

Return Address: Ira Martin, Klickitat Planning & Design
PO Box 441
Lyle, WA 98635

**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: Ira Martin, Klickitat Planning & Design

PROPERTY OWNER: Grapevine Associates, Inc.

FILE NO.: NSA-08-37

PROJECT: Application to add an exterior deck (approximately 20'x14') and front entry (approximately 18'x9') to the existing winery building and to construct a detached equipment agricultural building (approximately 20'x60'x16'), wine processing agricultural building (approximately 2,000 sq. ft.), and deer fencing. The application is also for approval of a one-single-family dwelling in conjunction with the current agricultural use to be located within the top floor of the existing winery building.

LOCATION: 801 Scoggins Road, Underwood; Section 20 of T3N, R10E, W.M. and identified as Skamania County Tax Lot #03-10-20-00-0300-00.

LEGAL: See attached page 15.

ZONING: General Management Area – Commercial Forest (F-1).

DECISION: Based upon the record and the Staff Report, the application by Ira Martin, 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 Community Development Environmental Health Division.

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) The size of the proposed wine processing facility shall be reduced to a footprint of 2,000 square feet in size, based on 6,500 cases of wine per year to serve the current agricultural use. A building permit will not be issued for the 2,000 sq. ft. wine processing facility until the winery is in full production. A site inspection by Community Development staff will verify that the target number of cases based on yearly estimates have been bottled and/or stored and are aging on-site prior to the approval of the building permit for this building.
- 5) The Fire Safety Guidelines as stated in Section 22.14.030(A) shall be conditions of approval:
 - a. All buildings shall be surrounded by a maintained fuel break of fifty (50) feet. Irrigated or fire resistant vegetation may be planted within the fuel break, including green lawns and low shrubs (less than twenty-four (24) inches in height). Trees should be placed greater than fifteen (15) feet between the crowns and pruned to remove dead and low (less than eight (8) feet) branches. Accumulated leaves, needles and other dead vegetation shall be removed from beneath trees.

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- b. Hazardous fuels shall be removed within the fuel break area.
 - c. Buildings with plumbed water systems shall install at least one (1) standpipe at a minimum of fifty (50) feet from the structure(s).
 - d. A pond, stream, tank or sump with storage of not less than 1,000 gallons, or a well or water system capable of delivering twenty (20) gallons per minute shall be provided. If a well pump is located on-site, the electrical service shall be separate from the dwelling.
 - e. Access drives shall be constructed to a minimum of twelve (12) feet in width and not exceed a finished grade of twelve percent (12%). Turnouts shall be provided at a minimum of every 500 feet. Access drives shall be maintained to a level that is passable to fire equipment. However, variances to road provisions may be made after consultation with the local fire marshal and the Washington State Department of Natural Resources.
 - f. Within one (1) year of the occupancy of a dwelling, the Administrator shall conduct a review of the development to assure compliance with this section.
 - g. Telephone and power supply shall be underground whenever possible.
 - h. Roofs of structures should be made of fire-resistant materials, such as fiberglass, shingle, or tile. Roof materials such as cedar shake and shingle should not be used.
 - i. Any chimney or stovepipe on any structure for use with a wood stove or fireplace should be screened with no coarser than a quarter (1/4) inch mesh metal screen that is noncombustible and corrosion resistant and should be equipped with a spark arrestor.
 - j. All structural projections such as balconies, decks and roof gables should be built with fire resistant materials equivalent to that specified in the Uniform Building code.
 - k. Attic openings, soffit vents, foundation louvers or other ventilation openings on dwellings and accessory structures should be screened with no coarser than a quarter (1/4) inch mesh metal screen that is noncombustible and corrosion resistant.
- 6) The proposed agricultural structures (wine processing facility and machine storage building) shall not accommodate a cooking area or kitchen, and shall not be used as residences at any time unless a future National Scenic Area application and permit for such as use is approved by the Community Development Department.
- 7) The applicant and/or property owner shall work with the Skamania County Public Works Department to bring the property approach up to County standards, consistent with all County regulations. However, any future ground disturbing activities, such as creating a new approach, will require a new National Scenic Area application and review.
- 8) 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. Any material removed from the site either has to be taken outside the National Scenic Area, or shall be used on-site as part of this application.
- 9) 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.

