

Return Address: Cape Horn Conservancy  
211 Malfait Tracts Road  
Washougal, WA 98671

**Skamania County**  
**Community Development Department**  
**Building/Fire Marshal • Environmental Health • Planning**  
Skamania County Courthouse Annex  
Post Office Box 1009  
Stevenson, Washington 98648  
Phone: 509-427-3900 Inspection Line: 509-427-3922

**Administrative Decision**

**APPLICANT:** Cape Horn Conservancy

**PROPERTY OWNER:** Skamania County

**FILE NO.:** NSA-14-27

**PROJECT:** To construct a kiosk/shelter at the Salmon Falls Park and Ride. The kiosk/shelter will have a roofline of approximately 10' x 14' and be 9' in height; the concrete pad will be 6' x 10' in size.

**LOCATION:** Salmon Falls Park and Ride, Salmon Falls Road and Canyon Creek Road, Washougal; Section 10 of T1N, R5E, W.M., and identified as Skamania County Tax Lot # 01-05-10-0-0-0700-00.

**LEGAL:** See attached page(s) 12 .

**ZONING:** General Management Area- Residential (R-10).

**DECISION:** Based upon the record and the Staff Report, the application by Cape Horn Conservancy, described above, **subject to the conditions set forth in this Decision**, is found to be consistent with SCC Title 22 and **is hereby approved.**

**Skamania County Community Development Department**  
**File: NSA-14-27 (CHC) Administrative Decision**  
**Page 2**

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 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:** 45 feet from the centerline of the street or road or 15 feet from the front property line, whichever is greater. **Side yard:** 5 feet. **Rear yard:** 15 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. A variance has been granted to the front yard setback to allow for the kiosk/shelter to be approximately 25 ft. from the centerline of Canyon Creek Road and 12 ft. from the north property line as shown on the site plan submitted by the applicant.
- 4) The kiosk/shelter shall be dark earth tone in color, including, but not limited to, the support timbers, rafters, bench, and roofing. The support timbers, rafters and bench shall be dark brown in color as shown in the photograph submitted by the applicant. The roofing shall be "Timberline Natural Shadow Barkwood Shingles", which is dark brown in color, as submitted by the applicant. Any proposed changes in colors shall be submitted to the Community Development Department for review prior to construction.

**Skamania County Community Development Department**  
**File: NSA-14-27 (CHC) Administrative Decision**  
**Page 3**

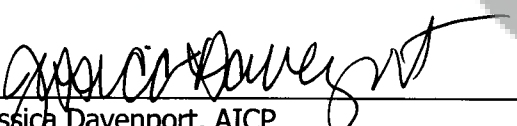
- 5) The structures shall be composed of nonreflective materials or materials with low reflectivity. The proposed wood and composition roofing meet this criterion.
- 6) Only that grading which is necessary for the construction of the kiosk/shelter shall be allowed. All graded areas shall be re-seeded with native vegetation prior to final inspection by the Community Development Department. Planted vegetation shall be maintained to ensure survival.
- 7) The kiosk signage shall not be lighted, including spotlighting or backlighting.
- 8) 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.
- 9) 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 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 Community Development inspection line at 509-427-3922 or by emailing [permitcenter@co.skamania.wa.us](mailto:permitcenter@co.skamania.wa.us).
- 10) 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

**Skamania County Community Development Department**  
**File: NSA-14-27 (CHC) Administrative Decision**  
**Page 4**

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.
- 11) 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 3rd day of September, 2014, at Stevenson, Washington.

  
\_\_\_\_\_  
Jessica Davenport, AICP  
Planning Manager  
Planning Division

**Skamania County Community Development Department**  
**File: NSA-14-27 (CHC) Administrative Decision**  
**Page 5**

### **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 1009, Stevenson, WA 98648. Notice of Appeal forms and mailing lists are available at the Community Development Department and must be accompanied by a \$2,450.00 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.

