

Return Address: Paul Keating & Laura Jackson
PO Box 1184
Washougal, WA 98671

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/
PROPERTY
OWNER:**

Paul Keating and Laura Jackson

FILE NO.:

NSA-10-12

PROJECT:

- **Construct a circular, geodesic dome shaped, single-family dwelling with a 40' diameter and 28' height, including the cupola type feature on top, with an attached 20' x 17' x 22' tall solarium. The total reflective surfaces for the house and solarium are approximately 1,210 square feet in size;**
- **Two decks attached to the single family dwelling, one 40' x 20' and the other 8' x 8';**
- **20' x 30' carport attached to the single-family dwelling.**
- **Construct a detached 30' x 40' x 18' tall garage with attached solar panels on the southern exposure of the roof. The total reflective surfaces for the windows and solar panels are approximately 737 square feet in size.**
- **Construct an 8' x 12' x 9' tall shed.**
- **Temporarily place a Conex type storage container for construction storage.**
- **Remodel the existing barn with new windows, and add on a 5' x 14' awning, exterior stairs and solar panels on the southern exposed roof areas. The total reflective surfaces for the**

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windows and solar panels are approximately 628 square feet in size.

- **Install new fencing.**
- **Install an on-site septic system, and associated utilities.**
- **Temporarily live in an RV on-site during construction.**

LOCATION: Riverside Drive, Washougal; Section 11 of T1N, R5E, W.M. and is identified as Skamania County Tax Lot Number 01-05-11-1-0-1600-00.

LEGAL: See attached page(s) 25.

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

DECISION: Based upon the record and the Staff Report, the application by Paul Keating and Laura Jackson, described above, **subject to the conditions set forth in this Decision**, is found to be consistent with SCC Title 22 and **is hereby approved as conditioned, not as proposed.**

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) The applicant shall submit an on-site septic system evaluation application and fee for the on-site septic system within 30 days of issuance of the Administrative Decision. Once the

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site evaluation results are issued by Skamania County, the applicant has sixty (60) days to submit designs for an on-site septic system and applicable fee. Failure to meet the deadlines will result in formal action by the County to have the RV removed from the property until an on-site septic system is installed and a building permit for the single-family dwelling submitted.

- 4) Within 30 days of issuance of a certificate of occupancy permit for the proposed single-family dwelling, the Community Development Department shall conduct a site visit to confirm that the temporary RV has been stored and unhooked from all utilities or removed from the site.
- 5) A variance is granted to allow for the specified improvements to the barn. The 50' buffer for the intermittent stream shall be reduced to allow for the improvements to the barn, mainly new windows, replacing doors and adding one door, and add on a 5' x 14' awning, exterior stairs and solar panels on the southern exposed roof areas.
- 6) 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.
- 7) The barn shall not accommodate a cooking area or kitchen. Community Development Department staff shall conduct a site visit to confirm that the structure does not include a kitchen or cooking area prior to signing off on the final inspection.
- 8) The combined footprint of all accessory buildings on the subject parcel shall not exceed 1,500 square feet and the height of any individual accessory building shall not exceed eighteen (18) feet.
- 9) The detached garage shall not accommodate a cooking area or kitchen facility. Building plans will be evaluated to ensure that accessory structures shall not be provided with any provisions to accommodate a future kitchen facility (venting, range, hood, etc.) Community Development staff shall conduct a site visit to confirm that the structure does not include a kitchen or cooking area prior to signing off on the final inspection.
- 10) The Conex storage container may be used for temporary construction storage and shall be removed prior to final inspection of the garage.

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- 11) The proposed agricultural use shall be initiated within one year of issuance of the Administrative Decision and completed within five years.
- 12) 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 Community Development Department.
- 13) The driveway off Riverside Drive that provides access to the detached garage shall be a single entry and exit point minimizing overall grading and vegetation removal. This driveway will enter the property at the western property line.
- 14) The applicant shall be responsible for the proper maintenance and survival of any planted vegetation required by this Administrative Decision.
- 15) The applicant shall flag those trees proposed to be removed for site development prior to Community Development Department staff completing a site and exaction inspection. Only trees within the footprint of the construction area shall be removed. All other trees shall be retained. Dead and dying trees shall be replaced in kind and in place.
- 16) All windows on the solarium and all south facing windows in all buildings shall have an 11%, or less, visible light reflectance rating. All other windows shall have an 11-15%, or less, visible light reflective rating. The applicant shall provide a manufacturer's product information sheet for the low reflective windows prior to issuance of a building permit.
- 17) Metal roofing is DENIED for use unless the applicant can provide a commercially available metal roofing sample with a granular finish that is dark earth-tone in color. Prior to issuance of a building permit, roofing samples shall be submitted for each structure.
- 18) The height of the single-family dwelling shall not exceed 28 feet from top of footing to the highest point on the roof peak. The height of the attached solarium and carport shall not exceed 22 feet in height.
- 19) The height of the detached garage shall not exceed 18 feet.
- 20) Steel mounting fixtures for proposed solar panels shall be painted non-reflective black or dark brown.
- 21) The proposed solar panels shall be composed of black cells, not blue cells. The applicant shall submit manufacturer product information prior to installation.
- 22) The proposed solar panels located on the detached garage and roof of the existing barn (See section 22.06.160 of the Staff Report) shall be reduced to only three groupings of panels of 50 square feet or less for each building, with a ten foot minimum separation between each grouping of panels.

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- 23) The overhang of the roof of the garage over the top tier of windows shall extend out at least 3' from this tier of windows in order to reduce reflectivity.
- 24) The corrugated plastic siding for the barn is DENIED.
- 25) The applicant shall plant screening trees consistent with the attached 'Planting Plan'. The applicant shall follow the recommended planting guideline that is attached to this document in regards to species, mature size, planting size height, and spacing recommendation for the Rural Residential in Pastoral landscape setting. The trees shall be at least 3 feet tall from top of root wad at time of planting and shall grow to heights of twenty (20) feet or more. Screening trees shall include:
 - a. Five (5) screening trees along the east property line with 12 to 15 foot spacing
 - b. Eight (8) screening trees along the south property line east of the creek with 12 to 15 foot spacing (any trees planted within the 50 foot water resource buffer shall be planted using hand tools only – furthermore, all trees shall maintain a minimum 10' separation from the on-site septic system drain lines)
 - c. Two (2) screening trees in the northeast corner with 12 to 15 foot spacing
 - d. Three (3) screening trees on the north property line in the vicinity of the detached garage with 12 to 15 foot spacing.
 - e. All screening trees shall be coniferous to assure winter-time screening of the solar panels and solarium.
- 26) Screening vegetation shall be planted prior to certificate of occupancy, but it is recommended that it be installed as soon as practicable.
- 27) The applicant to meet all conditions of approval enacted to achieve visual subordination prior to final inspection by the Community Development Department.
- 28) A final inspection approval will not be issued until compliance with all conditions of approval, including visual subordination criteria, have been verified.
- 29) The Community Development Department shall conduct at least two site visits during construction, one to verify the location of the structure as stated by the Administrative Decision and a second to be conducted after all foundation excavation has been completed including framed 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 509-427-3922.
- 30) The building plans will be reviewed to determine consistency with the conditions of approval.
- 31) The exterior of all proposed structure shall be dark earth-tone in color. The exterior includes, but is not limited to, sides, doors, garage doors, decks, gutters, roofs and trim.

