

NSA STAFF REPORT



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Application for Condition Use and National Scenic Area (NSA) Site Review

Case File: T3-2025-0001

Applicant: Peter Finley Fry

Proposal: Request for a Condition Use and National Scenic Area (NSA) Site Review for a Fire Station. The use includes a new building, a new accessory structure, and alteration of paved areas for off-street parking and loading.

Location: 36930 E Hist Columbia River Hwy, Corbett

Property ID # R661079

Map, Tax lot: 1N4E35BA -02201

Alt. Acct. # R665600200

Base Zone: Gorge General Rural Center (GGRC)

Overlays: None

Key Viewing Areas: Historic Columbia River Highway (including the Historic Columbia River Highway State Trail), Larch Mountain (including Sherrard Point), Larch Mountain Road

Landscape Setting: Village

Scheduled before one of the County's Hearing's Officers on **Friday, November 14, 2025** or soon thereafter via virtual hearing.

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Applicable Approval Criteria:

Multnomah County Code (MCC): General Provisions: MCC 38.0015 Definitions, MCC 38.0030 Existing Uses and Discontinued Uses, MCC 38.0060 Agricultural Buffer Zones, MCC 38.0110 Tribal Treaty Rights and Consultation

Administration and Procedures: MCC 38.0560 Code Compliance and Applications

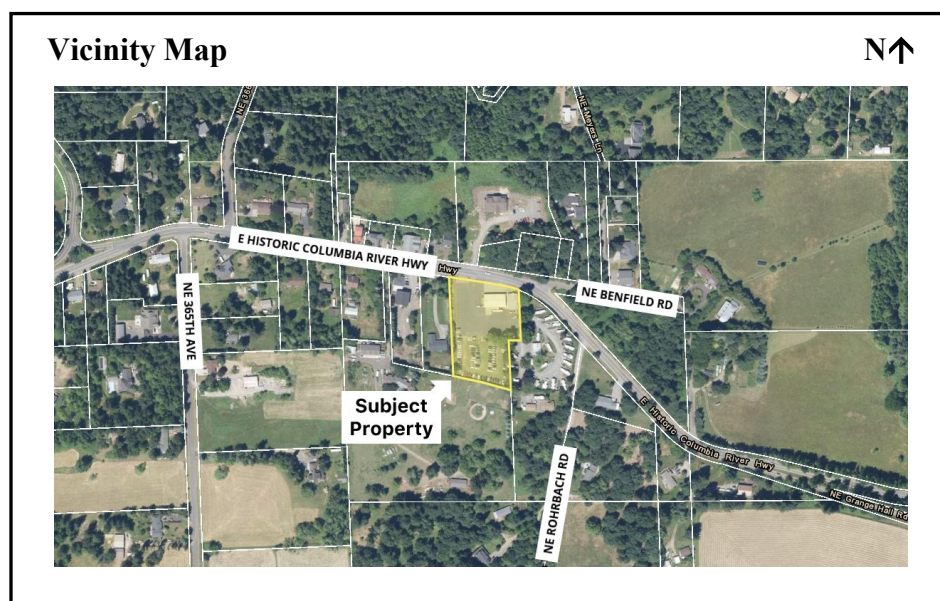
Gorge General Rural Center: MCC 38.2430(A) Conditional Uses – Fire Station, MCC 38.2460 Dimensional Requirements, MCC 38.2485 Off-Street Parking and Loading, MCC 38.2490 Access

Special Districts – Off-Street Parking and Loading: MCC 38.4105 General Provisions, MCC 38.4115 Continuing Obligation, MCC 38.4125 Use of Space, MCC 38.4130 Location of Parking and Loading Spaces, MCC 38.4140 Change of Use, MCC 38.4150 Existing Spaces, MCC 38.4165 Design Standards: Scope, MCC 38.4170 Access, MCC 38.4175 Dimensional Standards, MCC 38.4180 Improvements, MCC 38.4185 Lighting, MCC 38.4195 Design Standards: Setbacks, MCC 38.4205 Minimum Required Off-Street Parking Spaces, MCC 38.4215 Exceptions from Required Off-Street Parking or Loading Spaces

NSA Site Review Criteria: MCC 38.7035 GMA Scenic Review Criteria, MCC 38.7045 GMA Cultural Resource Review Criteria, MCC 38.7053 GMA Water Resources 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

Special Uses: MCC 38.7300 Review and Conditional Uses

Copies of the referenced Multnomah County Code sections are available by visiting <https://www.multco.us/landuse/zoning-codes> under the link **Chapter 38: Columbia River Gorge National Scenic Area**.



Recommended Hearing Officer Decision

Staff recommends that the Hearings Officer approve, subject to conditions of approval, the Condition Use and National Scenic Area (NSA) Site Review.

If the Hearings Officer finds the proposed application is approvable, staff recommends the following Conditions of Approval:

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)]
 - i. For the purposes of 1.a, commencement of construction shall mean actual construction of the foundation of the approved building associated with the Fire Station use.
 - ii. For purposes of 1.a, notification of commencement of construction shall be given to Multnomah County Land Use Planning Division a minimum of seven (7) days prior to the date of commencement. Notification shall be sent via email to LUP-submittals@multco.us with the case no. T3-2025-0001 referenced in the subject line. [MCC 38.0660(A)]
 - b. Within **two (2) years** of the date of commencement of construction when the structure has not been completed. [MCC 38.0690(B)]
 - i. For the purposes of 1.b, completion of the structure shall mean completion of the exterior surface(s) of the building associated with the Fire Station use and compliance with all conditions of approval in the land use approval.
 - ii. For purposes of 1.b, the property owner shall provide building permit status in support of completion of exterior surfaces of the structure and demonstrate compliance with all conditions of approval. The written notification and documentation of compliance with the conditions shall be sent to LUP-submittals@multco.us with the case no. T3-2025-0001 referenced in the subject line. [MCC 38.0660(A)]

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. 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. [MCC 38.0660(B)]
3. **Prior to submitting Building Plans for Zoning Review**, the property owner(s) or their representatives shall:
 - a. Acknowledge in writing that they have read and understand the conditions of approval and intend to comply with them. A Letter of Acknowledgement has been provided to assist you. The signed document shall be submitted and uploaded when submitting Building Plans for Zoning Review and Review of Conditions of Approval. [MCC 38.0660(A) & (B)]

- b. Record the Hearing's Officer Decision and Exhibits A.14, A.15 (Sheet C1.0, C2.0-C4.0, and C6.0), and B.7 of this Staff Report with the County Recorder. The Hearing's Officer 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]
 - c. Record a covenant with the County Recorder specifying that the owners, successors, heirs and assigns of the subject parcel are aware that adjacent and nearby operators are entitled to carry on accepted farm or forest practices on lands designated GGF-20, GGF-40, GGF-80, GGA-20, and GGA-40. [MCC 38.7300(A)(1) & (B)(2)]
 - d. Prepare a Lighting Plan and provide technical specifications showing the location and type of exterior lighting that will be used on the subject property.
 - i. The proposed exterior lighting shall be limited in intensity, shielded, and hooded. The shielding and hooding materials shall be composed of non-reflective, opaque materials. [MCC 38.7035(B)(9) and MCC 38.4183]
4. **When submitting Building Plans for Zoning Review**, the property owner(s) or their representatives shall:
- a. Provide a Letter of Acknowledgement, recorded Notice of Decision, and covenants, and other documents as required in Condition 3.a through 3.d.
 - b. Submit final design plans of all buildings associated with the Fire Station use.
 - i. The exterior surfaces of the buildings described and shown in Exhibit A.14. Any changes to the exterior colors of the buildings shall be earth tone or dark earth tone as shown in the *Building in the Scenic Area - Scenic Resources Implementation Handbook*. Any other changes to the final design plan of the exterior of the buildings shall meet the recommendations of the *Handbook*. [MCC 38.7035(B)(8), (B)(10), and MCC 38.7035(C)(6)(g)]
5. **During construction**, the property owner(s) or their representatives shall:
- a. Put into action the following procedures, if any Cultural Resources and/or Archaeological Resources are located or discovered on the property during this project, including but not limited to finding any evidence of historic campsites, old burial grounds, implements, or artifacts. Additionally, all survey and evaluation reports and mitigation plans shall be submitted to the Planning Director and the SHPO. Native American tribal governments shall also receive a copy of all reports and plans if the cultural resources are prehistoric or otherwise associated with Native Americans.:
 - i. **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.
 - ii. **Notification** - The project applicant shall notify the County Planning Director and the Gorge Commission within 24 hours of the discovery. If the cultural resources are prehistoric or otherwise associated with Native Americans, the project applicant shall also notify the Native American tribal governments within 24 hours. Procedures required in MCC 38.7045(L) shall be followed.
 - iii. **Survey and Evaluation** - The Gorge Commission will survey the cultural resources after obtaining written permission from the landowner and appropriate permits from Oregon State Historic Preservation Office (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).

- iv. Mitigation Plan - Mitigation plans shall be prepared according to the information, consultation, and report standards of MCC 38.7045(J). Construction activities may recommence when the conditions in the mitigation plan have been executed. [MCC 38.7050(H)]
- b. Put into action the following procedures, if human remains are discovered during excavation or construction (human remains means articulated or disarticulated human skeletal remains, bones, or teeth, with or without attendant burial artifacts):
 - i. Halt Activities - All survey, excavation, and construction activities shall cease. The human remains shall not be disturbed any further.
 - ii. Notification - Local law enforcement officials, the Multnomah County Planning Director, the Gorge Commission, and the Native American tribal governments shall be contacted immediately.
 - iii. 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.
 - iv. Jurisdiction - If the remains are modern, the appropriate law enforcement officials will assume jurisdiction and the cultural resource protection process may conclude.
 - v. Treatment - Prehistoric/historic remains of Native Americans shall generally be treated in accordance with the procedures set forth in Oregon Revised Statutes, Chapter 98.740 to 98.760.
 - vi. 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).
 - vii. 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. [MCC 38.7050(H)]

6. **As an on-going condition**, the property owner(s) shall:

- a. Be responsible for the proper maintenance and survival of existing vegetation (trees and shrubs) as showed in Exhibit B.7. Existing trees and shrubs may be removed, if the vegetation meet the definition of hazard tree. Removed trees shall be replaced on a 1-to-1 basis in the next growing season with a native species, a species common to the area, or a similar species to the tree that was removed. The vegetation shall also meet the requirements in the *Scenic Resources Implementation Handbook* for planting size and spacing. [MCC 38.7035(A)(4); MCC 38.7035(B)(1)-(2), (5)-(6), and (B)(14); and MCC 38.7035(C)(6)(k)]
- b. Ensure that any exterior lighting be directed downward, shielded, and hooded. The shielding and hooding materials shall be continuously maintained. The exterior lighting shall not shine into adjoining dwellings or other types of living units. The exterior lighting shall not to create a hazard to the traveling public on any street. [MCC 38.7035(B)(9) and MCC 38.4183]
- c. Maintain all areas for the parking and maneuvering of vehicles. The areas for parking and maneuvering of vehicles shall be marked in accordance with the approved plan as shown in Exhibit A.14 and A.15. Such marking shall be continually maintained. [MCC 38.4180(C)]

- d. Provide for and maintain all off-street parking facilities without charge or other considerations to users. [MCC 38.4115 and MCC 38.4125(A)]
- e. Not park trucks, equipment, materials, structures, signs, or conduct any Fire Station activities in any required parking space. [MCC 38.4125(B)]
- f. Not store or accumulate equipment, material, or goods in an off-street parking space in a manner which would render such space temporarily or permanently incapable of immediate use for loading operations. [MCC 38.4125(E)]

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*.

