

Return Address: John Warta  
PO Box 1088  
Camas, WA 98607

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:** John Warta

**PROPERTY  
OWNER:** GLW Ventures, LLC

**FILE NO.:** NSA-08-28

**PROJECT:** To plant six to eight acres of grapes (on lot 0800) and improve an existing stand of trees, reducing the brush and weeds on the property during which periodic trimming, harvesting and spraying will be required.

**LOCATION:** Off of Sharleen Road, Washougal; Sections 17 and 18 of T1N, R5E, W.M. and is identified as Skamania County Tax Lot Numbers 01-05-17-0-0-0800-00 (35.88 acres), 01-05-17-0-0-0801-00 (2.12 acres), 01-05-18-0-0-0300-00 (41.63 acres), 01-05-18-0-0-0400-00 (20.35 acres), 01-05-18-0-0-0403-00 (4.96 acres), and 01-05-18-0-0-0404-00 (4.94 acres).

**LEGAL:** Lots 1, 2 and 4 of the Sharleen James Short Plat, Skamania County Auditor's Book 3 Page 65. Also see attached page(s) 6.

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

**DECISION:** Based upon the record and the Staff Report, the application by John Warta, described above, **subject to the conditions set forth in this Decision**, is found to be consistent with SCC Title 22 and **is hereby approved**.

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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 §22.06.120(C)(2).

- 1) As per SCC §22.06.120(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 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 20 feet from the front property line, whichever is greater. **Side yard:** 20 feet. **Rear yard:** 20 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) 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.
- 5) Planted vegetation shall be maintained to ensure survival.
- 6) The existing tree stand south of the proposed vineyard may be maintained and improved, however, it shall be retained in a manner that it will provide adequate screening as seen from the Historic Columbia River Highway and Larch Mountain.
- 7) All exterior lighting shall be hooded and shielded at a 90-degree angle. Hoods/ shields shall be made of nonreflective, opaque material, which does not allow light to pass through.


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- 8) Except as is necessary for site development or safety purposes, the existing tree cover screening the development from key viewing areas shall be retained.
- 9) The vegetative landscaping shall, where feasible, retain the open character of existing pastures and fields.
- 10) The applicant shall be responsible for replacing removed vegetation with native plants.
- 11) The applicant shall meet all conditions of approval enacted to achieve visual subordination prior to final inspection by the Planning Department. The applicant is to coordinate all inspections with 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. A site visit for Final Inspection shall be conducted. Each inspection may take up to four business days from the time of calling for the inspection. Inspections should be arranged by calling the Planning Department at 509-427-3900.
- 12) 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 Administrator and the Gorge Commission within twenty-four (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 twenty-four (24) hours.
  - c) Survey and Evaluations. The Gorge Commission shall survey the cultural resources after obtaining written permission from the landowner and appropriate permits from the DAHP. (See Revised Code of Washington 27.53) It shall gather enough information to evaluate the significance of the cultural resources. The survey and evaluation shall be documented in a report that generally follows the provisions in Section 22.22.030 of this Chapter. Based upon the survey and evaluation report and any written comments, the Administrator shall make a final decision on whether the resources are significant. Construction activities may recommence if the cultural resources are not significant.
  - d) Mitigation Plan. Mitigation plans shall be prepared according to the information, consultation and report provisions contained in Section 22.22.050 of this Chapter. Construction activities may recommence when conditions in the mitigation plan have been executed.
- 13) The following procedures shall be effected when human remains are discovered during a cultural resource survey or during construction. Human remains means articulated or disarticulated human skeletal remains, bones or teeth, with or without attendant burial artifacts.

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- a) Halt of Activities. All survey, excavation and construction activities shall cease.
- b) Notification. Local law enforcement officials, the Administrator, the Gorge Commission, and the Indian tribal governments shall be contacted immediately.
- c) Inspection. The county coroner, or appropriate official, shall inspect the remains at the project site and determine if they are prehistoric/ historic or modern. Representatives of the Indian tribal governments shall be contacted immediately and have an opportunity to monitor the inspection.
- d) Jurisdiction. If the remains are modern, the appropriate law enforcement official shall assume jurisdiction and the cultural resource protection process may conclude.
- e) Treatment. The procedures set out in RCW 27.44 and 68.05 shall generally be implemented if the remains are prehistoric/ historic. If human remains will be reinterred or preserved in their original position, a mitigation plan shall be prepared in accordance with the consultation and report requirements set out in Section 22.22.050 of this Chapter. The mitigation plan shall accommodate the cultural and religious concerns of Native Americans. The cultural resource protection process may conclude when conditions set forth in Section 22.22.050(C) of this Chapter are met and the mitigation plan is executed.

Dated and Signed this 10<sup>th</sup> day of July, 2008, at Stevenson, Washington.

  
 Jessica Davenport, 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 §22.06.150(A), 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.**

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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 Hearing Examiner, P.O. Box 790, Stevenson, WA 98648. Notice of Appeal forms and mailing lists are available at the Planning Department Office and must be accompanied by a \$500.00 nonrefundable-filing fee and a Certificate of Mailing.

#### 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 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  
Cowlitz 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 – Valerie Grigg Devis  
Department of Fish and Wildlife

EXHIBIT 'A'

PARCEL I

That part of the West Half of the Southwest Quarter of Section 17, Township 1 North, Range 5 East of the Willamette Meridian, in the County of Skamania, State of Washington, described as follows:

Beginning at the Northwest corner of the Southwest Quarter of said Section 17; thence East 20 chains; thence South 18  $\frac{1}{2}$  chains; thence due West 14 chains; thence Southwesterly in a straight line to intersection of West Boundary line of said section at a point 19 chains North of the Southwest corner of the said Section 17; thence from said point North 21 chains to the place of beginning.

PARCEL II

The South Half of the Northeast Quarter of Section 18, Township 1 North, Range 5 East of the Willamette Meridian, in the County of Skamania, State of Washington.

EXCEPT that portion conveyed to Scott A. Hall by instrument recorded in Book 146, Page 979 and in Book 130, Page 371.

PARCEL III

The North Half of the Southeast Quarter of Section 18, Township 1 North, Range 5 East of the Willamette Meridian, in the County of Skamania, State of Washington.

EXCEPTING THEREFROM the following:

- A. That portion conveyed to Matthew S. Parsons by instrument recorded in Book 206, Page 163.
- B. That portion conveyed to Edwin A. Schmid by instrument recorded in Book 147, Page 539.
- C. That portion conveyed to Scott A. Hall by instrument recorded in Book 146, Page 979.
- D. Lots 1 and 2 of the Short Plat recorded in Book 3 of Short Plats, Page 65.

Gary M. Martin, Skamania County Assessor

Date 7-19-15 Parcel # 1-5-17-800 & 801

871

1-5-18-300, 400, 403 & 404

PARCEL IV

A tract of land in the Southeast Quarter of Section 18, Township 1 North, Range 5 East of the Willamette Meridian, in the County of Skamania, State of Washington, described as follows:

Lots 1 and 2 of the Sharleen James Short Plat recorded in Book 3 of Short Plats, Page 65, Skamania County Records.

DMG FILE: 03JZ485.DMG