

NOTICE OF NSA EXPEDITED DECISION

Case File: T2-2022-15660

Permit: NSA Expedited Residential Application

Applicant: Fendall Winston

Owner: Fendall Winston

Location: Address: 2220 NE Corbett Hill Rd, Corbett
Alternate Account #: R944260910

Map, Tax Lot: 1N4E26CA-00600
Property ID #: R322289

Zoning: Gorge General Residential – 5 (GGR-5)

Overlays: Geologic Hazard

Key Viewing Areas: Bridal Veil, Columbia River, Hist. Columbia River Hwy, Interstate -84,
Larch Mtn Rd, State Route 14

Landscape Setting: Rural Residential

Proposal Summary: The subject application is for the placement of 95 feet of 2-ft by 2-ft by 6-ft concrete blocks along the edge of the accessway leading from 2220 SE Corbett Hill Rd towards the public road on the private property as shown on the attached plans. Noticing errors were made during the processing of the expedited review application in July and August 2022. This Notice corrects those errors and grants all parties the opportunity to appeal the expedited review decision.

Decision: **Approved with Conditions**

This decision is final and effective at the close of the appeal period, unless appealed. The deadline for filing an appeal is **Thursday, December 22, 2022, at 4:00 pm.**

Opportunity to Review the Record: The complete case file, including the Planning Director Decision containing Findings, Conclusions, Conditions of Approval, and all evidence associated with this application are available for review by contacting Chris Liu, Staff Planner at 503-988-2964 or chris.liu@multco.us or by visiting our website at www.multco.us/landuse/public-notice. Paper copies of all documents are available at the rate of \$0.40/per page.

Opportunity to Appeal: An appeal requires a \$250.00 fee and must state the specific legal grounds on which it is based. To obtain appeal forms or information on the procedure, contact the Land Use Planning office at 1600 SE 190th Avenue (Phone: 503-988-3043). This decision is not appealable to the Columbia River Gorge Commission until all local appeals are exhausted.



Applicable Approval Criteria:

For this application to be approved, the proposal will need to meet the applicable approval criteria below:

Multnomah County Code (MCC): MCC 38.0560 Code Compliance and Applications, MCC 38.1010(A)(3) Expedited Uses, Rail, solid or semi-solid fences accessory to existing dwellings less than or equal to 6 feet in height and less than or equal to 100 feet in length, MCC 38.7100 Expedited Development Review Criteria.

Copies of the referenced Multnomah County Code sections are available by contacting our office at (503) 988-3043 or by visiting our website at <https://multco.us/landuse/zoning-codes/> under the link **Chapter 38: Columbia River Gorge National Scenic Area**



Land Use Planning Division
 1600 SE 190th Ave, Ste 116
 Portland OR 97233
 Ph: 503-988-3043
 Fax: 503-988-3389
 multco.us/landuse

**NSA
 EXPEDITED
 RESIDENTIAL
 APPLICATION**

Paid: 12-Apr-2022 11:49:11 PDT
 Method: CC
 Fees: EXP \$456.00
 NF \$241.00
 Total: \$697.00

PROPERTY

Address 2220 NE Corbett Hill Rd Site Size 3.5(9)

PROPOSED DEVELOPMENT (check all that apply)

- Addition or covered deck: Size _____ (200 sf max) Height _____ ft
Existing Floor Area _____ (500 sf min) Existing Height _____ ft (greater than proposed)
- Accessory structure: Size _____ (60 to 200 sf) Height _____ ft (10 ft max)
- Uncovered, attached deck: Size _____ (500 sf max) Height _____ inches (30" max)
- Demolition: Structure Type _____ Age _____ (less than 50 yrs)
- Rail, solid, or semi-solid fence: Height 2 ft (6' max) Length 90 (100' max)
- Wire strand fence: Height _____ ft (greater than 4') Length _____ (greater than 500')
- Woven wire fence: Agricultural enclosure only Area fenced _____ (80 ac max)
- Pave existing dirt/gravel road: All work to occur within existing road prism
- Decommission non-paved road: Includes ripping road surface, barriers, revegetation
- Retaining wall: Height 2 ft (2' max exposed surface) Length 90 (100' max)
- Outdoor lights:
- Other: _____

APPLICANT

Name Fendall G Winston Phone 503 695 5387
 Mailing Address PO Box 113 Fax _____
 City Corbett State OR Zipcode 97019 E-mail _____

OWNER

Name Fendall G Winston Phone 503 703 3937
 Street Address 2220 NE Corbett Hill Rd City Corbett State OR Zipcode 97019

I authorize the applicant to make this application.

