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MULTNOMAH COUNTY

LAND USE AND TRANSPORTATION PROGRAM

1600 SE 190TH Avenue Portland, OR 97233

PH: 503-988-3043 FAX: 503-988-3389

<http://www.co.multnomah.or.us/landuse>

NOTICE OF DECISION

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

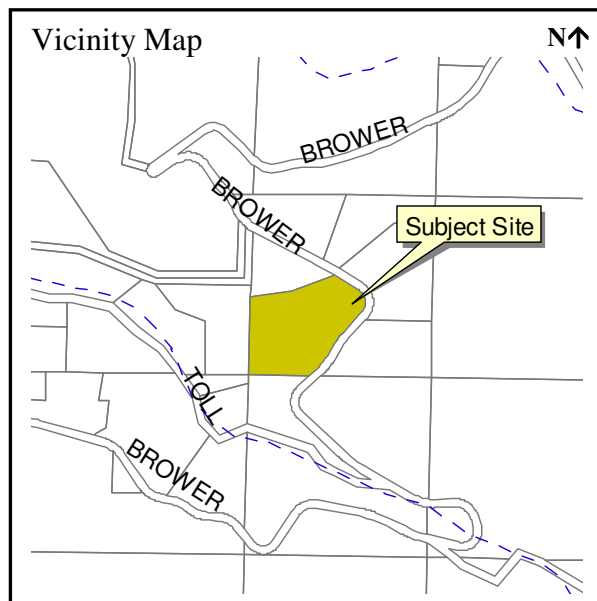
Case File: T2-09-062

Permit: National Scenic Area Site Review

Location: 2101 NE Brower Rd
TL 500, Sec 27D, T1N, R5E, W.M.
Tax Account #R945270160

Applicant: Quinn and Karen Annas
PO Box 86
Corbett, OR 97019

Owner: Quinn and Karen Annas
PO Box 86
Corbett, OR 97019



Summary: Applicant is requesting a NSA Site Review approval to allow the construction of a 1,008 square foot (28 foot by 36 foot) detached accessory shop building 30 feet from an existing single family dwelling.

Decision: Approved.

Unless appealed, this decision is effective August 3, 2010 at 4:30 PM.

Issued by:

By: _____
Kevin C. Cook, Planner

For: Karen Schilling- Planning Director

Date: Wednesday, July 21, 2010

Instrument Number for Recording Purposes: #2006023499

Opportunity to Review the Record: A copy of the Planning Director Decision, and all evidence submitted associated with this 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 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 Kevin Cook, Staff Planner at 503-988-3043, ext. 26782.

Opportunity to Appeal: This decision may be appealed within 14 days of the date it was rendered, 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 cannot be appealed to the Columbia River Gorge Commission until all local appeals are exhausted.

This decision is final at the close of the appeal period, unless appealed. The deadline for filing an appeal is August 3, 2010 at 4:30 pm.

Applicable Approval Criteria: Multnomah County Code (MCC):

General Provisions

MCC 38.0015 Definitions, specifically Parcel, Existing Use

MCC 38.0030 Existing Uses

MCC 38.0045 Review and Conditional Uses

Administration & Procedures, specifically

MCC 38.0530 Summary of Decision Making processes

MCC 38.0550 Initiation of Action

MCC 38.0560 Code Compliance and Applications

Gorge Special Forest Zoning District

MCC 38.2060 Dimensional Requirements

MCC 38.2085 Off-Street Parking and Loading

MCC 38.2090 Access

Site Review Criteria

MCC 38.7040 SMA Scenic Review Criteria

MCC 38.7050 SMA Cultural Resource Review Criteria

MCC 38.7075 SMA Natural Resource Review Criteria

MCC 38.7085 SMA Recreation Resource Review Criteria

Approval Criteria and Submittal Requirements

MCC 38.7305 Fire Protection in Forest Zones

Copies of the referenced Multnomah County Code (MCC) sections can be obtained by contacting our office at 503-988-3043 or by visiting our website at <http://www.co.multnomah.or.us/landuse>.

