

ATTACHMENT D – STAFF REPORT

File Number: PLASAR-17-04-0003

Applicant: Donald Dickinson

Owners: Donald & Monte Dickinson

Requests: (1) Scenic Area Review to construct an 802 square foot (SF) addition onto an existing 1,350 SF single family dwelling (total SF = 2,058), and a 32'L x 26'W x 14'T detached garage with attached 10'L x 10'W x 14'T well house (total SF = 932)

(2) Variance to the 100' setback requirement from the surface of Interstate 84 and Highway 30 W to allow a 75' (approximate) setback from I-84 and a 67' (approximate) setback from Highway 30 W.

Decision: **Approved** with Conditions

Decision Date: June 15, 2017

Appeal Deadline: June 30, 2017

Location: The subject property lies between Interstate 84 and Highway 30W approximately 0.8 mile east of the road connecting the I-84 off-ramp to Highway 30 W in the community of Rowena, more specifically described as:

<u>Map/Tax Lot</u>	<u>Acct. #</u>	<u>Acres</u>
2N 12E 12DB 500	1109	0.92

Zoning: R-R(2), Rural Residential in the General Management Area of the Columbia River Gorge National Scenic Area

Past Actions: SPR-96-134-WARR2-GP/VAR-96-109-WARR2-GP (addition to dwelling/variance to Highway 30 W setback; TUP-96-107-WARR2-GP (live in a Recreational Vehicle while renovating house); LOC-97-BP (building permit for house renovation); and SPR-93-106-WAMHT-G6A (replace roof – change pitch)

Procedure Type: Administrative

Prepared By: Dawn Baird, Associate Planner

I. APPLICABLE STANDARDS

Wasco County National Scenic Area Land Use & Development Ordinance (NSALUDO)

A. Chapter 3 – Basic Provisions

Section 3.160, R-R(2), Rural Residential Zone (GMA)

Section 3.160.D.1., Uses Permitted Subject to Review, Single Family Dwelling

Section 3.160.D.3., Uses Permitted Subject to Review, Detached Accessory Buildings

Section 3.160.G, Property Development Standards

B. Chapter 11 – Fire Safety Standards

Section 11.110, Siting Standards

Section 11.120, Defensible Space

Section 11.130, Construction Standards for Dwellings and Structures

Section 11.140, Access Standards

Section 11.150, Fire Protection or On-Site Water Required

C. Chapter 14 – Scenic Area Review

Section 14.100, Provisions for all new development

Section 14.200, Key Viewing Areas

Section 14.300, Scenic Travel Corridors

Section 14.400, Landscape Settings

Section 14.500, Cultural Resources – GMA

Section 14.600, Natural Resources – GMA

Section 14.700, Recreation Resources - GMA

Section 14.800, Indian Tribal Treaty Rights and Consultation – GMA

D. Chapter 6 - Variances

I. BACKGROUND

A. Legal Parcel: The subject parcel was created by Deed Volume 136, Page 409, recorded with the Wasco County Clerk on February 13, 1958. It is consistent with the definition of Legal Parcel in NSA-LUDO Section 1.200, Definitions, because it was created by deed prior to September 4, 1974.

B. Site Description: The subject parcel is located in the community of Rowena. The subject parcel is long and narrow (approximately 375'L x 100-125'W) and lies between Interstate 84 and Highway 30 W. The subject parcel contains one single family dwelling, two sheds and a pump house. Slopes on the property are approximately 5-6% north-facing. The site is well wooded primarily with Ponderosa pine and Oregon white oak trees with a variety of shrubs, bushes and grasses.

C. Surrounding Land Use: Interstate 84 is located directly north of the subject parcel. It is fairly level for approximately 85' north of the subject parcel then drops abruptly 15-20'

(approximate) to the freeway. North of I-84 is the Union Pacific Railroad tracks and East Mayer State Park. All surrounding properties are located in the National Scenic Area and are zoned R-R(2), Rural Residential. Properties to the east and west are located between Interstate 84 and Highway 30 W. Property to the west is vacant and property to the east contains a single family dwelling. Properties to the south contain single family dwellings and a mobile home park. Properties to the east and west have similar 5-6% north-facing slopes as the subject parcel with some trees and natural grass or irrigated lawn. Properties to the south contain steeper 15-20% north-facing slopes but are relatively level near Highway 30W. There are many trees, both evergreen and deciduous, on the south side of the highway and the land contains natural grass and irrigated lawns.

- D. Public Comment:** Notice of Administrative Action was mailed on May 18, 2017, to all owners of property within 200' of the subject parcel, the U.S. Forest Service - Columbia River Gorge National Scenic Area Office, Columbia River Gorge Commission, and other interested parties registered with Wasco County. This notice provided a 15-day pre-notice for public comment (June 2, 2017). Notice was also sent to the Oregon State Historic Preservation Office (SHPO), and the four Columbia River Treaty Tribe Indian tribal governments on May 18, 2017, and a 20-day comment period was given (June 7, 2017). No comments were received from a tribal government however the following comments were submitted.

(May 18, 2017) Margaret L. Dryden, Heritage Resources Program Manager, Columbia River Gorge National Scenic Area, REVISED Cultural Resources Survey Determination

- A cultural resource reconnaissance survey is not required because the proposed use would involve the expansion of an existing house, will occur on a site that has been adequately surveyed in the past (Turck, 1996) and does not occur within 500' of a known archaeological site.
- The subject house was constructed in 1930. In 1996 the house was found to be not significant (Turck 1996) therefore a historic survey is required because the request would not alter the exterior architectural appearance of significant buildings and structures on the property that are 50 years old or older. Development 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.
- Recommends conditions be placed in case historic or prehistoric cultural materials are discovered during development.

Staff Response: Cultural and historic resources are addressed in Section 14.500.

(May 23, 2017) Kristin Dodd, Unit Forester, Central Oregon District – The Dalles Unit, Oregon Department of Forestry

If approved the County should apply the wildfire siting standards adopted by the County as they currently exist including paying particular attention to structures having the least impact on adjoining forest land, appropriate buffer requirements, and risks associated with wildfire are minimized. Want to see compliance with road

standards including width, vertical clearance, turnarounds, turnouts and road grades.

Staff Response: Fire Safety Standards are addressed in Section III.C.

(May 24, 2017) Steven D. McCoy, Staff Attorney, Friends of the Columbia Gorge

Mr. McCoy cited various review criteria and application requirements and stated that conditions of approval must be recorded. Of specific concern is the amount of glass on the north side of the proposed addition. "Special care must be taken to ensure that the reflectivity standards will be met in order to ensure that visual subordination standard will be met."

Staff Response: All applicable criteria and Friends of the Columbia Gorge concerns are addressed throughout this report.

II. FINDINGS:

Wasco County National Scenic Area Land Use & Development Ordinance (NSALUDO)

A. Chapter 3 - Basic Provisions, Section 3.160, R-R, Rural Residential Zone

D. Uses Permitted Subject to Review

The following uses and activities may be allowed on a legal parcel designated Residential subject to Subsection G - Property Development Standards, Chapter 11 – Fire Safety Standards & Chapter 14 - Scenic Area Review, as well as any other listed or referenced standards.

