

Return Address: Bruce Balme, Managing Director
Chenowith Forest & Farm Conservancy
1012 Chenowith Road
Underwood, WA 98651

Doc # 2006160155
Page 1 of 11
Date: 01/09/2006 09:36A
Filed by: GENERAL PUBLIC
Filed & Recorded in Official Records
of SKAMANIA COUNTY
J. MICHAEL GARVISON
AUDITOR
Fee: \$42.00

Skamania County Department of Planning and Community Development

Skamania County Courthouse Annex
Post Office Box 790
Stevenson, Washington 98648
509 427-3900 FAX 509 427-3907

Administrative Decision

APPLICANT: Bruce Balme, Managing Director
Chenowith Farm & Forestry Conservancy

PROPERTY OWNER: Columbia Land Trust

FILE NO.: NSA-05-16

PROJECT: Construction of new fences (8' tall deer deterrent type fence west of Chenowith Road and a 4' tall woven wire fence around the field area east of Chenowith Road, spring renovation/access restoration, pole barn improvements, a new sign and a Non-profit Farm and Forestry Educational and Research Facility

LOCATION: 1012 Chenowith Road, Underwood; Section 24 of T3N, Range 9E, W.M. and identified as Skamania County Tax Lots #03-09-24-0-0-0400-00 and # 03-09-24-0-0-0500-00.

LEGAL: Tax Lot #03-09-24-0-0-0400-00, Book 214, Page 709. *on page 10*
Tax Lot # 03-09-24-0-0-0500-00, Book 211, Page 166. *on page 11*

ZONING: General Management Area-Large Scale Agriculture (Ag-1)
General Management Area-Commercial Forest (F-1).

DECISION: Based upon the record and the Staff Report, the application by Bruce Balme for the Chenowith Forest & Farm Conservancy, described above, **subject to the**

conditions set forth in this Decision, is found to be consistent with SCC Title 22 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 Division 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 Code 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.
- 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) Only grading, which is necessary for site development (building pads, utilities, etc.), is permitted. All graded areas shall be re-seeded with native vegetation prior to final inspection by the Planning Department.
- 4) The Bed and Breakfast has been withdrawn from the application and is not approved.
The Campground has been withdrawn from the application and is not approved.
- 5) The applicable setbacks are as follows:
Front yard: 50 feet from the centerline of the road or 30 feet from the front property line, whichever is greater.
Side yard: 20 feet from the property line
Rear yard: 25 feet from the property line
- 6) Maintenance and repair of the spring area and access road is permitted. However, no motorized access to the spring area shall be allowed within 50' of any stream crossing of the access road. Maintenance and repair can include brush removal and placement of additional gravel in low spots.

- 7) The single-family residence, which is now approved as a farm and forest educational and research facility and single-family dwelling, shall meet the Fire Safety Guidelines as follows:
- 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 crowns 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 metal, 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) Educational and research events shall be limited to 40 participants, not including the instructors/facilitators.
 - 9) The applicants shall apply to the Skamania County Building Division for a change of use permit to change the use from single-family housing to the research and educational facility, and single family dwelling, prior to commencing any type of educational or research activities.
 - 10) Commercial and Tourism uses are **PROHIBITED** on the premises, however the incidental sales of educational and research items is permissible.
 - 11) The existing conifer trees within 200' of Cook-Underwood Road shall be retained in sufficient quantity to assure that the barn is fully screened as seen from Cook-Underwood Road.
 - 12) All new exterior lighting shall be hooded or shielded at a 90° cut-off angle. Hoods and shields shall be made of non-reflective, opaque material, which does not allow light to pass through.
 - 13) The new siding for the shed roof enclosure shall be the same material and color and match the existing barn.
 - 14) All conditions of approval for visual subordination shall be met prior to the final inspection by the Planning Department. A final inspection approval will not be issued until compliance with all conditions of approval, including visual subordination criteria, have been verified.
 - 15) The Planning Department will conduct at least two site visits during construction and at least one site visit for Final Inspection. One will be to verify the location of the structure as stated by the Administrative Decision. 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 Division at 509-427-3920.

