

## Notice of Hearings Officer Decision

Attached please find notice of the Hearings Officer's decision in the matter of **T3-2025-0003**. The decision is effective on being mailed, and the mailing date is **April 24, 2026**. This notice is being mailed to those persons entitled to receive notice under MCC 38.0530(C).

This notice includes the first page of the Hearings Officer's decision which contains the following information: the street address or location of the subject property along with a brief summary of the decision and the proposed use.

Hearings Officer's Decision is the County's final decision and may be appealed to the Columbia River Gorge Commission by any person or organization that appeared and testified at the hearing, or by those who submitted written testimony into the record. An appeal must be filed with the Columbia River Gorge Commission within thirty days of when the decision is signed by the Hearings Officer. This decision is final at the close of the appeal period unless appealed.

Appeal instructions and forms are available from:

Columbia River Gorge Commission  
PO Box 730  
1 Town & Country Square  
57 NE Wauna Ave  
White Salmon, WA 98672

Phone: 509-493-3323  
Fax: 509-493-2229  
info@gorgecommission.org  
www.gorgecommission.org/

For further information call or email the Multnomah County Land Use Planning Division at: 503-988-3043 or LUP-Hearings@multco.us.

**BEFORE THE LAND USE HEARINGS OFFICER  
FOR MULTNOMAH COUNTY**

Application for Conditional Use and National Scenic  
Area Site Review

**Case File:** T3-2025-0003

**Applicant:** Diane Cheyne, Oregon Travel  
Information Council

**FINAL DECISION**

Application **Approved** with Conditions

**Introduction and Background**

The Oregon Travel Information Council (the “Applicant”) seeks conditional use and site review approval for a new information kiosk in the parking lot of Multnomah Falls. The site is located within the right-of-way of Highway I-84, adjacent to 53000 E Historic Columbia River Highway in Corbett. It is within the Columbia River Gorge National Scenic Area (“NSA”), and the base zoning is Gorge Special Public Recreation (“GSPR”). The hearings officer includes a vicinity map of the area and the location of the kiosk as follows:



There is an existing kiosk on the site that was constructed in the mid-1970s. The new kiosk the Applicant proposes will replace the existing kiosk. Through the new kiosk, the Applicant seeks to continue to provide information to travelers and visitors to Multnomah Falls while also providing a more visually subordinate structure that meets current regulatory standards in the NSA. The Applicant has designed the new kiosk to have a reduced roof height, a new color scheme emphasizing dark earth tones and dark-sky compliant lighting.

**Hearing Summary**

As a “Type III” application pursuant to Multnomah County Code (“MCC” or “Code”) Chapter 38, the application is subject to a hearing before a hearings officer. The county scheduled a duly noticed hearing for 10:30am on April 10, 2026, for the hearings officer to consider the application. Seven days prior to the hearing, county staff published a report recommending the hearings officer approve the application, subject to conditions (the “Staff Report”). The county received no public testimony prior to the hearing.

At the hearing, the hearings officer described the order of proceedings and made statements required by Oregon law and the Code prior to opening the hearing. The hearings officer declared he had no ex parte contacts prior to the hearing and that he was free of any bias or conflicts of interest. The hearings officer invited any challenges to his ability to conduct the hearing. There were none.

County staff presented a summary of the application. Consistent with the Staff Report, staff recommended the hearings officer approve the application, subject to conditions identified in the Staff Report. The Applicant's representative briefly testified, expressed agreement with the staff report, and stated the Applicant had no objections to the recommended conditions of approval. A representative of the Oregon Department of Transportation testified in favor of the application. The hearings officer received no other public testimony at the hearing.

After inviting final comments from staff and the Applicant, the hearings officer closed the hearing, and the Applicant waived its right to provide final written argument under ORS 197.797(6)(e).

### **Findings**

The Staff Report identified the criteria that govern approval of the application. Based on the evidence in the record, the Staff Report found that the Applicant demonstrated compliance with the applicable criteria, subject to the recommended conditions of approval. The Applicant agreed with staff's findings and the recommended conditions of approval. No member of the public or other party raised any concerns with the application or objected to staff's findings and proposed conditions.

Having reviewed the evidence and testimony in the record, the hearings officer agrees that the Applicant has demonstrated compliance with the applicable approval criteria, subject to the recommended conditions of approval in the Staff Report. In support of this conclusion, the hearings officer adopts and incorporates by reference the findings contained in the Staff Report as his own.

### **Conclusion and Decision**

Based on the evidence in the record and the findings discussed in this decision, the hearings officer approves the application, subject to the conditions of approval below.



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David Doughman  
Multnomah County Land Use Hearings Officer  
April 20, 2026

***[CONDITIONS OF APPROVAL FOLLOW BELOW]***

**T3-2025-0003 – Final Decision  
Conditions of Approval**

1. **Permit Expiration** – This land use permit shall expire as follows:
  - a. Within **two (2) years** of the date of the final decision when construction has not commenced. [MCC 38.0690(B)]
    - i. For the purposes of 1.a, commencement of construction shall mean actual construction of the foundation or frame of the approved structure.
    - ii. For purposes of 1.a, notification of commencement of construction shall be given to Multnomah County Land Use Planning Division a minimum of seven (7) days prior to the date of commencement. Notification shall be sent via email to [LUP-submittals@multco.us](mailto:LUP-submittals@multco.us) with the case no. T3-2025-0003 referenced in the subject line. [MCC 38.0660(A)]
  - b. Within **two (2) years** of the date of commencement of construction when the structure has not been completed. [MCC 38.0690(B)]
    - i. For the purposes of 1.b, completion of the structure shall mean completion of the exterior surface(s) of the structure and compliance with all conditions of approval in the land use approval.
    - ii. For purposes of 1.b, the property owner shall provide building permit status in support of completion of exterior surfaces of the structure and demonstrate compliance with all conditions of approval. The written notification and documentation of compliance with the conditions shall be sent to [LUP-submittals@multco.us](mailto:LUP-submittals@multco.us) with the case no. T3-2025-0003 referenced in the subject line. [MCC 38.0660(A)]