1.0 Project Description:

Staff: The applicant requests a Condition Use and National Scenic Area (NSA) Site Review for a Fire Station. The use includes a new building, a new accessory structure (“drill tower”), and alteration of paved areas for off-street parking and loading.

2.0 Property Description & History:

Staff: This application is for the property identified as 1N4E35BA -02201 also known as 36930 E Hist Columbia River Hwy, Corbett (“subject property”) The subject property is located on the south side of East Historic Columbia River Highway (“HCRH”) in unincorporated east Multnomah County outside of Metro’s Urban Growth Boundary (UGB) within the Columbia River Gorge National Scenic Area (NSA). The subject property is zoned Gorge General Rural Center (GGRC) and has no overlays.

The subject property contains two (2) “miscellaneous” improvements according to the County Assessor. The Assessor first assessed the improvements in 1968 and lists the property at approximately 94,647 square feet (2.17 acres). Aerial photos from 2025 show how two structures (Exhibit B.3).

These are the previous land use/building permits associated with the property.

Permit No.	Date	Description
#40735	09/16/1966	Fire Station Foundation
#41111	11/14/1966	Equipment Shelter
BC 8-69		Fire Station alteration to add meeting room
#50566	05/02/1974	Fire Station alteration to add meeting room associated with BC 8-69
SEC 6-83	07/07/1983	Hose Drying Tower
DR 83-06-06	11/21/1983	Hose Drying Tower
#831987	11/25/1983	Hose Drying Tower associated with DR 83-06-06 and SEC 6-83 (<i>Expired</i>)
DR 86-05-05	07/02/1986	Fire Station
CS 8-90	01/07/1991	Expansion of Fire Station
SEC 20-90	01/07/1991	Expansion of Fire Station associated with CS 8-90
DR 90-07-01	03/08/1991	Parking lot and curb improvements
MC 795	04/16/1991	Parking lot and curb improvements associated with DR 90-07-01
T3-2010-875	05/17/2011	Remodel and expand existing Fire Station
BP-2012-2341	06/08/2012	Fire Station addition associated with T3-2010-875
T3-2011-2014	04/03/2021	Four (4) Lot Subdivision

3.0 Public Comment:

Staff: Staff mailed a Notice of Public Hearing regarding the proposed application to the required parties pursuant to MCC 38.0530(C) (Exhibit C.7). Staff did receive public comments before this report was issued prior to the Hearing.

3.1 Cultural Resource Survey Determination from Luciano Legnini, Archaeologist on behalf of the United States Department of Agriculture: Forest Service (“USFS”) - Columbia River Gorge National Scenic Area (Exhibit D.1)

Staff: Luciano Legnini sent a Cultural Resource Survey Determination on behalf of the USFS on February 11, 2025. The Survey stated that, “A Cultural Resource Survey is: Not Required” and “A Historic Survey is: Required.”

3.2 Letter from Kirsten Lopez, Special Projects Archaeologist on behalf of the Oregon Parks and Recreation Department (“OPRD”): Oregon Heritage/State Historic Preservation Office (“SHPO”) (Exhibit D.2)

Staff: Kirsten Lopez sent a Letter behalf of the SHPO on March 7, 2026. The Letter stated that, “[The SHPO] recommends an archaeological survey where ground disturbing activities will occur, and an evaluation of the firehouse for eligibility on the National Register of Historic Places, as it is over 50 years of age”.

3.3 Historic Survey from Luciano Legnini, Archaeologist on behalf of the United States Department of Agriculture: Forest Service (“USFS”) - Columbia River Gorge National Scenic Area (Exhibit D.3)

Staff: Luciano Legnini sent a Historic Survey (Oregon SHPO Clearance Form). The survey stated for the Determination of Eligibility that, “The property is considered Not Eligible at this time” and the Determination of Effect that, “The project has NO EFFECT on historic properties, either because there is no eligible property involved or because the property will not be impacted physically or visually.”

4.0 Code Compliance and Applications Criteria:

4.1 § 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 or zoning review approval of development or any other approvals authorized by this code for any property that is not in full compliance with all applicable provisions of the Multnomah County 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:

* * *

(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.

This standard was originally codified in the Zoning Code chapter related to land use application procedures and, by its terms, expressly applies to the application review process. Although now codified in the enforcement Part of the Zoning Code as a result of the more recent code consolidation project, the language and intent were not changed during that project and remains applicable to the application review process and not to the post-permit-approval enforcement process.

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.

For purposes of the current application, there are no known open compliance cases associated with the subject property, and there is no evidence in the record of any specific instances of noncompliance on the subject property. *Criterion met.*

5.0 Parcel Criteria:

5.1 § 38.0015 DEFINITIONS

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.**
- (d) A unit of land shall not be considered a separate parcel simply because it:**
 - 1. Is a unit of land created solely to establish a separate tax account;**
 - 2. Lies in different counties;**
 - 3. Lies in different sections or government lots;**
 - 4. Lies in different zoning designations; or**
 - 5. Is dissected by a public or private road.**

Staff: The subject property was created as part of a Hearings Officer Decision in land use case no. T3-2011-2014. A Subdivision Plat was recorded in Book 1305, Page 20-21 on April 3, 2014 (Exhibit B.5). The subject property, Lot 4 of Poffenberger subdivision has not been subject to a subsequent boundary reconfiguration and/or land division since those findings were written; therefore, the subject property remains a Parcel in its current configuration.

Based upon the above, the subject property satisfied all applicable zoning and land division laws when it was created or reconfigured in 2014. The subject property is a “Parcel” as defined in MCC 38.0015 Definitions

6.0 Existing use and Discontinued Uses Criteria:

6.1 § 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 subject property contains an existing Fire Station use that in comprised of two (2) buildings, accessory structures (AC units, diesel tank, flag pole, hydrant, monument, septic system with drainfield, sign, and transformer), and paved areas used for off-street parking and loading. The subject property was last reviewed in 2010. The use and buildings have not been discontinued as they are still present. The applicant is now proposing a new building, a new accessory structure (“drill tower”), and alteration of paved areas for off-street parking and loading. Both buildings and the modifications to the paved areas are associated with the existing Fire Station use. As required, the new buildings and changes to off-street parking and loading are subject to review and approval to this Management Plan, including, but not limited to, guidelines for land use designations and scenic, cultural, recreation and natural resources. The existing buildings and accessory structures; however, are not subject to compliance with setbacks or buffers as no alteration of the footprint of the buildings or structures are proposed. Applicable policies, guidelines, and Multnomah County Code requirements are discussed below

7.0 Gorge General Rural Center (GGRC) Criteria:

7.1 § 38.2430 CONDITIONAL USES

The following conditional uses may be allowed on lands designated GGRC, pursuant to the provisions of MCC 38.0045 and 38.7300:

(A) Fire stations

Staff: The applicant is requesting Fire Station. The Fire Station has an extensive permitting history as discussed in Section 2.0. As discussed in Section 6.0, the Fire Station use is an existing use and the subject property contains various buildings and accessory structures that are existing. The applicant is now requesting expand that Fire Station use to add a new building, a new accessory structure (“drill tower”), and alter paved areas for off-street parking and loading (Exhibit A.14 and A.15). The building will contain areas to store fire engines and a weight room. The drill tower is used for training fire personnel. The Conditional Use requires review of Parking, Loading, and

Circulation discussed in Section 8.0, NSA Site Review discussed in Section 9.0, and Special Uses discussed in Section 10.0.

7.2 § 38.2460 DIMENSIONAL REQUIREMENTS

(E) Minimum Yard Dimensions – Feet

Front	Side	Street Side	Rear
30	10	30	30

Maximum Structure Height – 35 feet

Minimum Front Lot Line Length – 50 feet.

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

Staff: The right-of-way (ROW) adjacent to the subject property is East Historic Columbia River Highway (HCRH). The highway is managed by the Oregon Department of Transportation (ODOT). ODOT typically requires a ROW width of 60 feet. The highway is 60 feet in width, so no additional right-of way width is needed and the yard does not need to be increased (Exhibit B.2).

The front lot line is the line parallel to HCRH. The rear lot line is the south property line furthest from the front lot line. All other lot lines are side lot lines. As measured from the site plan, the new building and tower meet the minimum yard requirements to all lot lines (Exhibit A.14 and A.15).

Lastly, as shown on the building elevations, the height of the new building is less than 35 feet (Exhibit A.14). The height of the new tower is 38 feet, which exceeds the above height maximum; however, as allowed under MCC 38.2460(G), the height of the tower can exceed the height requirement above as discussed below. *Criteria met.*

(G) 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 discussed previously, the height of the new tower is 38 feet, which exceeds the height maximum in MCC 38.2460(E). The tower is like a barn, silo, windmill, etc.; therefore, the height may exceed 35 feet, if located at least 30 feet from property lines. As measured on the site plan, the tower is more than 30 feet from any property line. *Criteria met.*

7.3 § 38.2485 OFF-STREET PARKING AND LOADING

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

Staff: The applicant is requesting to modify a Fire Station use. As required, off-street parking and loading shall be provided. The approval criteria in MCC 38.4100 through MCC 38.4215 are discussed in Section 8.0.

7.4 § 38.2490 ACCESS

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

Staff: The subject property abuts East Historic Columbia River Highway (HCRH). *Criterion met.*

8.0 Off-Street Parking and Loading Criteria:

8.1 § 38.4105 GENERAL PROVISIONS

In the event of the erection of a new building or an addition to an existing building, or any change in the use of an existing building, structure or land which results in an intensified use by customers, occupants, employees or other persons, off-street parking and loading shall be provided according to the requirements of this Section.

