



**MULTNOMAH COUNTY**  
**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/landuse>

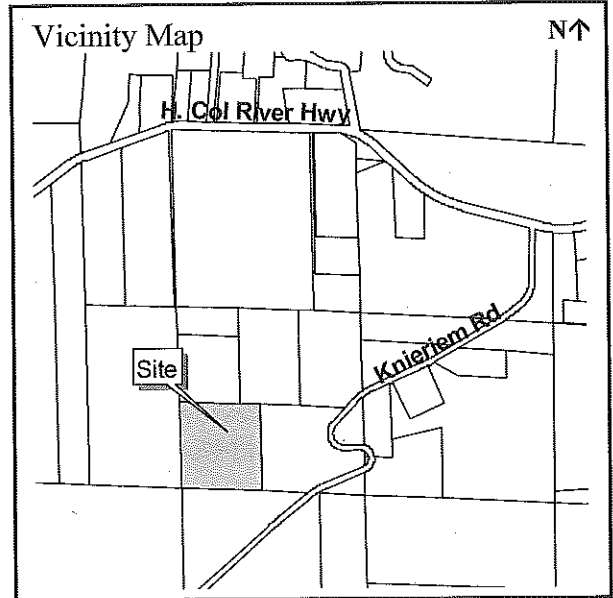
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## NOTICE OF DECISION

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

**Case File:** T2-2010-676  
**Permit:** NSA Site Review  
**Location:** 39125 E. Knieriem Rd  
TL 800, Sec 36BD, T 1 North, R 4 East,  
W.M.  
Tax Account #R94436-0450  
**Applicants/  
Owners:** Paul & Paula Granberg  
**Base Zone:** Gorge General Residential – 10  
(GGR-10)  
**Landscape  
Setting:** Rural Residential in Pastoral



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**Summary:** Property owners are requesting to replace the existing manufactured dwelling with a newer manufactured dwelling, convert the existing dwelling to an accessory building and replace the failing septic system. A NSA Site Review will be needed to authorize the replacement in the Gorge General Residential - 10 zone.

**Decision:** Approved with conditions.

Unless appealed, this decision is effective Thursday, October 7, 2010, at 4:30 PM.

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Issued by:

By: *Lisa Estrin*  
Lisa Estrin, Planner

For: Karen Schilling- Planning Director

Date: Thursday, September 23, 2010

Instrument Number for Recording Purposes: # 97022352

**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 Lisa Estrin, Staff Planner at 503-988-3043, ext. 22597.

**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 Thursday, October 7, 2010 at 4:30 pm.**

**Applicable Approval Criteria:** Multnomah County Code (MCC): *Gorge General Residential – 10:* MCC 38.3025 Review Uses, MCC 38.3060 Dimensional Requirements, MCC 38.3085 Off-Street Parking and Loading, & MCC 38.3090 Access, MCC 38.0060 Agricultural Buffers.

**Site Review Criteria:** MCC 38.7035 GMA Scenic Review Criteria, MCC 38.7045 GMA Cultural Resource Review Criteria, MCC 38.7055 GMA Wetland Review Criteria, MCC 38.7060 GMA Stream, Lake and Riparian Area Review Criteria, MCC 38.7065 GMA Wildlife Review Criteria, MCC 38.7070, MCC GMA Rare Plant Review Criteria, MCC 38.7080 GMA Recreation Resource Review Criteria, & MCC 38.7300 Review and Conditional Uses

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. Prior to building permit sign-off, the property owner shall record the Notice of Decision including the Conditions of Approval of this decision, the site plan (Exhibit A.7) and the *Vegetative Buffer*

*Area to be Maintained* map (Exhibit B.3) with the County Recorder. The Notice of Decision shall run with the land and the conditions shall be met by the current and future property owner(s) unless amended through a later decision by an authorized authority. Proof of recording shall be submitted to Multnomah County Land Use Planning prior to the issuance of any permits. Recording shall be at the applicant's expense. [MCC 38.0670]