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- 10) The applicant and/or property owner shall retain all existing screening trees that are within 200 feet of the proposed development.
- 11) The applicant and/or property owner shall plant additional screening trees along the southern property line directly in front of the proposed development and the entire excavated area. The applicant shall follow the recommended planting guideline that is attached to this document (from the Scenic Resource Implementation Handbook), in regards to the species, mature size, planting size height, and spacing recommendations to the maximum extent practicable as required in the Coniferous Woodlands landscape setting. The trees shall be at least 3 feet tall from top of root wad at time of planting to ensure the proposed development meets the scenic standard of visually subordinate.
 - a. At least half (½) of any 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).
 - b. At least half (½) of any trees planted for screening purposes shall be coniferous to provide winter screening.
- 12) The exterior of all proposed structures shall be composed of non-reflective materials or materials with low reflectivity. The exterior includes, but is not limited to, sides, doors, windows, decks, gutters, roofs, and trim. The applicant has proposed James Hardie sheet siding and Pabco composition roofing. The applicant is approved to use the proposed materials.
- 13) 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").
- 14) The exterior of the proposed structure 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 proposed garage doors on the agricultural buildings. The following colors submitted by the applicant are consistent with this condition and are hereby approved: roof – Pabco shingle in "Pewter Gray"; siding and trim – Benjamin Moore "Tudor Brown". Painted metal is not approved for use on any of the proposed development. Any proposed changes to these colors shall be submitted for review by the Community Development Department prior to construction.
- 15) All existing tree cover on the parcel shall be retained as much as possible, except as is necessary for site development, safety purposes or as part of forest management practices.
- 16) The applicant shall meet all conditions of approval enacted to achieve visual subordination prior to final inspection by the Community Development 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.
- 17) The Community Development 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

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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 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 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.
- 19) 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

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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 17 day of August, 200~~8~~⁰⁹, 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.

EXPIRATION

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 once development has commenced the development action is discontinued for any reason for one continuous year or more.

If the development does not include a structure the permit shall expire two years after the date the land use approval was granted unless the use or development was established according to all specifications and conditions of approval in the approval. For land divisions, "established" means the final deed or plat has been recorded with the county auditor.

If the development includes a **structure** the permit shall expire when construction has not commenced within two (2) years of the date the land use approval was granted; or once the structure has been started and if the structure has not been completed within two (2) years of the date of commencement of construction the permit shall expire. Completion of the structure for this purpose means the completion of the exterior surface(s) of the structure; and compliance with all conditions of approval in the land use approval, including, but not limited to, painting of the exterior of the structure.

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

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forms and mailing lists are available at the Community Development Department Office and must be accompanied by a \$500.00 nonrefundable-filing fee and a Certificate of Mailing.

