



**MULTNOMAH COUNTY OREGON**  
**LAND USE AND TRANSPORTATION PROGRAM**  
1600 SE 190<sup>TH</sup> Avenue Portland, OR 97233  
PH: 503-988-3043 FAX: 503-988-3389  
[http://www.co.multnomah.or.us/dbcs/LUT/land\\_use](http://www.co.multnomah.or.us/dbcs/LUT/land_use)

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## NOTICE OF DECISION

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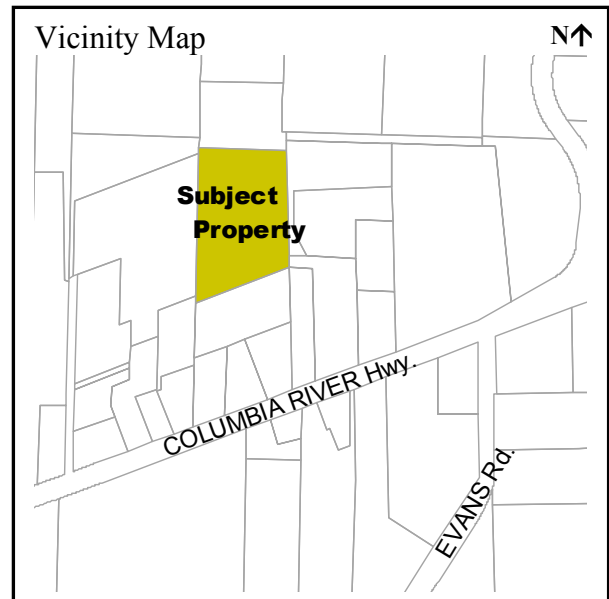
This notice concerns a Planning Director Decision on the land use case(s) cited and described below.

**Case File:** T2-03-055

**Permit:** National Scenic Area Site Review

**Location:** 35955 E. Historic Columbia River Hwy  
TL 800, Sec 34AA, T1NR4E, W.M.  
Tax Account #R944340390

**Applicant/** Travis and Gabrielle Van Hee  
**Owner:** 35955 E. Historic Columbia River Hwy  
Corbett, OR 97019



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**Summary:** The application is to replace an existing mobile home with a new site built single family dwelling.

**Decision:** Approved with Conditions.

Unless appealed, this decision is effective Friday, February 27, 2004 at 4:30 PM.

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Issued by:

By: \_\_\_\_\_  
Chuck Beasley, Planner

For: Karen Schilling - Planning Director

Date: Friday, February 13, 2004

**Opportunity to Review the Record:** A copy of the Planning Director Decision, and all evidence submitted in support of the application, is available for inspection at no cost at the Land Use Planning office during normal business hours. Copies of all documents may be purchased at the rate of 30-cents per page. The Planning Director's Decision contains the findings and conclusions upon which the decision is based, along with any conditions of approval. For further information on this case, contact Chuck Beasley, Staff Planner at 503-988-3043.

**Opportunity to Appeal:** This decision may be appealed within 14 days of the date it was mailed pursuant to the provisions of MCC 38.0640. 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 offices at 1600 SE 190th Avenue (Phone: 503-988-3043).

**This decision is final at the close of the appeal period, unless appealed. The deadline for filing an appeal is February 27, 2004 at 4:30 pm.**

**Applicable Approval Criteria:** Multnomah County Code (MCC): MCC 38.7035 through 38.7090 Site Review, 38.2460 GGRC Dimensional Requirements,

Copies of the referenced Multnomah County Code sections can be obtained by contacting our office at 503-988-3043 or by visiting our website at:  
[http://www.co.multnomah.or.us/dbcs/LUT/land\\_use](http://www.co.multnomah.or.us/dbcs/LUT/land_use).

