RE-ISSUED
NOTICE OF NSA DECISION

Multnomah County

www.multco.us/landuse ▪ Email: land.use.planning@multco.us ▪ Phone: (503) 988-3043

Case File:	T2-2024-0059	**Applicant**:	Jack Loranger
Proposal:	Request for a National Scenic Area (NSA) Site Review and a Major Variance for a new single-family dwelling, accessory structures (septic system including pipes and drainfield and a stormwater drainage control system), and access easement private driveway.		

Location:	No address adjacent to NE Chamberlain Road **Map, Tax lot**: 1N4E27 -00600	**Property ID** # R237861 **Alt. Acct.** # R649731900	
Base Zone:	Gorge General Forestry – 20 (GGF-20)	**Overlays**:	Geologic Hazards (GH)
Key Viewing Areas:	Bridal Veil State Park, Columbia River, Historic Columbia River Highway (including the Historic Columbia River Highway State Trail), Highway I–84 (including rest stops), Larch Mountain Road, Portland Women's Forum State Park, Sandy River, Washington State Route 14		
Landscape Setting:	Coniferous Woodlands		

Decision: **Approved with Conditions.**

The NSA Decision is being re-issued because the application was initially denied. Before the decision became final, the applicant was able to affirm consent for the Major Variance to MCC 38.7315 from all properties within 100-feet of the subject property as required under MCC 38.7605 Variance Classification.

This decision is final at the close of the appeal period, unless appealed. The deadline for filing an appeal is Wednesday, October 8, 2025 at 4:00 pm.

Opportunity to Appeal: The appeal form is available at www.multco.us/landuse/application-materials-and-forms. Email the completed appeal form to LUP-submittals@multco.us. An appeal requires a $250.00 fee and must state the specific legal grounds on which it is based. This decision is not appealable to the Columbia River Gorge Commission until all local appeals are exhausted.

Issued by: 

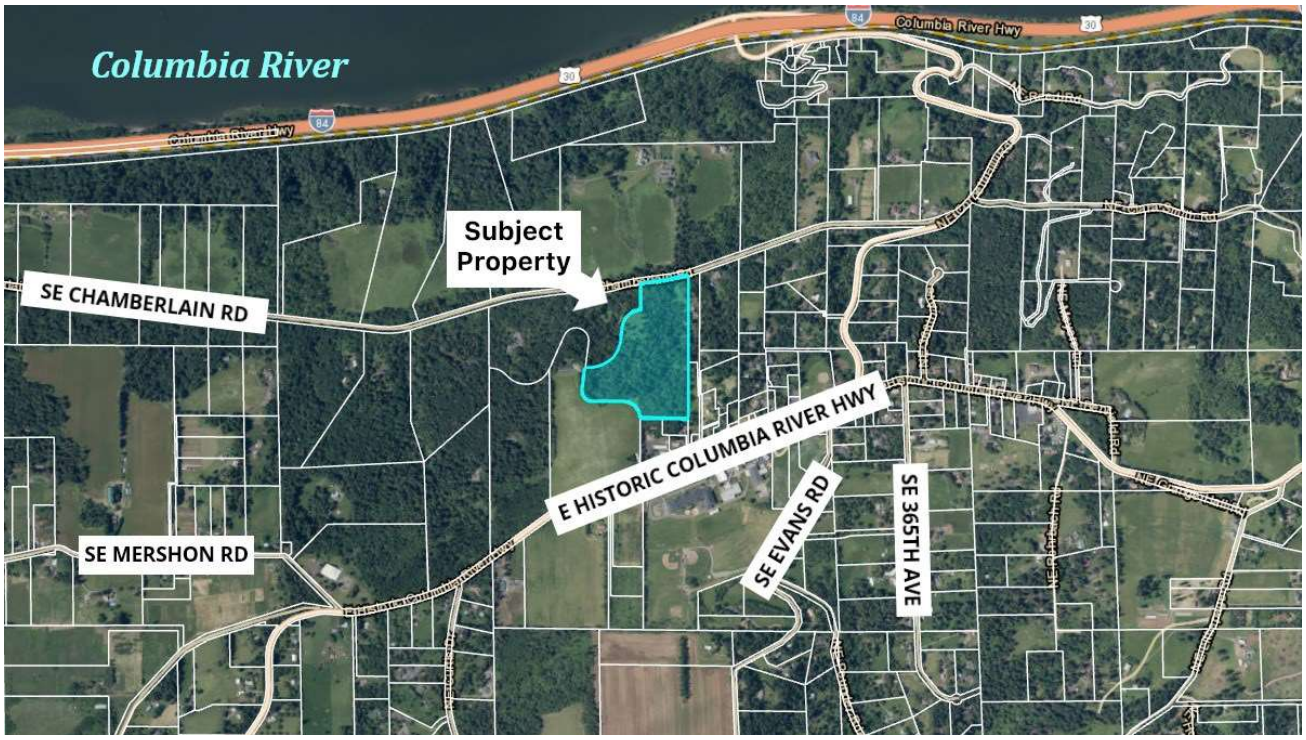
Digitally signed by Rithy Khut
DN: cn=Rithy Khut, o=Multnomah County, ou=Department of Community Services, email=rithy.khut@multco.us, c=US

Rithy Khut, Senior Planner

For: Megan Gibb,
Planning Director

Date: Wednesday, September 24, 2025

Vicinity Map N↑



Applicable Approval Criteria:

Multnomah County Code (MCC): General Provisions: MCC 38.0015 Definitions, MCC 38.0030 Existing Uses and Discontinued Uses, MCC 38.0110 Tribal Treaty Rights and Consultation, MCC 38.0060 Agricultural Buffer Zones, MCC 38.0065 Variances from Setbacks and Buffers within the General Management Area

Administration and Procedures: MCC 38.0560 Code Compliance and Applications

Gorge General Forestry – 20 (GGF-20): MCC 38.2025(A)(1) Review Uses - On lands designated GGF–20, one single-family dwelling on a legally created and existing parcel…, MCC 38.2025(A)(8) Review Uses - (8) Accessory structures for an existing or approved dwelling…, MCC 38.2060 Dimensional Requirements, MCC 38.2090 Access

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 38.7305 Fire Protection in Forest Zones, MCC 38.7315 Siting of Dwellings in Forest Land

Variances: MCC 38.7600 Variance Approval Criteria, MCC 38.7605 Variance Classification

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

Conditions of Approval

The conditions listed are necessary to ensure that approval criteria for this land use permit are satisfied. Where a condition relates to a specific approval criterion, the code citation for that criterion follows in parenthesis.

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 single-family dwelling.
        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. T2-2024-0059 referenced in the subject line. [MCC 38.0660(A)]
    b. Within **two (2) years** of the date of commencement of construction when the single-family dwelling has not been completed. [MCC 38.0690(B)]
        i. For the purposes of 1.b, completion of the single-family dwelling shall mean completion of the exterior surface(s) of the structure 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. T2-2024-0059 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 owners or their representative 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 pages 1 through the 8 of this Notice of Decision and Exhibits A.18, A.21. A.22 (Sheet C2.01 and C2.02), B.10, and B.11 with the County Recorder. The Notice of

Decision shall run with the land. Proof of recording shall be made prior to the issuance of any permits and shall be filed with the Land Use Planning Division. Recording shall be at the applicant's expense. [MCC 38.0670]

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 38.7600(A)(3)]

d. Revise the site plan to:

i. Move the standpipe to within 50 feet from the dwelling. [MCC 38.7305(C)]

ii. Add a turnout that is 20 feet wide and 40 feet long that is spaced as close to 1/2 the private driveway length or 400 feet, whichever is less. [MCC 38.7305(E)]

iii. Add a note that all new utility systems including but not limited to electrical power, communication, cable television wires, fiber optics must be placed underground. [MCC 38.7305(G)]

iv. Add a note that the fireplace be equipped with a spark arrestor that includes at least one screen with no coarser than 1/8-inch mesh metal screen that is noncombustible and corrosion resistant. [MCC 38.7305(I)]

v. Add a note that attic openings, soffit vents, foundation louvers, and other ventilation openings be screened with no coarser than 1/8-inch mesh metal screen that is noncombustible and corrosion resistant. [MCC 38.7305(K)]

4. **When submitting Building Plans for Zoning Review**, the property owner(s) or their representative shall:

a. Provide a Letter of Acknowledgement, recorded Notice of Decision, and covenants, and other documents as required in Condition 3.a through 3.c.

b. Submit a revised site plan showing:

i. The standpipe is within 50 feet from the dwelling. [MCC 38.7305(C)]

ii. A turnout that is 20 feet wide and 40 feet long that is spaced as close to 1/2 the private driveway length or 400 feet, whichever is less. [MCC 38.7305(E)]

c. Submit final design plans of the single-family dwelling. The exterior surfaces of the dwelling and exterior lighting shall be as described and shown in Exhibit A.10. Any changes to the exterior colors of the dwelling shall match Row A or B, or Column 1, 2 and 3 of Row C in the Scenic Resources Implementation Handbook. Any changes to the roof shall be constructed of fire-resistant materials. Any other changes to the final design plan of the exterior of the single-family shall meet the recommendations of the *Building in the Scenic Area Scenic - Resources Implementation Handbook.* [MCC 38.7035(B)(8)-(10) and MCC 38.7305(H)]

d. Demonstrate compliance with the County's Ground Disturbing Activity regulations by either providing an approved Erosion and Sediment Control (ESC) permit or submitting the required materials to qualify for a Minimal Impact Project (MIP) permit. [MCC 38.0560 and MCC 39.6210]

e. Submit a permit or other authorization demonstrating that the single-family dwelling has been reviewed by the Oregon Department of Transportation (ODOT). Any proposed changes to the connection to the State Highway shall be shown prior to submitting building plans for Zoning Plan Review. [MCC 38.2090]

Note: Land Use Planning must sign off on and stamp the building plans before you can go to the Building Department.

5. **After obtaining an approved Zoning Review**, the property owner(s) or their representative shall:
    a. Plant all required trees as shown and described in Exhibit B.10 within six (6) months of an approved Zoning Review or the next appropriate planting window from October 1 through April 30, whichever occurs first. [MCC 38.7035(B)(1)-(2), (14), and MCC 38.7035(C)(2)]
        i. The trees shall be of sufficient size to make the development visually subordinate within five years or less from the date of commencement of construction (see Scenic Implementation Handbook for guidance for size).
            1. If after five years the vegetation has not achieved a size sufficient to screen the development, additional screening may be required by Multnomah County to make the development visually subordinate.
        ii. At least half of any trees planted for screening purposes shall be species native to the setting (see Scenic Implementation Handbook for guidance on tree type).
        iii. At least half of any trees planted for screening purposes shall be coniferous to provide winter screening (see Scenic Implementation Handbook for guidance on tree type).
        iv. Within seven (7) days of completion of tree planting, the property owner shall send written notification and documentation of compliance with the condition. The notification shall be sent to LUP-submittals@multco.us with the case no. T2-2024-0059 referenced in the subject line. [MCC 38.0660(A) and (B)]
        v. One (1) extension of the planting requirement may be requested. Any request for extension shall be made by the end of planting window of April 30, 2026. The property owner must provide documentation as to why they are requesting an extension. [MCC 38.7035(B)(14)]
6. **During construction**, the property owner(s) or their representative shall:
    a. Construct and place all new utility systems including but not limited to electrical power, communication, cable television wires, fiber optics underground. [MCC 38.7305(G)]
    b. 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)]

c. 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)]

7. **Prior to issuance of the Certification of Occupancy**, the property owner(s) or their representative shall:

    a. Establish a wildfire defensible space fuel break around the single-family dwelling as shown in Exhibit B.11. The defensible space shall have hazardous fuels removed within the defensible space fuel break area. Irrigated or fire-resistant vegetation may be planted within the defensible space fuel break. This could include green lawns and low shrubs (less than 24 inches in height). Trees should be spaced greater than 15 feet between the crowns and pruned to remove dead and low (less than 8 feet) branches. Accumulated leaves, needles, and other dead vegetation shall be removed from beneath trees. [MCC 38.7305(A) & (B)]

8. **Within one (1) year of issuance of the Certification of Occupancy**, the property owner(s) shall:

    a. Send an email to lut.compliance@multco.us to set up a site inspection to verify compliance with Fire Protection in Forest Zones requirements. [MCC 38.7305(F)]

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

    a. Be responsible for the proper maintenance and survival of newly planted and existing vegetation and trees as showed in Exhibit B.10. Replacement of newly planted vegetation or trees that do not survive or removal of existing vegetation or trees defined as hazard tree shall be replaced in the next growing season with a similar species that meets the requirements in the Scenic Resources Implementation Handbook. [MCC 38.7035(A)(4); MCC 38.7035(B)(1)-(2), (5)-(6), and (B)(14); and MCC 38.7035(C)(2)]

    b. Maintain wildfire defensible space fuel break around the single-family dwelling as shown in Exhibit B.11. The defensible space shall have hazardous fuels removed within the defensible space fuel break area. Irrigated or fire-resistant vegetation may be planted within the defensible space fuel break. This could include green lawns and low shrubs (less than 24 inches in height). Trees should be spaced greater than 15 feet between the crowns and pruned to remove dead and low (less than 8 feet) branches. Accumulated leaves, needles, and other dead vegetation shall be removed from beneath trees. [MCC 38.7305(A) & (B)]

    c. Maintain the private driveway to be passable to fire equipment as verified by the local rural fire district on an as needed basis. [MCC 38.7305(E)]

    d. Direct all exterior lighting downward such that it is not highly visible from Key Viewing Areas. [MCC 38.7035(B)(2) & (11)]

Note: Land Use Planning must sign off on the building plans before you can go to the Building Department. When ready to submit Building Plans for Zoning Review, complete the following steps:

1. Read your land use decision, the conditions of approval and modify your plans, if necessary, to meet any condition that states, "Prior to submitting Building Plans for Zoning Review…" Be ready to demonstrate compliance with the conditions.
2. You will need to provide a copy of your permit or other authorization demonstrating that the single-family dwelling has been reviewed by the Oregon Department of Transportation (ODOT) with your building plans. If you have not yet received sign-off, visit the following webpage for instructions on how to request a review of your plans: https://www.oregon.gov/odot/Engineering/Pages/Access-Management.aspx. Failure to obtain a permit or other authorization will result in delaying your zoning review.
3. Contact the City of Portland, Bureau of Development Services, On-site Sanitation at 503-823-6892 or e-mail septic@portlandoregon.gov for information on completing the Septic Permit or

Evaluation process for the proposed development. All existing and/or proposed septic system components (including septic tank and drainfield) must be accurately shown on the site plan.