WARNING

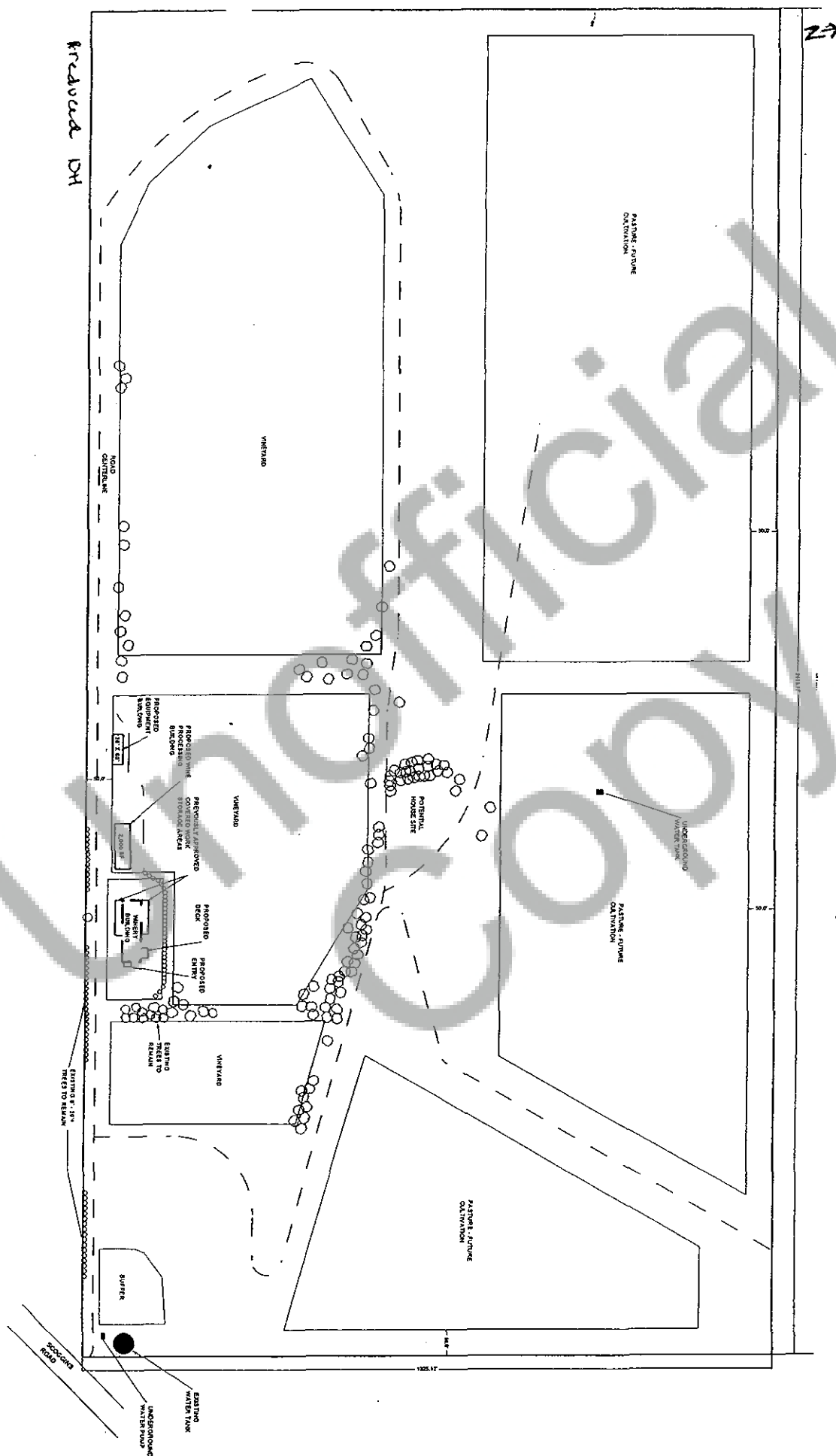
On November 30, 1998 the Columbia River Gorge Commission overturned a Skamania County Director's Decision 18 months after the 20 day appeal period had expired. You are hereby warned that you are proceeding at your own risk and Skamania County will not be liable for any damages you incur in reliance upon your Administrative Decision or any amendments thereto.

A copy of the Decision was sent to the following:

Skamania County Building Division

A copy of this Decision, including the Staff Report, was sent to the following:

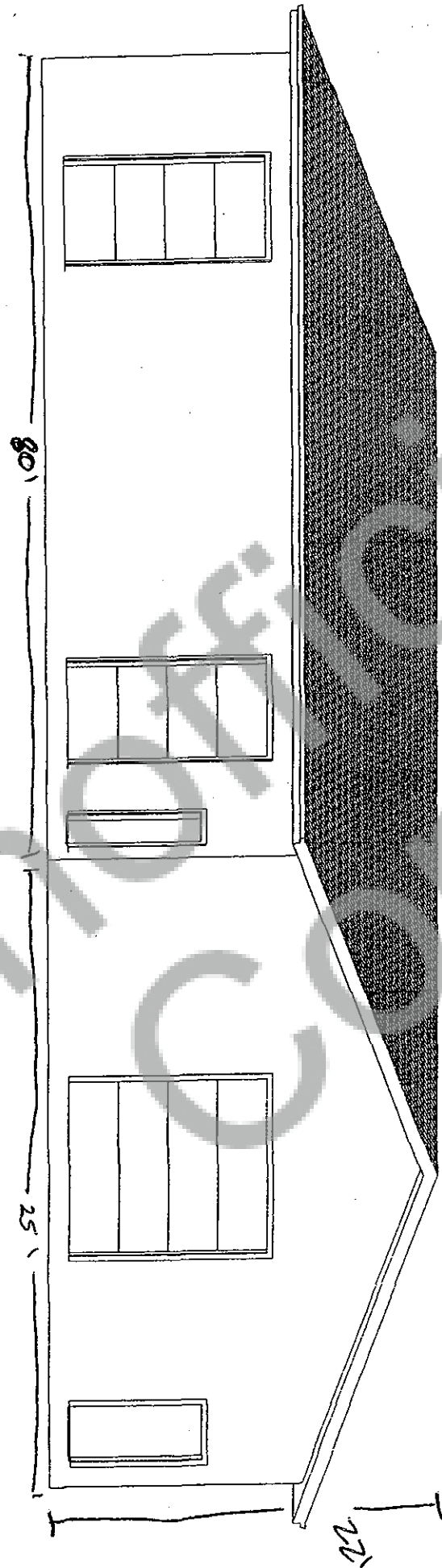
Persons submitting written comments in a timely manner
Yakama Indian Nation
Confederated Tribes of the Umatilla Indian Reservation
Confederated Tribes of the Warm Springs
Nez Perce Tribe
Cowlitz Tribe
Department of Archaeology and Historic Preservation
Columbia River Gorge Commission
U.S. Forest Service - NSA Office
Board of County Commissioners
State of WA Department of Community Trade and Economic Development (electronic)
Department of Fish and Wildlife (Anne Friesz)