### **Scope of Approval**

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. **Pursuant to MCC 38.0690, this land use permit expires two years from the date the decision is final if; (a) development action has not been initiated; (b) building permits have not been issued; or (c) final survey, plat, or other documents have not been recorded, as required. The property owner may request to extend the timeframe within which this permit is valid, as provided under MCC 38.0690 and 38.0700. Extension requests must be made prior to the expiration date of the permit.**

### **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. Within 30 days of this decision becoming final, or prior to building permit sign-off whichever occurs first, the applicant shall record the Notice of Decision (pages 1-3 of this decision) with the County Recorder. The Notice of Decision shall run with the land. Proof

of recording or a copy of the recorded document shall be submitted to the Land Use Planning Division prior to zoning approval of the building permit. Recording shall be at the applicant's expense. **Failure to sign and record the Notice of Decision within the 30 day time period shall void the decision as provided for in MCC 37.0670.**

2. Prior to zoning approval of the Building Permit, the owner shall sign a Replacement Dwelling Agreement. The agreement is intended to ensure that only one dwelling remains on the property, and requires removal of the existing dwelling within 30 days of occupancy on the new dwelling, or conversion to an allowable non-residential structure. This condition is intended to meet the single dwelling requirement in MCC 38.2425 Review Uses(A).
3. All grading activities shall be conducted in accordance with accepted Best Management Practices such as silt fencing, covering exposed soils, and replanting as soon as practicable. Prior to zoning approval of the building permit, the applicant shall obtain a Grading and Erosion Control Permit [MCC 38.7035(A)(1)].
4. The applicant shall retain the trees as indicated on Exhibit D. These trees include the Noble Fir trees south of the proposed dwelling, the Alder trees along the road easement, and the wooded area along the north property line.
5. Prior to zoning approval of the building plans, the applicant shall provide specifications, including a picture, for fully hooded light fixtures for the garage front. The fixtures must be designed so that the lens does not extend below the opaque hood.
6. The property owner shall complete the exterior of the building including roofing, painting, window installation, and lighting as approved herein within two years after approval of the building permit. This condition is to ensure compliance with MCC 38.7035(B)(26).
7. If, during construction, cultural or historic resources are uncovered, the applicant/owner shall immediately cease development activities and inform the Multnomah County Land Use Planning Division, Columbia River Gorge Commission, and the U.S. Forest Service of any discovery. [MCC 38.7045(L) & MCC 38.7045(M)].

**Note: Multnomah County must review and sign off the building permits before the applicant submits building plans to the City of Gresham. Three (3) sets of the site plan and building plans must be submitted to the Land Use Planning Division for building permit sign off. Please contact Chuck Beasley, case planner, at 503.988.3043 to set up an appointment for zoning approval of the building permit.**

**FINDINGS:** (Formatting Note: Staff provides the Findings included here as necessary to address Multnomah County ordinance requirements. Multnomah County Code requirements are referenced using a **bold** font. Written responses to code criteria prepared by or on behalf of the applicant are identified as “**Applicant:**”. Planning staff comments and analysis may follow applicant responses. Where this occurs, the notation “**Staff:**” precedes the comments.)

1. **Project Description**

**Staff:** The applicant is proposing to replace a single-wide mobile home with a new site built single family dwelling. The proposed new dwelling is a two story design that is approximately 2900 square feet in size. It is proposed to be located in a cleared area in the north-central portion of the property. This puts the structure approximately 560 feet north of the Highway at its closest point. Access is over an easement that extends north from the Highway. In addition to the dwelling, a new septic system on the west side of the house, and an approximately 60 foot long driveway are proposed (see the site plan in Exhibit A).

2. **Site Characteristics**

**Staff:** Staff conducted a site reconnaissance on 1/15/04 and made several observations. The subject property is 2.37 acres in size and is located north of and roughly 10 feet below the elevation of the Historic Highway. The property slopes at approximately 5% to both the north and the east. A mix of evergreen and deciduous forest surrounds the dwelling site on the north, west, and east. A grove of evergreen trees is growing between the dwelling site and the south property line.

The site is visible from the Key Viewing Area of the Historic Columbia River Highway looking down the access road. The aperture is only approximately 30’ wide. The view of the dwelling site is otherwise blocked from the Highway by buildings and evergreen vegetation. It may also be possible to see the dwelling site from the Columbia River or Route 14 at a distance of one to two miles. However, the aperture is quite small, perhaps over an arc of 45 degrees.