**Note:** Expiration of the permit is automatic. Failure to give notice of expiration shall not affect the expiration of this approval. The property owner may request one (1) 12-month extension to the timeframe within which this permit is valid, as provided under MCC 38.0700, as applicable. The request for a permit extension must be submitted prior to the expiration of the approval period. [MCC 38.0700]

2. Approval of this land use permit is based on the submitted written narrative(s) and plan(s). No work shall occur under this permit that is inconsistent with these documents. It shall be the responsibility of the property owner(s) to comply with these documents and the limitations of approval described herein. [MCC 38.0660(B)]
3. **Prior to submitting Building Plans for Zoning Review**, the property owner(s) or their representatives shall:
  - a. The property owners shall acknowledge in writing that they have read and understand the conditions of approval and intend to comply with them. A Letter of Acknowledgement has been provided to assist you. The signed document shall be submitted and uploaded when submitting Building Plans for Zoning Review. [MCC 38.0660(A) & (B)]
  - b. Provide technical specifications of the type of exterior lighting that will be used for the kiosk.

- i. The proposed exterior lighting shall be limited in intensity, shielded, and hooded. The shielding and hooding materials shall be composed of non-reflective, opaque materials. [MCC 38.7040(A)(5) and (12)]
- 4. **When submitting Building Plans for Zoning Review**, the property owner(s) or their representatives shall:
  - a. Provide a Letter of Acknowledgement and technical specifications as required in Condition 3.a and 3.b.
  - b. Submit final design plans for the kiosk associated with the public natural resource-based recreational facility use.
    - i. The exterior surface materials and exterior colors of the building shall be as described Exhibit A.2 and shown in Exhibit A.6. [MCC 38.7040(A)(5), (A)(10), (A)(11), (A)(12), MCC 38.7040(C)(5)]
      - 1. Any changes to the exterior colors of the buildings shall be earth tone or dark earth tone as shown in the *Building in the Scenic Area - Scenic Resources Implementation Handbook*. Any other changes to the final design plan of the exterior of the buildings shall meet the recommendations of the *Handbook*.
- 5. **During construction**, the property owner(s) or their representatives shall:
  - a. Put into action the following procedures, if any Cultural Resources and/or Archaeological Resources are located or discovered on the property during this project, including but not limited to finding any evidence of historic campsites, old burial grounds, implements, or artifacts. Additionally, all survey and evaluation reports and mitigation plans shall be submitted to the Planning Director and the SHPO. Native American tribal governments shall also receive a copy of all reports and plans if the cultural resources are prehistoric or otherwise associated with Native Americans:
    - i. 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.
    - ii. Notification - The project applicant shall notify the County Planning Director 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 Native American tribal governments within 24 hours. Procedures required in MCC 38.7045(L) shall be followed.
    - iii. Survey and Evaluation - The Gorge Commission will survey the cultural resources after obtaining written permission from the landowner and appropriate permits from Oregon State Historic Preservation Office (SHPO) (see ORS 358.905 to 358.955). It will gather enough information to evaluate the significance of the cultural resources. The survey and evaluation will be documented in a report that generally follows the standards in MCC 38.7045(C)(2) and MCC 38.7045(E).

- iv. Mitigation Plan - Mitigation plans shall be prepared according to the information, consultation, and report standards of MCC 38.7045(J). Construction activities may restart when the conditions in the mitigation plan have been executed. [MCC 38.7045(L) and MCC 38.7050(H)]
- b. Put into action the following procedures, if human remains are discovered during excavation or construction (human remains means articulated or disarticulated human skeletal remains, bones, or teeth, with or without attendant burial artifacts):
  - i. Halt Activities - All survey, excavation, and construction activities shall cease. The human remains shall not be disturbed any further.
  - ii. Notification - Local law enforcement officials, the Multnomah County Planning Director, the Gorge Commission, and the Native American tribal governments shall be contacted immediately.
  - iii. Inspection - The State Medical Examiner shall inspect the remains at the project site and determine if they are prehistoric/historic or modern. Representatives from the Indian tribal governments shall have an opportunity to monitor the inspection.
  - iv. Jurisdiction - If the remains are modern, the appropriate law enforcement officials will assume jurisdiction and the cultural resource protection process may conclude.
  - v. Treatment - Prehistoric/historic remains of Native Americans shall generally be treated in accordance with the procedures set forth in Oregon Revised Statutes, Chapter 98.740 to 98.760.
  - vi. If the human remains will be reinterred or preserved in their original position, a mitigation plan shall be prepared in accordance with the consultation and report standards of MCC 38.7045(I).
  - vii. The plan shall accommodate the cultural and religious concerns of Native Americans. The cultural resource protection process may conclude when the conditions set forth in the standards of MCC 38.7045(J) are met and the mitigation plan is executed. [MCC 38.7045(M) and MCC 38.7050(H)]

6. **As an ongoing condition**, the property owner(s) shall:

- a. Ensure that any exterior lighting be directed downward, shielded, and hooded. The shielding and hooding materials shall be continuously maintained. The exterior lighting shall not create a hazard to the traveling public on any street. [MCC 38.7040(A)(5) and (12)]
- b. Follow the recommendations for Multnomah Falls in the *Interpretive Strategy for the Columbia River Gorge National Scenic Area* for any displays, exhibits, and other information provided for the public. [MCC 38.7085(A)(8)]