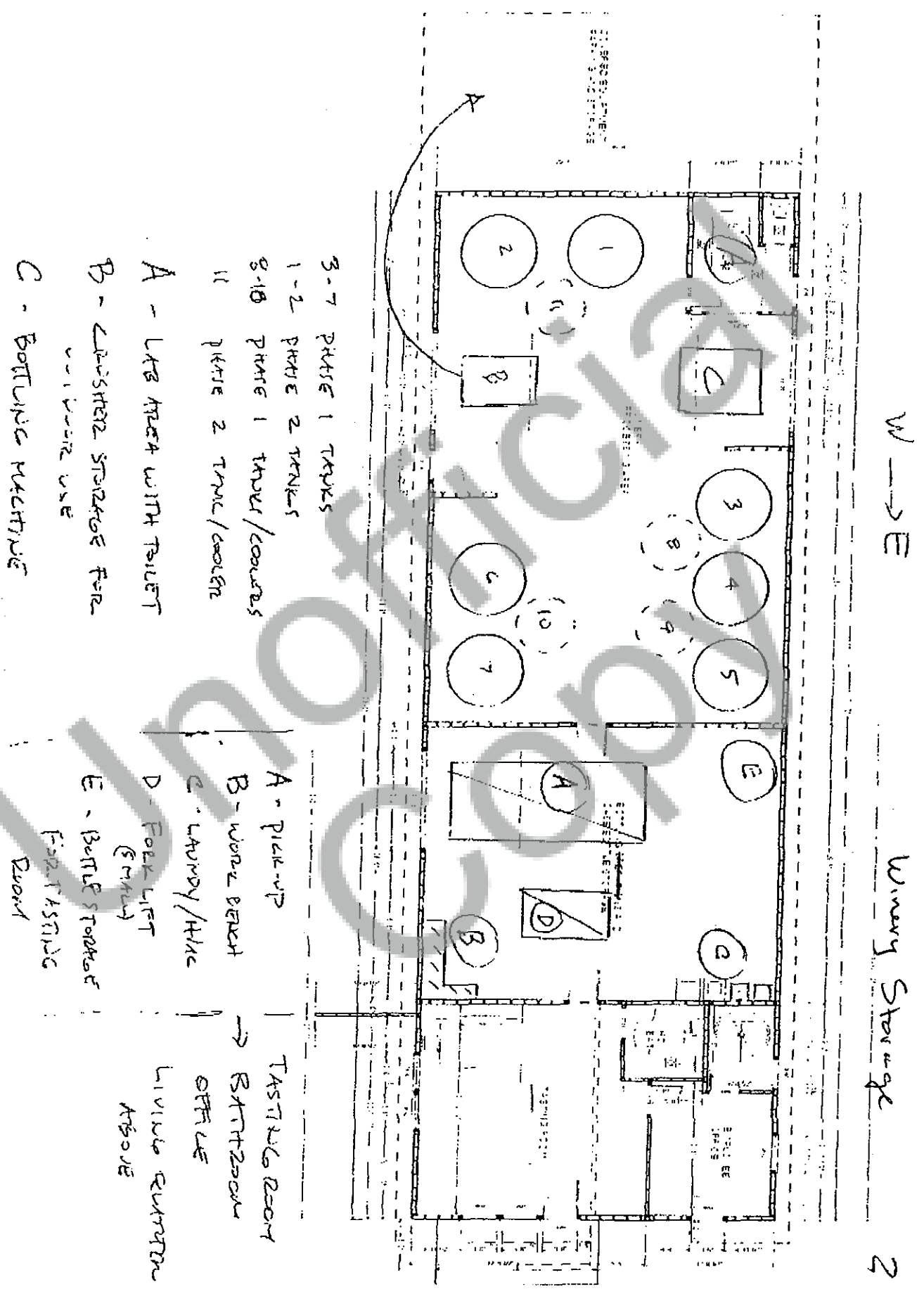


MACHINE STORAGE
VIEW FROM SE



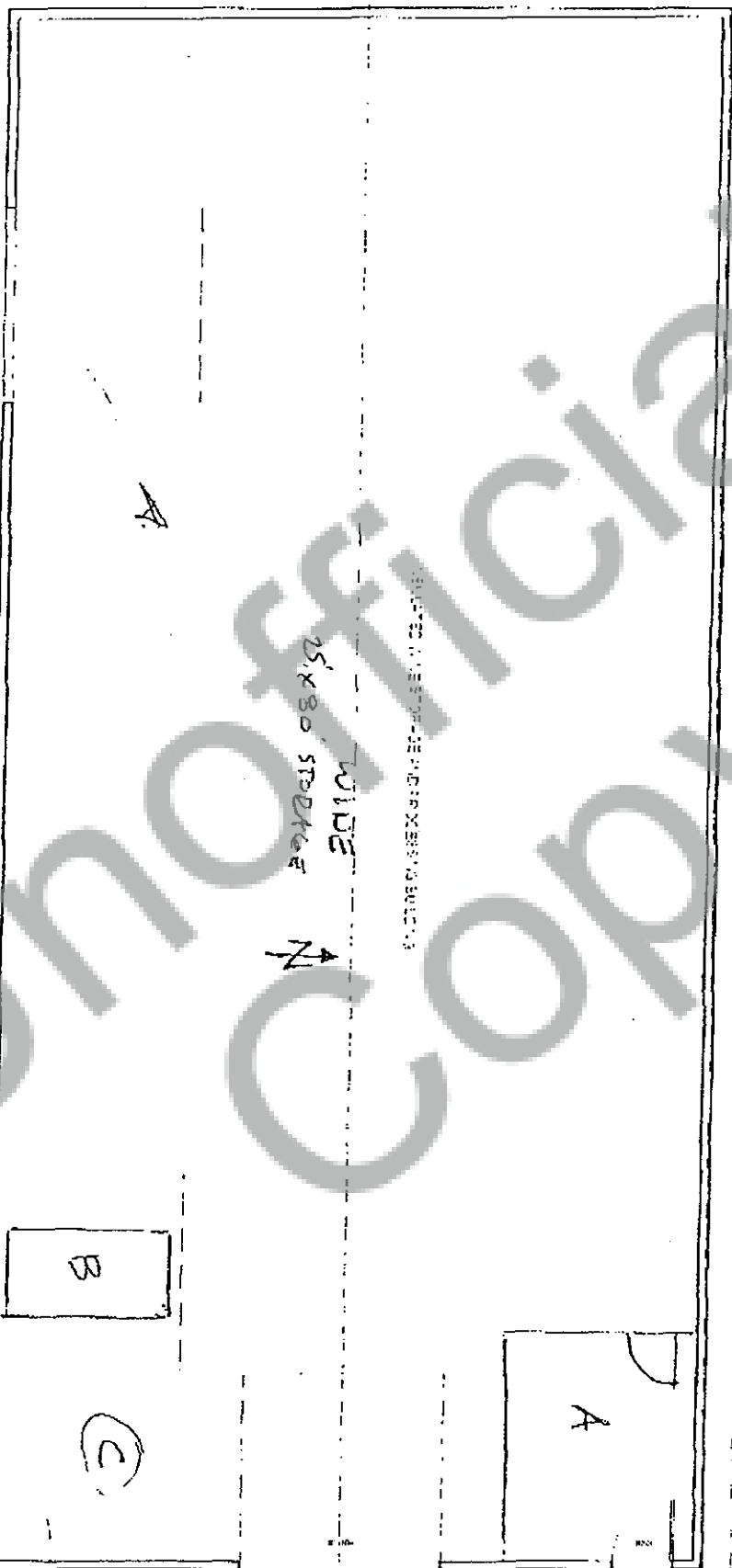
WINE STORAGE BLDG
VIEW FROM SE





Σ
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Π

A. FUTURE RECEIVABLE / SHIP
OFFICE



width
25' x 30' stone

~~Z~~

(D) - Back site miles
Bottle storage Area

(DOTTED CASE AHEAD)

B-7246177
(Waco)