Fendall G Winston
 Property Owner Signature

NOTE: By signing this form, the property owner or property owner's agent is granting permission for Planning Staff to conduct site inspections on the property.

If no owner signature above, a letter of authorization from the owner is required.

For Staff Use
CASE NUMBER T2-2022-15660
State ID # 1N4E26CA -00600
Alt Acct. # R944260910
DATE SUBMITTED 04/12/2022
ZONING GGR5
MCC CITATION (For Qualifying Use)
Related Case No
Open UR/ZV
By: _____

NO

The application is for an addition to or modification of an existing structure, or placement of a new structure that is topographically visible from one or more key viewing areas. As shown in the attached color chip and site photograph, the proposed addition will be dark earth tones that are found at the site or surrounding landscape. *This criterion has been met.*

Attach color chip(s) & photo(s) of structure & surrounding landscape

3. Structures topographically visible from key viewing areas shall use low or non-reflective building materials, including roofing, gutters, vents, and chimneys.

Staff initial: M.C.

The application does not involve a structure that is topographically visible from a key viewing area. *This criterion has been met.*

The application includes structure(s) that are topographically visible from one or more key viewing areas. As shown in the attached samples, the proposed structure(s) will use low or non-reflective building materials. *This criterion has been met.*

Attach building material samples

M.C: Proposed concrete blocks are not topographically visible from KVAs, see aerial photos.

4. Outdoor lights shall be directed downward and sited, hooded, and shielded such that they are not highly visible from key viewing areas. Shielding and hooding materials shall be composed of non-reflective, opaque materials.

Staff initial: M.C.

The application does not include outdoor lights. *This criterion is not applicable.*

NO

The application includes outdoor lights. As shown in the attached specification sheet, the proposed lights will be hooded and shielded and are composed of non-reflective, opaque materials. A site plan and/or elevation drawings shows the location of the lighting. Based on these drawings the lighting will not be highly visible from key viewing areas. *This criterion has been met.*

Attach spec sheet here

5. Structures within 1/2-mile of a key viewing area and topographically visible from the key viewing area shall be sited, screened and/or designed to achieve the applicable scenic standard (e.g., visual subordination, not visually evident).

Staff initial: M.C.

The application does not involve a structure that is within 1/2-mile of and topographically visible from a key viewing area. *This criterion is not applicable.*

The application includes structure(s) that are within 1/2-mile of and topographically visible from (a) key viewing area(s). As shown on the attached site plan, and exterior architectural elevations or rendered photo, the proposed structure(s) will be sited, screened, and/or designed so that it achieves the standard of: visual subordination, or not visually evident

Attach elevations or photo of structure

Explain how standard is achieved.

Dusty concrete will blend with surrounding dirt

See NSA Handout #5: Designing for Approval

This criterion has been met.

M.C: Concrete blocks are also screened by heavily forested trees located in the driveway

Recreation Resources

6. The development shall not detract from the use and enjoyment of established recreation sites on adjacent parcels.

Staff initial:

M.C.

- The attached site plan labels the uses on adjacent parcels. There is no established recreation site on an adjacent parcel. *This criterion is not applicable.*
- The attached site plan labels show that the property is adjacent to at least one established recreation site, but does not detract from the use and enjoyment of the site. The proposed development will not generate noise, dust, or odors at levels significant enough to impact the use. Also, the site plan shows that the proposed development would not interfere with access to the adjacent recreation site(s). *This criterion has been met.*

Label adjacent uses on attached site plan

Cultural Resources

7. The expedited development review process shall only be used to review proposed development that does not require a reconnaissance survey or historic survey.

Staff initial:

M.C.

Note to applicant: If an Indian tribe sends a letter in response to the application indicating that the proposal affects a treaty right or cultural resource, then the application can not be reviewed using the expedited development review process.