4. Visit https://www.multco.us/landuse/submitting-building-plan for instructions regarding the submission of your building plans for zoning review and review of conditions of approval. Please ensure that any items required under, "When submitting Building Plans for Zoning Review…" are ready for review. Land Use Planning collects additional fees at the time of zoning review.

Once you have obtained an approved zoning review, application for building permits may be made with the City of Gresham.

Notice to Mortgagee, Lien Holder, Vendor, or Seller:
ORS Chapter 215 requires that if you receive this notice it must be promptly forwarded to the purchaser.

Findings of Fact

FINDINGS: Written findings are contained herein. The Multnomah County Code (MCC) criteria and Comprehensive Plan Policies are in **bold** font. Staff analysis and comments are identified as '**Staff**:' and address the applicable criteria. Staff comments may include a conclusionary statement in *italic*.

1.0 Project Description:

Staff: The applicant requests a National Scenic Area (NSA) Site Review and a Major Variance for a new single-family dwelling, accessory structures (septic system including pipes and drainfield and a stormwater drainage control system), and access easement private driveway.

2.0 Property Description & History:

Staff: This application is for the property identified as 1N4E27 -00600 ("subject property") The subject property is located on the southside of NE Chamberlain Road in unincorporated east Multnomah County. The subject property is location outside of Metro's Urban Growth Boundary (UGB). The subject property is zoned Gorge General Forest (GGF-20) and has one (1) overlay, Geologic Hazards (GH).

The subject property is vacant according to the County Assessor. The Assessor lists the property at approximately 848,984 square feet (19.49 acres). Aerial photos from 2025 show the property being heavily forested (Exhibit B.3). These are the previous land use/building permits associated with the property.

Permit No.	Date	Description
LD 21-92	June 12, 1992	Type III Land Division
LD 8-93	March 24, 1993	Type III Land Division

3.0 Public Comment:

Staff: Staff mailed a notice of application and invitation to comment on the proposed application to the required parties pursuant to MCC 38.0530 (Exhibit C.6). Staff did receive comments during the 21-day comment period and during the 30-day Cultural Resources comment period.

3.1 Cultural Resource Survey Determination from Chris Donnermeyer, Heritage Resources Program Manager on behalf of the United States Department of Agriculture: Forest Service ("USFS") - Columbia River Gorge National Scenic Area (Exhibit D.1)

Staff: Chris Donnermeyer sent a Cultural Resource Survey Determination on behalf of the USFS on September 26, 2024. The Survey stated that, "A Cultural Resource Survey is: Not Required" and "A Historic Survey is: Not 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 October 1, 2024. The Letter stated that, "there are no identified archaeologic objects or sites…and no Native American cairn, burial, human remains, sacred objects and objects of cultural patrimony…in or adjacent to the project area". The letter also recommended various conditions of approval.

3.3 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.3)

Staff: Luciano Legnini sent a second Cultural Resource Survey Determination on behalf of the USFS on December 26, 2024. The Survey restated that, "A Cultural Resource Survey is: Not Required" and "A Historic Survey is: Not Required."

3.4 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.4)

Staff: Kirsten Lopez sent a second Letter behalf of the SHPO on January 2, 2025. The Letter stated that, "According to [SHPO] there are previously identified archaeological sites within 0.3 miles of the proposed project recorded in the Oregon Archaeological Records Remote Access (OARRA) database, suggesting potential to encounter archaeological sites in the proposed project area. Oregon SHPO recommends an archaeological survey of the proposed project area."

3.5 Letter from Steven D. McCoy, Staff Attorney, Friends of the Columbia Gorge (Exhibit D.5)

Staff: Steven D. McCoy submitted a letter on January 3, 2025 on behalf of the Friends of the Columbia Gorge. The letter contained comments intended to identify application requirements, procedural requirements, resource protection standards, and provide recommendations to the County and the public regarding legal requirements.

3.6 Letter from Melissa Gonzalez, Development Review Planner, Oregon Department of Transportation (ODOT) (Exhibit D.6)

Staff: Melissa Gonzalez submitted a letter on January 9, 2025 on behalf of the Oregon Department of Transportation (ODOT). The letter contained recommended conditions of approval to meet ODOT requirements.

3.7 Email from Melissa Darby, Senor Archaeologist/Historian, Lower Columbia Research & Archaeology LLC (Exhibit D.7)

Staff: Melissa Darby submitted an email on March 4, 2025 questioning the requirement that a cultural resource survey be conducted on behalf of the applicant.

3.8 Email and Report from Melissa Darby, Senor Archaeologist/Historian, Lower Columbia Research & Archaeology LLC (Exhibit D.8)

Staff: Melissa Darby submitted an email and Report on March 10, 2025 on behalf of the applicant. The report contains a Cultural Resources Survey. The report has been redacted for confidentially purposes.

3.9 Email containing a Survey Report and Heritage Review from Luciano Legnini, Archaeologist, USDA Forest Service Columbia River Gorge National Scenic Area (Exhibit D.9)

Staff: Luciano Legnini sent a Survey Report and Heritage Review on behalf of the USFS on March 10, 2025. The Report and Review provided a recommendation that concurs with the Report

provided by Melissa Darby concerning cultural resources. The report and review have been redacted for confidentially purposes.

3.10 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.10)

Staff: Kirsten Lopez sent a Letter behalf of the SHPO on May 9, 2025. The Letter stated that, "We concur that there will be no historic properties affected for this undertaking." This letter concludes consultation with SHPO concerning this property.

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:

* * *

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 codified in the Columbia River Gorge National Scenic Area Code chapter related to land use application procedures and, by its terms, expressly applies to the application review 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: To qualify as a Parcel, the property when created or reconfigured must meet the definition above and demonstrate that the property satisfied all applicable zoning laws and satisfied all applicable land division laws. The subject property consists of the entirety of Parcel 2 of Partition Plat No. 1993-48 (Exhibit B.6). The subject property has not been subject to a subsequent boundary reconfiguration and/or land division; therefore, the subject property remains a Parcel in its current configuration. *Criteria met*.

6.0 Agricultural Buffer Zones Criteria:

6.1 § 38.0060 AGRICULTURAL BUFFER ZONES

All buildings, as specified, shall satisfy the following setbacks when proposed to be located on a parcel which is adjacent to lands designated GGA– 20 or GGA– 40 and are currently used for agricultural use:

Type of Agriculture	Type of Buffer		
	Open or fenced	Natural or created vegetation barrier	8 foot berm or terrain barrier
Orchards	250’	100’	75’
Row crops/vegetables	300’	100’	75'
Livestock grazing pasture, haying	100’	15’	20’
Grains	200’	75’	50’
Berries, vineyards	150’	50’	30’
Other	100’	50'	30'

(A) New buildings adjacent to lands designated GGA-20 or GGA-40 that are suitable, but currently not used for agriculture, shall use the open or fenced setback associated with the dominant type of agriculture in the vicinity. If a vegetation barrier, 8-foot berm, or terrain barrier exists, the corresponding setback shall apply. If more than one type of agriculture is dominant, the setback shall be the larger width.

Staff: The subject property is located adjacent to lands designated GGA-40. Aerial photos and Google Street View images indicate that the adjacent property is either being used for pasture or haying (Exhibit B.3 and B.7). As required from the table above, the new single-family dwelling building will need to meet the Open/Fenced or Natural/Created Vegetation Barrier buffer. The subject property has natural vegetation between the agriculture use and the building exceeding the 15-foot requirement above. The site plan indicates that there is more than 500 feet between the building and the agriculture use. *Criterion met.*

* * *

7.0 Forest Districts - GGF and GSF Criteria:

7.1 § 38.2025 REVIEW USES

(A) The following uses may be allowed on lands designated GGF, pursuant to MCC 38.0530 (B) and upon findings that the NSA Site Review standards of MCC 38.7000 through 38.7085 have been satisfied:

> **(1) On lands designated GGF– 20, one single-family dwelling on a legally created and existing parcel upon enrollment in the state's forest assessment program. Upon a showing that a parcel cannot qualify, a parcel is entitled to one single-family dwelling. In either case, the location of a dwelling shall comply with MCC 38.7305 and MCC 38.7315. A declaration shall be signed by the landowner and recorded into county deed records specifying that the owners, successors, beneficiaries 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.**

Staff: The applicant is requesting a new single-family dwelling. As discussed in Section 5.0 the dwelling will be located on a legally created and existing parcel. The property in enrolled in the state's forest assessment program and the applicant has provided the declaration (Exhibit A.4 and A.5). As required, the applicant will need to demonstrate compliance with MCC 38.7305, MCC 38.7315 and obtain an NSA Site Review to ensure the standards of MCC 38.7000 through 38.7085 are satisfied. Those standards are discussed in Section 8.0 and 9.0.

> **(8) Accessory structures for an existing or approved dwelling that are not otherwise allowed outright, eligible for the expedited development review process, or allowed in (9) or (10).**

Staff: The applicant is requesting new accessory structures, a septic system (including pipes and drainfield) and a stormwater drainage control system associated with the new single-family dwelling. As required, the applicant will need to demonstrate compliance with MCC 38.7000 through 38.7085. Those standards are discussed in Section 8.0.

7.2 § 38.2060 DIMENSIONAL REQUIREMENTS

(C) 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.

Staff: The front yard is located adjacent and along NE Chamberlain Road with the rear being the opposite lot line. All other yards are side lot lines. The applicant's site plan shows the location of the building and structures on the property. The building is more than 10 feet from a side lot line and 30 feet from either the front or rear lot line (Exhibit A.21 and A.22). The elevation plans for the building show it is less than 35 feet in height (Exhibit A.18). The accessory structures are all less than 30 inches above the ground. *Criteria met.*

7.3 § 38.2090 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 property takes access off an access easement private driveway. The access easement private driveway. Two easements were recorded providing for access off E. Historic Columbia River Highway, which is a road under the authority of the Oregon Department of Transportation (Exhibit A.12 and A.13). ODOT provided comments that a Miscellaneous permit might be required. A condition shall be required that at the time of Zoning Plan Review that an ODOT Miscellaneous permit be provided, if required by ODOT. *As conditioned, criterion met.*

8.0 National Scenic Area (NSA) Site Review Criteria:

8.1 § 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 new single-family dwelling, and accessory structures, and access easement private driveway. Staff addresses relevant GMA Scenic Review criteria below.

8.1.1 (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 single-family dwelling, accessory structures, and private driveway will require grading activities. The areas of grading are generally in a flat area that is designed and sited to retain the existing topography (Exhibit A.21). The driveway follows the contours beginning at an elevation of 670 feet and ending at an elevation of 632 feet over the span of approximately 670 feet; a slope of approximately 5% (Exhibit A.22). The civil plans indicate 166 cubic yards of excavation will occur with 423 cubic yards of fill. Most of the excavation will be for foundation and contouring the driveway. The fill will be used for the foundation of the dwelling and gravel for the driveway. *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 single-family dwelling. 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 and comparison analysis used a slightly different method to calculate the compatibility. The comparison utilized only a ¼ mile radius regardless of zoning designation (Exhibit A.2 and A.9). Whereas staff created their analysis starting with a ¼ mile radius including only properties in the same GGF zoning district. Because there were insufficient dwellings in the radius, the radius was increased to ½ mile, which results in eight properties that contain seven dwellings in the same zoning district. Therefore, to meet the minimum of at least ten buildings, properties within a ¼ mile in the GGA zone were added into the comparison.

Using the study area as describes results in an average square footage of the nearby dwellings of 3,821 sq. ft.; with a minimum of 1,404 sq. ft. and a maximum of 6,726 sq. ft. As proposed the new dwelling with attached garage and covered porch will be 4,800 sq. ft., which is within one standard deviation and can be considered as within the range of similar buildings in the study area (Exhibit B.12). The applicant's analysis resulted in a slightly higher average, but was still within the range of similar buildings. *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 point is along a shared access easement that has existed since 1995 (Exhibit A.12 and A.13). The vehicular access point was constructed in 2005, when the adjacent property built a dwelling. *Criterion met.*

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

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

* * *

8.1.2 (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 subordinance 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 single-family dwelling are in areas that are potentially topographically visible from the following KVAs: Bridal Veil State Park, Columbia River, Historic Columbia River Highway (including the Historic Columbia River Highway State Trail), Highway I–84 (including rest stops), Larch Mountain Road, Portland Women's Forum State Park, Sandy River, Washington State Route 14. Therefore, 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.