3. **The County Adhered To The Required Notification Procedures**

**Staff:** An opportunity to Comment was sent out to the County’s list of property owners within 750-feet and to the required Agencies, Confederated Tribes, and Recognized Neighborhood Associations pursuant to MCC 38.0530(B).

Comments were received from the US Forest Service in the form of a Heritage Resource Inventory Report and Isolated Find Record, the Friends of the Columbia River Gorge, and the Columbia River Gorge Commission. The letters are included as Exhibit B. The Forest Service Report finds no effect on significant historic resources. The letter from the Friends group lists approval criteria they believe to apply and preserves their standing in the matter. The Gorge Commission letter indicates applicable approval criteria, need for a replacement dwelling agreement, and requests that the decision ensure that exterior

lighting fixtures are hooded and directed downward. These comments were reviewed by staff and taken into account while making findings to the relevant code criteria.

4. **The Use Is Allowed In The GGRC Zoning District**

**Staff:** MCC 38.2425 Review Uses (A) allows a single family dwelling on a legally created parcel subject to the NSA Site Review standards. Uses in the GGRC zone are also subject to the Dimensional Requirements of MCC 38.2460. The applicants will be required to sign a Replacement Dwelling Agreement which requires removal of the existing dwelling within 30 days of occupying the new dwelling in order to ensure that only one dwelling remains on the property.

The parcel was created as “Parcel B” of LD 06-85, approved by land use planning in May of 1985. The deed creating the subject parcel was recorded in July of 1985 at bk 1840/pg1062. Access to the new parcel over an existing 15’ wide easement to Historic Columbia River Highway was approved in the Land Division decision. The deeds which document the parcel and easement dedication are contained in Exhibit C. Staff finds that the subject parcel is in conformance with the approval, and is therefore a legally created parcel.

The applicable Dimensional Requirements specify a minimum parcel size of one acre, and yard dimensions of 30 feet on front and rear areas, and 10 foot side yards. The parcel is over two acres in size, and the site plan in Exhibit A indicates setbacks from the dwelling to all property lines of over 30’. The applicable Dimensional Requirements are therefore satisfied with the plan proposed.

5. **The Proposal Meets the National Scenic Area Scenic Review Criteria**

**MCC 38.7035 GMA Scenic Review Criteria**

**The following scenic review standards shall apply to all Review and Conditional Uses in the General Management Area of the Columbia River Gorge National Scenic Area:**

**Staff:** Not all of the Scenic Review criteria in MCC 38.7035 are applicable to single family dwellings. Staff has determined that the criteria listed below are the applicable criteria for this application.

**(A) All Review Uses and Conditional Uses:**

**(1) New buildings and roads shall be sited and designed to retain the existing topography and reduce necessary grading to the maximum extent practicable.**

**Applicant:** The new home will follow the lay of the land and the existing driveway will be used.

December 3 supplement: Our plan is to remove any extra dirt and material off site covered from the dig out of the home. We will leave only enough dirt to backfill against the foundation and to final grade the property.

**Staff:** The subject property has a relatively consistent slope of about 5% toward both the north and east. As such, the proposed dwelling location retains existing topography as well as other areas of the property. The shallow slope results in an elevation change of up to 3.5' along the longest east-west axis of the dwelling. The grading plot map in Exhibit G. indicates a minor amount of grading needed around the dwelling perimeter. This criterion is therefore met.

**(2) New buildings shall be generally consistent with the height and size of existing nearby development.**

**Applicant:** The new home will be approximately 3000 square feet. The surrounding homes range from 2000 to 3500 square feet. Due to the slight slope on the property the new two-story home will not sit any higher than the existing homes surrounding the property.