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 38.0700. Such a request 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 brackets.

1. **Within 30 days of this decision becoming final**, the applicant shall record the Notice of Decision (pages 1 through 3) and the site plan (Exhibit A.9). The Notice of Decision shall run with the land. Proof of recording shall be made prior to the issuance of any permits and the proof shall be filed with the Land Use Planning Division. Recording shall be at the applicant's expense. **Failure to record the Notice of Decision within the 30 day period may void the decision.** [MCC 38.0670]
2. The colors for the proposed shop building shall be as represented in Exhibit A.6. [MCC 38.7040(A)(2), (3) & (D)(2)(e)]
3. Seasonal lighting displays shall be permitted on a temporary basis, not to exceed three months duration. [MCC 38.7040(A)(7)]
4. All on-site vegetation shown in Exhibits A.8 and A.9 shall be maintained. If the vegetation is removed or dies it shall be replaced immediately with similar size and type vegetative materials. [MCC 38.7040(A)(8)]
5. If any windows will be utilized for the proposed accessory building the property owner shall demonstrate that the windows will have a reflectivity rating equal to or less than 13 percent prior to land use sign-off of the building permit. [MCC 38.7040(A)(8)]
6. Any proposed lighting shall be hooded and cast downward in order to keep light from shining off site.
7. In the event of the inadvertent discovery of cultural resources during the construction of this project, the applicant shall immediately notify the Planning Director, the State Historic Preservation Office and the US Forest Service. Work in the immediate area of discovery shall be suspended until a cultural resource professional can evaluate the potential significance of the discovery pursuant to MCC 38.7050(G)(3). [MCC 38.7050(H)]

Note: Once this decision is final, application for building permits may be made with the City of Gresham. When ready to have building permits signed off, the applicant shall call the Staff Planner, Kevin Cook, at (503) 988-3043 ext. 26782, for an appointment for review and approval of the conditions and to sign the building permit plans. Please 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 each of the site plan and building plans are needed for building permit sign off. At the time of building permit review, a fee of \$53.00 will be collected. In addition, an erosion control inspection fee of \$77.00 may be required.

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

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

Findings of Fact

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

Findings of Fact

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

1.00 General Provisions

1.01 Project Description

Staff: The property owner is requesting NSA Site Review approval to allow the construction of a 1,008 square foot (28 foot by 36 foot) detached accessory shop building 30 feet from an existing single family dwelling. The building would be 22 feet tall.

1.02 Site and Vicinity Characteristics

Staff: The subject property is 9.91 acres in size and is currently zoned Gorge Special Forest – 40 (GSF-40). A 1,762 sq. ft. single family dwelling, a 240 sq. ft shed/well house and a 360 sq. ft detached garage currently exist on the subject property (Exhibit B.1). The dwelling was constructed in 1925 and modified in 2005 under permit T2-05-011 (Exhibit B.5) and is located in the northeastern portion of the property approximately 110 feet south of Brower Road (Exhibit A.9). The site is heavily forested except for an approximate one acre area where the existing development is located (Exhibit B.6).

The surrounding area consists of properties typically ranging from 5 to 10 plus acres with one 33 acre property to the south of the subject site (Exhibit B.7). The majority of the properties are forested with a scattering of dwellings throughout the area. The area is chiefly zoned Gorge Special Forest – 40. An area of Gorge Special Open Space exists approximately 850 ft to the north of the subject site (Exhibit B.7).

1.03 MCC 38.0015 Definitions

As used in MCC Chapter 38, unless otherwise noted, the following words and their derivations shall have the following meanings:

(E)(7) Existing use or structure: A legally established use that existed before February 6, 1993. "Legally-established" means established in accordance with the law in effect at the time of establishment.

