

1600 SE 190th Avenue, Portland OR 97233-5910 • PH. (503) 988-3043 • Fax (503) 988-3389

NOTICE OF NSA DECISION

This notice concerns a Planning Director Decision on the land use case(s) cited and described below.

Case File: T2-2018-10688 **Permit:** National Scenic Area Site Review

Location: 30915 NE Hurt Rd, Troutdale
Tax Lot 2600, Section 32B, Township 1 North, Range 4 East, W.M.
Tax Account #R053500890 Property ID#R111610

Applicant / Owner: Frances Steele

Base Zone: Gorge General Residential – 10 (GGR-10) **Landscape Setting:** Rural Res. in Pastoral

Summary: The applicant is requesting a National Scenic Area Site Review approval to place a photo-voltaic system on the south facing roof of the existing single family dwelling.

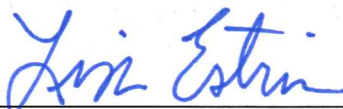
Decision: Approved with Conditions

This decision is final at the close of the appeal period, unless appealed. The deadline for filing an appeal is Monday, November 19, 2018 at 4:00 pm

Opportunity to Review the Record: A copy of the Planning Director Decision, and all evidence submitted associated with this application, is available for inspection, at no cost, at the Land Use Planning office (Tuesday-Friday 8am-4pm). Copies of all documents may be purchased at the rate of 30-cents per page. The Planning Director Decision contains the findings and conclusions upon which the decision is based, along with any conditions of approval. For further information on this case, contact Lisa Estrin, Staff Planner at 503-988-0167 or lisa.m.estrin@multco.us.

Opportunity to Appeal: This decision may be appealed within 14 days of the date it was rendered, pursuant to the provisions of MCC 38.0640. An appeal requires a \$250.00 fee and must state the specific legal grounds on which it is based. To obtain appeal forms or information on the procedure, contact the Land Use Planning offices at 1600 SE 190th Avenue (Phone: 503-988-3043). This decision cannot be appealed to the Columbia River Gorge Commission until all local appeals are exhausted.

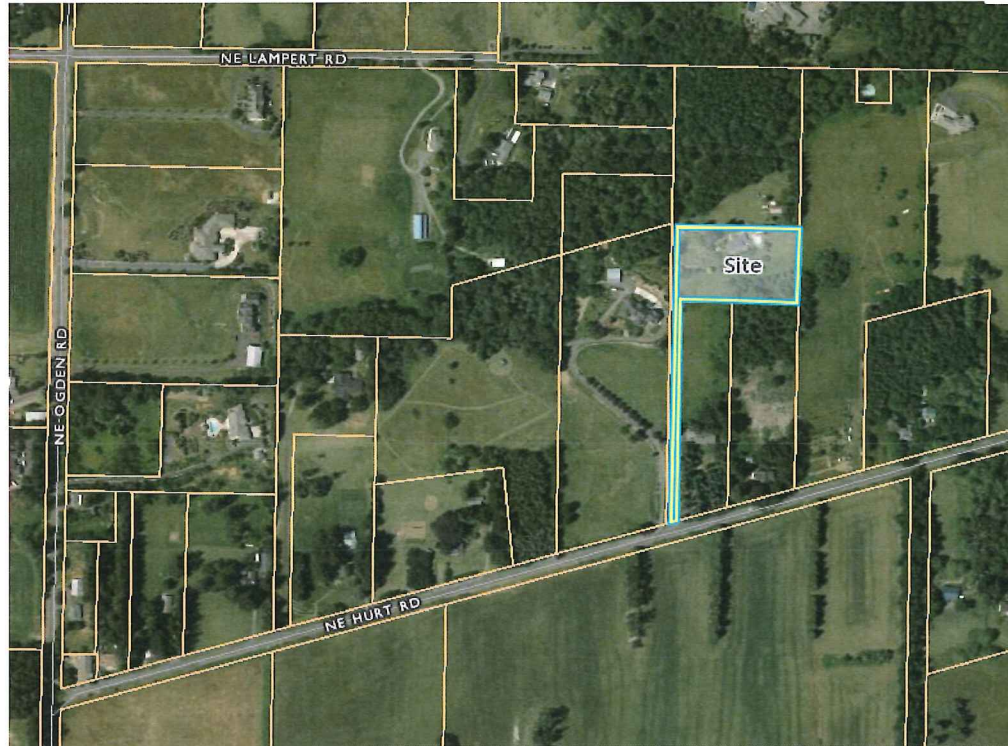
Issued by:



Lisa Estrin, Senior Planner

For: Michael Cerbone, AICP
Planning Director
Date: Monday, November 5, 2018

Instrument Number for
Recording Purposes: #2015-144262



Applicable Approval Criteria: Multnomah County Code (MCC): *Gorge General Residential*: MCC 38.3025(A)(17): Solar, photovoltaic and..., MCC 38.3060: Dimensional Requirements, *Site Review*: MCC 38.7035(A) and (B) et al: GMA Scenic Review Criteria, and MCC 38.7035(C)(4) Rural Residential in Pastoral, MCC 38.7045: GMA Cultural Resource Review Criteria, MCC 38.7055: GMA Wetland Review Criteria, MCC 38.7060: GMA Stream, Lake and Riparian Area Review Criteria, MCC 38.7065: GMA Wildlife Review Criteria, MCC 38.7070 GMA Rare Plant Review Criteria, MCC 38.7080: GMA Recreation Resource Review

Copies of the referenced Multnomah County Code sections can be obtained by contacting our office or by visiting our website at multco.us/landuse/zoning-codes under the link *Chapter 38 – Columbia River Gorge National Scenic Area*.

Conditions of Approval

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

1. 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.
2. Pursuant to MCC 38.0690, this land use permit expires as follows:
 - a. When construction has not commenced within two (2) years of the date the decision became final, or
 - b. When the physical improvements have not been completed within two years of the date of commencement of construction.

