

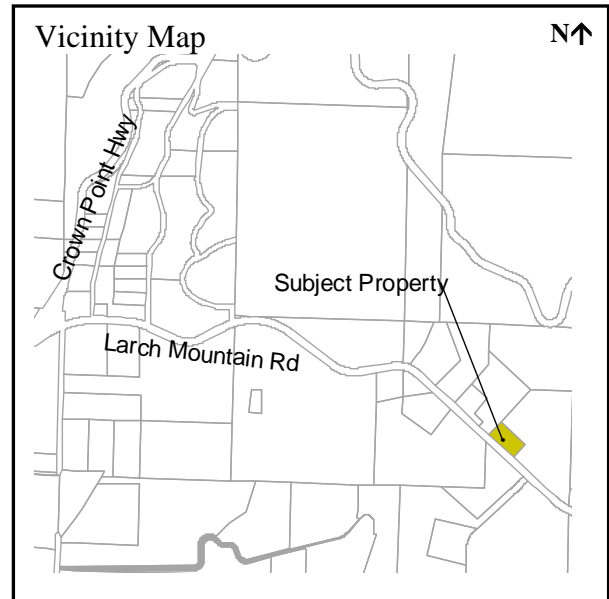


MULTNOMAH COUNTY
LAND USE AND TRANSPORTATION PROGRAM
1600 SE 190TH Avenue Portland, OR 97233
PH: 503-988-3043 FAX: 503-988-3389
<http://www.multco.us/landuse>

NOTICE OF DECISION

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

Case File: T2-2011-1800
Permit: National Scenic Area Site Review
Location: 41501 E. Larch Mountain Road
TL 400, Sec 31A, T1N, R5E, W.M.
Tax Account #R945310020
Applicant: Shirleen Lanter
Owner: Robert and Eileen Hattan



Summary: Renovate and restore existing dwelling and detached garage. Development includes replacing siding with in-kind materials and design, attached an uncovered deck, repair a porch and replace the septic drainfield.

Decision: Approved.

Unless appealed, this decision is effective Tuesday, November 22, 2011, at 4:00 PM.

Issued by:

By: _____
Don Kienholz, Planner

For: Karen Schilling- Planning Director

Date: Tuesday, November 8, 2011

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 Don Kienholz, Staff Planner at 503-988-3043, ext. 29270.

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 Tuesday, November 22, 2011 at 4:00 pm.

Applicable Approval Criteria: Multnomah County Code (MCC): 38.0030 Existing Uses, 38.7035 GMA Scenic Review Criteria, 38.7045 GMA Cultural Resource Review Criteria.

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.multco.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.**

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, Don Kienholz, at (503) 988-3043 ext. 29270, 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 Description:

Staff: The applicant is seeking to repair and maintain an historic (built in 1935) residence in disrepair. The project includes re-siding the dwelling and detached garage, replace a porch, construct an uncovered deck, replace a porch covering, and replace the septic system. Because the dwelling and septic system are more than 50-years old, they are considered historic under the Gorge Management Act. Any change to an historic structure that alters the design or scope, even repair and maintenance, requires site review. The addition of an uncovered deck and replacing the septic system would trigger the Site Review. The replacement of windows, siding and other elements of the home or garage are exempt from site review provided they maintain the same design and scope of the original elements.

2.00 Property Description & History:

Staff: The subject site is located off of East Larch Mountain Road in the National Scenic Area and zoned Gorge General Residential-10 (GGR-10). The GGR-10 allows a single family residence on a legal parcel. Existing dwellings, such as the one on the property, are allowed to continue as described under the Existing Uses section of MCC 38.0030.

No previous land use permits have been issued for the subject property. A complaint was received in 2009 (UR 09-075) as well as 2010 (UR 10-002) for work without a NSA site review permit. The work involved replacing windows and siding. It was after the complaint was filed that building permits were applied for, and granted, as allowed under MCC 38.1005(B)(1) since the work was repair and maintenance as defined in MCC 38.0015. Since the work kept the same design and scope of the original materials and returned the structure to its original and previously authorized condition, the work is classified as repair and maintenance.

3.00 Public Comment:

Staff: The opportunity for comment for the project was mailed out on September 9, 2011. Two comments were received. The first comment letter was from the Friends of the Columbia River Gorge (Exhibit C.1) and discussed several general items ranging from general application requirements, site plan requirements and resource protection.

