

Return Address: Underwood Gardens, LLC
PO Box 100
Underwood, WA 98651

Doc # 2007165674
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Date: 04/10/2007 03:45P
Filed by: JOHN CRUMPACKER
Filed & Recorded in Official Records
of SKAMANIA COUNTY
SKAMANIA COUNTY AUDITOR
J MICHAEL GARVISON
Fee: \$40.00

**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/
PROPERTY
OWNER:**

Underwood Gardens, LLC

FILE NO.:

NSA-06-01

PROJECT:

To construct a 40'x63'x28' agriculture building, repair existing fencing and install new fencing, and new cultivation of 6 acres (including stump removal, new utility lines, water tank and drip irrigation).

LOCATION:

Milepost 0.351 on Kollock-Knapp Road, Underwood; Section 19 of T3N, R10E, W.M. and identified as Skamania County Tax Lot #03-10-19-0-0-0600-00.

LEGAL:

See attached page 9.

ZONING:

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

DECISION:

Based upon the record and the Staff Report, the application by Underwood Gardens, LLC, 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). **This application is vested under the previous version of Title 22.**

- 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) All development shall proceed with the mitigation measures set out in the "Mitigated" Determination of Non-Significance dated March 15, 2006, file number SEP-06-01.
- 4) Minimum Property Line Setbacks: **Front Yard:** 50 feet from the centerline of the street or road or 20 feet from the front property line, whichever is greater. **Side Yard:** 20 feet. **Rear Yard:** 20 feet. The applicant shall also be required to meet the agricultural setbacks: the proposed development shall be setback 100 feet from the north, east and west property lines, and 150 feet from the south property line.
- 5) The Planning Department shall conduct a site visit to confirm that the agriculture structure constructed does not accommodate a cooking area or kitchen, prior to approval of final inspection. The structure may not, at any time, be rented out or sub-leased as a separate dwelling unit.
- 6) Only that 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.
- 7) The applicant and future landowners shall be responsible for the proper maintenance and survival of any planted vegetation required under this chapter.
- 8) The proposed agriculture building shall not exceed a height of 28 feet as measured from the top of the footer to the roof peak.
- 9) The structures shall be composed of nonreflective materials or materials with low reflectivity.

- 10) All exterior lighting shall be hooded or shielded at a 90-degree angle. Hoods/shields should be made of a non-reflective, opaque material that does not allow light to pass through.
- 11) The applicant shall be required to retain the existing trees directly to the south of the proposed agriculture building for approximately 80 feet from the southern portion of the building (as indicated on the site plan as 'Douglas fir buffer'). The applicant shall also be required to plant an additional 10 native coniferous trees within the 80 foot distance to the south of the proposed agriculture building to provide added screening from key viewing areas. The planted trees shall be at least 5 feet in height not including root ball.
- 12) At least half of any trees planted for screening purposes shall be species native to the setting or commonly found in the area. Such species include fruit trees, maple and black locust.
- 13) At least one-quarter of any trees planted for screening shall be coniferous for winter screening.
- 14) The exterior of all proposed structures (siding, trim, windows, garage doors, doors, roofing, etc.) shall be either dark natural or dark earth-tone colors such as the approved 'Otis Madiera' (dark brown wood siding and 'Antique Black' composite roofing. If the applicant chooses different colors than those approved, the dark natural or dark earth-tone color and material sample shall be submitted to the Planning Department prior to issuance of a building permit.
- 15) No development (including new cultivation, or tree removal for site development) shall occur within the 50-foot stream buffer.
- 16) The applicant shall be required to plant a minimum of 72 native trees and shrubs (a minimum of 50 trees) on the subject parcel, within the 25 foot buffer along the east and west property lines to replace a portion of those removed for new cultivation and site development. Each tree and/or shrub shall be flagged until the Planning Department has signed off on Final Inspection.
- 17) The Planning Department shall conduct at least two site visits during construction, one to verify the location of the structures as stated by the Administrative Decision and a second to be conducted after all foundation excavation has been completed, including framed footers, but prior to pouring the foundation. 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.
- 18) 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.

