NOTICE OF NSA DECISION



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

Case File: T2-2025-0030 Applicant: Tristan Kuenzi, Earthlight Technologies

Proposal: Request for a Parcel Determination and National Scenic Area (NSA) Site Review. A

Parcel Determination determines if a property was lawfully established in compliance with zoning and land division laws at the time of its creation or reconfiguration. The NSA Site Review is to construct a new accessory renewable energy system (ground mount photovoltaic) and after-the-fact review of a septic system (tank, pipes, and drainfield) that

was not properly reviewed by the County.

Location: 38006 E Hist Columbia River Hwy, Corbett **Property ID** # R322778

Map, Tax lot: 1N4E35A -00200 **Alt. Acct.** # R944351010

Base Zone: Gorge General Residential (GGR-5)

Overlays: None

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

Columbia River Highway State Trail), Larch Mountain Road, Sandy River,

Washington State Route 14

Landscape Setting: Rural Residential

Determination: The subject property known as 1N4E35A -00200 is a Parcel in its current

configuration.

Decision: The National Scenic Area (NSA) Site Review is Approved with Conditions

This decision is final at the close of the appeal period, unless appealed. The deadline for filing an appeal is Monday, November 24, 2025 at 4:00 pm.

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

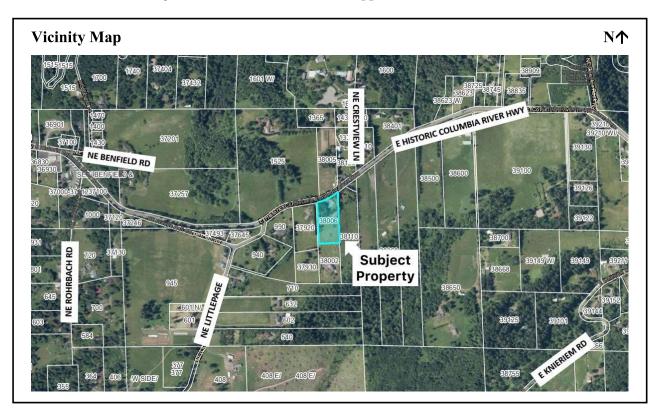
For: Megan Gibb,

Planning Director

Date: Monday, November 10, 2025

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 \$0.71/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.



Applicable Approval Criteria:

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

Administration and Procedures: MCC 38.0560 Code Compliance and Applications

Gorge General Residential (GGR-5): MCC 38.3025(A)(2) Review Uses - Accessory structures..., MCC 38.3025(A)(17) Review Uses - Solar, photovoltaic and wind turbine alternative energy production facilities accessory to uses..., MCC 38.3060(C) Dimensional Requirements, MCC 38.3090 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 38.7390 Renewable Energy Production

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 or frame of the approved accessory renewable energy system.
 - 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. T2-2025-0030 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 has not been completed. [MCC 38.0690(B)]
 - i. For the purposes of 1.b, completion of the structure shall mean completion of the exterior surface(s) of the 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. T2-2025-0030 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. This permit authorizes the following development that occurred without review by the County:
 - a. Construction of a septic system (tank, pipes, and drainfield).
- 4. When submitting Building Plans for Zoning Review, the property owner(s) 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)]

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- b. Demonstrate compliance with the County's Ground Disturbing Activity regulations by obtaining an Erosion and Sediment Control (ESC) Permit or Minimal Impact Project (MIP) Permit. [MCC 38.0560 and MCC 39.6210]
- 5. **During construction**, the property owner(s) or their representative shall:
 - a. Use a non-reflective material for the ground mount/racking system for the accessory renewable energy system or paint the exterior surfaces of the ground mount/racking system a paint color that matches the dark earth tone colors in Row A, B, or C in the Columbia River Gorge Commission Scenic Resources Implementation Handbook. [MCC 38.7035(B)(2), (8), and (10) & MCC 38.7390(A)(3)]
 - 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 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. **As an on-going condition**, the property owner(s) shall:

a. Be responsible for the proper maintenance and survival of planted trees between the East Historic Columbia River Highway and the accessory renewable energy system as shown in Exhibit B.11. 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 *Columbia River Gorge Commission 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)(3)]

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. Be ready to demonstrate compliance with the conditions.
- 2. 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.
- 3. 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 Parcel Determination and National Scenic Area (NSA) Site Review. A Parcel Determination determines if a property was lawfully established in compliance with zoning and land division laws at the time of its creation or reconfiguration. The NSA Site Review is to construct a new accessory renewable energy system [ground photovoltaic (PV)] and after-the-fact review of a septic system (tank, pipes, and drainfield) that was not properly reviewed.

2.0 Property Description & History:

Staff: This application is for the property identified as 1N4E35A -00200 also known as 38006 E Hist Columbia River Hwy, Corbett ("subject property") The subject property is located on the south side of East Historic Columbia River Highway ("HCRH") in unincorporated east Multnomah County outside of Metro's Urban Growth Boundary (UGB) within the Columbia River Gorge National Scenic Area (NSA). The subject property is zoned Gorge General Residential (GGR-5) and has no overlays.

