

Return Address: LeRoy & Tina Anderson
162 Bylin Rd.
Stevenson, WA 98648

Doc # 2004155051
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Date: 11/03/2004 09:13A
Filed by: TINA ANDERSON
Filed & Recorded in Official Records
of SKAMANIA COUNTY
J. MICHAEL GARVISON
AUDITOR
Fee: \$27.00

**Skamania County
Department of Planning and
Community Development**

Skamania County Courthouse Annex
Post Office Box 790
Stevenson, Washington 98648
509 427-9458 FAX 509 427-8288

Administrative Decision

**APPLICANT/
PROPERTY
OWNER:**

LeRoy & Tina Anderson

FILE NO.:

NSA-03-30

PROJECT:

A seasonal RV campground, including gravel access roads, parking areas, RV/car camping sites of approx. 1500 sq. ft. in area each, walk-in campsites of approx. 500 sq. ft in area each, utility hook-ups, trails, commons area with wood shelter/ kitchen facility, bathrooms, lighting, and associated utilities.

LOCATION:

Off Bylin Road, Home Valley; Section 23 of T3N, R8E, W.M. and identified as Skamania County Tax Lots #03-08-23-0-0-4001-00 and #03-08-23-0-0-5002-00.

**LEGAL
DESCRIPTION:**

See attached page 8.

ZONING:

#03-08-23-0-0-4001-00—General Management Area—Small Woodland (F-3) and Special Management Area—Forest (F).
#03-08-23-0-0-5002-00—General Management Area—Small Woodland (F-3).

DECISION:

Based upon the entire record, including particularly the Staff Report, the application by LeRoy & Tina Anderson, described above, subject to the conditions set forth in this Decision, is found to be consistent with Title 22 SCC and is hereby approved.

Although the proposed development is approved, it may not be buildable due to inadequate soils for septic and/or lack of potable water. These issues are under the jurisdiction of Skamania County's Building Department and the Skamania County Health Department.

Approval of this request does not exempt the applicant or successors in interest from compliance with all other applicable local, state, and federal laws.

CONDITIONS OF APPROVAL:

The following conditions are required to ensure that the subject request is consistent with Skamania County Title 22. **This document, outlining the conditions of approval, must be recorded, by the applicant, in the deed records of the Skamania County Auditor** in order to ensure notice of the conditions of approval to successors in interest. SCC §22.06.050(C)(2).

- 1) As per SCC §22.06.050(C)(2), this Administrative Decision **SHALL BE RECORDED** by the applicant in the County deed records prior to commencement of the approved project. A copy of the first page of the recorded Administrative Decision must be submitted to the Planning Department prior to issuance of a building permit.
- 2) All developments shall be consistent with the enclosed site plan, unless modified by the following conditions of approval. If modified, the site plan shall be consistent with the conditions of approval. (See attached)
- 3) All structures, except fences, including eaves, awnings and overhangs shall meet the following setbacks: **Front yard:** 50 feet from the centerline of the street or road or 30 feet from the front property line, whichever is greater. **Side yard:** 20 feet. **Rear yard:** 25 feet. Setbacks are established from property lines, not fence lines. If any question arises regarding the location of the property lines, the applicant shall be required to hire a professional land surveyor to locate the property lines and mark them with temporary staking prior to a building permit being issued. Staking must remain during construction and all building inspections.
- 4) The RV park shall be closed during the winter from November 1-January 31.
- 5) No recreational vehicle may be parked in the campground for longer than 60 cumulative days in any one-year period.
- 6) Prior to issuance of a building permit, the applicants shall be required to sign and record with the County Auditor's office, a declaration signed by the landowner specifying that the owners, successors, heirs and assigns of the subject parcel are aware that adjacent and nearby operators are entitled to carry on accepted farm or forest practices on lands designated Ag-1, Ag-2, F-1, F-2 and F-3. A copy of the first page of the recorded declaration must be submitted to the Planning Department.
- 7) The development should comply with the following fire safety guidelines:

- a) All buildings shall be surrounded by a maintained fuel break of 50 feet. Irrigated or fire resistant vegetation may be planted within the fuel break, including green lawns and low shrubs (less than 24 inches in height). Trees should be placed greater than 15 feet between the crown and pruned to remove dead and low (less than 8 feet) branches. Accumulated leaves, needles and other dead vegetation shall be removed from beneath trees.
 - b) Hazardous fuels shall be removed within the fuel break area.
 - c) Buildings with plumbed water systems shall install at least one standpipe at a minimum of 50 feet from the structure(s).
 - d) A pond, stream, tank or sump with storage of not less than 1,000 gallons, or a well or water system capable of delivering 20 gallons per minute shall be provided. If a well pump is located on-site, the electrical service shall be separate from the dwelling.
 - e) Access drives shall be constructed to a minimum of 12 feet in width and not exceed a grade of 12 percent. Turnouts shall be provided at a minimum of every 500 feet. Access drives shall be maintained to a level that is passable to fire equipment.

Variances to road provisions may be made after consultation with the local rural fire district and the Washington State Department of Natural Resources.
 - f) Within one year of the occupancy of a dwelling, the Department shall conduct a review of the development to assure compliance with these this section.
 - g) Telephone and power supply shall be underground whenever possible.
 - h) Roofs of structures should be made of fire-resistant materials, such as, fiberglass shingle or tile. Roof materials such as cedar shake and shingle should not be used.
 - i) Any chimney or stovepipe on any structure for use with a wood stove or fireplace should be screened with no coarser than 1/4 inch mesh metal screen that is noncombustible and corrosion resistant and should be equipped with a spark arrestor.
 - j) All structural projections such as balconies, decks and roof gables should be built with fire resistant materials equivalent to that specified in the Uniform Building code.
 - k) Attic openings, soffit vents, foundation louvers or other ventilation openings on dwellings and accessory structures should be screened with no coarser than 1/4 inch mesh metal screen that is noncombustible and corrosion resistant.
- 8) The Department shall conduct a review of the development for compliance with the above, prior to the issuance of final inspection for the buildings.
- 9) The fire suppression line in the SMA shall only be used for fire suppression and shall not be used as a source of potable water.

- 10) The proposed buildings and structures (picnic shelter, bathroom and shower facility, and garbage facility) shall not exceed 35' from the top of the footer set at or below existing grade, or 33' from slab set at or below existing grade for a slab on grade foundation.
- 11) The exterior colors and reflectivity of all structures (picnic shelter, bathroom and shower facility, and garbage facility) shall not noticeably contrast with the setting.
- 12) All new exterior lighting in the SMA portion of the property shall be sited, limited in intensity, shielded or hooded in a manner that prevents lights from noticeably contrasting with the surrounding landscape. All lights should be hooded and shielded so as to have a luminary with less than a 90-degree cutoff. See Lighting Brochure attached to the Staff Report.
- 13) Any new exterior lighting in the GMA portion of the property 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, which do not allow light to pass through. See the Lighting Brochure attached to the Staff Report.
- 14) Seasonal lighting displays in the SMA portion of the property shall be permitted on a temporary basis, not to exceed three months.
- 15) All graded and disturbed areas in the GMA portion of the property are to be reseeded with a native vegetation mix prior to final inspection by the Planning Department.
- 16) The project applicant and future owners shall be responsible for the proper maintenance and survival of any vegetation required to be planted.
- 17) The use of plant species native to the landscape setting shall be encouraged in the SMA portion of the property. Where non-native plants are used, they shall have native-appearing characteristics.
- 18) Existing vegetation, including mature trees, shall be maintained to the maximum extent practicable in the GMA portion of the property.
- 19) In the GMA portion of the property, in any new landscaped areas a majority of trees, shrubs and other plants shall be species native or naturalized to the landscape setting in which they occur.
- 20) In the GMA portion of the property, grading or soil compaction within the "drip line" of existing mature trees shall be avoided to the maximum extent practicable, to reduce risk of root damage and associated tree mortality.
- 21) The park entrance sign is required to meet the requirements of SCC §22.10.050(A)(1); the design shall be submitted to the Planning Department for approval prior to installation.
- 22) The site signs located in the SMA portion of the property are required to meet the requirements of SCC §22.10.050(E)(4); the design shall be submitted to the Planning Department for approval prior to installation.

