NOTICE OF NSA DECISION



Instrument Number for Recording

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

Case File: T2-2024-0094 Applicant: Jarred Trapp

Proposal: Request for a National Scenic Area (NSA) Site Review for a new single-family dwelling,

conversion of a dwelling into an accessory building, conversion of an accessory building into an agricultural building ("barn"), removal of an accessory building ("shed"), new accessory structures [septic system (septic tank, piping, drainfield), stormwater drainage control system, and fencing], establishing areas of new cultivation, and private driveway.

Location: 38668 E Hist Columbia River Hwy, Corbett **Property ID** # R322811

Map, Tax lot: 1N4E36BD -00700 Alt. Acct. # R944360070

Base Zone: Gorge General Residential (GGR-10)

Overlays: None

Key Viewing Areas: Historic Columbia River Highway (including the Historic Columbia River

Highway State Trail), Larch Mountain (including Sherrard Point)

Landscape Setting: Pastoral and Rural Residential in Pastoral

Decision: Approved with Conditions

This decision is final at the close of the appeal period, unless appealed. The deadline for filing an appeal is Friday, December 19, 2025 at 4:00 pm.

Opportunity to Review the Record: The complete case file and all evidence associated with this application is available for review by contacting <u>LUP-comments@multco.us</u>. Paper copies of all documents are available at the rate of \$0.46/page.

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:



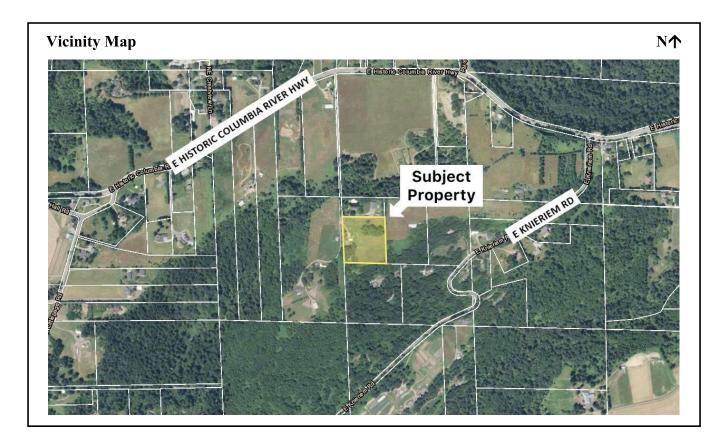
Digitally signed by Rithy Khut DN: cn=Rithy Khut, o=Multnomah County, ou=Department of Community Services, email=rithy.khut@multco.us, c=US

Rithy Khut, Senior Planner

For: Megan Gibb,

Planning Director

Date: Friday, December 5, 2025 Purposes: #2019-052221



Applicable Approval Criteria:

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

Administration and Procedures: MCC 38.0560 Code Compliance and Applications

Gorge General Residential (GGR-10): MCC 38.3025(A)(1) One single-family dwelling per legally created and existing parcel, MCC 38.3025(A)(2) Accessory structures..., MCC 38.3025(A)(3) Accessory building(s)..., MCC 38.3025(A)(6) New cultivation..., MCC 38.3025(A)(11) Agricultural structures..., MCC 38.3025(A) (12) - Agricultural buildings..., MCC 38.3060 Dimensional Requirements, MCC 38.3090 Access

NSA Site Review Criteria: MCC 38.7015 Application for NSA Site Review, 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 38.7340 Agricultural Buildings

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

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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 <u>two (2) years</u> of the date of the final decision when construction has not commenced. [MCC 38.0690(B)]
 - i. For the purposes of 1.a, commencement of construction shall mean actual construction of the foundation of the approved structure, 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 <u>LUP-submittals@multco.us</u> with the case no. T2-2024-0094 referenced in the subject line. [MCC 38.0660(A)]
 - b. Within <u>two (2) years</u> of the date of commencement of construction when the structure, a 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 <u>LUP-submittals@multco.us</u> with the case no. T2-2024-0094 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. [MCC 38.0660(A) & (B)]
 - b. Record pages 1 through 7 and Exhibits A.3 (Sheet A0.0, A2.1, A4.1, and A9.1), A.9 through A.11, and B.7 of this Notice of Decision with the County Recorder. The Notice of Decision shall run with the land. Proof of recording shall be made prior to the issuance of

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- 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 that states that the owner understands and agrees that the accessory building labeled as a "(E) Accessory Structure" in Exhibit A.9 cannot be occupied as a dwelling or for any other form of permanent or temporary residential use. [MCC 38.3025(A)(3)]
- d. Prepare a new floor plan showing that the existing dwelling that will be converted into an accessory building does not contain:
 - i. Cooking facilities such as a range, stove, oven, hotplate, microwave, or similar appliances.
 - ii. Sink(s) greater than 2 square feet in size.
 - iii. Natural gas connections, 220-volt hookups, and dishwasher within 25 feet of a sink.
 - iv. Closets built into a wall in rooms identified as "bedroom" as shown in Exhibit A.9. [MCC 38.3025(A)(3)]
- e. Prepare a new exterior lighting plan that uses a light fixture that is shielded and hooded. The exterior lighting shall be sited in a location that prevents the lights from being highly visible from Key Viewing Areas and from noticeably contrasting with the surrounding landscape. The lighting shall also be directed downward, limited in intensity, shielded, and hooded. [MCC 38.7035(B)(9)]
- f. Submit for a permit or other authorization to the Oregon Department of Transportation (ODOT). [MCC 38.3090]
- 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 other documents as required in Condition 3.a through 3.e.
 - b. Provide a permit or other authorization demonstrating that the proposal 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 38.3090]
 - c. Submit an Agricultural Building application for the agricultural building ("barn"). [MCC 38.0560, MCC 38.3025(A)(12), and MCC 38.7340]
 - 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 final design plans of the single-family dwelling.
 - i. The exterior lighting plan shall show the use of a light fixture that is sited in a location that prevents the lights from being highly visible from Key Viewing Areas and from noticeably contrasting with the surrounding landscape. The lighting fixture shall be directed downward, limited in intensity, shielded, and hooded. [MCC 38.7035(B)(9)]
 - ii. The exterior surfaces of the dwelling and exterior lighting shall be as described and shown in Exhibits A.8, A.9, A.13 through A.17, and A.23. [MCC 38.7035(B)(1)-(2) and (B)(8)-(10)]

- iii. Any 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*.
 - 1. If changes to the materials used for the exterior are proposed the materials shall be composed of non-reflective materials or materials with low reflectivity.
 - 2. If changes to the exterior colors of the dwelling are proposed the color shall match Row A, B, or C in the *Scenic Resources Implementation Handbook*.

