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Doc # 2007165672
Page 1 of 15
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Filed by: JOHN CRUMPACKER
Filed & Recorded in Official Records
of SKAMANIA COUNTY
SKAMANIA COUNTY AUDITOR
J MICHAEL GARVISON
Fee: \$46.00

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

Skamania County Courthouse Annex
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Stevenson, Washington 98648
509 427-3900 FAX 509 427-3907

Letter Amendment to Administrative Decision NSA-05-63-L1

**APPLICANT/
PROPERTY
OWNER:**

John Crumpacker and Ronda Bresin

FILE NO.:

NSA-05-63-L1

LEGAL:

The Southwest Quarter of the Northeast Quarter of Section 19, Township 3 North, Range 10 East of the Willamette Meridian, in the County of Skamania, State of Washington.

REFERENCE NO.: Administrative Decision recorded 4/10/07, Auditor's File number 2007165671, at the Skamania County Auditor's Office.

PROJECT:

To construct a 1,800 sq. ft. agriculture labor house with a 1,200 sq. ft. detached garage, 2,400 sq. ft. Winery, 2,400 sq. ft. Fruit/Produce stand, driveway and associated utilities.

LOCATION:

461 Kollock-Knapp Road, Underwood; Section 19 of T3N, R10E, W.M. and identified as Skamania County Tax Lot # 03-10-19-0-0-0301-00.

ZONING:

General Management Area - Large-Scale Agriculture (Ag-1).

October 4, 2006

Dear Mr. Crumpacker,

The Planning Department issued an Administrative Decision on April 10, 2006 for the above referenced application. On April 26, 2006 the Gorge Commission appealed the decision, requesting more information to support the Gorge Crest Vineyards proposal. On June 29, 2006 and

July 26, 2006 the Planning Department received supplemental information from you as part of a settlement discussion between the Gorge Commission and yourself. On August 21, 2006 you submitted a letter request to amend the April 10, 2006 Administrative Decision to reflect the changes, and terms which have been agreed to by all interested parties. The letter amendment shall include the revised elevation drawings and floor plans for the agricultural labor house and garage, and the floor plans for the winery and fruit/produce stand. It shall also include additional findings, conclusions, and appropriate conditions of approval to address the deficiencies in the staff report and administrative decision, as identified by the Gorge Commission Staff based on the letter request. **This application is vested under the previous provisions of Title 22 (the original Management Plan).**

1. Elevation Drawings & Floor Plans

The applicant submitted revised elevation drawings and floor plans, reducing the dimensions for the agricultural labor house and detached garage on June 29, 2006. The agriculture labor house shall not exceed 1,800 sq. ft. in size and shall be built in accordance with the floor plan. **A condition of approval shall state that the agricultural labor house shall only be occupied by a foreman and immediate family members and by part-time laborers as long as it is necessary for the current agriculture use. It is not approved as a second dwelling for an agricultural operator's relative or any other use.** The detached garage shall not exceed 1,200 sq. ft. in size and shall be built in accordance with the floor plan. The garage is accessory to the agriculture labor house and is designed for the full-time foreman and seasonal workers cars, and/or agricultural equipment storage.

2. Additional Information Requested

SCC 22.08.050(B)(3)(b)(i) and (ii)

Findings: The applicant submitted additional information on June 29, 2006 and July 26, 2006. As stated above, the agriculture labor house was reduced from 2,400 sq. ft. to 1,800 sq. ft. (approximately 36'x50'x25'). The structure will be used to house a full-time foreman and immediate family members of the full-time foreman, and by seasonal part-time laborers, working the subject farm. The following findings shall supplement the findings of the original April 10, 2006 Administrative Decision for this file.

- (i) *The proposed housing is necessary and accessory to a current agricultural use.*
- (ii) *The housing shall be seasonal unless it is shown that an additional full-time dwelling is necessary to the current agriculture use of the subject farm or ranch unit. Seasonal use shall not exceed nine months.*

The 41.5 acre property, Gorge Crest Farms, currently has 16 acres of pear orchard and 4.5 acres of vineyard that is being farmed. Over the next six years, an additional 10 acres of grapes, and 6 acres of pumpkins and Christmas trees will be planted. The 'current agricultural use' is limited to the 20.5 acres of existing pear orchard and vineyard, and the agriculture labor house shall be reviewed according to the existing labor requirements.

The applicant submitted detailed breakdowns of the Foreman verse Owner job responsibilities. The full-time foreman will be responsible for the general maintenance and daily operation of the farm, including but not limited to pruning, fertilizing, thinning, harvest operations, transport to packing, fencing, road maintenance, rodent control, equipment maintenance, irrigation, and the hiring and training of seasonal workers. (The maintenance and operation is a continual process throughout the year, including work during the winter months.) The owner will oversee the general operations of Gorge Crest, including harvest, delivery, equipment maintenance, and pruning, along with the management of the finances, sales and bookkeeping; therefore continuing to meet the requirements that the day to day activities of one or more residents of the main agricultural dwelling will be principally directed to the agricultural use of the land. The applicant submitted an analysis of the number of worker hours required to support the need for a full-time foreman, which included worker pay rates, current and past expense accounting for the property, actual hourly labor requirements and an OSU publication on winegrape production costs. Independent research was also conducted by the Planning Department to include evaluating the farm against labor requirements for other comparable farms in the Underwood area, and to evaluate other available publications.

