

Return Address: John and Connie King
42255 SE George Road
Estacada, OR 97023

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:**

John and Connie King

FILE NO.:

NSA-06-55

PROJECT:

Application for a Bed and Breakfast Inn within the existing single-family dwelling.

LOCATION:

212 Sprague Landing Road, Stevenson; Section 29 of T3N, R8E, W.M. and
identified as Skamania County Tax Lot #03-08-29-0-0-1901-00.

LEGAL:

See attached page 7.

ZONING:

General Management Area- Residential (R-10).

DECISION:

Based upon the record and the Staff Report, the application by John and Connie King, 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.

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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) The project applicants and/or future owners shall be responsible for the proper maintenance and survival of any planted vegetation required under this chapter.
- 5) The existing tree cover shall be retained as much as possible, except as is necessary for site development, safety purposes or as part of forest management practices.
- 6) At least half (1/2) of any shrubs and trees planted for screening purposes shall be species native to the setting. Such species include Douglas fir, grand fir, western red cedar, western hemlock, big leaf maple, vine maple, red alder, ponderosa pine, Oregon white oak and various native willows (for riparian areas).
- 7) At least half (1/2) of any shrubs and trees planted for screening purposes shall be coniferous to provide winter screening.
- 8) The proposed 'Rivermist Lodge' entry-way sign shall meet the following provisions:
 - a. The back of the proposed sign shall be unobtrusive, nonreflective and blend in with the setting.
 - b. Spotlighting of signs may be allowed where needed for night visibility, however backlighting is not permitted.
- 9) Bed and Breakfast Inn conditions of approval:
 - a. Guests may not occupy a facility for more than fourteen (14) days.

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- b. One non-animated sign not exceeding four (4) square feet in area may be permitted on the structure or within the yard containing the structure.
 - c. The Bed and Breakfast Inn may employ up to three (3) outside employees.
 - d. No more than 25% or 1,319 sq. ft. of total actual living space of the dwelling may be utilized for the proposed Bed and Breakfast Inn.
 - e. No more than 500 square feet of an accessory structure may be utilized for the proposed Bed and Breakfast Inn.
 - f. There shall be no outside visible evidence of the Bed and Breakfast Inn, including outside storage.
 - g. No retail sales may occur on the premises, except incidental sales at lodging establishments authorized in this chapter.
 - h. The applicant shall plant a 250 foot continuous row of additional large shrubs and trees that shall obtain a height of 10'-15' within 5 years or less, to provide additional screening of the proposed parking areas. Shrubs and trees shall be planted as shown on the staff modified site plan (with a shrub planted in between each tree), and species and plant spacing shall be done as is recommended in the attached 'Recommended Plants for Screening' brochure. Planning staff shall conduct a site visit to verify the screening trees and shrubs have been planted prior to operation of the Bed and Breakfast Inn.
- 10) The applicant shall meet all conditions of approval prior to final inspection by the Planning Department. The Planning Department will conduct one Final Inspection site visits after all work has been completed and to verify compliance with all conditions of approval. The 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.
- 11) 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.

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Construction activities may recommence when conditions in the mitigation plan have been executed.

- 12) 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.

Dated and Signed this 5 day of March, 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.

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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 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 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 - Dee Caputo

Department of Fish and Wildlife

EXHIBIT 'A'

That portion of the Southwest Quarter of the Southwest Quarter of Section 29, Township 3 North, Range 8 East Willamette Meridian, lying Southerly of the right of way acquired by the State of Washington for Primary Highway 8, described below:

Beginning 300 feet Southwesterly of the intersection of the East line of the Southwest Quarter of the Southwest Quarter of said Section 29 with the South line of State Highway No. 8 (also known as U.S. Highway 14); thence South 418 feet; thence in a Southwesterly direction 550 feet to a point 418 feet due South of the South line of said highway; thence North 418 feet to the South line of said highway; thence following the Southerly line of said highway in a Northeasterly direction to the point of beginning;

EXCEPT that portion if any lying within Albert McKee, et ux, by instrument recorded April 2, 1982 in Book 81, Page 30.

Gary H. Martin, Skamania County Assessor

Date 6-19-06 Parcel # 030829 00190100

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