NOTES:

1. FIELD ADJUST ARRAYS ON SLOPE FOR BEST PLACEMENT.
2. ALLOW 1" FROM RIDGE AS PER OREGON FIRE CODE.
3. STAGGERED ATTACHMENTS REQUIRED. SEE PAGE 2 DETAILS C & D.
4. TRUSS SPACING IS 24" O.C. (TYPICAL).

30915 NORTHEAST HURT ROAD

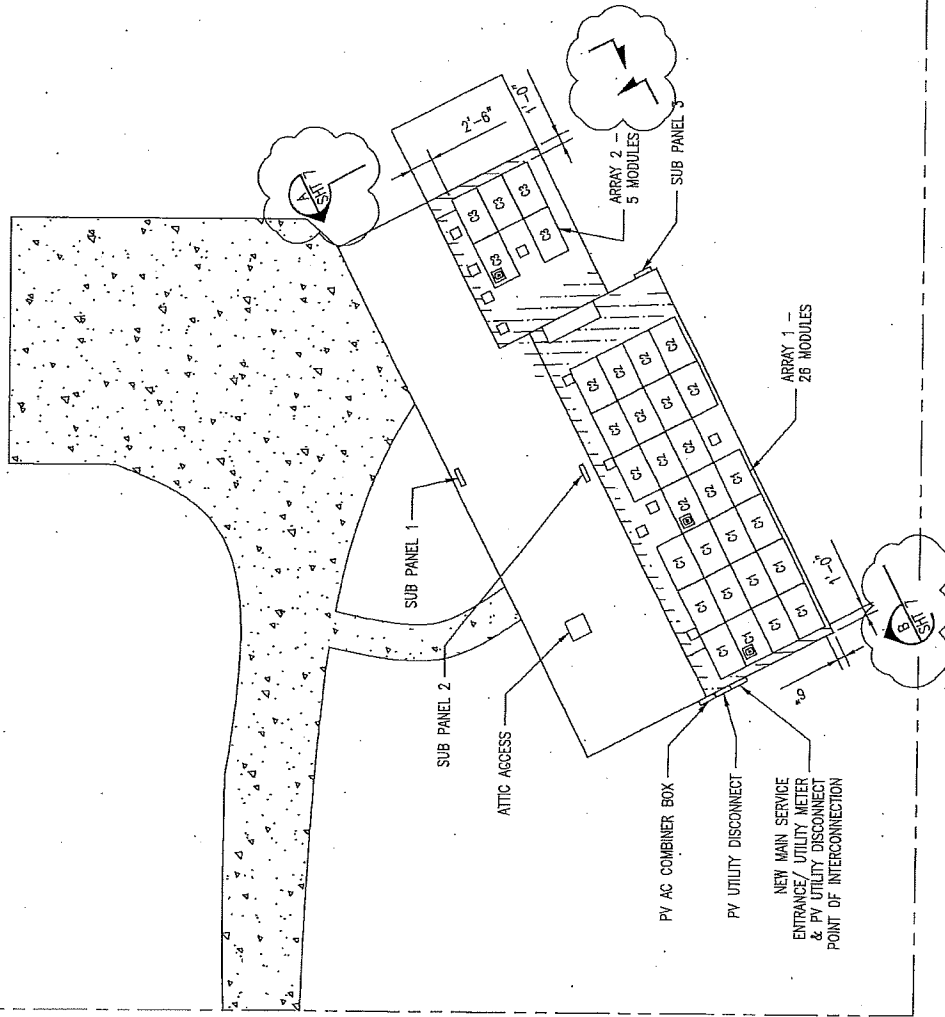
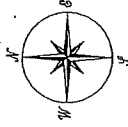
ARRAY	ROOF TILT	ROOF AZIMUTH	TSRF
#1	18°	152°	87%
#2	18°	152°	91%

ASPHALT SHINGLE ROOF

SILFAB SLA-M 310W MODULES
ENPHASE IQ6PLUS-72-2-US
MICROINVERTERS

31 @ 310W = 9.61KW
SEE ATTACHED SHEET FOR DETAILS

ARRAY SQUARE FOOTAGE			
TOTAL ROOF AREA	TOTAL ARRAY AREA	TOTAL ARRAY COVERAGE	
1861	554.59	29.80%	



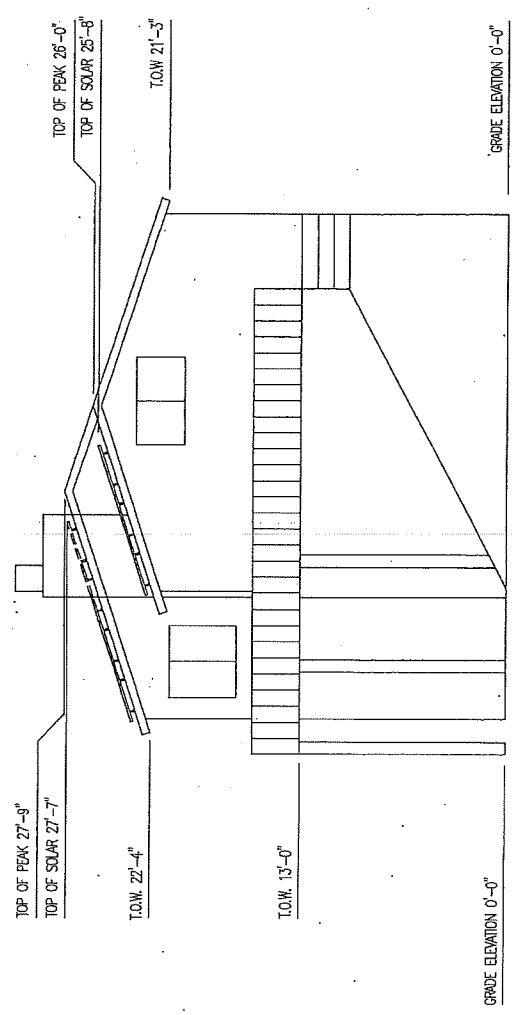
STEELE RESIDENCE
30915 NORTHEAST HURT ROAD, TROUTDALE, OR 97060
PLAN LAYOUT

Proprietary design of AURIC SOLAR. Any unauthorized use or replication of any or all of the design will be subject to prosecution.