The Actual Hourly Labor Requirements (2004-2006) submitted by the applicant, breaks down the Total Labor Hours required for both the pear orchard and the vineyard, and divides the annual labor hours based on the last 1-2 years of data by a 40 hr/wk (1800 hr/yr) by an \$8/hr rate (industry standard). The result is approximately 3.23 full-time positions required to operate and maintain the current agriculture at Gorge Crest Farms, substantiating the need for a full-time foreman. This number is derived from both projected costs and the figures from the past couple years of operation, including a copy of 1) SK Orchards Expense Accounting for 2004 and 2005 for the operation of the pear orchard which was run under a contract; 2) Expense Accounting for Gorge Crest Vineyards for 2005 and 2006 which details all the costs, including labor, for the 4.5 acres of grapes; 3) and an Employee list showing pay rates for individual workers. The SK Orchard two year cost figures were averaged and then divided by \$8/hr to come up with the estimated labor hour requirements for the pear orchard. That figure was then added to the 1 year actual labor cost that was taken from Gorge Crest Vineyards expense accounting records, and the labor hours for the owner.

As part of independent research staff reviewed the WSU and OSU publications, "Vineyard Economics, Establishing and Producing Wine in Hood River County" (2004) and "Small Winery Investment and Operating Costs" (2005) to look at assumptions and overall costs of operating a vineyard. The publications did not include specific breakdowns of total labor hours, but did provide an overall percentage of the labor costs in comparison to other operating costs. The publication includes several assumptions which support some of the applicant's figures: 1. All labor is hired at a rate of \$10.00 per hour, which includes worker's compensation, unemployment insurance, and other labor overhead expenses. (Harvest labor workers are traditionally hired at a cost of \$170 per ton.) All labor is treated as a cash variable expense. These assumptions are higher than the figure used by the

applicant of \$8/hr. 2. Foremen housing with all utilities, except telephone, is provided at no cost to the employee and is valued at \$600 per month, or \$103 per acre. It is treated as a fixed non-cash opportunity cost to the operator. This is the estimated market rental rate for a three-bedroom, two-bathroom house in the area. The applicant has indicated that it is standard practice to offer housing to a full-time foreman as part of his or her salary. Steve Castagnoli, Hood River Oregon State University Extension Agent, confirmed in an email correspondence on September 27, 2006 that: "Yes, it is common to offer housing as part of the compensation for a full-time foreman. I expect that will become more common as the labor supply continues to become more limited." Staff also contacted Washington State University Extension Agents from other Washington County's which have similar agriculture, and discussed that it is common practice throughout the Washington Tree Fruit industry to offer housing to the full-time foremen. The publication also includes several tables that breakdown labor hours, cash costs, and costs of tasks from Year 1 of an operation to Year 5 when the establishment is at full production. One pie chart details that Hired Labor is the largest cost to the operation, at 40% (Cash Cost to Establish a Vineyard the First 5 Years of Establishment, Figure 1).

Staff also reviewed the labor requirements of other agriculture operations in the Underwood area. It was evident that most of the farms in the area have a full-time foreman and agricultural labor housing (generally pre-scenic) to house seasonal and full time workers. For example, staff researched the Skamania County Assessor Records in the Underwood area, and determined that there were 8 separately owned tax lots with legal agriculture labor houses in conjunction with current agriculture use. Also, the applicant acknowledged in a settlement meeting that it is difficult to hire a full-time foreman without the benefit of a dwelling as part of the salary. Finally, Staff contacted both Natural Resource Conservation Service Agents and Washington State University Extension Agents from various Washington State Counties, and discussed the number of commercial agriculture farms which include agriculture labor houses (both temporary and full-time) in conjunction with size and current agricultural use. Through conversations with agents, staff concluded that the applicant has a justifiable need for a full-time foreman in order to productively manage Gorge Crest Farms. This conclusion was determined through conversations regarding the labor requirements of small-scale farms. (Parcel size of the majority of commercial agriculture in the State is generally much larger than that of any agriculture in Skamania County, limiting the size comparability) For example, in a discussion with a Clark County Extension Agent from the Small Farms program, it was determined that the average size of small scale grape farms in Clark County is less than 20 acres. The majority of these farms sell their grapes wholesale, and as part of that they contract with large companies (wineries) which buy the grapes and provide the labor. Unlike the small-scale operations in Clark County, Gorge Crest Farms will be producing the wine on site and therefore will need to provide the labor and associated labor requirements. The agent, who is familiar with the labor requirements of small-scale farms, also agreed that a 20-acre farm does warrant a full-time foreman.