The second comment was an email from Sally Bird of the Confederated Tribe of Warm Springs noting the age of the home made it potentially historic.

4.00 Code Compliance and Legal Parcel:

MCC 38.0560 CODE COMPLIANCE AND APPLICATIONS.

Except as provided in subsection (A), the County shall not make a land use decision, or issue a build-ing permit approving development, including land divisions and property line adjustments, for any property that is not in full compliance with all applicable provisions of the Multnomah County Land Use Code and/or any permit approvals previously issued by the County.

Staff: Two complaints have been received for the property as noted in Finding #2. The building permits issued for the window replacement and siding replacement closed out the complaints. Once this application is a final decision, all compliance issues will be resolved.

Besides code compliance issues, another element to “full compliance” is the property being a Legal Parcel. Legal Parcel is defined by the code as:

Parcel:

(a) Any unit of land legally created by a short division, partition, or subdivision, that was legally recognized under all state laws and local ordinances in effect on November 17, 1986. A unit of land that is eligible for consolidation as provided in the Management Plan shall not be considered a parcel.

(b) Any unit of land legally created and separately described by deed, or sales contract, or record of survey prior to November 17, 1986, if the unit of land complied with all planning, zoning, and land division ordinances or regulations applicable at the time of creation and up through November 16, 1986.

(c) A unit of land legally created and separately described by deed or sales contract after November 17, 1986 if the unit was approved under the Final Interim Guidelines or a land use ordinance consistent with the Management Plan, or by the U.S. Forest Service Office prior to the Final Interim Guidelines.

In general terms, a legal parcel is a piece of property that met all rules in place at the time it was placed into the current configuration. The legal parcel concept is the same as a Lot of Record in other plan areas of the County.

The applicant provided the property’s Parcel Card with Multnomah County Assessment and Taxation that shows the property was first assessed and noted as a separate parcel at its current configuration in 1932 (Exhibit A.5). A legal description is included on the parcel card. The applicant also submitted a deed conveying the property into their ownership in 1993 that contained the same legal description (Exhibit A.6). Since the legal description describing the property configuration has not changed since 1932, it is clear the property was created prior to the adoption of zoning in 1958 and partition requirements in 1978 and is thus a legal parcel.

5.00 Exemption From Hillside Development Permit:

MCC 38.5510 EXEMPT LAND USES AND ACTIVITIES

The following are exempt from the provisions of this Chapter:

(A) Development activities approved prior to February 6, 1993; except that within such a development, issuance of individual building permits for which application was made after February 6, 1993 shall conform to site-specific requirements applicable herein.

(B) General Exemptions – All land-disturbing activities outlined below shall be undertaken in a manner designed to minimize earth movement hazards, surface runoff, erosion, and sedimentation and to safeguard life, limb, property, and the public welfare. A person performing such activities need not apply for a permit pursuant to this subdistrict, if:

- (1) Natural and finished slopes will be less than 25 percent; and,
- (2) The disturbed or filled area is 20,000 square feet or less; and,
- (3) The volume of soil or earth materials to be stored, in conjunction with the project, is 50 cubic yards or less; and,
- (4) Rainwater runoff is diverted, either during or after construction, from an area smaller than 10,000 square feet; and,
- (5) Impervious surfaces, if any, of less than 10,000 square feet are to be created; and,
- (6) No drainageway is to be blocked or have its stormwater carrying capacities or characteristics modified.

Staff: The proposed development consists of renovating and restoring an existing dwelling and detached garage. Specifically it includes replacing siding with in-kind materials and design, the addition of an uncovered deck, repairing a porch and replacing the septic drainfield. The applicant addressed the exemption criteria in their narrative listed as Exhibit A.27.

Soil disturbance will only be involved with the replacement of the septic system and the footings of the deck. The area for the septic system is below 25% slope as measured on the applicant's site plan and the County's GIS Mapping system. The applicant calculated the amount of disturbed area as being 562 square feet for the drainfield, 112 square feet for the connecting line to the tank and 100 square feet for the area of the new tank. Cumulatively, the area disturbed is well under the 20,000 square foot limitation. Staff concurs with the calculations. Excavation for the septic tank is estimated to be a 10x10x10 foot area, or 1000 cubic feet. That comes to roughly 37 cubic yards which is less than the 50 cubic yard threshold. The deck will have slats and the septic system cannot be covered so neither will be impervious. Therefore, rainwater will not be diverted from an area more than 10,000 square feet. No drainage is identified as being within the area of development.

