

# NOTICE OF NSA EXPEDITED DECISION



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**Case File:** T2-2026-0028      **Applicant:** Jennifer Pratt & Michael Wetter

**Proposal:** Request for an NSA Expedited Review for a new accessory structure (garden shed).

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**Location:** 38909 E Historic Columbia River Highway, Corbett, OR 97019      **Property ID #** R322218  
**Map, Tax lot:** 1N4E25CD -00900      **Alt. Acct. #** R944250370

**Base Zone:** Gorge Special – Public Recreation (GS-PR)

**Overlays:** N/A

**Key Viewing Areas:** Columbia River, Historic Columbia River Highway, Interstate-84, Larch Mountain Road, Larch Sherrard, Sandy River, State Route-14

**Landscape Setting:** Coniferous Woodlands

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**Preliminary Decision:** **Approved with Conditions**

The Planning Director is granting preliminary approval of the development. You have 14 days from the date of this decision to provide comments. If no comments are received, the decision shall become final at the close of business on the 14th day. If substantive written comments are submitted, the Planning Director may modify the decision to address the comments and re-issue it for a 14-day appeal period. Comments must be directed to the applicable approval criteria. *Failure to provide comments during this comment period will preclude a right to appeal.*

**This decision is final at the close of the comment period, unless comments are received. The deadline for providing comments is July 7, 2026 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 visiting [www.multco.us/landuse/public-notices/](http://www.multco.us/landuse/public-notices/).

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**Issued by:** \_\_\_\_\_  
Keri Tallorin, Planner

**For:** Megan Gibb,  
Planning Director

**Date:** June 23, 2026



### Applicable Approval Criteria:

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

Administration and Procedures: MCC 38.0560 Code Compliance and Applications

Expedited Uses: MCC 38.1010(A)(1) – Accessory structures between 60 and 200 square feet in area and 10 feet or less in height.

Expedited Development Review: MCC 38.7100 Expedited Development Review Criteria.

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

### Conditions of Approval

1. **Permit Expiration** – This land use permit shall expire as follows:
  - a. Within **two (2) years** of the date of the final decision when construction has not commenced. [MCC 38.0690(B)]
    - i. For the purposes of 1.a, commencement of construction shall mean actual construction of the foundation or frame of the approved structure.
    - ii. For purposes of 1.a, notification of commencement of construction shall be given to Multnomah County Land Use Planning Division a minimum of seven (7) days prior to the date of commencement. Notification shall be sent via email to [LUP-submittals@multco.us](mailto:LUP-submittals@multco.us) with the case no. T2-2026-0028 referenced in the subject line. [MCC 38.0660(A)]
  - b. Within **two (2) years** of the date of commencement of construction when the structure has not been completed. [MCC 38.0690(B)]

- i. For the purposes of 1.b, completion of the structure shall mean completion of the exterior surface(s) of the structure and compliance with all conditions of approval in the land use approval.
- ii. For purposes of 1.b, the property owner shall provide building permit status in support of completion of exterior surfaces of the structure and demonstrate compliance with all conditions of approval. The written notification and documentation of compliance with the conditions shall be sent to [LUP-submittals@multco.us](mailto:LUP-submittals@multco.us) with the case no. T2-2026-0028 referenced in the subject line. [MCC 38.0660(A)]

**Note:** Expiration of the permit is automatic. Failure to give notice of expiration shall not affect the expiration of this approval. The property owner may request one (1) 12-month extension to the timeframe within which this permit is valid, as provided under MCC 38.0700, as applicable. The request for a permit extension must be submitted prior to the expiration of the approval period. [MCC 38.0700]

- 2. Approval of this land use permit is based on the submitted written narrative(s) and plan(s). No work shall occur under this permit other than that which is specified within these documents. It shall be the responsibility of the property owner(s) to comply with these documents and the limitations of approval described herein. [MCC 38.0660(B)]
- 3. **Prior to submitting Building Plans for Zoning Review**, the property owners or their representative shall:
  - a. Acknowledge in writing that they have read and understand the conditions of approval and intend to comply with them. A Letter of Acknowledgement has been provided to assist you. The signed document shall be submitted and uploaded when submitting Building Plans for Zoning Review and Review of Conditions of Approval. [MCC 38.0660(A) & (B)]
- 4. **When submitting Building Plans for Zoning Review**, the property owner(s) or their representative shall:
  - a. Provide a Letter of Acknowledgement as required in Condition 3.a [MCC 39.1170(A) & (B)]
  - b. Submit final design plans. Provide a site plan, building elevations, and floorplan of the accessory structure. The exterior surfaces shall be as described and shown in Exhibit A.6. Any changes to the final design plan of the exterior of the accessory building shall meet the recommendations of the *Building in the Scenic Area Scenic – Resources Implementation Handbook*. [MCC 38.7100(A)(1)(b)-(d)]
- 5. During construction, the property owner(s) or their representative shall:
  - a. The property owner(s) or their representative shall 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. The property owner(s) or their representative shall 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)]

**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:

- 6. 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.