The proposed development is likely not topographically visible from the Bridal Veil State Park, Highway I–84 (including rest stops), and Sandy River KVAs due to topographical features and distance. There is also a significant distance, over 2.25 miles, from Larch Mountain Road. For the remaining KVAs: Columbia River, Historic Columbia River Highway (including the Historic Columbia River Highway State Trail), Portland Women's Forum State Park, and Washington State Route 14; the development is potentially topographically visible; therefore, additional conditions will need to be met to ensure the development is visually subordinate as discussed below. *As conditioned, criterion 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 subordinance 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 south. 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 retained and what vegetation will be removed. 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 will be required to achieve visual subordinance requirements in relation to the landscape setting as discussed below. *As conditioned, criteria met.*

(3) Determination of potential visual effects and compliance with visual subordinance 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 foreseeable future) of the proposed development on the visual effects and compliance with visual subordinance is minor. The existing impacts of the past include an already built environment that includes dwellings, accessory buildings, and accessory structures in the immediate vicinity. That development is generally located in heavily forested areas and complies with visual subordinance polices. The impact of this development and potential future development is also minor as this proposed development is one of the last remaining vacant properties within the immediate area. As discussed in this section, the proposal will require various conditions of approval to ensure visual subordinance 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 single-family dwelling (Exhibit A.2, A.10, A.11, A.18, and A.20-A.23). *Criterion met*

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

Staff: As discussed above, the development is potentially topographically visible from KVAs. The development is designed and sited to using existing topography and vegetation to achieve visual subordinance. The driveway begins at an elevation of 670 feet and ends at an elevation of 632 feet over the span of approximately 670 feet; a slope of approximately 5% (Exhibit A.22). At the end of the driveway, the building site for the dwelling utilizes an area that is generally flat that is at a lower elevation from the nearest KVA to the south, Historic Columbia River Highway (including the Historic Columbia River Highway State Trail). The remaining KVAs are at a distance that reduces visibility using existing topography and vegetation (Exhibit A.8 and A.23). However, as viewed from the Columbia River and Washington State Route 14 KVA to the north the development is still potentially visible; therefore, existing vegetation will be required to be retained as shown in Exhibit B.10. *As conditioned, criterion met.*

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

Staff: The applicant's narrative and plans show two existing trees will be removed as part of the development. There also appears to be at least three other trees that could potentially be removed due to their proximity to buildings/structures. A condition will be required that in the areas shown in Exhibit B.10 that new trees be planted. For each tree removed two trees will be planted. Additionally, areas north and east of the dwelling shall be retained for screening purposes. For each tree removed in the existing tree retention area at least one trees shall be planted. 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 Coniferous Woodland 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 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 driveway begins at an elevation of 670 feet and ends at an elevation of 632 feet over the span of approximately 670 feet. The slope is approximately 5%, which reduces the need for cut banks and fill slopes (Exhibit A.22). Lastly, the development of the dwelling is in an area of relative gentle slope that is more than 0.25 miles from the nearest KVA to the south and 0.50 miles to the KVA to the north. From that distance, any visible cut bank and fill slopes that can be seen from KVAs are 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 subordinance. The Scenic Resources Implementation Handbook includes a list of recommended exterior materials and screening methods.

Staff: The applicant provided a narrative, building plan, material samples, and photographs to show that the exterior of the single-family dwelling. The exterior surfaces of the dwelling as described and shown in Exhibit A.10 are as follows:

1. Foundation Walls - Concrete
2. Siding – Fiber cement
3. Roof – Steelscape Standard Kynar 500 -Graphite Black Standing Seam Light Reflectivity Value 6
4. Windows – Marvin Essentials Black Fiberglass Grey Tinted Low E Thermal Pane Light Reflectivity Value 7
5. Doors – Meter Flush Double Door

Further, the architectural plans show no continuous surfaces of glass windows with the rendering showing a low-profile and darkly colored dwelling (Exhibit A.18 and A.27). A condition will be required that when submitting building plans for Zoning Plan Review, the proposed building plan be finalized demonstrating compliance with the above. *As conditioned, criterion 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 provided plans showing the exterior lighting. The exterior lighting will be downward facing and recessed in the soffits to ensure they are shielded or hooded in a manner that prevents lights from being highly visible from KVAs (Exhibit A.2 and A.10). A condition will be required that when submitting building plans for Zoning Plan Review, the proposed lighting plan be finalized demonstrating compliance with the above. *As conditioned, criterion 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 exterior colors of the dwelling as described and show in Exhibit A.10, A.18, and A.27 are as follows:

1. Foundation Walls - Benjamin Moore® Black Tar 2126-10 or equivalent
2. Siding – Benjamin Moore® Black Tar 2126-10 or equivalent
3. Roof – Graphite Black
4. Doors – Benjamin Moore® Black Tar 2126-10 or equivalent

The proposed color matches Row C/Column 1 in the *Scenic Resources Implementation Handbook.* A condition will be required that when submitting building plans for Zoning Plan Review, the proposed color plan be finalized demonstrating compliance with the above. *As conditioned, criterion 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 single-family dwelling building will be below the skyline of a bluff or ridge as seen from the KVAs. There is a large bluff to the south of the dwelling that ensures that the silhouette is below the skyline (Exhibit A.23 and B.9). *Criterion met.*

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

(a) New landscaping (including new earth berms) shall be required only when there is no other means to make the development visually subordinate from key viewing areas. Alternate sites shall be considered prior to using new landscaping to achieve visual subordinance. Development shall be sited to avoid the need for new landscaping wherever possible.

(b) If new landscaping is required, it shall be used to supplement other techniques for achieving visual subordinance.

(c) Vegetation planted for screening purposes shall be of sufficient size to make the development visually subordinate within five years or less of commencement of construction. If after five years the vegetation has not achieved a size sufficient to screen the development, additional screening may be required by Multnomah County to make the development visually subordinate.

(d) Landscaping shall be installed as soon as practicable, and prior to project completion. The property owner(s), and their successor(s) in interest are responsible for the proper maintenance and survival of planted vegetation, and replacement of such vegetation that does not survive.
(e) The Scenic Resources Implementation Handbook includes recommended species for each landscape setting consistent with MCC 38.7035(C) and the minimum recommended sizes for tree plantings (based on average growth rates expected for recommended species).

Staff: As discussed above in MCC 38.7035(B)(1), (2), (5) and (6), the potential visual impact of the new development will require new landscaping to screen the development from the north. The applicant is proposing to remove two existing trees and potentially three other trees. The removal of the trees will make the development more visible from the Columbia River and Washington State Route 14. The applicant is utilizing various means to make the development visually subordinate from the KVAs. The KVAs are far from the development, but will require landscaping to be planted to supplement the measures to achieve visual subordinance.

A condition will be required that new trees be planted and existing trees be retained as discussed in MCC 38.7035(B)(6) above and shown in Exhibit B.10. The type and size of the vegetation that will be planted shall meet the requirements in the *Scenic Resources Implementation Handbook*. A condition will be required for each tree removed as part of the development for the single-family dwelling at least two trees be planted. For the 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 Coniferous Woodland 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*. Additionally, the vegetation shall be of sufficient size to make the development visually subordinate within five years or less from the date of commencement of construction. If after five years the vegetation has not achieved a size sufficient to screen the development, Multnomah County will require additional screening to make the development visually subordinate. Lastly, the vegetation shall be planted during the next planting season after approval of this Decision. The property owner(s), and their successor(s) in interest are responsible for the proper maintenance and survival of planted vegetation, and replacement of such vegetation that does not survive. *As condition, criterion met.*

(15) Conditions regarding new landscaping or retention of existing vegetation for new developments on land designated GGF-80, GGF-40 and GGF-20 shall meet both scenic guidelines and the fuel break requirements of MCC 38.7305(B).

Staff: As discussed above and in Section 9.1, the conditions meet both the scenic guidelines and fuel break requirements of MCC 38.7305(B). *Criterion 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 B.9). *Criterion met.*

* * *

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

* * *

(2) Coniferous Woodland

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

Staff: As previously discussed in Section 7.2, the proposed dwelling is less than 35 feet in height (Exhibit A.18). The height of a mature Douglas-fir, Western Red Cedar, Western Hemlock, or Ponderosa Pine between 60-150 feet. *Criterion met.*

(b) In portions of this setting visible from Key Viewing Areas, the following standards shall be employed to achieve visual subordinance for new development and expansion of existing development:

1. Except as is necessary for construction of access roads, building pads, leach fields, etc., the existing tree cover screening the development from Key Viewing Areas shall be retained.

2. At least half of any trees planted for screening purposes shall be species native to the setting (see Scenic Implementation Handbook for guidance).

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

Staff: As previously discussed, the development will require some vegetation removal that will require replacement. As required above, a condition is required that at least half of any trees planted shall be species native to the setting and at least half of any trees planted for screening purposes shall be coniferous to provide winter screening. *As conditioned, criteria met.*

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

Staff: The applicant is not proposing any resource-based recreation uses as part of this application; therefore, this criterion is not applicable. *Criterion not applicable.*

* * *

8.1.4 (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 applicant's site plan shows the location of the building on the property. The building is more than 100 feet from the edge of pavement of the Scenic Travel Corridor (Exhibit A.21 and A.22). *Criterion met.*

(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 applicant is not proposing an addition to an existing building or expansion of existing parking lots; therefore, this criterion is not applicable. *Criterion not applicable.*

* * *

8.2 § 38.7045 GMA CULTURAL RESOURCE REVIEW CRITERIA

8.2.1 (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.

(2) A reconnaissance survey shall be required for all proposed uses within 500 feet of a known cultural resource, and all proposed uses within 100 feet of a high probability

area, including those listed above in MCC 38.7045 (A) (1) (a) through (f). The Forest Service maintains a map of known cultural resources and a probability map. Both maps are confidential as required by the National Scenic Act, other federal law, and Oregon law.

Staff: Chris Donnermeyer sent a Cultural Resource Survey Determination on behalf of the U.S. Forest Service (USFS) on August 26, 2024. 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)

A subsequent letter was sent from Oregon Parks and Recreation (OPDR): Oregon Heritage/State Historic Preservation Office (SPHO) on October 1, 2024, stating:

> "…there are not identified archaeological objects or sites…and no Native American cairn, burial, human remains, sacred objects and objects of cultural patrimony…in or adjacent to the project area. However, this may be due to lack of archaeological survey of the property." (Exhibit D.2)

Then on December 26, 2024, a second Cultural Resource Survey Determination was sent by Luciano Legnini on behalf of the U.S. Forest Service (USFS). The second Survey matched the Survey sent on August 26, 2024 (Exhibit D.3).

The SPHO then sent a letter on January 2, 2025 recommending an archaeological survey of the proposed project area (Exhibit D.4).

Due to the request from SPHO, the applicant will need to submit a reconnaissance survey to meet the requirements under MCC 38.7045(B) as discussed in Section 8.2 below.

(3) The Gorge Commission may choose to conduct a reconnaissance survey for proposed uses listed in the exceptions if, in its professional judgment, a reconnaissance survey may be necessary to ensure protection of cultural resources.

Staff: The Gorge Commission did not choose to conduct a reconnaissance survey for the proposed uses listed in the exceptions. *Criterion met*.

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

Staff: A Cultural Resource Survey Determinations stated that "A Historic Survey is not required" as the proposed use/development, "Would not alter the exterior architectural appearance of significant buildings and structures that are 50 years old or older" or "Would not compromise features of the surrounding area that are important in defining the historic or architectural character of significant buildings or structures that are 50 years old or older" (Exhibit D.1 and D.3).

8.2.2 (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: During the comment period provided in MCC 38.0530, a substantiated comment was sent from the SPHO recommending an archaeological survey of the proposed project area (Exhibit D.4). The applicant is required to meet the cultural resource review criteria as discussed below.

(2) The proposed use would avoid archaeological resources and traditional cultural resources that exist in the project area. To meet this standard, a reasonable buffer zone must be established around the affected resources or properties; all ground disturbing activities shall be prohibited within the buffer zone.

(a) Buffer zones must preserve the integrity and context of cultural resources. They will vary in width depending on the eventual use of the project area, the type of cultural resources that are present, and the characteristics for which the cultural resources may be significant. A deed covenant, easement, or other appropriate mechanism shall be developed to ensure that the buffer zone and the cultural resources are protected.

(b) An Evaluation of Significance shall be conducted if a project applicant decides not to avoid the affected cultural resource. In these instances, the Reconnaissance Survey and survey report shall be incorporated into the Evaluation of Significance.

Staff: The applicant provided a Report drafted by Melissa Darby, Senior Archaeologist/Historian, Lower Columbia Research & Archaeology LCC. The report outlines the historical research and field work that was done to located any archaeological resources and traditional cultural resources within the project area. The report documented one artifact, a bottle base that was found during the field investigation. An Evaluation of Significance was conducted and the artifact was reported to SPHO, that the artifact was not significant (Exhibit D.8). *Criterion 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:

*** * ***

Staff: A Historic Survey was not required; therefore, these criteria are not applicable. *Criteria not applicable.*

8.2.3 (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.

(1) Consultation meetings should provide an opportunity for interested persons to explain how the proposed use may affect cultural resources. Recommendations to avoid potential conflicts should be discussed.

(2) All written comments and consultation meeting minutes shall be incorporated into the reconnaissance or historic survey report. In instances where a survey is not required, all such information shall be recorded and addressed in a report that typifies a survey report; inapplicable elements may be omitted.

(3) A project applicant who is proposing a large-scale use shall conduct interviews and other forms of ethnographic research if interested persons submit a written request for such research. All requests must include a description of the cultural resources that may be affected by the proposed use and the identity of knowledgeable informants. Ethnographic research shall be conducted by qualified specialists. Recordings, maps, photographs, and minutes shall be used when appropriate.
(4) All written comments, consultation meeting minutes and ethnographic research shall be incorporated into the reconnaissance or historic survey report. In instances where a survey is not required, all such information shall be recorded and addressed in a report that typifies a survey report.

Staff: Comment was received during the comment period provided in MCC 38.0530. The consultation resulted in a Report drafted by Melissa Darby, Senior Archaeologist/Historian, Lower Columbia Research & Archaeology LCC. *Criterion met.*

8.2.4 (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:

(1) Reconnaissance Survey for Small-Scale Uses

Reconnaissance surveys for small scale uses shall consist of the following:

(a) A surface survey of the project area, except for inundated areas and impenetrable thickets.

(b) Subsurface testing shall be conducted if the surface survey reveals that cultural resources may be present. Subsurface probes will be placed at intervals sufficient to determine the absence or presence of cultural resources.

(c) A confidential report that includes:

1. A description of the fieldwork methodology used to identify cultural resources, including a description of the type and extent of the reconnaissance survey.

2. A description of any cultural resources that were discovered in the project area, including a written description and photographs.

3. A map that shows the project area, the areas surveyed, the location of subsurface probes, and, if applicable, the approximate boundaries of the affected cultural resources and a reasonable buffer area.

(d) Project applicants are responsible for paying for all reconnaissance or historic surveys, and for Evaluations of Significance and Mitigation Plans for cultural resources discovered during construction of small-scale uses.

