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Applicable Approval Criteria:

Multnomah County Code (MCC):

General Provisions: MCC 38.0015 Definitions – Parcel, MCC 38.0045 Submittal Requirements, MCC 38.0560 Code Compliance and Applications

GGR-10 Zone: MCC 38.3025 Review Uses, (A)(3) Accessory Buildings, MCC 38.3060 Dimensional Requirements

NSA Site Review: 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 GMA Rare Plant Review Criteria, MCC 38.7080 GMA Recreation Resource Review Criteria

Copies of the referenced Multnomah County Code sections are available by contacting our office at (503) 988-3043 or by visiting our website at <https://multco.us/landuse/zoning-codes/> under the link

Chapter 38: Columbia River Gorge National Scenic Area

Conditions of Approval

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. The conditions listed are necessary to ensure that the 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. Permit Expiration – This land use permit shall expire as follows:
 - a. Within two (2) years of the date of the final decision, when construction has not commenced. [MCC 38.0690(B)(1)]

- i. For purposes of Condition #1.a., commencement of construction shall mean actual construction of the foundation or frame of the approved structure.
 - ii. Notification of commencement of construction shall be given to Multnomah County Land Use Planning Division a minimum of seven (7) days prior to date of commencement. Work may commence once notice is completed. [MCC 38.0690(B)(3)]
- b. When the structure has not been completed within two (2) years of the date of commencement of construction. [MCC 38.0690(B)(2)]
- i. For purposes of Condition #1.b., completion of the structure shall mean completion of the exterior surface(s) of the structure and compliance with all conditions of approval in the land use approval. [MCC 38.0690(B)(4)]

Note: Expiration of the permit is automatic. Failure to give notice of expiration shall not affect the expiration of this approval. The property owner may request one (1) 12-month extension to the timeframe within which this permit is valid, as provided under MCC 38.0700, as applicable. The request for a permit extension must be submitted **prior to** the expiration of the approval period. [MCC 38.0700]

2. **Prior to the issuance of the building permit**, the applicant shall remove or demolish the existing 360-square-foot accessory structure identified on the submitted site plan and provide photo evidence to staff. [MCC 38.0560]
3. Prior to land use sign-off for building plan check, the property owners or their representative shall:

Record pages 1 through 16 and Exhibit A.15 of this Notice of Decision with the County Recorder. The Notice of Decision shall run with the land. Proof of recording shall be made prior to the issuance of any permits and shall be filed with the Land Use Planning Division. Recording shall be at the applicant's expense. [MCC 38.0670]

4. The accessory building to be constructed shall not exceed 1,472 sq. ft. (32-ft by 46-ft) in size and 22 ft. in height. [MCC 38.3025(A)(3)]
5. The following procedures shall be effected when cultural resources are discovered during construction activities. All survey and evaluation reports and mitigation plans shall be submitted to the local government and the SHPO. Indian tribal governments also shall receive a copy of all reports and plans if the cultural resources are pre-contact or otherwise associated with Native Americans.
 - A. Halt of 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.
 - B. Notification. The project applicant shall notify the local government and the Gorge Commission within 24 hours of the discovery. If the cultural resources are pre-contact or otherwise associated with Native Americans, the project applicant shall also notify the Indian tribal governments within 24 hours. The CRGNSA Heritage Program Manager, Chris Donnermeyer, should also be notified at 541-308-1711, Christopher.donnermeyer@usda.gov.
 - C. Survey and Evaluation. The Gorge Commission shall survey the cultural resources after obtaining written permission from the landowner and appropriate permits from the

SHPO. (See Oregon Revised Statute [ORS] 273.705, ORS 358.905 to 358.955. and Revised Code of Washington [RCW] 27.53). It shall gather enough information to evaluate the significance of the cultural resources. The survey and evaluation shall be documented in a report that generally follows the guidelines in the “Reconnaissance Survey Reports – Large Scale Uses” and “Evaluation of Significance: Evaluation Criteria and Information Needs” sections within the Management Plan for the Columbia River Gorge National Scenic Area, Chapter 2.

Based on the survey and evaluation report and any written comments, the local government shall make a final decision on whether the resources are significant. Construction activities may recommence if the cultural resources are not significant.

A mitigation plan shall be prepared if the affected cultural resources are significant.