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

- 5. **Prior to and during construction**, the property owner(s) or their representative shall:
 - a. Put into action the following procedures, if any Cultural Resources and/or Archaeological Resources are located or discovered on the property during this project, including but not limited to finding any evidence of historic campsites, old burial grounds, implements, or artifacts. Additionally, all survey and evaluation reports and mitigation plans shall be submitted to the Planning Director and the SHPO. Native American tribal governments shall also receive a copy of all reports and plans if the cultural resources are prehistoric or otherwise associated with Native Americans.:
 - i. Halt Construction All construction activities within 100 feet of the discovered cultural resource shall cease. The cultural resources shall remain as found; further disturbance is prohibited.
 - ii. Notification The project applicant shall notify the County Planning Director and the Gorge Commission within 24 hours of the discovery. If the cultural resources are prehistoric or otherwise associated with Native Americans, the project applicant shall also notify the Native American tribal governments within 24 hours. Procedures required in MCC 38.7045(L) shall be followed.
 - iii. Survey and Evaluation The Gorge Commission will survey the cultural resources after obtaining written permission from the landowner and appropriate permits from Oregon State Historic Preservation Office (SHPO) (see ORS 358.905 to 358.955). It will gather enough information to evaluate the significance of the cultural resources. The survey and evaluation will be documented in a report that generally follows the standards in MCC 38.7045(C)(2) and MCC 38.7045(E).
 - iv. Mitigation Plan Mitigation plans shall be prepared according to the information, consultation, and report standards of MCC 38.7045(J). Construction activities may recommence when the conditions in the mitigation plan have been executed. [MCC 38.7050(H)]
 - b. Put into action the following procedures, if human remains are discovered during excavation or construction (human remains means articulated or disarticulated human skeletal remains, bones, or teeth, with or without attendant burial artifacts):
 - i. Halt Activities All survey, excavation, and construction activities shall cease. The human remains shall not be disturbed any further.
 - ii. Notification Local law enforcement officials, the Multnomah County Planning Director, the Gorge Commission, and the Native American tribal governments shall be contacted immediately.

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- 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 97.740 to 97.760.
- vi. If the human remains will be reinterred or preserved in their original position, a mitigation plan shall be prepared in accordance with the consultation and report standards of MCC 38.7045(I).
- vii. The plan shall accommodate the cultural and religious concerns of Native Americans. The cultural resource protection process may conclude when the conditions set forth in the standards of MCC 38.7045(J) are met and the mitigation plan is executed. [MCC 38.7050(H)]
- 6. Within three (3) months of the completion of the single-family dwelling or prior to occupancy of the new single-family dwelling, the property owner(s) or their representative(s) shall:
 - a. Provide photographic evidence that the existing dwelling labeled as "(E) Accessory Structure" as shown in Exhibit A.9 has been converted into accessory building as required in Condition 3.d above. Photographs shall be sent to <u>LUP-submittals@multco.us</u> with the case no. T2-2024-0094 referenced in the subject line. [MCC 38.0660(A) and MCC 38.3025(A)(3)]
- 7. **As an on-going condition**, the property owner(s) shall:
 - a. Be responsible for the proper maintenance and survival of planted trees as shown in Exhibit B.7. If trees are removed due to death, disease, or safety purposes (i.e. to prevent or mitigate significant loss or damage to life, health, property, or essential public services), they shall be replaced at a ratio of 1:1 with a similar species that meets the requirements outlined in the *Scenic Resources Implementation Handbook Recommended Plant List*. Replacement of such trees that do not survive shall be replaced in the next growing season. [MCC 38.7035(A)(4); MCC 38.7035(B)(2), (5), and (6); and MCC 38.7035(C)(4)]
 - b. Not alter or install the following features in the accessory building labeled as "(E) Accessory Structure" as shown in Exhibit A.9: Cooking facilities, closet(s) built into a wall, natural gas connections, 220-volt hookups, a dishwasher without first obtaining a Land Use Planning approval. A mattress, bed, Murphy bed, cot, or any other similar item designed to aid in sleep as a primary purpose may be stored if it is disassembled for storage. [MCC 38.3025(A)(3)]
 - c. Direct all exterior lighting downward such that it is not highly visible from Key Viewing Areas and from noticeably contrasting with the surrounding landscape setting. The exterior lighting fixtures shall be limited in intensity. Shielding and hooding shall be composed of non-reflective and opaque materials. [MCC 38.7035(B)(2) & (9)]

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.

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- 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.

ORS Chapter 215 requires that if you receive this notice it must be promptly forwarded to the purchaser.

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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 for a new single-family dwelling, conversion of a dwelling into an accessory building, conversion of an accessory building into an agricultural building ("barn"), removal of an accessory building ("shed"), and new accessory structures [septic system (septic tank, piping, drainfield), stormwater drainage control system, and fencing], establishing areas of new cultivation, and private driveway.

2.0 Property Description & History:

Staff: This application is for 38668 E Hist Columbia River Hwy, Corbett ("subject property") The subject property is located on the south of E Hist Columbia River Hwy along an access easement private driveway in unincorporated east Multnomah County. The subject property is located outside of Metro's Urban Growth Boundary (UGB). The subject property is zoned Gorge General Residential (GGR-10) and has no overlays.

