

NSA STAFF REPORT



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Application for Conditional Use and National Scenic Area Site Review

Case File: T3-2025-0003 **Applicant:** Diane Cheyne, Oregon Travel Information Council

Proposal: Request for a Conditional Use (CU) and National Scenic Area (NSA) Site Review for a new information kiosk to replace the existing kiosk located in the parking lot of Multnomah Falls.

Location: **Within the right of way of Highway I-84 adjacent to:**
53000 E Historic Columbia River Highway, Corbett **Property ID # R323233**
Map, Tax lot: 1N6E07 -00100 **Alt. Acct. # R946070050**

Base Zone: Gorge Special Public Recreation (GSPR) **Overlays:** None

Key Viewing Areas: Cape Horn, Historic Columbia River Highway (including the Historic Columbia River Highway State Trail), Highway I-84 (including rest stops), Multnomah Falls, Washington State Route 14

Landscape Setting: River Bottomlands

Scheduled before one of the County’s Hearing’s Officers on **Friday, April 10, 2026 at 10:30am** or soon thereafter via virtual hearing.

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Applicable Approval Criteria:

Multnomah County Code (MCC): General Provisions: MCC 38.0015 Definitions, MCC 38.0110 Tribal Treaty Rights and Consultation

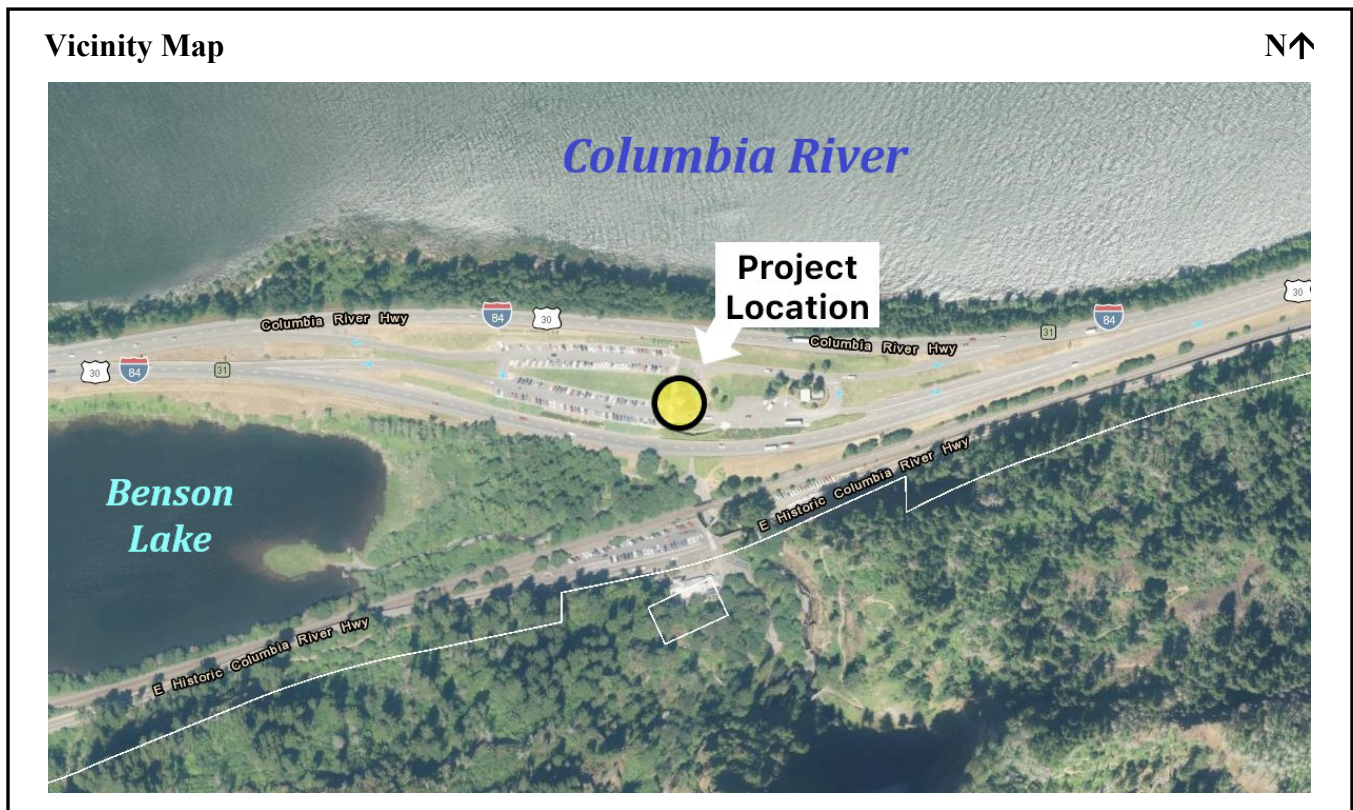
Administration and Procedures: MCC 38.0560 Code Compliance and Applications

Gorge Special Public Recreation (GSPR): MCC 38.2830(C)(1) Conditional Uses – (1) Public natural resource-based recreational facilities..., MCC 38.2860(C) Dimensional Requirements

National Scenic Area (NSA) Site Review: MCC 38.7040 SMA Scenic Review Criteria, MCC 38.7050 SMA Cultural Resource Review Criteria, MCC 38.7075 SMA Natural Resources Review Criteria, MCC 38.7085 SMA Recreation Resource Review Criteria

Special Uses: MCC 38.7300 Review and Conditional Uses

Copies of the referenced Multnomah County Code sections are available by visiting <https://www.multco.us/landuse/zoning-codes> under the link **Chapter 38: Columbia River Gorge National Scenic Area.**



Recommended Hearing Officer Decision

Staff recommends that the Hearings Officer approve, subject to conditions of approval, the Conditional Use and National Scenic Area (NSA) Site Review

If the Hearings Officer finds the proposed application is approvable, staff recommends the following 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 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 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 recommence 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 on-going 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 to 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)]

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:

Staff: The applicant requests a Conditional Use (CU) and National Scenic Area (NSA) Site Review for a new information kiosk to replace the existing kiosk located in the parking lot of Multnomah Falls.