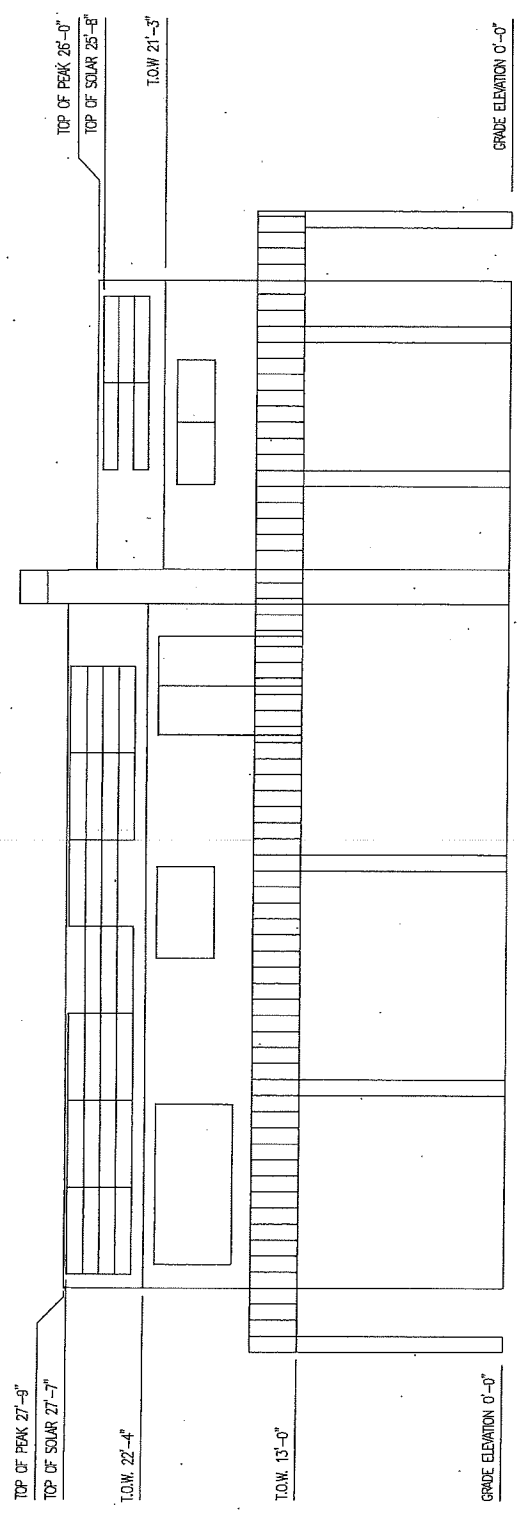
DATE:	7/18/2018
JOB NO.:	176308
REVISION NO.:	002
DESIGN BY:	AMH

