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

NOTICE OF NSA DECISION

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

Case File: T2-2017-8199
Permit: National Scenic Area Site Review
Location: 40700 E. Historic Columbia River Hwy, Corbett
Tax Lot 100, Section 30CB, Township 1N, Range 5E, W.M.
Alternate Account #R832304680
Applicant: Kelly Gillard, Architectural Resources Group (ARG)
Owner: Oregon Parks and Recreation Department
Base Zone: Gorge Special Public Recreation (GS-PR)
Landscape Setting: Coniferous Woodlands

Summary: The applicant is requesting a National Scenic Area Site Review to alter two bays (the East and Southeast Segments) of the historic Vista House in an attempt to resolve water intrusion issues with the structure. The proposed work will occur on two of the bays and will be observed for a period of time (estimated one year) to ensure it resolves the issues. This work will include a new concrete apron with waterproof membrane underneath, sidewalk skylights, storm windows, and waterproofing membrane behind the existing stone from the first floor up to the main roof gutter. The balcony will also receive a new roofing membrane at the east and west stair enclosures.

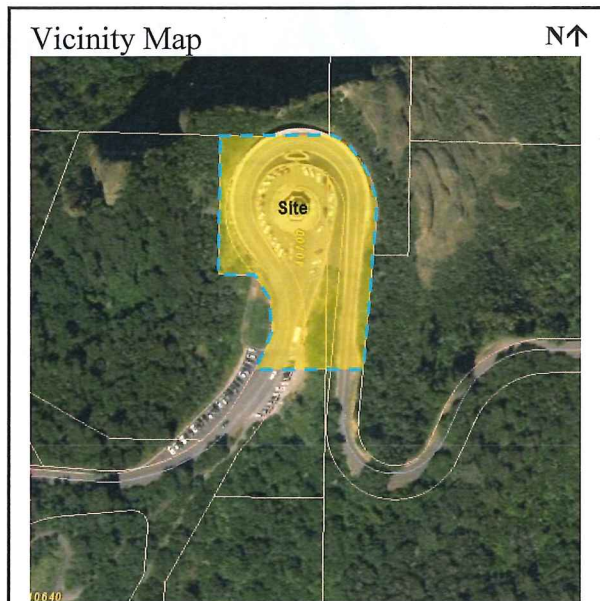
Decision: Approved with Conditions

Unless appealed, this decision is effective April 5, 2018 at 4:00 PM.

Issued by: 
Katie Skakel, Senior Planner

For: Michael Cerbone, AICP
Planning Director

Date: March 22, 2018



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 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 Katie Skakel, Senior Planner at 503-988-0213 or katie.skakel@multco.us.

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

This decision is final at the close of the appeal period, unless appealed. The deadline for filing an appeal is Thursday, April 5, 2018 at 4:30 pm.

Applicable Approval Criteria: Multnomah County Code (MCC):

General Provisions: MCC 38.0015 Definitions, and MCC 38.0045 Review Use Applications, and

Gorge Special Public Recreation District: MCC 38.2825(C)(6) Resource enhancement projects for the purpose of enhancing scenic, cultural, recreation, and/or natural resources subject to MCC 38.7345, MCC 38.2860 Dimensional Requirements, and MCC 38.2885 Off-Street Parking and Loading.

Site Review: MCC 38.7040 SMA Scenic Review Criteria, MCC 38.7050 SMA Cultural Resource Review Criteria, MCC 38.7075 SMA Natural Resource Review Criteria, and MCC 38.7085 SMA Recreation Resource Review Criteria.

Copies of the referenced Multnomah County Code (MCC) sections can be obtained by contacting our office at 503-988-3043 or by visiting our website at www.multco.us/landuse/zoning-codes at the link *Chapter 38: Columbia River Gorge National Scenic Area*.

CONDITIONS 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 shall expire as follows:
 - a. When construction has not commenced within two years of the date of the final decision. Commencement of construction shall mean actual construction of the proposed improvements to the structure.
 - b. When the improvements to the structure has not been completed within two years of the date of commencement of construction. Completion of the improvements shall mean:
 - i. Completion of the exterior surfaces of the structure and
 - ii. Compliance with the conditions of approval in this decision.

The property owner may request to extend the timeframe within which this permit is valid, as provided under MCC 38.0700. Such a request must be made prior to the expiration date of the permit. [MCC 38.0690]

3. After the one year test period of the waterproofing protocol, Oregon Parks and Recreation (OPRD) shall initiate one of the following:
 - a. If the mock-up fails to resolve the water intrusion, OPRD shall return the Vista House to its prior permitted materials; or
 - b. Apply for another NSA Site Review to propose an alternate waterproofing protocol to test on the modified bays of the Vista House; or
 - c. Obtain the additional NSA Site Review to complete the remaining enhancement work for the waterproofing of the Vista House. [MCC 38.0690]
4. Discovery during construction in the Columbia River Gorge National Scenic Area Special Management Area (SMA) for waterproofing of the structure the following procedures shall be in effect if in the event of the inadvertent discovery of cultural resources during construction or development.
 - (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 (G)(3). The immediate notification of the Multnomah County Planning Director is required.
 - (2) If the discovered material is suspected to be human bone or a burial, the following procedure shall be used:
 - (a) Stop all work in the vicinity of the discovery.
 - (b) 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.
 - (c) The U.S. Forest Service shall notify the tribal governments if the discovery is determined to be an Indian burial or a cultural resource.
 - (d) 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.