1. *One (1) single family dwelling per legally created lot/parcel. (GMA Only)*

FINDING: The request is to construct an 802 square foot (SF) addition onto an existing 1,350 SF single family dwelling; also a 24'L x 30'W x 14'T (720 SF) detached garage. Section 3.160.G., Property Development Standards, is addressed below.

Chapter 10 – Fire Safety Standards is addressed in B.

Chapter 14 – Scenic Area Review is addressed in C.

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Chapter 14 – Scenic Area Review is addressed in C.

Section 3.160.G., Property Development Standards

*(***)*

2. *General Setbacks - all structures other than approved signs and fences shall comply with the following general setback standards:*

Front Yard	25'
Side Yard	25'
Rear Yard	40'

FINDING: The owner proposes the following setbacks:

	Required Setback	Proposed Setback - Dwelling	Proposed Setback – Detached Garage	Consistent?
Front Yard (North)	25'	60'	51'	Yes
Side Yard (East)	20'	245'	220'	Yes
Side Yard (West)	20'	90+'	95+'	Yes
Rear Yard (South)	20'	25'	38/-	Yes

As proposed the single family dwelling and detached accessory building exceed the general setback requirements from property lines therefore the request complies with Criterion 2.

3. *Agricultural Setbacks - In addition to the general setback standards listed in criterion 2 above, all new buildings to be located on a parcel adjacent to lands that are designated Large-Scale or Small-Scale Agriculture and are currently used for or are suitable for agricultural use, shall comply with specific setback standards:*

FINDING: The subject parcel is surrounded on all sides by Rural Residential zoning in the community of Rowena therefore agricultural setbacks are not applicable to the request. The request complies with Criterion 3.

4. *Floodplain: Any development including but not limited to buildings, structures or excavation, proposed within a FEMA designated flood zone, or sited in an area where the Planning Director cannot deem the development reasonably safe from flooding shall be subject to Section 3.240, Flood Hazard Overlay.*

FINDING: The subject parcel is located approximately 700' from a FEMA designated flood zone. The request complies with Criterion 4.

5. *Height - Maximum height for all structures shall be thirty-five feet (35') unless further restricted in accordance with Chapter 14 - Scenic Area Review.*

FINDING: The proposed dwelling addition will be 16' in height. The proposed detached garage/well house will be 14' in height. As proposed the single family dwelling and detached accessory building will be less than 35' tall therefore the request complies with Criterion 5.

6. *Vision Clearance - Vision clearance on corner properties shall be a minimum of thirty (30) feet.*

FINDING: The subject parcel is not located on a corner lot therefore Criterion 6. is not applicable to this request.

7. *Parking - Off street parking shall be provided in accordance with Chapter 4.*

FINDING: Chapter 4, Section 4.040, Off-Street Parking, requires one parking space for a single family dwelling. The site plan identifies a long driveway (250'L) which provides multiple parking spaces. As proposed, the request complies with Criterion 7.

B. Chapter 11 – Fire Safety Standards

Section 11.110, Siting Standards – Locating Structures for Good Defensibility

Section 11.120, Defensible Space – Clearing and Maintaining a Fire Fuel Break

Section 11.130, Construction Standards for Dwellings and Structures – Decreasing the Ignition Risks by Planning for a more Fire-Safe Structure

Section 11.140, Access Standards – Providing Safe Access to and Escape From Your Home

Section 11.150, Fire Protection or On-Site Water Required – Ensuring Dwellings Have Some Fire Protection Available Through Manned or Unmanned Response)

FINDING: The Fire Safety Standards, adopted by the Wasco County Court and effective February 5, 2007, require property owners to be aware of potential fire risks in areas outside of urban areas of Wasco County, and requires compliance with siting standards, fuel break requirements, construction standards, access standards, and on-site water storage requirements.

As part of a complete application, the property owners completed a Fire Safety Standard Self-Certification Form. By signing the self-certification form, the owners have acknowledged that they understand these standards and commit to achieve compliance with them within one year of the date of approval and maintain them through the life of the development. This certification further commits all future property owners to this same requirement. A copy of this self-certification form is available for inspection at the Wasco County Planning Department under File. A **condition** of approval stating this is included in the Notice of Decision.

The subject property is located within the boundaries of Mid-Columbia Fire & Rescue and has structural fire protection. The property also receives wild fire protection from the Oregon Department of Forestry.

The existing/proposed single family dwelling and detached accessory building are/will be constructed of fire-resistant materials and will provide a defensible fire break area around the proposed buildings.

There are two access points into and out of the property. The driveway and parking/maneuvering area is wide and up to fire standards.

The request complies with Chapter 11 – Fire Safety Standards.

C. Chapter 14 – Scenic Area Review

Section 14.100, Provisions For All New Development (GMA & SMA)

- A. *All new development, except uses allowed through the expedited review process, shall be reviewed under the applicable sections of Key Viewing Areas, Scenic Travel Corridors, Landscape Settings, Natural Resources, Cultural Resources, and Recreation Resources.*

FINDING: The following applicable sections of Chapter 14 are addressed below: Section 14.200, Key Viewing Areas, Section 14.300, Scenic Travel Corridors, Section 14.400, Landscape Settings, Section 14.500, Cultural Resources – GMA, Section 14.600, Natural Resources – GMA, Section 14.700, Recreation Resources – GMA, and Section 14.800, Indian Tribal Treaty Rights and Consultation – GMA.

- B. *New buildings and roads shall be sited and designed to retain the existing topography and to minimize grading activities to the maximum extent practicable.*

FINDING: The development site was previously graded during the construction of the original home in the 1930s and during its expansion in 1996. Minimal grading is required to place the new development because construction will occur on the previously graded areas.

There are no alternative sites for the new development that would better retain the existing topography and minimize grading activities to the maximum extent practicable. Staff finds that the proposed development will retain existing topography and minimize grading activities to the maximum extent practicable and complies with Criterion B.

- C. *New buildings shall be compatible with the general scale (height, dimensions and overall mass) of existing nearby development. Expansion of existing development shall comply with this guideline to the maximum extent practicable.*

FINDING: The applicant requested approval to construct an 802 square foot addition to the existing dwelling. The addition consists of a living room and porch addition. Staff evaluated development on properties within ¼ mile of the subject parcel, all of which are located within the National Scenic Area, and found that existing development ranges in size from 60-2,156 square feet in size and includes single family dwellings and detached accessory buildings (garages, storage buildings, carports, barns). The existing dwelling is a single story in height (16'T) and the proposed garage will be 14'T. The area contains primarily single story buildings however some detached accessory buildings are over 20'T. As proposed, the dwelling addition and detached garage will be consistent with the height dimensions and overall mass of development on adjacent properties. The request complies with Criterion C.

- D. Unless expressly exempted by other provisions, colors of all exterior surfaces of structures on sites not visible from Key Viewing Areas shall be 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.*
- E. 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.*

FINDING: A portion of the request includes construction of an 802 SF addition to the existing 1,350 SF dwelling. Staff notes that the house is painted a light earthtone color and any expansion of the existing building painted the same light color will not allow the building to be visually subordinate. The owner states that he plans to repaint the house and is willing to paint the house a dark earthtone color. Color requirements are further discussed in Section 14.200.I. Staff finds that Criterion E. is not applicable to this request.

