

Return Address: Debra Michelson
Hawkins Cellars
3222 NE Mason St
Portland, OR 97211

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: Debra Michelson, Hawkins Cellars
FILE NO.: NSA-15-20
DESCRIPTION: Approval of a new winery and wine sales/tasting room. Improvements include removal of an existing barn and construction of a new agricultural/winery building. The project also includes an upgraded septic system, a well, two water storage tanks, parking areas, a gravel path, retaining walls, a new sign, and driveway access improvements. The applicant proposes to temporarily establish the winery in an existing garage and tasting room in the basement of the existing dwelling, until the permanent dedicated facilities are complete.
LOCATION: 10401 Cook Underwood Rd, Underwood, WA and identified as Skamania County Parcel #03-10-20-0-0-1000-00.
LEGAL: See attached page 7.
ZONING: General Management Area – Residential (R-5)
DECISION: Based upon the record and the Staff Report, the applicant's proposal, described above, is found to be consistent with SCC Title 22 and is hereby **APPROVED** subject to the conditions set forth below.

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.

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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.
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. **This administrative decision does not include approval for commercial events.** The winery and wine sales/tasting room shall not be used for preparing or serving meals or hosting weddings, receptions, or other commercial events, unless allowed, reviewed, and approved with a new National Scenic Area Land Use application in accordance with SCC 22.12.030, only after a lawful winery has been established on the subject property.
5. The temporary wine sales/tasting room located in the basement shall not occupy more than 25% of the total actual living space of the dwelling.
6. No outside storage associated with the wine sales/tasting room shall be allowed.
7. No retail sales, other than retail sales of wine, may occur on the premises.
8. Parking areas not associated with residential use shall be screened from Key Viewing Areas. All winery and wine sales/tasting room parking shall be onsite. The applicants shall place a temporary sign directing customers to onsite overflow parking areas when the winery parking lot is at capacity or expected to be at capacity. This sign shall be consistent with SCC 22.10.040(10).
9. The proposed sign shall not be located within Skamania County right-of-way. Spotlighting is of signs may be allowed where needed for night visibility. Backlighting is not permitted for signs. The small spotlights proposed by the applicant satisfy this requirement.
10. The winery and wine sales/tasting room shall comply with the requirements of SCC Chapter 8.22, Noise Regulations.
11. The wine sales/tasting room shall be accessory to an existing on-site winery. The wine sales/tasting room shall not be established until after the on-site winery is established.

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12. The wine sales/tasting room shall not open before 10 AM or close after 6 PM on any day of the week.
13. Wine processed on the subject property shall predominately use grapes grown on the subject property or on vineyards located within the Columbia River Gorge National Scenic Area counties.
14. The applicant shall plant two trees near the southwest corner of the property as indicated on the approved site plan in order to better restrict pedestrian access between the subject property and adjacent neighbors.
15. 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. Dust suppression and erosion control measures shall be implemented during construction and grading activities.
16. The barn site shall be graded and re-seeded with native vegetation to maintain a natural appearance after demolition.
17. Landscaping shall be installed as soon as practicable, and prior to project completion. Applicants and successors in interest for the subject parcel are responsible for the proper maintenance and survival of planted vegetation, and replacement of such vegetation that does not survive.
18. Except as is necessary for site development, safety purposes, or as part of forest management practices, the existing tree cover screening the development from key viewing areas shall be retained.
19. 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 and at least half (1/2) of any trees planted for screening purposes shall be coniferous to provide winter screening.
20. The exterior of the proposed structure shall be dark earth-tone in color.
Roofing: Mechanical Lock Metal Roofing – CorTen Steel
Siding: Mechanical Lock Metal Siding – CorTen Steel
Siding: Cedar stained Cabot – Cordovan Brown
Retaining Walls: Basalt boulders
These are the only colors approved for use. Any proposed changes to these colors shall be submitted for review by the Community Development Department prior to construction and shall be selected from the recommended dark earth tone colors on pp. 18-19 of the "Building in the Scenic Area: Scenic Resources Implementation Handbook".
21. The exterior of the proposed structure shall be composed of nonreflective materials or materials with low reflectivity. The applicant's proposed materials meet this requirement.
22. All south facing windows shall consist of tinted or specialty glass with a visible light reflectivity rating less than 11%.
23. All exterior lighting shall be hooded or shielded at a 90° angle. Hoods/shields should be made of a non-reflective, opaque material, which does not allow light to pass through.