- (3) 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.
- (4) 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). [MCC 38.7050(H)]
- 5. Prior to sign off on Building Permit, applicant shall provide “mock-up” of tile for approval of color and tile pattern. The tile shall be composed on non-reflective or low reflective materials. The color(s) of the tile shall be one of the specific colors listed in the Scenic Resources Implementation Handbook recommended color chart or match the existing color tile on the Vista House. [38.7040(A)(10) & (11)]

Note: Once this decision is final, application for building permits may be made with the City of Gresham. When ready to have building permits signed off, the applicant shall call the Staff Planner, Katie Skakel, at (503) 988-0213, for an appointment for review and approval of the conditions and to sign the building permit plans. Please note, Multnomah County must review and sign off the building permits before the applicant submits building plans to the City of Gresham. Three (3) sets each of the site plan and building plans are needed for building permit sign off. At the time of building permit review, a fee will be collected. In addition, an Erosion Control inspection fee may be required.

Notice to Mortgagee, Lien Holder, Vendor, or Seller:

ORS Chapter 215 requires that if you receive this notice it must be promptly forwarded to the purchaser.

Findings of Fact

FINDINGS: Written findings are contained herein. The Multnomah County Code (MCC) criteria and Comprehensive Plan Policies are in **bold** font. Staff analysis and comments are identified as ‘**Staff:**’ and address the applicable criteria. Staff comments may include a conclusionary statement in *italic*.

1.0 Project Description:

Applicant: The applicant is proposing to alter two bays (the East and Southeast Segments) of the Vista House in the Gorge Special Management Public Recreation zone in an attempt to waterproof the structure. The proposed work will include a new concrete apron with waterproof membrane underneath, sidewalk skylights, storm windows and waterproofing membrane behind the existing stone from the first floor up to the main roof gutter. The balcony will also receive a new roofing membrane at the east stair enclosures. If the work is successful, the repairs will be applied to all other bays at a future point in time. The following is the applicant’s description of the work to occur as part of this repair project to Vista House.

The scope of this project is to test the waterproofing protocol outlined by the applicant at the Vista House and implement the recommended waterproofing procedure in two bays. The goal of the "mock-up" is to identify and implement repair solutions to all building closure elements that have been identified as contributing to water intrusion: deck, stone cladding, staircase, windows and entry apron. A summary chart of the water infiltration items is included as part of this narrative. The end result will be the appropriate water-proofing of two bays of the Vista House that can be observed for a period of time to make sure that the repairs are effective. Assuming the mock-up is successful, the recommended repairs will be applied to all other bays at a future point in time.

The proposed enhancement project corrects is intended to solve the leakage program which continually deteriorates the building. The enhancement includes the removal of “plexi-glass” that had been installed at some point and restoring the building back to “as close” to original as possible at least on the two trial east bays at this stage. The applicant states that the “Interior limestone panels are deteriorating and discolored because of the constant water intrusion (Exhibit D.5 - see Figure 3). The gift shop has to set up buckets to catch water in the winter and this hasn’t stopped extensive damage to plaster and corrosion to the underlying steel structure.” ARG and their team was tasked with a restoration approach that “will keep water out of the building to try to preserve as much of the remaining historic fabric as possible.”

New water-resistant barrier

A new water-resistant barrier will replace the historic barrier (now deteriorated) which was applied onto the concrete structure behind the stone veneer originally. The new barrier will tie into the current roof flashing above the dome gutter (where no leaks have been reported since the re-roofing project), extend down the second level wall, horizontally across the balcony, down the first level wall, and horizontally below the concrete apron topping slab, two steps past the basement wall below grade. (Exhibit See Section on A-300). This will require:

- The existing stone to be removed and reinstalled in the same location once the water- resistant barrier has been installed and tested. When the stone veneer is reinstalled, it will be properly anchored to the substrate to meet current code requirements.
- Integrating new flashing systems with the water-resistant barriers at all

openings as well as a new cap flashing to direct water away from the walls. Visual impact will be minimal.

- Removal of the existing balcony roof system at the east and southeast bays.
- Removal of the existing windows to properly terminate the water-resistant barrier at the full perimeter. This will also provide an opportunity to restore the existing windows as required.
- Removal and replacement of the existing topping slab at the surrounding concrete apron for installation of the water-resistant barrier below.

New balcony roof system

A PMMA fluid-applied coating is recommended for the balcony roof surface. Two other options that we considered were a similar tile system with a better membrane underneath and a raised paver system above a hot rubberized asphalt coating (similar to a green roof system). Each of these systems had various downfalls including complicated detailing and flashing issues, height issues (added roof height would require adding railings to the current parapet walls to meet code), wind uplift issues, and neither seemed to be suited for all of the various balcony conditions. The PMMA fluid-applied coating can be seamlessly installed over the balcony surface and easily transition down the steps to the landing as well as around the entire stair entry enclosure. The coating may also be installed with a similar color and tile pattern to the one on the balcony so the visual impact would be minimal. The surface will also have a much better slip-resistance than the current tile. A full sized mock-up of the PMMA roofing system of the proposed Vista House roof configuration is being prepared by the roofing manufacturer for review and approval by the project team.

New storm windows & window restoration

The existing non-historic steel sash (installed in 2006) will be removed and restored. They will be integrated into a new custom aluminum storm window system that will match the existing frame configuration and profile. The new exterior storm window system will be installed at the first and second floor windows. Visual impact will be minimal as shown on sheet A-600 Exhibit A.6).

New topping slab and sidewalk skylights

The existing concrete apron will be removed and reinstalled over new waterproofing that ties into the water-resistant barrier system on the building. The current non-historic skylights (which are leaking heavily) will be replaced with a custom sidewalk skylight which will look similar to the historic skylight system (still in storage at Vista House). ARG has been working with Circle Redmont, a company that designs and manufactures historic sidewalk skylight systems. The skylight will be delivered to the site as a pre-manufactured item. DCI Engineers will design the skylight supports. ARG and RDH will detail the perimeter sealant condition to ensure it ties in with the concrete apron waterproofing. The existing vent location will be water tight to eliminate the need for a gutter below (at the ceiling of the basement) and corresponding pipe to the exterior.