(P)(1) Parcel:

(a) Any unit of land, satisfying all applicable land division and zoning regulations in effect on the date of creation, created and separately described by a lawful sales contract, deed, partition map or plat, or subdivision plat;

(b) A unit of land shall not be considered a separate parcel simply because it:

- 1. Is a unit of land created solely to establish a separate tax account;**
- 2. Lies in different counties;**
- 3. Lies in different sections or government lots;**

4. Lies in different zoning designations; or

5. Is dissected by a public or private road.

(P)(2) Partial retention: A visual quality objective that provides for management activities which may be evident but must remain visually subordinate to the characteristic landscape. Activities may repeat form, line, color, or texture common to the characteristic landscape but changes in their qualities of size, amount, intensity, direction, pattern, etc., shall remain visually subordinate to the characteristic landscape.

(V)(2) Visual Quality Objective (VQO): A set of visual management goals established by the Forest Service to achieve a desired visual objective. These objectives include retention and partial retention, and others in the Mt. Hood and Gifford Pinchot National Forest Plans.

(V)(3) Visually subordinate: The relative visibility of a structure where that structure does not noticeably contrast with the surrounding landscape, as viewed from a specified vantage point (generally a Key Viewing Area). Structures which are visually subordinate may be partially visible, but are not visually dominant in relation to their surroundings.

1.04 MCC 38.0030 Existing Uses

Except as otherwise provided below, existing uses may continue, notwithstanding the provisions of MCC 38.0000 through 38.0110, 38.2000 through 38.3295, and 38.7000 through 38.7085.

(A) Any use or structure existing on February 6, 1993 may continue so long as it is used in the same manner and for the same purpose as on that date.

(2) Replacement of an existing use or structure by the same type of use or structure in a different location or with a different size shall be subject to MCC 38.7000 through 38.7085 to minimize adverse effects on scenic, cultural, natural, and recreation resources.

Staff: The residential use of the property was found to be an existing use in case file T2-05-011 (Exhibit B.5). *This criterion has been met.*

1.05 MCC 38.0045 Review and Conditional Use Applications

(A) The following additional information shall be submitted for all review and conditional uses:

(1) A list of Key Viewing Areas from which the proposed use would be visible.

Staff: The property was found to not be topographically visible from Key Viewing Areas (Exhibits B.2 and B.5). *The subject development is not visible from any Key Viewing Areas.*

1.06 **(2)** A map of the project area. The map shall be drawn to scale. The scale of the map shall be large enough to allow the reviewing agency to determine the location and extent of the proposed use and evaluate its effects on scenic, cultural, natural, and recreation resources. The map shall be prepared at a scale of 1 inch equals 100 feet (1:1,200), or a scale providing greater detail. If a parcel is very large, the map does not have to show the entire parcel. Rather, it may show only those portions of the parcel affected by the proposed use. The map shall include the following elements:

- (a) North arrow;
- (b) Map scale;
- (c) Boundaries, dimensions, and size of the subject parcel;
- (d) Significant terrain features or landforms;
- (e) Groupings and species of trees and other vegetation on the parcel;
- (f) Location and species of vegetation that would be removed or planted;
- (g) Bodies of water and watercourses;
- (h) Location and width of existing and proposed roads, driveways, and trails;
- (i) Location and size of existing and proposed structures;
- (j) Location of existing and proposed services, including wells or other water supplies, sewage disposal systems, power and telephone poles and lines, and outdoor lighting; and
- (k) Location and depth of all proposed grading and ditching.
- (l) Proposed uses in streams, ponds, lakes, and their buffer zones shall include the exact boundary of the ordinary high water-mark or normal pool elevation and the prescribed buffer zone; and a description of actions that would alter or destroy the stream, pond, lake, or riparian area.
- (m) Proposed uses in wetlands or wetlands buffer zones shall include the exact boundary of the wetland and the wetlands buffer zone; and a description of actions that would alter or destroy the wetland.
- (n) Proposed uses on parcels contiguous to established recreation sites shall provide a buffer between the proposed use and recreation site sufficient to insure that the proposed use will not detract from the use or enjoyment of the recreation site.