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24. 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.
25. 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.
26. It is recommended that a monitor be present during all ground disturbing activities.
27. 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.
28. 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.

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- 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.

29. Community Development Department Staff shall perform an inspection of the winery and wine sales/tasting room 12 months after opening and thereafter as deemed necessary to ensure that the development complies with all conditions of approval.

Dated and signed this 2nd day of June, 2016, at Stevenson, Washington.



Alan Peters, Planner
Planning Division

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NOTE:

Any new development 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.

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 Commerce – Paul Johnson
Department of Fish and Wildlife

Legal Description

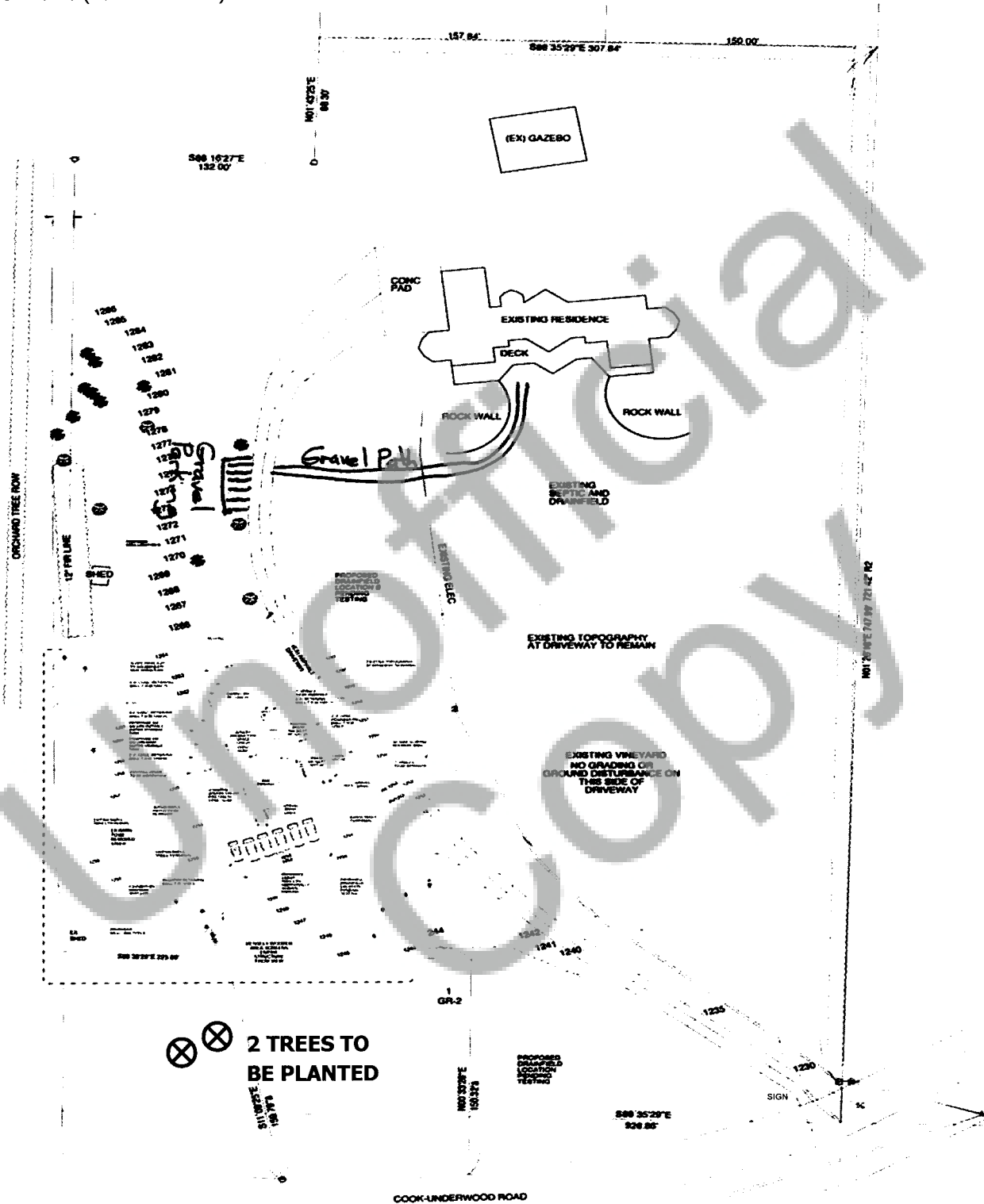
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A parcel of land within the Southeast Quarter of the Southwest Quarter of Section 20 and the Northeast Quarter of the Northwest Quarter of Section 29, all in Township 3 North, Range 10 East of the Willamette Meridian, situated in the County of Skamania, State of Washington, described as: Lot 1, M. Grove Short Plat #1 recorded June 3, 1982, in Book 3 of Short Plats, Page 30, Auditor File No. 94174, except Tax Lot 1002 described as follows:

Beginning at the Northwest corner of Lot 2 of Martin Grove Short Plat #1 as shown on the plat thereof recorded in Book 3 of Short Plats at Page 30, records of said County; thence South $89^{\circ}49'56''$ East 225 feet along the North line of said Lot 2, extended Easterly; thence along a line parallel with the West edge of said Lot 2, South $00^{\circ}18'59''$ West 140 feet to the North edge of Cook-Underwood Road; thence Westerly along said road 225 feet, more or less, to a point lying South $00^{\circ}18'59''$ West of the Northwest corner of said Lot 2; thence along the West edge of said Lot 2 North $00^{\circ}18'59''$ East 140 feet, more or less, to the Point of Beginning.

Site Plan

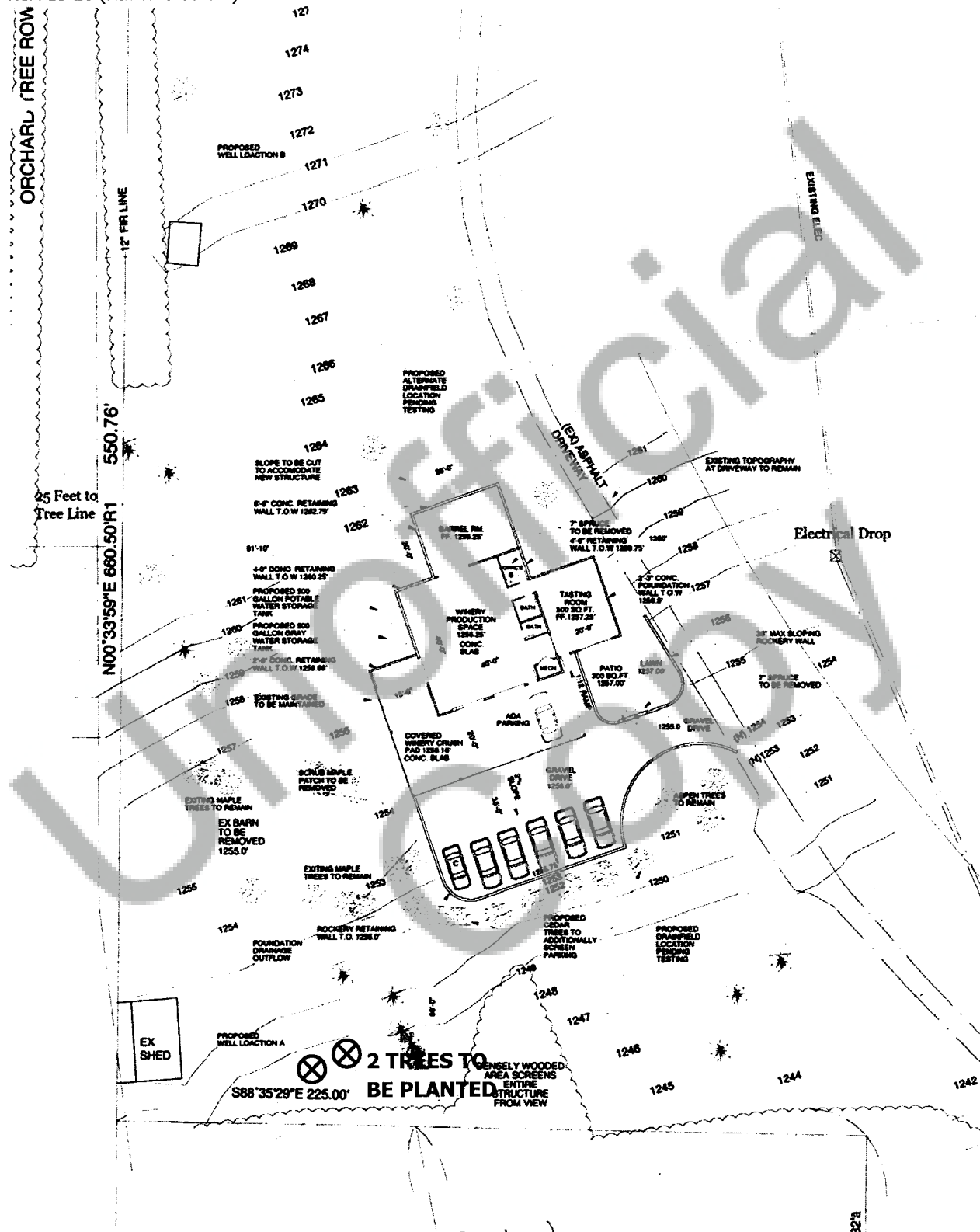
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⊗ ⊗ 2 TREES TO BE PLANTED