- F. Outdoor lighting shall be directed downward, sited, limited in intensity, shielded and hooded in a manner that prevents the lighting from projecting onto adjacent properties, roadways, and the Columbia River as well as preventing the lighting from being highly visible from Key Viewing Areas and from noticeably contrasting with the surrounding landscape setting. Shielding and hooding materials shall be composed of nonreflective opaque materials. There shall be no visual pollution due to the siting or brilliance, nor shall it constitute a hazard for traffic.*

FINDING: The application states that exterior lighting shall be placed at the doorways and would be motion activated. The owner should be aware of the requirements for outdoor lighting and the need to hood and shield outdoor lighting so that it is directed onto the subject parcel. A **condition** of approval is included in the Notice of Decision requiring outdoor lighting to be directed downward, sited, limited in intensity, shielded and hooded in a manner that prevents the lighting from projecting onto adjacent properties, roadways, and the Columbia River as well as preventing the lighting from being highly visible from Key Viewing Areas and from noticeably contrasting with the surrounding landscape setting. Shielding and hooding materials shall be composed of nonreflective opaque materials. There shall be no visual pollution due to the siting or brilliance, nor shall it constitute a hazard for traffic. With this **condition** of approval, the request complies with Criterion F.

- G. All ground disturbance as a result of site development shall be revegetated no later than the next planting season (Oct-April) with native species. The property owners and their successors in interest shall be responsible for survival of planted vegetation, and replacement of such vegetation that does not survive.*

FINDING: The proposed development includes construction of an addition to the existing single family residence and construction of a detached garage. These activities will require ground disturbance. A **condition** of approval is included in the Notice of Decision requiring ground disturbance to be minimized to the greatest extent possible. All ground disturbance resulting from placement of the dwelling, construction of the detached accessory building and placement of underground utilities and septic shall be revegetated no later than the next planting season (Oct-April) with native species. The property owner and his successors in interest shall be responsible for survival of planted vegetation and the replacement of such vegetation that does not survive. With the proposed **condition** of approval, the request complies with Criterion G.

H. Except as is necessary for site development or fire safety purposes, the existing tree cover screening the development area on the subject parcel from Key Viewing Areas and trees that provide a back drop on the subject parcel which help the development area achieve visual subordination, shall be retained. Additionally, unless allowed to be removed as part of the review use, all trees and vegetation within buffer zones for wetlands, streams, lakes, ponds and riparian areas shall be retained in their natural condition. Any of these trees or other trees required to be planted as a condition of approval that die for any reason shall be replaced by the current property owner or successors in interest no later than the next planting season (Oct-April) after their death with trees of the same species or from the list in the landscape setting for the property.

To ensure survival, new trees and replacement trees shall meet the following requirements

- 1. All trees shall be at least 4 feet tall at planting, well branched, and formed.*
- 2. Each tree shall be braced with 3 guy wires and protected from livestock and wildlife. The guy wires need to be removed after two winters.*
- 3. The trees must be irrigated until they are well established.*
- 4. Trees that die or are damaged shall be replaced with trees that meet the planting requirements above.*

FINDING: The subject parcel contains many trees. The owner stated on May 17, 2017, that no trees will be removed for the project. Section 14.400, Landscape Setting, requires new trees to be planted to meet visual subordination. The requested development will meet visual subordination without the planting of any new trees. However if any existing trees die or need to be removed, new trees shall be a minimum of 3' tall at planting. With this **condition** of approval, the request complies with Criterion H.

Section 14.200, Key Viewing Areas

The following is required for all development that occurs on parcels/lots topographically visible from Key Viewing Areas.

A. Each development and land use shall be visually subordinate to its setting in the GMA as seen from Key Viewing Areas. The extent and type of conditions applied to a proposed development to achieve visual subordination shall be proportionate to its potential visual impacts as seen from Key Viewing Areas.

- 1. Decisions shall include written findings addressing the factors influencing potential visual impact including but not limited to:
 - a. The number of Key Viewing Areas it is visible from;*
 - b. The distance from the building site to the Key Viewing Areas it is visible from;*
 - c. The linear distance along the Key Viewing Areas from which the building site is visible (for linear Key Viewing Areas, such as roads and the Columbia River);*
 - d. The difference in elevation between the building site and Key Viewing Areas;*
 - e. The nature and extent of topographic and vegetative back screening behind the building site as seen from Key Viewing Areas;*
 - f. The amount of area of the building site exposed to Key Viewing Areas; and*
 - g. The degree of existing vegetation providing screening.**

- 2. Conditions may be applied to various elements of proposed developments to ensure they are visually subordinate to their setting in the GMA and meet the required scenic standard (visually subordinate or visually not evident) in the SMA as seen from key viewing areas, including but not limited to:
 - a. siting (location of development on the subject property, building orientation, and other elements);*
 - b. design (color, reflectivity, size, shape, height, architectural and design details and other elements); and*
 - c. new landscaping.**

FINDING: The development site is topographically visible from six Key Viewing Areas (KVAs): Rowena (Middleground), Highway 30 W (Foreground and Middleground), and Interstate 84 (Foreground and Middleground) in Oregon State; SR 142 (Middleground) and SR 14 (Middleground) in Washington State; and the Columbia River (Background).

Foreground is defined as being less than ½ mile from the subject parcel. Middleground is defined as ½-3 miles from the subject parcel. Background is defined as >3 miles from the subject parcel.

Section 14.200 is not applicable to portions of a KVA within an Urban Exempt Area (UA) identified by the Management Plan. The Urban Exempt Area identified in this request is the City of Lyle, Washington.

The development site is located at an elevation of approximately 130' feet above sea level (ASL). The primary factors in analyzing the visibility of the single family dwelling and accessory structures include the distance from KVAs, the use of dark earthtone colors on the buildings, existing vegetative screening and the use of nonreflective materials.

The land use designation (GMA, Rural Residential) and landscape setting (Residential) in the project area requires a scenic standard of visual subordination.

Visual subordination is defined in Chapter 1 as "...the relative visibility of a structure ...does not noticeably contrast with the surrounding landscape, as viewed from a specified vantage point. As opposed to structures which are fully screened, structures which are visually subordinate may be partially visible. They are not visually dominant in relation to their surroundings..."

Rowena: This KVA is located approximately 2 miles northwest of the subject parcel at an elevation of approximately 680' ASL. This KVA is approximately 550' higher in elevation than the development site. The subject parcel is visible from the easternmost portion of Rowena Viewpoint. Though the subject parcel is visible from this KVA, existing trees (oak and pine exceeding 25'T) screen the majority of existing and proposed development from Rowena. The owner has agreed to paint the entire house a dark earthtone color that blends with the surrounding area and use non-reflective materials on the exterior of all buildings. Colors are discussed in Section 14.200.I. where the approved colors are dark earthtone colors that blend with the surrounding landscape. Reflectivity is discussed in Section 14.200.J. where the proposed building is found to be consistent with reflectivity standards. With **conditions** regarding color and reflectivity, the proposed development will be visually subordinate from Rowena.

