



MULTNOMAH COUNTY
LAND USE PLANNING DIVISION

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<http://www.multnomah.lib.or.us/lup/home/welcome.html>

DECISION OF THE PLANNING DIRECTOR

Design Review
Case File No.: DR 9-99
March 28, 2000

Proposal: Applicant requests approval for improvements at Bartlett Landing.

Location: Government Island
TL 200, 1N3E Sec. 18 R#94318-0050; TL 100, 1N3E Sec. 18 R#94318-0070; TL 100, 1N2E Sec. 12 R#94211-0040

Applicant/Owner: Katrina Kam
Oregon Parks & Recreation Dept.
1115 Commercial St., NE Ste 1
Salem, OR 97301-1002

Site Size: 600 acres

Zoning: Commercial Forest Use (CFU)

Approval Criteria: Multnomah County Code (MCC): MCC 11.15.

Decision: **Approve with Conditions** design review for a restroom, picnic shelter, dock, gangway, and trails at Bartlett Landing on Government Island.

Conditions of Approval

1. This approval is based on the submitted material. The proposed improvements shall be constructed on the site in accordance with the design, size, and location shown and described in the application materials submitted by the applicant. Additional submittals and actions may be required of the applicant as noted in these Conditions of Approval.
 2. The applicant shall make an appointment with the Staff Planner, Virginia Dodson, at Multnomah County, (503) 988-3043, for building permit sign-off. The applicant shall bring five (5) sets of site and building plans to the County for sign-off prior to submittal of the building permits to the Portland Building Department.
 3. A revised landscape plan for Bartlett Landing shall be submitted prior to building permit sign-off which shows the location of all trees to be removed and all trees to be planted, areas where
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nuisance plants will be removed, areas to be revegetated. Conditions #4, 5 and 6 shall be incorporated into this plan.

4. Any trees removed will be replanted at a 2:1 ratio.
5. Trees to be protected shall be fenced so that their roots and branches are protected from heavy equipment.
6. Any areas disturbed by construction shall be revegetated.
7. Required landscaping shall be continuously maintained.
8. This design review is solely for the Bartlett Landing area of Government Island. This design review approval shall expire 18 months from the date of final design review approval unless an application for a six month extension is applied for and granted.
9. Prior to any construction on Sandy Beach area, another design review application shall be submitted to Multnomah County for review and approval.
10. No additional land use action and/or permit requests shall be accepted, relating to the subject application, until all required fees for the said application have been paid in full.

Findings of Fact

(Formatting Note: Staff as necessary to address Multnomah County ordinance requirements provides Findings referenced herein. Headings for each finding are underlined. Multnomah County Code requirements are referenced using a **bold** font. Written responses by the applicant, demonstrating compliance with code criteria, are *italicized*. Planning staff comments and analysis may follow applicant responses. Where this occurs, the notation "Staff" precedes such comments.)

1. Description of Proposal:

Applicant requests approval of design for improvements at Bartlett Landing on Government Island. Improvements include a new restroom facility, improvements to the docks and ADA-compliant trails. Approval is also requested for the existing picnic shelter at Bartlett Landing.

CS 2-99 approved a park on Government Island for two areas; Bartlett Landing and Sandy Beach. Because the entire project will be phased over time, only Bartlett Landing improvements will be reviewed at this time.

2. Site and Vicinity Characteristics:

Government Island is located just north and east of the Portland Airport in the Columbia River. The Island is owned by the Port of Portland. The subject sites are leased to OPRD. Trees on the island are mostly cottonwoods with some shrubs. The island also has areas of open meadow where cows graze.

3. Multnomah County Code

DESIGN REVIEW

11.15.7810 Elements of Design Review Plan

The elements of a Design Review Plan are: The layout and design of all existing and proposed improvements, including but not limited to, buildings, structures, parking and circulation areas, outdoor storage areas, landscape areas, service and delivery areas, outdoor recreation areas, retaining walls, signs and graphics, cut and fill actions, accessways, pedestrian walkways, buffering and screening measures.

Staff: A site plan has been submitted which shows a 2-stall restroom, picnic shelter, docks, gangways, signs and trails.

11.15.7815 Design Review Plan Approval Required

No building, grading, parking, land use, sign or other required permit shall be issued for a use subject to this section, nor shall such a use be commenced, enlarged, altered or changed until a final design review plan is approved by the Planning Director, under this ordinance.

11.15.7820 Application of Regulations

The provisions of MCC .7805 through .7865 shall apply to all conditional and community service uses in any district and to the following:

Staff: The proposed facilities make up a park, which is a community service use and was approved under CS 2-99. Thus, a design review approval is required for this project.

11.15.7850 Design Review Criteria

A. Approval of a final design review plan shall be based on the following criteria:

1. Relation of Design Review Plan Elements to Environment.

- a. The elements of the design review plan shall relate harmoniously to the natural environment and existing buildings and structures having a visual relationship with the site.**

The restroom will be concrete that is pigmented and textured to look like a darker wood. The walkway will be gravel, and the boat dock addition will match the existing boat dock.