SCALE: NO SCALE

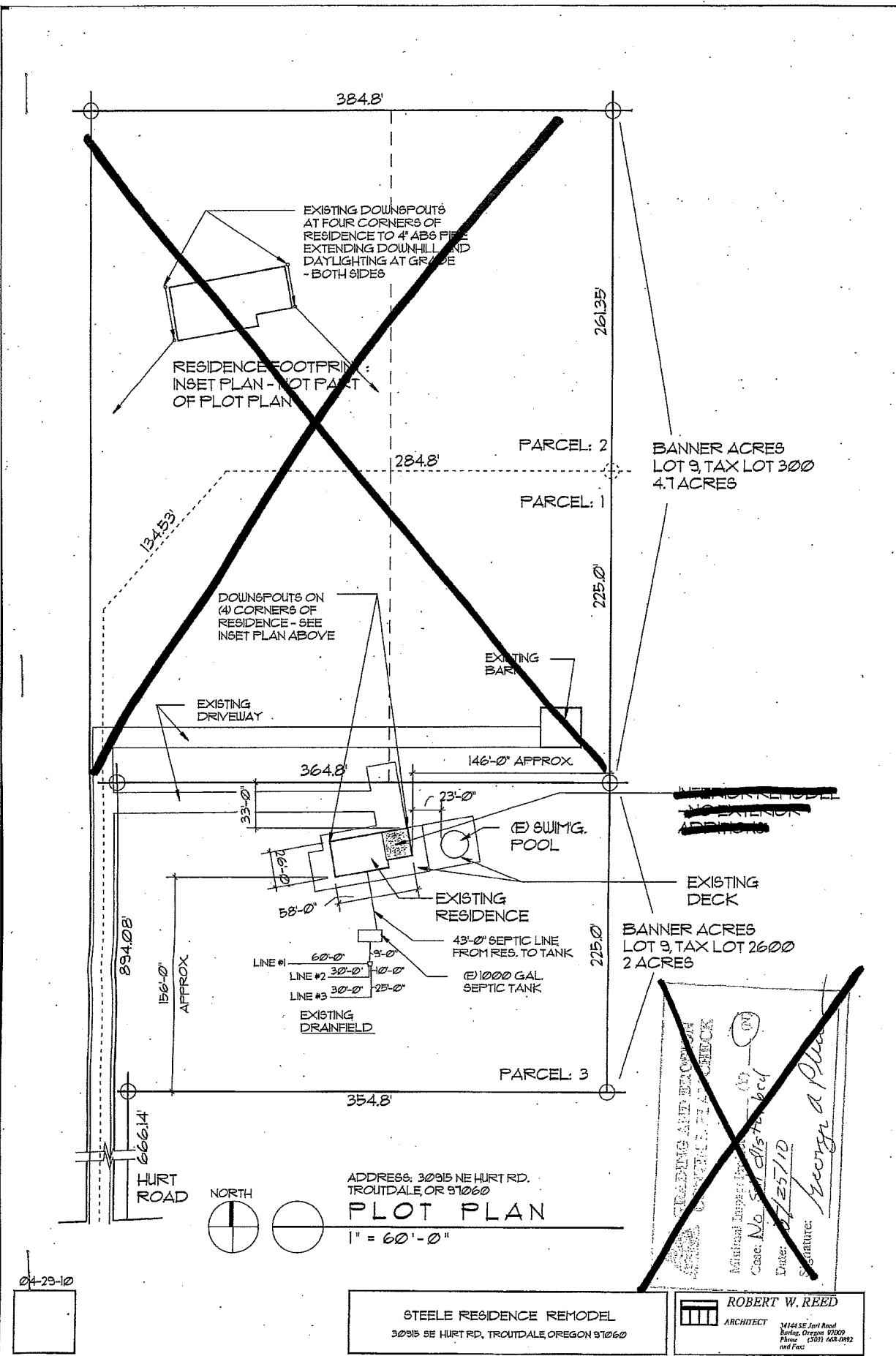
3 of 8



SIDE ELEVATION A
LOOKING SOUTHWEST SHIT. 3



BACK ELEVATION B
LOOKING NORTHWEST SHIT. 3



04-23-10

STEELE RESIDENCE REMODEL
30915 SE HURT RD, TROUTDALE, OREGON 97060

ROBERT W. REED
ARCHITECT
14144 SE Jurt Road
Boring, Oregon 97009
Phone: (503) 668-0992
and Fax:

The property owner may request to extend the timeframe within which this permit is valid, as provided under MCC 38.0700. Such a request must be made prior to the expiration date of the permit.

3. The materials used for the photovoltaic system on the roof of the dwelling shall be black and use anti-reflective materials. The panels shall be Silfab's SLA-M 310 model of panels or their equivalent. Should the roof shingles need to be replaced while the photo-voltaic system will remain on the structure, the new roof shingles shall also be black in color. [MCC 38.7035(B)(1) & (12)]
4. **Prior to land use sign off for building plan check**, the property owner shall record the Notice of Decision including the Conditions of Approval of this decision with the County Recorder. The Notice of Decision shall run with the land and the conditions shall be met by the current and future property owner(s) unless amended through a later decision by an authorized authority. Proof of recording shall be submitted to Multnomah County Land Use Planning prior to the issuance of any permits. Recording shall be at the applicant's expense. [MCC 38.0670]

Note: Once this decision is final, application for building permits may be made with the City of Gresham. Multnomah County Land Use Planning and Transportation Planning must review and sign off on the building permit forms and plans before the applicant can submit to the City of Gresham.

When ready to have building permits signed off, the applicant shall complete the following steps:

1. Contact Transportation Planning at row.permits@multco.us to complete a Driveway Permit for the existing access point onto NE Hurt Road. In addition, please set up an appointment for Transportation Planning to sign off on the building permit form.
2. Once an appointment is set with Transportation Planning, please contact your case planner, Lisa Estrin at 503.988.0167 or lisa.m.estrin@multco.us and inform her of your appointment time. Lisa will attempt to accommodate your appointment time so that all reviews and signatures can be completed at the same time. An appointment must be set with your case planner so that the conditions of approval can be verified and so that the plans can be stamped and forms signed.

Please bring in three (3) sets of plans that include the site plan, construction details, materials descriptions and any other information needed by the Gresham Building Department to issue the needed building permits. Land Use Planning must stamp and sign each of these sets of plans. One set will be kept for our records. At the time of building permit review, a fee will be collected. In addition, an erosion control inspection fee may be required.

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*.

1.00 Project Description:

Staff: The applicant has applied for a National Scenic Area Site Review application to be permitted to install a 31-module roof-top mounted photovoltaic system on the existing single family dwelling (Exhibit A.1 & A.10). The 9.61 kW system will off-set approximately 80% of the homeowners electrical usage (Exhibit A.11).

2.00 Property Description & History:

Staff: The subject property is 2 acres and contains an existing single family dwelling. The dwelling was originally constructed in 1969 and was remodeled in 2010. The house is an existing 2-story dwelling with a second-story deck.

3.00 Gorge General Residential – 10 Zone Criteria:

3.01 § 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:

(17) Solar, photovoltaic and wind turbine alternative energy production facilities accessory to uses permitted in the zoning district provided that:

(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;**

(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;

(c) For wind turbine systems:...

Staff: The applicant is proposing to construct a 9.61 kW photo-voltaic system. The module panels will be installed on the roof of the existing single family dwelling and will off-set approximately 80% of the homeowner’s energy usage. As proposed the panels are not considered to be a commercial power generating facility because the system is designed to offset the homeowners energy usage by approximately 80%. The array module #1 will be installed so that the panels are at least 2 inches below the ridge line (Exhibit A.5, A.6. & A.8). The array module #2 will be installed so that the panels are at least 4 inches below the roof’s ridge line on that portion of the dwelling (Exhibit A.5, A.6 & A.8). The proposed photo-voltaic system meets these criteria; as proposed the system will be mounted to the roof with no components visible above the peak of the roofline, and the system has been found to not be a commercial power generation facility. The property is not located in any special districts. *As proposed criteria will be met.*

3.02 § 38.3060 DIMENSIONAL REQUIREMENTS

(C) Minimum Yard Dimensions – Feet

Front	Side	Street Side	Rear
30	10	30	30

Maximum Structure Height – 35 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 proposed photo-voltaic system will be installed on the roof of the lawfully established dwelling. As the proposed system will occupy an existing roof, the minimum yard requirements will not be reduced (Exhibit A.6). The placement of the panels onto the roof will not increase the height of the existing dwelling (Exhibit A.8). The existing dwelling is below the 35-ft height requirement. The subject parcel is a flag lot. No additional yard requirement is needed as the front yard does not abut a public street. *Criterion met.*

4.00 Site Review Criteria

4.01 § 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:

(A) All Review Uses and Conditional Uses:

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

(2) New buildings shall be compatible with the general scale (height, dimensions and visible mass) of similar buildings that exist nearby (e.g. dwellings to dwellings). Expansion of existing development shall comply with this guideline to the maximum extent practicable. For purposes of applying this standard, the term nearby generally means buildings within ¼ mile of the parcel on which development is proposed.