Highway 30 W: This KVA is located directly south of the subject parcel at an elevation of approximately 100' ASL. There is a small earthen berm along the road and dozens of trees making it difficult to see the development site from Highway 30 W. The site is visible beginning at the westernmost driveway entrance onto the highway for approximately 300' to the west. The majority of the visibility is through pine and oak trees, with (approximately) the 50' west of the driveway being exposed under the trees. There are multiple trees located north of the existing and proposed development which provides back screening when looking north towards I-84 and the River. The owner agreed to paint the entire house a dark earthtone color that blends with the surrounding area and use non-reflective materials on the exterior of all buildings. Colors are discussed in Section 14.200.I. where the approved colors are dark earthtone colors that blend with the surrounding landscape. Reflectivity is discussed in Section 14.200.J. where the proposed building is found to be consistent with reflectivity standards. With **conditions** regarding color and reflectivity, the proposed development will be visually subordinate from Highway 30 W.

Interstate 84 (I-84): This KVA is located directly north of the subject parcel at an elevation of approximately 80' ASL. The right-of-way for I-84 in this location is approximately 225'W. The southern 80' (approximate) of the right-of-way is at the same elevation as the subject parcel, then it drops approximately 15-20' in elevation to the travel lanes of the freeway. Due to the

difference in elevation, only the top one-half of the existing home is visible from the westbound lanes of I-84 for 200-300 linear feet. Existing development is not visible from the eastbound lanes. New development will be less visible than the existing home because the owner proposes to paint existing and new development a dark earthtone color that blends with the surrounding area and use non-reflective materials on the exterior of all buildings. Colors are discussed in Section 14.200.I. where the approved colors are dark earthtone colors that blend with the surrounding landscape. Reflectivity is discussed in Section 14.200.J. where the proposed building is found to be consistent with reflectivity standards. With **conditions** regarding color and reflectivity, the proposed development will be visually subordinate from Interstate 84.

Washington State Route (SR) 142: This KVA is located approximately 2.3 mile northwest of the subject parcel at an elevation ranging from approximately 160-240' ASL. Though digital data shows that this KVA is visible from the development site based on topography staff conducted a site visit on May 18, 2017, and was unable to see the subject parcel due to existing heavy tree screening and structural development. Since the development will be topographically visible from SR 142 it is necessary for the development to be painted or stained a dark earthtone color that blends with the surrounding landscape. Colors are discussed in Section 14.200.I. where the approved colors are dark earthtone colors that blend with the surrounding landscape. Another factor in visibility of development from the Columbia River is reflectivity. The owner plans to use nonreflective materials on all exterior surfaces of the new development. Reflectivity is discussed in Section 14.200.J. where the proposed building is found to be consistent with reflectivity standards. With **conditions** regarding color and reflectivity, the proposed development will be visually subordinate from SR 142.

Washington State Route (SR) 14: This KVA is located approximately 0.9 mile north of the subject parcel at an elevation ranging between 80 and 120' ASL. Based on topography the proposed development is visible for approximately 4.8 linear miles from SR 14 (the Urban Area of Lyle, Washington is excluded). Visibility of the development site is limited for approximately 2.8 linear miles due to intervening topographic features and structural development. The site is visible for approximately 2 linear miles directly west of Lyle, Washington. The existing house is clearly visible without the use of binoculars due to its light color. If the house is painted a dark earthtone color and nonreflective materials are used on the exterior of all new surfaces, new and existing development will be visually subordinate from this KVA. This determination is based on the visibility of other dark colored structures in Rowena that cannot be seen from SR 14 without using binoculars, the existence of good tree screening north and south of existing and proposed development. With proposed **conditions** in Section 14.200.I. and J. regarding colors and reflectivity, the new development will be visually subordinate from SR 14.

Columbia River: This KVA is located approximately 415' north of the subject parcel at an elevation of approximately 76' ASL. Based on topography approximately 6.5 miles of the river, primarily the northern one-half of the river, are visible from the development site. Much of the southern one-half of the river is not visible from the development site due to existing structural development on properties along the river, topography and on- and off-site tree screening. The new development will be visible from the northern one-half of the river at a distance of 0.5-0.9 mile. At this distance dark earthtone colors allow buildings to blend into the landscape. The

owner has agreed to paint the entire home and detached garage a dark earthtone color that will blend into the on-site trees and landscape setting. Colors are discussed in Section 14.200.I. Another factor in visibility of development from the Columbia River is reflectivity. Reflectivity is discussed in Section 14.200.J. where the proposed building is found to be consistent with reflectivity standards. With **conditions** regarding color and reflectivity, the proposed development will be visually subordinate from the Columbia River.

Based on distance, intervening topography, on-site trees located between new development and KVAs, the use of dark earthtone colors and the use of non-reflective materials, with proposed **conditions** of approval, the requested development will be visually subordinate as seen from all KVAs. Therefore the request complies with Criterion A.

B. New development shall be sited to achieve visual subordination from Key Viewing Areas, unless the siting would place such development in a buffer specified for protection of wetlands, riparian corridors, endemic and listed plants, sensitive wildlife sites or conflict with standards to protect cultural resources. In such situations, development shall comply with this standard to the maximum extent practicable. (GMA Only)

FINDING: There are no buffers on the subject parcel for protection of wetlands, riparian corridors, endemic and listed plants, sensitive wildlife sites nor does the request conflict with standards to protect cultural resources. With **conditions** of approval throughout this report, the proposed development will be visually subordinate from all KVAs, therefore the request complies with Criterion B.

C. New development shall be sited to achieve visual subordination utilizing existing topography, and/or existing vegetation as needed in the GMA and meet the required scenic standard (visually subordinate or visually not evident) in the SMA from Key Viewing Areas.

FINDING: Existing development on the property is visible from six KVAs. There are no on- or off-site topographic features that will screen new development from any KVA however the property contains dozens of on-site trees that screen much of the development from KVAs. If existing and proposed development is painted a dark earthtone color and exterior materials are nonreflective, new development will be visually subordinate from all KVAs. **Conditions** implementing color requirements and reflectivity are located in Sections 14.200.I. and J. The request complies with Criterion C.

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

FINDING: The subject parcel was leveled during the construction of the original home in the 1930s, then again during the 1996 expansion. The area containing the residential expansion and detached garage is located on the previously leveled area. Construction does not require any cut banks or fill slopes therefore none will be visible from KVAs and the request complies with Criterion D.

- E. *The silhouette of new buildings shall remain below the skyline of a bluff, cliff or ridge as seen from Key Viewing Areas. A variance in the General Management Area may be granted according to Chapter 6 if application of the guidelines 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 criteria have been made.*

FINDING: The proposed development site is located in Rowena, Oregon. Approximately 460' south of the proposed development site is a tall hillside that rises to 2,040' ASL. Five of the six KVAs have this hillside as a background therefore the new development will remain below the skyline of a bluff, cliff or ridge as seen from these KVAs. The sixth KVA is Rowena which is more than 500' higher in elevation therefore the new development will not break the skyline of a bluff, cliff or ridge as seen from this KVA. The request complies with Criterion E.