2.0 Property Description & History:

Staff: This application is for work within the right of way of Highway I-84 adjacent to 1N6E07 - 00100 (53000 E Historic Columbia River Highway, Corbett). The project area is in unincorporated east Multnomah County in the Columbia River Gorge National Scenic Area (CRGNSA) outside of the Urban Growth Boundary (UGB). The project area is zoned Gorge Special Public Recreation (GSPR) and has no overlays.

There are no previous land use/building permit associated with the project area.

3.0 Public Comment:

Staff: Staff mailed a Notice of Public Hearing regarding the proposed application to the required parties pursuant to MCC 38.0530 (Exhibit C.6). Staff did not receive public comments before this report was issued seven days prior to the Hearing.

4.0 Code Compliance and Applications Criteria:

4.1 § 38.0560 CODE COMPLIANCE AND APPLICATIONS.

Except as provided in subsection (A), the County shall not make a land use decision approving development, including land divisions and property line adjustments, or issue a building permit or zoning review approval of development or any other approvals authorized by this code for any property that is not in full compliance with all applicable provisions of the Multnomah County Code and/or any permit approvals previously issued by the County.

(A) A permit or other approval, including building permit applications, may be authorized if:

* * *

(B) For the purposes of this section, Public Safety means the actions authorized by the permit would cause abatement of conditions found to exist on the property that endanger the life, health, personal property, or safety of the residents or public. Examples of that situation include but are not limited to issuance of permits to replace faulty electrical wiring; repair or install furnace equipment; roof repairs; replace or repair compromised utility infrastructure for water, sewer, fuel, or power; and actions necessary to stop earth slope failures.

Staff: This standard provides that the County shall not make a land use decision approving development for a property that is not in full compliance with County Code or previously issued County approvals, except in the following instances: approval will result in the property coming

into full compliance, approval is necessary to protect public safety, or the approval is for work related to or within a valid easement.

This standard was originally codified in the Zoning Code chapter related to land use application procedures and, by its terms, expressly applies to the application review process. Although now codified in the enforcement Part of the Zoning Code as a result of the more recent code consolidation project, the language and intent were not changed during that project and remains applicable to the application review process and not to the post-permit-approval enforcement process.

Importantly, a finding of satisfaction of this standard does not mean that a property is in full compliance with the Zoning Code and all prior permit approvals (and, accordingly, does not preclude future enforcement actions relating to uses and structures existing at the time the finding is made). Instead, a finding of satisfaction of this standard simply means that there is not substantial evidence in the record affirmatively establishing one or more specific instances of noncompliance.

For purposes of the current application, there are no known open compliance cases associated with the subject property, and there is no evidence in the record of any specific instances of noncompliance on the subject property. *Criterion met.*

5.0 Recreational Districts - GG-PR, GG-CR and GS-PR Criteria:

5.1 § 38.2830 CONDITIONAL USES

(C) The following conditional uses may be allowed on lands designated GS– PR, pursuant to the provisions of MCC 38.0045 and 38.7085:

(1) Public natural resource-based recreational facilities, consistent with 38.7085.

Staff: The applicant is requesting to replace and develop a new information kiosk associated with public natural resource-based recreation facilities. The structure as designed is considered as a building, as the structure contains a roof that is supported by columns or walls (Exhibit A.6). Based on the permit record it is unclear if the existing information kiosk that occupies the project area was properly reviewed by the County in the past. Constructed in the mid-1970s, no permits could be found establishing the information kiosk. The earliest County owned aerial photos from 1977 show the kiosk (Exhibit B.5). The applicant is now requesting replacement of the kiosk (Exhibit A.2). Through this review, it will clarify any outstanding issue of whether the kiosk is appropriately established. The approval criteria are discussed in Section 6.0 and 7.0.

5.2 § 38.2860 DIMENSIONAL REQUIREMENTS

* * *

(C) Minimum Yard Dimensions - Feet

| Front | Side | Street Side | Rear |
|-------|------|-------------|------|
| 30 | 10 | 30 | 30 |

Maximum Structure Height – 35 feet

Minimum Front Lot Line Length – 50 feet.

* * *

Staff: The proposed kiosk is in the right of way of Highway I-84; therefore, it is not subject to minimum yard requirements; however, the structure is subject to maximum height requirements. As measured, the kiosk is approximately 12.8 feet (Exhibit A.6). *Criterion met.*

6.0 National Scenic Area (NSA) Site Review Criteria:

6.1 § 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:

Staff: As discussed in Section 5.0, this application involves a kiosk, which is associated with public natural resource-based recreation facilities use. Staff addresses relevant SMA Scenic Review criteria below.

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

(1) New development 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: As required above, the new kiosk must be evaluated within this section to ensure that the applicable scenic standards are met and that scenic resources are not adversely affected. The proposed development is visible from Key Viewing Areas (KVAs) including: Cape Horn, Historic Columbia River Highway (including the Historic Columbia River Highway State Trail), Highway I-84 (including rest stops), Multnomah Falls, Washington State Route 14. The evaluation is below.

(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 |
| River Bottomlands | Forest, Agriculture, Public Recreation | VISUALLY SUBORDINATE |

Staff: The proposed development is in the River Bottomlands landscape setting with a land use designation of Public Recreation; therefore, the scenic standard is “visually subordinate.” To meet the standard, the development must not noticeably contrast with the surrounding landscape, as viewed from a specified vantage point (generally a Key Viewing Area). Structures which are visually subordinate may be partially visible, but are not visually dominant in relation to their surroundings. Additionally, the development will need to meet the landscape setting criteria as discussed in Section 6.1.2.