7. 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.
8. Once you have obtained an approved zoning review, application for building permits may be made with the City of Gresham.

## 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 an Expedited National Scenic Area Site Review to place a 192 square foot garden shed on their property.

### 2.0 Property Description & History:

**Staff:** This application is for 38909 E Historic Columbia River Highway, Corbett. The subject property is located on the north side of E Historic Columbia River Highway in the Columbia River Gorge National Scenic Area. The subject property is zoned GS-PR and has zero (0) overlays.

The property is occupied by a single family dwelling and is approximately 1.17 acres according to the County Assessor. The most current aerial photo shows a single family dwelling, two small sheds, and a gazebo.

### 3.0 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.**

\* \* \*

**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

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is made). Instead, a finding of satisfaction of this standard simply means that there is not substantial evidence in the record affirmatively establishing one or more specific instances of noncompliance.

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

## **4.0 Expedited Development Review Criteria**

### **4.1 MCC 38.7100 EXPEDITED DEVELOPMENT REVIEW CRITERIA**

**(A) Proposed developments reviewed using the expedited review process shall comply with the following resource protection guidelines:**

**(1) Scenic**

**(a) In the General Management Area, the scenic resource protection provisions MCC 38.7100 (A)(1)(b) through (f) shall not apply to woven-wire fences for agricultural use that would enclose 80 acres or less.**

**Staff:** The proposed development is occurring within the Special Management area. *This criterion is not applicable.*

**(b) Except signs, the colors of structures topographically visible from key viewing areas shall be dark earth-tones found at the specific site or the surrounding landscape. The specific colors approved by the reviewing agency shall be included as a condition of approval. This guideline shall not apply to additions to existing buildings smaller in total square area than the existing building, which may be the same color as the existing building.**

**Staff:** The shed is proposed to be finished in Pantone Warm Gray 11 C paint—a shade derived from Douglas Fir tree bark, and the roof is proposed to be “coco brown” metal. Both finishes appear to be a dark earth tones comparable to the color samples identified as B13 and C10 in the *Scenic Resources Implementation Handbook* (Exhibit B.4). Painting the shed in a dark earth tone and using the proposed roof material and color will be a condition of approval. *This criterion is met.*

**(c) Except signs, structures topographically visible from key viewing areas shall use low or non-reflective building materials, including roofing, gutters, vents, and chimneys.**

**Staff:** The applicant has indicated that no signage is proposed. The shed will be matte and non-reflective (Exhibit A.4 & A.6). *This criterion is met.*

**(d) Any exterior lighting shall be directed downward and sited, limited to no more than 1,000 lumens per fixture, hooded, and shielded 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 has indicated that no outdoor lights are proposed (Exhibit A.6). *This criterion is not applicable.*

**(e) Signs shall comply with the applicable sign provisions of MCC 38.0080.**

**Staff:** The applicant has indicated that no signage is proposed (Exhibit A.6). *This criterion is not applicable.*

**(f) Structures within ½-mile of a key viewing area and topographically visible from the key viewing area shall be sited, screened and designed to achieve the applicable scenic standard (e.g., visual subordination, not visually evident).**

**Staff:** The proposal will be required to meet the Not Visually Evident scenic standard, which means:

**“A description of the relative visibility of a development, structure or use that provides for developments, structures or uses that are not visually noticeable to the casual visitor and the defining landscape setting characteristics appear intact. Deviations may be present but must repeat form, line, color, texture and pattern common to the natural landscape setting so completely and at such scale, proportion intensity, direction, pattern, etc., that it not be noticeable.” [MCC 38.0015]**

**Staff:** The project is proposed in a Gorge Special Public Recreation land use designation with a Coniferous Woodlands landscape setting, and is subject to the “Not Visually Evident” standard. Due to the 10-foot height of the proposed shed, the proposed matte dark earth tone colors, and the proximity of the proposed shed to dense trees, the proposal appears to comply with the not visually evident standard. *This criterion is met.*

**(2) Cultural**

**(a) The expedited development review process shall only be used to review proposed development that does not require a reconnaissance survey or historic survey. The GMA Cultural Resources Reconnaissance Survey Criteria in MCC 38.7045(A)(1) – (4) shall be used to determine if a reconnaissance or historic survey is required for a proposed development.**