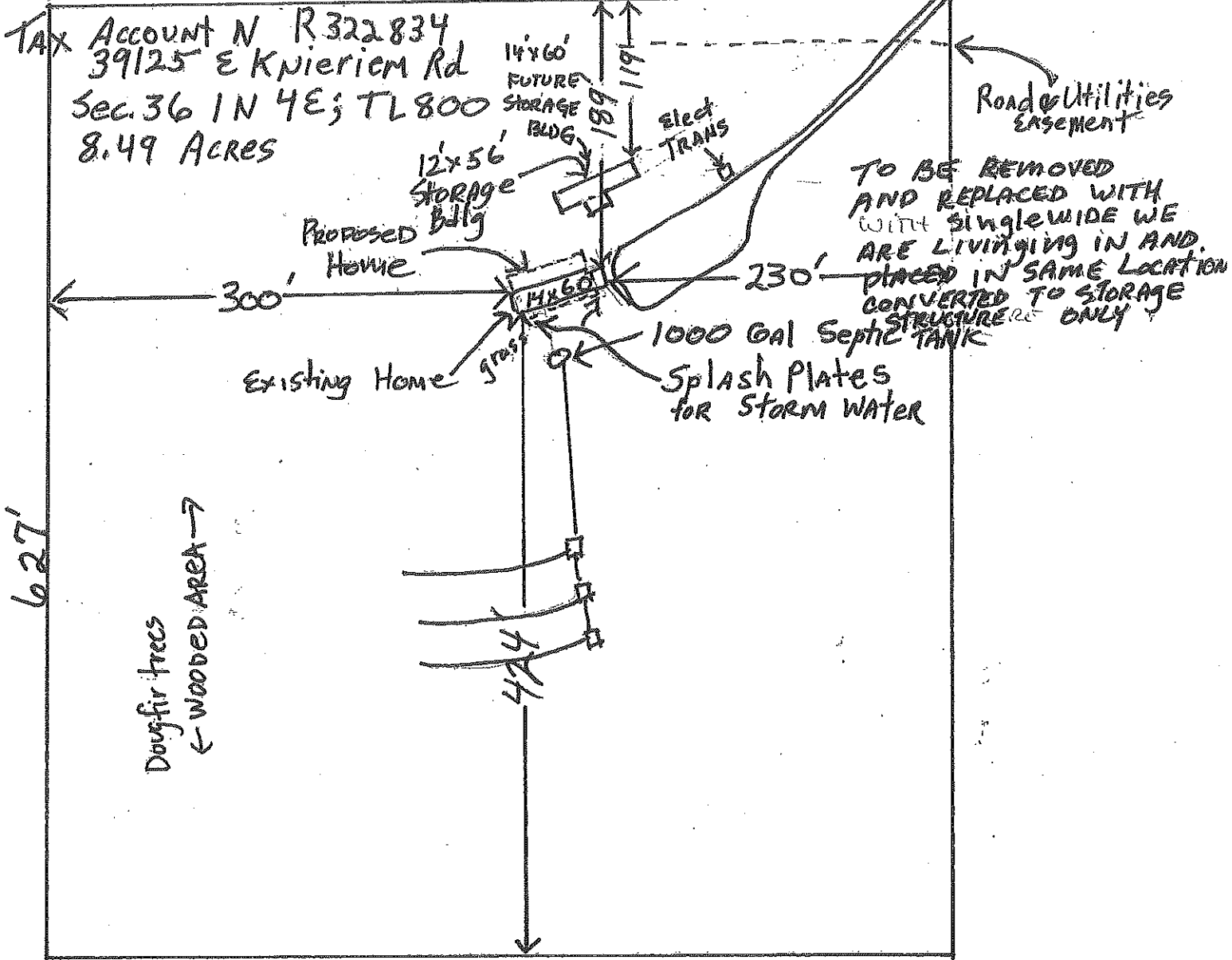
2. The proposed accessory building shall be used as an accessory structure for the personal use of occupants of the dwelling on the property. This building shall not be used as a residence. The property owner shall ensure that a final building inspection occurs prior to using the building. [MCC 38.0015 & MCC 38.3015]
3. The existing accessory building, shown on Exhibit A.2, shall be removed from the property within 30 days of use of the proposed accessory building. [MCC 38.3015]
4. Prior to land use sign-off of the building permit, the property owner or their representative shall select dark earth tones from rows A or B on the Recommended Colors chart from the Building in the Scenic Area Handbook for the siding, roofing, trim and doors for the new dwelling. Color choices shall be noted on the plans. Upon completion of the placement process with the County's building department, the property owners shall commence painting of the structure and treatment of the roof if necessary. This work shall be completed within six months of occupancy of the structure. [MCC 38.7035(B)(1)]
5. Prior to land use sign-off of the building permit, the property owners or their representative shall select dark earth tones from rows A or B on the Recommended Colors chart from the Building in the Scenic Area Handbook for the siding, roofing and trim for the proposed accessory building. Upon the completion of the conversion process of the old dwelling to a storage building with the County's building department, the property owners shall commence painting of the structure. This work shall be completed within one year of occupancy of the dwelling. [MCC 38.7035(B)(1)]
6. All exterior lighting on the new dwelling and proposed accessory building shall be hooded, shielded and pointed downwards. Prior to land use sign-off of the building permit, the property owners or their representative shall provide a lighting detail for all exterior lighting demonstrating compliance with this condition. [MCC 38.7035(B)(1) & (11)]
7. The proposed dwelling shall have wood siding and dark earthtone composite roofing. Any windows on the northeast & northern elevation shall have an exterior visible light reflectivity rating of 15% or less. [MCC 38.7035(B)(10)]
8. Within one year of occupancy of the new dwelling, the metal roofing on the proposed accessory building shall be resealed with a dark earth tone color sealer. [MCC 38.7035(B)(10)]
9. Prior to land use sign-off of the building permit, the property owners or their representative shall provide a floor plan for the proposed accessory building. The conversion of the existing dwelling to an accessory building shall remove the components of the dwelling so that it no longer qualifies as a single family dwelling. Typically, property owners remove the kitchen components. [MCC 38.0005 Definitions, Dwelling, MCC 38.3015 Uses]
10. All present and future property owners shall be responsible for the proper maintenance and survival of screening vegetation shown and labeled on the *Vegetative Buffer Required to be Maintained* plan included as Exhibit B.3. Any of these trees damaged or destroyed by inclement weather or disease to the extent that they no longer screen the development shall be replaced with the same tree species within the next planting season. Replacement tree shall be at least 6 ft tall at time of planting and shall be placed in the same general location. [MCC 38.7035(A)(3), (4) and (7)]