Staff: No new building or roads are proposed as part of this project. The photovoltaic system will occupy the roof of the existing dwelling as shown on Exhibits A.6 & A.8, as such the proposed improvements do not affect the compatibility of the existing structures with their surroundings. *Criterion met.*

4.02 (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 subject property takes access to Hurt Road. Hurt Road is not a Scenic Travel Corridor. No new vehicle access point is proposed. *Criterion met.*

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

Staff: Staff reviewed the subject property to determine if there has been a previous requirement to maintain vegetation on the subject parcel. No National Scenic Area Site

Review applications or Significant Environmental Concern permits were found for the site. It does not appear that there is any requirements to maintain existing vegetation on the parcel. *Criterion met.*

4.04 (5) For all proposed development, the determination of compatibility with the landscape setting shall be based on information submitted in the site plan.

Staff: The subject property is located in the Rural Residential in Pastoral landscape setting. Please see Sections 4.26 & 4.27 for additional findings regarding compatibility with the landscape setting. *Criterion met.*

4.05 (6) For all new production and/or development of mineral resources and expansion of existing quarries, a reclamation plan is required to restore the site to a natural appearance which blends with and emulates surrounding landforms to the maximum extent practicable.

(7) All reclamation plans for new quarries or expansion of existing quarries shall be sent to the appropriate state reclamation permitting agency for review and comment. The state agency shall have 30 calendar days from the date a reclamation plan is mailed to submit written comments on the proposal. State agency comments shall address the following:

Staff: The proposed application is for the installation of a photo-voltaic system on the roof of an existing single family dwelling (Exhibit A.6). No quarries are proposed therefore these criteria are not applicable to this review.

4.06 (B) All Review Uses and Conditional Uses topographically visible from Key Viewing Areas:

(1) Each development shall be visually subordinate to its setting as seen from Key Viewing Areas.

Staff: The subject property is topographically visible from the Columbia River, Crown Point, Larch Mountain Road, Portland Women's Forum State Park, Sandy River and Historic Columbia River Highway (HCRH) Key Viewing Areas. The photo-voltaic panels will be placed on the south side of the existing two-story roof of the dwelling (Exhibit A.6). The dwelling's location is only topographically visible from the Columbia River and the Sandy River. The Columbia River is north of the subject dwelling so the panels will be screened by the north facing roof line. The Sandy River KVA is approximately 1.33 miles to the southwest and west of the subject site. The proposed panels are constructed with anti-reflective tempered glass (Exhibit A.9 & A.10) and will be all black so that the panels will blend with the existing black roof shingles. The use of black panels on a black roof and the use of anti-reflective materials will be adequate so that the proposed system will be visually subordinate from the Sandy River. A condition of approval has been included requiring that the roof shingles remain black should the dwelling be re-roofed for as long as the panels are installed on the roof. *Through a condition, criterion will be met.*

4.07 (2) The extent and type of conditions applied to a proposed development or use to achieve the scenic standard shall be proportionate to its potential visual impacts as seen from Key Viewing Areas. Decisions shall include written findings addressing the factors influencing potential visual impact including but not limited to: 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). Conditions may be applied to various elements of proposed developments to ensure they are visually subordinate to their setting as seen from key viewing areas, including but not limited to siting (location of development on the subject property, building orientation, and other elements); retention of existing vegetation; design (color, reflectivity, size, shape, height, architectural and design details and other elements); and new landscaping.

Staff: The potential visual impact of the proposed project is fairly limited due to its distance of approximately 1.33 miles from the Sandy River Key Viewing Area (KVA). While the dwelling location is topographically visible from the Columbia River, the proposed panel location on the roof will be completely screened from the Columbia River KVA by the northern side of the dwelling (Exhibit A.6). The applicant is proposing to use materials that will be black and will blend with the existing black roof shingles (Exhibit A.8, A.9 & A.10). The panels use anti-reflective tempered glass so glare will not be created by them. No new landscaping is proposed or needed to reduce visual impacts of the project. Based on the materials used, distance from the KVAs and size of the proposed photo-voltaic system, Land Use Planning has included only one condition (Condition No. 3) to achieve visual subordination and to maintain it.

4.08 (3) Determination of potential visual effects and compliance with visual subordination policies shall include consideration of the cumulative effects of proposed developments.

Staff: The installation of photo-voltaic panels on an existing roof (Exhibit A.6) on the south side of the dwelling and only topographically visible from one Key Viewing Area will have no cumulative effects on the General Management area. The subject property currently has a two-story single family dwelling (daylight basement, main floor). The dwelling has a black roof with light green siding. The dwelling's exterior has not undergone National Scenic Area review to require dark earthtones. A condition has been included that if the roof is replaced in the future while the system is still in use, it shall maintain its black color. The proposed roof-mounted photo-voltaic system will not add to the massing of the house and will not increase the cumulative effects of development in the area. *Criterion met.*

4.09 (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 applicant has provided written materials, brochures showing and discussing the materials to be used and drawings showing the installation of the panels on the existing dwelling (Exhibits A.5 through A.10). No additional plantings are proposed. *Criterion met.*

4.10 (5) For proposed mining and associated activities on lands visible from Key Viewing Areas, in addition to submittal of plans and information pursuant to MCC 38.7035 (A) (6) and subsection (4) above, project applicants shall submit perspective drawings of the proposed mining areas as seen from applicable Key Viewing Areas.