Staff: The applicant's site plan (Exhibit A.9) contains a north arrow, is drawn to scale and includes the property boundaries, dimensions and the size of the subject property. The plan shows a stream in the southern portion of the site. The stream runs from east to west. It also includes slope information for the site, the location of the existing house, well house. It has documented the area of fir forest on the site and other existing vegetation. No trees are proposed to be removed or planted as part of this project. The site plan has included information regarding the utilities, the existing driveway and Brower Road's location. The proposed accessory building is 200 feet away from the watercourse. No known wetlands are identified on the site or on adjacent properties within 200 feet. No recreational sites are adjacent to this property. *These criteria have been met.*

1.07

(B) Supplemental information will be required for:

- (1) Forest practices in the Special Management Area,
- (2) Production and development of mineral resources in the General Management Area,
- (3) Proposed uses visible from Key Viewing Areas, and
- (4) Proposed uses located near cultural resources, wetlands, streams, ponds, lakes, riparian areas, sensitive wildlife habitat, and sensitive plant sites.

Staff: The property is not viewable from key viewing areas (Exhibits B.2 and B.5) because of topography. No forest practices or development of mineral resources have been listed as part of the application. The proposed addition is 200 feet away from the existing watercourse to the south (Exhibit B.7).

- 1.08 MCC 38.0530(B): Type II decisions involve the exercise of some interpretation and discretion in evaluating approval criteria. Applications evaluated through this process are typically assumed to be allowable in the underlying zone. County Review typically focuses on what form the use will take, where it will be located in relation to other uses, and it's relationship to scenic, natural, cultural and recreational resources of the area. However, an application shall not be approved unless it is consistent with the applicable siting standards and in compliance with approval requirements. Upon receipt of a complete application, notice of application and an invitation to comment is mailed to the Gorge Commission; the U.S. Forest Service; the Indian tribal governments; the State Historic Preservation Office; the Cultural Advisory Committee; and property owners within 750 feet of the subject tract. The Planning Director accepts comments for 14 days after the notice of application is mailed, except for comments regarding Cultural Resources, which will be accepted for 20 days after the notice is mailed. The Planning Directors decision is appealable to the Hearings Officer. If no appeal is filed the Planning Directors decision shall become final at the close of business on the 14th day after the date on the decision. If an appeal is received, the Hearings Officer decision is the County's final decision and is appealable to the Columbia River Gorge Commission within 30 days after the decision is final. The decision is final the day the decision is signed by the Hearings Officer.**

Staff: The application was submitted on October 21, 2009 (Exhibit A.1) and deemed complete on April 16, 2010 (Exhibit C.2). An Opportunity to Comment was mailed to various parties including the Gorge Commission, US Forest Service and Indian Tribal Governments on April 28, 2010. The following issues were identified in the public comment period by the specified party.

- **Dennis Griffin, Ph.D. , RPA, State Archaeologist (Exhibit D.2)** – Extreme caution should be used during any excavation or soil disturbance, and any work should halt upon discovery of archeological artifacts and/or remains.

Staff: Condition of approval 7 requires that work cease and the proper authorities notified upon discovery.

- **Friends of the Columbia River Gorge (Exhibit D.1)** – Quoted several sections of the Multnomah County Code Chapter 38 (Columbia Gorge National Scenic Area Plan) that the applicant must demonstrate compliance with.

2.00 Gorge Special Forest Criteria

2.01 MCC 38.2060 Dimensional Requirements

(C) Minimum Yard Dimensions - Feet

Front	Side	Street Side	Rear
30	10	30	30

Maximum Structure Height – 35 feet

Staff: The proposed accessory building would be approximately 80 feet from the north property line (side property line) and approximately 100 feet from the front property line adjacent to Brower Road (Exhibit B.7). The proposed accessory building would be 22 feet tall (Exhibit A.10). *These criteria have been met.*

- 2.02 (D) The minimum yard requirement shall be increased where the yard abuts a street having insufficient right-of-way width to serve the area. The Planning Commission shall determine the necessary right-of-way widths and additional yard requirements not otherwise established by ordinance.**

(E) Structures such as barns, silos, windmills, antennae, chimneys, or similar structures may exceed the height requirement if located at least 30 feet from any property line.

