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Final Decision File No. NSA-96-47	
GRANTOR(S) (Last name, first name, middle initial)	
Haight, Norman Skamania County	
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Skamania County Haight, Norman	
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LEGAL DESCRIPTION (Abbreviated: i.e., Lot, Block, Plat or Section, Township, Range, Quarter/Quarter)	
S2 NW4 Section 7 T1N R5EWM	
<input checked="" type="checkbox"/> Complete <sup>map</sup> <del>legal</del> on page 6 of document.	
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01-05-07-0-0-0700-00	1-5-7-700 6471
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BEFORE THE SKAMANIA COUNTY BOARD OF COUNTY COMMISSIONERS

ACTING UPON THE RECOMENDATION OF THE  
PLANNING COMMISSION

IN THE MATTER OF THE APPLICATION BY

NORMAN HAIGHT

FOR A

CLUSTER DEVELOPMENT

FILE NO. NSA-96-47

FINAL DECISION

FINDINGS OF FACT

The board makes the following findings of fact:

1. The Planning Commission, having provided proper notice and with a quorum present, conducted public hearings with regard to the above stated matter on November 7, 2000, February 6, April 3, and May 1, 2001.
2. After the hearings were closed to public testimony, the members of the Planning Commission present voted 3 to 2 to approve the cluster development on April 3, 2001 and on May 1, 2001 voted unanimously to recommend to the Board of County Commissioners that the application be approved as conditioned.
3. The Board of County Commissioners received notice of the Planning Commission's recommendation for the approval with the application, reports, minutes of the Planning Commission meetings, and other items listed in the Department's record and cover letter.
4. The Board of County Commissioners acknowledged receipt of the above listed items, gave proper notice and reviewed the Planning Commission's recommendation at a public meeting held on July 9, 2001.
5. At the close of the meeting of July 9, 2001, the Board moved to hold a public hearing on the subject application. The Board scheduled the hearing for August 7, 2001 at 10:00 AM.
6. After duly noticing the public hearing and with a quorum present on July 7, 2001, the Board of County Commissioners conducted a public hearing on the subject application. The Board heard from the Planning Department, the applicant and members of the public. The Board then closed the public hearing and deliberated.



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7. The Board of County Commissioners adopts by reference and incorporates herein as its findings of fact, those findings of fact provided to the County by Norman Haight and found at page 131 through 149 of the Record; Norman Haight's project description and code compliance explanation found at page 28 through 36 of the record; Norman Haight's project description and code compliance explanation found at page 6 through 9 of the record; and Mark Mazeski's Memorandum, dated August 7, 2001, explaining and providing examples of why Mr. Haight's development is considered a cluster development.

#### CONCLUSION

Based upon the foregoing Findings of Fact the Board concludes that:

1. The Planning Commission's recommendation was appropriate with some modifications.
2. The modifications should include clarification of conditions 3 and 12.

#### DECISION

Based upon Record, the foregoing Findings of Fact and Conclusion, the Board approves the above stated request as depicted on the Hagedorn, Inc Conceptual Plan dated 7/17/01 as modified and conditioned by the conditions of approval set forth in the Planning Commission's motion as set out below with conditions 3 and 12 being replaced with the following two conditions.

3. The home on Lot #2 shall be limited to 28 feet in height, from top of footer, on the South side, including a daylight basement. The building site is the 2.5 acres in the Northwest corner of the property. The house shall be located at least 250' south of the northern property line.
12. Prior to the issuance of a building permit the applicant shall notify the Planning Department in writing, whether or not there will be more than 100 cubic yards of grading for lots #1 and #2. If either lot does require more than 100 cubic yards of grading and is located on slopes in excess of 10% then the applicant shall turn in a grading plan for that particular lot. Lot #3's home site and construction has already been approved and completed. Therefore no grading plan will be needed. All other site plan requirements shall still be complied with.