Based on these findings, the project is exempt from the Hillside Development Permit.

6.00 Existing Uses:

A. MCC 38.0030 EXISTING USES AND DISCONTINUED USES

(A) Right to Continue Existing Uses and Structures: Any existing use or structure may continue so long as it is used in the same manner and for the same purpose, except as otherwise provided.

(D) Changes to Existing Uses and Structures: Except as otherwise provided, any change to an existing use or modification to the exterior of an existing structure shall be subject to review and approval pursuant to this Management Plan.

Staff: The dwelling on the property was constructed in 1935 according to Assessment and Taxation information (Exhibit B.1). The garage structure on site also appears to be from the same time period as the home. As such, the dwelling and garage have a right to continue in the GGR-10 zone since dwellings and residential accessory structures are listed as uses allowed. Under the above provisions, the request to change the existing uses normally would fall under a Site Review

under the Management Plan. However, the replacement of siding with in-kind siding (meaning horizontal plank for horizontal plank) and in-kind windows falls under uses allowed outright in MCC 38.1005(B)(1) which states:

“(B) The following uses may be allowed without review in all zone districts:

(1) Repair, maintenance and operation of existing structures, including, but not limited to, dwellings, agricultural structures, trails, roads, railroads, and utility facilities.”

Repair and maintenance is further defined under MCC 38.0015 as:

*“**Repair:** Replacement or reconstruction of a part of a serviceable structure after damage, decay or wear. A repair returns a structure to its original and previously authorized and undamaged condition. It does not change the original size, scope, configuration or design of a structure, nor does it excavate beyond the depth of the original structure. Up to a 10 percent increase in the original size of a portion of a building to be repaired is allowed if required to comply with building codes, provided it does not require additional excavation.*

Repair includes, but is not limited to, reroofing a building, replacing damaged guardrails, reconstructing a rotten deck or porch, replacing a broken window or door, replacing a utility pole and associated anchors, replacing a section of broken water or sewer line, replacing a damaged or defective utility line, reconstructing a portion of a building damaged by fire or a natural event, and replacing railroad ties or rails.

*“**Maintenance:** Ordinary upkeep or preservation of a serviceable structure affected by wear or natural elements. Maintenance does not change the original size, scope, configuration or design of a structure.*

Maintenance includes, but is not limited to, painting and refinishing, regrouting masonry, patching roofs, grading gravel roads and road shoulders, cleaning and armoring ditches and culverts, filling potholes, controlling vegetation within rights-of-way, removing trees and other roadside hazards within rights-of-way, and testing and treating utility poles.

With the home in disrepair, as seen by the applicant’s photographs (Exhibit A.8 and A.22), the owner is permitted to repair the home and accessory structure to its original and previously authorized and undamaged condition. The home and garage, built in the 1930’s, pre-dates the Gorge Management Act, the zoning code, and the building code. As such, the owner is permitted to repair the exterior of the home and garage to its previously authorized and undamaged condition.

The one caveat to the repair is that the work to repair the structures does not change the original size, scope, configuration or design. Multnomah County Land Use Planning permitted the replacement of the siding and windows through a building permit under the repair and maintenance provisions in 2011. However, those permits do not authorize the construction of the uncovered wrap around deck. They also do not permit a new septic system.

The construction of the uncovered deck, addition of a porch cover over the door, and a new septic field must be reviewed under the Site Review approval criteria.

Because the dwelling and detached garage are existing uses as defined by the code, setbacks are not an issue for review. The addition of an uncovered deck that is less than 30-inches in height and an in-ground structure do not trigger setback requirements and so they do not need to be addressed.

The dwelling and garage are Existing Uses. Replacement of the siding and windows are allowed uses without review.