(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 proposed development is designed to blend with the adjacent natural landscape. The proposed kiosk is a low-slung one-story building. The height of the kiosk will be approximately 13 feet (Exhibit A.6). The kiosk will utilize Douglas-fir as the main building material (Exhibit A.2). The applicant is also proposing to use earth and dark earth tone colors found within the landscape. *Criterion met.*

(4) Proposed development 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 proposed development will not require extensive grading or other modifications of landforms, vegetation cover, or natural characteristics. The proposed kiosk is in a cleared area that is flat. As measured, the project area is less than 3%, with the existing kiosk built in a leveled grassy field surrounded by parking and loading areas (Exhibit A.3, A.6, B.4, and B.6). At an elevation below the KVAs, the location of the kiosk is designed to fit the existing topography and vegetation of the parking and loading areas obscuring the building. *Criterion met.*

(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 visible 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 (form, line, color, texture, reflectivity, size, shape, height, architectural and design details and other elements), and**
- 4. New landscaping.**

Staff: As discussed above, the applicant has designed the project to achieve the scenic standards. The development as proposed and discussed in this Staff Report ensure that the project will be visually subordinate from the nearby Cape Horn, Historic Columbia River Highway (including the Historic Columbia River Highway State Trail), Highway I-84 (including rest stops), Multnomah Falls, Washington State Route 14 KVAs.

The analysis of the potential visual impact has considered the factors as listed above. The development is potentially topographically visible from various KVAs. The applicant has

provided a narrative and plans describing and showing siting and design consideration for the development. Additionally, material samples and building materials were provided. In totality, the application materials that have been provided reduce the potential degree of visibility of the development; however, various conditions of approval are requested to achieve visual subordination requirements in relation to the landscape setting as discussed below. *As conditioned, criteria can be met.*

(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: As discussed below, the applicant is required to 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. Those standards are discussed in Section 6.3.

(7) Proposed development shall not protrude above the line of a bluff, cliff, or skyline as visible from Key Viewing Areas.

Staff: The silhouette of the kiosk will be below the line of a bluff, cliff, or skyline as visible from KVAs. From the north looking south, the kiosk is below the cliffs surrounding Multnomah Falls. From the south looking north, the kiosk is below the cliff north of Washington State Route 14. The kiosk is less than 35' in height staying below the skyline (Exhibit A.6). *Criterion met.*

(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 trees in the area are all mature trees that are taller than the existing kiosk. As proposed, the new kiosk will be shorter than the existing kiosk (Exhibit A.6). The kiosk is approximately 12.8 feet in height; whereas the nearby trees on average are generally taller than 30 feet in height. *Criterion met.*

(9) The following guidelines shall apply to new landscaping used to screen development from key viewing areas:

* * *

Staff: The applicant is not proposing new landscaping. The existing landscaping within the parking and loading area will provide the required screening to meet the visual subordination requirements. No changes to landscape vegetation are proposed. *Criteria met.*

(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 as or darker than the colors in the shadows of the natural features surrounding each landscape setting

Staff: The applicant has provided a narrative, building plan, and material samples to show that the exterior color of the new kiosk. The exterior surfaces of the kiosk as described and shown in Exhibit A.2 and A.6 are as follows:

1. Posts and Fascia – Natural Wood
2. Post Base for Timber Columns – Black
3. Wood Display Case and Wood Backing Board – Dark Gray
4. Roof – Antique Bronze

A condition is requested that when submitting building plans for Zoning Plan Review, the proposed kiosk plans be finalized. *As conditioned, criterion can be met.*

(11) The exterior of structures on lands seen from key viewing areas shall be composed of non-reflective materials or materials with low reflectivity. Continuous surfaces of glass shall be limited to ensure meeting the scenic standard. The Scenic Resources Implementation Handbook includes a list of recommended exterior materials and screening methods.

Staff: The applicant provided a narrative, building plan, and material samples to show that the exterior of the kiosk. The exterior surfaces of the kiosk as described and shown in Exhibit A.2 and A.6 are as follows:

1. Posts and Fascia – Douglas-fir Wood
2. Post Base for Timber Columns – Metal coated in
3. Display Case and Backing Board – Wood
4. Roof – Metal, coated with a non-reflective coating

Further, the architectural plans show no continuous surfaces of glass windows. A condition is requested that when submitting building plans for Zoning Plan Review, the proposed building plan be finalized demonstrating compliance with the above. *As conditioned, criterion can be met.*

(12) Any exterior lighting shall be directed downward and sited, limited in intensity, and 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. Shielding and hooding materials shall be composed of non-reflective, opaque materials

Staff: The applicant provided plans showing the location of exterior lighting under the roof of the kiosk; however, only a general description of “recessed can lighting” was provided (Exhibit A.2 and A.6). A condition is requested that when submitting building plans for Zoning Plan Review, a lighting plan be provided and finalized demonstrating compliance with the above. *As conditioned, criterion can be met.*

(13) Seasonal lighting displays may be permitted on a temporary basis, not to exceed three months duration.

Staff: The applicant is not proposing seasonal lighting displays; therefore, this criterion is not applicable. *Criterion not applicable.*

(14) New building shall be compatible with the general scale of existing nearby development. Expansion of existing development shall comply with this guideline to the maximum extent practicable. New buildings that are 1,500 square feet or less are

exempt from this provision. Findings addressing this provision shall include but are not limited to:

* * *

Staff: The kiosk, a building, is less than 1,500 square feet in size; therefore, the criteria are not applicable as the kiosk is exempt (Exhibit A.6). *Criterion not applicable.*

6.1.2 (B) The following shall apply to all lands within SMA landscape settings regardless of visibility from KVAs (includes areas visible from KVAs as well as areas not visible from KVAs):

* * *

(3) River Bottomlands: River bottomland shall retain the overall visual character of a floodplain and associated islands.

(a) Buildings shall have an overall horizontal appearance in areas with little tree cover.

Staff: As previously discussed, the applicant is proposing a building using a pyramid hip style roof with Douglas-fir posts (Exhibit A.6). The surrounding parking and loading areas contain vegetation including trees. The tree cover will reduce prominence of the pyramid hip style appearance of the building. *Criterion met.*

(b) Use of plant species native to the landscape setting. Examples of native species are identified in the Scenic Implementation Handbook as appropriate to the area shall be encouraged. Where non-native plants are used, they shall have native-appearing characteristics.