Site Plan

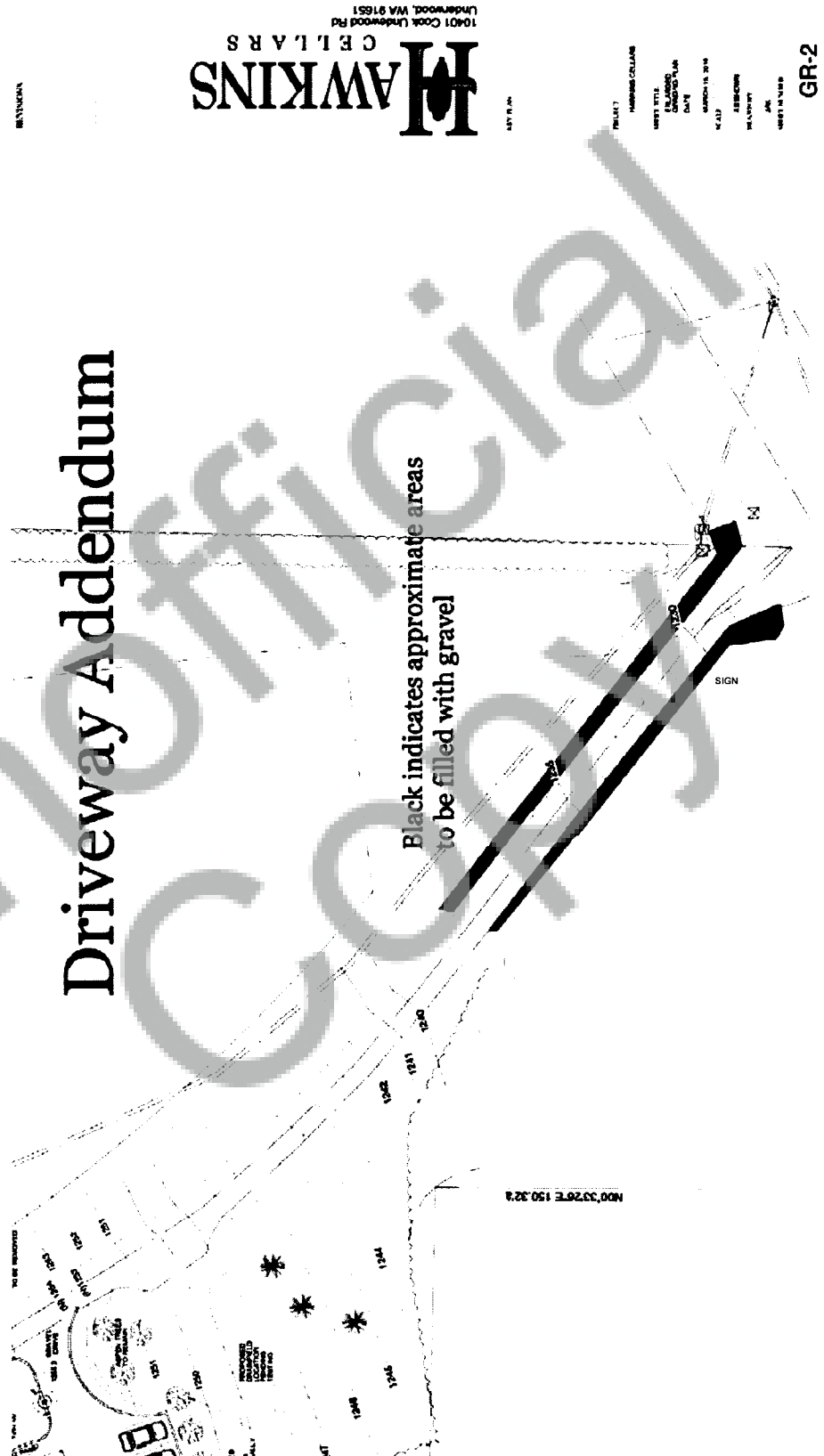
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Site Plan Detail