The property is occupied by a single-family dwelling with an attached garage and a "farm building" according to the County Assessor. The dwelling was first assessed in 1974 and the property is approximately 2.50 acres in size. Aerial photos from 2024 show what appears to be two (2) buildings/structures (Exhibit B.4). These are the previous land use/building permits associated with the property.

Permit No.	Date	Description	
#58351	11/17/1972	New single-family residence/attached garage	
T2-07-054	11/05/2007	NSA Site Review for a proposed 35' by 40' shop (accessory building)	
N/A	02/26/2008	New shop and removal of existing sheds associated with T2-07-054	

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

Staff: Luciano Legnini sent a Cultural Resource Survey Determination on behalf of the USFS on July 23,2025. The Survey stated that, "A Cultural Resource Survey is: Not Required" and "A Historic Survey is: Not Required."

3.2 Email from Melissa Gonzalez-Gabriel, Associate Transportation Planner, Oregon Department of Transportation (ODOT) (Exhibit D.2)

Staff: Melissa Gonzalez submitted an email on October 8, 2025 on behalf of the Oregon Department of Transportation (ODOT). The email stated that there are no ODOT requirements.

3.3 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.3)

Staff: Chris Donnermeyer sent a second Cultural Resource Survey Determination on behalf of the USFS on October 25, 2025. The Survey restated that, "A Cultural Resource Survey is: Not Required" and "A Historic Survey is: Not Required."

3.4 Letter from Steven D. McCoy, Staff Attorney, Friends of the Columbia Gorge (Exhibit D.4)

Staff: Steven D. McCoy submitted a letter on October 28, 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 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 a septic system and drainfield was installed in 2019 that was not correctly reviewed by the County. In 2019, the previous property owner requested review of a Land Use Compatibility Statement (LUCS) to authorize the replacement septic tank. The LUCS was reviewed under BP-2019-12782, stating, "For replacement septic tank only." The septic installed then proceeded to replace the drainfield. Staff described these issues during a pre-file meeting, PF-2025-0009, on May 8, 2025 (Exhibit B.4).

The applicant responded by submitting this application for review of a National Scenic Area (NSA) Site Review for after-the-fact review of the septic system (tank, pipes, and drainfield) to address the above compliance issue. Additionally, this application seeks to permit a new accessory renewable energy system (ground mount photovoltaic (PV)]. 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. The second part of the sequence would be obtaining a Type I Zoning Plan Review. In completing the required Conditions of Approval and Zoning Plan Review, 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 subject property, when created or reconfigured meet the definition above and demonstrate that the subject property satisfied all applicable zoning laws and satisfied all applicable land division laws. The applicant provided one (1) Parcel Record card and two (2) deeds to support the Parcel Determination request (Exhibit A.8 through A.10).

The earliest deed provided was recorded/in recordable form in 1972 and contains a legal description matching the current configuration of the subject property (Exhibit A.10 and B.5). In 1972, the subject property was zoned Agricultural Districts (F-2) per historical County zoning maps (Exhibit B.6). The F-2 zone had a minimum lot size of two (2) acres (87,120 square feet). There was no requirement for road frontage or minimum front lot line length or lot width. The subject property is 2.5 acres (Exhibit B.2 and B.9). The applicant provided a current deed for the subject property that contains a legal description that matches the recorded 1972 legal description (Exhibit A.10 and B.5).

The subject property complied with all applicable zoning laws at the time of its creation or reconfiguration.

In 1972, the process to create or divide a parcel required a deed or sales contract dated and signed by the parties to the transaction. The document needed to be in recordable form or recorded with the County Recorder prior to October 19, 1978. As evidenced by the 1972 deed, the applicable land division laws were satisfied (Exhibit A.10).

Based upon the above, the subject property satisfied all applicable zoning and land division laws when it was created or reconfigured in 1972. The subject property is a "Parcel" as defined in MCC 38.0015 Definitions

6.0 Gorge General Residential (GGR-5) Criteria:

6.1 § 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:
 - (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 an accessory structure that was not previously reviewed by the County. The accessory structure is a septic system (septic tank, piping, and drainfield) that was constructed in 2019 (Exhibit A.4 and A.12). As the development was not appropriately reviewed at that time; therefore, it is subject to the NSA Site Review standards, which are discussed in Section 7.0.

(17) Solar, photovoltaic and wind turbine alternative energy production facilities accessory to uses permitted in the zoning district provided that the applicable renewable energy production provisions of 38.7390 are met, and:

Staff: The applicant is requesting a new alternative energy production facility, which is also defined as an accessory renewable energy system. The system will be ground mounted and located to the south of the existing dwelling (Exhibit A.3). The development is subject to both the provisions of MCC 38.7390, which are discussed in Section 8.0 and the NSA Site Review standards, which are discussed in Section 8.0.