Staff: The applicant is not proposing new landscaping; therefore, this criterion is not applicable. *Criteria not applicable.*

* * *

6.1.3 (C) SMA Requirements for KVA Foregrounds and Scenic Routes

(1) All new development 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 located immediately adjacent to the Historic Columbia River Highway and Interstate 84. The HCRH and Interstate 84 are subject to Scenic Route Standards administered by ODOT. The proposal will need to meet the *I-84 Corridor Strategy: A Vision and Design Guidelines for Interstate 84 in the Columbia River Gorge National Scenic Area*. As discussed below the kiosk is in conformance with the Strategy. *Criterion met.*

(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 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 visible 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: The proposed development is located within immediate foreground of Highway I-84, which is within the developed prism of the road. As proposed, the applicant is replacing an existing kiosk with a newly constructed kiosk. The kiosk is designed to provide information to the traveling public while also meeting ADA requirements (Exhibit A.2). The applicant is unable to reduce the size of the project due to ADA requirements and considerations. As discussed previously in Section 6.1.1 and 6.1.2, the applicant has met the "visually subordinate" standard that ensures the development's form, line, color, texture, and design blends into its landscape setting. Further, the development meets the requirement that the development is not noticeably contrasting with the surrounding landscape and is not visually dominant in relation to their surroundings. *Criteria met.*

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

Staff: The applicant is not proposing right-of-way or roadside vegetation management as part of this application as the project is in an area managed by ODOT; therefore, this criterion is not applicable. *Criterion not applicable.*

(4) Encourage existing and require new road maintenance warehouse and stockpile areas to be screened from view from Key Viewing Areas.

Staff: The applicant is not proposing changes to an existing or a new road maintenance warehouse. The applicant is also not proposing changes to any existing or new stockpile areas; therefore, this criterion is not applicable. *Criterion not applicable.*

(5) Development along Interstate 84 and the Historic Columbia River Highway shall be consistent with the scenic corridor strategies developed for these roadways.

Staff: The proposed development is located immediately adjacent to the Historic Columbia River Highway and Interstate 84. The HCRH and Interstate 84 are subject to Scenic Route Standards administered by ODOT. The proposal will need to meet the *I-84 Corridor Strategy: A Vision and Design Guidelines for Interstate 84 in the Columbia River Gorge National Scenic Area*. Although the Corridor Strategy does not address kiosks specifically, the Strategy does discuss signs and gateways. For visual elements, the use of non-reflective, dark brown, earth tone colors are encouraged. Additionally, for viewpoints and rest areas, it is encouraged to use local, natural materials. Lastly, the Strategy suggest various shades of exterior colors.

As designed, the kiosk design meets the requirements of the Strategy. The kiosk will utilize earth/dark earth tone colors that are non-reflective using natural materials like Douglas-fir (Exhibit A.2 and A.6). A condition is requested that when submitting building plans for Zoning Plan Review, the proposed building plan be finalized demonstrating compliance with the above. *As conditioned, criterion can be met.*

6.1.4 (D) SMA Requirements for areas not visible from KVAs

Staff: The entirety of the proposed development is visible from various nearby KVAs. The proposal is not required to meet the requirements as discussed in MCC 38.7040(D), as the development is required to meet the MCC 39.7040 as discussed above. *Criteria not applicable.*

6.2 § 38.7050 SMA CULTURAL RESOURCE REVIEW CRITERIA

6.2.1 (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).

Staff: Luciano Legnini sent a Cultural Resource Survey Determination on behalf of the U.S. Forest Service (USFS) on August 12, 2025 (Exhibit D.1). The Survey stated that, “A Cultural Resource Survey is: Not Required” as the proposed development:

- Proposed use would involve the modification, expansion, replacement, or reconstruction of existing buildings and structures
- Would occur on a site that has been determined to be located within a low probability zone
 - is not within 100 feet of a high probability zone; and
- Does not occur within 500 feet of a known archeological site. (Exhibit D.1)

The Survey also stated that, “Historic Survey Required” as the development would:

- Would alter the exterior architectural appearance of buildings and structures that are 50 years old or older;

- Would compromise features of the surrounding area that are important in defining the historic or architectural character of the buildings or structures that are 50 years old or older.

A Historic Survey will be required as discussed below.

6.2.2 (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.

(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.

(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.

Staff: The comment period provided in MCC 38.0530(B) is a period of 21 days following notice of application and is an invitation to comment to various interested parties. As a Type III decision, this application does not follow the comment period requirements in MCC 38.0530(B). To ensure proper review by partner agencies, the County notified those agencies of the application before the application was deemed to be complete (Exhibit C.1). In response to the notice, comment was provided by Luciano Legnini on behalf of the U.S. Forest Service (USFS); however additional consultation was not required as USFS, as USFS would create the historic survey report. *Criteria met.*

6.2.3 (C) The procedures of MCC 38.7045 shall be utilized for all proposed developments or land uses other than those on all Federal lands, federally assisted projects and forest practices.

Staff: The project is not located on Federal lands, is a federally assisted project, or a forest practice; therefore, the procedures of MCC 38.7045 were utilized for review of the development. After the initial Cultural Resources Survey Determination, the US Forest Service prepared a Historic Survey in the form of an Oregon SHPO Clearance Form (Exhibit D.2). In the Survey, the Determination of Eligibility stated, “The property is considered **Not Eligible** [emphasis added] at this time.” Further, the Determination of Effect stated, “The project has **NO EFFECT** [emphasis added] on historic properties...”.

Upon completion of this review, additional notification was sent on January 23, 2026 (Exhibit C.5). During the 30-day comment period, the SHPO responded with a letter stating their concurrence to USFS’ report (Exhibit D.3). *Criterion met.*

6.2.4 (D) All cultural resource information shall remain confidential, according to the Act, Section 6(a)(1)(A). Federal agency cultural resource information is also exempt by statute from the Freedom of Information Act under 16 USC 470 hh and 36 CFR 296.18.

Staff: No confidential cultural resource information was provided during the review; therefore, this criterion is not applicable. *Criterion not applicable.*

6.2.5 (E) Principal investigators shall meet the professional standards published in 36 CFR part 61.

Staff: All principal investigators meet the professional standards published in 36 CFR part 61. *Criterion met.*

6.2.6 (F) The U.S. Forest Service will provide for doing (1) through (5) of subsection (G) below for forest practices and National Forest system lands.