Staff: No mining is proposed as part of the project. The application is for a photo-voltaic system (Exhibits A.1). *Criterion not applicable.*

4.11

(6) New development shall be sited on portions of the subject property which minimize visibility from Key Viewing Areas, unless the siting would place such development in a buffer specified for protection of wetlands, riparian corridors, sensitive plants, sensitive wildlife sites or conflict with the protection of cultural resources. In such situations, development shall comply with this standard to the maximum extent practicable.

Staff: The subject property is topographically visible from six Key Viewing Areas (KVAs) over various segments of the land. The placement of the panels on the south-facing roof of the existing dwelling (Exhibit A.6) reduces the number of KVAs to one (Sandy River KVA). There is no location on the property that is not topographically visible from a KVA, the location, as proposed complies to the maximum extent practical because the facility is proposed to be sited on an existing structure and has been designed so that it is only viewable from one KSA, that portion which is potentially viewable has been designed to be visually subordinate, a condition of approval will assure the facility remains visually subordinate as long as it remains on the structure. *Criterion met.*

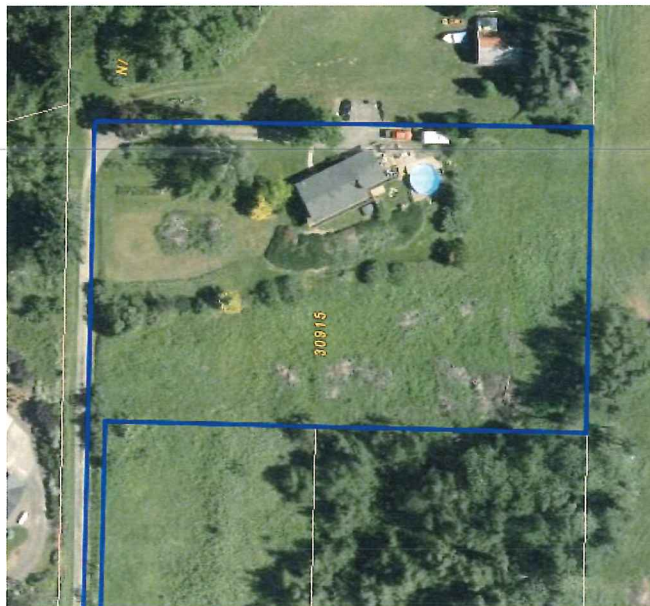
4.12

(7) New development shall be sited using existing topography and/or existing vegetation as needed to achieve visual subordination from key viewing areas.

4.13

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

Staff: No trees will be removed to place the panels on the roof of the dwelling. There are no trees proposed to be removed (Exhibit A.10). As shown in the photo below, a row of trees or large shrubs exist south of the dwelling that breaks up the building elevation as seen from adjacent roadways.



2017 Aerial Photograph

At present, staff has not required the addition of trees to achieve visual subordination as they are not needed at this time. *Criterion met.*

4.14

(9) Driveways and buildings shall be designed and sited to minimize visibility of cut banks and fill slopes from Key Viewing Areas.

Staff: No modifications are proposed to the existing driveway or dwelling that would require the construction of cut banks or fill slopes (Exhibit A.6). The proposed project is to place panels on the existing roof (Exhibit A.8). *Criterion met.*

- 4.15 **(10) The exterior of buildings on lands seen from Key Viewing Areas shall be composed of nonreflective materials or materials with low reflectivity, unless the structure would be fully screened from all Key Viewing Areas by existing topographic features. The Scenic Resources Implementation Handbook includes a list of recommended exterior materials. These recommended materials and other materials may be deemed consistent with this code, including those that meet recommended thresholds in the “visibility and Reflectivity Matrices” in the Implementation Handbook. Continuous surfaces of glass unscreened from key viewing areas shall be limited to ensure visual subordination. Recommended square footage limitations for such surfaces are provided for guidance in the Implementation Handbook.**

Staff: The dwelling is a lawfully established use that was constructed in 1969 prior to the adoption of the National Scenic Area. The applicant indicates in the narrative (Exhibit A.10) that the existing roof shingles on the dwelling are black. Looking at the 2017 aerial photo, the roof has asphalt or composition shingles which are considered a low-reflective material. The photo-voltaic panels proposed to be used are the Silfab’s SLA-M 310 model of panels which are constructed with anti-reflective tempered glass and will utilized an all-black design (Exhibit A.9). The applicant indicates that the panels will blend in with the existing roof shingles (Exhibit A.10). *Criterion met.*

- 4.16 **(11) Exterior lighting shall be directed downward and sited, hooded and shielded such that it is not highly visible from Key Viewing Areas. Shielding and hooding materials shall be composed of non-reflective, opaque materials.**

Staff: No new exterior lighting are proposed as part of the project (Exhibit A.10). *Criterion met.*

- 4.17 **(12) 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 or list of acceptable colors shall be included as a condition of approval. The Scenic Resources Implementation Handbook will include a recommended palette of colors.**

Staff: Those part of the photo-voltaic system that will be placed on the roof of the dwelling will be black (Exhibit A.9 & A.10). Condition No. 3 requires that the materials specified in the narrative be used. *Criterion met.*

- 4.18 **(13) Additions to existing buildings smaller in total square area than the existing building may be the same color as the existing building. Additions larger than the existing building shall be of dark earth-tone colors found at the specific site or in the surrounding landscape. The specific colors or list of acceptable colors shall be included as a condition of approval. The Scenic Resources Implementation Handbook will include a recommended palette of colors.**

Staff: The proposed photo-voltaic system does not qualify as an addition to the dwelling. MCC 38.0015 Definitions states that an “Addition” is “An extension or increase in the

floor area or height of an existing building.” The proposed panels will not increase the height of the dwelling, so they do not qualify as an **“Addition”**. *Criterion not applicable.*