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The following colors submitted by the applicant are consistent with this condition and are hereby approved: exterior walls of single-family dwelling attached carport and solarium, shed, and detached garage – Lowes Brand "Nocturnal Green" (5011-1); trim – C-4 from Scenic Handbook; and roofing – to be determined prior to issuance of a building permit. Any proposed changes to these colors shall be submitted for review by the Community Development Department for approval prior to issuance of a building permit.

- 32) The exterior of all proposed development shall be composed of non-reflective materials or materials of low reflectivity. Painted metal and non-commercially produced roofing material is not considered to be nonreflective materials or materials with low reflectivity.
- 33) 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)
- 34) Vegetative landscaping shall, where feasible, retain the open character of existing pastures and fields.
- 35) At least half (1/2) of any trees planted for screening purposes shall be species native to the setting or commonly found in the area. Such species include Douglas Fir, Western Red Cedar, Western Hemlock and Western Larch.
- 36) All trees required to be planted for screening shall be coniferous for winter screening. The applicants can of course plant as many additional deciduous trees as they desire.
- 37) The existing tree cover shall be retained as much as possible, except as is necessary for site development or safety purposes.
- 38) The project applicants and/or future owners shall be responsible for the proper maintenance and survival of any planted vegetation required under this Administrative Decision. 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 3 feet in height at planting. Limbing or topping of screening trees is prohibited.
- 39) All new structures, including fences, shall meet or exceed the 50' water resource buffer setback.
- 40) 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.

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- 41) 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 Building Division at 509-427-3922.
- 42) Conditions of Approval to ensure protection of the stream and its buffer shall include:
 - a. All areas disturbed during construction shall be replanted native vegetation to the maximum extent practicable.
 - b. The applicant and/or owner shall contact applicable Federal and State agencies to ensure compliance with Federal and State regulations.
 - c. Erosion control measures and Best Management Practices shall be used during all construction activities.
 - d. No ground disturbance, including the planting of a garden, is allowed within 50' buffer for the intermittent streams on the property.
 - e. No fences shall be constructed within 50' of the intermittent streams on the property.
- 43) All natural vegetation shall be retained to the greatest extent practicable, including aquatic and riparian vegetation.
- 44) Temporary and permanent control measures shall be applied to minimize erosion and sedimentation, including slope netting, berms and ditches, tree protection, sediment barriers, and Best Management Practices.
- 45) It has been recommended by the Confederated Tribes and Bands of the Yakama Nation that all ground disturbances associated with this project be monitored. Skamania County Community Development recommends, but does not require, that the property owners obtain a professional archaeologist for monitoring. The Yakama Nation may be able to provide this service, and can be contacted at (509) 865-5121.
- 46) 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.
- 47) 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 1st day of November, 2011, at Stevenson, Washington.


Mark J. Mazeski, 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.

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.

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.

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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 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.

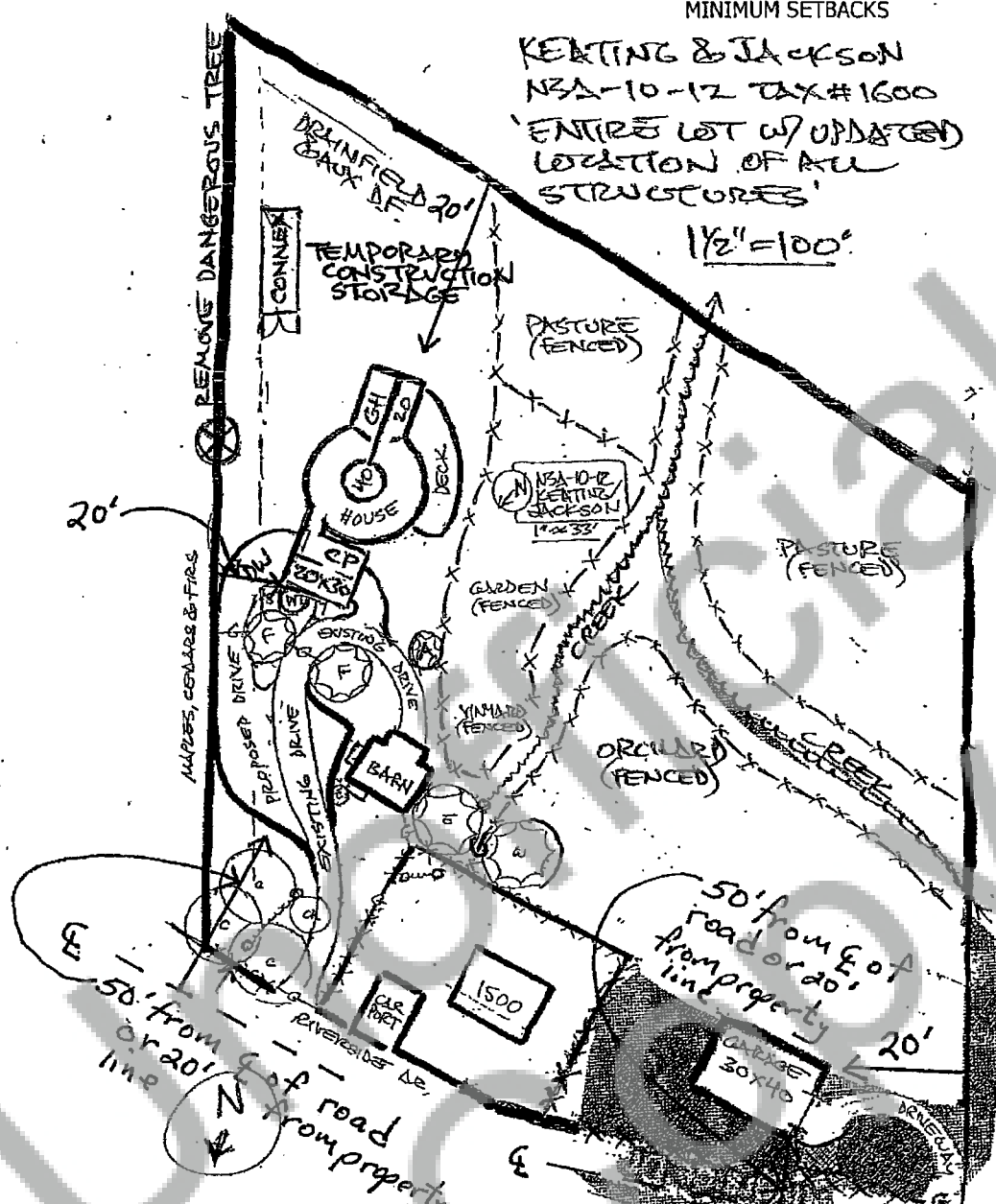
A copy of the Decision was sent to the following:

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
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 WA Department of Commerce - electronic
Department of Fish and Wildlife - electronic

SETBACKS SHOWN ARE THE MINIMUM REQUIRED FOR THE ZONING CLASSIFICATION. ALL PORTIONS OF ALL BUILDINGS INCLUDING EAVES, DECKS, PORCHES & OVERHANGS MUST MEET THE MINIMUM SETBACKS

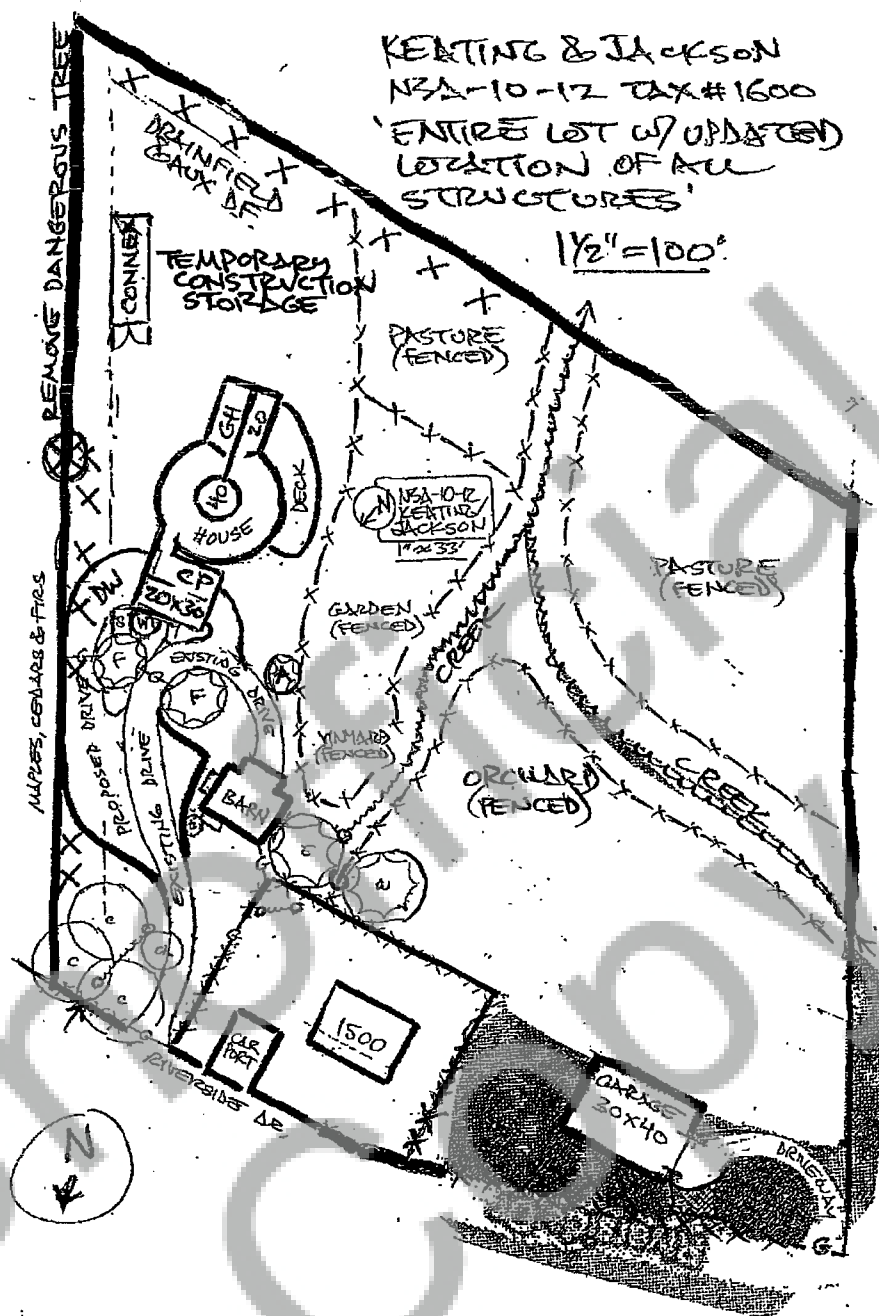


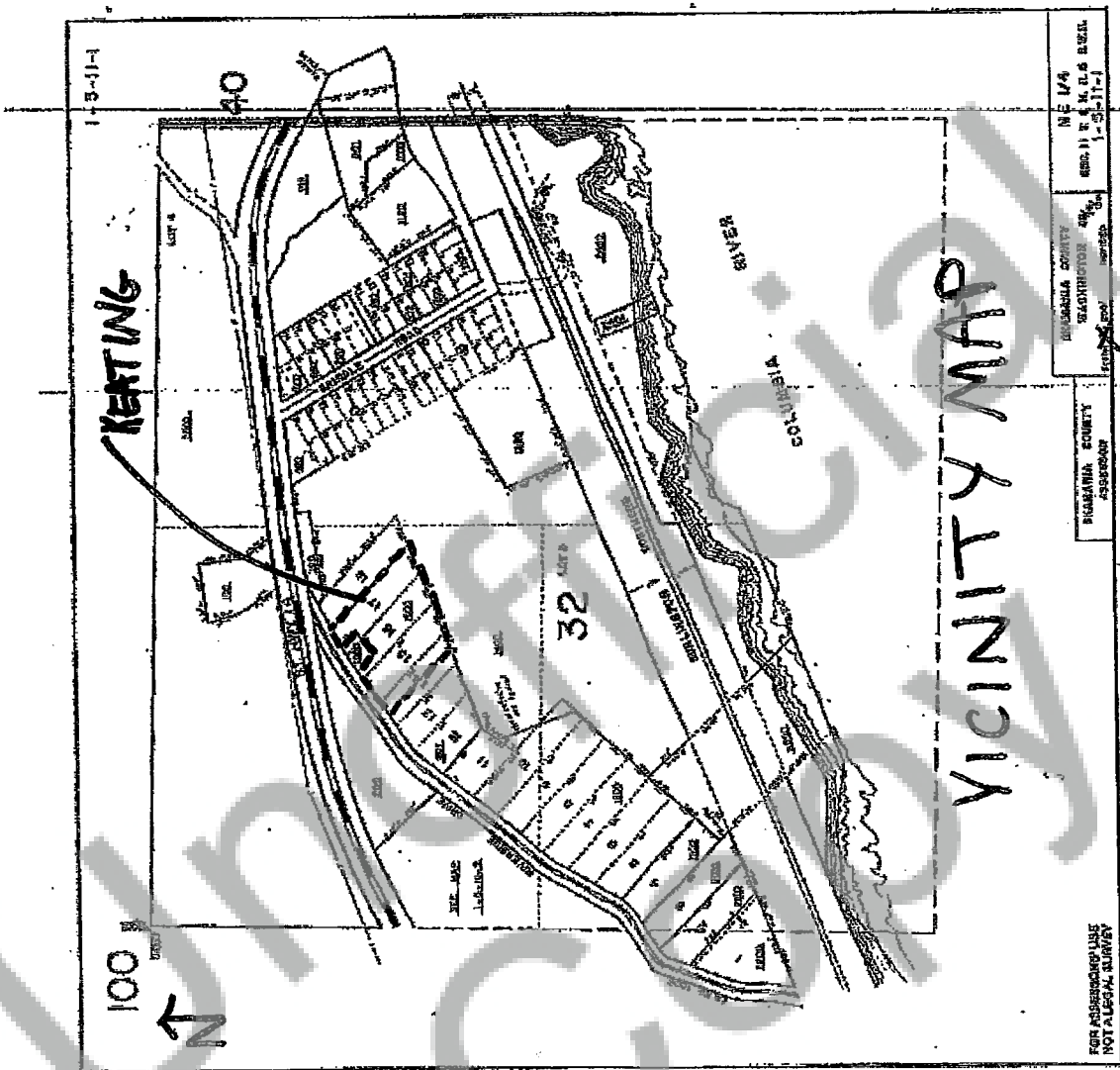
Setbacks for Septic Tank = 5' from
foundation & property lines

