

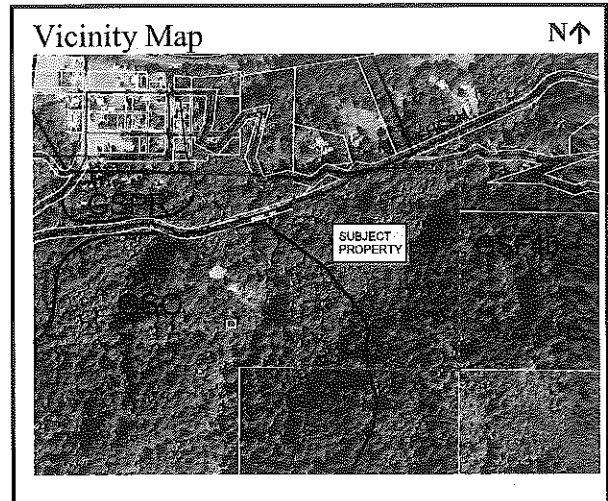


MULTNOMAH COUNTY
LAND USE AND TRANSPORTATION PROGRAM
1600 SE 190TH Avenue Portland, OR 97233
PH: 503-988-3043 FAX: 503-988-3389
<http://www.multco.us/landuse>

NOTICE OF DECISION

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

Case File: T2-2010-1223
Permit: National Scenic Area Site Review
Location: Latourell State Park; Historic Columbia
River Hwy. Mile Post 26.2
TL 600, Sec 29, T1N, R5E, W.M.
Alternative Account # R945290210
Applicant: Oregon Parks and Recreation Dept.
Attn: Katrina Kam
725 Summer St. NE
Suite C
Salem, OR 97301
Owner: Oregon Department of Transportation
Base Zone: Gorge Special Open Space (GSO) and
Gorge Special Forestry – 40 (GSF-40)
Overlays: Hillside Development (HD)



Summary: Columbia River Gorge National Scenic Area Site Review for proposed modifications and improvements to existing highway wayside; including replacement of existing restroom building.

Decision: Approved with Conditions.

Unless appealed, this decision is effective Monday, August 1, 2011, at 4:00 PM.

Issued by:

By: 

Kevin Cook, Planner

For: Karen Schilling- Planning Director

Date: Monday, July 18, 2011

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 during normal business hours. Copies of all documents may be purchased at the rate of 30-cents per page. The Planning Director's 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 Kevin Cook, Staff Planner at 503-988-3043, ext. 26782.

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.

This decision is final at the close of the appeal period, unless appealed. The deadline for filing an appeal is Monday, August 1, 2011 at 4:00 pm.

Applicable Approval Criteria: Multnomah County Code (MCC): **Applicable Approval Criteria:** Multnomah County Code (MCC): MCC 38.000 – MCC 38.0210, General Provisions; MCC 38.0510 – MCC 38.0850, Administration and Procedures; MCC 38.1000 – MCC 38.1010, Zoning Districts; MCC 38.2000 – MCC 38.2095, Forest Districts; MCC 38.2600 – MCC 38.2695, Open Space (GSO District); MCC 38.4100 – MCC 38.4215, Off-Street Parking and Loading; MCC 38.7000 – MCC 38.7085, Approval Criteria.

Copies of the referenced Multnomah County Code sections can be obtained by contacting our office at 503-988-3043 or by visiting our website at <http://www.multco.us/landuse>

Scope of Approval

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 two years from the date the decision is final if; (a) development action has not been initiated; (b) building permits have not been issued; or (c) final survey, plat, or other documents have not been recorded, as required. The property owner(s) may request to extend the timeframe within which this permit is valid, as provided under MCC 38.0690 and 38.0700. Such a request must be made prior to the expiration date of the permit.