- G. *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 this guideline may be authorized according to Chapter 6 of this Ordinance. In the SMA the setbacks described above shall be 200 feet.*

FINDING: The proposed development is located more than 400' from the Columbia River therefore the request complies with Criterion G.

- H. *New buildings shall not be permitted on lands visible from Key Viewing Areas with slopes in excess of 30 percent. Variances to this guideline may be authorized according to Chapter 6 of this Ordinance if its application would render a property unbuildable. In determining the slope, the average percent slope of the proposed building site shall be utilized.*

FINDING: The subject lot contains natural slopes of 5-6%, less than the 30% standard. As proposed the request complies with Criterion H.

- I. *Unless expressly exempted by other provisions in this chapter, colors of all exterior surfaces of structures 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.*

FINDING: The original home was constructed in the 1930s. In 1996 the Wasco County Planning Commission approved a 1,140 SF addition onto the 900 SF single family dwelling. Staff allowed the addition to be a light earthtone color instead of a dark earthtone color resulting in the existing house not being visually subordinate. An expansion of the house using the same light

earthtone color will make the house stand out and become more visible. The owner stated that he plans to repaint the house and on May 18, 2017, Donald Dickinson agreed to use dark earthtone colors and materials for the proposed residential addition and detached garage. The owner proposes the following colors:

	Material	Exterior Color	Manufacturer	Looks Like	Consistent with color requirement?
Siding	Wood	Havana Coffee	Behr	Dark Brown	Yes, approved
Trim	Wood	Antique Earth	Behr	Medium-dark brown	Yes, approved
Roof	Composition shingle	None Proposed			Color needs to be submitted
Doors	Steel	Havana Coffee	Behr	Dark Brown	Yes, approved
Windows	Vinyl	Almond	To be determined	Light brown	Yes, approved

Colors proposed in the above chart are all approved for the exterior of all new development. A **condition** of approval is included in the Notice of Decision requiring all exterior paints to have a flat finish.

The owner originally proposed metal roofing. On May 11, 2017, he agreed to use 3-tab composition shingles on the addition and detached garage but did not submit a color sample. A **condition** of approval is included in the Notice of Decision requiring the applicant to submit and receive approval from the Planning Department of a shingle color for the residential addition and detached garage. Colors shall be dark earthtone colors that blend with the surrounding landscape.

As amended, all proposed colors are approved. A **condition** of approval is included in the Notice of Decision listing the approved colors. If alternate colors or materials are proposed for any new development, they shall be submitted to and approved by the Planning Department prior to their use on the exterior of the building. With the proposed **condition** of approval the request complies with Criterion I.

- J. The exterior of buildings in the GMA and structures in the SMA 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 will include a list of recommended exterior materials. These recommended materials and other materials may be deemed consistent with this criterion, including those where the specific application meets recommended thresholds in the "Visibility and Reflectivity Matrices" in the Implementation Handbook (once they are*

created). Continuous surfaces of glass unscreened from Key Viewing Areas shall be limited to ensure visual subordination. Recommended square footage limitations for such surfaces will be provided for guidance in the Implementation Handbook.

FINDING: Exterior materials are identified above in I. where all materials are nonreflective or have low reflectivity. The owner originally proposed metal roofing for the proposed development because the existing home has a metal roof. Since approval of the residential addition in 1996 staff has gained a greater understanding of how to apply Scenic Area standards. A metal roof should never have been permitted on the 1996 addition. Though the owners are not required to change the existing roof, the addition and detached garage require a nonreflective roof. On May 11, 2017, the applicant agreed to use 3-tab composition shingles on the addition and detached garage. Composition shingles are nonreflective and comply with Criterion J.

During staff's visit to SR 14 to evaluate visibility of the existing house staff noted that the existing windows were reflective. The windows proposed on the residential addition have the ability to be reflective. A **condition** of approval is included in the Notice of Decision requiring new windows on the north side of the residential addition to be tinted thermal pane glass – e.g., gray or bronze over low e (glass less than 11% exterior visible light reflectivity rating). With the proposed condition of approval the request complies with Criterion J.

As amended the request complies with Criterion J.

K. The following criteria shall apply to new landscaping used to screen development from Key Viewing Areas:

- 1. New landscaping (including new earth berms) shall be required only when application of all other available guidelines in this chapter is not sufficient to make the development visually subordinate in the GMA and meet the required scenic standard (visually subordinate or visually not evident) in the SMA 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.*
- 2. If new landscaping is required to make a proposed development visually subordinate in the GMA and meet the required scenic standard (visually subordinate or visually not evident) in the SMA from Key Viewing Areas, existing on-site vegetative screening and other visibility factors shall be analyzed to determine the extent of new landscaping, and the size of new trees needed to achieve the standard. Any vegetation planted pursuant to this criterion shall be sized to provide sufficient screening to make the development visually subordinate within five years or less from the commencement of construction.*

FINDING: The proposed development is required to be visually subordinate from identified KVAs. The subject property contains dozens of mature trees that provide year-round screening from KVAs. There are no alternate sites on the parcel to place new development to better

achieve visual subordination than the proposed development sites. No additional tree screening, landscaping or earthen berms are required to be planted to achieve visual subordination because visual subordination can be achieved by retention of existing on-site trees, painting all development a dark earthtone color and the use of nonreflective materials on the exterior surfaces of new development.

The request complies with Criterion K.

- L. *Determination of potential visual effects and compliance with visual subordination policies shall include consideration of the cumulative effects of proposed developments.*

FINDING: The subject parcel is topographically visible from six KVAs (Rowena, Highway 30 W, I-84, SR 142, SR 14 and the Columbia River). The existing house is visible primarily from SR 14 due to its light color. There are dozens of trees on-site that provide screening from all other KVAs. With the use of a dark earthtone color on all exterior surfaces existing and proposed development will blend into the trees. In the case of SR 14 the dark earthtone colors will allow existing and proposed development to blend with the hillside to the south resulting in its visual subordination from this and all KVAs. Colors and materials were amended to use dark earthtone colors and nonreflective materials on all exterior surfaces of new development. As amended staff finds that the proposed development will have no cumulative impact on scenic resources and will better blend into the surrounding landscape.

Section 14.300, Scenic Travel Corridors

The Historic Columbia River Highway (Highway 30) and Interstate 84 (I-84) are designated as Scenic Travel Corridors, and development along a Scenic Travel Corridor must be set back at least 100’ from the edge of pavement of the Scenic Travel Corridor roadway.

FINDING: The subject parcel is bordered on its north side by Interstate 84 and on its south side by Highway 30 West. The width of the property ranges from approximately 95-130’. It is not possible to build in any location in compliance with the 100’ setback from the edge of either Scenic Travel Corridor. The proposed setbacks are as follows:

Required Setback	Proposed Setback – Dwelling	Proposed Setback – Detached Garage	Consistent?
Interstate 84 – 100’	80’	90’	No
Highway 30 W – 100’	78’	69’	No

In order to build the proposed residential addition and detached accessory building, the owner must apply for and receive approval of a Variance to the Scenic Travel Corridor setback requirement of 100’. Variance criteria are discussed in D. below.