**Skamania County Community Development Department**  
**File: NSA-14-27 (CHC) Administrative Decision**  
**Page 6**

**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

Department of Archaeology and Historic Preservation

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)

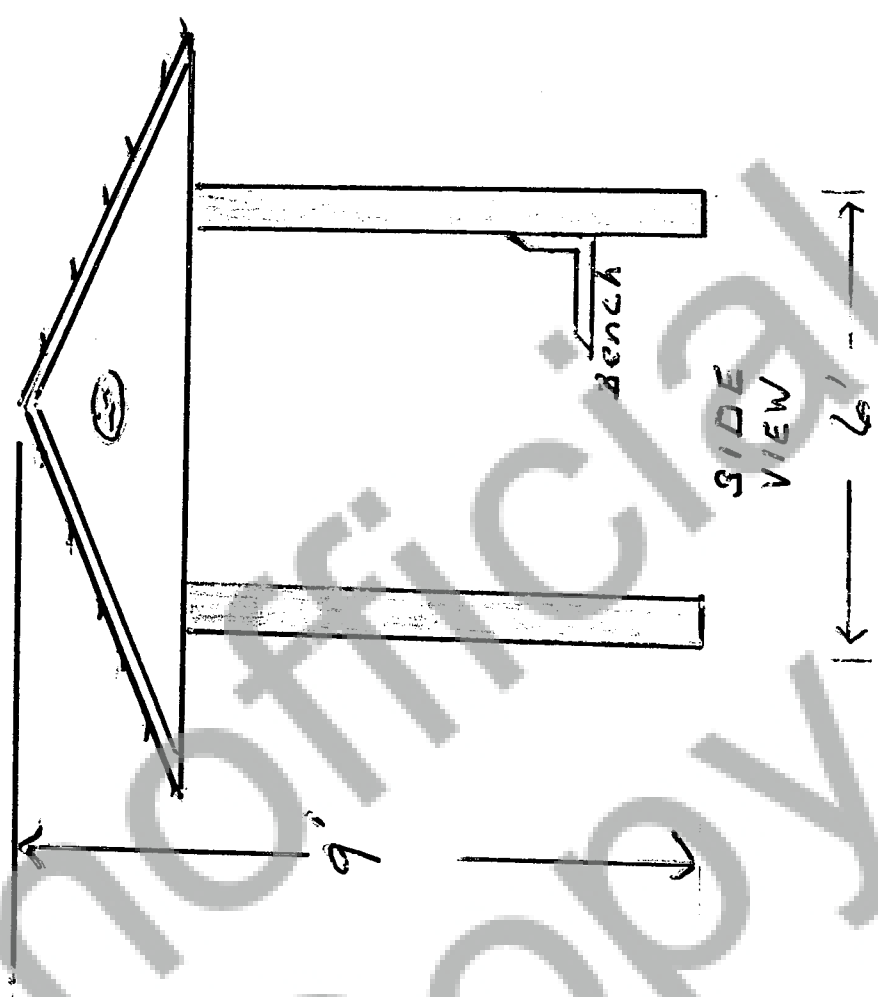
Department of Fish and Wildlife (electronic)

Washington Natural Heritage Program (electronic)

Skamania County Board of Commissioners (electronic)