Staff: The Brower Road Right of Way is currently 60 feet wide and is designated a local street on the County's Functional Trafficways Plan. The standard road width for a Local Street is 50 feet. No additional right of way is necessary at this time. *These criteria are met.*

2.03 MCC 38.2085 Off-Street Parking and Loading

Off-street parking and loading shall be provided as required by MCC 38.4100 through 38.4215.

Staff: The existing dwelling includes a 3 car attached garage. These three spaces comply with the parking standards under MCC 38.4100. Additional parking exists along the driveway (Exhibit A.9). *This criterion has been met.*

2.04 MCC 38.2090 Access

Any lot in this district shall abut a street or shall have other access determined by the approval authority to be safe and convenient for pedestrians and passenger and emergency vehicles.

Staff: Applicant's site plan shows that the property abuts Brower Road (Exhibit A.9). *This criterion has been met.*

3.00 Site Review

3.01 MCC 38.7040 SMA Scenic Review Criteria

The following scenic review standards shall apply to all Review and Conditional Uses in the Special Management Area of the Columbia River Gorge National Scenic Area with the exception of rehabilitation or modification of historic structures eligible or on the National Register of Historic Places when such modification is in compliance with the national register of historic places guidelines:

(A) All Review Uses and Conditional Uses:

- (1) Proposed developments shall not protrude above the line of a bluff, cliff, or skyline as seen from Key Viewing Areas.**

Staff: Contour information (Exhibits B.3 & B.4) documents that the hillside continues rising to the west and southwest over several hundred feet more from the elevation of the dwelling, as such, the proposed shop does not protrude above the skyline as seen from various Key Viewing Areas. *This criterion has been met.*

- 3.02 (2) Size, scale, shape, color, texture, siting, height, building materials, lighting, or other features of a proposed structure shall be visually subordinate in the**

landscape and have low contrast in the landscape.

Staff: The applicant has submitted elevations (Exhibit A.10). The accessory building will be 28 feet wide by 36 feet long (1,008 square feet) (Exhibits A.9 and A.10). The building will be a maximum height of 22 feet tall. The roof is proposed to be a black composite (Exhibit 7). The applicant has circled Pacific Wood (13) a dark green color, as the color choice on the brochure (Exhibit A.6). The garage doors will be fiberglass and will be the same color as the siding. The applicant has indicated that no lighting or windows are proposed (Exhibit A.2). Condition 6 indicates that if any lighting or windows are proposed that they must comply with the criteria.

The applicant has submitted in photographs (Exhibit A.8) which show that the proposed building site is surrounded by trees and chiefly screened from Brower Road. The existing dwelling and proposed addition are not viewable from the various key viewing areas based upon topographic cross-sections completed by staff (Exhibit B.2). The use of dark colors will help to blend the proposed building into the coniferous woodland landscape setting. *Through condition #2, this criterion has been met.*

- 3.03** **(3) Colors shall be used in a manner so that developments are visually subordinate to the natural and cultural patterns in the landscape setting. Colors for structures and signs should be slightly darker than the surrounding background.**

Staff: The property is located within the Coniferous Woodlands landscape setting. The use of dark colors will help to blend the proposed dwelling into the coniferous woodland landscape setting. *The Criterion is met.*

- 3.04** **(4) Structure height shall remain below the average tree canopy height of the natural vegetation adjacent to the structure, except if it has been demonstrated that compliance with this standard is not feasible considering the function of the structure.**

Staff: The proposed maximum height of the accessory structure is 22 feet. The existing dwelling is approximately 21 ft tall. The applicant's photographs of the site show the surrounding forest to be significantly taller than the existing dwelling (Exhibit A.8). The proposed accessory building will remain below the average height of the surrounding tree canopy. *This criterion has been met.*