- D. Mitigation Plan. Mitigation plans shall be prepared according to the information, consultation, and report guidelines contained in the “Mitigation Plans: Mitigation Plan Criteria and Information Needs” section within the Management Plan for the Columbia River Gorge National Scenic Area, Chapter 2. Construction activities may recommence when the conditions in the mitigation plan have been executed.
6. The following procedures shall be effected when human remains are discovered during a cultural resource survey or during construction. Human remains means articulated or disarticulated human skeletal remains, bones, or teeth, with or without attendant burial artifacts.
 - A. Halt of 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 local government, the Gorge Commission, and the Indian tribal governments shall be contacted immediately.
 - C. Inspection. The coroner, or appropriate official, shall inspect the remains at the project site and determine if they are pre-contact/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 shall assume jurisdiction and the cultural resource protection process may conclude.
 - E. Treatment. In Oregon, pre-contact/historic remains of Native Americans shall generally be treated in accordance with the procedures set forth in ORS 97.740 to 97.760. In Washington, the procedures set forth in RCW 27.44 and 68.05 shall generally be implanted if the remains are pre-contact/historic.

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 requirements specified in the “Mitigation Plans: Mitigation Plan Criteria and Information Needs” section within the Management Plan for the Columbia River Gorge National Scenic Area, Chapter 2.

The mitigation plan shall accommodate the cultural and religious concerns of Native Americans. The cultural resource protection process may conclude when the conditions set for in the “Mitigation Plans: Conclusion of the Cultural Resource Protection Process” section within the Management Plan for the Columbia River Gorge National Scenic Area, Chapter 2 are met and the mitigation plan is executed.

Note: Once this decision is final, if an application for building permits is required, it may be made with the City of Gresham. When ready to have building permits signed off by land use planning, the applicant shall complete the following steps:

1. Read your land use decision, the conditions of approval and modify your plans, if necessary, to meet any condition that states, “Prior to land use sign-off for building plan check...” Be ready to demonstrate compliance with the conditions.
2. Contact Izze Liu, Planner, at 503-988-0213 or isabella.liu@multco.us, for an appointment for review of the conditions of approval and to sign the building permit plans. Land Use Planning must sign off on the plans and authorize the building permit before you can go to the Building Department. At the time of this review, Land Use Planning may collect additional fees.

The above must be completed before the applicant can obtain building permits from 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 will be collected. In addition, an erosion control inspection fee may be required.

Preservation Office. Based upon the information provided in these inventories and the requirements of the Gorge Commission's Land Use Ordinances, it is recommended that:

A Cultural Resource Reconnaissance Survey is: Not Required

A Historic Survey is: Not Required

Friends of the Columbia River Gorge

The Friends provided written comments to ensure that they will obtain a full written decision when issued. No specific concerns were addressed.

4.0 Administrative Procedures Criteria:

4.1 MCC 38.0560 Code Compliance and Applications

Except as provided in subsection (A), the County shall not make a land use decision approving development, including land divisions and property line adjustments, or issue a building permit 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.

(A) A permit or other approval, including building permit applications, may be authorized if:

- (1) It results in the property coming into full compliance with all applicable provisions of the Multnomah County Zoning Code. This includes sequencing of permits or other approvals as part of a voluntary compliance agreement; or**
- (2) It is necessary to protect public safety; or**
- (3) It is for work related to and within a valid easement over, on or under an affected property.**

(B) For the purposes of this section, Public Safety means the actions authorized by the permit would cause abatement of conditions found to exist on the property that endanger the life, health, personal property, or safety of the residents or public. Examples of that situation include but are not limited to issuance of permits to replace faulty electrical wiring; repair or install furnace equipment; roof repairs; replace or repair compromised utility infrastructure for water, sewer, fuel, or power; and actions necessary to stop earth slope failures.

Staff: This standard provides that the County shall not make a land use decision approving development for a property that is not in full compliance with County Code or previously issued County approvals, except in the following instances: approval will result in the property coming into full compliance, approval is necessary to protect public safety, or the approval is for work related to or within a valid easement.

Importantly, a finding of satisfaction of this standard does *not* mean that a property is in full compliance with the Zoning Code and all prior permit approvals (and, accordingly, does not preclude future enforcement actions relating to uses and structures existing at the time the finding is made). Instead, a finding of satisfaction of this standard simply means that there is not substantial evidence in the record affirmatively establishing one or more specific instances of noncompliance. As such, an applicant has no initial burden to establish that all elements of the subject property are in full compliance with the Zoning Code and all previously approved permits; instead, in the event of evidence indicating or establishing one or more specific instances

of noncompliance on the subject property, the applicant bears the burden to either rebut that evidence or demonstrate satisfaction of one of the exceptions in MCC 39.1515.