Staff: The applicant is requesting to alter a Fire Station use, which will result in an intensified use by occupants and employees. Although the Fire Station is empty most of the time, the applicant is now requesting expansion to erect a new building and accessory structure on the subject property. As required by this Section off-street parking and loading, in addition to traffic circulation and access must be reviewed. The requirements are discussed below.

8.2 § 38.4115 CONTINUING OBLIGATION

The provision for and maintenance of off-street parking and loading facilities without charge to users shall be a continuing obligation of the property owner. No building or any other required permit for a structure or use under this or any other applicable rule, ordinance or regulation shall be issued until satisfactory evidence in the form of a site development plan, plans of existing parking and loading improvements, a deed, lease, contract or similar document is presented demonstrating that the property is and will remain available for the designated use as a parking or loading facility

Staff: As required above, a condition will be needed to ensure that the provision for and maintenance of the off-street parking and loading facilities indicated on the site plan is provided without charge to users (customers/guests). A condition is requested that this be a continuing obligation of the property owner. *As conditioned, criterion can be met.*

8.3 § 38.4125 USE OF SPACE

(A) Required parking spaces shall be available for the parking of vehicles of customers, occupants, and employees without charge or other consideration.

(B) No parking of trucks, equipment, materials, structures or signs or the conducting of any business activity shall be permitted on any required parking space.

(C) A required loading space shall be available for the loading and unloading of vehicles concerned with the transportation of goods or services for the use associated with the loading space.

(D) Except for residential and local commercial districts, loading areas shall not be used for any purpose other than loading or unloading.

(E) In any district, it shall be unlawful to store or accumulate equipment, material or goods in a loading space in a manner which would render such loading space temporarily or permanently incapable of immediate use for loading operations.

Staff: As required above, a condition is requested to ensure the above criteria are met. *As conditioned, criteria can be met.*

8.4 § 38.4130 LOCATION OF PARKING AND LOADING SPACES

(A) Parking spaces required by this Section shall be provided on the lot of the use served by such spaces.

(B) Exception – The Planning Director may authorize the location of required parking spaces other than on the site of the primary use, upon a written finding by the Director that:

(1) Parking use of the alternate site is permitted by this Ordinance;

(2) The alternate site is within 350 feet of the use;

(3) There is a safe and convenient route for pedestrians between the parking area and the use;

(4) Location of required parking other than on the site of the use will facilitate satisfaction of one or more purposes or standards or requirements of this Chapter; and,

(5) There is assurance in the form of a deed, lease, contract or other similar document that the required spaces will continue to be available for off-street parking use according to the required standards.

(C) Loading spaces and vehicle maneuvering area shall be located only on or abutting the property served.

Staff: The applicant is proposing to locate fourteen (14) parking spaces on the subject property as discussed in Section 8.14. All the parking spaces and vehicle maneuvering areas are located on the subject property (Exhibit A.14 and A.15). No loading spaces are proposed. *Criteria met.*

8.5 § 38.4140 CHANGE OF USE

(A) Any alteration of the use of any land or structure under which an increase in the number of parking or loading spaces is required by this Section shall be unlawful unless the additional spaces are provided.

(B) In case of enlargement or change of use, the number of parking or loading spaces required shall be based on the total area involved in the enlargement or change in use.

Staff: As discussed in Section 6.1, the parking and loading requirements for the Fire Station use were previously reviewed under land use case T3-2010-875. At that time, the applicant requested 43 parking spaces. The applicant is now requesting a reduction of spaces from over 40 spaces to 14 spaces, as discussed in Section 8.14. *Criteria met.*

8.6 § 38.4150 EXISTING SPACES

Off-street parking or loading spaces existing prior to February 6, 1993 may be included in calculating the number of spaces necessary to meet these requirements in the event of subsequent enlargement of the structure or change of use to which such spaces are accessory. Such spaces shall meet the design and improvement standards of this Section.

Staff: As discussed, the applicant is requesting a reduction of parking spaces from over 40 spaces to 14 spaces, As will be discussed those parking spaces will be required to meet the design and improvement standards of this section. *Criteria met.*

8.7 § 38.4165 DESIGN STANDARDS: SCOPE

(A) The design standards of this section shall apply to all parking, loading, and maneuvering areas except those serving a single or two-family residential dwelling or mobile home on an individual lot.

(B) All parking and loading areas shall provide for the turning, maneuvering and parking of all vehicles on the lot. After February 6, 1993 it shall be unlawful to locate or construct any parking or loading space so that use of the space requires a vehicle to back into the right-of-way of a public street.

Staff: The applicant is requesting to modify a Fire Station use, which does not meet the exceptions above. The use will need to meet the design standards, as discussed below. As shown in the site plan, the applicant is not proposing to locate or construct any parking or loading space so that use of the space requires a vehicle to back into the right-of-way of a public street. *Criteria met.*

8.8 § 38.4170 ACCESS

(A) Where a parking or loading area does not abut directly on a public street or private street approved under MCC 38.7700 et seq., the Land Division Chapter, there shall be provided an unobstructed driveway not less than 20 feet in width for two-way traffic, leading to a public street or approved private street. Traffic directions therefore shall be plainly marked.

* * *

Staff: The parking areas are located entirely on the subject property, which is directly adjacent to E. HCRH, a public street; therefore, these criteria are not applicable. *Criteria not applicable.*

8.9 § 38.4175 DIMENSIONAL STANDARDS

(A) Parking spaces shall meet the following requirements:

(1) At least 70% of the required off-street parking spaces shall have a minimum width of nine feet, a minimum length of 18 feet, and a minimum vertical clearance of six feet, six inches.

* * *

(B) Aisle width shall be not less than:

(1) 25 feet for 90 degree parking,

* * *

(4) Angle measurements shall be between the center line of the parking space and the center line of the aisle.

(C) Loading spaces shall meet the following requirements:

* * *

Staff: The applicant proposes fourteen (14) parking spaces, one (1) providing ADA access and thirteen (13) standard parking spaces. No loading spaces are proposed. All the parking spaces have a minimum width of 9 feet and a minimum length of 19 feet. There are no obstructions above the parking spaces. No spaces are designed for parallel parking (Exhibit A.14 and A.15). Lastly, the aisle width exceeds the 25 feet minimum. *Criterion met.*

8.10 § 38.4180 IMPROVEMENTS

(A) Surfacing

(1) Unless as otherwise provided in either this section or MCC 38.7380 for Special Uses in Historic Buildings; all areas used for parking, loading or maneuvering of

vehicles, including the driveway, shall be surfaced with at least gravel or two inches of blacktop on a four inch crushed rock base or at least six inches of Portland cement, unless a design providing additional load capacity is required by the fire service provider, building official or County Engineer, as applicable.

* * *

Staff: The parking and loading areas are currently paved and will continue to be paved with either standard asphalt or heavy concrete (Exhibit A.14 and A.15). *Criterion met.*

(B) Curbs and Bumper Rails

(1) All areas used for parking, loading, and maneuvering of vehicles shall be physically separated from public streets or adjoining property by required landscaped strips or yards or in those cases where no landscaped area is required, by curbs, bumper rails or other permanent barrier against unchanneled motor vehicle access or egress.

(2) The outer boundary of a parking or loading area shall be provided with a bumper rail or curbing at least four inches in height and at least three feet from the lot line or any required fence.

Staff: The areas used for parking, loading, and maneuvering of vehicles are separated from public street and adjoining properties with yards and extensive curbing (Exhibit A.14 and A.15). The plans show landscaped strips on the south and west of the property and use of wheel stop bumper rails for the parking spaces. *Criteria met.*

(C) Marking – All areas for the parking and maneuvering of vehicles shall be marked in accordance with the approved plan required under MCC 38.4120, and such marking shall be continually maintained.

Staff: The areas used for parking and maneuvering of vehicles are marked as required above (Exhibit A.14 and A.15). A condition is requested that requires the marking be continually maintained. *As conditioned, criterion can be met.*

(D) Drainage – All areas for the parking and maneuvering of vehicles shall be graded and drained to provide for the disposal of all surface water on the lot.

Staff: The applicant has provided a Stormwater Drainage Control Certificate and Plans describing and showing how disposal of surface water will occur on the property. The drainage was reviewed and certified by Evan Eykelbosch, PE. The report recommends that, “All the runoff associated with this redevelopment will either sheet-flow to the south, or be collected and routed to the south and discharge into the field” (Exhibit A.17). The civil plans show that the parking area will be graded and drained using a gentle slope (Exhibit A.15). *Criterion met.*

8.11 § 38.4185 LIGHTING

Any artificial lighting which may be provided shall be shielded or deflected so as to not shine into adjoining dwellings or other types of living units, and so as not to create a hazard to the traveling public on any street.

Staff: The applicant did not provide information relating to the location or type of exterior lighting that will be used to support the use. Therefore, a condition is requested that when submitting building plans for Zoning Plan Review, the proposed lighting plan be finalized demonstrating compliance with the above. *As conditioned, criterion can be met.*

8.12 § 38.4195 DESIGN STANDARDS: SETBACKS

(A) Any required yard which abuts upon a street lot line shall not be used for a parking or loading space, vehicle maneuvering area or access drive other than a drive connecting directly to a street.

(B) A required yard which abuts a street lot line shall not be paved, except for walkways which do not exceed 12 feet in total width and not more than two driveways which do not exceed the width of their curb cuts for each 150 feet of street frontage of the lot.

Staff: There is sufficient space in the vehicle maneuvering area to accommodate the required front yard of 30 feet. The front yard is used connect directly to the street. No parking space, loading space, vehicle maneuvering area, or access drive. As an existing use, the required yard is currently paved. The applicant is not proposing to alter that space. *Criterion met.*

8.13 § 38.4205 MINIMUM REQUIRED OFF-STREET PARKING SPACES

* * *

(F) Unspecified Uses

Any use not specifically listed above shall have the requirements of the listed use or uses deemed most nearly equivalent by the Planning Director.

(G) Alternative Parking Standards

Alternatively, where a mixture of uses is proposed or where the applicant asserts that a different amount or type of parking is appropriate as the required parking, the applicant may submit a parking and loading study. Such a study will include estimates of parking and off-street loading demand based on recommendations of the Institute of Traffic Engineers (ITE), or other acceptable estimates, and should include other reliable data collected from uses or combinations of uses that are the same as or comparable with the proposed use. The study will document the source of data used to develop the recommendations for identification of the use's required parking.

