

Return Address: Ronda Bresin
461 Kollock-Knapp Road
Underwood, WA 98651

Skamania County
Community Development Department
Building/Fire Marshal • Environmental Health • Planning
Skamania County Courthouse Annex
Post Office Box 790
Stevenson, Washington 98648
Phone: 509-427-3900 Inspections: 509-427-3922 Fax: 866-266-1534

Administrative Decision

APPLICANT: Ronda Bresin

PROPERTY OWNER: Ronda Bresin and John Crumpacker

FILE NO.: NSA-11-32

PROJECT: Application to operate a wine sales/wine tasting room and for the re-approval to conduct Commercial Events.

LOCATION: 461 Kollock-Knapp Road, Section 19 of T3N, R10E, W.M. and is identified as Skamania County Tax Lot Number 03-10-19-0-0-0301-00.

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 Ronda Bresin, 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

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issues are under the jurisdiction of Skamania County's Building Division and the Skamania County 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 following shall apply to the Commercial Event portion of this Administrative Decision;
 - a) The Commercial Event approval is only valid as long as the current owners, Ronda Bresin and John Crumpacker, live on the subject parcel and operate and manage the Commercial Events. The approval is not-transferable to future owners.
 - b) A single commercial event shall host no more than 100 guests.
 - c) A single commercial event shall include no more than fifty (50) vehicles for guests.
 - d) All parking shall occur on the subject parcel.

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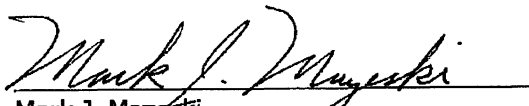
- e) Parking spaces and points of ingress and egress shall be marked and delineated during each event to insure that all guest parking occurs on the subject parcel.
 - f) A maximum number of eighteen (18) single events, up to one day in length per year may be conducted.
 - g) The owner of the subject parcel shall notify the Administrator (Community Development Department) and all owners of land within 500 feet of the perimeter of the subject parcel of each planned event. The notice shall be in writing and shall be mailed at least seven (7) calendar days before an event is conducted. Each event requires a separate specific notice to be mailed.
 - h) If any outdoor lighting is used during a commercial event, the outdoor lighting shall be hooded or shielded at a 90° angle. Hoods/shields shall be made of a non-reflective, opaque material, which does not allow light to pass through. (See enclosed Lighting Brochure.)
 - i) All amplified outdoor music shall be in compliance with Skamania County Noise Ordinance (SCC Chapter 8.22).
 - j) The hours of operation for each event shall not exceed 10 am to 11 pm.
 - k) The Commercial Events portion of this Administrative Decision shall expire two (2) years from the date issued.
- 5) The applicants shall submit a Change of Use Application to change the use of the building being used as the winery building from its former use as a barn and temporary single-family residence to its current use as a Winery and Commercial Events.
- 6) A fifty (50) foot undisturbed buffer is required on the stream that runs along the northwest corner of the subject property.
- 7) 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.

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- 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.
- 8) 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.

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Dated and Signed this 9th day of February, 2012, at Stevenson, Washington.


Mark J. Mageski
Land Use Planner
Planning Division

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 forms and mailing lists are available at the Community Development

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Department and must be accompanied by a \$1,300.00 nonrefundable-filing fee and a Certificate of Mailing.

The final determination of the Environmental Threshold Determination related to this underlying government action can be appealed to a court of competent jurisdiction, along with the underlying government action, only by the parties with standing to the Environmental Threshold Determination. If the underlying government action was exempt from SEPA review, this section does not apply.