Staff: The picnic shelter is a very open structure with grey wood posts and a dark metal roof. The wood posts connect it to the forested areas and the metal roof provides a degree of fire protection.

- b. The elements of the design review plan should promote energy conservation and provide protection from adverse climatic conditions, noise, and air pollution.**

No utilities are needed for this project since the proposed restroom is a compost restroom, no HVAC system (except for a solar-powered fan in each gas vent), and lighting is natural lighting only (i.e., windows). The restroom is concrete, designed to withstand adverse climatic conditions. Other than the temporary noise and dust during construction, no noise and air pollution will result from this project.

- c. **Each element of the design review plan shall effectively, efficiently, and attractively serve its function. The elements shall be on a human scale, inter-related, and shall provide spatial variety and order.**

This restroom is as small as it can be and still meet the ADA requirements for wheelchair access, and support the compost systems. There are no added amenities (see attached plan), just the basic system.

Staff: The restrooms are designed to blend into the surrounding trees and vegetation. The trails are five feet wide, an adequate width to meet ADA and accommodate two people walking abreast, but not so wide as to dominate the views or cause excessive tree removal. The trail goes from the dock where people arrive to the picnic shelter and restroom. The dock consists of two floating docks, the longest being 300 feet. It extends about 200 feet from the ordinary low water mark into the river. The dock is large enough to accommodate about 22 small boats. The 225 square foot picnic shelter provides shelter from the rain for visitors.

2. **Safety and Privacy - The design review plan shall be designed to provide a safe environment, while offering appropriate opportunities for privacy and transitions from public to private spaces.**

This project involves only public spaces. The restroom has a door and lock for privacy.

Staff: The use is a public park. The docks and booms enhance safety of boaters by providing a structurally safe docking area to visit the island.

3. **Special Needs of Handicapped - Where appropriate, the design review plan shall provide for the special needs of handicapped persons, such as ramps for wheelchairs and braille signs.**

Restroom: All fixtures and building dimensions meet the ADA guidelines (see attached plan).

Walkway: gravel surface compacted to ADA guidelines.

Boat ramp: Currently, there are no ADA guidelines for boating facilities.

Signage: See attached signage drawings.

4. **Preservation of Natural Landscape - The landscape and existing grade shall be preserved to the maximum practical degree, considering development constraints and suitability of the landscape or grade to serve their functions. Preserved trees and shrubs shall be protected during construction.**

Per recommendation by the Oregon Parks and Recreation Department forester, protection should be provided around a tree or shrub's dripline to prevent disturbance within the dripline. No trees need to be removed for the restroom and boat ramp work. An estimated 20 trees will need to be removed for the construction of the walkway in order to meet ADA requirements. The number of trees and shrubs required for removal will be minimized by routing the walkway between or around trees. In order to satisfy fire code requirements, the shrubs within 30-feet of the picnic

shelter will be cut down low enough to mow. This will preserve the root structure, which will help prevent erosion and also control the blackberry.

Staff: Any trees removed will be replanted at a 2:1 ratio as required by CS 2-99. Trees to be protected shall be fenced so that their roots and branches are protected from heavy equipment.

There is a conflict between removing vegetation and trees to meet the fire safety setbacks of the CFU zoning district and the requirement in the SEC overlay zone and Design Review approval to retain vegetation, particularly vegetation along the riparian areas. Russ Richards, Landscape Architect, submitted information to try to resolve this conflict (See Conditions and Solution for Fire Protection at the Picnic Area – Government island, dated 3/14/00). Staff agrees with Mr. Richards solutions and conclusions: Protection of the riparian vegetation is the highest priority and so maintaining the existing cottonwoods and other shrubs along the riparian bank is approved. The fire safety concerns are also addressed adequately. Cutting the brush back on the south side and keeping it mowed all around the picnic shelter should be sufficient.

- 5. Pedestrian and Vehicular circulation and Parking - The location and number of points of access to the site, the interior circulation patterns, the separations between pedestrians and moving and parked vehicles, and the arrangement of parking areas in relation to buildings and structures, shall be designed to maximize safety and convenience and shall be harmonious with proposed and neighboring buildings and structures.**

Not applicable – Government Island has only boat access.

Staff: Pedestrian circulation is guided by the layout of the trails and boat ramps.

- 6. Drainage - Surface drainage systems shall be designed so as not to adversely affect neighboring properties or streets.**

Not applicable – there are no street or nearby neighboring properties. The impact of this project to the existing drainage pattern is negligible.

Staff: Any runoff from roofs can be accommodated naturally through infiltration into the soil.