- 16) All signs shall meet the following standards unless those standards conflict with the Manual for Uniform Traffic Control Devices for public safety, traffic control or highway construction signs. In such cases, the standards in said manual shall supersede the following:
- a) The support structure shall be unobtrusive and have low visual impact.
 - b) Lettering colors with sufficient contrast to provide clear message communication shall be allowed. Signs shall be colored to blend with their setting to the maximum extent practicable.
 - c) Backs of all signs shall be unobtrusive, nonreflective and blend in with the setting.
 - d) Spot lighting of signs may be allowed where needed for night visibility. Backlighting is not permitted for signs.
- 17) Except for signs along public highways necessary for public safety, traffic control or road construction and consistent with the Manual for Uniform Traffic Control Devices, the following signs are **PROHIBITED**:
1. Luminous signs or those with intermittent or flashing lights. These include neon signs, fluorescent signs, light displays, and other signs that are internally illuminated, exclusive of seasonal holiday light displays.
 2. New billboards.
 3. Signs with moving elements.
 4. Portable or wheeled signs, or signs on parked vehicles where the sign is the primary use of the vehicle.
- 18) The fence location on the east side of Chenoweth Road shall meet the Fish and Wildlife approved fencing plan shown on Exhibit C.
- 19) 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.

Dated and Signed this 29 day of December, 2005, at Stevenson, Washington.

Mark J. Mazoski Senior Planner (by OLA)
Mark J. Mazoski, Senior Planner
Skamania County Planning and Community Development.

NOTES

Any new residential development, related accessory structures such as garages or workshops, fences, 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 Administrative 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 Administrative Decision shall be final unless reversed or modified on appeal. A written Notice of Appeal form must be filed by an interested person within 20 days from the date hereof. Appeals are to be made to the Skamania County Board of Adjustment, P.O. Box 790, Stevenson, WA 98648. Notice of Appeal forms are available at the Planning Department Office and must be accompanied by a \$1,000.00 nonrefundable filing fee.