**Staff:** The dwellings considered in response to this criterion are those that have some visual relationship to the new dwelling site. This is because the dwelling is effectively isolated in a pocket behind the older dwellings visible from the Historic Columbia River Highway. Due to this location, there are six dwellings which are included in the analysis, and they range in size from 1,308 to 3,232 or more square feet in size. Three are one-storey, and the others are 1.5 to 2 stories tall. The dwellings used for this analysis are in 1N4E34AA Tax Lots 400, 500, 600, 700, and 900, and 1N4E27DD Tax Lot 700 (see Exhibit H). Taking into account the information provided by the applicant and by staff in this finding, staff finds the proposed dwelling is within the range of the other nearby development in terms of size and height.

**(3) New vehicular access points to the Scenic Travel Corridors shall be limited to the maximum extent practicable, and access consolidation required where feasible.**

**Applicant:** Because we are replacing a existing dwelling, there will be no new traffic on the driveway or on to East Historic Columbia River Highway.

**Staff:** Agrees. No new access is being created.

**(4) Project applicants shall be responsible for the proper maintenance and survival of any required vegetation.**

**Applicant:** We are planning to leave as much vegetation as possible on the existing lot. There are no known rare plants located on the property.

**Staff:** Agrees. The applicant will be required to maintain screening vegetation to meet this standard. The screening vegetation which must be retained is the grove of Noble fir trees south of the proposed dwelling, the wooded area on the west and north, and the Alder trees along the access easement as shown on Exhibit D.

**(5) For all proposed development, the determination of compatibility with the landscape setting shall be based on information submitted in the site plan.**

**Applicant:** See Site plan.

**Staff:** The applicants site plan is composed of the drawings in Exhibits A, D and G. The landscape setting for the subject property is Village. The applicable standards of this setting are not related to the site plan because the requirements are directed at building features. Staff finds that compatibility for this project must be based on the building plans in Exhibit E. Findings of compliance with the landscape setting are contained below under subsection (C) of this section.

**(B) All Review Uses and Conditional Uses visible from Key Viewing Areas:**

**(1) Size, height, shape, color, reflectivity, landscaping, siting or other aspects of proposed development shall be evaluated to ensure that such development is visually subordinate to its setting as seen from Key Viewing Areas.**

**Applicant:** See Building Plan

December 3, 2003 supplement: Exterior paint color. We plan on using the color Glen forest 812(4) from the approved color list provided by Mult. County. Exterior Roofing Material Color. The roofing color is a dark grey color from the approved roofing chart provided by Mult. County the roofing color is similar to paint color Black smith (8776N).

**Staff:** The proposed structure has minimal visibility from the Historic Columbia River Highway, and uncertain-minimal visibility from the Columbia River and/or Historic Route 14. The site is visible from the Highway looking down the 15' wide access road. The aperture at the Highway is only approximately 30' wide at most. The view of the dwelling site is otherwise blocked from the Highway by buildings and evergreen vegetation that exist both on and off of the property. It may also be possible to see the dwelling site from the Columbia River or Route 14 at a distance of one to two miles but for the existing trees on the northeast part of the property. However, the aperture is quite small, perhaps only along an arc of up to 45 degrees northeast of the dwelling site.

As seen from the Columbia River and Washington Route 14, the structure is not visible due to existing vegetation on the property located along the road easement and north of the dwelling. The applicant indicates that this vegetation will be retained on the property. As seen from Historic Columbia River Highway, the dwelling will be screened by the grove of Noble Fir trees between the dwelling and

the south lot line. In addition, the dwelling will be painted with a quite dark green color, and the roofing is nearly black. Further, the windows that face in the direction of the river and Highway are relatively few in number, are spread out across the elevation avoiding concentration, and are small with only two windows as large as 5' X 5'. Retention of the existing vegetation on the south and northeast portions of the property along with the proposed colors and low reflectivity of the windows will ensure that the structure is visually subordinate. A condition of approval is imposed that requires retention of the screening vegetation is imposed. Therefore this criterion is met.