Dated and Signed this 6 day of December, 2006, at Stevenson, Washington.



Nicole Hollatz, Associate 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 \$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 Administrative Decision or any amendments thereto.

A copy of the Decision was sent to the following:

Skamania County Building Division

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

Cowlitz Indian Tribe

Department of Archaeology and Historic Preservation

Columbia River Gorge Commission

U.S. Forest Service - NSA Office

Board of County Commissioners

State of Washington Department of Community Trade and Economic Development- Dee Caputo

Department of Fish and Wildlife

SITE PLAN

SCALE: 1"=70'

PARCEL SIZE = 6.77 ACRES

APPLICANT: LOWNER:
UNDERWOOD GARDENS, LLC

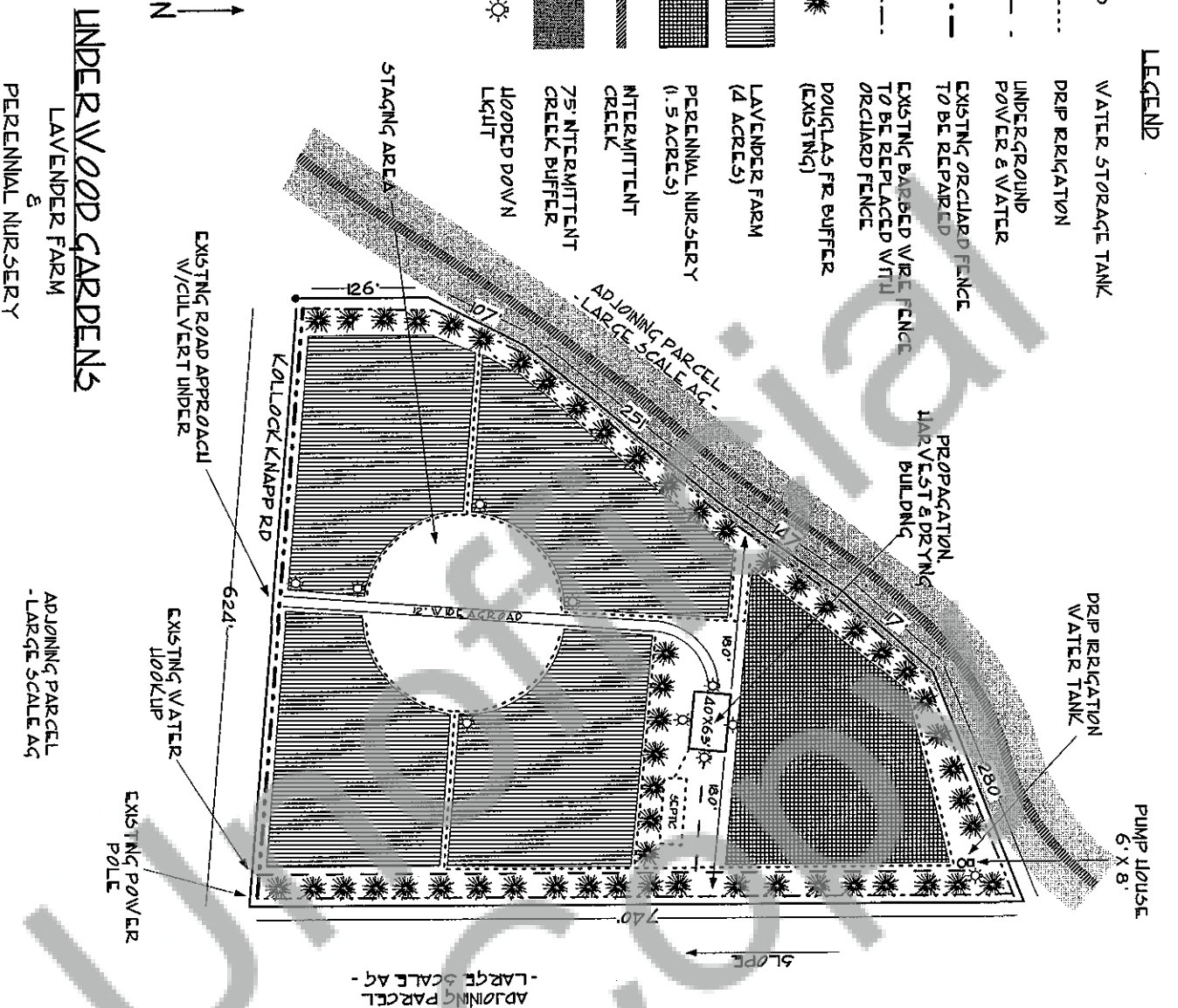
LOCATION:
KOLLOCK KNAPP RD.
UNDERWOOD VA 98651
TAX ID: 03-10-9-0-0-06000-00

PROPOSED:

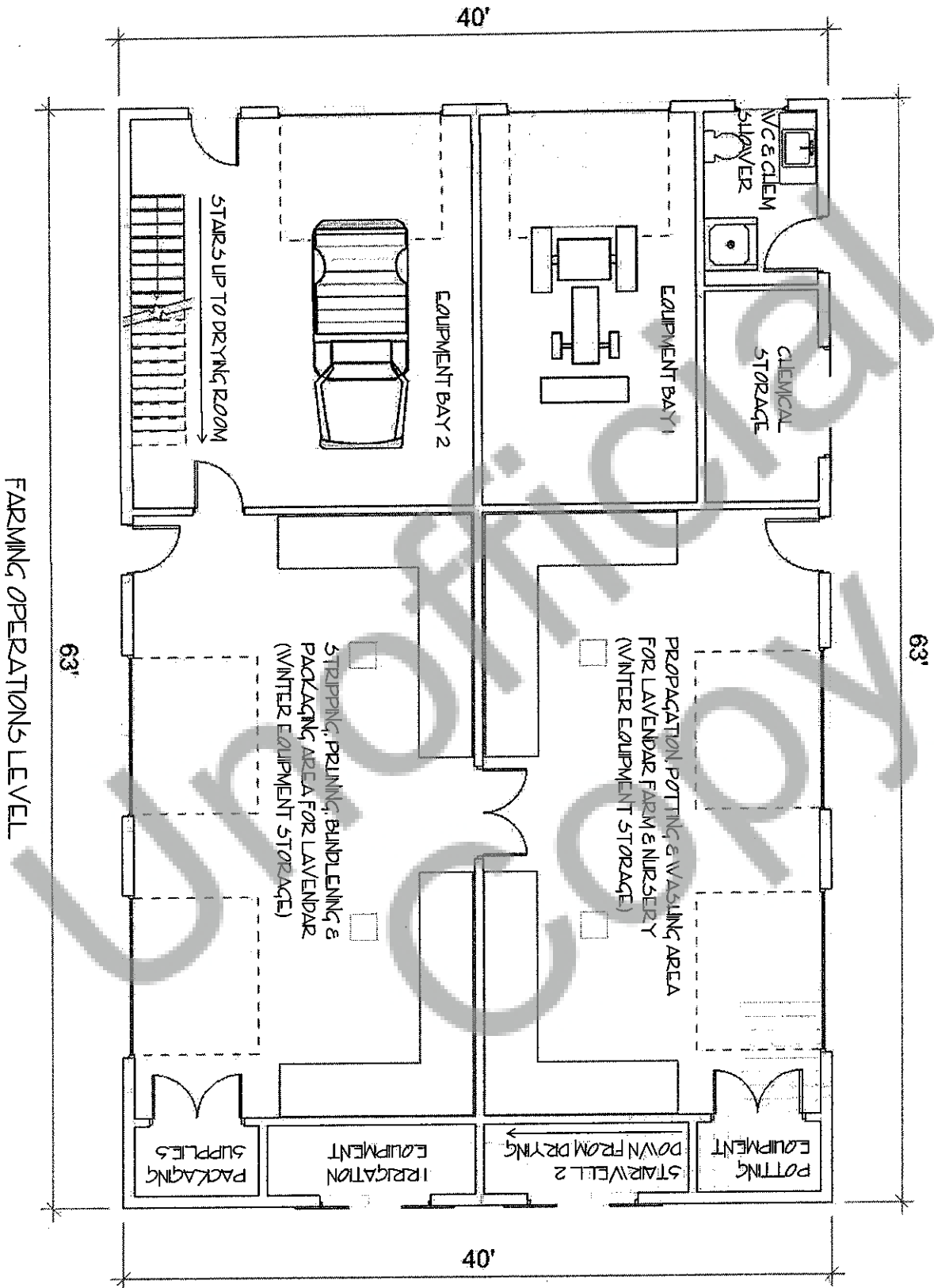
- NEW CULTIVATION OF 6 ACRES (INCLUDING UTILITY LINES, WATER STORAGE TANK, DRIP IRRIGATION) - CONSTRUCTION OF 40' X 63' PROPAGATION, HARVEST & DRYING BUILDING
- REPAIR & REPLACE EXISTING FENCING