Staff: The project is not a forest practice or located on National Forest system lands, therefore this criterion is not applicable. *Criterion not applicable.*

6.2.7 (G) If the U.S. Forest Service or Planning Director determines that a cultural resource survey is required for a new development or land use on all Federal lands, federally assisted projects and forest practices, it shall consist of the following:

* * *

Staff: The development is not located on Federal lands, is a federally assisted project, or a forest practice, therefore, these criteria are not applicable. *Criteria not applicable.*

6.2.8 (H) Discovery During Construction

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 resources during construction or development.

* * *

Staff: A condition requires the property owner to follow the procedures of MCC 38.7050(H), if cultural resources are discovered during construction. *As conditioned, criteria met.*

- (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 if possible recover the resource pursuant to MCC 38.7050 (G) (4) and (5)**

6.3 § 38.7075 SMA NATURAL RESOURCE 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. Proposed uses and development within wetlands, streams, ponds, lakes, riparian areas and their buffer zones

shall be evaluated for cumulative effects to natural resources and cumulative effects that are adverse shall be prohibited. Comments from state and federal agencies shall be carefully considered.

(A) All Water Resources shall, in part, be protected by establishing undisturbed buffer zones as specified in MCC 38.7075(A)(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(A)(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.

* * *

Staff: Based on the USFS maps and Department of State Lands (DSL) Statewide Wetland Inventory Map, the development is not located within a buffer as described above; therefore, criteria relating to water resources are not applicable. *Criteria not applicable.*

* * *

(H) Protection of wildlife/plant areas and sites shall begin when proposed new development or uses are within 1000 feet of a rare wildlife or rare plant area or site. Rare wildlife areas are those areas depicted in wildlife data, including all sensitive wildlife sites and Priority Habitats Table. The approximate locations of rare wildlife and rare plant areas and sites are shown in wildlife and rare plant data.

Staff: Based on the United State Forest Service maps for Sensitive Wildlife and Sensitive Plans, there are no Priority Habitats, sensitive wildlife areas, sensitive wildlife sites, endemic plants, or sensitive plant species within 1,000 feet of the development; therefore, criteria relating to wildlife/plant areas and sites are not applicable *Criteria not applicable.*

* * *

(I) The Planning Director shall submit site plans (of proposed uses or development proposed within 1,000 feet of a rare wildlife or rare 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 Biodiversity Information Center for plant issues).

Staff: The application materials were provided to the USFS, Oregon Department of Fish and Wildlife (ODFW), and Oregon Natural Heritage Program (ONHP) for review and comment (Exhibit C.1). No comments were received from USFS, ODFW, or ONHP concerning rare wildlife or rare plants. *Criterion met.*

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

* * *

Staff: USFS was provided notice and no comments were provided (Exhibit C.1). *Criteria met.*

* * *

(L) The wildlife/plant protection process may terminate if Multnomah County, in consultation with the U.S. Forest Service and state wildlife agency or heritage program, determines (1) the rare 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 County shall incorporate them into its development review order and the wildlife/plant protection process may conclude.

* * *

Staff: As discussed above, no Priority Habitats, sensitive wildlife areas, sensitive wildlife sites, endemic plants, or sensitive plant species are within 1,000 feet of the development; therefore, the process is terminated and concludes. *Criterion met.*

(P) Soil productivity shall be protected using the following guidelines:

(1) A description or illustration showing the mitigation measures to control soil erosion and stream sedimentation.

(2) New developments and land uses shall control all soil movement within the area shown on the site plan.

(3) The soil area disturbed by new development or land uses, except for new cultivation, shall not exceed 15 percent of the project area.

(4) Within 1 year of project completion, 80 percent of the project area with surface disturbance shall be established with effective native ground cover species or other soil-stabilizing methods to prevent soil erosion until the area has 80 percent vegetative cover.

Staff: The applicant will be required to meet the ground disturbing requirements of Multnomah County Code as a condition of approval to ensure that the above requirements are met. *Criteria met.*

* * *

6.4 § 38.7085 SMA RECREATION RESOURCE REVIEW CRITERIA

(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: As discussed in Section 5.1 the applicant is requesting information kiosk associated with public natural resource-based recreation facilities. Currently, there is an existing information kiosk that will be replaced. Originally constructed in the mid-1970s, the applicant is now requesting replacement of the kiosk (Exhibit A.2). As the applicant is replacing an existing kiosk, the new kiosk will not displace the existing recreational use. *Criterion met.*

(2) Protect recreation resources from adverse effects by evaluating new developments and land uses as proposed in the site plan. An analysis of both on and off site cumulative effects such as site accessibility and the adverse effects on the Historic Columbia River Highway shall be required.

Staff: As defined in MCC 38.0015, an adverse effect is:

“Adversely Affect or Adversely Affecting: A reasonable likelihood of more than moderate adverse consequence for the scenic, cultural, recreation or natural resources of the National Scenic Area, the determination of which is based on:

- (a) The context of a proposed action;
- (b) The intensity of a proposed action, including the magnitude and duration of an impact and the likelihood of its occurrence;
- (c) The relationship between a proposed action and other similar actions which are individually insignificant but which may have cumulatively significant impacts; and
- (d) Proved mitigation measures which the proponent of an action will implement as part of the proposal to reduce otherwise significant effects to an insignificant level.”

In general, determining adverse effect includes the consideration of cumulative effects (i.e. the combined impacts of the past, present, and reasonably near future).

In reviewing the context of the proposed development, the applicant is proposing to replace an existing kiosk with a new kiosk. The existing impacts of the past include an already built environment that includes the construction of a highway, parking areas, and recreation uses in the immediate vicinity (Exhibit A.2, A.6, and D.2). Within the context of the development pattern, the development is in a cleared area, in the same space as the existing kiosk and of a similar size. As proposed, the replacement kiosk will result a minimal amount of intensity. Further, the impact of this development and potential future development is also minor as this proposed development is in a parking area that is bounded by a highway. As there is little potential future development within the vicinity any potential future impacts will be minimal. *Criterion met.*

(3) New pedestrian or equestrian trails shall not have motorized uses, except for emergency services.

Staff: The applicant is not proposing new pedestrian or equestrian trails; therefore, this criterion is not applicable. *Criteria not applicable.*

(4) Mitigation measures shall be provided to preclude adverse effects on the recreation resource.