(a) For all systems:

- 1. They are not a commercial power generating facility such as a utility;
- 2. The system meets all special district requirements;
- 3. The system is mounted to a ground mount, to the roof of the dwelling or accessory structure, or to a wind tower;

Staff: As proposed, the PV system will be a ground mount system that is located south of the existing dwelling (Exhibit A.3). Based on the design, the PV system will not be a commercial power generating facility as the system will include ground mount panels connected to a battery that will provide a 107% offset of the residential energy use (Exhibit A.5 and A.17). The development is required to meet the special district requirements in MCC 38.7390, which are discussed in Section 8.0. *Criteria met*

(b) The overall height of solar energy systems shall not exceed the peak of the roof of the building on which the system is mounted;

Staff: As proposed system will be a ground mount system; therefore, this criterion is not applicable. *Criterion not applicable*.

* * *

6.2 § 38.3060 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.

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

The front lot line is parallel to HCRH. The rear is the south property line that is opposite the front lot line. All other yards are side lot lines. The applicant's site plan shows the PV system is more than 30 feet from the front and rear lot lines and more than 10 feet from the side lot lines (Exhibit A.3). The septic system is level with/below ground and it is not subject to the yard requirements.

The elevation plans for the PV system show it is less than 35 feet in height (Exhibit A.5). *Criteria met.*

* * *

6.3 § 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 subject property abuts HCRH. *Criterion met*.

7.0 National Scenic Area (NSA) Site Review Criteria:

7.1 § 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 6.0, this application involves an after-the-fact review of a septic system (tank, pipes, and drainfield) that was not properly reviewed by the County and a new accessory renewable energy system (ground mount photovoltaic (PV)]. Staff addresses relevant GMA Scenic Review Criteria below.

7.1.1 (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 septic system that was not reviewed by the County required grading activities and the new PV system will require grading activities. The septic system required a 190-foot pipe that connected to three 125-foot lateral lines (Exhibit A.4, A.11, A.12, and A.16). The PV system will require 220 feet of trenching to the ground mounts that will be screwed into the ground (Exhibit A.3 and A.5). The areas of grading for the new structures are in a grassy flat area (Exhibit B.3 and B.10). 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 ½ 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:

* * *

Staff: As previously discussed, the applicant is requesting an accessory structure, a septic system and an accessory renewable energy system, a ground mount PV system. Both structures are not buildings and not expansion of existing development; therefore, these criteria are not applicable.

(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 new vehicular access points to the HCRH, a Scenic Travel Corridor. The vehicular access point was constructed as early as 1972, 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; therefore, a condition will be required that the landowners shall be responsible for the proper maintenance and survival the required vegetation as shown in Exhibit B.11. *As conditioned, criterion met*.

* * *

7.1.2 (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 septic system and PV system are in an area that are potentially topographically visible from the following KVAs: Columbia River, Historic Columbia River Highway (including the Historic Columbia River Highway State Trail), Larch Mountain Road, Sandy River, Washington State Route 14. Therefore, 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 septic system is not topographically visible from any of the KVAs as it is located at ground level or below ground and covered with grass. The ground mount PV system is potentially topographically visible from portions of the Historic Columbia River Highway (including the Historic Columbia River Highway State Trail) and Larch Mountain Road KVAs. However, it is not topographically visible from Columbia River, Sandy River, Washington State Route 14 as the development is behind the crest of the HCRH obscuring visibility looking from the north and west.

Contours and digital elevation models show that between the PV system and the Larch Mountain Road to the east, there are multiple small ridges that obscure the development Additionally, there is a significant distance of over 1 mile from the beginning of Larch Mountain Road to the development.

For the highway to the north, as it is adjacent to the property, 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 one KVA, Historic Columbia River Highway (including the Historic Columbia River Highway State Trail). The applicant has provided a narrative and plans describing and showing siting and design consideration for the development (Exhibit A.2 and A.3). Additionally, material samples and building materials were provided (Exhibit A.5 and A.7). 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 a dwelling and accessory building. In the immediate vicinity, there are also dwellings, accessory buildings, and accessory structures. The proposed development is generally located in an open grassy area. The septic system is hidden as it is located below grown and the PV system is clustered next to an accessory building. The impact of this development and potential future development are minor as this property is already developed. As there is little potential future development for this property and of other properties within the vicinity, as they are already developed; these factors will limit and minimize future impacts. *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, plans, and designs for the septic system and PV system have been provided as found in Exhibits A.2 through A.7. *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 one KVA. The development is designed and sited to using existing topography and vegetation to achieve visual subordinance. The development site for the septic system and PV system utilizes an area that is generally flat and is vegetatively screened from the nearest KVA, Historic Columbia River Highway (including the Historic Columbia River Highway State Trail) to the north (Exhibit B.3). The other KVAs are at a distance that reduce 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.11. *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 in addition to current aerial photos show a forested area north of the proposed development. A condition will be required that trees in that area as shown in Exhibit B.11 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 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 Rural Residential 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: As previously discussed, the applicant is not proposing a new driveway or new buildings; therefore, this criterion is not applicable. *Criterion not applicable*.

