



DEPARTMENT OF ENVIRONMENTAL SERVICES
TRANSPORTATION AND LAND USE PLANNING DIVISION
1600 SE 190th Avenue
Portland, OR 97233 (503) 248-3043

DECISION OF THE PLANNING DIRECTOR

Columbia River Gorge National Scenic Area Site Review

Case File: NSA 1-99

Date Decision Issued: Friday, February 26, 1999

Proposal: A request to construct a 480 square foot addition to an existing single family residence.

Location: 30111 NE Lampert Road
Tax Lot 8, Section 30, T1N, R4E, W.M.
Tax Account #R-94430-0080

Applicant: Lyle Brotnov
16409 SE 168th Avenue
Portland, Oregon 97236

Owner: Phillip & Jennifer English
30111 NE Lampert Road
Corbett, Oregon 97019

Site Size: 7.35 acres

Present Zoning: Gorge General Residential (GGR-10)

Approval Criteria: Multnomah County Code (MCC): MCC 11.15.3550, Columbia River Gorge National Scenic Area General Provisions; MCC 11.15.3670, Columbia River Gorge National Scenic Area Residential Districts; MCC 11.15.3800, Columbia River Gorge National Scenic Area Site Review.

Decision: **Approve, subject to the conditions below, construction of a 480 square foot addition to an existing single family residence. Such approval is based on the following findings and conclusions.**

Comments From Other Agencies/Individuals

Notice of the subject request was mailed to the following agencies/individuals:

Columbia River Gorge Commission/Cultural Advisory Committee
Confederated Tribes of the Umatilla Indian Reservation
Confederated Tribes of Warm Springs
Nez Perce Tribe
State of Oregon Historic Preservation Office
U.S. Forest Service NSA Office
Yakima Indian Nation
Friends of the Columbia Gorge
Oregon Department of Transportation
Oregon Park & Recreation
Corbett Together
Corbett Community Association
Northeast Multnomah County Community Association
Surrounding property owners

Comments were received from the following agencies/individuals:

Thomas Turck, Archaeologist, U.S.D.A. Forest Service.
Beth Englander, Friends of the Columbia Gorge

Conditions of Approval

1. This approval is based on the applicants' written narrative(s), site plan, and other submitted materials along with the findings contained in this Decision. It shall be the responsibility of the applicant and/or property owner to comply with these documents as presented and approved.
2. Site grading shall be limited to those areas that are to contain structural improvements described herein. On-site disposal of construction debris is not authorized under this permit. Spoil materials removed off-site shall be taken to a location approved for the disposal of such material by applicable Federal, State and local authorities.
3. If, during construction, cultural or historic resources are uncovered the applicant/owner shall immediately cease development activities and inform the Multnomah County Planning Director, Columbia River Gorge Commission, and U.S. Forest Service of their discovery.
4. This approval will become void 18 months from the date this decision becomes final unless these conditions of approval are met. Provided an appeal is not filed, this decision will become final on Friday, March 12, 1999.
5. 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, Derrick I. Tokos, AICP, at (503)-248-3043, 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 permits to the City of Gresham. Four (4) sets each of the site plan and building plan are needed for building permits signed off.

Findings of Fact

(Formatting Note: Staff as necessary to address Multnomah County ordinance requirements provides Findings referenced herein. Headings for each finding are underlined. Multnomah County Code requirements are referenced using a **bold** font. The notation “Staff” precedes Planning staff comments and analysis.)

1. Project Description:

The applicant is requesting approval of an addition to the existing single family residence. The southeast portion of the residence contains a 12' x 14' bedroom. This section of the house is to be demolished and replaced with a 12' x 20' two story bedroom/family room addition, the finished height of which will be approximately 5 feet above that of the existing roofline. The remodeled portion of the dwelling will be roughly 480 square feet in size.