Reconnaissance Survey

Proposed development does not require a reconnaissance survey if it meets any of the following (check at least one that applies):

- Is limited to the modification, expansion, replacement, or reconstruction of existing buildings and structures.
- Will not disturb the ground (e.g. storage shed without a foundation)
- Occurs on a site that was previously disturbed by human activities where the depth and extent of the grading does not exceed prior ground disturbance.
- Involves minor ground disturbance, as defined by depth and extent (e.g. fence construction, footings for a deck, etc.)

Width 2 x Length 90 x Depth 0

Note to applicant: The project will not qualify for expedited review if the Gorge Commission disagrees that the activity results in minor disturbance.

Show area and type of disturbance on plan

- Occurs on a site that has been adequately surveyed in the past, or has been identified by the Gorge Commission, USFS Archaeologist, or private archaeologist as having a low probability of containing cultural resources.

Attach survey

This criterion has been met.

Historic Survey

A historic survey is not required for the following activities (check at least one):

- There are no structures 50 years old or older on the property.
- There is/are structures 50 years old or older; however, the application does not alter the structure(s), nor does it compromise features of the surrounding area that help define the historic character of the structure(s).

This criterion has been met.

Natural Resources

8. **The development is outside buffer zones for wetlands, streams, rivers, ponds, and lakes. This guideline shall not apply to development located inside road, utility or railroad rights-of-way or easements that have been previously disturbed and regularly maintained.**

Staff initial:

M.C.

The proposal is for development located inside road, utility or railroad rights-of-way or easements that have been previously disturbed and regularly maintained. *This criterion is not applicable.*

Show rights-of-way or easement boundary on site plan

As shown on the attached site plan, proposed development is outside buffer zones for wetlands, streams, rivers, ponds, and lakes. *The criterion has been met.*

9. **The development will not adversely impact sensitive wildlife or plant species or is at least 1,000 feet from known sensitive wildlife areas or sites (excluding sensitive aquatic species, deer winter range, and turkey habitat) and known sensitive plants. This guideline shall not apply to development that does not disturb the ground or is located inside road, utility or railroad rights-of-way or easements that have been previously disturbed and regularly maintained.**

Staff initial:

M.C.

As shown on the attached site plan and confirmed by planning staff, the proposed development is over 1,000 feet from known sensitive wildlife areas or sites (excluding sensitive aquatic species, deer winter range, and turkey habitat) and known sensitive plants. *This criterion has been met.*

The proposed development does not disturb the ground or is inside road, utility or railroad rights-of-way or easements or other areas that have been previously disturbed and regularly maintained. *This criterion is not applicable.*

M.C: Has not been determined

Although proposed development is within 1,000 feet of a known sensitive wildlife area or site, the Oregon Department of Fish and Wildlife (for GMA lands) or U.S. Forest Service (SMA lands) has determined that the area or site is not active, that development will not compromise the integrity of the wildlife area or site, or that development will not occur during a time of year that the wildlife species are sensitive to disturbance.

See land use staff for agency contacts

Although proposed development is within 1,000 feet of known sensitive plants, a representative of the Oregon Natural Heritage Program or an expert in botany or plant ecology has determined that development will not occur within 200 feet of a sensitive plant species.

Attach agency confirmation

NOTICE OF PRELIMINARY DECISION

In accepting this application for expedited review, the Planning Director is granting preliminary approval of the development. The Gorge Commission, U.S. Forest Service, Indian tribal governments, and property owners within 750 feet of the subject tract will be given 14 days to provide comments. If no comments are received, the decision shall become final at the close of business on the 14th day. If substantive written comments are submitted, the Planning Director will either modify the decision to address the comments and re-issue it for a 14-day appeal period or re-direct the application to full review if comments establish that the proposed development is not eligible for expedited review.

Comments must be directed to the applicable approval criteria. Those in **bold** above are listed in MCC 38.7100 of the County code. Failure to provide comments during the comment period will preclude a right to appeal.