With the information that was submitted, and the independent research, staff concluded that Gorge Crest Farms has a need for a full-time foreman in order to operate and maintain the existing pear orchard and vineyard. The proposed housing is determined to be necessary and accessory to the current agricultural use. Additionally, the need will increase as the rest of the proposed grapes are planted. The agriculture labor housing is approved.

1. Analysis of alternative locations for the agricultural labor house and detached garage

SCC 22.08.050(B)(3)(b)(iii)

The housing will be located to minimize the conversion of lands capable of production of farm crops or livestock and will not force a significant change in or significantly increase the cost of accepted agricultural practices employed on nearby lands devoted to agricultural use.

The agricultural labor house and detached garage have been sited directly in the center of the property on the north end, approximately 240 feet to the east of the existing barn. The property consists of one soil type, Chemawa loam as described in the 1990 Soil Survey of Skamania County. The soil type is suitable for woodland, orchard, hayland, pastureland, and wildlife habitat. The index in the Soil Survey book shows in Table 5, Land Capability Classes and Yields per Acre of Crops and Pasture, the Chemawa loam shows yields of approximately 5 tons/acre for wine grapes. Because the entire parcel has soil that is suitable for agriculture, staff looked at the overall elevation and topography, including existing vegetation in order to determine the most suitable location for the agriculture labor house and detached garage. The site plan submitted with the application shows the existing Douglas fir buffer that is required to be retained as a buffer on a seasonal creek, which is directly to the north and west of the proposed location of the structures. The site plan also shows the approved and existing structures, and the approved area for cultivation. This leaves a relatively small area where the agricultural labor house and detached garage could be sited. The area directly adjacent to the east of the existing barn has a slightly steeper grade and less dense vegetation than the proposed site. The proposed site takes advantage of the existing Douglas fir trees that will act to completely screen the agricultural labor house and detached garage from all KVAs, including Cook-Underwood Road, as well as reduce the amount of total grading required. Research also concluded that if the proposed building were moved south, or west of the current proposed siting, it would place the agriculture labor house at a lower elevation. The average slope of the property is approximately 12%, with the elevation increasing to the north and east towards Underwood Mountain. By placing the agriculture labor house at a lower elevation (e.g., west or south of the current site), it would be using more productive land capable of future cultivation. As you move up in elevation research shows that the soil becomes less productive and has poorer heat units, which makes it less desirable as agriculture land. Due to the elevation of Underwood, farms are highly susceptible to late frosts in the spring, and therefore the lower elevation the cultivation is at, the less likely a late frost will damage the crops. By placing the agriculture labor house at the highest elevation on the site, the applicant is minimizing the conversion of lands capable of production of farm crops.

Staff also looked at the adjacent parcel to the north to determine if it is suitable for agriculture. Research showed that the parcel directly to the north of Gorge Crest Farms is owned by SDS Lumber Company and is zoned and operated as a Commercial Forest. The agricultural labor house will have no adverse impact on the adjacent parcel as it is not in agricultural use, and will not increase the cost of accepted agricultural practices employed on nearby lands devoted to agricultural use. The Planning Department has concluded that the agricultural labor house has been located to minimize the conversion of lands capable of production of farm crops or livestock and will not force a significant change in or significantly increase the cost of accepted agricultural practices employed on nearby lands devoted to agricultural use.

2. Revised Compatibility

Staff identified the boundaries for development considered “nearby” and in the “vicinity”: Planning staff reviewed the Assessor records for development within approximately a one and one-half mile radius to the east and west of the subject property. The parcels to the east were primarily one and two-story single-family dwellings, detached garages and shops, on smaller more developed lots. The parcels to the west were primarily farms and large-scale agriculture operations, including agriculture buildings, agriculture labor houses, and single-family dwellings on larger parcels. This was the boundary that Planning staff concluded accurately assessed the development in the “nearby vicinity”.

Staff evaluated each existing building of a similar use to the proposed development separately, not the cumulative size of all existing buildings on a parcel. All buildings that were of a similar use to the proposed development were evaluated, which included: single-family dwellings, detached garages, agriculture buildings (described in the assessor records as Equipment sheds/shops, Pole Bldgs, and/or Frame Barns), and agriculture labor houses. The Assessor records contain the square footage of the structures footprints, with the exception of single-family residences, which includes more detailed information including all finished square footage. Note: Single-family dwellings were reviewed for the purpose of looking at the compatibility of the agricultural labor house, and no other single-family dwelling is proposed in this application.

Staff looked at the consistency of the proposed buildings with the general scale and range of buildings in the vicinity; the only large buildings omitted were the two Skamania County Road Department shops, (approximately 4,000 sq. ft., and 7,120 sq. ft.) as the buildings are used for transportation and other road crew equipment.