Staff: The applicant provided a Report drafted by Melissa Darby, Senior Archaeologist/Historian, Lower Columbia Research & Archaeology LCC. Melissa Darby meets the Secretary of Interiors Guidelines for Professional Historian, Architectural Historian, and Archaeologist. The report outlines the historical research and field work that was done to located any archaeological resources and traditional cultural resources within the project area. The report documented one artifact, a bottle base that was found during the field investigation. An Evaluation of Significance was conducted and the artifact was reported to SPHO, that the artifact was not significant (Exhibit D.8). *Criterion met.*

(2) Reconnaissance Survey for Large Scale Uses

For the purposes of this section, large-scale uses include residential development involving two or more new dwellings; recreation facilities; commercial and industrial development; public transportation facilities; electric facilities, lines, equipment, and appurtenances that are 33 kilovolts or greater; and communications, water and sewer, and natural gas transmission (as opposed to distribution) lines, pipes, equipment, and appurtenances.

* * *

Staff: The applicant is not proposing Large Scale Uses; therefore, these criteria are not applicable. *Criterion not applicable.*

(3) Historic Surveys

* * *

Staff: A Historic Survey was not required; therefore, these criteria are not applicable. *Criteria not applicable.*

8.2.5 (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 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) (Exhibit C.7). *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, an evaluation of significance was provided after comment was received (Exhibit D.8). *Criterion met.*

(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: No substantiated comment was received during the 30-day comment period and the report containing the evaluation of significance indicated the proposed use would have no effect on the items listed in subsection (2)(a) through (d). As a result, the cultural resource review is final as no appeal was lodged. *Criteria met.*

8.2.6 (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 Report drafted by Melissa Darby. The Report meets the above standards (Exhibit D.8). *Criteria met.*

8.2.7 (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.

Staff: The evaluation of significance contained in the Report demonstrates that the affected cultural resources are not significant. A mailed a copy of the report was mailed 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). A

Letter of Concurrence was provided on March 10, 2025 by Luciano Legnini, Archaeologist on behalf of the USFS. (Exhibit D.9). *Criteria met.*

(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:

* * *

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

Staff: Based on the Report and A Letter of Concurrence, the cultural resources are not significant and do not require a of Assessment of Effect; therefore, these criteria are not applicable. *Criteria not applicable.*

(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: The evaluation of significance contained in the Report demonstrates that the affected cultural resources are not significant. A mailed a copy of the report was mailed 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). A Letter of Concurrence was provided on March 10, 2025 by Luciano Legnini, Archaeologist on behalf of the USFS. (Exhibit D.9). *Criteria met.*

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

* * *

Staff: The cultural resource review has is complete as no substantiated comment is received during the 30-day comment period and the Evaluation of Significance indicates the effected cultural resources are not significant; therefore, no Assessment of Effect or Mitigation Plan is required. *Criteria not applicable.*

8.2.9 (L) Cultural Resources Discovered After Construction Begins

* * *

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.*

8.2.10 (M) Discovery of Human Remains

* * *

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.*

8.3 § 38.7053 GMA WATER RESOURCES REVIEW CRITERIA

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

* * *

8.3.1 (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 8.3.2, 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.*

(3) Uses that are not allowed outright or in subsections (B)(1) or (2) above, may be allowed in water resources (except wetlands) and in all water resources buffer zones (including wetland buffer zones), subject to compliance with provisions for the protection of scenic, natural, cultural, and recreation resources and "Approval Criteria for Other Uses in Water Resources" in subsection (E) below.

Staff: As discussed below in Section 8.3.2, the buffer zone is approximately 70 feet based on the required distance from the bank full flow boundary. As proposed, the development is not located within the buffer zone (Exhibit A.21). The applicant is not proposing any uses as outlined above in a water resource or water resources buffer zone; therefore, these criteria are not applicable. *Criteria not applicable.*

* * *

8.3.2 (G) WATER RESOURCES BUFFER ZONES

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

Staff: As discussed below, the undisturbed buffer zone is approximately 70 feet based on the required distance from the bank full flow boundary. As proposed, the development is not located within the buffer zone. *Criterion met.*

> **(2) Buffer zones shall be measured outward from the bank full flow boundary for streams, the high water mark for ponds and lakes, and the normal pool elevation for the Columbia River, and the wetland delineation boundary for wetlands on a horizontal scale that is perpendicular to the water resource boundary. On the main stem of the Columbia River above the Bonneville Dam, buffer zones shall be measured landward from the normal pool elevation of the Columbia River. The following buffer widths shall be required:**
>
> * * *
>
> > **(d) Intermittent streams provided they are not used by anadromous or resident fish: 50 feet.**

Staff: Based on the Department of State Lands Statewide Wetland Inventory Map, the property contains an intermittent stream that does not appear to be used by anadromous or resident fish. Using contour data at one-foot intervals the bank full flow boundary appears to be between 10 and 20 feet. As required above, the buffer is 50 feet from the bank full flow boundary, which results at its maximum a 70-foot buffer from the stream.

> **(3) Except as otherwise allowed, water resources buffer zones shall be retained in their natural condition. When a buffer zone is disturbed by a new use, it shall be replanted with native plant species.**

Staff: No development is proposed in the buffer zone; thereby retaining the zone in its natural condition. *Criterion met.*

> **(4) The project applicant shall be responsible for determining the exact location of the ordinary high watermark or normal pool elevation. The Planning Director may verify the accuracy of, and render adjustments to, an ordinary high watermark or normal pool delineation. If the adjusted boundary delineation is contested by the project applicant, the Planning Director shall obtain professional services to render a final delineation, at the project applicant's expense.**

Staff: As discussed above, the intermittent stream location uses the bank full flow and not the ordinary high watermark or the normal pool elevation; therefore, this criterion is not applicable. *Criterion not applicable.*

* * *

8.4 § 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.*

8.5 § 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. C*riteria not applicable.*

8.6 § 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 1; however, the applicant is not proposing any recreation-based uses. C*riteria not applicable.*

9.0 Special Uses Criteria:

9.1 § 38.7305 FIRE PROTECTION IN FOREST ZONES

(A) All buildings and structural projections such as porches, balconies and decks shall be set back at least 50 feet from slopes exceeding 30 percent grade (excluding slopes located uphill of the building) to minimize the risks associated with wildfire, unless the County approves an alternative pursuant to (A)(1).

* * *

Staff: The applicant's site plan and maps from Metro show that there are not slopes exceeding 30 percent grade on the subject property; therefore, this criterion is not applicable (Exhibit A.21, A.22, and B.9). *Criterion not applicable*.

(B) All buildings and structural projections such as porches, balconies and decks shall be surrounded by a maintained defensible space fuel break of at least 50 feet to minimize the risks associated with wildfire, unless the County approves an alternative pursuant to (B)(2) or (B)(3) below. Hazardous fuels shall be removed within the defensible space fuel break area. Irrigated or fire resistant vegetation may be planted within the defensible space fuel break. This could include green lawns and low shrubs (less than 24 inches in height). Trees should be spaced greater than 15 feet between the crowns and pruned to remove dead and

low (less than 8 feet) branches. Accumulated leaves, needles, and other dead vegetation shall be removed from beneath trees.

Staff: The applicant's site plan shows there is sufficient space for the defensible space fuel break of at least 50 feet (Exhibit A.21 and A.22). A condition will be required that above measures are met to minimize the risk associated with wildfire. *As conditioned, criterion met.*

(1) The defensible space fuel break shall be extended farther down the slope pursuant to the slope requirements below to minimize the risks associated with wildfire, unless the County approves an alternative pursuant to (B)(2) or (B)(3).

Percent Slope	Distance In Feet
Less than 10	No additional required
Less than 20	30 additional
Less than 25	55 additional
Less than 40	80 additional

Staff: As measured on the applicant's site plan, the farther down slope adjacent to the building has a slope of 10% or more; therefore, the defensible space fuel break will need to be extended an addition 30 feet downslope to the east as shown in Exhibit B.11. A condition will be required that above measures from (B) above are extended to minimize the risk associated with wildfire. *As conditioned, criterion met.*

(2) An alternative defensible space fuel break, including an alternative defensible space fuel break extension, may be required and approved by the County if the local fire district, or the building official when there is no such fire service provider, has provided a recommendation stating that an alternative defensible space fuel break (whether greater than or less than the requirement) is either necessary or sufficient to minimize risks associated with wildlife; or
(3) An alternative defensible space fuel break, including an alternative defensible space fuel break extension, may be required and approved by the County if the County finds such alternative (whether greater than or less than the requirement) is necessary to protect riparian vegetation required to be preserved by any provision within MCC Chapter 38, or any relevant development standard of MCC Chapter 39 as provided for in MCC 38.0010.

Staff: A alternative defensive space fuel break is not required as the local Fire District has not requested an alternative (Exhibit A.19). Additionally, the County is not requesting an alternative; therefore, the criteria above are not applicable. *Criteria not applicable.*

(C) Buildings with plumbed water systems shall install at least one standpipe a minimum of 50 feet from the structure. Required standpipes shall utilize a 1-inch NHSP hose connection, unless some other connection specification or design is requested by the local fire district.

Staff: The applicant's site plan shows one standpipe (Exhibit A.21). A condition will be required that when submitting building plans for Zoning Plan Review, the standpipe be moved to within 50 feet from the dwelling as required above. *As conditioned, criterion met.*

(D) For properties located outside of a fire district, a pond, stream, tank or sump with storage of not less than 1,000 gallons, or a well or water system capable of delivering 20 gallons per minute shall be provided. If a well pump is located on-site, the electrical service for the well pump shall be separated at least 30 feet from any building.

Staff: The subject property is located within the Multnomah County Rural Fire District #14 (Corbett Fire); therefore, the criterion above is not applicable. *Criterion not applicable.*

(E) Access drives shall be constructed to a minimum of 12 feet in width and not exceed a grade of 12 percent. Turnouts shall be provided at a minimum of every 500 feet and at the building site. Access drives shall be maintained to a level that is passable to fire equipment. Variances to road standards may be made only after consultation with the local rural fire district and the Oregon Department of Forestry.

Staff: The applicant's site plan shows the access drive. As measured the private driveway is over 728 feet with a continuous width of 12 feet (Exhibit A.21). The driveway begins at an elevation of 670 feet and ends at an elevation of 632 feet over the span of approximately 670 feet; a slope of approximately 5% (Exhibit A.22). No turnouts were provided; therefore, a condition will be required that when submitting building plans for Zoning Plan Review, one turnout be added near the middle of access drive length. Lastly, the access drive will be required to be maintained so it is passable to fire equipment. *As conditioned, criterion met.*

(F) Within one year of the occupancy of a dwelling, the Planning Director shall conduct a review of the development to assure compliance with these standards.

Staff: As required above, a condition of approval will be required for the above criterion. *As conditioned, criterion met.*

(G) Utility supply systems shall be underground whenever possible.

Staff: As required above, a condition of approval will be required that all new utility systems including but not limited to electrical power, communication, cable television wires, fiber optics must be placed underground. *As conditioned, criterion met.*

(H) Roofs of structures shall be constructed of fire-resistant materials such as metal, fiberglass, or asphalt shingle or tile. Roof materials such as cedar shake and shingle shall not be used.

Staff: The applicant's building plan and material samples show the roof of the dwelling will be constructed using Steelscape Standard Kynar 500 metal roof (Exhibit A.10, A.11, and A.18)

(I) Any chimney or stovepipe on any structure for use with a woodstove or fireplace should be equipped with a spark arrestor that includes at least one screen with no coarser than 1/8 inch mesh metal screen that is noncombustible and corrosion resistant and should be equipped with a spark arrestor.

Staff: The applicant's building plan show one chimney; therefore a condition will be required that when submitting building plans for Zoning Plan Review, a notation be added that the fireplace be equipped with a spark arrestor that includes at least one screen with no coarser than 1/8 inch mesh metal screen that is noncombustible and corrosion resistant (Exhibit A.10, A.11, and A.18). *As conditioned, criterion met.*

(J) All structural projections such as balconies, decks and roof gables should be built with fire resistant materials equivalent to that specified in the International Building Code.

Staff: The applicant's building plan show the use of fiber cement board, which is fire resistant as specified in the IBC. *Criterion met.*

(K) Attic openings, soffit vents, foundation louvers or other ventilation openings on dwellings and accessory structures should be screened with no coarser than 1/8 inch mesh metal screen that is noncombustible and corrosion resistant.

Staff: A condition will be required that when submitting building plans for Zoning Plan Review, a notation be added that attic openings, soffit vents, foundation louvers, and other ventilation openings be screened with no coarser than 1/8-inch mesh metal screen that is noncombustible and corrosion resistant. *As conditioned, criterion met.*

9.2 § 38.7315 SITING OF DWELLINGS AND ACCESSORY STRUCTURES ON FOREST LAND

The approval of new dwellings and accessory structures on forest lands shall comply with the following standards:
(A) The dwelling and structures shall be sited on the parcel so that they will have the least impact on nearby or adjoining forest operations. Dwellings shall be set back at least 200 feet from adjacent properties unless locating the proposed development closer to existing development on adjacent lands would minimize impacts on nearby or adjacent forest operations;

Staff: The applicant's site plan shows the location of the building and structures on the property. The dwelling is located approximately 100 feet from the adjacent property to west (Exhibit A.21 and A.22). The dwelling is in an area that is cleared close to Chamberlain road to the north and outside of a stream corridor buffer. The location of the dwelling is sufficiently setback to minimize impacts on forest operations on adjacent properties. This location will allow the applicant to minimize the amount of forest land covered to site the dwelling. *Criteria met.*

(B) The amount of forest land used to site dwellings, structures, access roads and service corridors shall be minimized. The dwelling shall be located on that portion of the lot having the lowest productivity characteristics for the proposed primary use, subject to the limitations of subsection (A), above; and

Staff: As previously discussed, the access road and dwelling are in an area that is cleared close to Chamberlain road to the north. This location allows the applicant to minimize the amount of forest land used to site the dwelling. Additionally, as the area is cleared, it contains the lowest productivity characteristics. Using Web Soil Survey (WSS) tool provided by the USDA Natural Resources Conservation Service (NRCS), the most productive area is located south and west of the dwelling location. *Criterion met.*

(C) Dwellings shall be located to minimize the risks associated with fire. Dwellings should be located on gentle slopes and in any case not on slopes which exceed 30 percent. Narrow canyons and draws should be avoided. Dwellings should be located to minimize the difficulty in gaining access to the structure in the case of fire. Dwellings should be located to make the access roads as short and flat as possible.