East stairs to roof level

The east stair will be updated to match the west stair waterproofing project from 2009 (Case File T2- 09-021). The existing landing will be removed and be re-built to include a trench drain which will keep water from the balcony surface from flowing into the building at the door. The existing downspout and scupper will be lowered approximately 14" to provide proper drainage from the trench drain and match the west side configuration. A new hurricane resistant door will be installed which will also match the west side.

Staff: As described above, the proposed mock up is to determine whether the waterproofing protocol outlined by the applicant will work. The goal of the mock up is to determine if it will prevent water intrusion into the Vista House building. The "mock up test" is for one year. If successful, OPRD plans to obtain a new National Scenic Area Site Review permit to treat the entire structure.

2.0 Property Description & History:

Staff: The project area comprises 1N 5E 30CB Tax Lot 100. Within the project area, the property is owned by OPRD and Oregon Department of Transportation (ODOT). The Vista House was given to the State of Oregon for park purposes in 1938 by the City of Portland and Multnomah County and is listed on the National Register of Historic Places. It is located within the Special Management Area of the Columbia River Gorge National Scenic Area.

The Columbia River and Interstate 84 lie to the north of the project area, and the Historic Columbia River Gorge Highway (Highway 30) lies to the south and winds its way around the Vista House. Surrounding lands are generally open space and forest. The project area is covered by two zoning districts: GS-PR (Gorge Special Recreation) and GSO (Gorge Special Open Space).

Vista House is a museum at Crown Point in Multnomah County, Oregon, that also serves as a memorial to Oregon pioneers and as a comfort station for travelers on the Historic Columbia River Highway. The site, situated on a rocky promontory, is 733 feet above the Columbia River on the south side of the Columbia River Gorge. The hexagonal stone building was designed by Edgar M. Lazarus in the style of Art Nouveau, and completed in 1918 after nearly two years of construction. The Vista House was restored in 2004. The Vista House was listed on the National Register of Historic Places on November 5, 1974 and according to the State Historic Preservation Office (SHPO) "remains a fixture of the Columbia River Gorge National Scenic Area and an iconic feature along the Historic Columbia River Highway National Historic Landmark."

By 1931, the building was already leaking. In addition to several repairs to stop leaks at various locations around the building, a major repair project was implemented in 1941/1942 with extensive work to the roofs, entry apron, doors and windows. The most recent repair project took place in 2009 at the West Staircase where significant leaking was occurring into the building. The repairs have kept water out of the building at this location, however the tile on and around the stair penthouse currently is failing.

From 2001 to 2006, the Vista House underwent a major restoration project. The restoration included:

- The non-historic copper roof was replaced with the tile similar to original roof.
- Balcony deck was reconstructed to match original deck design.

- Outside first floor terrace was reconstructed to match original design.
- First floor windows were reconstructed to match original design.
- The entire exterior stone surface was cleaned and re-pointed.
- All work was designed to meet the Secretary of the Interior's Standards for the Treatment of Historic Properties (1995).

3.0 Gorge Special Management Public Recreation Approval Criteria

3.1 MCC 38.2825 Review Uses, (C): The following uses are allowed on all lands designated GS-PR pursuant to MCC 38.0530 (B) and upon findings that the NSA Site Review standards of MCC 38.7000 through 38.7085 have been satisfied:

* * *

(6) Resource enhancement projects for the purpose of enhancing scenic, cultural, recreation, an/or natural resources subject to MCC 38.7345. Those projects may include new structure (e.g. closing and revegetating unused roads, recontouring abandoned quarries).

Staff: The project is an enhancement construction project to an existing historic building. The project has been reviewed with findings that the NSA Site Review standards of MCC 38.7000 through 38.7085 have been satisfied. *These criteria are met.*

4.0 SMA Scenic Site Review

§ 38.7040 SMA SCENIC REVIEW CRITERIA The following scenic review standards shall apply to all Review and Conditional Uses in the Special Management Area of the Columbia River Gorge National Scenic Area with the exception of rehabilitation or modification of historic structures eligible or on the National Register of Historic Places when such modification is in compliance with the national register of historic places guidelines:

4.1. MCC 38.7040(A): All Review Uses and Conditional Uses visible from KVAs. This section shall apply to proposed development on sites topographically visible from KVAs:

Staff: The site is within Gorge Special Recreational (GSPR) District. The proposed enhancement project is topographically visible from the following Key Viewing Areas (KVAs): Crown Point, I-84, the Columbia River, Women's Forum, Hist. Columbia River Hwy, Rooster Rock State Park, State Route-14, and Larch Mountain Road. The proposed project is located in the foreground of I-84, and is located within the I-84 scenic corridor. For I-84 project proposals MCC 38.7040(C)(2) applies and allows the use if the project can not meet the criterion under MCC 38.7040(A).

4.1.1 MCC 38.7040(A)(1): New developments and land uses shall be evaluated to ensure that the scenic standard is met and that scenic resources are not adversely affected, including cumulative effects, based on the degree of visibility from Key Viewing Areas.

Staff: Development is defined as "Any mining, dredging, filling, grading, paving, excavation, land division, or structure, including but not limited to new construction of a building or structure." The proposed enhancement project qualifies as development as it is new construction. Planning staff will need to evaluate the project to ensure that Crown Point, a scenic resource Key Viewing Area vantage point, which is also prominent from other Key Viewing Areas, is not

adversely affected. The proposed enhancement has a high degree of visibility from the KVA as, the Vista House is located at Crown Point.