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The following are the conditions of approval recommended by the Planning Commission and adopted by the Board of County Commissioners, except #3 and #12 as set out above:

- 1) All developments shall be consistent with the enclosed site plan (titled Conceptual Cluster Development Plan For Norm Haight, by Hagedorn, Inc., date received January 19, 2001 dated 7/17/01), unless modified by the following conditions of approval. If modified, the site plan shall be consistent with the conditions of approval.
- 2) The shop and home to be built on Lot #1 shall be limited to 28 feet in height, from natural grade, on the South side. A daylight basement is allowed, but only facing West and North.
- 4) The following statement shall be placed on the cluster division mylar:  
  
"No further division of any resulting parcel for residential purposes shall be allowed until such time as the subject parcel is included within the boundary of an Urban Area."
- 5) At least 75% of land subject to a cluster development shall be permanently protected as undeveloped land. The 46+ acres of the large lot shall remain undeveloped. The County shall ensure permanent protection for open areas created by cluster development by having the applicant show undeveloped areas on the mylar and map it as such.
- 6) The final lot configuration of the dwelling sites shall be designated by a survey and the final cluster division mylar shall conform to the conditions established in this Director's Final Decision and the Skamania County Short Plat Ordinance.
- 7) Please contact the Skamania County Assessor's office for details on converting forest and pasture land into residential use.
- 8) All development shall occur within the one acre sites established in the submitted site plans for Lots #1, #2 and #3. Furthermore, prior to final approval the applicant shall establish an approximate 1 to 2 acre site for Lot #1 in order to more specifically establish where the undeveloped land (Condition #5 above) will be located.
- 9) All development occurring on Lot #2 shall maintain a 100-foot agricultural setback or plant a vegetation barrier to reduce the agricultural setback to 15 feet. See Staff Report the County's NSA Ordinance for detailed information on the vegetation barrier.
- 10) The exterior of buildings on lands seen from key viewing areas shall be composed of nonreflective materials or materials with low reflectivity of dark earth-tone colors. Prior to the issuance of any building permits, applicant shall submit color samples verifying consistency with the above criterion.



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- 11) Exterior lighting shall be directed downward and sited, hooded and shielded such that it is not highly visible from key viewing areas. Shielding and hooding materials shall be composed of non-reflective, opaque materials. All lights shall be hooded and shielded so as to have a luminary with less than a 90-degree cutoff.
- 13) To ensure visual subordination for Lot # 2, prior to issuance of an occupancy permit, a continuous row of trees shall be planted, in a staggered pattern, south and north of the home site. These trees shall be six feet tall at the time of planting. Half of these trees shall be species native to the setting and one-quarter of these trees shall be coniferous.
- 14) All existing trees within 300 feet of the home site for Lot # 1 shall be retained to ensure that the home will not be visible from Key Viewing Areas.
- 15) An undisturbed wetland/pond buffer of 100 feet shall be maintained.
- 16) An undisturbed stream buffer of 100 feet shall be maintained.
- 17) Prior to the issuance of an occupancy permit for the home sites on Lots # 1 and # 2, all conditions to achieve visual subordination shall be in compliance.
- 18) The following procedures shall be affected when cultural resources are discovered during construction activities:
  - a) 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.
  - b) Notification. The project applicant shall notify the Planning Department 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 Indian tribal governments within 24 hours.
  - c) Survey and Evaluations. The Gorge Commission shall arrange for the cultural resources survey.

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IT IS SO DECIDED.

ATTEST:



*Gary M. Olson*  
Skamania County Auditor and  
Ex-Officio Clerk of the Board

*Robert E. McKee*  
Chairman 8/7/01

*[Signature]*  
Commissioner

*[Signature]*  
Commissioner

Aye	3
Nay	0
Abstain	0
Absent	0

#### NOTES

Any new residential development, related accessory structures such as garages or workshops, and additions or alterations not included in this approved site plan, will require a new application and review.

As per SCC §22.06.050(C)(2), this Final Decision **SHALL BE RECORDED** in the County deed records prior to commencement of the approved project.

As per SCC §22.06.050(C)(5), this Decision approving a proposed development action shall become void in two years if the development is not commenced within that period, or when the development action is discontinued for any reason for one continuous year or more.

#### APPEALS

Appeals of this final decision must be filed with the Columbia River Gorge Commission within 30 days of the date of the mailing of this Decision. Please contact the Gorge Commission for their rules of appellate procedure.



SECTION 7, TOWNSHIP 1 NORTH, RANGE 5 E.M.M.

CONCEPTUAL CLUSTER DEVELOPMENT PLAN  
FOR  
NORM HAIGHT