Staff: As discussed above, the development is designed and sited to using existing topography. The dwelling site utilizes an area that is generally flat (Exhibit A.21). The driveway begins at an elevation of 670 feet and ends at an elevation of 632 feet over the span of approximately 670 feet; a slope of approximately 5% (Exhibit A.22). Additionally, the proposed development has been reviewed by Multnomah County Rural Fire District #14 (Corbett Fire). They have indicated that the proposed development meets their access standards and have not requested an alternative means of access (Exhibit A.19). *Criterion met.*

(D) A variance to the siting standards of this subsection may be granted pursuant to the provisions of MCC 38.0065.

Staff: As discussed below, the applicant has requested a variance to the siting standards of this subsection. Those standards are discussed in Section 10.0 below.

10.0 Variance Criteria:

10.1 § 38.0065 VARIANCES FROM SETBACKS AND BUFFERS WITHIN THE GENERAL MANAGEMENT AREA

Variances from setbacks and buffers within the General Management Area, except those required by MCC 38.7080, shall be classified and processed pursuant to MCC 38.7600, subject to the following approval criteria:

Staff: The applicant is requesting a reduction of the forestry resource buffer requirement within MCC 38.7315. As proposed, the applicant is proposing to reduce the buffer distance between the dwelling and the adjacent property from 200 feet to 100 feet (Exhibit A.21 and A.22). The applicant will need to demonstrate that the proposal meets the approval criteria as discussed in MCC 38.7600, which is discussed in Section 10.2 and 10.3 of this Section.

(A) When setbacks or buffers for the protection of scenic, cultural, natural, recreation, agricultural or forestry resources overlap or conflict, the setbacks or buffers may be varied upon a demonstration that:

(1) A setback or buffer specified to protect one resource would cause the proposed use to fall within a setback or buffer specified in the plan to protect another resource; and

Staff: The proposed development is subject to required setbacks in the GGF zone, in addition to buffer requirements for the protection of natural, agricultural, and forestry resources. The development is proposed in a location that meets the setback requirements and is located outside of the natural resource and agricultural resource buffers (Exhibit A.21 and A.22). The development is unable to meet the forestry resource buffer; however, if the development was moved from its proposed location, it would encroach into the other buffers. *Criterion met.*

(2) Variation from the specified setbacks or buffer would, on balance, best achieve the protection of the affected resources.

Staff: As discussed in Section 6.1, 8.3, and 9.2, the location of the development is in an area that satisfies the agricultural resource and natural resource buffer requirements; while also ensuring that the development minimizes the impact to forestry resources. *Criterion met.*

(B) A setback or buffer specified for protection of scenic, cultural, natural, recreation, agricultural or forestry resources may be varied in order to allow a residence to be built on a parcel of land upon a demonstration that:

(1) The land use designation otherwise authorizes a residence on the tract;

(2) No site exists on the tract (all contiguous parcels under the same ownership) on which a residence could be placed practicably in full compliance with the setback or buffer;

(3) The variance from the specified setback or buffer is the minimum necessary to allow the residence.

(4) The variance shall not be used to permit an addition to a building (including, but not limited to, decks and stairs), when the addition would be within the setback, except where the building is wholly within the setback, in which case, the addition may only be permitted on the portion of the building that does not encroach any further into the required setback.

Staff: As discussed in Section 7.0, the land use designation allows for a residence on the tract. As discussed in 6.1, 8.3, and 9.2, there is no location that the residence could be located that is in full compliance with all the setback and buffer requirements. Therefore, this location balances the protection of the various resources and is the minimum necessary to allow the residence. *Criteria met.*

(C) The Approval Authority may grant a variance to the General Management Area setback and buffer requirements of MCC 38.7080, upon a finding that the following conditions exist:

* * *

Staff: The applicant is not requesting a variance to the setback and buffer requirements of MCC 38.7080; therefore, these criteria are not applicable. C*riteria not applicable.*

10.2 § 38.7600- VARIANCE APPROVAL CRITERIA

(A) The Approval Authority may permit and authorize a variance from the dimensional requirements of 38.2060 (C), 38.2260 (C), 38.2460 (E), 38.2660 (C), 38.2860 (C), 38.3060 (C), and 38.3260 (C) only when there are practical difficulties in the application of the Chapter. A Major Variance shall be granted only when all of the following criteria are met. A Minor Variance shall met criteria (3) and (4).

(1) A circumstance or condition applies to the property or to the intended use that does not apply generally to other property in the same vicinity or district. The circumstance or condition may relate to the size, shape, natural features and topography of the property or the location or size of physical improvements on the site or the nature of the use compared to surrounding uses.

Staff: For the County to be able to consider a Variance request, the applicant must demonstrate that a circumstance or condition applies to the property that does not apply generally to other property in the same vicinity or zoning district.

The property was created as Parcel 2 of Partition Plat No. 1993-48 after it was reviewed under land use case no LD 21-92 and LD 8-93 (Exhibit B.6). The property is shaped in an irregular manner with the eastern portions of the property containing steep slopes and a creek (Exhibit B.3 and B.9). The western portion of the property, where the dwelling is proposed, is the only suitable location for development due to the flat topography allowing for the placement of the dwelling and accessory structures (Exhibit A.14, A.16, A.17, and A.25).

In comparing properties surrounding this property, this property has a unique shape. Although the property is larger than neighboring properties, the development area is greatly reduced due to the slopes and natural resources on the property. Most of the development on surrounding properties are located adjacent open fields or close to the Highway. The configuration of the property pushes development towards the rear furthest away from the Highway and closer to Chamberlain Road. As the flat areas are located on a small portion of the property, the proposed development is placed in the only location that is suitable while balancing the setback and buffer requirements. Therefore, it is due to these unique circumstances that do not occur on other property in the same vicinity and district that the property contains a circumstance and condition that is unique to this property. *Criterion met.*

(2) The zoning requirement would restrict the use of the subject property to a greater degree than it restricts other properties in the vicinity or district.

Staff: As discussed in Section 10.1, to meet the zoning requirement, the development would then encroach into other required buffers. The encroachment into those buffers would restrict the use of the property to a greater degree as not all properties in the vicinity or district have natural resource buffer requirements. There is no location of the property, except the current location, that would meet the setback balance the intent of the buffer requirements. Lastly, as one of the last remaining vacant properties within the GGF zone, the land use designation allows for a residence on the property. If the development met all the buffer requirements, it would restrict the use of the property because there is no location on the property where a dwelling would meet all the buffer requirements. *Criterion met.*

(3) The authorization of the variance will not be materially detrimental to the public welfare or injurious to property in the vicinity or district in which the property is located, or adversely affects the appropriate development of adjoining properties.

Staff: The subject property is adjacent to lands zoned Gorge General Agriculture, Gorge Special Agriculture, Gorge General Forestry, Gorge General Residential, and Gorge General Rural Center. Based on current aerial photos, the properties zoned GGA-40 and GSA-40 all appear to be used as pasture, the GGF-20 properties contain forested areas with residential uses, the GGR-5 contain residential uses, and the GGRC properties also contain residential uses mixed with the school use of Corbett Elementary/Middle/High School (Exhibit B.3). The land use pattern in the area is predominately single-family dwellings, pasture, and forested land.

The proposed dwelling is currently buffered from neighboring properties with trees. To reduce the potential to adversely affect the neighboring properties, the trees separating the proposed dwelling from neighboring properties to the south and west must be retained as highlighted in Exhibit B.10. If the trees die, they must be replaced with a coniferous native species as outlined in the Columbia River Gorge Commission *Scenic Resources Implementation Handbook Recommended Plant List*. To reduce the potential to adversely affect neighboring agricultural uses, a second condition will be required. The property owner will be required to shall sign and record in the deed records for the county a declaration 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. All the measures described above will ensure that the variance is not materially detrimental to the public welfare or injurious to nearby properties. *As conditioned, criterion met.*

(4) The granting of the variance will not adversely affect the realization of the Management Plan nor will it establish a use which is not listed in the underlying zone.

Staff: The granting of the variance will not adversely affect the realization of the Management Plan because the applicant is proposing uses that are typically allowed within GGF-20 zone. The purpose of Management Plan is, "to protect and provide for the enhancement of the scenic, cultural, recreational, and natural resources of the Columbia Gorge…where development and recreation are carefully placed in a manner that protects resources…". As proposed the dwelling and accessory structures are in an area that protects the other resources of the Scenic Area. As discussed in Section 8.1. the development is topographically screened from some KVAs and obscured by vegetation from other KVAs; thereby protecting scenic resources. As discussed in Section 8.2, the Cultural Resource criteria have been met. Lastly, as discussed in Section 8.3 through 8.5, the natural resources are also protected. *Criterion met.*

10.3 § 38.7605 VARIANCE CLASSIFICATION

(A) A Major Variance is one that is in excess of 25 percent of an applicable dimensional requirement. A Major Variance must be found to comply with MCC 38.7600 (A).

(1) A Major Variance must be approved at a public hearing except when all owners of record of property within 100 feet of the subject property grant their consent to the variance according to the procedures of MCC 38.7605 (B) (1) and (2).

Staff: As discussed in Section 9.2, the applicant is seeking a variance that is more than 25 percent of the siting standard. As noted above, there are two pathways to obtain approval for a major variance: (a) meet the criteria and have those criteria reviewed at a public hearing, or (2) obtain consent from all owners within 100-feet of the property, in which case a public hearing is not required. The applicant took the second path, which is obtaining affirmative consent from all neighbors with the vicinity. The applicant was able to secure affirmative consent from all property owner within 100-feet of the subject property (Exhibit A.26 and A.31). *Criterion met.*

* * *

(C) Notwithstanding (B) above, an applicant may seek approval of a variance to a dimensional requirement as a Major Variance, subject to the standards of this section.

Staff: As discussed above, the applicant is seeking approval of a variance and is subject to the standards of this section. Those standards are discussed in 8.1 and 8.2.

11.0 Conclusion

Based on the findings and other information provided above, the applicant has not carried the burden necessary for the National Scenic Area (NSA) Site Review and a Major Variance to establish a new single-family dwelling, accessory structures (septic system including pipes and drainfield and a stormwater drainage control system), and access easement private driveway in the Gorge General Forestry – 20 (GGF-20) zone.

12.0 Exhibits

'A' Applicant's Exhibits
'B' Staff Exhibits
'C' Procedural Exhibits
'D' Comments Received

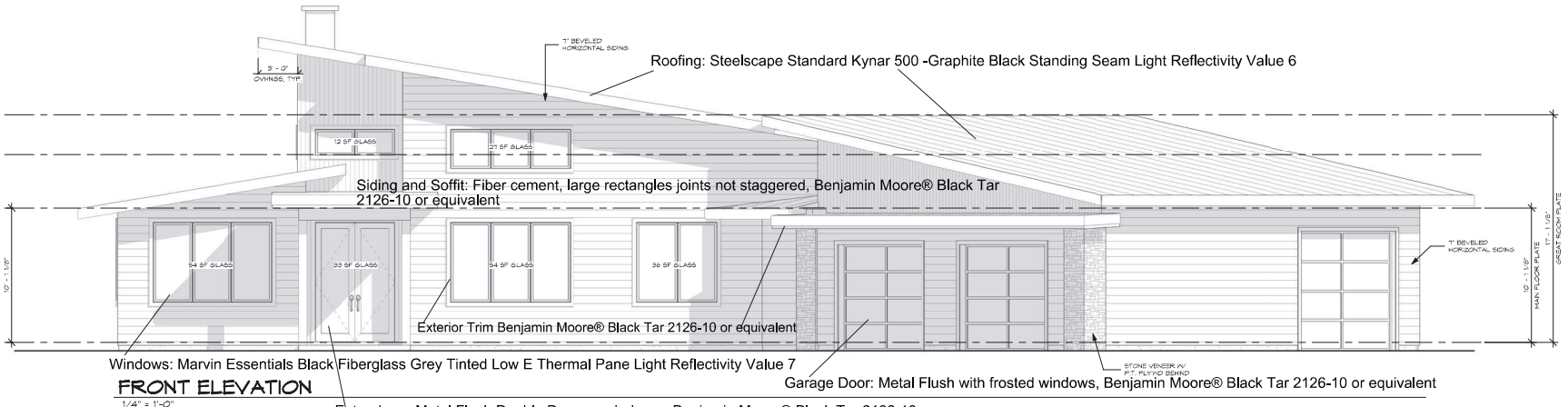
Exhibits with an '*' have been reduced in size and included with the mailed decision. All exhibits are available for digital review by sending a request to LUP-comments@multco.us.