(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: As previously discussed, the applicant is not proposing new buildings; therefore, this criterion is not applicable. *Criterion not applicable*.

(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 is not proposing any new exterior lighting as part of this proposal; therefore, this criterion is not applicable. *Criterion not applicable*.

(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: As previously discussed, the applicant is not proposing new buildings; however, as shown in the plans, the PV system will utilize high grade aluminum, galvanized steel, and 304 stainless steel (Exhibit A.7). The applicant is electing to paint ground mount system a non-reflective black or dark earth tone color to reduce the reflectivity (Exhibit A.2). *As conditioned, 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. 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*.

* * *

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

* * *

(3) Rural Residential

(a) Existing tree cover shall be retained as much as possible, except as is necessary for site development, safety purposes, or as part of forest management practices.

Staff: The new accessory structure, a septic system and an accessory renewable energy system, a ground mount PV system are in places designed to retain the existing tree cover. Between the development and the existing dwelling there is tree cover that will not be removed. Additionally, a condition will be required that trees in that area as shown in Exhibit B.11 be retained for screening purposes. If trees are removed due to death, disease, or to prevent an emergency/disaster (as defined) then for each tree removed 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 Rural Residential landscape setting and meet the minimum recommended sizes for tree plantings (based on average growth rates expected for recommended species) contained in the *Columbia River Gorge Commission Scenic Resources Implementation Handbook Recommended Plant List. As conditioned*, criterion met.

- (b) In portions of this setting visible from Key Viewing Areas, the following standards shall be employed to achieve visual sub-ordinance for new development and expansion of existing development:
 - 1. Except as is necessary for site development or safety purposes, the existing tree cover screening the development from Key Viewing Areas shall be retained.
 - 2. At least half of any trees planted for screening purposes shall be species native to the setting or species identified in the Scenic Implementation Handbook as appropriate for the area.
 - 3. At least half of any trees planted for screening purposes shall be coniferous to provide winter screening.

Staff: As previously discussed, the property is visible from nearby KVAs due to the topography of the area. Conditions will require that existing tree cover screening the development be retained and the mixture of tress meets the requirements above. *As conditioned, criteria met*.

* * *

- 7.1.4 (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 located within one-quarter mile from the edge of pavement of the Historic Columbia River Highway. As the land is in the immediate foreground of the Scenic Travel Corridor the standards of MCC 38.7035(D)(2) through (7) are applicable; however, based on the proposal none of the standards are applicable. *Criteria met*.

7.2 § 38.7045 GMA CULTURAL RESOURCE REVIEW CRITERIA

7.2.1 (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 and a Cultural Resource Survey Determination on behalf of the USFS on July 23, 2025. 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 and a Cultural Resource Survey Determination on behalf of the USFS on July 23, 2025. 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.

7.2.2 (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*.

7.2.3 (L) Cultural Resources Discovered After Construction Begins

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

* * *

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

7.2.4 (M) Discovery of Human Remains

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

* * *

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

7.3 § 38.7053 GMA WATER RESOURCES REVIEW CRITERIA

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

* * *

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*.

7.4 § 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 sensitive wildlife areas or sensitive wildlife sites within 1,000 feet of the property. *Criteria not applicable*.

7.5 § 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.

7.6 § 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.

8.0 Special Uses Criteria:

8.1 § 38.7390 RENEWABLE ENERGY PRODUCTION

(A) Renewable energy production qualifying for review as an Expedited Use shall be subject to (A)(1)-(6) below, in addition to any other applicable provisions of Chapter 38. Renewable energy production qualifying for review as either a Review Use or Conditional Use shall be subject to (A)(1)-(7) below, in addition to any other applicable provisions of Chapter 38.

Staff: As discussed in Section 6.1, the applicant is requesting a new alternative energy production facility, which is also defined as an accessory renewable energy system. The system is a produce renewable energy and is subject to (A)(1)-(7). Those standards are discussed below.

(1) Renewable energy production equipment attached to an existing structure shall be considered an addition to the structure on which it is located. Free-standing renewable energy production equipment shall be considered a new accessory structure.

Staff: The PV system will be a free-standing ground mounted system, which is considered as a new accessory structure. *Criterion met*.

(2) Production of electrical power, including, but not limited to wind and solar production, for commercial purposes is considered an industrial use and is prohibited. Solar, wind and other renewable energy power generation that is accessory to a primary structure or allowed use is not considered an industrial use and may be permitted.

Staff: As discussed, the design of the PV system will not be for commercial purposes. The PV system is accessory to the primary structure, a dwelling, and will provide a 107% offset of the residential energy use (Exhibit A.5 and A.17). *Criteria met*.

(3) The panels and hardware are non-reflective black or dark earth tone colors.

Staff: As discussed in Section 7.1.2, conditions will require that the panels and hardware are non-reflective black or dark earth tone colors. *As conditioned, criterion met*.

(4) The panels and hardware do not increase the overall roof height.

Staff: As proposed system will be a ground mount system; therefore, this criterion is not applicable. *Criterion not applicable*.