SHPO is concerned that the mock-up creates an “incongruence” on the Vista House, located in Crown Point “from a maintenance standpoint and a visual” aspect between the treated and untreated sides of the building. State Parks has responded to SHPO that the intent is to test the waterproofing membrane and protocol for a year, and if successful to complete the remainder of the building to ensure that this incongruence is not allowed to continue for an extended period of time. Planning staff has included a condition that if the mock-up fails to resolve the water intrusion, OPRD returns the Vista House to its prior materials, proposes an alternate mock up or complete the remaining enhancement work by obtaining an additional NSA Site Review and completing the work within two years of completing the mock-up project.

4.1.2. MCC 38.7040(A)(2): The required SMA scenic standards for all development and uses are summarized in the following table.

REQUIRED SMA SCENIC STANDARDS		
LANDSCAPE SETTING	LAND USE DESIGNATION	SCENIC STANDARD
Coniferous Woodland	Forest, Agriculture, Residential, Public Recreation	Visually Subordinate

Staff: The Vista House, located atop of Crown Point is located in the Coniferous Woodland landscape setting. According to MCC 38.7040 SMA Scenic Review Criteria:

The following scenic review standards shall apply to all Review and Conditional Uses in the Special Management Area of the Columbia River Gorge National Scenic Area with the exception of rehabilitation or modification of historic structures eligible or on the National Register of Historic Places when such modification is in compliance with the national register of historic places guidelines:

Because the proposed enhancement project is on the National Historic Register the scenic standard of Visually Subordinate does not apply. *This criterion is met.*

4.1.3. MCC 38.7040(A)(3): In all landscape settings, scenic standards shall be met by blending new development with the adjacent natural landscape elements rather than with existing development.

Staff: The NSA review is associated with a “mock up” waterproofing technique and rehabilitation of two existing bays on the Historic Vista House – the east and the southeast bays. *Criterion not applicable.*

4.1.4. MCC 38.7040(A)(4): Proposed developments or land use shall be sited to achieve the applicable scenic standards. Development shall be designed to fit the natural topography and to take advantage of vegetation and land form screening, and to minimize visible grading or other modifications of landforms, vegetation cover, and natural characteristics. When screening of development is needed to meet the scenic standard from key viewing areas, use of existing topography and vegetation shall be given priority over other means of achieving the scenic standard such as planting new vegetation or using artificial berms.

Staff: The project and site location is existing and considered part of the Historic Landscape of the Gorge. *This criterion is met.*

4.1.5. MCC 38.7040(A)(5): The extent and type of conditions applied to a proposed development or use to achieve the scenic standard shall be proportionate to its degree of visibility from key viewing areas.

- (a) Decisions shall include written findings addressing the Primary factors influencing the degree of visibility, including but not limited to:
1. The amount of area of the building site exposed to key viewing areas,
 2. The degree of existing vegetation providing screening,
 3. The distance from the building site to the key viewing areas from which it is visible,
 4. The number of key viewing areas from which it is visible, and
 5. The linear distance along the key viewing areas from which the building site is visible (for linear key viewing areas, such as roads).
- (b) Conditions may be applied to various elements of proposed developments to ensure they meet the scenic standard for their setting as seen from key viewing areas, including but not limited to:
1. Siting (location of development on the subject property, building orientation, and other elements),
 2. Retention of existing vegetation,
 3. Design (color, reflectivity, size, shape, height, architectural and design details and other elements), and
 4. New landscaping.

Staff: Staff reviewed the East Side Waterproofing Design plans submitted including the existing conditions, site plan, floor plan designs, wall section design details, exterior details, framing details, structural details, construction drawings, and reviewed the Architectural Resources Group memorandum about the PMMA waterproofing system as it relates to the items addressed in (a) 1-5 and (b) 1-4 above and find that the degree of visibility from KVAs is not an issue. The breakdown of each element of waterproofing system and window repair (Exhibit A.4 pgs. 4 and 5) provide specifics on how proposed solutions have a minimum visual impact. In order to confirm this prior to application of material conditions of approval have been added for tiling and color. These elements were used for writing the Conditions of Approval. *This criterion is met.*

4.1.6. MCC 38.7040(A)(6): Sites approved for new development to achieve scenic standards shall be consistent with guidelines to protect wetlands, riparian corridors, sensitive plant or wildlife sites and the buffer zones of each of these natural resources, and guidelines to protect cultural resources.

Staff: The existing site is consistent with guidelines to protect the natural resources (see findings under Section 8) and guidelines to protect cultural resources (Section 6). Since the site is an existing Historic Structure the scenic standards are not applicable. *This criterion is met.*

4.1.7. MCC 38.7040(A)(7): Proposed developments shall not protrude above the line of a bluff, cliff, or skyline as seen from Key Viewing Areas.

Staff: The proposed waterproofing “mock up” to the Vista House does protrude above the line of a bluff, cliff, or skyline as seen from Key Viewing Areas but it is on the existing Historic Vista House that is part of the historic context of the landscape. *This criterion is met.*

- 4.1.8. MCC 38.7040(A)(8):** Structure height shall remain below the average tree canopy height of the natural vegetation adjacent to the structure, except if it has been demonstrated that compliance with this standard is not feasible considering the function of the structure.

Staff: The proposed waterproofing will be below the average tree canopy height of the natural vegetation adjacent to the structure. *This criterion is met.*

- 4.1.9. MCC 38.7040(A)(9):** The following guidelines shall apply to new landscaping used to screen development from key viewing areas:

- (a) New landscaping (including new earth berms) to achieve the required scenic standard from key viewing areas shall be required only when application of all other available guidelines in this chapter is not sufficient to make the development meet the scenic standard from key viewing areas. Development shall be sited to avoid the need for new landscaping wherever possible.
- (b) If new landscaping is necessary to meet the required standard, 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 guideline shall be sized to provide sufficient screening to meet the scenic standard within five years or less from the commencement of construction.
- (c) Landscaping shall be installed as soon as practicable, and prior to project completion. Applicants and successors in interest for the subject parcel are responsible for the proper maintenance and survival of planted vegetation, and replacement of such vegetation that does not survive.
- (d) The Scenic Resources Implementation Handbook shall include recommended species for each landscape setting consistent with the Landscape Settings Design Guidelines in this chapter, and minimum recommended sizes of new trees planted (based on average growth rates expected for recommended species).