- 4.19** **(14) Rehabilitation of or modifications to existing significant historic structures shall be exempted from visual subordination requirements for lands seen from Key Viewing Areas. To be eligible for such exemption, the structure must be included in, or eligible for inclusion in, the National Register of Historic Places or be in the process of applying for a determination of significance pursuant to such regulations. Rehabilitation of or modifications to such historic structures shall be consistent with National Park Service regulations for historic structures.**

Staff: The existing dwelling is 49 years old. The structure is not old enough to be considered a historic structure at this time. In the future, the property owner may consider if he wishes to pursue a historic designation. *Criterion not applicable.*

- 4.20** **(15) The silhouette of new buildings shall remain below the skyline of a bluff, cliff or ridge as seen from Key Viewing Areas. Variances may be granted if application of this standard would leave the owner without a reasonable economic use. The variance shall be the minimum necessary to allow the use, and may be applied only after all reasonable efforts to modify the design, building height, and site to comply with the standard have been made.**

Staff: No new building is proposed. The application is for a photo-voltaic system. *Criterion not applicable.*

- 4.21** **(16) An alteration to a building built prior to November 17, 1986, which already protrudes above the skyline of a bluff, cliff or ridge as seen from a Key Viewing Areas, may itself protrude above the skyline if:**

(a) The altered building, through use of color, landscaping and/or other mitigation measures, contrasts less with its setting than before the alteration; and

(b) There is no practicable alternative means of altering the building without increasing the protrusion.

Staff: The existing building does not protrude above the skyline of a bluff, cliff or ridge. The proposed panels will not increase the height of the existing dwelling as they will remain below the ridgeline of the structures (Exhibit A.8). *Criterion met.*

- 4.22** **(17) The following standards shall apply to new landscaping used to screen development from key viewing areas:**

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

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

(c) Vegetation planted for screening purposes shall be of sufficient size to make the development visually subordinate within five years or less of commencement of construction.

(d) Landscaping shall be installed as soon as practicable, and prior to project completion. Applicant. The property owner(s), and their successor(s) in interest are responsible for the proper maintenance and survival of planted vegetation, and replacement of such vegetation that does not survive.

(e) The Scenic Resources Implementation Handbook includes recommended species for each landscape setting consistent with MCC 38.7035(C) and the minimum recommended sizes for tree plantings (based on average growth rates expected for recommended species).

(18) Conditions regarding new landscaping or retention of existing vegetation for new developments on land designated GMA Forest shall meet both scenic guidelines and the fuel break requirements of MCC 38.7305(A).

Staff: No new landscaping is proposed or required as part of this land use application.
Criterion not applicable.

4.23

(19) New main lines on lands visible from Key Viewing Areas for the transmission of electricity, gas, oil, other fuels, or communications, except for connections to individual users or small clusters of individual users, shall be built in existing transmission corridors unless it can be demonstrated that use of existing corridors is not practicable. Such new lines shall be underground as a first preference unless it can be demonstrated to be impracticable.

(20) New communication facilities (antennae, dishes, etc.) on lands visible from Key Viewing Areas, which require an open and unobstructed site shall be built upon existing facilities unless it can be demonstrated that use of existing facilities is not practicable.

(21) New communications facilities may protrude above a skyline visible from a Key Viewing Area only upon demonstration that:

- (a) The facility is necessary for public service;
- (b) The break in the skyline is seen only in the background; and
- (c) The break in the skyline is the minimum necessary to provide the service.

(22) Overpasses, safety and directional signs and other road and highway facilities may protrude above a skyline visible from a Key Viewing Area only upon a demonstration that:

- (a) The facility is necessary for public service;
- (b) The break in the skyline is the minimum necessary to provide the service.

Staff: The proposed project is for a photo-voltaic energy system to provide electricity to an existing single family residence (Exhibit A.1 & A.10). *Criteria are not applicable.*

4.24

(23) Except for water-dependent development and for water-related recreation development, development shall be set back 100 feet from the ordinary high water mark of the Columbia River below Bonneville Dam, and 100 feet from the normal pool elevation of the Columbia River above Bonneville Dam, unless the setback would render a property unbuildable. In such cases, variances to the setback may be authorized.

Staff: The project is not located on a stream, lake or the Columbia River. *Criterion not applicable.*

- 4.25** (24) New buildings shall not be permitted on lands visible from Key Viewing Areas with slopes in excess of 30 percent. A variance may be authorized if the property would be rendered unbuildable through the application of this standard. In determining the slope, the average percent slope of the proposed building site shall be utilized.

Staff: No new buildings are proposed. The proposed project is for a photo-voltaic energy system to provide electricity to an existing single family residence (Exhibit A.8). *Criterion not applicable.*

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

(1) Pastoral

- (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.
- (b) In portions of this setting visible from Key Viewing Areas, the following standards shall be employed to achieve visual subordination 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. Vegetative landscaping shall, where feasible, retain the open character of existing pastures and fields.
 - 3. At least half of any trees planted for screening purposes shall be species native to the setting or commonly found in the area. Such species include fruit trees, Douglas fir, Lombardy poplar (usually in rows), Oregon white oak, big leaf maple, and black locust (primarily in the eastern Gorge). The Scenic Resources Implementation Handbook includes recommended minimum sizes.
 - 4. At least one-quarter of any trees planted for screening shall be coniferous for winter screening.
- (c) Compatible recreation uses include resource-based recreation uses of a very low or low-intensity nature, occurring infrequently in the landscape.

(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.
- (b) In portions of this setting visible from Key Viewing Areas, the following standards shall be employed to achieve visual subordination 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 commonly found in the area.
3. At least half of any trees planted for screening purposes shall be coniferous to provide winter screening.

(c) Compatible recreation uses include should be limited to small community park facilities, but occasional low-intensity resource-based recreation uses (such as small scenic overlooks) may be allowed.