11. If any Cultural Resources and/or Archaeological Resources are discovered or located on the property during this project, including finding any evidence of historic campsites, old burial grounds, implements, or artifacts, the following procedures shall be implemented: [MCC 38.7045 (L)]
- a. All survey and evaluation reports and mitigation plans shall be submitted to the Planning Director and SHPO. Indian tribal governments also shall receive a copy of all reports and plans if the cultural resources are prehistoric or otherwise associated with Native Americans.
  - b. Halt Construction – All construction activities within 100 feet of the discovered cultural resource shall cease. The cultural resources shall remain as found; further disturbance is prohibited.
  - c. Notification – The project applicant shall notify the County Planning Director and the Gorge Commission within 24 hours of the discovery. If the cultural resources are prehistoric or otherwise associated with Native Americans, the project applicant shall also notify the Indian tribal governments within 24 hours. This includes the Yakama Nation, contact Cultural Specialist for the Cultural Resources Program at: (509) 865-5121 extension 4720; FAX number (509) 865-4664. Procedures required in MCC 38.7045 (L) shall be followed.
  - d. Survey and Evaluation – The Gorge Commission (Commission) will survey the cultural resources after obtaining written permission from the landowner and appropriate permits from SHPO (see ORS 273.705 and ORS 358.905 to 358.955). The Commission will gather enough information to evaluate the significance of the cultural resources. The survey and evaluation will be documented in a report that generally follows the standards in MCC 38.7045 (C) (2) and MCC 38.7045 (E).
  - e. Mitigation Plan – Mitigation plans shall be prepared according to the information, consultation, and report standards of MCC 38.7045 (J). Construction activities may recommence when the conditions in the mitigation plan have been executed. [MCC 38.7045 (L)]
12. The following procedures shall be in effect if human remains are discovered during excavation or construction (human remains means articulated or disarticulated human skeletal remains, bones, or teeth, with or without attendant burial artifacts):
- (a) Halt Activities – All survey, excavation, and construction activities shall cease. The human remains shall not be disturbed any further.
  - (b) Notification – Local law enforcement officials, the Multnomah County Planning Director, the Gorge Commission, and the Indian tribal governments shall be contacted immediately.
  - (c) Inspection – The State Medical Examiner shall inspect the remains at the project site and determine if they are prehistoric/historic or modern. Representatives from the Indian tribal governments shall have an opportunity to monitor the inspection.
  - (d) Jurisdiction – If the remains are modern, the appropriate law enforcement officials will assume jurisdiction and the cultural resource protection process may conclude.
  - (e) Treatment – Prehistoric/historic remains of Native Americans shall generally be treated in accordance with the procedures set forth in Oregon Revised Statutes, Chapter 97.740 to 97.760.
    - i. If the human remains will be reinterred or preserved in their original position, a mitigation plan shall be prepared in accordance with the consultation and report standards of MCC 38.7045 (I).
    - ii. The plan shall accommodate the cultural and religious concerns of Native Americans. The cultural resource protection process may conclude when the conditions set forth in the

4-808



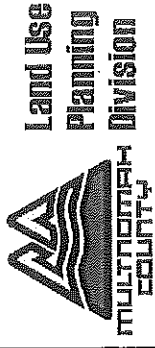
590'



1 inch = 100 ft.

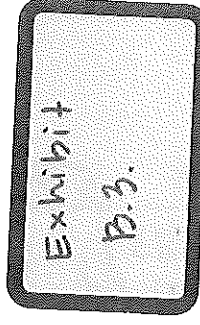
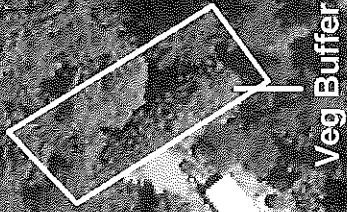
Exhibit  
A.7.





# Veg. Buffer for Visual Subordination

Tax Lots



1600 SE 190th Ave.  
Portland, OR 97233  
503.243.3043 Fax 503.243.3389  
Email: [land.use.planning@co.multnomah.or.us](mailto:land.use.planning@co.multnomah.or.us)

This map is based on data from Metro  
Multnomah County cannot accept responsibility  
for errors, omissions or positional accuracy.  
There are no warranties expressed or implied.

standards of MCC 38.7045 (J) are met and the mitigation plan is executed. [MCC 38.7045 (M)]

**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, Lisa Estrin, at (503) 988-3043 ext. 22597, 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*.

### **1.00 Project & Property Description:**

**Staff:** The property owners are requesting to replace the existing 840 sq. ft single wide mobile home with a newer manufactured dwelling on the subject site. The maximum size of the new home will be 2,560 sq ft. The exact size cannot be determined at this time as the property owners will be purchasing a used dwelling and moving it to the site after this approval. The property owners are not able to purchase the home and store it off-site until approved so they have determined a maximum size to the home so that this review can go forward. The newer manufactured dwelling will be a doublewide and placed in the same location as the existing dwelling.

The subject property is 8.49 acres and is heavily wooded. The terrain falls from northwest to southeast across the entire property.

### **2.00 Gorge General Residential Criteria:**

#### **2.01 § 38.3025 REVIEW USES**

**(A) The following uses may be allowed on lands designated GGR, pursuant to MCC 38.0530 (B) and upon findings that the NSA Site Review standards of MCC 38.7000 through 38.7085 have been satisfied:**

**(1) One single-family dwelling per legally created parcel.**

**(a) If the subject parcel is located adjacent to lands designated GGA or GGF, the use shall comply with the buffer requirements of MCC 38.0060; and**

**Staff:** The applicants are proposing to replace their existing manufactured dwelling with a newer manufactured dwelling on the subject site. The subject 8.49 acre property was created in 1972 while the property was zoned F-2 (2 acre min. lot size). The parcel was legally created in compliance with the laws in place at the time. The subject parcel is located adjacent to lands designated GGA to the east. The property immediately east of the site is in a mixture of pasture and forest. Pursuant to MCC 38.0060, the natural or created vegetation barrier buffer requirement for pasture is 15 ft. The location of the proposed dwelling is 300 ft from the west property line and this area heavily vegetated with trees. Another option for agricultural buffers is an Open or Fenced area of 100 ft between the agricultural use and the residential use. The proposed placement of the dwelling is 300 ft from the western property line. *These criteria are satisfied.*