7.00 Site Review Criteria:

A. 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.**
- (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.**
- (3) New vehicular access points to the Scenic Travel Corridors shall be limited to the maximum extent practicable, and access consolidation required where feasible.**
- (4) Property owners shall be responsible for the proper maintenance and survival of any required vegetation.**
- (5) For all proposed development, the determination of compatibility with the landscape setting shall be based on information submitted in the site plan.**

Staff: As noted in Finding #3, the new siding for both the dwelling and garage are not subject to site review. The only elements required to be reviewed under the approval criteria above are the construction of the uncovered deck to wrap around the dwelling as seen on the site plan (Exhibit A.16 and A.29), and the replacement septic field.

No new buildings or roads are being proposed. The 18-20 inch deck addition will not require any topographic alteration. Post and piers will serve as the foundation for the deck and will require minimal ground disturbance, typically dug by hand tools.

The uncovered deck and replacement septic system do not constitute visible mass. Therefore the general scale of the dwelling will not be increased over what already exists. Nonetheless, the applicant submitted a comparison of other dwellings within ¼ of a mile (Exhibit A.19). The

subject single story dwelling is approximately 28x36 for a total of 1,008 square feet. As seen in the applicant's comparison chart, there are seven dwellings in the area that are larger, meaning the subject dwelling is compatible with the general scale of similar buildings in the area.

No new vehicular access points are being created as part of the application. In looking at the submitted site plan and taking into account the similar development nearby, the deck is compatible with the landscape setting.

Criteria met.

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

Staff: Staff finds that the proposed deck and septic system are not topographically visible. The porch mentioned in the description is a replacement of a dilapidated overhang seen in Exhibit A.8 and not subject to review.

As seen on the County's Key Viewing Area maps, the parcel is visible from several Key Viewing Areas with the closest being Crown Point at roughly 3700 feet away and a significant . However, the proposed wrap around uncovered deck is roughly 18-24-inches above existing grade and hugs the ground. At 2-feet or less above the existing grade, visually speaking, the deck is no different than a stone patio at grade and is therefore not topographically visible from any Key Viewing Areas due to the matching contours of the ground and angle of visibility.

The septic system is below grade and therefore also not topographically visible.

Based on the above findings, the proposed development does not need to be reviewed under MCC 38.7035(B).

It should be noted that because the dwelling and garage are existing uses, the proposed development does not increase the visible bulk of the structures, and the new development is not topographically visible, colors are not regulated. The applicant provided colors to paint the dwellings and garage but the code does not require specific colors.

Criterion met.

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

1. (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 needs to meet the Rural Residential and Conifer Woodland landscape setting standards.

2. **(2) Coniferous Woodland**

(a) Structure height shall remain below the forest canopy level.

(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 construction of access roads, building pads, leach fields, etc., 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. Such species include: Douglas fir, grand fir, western red cedar, western hemlock, big leaf maple, red alder, ponderosa pine and Oregon white oak, and various native willows (for riparian areas). The Scenic Resources Implementation Handbook includes recommended minimum sizes.

3. At least half of any trees planted for screening purposes shall be coniferous to provide winter screening.

(c) Compatible recreation uses include resource-based recreation uses of varying intensities. Typically, outdoor recreation uses should be low-intensity, and include trails, small picnic areas and scenic viewpoints. Some more intensive recreation uses, such as camp-grounds, may occur. They should be scattered, interspersed with large areas of undeveloped land and low-intensity uses.

Staff: The only new structures that are part of the proposed development are the wrap around deck that is roughly 18-20 inches above the ground and the in-ground septic replacement system. Neither structure requires removal of existing tree cover. No trees are required to be planted as part of the project. No recreation uses are proposed.

Criteria met.

3. **(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.

(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.**

(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: The project does not require removal of tree cover. The proposed development does not require screening and no recreational uses are proposed.

Criteria met.

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

- 1. (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 roughly 800-feet from the edge of pavement of the Historic Columbia River Highway. As such, the development must meet the requirements of (D).

- 2. (2) All new buildings and alterations to existing buildings, except in a GGRC, shall be set back at least 100 feet from the edge of pavement of the Scenic Travel Corridor roadway. A variance to this setback requirement may be granted pursuant to MCC 38.0065. All new parking lots and expansions of existing parking lots shall be set back at least 100 feet from the edge of pavement of the Scenic Travel Corridor roadway, to the maximum extent practicable.**

Staff: The property is roughly 800-feet from the edge of pavement of the Scenic Travel Corridor and therefore meets this requirement.

Criterion met.