Conditions/Limitations of Approval

1. If, during construction, cultural or historic resources are discovered, the applicant/owner shall immediately cease development activities and inform the Multnomah County Land Use Planning Division, Columbia River Gorge Commission, and the U.S. Forest Service of any discovery pursuant to MCC 38.7045(L) & (M), or MCC 38.7050(H) as applicable. Once halted, construction activities shall not resume until these standards have been satisfied.
2. Approval of this land use permit is based upon the statements made in this application and attached materials. No work shall occur under this permit other than that which is specified in these documents.
3. Development of structures must be commenced within 2 years of the date of this decision, and completed within 2 years of the date of commencement. The property owner may request an extension of either of these timeframes, as provided in MCC 38.0700. Such a request must be made prior to expiration of the permit.

This decision is final at the close of the comment period unless comments are received. If no comments are received, the effective date of the decision is August 11, 2022.

FOR STAFF USE

At close of the comment period (check one that applies):

- No substantive written comments were received. The decision is final.
- Substantive written comments were received. The Planning Director will issue a letter addressing the comments and may modify this preliminary decision.
- Written comments were submitted showing that the proposed development is not eligible for expedited review. The project will be reviewed using the full development review process.

Marisol
Cervantes

Digitally signed by
Marisol Cervantes

Staff initial:

M.C.

Date:

08.12.2022

Any comments received are included in the County records for this application.

- Fill out NSA DR Database Form for Gorge Commission and include copy with file.

LUP-submittald@multco.us

I am applying for placement of up to 95 feet of **2xs2zx6 and 2xx2x4 concrete (ECO) blocks along the edge of the passageway** (so called dogleg) to my property on 2220 ne Corbett Hill road as shown on the detailed plan. I plan on using only 65 feet first, but would like to get a permit for more if the barrier has to get longer.

My property and buildings have already been NSA approved.

There are ongoing discussions about the barriers, but they are confined to the areas represented on the enclosed diagram. (both solid and dotted)

The blocks were selected over the already allowed wire mesh fence as a substitute for the required gravel berm in deference to the water department and fire department. The intent is to provide fire and construction access to the adjacent property without giving up ownership rights to my property.

There are underground utilities (including a 2" irreplaceable water line) that could possibly be disturbed by any fence posts. The water department has said they are quite capable of moving the blocks if they need to work on their pipe.

The blocks are heavy enough to not require any excavation (2130 or 1800 lbs) on the already graded and graveled surface of an established passageway .

