

Return Address: Kathy Grewe and Robert Florek
P.O. Box 103
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98651

Skamania County, WA
Total: \$107.50
ADMIN
Pgs=5
Request of: COLUMBIA GORGE TITLE

2020-000386

02/13/2020 02:44 PM



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

APPLICANTS: Kathy Grewe and Robert Florek
FILE NO.: NSA-19-16
DESCRIPTION: A boundary line adjustment transferring 1.16 acres from parcel 03-10-20-0-0-1600 to parcel 03-10-20-0-0-1500.
LOCATION: 10942 Cook-Underwood Road #03-10-20-0-0-1500-00 *and*
11042 Cook-Underwood Road #03-10-20-0-0-1600-00
LEGALS: See attached page 5.
ZONING: GMA - Residential 5 (R-5) and GMA – Open Space (OS)
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.

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. The following minimum lot line setbacks shall apply for all structures except fences: FRONT YARD: fifty (50) feet from the centerline of the street or road or twenty (20) feet from the front property line, whichever is greater; SIDE YARD: twenty (20) feet; REAR YARD: twenty (20) feet.
3. All future development will be required to adhere to all applicable provisions of Title 22 in force at the time any future land use application is received for projects on either parcel.
4. This administrative decision approves a lot line adjustment only. Alterations to the Open Space zone for resource enhancement activities require NSA review and approval.
5. Except as is necessary for site development or safety purposes, the existing tree cover screening the development from key viewing areas in the Rural Residential landscape area shall be retained.
6. The existing tree cover shall be retained to the maximum extent practicable in the Gorge Walls, Canyonlands, and Wildlands landscape area except for the minimum removal necessary to accommodate facilities otherwise permitted in the underlying zoning classification or for safety purposes.
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.
 - 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.

Dated and signed this 5th day of December, 2019, at Stevenson, Washington.

Mike Beck

Mike Beck
Planner

NOTE:

Any new development not included in the approved site plan on file with the Skamania County Community Development department 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
U.S. Forest Service –NSA Office
Board of County Commissioners
State of Washington Department of Commerce – Paul Johnson
Department of Fish and Wildlife

10942 Cook-Underwood Road #03-10-20-0-0-1500-00

Legal Description:

The West 125 feet of that portion of the Southeast Quarter of the Southeast Quarter of Section 20, Township 3 North, Range 10 East of the Willamette Meridian, described as follows:

Beginning at the Southeast corner of the said Section 20; thence West along the South line of the said Section 490.9 feet; thence North parallel to the East line of the said Section 955 feet; more or less, to intersection with the Southerly right of way line of the county road known and designated as the Cook-Underwood Road; thence North $81^{\circ} 39'$ East following the Southerly right of way line of said road 500 feet, more or less, to intersection with the East line of the said Section 20; thence South along the East line of said Section 1075 feet, more or less, to the point of beginning.

11042 Cook-Underwood Road #03-10-20-0-0-1600-00

Legal Description:

That portion of the Southeast Quarter of the Southeast Quarter of Section 20, Township 3 North, Range 10 East of the Willamette Meridian, described as follows:

Beginning at the Southeast corner of the said Section 20; thence West along the South line of the said Section 490.9 feet; thence North parallel to the East line of the said Section 955 feet; more or less, to intersection with the Southerly right of way line of the county road known and designated as the Cook-Underwood Road; thence North $81^{\circ} 39'$ East following the Southerly right of way line of said road 500 feet, more or less, to intersection with the East line of the said Section 20; thence South along the East line of said Section 1075 feet, more or less, to the point of beginning.

EXCEPT the West 125 feet thereof.

Being the same property which THOMAS R. MOORE and LUCILLE M. MOORE conveyed to ANNE M. MOORE and MICHAEL L. NEAL, by deed dated January 9, 2007, recorded January 9, 2007, as instrument No. 2007164441 in the Office of the Recorder of Deeds of Skamania County, State of Washington.