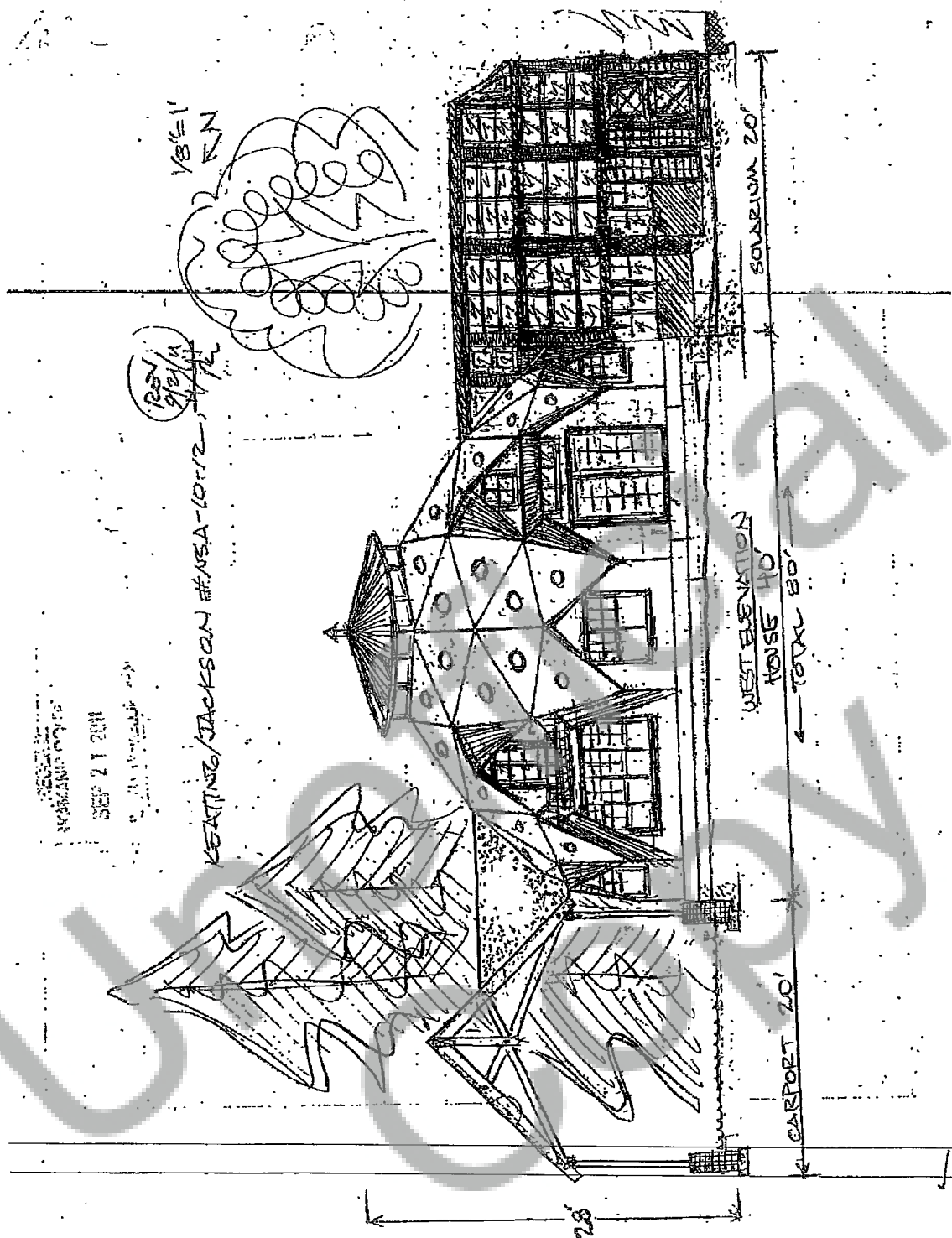
Setbacks for Septic Drainfield = 10' from foundation
and 5' from property or easement line