The results of the compatibility data include the average size of the individual structures, and the largest size of an existing similar use structure.

Compatibility Results:

1,800 sq. ft. Agriculture Labor House

Single-family dwellings: There are approximately 78 single-family dwellings in the nearby vicinity with an average size of 2,636 sq. ft., and the largest being 5,819 sq. ft. Of the 78 dwellings, there are approximately 61 that are larger than the proposed 1,800 sq. ft. agriculture labor housing.

Existing Agriculture Labor Houses: There are approximately 13 agriculture labor houses in the nearby vicinity with an average size of 1,390 sq. ft., and the largest being 2,908 sq. ft. There are 5 agriculture labor houses that are larger than the proposed 1,800 sq. ft. house. The agricultural labor house is compatible with the size and similar development in the vicinity. **A condition of approval should be added that states that the applicant and all future owners shall be required to remove the agriculture labor house if agriculture activity ever ceases on the property, and a foreman is no longer justified. A condition of approval shall also be added that states that the applicant and future owners shall not be allowed to divide the agriculture labor house into its own legal lot, as it shall always be used as an agriculture labor house and accessory to the agricultural use of the property.**

1,200 sq. ft. Detached Garage (accessory to the agriculture labor house)

Detached garages: There are approximately 32 detached garages in the nearby vicinity with an average size of 785 sq. ft., and the largest being 2,400 sq. ft. There are 4 detached garages that are larger than the proposed 1,200 sq. ft. detached garage. The detached garage is compatible with the general scale and size of development in the nearby vicinity.

2,400 sq. ft. Winery and 2,400 sq. ft. Fruit Produce Stand

Agriculture buildings: There are approximately 28 agriculture buildings in the nearby vicinity with an average size of 1,586 sq. ft., and the largest being 4,872 sq. ft. There are four agriculture buildings that are larger than the proposed 2,400 sq. ft. Winery, and 2,400 sq. ft. Fruit Produce stand. Tax parcel #03092400030000, which is owned and operated as an agriculture farm has two large agriculture buildings, a 4,872 frame barn, and a 3,672 equipment shed, both larger than the two proposed agriculture buildings in this application. The attached floor plans detail the use of the two agricultural buildings (including machinery, fruit bin storage areas, wine making equip., etc.). The two agricultural buildings (Winery and Fruit/Produce Stand) are compatible with the general scale and size of development in the nearby vicinity.

3. Additional Conditions of Approval

Additional Conditions of Approval to be added to the original Conditions of Approval issued on April 10, 2006:

- 14. The processing and sales of wine is limited to grapes grown on the farm or in the local region.**

15. **The sales in the Fruit and Produce Stand is limited to agricultural products raised on the subject farm and other farms in the local region.**
16. **The agricultural labor house shall only be occupied by a foreman and immediate family members and by part-time laborers as long as it is necessary for the current agriculture use. It is not approved as a second dwelling for an agricultural operator's relative or any other use.**
17. **The applicant and all future owners shall be required to remove the agriculture labor house if agriculture activity ever ceases on the property, and a foreman is no longer justified.**
18. **The applicant and future owners shall not be allowed to divide the agriculture labor house into its own legal lot, as it shall always be used as an agriculture labor house and accessory to the agricultural use of the property.**

Pursuant to SCC §22.06.080(B), a change or alteration to an approved action, if determined to be minor by the Director, may be "deemed consistent with the provisions of this Title and the findings and conclusions on the original application."

The revised elevation drawings and floor plans (see attached pages 10 - 14) to this Letter Amendment shall replace the elevation drawings and floor plans attached to your original Administrative Decision of April 10, 2006. **The amendment is hereby approved.**

All of the original conditions not affected by this letter amendment in the Administrative Decision are still valid and shall be complied with. As a reminder, **this letter amendment, along with the original Administrative Decision will need to be recorded at the County Auditor's office prior to any building permits being issued.** If you have any questions, please give me a call at 509-427-3900.

Sincerely,



Nicole Hollatz
Associate Planner

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 may be filed by an interested person within 20 days from the date hereof. Appeal may be