NOTES

1. PROPOSED UTILITIES ARE ALL 4' UNDERGROUND
2. ALL PROPOSED OUTDOOR LIGHTING IS HOODED AND DIRECTED DOWNWARD.
3. GRADES AT BUILDING SITE <10% MINIMAL GRADING REQUIRED.
4. NO ROADS PROPOSED EXCEPT FOR AGRICULTURAL PURPOSES
5. PROPOSED AGRICULTURAL BUILDING DOES NOT PROTRUDE ABOVE A BLUFF, CLIFF OR SKYLINE.
6. PARCEL IS CURRENTLY 20 YEAR OLD DOUGLAS FIR TREES WHICH WILL BE REMOVED FOR NEW CULTIVATION HOWEVER, SOME EXISTING DOUGLAS FIR TREES WILL BE PRESERVED TO SCREEN PROPOSED AG BUILDING AND FOR WIND SCREEN ON 3 SIDES OF PARCEL.
7. PROPOSED AG BUILDING AND ROOF STRUCTURE IS SUBORDINATE TO THE SURROUNDING LANDSCAPE AND WELL BELOW THE HILLS AND RIDGE LINES IMMEDIATELY BEHIND.
8. ALL EXTERIOR MATERIALS ARE NON-REFLECTIVE DARK EARTH TONE COLORS.
9. EXISTING ORCHARD FENCE TO BE REPAIRED EXISTING BARBED WIRE FENCE TO BE REPLACED W/ ORCHARD FENCE.