250 20 2000

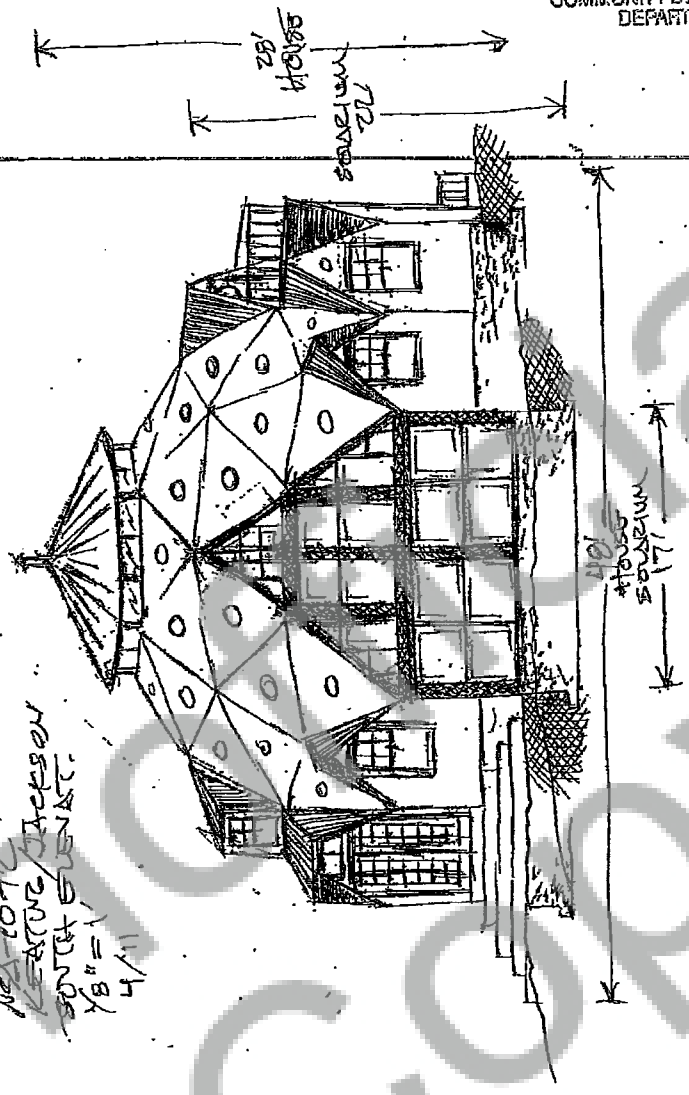
Planting Play





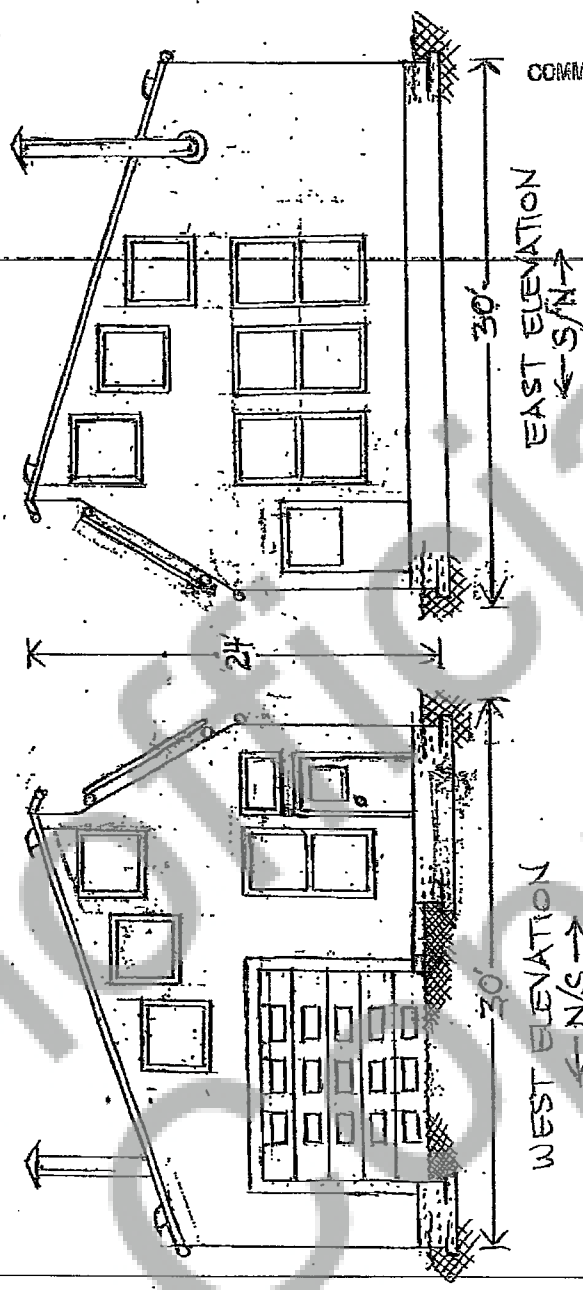


RECEIVED
SKAMANIA COUNTY
AUG 07 2011
COMMUNITY DEVELOPMENT
DEPARTMENT



NEA-1072
KARNE/JACKSON
SOUTH ELEVATION
X8" = 1'
4/11

NSA-10-12, KENTIN JACKSON, GARAGE, 40'x30'-1200A, 1/8"=1', REV: APRIL 11