(5) The generating equipment may serve only the parcel on which it is located, or an adjacent parcel in the same ownership and used in conjunction with the subject parcel.

Staff: The design of the PV system will connect to the electrical panel on the primary structure, a dwelling; therefore, ensuring that the equipment will only serve the parcel on which it is located. (Exhibit A.5 and A.17). *Criteria met*.

(6) Sale of power back to the electrical grid is permitted, provided that it is an occasional event, not ongoing over the course of the year.

Staff: The design of the PV system will provide a 107% offset of the residential energy use with some of the offset electricity will be stored in a battery that is part of the system (Exhibit A.5 and A.17). *Criteria met*.

(7) The capacity for power generation is limited to the expected annual electrical power need of the structure or use.

Staff: The design of the PV system will provide a 107% offset of the residential energy use with some of the offset electricity will be stored in a battery that is part of the system (Exhibit A.5 and A.17). *Criteria met*.

9.0 Conclusion

Based on the findings and other information provided above, the applicant has carried the burden necessary in the Gorge General Residential (GGR-5) zone for a:

- 1. Parcel Determination that 1N4E35A -00200 is a Parcel in its current configuration; and
- 2. National Scenic Area (NSA) Site Review for the development as described below:
 - a. Authorize a septic system (tank, pipes, and drainfield) that was not properly reviewed by the County.
 - b. Authorize construct of a new accessory renewable energy system (ground mount photovoltaic)

This approval is subject to the conditions of approval established in this report.

10.0 Exhibits

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

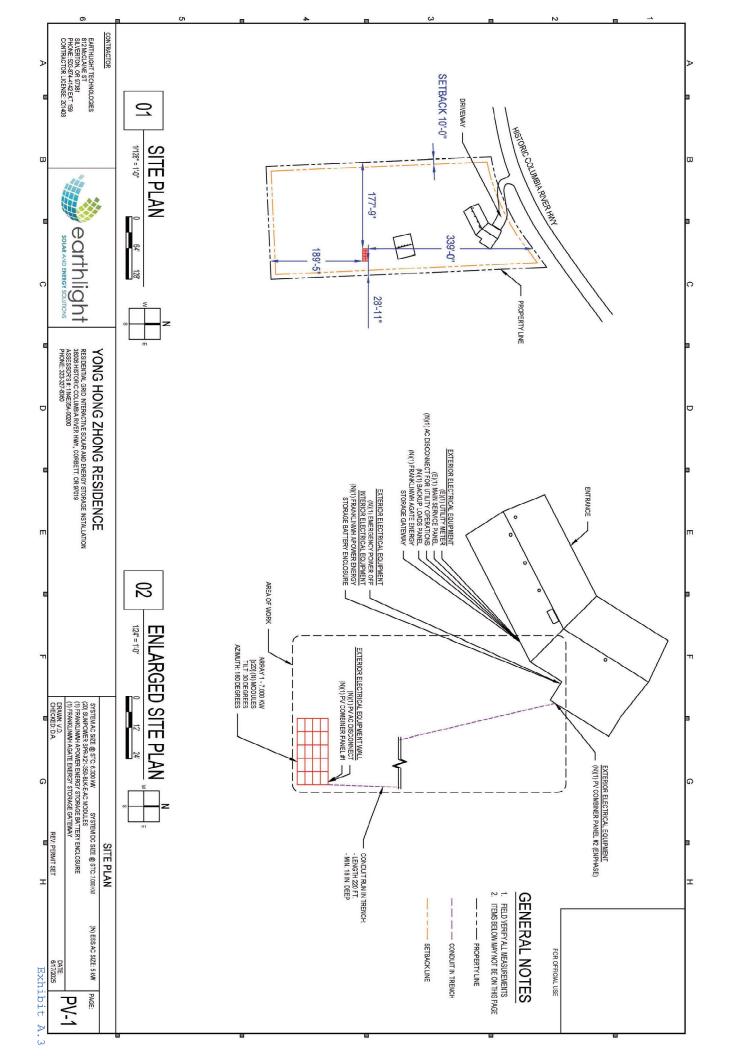
Exhibits with an '*' have been reduced in size and included with the mailed decision. All exhibits are available for digital review by sending a request to LUP-comments@multco.us.

Exhibit #	# of Pages	Description of Exhibit	Date Received / Submitted
A.1	2	Application Form	06/20/2025
A.2	2	Narrative	06/20/2025
A.3*	1	Page PV-1 – Site Plan	06/20/2025
A.4*	1	Septic System Site Plan	06/20/2025