- 3.05** **(5) Proposed developments or land use shall be aligned, designed and sited to fit the natural topography and to take advantage of vegetation and land form screening, and to minimize visible grading or other modifications of landforms, vegetation cover, and natural characteristics.**

Staff: Minimal grading will be required. No new plantings are going to be planted and there are no plants or trees to be removed. The area to be disturbed is approximately 6,000 sq feet in size. Prior to land use sign off for the building permit, the property owners or their representative will be required to obtain a Grading and Erosion Control Permit or demonstrate the project falls within the Minimal Impact Project specifications. *This criterion has been met.*

- 3.06** **(6) Any exterior lighting shall be sited, limited in intensity, shielded or hooded in a manner that prevents lights from being highly visible from Key Viewing Areas and from noticeably contrasting with the surrounding landscape setting except for road lighting necessary for safety purposes..**

Staff: No lighting is proposed. *This criterion has been met.*

- 3.07** **(7) Seasonal lighting displays shall be permitted on a temporary basis, not to**

exceed three months duration.

Staff: No seasonal lighting is proposed as this time. *This criterion has been met.*

3.08 (8) Reflectivity of structures and site improvements shall be minimized.

Staff: The proposed roofing is composite, the siding is wood, and the garage doors are fiberglass. No windows are proposed. *This criterion has been met.*

3.09 (B) New developments and land uses shall be evaluated to ensure that scenic resources are not adversely affected, including cumulative effects, based on visibility from Key Viewing Areas.

Staff: Cross-sections generated by staff demonstrate that the proposed shop building is not visible from the various key viewing areas (Exhibit B.2). Since the property is heavily vegetated and a condition has been included to maintain that vegetation, cumulative effects to scenic resources are not anticipated. *This criterion has been met.*

3.10 (C) All new developments and land uses immediately adjacent to the Historic Columbia River Highway, Interstate 84, and Larch Mountain Road shall be in conformance with state or county scenic route standards.

Staff: The subject property is located adjacent to Brower Road. *This criterion is not applicable.*

3.11 (D) New land uses or developments shall comply with the following:

(2) Coniferous Woodlands and Oak-Pine Woodland: Woodland areas shall retain the overall appearance of a woodland landscape. New developments and land uses shall retain the overall visual character of the natural appearance of the Coniferous and Oak/Pine Woodland landscape.

Staff: The proposed elevations will utilize dark colors to blend with the Coniferous Woodland setting. These colors reflect the natural appearance of the on-site vegetation. *This criterion has been met.*

3.12 (a) New developments and land uses in lands designated Federal Forest or Open Space shall meet the VQO of retention; all other land use designations shall meet the VQO of partial retention as seen from Key Viewing Areas.

Staff: The property is zoned Gorge Special Forest and the proposed accessory building must meet the VQO of partial retention as seen from Key Viewing Areas. Staff has generated cross-sections (Exhibit B.2) which demonstrate the proposed development is not visible from the various Key Viewing Areas. *This criterion has been met.*

3.13 (b) Forest practices on National Forest lands included in the Mt. Hood National Forest Plans shall meet the VQO identified for those lands in those plans.

Staff: No forest practices are proposed for the site as supported by the applicant's narrative (Exhibit A.2).

3.14 (c) Buildings in the coniferous landscape setting shall be encouraged to have a vertical overall appearance and a horizontal overall appearance in the Oak-Pine Woodland landscape setting.

Staff: The proposed building utilizes mostly horizontal siding, but the structure is not topographically visible and is well screened by existing mature trees which are conditioned to remain. In addition, the roof and garage doors will add some vertical elements to the structure.

This criterion has been met.

- 3.15 (d) Use of plant species native to the landscape setting shall be encouraged. Where non-native plants are used, they shall have native appearing characteristics.**

Staff: No additional landscaping is proposed as part of this application. The site is heavily treed except in the area of the existing dwelling. No trees will be removed. No additional landscaping is needed at this time to achieve partial retention.