2. Site and Vicinity Characteristics:

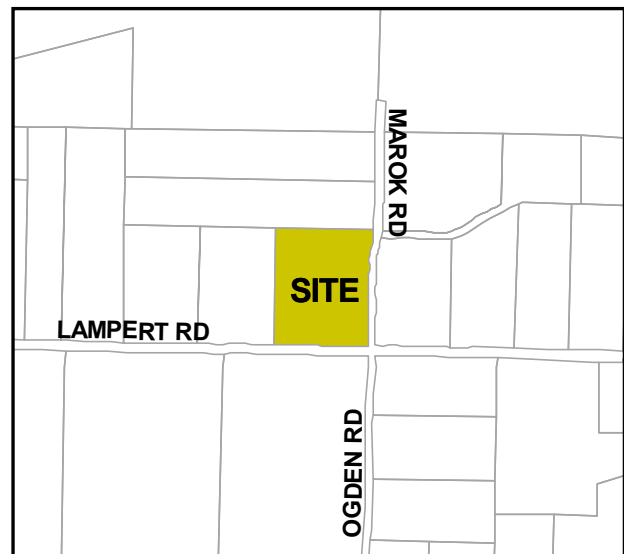
The applicant's property is approximately 7.35 acres in size, bounded on the east by Marok Road and on the south by Lampert Road. Access to the parcel is available off of Marok Road along an existing gravel driveway. Existing on-site development includes a single family residence, barn, and antique caboose, the caboose being approved as an accessory structure for use as a storage shed with site review permit NSA 13-96.

On-site development is confined to the southeast corner of the parcel, an area that is relatively flat, gradually sloping from the northeast to the southwest. Stands of fir and alder are located immediately north and east of existing structures. A cluster of fruit trees lies south of the structures between the residence and Lampert Road. Two mature walnut trees are immediately west of the residence. The southwest side of the parcel is in pasture. The northern portion of the property appears to have been recently stripped of vegetation.

The subject property is typical of the small 5 to 10 acre residential/agricultural parcels that reside on moderately sloped terrain that exists east of the Sandy River and South of the Columbia River. All properties in this portion of the County reside within the Columbia River Gorge National Scenic Area. Multnomah County zoning on the subject property is Gorge General Residential (GGR-10), a designation which allows single family dwelling and accessory structures provided they do not adversely effect the scenic, cultural, natural, and recreational resources of the National Scenic Area. The vicinity map above illustrates the location of the subject property.

Vicinity Map

Scale: 1" = 1000'



3. Columbia River Gorge National Scenic Area Site Review Required:

MCC 11.15.3678(A), Uses Under Prescribed Conditions, the following uses may be allowed on lands designated GGR, pursuant to MCC .3564:

* * *

- (2) Buildings exceeding 60 square feet in area and/or 18 feet in height as measured at the roof peak, which are accessory to a dwelling.**

MCC 11.15.3564(A), Uses Under Prescribed Conditions are those uses permitted in a district when administratively approved by the Planning Director upon findings by the Director, without action proceedings, that the NSA Site Review standards of MCC .3800 through .3834 and applicable policies of the Management Plan have been satisfied.

Staff: The subject property has been identified as being within the Columbia River Gorge National Scenic Area, Gorge General Residential (GGR10) zone district as identified on Multnomah County Zoning Maps, copies of which are included as part of the permanent record. The requested development is not a land use activity exempted under MCC .3558. The proposed addition is incidental and accessory to the existing residential dwelling and, therefore, is permitted as a Use Under Prescribed Conditions (MCC .3678(A)(2)). All Uses Under Prescribed Conditions require Site Review per MCC 11.15.3564(A).

4. Compliance With MCC 11.15.3682(C) , GGR-5 Yard Requirements:

MCC 11.15.3682(C), Minimum Yard Dimensions - Feet

Front	Side	Street Side	Rear
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30	10	30	30
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Maximum Structure Height – 35 feet

Minimum Front Lot Line Length – 50 feet.

Staff: The applicant's site plan and cross section of the remodeled portion of the residence, demonstrate that the proposed addition will satisfy the minimum yard requirements of MCC .3682(C).

5. Compliance With MCC 11.15.3686, GGR-10 Access Requirement:

Per MCC 11.15.3686, 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: This requirement has been satisfied. Access to the site is obtained via a private driveway that connects directly to Marok Road.

6. Compliance With MCC 11.15.3814, General Scenic Area Review Criteria:

Per MCC 11.15.3814(A), Uses Under Prescribed Conditions, the following scenic review standards shall apply to all Review Uses in the General Management Area of the Columbia River Gorge National Scenic Area:

- A. **MCC .3814(A)(1), New buildings and roads shall be sited and designed to retain the existing topography and reduce necessary grading to the maximum extent practicable.**

Grading will be 12' x 20' next to the existing structure so the existing 12' x 14' foundation can be replaced with 12' x 20' on slab foundation.

Staff: This criterion has been met. The area of planned construction is on relatively flat ground, requiring minimal grading. Construction debris is to be removed off-site to a location approved for the disposal of such material.