Site Plan

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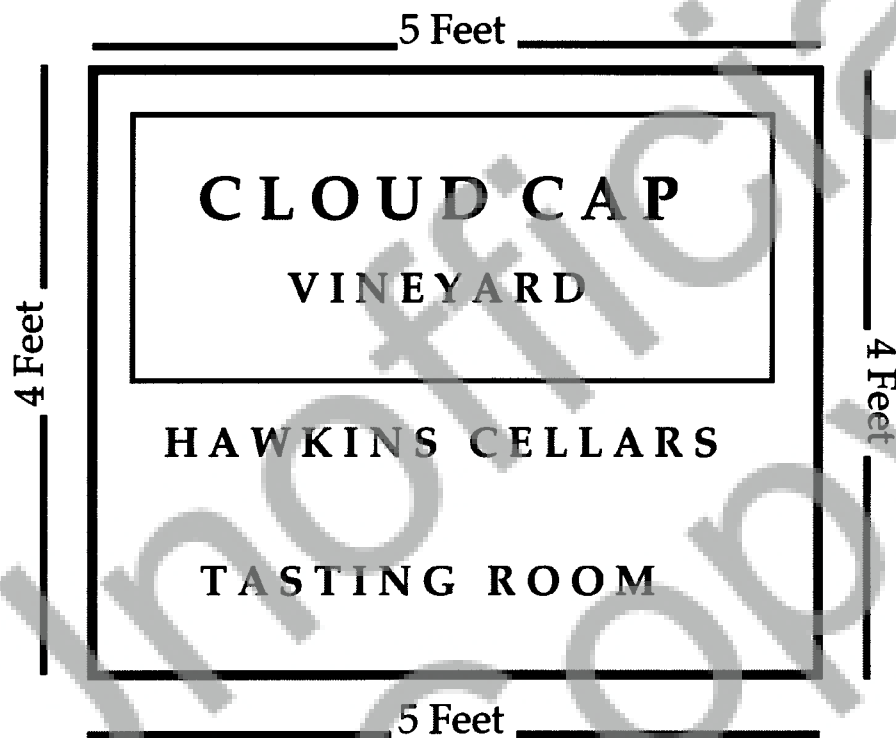


Elevations

NSA-15-20 (Hawkins Cellars)

Hawkins Cellars Sign Elevations

Front/Back



Top/Bottom