Staff: No new vegetation is proposed for the project. *Criterion not applicable.*

- 4.1.10. MCC 38.7040(A)(10):** Unless expressly exempted by other provisions in this chapter, colors of structures on sites visible from key viewing areas shall be dark earth-tones found at the specific site or 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 as dark or darker than the colors in the shadows of the natural features surrounding each landscape setting.

Staff: The proposed structures will maintain the rock façade that exists on the Historic Vista House structure. *This criterion is met.*

- 4.1.11. MCC 38.7040(A)(11):** The exterior of structures on lands seen from key viewing areas shall be composed of non-reflective materials or materials with low reflectivity. The Scenic Resources Implementation Handbook will include a recommended list of exterior materials. These recommended materials and other materials may be deemed consistent with this guideline, including those where the specific application meets approval thresholds in the “Visibility and Reflectivity Matrices” in the Implementation Handbook. Continuous surfaces of glass unscreened from key viewing areas shall be limited to ensure meeting the scenic standard. Recommended square footage limitations for such surfaces will be provided for guidance in the Implementation Handbook.

Staff: The proposed structure will retain low-reflectivity and the color of the windows will be dark according to standards. According to applicant, the proposal will have a minimal visual impact because “The storm window will be installed in front of the existing sash instead of directly on the sash, which means the exterior surface is further forward. The main visual impact is that less of the side exterior frame will be visible than is currently visible”. *This criterion is met.*

- 4.1.12. MCC 38.7040(A)(12): Any exterior lighting shall be sited, limited in intensity, shielded or hooded in a manner that prevents lights from being highly visible from Key Viewing Areas and from noticeably contrasting with the surrounding landscape setting except for road lighting necessary for safety purposes.**

Staff: No lighting is proposed. *Criterion is met.*

- 4.1.13. MCC 38.7040(A)(13): Seasonal lighting displays shall be permitted on a temporary basis, not to exceed three months duration.**

Staff: No seasonal lighting is proposed. *Criterion is met.*

- 4.2.1. MCC 38.7040(C)(1): All new developments and land uses immediately adjacent to the Historic Columbia River Highway, Interstate 84, and Larch Mountain Road shall be in conformance with state or county scenic route standards.**

Staff: The proposed development is in compliance with state scenic route standards as it is existing and part of the view shed of the Historic Highway, I-84 and Larch Mountain. ODOT has been notified and has not commented. SHPO has reviewed the proposal and stated that it is in support of the restoration. *This criterion is met.*

- 4.3.2. MCC 38.7040(C)(2): The following guidelines shall apply only to development within the immediate foregrounds of key viewing areas. Immediate foregrounds are defined as within the developed prism of a road or trail KVA or within the boundary of the developed area of KVAs such as Crown Pt. and Multnomah Falls. They shall apply in addition to MCC 38.7040(A).**

(a) The proposed development shall be designed and sited to meet the applicable scenic standard from the foreground of the subject KVA. If the development cannot meet the standard, findings must be made documenting why the project cannot meet the requirements of 38.7040(A) and why it cannot be redesigned or wholly or partly relocated to meet the scenic standard.

(b) Findings must evaluate the following:

- 1. The limiting factors to meeting the required scenic standard and/or applicable provisions of 38.7040(A),**
- 2. Reduction in project size;**
- 3. Options for alternative sites for all or part of the project, considering parcel configuration and on-site topographic or vegetative screening;**
- 4. Options for design changes including changing the design shape, configuration, color, height, or texture in order to meet the scenic standard.**

(c) Form, line, color, texture, and design of a proposed development shall be evaluated to ensure that the development blends with its setting as seen from the foreground of key viewing areas:

- 1. Form and Line-Design of the development shall minimize changes to the form of the natural landscape. Development shall borrow form and line from the landscape**

setting and blend with the form and line of the landscape setting. Design of the development shall avoid contrasting form and line that unnecessarily call attention to the development.

2. **Color-Color** shall be found in the project's surrounding landscape setting. Colors shall be chosen and repeated as needed to provide unity to the whole design.
3. **Texture-Textures** borrowed from the landscape setting shall be emphasized in the design of structures. Landscape textures are generally rough, irregular, and complex rather than smooth, regular, and uniform.
4. **Design-Design** solutions shall be compatible with the natural scenic quality of the Gorge. Building materials shall be natural or natural appearing. Building materials such as concrete, steel, aluminum, or plastic shall use form, line color and texture to harmonize with the natural environment. Design shall balance all design elements into a harmonious whole, using repetition of elements and blending of elements as necessary.

Staff: For such a project MCC 38.7040(C)(2) applies and allows the use if the project can not meet criteria under MCC 38.7040(A), see Subsection 5.1, below, for the findings. There are some criteria under MCC 38.7040(A) that are not required to be met because it is a Historic Structure. *The project meets these criteria using the guidelines.*

- 4.3.3. **MCC 38.7040(C)(3): Right-of-way vegetation shall be managed to minimize visual impact of clearing and other vegetation removal as seen from Key Viewing Areas. Roadside vegetation management should enhance views out from the highway (vista clearing, planting, etc.).**

Staff: The project has no impact on vegetation. *The criterion is met.*

- 4.3.4. **MCC 38.7040(C)(5): Development along Interstate 84 shall be consistent with the scenic corridor strategies developed for these roadways.**

Staff: The proposed project meets the I-84 Corridor Strategy, as it is an existing Historic Structure on the National Register. *This criterion is met.*

5.0 SMA Cultural Resource Review Criteria

§ 38.7050 SMA CULTURAL RESOURCE REVIEW CRITERIA

(A) The cultural resource review criteria shall be deemed satisfied, except MCC 38.7050 (H), if the U.S. Forest Service or Planning Director does not require a cultural resource survey and no comment is received during the comment period provided in MCC 38.0530 (B).