Staff: As discussed above, the proposed development will not have an adverse effect on recreation resources; therefore, not mitigation measures are required. *Criteria met.*

(5) The Facility Design Guidelines are intended to apply to individual recreation facilities. Developments or improvements within the same Recreation Intensity Class are considered as separate facilities if they are separated by at least ¼ mile of undeveloped land (excluding trails, pathways, or access roads).

Staff: For the applicable provisions within the GMA Provisions: Recreation Intensity Classes - Facility Design Guidelines in the Management Plan, the proposed recreation facilities are not

entirely resource-based in nature. As designed, the kiosk is a small portion of the recreation use that includes Multnomah Falls, Multnomah Falls lodge, and the associated trails surrounding Multnomah Creek. In calculating, using the smallest footprint of just the parking area, the kiosk is approximately .02 acres within a parking area of over 2 acres (i.e. 1% of the total area).

The proposed kiosk will contain display cases that will contain relevant recreation or facility information, interpretive information, vehicular and pedestrian direction, and safety information (Exhibit A.2 and A.6).

For the remaining Guidelines, the applicant is not proposing any development that would alter the existing vegetation, parking areas, lineal frontage, ingress/egress. *Criteria met.*

(6) New development and reconstruction of scenic routes shall include provisions for bicycle lanes.

Staff: The applicant is not proposing new development of scenic routes or reconstruction of scenic routes; therefore, this criterion is not applicable. *Criterion not applicable.*

(7) The Planning Director may grant a variance of up to 10 percent to the standards of Recreation Intensity Class 4 for parking and campground units upon demonstration that:

* * *

Staff: The applicant is not proposing development that results in additional parking or campground units; therefore, these criteria are not applicable. *Criteria not applicable.*

(8) New interpretive or education programs and/or facilities shall follow recommendations of the Interpretive Strategy for the Columbia River Gorge National Scenic Area.

Staff: As outlined in the *Interpretive Strategy*, the General Guidelines are:

“...maintaining visual quality of a predominantly scenic experience by matching interpretive media and techniques to the landscape setting, presenting messages that appeal to a variety of learning styles, and organizing information thematically.”

Based on the plans, the kiosk will have display cases of various sizes and shapes in addition to an area for brochures (Exhibit A.6). The applicant is proposing to use poster boards to convey information about the falls, hiking areas, and our travel/tourist information (Exhibit A.2). As Multnomah Falls is a focal point for experience the historical theme of the southwestern end of the gorge, the applicant is will be required to follow the recommendations for Multnomah Falls in the *Interpretive Strategy for the Columbia River Gorge National Scenic Area*. *As conditioned, criterion can be met.*

(9) Proposals to change the Recreation Intensity Class of an area to a different class shall require a Plan Amendment pursuant to MCC 38.0100.

Staff: The applicant is not proposing to change the Recreation Intensity Class of an area to a different class; therefore, this criterion is not applicable. *Criterion not applicable.*

(10) A demonstration that the proposed project or use will not generate traffic, either by type or volume, which would adversely affect the Historic Columbia River Highway, shall be required prior to approval.

Staff: As discussed above under MCC 38.7085(A)(2), the proposed development is a replacement of an existing kiosk. By replacing an existing kiosk, the proposed project will not generate new traffic in and of itself; therefore, the development will not adversely affect the HCRH. *Criterion met.*

(B) SMA Recreation Intensity Class Standards. The Recreation Intensity Classes are designed to protect recreation resources by limiting land development and land uses.

* * *

(4) Intensity Class 4 (High Intensity)

Social Setting: This designation is characterized by highly developed facilities where there is little challenge or risk associated with being in the outdoors. There is a high degree of interaction with other visitors. Encounters are high in recreation sites, on roads and trails within this designation.

Physical and Managerial Setting: Landscapes with natural appearing backdrop are characterized by this designation. Highly developed recreation facilities and trails are constructed for visitor convenience and ease of movement. On-site regulation and controls are noticeable but harmonize with the natural characteristics of the landscape setting.

Trails are highly developed (gravel or paved surfaces, trail facilities such as bridges are provided for convenience) and accommodate heavy to intensive use. Users are typically inexperienced with little or no orienteering skills. Trails are easily traveled by a wide range of users.

(a) Permitted uses are those in which people can participate in activities to realize experiences such as socialization, cultural and natural history appreciation, and physical activity.

(b) The maximum design capacity for parking areas shall be 200 vehicles. The GMA vehicle capacity level of 250 vehicles shall be allowed if enhancement or mitigation measures of scenic, cultural, or natural resources are approved for at least 20 percent of the site.

(c) Accommodation of facilities for mass transportation (bus parking, etc.) shall be required for all new (Recreation Intensity Class 4) day-use recreation sites and improvements to existing Class 4 day-use recreation sites where the improvement would increase the use of the site, except for sites predominantly devoted to boat access. The number and size of the mass transportation facilities shall reflect the physical capacity of the site.

(d) All uses permitted in Classes 1, 2, and 3 are permitted in Class 4.

(e) Campgrounds with improvements that may include vehicle access, water, power, sewer, and sewage dump stations. Campgrounds shall not exceed a combination of 100 single or group campsites (tent or recreational vehicle) and a total design capacity of 500 people at one time.

Staff: The applicant is requesting information kiosk associated with public natural resource-based recreation facilities. The structure as designed is considered as a building, as the structure contains a roof that is supported by columns or walls (Exhibit A.6). The kiosk is in an Intensity Class 4. As designed the kiosk will provide interpretive exhibits and displays in addition to visitor information (Exhibit A.2). The information provided will allow people participate in activities to realize experiences of the cultural and natural history of the area. As discussed in Section 6.0, the design

of the kiosk will meet the scenic and landscape requirements providing visitor convenience to people traveling to and through the area (Exhibit A.6). *Criteria met.*

7.0 Special Uses Criteria:

7.1 § 38.7300- REVIEW AND CONDITIONAL USES

7.1.1 (A) Agriculture

(1) The use is compatible with agricultural uses and would not force a change in or significantly increase the cost of accepted agricultural practices on nearby lands devoted to agricultural use; and

Staff: The location of the development is not adjacent to any lands zoned, Gorge General Agriculture or Gorge Special Agriculture. Based on an aerial photo review, it does not appear that any nearby properties are actively being managed for agricultural practices (Exhibit B.4). The closest properties that appear to be engaged in agriculture are more than 5 miles away. The land use pattern of the area is predominately transportation, forest, and recreation use.