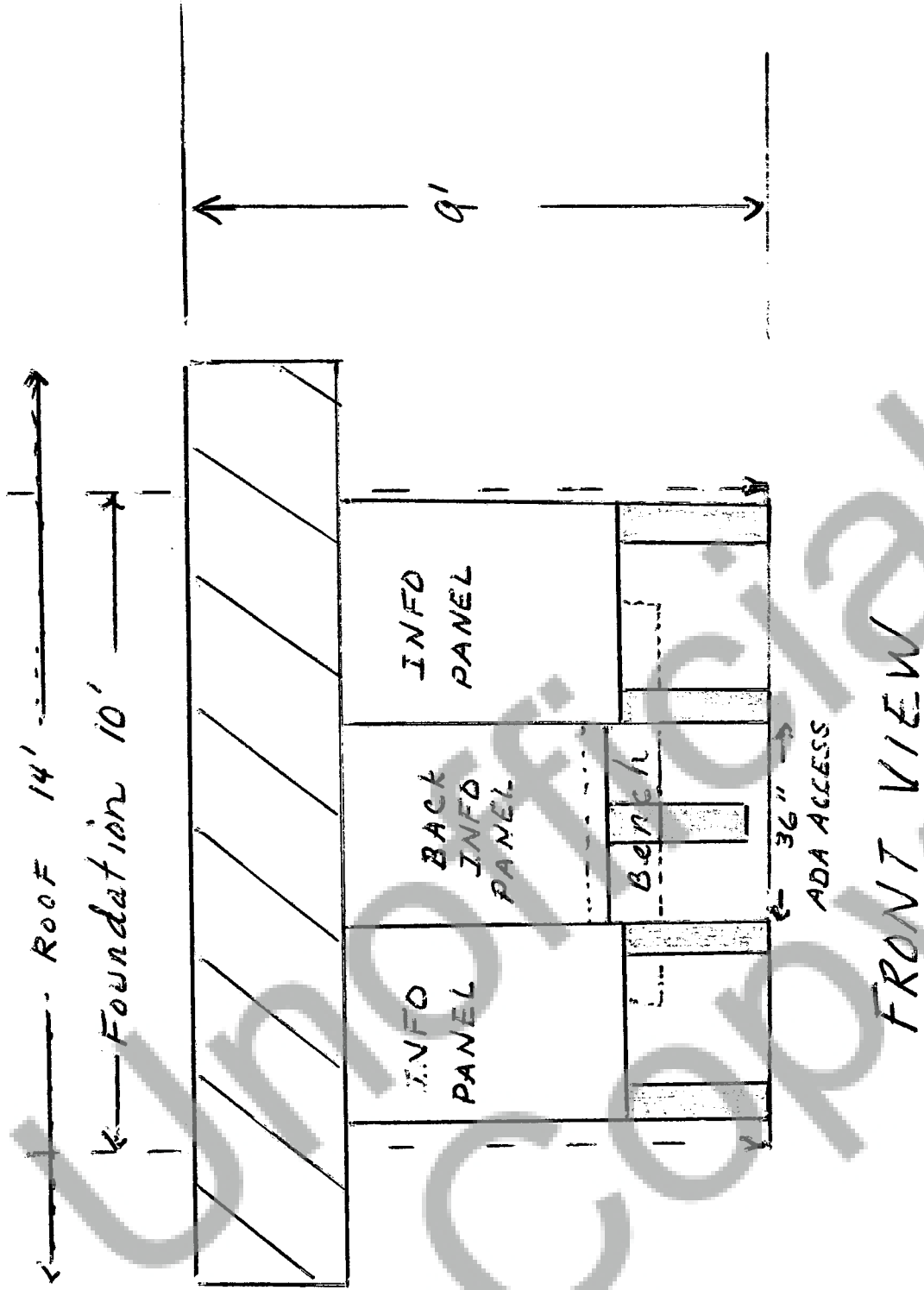