- 23) Signs in the SMA are required to be slightly darker in color than the surrounding background.
- 24) Signs in the SMA shall be composed of non-reflective material or materials with low reflectivity.
- 25) Within the SMA portion of the property no more than 70 people at one time shall be allowed on the site and a limit of one vehicle per car camping space is required.
- 26) Consistent with the applicant's proposal, no RV's are permitted in the SMA side of the park.
- 27) The trail to the walk-in campsites and the pre-existing skid road/trail in the SMA shall not have motorized uses, except for emergency services.
- 28) No extension of the pre-existing skid road/trail beyond what exists is allowed.
- 29) The applicant is required to contact WDFW to obtain a Hydrologic Project application, if necessary, prior to work on the road south of the wetland.
- 30) A 75' undisturbed buffer is required off of the wetland.
- 31) A 50' undisturbed buffer is required off of Berge Creek, except for the western 575' section in the GMA that requires a 100' buffer.
- 32) The creek and wetland buffer shall be maintained in a natural condition (i.e. no grading, no mowing, etc.), with no other development occurring within the buffer. Non-native species may be removed within the buffer area by hand removal only, so long as the buffer is kept in a natural appearance and does not appear manicured.
- 33) The applicant shall retain snags and large living trees >20" dbh to the maximum extent practicable for wildlife purposes.
- 34) New and replacement fencing shall not be allowed until such time as it is applied for and approved.
- 35) The Planning Department will conduct at least two site visits during construction. One will be to verify the location of the structures as stated by the Administrative Decision. Another will be conducted after all foundation excavation has been completed but prior to the applicant framing up the footers. Each inspection may take up to four business days from the time of calling for the inspection. Inspections should be arranged by calling the Building Department at 509-427-9484.
- 36) In the GMA portion of the property, the following procedures shall be effected 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.
- 37) In the SMA portion of the property, all authorizations for new developments or land uses shall require the immediate notification of the reviewing agency if cultural resources are discovered during construction or development. If cultural resources are discovered, particularly human bone or burials, work in the immediate area of discovery shall be suspended until a cultural resource professional can evaluate the potential significance of the discovery and recommend measures to protect and/or recover the resource. If the discovered material is suspected to be human bone or a burial, the following procedures shall be used:
- a) The applicant shall stop all work in the vicinity of the discovery.
 - b) The applicant shall immediately notify the Forest Service, the applicant's cultural resource professional, the county coroner, and appropriate law enforcement agencies.
 - c) The Forest Service shall notify the tribal governments if the discovery is determined to be an Indian burial or a cultural resource.

Dated and Signed this 15th day of July, 2004, at Stevenson, Washington.



Stacey Borland, Associate Planner
Skamania County Planning and Community Development.

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)(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

The Director reserves the right to provide additional comment and findings of fact regarding this decision, if appealed.

This Decision shall be final unless reversed or modified on appeal. A written Notice of Appeal may be filed by an interested person within 20 days from the date hereof. Appeal may be made to the Skamania County Board of Adjustment, P.O. Box 790, Stevenson, WA 98648. Notice of Appeal forms are available at the Department Office.

WARNING

On November 30, 1998 the Columbia River Gorge Commission overturned a Skamania County Director's Decision 18 months after the 20 day appeal period had expired. You are hereby warned that you are proceeding at your own risk and Skamania County will not be liable for any damages you incur in reliance upon your Administrative Decision or any amendments thereto.

A copy of the Decision was sent to the following:

Skamania County Building Department
Skamania County Assessor's Office
Skamania County Health Department

A copy of this Decision, including the Staff Report, was sent to the following:

Persons submitting written comments in a timely manner
Yakama Indian Nation
Confederated Tribes of the Umatilla Indian Reservation
Confederated Tribes of the Warm Springs
Nez Perce Tribe
Office of Archaeology and Historic Preservation
Columbia River Gorge Commission
U.S. Forest Service - NSA Office
Board of County Commissioners
Skamania County Public Works Department
Home Valley Water District
State of Washington Office of Community Development
Department of Fish and Wildlife

That Portion of the Northwest Quarter of the Southeast Quarter and the Northeast Quarter of the Southwest Quarter of Section 23, Township 3 North, Range 8 East, Willamette Meridian, described as follows:

All that portion of said Northwest Quarter of the Southeast Quarter lying northwesterly of the center of an unnamed stream channel, flowing southwesterly; ALSO all that portion of said Northeast Quarter of the Southwest Quarter lying easterly of Berge Road and northerly of an unnamed stream channel, flowing westerly; EXCEPT Bylin Road; SUBJECT to existing fence-lines.