Staff: A Fire Station use does not have a specified minimum required off-street parking spaces. The applicant is proposing fourteen (14) parking spaces adjacent to the Fire Station buildings (Exhibit A.14 and A.15). At peak usage, the parking spaces will be utilized for Corbett Fire board meetings for 12 to 15 people (Exhibit A.16). The rest of the time, the parking spaces will be utilized by volunteer firefighters who come to the site on an as-needed basis to maintain the fire equipment and during an emergency.

9.0 National Scenic Area (NSA) Site Review Criteria:

9.1 § 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:

Staff: As discussed in Section 7.0, this application involves a Fire stations use, which includes a new building, a new accessory structure ("drill tower"), and alteration of paved areas for off-street parking and loading. Staff addresses relevant GMA Scenic Review criteria below.

9.1.1 (A) All Review Uses and Conditional Uses:

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

Staff: The new building, a new drill tower, and alteration of paved areas for off-street parking and loading will require grading activities. The areas of grading are generally in a flat area (1% to 5.6% slopes) that are designed and sited to retain the existing topography (Exhibit A.15). The area of work begins at an elevation of 667 feet and ends at an elevation of 673 feet over the span of approximately 140 feet. The civil plans do not indicate that amount of excavation that will occur; however, as the site was previously development the amount of excavation should be minimal. Most of the excavation will be for foundation of the new building and applying new asphalt and heavy concrete for the driveway areas. *Criterion met.*

(2) New buildings and expansion of existing development shall be compatible with the general scale of similar buildings that exist nearby (e.g. dwellings to dwellings). For purposes of applying this standard, the term nearby generally means buildings within ¼ mile of the parcel on which development is proposed. New buildings that are 1,500 square feet or less are exempt from this requirement. Findings addressing this requirement shall include but are not limited to:

- (a) Application of the landscape setting design requirements, if applicable.**
- (b) A defined study area surrounding the development that includes at least ten existing buildings, not including existing buildings within urban areas or outside the National Scenic Area.**
- (c) Individual evaluations of scale for each separate proposed building in the application and each separate building in the study area, including:**
 - 1. All finished above ground square footage;**
 - 2. Total area of covered decks and porches;**
 - 3. Attached garages;**
 - 4. Daylight basements;**
 - 5. Breezeways, if the breezeway shares a wall with an adjacent building; and**
 - 6. Dimensions, based on information from the application or on Assessor's records.**
- (d) An overall evaluation demonstrating the proposed development's compatibility with surrounding development. Buildings in the vicinity of the propose development that are significantly larger in size than the rest of the buildings in the study area should be removed from this evaluation.**

Staff: The applicant is requesting a new building associated with the Fire Station use. As required the new building must be found to be compatible with the general scale of similar buildings that exist nearby. The applicant's narrative discusses other buildings utilized by utilities like the Post Office, Corbett Water Districts, and Cascade Utilities; however, no comparison was provided.

Based on the study area parameters above, Staff used zoning maps and Assessor data to define the study area. In a ¼ mile radius within the same GGRC zoning designation there are 39 properties. Limiting the search to buildings that provide a public service or are a governmental entity, there is only one property that contains a building with a "Public Bldg" designation. Broadening the uses, to include any institutional, governmental, and commercial buildings results in two additional properties with three buildings. As there are insufficient similar buildings, the radius is increased to the full GGRC corridor as it contains a larger mix of commercial, governmental, and instructional buildings. Using all properties within the elongated corridor along the HRCH in the GGRC zone results in a study area with 13 existing buildings. Two of the buildings were multiple magnitudes larger than the average. Those buildings were omitted from the study.

Using the study area as described results in an average square footage of the nearby buildings of 3,401 sq. ft.; with a minimum of 1,150 sq. ft. and a maximum of 7,454 sq. ft. (Exhibit B.12). As proposed the new building will be 4,368 sq. ft. (Exhibit A.14 and A.15). The building size is within one standard deviation and can be considered as within the range of similar buildings in the study area (Exhibit B.6). *Criterion 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 applicant is not requesting a new vehicular access point to the E. Historic Columbia River Highway, a Scenic Travel Corridor. The vehicular access points have been established and is existing as discussed in Section 6.0. *Criterion met.*

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

Staff: As discussed below, vegetation will be retained as part of this application; therefore, a condition is requested that the landowners shall be responsible for the proper maintenance and survival of the required vegetation. *As conditioned, criterion can be met.*

* * *

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

(1) Each development shall be visually subordinate to its setting as visible from Key Viewing Areas. New development shall be sited to achieve visual subordination from key viewing areas, unless the siting would place such development in a buffer specified for protection of wetlands, riparian corridors, rare plants, or sensitive wildlife sites or would conflict with guidelines to protect cultural resources. In such situations, new development siting shall comply with this guideline to the maximum extent practicable.

Staff: The new building, drill tower, and alteration of paved areas for off-street parking and loading are in areas that are potentially topographically visible from the following KVAs: Historic Columbia River Highway (including the Historic Columbia River Highway State Trail), Larch Mountain (including Sherrard Point), Larch Mountain Road. The development will need to meet the “visually subordinate” standard. To meet the standard, the development must not noticeably contrast with the surrounding landscape, as viewed from a specified vantage point (generally a Key Viewing Area). Structures which are visually subordinate may be partially visible, but are not visually dominant in relation to their surroundings. Additionally, the development is in the Village landscape setting. The criteria for the village landscape setting exempts color and siting requirements. Therefore, to be visually subordinate, it needs to be subordinate to its landscape setting.

The proposed development is potentially topographically visible from all the identified KVAs. From Larch Mountain (including Sherrard Point), there is a significant distance of over 9.4 miles. From Larch Mountain Road, there is 1.45 miles between the KVA and the property. For both KVAs, the development will not noticeably contrast with the surrounding landscape or be visually dominant in relation to their surroundings as the distance between the development and KVA is quite far.

For the last KVA, the Historic Columbia River Highway (including the Historic Columbia River Highway State Trail), the development is susceptible to being visible. As the development must be visually subordinate to the Village landscape setting that would mean that the development should

not contrast to the existing building pattern and design of the surrounding properties. Further, the new building and drill tower are located behind the existing buildings shielding them from the HCRH. For the development along the HCRH, that generally means that the buildings tend to be closer to the public road and easily visible. As will be discussed, additional conditions are requested that will need to be met to ensure the development is visually subordinate. *As conditioned, criterion can be met.*

(2) A determination of the potential visual impact of a new development or use shall include written findings addressing the following factors: the amount of area of the building site exposed to Key Viewing Areas, the degree of existing vegetation providing screening, the distance from the building site to the Key Viewing Areas it is visible from, the number of Key Viewing Areas it is visible from, and the linear distance along the Key Viewing Areas from which the building site is visible (for linear Key Viewing Areas, such as roads), and other factors the reviewing agency determines relevant in consideration of the potential visual impact. The extent and type of conditions applied to a proposed development to achieve visual subordination to its landscape setting shall be proportionate to its potential visual impacts as visible from key viewing areas. Conditions may include, and shall be applied using the following priorities:

- (a) Screening by topography.**
- (b) Siting (location of development on the subject property, building orientation, and other elements).**
- (c) Retention of existing vegetation on the applicant's property.**
- (d) Design and building materials (color, reflectivity, size, shape, height, architectural and design details and other elements).**
- (e) New landscaping on the applicant's property.**
- (f) New berms or other recontouring on the applicant's property, where consistent with other applicable provisions.**

Staff: As discussed previously and will be discussed an analysis of the potential visual impact has considered the factors as listed above. The development is potentially topographically visible from various KVAs to the north, east, and west. The applicant has provided a narrative and plans describing and showing siting and design consideration for the development. The site plan also shows vegetation that will be retained. Additionally, material samples and building materials were provided. In totality, the application materials that have been provided reduce the potential visual impact of the development; however, various conditions of approval are requested to achieve visual subordination requirements in relation to the landscape setting as discussed below. *As conditioned, criteria can be met.*

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

Staff: The cumulative effects (i.e. the combined impacts of the past, present, and reasonably near future) of the proposed development on the visual effects and compliance with visual subordination is minor. The existing impacts of the past include an already built environment that includes governmental buildings, commercial buildings, dwellings, accessory buildings, and accessory structures in the immediate vicinity. The development is in a cleared area and complies with visual subordination policies. The impact of this development and potential future development is also minor as this proposed development is located on a property that has existing buildings. As discussed in this section, the proposal will require various conditions of approval to

ensure visual subordination is met. As there is little potential future development of other properties within the vicinity future impacts will be minimal. *Criterion met.*

(4) In addition to the site plan requirements in MCC 38.0045 (A) applications for all buildings visible from key viewing areas shall include a description of the proposed building(s)' height, shape, color, exterior building materials, exterior lighting, and landscaping details (type of plants used; number, size, locations of plantings; and any irrigation provisions or other measures to ensure the survival of landscaping planted for screening purposes).

Staff: The narrative, building plans, and renderings discuss and show the design of the new building, drill tower and alteration of paved areas for off-street parking and loading (Exhibit A.2, A.14, A.15, and A.16). *Criterion met*

(5) New development shall be sited using existing topography and existing vegetation as needed to achieve visual subordination from key viewing areas.

Staff: As discussed above, the development is potentially topographically visible from KVAs. While the development does not need to meet the siting requirements above, the applicant is designing and siting the new building and drill tower to use existing topography and vegetation to achieve visual subordination. The new building is over 90 feet from the front property adjacent to the KVA and drill tower is over 200 feet (Exhibit A.14 and A.15). Additionally, the western portions of the property contain existing vegetation that will be retained. These measures will reduce the visibility of the visual massing of the development. A condition is requested that existing vegetation be retained as shown in Exhibit B.7. *As conditioned, criterion can be met.*

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

Staff: A condition is requested that existing vegetation be retained as shown in Exhibit B.7. For any tree removed in the retention area at least one tree shall be planted in its place. For all newly planted trees, at least half of any trees planted for screening purposes shall be coniferous to provide winter screening. Further, at least half of any trees planted shall be species native to the Village landscape setting and meet the minimum recommended sizes for tree plantings (based on average growth rates expected for recommended species) contained in the *Scenic Resources Implementation Handbook*. *As conditioned, criterion can be met.*

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

Staff: The development is designed and sited to minimize visibility of cut banks and fill slopes. The slope of the property is relatively flat so the need for cut banks and fill slopes generally not required except to prepare the foundation of the building and drill tower (Exhibit A.14 and A.15). Cut banks and fill slopes will also not be required for the driveway as the driveway is existing. Lastly, the development of the new building and drill tower is obscured from the HCRH KVA by an existing building and more than 1.45 miles from the two KVAs to the east. With the existing buildings and distance, if there are any visible cut bank and fill slopes their visibility is minimized. *Criterion met.*

(8) The exterior of buildings on lands seen from Key Viewing Areas shall be composed of non-reflective materials or materials with low reflectivity. Continuous surfaces of glass shall be limited to ensure visual subordination. The Scenic Resources Implementation Handbook includes a list of recommended exterior materials and screening methods.