**2.02 (3) Accessory building(s) larger than 200 square feet in area or taller than 10 feet in height for a dwelling on any legal parcel are subject to the following additional standards:**

**(a) The combined footprints of all accessory buildings on a single parcel shall not exceed 1,500 square feet in area. This combined size limit refers to all accessory buildings on a parcel, including buildings allowed without review, existing buildings and proposed buildings.**

**(b) The height of any individual accessory building shall not exceed 24 feet.**

**Staff:** The existing dwelling will be moved approximately 40 ft to the north and converted to a



storage building. The structure is 14 ft wide by 60 ft long for a total of 840 sq. ft. The existing 12 ft by 56 ft storage building will be removed from the property. The height of the storage building is approximately 14 ft. *These criteria are satisfied.*

## 2.03 § 38.3060 DIMENSIONAL REQUIREMENTS

### (C) Minimum Yard Dimensions – Feet

Front	Side	Street Side	Rear
30	10	30	30

Maximum Structure Height – 35 feet

**(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.**

**Staff:** The subject property does not front onto a County right-of-way. No additional setback is required. The proposed dwelling is 189 ft from the north property line, 230 ft from the east property line, 300 ft from the west property line and 424 ft from the south property line. The proposed storage building is 119 ft from the north property line, 200 ft from the east property line, 485 ft from the south property line and 325 ft from the west property line. The dwelling will be a single story and will not exceed 20 ft in height. The storage building is approximately 14 ft in height. *These criteria are satisfied.*

## 2.04 § 38.3085 OFF-STREET PARKING AND LOADING

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

**Staff:** The parking requirement for a single family dwelling is two spaces on a residential property. To the east of the dwelling the driveway widens to accommodate two parking spaces. *This criterion is satisfied.*

## 2.05 § 38.3090 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:** The subject property does not abut directly onto a public right-of-way. It accesses Knieriem Road via an easement. The Corbett Fire District has reviewed the proposed access and finds it in compliance with the County's Access standards listed in MCC 29.012. Based upon the driveway meeting the County's Access standards, the Planning Director finds the alternative access to be safe and convenient for pedestrians and passenger and emergency vehicles. *This criterion is satisfied.*

## 3.00 Site Review Criteria

### 3.01 § 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:**

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

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

**Staff:** The proposed dwelling will be placed in the same location as the existing dwelling. The proposed storage building will be placed in the same location as the existing storage building. The existing driveway will not be modified. Limited grading is proposed to complete the placement of the proposed dwelling and replacement septic tank. *This criterion is satisfied.*

- 3.02                    (2) New buildings shall be compatible with the general scale (height, dimensions and visible mass) of similar buildings that exist nearby (e.g. dwellings to dwellings). Expansion of existing development shall comply with this guideline to the maximum extent practicable. For purposes of applying this standard, the term nearby generally means buildings within ¼ mile of the parcel on which development is proposed.**

**Staff:** The proposed dwelling will not exceed 2,560 sq. ft in size. It will be a single story manufactured dwelling and will not exceed 20 ft in height. Planning staff reviewed dwelling sizes within a quarter mile of the subject site in the National Scenic Area (NSA). Properties to the south are outside of the NSA and were not considered as Chapter 35 (East of Sandy River zoning code) does not have similar compatibility requirements for dwellings. The three largest dwellings in the area are 3, 849 sq. ft., 2,870 sq. ft. and 2,612 sq. ft respectfully (Exhibit B.7). These buildings are more than one-story in height. The maximum size of the proposed dwelling is compatible with dwellings in the area.

The proposed 14 ft wide x 60 ft long (840 sq. ft) storage building falls within the range of accessory buildings in the area. The three largest accessory buildings (non-farm) in the area are 1,152 sq. ft., 1,008 sq. ft. and 960 sq. ft (Exhibit B.7). The building is approximately 14 ft in height. The proposed storage building is compatible with the general scale of similar buildings in the area. *This criterion is satisfied.*

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

**Staff:** Knieriem Road is not a Scenic Travel Corridor. No modifications to the existing driveway are proposed. *This criterion is not applicable.*

- 3.04                    (4) Property owners shall be responsible for the proper maintenance and survival of any required vegetation.**

**Staff:** A condition of approval has been included requiring that the 50 ft wide by 125 ft long vegetative buffer shown on Exhibit B.3 be maintained.

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

**Staff:** The subject property is located in the Rural Residential in Pastoral landscape setting. The proposed development is compatible with its landscape setting. Please see Sections 3.30 through 3.36 for supporting information. *This criterion is satisfied.*

- 3.06                    (6) For all new production and/or development of mineral resources and expansion of existing quarries, ...**

- (7) All reclamation plans for new quarries ...**

**Staff:** The subject development is to replace an existing single family dwelling and storage building. No quarries are proposed. *These criteria are not applicable.*

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

**(1) Each development shall be visually subordinate to its setting as seen from Key Viewing Areas.**

**Staff:** The proposed development is topographically visible from the Larch Mountain Road in the Special Management Area of the National Scenic Area. The replacement dwelling will have wooden siding, composition shingles and be painted dark earth tones. The lighting on the dwelling will be hooded, directed downward and shielded. The site is heavily vegetated with a mixture of trees. The conversion of the existing dwelling to a storage building at its new location will be screened by the existing vegetation. In addition, the structure will be painted dark earth tones. Conditions of approval have been included to ensure compliance. *As conditioned, this criterion is satisfied.*

**3.08 (2) The extent and type of conditions applied to a proposed development or use to achieve the scenic standard shall be proportionate to its potential visual impacts as seen from Key Viewing Areas. Decisions shall include written findings addressing the factors influencing potential visual impact including but not limited to: 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). Conditions may be applied to various elements of proposed developments to ensure they are visually subordinate to their setting as seen from key viewing areas, including but not limited to siting (location of development on the subject property, building orientation, and other elements); retention of existing vegetation; design (color, reflectivity, size, shape, height, architectural and design details and other elements); and new landscaping.**

**Staff:** The proposed development is located along the border of the National Scenic Area. Development is single-story and located near the center of an 8.49 acre parcel. The development site is visible from a single Key Viewing Area. Larch Mountain Road (SMA) begins approximately 1 mile away from the site and significant elevation change (170+ ft change in elevation) occurs between the site and the key viewing area. The requirement to paint the structures dark earth tones and shield the lights is proportionate to the potential visual impacts of the project.