Section 14.400, Landscape Settings (GMA & SMA)

Landscape settings are the combination of land uses, landforms and vegetation patterns which distinguish an area in appearance and character from other portions of the National Scenic Area.

E. Rural Residential Landscape Setting (GMA Only)

1. *In portions of this setting visible from Key Viewing Areas, and not exempt from visual subordination standards (see J below), the following standards shall be employed to achieve visual subordination for new development:*
 - a. *At least half of any trees planted for screening purposes shall be species native to the setting or commonly found in the area.*
 - b. *At least half of any trees planted for screening purposes shall be coniferous to provide winter screening.*

FINDING: The subject parcel contains dozens of Oregon white oak and Ponderosa pine trees. Additional trees do not need to be planted to achieve visual subordination. The request complies with Criterion E.

Section 14.500, Cultural Resources – GMA

The purpose of this section is to protect and enhance cultural resources, and ensure that proposed development does not have an adverse effect on significant cultural resources.

(***)

B. Applicability of the Cultural Resource Reconnaissance and Historic Survey Requirements

1. *The reconnaissance survey standards of C, Cultural Resource Reconnaissance and Historic Survey, apply until a cultural resource survey of the General Management Areas is complete.*
 - a. *A reconnaissance survey shall be required for all proposed uses, except:*
 - (1) *The modification, expansion, replacement, or reconstruction of existing buildings and structures.*

FINDING: The request includes the expansion of an existing single family dwelling. A revised cultural resources survey determination dated May 18, 2017, was submitted to the Planning Department by Margaret L. Dryden, Heritage Resources Program Manager, Columbia River Gorge National Scenic Area. According to the determination, the proposed use (addition to house) would involve the modification, expansion, replacement or reconstruction of existing buildings and structures and does not occur within 500' of a known archaeological resource, therefore the request does not require a reconnaissance survey. The request for an addition to the existing residence complies with Criterion (1).

(5) Proposed uses that would occur on sites that have been adequately surveyed in the past.

- (a) The project applicant must demonstrate that the project area has been adequately surveyed to qualify for this exception.*
- (b) Past surveys must have been conducted by a qualified professional and must include a surface survey and subsurface testing.*
- (c) The nature and extent of any cultural resources in the project area must be adequately documented.*

FINDING: The request includes the construction of a detached garage. A revised cultural resources survey determination dated May 18, 2017, was submitted to the Planning Department by Margaret L. Dryden, Heritage Resources Program Manager, Columbia River Gorge National Scenic Area. According to the determination, the proposed use (detached garage) will occur on a site that has been adequately surveyed in the past by Thomas Turck in 1996. Mr. Turck was a prior Forest Service Archaeologist and was a qualified professional permitted to conduct the previous cultural resource reconnaissance survey. In addition proposed construction site does not occur within 500' of a known archaeological resource. The request for a detached garage complies with Criterion (5).

- 2. 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.*

FINDING: A revised cultural resources survey determination dated May 18, 2017, was submitted to the Planning Department by Margaret L. Dryden, Heritage Resources Program Manager, Columbia River Gorge National Scenic Area. The determination states that a historic survey is not required because: (1) the subject house was constructed in 1930. In 1996 he house was found to be not significant (Turck, 1996); (2) the request would not alter the exterior architectural appearance of significant buildings and structures on the property that are 50 years old or older; and (3) development 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. The request complies with Criterion 2.

C. Cultural Resource Reconnaissance and Historic Surveys

4. Conclusion of the Cultural Resource Protection Process

*(***)*

- c. The cultural resource protection process may conclude when one of the following conditions exist:*

- (1) The proposed use does not require a reconnaissance or historic survey, no cultural resources are known to exist in the project area, and no*

substantiated concerns were voiced by interested persons within 20 calendar days of the date that a notice was mailed.

FINDING: According to Margaret Dryden, Heritage Program Resources Program Manager, Columbia River Gorge National Scenic Area, a reconnaissance survey and historic survey are not required to be completed for the subject parcel. No substantiated concerns regarding cultural resources were received by the Planning Department within 20 calendar days of the mailing date of the pre-notice to Indian tribal governments or the State Historic Preservation Office (SHPO). The request complies with Criterion 4.c.(1).

(***)

G. Discovery During Construction:

1. 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.*
2. Notification: *The project applicant shall notify the County Planning Office 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 Indian tribal governments within 24 hours.*
3. Survey and Evaluation: *The Gorge Commission will survey the cultural resources after obtaining written permission from the landowner and appropriate permits from the State Historic Preservation Office (see, ORS 358.905 to 358.955).*

FINDING: If cultural resources are found during construction, all construction within 100' of the discovered cultural resource shall cease and the resource shall remain as found; further disturbance is prohibited. In addition, the owner shall notify the Wasco County Planning Department, Gorge Commission and four Indian tribal governments within 24 hours of discovery. **Conditions** of approval are included in the Notice of Decision requiring compliance with these requirements. With **conditions**, the request complies with Criterion G.

H. Discovery of Human Remains

The following procedures shall be effected when human remains are discovered during a cultural resource survey or during construction. Human remains means articulated or disarticulated human skeletal remains, bones, or teeth, with or without attendant burial artifacts.

FINDING: If human remains (human skeletal remains, bones, or teeth, with or without attendant burial artifacts) are discovered during construction, all survey, excavation and construction activities shall cease, and the human remains shall not be further disturbed. The owner shall immediately notify local law enforcement officials, the County Planning Office, the Gorge Commission, and the four Indian tribal governments. **Conditions** of approval are

included requiring the owner to comply with the requirements in H. With the proposed conditions the request complies with Criterion H.

Section 14.600, Natural Resources – GMA

A. Wetlands

FINDING: The purpose of this section is to ensure there is no overall net loss of wetlands acreage and functions, and to increase the quantity and quality of wetlands. According to the National Wetland Inventory (NWI) maps and digital data from the Gorge Commission, there are no wetlands on the subject parcel. The Columbia River, located north of Interstate 84 and Union Pacific Railroad, more than 450' from the subject parcel, is the closest identified wetland. The wetland feature along the Columbia River would be characterized as an "Herbaceous Community" because the land along the wetland feature is characterized by grass and grasslike plants, forbs, ferns and nonwoody vines. An herbaceous community requires a no-disturbance buffer of 150'. The proposed development is over 450' south of this wetland therefore the request complies with Criterion A.

B. Streams, Ponds, Lakes, and Riparian Areas

FINDING: The purpose of this section is to protect water quality, natural drainage, and fish and wildlife habitat of streams, ponds, lakes, and riparian areas, and to enhance aquatic and riparian areas. According to digital data from the Gorge Commission, there are no streams, ponds, lakes or riparian areas on the subject parcel however the Columbia River is located over 450' to the north. On the main stem of the Columbia River above Bonneville Dam, buffer zones shall be measured landward from the normal pool elevation of the Columbia River. An herbaceous community requires a no-disturbance buffer of 150'. The proposed development is over 450' south of the Columbia River therefore the request complies with Criterion B.