- 7. Buffering and Screening - Areas, structures and facilities for storage, machinery and equipment, services (mail, refuse, utility wires, and the like), loading and parking, and similar accessory areas and structures shall be designed, located, buffered or screened to minimize adverse impacts on the site and neighboring properties.**

Not applicable – no areas, structures, and facilities for storage, machinery and equipment, service loading and parking, and similar accessory areas and structures are proposed for this project.

Staff: The restrooms will be screened from the river by vegetation, as required by the Community Service permit (CS 2-99).

- 8. Utilities - All utility installations above ground shall be located so as to minimize adverse impacts on the site and neighboring properties.**

Not applicable - no utilities are proposed for this project.

- 9. Signs and Graphics - The location, texture, lighting, movement, and materials of all exterior signs, graphics or other informational or directional features shall be compatible with the other elements of the design review plan and surrounding properties.**

Signs will have a brown background with white lettering, standard for recreational signs.

Staff: Proposed signs are small, about 1 and half square feet, and do not require a sign permit. The brown background with a wood post will blend into the natural setting. The signs will not be lighted or have moving parts.

11.15.7855 Required Minimum Standards

Required Landscape Areas

The following landscape requirements are established for developments subject to design review plan approval:

- 1. A minimum of 15% of the lot area shall be landscaped; provided, however, that computation of this minimum may include areas landscaped under subpart 3 of this subsection.**

Staff: The entire subject lot area is composed of natural vegetation. All the proposed structures combined will cover less than 1% of the total area. This requirement is met.

- 2. All areas subject to the final design review plan and not otherwise improved shall be landscaped.**

Staff: Any areas disturbed by construction shall be revegetated per the landscape plan.

- 3. The following landscape requirements shall apply to parking and loading areas:**

Staff: There are no parking or loading areas.

- 4. Provision shall be made for watering planting areas where such care is required.**

Staff: The subject site is a natural area and low maintenance plants should be used.

- 5. Required landscaping shall be continuously maintained.**

Staff: A condition of approval will ensure that this requirement is met.

- 6. Maximum height of tree species shall be considered when planting under overhead utility lines.**

7. ***Landscaped*** means the improvement of land by means such as contouring, planting, and the location of outdoor structures, furniture, walkways and similar features.

Staff: Not applicable.

11.15.6100 OFF-STREET PARKING AND LOADING

Staff: There is no vehicular access to the island and thus no parking is allowed. The parking standards therefore are not applicable

11.15.7870 Expiration of Approval

- A. Design review approval shall expire in 18 months from the date of final design review approval, however upon application a six month extension may be granted by the Planning Director upon a written finding that the applicable provisions of this ordinance are satisfied. The Director's decision may be appealed as provided by [MCC 11.15.8290](#). Failure to apply for an extension shall result in expiration of the approval.

Staff: This design review is solely for the Bartlett Landing area of Government Island. This design review approval shall expire 18 months from the date of final design review approval unless an application for a six month extension is applied for and granted.

Prior to any construction on Sandy Beach area, another design review application shall be submitted to Multnomah County for review and approval.

Conclusion

Based on the findings and other information provided above, this application for design review for Bartlett Landing satisfies, with appropriate conditions, the Multnomah County Zoning Ordinance requirements.

By: _____
Virginia Dodson, Planner
For Kathy Busse, Planning Director
Multnomah County Department of Environmental Services
Land Use Planning Division

Date _____

NOTICE:

State law requires a public notice (by mail) to nearby property owners and to any recognized Neighborhood Association, of a Planning Director decision which applies discretionary or subjective standards or criteria to land use or development applications. The notice must describe the method to appeal the decision and, if appealed, the County must hold a public hearing to consider the merits of the application. A person who is mailed written notice of the decision cannot appeal the decision directly to the Land Use Board of Appeals under ORS 197.830 [ORS 197.763, ORS 215.416(11)].

The Decision of the Planning Director detailed above will not become final until the 12-day appeal period for filing an appeal has expired. The 12-day appeal period that starts the day

after the notice is mailed. If the 12th day falls on a Saturday, Sunday, or a legal holiday, the appeal period extends through the next full business day. Any person who is adversely affected or aggrieved by the decision, or who is entitled to written notice as described above, may appeal this decision. To file an appeal, complete an Appeal of Administrative Decision form and submit it to the Multnomah County Land Use Planning office, together with a \$100.00 fee and supplemental written materials (as needed) stating the specific grounds, approval criteria, or standards on which the appeal is based. If an appeal is filed, a public hearing will be scheduled before a County Hearings Officer pursuant to Multnomah County Code section 11.15.8290 and in compliance with ORS 197.763. To review the application file(s), obtain appeal forms, or other instructions, call Multnomah County Land Use Planning office at (503) 988-3043, or visit our offices at 1600 SE 190th Avenue, Portland, Oregon, 97233 [hours: 8:00 a.m.-4:30 p.m.; M-F].

The appeal period ends Monday, April 10, at 4:30pm. If there is no appeal, this decision becomes final on that date.