WARNING

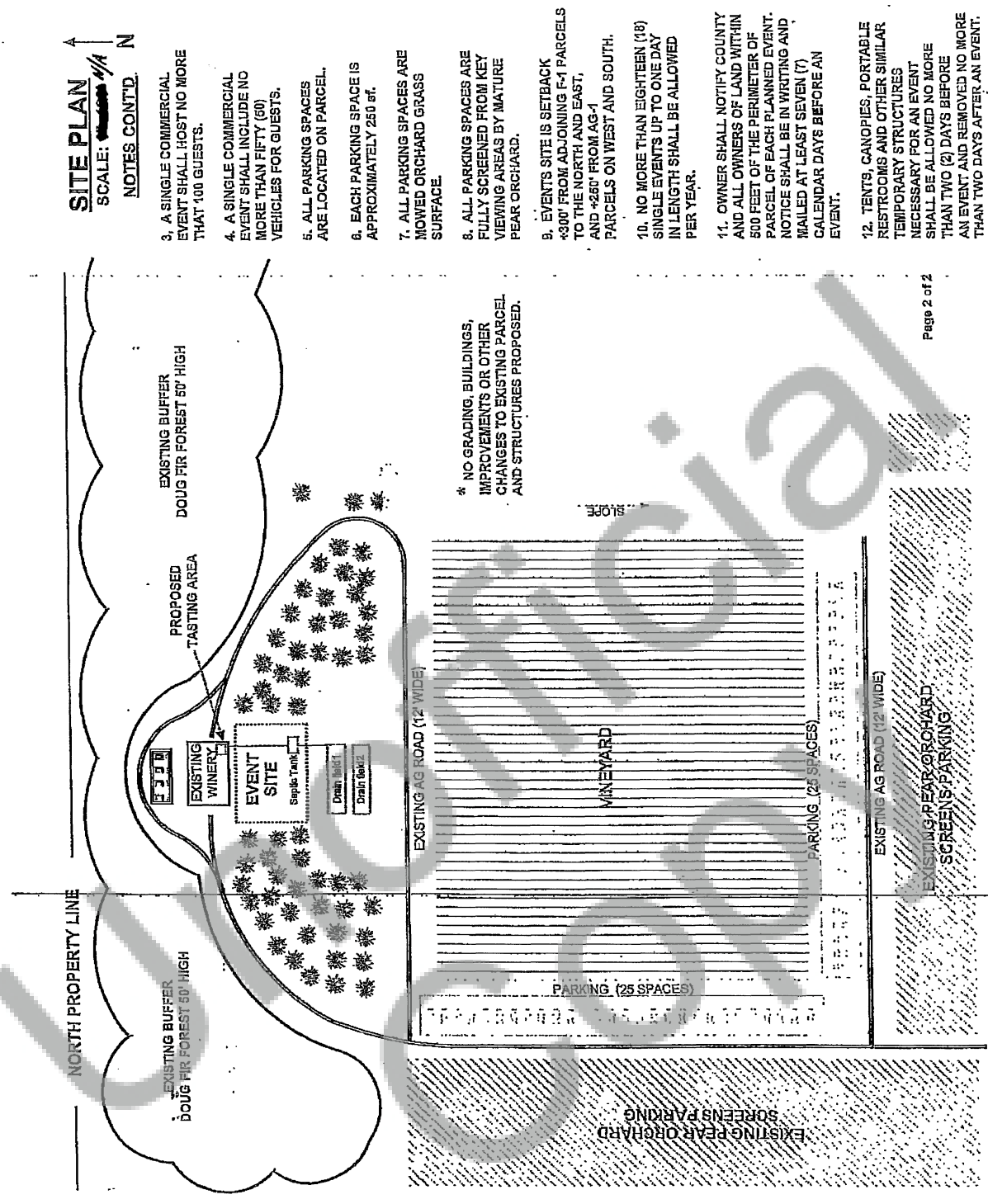
On November 30, 1998 the Columbia River Gorge Commission overturned a Skamania County Director's Decision 18 months after the 20 day appeal period had expired. You are hereby warned that you are proceeding at your own risk and Skamania County will not be liable for any damages you incur in reliance upon 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 (electronic)
Nez Perce Tribe
Cowlitz Tribe
Columbia River Gorge Commission (electronic)
U.S. Forest Service - NSA Office (electronic)
Board of County Commissioners (electronic)
State of Washington Department of Commerce – Paul Johnson (electronic)
Department of Fish and Wildlife (electronic)



SITE PLAN
SCALE: 1/4" = 10'
NOTES CONT'D. N

3. A SINGLE COMMERCIAL EVENT SHALL HOST NO MORE THAN 100 GUESTS.
4. A SINGLE COMMERCIAL EVENT SHALL INCLUDE NO MORE THAN FIFTY (50) VEHICLES FOR GUESTS.
5. ALL PARKING SPACES ARE LOCATED ON PARCEL.
6. EACH PARKING SPACE IS APPROXIMATELY 250 sq. ft.
7. ALL PARKING SPACES ARE MOWED ORCHARD GRASS SURFACE.
8. ALL PARKING SPACES ARE FULLY SCREENED FROM KEY VIEWING AREAS BY MATURE PEAR ORCHARD.
9. EVENTS SITE IS SETBACK *300' FROM ADJOINING F-1 PARCELS TO THE NORTH AND EAST, AND *250' FROM AG-1 PARCELS ON WEST AND SOUTH.
10. NO MORE THAN EIGHTEEN (18) SINGLE EVENTS UP TO ONE DAY IN LENGTH SHALL BE ALLOWED PER YEAR.
11. OWNER SHALL NOTIFY COUNTY AND ALL OWNERS OF LAND WITHIN 500 FEET OF THE PERIMETER OF PARCEL OF EACH PLANNED EVENT. NOTICE SHALL BE IN WRITING AND MAILED AT LEAST SEVEN (7) CALENDAR DAYS BEFORE AN EVENT.
12. TENTS, CANOPIES, PORTABLE RESTROOMS AND OTHER SIMILAR TEMPORARY STRUCTURES NECESSARY FOR AN EVENT SHALL BE ALLOWED NO MORE THAN TWO (2) DAYS BEFORE AN EVENT AND REMOVED NO MORE THAN TWO DAYS AFTER AN EVENT.

* NO GRADING, BUILDINGS, IMPROVEMENTS OR OTHER CHANGES TO EXISTING PARCEL AND STRUCTURES PROPOSED.

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

PARCEL I
The Southeast Quarter of the Northeast Quarter of Section 19, Township 3 North, Range 10 East of the Willamette Meridian, in the County of Skamania, State of Washington. Gary H. Martin, Skamania County Assessor
Date 12/5/2012 Parcel # 2-19-201

PARCEL II
All of that portion of land lying Northerly of the North line of Kollock-Knapp Road in the Northeast Quarter of the Southeast Quarter of Section 19, Township 3 North, Range 10 East of the Willamette Meridian, in the County of Skamania, State of Washington.