C. Wildlife Habitat

FINDING: The purpose of this section is to ensure that new uses do not adversely affect sensitive wildlife areas and sites. The subject parcel is currently used for residential use. The request is for an addition to the existing residence and construction of a new garage to contain the owners' vehicles. No new use or change in use is proposed. The request complies with Section 14.600.C.

D. Rare Plants

FINDING: The purpose of this section is to ensure that new uses do not adversely affect sensitive wildlife areas and sites. According to digital data from the Gorge Commission, there are no identified rare plants on the subject parcel, or within 1,000' of the development site, therefore, the request complies with Section 14.600.C.

Section 14.700, Recreation Resources – GMA

The purpose of this section is to protect and enhance recreation resources consistent

with Indian treaty rights, and to protect scenic, natural, cultural and recreation resources when providing new recreation opportunities.

FINDING: There are no recreational sites on the subject parcel and no new recreational use is proposed on the property. There is an existing recreational site north of Interstate 84 along the Columbia River (East Mayer State Park) approximately 0.2 mile north of the subject parcel. The proposed residential expansion will have no impact on the recreational use due to its separation from the site by Interstate 84, Union Pacific Railroad and Rowena River Road therefore the request complies with Section 14.700.

Section 14.800, Indian Tribal Treaty Rights and Consultation - GMA

The purpose of this section is to ensure that the Scenic Area Act, the Management Plan, and these implementing ordinances do not affect or modify any treaty or other rights of any Indian tribe. It requires notification to the four tribal governments when new uses are proposed

FINDING: Section 14.800 provides protection of Indian Tribal Treaty Rights from new development in the National Scenic Area. Section 14.800.B.3. lists additional notice materials for projects in or providing access to the Columbia River or its fish bearing tributaries or for projects that may affect Indian treaty rights and provides 20 days for tribal governments to submit comments. The subject property has no access to the Columbia River, but pursuant to other noticing requirements, notice of the proposal was mailed or e-mailed to the four tribal governments on May 18, 2017, and a 20-day comment period was provided. No comments were received during the comment period.

Section 14.800.C. lists guidelines for tribal government consultation when those governments submit substantive written comments. No comments were received. Given this information, the proposed development is consistent with Section 14.800.C.

Section 14.800.D. states that the treaty rights protection process may conclude if the Executive Director determines that the proposed uses would not affect or modify treaty or other rights of any Indian tribe. Uses that would affect or modify such rights shall be prohibited.

The subject property does not provide access to the Columbia River or its fish bearing tributaries. No known treaty rights are affected by this proposal and no treaty rights concerns were raised by the tribal governments. Because the proposed use would not affect or modify treaty or other rights of any Indian tribe, the treaty rights protection process may conclude pursuant to Section 14.800.D.

D. Chapter 6 - Variances

Section 6.020, Criteria for Decision

A. Authority

1. Administrative Variance

The request shall be for a variance to a building height, setback or buffer which is less than 50% of the stated standard for the building height, setback or buffer as stated in this ordinance.

FINDING: Proposed setbacks from the pavement of Scenic Travel Corridors are:

Required Setback	Proposed Setback – Dwelling	Proposed Setback – Detached Garage	% Deviation
Interstate 84 – 100’	80’	90’	10%/20%
Highway 30 W – 100’	78’	69’	22%/31%

As shown above the proposed variance is less than 50% of the stated standard for the 100’ setback from Interstate 84 and Highway 30 W.

B. When building height, setbacks or buffers specified in the standards for protection of scenic, cultural, natural, recreational, agricultural or forestry resources overlap or conflict, the building height, slope setbacks or buffers may be varied upon a demonstration that: (GMA Only)

- 1. A building height, setback or buffer specified in this Ordinance to protect one resource would cause the proposed use to fall within a setback or buffer specified in this ordinance to protect another resource; and*

FINDING: The subject parcel is located between Interstate 84 and Highway 30 W which are both identified as Scenic Travel Corridors and require a 100’ setback from the pavement. If the 100’ setback from Interstate 84 is required to be met, it will result in the setback from Highway 30 W not being met. The request complies with Criterion 1.

- 2. Variation from the specified building height, setbacks or buffer would, on balance, best achieve the protection of the affected resources.*

FINDING: Section 14.300, Scenic Travel Corridors, requires a 100’ setback from the pavement of a Scenic Travel Corridor. The subject parcel is located between Interstate 84 and Highway 30W with a property width ranging from 100-125’. The existing house was originally constructed in the 1930s, before the existence of the interstate highway. Due to the width of the subject parcel and the existing development, it is not possible to allow any development in compliance with the 100’ setback from the pavement of a Scenic Travel Corridor. Varying the 100’ setback to allow a residential addition to the existing house would best achieve the protection of the Scenic Travel Corridor. The proposed detached garage cannot be built in compliance with the 100’ setback from the surface of I-84 and Highway 30 W. The owner attempted to keep the detached garage in a similar location on the property as the existing house. As proposed, the garage location will also best achieve protection of the Scenic Travel Corridors. The requests comply with Criterion 2.

C. A building height, setback or buffer specified in the standards for protection of scenic, cultural, natural, recreational, agricultural, or forestry resources may be

varied in the General Management Area in order to allow a residence to be built on a tract of land upon a demonstration that:

- 1. The land use designation otherwise authorizes a residence on the tract;*

FINDING: The request is for a Variance to the 100' setback from the pavement of a Scenic Travel Corridor. The subject parcel is zoned R-R(2), Rural Residential. The R-R Zone allows one single family dwelling and detached accessory buildings therefore the request complies with Criterion 1.

- 2. There is no site on the tract (all contiguous lots or parcels under the same ownership) on which a residence could be placed practicably in full compliance with the building height, setback or buffer; and*

FINDING: The subject parcel is the only property in this area owned by the Dickinsons. The subject parcel varies in width from 100-125'. Due to the width of the subject parcel there is no site on the property that allows development to be built in full compliance with the 100' setback from the pavement of a Scenic Travel Corridor therefore the request complies with Criterion 2.

- 3. The variance from the specified building height, setback or buffer is the minimum necessary to allow the residence.*

FINDING: The requested variance is to a setback to the Scenic Travel Corridor. The existing home is located on the northern half of the parcel. There is no way to construct any addition to the house in another location therefore the proposed variance is the minimum necessary to allow the residential addition. The proposed detached garage will be located near the center of the parcel. The proposed garage cannot be built as an addition to the house because it will not meet the compatibility test in Section 14.110. The owner has detached it and has proposed its construction 5' east of the residential addition. Regardless of its location, it also requires a variance from the 100' setback from a Scenic Travel Corridor. It is clustered near the existing house and the proposed variance is the minimum necessary to allow the detached accessory building. The request complies with Criterion 3.

ATTACHMENT E – OUTDOOR LIGHTING STANDARDS

Good Neighbor **OUTDOOR LIGHTING**

PRESENTED BY THE NEW ENGLAND LIGHT POLLUTION ADVISORY GROUP (NELPAG) AND SKY & TELESCOPE.

What is good lighting?

Good outdoor lights improve visibility, safety, and a sense of security, while minimizing energy use, operating costs, and ugly, dazzling glare.