Staff: The applicant provided a narrative, building plan, and material samples to show that the exterior of the new building and drill tower. The exterior surfaces of the new building as described and shown in Exhibit A.14 are as follows:

1. Siding – Board and Batten Siding
2. Roof – Steelscape Standard Kynar 500
3. Doors – Wayne Dalton C-24 Steel Door with Full-view Lites Windows

Further, the architectural plans show no continuous surfaces of glass windows. For the drill tower, the tower will build using high-strength carbon steel with a galvanized finish. A condition is requested that when submitting building plans for Zoning Plan Review, the proposed building plan be finalized demonstrating compliance with the above. *As conditioned, criterion can be met.*

(9) Any exterior lighting shall be directed downward and sited, limited in intensity, shielded, or hooded in a manner that prevents lights from being highly visible from Key Viewing Areas and from noticeably contrasting with the surrounding landscape setting, except for road lighting necessary for safety purposes. Shielding and hooding materials shall be composed of non-reflective, opaque materials.

Staff: The applicant did not provide plans showing the location of exterior lighting or any specifications of the exterior lighting. If exterior lighting will be installed the lighting shall meet the requirements above. A condition is requested that when submitting building plans for Zoning Plan Review, a lighting plan be provided and finalized demonstrating compliance with the above. *As conditioned, criterion can be met.*

(10) Unless expressly exempted by other provisions in this chapter, colors of structures on sites visible from key viewing areas shall be dark earth-tones found at the specific site or in the surrounding landscape. The specific colors approved by the reviewing agency shall be included as a condition of approval.

Staff: The development is expressly exempted by other provisions in this chapter; however, the applicant has provided a narrative, building plan, and material samples to show that the exterior color of the new building and drill tower. The exterior surfaces of the building as described and shown in Exhibit A.14 are as follows:

1. Siding – Dark Brown
2. Roof – Dark Bronze
3. Doors – Brown

For the drill tower, the tower will have a galvanized finish. A condition is requested that when submitting building plans for Zoning Plan Review, the proposed building plan be finalized. *As conditioned, criterion can be met.*

* * *

(13) The silhouette of new buildings shall remain below the skyline of a bluff, cliff or ridge as visible from Key Viewing Areas.

Staff: The silhouette of the new building and drill tower will be below the skyline of a bluff or ridge as seen from the KVAs. For the closest KVA, the HCRH runs along the crest of the gorge. The development is west of the height point of the crest which is at the end of NE Benfield Road. The new building is less than 35' in height and drill tower is approximately 38' in height, neither of them breaking the skyline of the crest (Exhibit A.14). *Criterion met.*

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

* * *

Staff: As discussed previously, the applicant is not proposing new landscaping. The existing landscaping will provide the required screening to meet the visual subordination requirements. A condition is requested that existing landscaping along the western property line be maintained. *As conditioned, criteria can be met.*

* * *

(21) New buildings shall not be permitted on lands visible from Key Viewing Areas with slopes in excess of 30 percent. A variance may be authorized if the property would be rendered unbuildable through the application of this standard. In determining the slope, the average percent slope of the proposed building footprint shall be utilized.

Staff: As previously discussed, the building is in an area of relative gentle slope that is less than 10% (Exhibit A.14 and A.15). *Criterion met.*

* * *

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

* * *

(6) Village

Staff: As discussed in Section 9.1, this application involves development located in the Village landscape setting. Staff addresses relevant GMA Scenic Review criteria for landscape setting below.

(a) New development in this setting is exempt from the color and siting requirements of MCC 38.7035(B).

Staff: As discussed in Section 9.1, the development is exempt from color and siting requirements; however, the proposed development must be visually subordinate to the landscape setting. The combined use of darker colors, low reflectivity, and vegetation are tools that can be employed to achieve the visual subordination requirements in the landscape. The applicant has provided siting information, specifications of exterior materials used for the development, and colors that will be painted on the exterior of the building and structure. *Criterion met.*

(b) New commercial buildings shall be limited in size to a total floor area of 5,000 square feet or less, and shall be limited in height to 2 and 1/2 stories or less.

Staff: The applicant is not proposing a new commercial building; therefore, this criterion is not applicable. *Criterion not applicable.*

(c) For new commercial, institutional (churches, schools, government buildings) or multi-family residential uses on parcels fronting a Scenic Travel Corridor (the Historic Columbia River Highway) and expansion of existing development for such uses, parking shall be limited to rear or side yards of buildings to the maximum extent practicable.

Staff: The HCRH is a Scenic Travel Corridor. The applicant is not proposing changes to the existing parking located between the HCRH and the buildings located closest to the highway. The proposed parking is limited to the rear (Exhibit A.14 and A.15). *Criterion met.*

(d) New vehicular access points to the scenic travel corridors shall be limited to the maximum extent practicable, and access consolidation shall be required where feasible.

Staff: The applicant is not proposing new vehicular access point to the Scenic Travel Corridor of the HCRH as the subject property has existing access points that was discussed in Section 6.0 (Exhibit A.14 and A.15). *Criterion met.*

(e) New development proposals and expansion of existing development shall be encouraged to follow planned unit development approaches, featuring consolidated access, commonly-shared landscaped open areas, etc.

Staff: The subject property has existing development as discussed in Section 6.0. The applicant is proposing a new building and drill tower that are clustered to existing development (Exhibit A.14 and A.15). Additionally, the parking areas and landscaped areas are all located in one area of the property. Using this development approach is similar to a planned unit development approach. *Criterion met.*

(f) New commercial, institutional or multi-family residential uses fronting a Scenic Travel Corridor shall comply with the following landscape requirements:

- 1. Parking or loading areas for 10 or more spaces shall include a landscaped strip at least 5 feet in width between the new use and the Scenic Travel Corridor roadway.**
- 2. The landscape strip required in subsection (f) 1. above shall include shrubs, vegetative ground cover and, at minimum, one tree spaced as appropriate to the species and not to exceed 25 feet apart on the average.**

Staff: The existing Fire Station use already contains a 30-foot-wide landscape strip between the HCRH and the parking areas. However, trees are not appropriate due to the location of the driveway access to the property. *Criterion met.*

(g) The use of building materials reinforcing the Village Setting's character, such as wood, logs or stone, and reflective of community desires, should be encouraged.

Staff: As previously discussed, the applicant is proposing to use board and batten siding. The use of this type of siding is similar to wood. A condition is requested that when submitting building plans for Zoning Plan Review, the proposed use of board and batten siding be finalized. *As conditioned, criterion can be met.*

(h) Architectural styles characteristic of the area (such as 1½ story dormer roof styles in Corbett), and reflective of community desires, should be encouraged. Entry signs should be consistent with such architectural styles.

Staff: While an architectural style characteristic of the area is encouraged, the applicant is instead opting to use board and batten siding on all the buildings on the property to make them consistent with each other. In replacing the siding and roofing, it will create a cohesive design for the property. Seeing that the Fire District site has a cohesive design will make it easier for the community to quickly identify the Fire Station during an emergency. *Criterion met.*

(i) Design features which create a "pedestrian friendly" atmosphere, such as large shop windows on the ground floor of commercial buildings, porches along ground floors with street frontage, etc. should be encouraged.

Staff: While a "pedestrian friendly" design is encouraged, it is not required. The plans show that there is a small walkway for pedestrians to walk internally through the buildings (Exhibit A.14 and A.15). *Criterion met.*

(j) Pedestrian walkways and bicycle paths should be encouraged and integrated into new development wherever feasible.

Staff: The plans show that there is a small walkway for pedestrians to walk internally through the buildings (Exhibit A.14 and A.15). *Criterion met.*

(k) Where feasible, existing tree cover of species native to the region or species identified in the Scenic Implementation Handbook as appropriate for the area shall be retained when designing new development or expanding existing development.

Staff: As discussed previously, existing tree cover will be retained as shown in Exhibit B.7. A condition is requested that existing landscaping along the western property line be maintained. *As conditioned, criteria can be met.*

(l) Compatible recreation uses may include community parks serving the recreation needs of local residents, and varying intensities of other recreation uses.

Staff: As applicant is not proposing recreational uses; therefore, this criterion is not applicable. *Criterion not applicable.*

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

(1) For the purposes of implementing this section, the immediate 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 located within one-quarter mile from the edge of pavement of the Historic Columbia River Highway. As the land is in the foreground of the Scenic Travel Corridor the standards of MCC 38.7035(D)(2) through (7) are applicable as discussed below.

(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 subject property is in the GGRC; therefore, this criterion is not applicable. *Criterion not applicable.*

(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: The subject property is in the GGRC; therefore, this criterion is not applicable. *Criterion not applicable.*

* * *

9.2 § 38.7045 GMA CULTURAL RESOURCE REVIEW CRITERIA

9.2.1 (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:

* * *

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

* * *

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 tribal governments and state historic preservation officers, will prepare and adopt a map showing areas that have a low probability of containing cultural resources. 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.

* * *

(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: Luciano Legnini sent a Cultural Resource Survey Determination on behalf of the U.S. Forest Service (USFS) on February 11, 2025 (Exhibit D.1). The Survey stated that, “A Cultural Resource Survey is: Not Required” as the proposed development:

1. Would occur on a site that has been determined to be located within a low probability zone;
 - a. is not within 100 feet of a high probability zone; and
2. Does not occur within 500 feet of a known archeological site. (Exhibit D.1)

The Survey also stated that, “Historic Survey Required” as the development would:

1. Would alter the exterior architectural appearance of buildings and structures that are 50 years old or older;
2. Would 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.

A Historic Survey will be required to meet the MCC 38.7045(B) as discussed in Section 9.2.2 below.

- 9.2.2 (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: The comment period provided in MCC 38.0530(B) is a period of 20 days following notice of application and is an invitation to comment is provided to agencies. As a Type III decision, the application does not follow the comment period requirements in MCC 38.0530(B). To ensure proper review by partner agencies, the County notified those agencies of the application before the application was deemed to be complete (Exhibit C.1).