UNDERWOOD GARDENS - LAVENDER FARM & NURSERY
PROPAGATION, HARVEST & DRYING FACILITY - 1ST FLOOR



FARMING OPERATIONS LEVEL

LINDERWOOD GARDENS - LAVENDER FARM & NURSERY
PROPAGATION, HARVEST & DRYING FACILITY - 2ND FLOOR

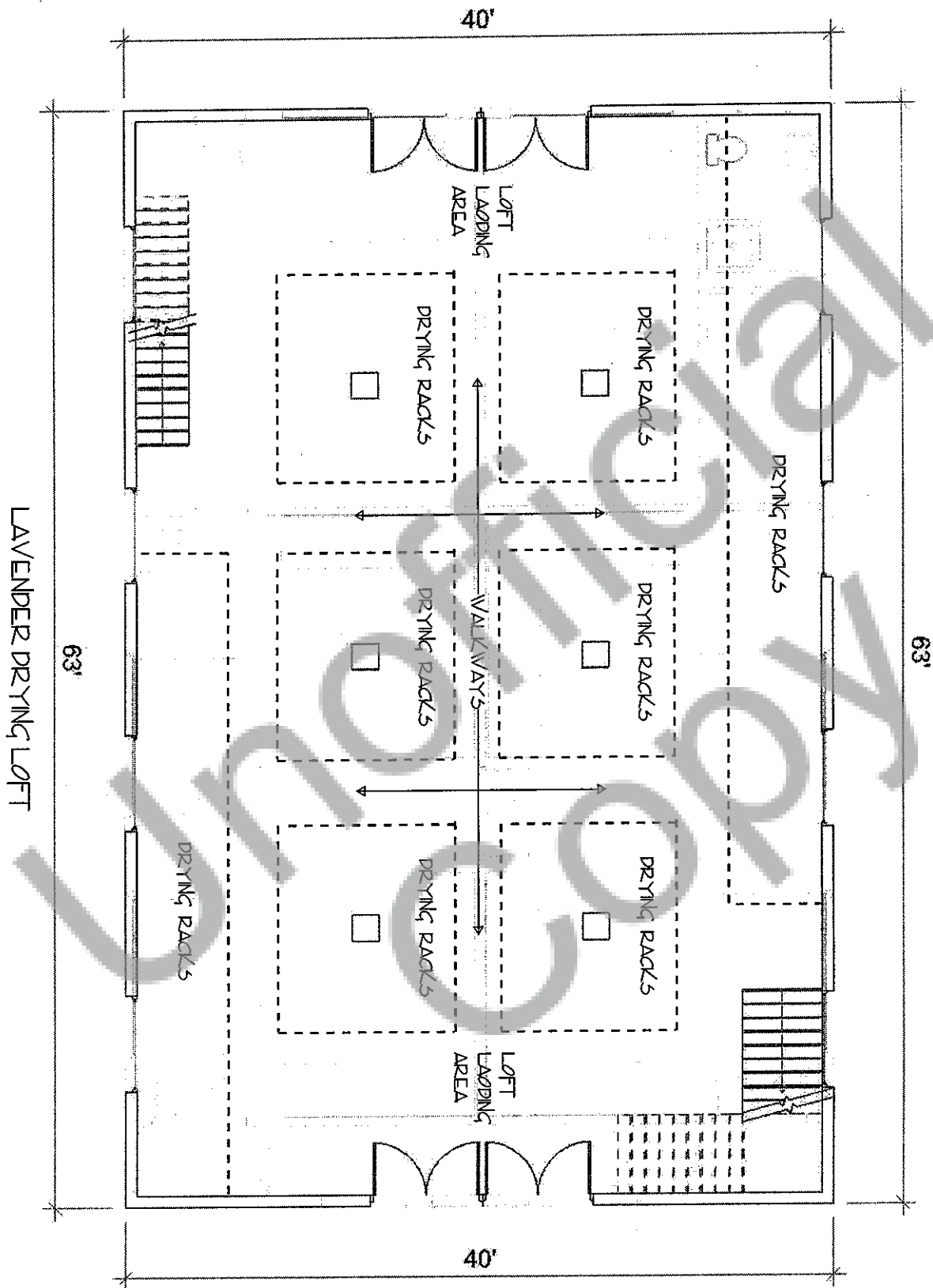


EXHIBIT 'A'

That portion of 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, more particularly described as follows:

Commencing at a point at which the county road, commonly known and designated as the Kollock Road, intersects with the private road commonly known as the McVay Camp Road as is now laid out and has been laid out upon the ground, as a point of beginning; thence East along the Northerly line of the said Kollock County Road to a point of its intersection with the East line of the said Southwest Quarter of the Northeast Quarter of Section 19, Township 3 North, Range 10 East of the Willamette Meridian; thence North along said East line of said Southwest Quarter of the Northeast Quarter of Section 19, Township 3 North, Range 10 East of the Willamette Meridian to a point where said line intersects with the McVay Camp Road as it is now laid out and exists upon the ground; thence from said point of intersection in a Southwesterly direction along the Easterly line of said McVay Camp Road to a point of its intersection with the point of beginning.

EXCEPTING THEREFROM:

Beginning at the intersection of the North line of Kollock Knapp Road with the East line of 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 and State of Washington; thence North 2 degrees 29' 35" East along the East line of said Quarter, a distance of 740.13 feet to the True Point of Beginning of the tract to be described herein; thence South 69 degrees 39' 11" West 280.74 feet to the East edge of the "McVay Camp Road; thence Northeasterly along the East edge of said McVay Camp Road to the East line of the Southwest Quarter of the Northeast Quarter of said Section 19; thence South along said East line of the True Point of Beginning.