The subject property is occupied by a single-family dwelling and two (2) "farm buildings" according to the County Assessor The dwelling was first assessed in 1991 and the property is approximately 5.09 acres in size. Aerial photos from 2025 show four (4) buildings/structures (Exhibit B.3). These are the previous land use/building permits associated with the property.

Permit No.	Date	Description
C89-0137-M-G-11	July 31, 1989	New Single-family dwelling
N/A	August 16, 1989	New single-family dwelling
SEC 13-90	September 4, 1989	Placement of a manufactured dwelling
MC-725	September 19. 1990	Placement of a manufactured dwelling
N/A	February 15, 1991	Agricultural Building Registration
T2-2024-0014	May 17, 2024	Parcel Determination

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.7). Staff did receive comments during the 21-day comment period and did receive comments regarding Cultural Resources during the 30-day comment period.

3.1 Email from Melissa Gonzalez, Associate Transportation Planner, Oregon Department of Transportation (ODOT) (Exhibit D.1)

Staff: Melissa Gonzalez submitted an email on November 19, 2024 on behalf of the Oregon Department of Transportation (ODOT). The email stated that ODOT has no concerns.

3.2 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.2)

Staff: Luciano Legnini sent a Cultural Resource Survey Determination on behalf of the USFS on November 25, 2024. The Survey stated that, "A Cultural Resource Survey is: Not Required" and "A Historic Survey is: Not Required."

3.3 Letter from Mackenzie Aamodt, NSA Land Use Planner on behalf of the Columbia River Gorge Commission (Exhibit D.3)

Staff: Mackenzie Aamodt submitted a letter on December 6, 2024 on behalf of the Columbia River Gorge Commission (CRGC). The letter contained comments intended to identify application requirements for existing uses, accessory buildings, and agricultural buildings. They request that that the applicant clarify their proposal.

3.4 Email and Letter from Melissa Gonzalez, Associate Transportation Planner, Oregon Department of Transportation (ODOT) (Exhibit D.4)

Staff: Melissa Gonzalez submitted an email and letter on May 27, 2025 on behalf of the Oregon Department of Transportation (ODOT). The email and letter stated that ODOT will require the existing access to be upgraded to current ODOT standards.

3.5 Letter from Mackenzie Aamodt, NSA Land Use Planner on behalf of the Columbia River Gorge Commission (Exhibit D.5)

Staff: Mackenzie Aamodt submitted a letter on May 28, 2025 on behalf of the Columbia River Gorge Commission (CRGC). The letter contained the same comments from the December 6th Letter.

3.6 Letter from Steven D. McCoy, Staff Attorney, Friends of the Columbia Gorge (Exhibit D.6)

Staff: Steven D. McCoy submitted a letter on May 30, 2025 on behalf of the Friends of the Columbia Gorge ("Friends"). 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.

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:
 - (1) It results in the property coming into full compliance with all applicable provisions of the Multnomah County Code. This includes sequencing of permits or other approvals as part of a voluntary compliance agreement; or
- (B) For the purposes of this section, Public Safety means the actions authorized by the permit would cause abatement of conditions found to exist on the property that endanger the life, health, personal property, or safety of the residents or public. Examples of that situation

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include but are not limited to issuance of permits to replace faulty electrical wiring; repair or install furnace equipment; roof repairs; replace or repair compromised utility infrastructure for water, sewer, fuel, or power; and actions necessary to stop earth slope failures.

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

This standard 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.

As such, an applicant has no initial burden to establish that all elements of the subject property are in full compliance with the Zoning Code and all previously approved permits; instead, in the event of evidence indicating or establishing one or more specific instances of noncompliance on the subject property, the applicant bears the burden to either rebut that evidence or demonstrate satisfaction of one of the exceptions in MCC 38.0560.

Staff identified one code compliance issue relating to two (2) buildings/structures that were not previously reviewed by the County. Staff described these issues during a pre-file meeting, PF-2022-16007 on September 29, 2022 (Exhibit B.4).

The applicant responded by submitting this application for review of a National Scenic Area (NSA) Site Review to establish an agricultural use, areas of new cultivation, and legalization of the various buildings/structures. This application, a Type II application, is the first part of a sequencing of permits needed to resolve the code compliance issues relating to non-permitted development. In completing the required Conditions of Approval, the applicant will return the subject property into full compliance with Multnomah County Code. *As conditioned, 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 property was found to be a Parcel in land use case no. T2-2024-0014. As found, the property was legally created and separately described by deed prior to November 17, 1986 and complied with all planning, zoning, and land division ordinances or regulations applicable at the time of creation. The property has not been reconfigured since issuance of T2-2024-0014; therefore, the property remains a "Parcel" as defined in MCC 38.0015. *Criterion met*.

6.0 Existing Uses and Discontinued Uses Criteria:

6.1 § 38.0030 EXISTING USES AND DISCONTINUED USES

(A) Right to Continue Existing Uses and Structures: Any existing use or structure may continue so long as it is used in the same manner and for the same purpose, except as otherwise provided.

* * *

(D) Changes to Existing Uses and Structures: Except as otherwise provided, any change to an existing use or modification to the exterior of an existing structure shall be subject to review and approval pursuant to this Management Plan.

* * *

Staff: The proposal includes two (2) existing buildings: a dwelling and an accessory building. The dwelling will be converted into an accessory building and the accessory building will be converted into an agricultural building. The two buildings were originally reviewed in 1990/1991. The buildings have not been discontinued as they are still present; however, as required above, the change of use for the buildings is subject to review and approval to this Management Plan, including, but not limited to, guidelines for land use designations and scenic, cultural, recreation and natural resources. The buildings, however are not subject to compliance with setbacks or buffers as no alteration of the footprint of the buildings are proposed. Applicable policies, guidelines, and Multnomah County Code requirements are discussed below.