A.5*	4	Solar PV System Plan Page PV-2 – Solar Racking Plan Page PV-3 – Assembly Details Page PV-4 – Electrical Plan Page PV-15 – Resource Document	06/20/2025
A.6	1	Page PV-8 – Sunpower Resource Document	06/20/2025
A.7	1	Page PV-13 – Sunmodo Racking Plan	06/20/2025
A.8	3	Parcel Record – Cartographic Unit for 1N4E35A -00200	06/20/2025
A.9	2	Warranty Deed recorded in Book 946, Page 1615-1616 on September 4, 1974	06/20/2025
A.10	2	2 Warranty Deed recorded in Book 891, Page 998-999 on November 2, 1972	
A.11	6	Septic Review Certification	06/20/2025
A.12	6	City of Portland – Bureau of Development Services: Onsite Septic Land Use Compatibility Statement (LUCS) reviewed under BP-2019-12782	06/20/2025
A.13	3	Fire Service Agency Review	06/20/2025
A.14	1	Email from Oregon Department of Transportation concerning Access	06/20/2025
A.15	3	Fire Service Provider Review	06/24/2025
A.16	6	Septic Review Certification	07/11/2025
A.17	1	Accessory Renewable Energy System Production Estimate	07/16/2025
'В'	#	Staff Exhibits	Date
B.1	2	Assessment and Taxation Property Information for 1N4E35A - 00200 (Alt Acct #R944351010 / Property ID #R322778)	06/20/2025
B.2	1	Current Tax Map for 1N4E35A	06/20/2025
B.3	1	Current Aerial Photo	10/02/2025
B.4	12	Pre-File Meeting Notes, PF 2025-0009	10/02/2025
B.5	3	Statutory Warranty Deed recorded as Instrument No. 2021-132416 on August 30, 2021	10/02/2025
B.6	1	Map showing the zoning on and before October 5, 1977	10/02/2025
B.7	1	Zoning Ordinance 100 as amended on May 21, 1968 – Chapter 2.00 Districts	10/02/2025
B.8	49	Zoning Ordinance 100 as amended on May 21, 1968 – Chapter 3.00 Residential Districts	10/02/2025
B.9	1	Survey #35403 filed on November 8, 1972	10/02/2025
B.10	1	Metro Map - Contours	10/27/2025
B.11*	1	Vegetation Plan	11/03/2025

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'С'	#	Administration & Procedures	Date
C.1	39	Agency Review	07/16/2025
C.2	5	Incomplete letter	07/16/2025
C.3	1	Applicant's acceptance of 180-day clock	07/16/2025
C.4	2	Complete letter (day 1)	08/05/2025
C.5	8	Opportunity to Comment	10/07/2025
C.6	30	Decision	11/10/2025
'D'	#	Comments	Date
D.1	2	Cultural Resource Survey Determination submitted on behalf of USDA Forest Service: Columbia River Gorge National Scenic Area by Luciano Legnini, Archaeologist	07/23/2025
D.2	2	Email from Melissa Gonzalez-Gabriel, Associate Transportation Planner, Oregon Department of Transportation (ODOT)	10/08/2025
D.3	2	Cultural Resource Survey Determination submitted on behalf of USDA Forest Service: Columbia River Gorge National Scenic Area by Chris Donnermeyer, Heritage Resources Program Manager	10/25/2025
D.4	8	Letter from Steven D. McCoy, Staff Attorney, Friends of the Columbia Gorge	10/28/2025