Exhibit #	# of Pages	Description of Exhibit	Date Received / Submitted
A.1	1	Application Form	08/11/2024
A.2	20	Narrative	08/11/2024
A.3	3	Statutory Warranty Deed recorded as Instrument #2021-060104 on April 14, 2021	08/11/2024
A.4	1	Letter from John James, Real Property Appraiser Senior, Multnomah County discussing Forestland Special Assessment	08/11/2024
A.5	1	Declaration recorded as Instrument #2023-041355 on July 3, 2023	08/11/2024
A.6	1	Water Service Certificate	08/11/2024
A.7	1	Letter from Corbett Water District	08/11/2024
A.8	5	Existing Vegetative Screening	08/11/2024
A.9	1	Comparison of nearby properties	08/11/2024
A.10	2	Exterior Materials, Colors, and Lighting Samples	08/11/2024
A.11	1	Roof Material Information	08/11/2024
A.12	3	Easement recorded as Instrument #98-058211 on April 8, 1998	08/11/2024
A.13	5	Easement recorded as Instrument #95-161047 on December 28, 1995	08/11/2024
A.14	8	City of Portland Bureau of Buildings: Land Feasibility Study	08/11/2024
A.15	1	Letter of Authorization	08/11/2024
A.16	2	Stormwater Drainage Control Certificate prepared by Riston Andrews, PE	08/11/2024
A.17	62	Stormwater Management Plan prepared by Riston Andrews, PE	08/11/2024
A.18*	2	Building Elevation and Floor Plans ▪ Sheet A1 – Building Elevations ▪ Sheet A3 – Floor Plans	08/11/2024
A.19	4	Fire Agency Service Review	08/11/2024
A.20	1	Building Elevation showing height of single-family dwelling	08/11/2024

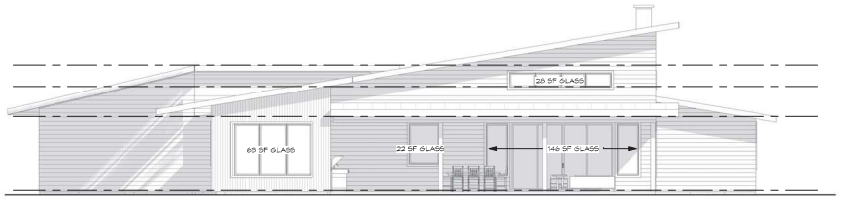
A.21*	1	Site Plan	08/11/2024
A.22*	8	Civil Plans ▪ C2.00 – Site Plan Overview ▪ *C2.01 – Site Plan North ▪ *C2.02 – Site Plan South ▪ C2.03 – Grading Cut/Fill Contours North ▪ C2.04 – Grading Cut/Fill Contours South ▪ C3.00 – Details ▪ C3.01 – Details ▪ C3.02 – Details	08/11/2024
A.23	8	Key Viewing Areas Renderings	08/11/2024
A.24	1	Transportation Planning Review, TPR-2024-0010	08/11/2024
A.25	7	Septic Review Certification	08/11/2024
A.26	5	Signed Property Owner Consent	08/11/2024
A.27	1	Rending of single-family dwelling	08/11/2024
A.28	1	Pre-Filing Meeting Waiver	08/11/2024
A.29	4	Revised Transportation Planning Review, TPR-2024-0010	09/23/2024
A.30	30	Cultural Resource Survey prepared by Lower Columbia Research & Archaeology (*redacted*)	03/11/20258
A.31	1	Signed Property Owner Consent	09/18/2025
'B'	**#**	**Staff Exhibits**	**Date**
B.1	2	Assessment and Taxation Property Information for 1N4E27 - 00600 (Alt Acct #R649731900 / Property ID #R237861)	08/11/2024
B.2	1	Current Tax Map for 1N4E27	08/11/2024
B.3	1	Aerial Photo taken on April 30, 2025	04/30/2025
B.4	10	Pre-Filing Meeting Notes, PF-2021-16421	07/16/2025
B.5	10	Pre-Filing Meeting Notes, PF-2021-14629	07/16/2025
B.6	1	Partition Plat no. 1993-48 recorded June 2, 1993	07/16/2025
B.7	3	Google Street View Images	07/17/2025
B.8	1	NSA Compatibility Calculations	07/18/2025
B.9	1	Contour Map provided by Metro	07/29/2025
B.10*	2	New and Retained Vegetation Plan	07/29/2025
B.11*	1	Wildfire Defensible Space Fuel Break Plan	08/21/2025
'C'	**#**	**Administration & Procedures**	**Date**
C.1	2	Pre-Filing / Pre-Application Waiver	08/11/2024
C.2	3	Incomplete letter	09/12/2024

C.3	1	Applicant's acceptance of 180-day clock	09/12/2024
C.4	13	Agency Review	09/13/2024
C.5	1	Complete letter (day 1)	10/23/2024
C.6	19	Opportunity to Comment	12/13/2024
C.7	27	Cultural Resource Survey Notice (*redacted*)	04/10/2025
C.8	50	Decision	09/11/2025
'D'	**#**	**Comments**	**Date**
D.1	2	Cultural Resource Survey Determination from Chris Donnermeyer, Heritage Resources Program Manager, USDA Forest Service Columbia River Gorge National Scenic Area	09/26/2024
D.2	2	Letter from Kirsten Lopez, Special Projects Archaeologist, Oregon Parks and Recreation Department: Oregon Heritage/State Historic Preservation Office	10/01/2024
D.3	2	Cultural Resource Survey Determination from Luciano Legnini, Archaeologist, USDA Forest Service Columbia River Gorge National Scenic Area	12/26/2024
D.4	2	Letter from Kirsten Lopez, Special Projects Archaeologist, Oregon Parks and Recreation Department: Oregon Heritage/State Historic Preservation Office	01/02/2025
D.5	9	Letter from Steven D. McCoy, Staff Attorney, Friends of the Columbia Gorge	01/03/2025
D.6	2	Letter from Melissa Gonzalez, Development Review Planner, Oregon Department of Transportation	01/09/2025
D.7	1	Email from Melissa Darby, Senor Archaeologist/Historian, Lower Columbia Research & Archaeology LLC (*redacted*)	03/04/2025
D.8	25	Email from Melissa Darby, Senor Archaeologist/Historian, Lower Columbia Research & Archaeology LLC (*redacted*)	03/09/2025
D.9	27	Survey Report and Heritage Review from Luciano Legnini, Archaeologist, USDA Forest Service Columbia River Gorge National Scenic Area (*redacted*)	03/10/2025
D.10	2	Letter from Kirsten Lopez, Special Projects Archaeologist, Oregon Parks and Recreation Department: Oregon Heritage/State Historic Preservation Office	05/09/2025

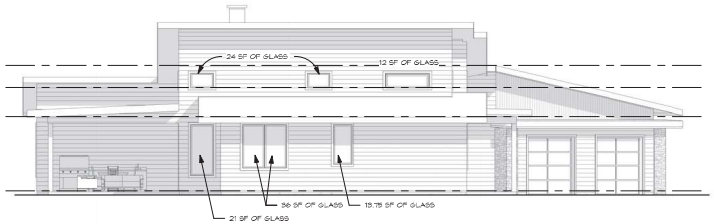
Exhibit O



FRONT ELEVATION
1/4" = 1'-0"



REAR ELEVATION
1/8" = 1'-0"



LEFT ELEVATION
1/8" = 1'-0"



RIGHT ELEVATION
1/8" = 1'-0"

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Brian Emrich: 360-90-4532
Email: edraftingehotmail.com

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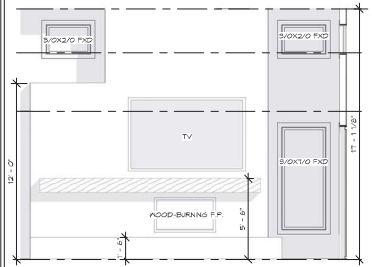
FILE NAME : XXXX-X-XX-XX
DRAWN BY: E DRAFTING
SCALE : As Indicated
PLOT DATE : 12/20/2023 10:09:08 AM

Written dimensions on these drawings shall have precedence over scaled dimensions. Contractor shall assume responsibility for all dimensions and conditions on the job. The designer must be notified and consent to any variations from dimensions set forth herein. The type of exterior finish, the installation and waterproofing details are all to be the full responsibility of the owner/builder. This Designer assumes no responsibility for the integrity of the building envelope. This document is the property of E Drafting Corp. No reuse or reproduction is allowed without the written consent from E Drafting Corp.

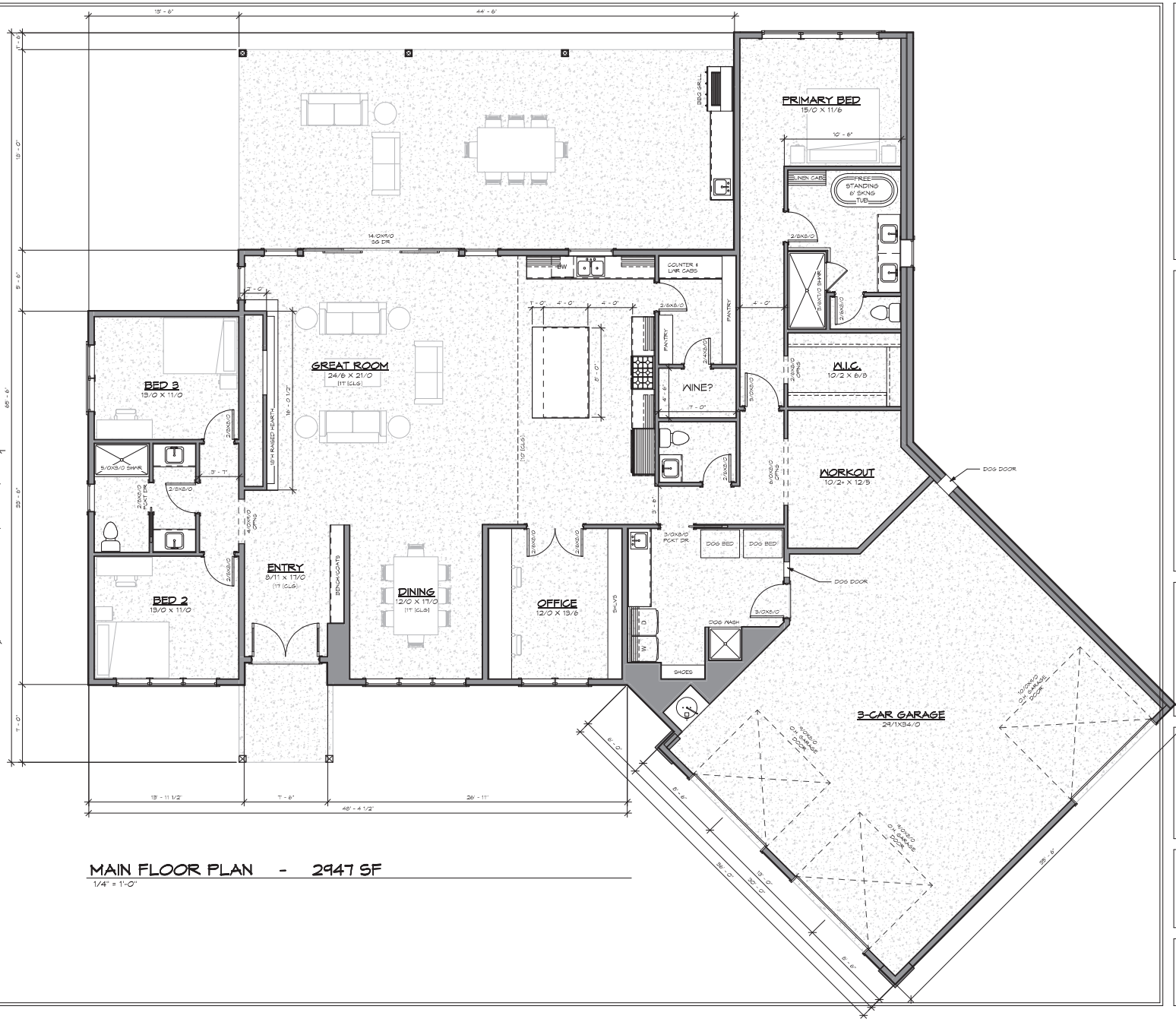
SHEET
Building Elevations

A1



GREAT ROOM DETAIL

1/4" = 1'-0"



MAIN FLOOR PLAN - 2947 SF

1/4" = 1'-0"

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Email: edraftingenotmail.com

KAMENKO RESIDENCE

FILE NAME : XXXX-X-XX-XX

DRAWN BY: E DRAFTING

SCALE : 1/4" = 1'-0"

PLOT DATE : 12/20/2023 10:09:11 AM

Written dimensions on these drawings shall have precedence over scaled dimensions. Contractor shall assume responsibility for all dimensions and conditions on the job. The designer must be notified and consent to any variations from dimensions set forth herein. The type of exterior finish, the installation and waterproofing details are all to be the full responsibility of the owner/builder. This Designer assumes no responsibility for the integrity of the building envelope. This document is the property of E Drafting Corp. No reuse or reproduction is allowed without the written consent from E Drafting Corp.