7.0 Agricultural Buffer Zones Criteria:

7.1 § 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	Natural or created	8 foot berm or								
	fenced	vegetation barrier	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.
- (B) Earth berms may be used to satisfy, in part, the setbacks. The berm shall be a minimum of 8 feet in height, and contoured at 3:1 slopes to appear natural. Shrubs, trees and/or grasses shall be employed on the berm to control erosion and achieve a finished height of 15 feet.
- (C) The planting of a continuous vegetative screen may be used to satisfy, in part, the setback standards. Trees shall be at least 6 feet high when planted and reach an ultimate height of at least 15 feet. The vegetation screen shall be planted along the appropriate parcel line(s), and be continuous.
- (D) The necessary berming or planting must be completed during the first phase of development and maintained in good condition.
- (E) If several crops or crop rotation is involved in the adjacent operation, the greater setback shall apply.
- (F) A variance to buffer setbacks may be granted upon a demonstration that the standards of MCC .0065 have been satisfied.

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*.

8.0 Gorge General Residential (GGR-10) Criteria:

8.1 § 38.3025 REVIEW USES

- (A) The following uses may be allowed on lands designated GGR, pursuant to MCC 38.0530 (B) and upon findings that the NSA Site Review standards of MCC 38.7000 through 38.7085 have been satisfied:
 - (1) One single-family dwelling per legally created and existing parcel.
 - (a) If the subject parcel is located adjacent to lands designated GGA or GGF, the use shall comply with the buffer requirements of MCC 38.0060; and

(b) If the subject parcel is located is adjacent to lands designated GGF, the placement of a dwelling shall also comply with the fire protection standards of MCC 38.7305.

Staff: The applicant is requesting a new single-family dwelling to replace the existing dwelling on the property. The existing dwelling will be converted into an accessory building. As discussed in Section 5.0 the dwelling will be located on a legally created and existing parcel. As required, the applicant will need to demonstrate compliance with MCC 38.0060 as the property is located adjacent to lands designated GGA. Those standards were discussed in Section 7.0. The dwelling will also be required to obtain an NSA Site Review to ensure the standards of MCC 38.7000 through 38.7085 are satisfied. Those standards are discussed in Section 9.0.

(2) Accessory structures for an existing or approved dwelling that are not otherwise allowed outright, eligible for the expedited development review process, or allowed in (3) below.

Staff: The applicant is requesting review of accessory structures, which include a septic system (septic tank, piping, and drainfield), stormwater drainage control system. The development is subject to the NSA Site Review standards which are discussed in Section 9.0.

- (3) Accessory building(s) larger than 200 square feet in area or taller than 10 feet in height for a dwelling on any legal parcel are subject to the following additional standards:
 - (a) The combined footprints of all accessory buildings on a single parcel shall not exceed 1,500 square feet in area. This combined size limit refers to all accessory buildings on a parcel, including buildings allowed without review, existing buildings and proposed buildings.
 - (b) The height of any individual accessory building shall not exceed 24 feet.

Staff: The applicant is requesting review of the conversion of the existing dwelling into an accessory building and removal of one existing accessory building ("shed"). The remaining accessory building is approximately 1,350 square feet in size (Exhibit A.8 and A.9). The total height of the building is approximately 13 feet and has not been changed from when it was reviewed as part of SEC-13 and MC-725 (Exhibit A.10).

As required above in MCC 38.2025(A)(1) only one single-family family dwelling is permitted in this zone. The applicant is proposing to convert the existing dwelling into an accessory building. The conversion will require internal alterations to ensure that the dwelling unit is removed and only one single-family dwelling is located on the property. As defined in MCC 38.0015, a dwelling unit is:

"A single self-contained unit with minimum facilities for meeting the needs of daily living. Such facilities shall include, but are not limited to, a food preparation area or kitchen, sleeping area, and a bathroom consisting of a toilet, hand washing basin and shower and/or bathtub."

To ensure that only one dwelling unit exists on the property, conditions will be required, which include:

1. Limiting the ability of the property owner to use the accessory building, whether temporarily or permanently, as a primary dwelling, accessory dwelling unit, apartment, guesthouse, housing rental unit, sleeping quarters or any other residential use;

- 2. Recording of a covenant with County that states that the owner understands and agrees that the structure cannot be occupied as a dwelling or for any other form of permanent or temporary residential use;
- 3. Removal of the cooking facilities such as a range, stove, oven, hotplate, microwave, or similar appliances.
- 4. Removal of any gas connections, 220-volt hookups, and dishwasher;
- 5. Removal of closets built into a wall in rooms identified as "bedroom" as shown in Exhibit A.9; and
- 6. If a mattress, bed, Murphy bed, cot, or any other similar item designed to aid in sleep as a primary purpose is in the workshop, it shall be disassembled for storage.

If the property owner wishes to add features not outlined in this Decision, they will be required to first obtain the necessary land use approvals.

Lastly, the development is subject to the NSA Site Review standards which are discussed in Section 9.0. *As conditioned, criteria met.*

* * *

(6) New cultivation, subject to compliance with MCC 38.7045, 38.7053, 38.7065 and 38.7070.

Staff: The applicant is requesting review of areas of new cultivation. The areas are described as Orchard and Gated Pasture (Exhibit A.9). As it has not been shown that the areas of land have been previously cultivated, those areas are subject to compliance with MCC 38.7045, 38.7053, 38.7065, and 38.7070 as discussed in Section 9.0.

* * *

(11) Agricultural structures in conjunction with agricultural use, including new cultivation.

Staff: The applicant is requesting review of an accessory structure ("gated pasture fencing"). The fencing is located on the south of the existing dwelling that will be converted into an accessory build (Exhibit A.8 and A.9). The fencing will be woven-wire that is less than 6 feet in height. The development is subject to the NSA Site Review standards, which are discussed in Section 9.0.

(12) Agricultural buildings in conjunction with current agricultural use and, if applicable, proposed agricultural use that a landowner would initiate within one year and complete within five years, subject to MCC 38.7340.