- 3.16 (e) Exterior colors of structures in Coniferous Woodland landscape setting shall be dark earth-tone colors which will result in low contrast with the surrounding landscape as seen from the Key Viewing Areas.**

Staff: The applicant is proposing to use dark colors to reflect the Coniferous Woodland setting (Exhibit A.6). *This criterion has been met.*

3.17 MCC 38.7050 SMA Cultural Resource Review Criteria

- (A) The cultural resource review criteria shall be deemed satisfied, except MCC 38.7050 (H), if the Forest Service or Planning Director does not require a cultural resource survey and no comment is received during the comment period provided in MCC 38.7025 (B).**

Staff: Dennis Griffin, Ph.D. , RPA, State Archaeologist (Exhibit D.2) indicates that extreme caution should be used during any excavation or soil disturbance, and any work should halt upon discovery of archeological artifacts and/or remains. Condition of approval 7 requires that work cease and the proper authorities notified upon discovery of cultural remains and/or artifacts. *As conditioned, this criterion has been met.*

3.18 MCC 38.7075 SMA Natural Resource Review Criteria

All new developments and land uses shall be evaluated to ensure that the natural resources on a site, or natural resources in danger of degradation or destruction from individual or cumulative off-site impacts, are protected from adverse effects. The Forest Service will provide the analysis and evaluation for all projects except those sponsored by non-Forest Service federal and state agencies.

- (A) Buffer zones shall be undisturbed unless it has been shown that there are no practicable alternatives pursuant to MCC 38.7055 (F) (1), substituting the name of the resource as appropriate. New developments and uses may only be allowed in the buffer zone upon demonstration in the natural resources mitigation plan required by MCC 38.7075 (B) (6) that there would be no adverse effects.**

Staff: The subject site is located in Deer and Elk Winter Habitat. The proposed plans were sent to the US Forest Service and the Oregon Department of Fish and Wildlife for review and comment. No wildlife comments were received from either agency. Based upon these agencies lack of comment, staff finds that there will be no adverse effects generated by the proposed addition to the existing single family dwelling. *This criterion has been met.*

3.19 38.7085 SMA RECREATION RESOURCE REVIEW CRITERIA

- (A) The following shall apply to all new developments and land uses:**

- (1) New developments and land uses shall be natural resource-based and not displace existing recreational use.**

Staff: The proposed project is an accessory building to an existing single family dwelling. No

existing recreational uses exist on the subject property or nearby. *This criterion has been met.*

4.00 **Conclusion**

Based on the findings and other information provided above, the applicant has carried the burden necessary for the conditional approval of the NSA Site Review application for the construction of an accessory (shop) building in the GSF-40 zoning district.

5.00 **Exhibits**

‘A’ Applicant’s Exhibits

‘B’ Staff Exhibits

‘C’ Procedural Exhibits

Exhibit #	Description of Exhibit
A.1	NSA Application Form
A.2	Narrative Statements
A.3	Fire District Review Fire Flow Requirements
A.4	Storm Water Certificate
A.5	Certification of On-Site Sewage Disposal
A.6	Miller Paint Color Samples
A.7	Composition Roof Sample
A.8	Site Photographs
A.9	Site Plan
A.10	Building Elevations
‘B’	Staff Exhibits
B.1	A&T Property Information
B.2	Profile Legend and Profiles of Terrain between SFD and KVA’s
B.3	Contour Information
B.4	Contour Map
B.5	Decision T2-05-011
B.6	Aerial Site Photograph
B.7	Zoning Map
‘C’	Administration & Procedures
C.1	Incomplete Letter
C.2	Complete Letter – Day 1
C.3	Opportunity to Comment
‘D’	Comments Received
D.1	Friends of the Columbia River Gorge
D.2	Dennis Griffin, Ph.D. , RPA, State Archaeologist, Oregon Department of Parks and Recreation