RECEIVED
SKAMAWA COUNTY
APR 07 2011
COMMUNITY DEVELOPMENT
DEPARTMENT

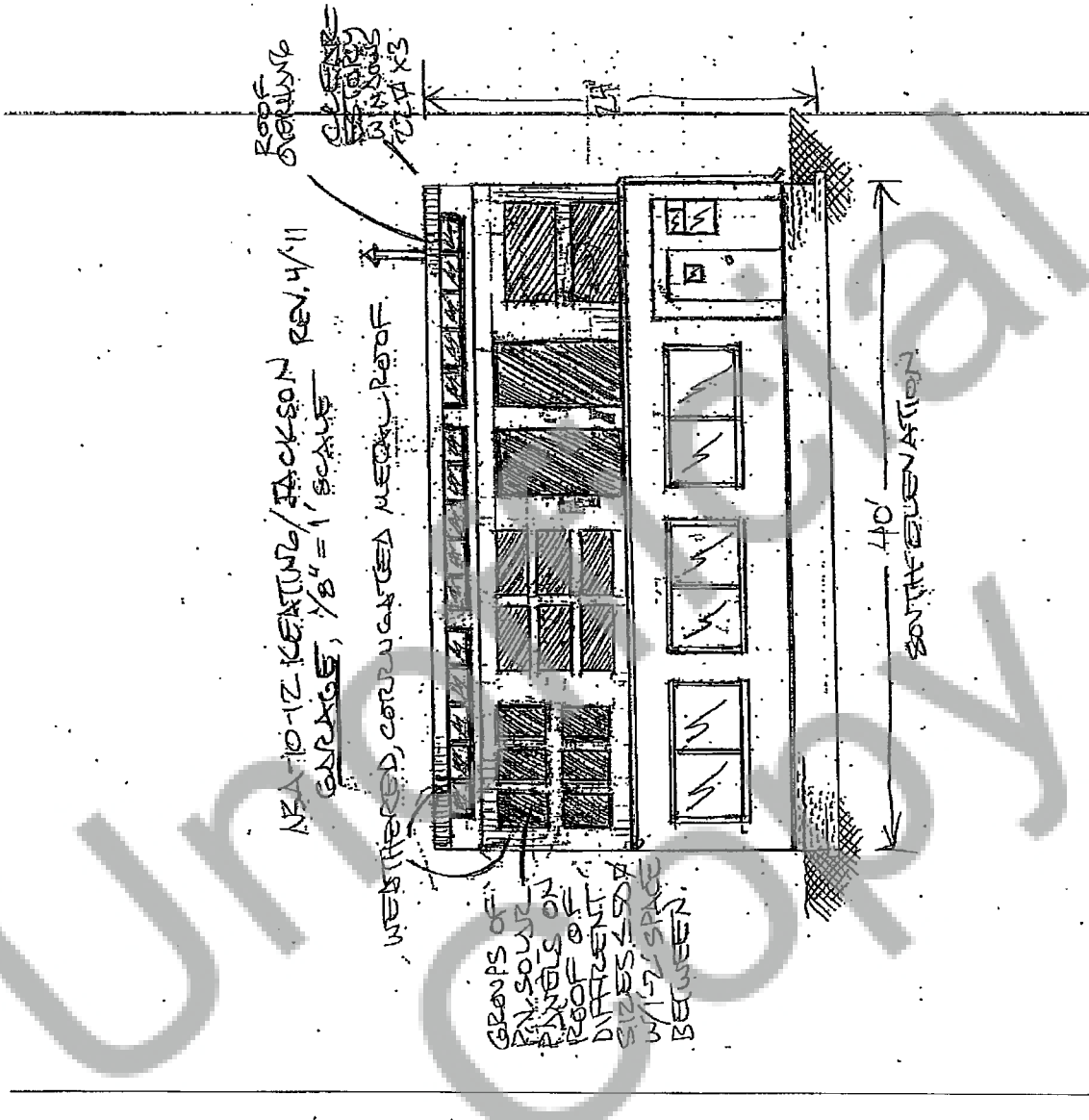
EAST ELEVATION
← S/N →

WEST ELEVATION
← N/S →

RECEIVED
SKAMANIA COUNTY

APR 07 2011

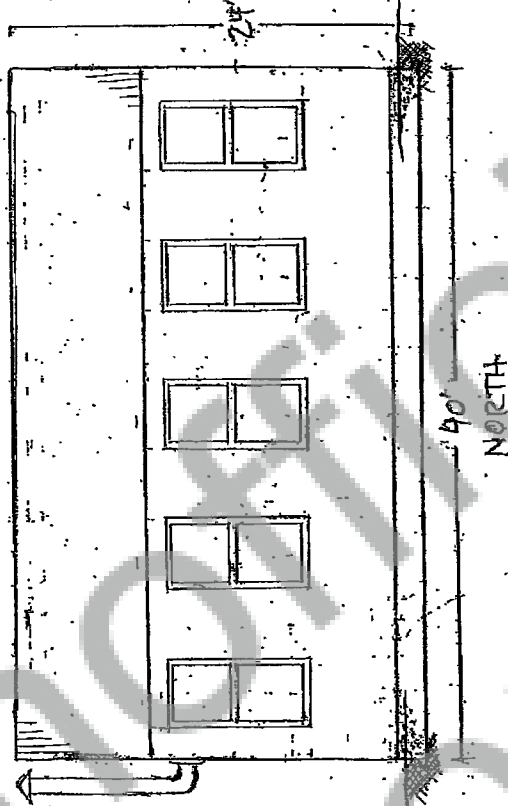
COMMUNITY DEVELOPMENT