Staff: The applicant is requesting review of an agricultural building ("barn"). The existing building was originally an agricultural building that was converted into an accessory building. The applicant is requesting that it be converted back into an agricultural building. To ensure that the buildings are properly reviewed, a condition will be required that the agricultural buildings be registered. The development is subject to the NSA Site Review standards, which are discussed in Section 9.0 and Special Uses Approval Criteria, which are discussed in Section 10.0. *As conditioned, criterion met.*

* * *

8.2 § 38.3060 DIMENSIONAL REQUIREMENTS

* * *

(C) Minimum Yard Dimensions – Feet

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Front	Side	Street Side	Rear
30	10	30	30

Maximum Structure Height – 35 feet Minimum Front Lot Line Length – 50 feet.

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

Staff: The front yard is western property line that is located adjacent and along the access easement. The rear being eastern line that is opposite front 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. All the buildings are more than 30 from the lot lines (Exhibit A.9). The fence is an accessory structure is less than 6 feet in height, which allows it to be in the yard. The remaining accessory structures are all less than 30 inches above the ground. The elevation plans for the buildings show they are all less than 35 feet in height (Exhibit A.3, A.10, and A.11). *Criteria met*.

8.3 § 38.3090 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 road. The access easement road abuts E. Historic Columbia River Highway, which is a road under the jurisdiction of the Oregon Department of Transportation (ODOT). ODOT indicated that the existing access will need to be upgraded to current ODOT standards. A condition will be required that prior to submitting Building Plans for Zoning Review, a permit or other authorization demonstrating compliance with ODOT standards be sought and that the permit be submitted at the time of Zoning Review. *As conditioned, criterion met*.

9.0 National Scenic Area (NSA) Site Review Criteria:

9.1 § 38.7035 GMA SCENIC REVIEW CRITERIA

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

Staff: As discussed in Section 4.0, 6.0, and 7.0, this application involves changes to existing and proposed Review Uses. Staff addresses relevant GMA Scenic Review Criteria below.

9.1.1 (A) All Review Uses and Conditional Uses:

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

Staff: The new single-family dwelling, accessory structures, and private driveway will require grading activities. The applicant's plans indicate approximately 8,000 square feet of ground disturbance will occur (Exhibit A.9). The areas of grading for the new building and structures are in a flat area that is currently being used as a field area for grazing, pasturing, and haying (Exhibit

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- B.5). In using these areas on the property, grading will be minimized and the existing topography will be retained. *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 other two existing buildings are not required to be reviewed as they are less than 1,500 square feet.

The analysis compares other dwellings within ¼ mile radius of the property in the same GGR zoning designation. Using those search parameters there are 10 properties that contain 11 dwellings. The study area results in an average square footage of 2,001 sq. ft.; with a minimum of 1,176 sq. ft. and a maximum of 2,744 sq. ft. (Exhibit B.6). No buildings were significantly larger in size. As proposed the new dwelling will be 2,432 sq. ft., which is within one standard deviation and can be considered as within the range of similar buildings in the study area. *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. The vehicular access point was constructed as early as 1991, when the property was developed with a new dwelling. *Criterion met*.

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

Staff: As discussed below, vegetation is required to be retained as part of this application as shown in Exhibit B.7; therefore, a condition will be required that the landowners shall be

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responsible for the proper maintenance and survival of any required vegetation. As conditioned, criterion met.

* * *

9.1.2 (B) All Review Uses and Conditional Uses topographically visible from Key Viewing Areas:
(1) Each development shall be visually subordinate to its setting as visible from Key Viewing Areas. New development shall be sited to achieve visual 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 is in an area that are potentially topographically visible from the following KVAs: Historic Columbia River Highway (including the Historic Columbia River Highway State Trail), Larch Mountain (including Sherrard Point). The development will need to meet the "visually subordinate" standard. As defined, 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 portions of the Historic Columbia River Highway (including the Historic Columbia River Highway State Trail) due to topographical features and not topographically visible from Larch Mountain (including Sherrard Point) due to both topography and distance.

Contours and digital elevation models show that between the proposed dwelling and the highway to the north, there is a small ridge that obscures the development (Exhibit B.5). However, looking from the highway eastwards towards the property, the development is potentially topographically visible. From Larch Mountain and Sherrard Point, while at elevation of over 4,000 feet, there is a significant distance of over 8.45 miles from the development. In consideration of these factors, 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 east and west. The applicant has provided a narrative and plans describing and showing siting and design consideration for the development. The site plan also shows vegetation that will be retained. Additionally, material samples and building materials were provided. In totality, the application materials that have been provided reduce the potential visual impact of the development; however, various conditions of approval 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 a mix of heavily forested areas and farmland. The impact of this development and potential future development is minor as this property is already developed. After the dwelling is constructed, no other dwelling would be allowed on the property. 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 design of the single-family dwelling (Exhibit A.2, A.3, A.8-A.11, A.13-A.17, A.22, and 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 building site for the dwelling utilizes an area that is generally flat that is vegetatively screen from the nearest KVA, Historic Columbia River Highway (including the Historic Columbia River Highway State Trail) to the north (Exhibit B.5). The other KVA, Larch Mountain (including Sherrard Point) is at a distance that reduces visibility using existing topography and vegetation. A condition will be required that existing vegetation will be required to be retained as shown in Exhibit B.7. *As conditioned, criterion met*.