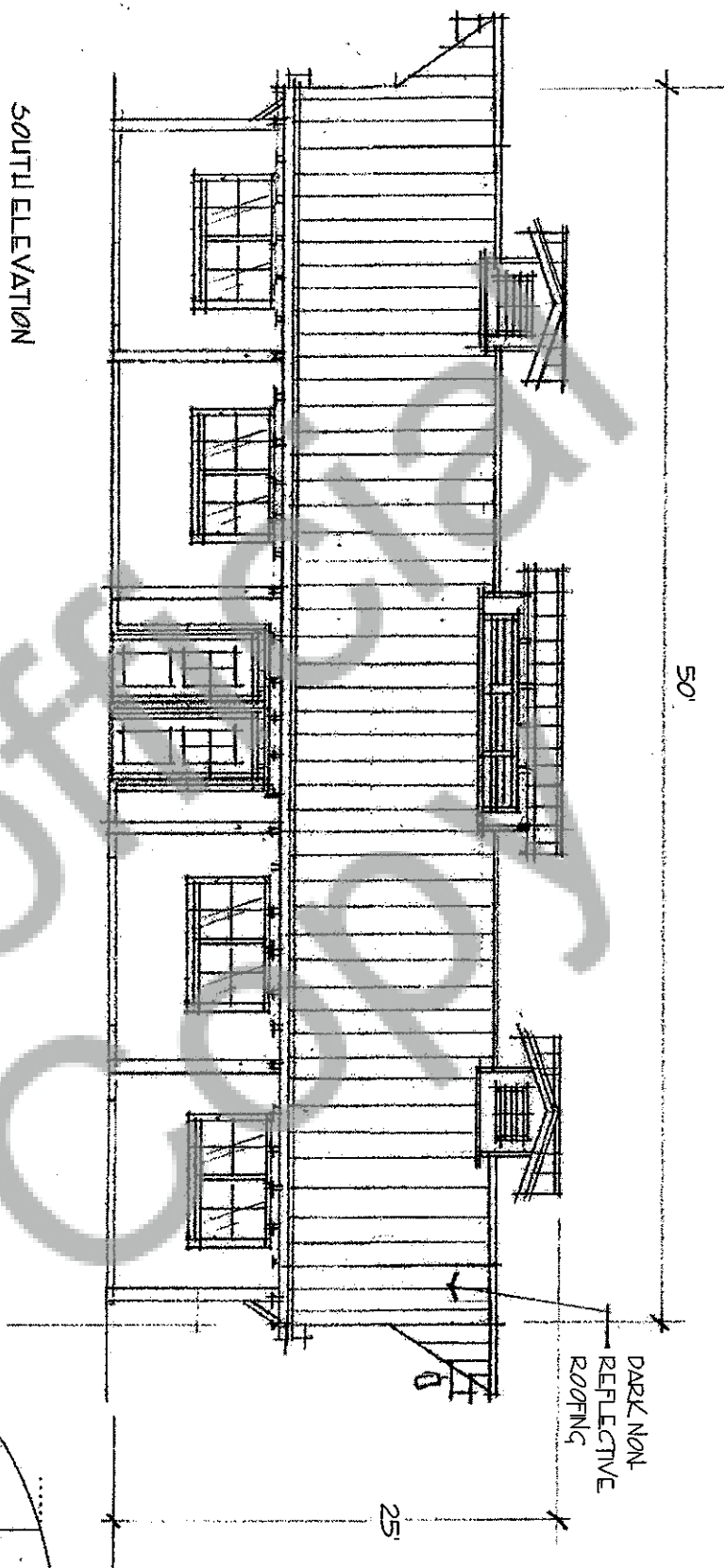
made to the Skamania County Board of Adjustment, P.O. Box 790, Stevenson, WA 98648. Notice of Appeal forms are available at the Department Office and must be accompanied by a \$500.00 nonrefundable filing fee.

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 Director's Decision or any amendments thereto.

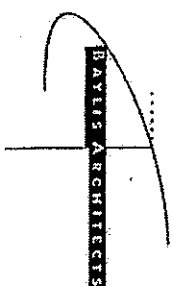
Cc: Skamania County Building Division
Skamania County Assessor's Office
Skamania County Health Dept.
Skamania County Prosecutor
Persons w/in 500 feet
Yakama Indian Nation
Confederated Tribes of the Umatilla Indian Reservation
Confederated Tribes of the Warm Springs
Nez Perce Tribe
Columbia River Gorge Commission
U.S. Forest Service - NSA Office
Board of County Commissioners
Friends of the Columbia Gorge
Department of Archaeology and Historic Preservation
CTED - Dee Caputo

Attached: Letter request for Amendment
Site plan
Elevation Drawings
Floor Plans
Vicinity Map