During a pre-file meeting in 2019, staff identified an unpermitted 360-square-foot accessory structure on the subject property (Exhibit A.13). The submitted application materials did not address the existing accessory structure. Staff found that the combined square footage of the existing accessory structure and proposed pole barn would not meet the standards of MCC 38.3025(B)(3)(a). Staff described these issues to the applicant in an incomplete letter dated June 26, 2020 (Exhibit C.2).

In response to the incomplete letter, the applicant provided an updated site plan (Exhibit A.15) that indicates the existing 360-square-foot accessory structure will be removed. *As conditioned, this standard is met.*

5.0 Gorge General Residential Zone Criteria:

5.1 MCC 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:

(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 applicant is proposing to construct a 1,472-square-foot pole barn on the southern portion of the subject property. The proposed pole barn will be 22 feet in height (Exhibit A.4). As stated in a previous finding, the subject property contains an existing 360-square-foot accessory structure but the applicant has proposed to remove this structure (Exhibit A.13, Page 5). *As conditioned, these criteria are met.*

5.2 MCC 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.

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

Staff: As required in Table 2 of MCC 29.571, the rural standard for local streets is a 50-foot right-of-way width. As shown on the road survey recorded with the County, (RD0984), the right-of-way for NE Hurt Road is currently 60 feet wide. As required by above, the front yard requirement shall remain at 30 feet.

The proposed pole barn will be 22 feet in height. The applicant is proposing to construct the pole barn 30 feet from the southern property line, 60 feet from the western property line, 48 feet from the eastern property line, and more than 30 feet from the northern property line (Exhibit A.15). *These criteria are met.*

6.0 National Scenic Area (NSA) Site Review Criteria:

6.1 MCC 38.7035 GMA Scenic Review Criteria

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

(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 applicant is proposing to construct a new pole barn on the southern portion of the subject property and extend the driveway to the building. The building envelope is located south of the existing single-family dwelling and according to the County's GIS data, appears to be clear of vegetation. According to the revised site plan, the area north and east of the building footprint will require 4-ft or less cuts to the topography to level out the building envelope and the spoils will be redistributed to the south side of the building footprint (Exhibit A.15). In addition, a detention pond will be constructed south of the new building (Exhibit A.15). Staff finds that the proposed pole barn will be sited in a location that minimizes grading activities to the maximum extent possible. *This criterion is met.*

(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 applicant provided a list of seven properties within a quarter-mile of the subject property (Exhibit A.13, Page 4). Based on the County's Department of Assessment, Records, and Taxation (DART) Property Information site, the average size of the similar buildings on these properties is approximately 1,400 square feet. The applicant is proposing to construct a 1,472-square-foot pole barn. Staff finds that the proposed pole barn is compatible with the general scale of similar buildings that exist within a quarter-mile of the subject property. *This criterion is met.*

(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: The subject property is located on NE Hurt Road, which is not a Scenic Travel Corridor. As defined in MCC 38.0015, the Scenic Travel Corridors are those portions of Interstate 84, the Historic Columbia River Highway, Oregon Highway 35, and Washington State Routes 14, 141, and 142 located in the Scenic Area. *This criterion is not applicable.*

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

Staff: The property owner is not required to plant additional vegetation for the proposed development. *This criterion does not apply.*

(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 within the Rural Residential in Pastoral Landscape setting. The compatibility of the proposed pole barn in this landscape setting is discussed below.

(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.

* * *

(29) An interim time period to achieve compliance with full screening requirements for new quarries located less than 3 miles from the nearest visible Key Viewing Area shall be established prior to approval. The interim time period shall be based on site-specific topographic and visual conditions, but shall not exceed 1 year beyond the date of approval. Quarrying activity occurring prior to achieving compliance with full screening requirements shall be limited to activities necessary to provide such screening (creation of berms, etc.).