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(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 an area of "heavily forested area" north of the proposed dwelling. A condition will be required that trees in that area as shown in Exhibit B.7 be retained for screening purposes. Additionally, if trees are removed due to death, disease, or to prevent an emergency/disaster (as defined) then for each tree removed at least one tree shall be planted as a replacement. If more than one tree is removed, for all newly planted trees at least half of any trees planted for screening purposes shall be coniferous to provide winter screening. Lastly, at least half of any trees planted shall be species native to the Rural Residential in Pastoral landscape setting and meet the minimum recommended sizes outlined in *Building in the Scenic Area: Scenic Resources Implementation Handbook* for tree plantings (based on average growth rates expected for recommended species). *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 property already contains a private driveway. The driveway will be extended along approximately 100 feet to the new dwelling. The driveway extension begins at an elevation of 843 feet and ends at an elevation of 850 feet over the span of approximately 260 feet. The slope is approximately 2.6%, which reduces the need for cut banks and fill slopes (Exhibit A.9 and B.5). Lastly, the development of the dwelling is in an area of relative gentle slope that is more than 0.30 miles from the nearest 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, and material samples to show that the exterior of the single-family dwelling. The exterior surfaces of the dwelling as described and shown in Exhibit A.3, A.8, and A.23 are as follows:

- Siding Fiber cement Board and Batten
- Roof Metal treated with a permanent flexible coating
- Windows Jeld-Wen V-2500 Series White Vinyl Picture Window w/ Low-E 336 glass
- Doors Vinyl

Further, the architectural plans show no continuous surfaces of glass windows with the rendering showing a low-profile dwelling that is a mixture of board and batten siding, windows, and doors. 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 a description of the exterior lighting. The exterior lighting located on each side of the garage doors and one by the front door (Exhibit A.8). The exterior light will be a Ulmston 1 Light Outdoor Wall Sconce Barn Light (Exhibit A.22). As designed the proposed light fixture is not shielded or hooded. Therefore, a condition will be required that when submitting building plans for Zoning Plan Review, a new lighting plan be provided 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.2, A.3, A.8, A.16, and A.17 will be a mixture of slate blue, natural cedar, and charcoal. The slate blue is Sherwin-Williams Charcoal Blue (SW2739) and the charcoal is Sherwin-Williams Iron Ore (SW7069). The proposed color match the dark earth tones found 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 along Louden Road to the south of the dwelling that ensures that the silhouette of the building is below the skyline. *Criterion met*.

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

* * *

Staff: As discussed above in MCC 38.7035(B)(1), (2), (5) and (6), the potential visual impact of the new development will not require new landscaping to screen the development from the KVA to the north as there is existing vegetation. Additionally, the applicant is utilizing various other means to make the development visually subordinate from the KVA; therefore, these criteria are not applicable. *Criteria not applicable*.

(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 in Section 6.0, the subject property is not located on land designated GGF-80, GGF-40, or GGF-20; therefore, this criterion is not applicable. *Criterion not applicable*.

(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

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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.5). *Criterion met*.

* * *

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

(1) Pastoral

Staff: The conversion of a dwelling into an accessory building, conversion of an accessory building into an agricultural building ("barn"), removal of an accessory building ("shed"), accessory structures (septic system including septic tank, piping, and drainfield, stormwater drainage control system, and fencing) and a portion of the private driveway is in the Pastoral landscape setting.

(a) Accessory structures, outbuildings and accessways shall be clustered together as much as possible, particularly towards the edges of existing meadows, pastures and farm fields.

Staff: The conversion of a dwelling into an accessory building and conversion of an accessory building into an agricultural building ("barn") and accessory structures (septic system including septic tank, piping, and drainfield, stormwater drainage control system, and fencing) are adjacent to each other (Exhibit A.9). They are located at the edge of the existing meadow/pasture on the property (Exhibit B.3 and B.5). *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:

Staff: The applicant is not proposing new development or expansion of existing development. The applicant is proposing to convert uses within existing buildings; therefore, these criteria are not applicable. *Criteria not applicable*.

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

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*.

(4) Rural Residential in Conifer Woodland or Pastoral

Staff: The new single-family dwelling and a portion of the private driveway is in the Rural Residential in Pastoral landscape setting.

(a) New development in this setting shall meet the design standards for both the Rural Residential setting and the more rural setting with which it is combined (either Pastoral or Coniferous Woodland), unless it can be demonstrated that compliance with the standards for the more rural setting is

impracticable. Expansion of existing development shall comply with this standard to the maximum extent practicable.

(b) In the event of a conflict between the standards, the standards for the more rural setting (Coniferous Woodland or Pastoral) shall apply, unless it can be demonstrated that application of such standards would not be practicable.

Staff: The new development will need to meet both the Rural Residential and the Pastoral setting. As was discussed the Pastoral setting requires accessory structures, outbuildings and accessways be clustered. As the more rural setting, that development is clustered towards the edge of existing meadows, pastures, and farm fields. The second standards relating to trees and vegetation are generally similar as there is no additional vegetative landscaping required. The development will be required to retain trees as shown in Exhibit B.7 for screening purposes. The more rural setting requires that for all newly planted trees, at least half of any trees planted for screening purposes shall be either a species native to the setting or a species identified in the *Scenic Resources Implementation Handbook* as appropriate for the area. Further at least half of the trees planted for screening purposed shall be coniferous to provide winter screening. Lastly, as trees planted shall meet guidelines outlined in the *Scenic Resources Implementation Handbook - Recommended Plant List* for minimum recommended sizes for tree plantings (based on average growth rates expected for recommended species). *As conditioned, criterion met*.

(c) Compatible recreation uses should be limited to very low and low-intensity resource-based recreation uses, scattered infrequently in the landscape.

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*.

- 9.1.4 (D) All Review Uses and Conditional Uses within scenic travel corridors:
 - (1) For the purposes of implementing this section, the immediate foreground of a Scenic Travel Corridor shall include those lands within one-quarter mile of the edge of pavement of the Historic Columbia River Highway and I—84.

* * *

Staff: The property is not located within one-quarter mile from the edge of pavement of the Historic Columbia River Highway. As measured, the property is .28 miles from the edge of pavement; therefore, these criteria are not applicable. *Criteria not applicable*.

9.2 § 38.7045 GMA CULTURAL RESOURCE REVIEW CRITERIA

9.2.1 (A) Cultural Resource Reconnaissance Surveys

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

- (1) A cultural reconnaissance survey shall be required for all proposed uses, except:
 - (f) Proposed uses occurring in areas that have a low probability of containing cultural resources, except:

(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: Luciano Legnini sent an e-mail with a Cultural Resource Survey Determination on behalf of the USFS on November 25, 2024. The Survey stated that, "A Cultural Resource Survey is: Not Required" as the proposed development:

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

Criteria 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: Luciano Legnini sent an e-mail with a Cultural Resource Survey Determination on behalf of the USFS on November 25, 2024. The Survey stated that, "A Historic Survey is: Not Required" as the proposed development:

- Would not later the exterior architectural appearance of significant buildings and structures that are 50 years old or older
- 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).

