets the 10 yr./24 hr. design standard (Exhibits A.27, A.28, and A.33). A condition requires the storm water drainage system to be installed. These standards are met by the property owner implementing the condition.

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

**Staff:** A swale is not proposed. *Standard not applicable.*

**(R) Erosion and sediment control measures must be utilized such that no visible or measurable erosion or sediment shall exit the site, enter the public right-of-way or be deposited into any water body or storm drainage system. Control measures which may be required include, but are not limited to:**

- (1) Energy absorbing devices to reduce runoff water velocity;**
- (2) Sedimentation controls such as sediment or debris basins. Any trapped materials shall be removed to an approved disposal site on an approved schedule;**
- (3) Dispersal of water runoff from developed areas over large undisturbed areas.**

**Staff:** Silt fencing/sediment fencing and/or biobags/wattles shall be installed downslope of the areas of soil disturbance to control erosion and sediment prior to any earth disturbing work. *These standards are met by the property owner implementing the condition.*

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

**Staff:** Any remaining spoil materials will be removed from the property. No soil will be stockpile for use after project. Any soil temporarily store for use in the project must be covered with plastic staked and tied down. *These standards are met by the property owner implementing the condition.*

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

**Staff:** A condition of approval will require this standard be met. *These standards are met by the property owner implementing the condition.*

**(W) The total daily number of fill haul truck trips shall not cause a transportation impact (as defined in the Multnomah County Road Rules) to the transportation system or fill haul truck travel routes, unless mitigated as approved by the County Transportation Division.**

**Staff:** The proposal includes a minor amount of material brought to the site, less than 100 cubic yards (Exhibit A.29). *This standards are met by the property owner implementing the condition.*

**(X) Fill trucks shall be constructed, loaded, covered, or otherwise managed to prevent any of their load from dropping, sifting, leaking, or otherwise escaping from the vehicle. No fill shall be tracked or discharged in any manner onto any public right-of-way.**

**Staff:** A condition can require this stand be met. *This standards are met by the property owner implementing the condition.*

(Y) No compensation, monetary or otherwise, shall be received by the property owner for the receipt or placement of fill.

**Staff:** A condition can require this stand be met. This standards are met by the property owner implementing the condition. *This standard is not applicable.*

## 8. EXTERIOR LIGHTING

### Exterior Lighting - Dark Sky Lighting Standards

**MCC 39.6850(A)** The purpose of the Dark Sky Lighting Standards in this Section is to protect and promote public health, safety and welfare by preserving the use of exterior lighting for security and the nighttime use and enjoyment of property while minimizing the obtrusive aspects of exterior lighting uses that degrade the nighttime visual environment and negatively impact wildlife and human health.

**MCC 39.6850(C)** The following standards apply to all new exterior lighting supporting a new, modified, altered, expanded, or replaced use approved through a development permit and to all existing exterior lighting on property that is the subject of a development permit approval for enlargement of a building by more than 400 square feet of ground coverage.

- (1) The light source (bulbs, lamps, etc.) must be fully shielded with opaque materials and directed downwards. "Fully shielded" means no light is emitted above the horizontal plane located at the lowest point of the fixture's shielding. Shielding must be permanently attached.
- (2) The lighting must be contained within the boundaries of the Lot of Record on which it is located. To satisfy this standard, shielding in addition to the shielding required in paragraph (C)(1) of this section may be required.

**Staff:** A condition of approval can require the exterior lighting meet these standards. *These standards are met by the property owner implementing the condition.*

## 9. CONCLUSION

Based on the findings and other information provided above, the applicant has carried the burden necessary for the Significant Environmental Concern for Wildlife Habitat, Type I Permit and Geologic Hazards, Type II Permit to establish a garage in the Rural Residential Zone as well as Significant Environmental Concern for Wildlife Habitat and Geologic Hazards Overlay Zones. This approval is subject to the conditions of approval established in this report.