Why should we be concerned?

Many outdoor lights are poorly designed or improperly aimed. Such lights are costly, wasteful, and distractingly glary. They harm the nighttime environment and neighbors' property values. Light directed uselessly above the horizon creates murky skyglow — the "light pollution" that washes out our view of the stars.

Glare Here's the basic rule of thumb: If you can see the bright bulb from a distance, it's a bad light. With a good light, you see lit ground instead of the dazzling bulb. "Glare" is light that beams directly from a bulb into your eye. It hampers the vision of pedestrians, cyclists, and drivers.

Light Trespass Poor outdoor lighting shines onto neighbors' properties and into bedroom windows, reducing privacy, hindering sleep, and giving the area an unattractive, trashy look.

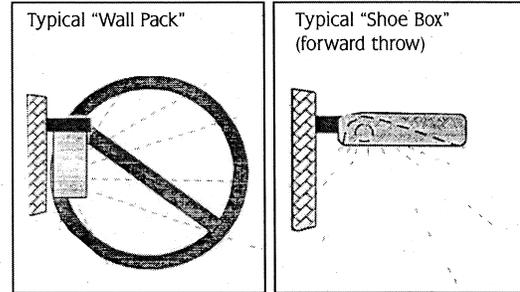
Energy Waste Many outdoor lights waste energy by spilling much of their light where it is not needed, such as up into the sky. This waste results in high operating costs. Each year we waste more than a billion dollars in the United States needlessly lighting the night sky.

Excess Lighting Some homes and businesses are flooded with much stronger light than is necessary for safety or security.

How do I switch to good lighting?

- 1 Provide only enough light for the task at hand; don't over-light, and don't spill light off your property. Specifying enough light for a job is sometimes hard to do on paper. Remember that a full Moon can make an area quite bright. Some lighting systems illuminate

Some Good and Bad Light Fixtures

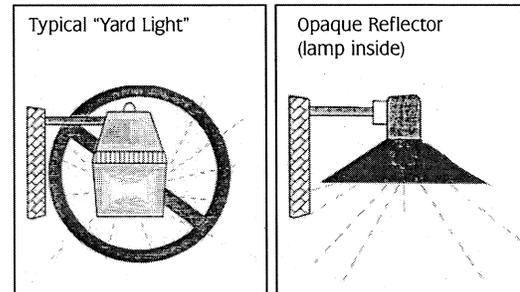


BAD

Waste light goes up and sideways

GOOD

Directs all light down

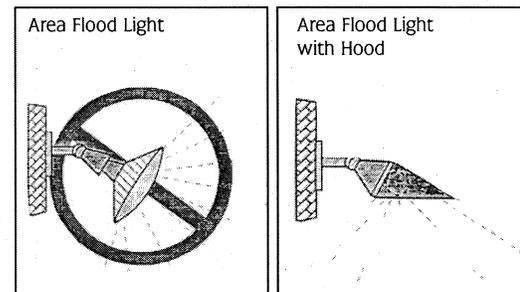


BAD

Waste light goes up and sideways

GOOD

Directs all light down



BAD

Waste light goes up and sideways

GOOD

Directs all light down

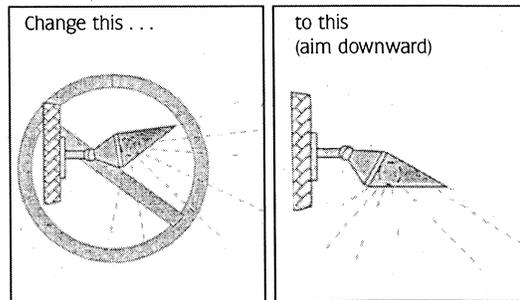
areas 100 times more brightly than the full Moon! More importantly, by choosing properly shielded lights, you can meet your needs without bothering neighbors or polluting the sky.

- 2** Aim lights down. Choose “full-cutoff shielded” fixtures that keep light from going uselessly up or sideways. Full-cutoff fixtures produce minimum glare. They create a pleasant-looking environment. They increase safety because you see illuminated people, cars, and terrain, not dazzling bulbs.
- 3** Install fixtures carefully to maximize their effectiveness on the targeted area and minimize their impact elsewhere. Proper aiming of fixtures is crucial. Most are aimed too high. Try to install them at night, when you can see where all the rays actually go. Properly aimed and shielded lights may cost more initially, but they save you far more in the long run. They can illuminate your target with a low-wattage bulb just as well as a wasteful light does with a high-wattage bulb.
- 4** If color discrimination is not important, choose energy-efficient fixtures utilizing yellowish high-pressure sodium (HPS) bulbs. If “white” light is needed, fixtures using compact fluorescent or metal-halide (MH) bulbs are more energy-efficient than those using incandescent, halogen, or mercury-vapor bulbs.
- 5** Where feasible, put lights on timers to turn them off each night after they are no longer needed. Put home security lights on a motion-detector switch, which turns them on only when someone enters the area; this provides a great deterrent effect!

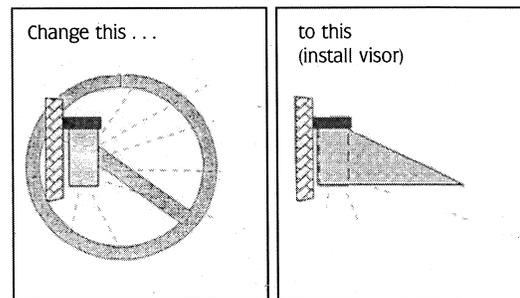
Replace bad lights with good lights.

You’ll save energy and money. You’ll be a good neighbor. And you’ll help preserve our view of the stars.

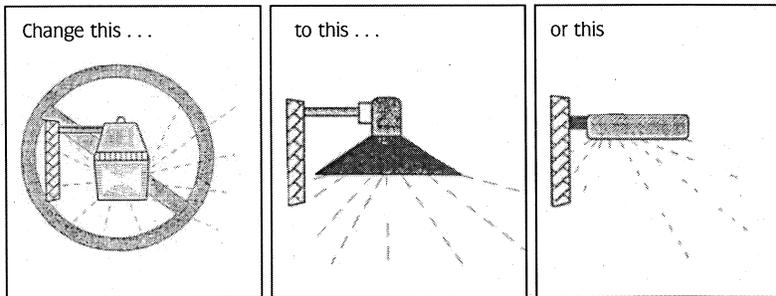
What You Can Do To Modify Existing Fixtures



FLOOD LIGHT



WALL PACK



YARD LIGHT OPAQUE REFLECTOR SHOE BOX

Presented by the **New England Light Pollution Advisory Group (NELPAG)** (<http://cfa-www.harvard.edu/cfa/ps/nelpag.html>)

and **Sky & Telescope** (<http://SkyandTelescope.com/>).

NELPAG and *Sky & Telescope* support the International Dark-Sky Association (IDA) (<http://www.darksky.org/>).

We urge all individuals and groups interested in the problems of light pollution and obtrusive lighting to support the IDA and subscribe to its newsletter. IDA membership costs \$30 per year; send your check to IDA, 3225 N. First Avenue, Tucson, AZ 85719, U.S.A.



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