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

**Staff:** The proposed development does not push the compatibility limits for development in the area. The size of the proposed dwelling falls slightly above the average dwelling size of 2,200 sq. ft. The average sized accessory structure in the area is 704 sq. ft. Of the thirteen accessory structures found in the area, six of them are larger than the proposed 840 sq. ft building. The proposed development will not contribute to an increase in the permissible structure size and will not have a cumulative visual effect within the area. *This criterion is satisfied.*

- 3.10** (4) In addition to the site plan requirements in MCC 38.0045 (A) applications for all buildings visible from key viewing areas shall include 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).

**Staff:** The applicants have provided photographs of similar manufactured dwellings as the one proposed to be placed on the site (Exhibit A.11). The exact design has not been determined as the property owners will be purchasing the exact model from a private party once this decision is final. The home will be a single story and have a simple gable roof design. The siding will be wood type siding and will have a composition roof. No landscaping is proposed as the site is heavily forested. Dark earth tones will be used on the structure. Exterior light fixtures will be hooded, shielded and directed downwards. *This criterion is satisfied as conditioned.*

- 3.11** (5) For proposed mining and associated activities on lands visible from Key Viewing Areas, in addition to submittal of plans and information pursuant to MCC 38.7035 (A) (6) and subsection (4) above, project applicants shall submit perspective drawings of the proposed mining areas as seen from applicable Key Viewing Areas.

**Staff:** No mining activities are proposed. *This criterion is not applicable.*

- 3.12** (6) New development 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.

**Staff:** The location of the proposed dwelling is in the same location as the existing dwelling. The development site is located in the northern half of the property and has significant vegetation surrounding the structure. The proposed accessory structure will be located approximately 30 ft north of the dwelling. The accessory structure will be replace an existing accessory structure. No vegetation or terrain will be modified to construct the project. The development is screened by existing vegetation and should not be visible from the Key Viewing Area. *This criterion is satisfied.*

- 3.13** (7) New development shall be sited using existing topography and/or existing vegetation as needed to achieve visual subordination from key viewing areas.

**Staff:** The proposed development will be screened by existing vegetation in addition to using dark earth tones. The development will achieve visual subordination. *This criterion is satisfied.*

- 3.14** (8) Existing tree cover screening proposed development from key viewing areas shall be retained as specified in MCC 38.7035(C).

**Staff:** Approximately 300 feet of tree cover exists between the northeast corner of the property and the dwelling and accessory structure. Maintenance of a 50 ft wide vegetative buffer as shown on Exhibit B.3 will screen the proposed structures and allow the property owners to manage their forested property. A condition of approval has been included requiring the maintenance of this buffer area. *As conditioned, this criterion is satisfied.*

- 3.15**                    **(9) Driveways and buildings shall be designed and sited to minimize visibility of cut banks and fill slopes from Key Viewing Areas.**

**Staff:** No cut banks or fill slopes are required to complete the subject property. The property owners are utilizing the existing locations of existing structures to minimize ground disturbance. *This criterion is satisfied.*

- 3.16**                    **(10) 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. The Scenic Resources Implementation Handbook includes a list of recommended exterior materials. These recommended materials and other materials may be deemed consistent with this code, including those that meet recommended thresholds in the "visibility and Reflectivity Matrices" in the Implementation Handbook. Continuous surfaces of glass unscreened from key viewing areas shall be limited to ensure visual subordination. Recommended square footage limitations for such surfaces are provided for guidance in the Implementation Handbook**

**Staff:** The existing dwelling will be converted to an accessory building and moved approximately 30 ft north of its existing site. The structure has metal siding painted dark brown. The roof is currently metal with a coating of Snow-coat (white). The location of the accessory building is adjacent to an existing cut slope. The existing accessory building is screened by this cut slope and the proposed building will also be screened. The applicants have indicated a willingness to paint the white metal roofing a darker color. A condition of approval has been included requiring the roof on the proposed accessory building be recoated with a dark earthtone roof sealer. The proposed dwelling will have wood siding and composite roofing. A condition of approval has been included requiring windows facing the Larch Mountain Road (SMA) key viewing area will have a reflectivity rating of 15% or less.

- 3.17**                    **(11) 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.**

**Staff:** Application materials indicate that there will be a hooded porch light on the northern side of the home. Exterior doors on the dwelling require lighting pursuant to the building code. A condition of approval has been included requiring that a lighting detail for all exterior lighting be provided prior to land use sign-off of the building permit. The lighting detail will comply with the dark-sky requirement above. *As conditioned, this criterion is satisfied.*

- 3.18**                    **(12) Unless expressly exempted by other provisions in this chapter, colors of structures on sites visible from key viewing areas shall be dark earth-tones found at the specific site or in the surrounding landscape. The specific colors or list of acceptable colors shall be included as a condition of approval. The Scenic Resources Implementation Handbook will include a recommended palette of colors.**

**Staff:** The application materials indicate that dark earthtone colors will be utilized on both buildings. A condition of approval has been included requiring colors be chosen from Line A or B of the recommended color chart. *As conditioned, this criterion is satisfied.*

- 3.19**                    **(13) Additions to existing buildings smaller in total square area than the existing building may be the same color as the existing building. Additions larger than the**

existing building shall be of dark earth-tone colors found at the specific site or in the surrounding landscape. The specific colors or list of acceptable colors shall be included as a condition of approval. The Scenic Resources Implementation Handbook will include a recommended palette of colors.