SHEET

Floor Plans

A3

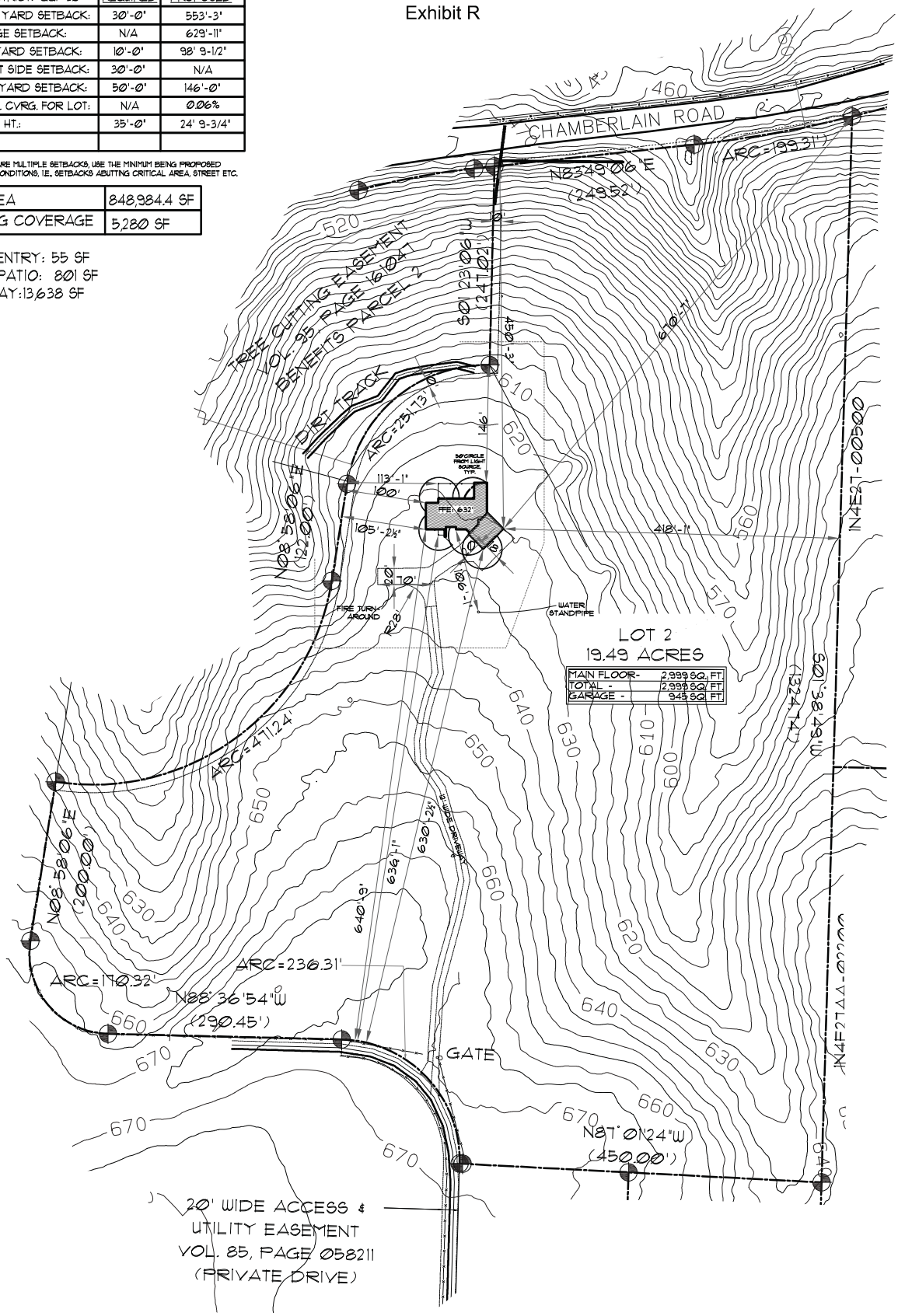
Exhibit R

ZONING DISTRICT: GGF-20	REQUIRED	PROPOSED
MIN. FRONT YARD SETBACK:	30'-0"	553'-3"
MIN. GARAGE SETBACK:	N/A	629'-11"
MIN. SIDE YARD SETBACK:	10'-0"	98' 9-1/2"
MIN. STREET SIDE SETBACK:	30'-0"	N/A
MIN. REAR YARD SETBACK:	50'-0"	146'-0"
MAX BLDG. CVRG. FOR LOT:	N/A	0.06%
MAX BLDG HT.:	35'-0"	24' 9-3/4"
OTHER**:		

* IF THERE ARE MULTIPLE SETBACKS, USE THE MINIMUM BEING PROPOSED
** SPECIAL CONDITIONS, I.E., SETBACKS ABUTTING CRITICAL AREA, STREET ETC.

LOT AREA	848,984.4 SF
BUILDING COVERAGE	5,280 SF

COV'D ENTRY: 55 SF
COV'D PATIO: 801 SF
DRIVEWAY: 13,638 SF



SITE PLAN

SCALE : 1"=120'

PLAN NAME:	2,999
DRAWN:	EDRAFT
PLOT:	09.07.22
SCALE:	1"-120'

NE CHAMERLAIN RD

KAMENKO SITE

CORBETT, OR

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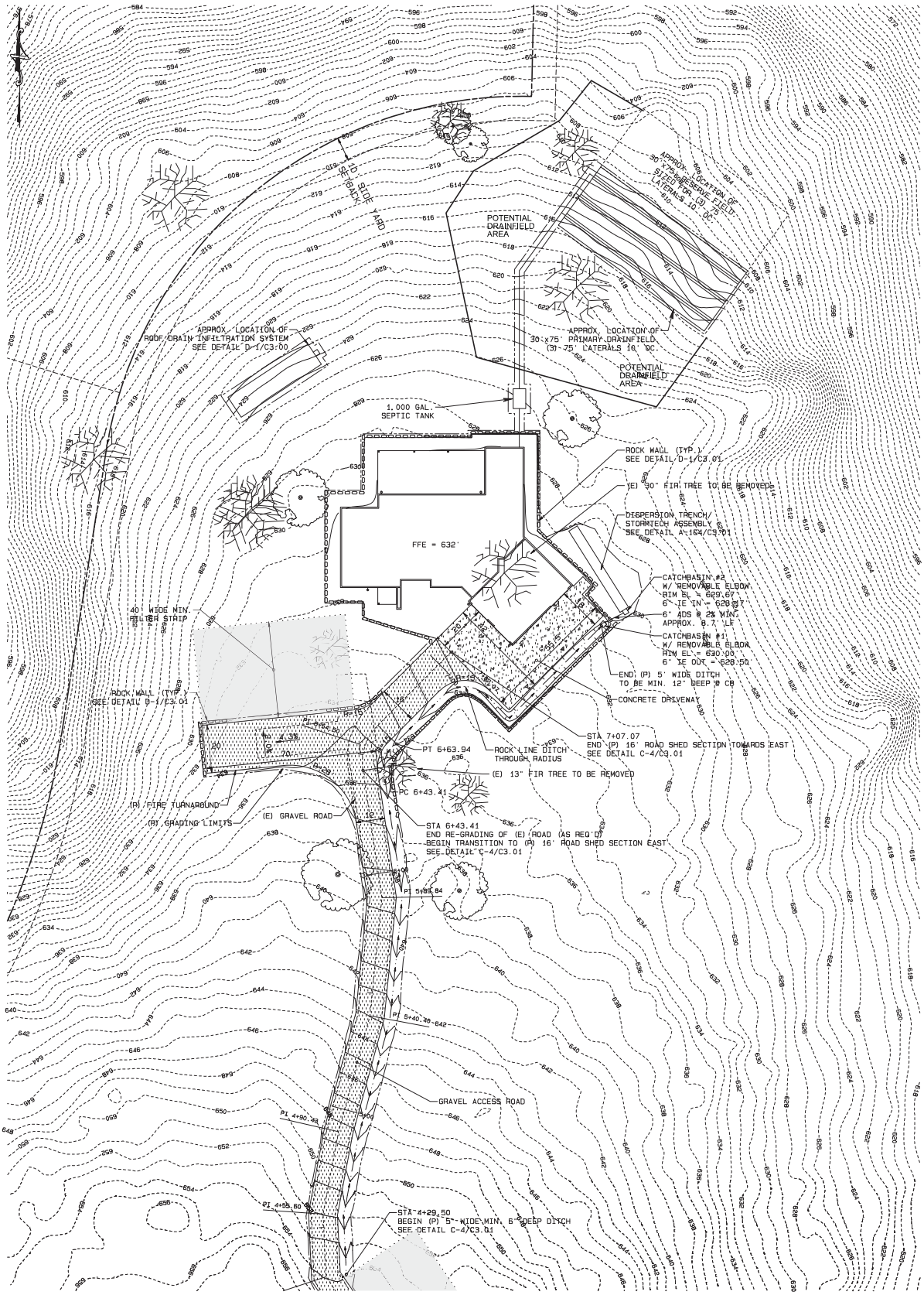
Exhibit A.21



D-6
C2.01

SITE PLAN - NORTH

SCALE 1" = 20'-0" CONTOURS AT 1 FOOT INTERVALS THIS LINE IS 1" LONG. IF THIS LINE IS NOT 1"LONG, ADJUST SCALE ACCORDINGLY

O:\2023\B331\23B331.pro

SHEET NO. C2.01 OF SHEETS

REGISTERED PROFESSIONAL ENGINEER 99684PE OREGON MARCH 08, 2022 RISTON ANDREWS EXPIRES: 12-31-25

JOB NO. 23B331
DATE 2/22/24
DRAWN BY RBA
CHECKED BY DAB
REVISIONS 1
DATE 4/4/24

SITE PLAN
KAMENKO RESIDENCE
CORBETT OREGON

BELL DESIGN CO.
Civil Engineering & Land Surveying
900 WEST STEUBEN STREET, P.O.B. 308, BINGEN, WA. 98605
PHONE (509) 493-3886 belldesigncompany.com

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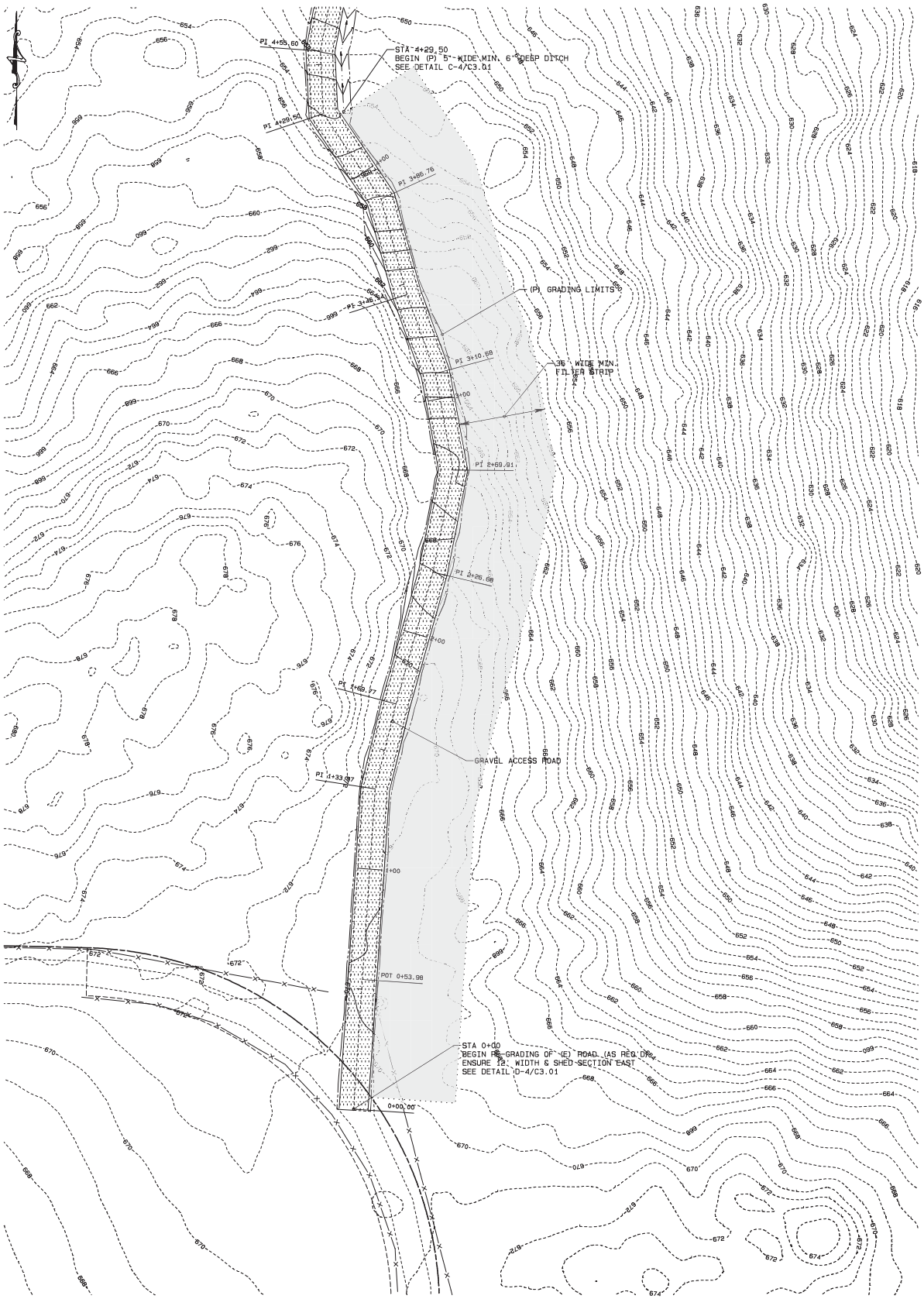

D-6
C2.02

SITE PLAN - SOUTH

SCALE 1" = 20'-0" CONTOURS AT 1 FOOT INTERVALS THIS LINE IS 1" LONG. IF THIS LINE IS NOT 1"LONG, ADJUST SCALE ACCORDINGLY

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SHEET NO. C2.02 OF SHEETS

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99681PE
OREGON
MARCH 08, 2022
RISTON ANDREWS
EXPIRES: 12-31-25

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REVISIONS
CHECKED BY DAB
DATE

JOB NO. 23B331
DATE 2/22/24
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CHECKED BY DAB
REVISIONS