In response to the notice, comment was provided by Kirsten Lopez, Special Projects Archaeologist on behalf of Oregon Parks and Recreation Department (OPRD): Oregon Heritage/State Historic Preservation Office (SHPO) on March 7, 2025 requesting an archeological survey. In further follow up between Staff, Kirsten Lopez, and Luciano Legnini from the Forest Service, the following information was provided:

1. The isolated find...was outside the 500 feet requirement and was recommended as not eligible in the report.
2. [There is an] 1870's map showing a structure, south of the surveyed property. Historic aerial images however, did not show any indication a structure existing at the firehouse location.
3. [The] area that has had previous disturbance from human activity, and was fully graveled in the 1980s then bladed and paved over in the 2000s.

Based on the information above, there appears to be no cultural resources that are known to exist in the project area. A condition is requested that the applicant meet the requirements in MCC 38.7045 (L) and (M). *As conditioned, criteria can be met.*

* * *

(3) A historic survey demonstrates that the proposed use would not have an effect on historic buildings or structures. To demonstrate that the proposed use would not have an effect on historic buildings or structures, the historic survey must satisfy one of the following guidelines:

(a) SHPO concludes that the historic buildings or structures are clearly not significant, as determined using the criteria in the National Register Criteria for Evaluation ("36 CFR Part 60.4); or

(b) The proposed use would not compromise the historic or architectural character of the affected buildings or structures, or compromise features of the site that are important in defining the overall historic character of the affected buildings or structures, as determined by the guidelines and standards The Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings (U.S. Department of the Interior 2017 or most recent version).

1. The historic survey conducted by the Gorge Commission may provide sufficient information to satisfy these standards. If it does not, architectural and building plans, photographs, and archival research may be required. The project applicant shall be responsible for providing information beyond that included in the survey conducted by the Gorge Commission.

2. The historic survey and report must demonstrate that these standards have been clearly and absolutely satisfied. If SHPO or the Planning Director question whether these standards have been satisfied, the project applicant shall conduct an Evaluation of Significance.

Staff: A Historic Survey (Oregon SHPO Clearance Form) was drafted by Luciano Legnini, Archaeologist on behalf of United State Forest Service – Columbia River Gorge National Scenic Area (CRGNSA). The survey stated under the Determination of Eligibility that:

1. The property is considered **Not Eligible** at this time because it:
 - a. is less than 50 years old or is 50 years or older but there have been major alterations to key features
 - b. is known to have no significance, based on National Register-level documentation and evaluation

The Determination of Effect stated:

2. The project has **NO EFFECT** on historic properties, either because there is no eligible property involved or because the property will not be impacted physically or visually. (Exhibit D.3)

Criterion met.

9.2.3 (C) If comment is received during the comment period provided in MCC 38.0530 (B), the applicant shall offer to meet with the interested persons within 10 calendar days. The 10 day consultation period may be extended upon agreement between the project applicant and the interested persons.

* * *

Staff: As discussed above, this is a Type III decision and does not follow the comment period as outlined in MCC 38.0530(B). Although comment was received, the applicant is not required to offer to meet with the interested parties as outlined above; therefore, these criteria are not applicable. *Criteria not applicable.*

9.2.4 (D) Reconnaissance and historic surveys, evaluations, assessments and mitigation plans shall be performed by qualified professionals whose expertise reflects the type of cultural resources that are involved. Principal investigators shall meet the professional standards published in 36 Code of Federal Regulations (CFR) Part 61 and Guidelines for Evaluating and Documenting Traditional Cultural Properties (Parker and King n.d.). A survey shall consist of the following:

* * *

(3) Historic Surveys

(a) Historic surveys shall document the location, form, style, integrity, and physical condition of historic buildings and structures. They shall include:

- 1. Original photographs;**
- 2. Original maps; and**
- 3. Archival research, blueprints, and drawings as necessary.**

(b) Historic surveys shall describe any uses that will alter or destroy the exterior architectural appearance of the historic buildings or structures, or compromise features of the site that are important in defining the overall historic character of the historic buildings or structures

(c) The project applicant shall provide detailed architectural drawings and building plans that clearly illustrate all proposed alterations.

Staff: As previously discussed, a Historic Survey (Oregon SHPO Clearance Form) was drafted by Luciano Legnini, Archaeologist on behalf of United State Forest Service – Columbia River Gorge National Scenic Area (CRGNSA). The survey documented the location, form, style, integrity, and physical condition of historic buildings and structures on the property (Exhibit D.3). The applicant provided the required architectural drawings and building plans illustrating the proposed changes (Exhibit A.14). *Criterion met.*

9.2.5 (E) The Planning Director shall submit a copy of all cultural resource survey reports to the Gorge Commission, SHPO, the tribal governments, the Cultural Advisory Committee, and any party who submitted substantiated comment during the comment period provided in MCC 38.0530 (B), except that sensitive tribal information may be redacted by an appropriate tribal representative. Survey reports may include measures to avoid affected cultural resources, such as a map that shows a reasonable buffer area.

(1) All parties notified shall have 30 calendar days from the date a survey report is mailed to submit written comments to the Planning Director. The Planning Director shall record and address all written comments in the Site Review analysis.

Staff: Staff mailed a copy of the Historic Survey to the Gorge Commission, SHPO, the tribal governments, the Cultural Advisory Committee, and any party who submitted substantiated comment during the comment period provided in MCC 38.0530(B) on October 23, 2025 (Exhibit C.6).

Staff did or did not receive additional written comments before this report was issued prior to the Hearing. *Criteria met.*

(2) The Planning Director shall require an evaluation of significance if the reconnaissance or historic survey or substantiated comment received indicate that the proposed use might affect any of the following:

- (a) Cultural resources**
- (b) Archaeological resources**
- (c) Traditional cultural properties**
- (d) Historic buildings or structures**

Staff: As previously discussed, a Determination of Eligibility and Determination of Effect was provided prior to the comment period above (Exhibit D.3).

If additional written comment is provided during Hearing, an evaluation of significance shall occur at that time.

(3) The Planning Director shall deem the cultural resource review process complete if no substantiated comment is received during the 30 day comment period and the reconnaissance or historic survey indicate that the proposed use would have no effect on the items listed in subsection (2)(a) through (d) above.

(4) Notice of the decision of the Planning Director shall be mailed to those parties entitled to notice by MCC 38.0530 (B) within 10 days of the expiration of the 30 day comment period.

(5) The decision of the Planning Director on an application for cultural resource review shall be final 14 days from the date notice is mailed, unless appealed as provided in MCC 38.0530 (B).

Staff: As the comment period has not completed, the cultural resource review process will be deemed complete at the time of hearing. If substantiated comment is received at Hearing, the cultural resource review process will be required to continue as outlined above.

9.2.6 (F) Evaluations of significance shall meet the following standards:

(1) Evaluations of significance shall follow the procedures in How to Apply the National Register Criteria for Evaluation (U.S. Department of the Interior, 1997 or most recent version) and Guidelines for the Evaluation and Documentation of Traditional Cultural Properties (Parker and King, 1997 or most recent version). They shall be presented within local and regional contexts and shall be guided by previous research and current research designs that are relevant to specific research questions for the Columbia River Gorge.

(2) To evaluate the significance of cultural resources, the information gathered during the reconnaissance or historic survey may have to be supplemented. Detailed field mapping, subsurface testing, photographic documentation, laboratory analysis, and archival research may be required.

(3) The project applicant shall contact tribal governments and interested persons, as appropriate. Ethnographic research shall be undertaken as necessary to fully evaluate the significance of the cultural resources.

(4) The Evaluation of Significance shall follow the principles, guidelines, and report format recommended by Oregon SHPO (Oregon State Historic Preservation Office). It shall incorporate the results of the reconnaissance or historic survey and shall

illustrate why each cultural resource is or is not significant. Findings shall be presented within the context of relevant local and regional research.

(5) All documentation used to support the evaluation of significance shall be cited. Evidence of consultation with tribal governments and other interested persons shall be presented. All comments, recommendations, and correspondence from tribal governments and interested persons shall be appended to the Evaluation of Significance.

(6) The applicant shall be responsible for Evaluations of Significance.

Staff: As previously discussed, an evaluation of significance was provided in a Historic Survey (Oregon SHPO Clearance Form) drafted by Luciano Legnini, Archaeologist on behalf of United State Forest Service – Columbia River Gorge National Scenic Area (CRGNSA). The survey meets the above standards (Exhibit D.3). *Criteria met.*

9.2.7 (G) If the Evaluation of Significance demonstrates that the affected cultural resources are not significant, the Planning Director shall submit a copy of all cultural resource survey reports to the Gorge Commission, SHPO, the tribal governments, the Cultural Advisory Committee, and any party who submitted substantiated comment during the comment period provided in MCC 38.7045 (E) (1). In such circumstances, SHPO and the tribal governments are provided this copy for concurrence.

(1) All parties notified shall have 30 calendar days from the date the evaluation of significance is mailed to submit written comments to the Planning Director. The Planning Director shall record and address all written comments in the Site Review analysis.

(2) The Planning Director shall find the cultural resources significant and require an Assessment of Effect if the Evaluation of Significance or comments received indicate either of the following:

(a) The cultural resources are included in, or eligible for inclusion in, the National Register of Historic Places. The criteria for use in evaluating the eligibility of cultural resources for the National Register of Historic Places appear in the "National Register Criteria for Evaluation" (36 CFR 60.4). Cultural resources are eligible for the National Register of Historic Places if they possess integrity of location, design, setting, materials, artisanship, feeling, and association. In addition, they must meet one or more of the following criteria:

- 1. Association with events that have made a significant contribution to the broad patterns of the history of this region;**
- 2. Association with the lives of persons significant in the past;**
- 3. Embody the distinctive characteristics of a type, period, or method of construction, or represent the work of a skilled craftsperson, or possess high artistic values, or represent a significant and distinguishable entity whose components may lack individual distinction; or**
- 4. Yield, or may be likely to yield, important precontact or historical information.**

(b) The cultural resources are determined to be culturally significant by a tribal government, based on criteria developed by that tribal government.

Staff: As previously discussed, the Historic Survey (Oregon SHPO Clearance Form) stated the cultural resource is no significant and the development will have no effect. The survey was to the Gorge Commission, SHPO, the tribal governments, the Cultural Advisory Committee, and any party who submitted substantiated comment during the comment for their concurrence (Exhibit C.6). Staff has not received concurrence before this report was issued prior to the Hearing.