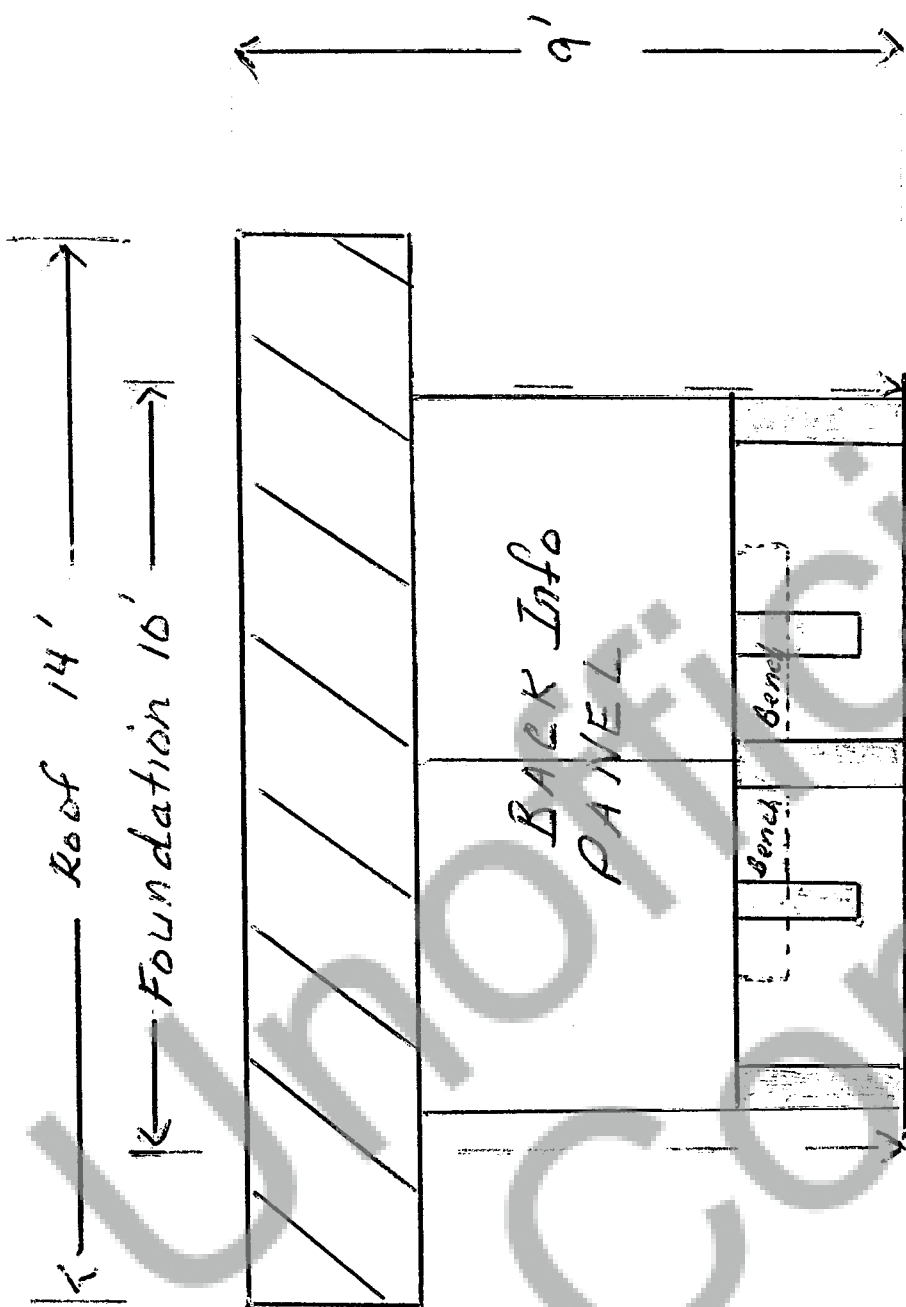


Scale: approx. 1 cm = 1'

