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Date: 08/07/2006 08:53A
Filed by: JASON THOMPSON
Filed & Recorded in Official Records
of SKAMANIA COUNTY
J. MICHAEL GARVISON
AUDITOR
Fee: \$36.00

WHEN RECORDED RETURN TO:

Jason Thompson
642 Belle Ctr Rd
Washougal WA 98671

DOCUMENT TITLE(S)

Mortgage Lift

REFERENCE NUMBER(S) of Documents assigned or released:

File No ML-06-02

File No 2006160767

☐ Additional numbers on page _____ of document.

GRANTOR(S):

Skamania County

☐ Additional names on page _____ of document.

GRANTEE(S):

Jason Thompson

☐ Additional names on page _____ of document.

LEGAL DESCRIPTION (Abbreviated: i.e. Lot, Block, Plat or Section, Township, Range, Quarter):

35 T2N R5E

☐ Complete legal on page _____ of document.

TAX PARCEL NUMBER(S):

02 05-35-0-0-0700-00

☐ Additional parcel numbers on page _____ of document.

The Auditor/Recorder will rely on the information provided on this form. The staff will not read the document to verify the accuracy or completeness of the indexing information.



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

SKAMANIA COUNTY PLANNING DEPARTMENT
ADMINISTRATIVE DECISION
MORATORIUM LIFT/REMOVAL APPLICATION
FOR

R. Jason and Chera Thompson
File No. ML-06-02
August 1, 2006

This staff report addresses the application by R. Jason and Chera Thompson, who is requesting a lift/removal of the six-year moratorium on non-forestry use of land placed by the Department of Natural Resources on March 7, 2006, in order to create a two-lot short plat. The property is located at approximately Mile Post 1.6R Mabee Mines Road, Washougal, in Section 35, T2N, R5E, WM, Tax Lot No. 02-05-35-0-0-0700-00.

PROPERTY DESCRIPTION

Improvements -
Lot size -
Zoning -

Unimproved
Approximately 12.71 acres
Residential 5 (R5)

APPLICABLE CRITERIA

- 23.03.010 Establishment of the Moratorium
Pursuant to RCW 76.09.060, Skamania County shall deny any applications to the county for development permits or approvals on lands that are subject to the six-year moratorium prescribed in RCW 76.09.
Finding The subject parcel is currently subject to a six-year moratorium on non-forestry use placed by the Washington Department of Natural Resources (DNR).
- 23.03.020 Recording of Moratorium Notices
The Director or his/her designee shall file with the Skamania County Auditor the moratorium notice after the receipt of said notice from the DNR.
Finding The moratorium on the subject parcel was recorded with the Skamania County Auditor on March 7, 2006, in Auditor's File No. 2006160767.
- 23.05.010 Moratorium Lift
The county may remove the moratorium on the property as provided in this chapter. If the landowner has any outstanding forest practice violations on the subject parcel, written approval from the Washington State Department of Natural Resources stating the violations have been corrected must be submitted to the County prior to consideration of moratorium removal.

Finding The landowner is applying to lift the six-year moratorium in order to create a two-lot short plat. An email from Steve Hartsell, DNR Forest Practices Forester, on July 17, 2006, confirmed there were no forest practices violations on this property.

23.05.030(C) Process – The County, and on appeal to the Board of Adjustment, must apply the following standards and factors when deciding whether or not to remove or lift the moratorium:

1. The person requesting the removal did not attempt to avoid the County review or restrictions of a conversion Forest Practice Application.

Finding No evidence of the applicant attempting to avoid County review was found

2. Whether all Forest Practices Application/notice requirements have been met.

Finding Per email from Steve Hartsell, DNR Forest Practices Forester, on July 17, 2006, there are no forest practice violations on this property.

3. There will be no damage to a critical area or its associated vegetation area, or to the shoreline area, or that any damage to those areas may be reasonably restored through mitigation measures.

Finding Based on a review of pertinent maps available to the Planning Department, and a visit to the site by staff on June 20, 2006, there is no damage to critical areas on the parcel.

4. Whether mitigation will protect the affected critical areas and shorelines. This may include a separate application and review under the County's Critical Areas Ordinance, Chapter 21A, and Shorelines Ordinance Chapter 20. Costs for mitigation shall at least equal or exceed the value of the timber harvested within a critical area buffer as determined by the County.