**Staff:** The proposed development will not involve additions to the existing structures. The existing dwelling will be converted to a storage building. The existing storage building will be removed from the property. The new dwelling will replace the existing dwelling on the site. *This criterion is not applicable.*

- 3.20 (14) Rehabilitation of or modifications to existing significant historic structures shall be exempted from visual subordination requirements for lands seen from Key Viewing Areas. To be eligible for such exemption, the structure must be included in, or eligible for inclusion in, the National Register of Historic Places or be in the process of applying for a determination of significance pursuant to such regulations. Rehabilitation of or modifications to such historic structures shall be consistent with National Park Service regulations for historic structures.

**Staff:** No historic structures exist on the subject site. *This criterion is not applicable.*

- 3.21 (15) 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.

**Staff:** The location of the property is on a rising plain. The nearest key viewing area is the Historic Columbia River Highway. Topographically, the property is not visible from the Historic Highway. The proposed dwelling and accessory building will both be single story in height. While the property is visible from Larch Mountain Road (SMA), the single-story structures will not protrude above the surrounding terrain to the northeast of the property. *This criterion is satisfied.*

- 3.22 (16) An alteration to a building built prior to November 17, 1986, which already protrudes above the skyline of a bluff, cliff or ridge as seen from a Key Viewing Areas, may itself protrude above the skyline if:
- (a) The altered building, through use of color, landscaping and/or other mitigation measures, contrasts less with its setting than before the alteration; and
  - (b) There is no practicable alternative means of altering the building without increasing the protrusion.

**Staff:** No alterations are proposed. *This criterion is not applicable.*

- 3.23 (17) The following standards shall apply to new landscaping used to screen development from key viewing areas:

(a) New landscaping (including new earth berms) shall be required only when there is no other means to make the development visually subordinate from key viewing areas. Alternate sites shall be considered prior to using new landscaping to achieve visual subordination. Development shall be sited



to avoid the need for new landscaping wherever possible.

(b) If new landscaping is required, it shall be used to supplement other techniques for achieving visual subordination.

(c) Vegetation planted for screening purposes shall be of sufficient size to make the development visually subordinate within five years or less of commencement of construction.

(d) Landscaping shall be installed as soon as practicable, and prior to project completion. Applicant. The property owner(s), and their successor(s) in interest are responsible for the proper maintenance and survival of planted vegetation, and replacement of such vegetation that does not survive.

(e) The Scenic Resources Implementation Handbook includes recommended species for each landscape setting consistent with MCC 38.7035(C) and the minimum recommended sizes for tree plantings (based on average growth rates expected for recommended species).

**Staff:** No new landscaping is proposed or needed to achieve visual subordination of the proposed development. *This criterion is not applicable.*

- 3.24 (18) Conditions regarding new landscaping or retention of existing vegetation for new developments on land designated GMA Forest shall meet both scenic guidelines and the fuel break requirements of MCC 38.7305(A).

**Staff:** The subject property is zoned GGR-10 and is not located adjacent to GMA forest lands. The fuel break requirements of MCC 38.7305(A) are not applicable. *This criterion is not applicable.*

- 3.25 (19) New main lines on lands visible from Key Viewing Areas...
- (20) New communication facilities (antennae, dishes, etc.) on lands visible from Key Viewing Areas, ...
- (21) New communications facilities may protrude above a skyline...
- (22) Overpasses, safety and directional signs and other road and highway facilities.... may protrude above a skyline visible from a Key Viewing Area only upon a demonstration that:

**Staff:** The above criteria are not applicable to the proposed residence & accessory building.

- 3.26 (23) Except for water-dependent development and for water-related recreation development, development shall be set back 100 feet from the ordinary high water mark of the Columbia River below Bonneville Dam, and 100 feet from the normal pool elevation of the Columbia River above Bonneville Dam, unless the setback would render a property unbuildable. In such cases, variances to the setback may be authorized.

**Staff:** The subject property is not adjacent to the Columbia River. *This criterion is not applicable.*

- 3.27 (24) 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.**

**Staff:** Based on County topographic information, the overall terrain sloping from the northwest corner of the property down to the southeast corner of the property is 27% (Exhibit B.4). The development area for the dwelling and accessory structure has a 22% slope. *This criterion is satisfied.*

- 3.28**           **(25) All proposed structural development involving more than 100 cubic yards of grading on sites visible from Key Viewing Areas 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:...**

**Staff:** The application materials indicate that no new grading is needed to site the dwelling and accessory building. The proposed dwelling will be placed in the existing dwellings location. A small amount of grading will be needed to place the foundation for the new dwelling. The proposed accessory building will replace an existing structure and does not require any ground disturbance. The repair of the septic tank and possibly the drainfield will involve minimal grading. No modifications of the driveway is required. *This criterion is not applicable.*

- 3.29**           **(26) Expansion of existing quarries and new production and/or development of mineral resources...**
- (27) Unless addressed by subsection (26) above, new production and/or development of mineral resources may be allowed upon a demonstration that:...**
- (28) An interim time period to achieve compliance with visual subordination requirements for expansion of existing quarries...**
- (29) An interim time period to achieve compliance with full screening requirements for new quarries located....**