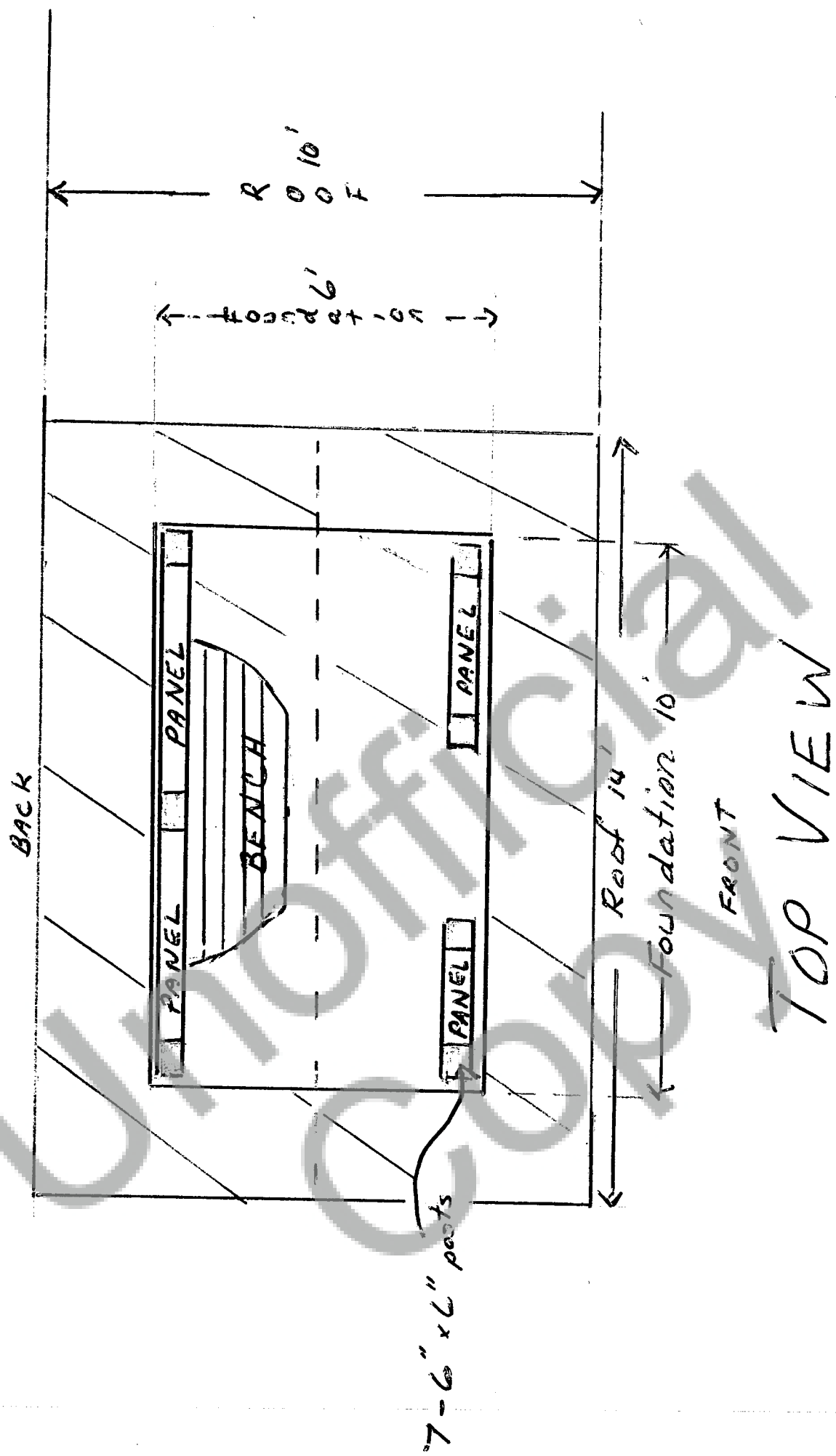




Scale: approx. 1cm = 1'



Scale: approx. 1cm = 1'



Scale: approx. 1 cm = 1'

## Schedule "A"

## Tax Parcel 01-05-10-0-0-0700

All of that parcel described in deed as recorded in Skamania County Auditor's File No. 2006-161724. INCLUDING all lands south of the south right-of-way line of the following described right-of-way for Canyon Creek Road:

A right-of-way for the construction and use for the county road known and designated as Canyon Creek Road, County Road No. 91140, located in the northeast quarter of the northwest quarter (NE¼, NW ¼) of Section 10, Township 1 North, Range 5 East, W.M., in Skamania County, Washington.

Right-of-way Centerline Description

Commencing at the northwest corner of Section 10, Township 1 North, Range 5 East, W.M., thence S 2°12'08" W, a distance of 1,301.85 feet to a ½ inch iron rod as found on the "Maxwell Cadastral Survey" by C. E. Whitten (PLS #12412) of Hagedorn, Inc., and recorded at Skamania County Auditor Bk. 3, Page 111 of Surveys, said point being the north 1/16 corner between Section 9 and said Section 10; thence S 2°14'25" W, a distance of 1,303.07 feet to the west quarter corner of said Section 10; thence N 58°10'55" E, 2,614.00 feet to the initial point of the centerline herein described, said point being Station 0+00.00, and being the "Beginning of Project" for Skamania County C.R.P. #2006-02, and also being Sta. 2+53.63 on the centerline of Salmon Falls Road (Cape Horn Cut-Off), as located by C.R.P. 67-28 at Skamania County Engineer's file no. 2-12.0-AC0.00; thence N 84°17'08" E, 47.06 feet to Station 0+47.60, which is the P.C. of a 200 foot radius curve to the right; thence following said curve through a central angle of 29°40'52", a length of 103.61 feet to P.T. Station 1+51.21; thence S 66°02'00" E, 80.61 feet to Station 2+31.83, which is the P.C. of a 130 foot radius curve to the left; thence following said curve through a central angle of 117°37'13", a length of 266.87 feet to P.T. Station 4+98.70; thence N 3°39'13" W, 32.31 feet to Station 5+31.01, which is the "End of Project" of said C.R.P. #2006-02, and which is the terminus of the alignment herein described; thence N 66°15'25" W, 2,756.17 feet to the northwest corner of said Section 10, which is the Point of Beginning.