**(b) The GMA provisions that protect cultural resources in MCC 38.7045(L) and human remains discovered during construction in MCC 38.7045(M) shall be applied as conditions of approval for all development approved under the expedited development review process.**

**Staff:** Although the proposed development is within the Special Management Area, the proposed development meets the cultural review exception of MCC 38.7045(A)(1)(b), as the shed does not require a foundation. No ground disturbance is proposed. The SMA provisions that protect cultural resources will be made conditions of approval. *As conditioned, this criterion is met.*

**(3) Recreation**

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

**Staff:** The proposed shed is considered accessory to the existing residential use and will not impact adjacent recreational uses. *This criterion is met.*

**(4) Natural**

**(a) Water Resources (Wetlands, Streams, Ponds, Lakes, and Riparian Areas)**

**The development is outside water resources and their buffer. This guideline shall not apply to lot line adjustments or development located inside road, utility or railroad rights-of-way or easements that have been previously disturbed and regularly maintained.**

**Staff:** The proposed development is located outside of water resources and their buffer. The nearest water resource is Rainbow Creek which is located approximately a quarter mile away from the property. *This criterion is met.*

**(b) Sensitive Wildlife and Sensitive Plants**

**1. The development meets one of the following:**

**a. The development is at least 1,000 feet from known Priority Habitats or sensitive wildlife sites (excluding sensitive aquatic species, and deer and elk winter range) and known rare plants; or**

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

**c. For sensitive wildlife, the development is within 1,000 feet of known Priority Habitats or sensitive wildlife sites (excluding sensitive aquatic species, and deer and elk winter range), but an appropriate federal or state wildlife agency determines:**

**1) the Priority Habitat or sensitive wildlife site is not active; or,**

**2) the proposed development would not compromise the integrity of the Priority Habitat or sensitive wildlife site or occur during the time of the year when wildlife species are sensitive to disturbance.**

**For rare plants, the development is within 1,000 feet of known rare plants, but the Oregon Biodiversity Information Center or a per-son with recognized expertise in botany or plant ecology hired by the applicant has determined that the development would be at least 200 feet from the rare plants.**

**2. Development eligible for expedited review shall be exempt from the field surveys for sensitive wildlife in MCC 38.7065 (A) or sensitive plants in MCC 38.7070 (A).**

**Staff:** The proposed development meets MCC 38.7100(4)(b)1.b. as there are no Priority Habitats, sensitive wildlife sites, or known rare plants within 1,000 feet from the subject property and the development does not disturb the ground. *This criterion is met.*

**(B) Proposed developments reviewed using the expedited review process shall comply with the following treaty rights protection guidelines:**

**(1) Proposed developments shall not adversely affect treaty or other rights of any Indian tribe.**

**(2) The expedited development review process shall cease and the proposed development shall be reviewed using the full development review process if an Indian tribe submits substantive written comments during the comment period that identify the treaty rights that exist in the project vicinity and explain how they would be affected or modified by the proposed development.**

**(3) Except as provided in MCC 38.7100(B)(2) above, the GMA and SMA treaty rights, and the consultation process discussed in MCC 38.0110 shall not apply to proposed developments reviewed under the expedited review process.**

**Staff:** The proposed project is occurring within an area that has already been disturbed by the existing gazebo. The proposed development will also not cause ground disturbance. The applicant states that it will not adversely affect treaty or other rights of any Indian tribe. If an Indian tribe submits substantive written comments during the comment period that identify the treaty rights that exist in the project vicinity and explain how they would be affected or modified by the proposed development, the expedited development review process will cease and the proposed development will be required to be reviewed through a full development review process. *As conditioned, this criterion is met*

## 5.0 Exhibits

‘A’ Applicant’s Exhibits

‘B’ Staff Exhibits

‘C’ Procedural Exhibits

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](mailto:LUP-comments@multco.us).

Exhibit #	# of Pages	Description of Exhibit	Date Received / Submitted
A.1	2	NSA Expedited Application Form	June 2, 2026
A.2	6	NSA Expedited Application Worksheet	June 2, 2026
A.3	1	Site Plan	June 2, 2026
A.4	2	Building Elevations	June 10, 2026
A.5	1	Satellite Aerial Imagery	June 2, 2026
A.6	2	Narrative	June 2, 2026
<b>‘B’</b>	<b>#</b>	<b>Staff Exhibits</b>	<b>Date</b>
B.1	1	Tax Map	June 8, 2026
B.2	1	Wall Color Sample	June 8, 2026
B.3	1	Roof Color Sample	June 8, 2026
B.4	35	Scenic Resources Implementation Handbook	June 8, 2026
<b>‘C’</b>	<b>#</b>	<b>Administration &amp; Procedures</b>	<b>Date</b>
C.1	9	Preliminary Decision	June 23, 2026