**(2) The extent and type of conditions applied to a proposed development to achieve visual subordination should be proportionate to its potential visual impacts as seen from Key Viewing Areas. Primary factors influencing the degree of potential visual impact include: the amount of area of the building site exposed to Key Viewing Areas, the degree of existing vegetation providing screening, the distance from the building site to the Key Viewing Areas it is visible from, the number of Key Viewing Areas it is visible from, and the linear distance along the Key Viewing Areas from which the building site is visible (for linear Key Viewing Areas, such as roads). Written reports on determination of visual subordination and final conditions of approval shall include findings addressing each of these factors.**

**Applicant:** The property is located to the north of East Historical Columbia River Highway. The property has approximately 10 feet of fall from south to north. The home will be approximately 500 feet from the Highway. The home will be placed back far enough from the bluff that it will be impossible to see from the Columbia River or Highway 14 on the Washington side of the river. Because of the set back from the bluff and the Historical Columbia River Highway, the home will be visually subordinate from any of the key viewing areas.

**Staff:** The applicant's proposal achieves visual subordination, therefore the appropriate condition is that the plan be carried out as proposed, and the vegetation be retained as indicated. This structure has low visual impact because only a small area of the building will be visible from the Historic Columbia River Highway, the site is highly screened by vegetation on the property which will be retained, the dwelling is set back approximately 550' from the Highway, and the narrow view of the site from the Highway is the only KVA the building will be visible from. Therefore this criterion is met.

**(3) Determination of potential visual effects and compliance with visual subordination policies shall include consideration of the cumulative effects of proposed developments.**

**Applicant:** The home will not effect any of the surrounding dwellings.



**Staff:** No other development is proposed on the property, therefore there is no cumulative effect to visual subordination.

**(4) For all buildings, roads or mining and associated activities proposed on lands visible from Key Viewing Areas, the following supplemental site plan information shall be submitted in addition to the site plan requirements in MCC 38.0045 (A) (2) and 38.7035 (A) (5) for mining and associated activities:**

**(a) For buildings, a description of the proposed building(s)' height, shape, color, exterior building materials, exterior lighting, and landscaping details (type of plants used, number, size, locations of plantings, and any irrigation provisions or other measures to ensure the survival of landscaping planted for screening purposes); and**

**(b) Elevation drawings showing the appearance of proposed building(s) when built and surrounding final ground grades, for all buildings over 400 square feet in area.**

**Applicant:** See Plot Map

**Staff:** The site is all but invisible from KVA's due to existing vegetation on the property. The applicant has included the building design, colors, lighting, vegetation map, and grading map in the application. This requirement is met.

**(6) New buildings or roads shall be sited on portions of the subject property which minimize visibility from Key Viewing Areas, unless the siting would place such development in a buffer specified for protection of wetlands, riparian corridors, sensitive plants, sensitive wildlife sites or conflict with the protection of cultural resources. In such situations, development shall comply with this standard to the maximum extent practicable.**

**Applicant:** The new home will be placed as far back as possible from the East Historical Columbia River Highway. The front of the property is very heavily covered with vegetation making the home impossible to see from the East Historical Columbia River Highway.

**Staff:** Agrees. The proposed dwelling site minimizes visibility as described by the applicant. This criterion is met.

**(7) In siting new buildings and roads, use of existing topography and vegetation to screen such development from Key Viewing Areas shall be prioritized over other means of achieving visual subordination, such as planting of new vegetation or use of artificial berms to screen the development from Key Viewing Areas.**

**Applicant:** We plan to set the new home in a spot where the vegetation is the least mature. The current vegetation is thicker in the front of the property due to trees that were planted in 1986. The fir trees now range from 20' to 40'.

**Staff:** The applicant is retaining the existing vegetation screening to contribute to visual subordination as shown on Exhibit D, therefore this criterion is met.

**(8) Driveways and buildings shall be designed and sited to minimize grading activities and visibility of cut banks and fill slopes from Key Viewing Areas.**

**Applicant:** The lot is relatively flat where the proposed home site is, this will make it unnecessary for any new slopes or banks.

**Staff:** Agrees. The site has a relatively consistent grade throughout, and no cut banks or fill slopes noticeable from KVAs will be created.