WARNING

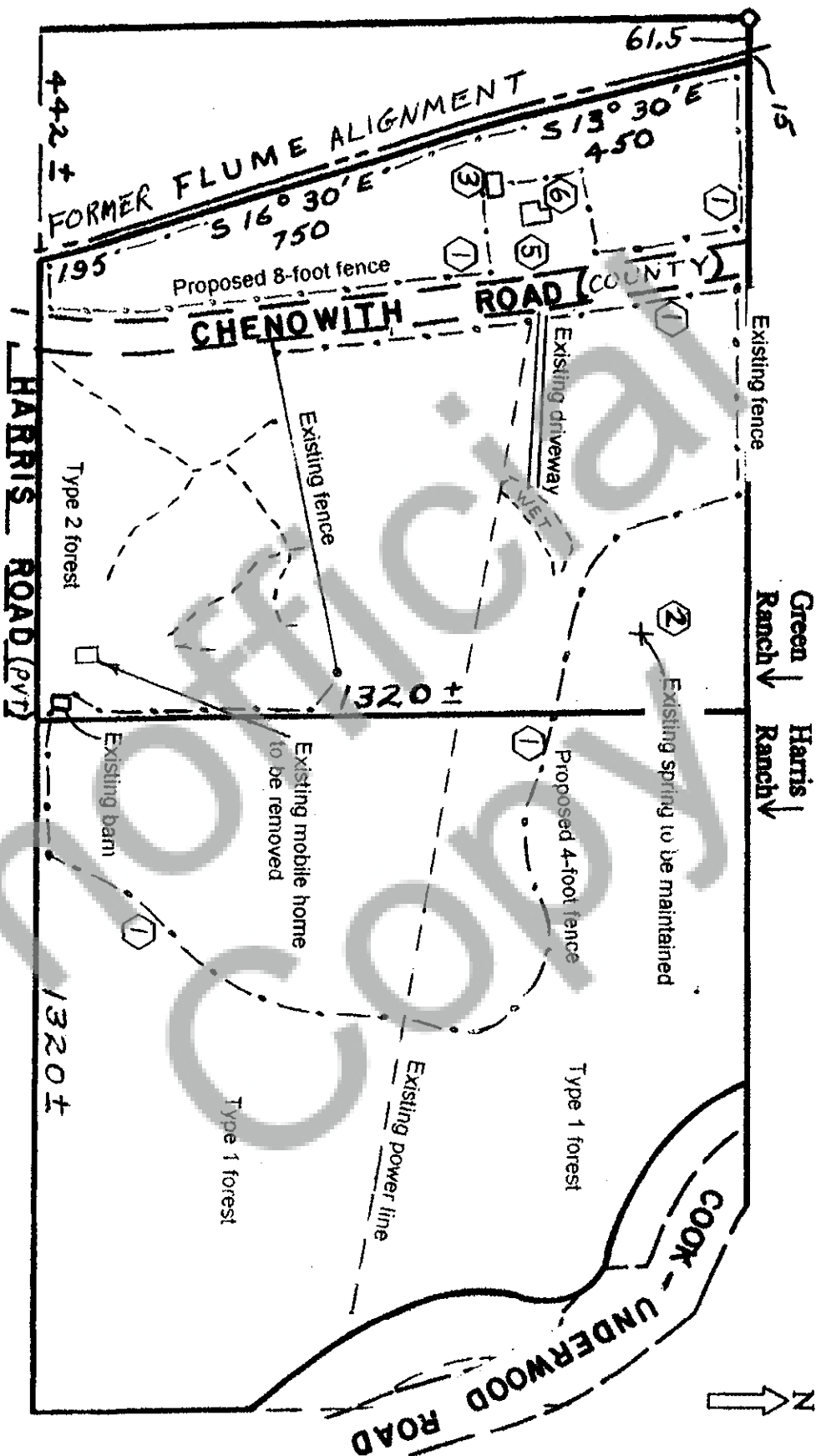
On November 30, 1998 the Columbia River Gorge Commission overturned a Skamania County Director's Decision 18 months after the 20 day appeal period had expired. You are hereby warned that you are proceeding at your own risk and Skamania County will not be liable for any damages you incur in reliance upon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

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
State of Washington Office of Community Development
Department of Fish and Wildlife



See narrative for additional dimensions and other information
Numbers shown in hexagon boxes match item numbers in the narrative

Work Location Map
Revised May 20, 2005

Chenoweth Forest and Farm Conservancy
 WDFW approved wetlands fence plan
 November 4, 2005

NOTES:

Fifty-foot-wide buffer around wet area
 except no buffer at brambles

DOMESTIC ANIMAL EXCLUSION

Wet area - Total

50 foot buffer area - March through June

Scale: 1 inch = 60 feet

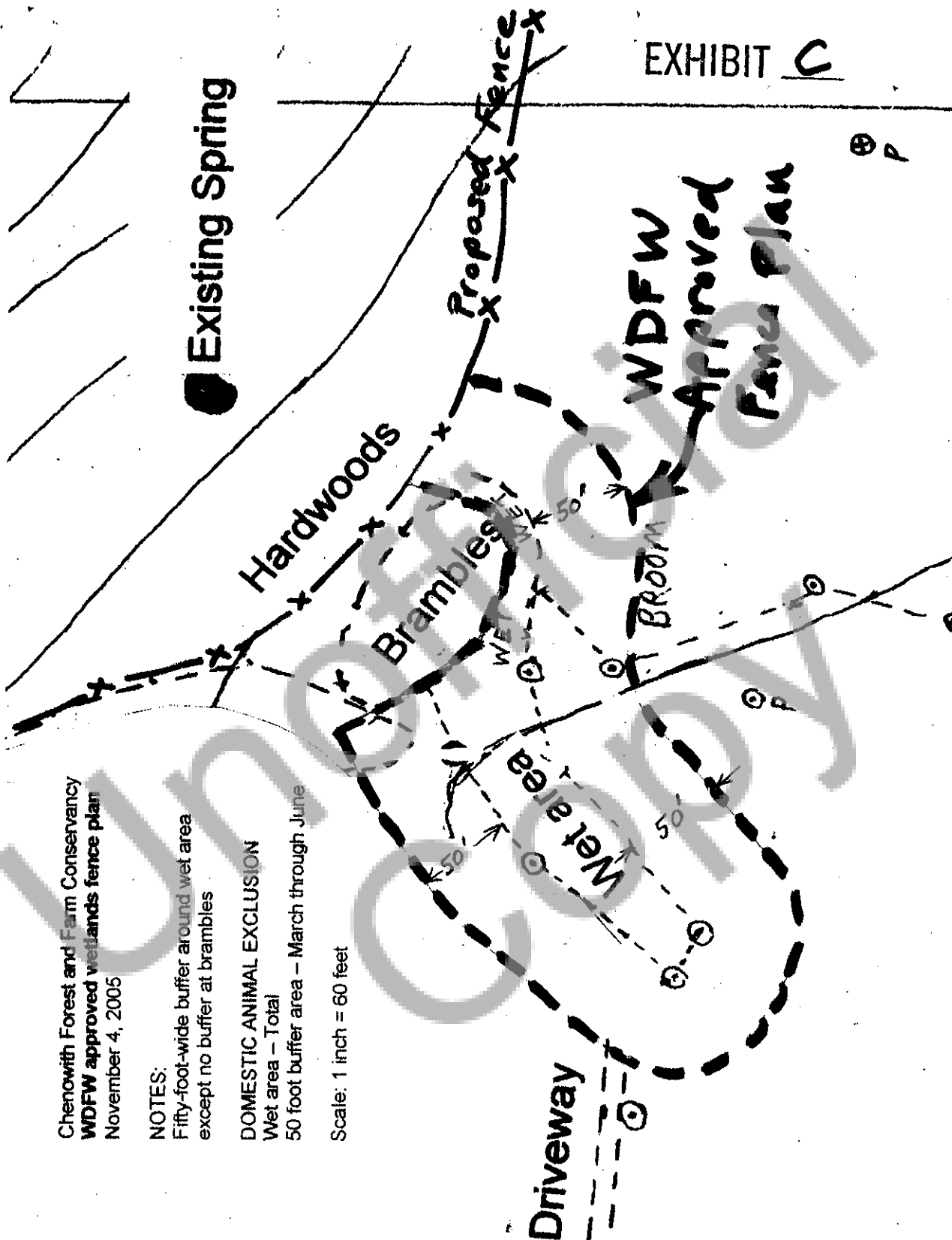


EXHIBIT C

142322

BOOK 214 PAGE 709

FILED
SKAMANIA COUNTY
BY CLARE COUNTY TITLE

SEP 13 4 59 PM '01

GARY H. OLSON

AFTER RECORDING MAIL TO:

COLUMBIA LAND TRUST
1351 OFFICER'S ROW
VANCOUVER WA 98661

67013CF

Statutory Warranty Deed

THE GRANTOR GIFFORD PINCHOT and ELIZABETH PINCHOT, husband and wife for and in consideration of Ten Dollars and other valuable consideration in hand paid, conveys and warrants to COLUMBIA LAND TRUST the following described real estate, situated in the County of Skamania, State of Washington:

The Northwest quarter of the Southwest quarter of Section 24, Township 3 North, Range 9 East of the Willamette Meridian, Skamania County, Washington.

EXCEPT that portion thereof conveyed to H.J. Broughton and D.M. Stevenson, co-partners doing business under the firm name of Brought Lumber Company, by deed dated May 17, 1947, and recorded at page 381 of Book 31 of Deeds.

Gary H. Martin, Skamania County Assessor
Date 9/13/01 Parcel # 3-3-24-400

SUBJECT TO covenants, conditions, restrictions, reservations, easements and agreements of record, if any.