- 3. (3) Additions to existing buildings or expansion of existing parking lots located within 100 feet of the edge of pavement of a Scenic Travel Corridor roadway except in a GGRC, shall comply with subsection (2) above to the maximum extent practicable.**

Staff: No part of the development is within 100-feet of the Scenic Travel Corridor.

Criterion met.

4. **(4) All proposed vegetation management projects in public rights-of-way to provide or improve views shall include the following:**

(a) An evaluation of potential visual impacts of the proposed project as seen from any Key Viewing Area;

(b) An inventory of any rare plants, sensitive wildlife habitat, wetlands or riparian areas on the project site. If such resources are determined to be present, the project shall comply with applicable standards to protect the resources.

Staff: No work is proposed within the Right-of-Way

Criterion met.

5. **(5) When evaluating which locations to consider undergrounding of signal wires or power lines, railroads and utility companies shall prioritize those areas specifically recommended as extreme or high priorities for undergrounding in the Columbia River Gorge National Scenic Area Corridor Visual Inventory prepared in April, 1990.**

Staff: No signal wires of power lines are proposed as part of the project.

Criterion met.

6. **(6) New production and/or development of mineral resources proposed within one-quarter mile of the edge of pavement of a Scenic Travel Corridor may be allowed upon a demonstration that full visual screening of the site from the Scenic Travel Corridor can be achieved by use of existing topographic features or existing vegetation designed to be retained through the planned duration of the proposed project. An exception to this may be granted if planting of new vegetation in the vicinity of the access road to the mining area would achieve full screening. If existing vegetation is partly or fully employed to achieve visual screening, over 75 percent of the tree canopy area shall be coniferous species providing adequate winter screening. Mining and associated primary processing of mineral resources is prohibited within 100 feet of a Scenic Travel Corridor, as measured from the edge of pavement, except for access roads. Compliance with full screening requirements shall be achieved within time frames specified in MCC 38.7035 (B) (29).**

Staff: No production or development of mineral resources is proposed as part of the project.

Criterion met.

7. (7) Expansion of existing quarries may be allowed pursuant to MCC 38.7035 (B) (26). Compliance with visual subordination requirements shall be achieved within time frames specified in MCC 38.7035 (B) (28).

Staff: There is not a quarry on the subject site.

Criterion met.

8.00 Resource Review Criteria

MCC 38.7045 GMA CULTURAL RESOURCE REVIEW CRITERIA

(A) Cultural Resource Reconnaissance Surveys

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

1. (f) Proposed uses occurring in areas that have a low probability of containing cultural resources, except:

1. Residential development that involves two or more new dwellings for the same project applicant;

2. Recreation facilities that contain parking areas for more than 10 cars, overnight camping facilities, boat ramps, and visitor information and environmental education facilities;

3. Public transportation facilities that are outside improved rights-of-way;

4. Electric facilities, lines, equipment, and appurtenances that are 33 kilovolts or greater; and

5. Communications, water and sewer, and natural gas transmission (as opposed to distribution) lines, pipes, equipment, and appurtenances.

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.

The Gorge Commission, after consulting Indian tribal governments and state historic preservation officers, will prepare and adopt a map showing areas that have a low probability of containing cultural resources. This map will be adopted within 200 days after the Secretary of Agriculture concurs with the Management Plan. It will be refined and revised as additional reconnaissance surveys are conducted. Areas will be added or deleted as warranted. All revisions of this map shall be reviewed and approved by the Gorge Commission.

Staff: The site has been determined to have a low-probability of containing cultural resources. Only the replacement septic tank falls under the exception (5) above. The portions of the development related to the dwelling are discussed below.

Criteria met.

2. **(2) A reconnaissance survey shall be required for all proposed uses within 500 feet of a known cultural resources, including those listed above in MCC 38.7045 (A) (1) (a) through (f). The location of known cultural resources are shown in the cultural resource inventory.**

(3) A historic survey shall be required for all proposed uses that would alter the exterior architectural appearance of buildings and structures that are 50 years old or older, or compromise features of the surrounding area that are important in defining the historic or architectural character of the buildings or structures that are 50 years old or older.