The applicant is proposing a public natural resource-based recreation facility (i.e. kiosk) that is associated with the parking area adjacent to Multnomah Falls, Multnomah Falls Lodge, and associated hiking trails. The kiosk is not expected to interfere with accepted agricultural practices on nearby lands as there are no agricultural practices occurring nearby. The narrative discusses how the kiosk will be utilized by the travel public who visit the Multnomah Fall area. While the public visiting the kiosk could generate impacts by creating congestion along Highway I-84, the kiosk is not the likely generator of traffic; instead, the traffic generator is the high demand area is home to the falls. Therefore; the kiosk itself is unlikely to force changes or have impacts to agricultural uses or practices. *Criterion met.*

(2) The use will be sited to minimize the loss of land suitable for the production of crops or livestock.

Staff: The kiosk has been in this right of way location since as early as 1975. The new kiosk that will replace the existing kiosk will be in same place that the existing kiosk stands (Exhibit A.2, A.3, and A.6). The right of way where the kiosk is located is not currently being utilized for production of crops or livestock because it is located between the two lanes Highway I-84. By continuing the utilize this site for the kiosk, it will ensure that other lands suitable for agriculture are kept intact. *Criterion met.*

7.1.2 (B) Forestry

(1) The owners of land designated GGF or GGA within 500 feet of the perimeter of the subject parcel have been notified of the land use application and have been given at least 10 days to comment prior to a final decision;

Staff: Staff mailed a Notice of Public Hearing regarding the proposed application to owners of land designated GGF or GGA within 500 feet of the perimeter of the subject parcel (Exhibit C.6). The owners will have a minimum of 20 days to comment prior to Hearing. *Criterion met.*

(2) The use will not interfere seriously with accepted forest or agricultural practices on nearby lands devoted to resource use;

Staff: As previously discussed, the kiosk will not interfere with agricultural practices on nearby lands. The same is true for nearby lands devoted to forest practices. The subject property is not

adjacent to any lands zoned, Gorge General Forestry or Gorge Special Forestry. Based on an aerial photo, it does not appear that the properties are actively being managed for forest practices as much of the land is owned by the United States of America (Exhibit B.4). The closest properties could be engaged in forestry are approximately 0.6 miles to the south in federally protected lands managed by USFS.

Similar to agricultural practices, the site already has an existing kiosk that has shown to not force a change in or significantly increase the cost of accepted forest practices on nearby lands devoted to forestry use. *Criterion met.*

(3) The use will be sited in such a way as to minimize the loss of forest or agricultural land and to minimize the chance of interference with accepted forest or agricultural practices on nearby lands; and

Staff: Similar to agricultural practices, the kiosk has been in this right of way location since as early as 1975. The new kiosk that will replace the existing kiosk will be in same place that the existing kiosk stands (Exhibit A.2, A.3, and A.6). The right of way where the kiosk is located is not currently being utilized for forest operations, is located between two fast moving travel lanes along Highway I-84, and is too small for production trees. By continuing to utilize this site for the kiosk, it will ensure that other lands suitable for forestry are kept intact. *Criterion met.*

(4) The use will not significantly increase fire hazard, fire suppression costs or risks to fire suppression personnel and will comply with MCC 38.7305.

Staff: The applicant is requesting to replace an existing kiosk with a new kiosk that has been in this location since as early as 1975. The kiosk has been reviewed by Corbett Fire and have expressed no concerns for access or fire flow (Exhibit A.10). The kiosk also complies with NFPA 1142; therefore, it will not significantly increase fire hazard, fire suppression costs, or risks to fire suppression personnel. Further as the development is not located in an area zoned GGF, the kiosk does not need to comply with the requirements of MCC 38.7305. *Criterion met.*

7.1.3 (C) Residential

(1) The proposed use would be compatible with the surrounding area. Review of compatibility shall include impacts associated with the visual character of the area, traffic generation, effects of noise, dust and odors.

(2) The proposed use will not require public services other than those existing or approved for the area.

Staff: The kiosk is compatible with the surrounding area. As discussed in Section 6.1, the kiosk that will replace the existing kiosk meets the scenic requirements of the NSA as it relates to visual characteristics of the area.

The subject property is in the Gorge Special Public Recreation (GSPR) and is adjacent to lands zoned Gorge Special Open Space (GSO). The land use pattern for the surrounding area is predominately transportation, forest, and recreation uses. As designed, the kiosk use has been on the property since as early as 1975 and the location of the kiosk has been long established as part of the visual landscape of the area (Exhibit A.2).

It is anticipated that the kiosk will not result in an increase of individuals visiting the site creating congestion along Highway I-84. As discussed previously, the kiosk is not a traffic generator; instead, the traffic generated to the area is Multnomah Falls. The kiosk itself will not generate new traffic generation, noise, dust, and odor.

Public services are those services provided by the County or another collectively funded entity for the benefit of the community, such as fire protection, police protection, and water services. The applicant has included a Fire Service Agency Review form completed by Rural Fire District #14 (Exhibit A.10). Corbett Fire stated that the proposed use can be adequately serviced.

(3) If the subject parcel is located within 500 feet of lands designated GGA or GGF, new buildings associated with the proposed use shall comply with MCC 38.0060.

Staff: The project area is not located within 500 feet of lands zoned, GGA or GGF; therefore, this criterion is not applicable. *Criterion not applicable.*

(4) If the subject parcel is located within 500 feet of lands designated GGF, new buildings associated with the proposed use shall comply with MCC 38.7305.

Staff: The project area is not located within 500 feet of lands zoned, GGF; therefore, this criterion is not applicable. *Criterion not applicable.*

7.1.4 (D) Commercial

(1) The proposal is limited to 5,000 square feet of floor area per building or use. This size limitation does not apply for a building or use authorized through the Special Uses in Historic Buildings provisions of 38.7380; and

Staff: The applicant is not proposing a commercial use; therefore, this criterion is not applicable. *Criterion not applicable.*

(2) The proposed use would be compatible with the surrounding areas including review for impacts associated with the visual character of the area, traffic generation and the effects of noise, dust and odors.

