

Return Address: Paul Huber  
PO Box 8018  
Alta, UT 84092

**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:**

Paul and Dampier Huber

**FILE NO.:**

NSA-08-22

**PROJECT:**

Application to construct a 50'x30'x21' agricultural building for vineyard machinery/storage and associated utilities.

**LOCATION:**

11151 Cook-Underwood Road, Underwood; Section 21 of T3N, R10E, W.M. and is identified as Skamania County Tax Lot Number 03-10-21-3-0-0400-00.

**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 Paul Huber, 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.

Skamania County Planning and Community Development  
 File: NSA-08-22 (Huber) Administrative Decision  
 Page 2

### 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.

The agriculture setbacks are as follows: the proposed development shall be setback 150 feet from the north and east property lines. A variance has been granted to reduce the western and southern agriculture setback from 50 feet to 30 feet from the southern property line and 40 feet from the western property line. Prior to signing off on the Building Division site and excavation inspection form, Planning staff shall conduct a site visit to ensure the proposed development is set back the required distance from the property lines. Since the agriculture setbacks are greater than the property line setbacks, the agriculture setbacks shall be followed.

- 4) The applicant and/or future owner shall plant a continuous vegetative screen along the south property line, below the proposed agricultural building (see revised site plan). The trees shall be at least six feet height when planted and shall reach an ultimate height of at least fifteen (15) feet. The vegetative screening must be completely planted during the first phase of development and maintained in good condition. The applicant shall follow the recommended planting guideline that is attached to this document (from the Scenic Resources Implementation Handbook), in regards to the species, mature size, planting size height, and spacing recommendations to the maximum extent practicable for the Pastoral Landscape Setting.
  - a. At least half (½) 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, Douglas fir, Lombardy Poplar, Oregon White Oak, Big Leaf Maple, and black locust (primarily in the eastern gorge).
  - b. At least one-quarter (¼) of any trees planted for screening shall be coniferous for winter screening.

Skamania County Planning and Community Development  
File: NSA-08-22 (Huber) Administrative Decision  
Page 3

- 5) 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.
- 6) The project applicants and/or future owners shall be responsible for the proper maintenance and survival of any planted vegetation required under this chapter. Any vegetation that dies shall be replaced in-kind within the first available growing season. The only exception is that replacement trees may be the same size as that specified for new trees, which shall be at least 5 feet tall in height at planting.
- 7) The exterior of all proposed structures shall be composed of non-reflective materials. The exterior includes, but is not limited to, sides, doors, windows, decks, gutters, roofs, and trim. The applicant has proposed board and bat siding and composite shingle roofing, which are approved for use.
- 8) 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. (See attached Lighting Brochure) If the applicant decides to install outdoor lights, information showing the location and design of the lights shall first be submitted for review and approved by the Planning Department
- 9) The exterior of all proposed structures shall be dark earth-tone in color. The exterior includes, but is not limited to, sides, doors, decks, gutters, roofs and trim. The exterior also includes the materials used for the proposed terraces, which shall require the use of dark color concrete or bricks.

The following colors submitted by the applicant are consistent with this condition and are hereby approved: for the house exterior walls – board and bat siding stained “Black” (semi-trans); roofing “Black” (composite shingle). Any proposed changes to these colors shall be submitted for review by the Planning Department prior to construction.
- 10) Existing tree cover screening the development from key viewing areas shall be retained except as is necessary for site development or safety purposes.
- 11) Vegetative landscaping shall, where feasible, retain the open character of existing pastures and fields.
- 12) 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 Building Division. A final inspection approval will not be issued until compliance with all conditions of approval; including visual subordination criteria have been verified.
- 13) The Planning Department will 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 framing footers, but prior to pouring the foundation. A site visit for Final Inspection shall also be conducted. Each inspection may take

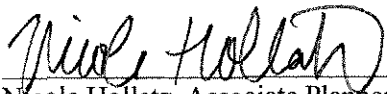
Skamania County Planning and Community Development  
File: NSA-08-22 (Huber) Administrative Decision  
Page 4

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.

- 14) 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.
- 15) 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.
  - 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.

Skamania County Planning and Community Development  
File: NSA-08-22 (Huber) Administrative Decision  
Page 5

Dated and Signed this 5 day of August, 2008, 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 §22.06.150(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.**

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.