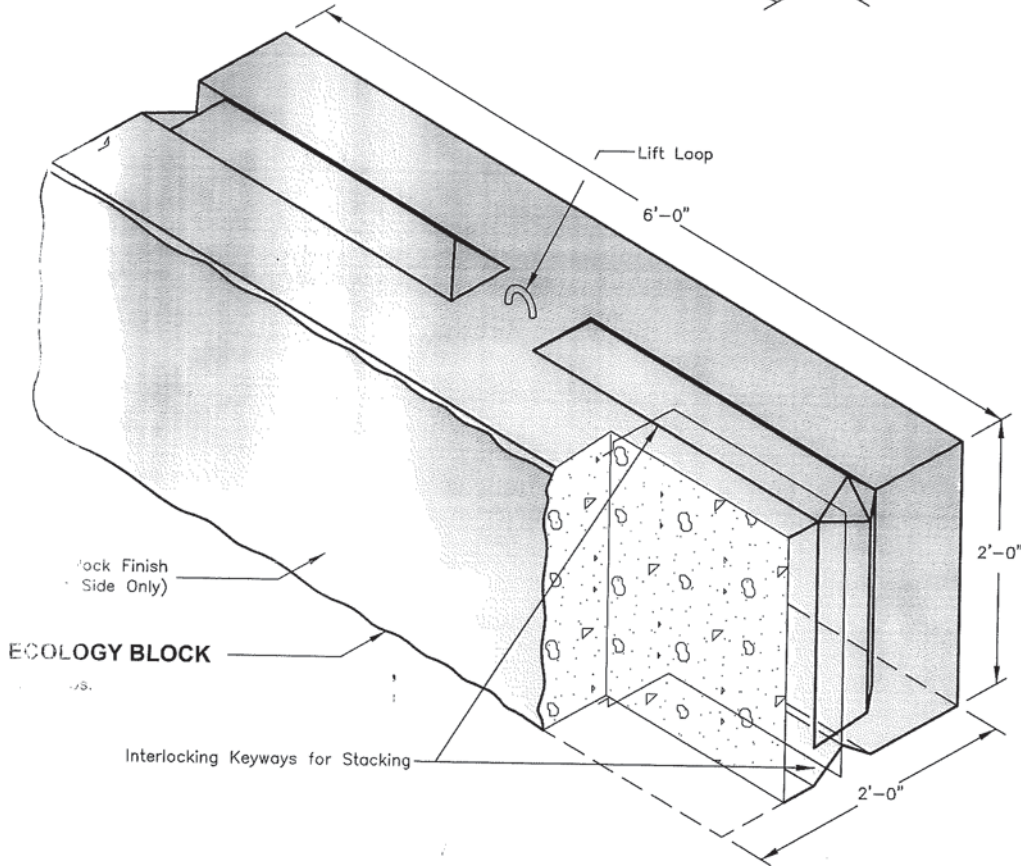
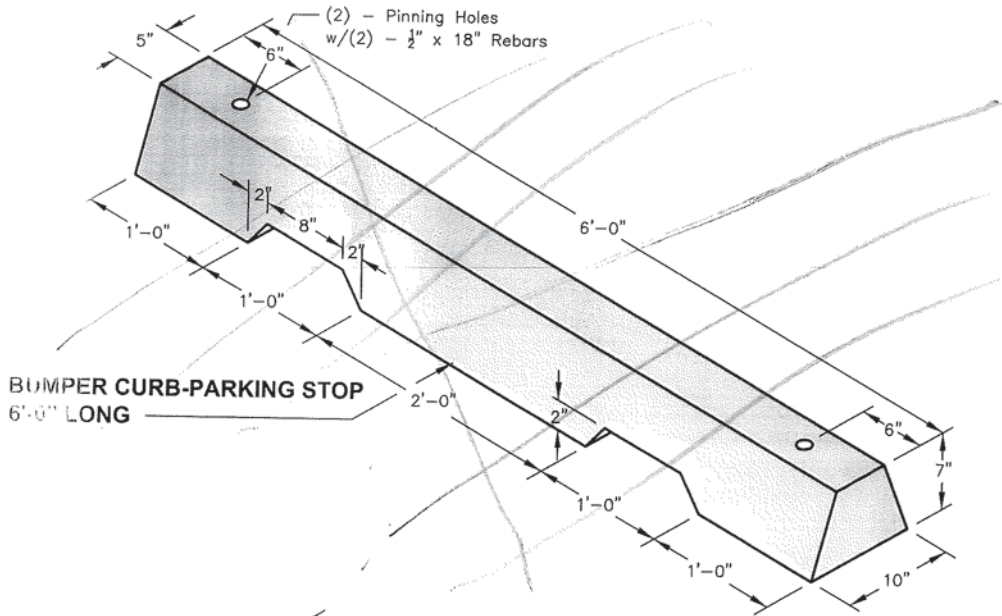
They will not be visible from key viewing points. (view points on highway 14 and the center of Columbia river (See maps, and pictures enclosed) and my 2005 SEC.

I intended to let the blocks turn natural (dirty concrete) to match the gravel passageway but am prepared to paint with white Krilo primer tinted to c-12 to be close to the color of adjacent area.

p.s. I was able to get across the river and, with a high-power lens and tripod, took two pictures from the north shore line of Columbia river. One shows just the house in front of the proposed concrete blocks and the other shows the combination of both that includes all my property. The passageway is not visible in either picture. These are both high resolution pictures and might be even further expandable. The passageway is at about 320 feet and the houses below are about at 100 feet

fendall winston

BUMPER CURBS / ECOLOGY BLOCK

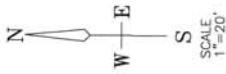


Oldcastle Precast[®]
 Box 323, Wilsonville, Oregon 97070-0323
 Tel: (503) 682-2844 Fax: (503) 682-2657

B. CURB / E. BLOCK

File Name: 020-CRBBLK
 Issue Date: 2018
oldcastleprecast.com/wilsonville

BUMPER CURBS ECOLOGY BLOCK

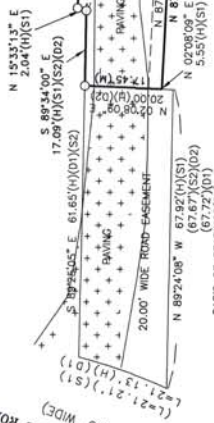


SCALE.
1"=20'