(B) If comment is received during the comment period provided in MCC 38.0530 (B), the applicant shall offer to meet with the interested persons within 10 calendar days. The 10 day consultation period may be extended upon agreement between the project applicant and the interested persons.

- 5.1 **MCC 38.7050(A):** The cultural resource review criteria shall be deemed satisfied, except MCC 38.7050 (H), if the U.S. Forest Service or Planning Director does not require a cultural resource survey and no comment is received during the comment period provided in MCC 38.7025(B).

Staff: According to MCC 38.0530 (B), if comment is received during the comment period provided, the applicant shall offer to meet with the interested persons within 10 calendar days. The 10 day consultation period may be extended upon agreement between the project applicant and the interested persons.

A letter dated December 7, 2017, was received from Jessica Gabriel, Historian, Oregon State Office of Historic Preservation (Exhibit C.2), stating that they concur that the proposed project will have no adverse effect on Vista house, listed on the National Register of Historic Places. Moreover, based on information provided to our office as well as our discussions regarding the undertaking, the project appears to adhere to the Secretary of the Interior's Standard for the Treatment of Historic Properties. However, SHPO has expressed concern that the mock up creates an "incongruence" both "from a maintenance standpoint and a visual" between the treated and untreated sides of the building. State Parks has responded to SHPO that the intent is to test the waterproofing membrane and protocol for a year and if successful to complete the remainder of the building.

In December 2017, Chris Donnermeyer of US Forest Service (Exhibit D.1) indicated that after reviewing the proposed undertaking and additional discussion with SHPO and applicant, he indicated a "no adverse effect" on the building. *The cultural resource review has been satisfied.*

On August 31, 2017, Morai Helfen (Exhibit D.3) from the US Forest Service submitted an email with concern about the potential visual impact of the PMMA, and questioned the timeframe for the success and for waterproofing the entire structure.

Vista House is listed on the National Register of Historic Places and is a contributing property to the Historic Columbia River Highway. SHPO and the US Forest Service have reviewed the proposed waterproofing project to determine if it would have an adverse effect on the Historic Structure. Both Agencies have determined that the proposed project will have "No Adverse Effect". *With this determination, the criteria for the cultural resource review have been met.*

(1) Consultation meetings should provide an opportunity for interested persons to explain how the proposed use may affect cultural resources. Recommendations to avoid potential conflicts should be discussed.

On March 5, 2018, a consultation meeting was held with USFS, County Land Use Planning, Maya Foty of Architectural Resources Group, and John Hermann of Bain Associates Inc. to examine the PMMA material that has been laid over the pavement of the entrance to the Parking Garage of Providence Hospital which has been in place for over a decade. The durability, application, and reflectivity (when wet) was discussed. During the comment period, the USFS mentioned their concerns about reflectivity of the substance. The site visit at Providence Hospital Garage satisfied their concern with the product. In a subsequent phone conversation on March 19, 2018 with Chris Donnermeyer and Morai Helfen of USFS, they have indicated that their concerns about the proposed waterproofing material have been addressed through the site visit. Morai Helfen reiterated that she'd like to see the proposed "tile color" and mock up of tile before installation.

(2) All written comments and consultation meeting minutes shall be incorporated into the reconnaissance or historic survey report. In instances where a survey is not required, all such information shall be recorded and addressed in a report that typifies a survey report; inapplicable elements may be omitted.

A survey has not been required. The concern over reflectivity has been addressed at the consultation meeting. A condition of approval has been required which states "Prior to sign off on Building permit, mock up and color of tiles will need to be reviewed and approved."

5.2.2 Discovery During Construction

MCC 38.7050(H): All authorizations for new developments or land uses shall be conditioned to require the immediate notification of the Planning Director in the event of the inadvertent discovery of cultural re-sources during construction or development.

- (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 (G) (3).**
- (2) If the discovered material is suspected to be human bone or a burial, the following procedure shall be used:**
 - (a) Stop all work in the vicinity of the discovery.**
 - (b) 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.**
 - (c) The U.S. Forest Service shall notify the tribal governments if the discovery is determined to be an Indian burial or a cultural resource.**
 - (d) 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.**
- (3) 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.**
- (4) 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).**

Staff: A condition will require these procedures to be followed if there is "discovery during construction" of cultural resources or of material is suspected to be human bone or a burial, that the following procedures be followed. *This criterion is met with a condition of approval.*

6.0 Natural Resource Review Criteria

6.1. MCC 38.7065(A): Field Survey

A field survey to identify sensitive wildlife are-as or sites shall be required for:

- (1) Land divisions that create four or more parcels;**
- (2) Recreation facilities that contain parking areas for more than 10 cars, overnight camping facilities, boat ramps, and visitor information and environmental education facilities;**
- (3) Public transportation facilities that are outside improved rights-of-way;**
- (4) Electric facilities, lines, equipment, and appurtenances that are 33 kilovolts or greater; and**
- (5) Communications, water and sewer, and natural gas transmission (as opposed to distribution) lines, pipes, equipment, and appurtenances and other project related activities, except when all of their impacts will occur inside previously disturbed road, rail-road, or utility corridors, or existing developed utility sites, that are maintained annually.**

Staff: The proposed use is not one of the identified uses above. *A field survey is not required.*

- 6.1.2. MCC 38.7065(B):** Uses may be allowed within 1,000 feet of a sensitive wildlife area or site, when approved pursuant to MCC 38.7065 (C) and reviewed under the applicable provisions of MCC 38.7035 through 38.7085. The approximate locations of sensitive wildlife areas and sites are shown on maps provided to the County by the Gorge Commission. State wildlife biologists will help determine if a new use would adversely affect a sensitive wildlife area or site.