**(9) The exterior of buildings on lands seen from Key Viewing Areas shall be composed of nonreflective materials or materials with low reflectivity, unless the structure would be fully screened from all Key Viewing Areas by existing topographic features.**

**Applicant:** The new home should be fully screened from any of the key viewing areas, but we still plan to use non-reflective materials and natural colors.

**Staff:** The structure is screened by existing vegetation and structures but not by topography. The proposed exterior building materials are composition roofing, simulated wood siding, and windows. The roofing and siding are nonreflective. The spacing, size, and location of the windows relative to KVAs result in building elevations with low reflectivity, therefore this criterion is met.

**(10) Exterior lighting shall be directed downward and sited, hooded and shielded such that it is not highly visible from Key Viewing Areas. Shielding and hooding materials shall be composed of non-reflective, opaque materials.**

**Applicant:** The lighting will be a low watt bulb with a hooded cover facing down. See example.

**Staff:** The exterior lighting that will be visible albeit briefly, from the KVA of the Historic Columbia River Highway are the three lights proposed for the front of the garage. The example fixture submitted by the applicant is not fully hooded. The applicant will need to select a fixture that is designed so that the lens does not extend below the opaque hood. A condition of approval is imposed to ensure that this criterion is met.

**(13) The silhouette of new buildings shall remain below the skyline of a bluff, cliff or ridge as seen from Key Viewing Areas. Variances may be granted if application of this standard would leave the owner without a reasonable economic use. The variance shall be the minimum necessary to allow the use, and may be applied only after all reasonable efforts to modify the design, building height, and site to comply with the standard have been made.**

**Applicant:** The home will not be visible from any key viewing areas because the lay of the land will drop the peak of the roof below the horizon.

**Staff:** The building is below the Historic Columbia River Highway therefore it will be below the skyline as seen from that KVA. As indicated above, it is questionable whether the structure could be seen from the Columbia River based on topography. However, the existing trees on the northeast portion of the property fully screen the dwelling site and are to be retained. The building will therefore not be visible on a ridge line or skyline meeting this criterion.

**(20) New buildings shall not be permitted on lands visible from Key Viewing Areas with slopes in excess of 30 percent. A variance may be authorized if the property would be rendered unbuildable through the application of this standard. In determining the slope, the average percent slope of the proposed building site shall be utilized.**

**Applicant:** No response.

**Staff:** The slope of the property is up to 5%, therefore this criterion is met.

**(21) All proposed structural development involving more than 100 cubic yards of grading on sites visible from Key Viewing Areas and which slope between 10 and 30 percent shall include submittal of a grading plan. This plan shall be reviewed by the Planning Director for compliance with Key Viewing Area policies. The grading plan shall include the following:**

**Applicant:** No response.

**Staff:** This criterion is not applicable because the site slopes are less than 10%.

**(26) Compliance with specific approval conditions to achieve visual subordination (such as landscaped screening), except mining and associated activities, shall occur within a period not to exceed 2 years after the date of development approval.**

**Applicant:** The property will be visually subordinate due to the existing vegetation. We also plan to plan our own vegetation to create privacy around the property.

**Staff:** No additional landscape screening is needed for this proposal. The other measures needed to achieve visual subordination are completion of the building exterior. Staff imposes a condition requiring completion of the exterior of the building including roofing, painting, window installation, and lighting as approved herein to be completed within two years after approval of the building permit.

**(C) All Review Uses and Conditional Uses within the following landscape settings:**

**Staff:** The subject property is located within the Village landscape setting, and is therefore subject to the criteria listed below.

**(6) Village**

- (a) New development shall be compatible with the general scale (height, dimensions and overall mass) of development in the vicinity, but not necessarily visually subordinate. Expansion of existing development shall comply with this standard to the maximum extent practicable.**

**Applicant:** The new home will be comparable to the existing homes in the area and directly surrounding the property.

**Staff:** The applicant has proposed measures to make the dwelling visually subordinate. The scale of the dwelling is compatible with the general scale of nearby development by the findings in (A)(2) above. This criterion is met.