N.E. CORBETT HILL ROAD
(60.00' WIDE)
(L=21.21')(S1)

DOCUMENT NO. 98-052846

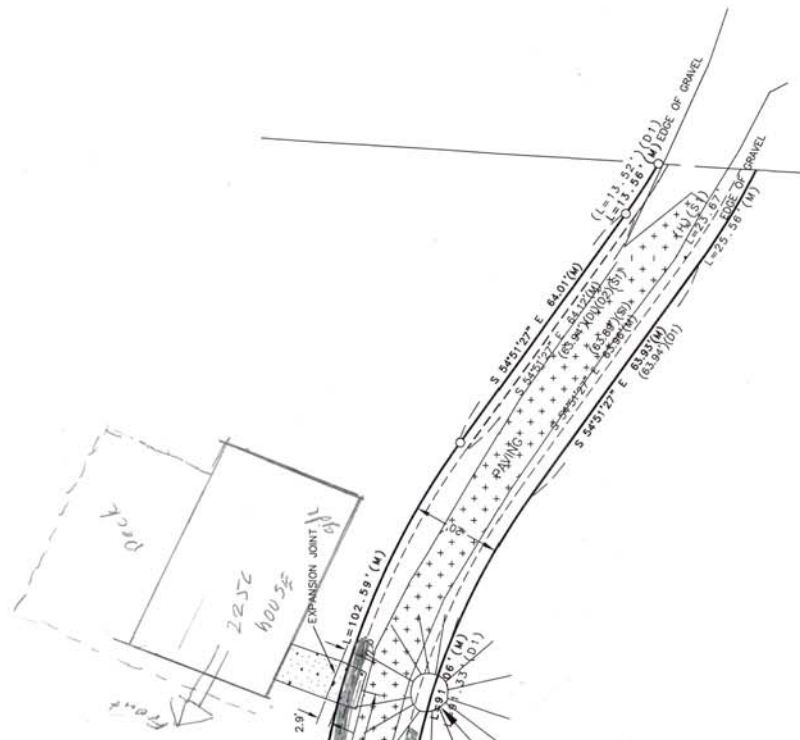


DOCUMENT NO. 95-34674

SYMBOLS

- ⊕ = POWER POLE
- ⊙ = GUY ANCHOR
- ⊗ = WATER METER
- ⊞ = GAS METER
- ⊚ = ELECTRIC METER
- ⊛ = WATER VALVE
- ⊜ = GAS VALVE
- ⊝ = MANHOLE
- ⊞ = CLEAN OUT
- ⊟ = CATCH BASIN
- ⊠ = FIRE HYDRANT
- ⊡ = DOWN SPOUTS
- ⊢ = WATER LINE
- ⊣ = GAS LINE
- ⊤ = ELECTRIC LINE
- ⊥ = SAN. SEWER
- ⊛ = CONIFER

○ - INDICATED 5/8" X 30" IRON ROD
W/ YELLOW PLASTIC CAP STAMPED
FERGUSON LAND SURVEYING INC., SET ON AUGUST 02, 2019



*24' outland
36' N side
20.5' side
50*



REGISTERED
PROFESSIONAL
LAND SURVEYOR
DRAFT
OREGON
JULY 21, 1998
JOE H. FERGUSON
2445
RENEWAL DATE 12/31/19

Ferguson Land Surveying, Inc.
646 SE 106TH AVE. PORTLAND, OR 97216
Phone (503) 408-0601 Fax (503) 408-0602
www.FergusonLandSurveying.com

DRIVEWAY MAP
IN THE SW 1/4, SECTION 26, T.1N., R.4E., W.M.
CITY OF PORTLAND, MULTNOMAH COUNTY, OREGON

CLIENT:
FENDALL WINSTON
2220 NE CORBETT HILL RD
PORTLAND, OR 97019

DATE: AUGUST 6, 2019

JOB NO. 13-118
DRAFTED 8/6/19

SHEET 1 OF 1