- (3) The Planning Director shall deem the cultural resource review process complete if no substantiated comment is received during the 30 day comment period and the Evaluation of Significance indicates the effected cultural resources are not significant.**
- (4) Notice of the decision of the Planning Director shall be mailed to those parties entitled to notice by MCC 38.7045 (E) within 10 days of the expiration of the 30 day comment period.**
- (5) The decision of the Planning Director on an application for cultural resource review shall be final 14 days from the date notice is mailed, unless appealed as provided in MCC 38.0530 (B).**

Staff: As the comment period has not completed, the cultural resource review process will be deemed complete at the time of hearing. If substantiated comment is received at Hearing, the cultural resource review process will be required to continue as outlined above.

9.2.8 (H) An Assessment of Effect shall meet the following standards:

- (1) The Assessment of Effect shall be based on the criteria published in Protection of Historic Properties (36 CFR Part 800.5) and shall incorporate the results of the Reconnaissance or Historic Survey and the Evaluation of Significance. All documentation shall follow the requirements listed in 36 CFR Part 800.11.**

* * *

- (2) The Assessment of Effect shall be prepared in consultation with tribal governments and interested persons, as appropriate. The concerns and recommendations voiced by tribal governments and interested persons shall be recorded and addressed in the assessment.**

- (3) The effects of a proposed use that would otherwise be determined to be adverse may be considered to not be adverse in the following instances:**

* * *

- (4) The applicant shall be responsible for the Assessment of Effect.**

Staff: As previously discussed, the Historic Survey (Oregon SHPO Clearance Form) stated the cultural resource is no significant and the development will have no effect (Exhibit D.3). The Survey was prepared as required above. *Criteria met.*

9.2.9 (I) If the Assessment of Effect concludes that the proposed use would have no effect or no adverse effect on significant cultural resources, the Planning Director shall submit a copy of the assessment to the Gorge Commission, SHPO, the tribal governments, the Cultural Advisory Committee, and any party who submitted substantiated comment during the comment period provided in MCC 38.7045 (E) (1).

- (1) All parties notified shall have 30 calendar days from the date the Assessment of Effect is mailed to submit written comments to the Planning Director. The Planning Director shall record and address all written comments in the Site Review analysis.**

- (2) The Planning Director shall require the applicant to prepare a Mitigation Plan if the Assessment of Effect or substantiated comment received during the 30 day comment period indicates the proposed use would have an effect or an adverse effect on significant cultural resources.**

- (3) The Planning Director shall deem the cultural resource review process complete if no comment is received during the 30 day comment period and the Assessment of Effect indicates the proposed use would have no effect or no adverse effect on significant cultural resources.**

- (4) Notice of the decision of the Planning Director shall be mailed to those parties entitled to notice by MCC 38.7045 (E) within 10 days of the expiration of the 30 day comment period.**
- (5) The decision of the Planning Director on an application for cultural resource review shall be final 14 days from the date notice is mailed, unless appealed as provided in MCC 38.0530 (B).**

Staff: As previously discussed, the Historic Survey (Oregon SHPO Clearance Form) stated the cultural resource is no significant and the development will have no effect. The survey was to the Gorge Commission, SHPO, the tribal governments, the Cultural Advisory Committee, and any party who submitted substantiated comment during the comment for their concurrence (Exhibit C.6). Staff has not received concurrence before this report was issued prior to the Hearing. As the comment period has not completed, the cultural resource review process will be deemed complete at the time of hearing. If substantiated comment is received at Hearing, the cultural resource review process will be required to continue as outlined above.

9.2.10 (J) Mitigation plans shall meet the following standards:

* * *

Staff: As the comment periods above have not completed, the cultural resource review process will be deemed complete at the time of hearing. If substantiated comment is received and a mitigation plan is required, it shall meet the standards outlined.

9.2.11 (K) The Planning Director shall submit a copy of the Mitigation Plan to the Gorge Commission, SHPO, the tribal governments, the Cultural Advisory Committee, and any party who submitted substantiated comment during the comment period provided in MCC 38.7045 (E) (1).

* * *

Staff: As the comment periods above have not completed, the cultural resource review process will be deemed complete at the time of hearing. If substantiated comment is received and a mitigation plan is required, a copy of the plan will be sent as outlined.

9.2.12 (L) Cultural Resources Discovered After Construction Begins

The following procedures shall be effected when cultural resources are discovered during construction activities, and shall be included as conditions of approval for all review uses. All survey and evaluation reports and mitigation plans shall be submitted to the Planning Director and SHPO. Tribal governments also shall receive a copy of all reports and plans if the cultural resources are precontact or otherwise associated with Native Americans.

* * *

Staff: A condition requires the property owner to follow the procedures of MCC 38.7045(L), if cultural resources are discovered during construction. *As conditioned, criteria met.*

9.2.13 (M) Discovery of Human Remains

The following procedures shall be used when human remains are discovered during a cultural resource survey or during construction, and shall be included as a condition of approval for all review uses.

* * *

Staff: A condition requires the property owner to follow the procedures of MCC 38.7045(M), if human remains are discovered after construction begins. *As conditioned, criteria met.*

9.3 § 38.7053 GMA WATER RESOURCES REVIEW CRITERIA

WATER RESOURCES: WETLANDS, STREAMS, PONDS, LAKES, AND RIPARIAN AREAS

* * *

9.3.1 (B) USES IN WATER RESOURCES AND BUFFER ZONES

(1) The following uses may be allowed in wetlands, subject to compliance with provisions for the protection of scenic, natural, cultural, and recreation resources and “Approval Criteria for Uses in Wetlands” subsection (C) below.

* * *

Staff: Based on the United State Forest Service maps for wetlands and Department of State Lands Statewide Wetland Inventory Map, the property does not contain any wetlands; therefore, these criteria are not applicable. *Criteria not applicable.*

(2) The following uses may be allowed in water resources (except wetlands), and may be allowed in all water resource buffer zones (including wetlands buffer zones), subject to compliance with provisions for the protection of scenic, natural, cultural, and recreation resources and “Approval Criteria for Modifications to Serviceable Structures and Minor Water-Dependent and Water-Related Structures in Water Resources” in subsection (D) below.

* * *

Staff: As discussed above and below in Section 9.3.2, the applicant is not proposing any uses as outlined above in a water resource or wetland; therefore, these criteria are not applicable. *Criteria not applicable.*

9.3.2 (G) WATER RESOURCES BUFFER ZONES

(1) All water resources shall, in part, be protected by establishing undisturbed buffer zones as specified below.

* * *

Staff: Based on the United State Forest Service maps for wetlands and Department of State Lands Statewide Wetland Inventory Map, the property does not contain any water resources including streams identified by the Environmental Protection Agency; streams used by anadromous or resident fish (tributary fish habitat); special streams; intermittent streams that include year-round pools; perennial streams; or intermittent streams. Therefore, these criteria are not applicable. *Criteria not applicable.*

9.4 § 38.7065 GMA WILDLIFE REVIEW CRITERIA

Wildlife Habitat Site Review shall be required for any project within 1,000 feet of Priority Habitat and sensitive wildlife areas and sensitive wildlife sites (i.e., sites used by sensitive wildlife species). If Multnomah County discovers a new protected wildlife location during the review process, the County shall submit this information to the appropriate state agency to be updated in their species databases.

* * *

Staff: Based on the United State Forest Service maps for Sensitive Wildlife, there are no Priority Habitats, sensitive wildlife areas, or sensitive wildlife sites within 1,000 feet of the property. *Criteria not applicable.*

9.5 § 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 rare plant species.

* * *

Staff: Based on United State Forest Service maps for Sensitive Plans, there does not appear to be any endemic plants or sensitive plant species within 1,000 feet of the property. *Criteria not applicable.*

9.6 § 38.7080 GMA RECREATION RESOURCE REVIEW CRITERIA

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

* * *

Staff: The property is located within the Recreation Intensity Class 4; however, the applicant is not proposing any recreation-based uses. *Criteria not applicable.*

10.0 Special Uses Criteria:

10.1 § 38.7300- REVIEW AND CONDITIONAL USES

(A) Agriculture

(1) The use is compatible with agricultural uses and would not force a change in or significantly increase the cost of accepted agricultural practices on nearby lands devoted to agricultural use; and

Staff: The subject property is not adjacent to any lands zoned, Gorge General Agriculture or Gorge Special Agriculture. Based on an aerial photo, it does not appear that the properties are actively being managed for agricultural practices (Exhibit B.3). The closest properties that appear to be engaged in agriculture are approximately 0.10 miles to the east at the end of NE Benfield Road. The land use pattern of the area is predominately single-family homes.

The applicant is proposing a Fire Station use, that is not expected to interfere with accepted agricultural practices on nearby lands. The narrative discusses how the Fire Station use will be utilized. At peak usage, the station will host Corbett Fire board meetings for 12 to 15 people (Exhibit A.16). The rest of the time, the station will be utilized by volunteer firefighters who come to the site on an as-needed basis to maintain the fire equipment and during an emergency. While, the staff and public visiting the site could generate impacts by creating congestion along HRCH, the site already have an existing Fire Station use that has shown to not force a change in or significantly increase the cost of accepted agricultural practices on nearby lands devoted to agricultural use. Additionally, while staff visiting the site could interfere with agricultural practices due to complaints of dust and pesticide application by farmers, a condition is requested that the property owner sign and record in the deed records for the county a declaration signed by the landowner specifying that the owners, successors, heirs and assigns of the subject parcel are aware that adjacent and nearby operators are entitled to carry on accepted farm or forest practices on lands designated GGF-20, GGF-40, GGF-80, GGA-20, and GGA-40. *As conditioned, criterion can be met.*

(2) The use will be sited to minimize the loss of land suitable for the production of crops or livestock.