Staff: Upon review of the NSA wildlife maps, the proposed location does not have a sensitive wildlife within 1,000 ft. The project is review pursuant to MCC 38.7065 (C) and reviewed under the applicable provisions of MCC 38.7035 through 38.7085.

- 6.1.3. MCC 38.7065(C)** Uses that are proposed within 1,000 feet of a sensitive wildlife area or site shall be reviewed as follows:
- (1) Site plans shall be submitted to Oregon Department of Fish and Wildlife by the Planning Director. State wildlife biologists will review the site plan and their field survey records.
* * *
 - (3) The wildlife protection process may terminate if the Planning Director, in consultation with the Oregon Department of Fish and Wildlife, determines:
* * *
 - (b) The proposed use would not compromise the integrity of the wildlife area or site or occur during the time of the year when wildlife species are sensitive to disturbance.

Staff: ODFW was noticed twice: (1) for agency review and (2) for opportunity to comment. We received no comment of concern from ODFW. *These criteria are met.*

7.0 SMA Natural Resource Site Review Criteria

All new developments and land uses shall be evaluated using the following standards to ensure that natural resources are protected from adverse effects. Comments from state and federal agencies shall be carefully considered.

- 7.1. MCC 38.7075 (A)** All Water Resources shall, in part, be protected by establishing undisturbed buffer zones as specified in MCC 38.7075 (2)(a) and (2)(b). These buffer zones are measured horizontally from a wetland, stream, lake, or pond boundary as defined in MCC 38.7075 (2)(a) and (2)(b).
- (1) All buffer zones shall be retained undisturbed and in their natural condition, except as permitted with a mitigation plan.
 - (2) Buffer zones shall be measured outward from the bank full flow boundary for streams, the high water mark for ponds and lakes, the normal pool elevation for the Columbia River, and the wetland delineation boundary for wetlands on a horizontal scale that is perpendicular to the wetlands, stream, pond or lake boundary. 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. The following buffer zone widths shall be required:
 - (a) A minimum 200 foot buffer on each wetland, pond, lake, and each bank of a perennial or fish bearing stream, some of which can be intermittent.
 - (b) A 50-foot buffer zone along each bank of intermittent (including ephemeral), non-fish bearing streams.

(c) Maintenance, repair, reconstruction and realignment of roads and railroads within their rights-of-way shall be exempted from the wetlands and riparian guidelines upon demonstration of all of the following:

1. The wetland within the right-of-way is a drainage ditch not part of a larger wetland outside of the right-of-way.
2. The wetland is not critical habitat.
3. Proposed activities within the right-of-way would not adversely affect a wetland adjacent to the right-of-way.

Staff: There is no wetland identified in the project area, no critical habitat at this location. *These criteria are met.*

- 7.2. **MCC 38.7075 (H) Protection of sensitive wildlife/plant areas and sites shall begin when proposed new developments or uses are within 1000 feet of a sensitive wildlife/plant site and/or area. Sensitive Wildlife Areas are those areas depicted in the wildlife inventory and listed in Table 2 of the Management Plan titled "Types of Wildlife Areas and Sites Inventoried in the Columbia Gorge", including all Priority Habitats Table. Sensitive Plants are listed in Table 3 of the Management Plan, titled "Columbia Gorge and Vicinity Endemic Plant Species." The approximate locations of sensitive wildlife and/or plant areas and sites are shown in the wildlife and rare plant inventory.**

Staff: No natural resources have been identified in the project area. No known sensitive plants, wildlife or streams exist in the project area. No impacts should occur to any off-site natural resources. *This criterion has been met.*

- 7.3. **MCC 38.7075(I): The local government shall submit site plans (of uses that are proposed within 1,000 feet of a sensitive wildlife and/or plant area or site) for review to the U.S. Forest Service and the appropriate state agencies (Oregon Department of Fish and Wildlife for wildlife issues and by the Oregon Natural Heritage Program for plant issues).**

Staff: The project appears to be within 1000 feet from Special Aquatic Habitat and Waterfowl Habitat. The application was submitted to the USFS, ODFW and the Portland State Institute for Natural Resources (Oregon Natural Heritage Program) for their comments. We have not received any comments from ODFW or Portland State Institute for Natural Resources regarding wildlife or rare plants. *This criterion is met.*

- 7.4. **MCC 38.7075(J): The U.S. Forest Service wildlife biologists and/or botanists, in consultation with the appropriate state biologists, shall review the site plan and their field survey records. They shall:**

- (1) Identify/verify the precise location of the wildlife and/or plant area or site.
- (2) Determine if a field survey will be required.
- (3) Determine, based on the biology and habitat requirements of the affected wildlife/plant species, if the proposed use would compromise the integrity and function of or result in adverse affects (including cumulative effects) to the wildlife or plant area or site. This would include considering the time of year when wildlife or plant species are sensitive to disturbance, such as nesting, rearing seasons, or flowering season.
- (4) Delineate the undisturbed 200 ft buffer on the site plan for sensitive plants and/or the appropriate buffer for sensitive wildlife areas or sites, including nesting, roosting and perching sites.

Staff: There are no sensitive or endangered plants in the area of the project. *This criteria has been met.*

- 7.5. (L) The wildlife/plant protection process may terminate if the local government, in consultation with the U.S. Forest Service and state wildlife agency or Heritage program, determines (1) the sensitive wildlife area or site is not active, or (2) the proposed use is not within the buffer zones and would not compromise the integrity of the wildlife/plant area or site, and (3) the proposed use is within the buffer and could be easily moved out of the buffer by simply modifying the project proposal (site plan modifications). If the project applicant accepts these recommendations, the local government shall incorporate them into its development review order and the wildlife/plant protection process may conclude.**

Staff: There are no sensitive or endangered plants in the area of the project. The proposed project will not compromise the integrity of the wildlife/plant area or site. No comments of concern were received from ODFW, or Portland State Institute for Natural Resources regarding the sensitive or endangered wildlife or plants were received.