Staff: The proposed project is for a photo-voltaic system to be installed on the roof of the existing dwelling. No new buildings will be constructed. No trees are proposed to be removed (Exhibit A.6 & A.10). No trees are proposed to be planted. The energy system achieves visual subordination by the use of anti-reflective materials and dark earth-tones (black) on a black roof (Exhibit A.9 & A.10). No recreational uses are proposed for the site. *Criteria met.*

4.27

(4) Rural Residential in Pastoral

(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.

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

Staff: The subject property is located in the Rural Residential in Pastoral landscape setting. The proposed photo-voltaic system to be installed on the roof of the existing dwelling has been found to meet the Landscape Setting standards of both the Rural Residential landscape setting and the Pastoral landscape setting. See Section 4.26 for additional findings demonstrating conformance with this criterion. No recreational uses are proposed for the property at this time. *Criteria met.*

5.00

Resource Review Criteria

5.01

§ 38.7045 GMA CULTURAL RESOURCE REVIEW CRITERIA

(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.

Staff: The US Forest Service (USFS) determined that no Cultural Resource Reconnaissance Survey or Historic Survey is needed for this project (Exhibit B.2). *Criterion met.*

5.02 § 38.7055 GMA WETLAND REVIEW CRITERIA

(A) The wetland review criteria shall be deemed satisfied if:

- (1) The project site is not identified as a wetland on the National Wetlands Inventory (U.S. Fish and Wildlife Service, 1987);**
- (2) The soils of the project site are not identified by the Soil Survey of Multnomah County, Oregon (U.S.D.A. Soil Conservation Service, 1983) as hydric soils;**
- (3) The project site is adjacent to the main stem of the Columbia River.**
- (4) The project site is not within a wetland buffer zone; and**
- (5) Wetlands are not identified on the project site during site review.**

Staff: Planning staff reviewed the National Wetlands Inventory map at the location of the subject site. No potential wetlands were identified. The soils on the site are Mershon silt loam (27B, 27C and 27D) and are not identified as hydric soils. The property is located on Hurt Road and not adjacent to the Columbia River. Staff did not find any indication of a streams, wetlands or riparian zones on their research of various County resources. No buffer zones exist on the subject site. The wetland review criteria have been deemed satisfied by the above findings. *Criterion met.*

5.03 § 38.7060 GMA STREAM, LAKE AND RIPARIAN AREA REVIEW CRITERIA

(A) The following uses may be allowed in streams, ponds, lakes and riparian areas, and their buffer zones, when approved pursuant to the provisions of MCC 38.0045, MCC 38.7060 (C), and reviewed under the applicable provisions of MCC 38.7035 through 38.7085: ...

Staff: Staff reviewed various resources to determine if the site has any streams, ponds, lakes or riparian areas. None were found. No buffer zones extend onto the site from adjacent properties. *Criterion met.*

5.04 § 38.7065 GMA WILDLIFE REVIEW CRITERIA

Wildlife Habitat Site Review shall be required for any project within 1,000 feet of sensitive wildlife areas and sensitive wildlife sites (i.e., sites used by sensitive wildlife species).

§ 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 sensitive plant species.

Staff: Planning staff reviewed the NSA Sensitive Plants and Wildlife maps. No sensitive species were shown to be located within 1,000 feet of the subject site. *Criteria met.*

5.05 § 38.7080 GMA RECREATION RESOURCE REVIEW CRITERIA

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

Staff: The subject site is not adjacent to any existing recreational resources within the National Scenic Area. No recreational uses are proposed for the subject site. The proposal is for a photo-voltaic energy system to provide a portion of the energy to the legally existing residential use. *Criterion met.*

8.00 Conclusion

Based on the findings and other information provided above, the applicant has carried the burden necessary for the NSA Site Review permit to establish a photo-voltaic system on the existing residence in the GGR-10 zone. This approval is subject to the conditions of approval established in this report.

9.00 Exhibits

'A' Applicant's Exhibits

'B' Staff Exhibits

'C' Comments Received

Exhibits with a "*" after the exhibit # have been included as part of the mailed decision. All other exhibits are available for review in Case File T2-2018-10688 at the Land Use Planning office.

Exhibit #	# of Pages	Description of Exhibit	Date Received/ Submitted
A.1	1	NSA Application Form	7/25/2018
A.2	1	Certificate of Death	7/25/2018
A.3	3	Deed recorded in Book 1069, Pages 713 – 715 on October 28, 1975	7/25/2018
A.4	3	Special Warranty Deed recorded at 2015-144262 on November 12, 2015	7/25/2018
A.5	2	Plans – Title Page: Page 1 of 8 Index – Mechanical Details and Notes: Page 2 of 8	7/25/2018
A.6	2	Plan Layout: Page 3 of 8 String Layout & Electrical Integration: Page 4 of 8	7/25/2018
A.7	2	Single Line Interconnection Diagram & Labeling: Page 5 of 8 Electrical Calculations – Notes & Details: Page 6 of 8	7/25/2018
A.8	2	Elevations: Page 7 of 8 Bill of Materials: Page 8 of 8	7/25/2018
A.9	2	SLA-M Monocrystalline Brochure	7/25/2018
A.10	13	Scott Steele Solar Application Review Narrative	7/25/2018
A.11	1	Email Regarding Percentage of Electricity that will be generated	9/24/2018
'B'	#	Staff Exhibits	Date
B.1	2	A&T Property Record for 1N4E32B - 02600	7/25/2018
B.2	2	USFS Cultural Review Determination	8/14/2018
B.3	1	SHPO Submittal Form	8/1/2018
B.4	1	T2-2018-10688 Complete Letter	8/24/2018
B.5	5	T2-2018-10688 Opportunity to Comment	8/28/2018
B.6	15	Administrative Decision	10/22/2018

'C'	#	Comments Received	Date
C.1	7	Friends' Comments	9/11/2018