- (d) New development proposals and expansion of existing development shall be encouraged to follow planned unit development approaches, featuring consolidated access, commonly-shared landscaped open areas, etc.**

**Applicant:** No response.

**Staff:** The proposal is not the type of development that is subject to PUD development concepts because it is a single dwelling on a large lot.

- (f) The use of building materials reinforcing the Village Setting's character, such as wood, logs or stone, and reflective of community desires, should be encouraged.**

**Applicant:** The new home will be sided with lap sided and painted a natural color. There will be cedar shake accents in the gables and on the front of the home. The roofing will be a composite with a natural color.

**Staff:** Agrees. Staff notes that use of the described elements are encouraged rather than required. The proposal utilizes the suggested materials.

- (g) **Architectural styles characteristic of the area (such as 1½ story dormer roof styles in Corbett), and reflective of community desires, should be encouraged. Entry signs should be consistent with such architectural styles.**

**Applicant:** See house plan

**Staff:** The plan contains gables and dormer features that reflect these styles.

- (j) **Where feasible, existing tree cover of species native to the region or commonly found in the area shall be retained when designing new development or expanding existing development.**

**Applicant:** We plan to leave any tall vegetation that is not directly in the footprint of the home or that may be a hazard in the future.

**Staff:** The trees on the property are native to the region and those which are to be retained are shown on the Vegetation Map in Exhibit D. This criterion is met.

**(D) All Review Uses and Conditional Uses within scenic travel corridors:**

- (1) **For the purposes of implementing this section, the foreground of a Scenic Travel Corridor shall include those lands within one-quarter mile of the edge of pavement of the Historic Columbia River Highway and I- 84.**

**Staff:** The subject property is within one-quarter mile of the pavement edge of the Historic Columbia River Highway, and is therefore in a Scenic Travel Corridor as defined by the code. The property is exempt from the other provisions of this section due to the GGRC zoning, and the residential use that occurs on private property.

**6. The proposal satisfies the GMA Cultural Resource Review Criteria**

**MCC 38.7045 GMA Cultural Resource Review Criteria**

**(A) Cultural Resource Reconnaissance Surveys**

- (1) **A cultural reconnaissance survey shall be required for all proposed uses, except:**

\* \* \*

- (f) **Proposed uses occurring in areas that have a low probability of containing cultural resources**

**Areas that have a low probability of containing cultural resources will be identified using the results of reconnaissance surveys conducted by the Gorge Commission, the U.S. Forest Service, public agencies, and private archaeologists.**

**(B) The cultural resource review criteria shall be deemed satisfied, except MCC 38.7045 (L) and (M), if:**

**(1) The project is exempted by MCC 38.7045 (A) (1), no cultural resources are known to exist in the project area, and no substantiated comment is received during the comment period provided in MCC 38.0530 (B).**

**Staff:** United States Forest Service Archeologist Margaret L. Dryden, surveyed the site and determined there was no evidence of prehistoric or historic cultural materials in a Heritage Resource Survey. The Heritage Resource Inventory Report was submitted October 9, 2003 (Exhibit C). The results of the survey mean the site has a low probability of containing cultural resources. However, if during excavation remains or resources are found, a condition of approval will require development to stop so that they can be properly removed from the site and preserved.

**7. The proposal is not subject to the Environmental or Recreational Standards.**

**Staff:** Additional approval standards are contained within the range of Site Review approval criteria in MCC 38.7035 through 38.7090. These standards are applicable where wetlands, streams, wildlife, rare plant species, and recreational resources could be affected. The subject property does not contain any of these resources according to the NSA maps, therefore these provisions do not apply.

**Conclusion**

Based on the findings, narrative, and other information provided herein, this application, as conditioned, satisfies the applicable approval criteria required for Site Review in the National Scenic Area.

**Exhibits**

- A. Site plan date stamped Dec. 3, 2003.
- B. Letters received during comment period.
- C. Deed records implementing LD 06-85.
- D. Vegetation Map date stamped Dec. 3 2003.
- E. Building plans stamped "Received 10, 2003".
- F. Applicant's narrative
- G. Grading plot map.
- H. Assessment and Taxation Maps (partial) for 1N4E27DD and 34AA.