The County finds that the wildlife and /plant protection process has been met and terminates the wildlife/and plant protection process. *This criterion is met.*

8.0 SMA Recreation Resource Site Review Criteria

MCC 38.7085 (A) The following shall apply to all new developments and land uses:

- (1) New developments and land uses shall be natural resource-based and not displace existing recreational use.**

Staff: The Vista House is a recreational use within the Crown Point State Park. The proposed mock up on the East and Southeast of the structure will allow for the continuation of the visitor center program while the interior rehabilitation of the Vista House is completed. No existing recreational use will be displaced. *This criterion has been met.*

9.0 Letters Of Comment Received

The proposed project was reviewed by Chris Donnermeyer, Heritage Resources Program Manager, Columbia Gorge National Scenic Area, USFS. In a letter dated on December 8, 2017, (Exhibit D.1) Mr. Donnermeyer states, "I have reviewed the Section 106 Documentation Form prepared by Architectural Resources Group (ARG), Maya Foty, author, pertaining to the proposed waterproofing and mock-up at Vista House, which is listed on the National Register of Historic Places. The document summarizes the history of Vista House, including the long-running, pervasive water infiltration issue and previous, unsuccessful attempts to address the problem. The assessment made by Foty is that the proposed project will have "no adverse effect" on the building. During the October 10 phone call, discussion regarding the mock-up, monitoring, and reasoning for use of PMMA fluid, as well as its low reflectivity, helped to alleviate my concerns of a potential adverse effect to the structure. I concur with the "no adverse effect" assessment.

A letter dated August 31, 2017, from Morai Helfen, (Exhibit D.3) Landscape Architect, Forest Service expressed concern about the PMMA. Saying that even though it is transparent, she would like to approve a "mock-up" of the PMMA Fluid treatment prior to decision on its use.

An email (Exhibit D.5) dated September 5, 2017, from Kelly Gillard, of Architectural Resources Group, addresses the Forest Service concerns about reflective qualities, the PMMA protocol and system, and the ability to provide a “mock-up of tile pattern prior to construction.”

Another letter (Exhibit D.4) dated September 27, 2017, Jessica Gabriel of SHPO expressed concern about just treating the east side and the potential problems that would cause in the future.

A letter dated February 27, 2017, from Steven D. McCoy, Staff Attorney, Friends of the Columbia Gorge outlines the criteria which we must address in this decision. The findings in the previous sections of this decision address the applicable criteria (Exhibit D.2).

10.0 Conclusion

Based on the findings and other information provided above, the applicant has carried the burden necessary for the NSA Review application to perform a waterproofing project on the Vista House in the GS-PR zone. This approval is subject to the conditions of approval established in this report.

11.0 Exhibits

- ‘A’ Applicant’s Exhibits
- ‘B’ Staff Exhibits
- ‘C’ Procedural Exhibits
- ‘D’ Comments Received

Exhibits with a “*” after the exhibit # have been included as part of the mailed decision. All other exhibits are available for review in Case File T2-09-021 at the Land Use Planning office.

Exhibit #	# of Pages	Description of Exhibit	Date Received/ Submitted
A.1	1	NSA Application Form	7/21/2017
A.2	1	Letter from SHPO Regarding No Adverse Affect	12/7/2017
A.3	1	Figure A – Location of Repair Work	7/21/2017
A.4	5	Project Description	7/21/2017
A.5	8	Vista House – Chronology of Alterations	7/21/2017
A.6	1	Figure 1 – Vista House East Side Waterproofing Design	7/21/2017
A.7	2	Figure 2 – Vista House East Side Waterproofing Design Existing Conditions	7/21/2017
A.8	1	Vista House East Side Waterproofing Design Site Plan	7/21/2017
A.9	1	Vista House East Side Waterproofing Design Demolition Basement Plan	7/21/2017
A.10	3	Vista House East Side Waterproofing Design Demolition First Floor Plan, Demolition Balcony Plan , Demolition Roof Plan	7/21/2017
A.11	1	Vista House East Side Waterproofing Design Demo Elevations	7/21/2017

A.12	4	Vista House East Side Waterproofing Design Basement Plan, First Flood Plan, Balcony Plan, Roof Plan	7/21/2017
A.13	4	Vista House East Side Waterproofing Design Existing Elevations, Wall Section, Existing Wall Section, Enlarged Flood Plan	7/21/2017
A.14	6	Vista House East Side Waterproofing Design Exterior Details and Exterior Renderings	7/21/2017
A.15	1	Vista House East Side Waterproofing Design Structural General Notes, Drawing Legend	7/21/2017
A.16	7	Vista House East Side Waterproofing Design – First floor Framing Plan, Balcony Framing Plan, Roof Framing Plan, Structural Sections, Structural Partial Plans, and Structural Details.	7/21/2017
‘B’	#	Staff Exhibits	Date
B.1	1	A&T Property Information for Tax Lot 100, 1N5E30CB	
‘C’	#	Administration & Procedures	Date
C.1	1	Incomplete Letter	8/18/2017
C.2	1	Complete Letter sent to applicant via email	12/13/2017
C.3	2	Opportunity to Comment	2/14/2018
C.4		Administrative Decision	
‘D’	#	Comments Received	Date
D.1	1	Determination of No Adverse Effect from US Forest Service	12/08/2017
D.2	8	Comments from Friends of the Columbia Gorge	2/27/2018
D.3	1	Email from SHPO about concern of treatment	9/27/2017
D.4	1	Email response from ARG about USFS NSA Comments	9/5/2017