- B. **MCC .3814(A)(2), New buildings shall be generally consistent with the height and size of existing nearby development.**

The new 12' x 20' two-story addition will protrude only 4-5 feet above existing structure.

Staff: This development involves a remodel and addition to an existing residence. The applicant's cross-section and exterior elevation detail establish the height and size of the remodeled structure. A comparison of this information against photographs of adjoining structures (see case file), demonstrates that the height and size of the remodeled residence is consistent with that of the existing nearby development.

- C. **MCC .3814(A)(3), New vehicular access points to the Scenic Travel Corridors shall be limited to the maximum extent practicable, and access consolidation required where feasible.**

No new access

Staff: No new access points are requested with this application. The subject property is not within a Scenic Travel Corridor.

- D. **MCC .3814(A)(4), Project applicants shall be responsible for the proper maintenance and survival of any required vegetation.**

Lawn grass is only vegetation present.

Staff: This criterion has been satisfied. The planting of additional vegetation is not necessary for this application to meet the national scenic area requirements described herein.

- E. **MCC .3814(A)(5), For all proposed development, the determination of compatibility with the landscape setting shall be based on information submitted in the site plan.**

See site plan.

Staff: This requirement is noted. Compliance with landscape setting standards is demonstrated under Finding #8.

- F. **MCC .3814(A)(6), For all new production and/or development of mineral resources and expansion of existing quarries, a reclamation plan is required to restore the site to a natural appearance which blends with and emulates surrounding landforms to the maximum extent practicable...**

Staff: The proposed use does not pertain to the development of mineral resources or the expansion of an existing quarry, therefore, this standard is not applicable.

7. Compliance With MCC 11.15.3814(B), Review Criteria For Key Viewing Areas:

Per MCC 11.15.3814(B), Uses Under Prescribed Conditions, the following scenic review standards shall apply to all Review Uses in the General Management Area of the Columbia River Gorge National Scenic Area which are visible from Key Viewing Areas:

Not in Key Viewing Area

Staff: We concur. National Scenic Area maps indicate that the northeast half of the property may be visible from key viewing areas. Viewing areas from which portions of the property may be visible include the Columbia River, Washington State Route 14, and Sandy River. The residence, in the southeast portion of the site, is clearly outside of a viewing area as identified on the National Scenic Area maps. Aerial and site photographs confirm that the residence is screened from viewing areas by topography and vegetation (see case file for photos).

8. Compliance With MCC 11.15.3814(C), Landscape Setting Requirements:

Per MCC 11.15.3814(C)(3), Uses Under Prescribed Conditions, the following scenic review standards shall apply to all Review Uses in the General Management Area of the Columbia River Gorge National Scenic Area which reside in a Rural Residential in Pastoral landscape setting:

- A. **MCC .3814(C)(1)(a), New development shall be compatible with the general scale (height, dimensions, overall mass) of development in the vicinity. Expansion of existing development shall meet this standard to the maximum extent practicable.**

See site plan and structural drawing.

Staff: The cross-section, floor plan, and exterior illustration, when compared to photographs of adjacent structures, demonstrate that the height, dimensions, and overall mass of the remodeled residence is consistent with that of existing nearby development. The overall mass of development, including all existing and proposed structures, is compatible with what exists on similarly zoned parcels of comparable size in the area.

- B. **MCC .3814(C)(1)(b), 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: This criterion is not applicable to an expansion of an existing residence. The expanded structure does not encroach into a meadow, pasture, or farmed field.

- C. **MCC .3814(C)(1)(c), 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:**

- (i) **Except as is necessary for site development or safety purposes, the existing tree cover screening the development from Key Viewing Areas shall be retained.**
- (ii) **Vegetative landscaping shall, where feasible, retain the open character of existing pastures and fields.**
- (iii) **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, bigleaf maple, and black locust (primarily in the eastern Gorge).**
- (iv) **At least one-quarter of any trees planted for screening shall be coniferous for winter screening.**
- (v) **Structures' exteriors shall be dark and either natural or earth-tone colors unless specifically exempted by MCC .3418(B)(11) and (12).**

Not in a key viewing area.

Staff: This criterion has been satisfied. Development that is proposed under this permit is limited to the renovation and expansion of an existing single family residence. The residence is not within the portion of the property that may be visible from a Key Viewing Area.

- D. **MCC .3814(C)(1)(d), Compatible recreation uses include resource-based recreation uses of a very low or low-intensity nature, occurring infrequently in the landscape.**

Staff: Proposed development is not recreational in nature, therefore, this criterion is not applicable.