Corbett OR 38006 e Historic Columbia River Hwy David Raneieri

1N4E32A -00200

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Public Water

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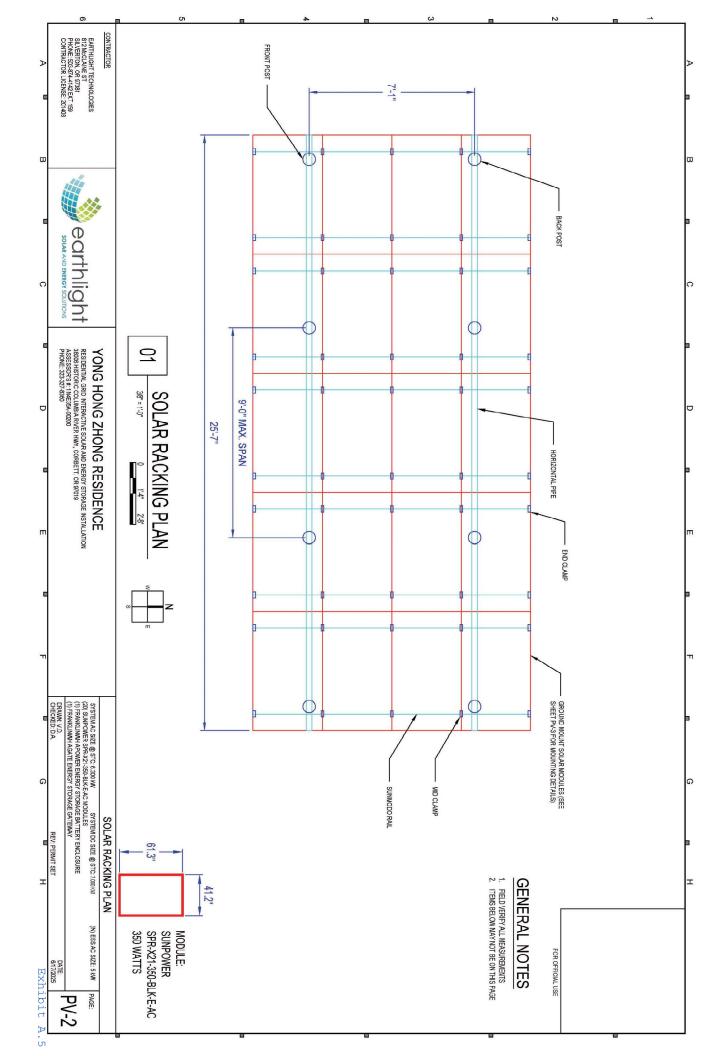
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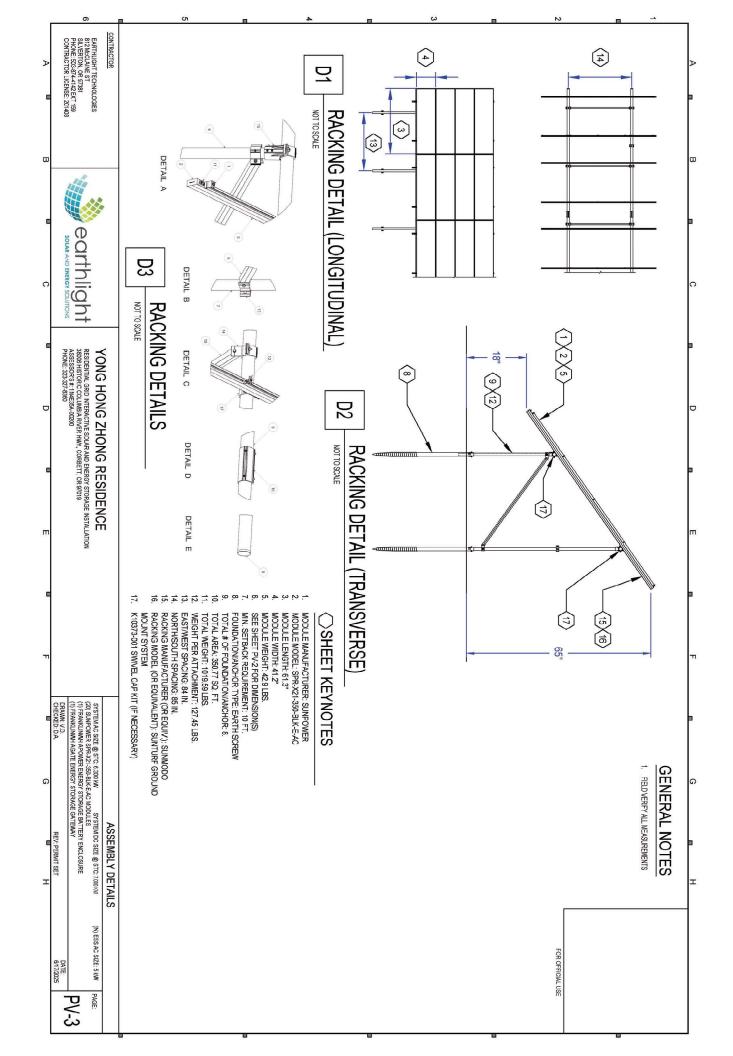
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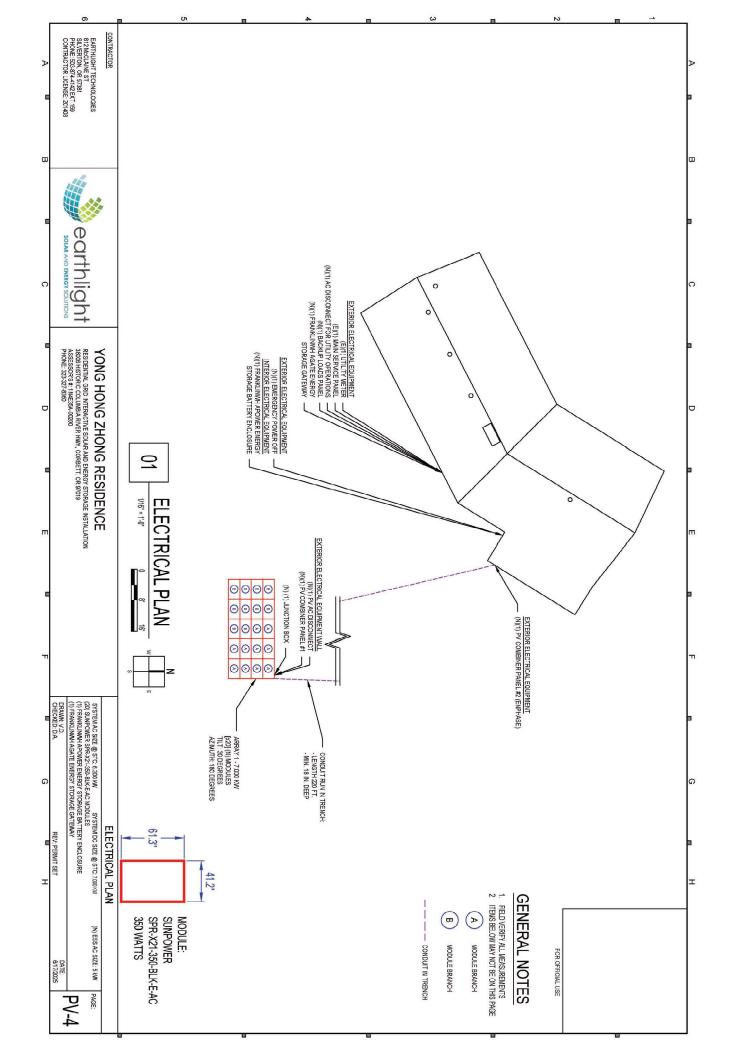
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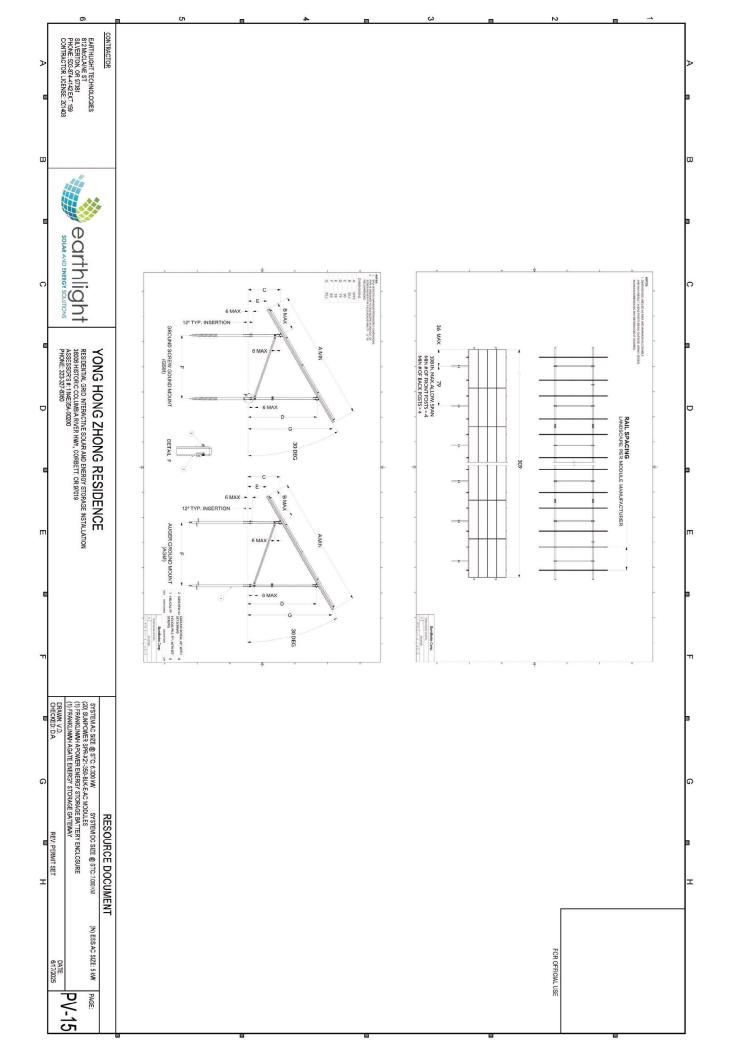