SITE PLAN
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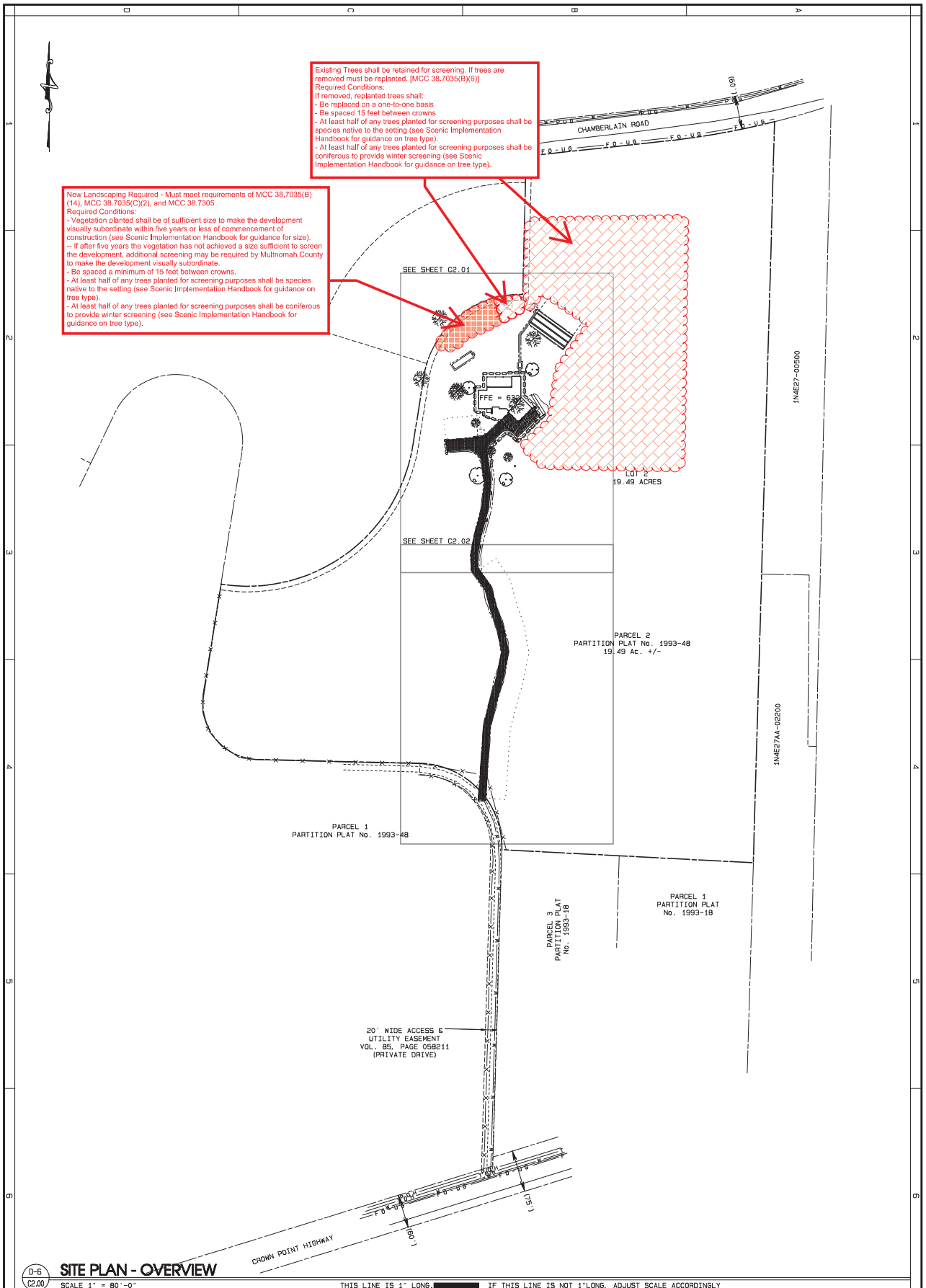
Exhibit S



Existing Trees shall be retained for screening. If trees are removed must be replanted. [MCC 38.7035(B)(6)]
Required Conditions:
If removed, replanted trees shall:
- Be replaced on a one-to-one basis
- Be spaced 15 feet between crowns
- At least half of any trees planted for screening purposes shall be species native to the setting (see Scenic Implementation Handbook for guidance on tree type).
- At least half of any trees planted for screening purposes shall be coniferous to provide winter screening (see Scenic Implementation Handbook for guidance on tree type).
New Landscaping Required - Must meet requirements of MCC 38.7035(B)(14), MCC 38.7035(C)(2), and MCC 38.7305
Required Conditions:
- Vegetation planted shall be of sufficient size to make the development visually subordinate within five years or less of commencement of construction (see Scenic Implementation Handbook for guidance for size).
-- If after five years the vegetation has not achieved a size sufficient to screen the development, additional screening may be required by Multnomah County to make the development visually subordinate.
- Be spaced a minimum of 15 feet between crowns.
- At least half of any trees planted for screening purposes shall be species native to the setting (see Scenic Implementation Handbook for guidance on tree type).
- At least half of any trees planted for screening purposes shall be coniferous to provide winter screening (see Scenic Implementation Handbook for guidance on tree type).
CHAMBERLAIN ROAD
SEE SHEET C2.01
FFE = 633
LOT 2
19.49 ACRES
SEE SHEET C2.02
PARCEL 2
PARTITION PLAT No. 1993-48
19.49 Ac. +/-
1N4E27-00500
1N4E27AA-02200
PARCEL 1
PARTITION PLAT No. 1993-48
PARCEL 1
PARTITION PLAT
No. 1993-18
PARCEL 3
PARTITION PLAT
No. 1993-18
20' WIDE ACCESS &
UTILITY EASEMENT
VOL. 85, PAGE 058211
(PRIVATE DRIVE)
CROWN POINT HIGHWAY
(60')
(75')
D-6
C2.00
SITE PLAN - OVERVIEW
SCALE 1" = 80'-0"
THIS LINE IS 1" LONG. IF THIS LINE IS NOT 1"LONG, ADJUST SCALE ACCORDINGLY
O:\2023\B331\23B331.pro
SITE PLAN
KAMENKO RESIDENCE
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PHONE (509) 493-3886 belldesigncompany.com
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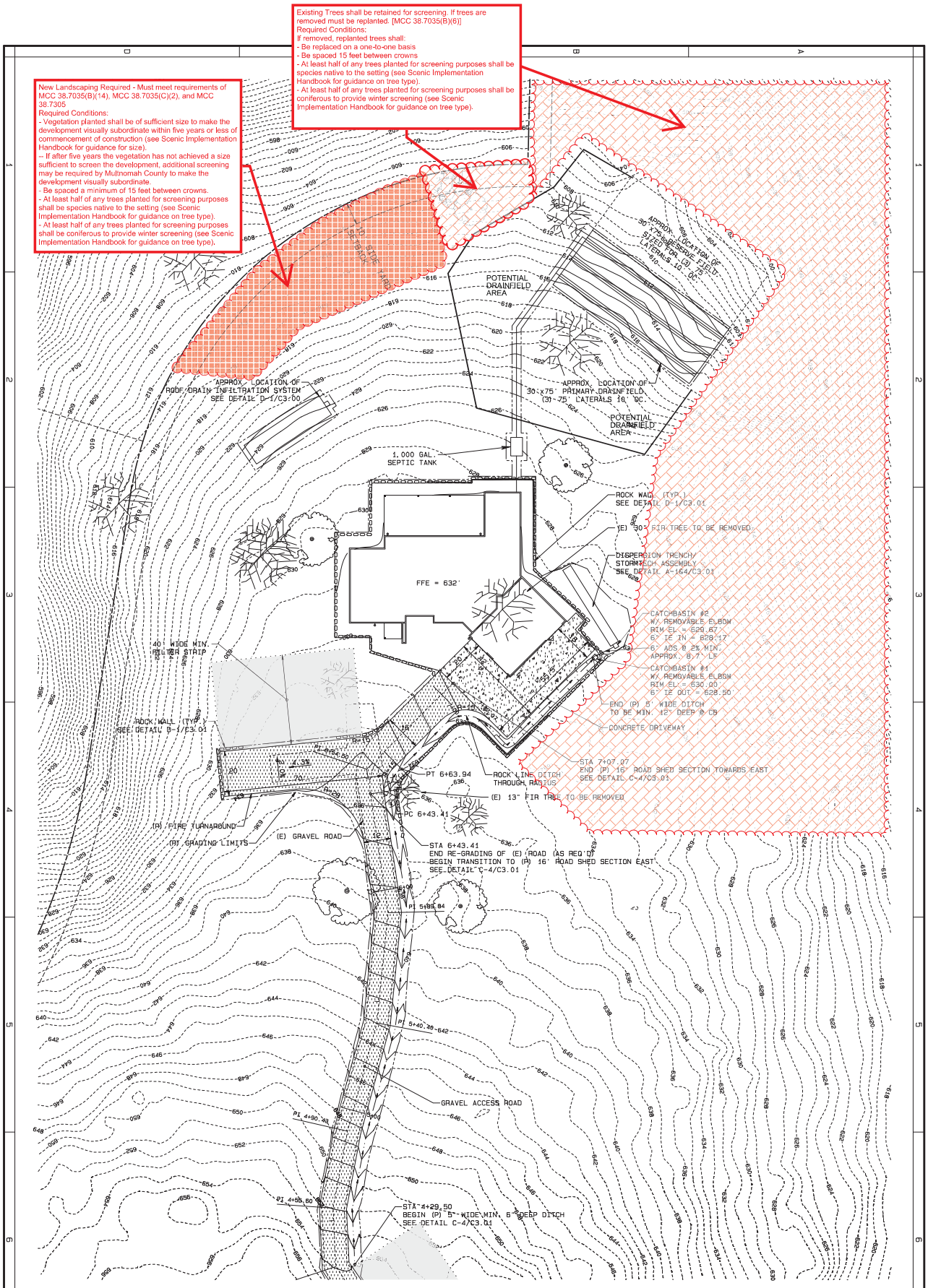
REVISIONS 1
DATE 4/4/24
SHEET NO. C2.00
EXPIRES: 12-31-25
REGISTERED PROFESSIONAL ENGINEER
99681PE
OREGON
MARCH 08, 2022
RISTON ANDREWS



D-6
C2.01

SITE PLAN - NORTH

SCALE 1" = 20'-0" CONTOURS AT 1 FOOT INTERVALS THIS LINE IS 1" LONG. IF THIS LINE IS NOT 1"LONG, ADJUST SCALE ACCORDINGLY

D:\2023\B331\239331.pro

SHEET NO. C201 OF 25 SHEETS

EXPIRES: 12/31/25

REGISTERED PROFESSIONAL ENGINEER — OREGON — MARCH 18, 2008 — 99681PE — ANDREW BRISTOW

DESIGNED BY: MBA 11/1/24
DRAWN BY: MBA 2/22/24
CHECKED BY: DATE
INITIALS DATE

JOB NO. 239331

SITE PLAN
KAMENKO RESIDENCE
CORBETT OREGON

BELL DESIGN CO.
Civil Engineering & Land Surveying
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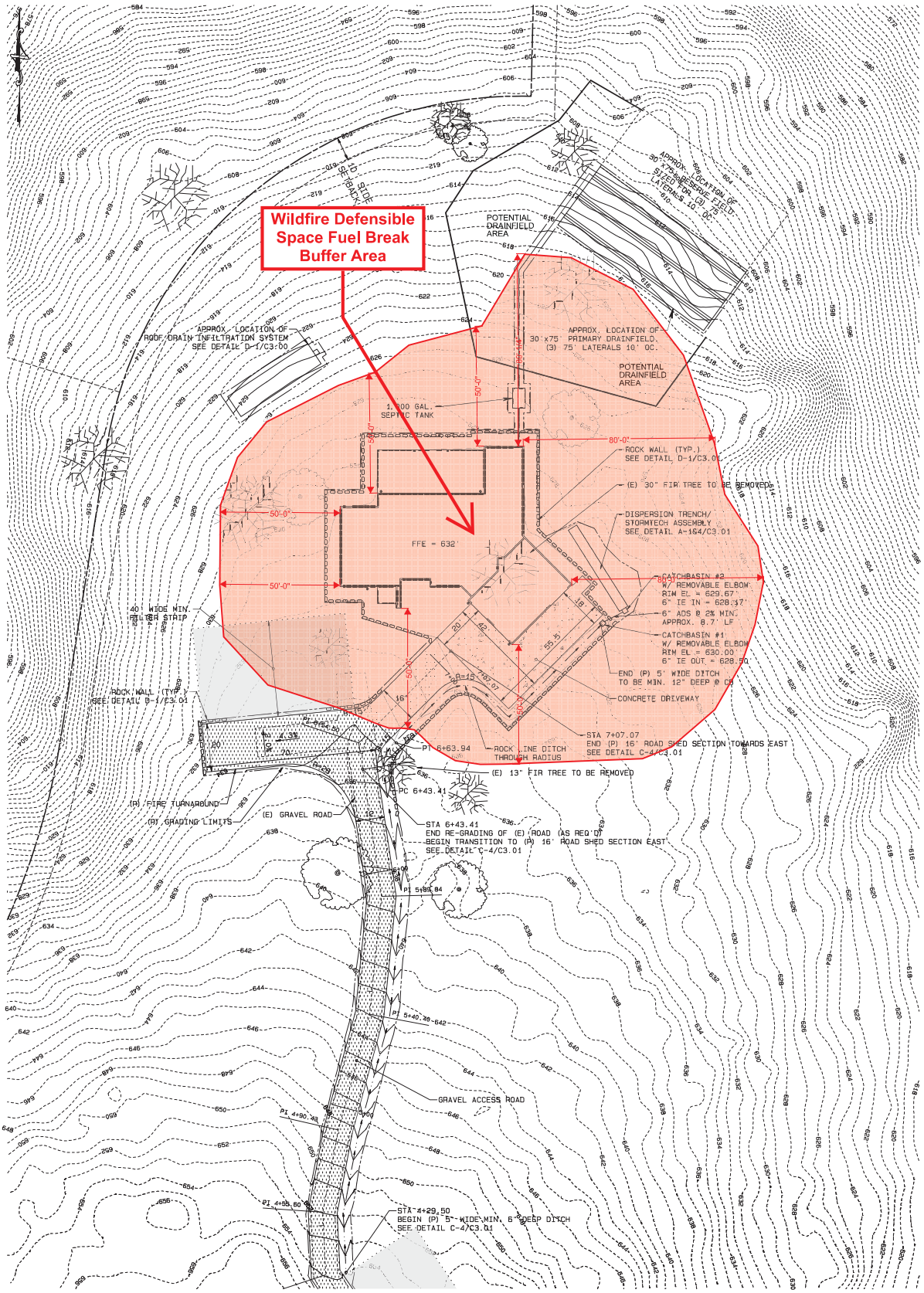

D-6
C2.01

SITE PLAN - NORTH

SCALE 1" = 20'-0" CONTOURS AT 1 FOOT INTERVALS THIS LINE IS 1" LONG. IF THIS LINE IS NOT 1"LONG, ADJUST SCALE ACCORDINGLY

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SHEET NO. C2.01 OF SHEETS

REGISTERED PROFESSIONAL ENGINEER 99681PE OREGON MARCH 18, 2022 RISTON ANDREWS EXPIRES: 12-31-25

JOB NO. 23B331
DATE 2/22/24
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SITE PLAN
KAMENKO RESIDENCE
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Exhibit B.11