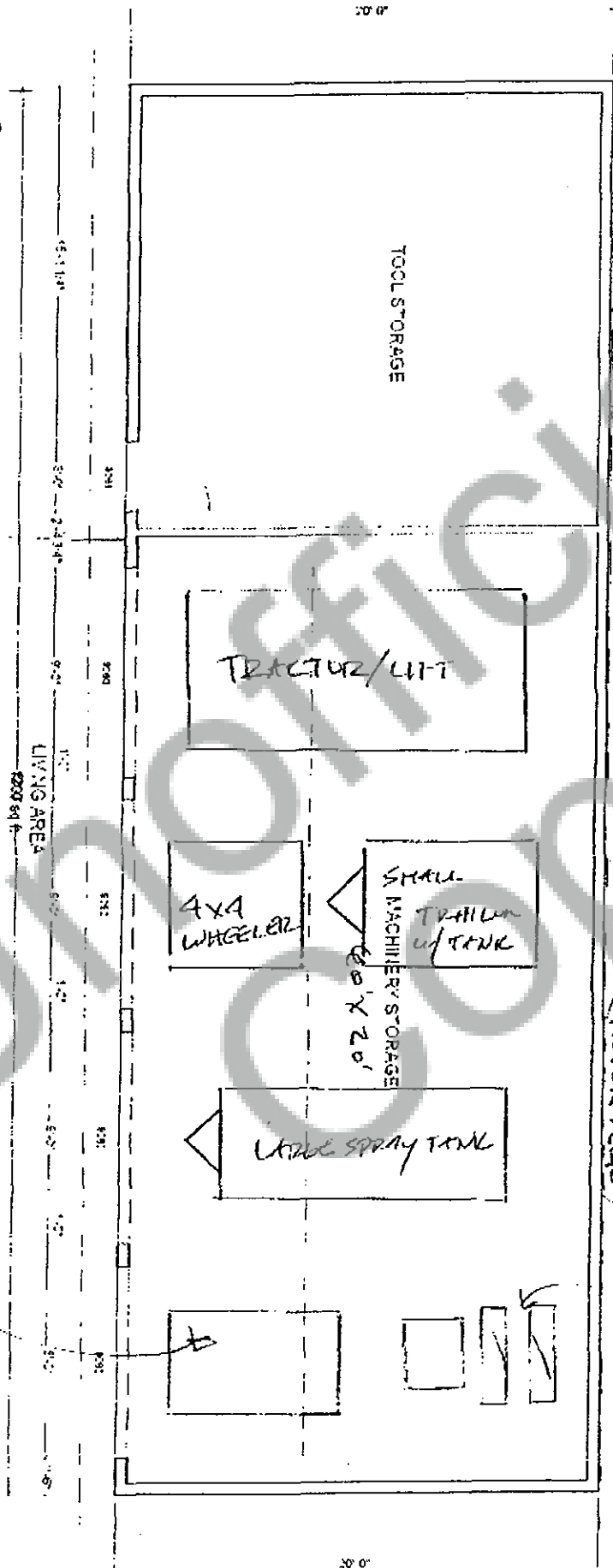
③ PRODUCT STORAGE

W E D E

4

Machine Storage

Traction
Accessories
(BLADES AND
HOLDER DECK)



Back Pile Sprayers
Weed eaters
Saws
Fence Repair
Repair/repair waterways
Product safety info
Climatic storage

Small trailer/roller

132177

BOOK 179 PAGE 232

FILED
JUL 13 1998
SKAMANIA CO. WA.

JUL 13 3 05 PM '98

GARY A. OLSON

AFTER RECORDING MAIL TO:

Name Underwood 80 Acres, LLC
 Address Lane Powell Spear Lubersky, LLP
1420 5th Ave., Suite 4100
 City/State Seattle WA. 98101-2338
SENT 2/10/98

Statutory Warranty Deed

THE GRANTOR PAUL HUBER & PIER STROM HUBER

First American Title
Insurance Companyfor and in consideration of TEN DOLLARS AND OTHER VALUABLE
CONSIDERATIONS

in hand paid, conveys and warrants to UNDERWOOD 80 ACRES, LLC

(this space for title company use only)

the following described real estate, situated in the County of Skamania, State of Washington:

The Northwest Quarter of the Northeast Quarter and Northeast Quarter of the
 Northwest Quarter, all in Section 20, Township 3 North, Range 10 East of the
 Willamette Meridian, in the County of Skamania, State of Washington.

REAL ESTATE EXCISE TAX

1998

Gary H. Martin, Skamania County Assessor

Date 7/13/98 Parcel ID 03-10-20-00300-00

JUL 13 1998

PAID 3318.00

SKAMANIA COUNTY TREASURER

Assessor's Property Tax Parcel/Account Number(s): 03-10-20-00300-00

Date July 13, 1998

Paul Huber

Pier Strom Huber