Right-of-way DescriptionParcel "A"

A strip of land lying to the right and southerly of the above described centerline and left and northerly of a line drawn as follows:

Beginning at a point thirty (30) feet, to the right of centerline Station 0+30.00, said point being on the easterly right-of-way line of said Salmon Falls Road, said point being the True Point of Beginning; thence parallel to the above described centerline to Station 3+69.50, said point being on the westerly right-of-way line of Canyon Creek Road (Old S.R. 140), as located on Duane Johnson Survey by Robert Glaeser (PLS #15024) and recorded at Skamania County Auditor Bk. 3, Page 421 of Surveys; thence continuing parallel to said centerline to Station 4+93.24, said point being on the easterly right-of-way line of said Canyon Creek Road; thence continuing parallel to centerline to Station 5+31.01, which is the terminus of the parcel herein described.

Parcel "B"

A strip of land lying to the left and northerly of the above described centerline and right and southerly of a line drawn as follows:

Beginning at a point five (5) feet left of centerline Station 0+30.00, said point being the True Point of Beginning; thence parallel to the above described centerline to Station 0+40.00; thence to a point fifty (50) feet left of centerline Station 0+40.00; thence parallel to said centerline to Station 2+31.83; thence on a tapered line S 66°02'00" E, a distance of 60.00 feet to a point thirty (30) feet left of centerline Station 3+15.49; thence parallel to said centerline Station 4+92.23, said point being on the westerly right-of-way line of said Canyon Creek Road; thence continuing parallel to centerline to Station 5+31.01, which is the terminus of the parcel herein described.

The adjustment to be conveyed amounting to 0.388 acres, more or less, and is shown in cross-hatching on the attached diagrams and labeled "Exhibit A".

The purpose of this deed is to affect a boundary line adjustment between adjoining parcel of land owned by the Grantor and Grantee; it is not intended to create a separate parcel, and is therefore exempt from the requirements of RCW 58.17 and the Skamania County Short Plat Ordinance. The property described in this deed cannot be segregated and sold without conforming to the State of Washington and Skamania County Subdivision laws.

Planning Department - BLA Approved By: *gm 4/30/07*

DC # 2007165896  
Page 3 of 4

**NOTICE OF DECISION AND OPPORTUNITY TO APPEAL**  
**for**  
**Expedited Development Review**

Enclosed is the Staff Report including the findings and conclusions, and the Administrative Decision including the conditions of approval for the application by the Cape Horn Conservancy to construct a kiosk/shelter at the Salmon Falls Park and Ride. The kiosk/shelter will have a roofline of approximately 10' x 14' and be 9' in height; the concrete pad will be 6' x 10' in size.

Any person shall be allowed to appeal a decision issued under the expedited review process. To appeal this decision, a written Notice of Appeal form must be filed within **20 days** from the date the Administrative Decision is issued. Appeals are to be made to the Skamania County Hearing Examiner, P.O. Box 1009, Stevenson, WA 98648. Notice of Appeal forms are available at the Skamania County Community Development Department Office and must be accompanied by a \$2,450.00 nonrefundable-filing fee and certificate of mailing. The appellant shall mail the Notice of Appeal to all Parties of Record. Proof of service must be submitted by the appellant in the form of a Certificate of Mailing.

September 2, 2014  
Date

Jessica Davenport  
Jessica Davenport, Planning Manager  
Planning Division