Conditions of Approval

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

1. **In the event of the discovery of cultural resources, work in the immediate area of discovery shall be suspended until a cultural resource professional can evaluate the potential significance of the discovery pursuant to MCC 38.7050 (H).**
 - a. **If the discovered material is suspected to be human bone or a burial, the following procedure shall be used:**
 - i. **Stop all work in the vicinity of the discovery.**

- ii. The applicant shall immediately notify the U.S. Forest Service, the applicant's cultural resource professional, the State Medical Examiner, and appropriate law enforcement agencies.
 - iii. The U.S. Forest Service shall notify the tribal governments if the discovery is determined to be an Indian burial or a cultural resource.
 - iv. A cultural resource professional shall evaluate the potential significance of the discovery pursuant to MCC 38.7050 (G) (3) and report the results to the U.S. Forest Service which shall have 30 days to comment on the report.
 - v. If the U.S. Forest Service determines that the cultural resource is not significant or does not respond within the 30 day response period, the cultural resource review process shall be complete and work may continue.
 - vi. If the U.S. Forest Service determines that the cultural resource is significant, the cultural resource professional shall recommend measures to protect and/or recover the resource pursuant to MCC 38.7050 (G) (4) and (5)
2. Prior to building plan sign-off, the applicant shall submit a completed storm-water certificate for all new impervious surfaces including those areas that replace existing impervious surfaces.
 3. The tall, plastic vent pipes on the proposed restroom building shall be disguised as chimneys under a stone façade matching the stone and colors of the new walls and columns. The chimney design must appear natural and similar to native stone found in the area, and consist of dark earth tones only. Alternatively, the applicant may submit a final design without the proposed vent pipes included. The final design, materials and colors for the restroom vent pipes shall be submitted to County Staff at the time of building plan submittal.
 4. New plantings shall be monitored annually for a period of not less than five years. New trees shall be replaced as soon as practicable if the trees die, become diseased, or are removed due to a hazard.
 5. Upon completion of the project, the permanent plantings specified in the restoration and mitigation plans shall be installed or seeded within one year. These permanent plantings shall achieve a minimum of 80 percent vegetative coverage of the disturbed areas within 1 year of project completion. Soil-stabilizing methods and erosion control measures shall be maintained until the disturbed areas have an 80 percent vegetative cover.
 6. The applicant shall adhere to the use of the proposed colors and materials proposed. Any deviation from this proposal will require an application for a National Scenic Area Site Review.
 7. At a minimum, a project applicant shall provide to the local government a progress report every 3-years that documents milestones, successes, problems, and contingency actions. Photographic monitoring stations shall be established and photographs shall be used to monitor all mitigation progress.
 8. At a minimum, a project applicant shall provide to the local government a progress report every 3-years that documents milestones, successes, problems, and contingency actions. Photographic monitoring stations shall be established and photographs shall be used to monitor all mitigation progress.
 9. Proposed signs shall be approved through the County's expedited review process and the applicant shall obtain a sign permit for the placement of signs.

NOTICE OF APPEAL HEARING
CASE FILE T2-2010-1223

If an appeal of this decision is filed, a public hearing will be held on August 12, 2011. The hearing will begin at 2:30 PM or soon thereafter.

The hearing will take place in Room 103 at the Land Use Planning Division office located at 1600 SE 190th Avenue, Portland, OR 97233. If no appeal is filed, a notice canceling this hearing will be posted on the outside of the Yeon Annex Building doors. You can also call the receptionist at 503-988-5050 option '0' to inquire on the status of the hearing.

The Hearing shall be regarding the application for a National Scenic Area Site Review for proposed improvements to the Latourell Falls Wayside located at Mile Post 26.2 of the Historic Columbia River Highway. Applicable criteria are listed in the Staff Decision.

This Decision serves as the staff report available at the hearing pursuant to MCC 38.0620(D). Copies of the referenced Multnomah County Code sections and staff report can be obtained by contacting our office at 503-988-3043.

Any interested party may testify at the hearing or submit written comments on the proposal at or prior to the hearing.

Any issue which is intended to provide a basis for an appeal to the Columbia River Gorge Commission must be raised before the close of the public record. Issues must be raised and accompanied by statements or evidence sufficient to afford the County and all parties to respond to the issue

The application and all supporting materials and evidence submitted in regard to the application may be inspected at no charge, and copies may be obtained at cost, at the Multnomah County Land Use Planning Division during normal business hours.

A public hearing to consider any appeal will be conducted before one of the following County Hearings Officer's:

Joan Chambers
Liz Fancher

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.