#### 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:

Skamania County Planning and Community Development  
File: NSA-08-22 (Huber) Administrative Decision  
Page 6

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 Griggs-Devis

Department of Fish and Wildlife



APR 21 2008

ATT. Nicole Polla

650' +/-

Wedding Site

NOT APPROVED FOR WEDDINGS  
NH

15.76 Acres in Vineyard

2008  
OFFICE OF PLANNING AND  
DEVELOPMENT

N →

Revised  
SITE  
PLAN

60 FT  
Farm  
Barn  
30 FT +/-

Wind  
Row

Car Garage

Labor Housing

\*no power/water/septic/shore

slope

Shower  
Shack

NOT APPROVED  
Wedding  
Barn

4 acres w/ house

Proposed Trenching  
30' x 30'

Level site 35.59 149.62

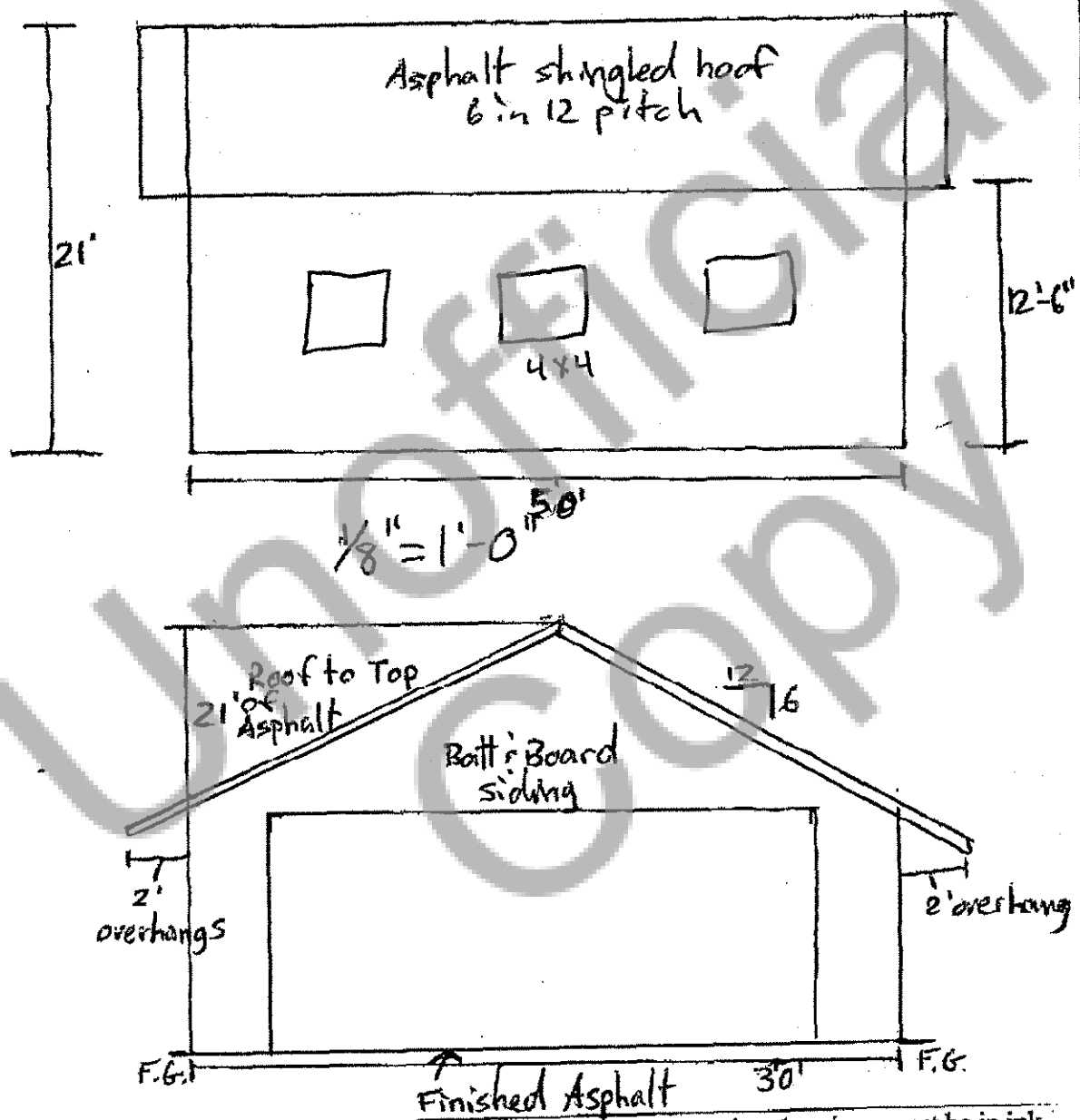
10' Road

Under Road Road

New Fir  
TREES 67

Paul Huebert

**ELEVATION DRAWINGS:**



Additional pages must have 1" margin.

Elevation drawings must be in ink.