DEPARTMENT



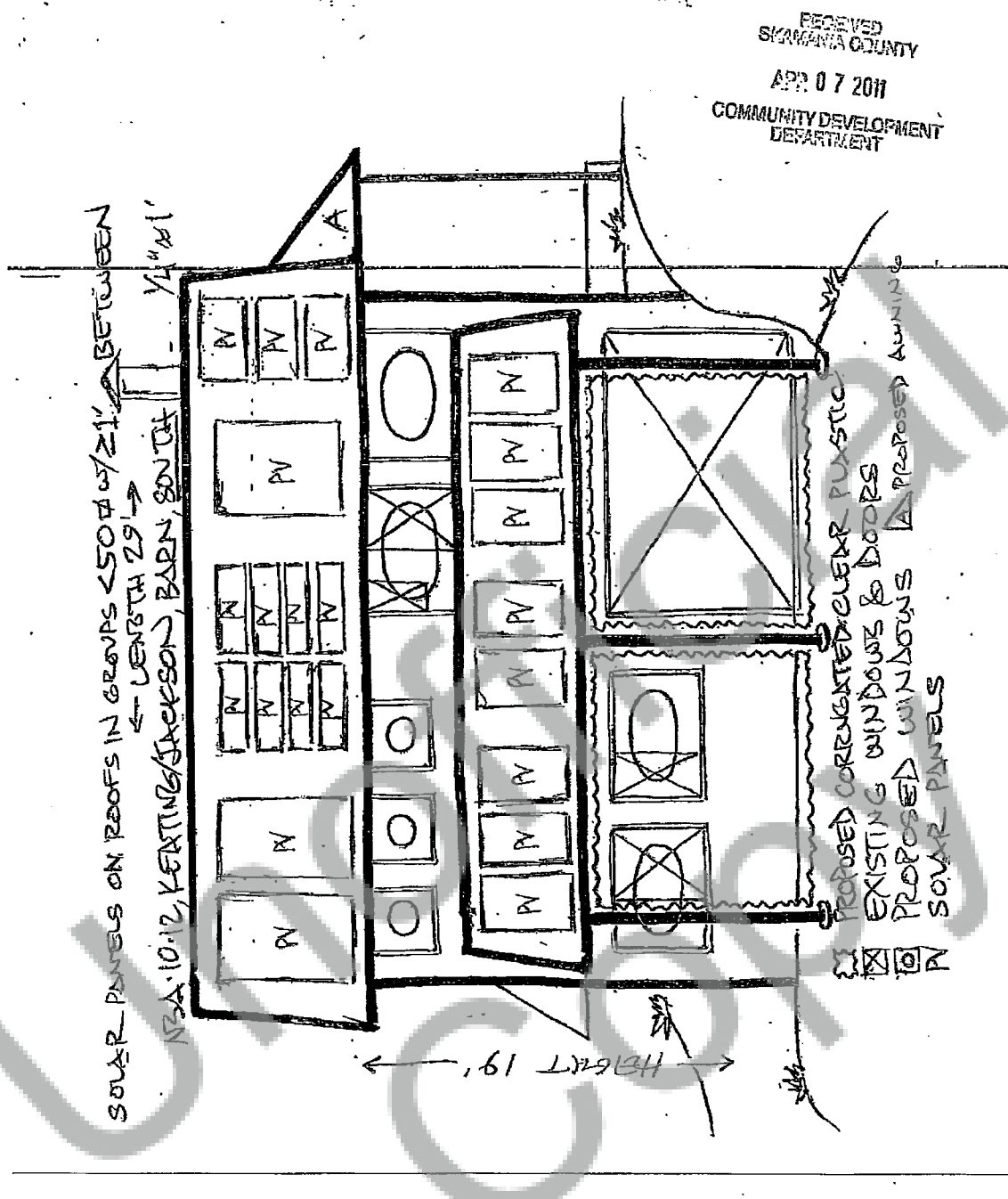
RECEIVED
SKAMANIA COUNTY

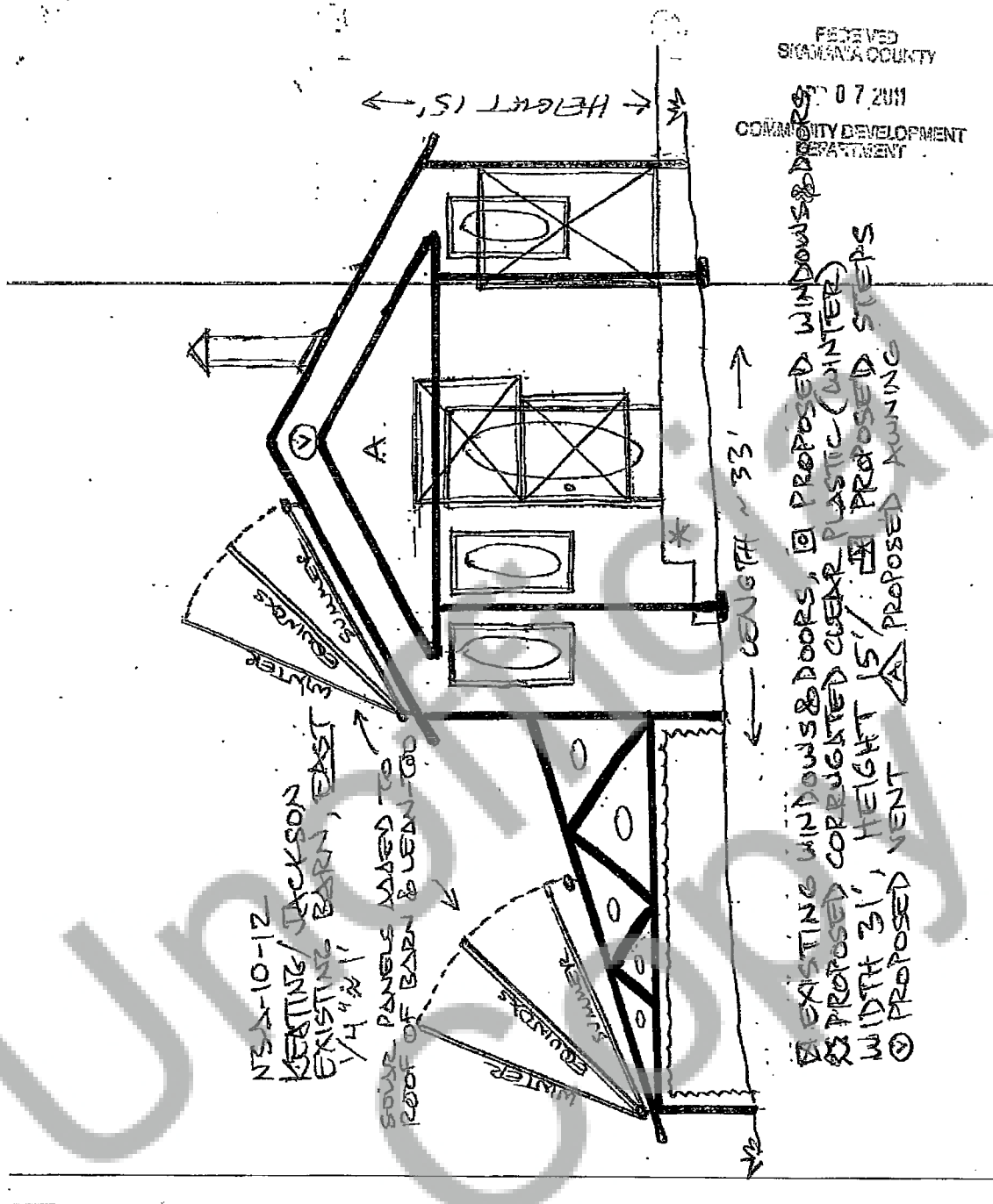
APR 07 2011

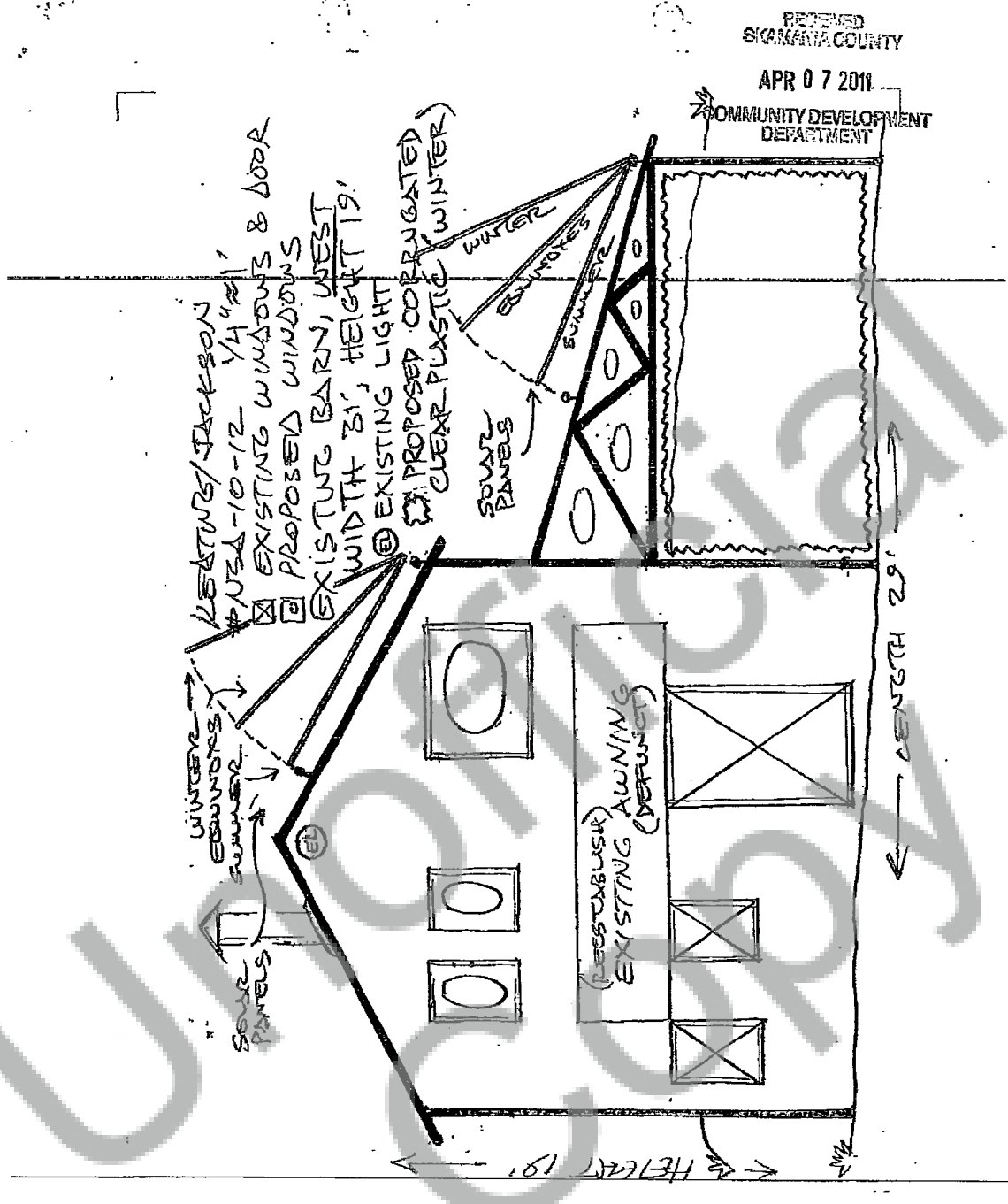
COMMUNITY DEVELOPMENT
DEPARTMENT



NSA-10-12, KENTING/JACKSON, GARAGE, 1/8"=1'
NORTH ELEVATION, REV. APRIL 11, 30'x40'