Finding There is no damage to critical areas on the parcel, and no critical areas/shoreline mitigation is necessary.

5. Whether the proposed development shall be consistent with the County Comprehensive Plan and all applicable development regulations.

Finding The Comprehensive Plan designation for this parcel is Rural 2, and the zoning is Residential 5 (R5). The proposed short plat is for two lots of 5.01 acres and 7.7 acres.

6. Whether the development area will remain in natural vegetation until cleared and be re-seeded with native plant seed after clearing; and dust control measures could mitigate the impacts on adjoining properties and the air during the development of the project. At the time of the visual inspection, the inspector shall determine the amount of seed per acre to be applied taking into account slope, critical areas, visual, and shoreline issues.

Finding Under the "Mitigated" Determination of Non-Significance issued July 5, 2006, the Planning Department requires "revegetation of harvested areas. This is necessary to reduce wind and water erosion, sedimentation of tributaries of the Columbia River, the propagation of weeds, and promoting mule and Blacktail deer habitat. Therefore, all harvested areas shall be reseeded within 30 days of the completion of the forest practices, or the next available planting season, with a native grass seed mix consisting of both annual (7 lbs/acre) and perennial (10 lbs/acre) species shall be used and applied in these

areas at a total rate of 17 lbs/acre. This seed mix is ½ the amount specified by Fish and Wildlife for stream-bank protection. This seed mix shall be seeded by broadcasting or hydromulch. If broadcast seeded, all areas shall be covered with 1000 lbs/acre of straw to an approximate depth of one inch."

7. All roads constructed for residential access shall meet applicable county residential road specifications.

Finding Mabee Mines Road is a county road. The landowner is proposing to provide access to the two short plat lots via individual driveways from Mabee Mines Road.

8. Whether the slopes or potential sliding of the property will affect adjoining properties or private or public roads.

Finding The timber operator has indicated that the steepest slope is 12%. There should be no affect on adjoining properties, and the land slopes away from Mabee Mines Road.

23.05.040 Permits Which May Be Issued

Once a moratorium has been removed or lifted, any development permit or approval may be issued by the County according to the relevant Skamania County Code, ordinances or regulations, provided that such approvals may be incorporated the same conditions established in the moratorium removal.

Finding The landowner has completed a State Environmental Policy Act Checklist as a part of the Moratorium Lift/Removal, and will be required to meet all mitigation measures contained in the "Mitigated" Determination of Non-Significance. The landowner will also be applying for a short plat, and will be required to meet all conditions of approval under Title 17 Chapter 17.64 Short Plats.

CONCLUSIONS

1. No outstanding forest practice violations were found and the subject parcels are not subject to a current forest practices permit.
2. There is no evidence the applicant has attempted to avoid the County review or restrictions of a Forest Practice conversion application.
3. All Forest Practices Application/Notification requirements have been met.

DECISION

The requested lift/removal of the six-year moratorium on non-forestry use of land for this approximately thirteen (13) acre parcel is hereby granted subject to the following conditions:

1. The applicant shall follow all nine mitigation measures outlined in the MDNS issued as a result of the proposed project's SEPA review file number SEP-06-20, the County residential road standards, if applicable, and the County Critical Areas Ordinance.

2. Dust suppression shall be undertaken to avoid impacts to neighboring residential areas until the property is fully developed. Re-vegetation or harvested or cleared areas shall occur. This is necessary to reduce wind and water erosion, sedimentation of tributaries of the Washougal River, and the propagation of weeds.
3. The requested lifting of the six-year Moratorium on Non-Forestry Use of Land is hereby granted.

Date: August 1, 2006



Karen A. Witherspoon, AICP, Director

APPEALS

You may appeal this Waiving of a Moratorium on Non-Forestry Use of Land decision within 15 days of the date listed above, by submitting a Notice of Administrative Appeal form and appeal fee of \$500.00 to the Planning Department at P.O. Box 790, Stevenson, WA 98648. You should be prepared to make specific factual objections on the appeal form.

NOTES

Recording this decision in the Auditor's Office records will provide notice to future landowners and regulation agencies that the six-year Moratorium on Non-Forestry Use of the Land has been lifted/removed from this parcel.

cc: Parties having submitted SEPA comments and/or application comments
Skamania County Building Division
Department of Natural Resources Pacific Cascade Region