

Return Address: Lisa Vinciguerra and Rob LaVigne
851 Orchard Lane
Underwood, WA 98651

**Skamania County
Community Development
Department**

Skamania County Courthouse Annex
Post Office Box 790
Stevenson, Washington 98648
509 427-3900 FAX 509 427-3907

Administrative Decision

**APPLICANT/
PROPERTY
OWNER:**

Lisa Vinciguerra and Rob LaVigne

FILE NO.:

NSA-08-39

PROJECT:

Application for a cottage industry (administrative office for wholesale baby products) within approximately 496 sq. ft. of an existing 24'x24' accessory structure.

LOCATION:

851 Orchard Lane, Underwood; Section 15 of T3N, R10E, W.M. and identified as Skamania County Tax Lot #03-10-15-0-0-1300-00.

LEGAL:

See attached page 8.

ZONING:

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

DECISION:

Based upon the record and the Staff Report, the application by Lisa Vinciguerra and Rob LaVigne, 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.

Skamania County Planning and Community Development
 File: NSA-08-39 (Vinciguerra) Administrative Decision
 Page 2

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) The cottage industry shall comply with the following conditions:
 - a. The cottage industry shall employ no more than three (3) outside employees.
 - b. The cottage industry is approved on the basis that the applicants are permanent residents of Washington state and reside at 851 Orchard Lane, Underwood. Should any proof showing that the applicants no longer reside in Washington be submitted to the Planning Department, the cottage industry approval shall be revoked.
 - c. No more than 500 square feet of the accessory structure shall be utilized for the cottage industry.
 - d. There shall be no outside visible evidence of the cottage industry, including outside storage.
 - e. Exterior structural alterations to the accessory structure or residence for the cottage industry shall not be permitted. New structures shall not be constructed for the primary purposes of housing the cottage industry.
 - f. No retail sales may occur on the premises, except incidental sales at lodging establishments approved under Title 22.
 - g. One non-animated, non-illuminated sign, not exceeding two square feet in area may be permitted on the subject structure or within the yard containing the home occupation.
 - h. Parking not associated with residential use shall be screened from key viewing areas (Cook-Underwood Road).
- 4) Vegetative landscaping shall, where feasible, retain the open character of existing pastures and fields.
- 5) Existing tree cover and screening vegetation shall be retained as much as possible, except as is necessary for site development, safety purposes or as part of forest management practices.
- 6) 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

Skamania County Planning and Community Development
 File: NSA-08-39 (Vinciguerra) Administrative Decision
 Page 3


Planning Department. A final inspection approval will not be issued until compliance with all conditions of approval; including visual subordination criteria have been verified.

- 7) The Planning Department shall conduct a Final Inspection to ensure all conditions of approval have been met as stated by the Administrative Decision. The Final 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.
- 8) 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.
- 9) 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

Skamania County Planning and Community Development
File: NSA-08-39 (Vinciguerra) Administrative Decision
Page 4

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 30 day of September, 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 and 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 Planning and Community Development
File: NSA-08-39 (Vinciguerra) Administrative Decision
Page 5

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

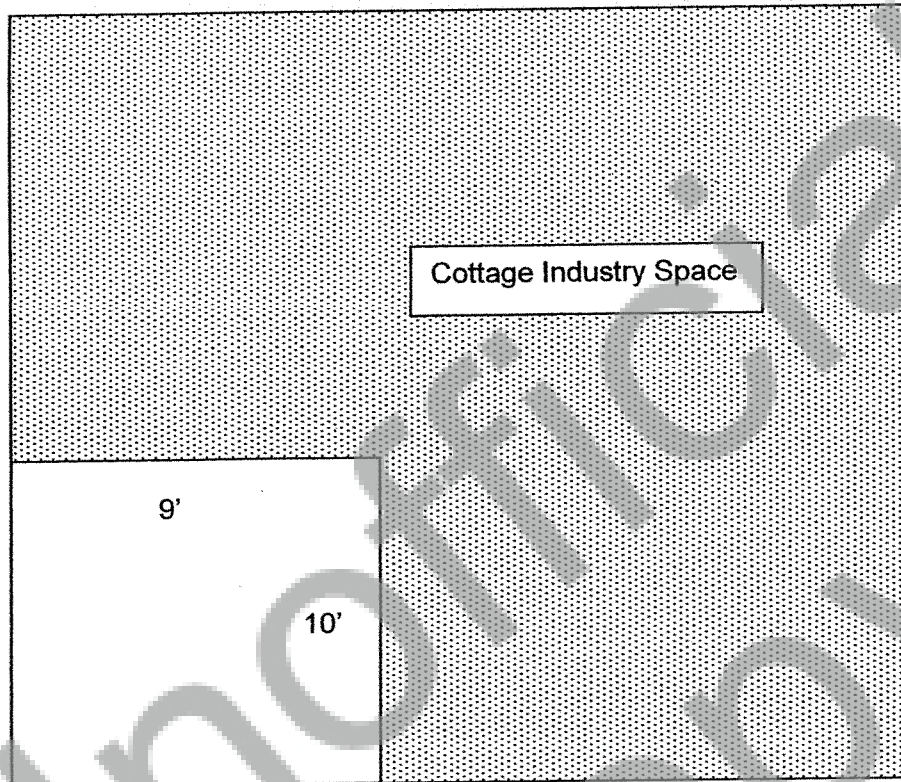
SITE PLAN:

North:



Scale: 1 inches \approx 5 feet

Shop A



Bodies of water or watercourses on property: yes ____ no X

I will be removing on-site plants, trees, or other vegetation: yes ____ no X

-If yes to either please indicate location of vegetation removal or watercourses.

I will be moving more than 100 cubic yards of soil: yes ____ no X

Additional pages must have 1" margins

Site plan must be completed in ink.

NOTICE: This is a proposed site plan, it may be revised as required to be in compliance with the Columbia River Gorge National Scenic Area.

The South Half of the Northeast Quarter of the Northeast Quarter of the Southeast Quarter, the Southeast Quarter of the Northeast Quarter of the Southeast Quarter, the South Half of the Northwest Quarter of the Northeast Quarter of the Southeast Quarter and the North Half of the North Half of the Southwest Quarter of the Northeast Quarter of the Southeast Quarter, all in Section 15, Township 3 North, Range 10 East of the Willamette Meridian, in the County of Skamania, State of Washington.

Except that portion conveyed to John Barnedt, et ax, by instrument recorded in Book 74, Page 848.

Assessor's Property Tax Parcel/Account Number(s): 03-10-15-0-0-1300-00