**Staff:** The above criteria are not applicable to the proposed residence & accessory structure.

- 3.30**           **(C) All Review Uses and Conditional Uses within the following landscape settings, regardless of visibility from KVAs:**

**(4) Rural Residential in Conifer Woodland or Pastoral**

**(a) New development in this setting shall meet the design standards for both the Rural Residential setting and the more rural setting with which it is combined (either Pastoral or Coniferous Woodland), unless it can be demonstrated that compliance with the standards for the more rural setting is impracticable. Expansion of existing development shall comply with this standard to the maximum extent practicable.**

**(b) In the event of a conflict between the standards, the standards for the more rural setting (Coniferous Woodland or Pastoral) shall apply, unless it can be demonstrated that application of such standards would not be practicable.**

**(c) Compatible recreation uses should be limited to very low and low-intensity resource-based recreation uses, scattered infrequently in the landscape.**

**Staff:** The subject property is located in the Rural Residential in Pastoral landscape setting. No recreational uses are proposed for the subject property. The proposed development meets the design standards for both the Rural Residential setting and the Pastoral setting. Please see additional findings under sections 3.31 through 3.36 below for supporting documentation. *These criteria are satisfied.*

**3.31 (1) Pastoral**

**(a) Accessory structures, outbuildings and accessways shall be clustered together as much as possible, particularly towards the edges of existing meadows, pastures and farm fields.**

**Staff:** The proposed accessory building will be approximately 30 ft to the north of the proposed dwelling (Exhibit A.7). It is clustered in the developed area of the property. The site is heavily forested and does not contain any meadows, pastures and farm fields.

**3.32 (b) In portions of this setting visible from Key Viewing Areas, the following standards shall be employed to achieve visual subordination for new development and expansion of existing development:**

- 1. Except as is necessary for site development or safety purposes, the existing tree cover screening the development from Key Viewing Areas shall be retained.**
- 2. Vegetative landscaping shall, where feasible, retain the open character of existing pastures and fields.**
- 3. At least half of any trees planted for screening purposes shall be species native to the setting or commonly found in the area. Such species include fruit trees, Douglas fir, Lombardy poplar (usually in rows), Oregon white oak, big leaf maple, and black locust (primarily in the eastern Gorge). The Scenic Resources Implementation Handbook includes recommended minimum sizes.**
- 4. At least one-quarter of any trees planted for screening shall be coniferous for winter screening.**

**Staff:** No trees are proposed to be removed for the proposed development. The proposed dwelling and accessory building will be placed where buildings currently exist. A 50 ft wide by 125 ft buffer area located to the northeast of the proposed buildings will be maintained as screening. No pastures or fields exist on the site. The site is primarily forested (Exhibit B.4). No trees will be planted for screening purposes. *This criterion is satisfied.*

**3.33 (c) Compatible recreation uses include resource-based recreation uses of a very low or low-intensity nature, occurring infrequently in the landscape.**

**Staff:** No recreational uses are proposed. *This criterion is not applicable.*

**3.34 (3) Rural Residential**

**(a) Existing tree cover shall be retained as much as possible, except as is necessary for site development, safety purposes, or as part of forest management practices.**

**Staff:** No trees will be removed in order to place the proposed development. The subject property is forested at present, but no forest practices are currently proposed. A 50 ft wide by 125 ft long vegetative buffer is required to be maintained to screen the development from the Larch Mountain Road (SMA) key viewing area. *This criterion is satisfied.*

- 3.35** (b) In portions of this setting visible from Key Viewing Areas, the following standards shall be employed to achieve visual subordination for new development and expansion of existing development:

1. Except as is necessary for site development or safety purposes, the existing tree cover screening the development from Key Viewing Areas shall be retained.
2. At least half of any trees planted for screening purposes shall be species native to the setting or commonly found in the area.
3. At least half of any trees planted for screening purposes shall be coniferous to provide winter screening.

**Staff:** No trees are proposed to be removed for the proposed development. The proposed dwelling and accessory building will be placed where buildings currently exist. A 50 ft wide by 125 ft buffer area located to the northeast of the proposed buildings will be maintained as screening. No pastures or fields exist on the site. The site is primarily forested (Exhibit B.4). No trees will be planted for screening purposes. *This criterion is satisfied.*

- 3.36** (c) Compatible recreation uses include should be limited to small community park facilities, but occasional low-intensity resource-based recreation uses (such as small scenic overlooks) may be allowed.

**Staff:** No recreational uses are proposed. *This criterion is not applicable.*

#### **4.00 Resource Review Criteria**

#### **4.01 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:

- (a) The modification, expansion, replacement, or reconstruction of existing buildings and structures.

**Staff:** The proposed dwelling will replace an existing dwelling. The movement and conversion of the existing dwelling to an accessory building will replace the existing storage building in the same location. Comments were received from the US Forest Service's Marge Dryden regarding the proposal (Exhibit D.3). In her comments, she stated that no cultural or historic studies were required. *This criterion is satisfied.*

#### **4.02 MCC 38.7055 GMA WETLAND REVIEW CRITERIA**

##### **(A) The wetland review criteria shall be deemed satisfied if:**

- (1) The project site is not identified as a wetland on the National Wetlands Inventory (U.S. Fish and Wildlife Service, 1987);
- (2) The soils of the project site are not identified by the Soil Survey of Multnomah

County, Oregon (U.S.D.A. Soil Conservation Service, 1983) as hydric soils;

(3) The project site is adjacent to the main stem of the Columbia River.

(4) The project site is not within a wetland buffer zone; and

(5) Wetlands are not identified on the project site during site review.