Staff: The northern portion of the subject property is located in the following Key Viewing Areas: Columbia River, Historic Columbia River Highway, Larch Mountain Road, and the Sandy River. The specific building envelope for the proposed pole barn will not be visible from the Key Viewing Areas. *These criteria are not applicable.*

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

(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 applicant is proposing to construct the pole barn south of the existing single-family dwelling. The proposed driveway for the pole barn will also be located east of the existing driveway. The driveway will be extended 50 ft. to the new pole barn. According to the County's GIS aerial images, the northern portion of the subject property contains a mixture of mowed grass and trees. Staff finds that the proposed pole barn will be clustered near existing development south of the dwelling away from the mowed grass. *This criterion is met.*

(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:

* * *

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

Staff: The proposed pole barn will not be visible from KVAs. *These criteria are not applicable.*

* * *

(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 practice

Staff: The applicant has included a site plan that shows the proposed tree cover on the subject property (Exhibit A.13, Page 3). The location for the proposed pole barn appears to be in an area that is already cleared of trees according to the County's GIS aerial images. The applicant is not proposing to remove any additional vegetation. *This criterion is met.*

(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: As discussed previously, the proposed pole barn will not be visible from KVAs. *These criteria are not applicable.*

(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 applicant is not proposing a recreational use. *This criterion is not applicable.*

(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: As noted in previous sections above, the proposed pole barn will not be topographically visible from identified key viewing areas. The proposed development will be designed to meet both the Rural Residential and Pastoral setting standards. No public recreation use exists or is proposed. *These criteria met.*

7.0 Resource Review Criteria:

7.1 MCC 38.7045 GMA Cultural Resource Review Criteria

(A) Cultural Resource Reconnaissance Surveys

Each proposed use or element of a proposed use within an application shall be evaluated independently to determine whether a reconnaissance survey is required; for example, an application that proposes a land division and a new dwelling would require a reconnaissance survey if a survey would be required for the dwelling.

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

Staff: Chris Donnermeyer, Columbia River Gorge Scenic Area Heritage Resources Program Manager, submitted a Cultural Resource Survey Determination on June 16, 2020 stating that “A Cultural Resource Reconnaissance Survey is: Not required” as the proposed use or element of the propose use, “would occur on a site that has been determined to be located within a low probability zone”, “is not within 100 feet of a high probability zone”, and “Does not occur within 500 feet of a known cultural resource” (Exhibit D.1). *These criteria are met.*

(4) 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: Chris Donnermeyer, Columbia River Gorge Scenic Area Heritage Resources Program Manager, submitted a Cultural Resource Survey Determination on June 16, 2020. The letter stated that a historic survey is not required because the proposal “Would not alter the exterior architectural appearance of significant buildings and structures that are 50 years old or older” and “Would not compromise features of the surrounding area that are important in defining the historic or architectural character of significant buildings or structures that are 50 years old or older.” (Exhibit D.1). Therefore, a historic survey is not required. *These criteria are not applicable.*

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

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

Staff: As stated above, a cultural resource review is not required. *These criteria are not applicable.*

(L) Cultural Resources Discovered After Construction Begins The following procedures shall be effected when cultural resources are discovered during construction activities. 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.

(1) 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.

(2) Notification – The project applicant shall notify the 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.

(3) Survey and Evaluation – The Gorge Commission will survey the cultural resources after obtaining written permission from the landowner and appropriate permits from SHPO (see ORS 358.905 to 358.955). It 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).

(a) The Planning Director shall, based on the survey and evaluation report and any written comments, make a final decision within 10 days of the receipt of the report of the Gorge Commission on whether the resources are significant.

(b) The Planning Director shall require a Mitigation Plan if the affected cultural resources are found to be significant.

(c) Notice of the decision of the Planning Director shall be mailed to those parties entitled to notice by MCC 38.0530 (B).

(d) The decision of the Planning Director shall be final 14 days from the date notice is mailed, unless appealed as provided in MCC 38.0530 (B). Construction activities may recommence if no appeal is filed.

(4) 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.

(M) Discovery of Human Remains The following procedures shall be effected when human remains are discovered during a cultural resource survey or during construction. Human remains means articulated or disarticulated human skeletal remains, bones, or teeth, with or without attendant burial artifacts.

(1) Halt Activities – All survey, excavation, and construction activities shall cease. The human remains shall not be disturbed any further.

(2) Notification – Local law enforcement officials, the Planning Director, the Gorge Commission, and the Indian tribal governments shall be contacted immediately.

(3) 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.

(4) Jurisdiction – If the remains are modern, the appropriate law enforcement officials will assume jurisdiction and the cultural resource protection process may conclude.

(5) 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.

(a) 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).

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

Staff: As conditioned, these criteria are met.

