

Return Address: Michael Savage  
Savage Grace Wines, LLC  
8533 Latona Ave NE  
Seattle, WA 98115

**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:** Green Home Design, for Michael Savage

**FILE NO.:** NSA-18-18

**DESCRIPTION:** Establishment of a life estate and construction of a new single-family dwelling in conjunction with agricultural use.

**LOCATION:** 111 Little Buck Creek Road, Underwood and identified as Skamania County Parcel No. 03-10-16-0-0-1300-00,  
and  
442 Kramer Road, Underwood, and identified as Skamania County Parcel No. 03-10-21-1-0-0500-00.

**LEGAL:** See attached page 6.

**ZONING:** GMA – Large Scale Agriculture (AG-1) 60.

**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.

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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 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 for both parcels prior to commencement of the approved project.
2. All developments shall be consistent with the approved site plan on file with Skamania County Community Development, 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 15 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.
4. A notarized copy of the life estate agreement shall be recorded for both parcels prior to the issuance of building permits associated with this development.
5. The removal of one of the dwellings shall be required upon termination of the life estate.
6. The Life Estate Termination Agreement shall be recorded with the Skamania County Auditor's Office records for both parcels prior to the issuance of building permits associated with this development.
7. A National Scenic Area land use application to remove one of the dwellings shall be submitted to Skamania County within 60 days of the termination of the life estate.
8. Planting a continuous vegetated screen between the agricultural dwelling and the adjacent parcel to the west is required. The vegetated screening shall be planted along or as near as feasible to the west property line, consist of trees at least 6 feet tall when planted and comprised of species able to achieve at least 15 feet in height. The vegetated buffer shall be completely planted during the first phase of development and maintained in good condition.
9. Only grading which is necessary for site development (building pads, utilities, etc.) is permitted.

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10. 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.
11. The Planning 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 509-427-3920.
12. Four screening trees and five shrubs shall be planted within 30 feet of the proposed home along the south and east aspects as shown on the approved site plan. Plantings shall be spaced and sized to render the development visually subordinate within five years of the commencement of construction. Graded areas left exposed shall be revegetated promptly. Required plantings shall be installed in the early phases of development. Community Development staff shall verify plantings prior to issuance of final approval. Applicants and successors in interest are responsible for the proper maintenance and survival of planted vegetation, and replacement of such vegetation that does not survive.
13. The exterior of the proposed building shall be dark earth-tone colors. The exterior includes, but is not limited to, sides, doors, decks, gutters, roofs and trim. The following colors submitted by the applicant are consistent with this condition and are hereby approved: for the building exterior walls – Siding – iron grey (appears dark grey); Trim – heartwood (appears dark brown) and black bean (appears black); decking – denali (appears dark brown); and Roofing – dark bronze (appears brown). Any proposed changes to these colors shall be submitted for review by the Community Development Department.
14. The exterior of buildings on lands seen from key viewing areas shall be composed of nonreflective materials or materials with low reflectivity. The proposed use of Hardie cement board horizontal seam siding, natural wood trim, and recycled wood composite decking satisfies this condition. A single pitch metal roof as proposed in the application materials is approved and shall be oriented so the metal roof is not visible from key viewing areas. Any proposed changes in construction materials shall be submitted for review by the Community Development Department.
15. All exterior 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. Community Development shall inspect exterior fixtures for opacity prior to final approval.
16. All graded areas shall be re-seeded promptly with native vegetation prior to final inspection by the Community Development Department.
17. At least one-half of trees planted for screening purposes shall be species native to the setting or commonly found in the area and at least one-half of the trees shall be coniferous to provide winter screening. The size of required plantings shall be no smaller than the sizes indicated on the Scenic Resources Implementation Handbook Recommended Plants List.

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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 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 21<sup>th</sup> day of November, 2018, at Stevenson, Washington.

*Mike Beck*

Mike Beck, Planner

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**NOTE:**

Any new development not included in the 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 Reservation  
Nez Perce Tribe  
Cowlitz Tribe  
Department of Archaeology and Historic Preservation  
Columbia River Gorge Commission

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U.S. Forest Service - NSA  
Office Board of County  
Commissioners  
State of Washington Department of Commerce – Paul Johnson  
Department of Fish and Wildlife

**LEGAL:**

Parcel I

All that portion of the south Half of the Southwest Quarter of the Southeast Quarter of Section 16, Township 3 North, Range 10 East of the Willamette Meridian, which lies westerly of the West right of way line of the road formerly known as Hood Road, as said right of way was located October 20, 1947; Excepting therefrom, that portion conveyed to Skamania County, by Deed recorded April 30, 1968 in Book 59, Page 46, Auditors File No. 69885, Skamania County deed Records.

Parcel II

The North Half of the Northwest Quarter of the Northeast Quarter of Section 21, Township 3 North, Range 10 East of the Willamette Meridian.

Parcel III

A tract of land located in the East Half of the Northeast Quarter of the Northwest Quarter of Section 21, Township 3 North, Range 10 East of the Willamette Meridian, described as follows:

Beginning at a point on the West right-of-way line of the county road known and designated as Kramer Road, said point being North 44° 40' East a distance of 936.1 feet from a railroad iron marking the Southwest corner of the East Half of the Northeast Quarter of the Northwest Quarter of the said Section 21; thence South 89° 38' West 300 feet; thence North 340 feet; thence North 89° 38' East 300 feet to the West right-of-way line of said Kramer Road; thence South along said West line 340 feet to the point of beginning.