Staff: As discussed above in Section 7.1.1, 7.1.2., and 7.1.3, the kiosk use will not generate traffic, noise, dust, or odor. Further, the kiosk meets the requirements of visual character as discussed in Section 6.1. *Criterion met.*

7.1.5 (E) Non-Recreation Uses in GG– PR

(1) The proposed use will not interfere with existing or approved public recreation uses on the subject property or adjacent lands. Mitigation measures to comply with this criterion may include onsite buffers, seasonal or temporary closures during peak recreation use periods, etc.

(2) The proposed use will not permanently commit the majority of the site to a non-recreational use. Careful siting and design of structure and other improvements may be utilized to comply with this criterion.

(3) Land divisions may be allowed upon a demonstration that the proposed land division is necessary to facilitate, enhance or otherwise improve recreational uses on the site.

Staff: The proposed use is not a non-recreation use in GG-PR; therefore, these criteria are not applicable. *Criteria not applicable.*

7.1.6 (F) Non-Recreation Uses in GG– CR

(1) The proposed use will not interfere with existing or approved commercial recreation uses on the subject property or adjacent lands. Mitigation measures to

comply with this criterion may include onsite buffers, seasonal or temporary closures during peak recreation use periods, etc.

(2) The proposed use will not permanently commit the majority of the site to a non-recreational use. Careful siting and design of structure and other improvements may be utilized to comply with this criterion.

(3) Land divisions may be allowed upon a demonstration that the proposed land division is necessary to facilitate, enhance or otherwise improve recreational uses on the site.

Staff: The proposed use is not a non-recreation use in GG-CR; therefore, these criteria are not applicable. *Criteria not applicable.*

8.0 Conclusion

Based on the findings and other information provided above, the applicant has carried the burden necessary for the Conditional Use and National Scenic Area (NSA) Site Review to establish a new kiosk as a public natural resource-based recreational facility in the Gorge Special Public Recreation (GSPR) zone. This approval is subject to the conditions of approval established in this report.

9.0 Exhibits

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

All exhibits are available for digital review by sending a request to LUP-comments@multco.us.

| Exhibit # | # of Pages | Description of Exhibit | Date Received / Submitted |
|-----------|------------|---|---------------------------|
| A.1 | 2 | Application Form | 07/01/2025 |
| A.2 | 12 | Narrative | 07/01/2025 |
| A.3 | 1 | Aerial Photo showing the location of the Multnomah Falls Kiosk | 07/01/2025 |
| A.4 | 1 | 2017 I-84 Jordan Road- Multnomah Falls Sec Pavement Rehabilitation Plan | 07/01/2025 |
| A.5 | 1 | 1988 Multnomah Falls ROW Existing Utilities & Drainage | 07/01/2025 |
| A.6 | 5 | Kiosk Plans <ul style="list-style-type: none"> ▪ Sheet No. A1.1 Floor Plan ▪ Sheet No. A1.1 Display Case Dimensions ▪ Sheet No. A2.1 Exterior Elevation Views ▪ Sheet No. A2.2 Exterior Elevations Views ▪ Sheet No. A2.3 Exterior Elevation Views | 07/01/2025 |
| A.7 | 2 | Stormwater Drainage Control Certificate prepared and certified by David McDonald, Oregon Registered Professional Engineer | 07/01/2025 |
| A.8 | 64 | Stormwater Drainage Control Certificate Report prepared and certified by David McDonald, Oregon Registered Professional Engineer | 07/01/2025 |

| | | | |
|------------|----------|--|-------------|
| A.9 | 3 | Email from Multnomah County Sanitarian concerning septic system | 07/01/2025 |
| A.10 | 2 | Fire Service Provider Review | 07/01/2025 |
| A.11 | 2 | Email from Oregon Department of Transportation (ODOT) concerning access | 07/01/2025 |
| ‘B’ | # | Staff Exhibits | Date |
| B.1 | 2 | Assessment and Taxation Property Information for 1N6E07 - 00100 (Alt Acct #R946070050 / Property ID #R323233) | 07/01/2025 |
| B.2 | 1 | Current Tax Map for 1N6E07 | 07/01/2025 |
| B.3 | 13 | Pre-Application Meeting Notes, PA-2025-0003 | 07/01/2025 |
| B.4 | 1 | Aerial Photo taken on August 9, 2025 | 02/17/2026 |
| B.5 | 1 | Aerial Photo taken in 1977 | 02/17/2026 |
| B.6 | 2 | Google Street View image take in April 2025 | 02/17/2026 |
| ‘C’ | # | Administration & Procedures | Date |
| C.1 | 98 | Agency Review | 07/16/2025 |
| C.2 | 4 | Incomplete letter | 07/30/2025 |
| C.3 | 1 | Applicant’s acceptance of 180-day clock | 08/12/2025 |
| C.4 | 3 | Complete letter (day 1) | 12/19/2025 |
| C.5 | 14 | Cultural Review Notice | 01/29/2026 |
| C.6 | 10 | Hearing Notice | 03/18/2026 |
| C.7 | 26 | Staff Report | 04/02/2026 |
| ‘D’ | # | Comments | Date |
| D.1 | 4 | Cultural Resources Survey Determination from Luciano Legnini, Archaeologist on behalf of United State USDA Forest Service (USFS) – Columbia River Gorge National Scenic Area (CRGNSA) | 08/12/2025 |
| D.2 | 12 | OR SHPO Submittal Form and Oregon SHPO Clearance Form prepared by Luciano Legnini, Archaeologist on behalf of United State USDA Forest Service (USFS) – Columbia River Gorge National Scenic Area (CRGNSA) | 12/22/2025 |
| D.3 | 3 | Response Letter Case No.: 26-1058 prepared by Dylan Tsolakos, M.S., Compliance Program Specialist, Oregon Parks and Recreation Department (OPRD) – Oregon Heritage/State Historic Preservation Office (SHPO) | 02/23/2026 |