7.2 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: According to the County's GIS data, there are no wetlands or hydric soils identified on the subject property. The subject property is also not located adjacent to the main stem of the Columbia River. The project site is not located in a wetland buffer zone as this and adjacent properties do not have wetlands on them. No wetlands were identified during this NSA Site Review by planning staff. *These criteria are met.*

7.3 MCC 38.7060 GMA Stream, Lake and Riparian Review Criteria

(A) The following uses may be allowed in streams, ponds, lakes and riparian areas, and their buffer zones, 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 property does not contain streams, ponds, lakes, and riparian areas. *These criteria are not applicable.*

7.4 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 (i.e., sites used by sensitive wildlife species).

* * *

Staff: Based on the maps provided by the United States Forest Service for Sensitive Wildlife, there does not appear to be any sensitive wildlife areas and sensitive wildlife sites within 1,000 feet of the subject property. *These criteria are not applicable.*

7.5 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: Based on the maps provided by the United States Forest Service for Sensitive Wildlife, there does not appear to be any endemic plants and sensitive plant species within 1,000 feet of the subject property. *These criteria are not applicable.*

7.6 MCC 38.7080 GMA Recreation Resource Review Criteria

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

(A) Recreation Intensity Class 1

- (1) Parking areas for a maximum of 10 cars for any allowed uses in Recreation Intensity Class 1.**
- (2) Trails for hiking, equestrian and mountain biking use.**
- (3) Pathways for pedestrian and bicycling use.**
- (4) Trailheads (with provisions for hitching rails and equestrian trailers at trailheads accommodating equestrian use).**
- (5) Scenic viewpoints and overlooks.**
- (6) Wildlife/botanical viewing and nature study areas.**
- (7) River access areas.**
- (8) Simple interpretive signs and/or displays, not to exceed a total of 50 square feet.**
- (9) Entry name signs not to exceed 10 square feet per sign.**
- (10) Boat docks, piers or wharfs.**
- (11) Picnic areas.**
- (12) Rest-rooms/comfort facilities.**

* * *

Staff: The subject property is located within the Recreation Intensity Class 1, however the applicant is not proposing any recreation based uses. *These criteria are not applicable.*

8.0 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 construct a pole barn in the Gorge General Residential zone. This approval is subject to the conditions of approval established in this report.

9.0 Exhibits

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

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 T2-2020-13122 at the Land Use Planning office.

| Exhibit # | # of Pages | Description of Exhibit | Date Received / Submitted |
|------------------|-------------------|-------------------------------|----------------------------------|
| A.1 | 1 | NSA Application Form | 05.28.2020 |
| A.2 | 1 | Project Narrative | 05.28.2020 |
| A.3 | 2 | Site Plan | 05.28.2020 |
| A.4 | 2 | Elevation Drawings | 05.28.2020 |
| A.5 | 1 | Floor Plan | 05.28.2020 |
| A.6 | 5 | Deed History | 05.28.2020 |

| | | | |
|------------|----------|---|-------------|
| A.7 | 28 | Stormwater Drainage Control | 05.28.2020 |
| A.8 | 6 | Septic Review Certification | 05.28.2020 |
| A.9 | 2 | Fire Service Agency Review | 05.28.2020 |
| A.10 | 4 | Transportation Planning Review | 05.28.2020 |
| A.11 | 1 | Outdoor Lighting | 05.28.2020 |
| A.12 | 1 | Applicant Response Letter | 07.07.2020 |
| A.13 | 1 | Supplemental App. Materials | 07.15.2020 |
| A.14 | 1 | Supplemental App. Materials – Narrative | 07.15.2020 |
| A.15 | 4 | Supplemental App. Materials – Revised Site Plan | 07.15.2020 |
| A.16 | 1 | Supplemental App. Materials – Accessory Bldgs within a Quarter-Mile | 07.15.2020 |
| ‘B’ | # | Staff Exhibits | Date |
| B.1 | | Dart Property Information for 1N4E32B -02700 | 05.28.2020 |
| ‘C’ | # | Administration & Procedures | Date |
| C.1 | 1 | Incomplete Letter | 06.26.2020 |
| C.2 | 6 | Opportunity to Comment | 08.13.2020 |
| C.3 | | Administrative Decision | |
| ‘D’ | # | Comments Received | Date |
| D.1 | 4 | USDA Comment | 04.10.2020 |
| D.2 | 8 | Friends of the Columbia Gorge Comment | 08.27.2020 |