Criterion met.

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

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

Staff: The cultural resource review has been satisfied, as the project is exempted by MCC 38.7045(A)(1) above; therefore, these criteria are not applicable except for MCC 38.7045(L) and (M). Those criteria are required to be met as a condition. *As conditioned, criteria met*.

9.2.3 (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*.

9.2.4 (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*.

9.3 § 38.7053 GMA WATER RESOURCES REVIEW CRITERIA

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

(G) WATER RESOURCES BUFFER ZONES

* * *

Staff: Based on the United State Forest Service maps and Department of State Lands Statewide Wetland Inventory Map, the property does not contain any water resources and no water resource buffer zones encroach onto the property. *Criteria not applicable*.

9.4 § 38.7065 GMA WILDLIFE REVIEW CRITERIA

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

* * *

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

9.5 § 38.7070 GMA RARE PLANT REVIEW CRITERIA

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

* * *

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

9.6 § 38.7080 GMA RECREATION RESOURCE REVIEW CRITERIA

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

Staff: The property is located within the Recreation Intensity Class 2; however, the applicant is not proposing any recreation-based uses. Criteria not applicable.

10.0 Special Uses - Agricultural Buildings Land Use Permit Criteria:

10.1 § 38.7340 AGRICULTURAL BUILDINGS

- (A) The size of proposed agricultural buildings shall not exceed the size needed to serve the current agricultural use and, if applicable, the proposed agricultural use.
- (B) To explain how (A) above is met, applicants shall submit the following information with their land use application:
 - (1) A description of the size and characteristics of current agricultural use.
 - (2) An agricultural plan for any proposed agricultural use that specifies agricultural use (e.g., crops, livestock, products), agricultural areas and acreages (e.g., fields, pastures, enclosures), agricultural structures (e.g., irrigation systems, wind machines, storage bins) and schedules (e.g., plowing, planting, grazing).
 - (3) A floor plan showing intended uses of the agricultural building (e.g., space for equipment, supplies, agricultural products, livestock).

Staff: The agricultural use on the property is the raising of livestock (goats and alpacas) and poultry (Exhibit A.18). The site plan shows areas being used for orcharding, livestock, and chickens (Exhibit A.9). The building that will be used for agriculture is labeled as a barn. The barn floor plan shows areas for chicken brooding and feed/tool/equipment storage (Exhibit A.11). In 2023, income and expenses were incurred by the property owners as shown in Internal Revenue Service (IRS) Form 1040 Schedule F – Profit or Loss from Farming (Exhibit A.19). Lastly, based on Assessor data, the property is classified as being used under farm use land assessment (Exhibit B.1). *Criteria met*.

11.0 Conclusion

Based on the findings and other information provided above, the applicant has carried the burden necessary for the National Scenic Area (NSA) Site Review to establish a new single-family dwelling, conversion of an existing dwelling into an accessory building, conversion of an accessory building into an agricultural building ("barn"), removal of an accessory building ("shed"), new accessory structures [septic system (septic tank, piping, drainfield), stormwater drainage control system, and fencing], establishing areas of new cultivation, and private driveway in the Gorge General Residential (GGR-10) zone. This approval is subject to the conditions of approval established in this report.

12.0 Exhibits

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

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	2	Application Form	11/01/2024
A.2	4	Narrative	11/01/2024

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A.3*	9	Plans *Sheet A0.0 – Cover Sheet A0.1 – Schedules and Assemblies Sheet A0.2 – Site Plan, Area Plan *Sheet A2.1 – Floor Plans Sheet A2.3 – Reflected Celling Plan Sheet A3.1 – Sections *Sheet A4.1 – House Elevations Sheet A8.1 – Details *Sheet A9.1 - Renderings	11/01/2024
A.4	29	Stormwater Drainage Report	11/01/2024
A.5	5	Fire Service Provider Review	11/01/2024
A.6	2	Email from Robby Cox, District 2C Accessor Coordinator, Oregon Department of Transportation (ODOT)	11/01/2024
A.7	8	Septic Design	11/01/2024
A.8	4	Revised Narrative	01/26/2025
A.9*	1	Revised Site Plan - Sheet A0.2 – Site Plan, Area Plan	01/26/2025
A.10*	1	Accessory Building Elevation Plan	01/26/2025
A.11*	3	Agricultural Building Plans and Elevations Plan	01/26/2025
A.12	1	Stormwater Drainage Control Certificate	01/26/2025
A.13	10	Window Specifications	01/26/2025
A.14	8	Window Specifications #2	01/26/2025
A.15	1	Exterior Lighting Specifications	01/26/2025
A.16	1	Exterior Paint Color	01/26/2025
A.17	1	Exterior Paint Color #2	01/26/2025
A.18	1	Farm Use Narrative	01/26/2025
A.19	1	Schedule F – Profit or Loss from Farming: Tax Year 2023	01/26/2025
A.20	6	Septic Review Certification	01/26/2025
A.21	9	Revised Septic Design	01/26/2025
A.22	1	Ulmston 1 Light Outdoor Wall Sconce Screenshot	04/03/2025
A.23	1	Email discussing building materials on the exterior of the single-family dwelling	11/07/2025
'B'	#	Staff Exhibits	Date
B.1	2	Assessment and Taxation Property Information for 1N4E36BD -00700 (Alt Acct # R944360070 / Property ID # R322811)	11/01/2024
B.2	1	Current Tax Map for 1N4E36BD	11/01/2024
B.3	1	Aerial Photo taken on April 30, 2025	08/14/2025