## 10. EXHIBITS

- 'A' Applicant's Exhibits
- 'B' Staff Exhibits
- 'C' Comments Received

All other exhibits are available for review at the Land Use Planning office.

<b>Exhibit #</b>	<b># of Pages</b>	<b>Description of Exhibit</b>	<b>Date Received/ Submitted</b>
A.1	2	Application Form	1/2/19
A.2	3	Site plans	1/2/19
A.3	1	Existing site plan	1/2/19
A.4	2	Garage elevation drawings and floor plan	1/2/19
A.5	6	SEC-h Worksheet	1/2/19
A.6	6	Hillside Development Worksheet	1/2/19
A.7	16	Geotechnical Site Assessment with appendix by Randall Goode PE, Principal Geotechnical Engineer	1/2/19
A.8	4	HDP Form 1 stamped and signed by Randall Goode PE, Principal Geotechnical Engineer	1/2/19
A.9	1	Storm Water Certificate stamped and signed by Randall Goode PE, Principal Geotechnical Engineer	1/2/19
A.10	4	Septic Review Certification with site plan signed by County Sanitarian Lindsey Reschke, WWS	1/2/19
A.11	6	Site plan and elevation drawings "scale corrected" but it is not	3/7/19
A.12	7	SEC-h Worksheet with correction	3/7/19
A.13	2	Storm Water Certificate stamped and signed by Randall Goode PE, Principal Geotechnical Engineer with a stamped and signed site plan showing storm water detention ponding area.	3/7/19
A.14	2	Site plan and revised elevation drawings with correct scale	4/12/19
A.15		Email with attached amended elevation plans.	4/25/19
A.16	2	Oversized existing conditions topographic site plan	5/6/19
A.17	2	Oversized site plan of proposed garage with correct scale	5/6/19
A.18	2	Oversized elevation drawings with correct scale	5/6/19
A.19	1	Email dated June 27, 2019 tolling the clock for a month	6/27/19
A.20	1	Email dated July 30, 2019 tolling the clock for a month from July 27, 2019	7/30/19
A.21	1	Email dated August 30, 2019 tolling the clock	8/30/19
A.22	1	Email dated September 3, 2019 tolling the clock for a month	9/3/19
A.23	1	Email dated September 27, 2019 tolling the clock until October 31, 2019	
A.24	1	Email dated October 23, 2019 tolling the clock until November 30, 2019.	10/23/19

A.25	1	Email dated November 25, 2019 tolling the clock until December 31, 2019.	11/25/19
A.26	1	Email dated December 27, 2019 tolling the clock until January 31, 2019	12/27/19
A.27	3	Oversized revised site plan of proposed garage and elevation drawings	1/2/20
A.28	3	Revised site plan of proposed garage and elevation drawings (11x17")	1/5/20
A.29	6	Revised Hillside Development Work Sheet.	1/7/20
A.30	8	Revised Significant Concern For Wildlife Habitat Worksheet (Type I)	1/7/20
A.31	4	Revised Septic Review Certification	1/7/20
A.32	4	Hillside Development Permit Application, Geotechnical Reconnaissance and Stability Preliminary Study [HDP Form 1]	1/7/20
A.33	1	Storm Water Certification completed, stamped and signed by Randal S Goode, P.E	1/7/20
<b>'B'</b>	<b>#</b>	<b>Staff Exhibits</b>	<b>Date</b>
B.1	1	County Assessment Property Information	NA
B.2	1	County Assessment Map (current)	NA
B.3	1	Index card for the 1989 single family dwelling building permit	NA
B.4	1	Covenant to record with County Records that states that the owner understands and agrees that the building cannot be occupied as a dwelling or for any other form of permanent or temporary residential use.	NA
<b>'C'</b>	<b>#</b>	<b>Comments Received (if needed)</b>	<b>Date</b>
C.1	1	Email comment from Mary, Lourdes Young	4/18/19
C.2	12	Email from Bob Van Der Werf with attached comments	4/22/19
C.3	4	Email from Bob Van Der Werf with additional comments	6/19/19