SOUTH ELEVATION

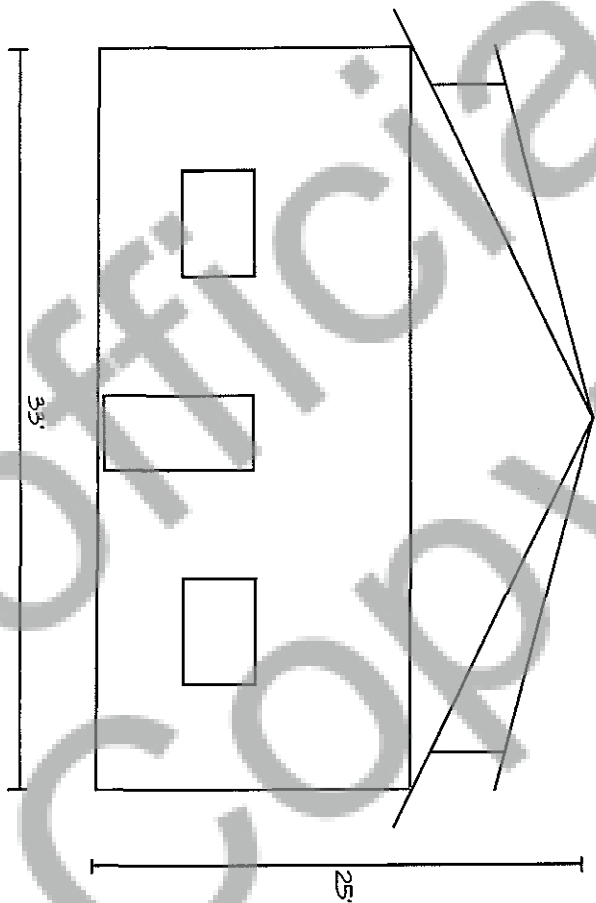
CRUMACKER WORKER HOUSE



PROJECT ELEVATION

DESIGN INTENT:

THE WORKER HOUSE IS DESIGNED TO BE VISUALLY CONSISTENT WITH THE TRADITIONAL AGRICULTURAL BUILDINGS OF THE SKAMANIA COUNTY REGION. THE BUILDING'S USE OF NON-REFLECTIVE NATURAL MATERIALS IN DARK EARTH TONE COLORS IS INTENDED TO BLEND WITH THE NATURAL ENVIRONMENT.



SOUTH ELEVATION

PROJECT ELEVATION

CRIMPACKER WORKER
HOUSE GARAGE

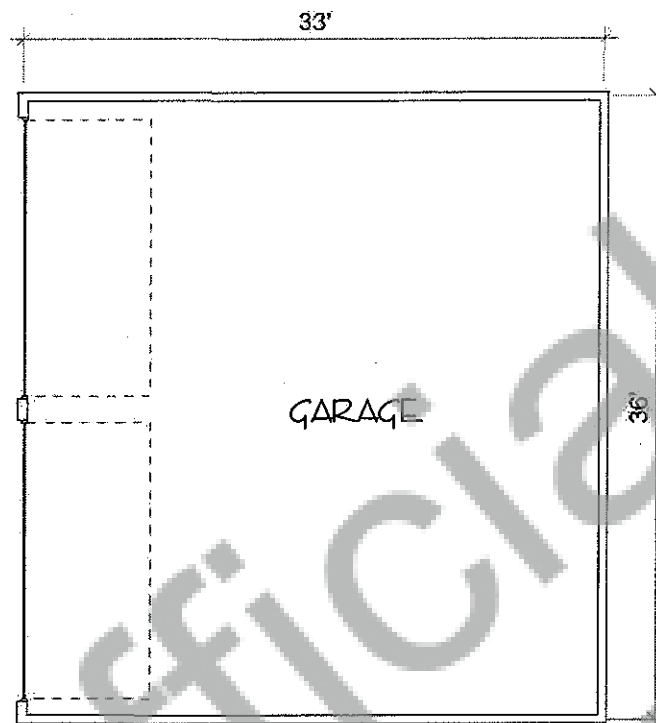
DESIGN INTENT:

THE WORKER HOUSE GARAGE IS DESIGNED TO BE VISUALLY CONSISTENT WITH THE TRADITIONAL AGRICULTURAL BUILDINGS OF THE SKAMANA COUNTY REGION. THE BUILDING'S USE OF NONREFLECTIVE, NATURAL MATERIALS IN DARK EARTH TONE COLORS IS INTENDED TO BLEND WITH THE NATURAL ENVIRONMENT.