#### **§ 38.7060 GMA STREAM, LAKE AND RIPARIAN AREA REVIEW CRITERIA**

(A) The following uses may be allowed in streams, ponds, lakes and riparian areas when approved pursuant to the provisions of MCC 38.0045, MCC 38.7060 (C), and reviewed under the applicable provisions of MCC 38.7035 through 38.7085:

**Staff:** Planning staff reviewed the National Wetland Inventory map and found no identified wetlands on the property. No evidence of streams, lakes or riparian areas or buffers was identified on County map resources. The Soil Survey of Multnomah County identifies the soil units on the property as Mershon silt loam and Haplumbrepts. Neither of these soils is identified as being hydric. The property is not located adjacent to the Columbia River. No wetlands or riparian areas were identified during this site review application process.

#### **4.03 § 38.7065 GMA WILDLIFE REVIEW CRITERIA**

**Wildlife Habitat Site Review** shall be required for any project within 1,000 feet of sensitive wildlife areas and sensitive wildlife sites (i.e., sites used by sensitive wildlife species).

#### **§ 38.7070 GMA RARE PLANT REVIEW CRITERIA**

**Rare Plant Site Review** shall be required for any project within 1,000 feet of endemic plants and sensitive plant species.

**Staff:** No sensitive wildlife area or site was identified during this review process or on County resource maps within 1000 ft of the site. No sensitive or endemic plant species were identified on County resource maps within 1000 ft of the site. *These criteria are satisfied.*

#### **4.04 § 38.7080 GMA RECREATION RESOURCE REVIEW CRITERIA**

The following uses are allowed, subject to compliance with MCC 38.7080 (E) and (F).

**Staff:** No recreation uses are proposed for the subject site. *This criterion is satisfied.*

#### **5.00 Special Use Approval Criteria**

#### **5.01 § 38.7300- REVIEW AND CONDITIONAL USES**

##### **(C) Residential**

(1) The proposed use would be compatible with the surrounding area. Review of compatibility shall include impacts associated with the visual character of the area, traffic generation, effects of noise, dust and odors.

(2) The proposed use will not require public services other than those existing or approved for the area.

(3) If the subject parcel is located within 500 feet of lands designated GGA or GGF, new buildings associated with the proposed use shall comply with MCC 38.0060.

**(4) If the subject parcel is located within 500 feet of lands designated GGF, new buildings associated with the proposed use shall comply with MCC 38.0085.**

**Staff:** The proposed use is a single family dwelling and an accessory building on an 8.49 acre parcel. The surrounding uses are a mixture of single family dwellings and farm and forest uses on various sized parcels (Exhibit B.5). Since the property is currently occupied by a single family dwelling, traffic generation to and from the site, noise, dust, odors should not increase as the primary use will not change. The proposed dwelling will be served by an on-site sewage disposal system. Electrical, water, and telephone service exist on the site. The Corbett Fire District has signed the appropriate forms indicating service. The subject property meets the Agricultural Buffers of MCC 38.0060. Please see Section 2.01 for additional information. The property is not located within 500 ft of the GGF zone (Exhibit B.6). *These criteria are satisfied.*

## **6.00 Conclusion**

Based on the findings and other information provided above, the applicant has carried the burden necessary for the National Scenic Area Site Review to replace an existing single family dwelling, accessory building and septic system in the GGR-10 zone. This approval is subject to the conditions of approval established in this report.

## **7.00 Exhibits**

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

Exhibits with a "\*" after the exhibit # have been included as part of the mailed decision. All other exhibits are available for review in Case File T2-2010-676 at the Land Use Planning office.

Exhibit #	# of Pages	Description of Exhibit	Date Received/ Submitted
A.1	1	NSA Application Form	5/11/2010
A.2	1	Existing Property Plan	5/11/2010
A.3	3	Fire District Access Review	5/11/2010
A.4	7	Fire Flow Requirements Form	5/11/2010
A.5	4	Certification of On-Site Sewage Disposal	5/11/2010
A.6	1	Stormwater Certificate	5/11/2010
A.7*	1	Site Plan	5/11/2010
A.8	1	Certification of Water Service	5/11/2010
A.9	1	Cover Letter	5/18/2010
A.10	4	Granberg Narrative Dated 05-14-2010	5/18/2010
A.11	1	Type & General Size of Projected Granberg Home (Similar to these....) Photos	5/18/2010



A.12	1	Aerial Photo of Property and Surrounding Area	5/18/2010
A.13	2	Email Regarding Granberg Application dated 09-17-2009	5/18/2010
A.14	1	Site Plan dated 4/8/08	5/18/2010
A.15	3	Various Floor Plans of different sized manufactured dwellings	5/18/2010
A.16	8	Narrative	5/18/2010

'B'	#	Staff Exhibits	Date
B.1	2	A&T Property Information for 1N4E36BD – 00800	5/11/2010
B.2	1	A&T Map for 1N4E36BD with Property Designated	5/11/2010
B.3*	1	Vegetative Buffer Required to be Maintained	9/14/2010
B.4	1	Contour Information	9/14/2010
B.5	1	Surrounding Properties	9/15/2010
B.6	1	Surrounding Zonings	9/15/2010
B.7	1	Comparable Properties	9/15/2010

'C'	#	Administration & Procedures	Date
C.1	1	Complete Letter (Day 1 June 10, 2010)	6/18/2010
C.2	6	Opportunity to Comment	6/23/2010
C.3	19	Administrative Decision	9/23/2010

'D'	#	Comments Received	Date
D.1	8	Friends of the Columbia Gorge	7/8/2010
D.2	1	SHPO comments	7/7/2010
D.3	2	Cultural Resources Survey Determination	6/25/2010