- E. **MCC .3814(C)(3)(b), 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.**

No trees will be removed.

9. Compliance With MCC 11.15.3814(D), Scenic Travel Corridor Review Criteria:

Per MCC 11.15.3814(D), Uses Under Prescribed Conditions, the following scenic review standards shall apply to all Review Uses in the General Management Area of the Columbia River Gorge National Scenic Area which are within scenic travel corridors:

Staff: The subject property is not within a Scenic Travel Corridor.

10. Compliance With MCC 11.15.3818 GMA Cultural Resource Review Criteria:

MCC 11.15.3818(A)(1), establishes that a cultural reconnaissance survey shall be required for all proposed uses, except:

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

* * *

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

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

Per MCC 11.15.3818(B)(1), the cultural resource review criteria shall be deemed satisfied, except MCC .3818(L) and (M), if the project is exempted by MCC .3818(A)(1), no cultural resources are known to exist in the project area, and no substantiated comment is received during the comment period provided in MCC .3810(B).

Staff: Written findings dated January 14, 1999, from Thomas Turck, Forest Service Archaeologist, with which we concur, establish that a Reconnaissance Survey, as defined under MCC .3818, is not necessary because the proposed activities; (a) involve the modification, expansion, replacement, or reconstruction of existing buildings and structures (MCC .3818(A)(1)(a)) and, (b) are occurring in an area that has a low probability of containing cultural resources (MCC .3818(A)(1)(f)). Furthermore, Mr. Turck indicated that no historic properties are involved and no significant cultural properties exist in the area.

Given this evidence, we recognize that this application satisfies all cultural resource review criteria, except MCC .3818(L) and (M), which relate to the discovery of cultural resources during construction (MCC .3818(B)(1)). Compliance with the requirements of MCC .3818(L) and (M) has been established with a condition of approval attached herein.

11. Compliance With MCC 11.15.3822, Wetlands Review Criteria:

Per MCC 11.15.3822(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;**

* * *

- (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: This application satisfies applicable National Scenic Area Wetlands Review Criteria (MCC 11.15.3822(A)). The project site does not contain wetlands identified on the National Wetlands Inventory. The Soil Survey of Multnomah County, Oregon, prepared by the U.S.D.A. Soil Conservation Service, indicates that Powell silt loam exists within the project area. Powell silt loam soils are not hydric as defined by the Soil Conservation Service. No wetland or wetland buffer area appear to exist on the subject property.

12. Compliance With MCC 11.15.3824, Stream, Lake, & Riparian Area Review Criteria:

Staff: No streams, ponds, lakes, or riparian areas appear to exist on or adjacent to the subject property, therefore, the requirements of this section have been satisfied.

13. Compliance With MCC 11.15.3826, Wildlife Review Criteria:

Per MCC 11.15.3826, 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).

Staff: No sensitive wildlife area or sites have been identified within 1,000 feet of the applicant's site, therefore, wildlife habitat review is not required.

14. Compliance With MCC 11.15.3828, Rare Plants Review Criteria:

Per MCC 11.15.3828, Rare Plant Site Review shall be required for any project within 1,000 feet of endemic plants and sensitive plant species.

Staff: No inventoried Endangered Plant Species have been identified within 1,000 feet of the applicant's site, therefore, rare plant site is not required.

Conclusion

Considering the findings and other information provided herein, this application for approval to construct a 480 square foot addition to an existing single family residence, as conditioned, satisfies applicable Multnomah County Zoning Ordinance standards adopted to ensure compliance with Columbia River Gorge National Scenic Area Management Plan.

Exhibits

All materials submitted by the applicant, prepared by county staff, or provided by public agencies or members of the general public relating to this request are hereby adopted as exhibits hereto and may be found as part of the permanent record for this application.

In the matter of: NSA 1-99

Multnomah County Department of Environmental Services
Transportation and Land Use Planning Division

By: _____
Derrick I. Tokos, AICP – Planner

For: Kathy Busse – Planning Director

This decision filed with the Director of the Department of
Environmental Services on Friday, February 26, 1999

Appeal Process

This decision may be appealed within 14 days of the above date, pursuant to the provisions of MCC 11.15.8290. An appeal requires a \$100.00 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 2115 SE Morrison Street (Phone: 248-3043).

The appeal period ends Friday, March 12, 1999 at 4:30 p.m.