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B.4	14	Pre-File Meeting Notes, PF-2022-16007	09/10/2025
B.5	2	Metro Map – Contours	10/03/2025
B.6	1	Building Compatibility Analysis	10/03/2025
B.7*	1	Vegetation Plan	11/07/2025
'C'	#	Administration & Procedures	Date
C.1	2	Pre-File Meeting Wavier	11/01/2024
C.2	63	Agency Review	11/15/2024
C.3	6	Incomplete letter	11/26/2024
C.4	1	Applicant's acceptance of 180-day clock	11/30/2024
C.5	5	Incomplete letter #2	12/16/2024
C.6	2	Complete letter (day 1)	02/24/2025
C.7	10	Opportunity to Comment	05/09/2025
C.8	37	Decision	12/05/2025
'D'	#	Comments	Date
D.1	2	Email from Melissa Gonzalez, Development Review Planner, Oregon Department of Transportation	11/19/2024
D.2	4	Cultural Resource Survey Determination from Luciano Legnini, Archaeologist, USDA Forest Service Columbia River Gorge National Scenic Area	11/25/2024
D.3	3	Letter from Mackenzie Aamodt, NSA Land Use Planner on behalf of the Columbia River Gorge Commission	12/06/2024
D.4	4	Email from Melissa Gonzalez, Development Review Planner, Oregon Department of Transportation	05/27/2025
D.5	3	Letter from Mackenzie Aamodt, NSA Land Use Planner on behalf of the Columbia River Gorge Commission	05/28/2025
D.6	10	Letter from Steven D. McCoy, Staff Attorney, Friends of the Columbia Gorge	05/30/2025

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TRAPP RESIDENCE 5/22/23

DANIEL BRANKEL OF ORTHAND, OR OF ORT

Bramske Studio

CONSTRUCTION OF NEW SINGLE FAMILY REPLACEMENT DWELLING ON EXISTING DEVELOPED PROPERTY. ASSOCIATED SITEWORK, UTILITIES, AND LANDSCAPE AS REQUIRED BY NEW WORK.

ARCHITECT
BRAMSKE STUDIO ARCHITECTURE LLC
12740 LES YARK STREET
PORTLAND OR 97233
DANIEL BRAMSKE PRINCIPAL
BRAMSKE PRINC OWNER
JARRED & CHRISTINA TRAPP
3868 E HISTORIC COLUMBIA RIVER HWY
CORBETT, OR 97019
JTRAPPS@GMAIL.COM

CONTRACTOR TBD

STRUCTURAL ENGINEER TBD

MEP BIDDER DESIGN

BIDDER DESIGN BY SEPARATE TRADE PERMIT

1 VICINITY PLAN N.T.S.

THE FOLLOWING WILL BE DESIGN BUILD BY DESIGNBUILD CONTRACTORS TO BE SELECTED. CONTRACTOR SHALL ISSUE FOR SEPARATE FERMIT AFTER REVIEW AND APPROVIM. OF DESIGN CONCEPT BY ARCHITECT AND OWNER. DESIGNS BUILD AND CONTRACTOR BY RESPONSIBLE FOR DESIGN DRAWINGS AND CALCULATIONS AS REQUIRED FOR PERMIT AND CODE COMPLIANT INSTALLATION I CONSTRUCTION.

- MECHANICAL HEATING & COOLING, WOOD-BURNING STOVE & EXHAUST, RANGE, DRYER, BATH EXHAUST, WATER HEATER
- PLUMBING RADIANT SLAB HEAT, WATER, TYP FIXTURES & VENTING, RADON VENTING ELECTRICAL - ELEC METER, TYP OUTLETS, SWITCHES, LIGHTING
- ANY CIVIL ENGINEERING DESIGN REQUIRED FOR POTENTIAL UTILITY, SITE, AND/OR STREET IMPROVEMENTS NOT ANTICIPATED

STORMWATER DRAINAGE CONTROL NATIONAL SCENIC AREA (NSA) SITE REVIEW MINIMAL IMPACT PROJECT PERMIT MULTNOMAH COUNTY PRE-FILING MEETING TBD TBO TBO PF-2022-16007

STATE 2021 OREGON RESIDENTIAL SPECIALTY CODE (ORSC)

MULTNOMAH COUNTY

NOTE: WHILE ORSC SECTION R327 "WILDFIRE HAZARD MITIGATION" HAS NOT BEEN ADOPTED BY MULTNOMAH COUNTY, THIS PROJECT WILL MEET THOSE REQUIREMENTS

RELATED PERMITS AND APPROVALS

ODOT ACCESS PERMIT

REFERENCED CODES

FOR REFERENCE ONLY

PROJECT SITE: 38668 E. HISTORIC COLUMBIA RIVER HWY CORBETT, OR 97109

ARCHITECTURAL
A0.0 COVER
A0.1 SCHEDU
A0.2 SITE PL
A2.1 FLOORR
A2.3 REFLEC
A3.1 SECTION
A4.1 HOUSE II
A5.1 INTERIO
A5.1 INTERIO
A8.1 RENDER

SECTIONS
HOUSE ELEVATIONS
INTERIOR ELEVATIONS
DETAILS

COVER
SCHEDULES & ASSEMBLIES
SITE PLAN, AREA PLANS
FLOOR PLANS
REFLECTED CEILING PLANS

SHEET INDEX

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BUILDING PERMIT APPLICATION
STRUCTURAL CALCULATIONS
STRUCTURAL CALCULATIONS
MOISTURE CONTENT ACKNOWLEDGEMENT FORM
BUILDING PERMIT APPLICATION CHECKLIST
RESIDENTIAL CERTIFICATE OF LIGHTING FATURES

ATTACHMENTS:

GENERAL NOTES

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- WHERE IT IS CLEAR THAT A DRAWING REPRESENTS ONE ITEM OF A NUMBER, OR ONLY A PART OF AN ASSEMBLY, THE OTHER WORK SHALL BE CONSTRUCTED REPETITIVELY.

NOT FOR CONSTRUCTION

Exhibit A.3

A0.0