Staff: The Fire Station use has been on the property since as early as 1966 and the existing buildings will not be relocated to another area on the property. The new building and drill tower are clustered near the existing development (Exhibit A.14. and A.15). The property is not currently being utilized for production of crops or livestock because of the size and historical usage of the property. The subject property is approximately 2.17 acres located in the Gorge General Rural Center (GGRC) zone. The property is quite small compared to properties that are zoned for agriculture to the east. By continuing the utilize this site for the Fire Station use, it will ensure that land suitable to produce crops or livestock is kept intact. *Criterion met.*

(B) Forestry

(1) The owners of land designated GGF or GGA within 500 feet of the perimeter of the subject parcel have been notified of the land use application and have been given at least 10 days to comment prior to a final decision;

Staff: Staff mailed a Notice of Public Hearing regarding the proposed application to owners of land designated GGF or GGA within 500 feet of the perimeter of the subject parcel (Exhibit C.7). The owners will have a minimum of 20 days to comment prior to Hearing. *Criterion met.*

(2) The use will not interfere seriously with accepted forest or agricultural practices on nearby lands devoted to resource use;

Staff: As previously discussed, the Fire Station use will not interfere with agricultural practices on nearby lands. The same is true for nearby lands devoted to forest practices. The subject property is not adjacent to any lands zoned, Gorge General Forestry or Gorge Special Forestry. Based on an aerial photo, it does not appear that the properties are actively being managed for forest practices (Exhibit B.3). The closest properties that appear to be engaged in forestry are approximately 0.38 miles to the east at the end of NE Clara Smith Road and the end of Crestview Lane.

Similar to agricultural practices, the site already has an existing Fire Station use that has shown to not force a change in or significantly increase the cost of accepted forest practices on nearby lands devoted to forestry use. A condition was requested that the property owner sign and record in the deed records for the county that adjacent and nearby operators are entitled to carry on accepted farm or forest practices. *As conditioned, criterion can be met.*

(3) The use will be sited in such a way as to minimize the loss of forest or agricultural land and to minimize the chance of interference with accepted forest or agricultural practices on nearby lands; and

Staff: As was previously discussed, Fire Station use has been on the property since as early as 1966 and the existing buildings will not be relocated to another area on the property. The new building and drill tower are clustered near the existing development (Exhibit A.14. and A.15). The property is not currently being utilized for forest operations and is too small for production trees. By continuing the utilize this site for the Fire Station use, it will ensure that land suitable for forestry are kept intact. *Criterion met.*

(4) The use will not significantly increase fire hazard, fire suppression costs or risks to fire suppression personnel and will comply with MCC 38.7305.

Staff: The applicant is requesting the continuation of a Fire Station use that has been on the property since as early as 1966. The purpose of this use is to decrease fire hazard and reduce fire suppression costs/risks to this property and the surrounding area. As the property is not zoned GGF, it does not need to comply with the requirements of MCC 38.7305. *Criterion met.*

(C) Residential

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

Staff: The Fire Station use is compatible with the surrounding area. As discussed in Section 9.1, the new building and drill tower meet the scenic requirements of the NSA as it relates to visual characteristics of the area.

The subject property is in the Gorge General Rural Center (GGRC) and is adjacent to lands zoned Gorge General Residential (GGR). The land use pattern for the surrounding properties is predominately single-family homes with a smaller mix of commercial and institutional/governmental buildings. As designed, the Fire Station use has been on the property since as early as 1966 and the location of the Fire Station has been long established as part of the visual landscape of the area.

It is anticipated that the new building and drill tower will not result in an increase of individuals visiting the site creating congestion along HRCH. At peak usage, the station will host Corbett Fire board meetings for 12 to 15 people (Exhibit A.16). The rest of the time, the station will be utilized by volunteer firefighters who come to the site on an as-needed basis to maintain the fire equipment and during an emergency. This use pattern will limit the amount of traffic generation, noise, dust, and odor. *Criterion met.*

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

Staff: Public services are those services provided by the County or another collectively funded entity for the benefit of the community, such as fire protection, police protection, and water services. The applicant has included a Fire Service Agency Review form completed by Rural Fire District #14 and Certification of Water Service from the Corbett Water District (Exhibit A.8 and A.9). Each agency state that the proposed use can be adequately serviced. *Criterion met.*

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

Staff: The subject property is located within 500 feet of lands zoned, GGA, but not lands zoned GGF, or Gorge Special Agriculture. As required, the new building associated with the Fire Station use must comply with MCC 38.0060. Based on an aerial photo, the closest properties that appear to be engaged in agriculture are east of the subject property at the end of NE Benfield Road (Exhibit B.3). The land use pattern appears to be pasture, which would then require a 100-foot setback. However there appears to be a natural vegetation barrier reducing the setback to 15 feet. As measured the new building is more than 15 feet from the property line to the east. (Exhibit A.14 and A.15). *Criterion met.*

(4) If the subject parcel is located within 500 feet of lands designated GGF, new buildings associated with the proposed use shall comply with MCC 38.7305.

Staff: The subject property is not located within 500 feet of lands zoned, GGF; therefore, this criterion is not applicable. *Criterion not applicable.*

(D) Commercial

(1) The proposal is limited to 5,000 square feet of floor area per building or use. This size limitation does not apply for a building or use authorized through the Special Uses in Historic Buildings provisions of 38.7380; and

Staff: The applicant is not proposing a commercial use; therefore, this criterion is not applicable. *Criterion not applicable.*

(2) The proposed use would be compatible with the surrounding areas including review for impacts associated with the visual character of the area, traffic generation and the effects of noise, dust and odors.

Staff: As discussed above under subsection (C) Residential, the Fire Station use is compatible with the surrounding area as it relates to commercial uses. The subject property is in the Gorge General Rural Center (GGRC) and is adjacent to lands zoned Gorge General Rural Center (GGRC). As was previously discussed the land use pattern, the Fire Station as an existing use, and how the use will utilized ensure that the amount of traffic generation, noise, dust, and odor is minimized. *Criterion met.*

(E) Non-Recreation Uses in GG– PR

* * *

Staff: The subject property is not a non-recreation use in GG-PR; therefore, this criterion is not applicable. *Criterion not applicable.*

(F) Non-Recreation Uses in GG– CR

* * *

Staff: The subject property is not a non-recreation use in GG-CR; therefore, this criterion is not applicable. *Criterion not applicable.*

11.0 Conclusion

Based on the findings and other information provided above, the applicant has carried the burden necessary for the Condition Use and National Scenic Area (NSA) Site Review to establish a new building, a new accessory structure (“drill tower”), and alteration of paved areas for off-street parking and loading associated with a Fire Station use in the Gorge General Rural Center (GGRC) zone. This approval is subject to the conditions of approval established in this report.

12.0 Exhibits

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

All exhibits are available for digital review by sending a request to LUP-comments@multco.us.

Exhibit #	# of Pages	Description of Exhibit	Date Received / Submitted
A.1	3	Application Form and Letter of Authorization	01/30/2025
A.2	6	Narrative – Conditional Use	01/30/2025
A.3	1	Narrative – Parcel	01/30/2025
A.4	1	Site Plan	01/30/2025
A.5	10	Plans: ▪ Sheet 000 – Cover ▪ Sheet 001 – Site Plan ▪ Sheet 002 – Floor Plans ▪ Sheet 003 – Roof Plans ▪ Sheet 004 – Exterior Elevations ▪ Sheet 005 – Exterior Elevations ▪ Sheet 006 – Exterior Elevations ▪ Sheet 007 – Building Sections ▪ Sheet 008 – Colors and Materials ▪ Sheet 009 – Impervious Areas	01/30/2025
A.6	8	Civil Plans: ▪ Sheet C1.00 – General Notes ▪ Sheet C1.01 – Existing Conditions ▪ Sheet C1.02 – Demolition Plan ▪ Sheet C2.00 – Site Plan ▪ Sheet C3.00 – Grading Plan ▪ Sheet C4.00 – Utility Plan ▪ Sheet C5.00 – Details ▪ Sheet C6.00 – Erosion Control Plan and Details	01/30/2025
A.7	1	Warranty Deed recorded in Book 755, Page 1610 on October 10, 1970	01/30/2025
A.8	4	Fire Service Provider Review	01/30/2025
A.9	1	Water Service Certification	01/30/2025
A.10	14	Pre-Application Meeting Notes, PA-2024-0005	01/30/2025
A.11	1	Additional Narrative	05/26/2025
A.12	1	Tower Plans - Sheet 010 – Fire Drill Tower	05/26/2025
A.13	15	Septic Review Certification	05/26/2025

A.14	10	Revised Plans: - Sheet 000 – Cover - Sheet 001 – Site Plan - Sheet 002 – Floor Plans - Sheet 003 – Roof Plans - Sheet 004 – Exterior Elevations - Sheet 005 – Exterior Elevations - Sheet 006 – Exterior Elevations - Sheet 007 – Building Sections - Sheet 008 – Colors and Materials - Sheet 010 – Fire Drill Tower	05/26/2025
A.15	8	Revised Civil Plans: - Sheet C1.0 – General Notes - Sheet C1.1 – Existing Conditions - Sheet C1.2 – Demolition Plan - Sheet C2.0 – Site Plan - Sheet C3.0 – Grading Plan - Sheet C4.0 – Utility Plan - Sheet C5.0 – Details - Sheet C6.0 – Erosion and Soil Control Plan	05/26/2025
A.16	2	Stormwater Report prepared by Evan Eykelbosch, PE	07/09/2025
‘B’	#	Staff Exhibits	Date
B.1	2	Assessment and Taxation Property Information for 1N4E35BA - 02201 (Alt Acct # R665600200 / Property ID # R661079)	01/30/2025
B.2	1	Current Tax Map for 1N4E35BA	01/30/2025
B.3	1	Aerial Photo taken in April 2025	01/30/2025
B.4	1	Survey #63600	01/30/2025
B.5	2	Poffenberger Subdivision Plat recorded in Book 1305, Page 20-21 on April 3, 2014	01/30/2025
B.6	2	Visual Mass Compatibility Calculations	10/16/2025
B.7	1	Vegetation Maintenance Plan	10/21/2025
‘C’	#	Administration & Procedures	Date
C.1	51	Agency Review	02/07/2025
C.2	6	Incomplete letter	02/28/2025
C.3	1	Applicant’s acceptance of 180-day clock	03/22/2025
C.4	3	Incomplete letter #2	06/24/2025
C.5	2	Complete letter (day 1)	07/23/2025
C.6	17	Cultural Resource Survey Notice	10/23/2025
C.7	15	Hearing Notice	10/23/2025
C.8	40	Staff Report	11/04/2025

‘D’	#	Comments	Date
D.1	4	Cultural Resources Survey Determination from Luciano Legnini, Archaeologist on behalf of United State Forest Service – Columbia River Gorge National Scenic Area (CRGNSA)	02/11/2025
D.2	2	Comment from Kirsten Lopez, Special Projects Archaeologist on behalf of Oregon Parks and Recreation Department (OPRD): Oregon Heritage/State Historic Preservation Office (SHPO)	03/07/2025
D.3	21	Historic Survey from Luciano Legnini, Archaeologist on behalf of United State Forest Service – Columbia River Gorge National Scenic Area (CRGNSA)	06/05/2025