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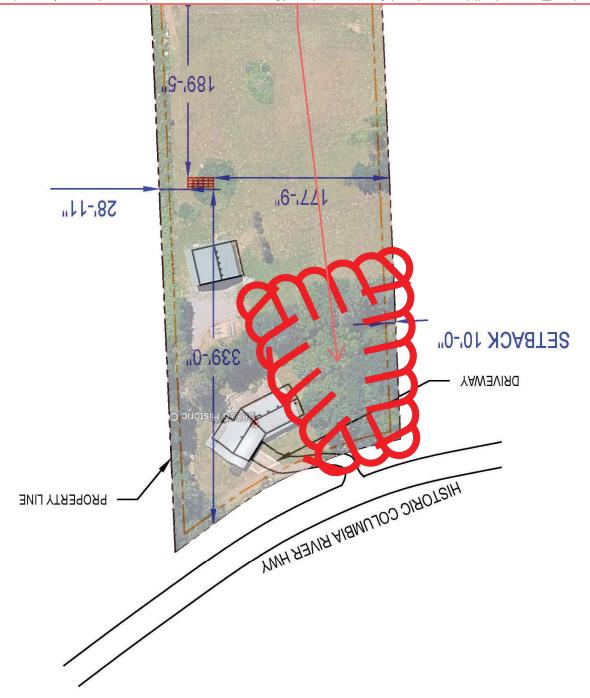
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Existing Trees shall be retained for screening. If trees are removed must be replanted. [MCC 38.7035(A); MCC 38.7035(B)(2), (5), and (6); and MCC 38.7035(C)(3)]

Required Conditions:

If removed, replanted trees shall:

- Be replaced on a one-to-one basis
- 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).