Staff: No known cultural resources are located within 500-feet of the property. Marge Dryden, US Forest Service Archeologist responsible for identifying such resources determined the property has a low probability for cultural resources. However, Ms. Dryden did note that the structure is over 50-years old and is defined as historic. However, her review of the structure notes that the property is not eligible for the National Historic Register due to major changes taking place to the structure. The Oregon State Historic Preservation Office was also notified of the proposed development and concurred with the assessment that the structure is not significantly historical. (Exhibit C.3).

Criteria met.

9.00 Wetland Review Criteria

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.

Staff: The subject site does not have a wetland identified on it, is comprised of Bull Run Silt Loam soil (which is not a hydric soil), is not adjacent to the Columbia River, and is not in a wetland buffer. Therefore the property is exempt from the Wetland Review Criteria.

Criterion met.

10.00 Stream, Lake, and Riparian Area Review Criteria

MCC 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: The subject site is not within a stream, lake or riparian area according to the zoning maps and Gorge maps on file with the County.

Criterion met.

11.00 Wildlife Review Criteria

MCC 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

Staff: There are no known sensitive wildlife areas or sites within 1000-feet of the subject site according to maps listing such areas and sites provided to Multnomah County by the Columbia River Gorge Commission.

Criterion met.

12.00 Wildlife Review Criteria

MCC 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: As seen on the county's NSA maps provided by the Columbia River Gorge Commission, there are no known rare plants within 1,000-feet of the subject property.

13.00 Recreation Review Criteria

MCC 38.7080 GMA RECREATION RESOURCE REVIEW CRITERIA

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

Staff: The proposed development does not include any recreational use or recreational zone property.

14.00 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 renovate and remodel an existing dwelling and garage over 50-years old with in-kind materials, replace a dilapidated porch overhang, add a wrap around deck to the dwelling, and replace the septic drainfield in the GGR-10 zone. This approval is subject to the conditions of approval established in this report.

15.00 Exhibits

‘A’ Applicant’s Exhibits

‘B’ Staff Exhibits

‘C’ 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 T2-2011-1800 at the Land Use Planning office.

Exhibit #	# of Pages	Description of Exhibit
A.1	1	NSA Application Form
A.2	1	Elevation Plans For Dwelling
A.3	1	Floor Plans for Dwelling
A.4	10	Applicant’s August 2, 2011 Narrative
A.5	1	Parcel Card With Legal Description Showing Date Of Parcel Creation in 1932
A.6	1	Deed Conveying Property To Robert And Eileen Hattan In 1993 With Same Legal Description As Parcel Card
A.7	1	8 ½ x 11 Topographic Survey
A.8	2	Pictures Showing Original Condition, Design, Scope Of Dwelling And Siding
A.9	3	Locational Maps Of Property
A.10	1	August 2, 2011 Site Plan
A.11*	4	Reduced Elevation And Floor Plans For Dwelling
A.12*	1	Elevation Plans Of Existing Garage
A.13	1	Possible New Colors Provided By Applicant
A.14	1	Stone Materials For Exterior
A.15	1	Window Tag Detailing Color Of Window Frames
A.16	1	Gutter Receipt Detailing Color Of Gutters
A.17	1	Proposed Exterior Replacement Light Fixtures
A.18	1	Garage Design Information Sheet

A.19	1	Dwelling Comparative Analysis
A.20	16	On-Site Sewage Disposal Certification Form, Design Details, And Land Feasibility Study
A.21	4	Fire District Review Fire Flow Review
A.22	5	Applicant's Pictures And Descriptions Of Existing Conditions
A.23	8	Code Compliance Voluntary Compliance Agreement
A.24	4	Copies Of Previous Building Permit Approvals For Property
A.25	5	Copies Of Permit Information From City Of Gresham
A.26	9	Structural Engineering Information
A.27	2	Applicant's Narrative Demonstrating Exemption From HDP Requirements
A.28	1	August 2, 2011 Grading And Erosion Control Site Plan
A.29*	1	September 2, 2011 Site Plan
'B'	#	Staff Exhibits
B.1	1	A&T Property Information
B.2	38	NSA Agency Completeness Review Packet
B.3	2	Incomplete Letter
B.4	1	Complete Letter
B.5	12	Opportunity To Comment And Mailing List
'C'	#	Comments Received
C.1	8	Comment From Friends Of The Columbia River Gorge
C.2	1	November 3, 2011 email from Sally Bird
C.3	2	Letter of Concurrence From SHPO Received November 7, 2011