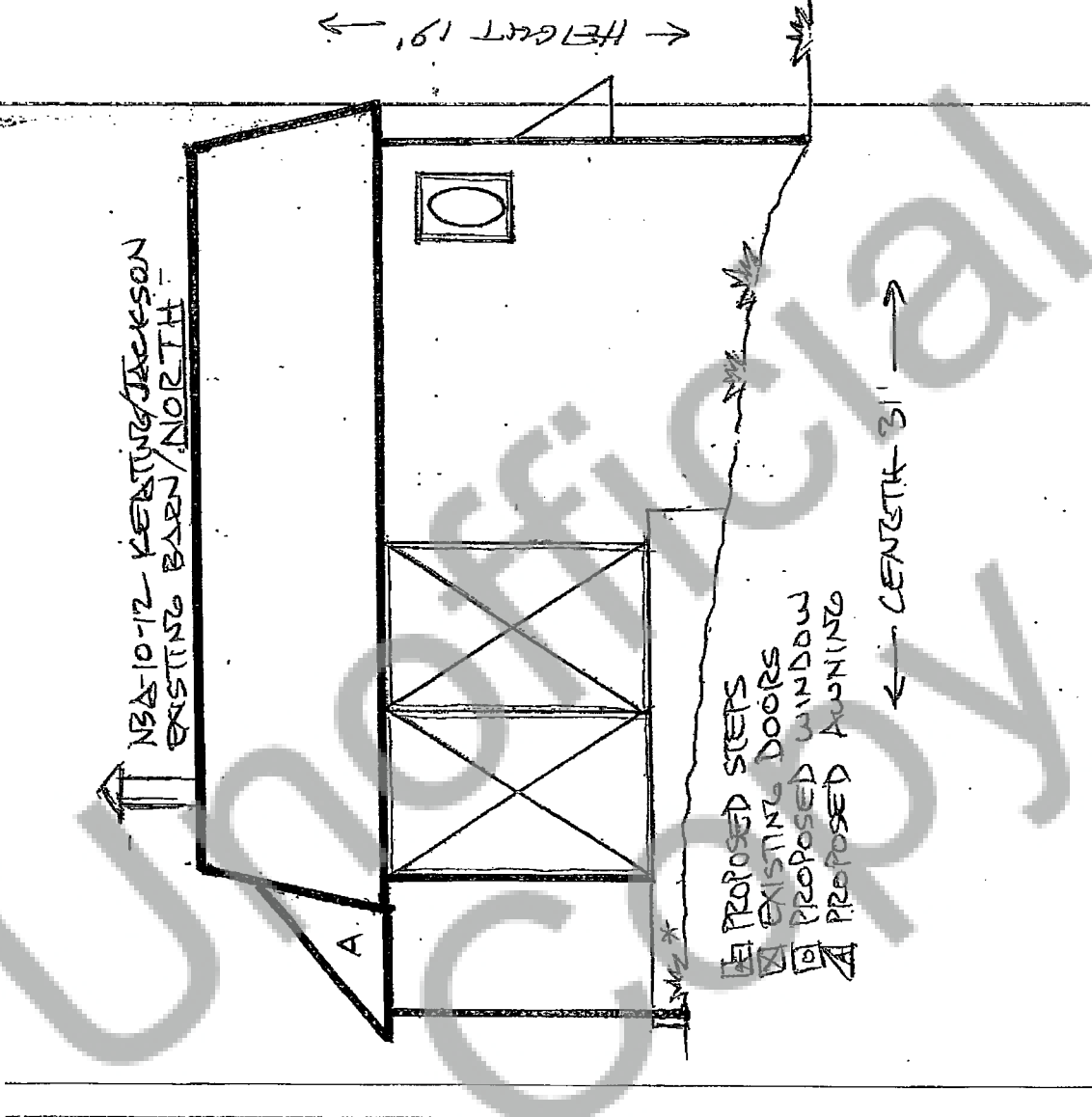




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SKAMANA COUNTY

APR 07 2011

COMMUNITY DEVELOPMENT
DEPARTMENT



Bar/Lower level

20X25025
FEEN
W 8

POWER
BATTERY
STORAGE
JOBS & SHOP

1005
1005

320

BLEN/UPPER VER

324450-227/
32445025

13A-10-12 KESTREL
TRUCK 2

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SIOUX COUNTY

APR 07 2011

COMMUNITY DEVELOPMENT
DEPARTMENT

LEGAL DESCRIPTION

~~Title Order No. 00427845~~ MAP # G-R10-P

~~EXHIBIT "A"~~
CONTAINING APPROXIMATELY 2.62 ACRES.

Tract Nos. 15, 16 and 17 and the East half of Tract No. 14 of SUNSHINE ACRES, in Section 11, Township 1 North, Range 5 East of the Willamette Meridian, according to the official plat thereof on file and of record, at page 45 of Book A, records of Skamania County, Washington. TAX LOT 01051110160000

EXCEPTING however, the following described portion of Tracts, Nos. 16 and 17.

BEGINNING at the Northeasterly corner of said Tract No. 17; and thence Southwesterly along the Northerly line of said Tract No. 17, a distance of 69 feet to the initial point of, the excepted parcel; thence continuing Southwesterly along the Northerly lines of the said Tracts, Nos. 16 and 17, a distance of 100 feet; thence at a right angle in a Southeasterly direction, a distance of 75 feet; thence at a right angle in a Northeasterly direction, a distance of 100 feet; thence at a right angle in a Northwesterly direction, a distance of 75 feet to the initial point. TAX LOT 1500.

CONTAINING APPROXIMATELY 0.17 ACRES.

TOWNSHIP 1 N SEC 11 RANGE 5
EWM NWQ OF NEQ.

LONGITUDE -122.153
LATITUDE + 45.591

PAUL KEATING & LAURA JACKSON
1344 RIVERSIDE DRIVE
WASHOUGAL, WA 98671