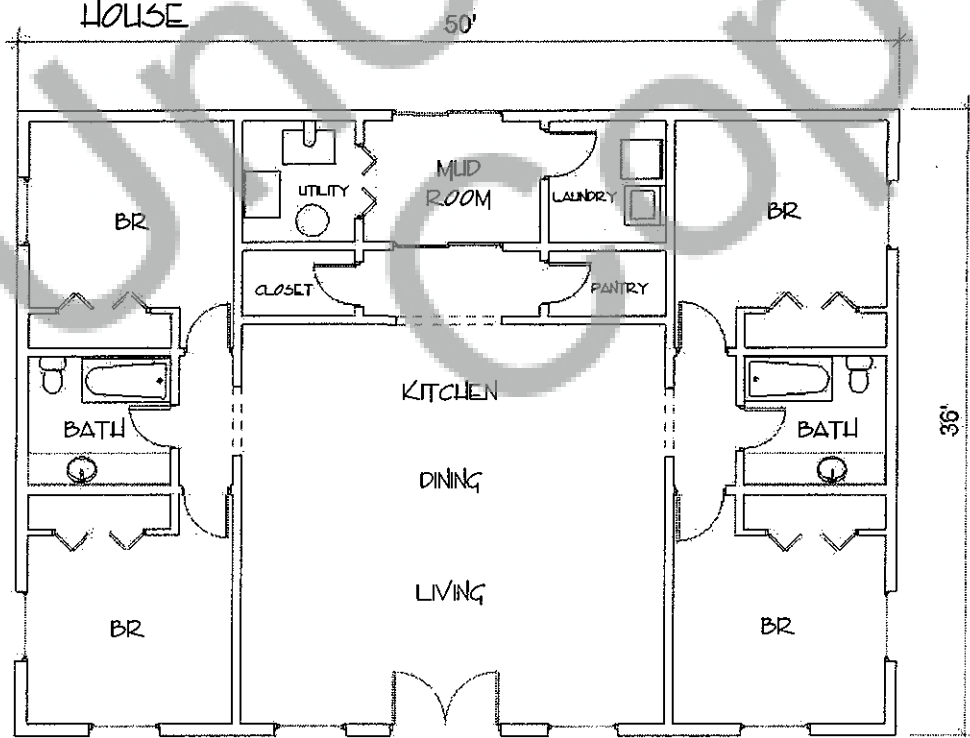
CRUMPACKER WORKER HOUSE

FLOOR PLAN REDUCED
FROM 2400 SQ FT
TO 1800 SQ FT

GARAGE REDUCED
FROM 1500 SQ FT
TO 1188 SQ FT

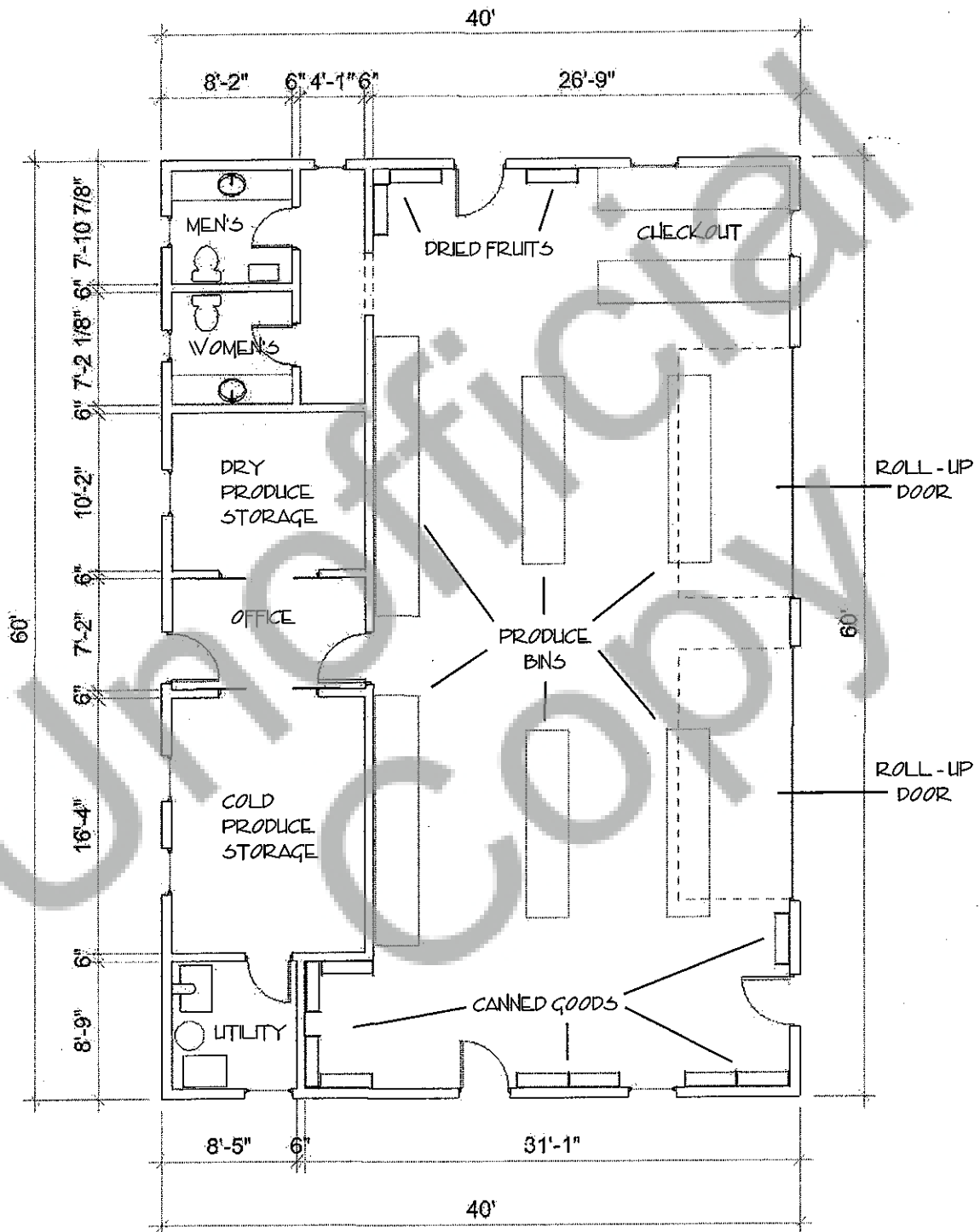


WORKER HOUSE



CRUMPACKER FRUIT STAND FLOOR PLAN

ATTIC DRY STORAGE SPACE
ACCESSED FROM EXTERIOR
WAY LOFT DOORS BY FORKLIFT



CRUMPACKER WINERY FLOOR PLAN

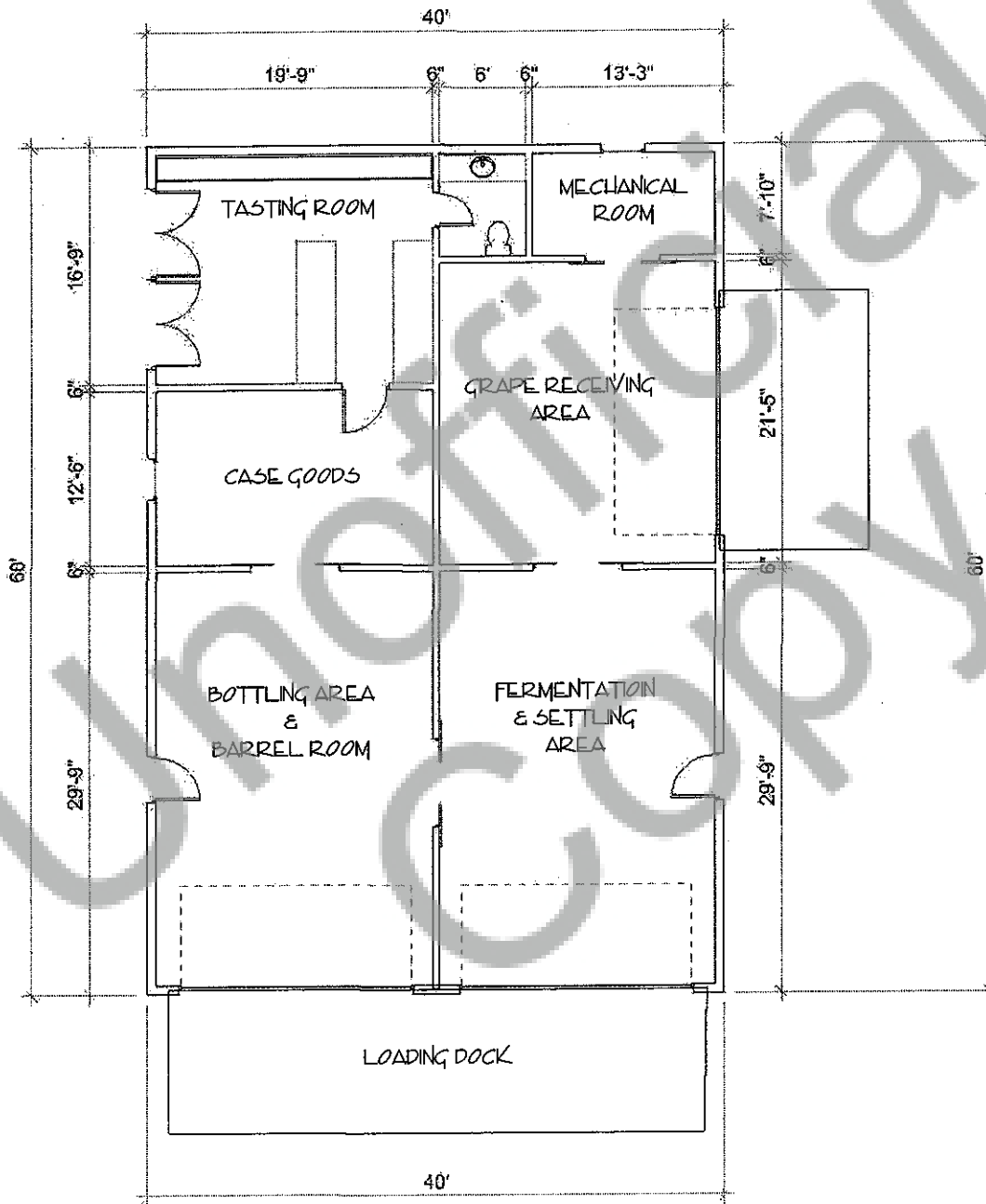


Exhibit "A"
Legal Description

PARCEL 1: The Southeast Quarter of the Northeast Quarter of Section 19, Township 3 North, Range 10 East of the Willamette Meridian, in the County of Skamania and State of Washington.

PARCEL 2: All that portion of land lying Northerly of the North line of Kollack-Knapp Road in the Northeast Quarter of the Southeast Quarter of Section 19, Township 3 North, Range 10 East of the Willamette Meridian, in the County of Skamania and State of Washington.