Assessor's Property Tax Parcel Account Number(s): 03-09-24-400

Abb Legal Desc #400 SEC 24 T3N R9EWM, Full Legal Desc. on page 1

Dated this 31 day of AUGUST 2001.

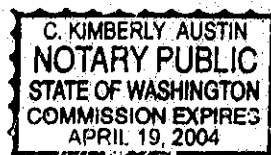
REAL ESTATE EXCISE TAX

21772
SEP 13 2001PAID 2611.30

STATE OF WASHINGTON
COUNTY OF SKAMANIA
COUNTY TREASURER

I certify that I know or have satisfactory evidence that GIFFORD PINCHOT and ELIZABETH PINCHOT are the persons who appeared before me, and said persons acknowledged that he/she/they signed this instrument and acknowledged it to be his/her/their free and voluntary act for the uses and purposes mentioned in this instrument.

Dated: September 5, 2001



Notary Public in and for the State of Washington
Residing at Poulsbo
My appointment expires: 4-19-04

Page 10

LPB-10

141403

BOOK 27 PAGE 166

FILED
SKY
FLANK COUNTY TITLE

JUN 14 4 04 PM '01

GARY M. OLSON

AFTER RECORDING MAIL TO:

COLUMBIA LAND TRUST
1351 OFFICER'S ROW
VANCOUVER WA 98661

REAL ESTATE EXCISE TAX

21582

JUN 14 2001

PAID \$ 3,667.20

SKAMANIA COUNTY TREASURER

67014CF

Statutory Warranty Deed

THE GRANTOR GIFFORD PINCHOT AND ELIZABETH PINCHOT AS SOLE PARTNERS OF THE PATTON WOLLAN PARTNERSHIP, formed May 12, 1992 for the sole purpose of acquiring and holding title to this Skamania County Property/ for and in consideration of Ten Dollars and other valuable consideration in hand paid, conveys and warrants to COLUMBIA LAND TRUST the following described real estate, situated in the County of Skamania, State of Washington:

Northeast quarter of Southwest quarter Section 24, Township 3 North, Range 9 East of the Willamette Meridian, Skamania County, Washington, excepting that part North and East of a line 100 feet South and West of the present State Highway boundary line (meaning by the term present State Highway the location of the present County Road, formerly, and on the 2nd day of November, 1932, designated as State Highway No. 8).

Gary H. Martin, Skamania County Assessor

Date 6-14-01 Parcel # 030924 000500 00

SUBJECT TO covenants, conditions, restrictions, reservations, easements and agreements of record, if any.

Assessor's Property Tax Parcel Account Number(s): 03-09-24-500

Abb. Legal Desc. #500 Section 24, Township 3, Range 9, Full Legal on Page 1

Dated this 30 day of MAY 2001.

PATTON-WOLLAN PARTNERSHIP,
A WASHINGTON GENERAL PARTNERSHIP

BY: GIFFORD PINCHOT, PARTNER

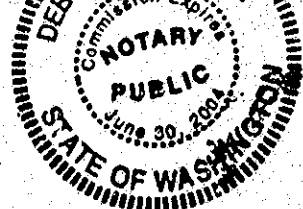
BY: ELIZABETH PINCHOT, PARTNER

STATE OF WASHINGTON
COUNTY OF CHELAN

SC

I certify that I know or have satisfactory evidence that GIFFORD PINCHOT AND ELIZABETH PINCHOT is/are the persons who appeared before me, and said persons acknowledged that he/she/they signed this instrument and that he/she/they authorized to execute the instrument and acknowledged it as the PARTNERS of PATTON WOLLAN PARTNERSHIP to be the free and voluntary act of such party for the purposes and purposes mentioned in this instrument.

Dated:



Notary Public in and for the State of Washington
Residing at 8200 Bayne Rd. Leavenworth, WA 98824
My appointment expires: 6/30/2004

Page 11
LPB-10