



Return Address: Scott Burns
78A NW Macleay Blvd.
Portland, OR
97210

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: Scott Burns
FILE NO.: NSA-19-35
DESCRIPTION: Construct single-family residence with attached garage, home occupation, accessory building and associated site improvements.
LOCATION: State Route 14, MP 46.82, and identified as Skamania County parcel no. #03-08-31-0-0-0500-00.
LEGAL: See attached page 7.
ZONING: GMA - Residential 10 (R-10).
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.

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 development 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. The following are the minimum required setbacks 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, and REAR YARD: twenty (20) feet.
4. A variance has been granted to the 100-foot edge of State Route 14 pavement setback required by SCC 22.18.050(A)(2) to allow construction as depicted on the approved site plan.
5. To protect sensitive wildlife areas associated with Peregrine falcon habitat, all construction is prohibited on the property annually between February 1st – July 15th.
6. Only that grading which is necessary for site development (building pads, utilities, etc.) is permitted. Grading activities shall be limited to the maximum extent practicable. All graded areas left bare shall be re-seeded with native vegetation promptly and prior to final inspection by the Community Development Department.
7. The area of the home dedicated to bed and breakfast lodging shall be no more than 492.5 square feet (25%) of the home's living space. Building plans will be inspected to ensure the area dedicated to the bed and breakfast lodging establishment is consistent with the provision and the residence will be inspected for compliance prior to final approval.
8. Retail sales are prohibited, except incidental sales associated with the bed and breakfast lodging establishment. Exterior storage for the home occupation is prohibited. Parking not associated with residential use shall be screened from key viewing areas.
9. One nonanimated, nonilluminated sign, not exceeding two square feet in area, is approved for posting on the subject structure or within the yard of the home.
10. Guests may not occupy the bed and breakfast rental for more than 14 consecutive days.
11. The home is limited to single-family occupancy only. The attached guest quarters shall not contain a cooking area or kitchen and shall not be used to establish a second dwelling.

12. Building plans will be evaluated to ensure the guest quarters are not provided with any provisions to accommodate a future kitchen facility (venting, range hood, etc.). Community Development staff shall conduct an interior inspection to verify compliance with this condition prior to final approval.
13. Construction of a 400 square foot accessory building is approved by this decision in the designated area shown on the approved site plan on file with the Community Development Department. Consideration of an alternate location outside of the designated area will require the applicant submit a letter amendment application with supporting documentation regarding protection of a sensitive wildlife site (peregrine falcon habitat) on the subject parcel.
14. The proposed accessory building can be constructed in the designated area shown on the approved site plan. Construction is limited to the designated area shown on the approved site plan.
15. If the applicant elects to construct the accessory building in the area shown, an amended site plan shall be submitted that locates the accessory building wholly within the designated area shown on the approved site plan.
16. Proposing construction of the accessory building outside of designated area shown on the approved site plan shall require submittal of a letter amendment application with supporting wildlife management plan that demonstrates the proposed alternate location for the accessory building would not adversely affect wildlife resources.
17. If an alternate location for construction is proposed outside of the designated area shown on the approved site plan, a wildlife management plan shall be prepared and submitted consistent with the provisions of SCC 22.20.030(A)(4).
18. At least two (2) tall, shrubby trees shall be planted west of the home and at least two (2) shall be planted north of the home in the designated areas for screening vegetation on the approved site plan. New vegetation shall be sized to provide sufficient screening to make the development visually subordinate within five years or less from the commencement of construction. All required vegetation shall be selected from the recommended plants list found in the Scenic Resources Implementation Handbook and sized at least as large as the minimum sizes recommended in the handbook. 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.
19. The exterior of the proposed structure shall be dark earth-tones in color. The exterior includes, but is not limited to, sides, doors, garage doors, decks, gutters, roofs and trim. The following colors submitted by the applicant are consistent with this condition and are hereby approved: Siding & trim: Miller - Cordwood (appears dark brown); Miller - Raintree (appears dark green); Unspecified - untreated weathering steel (appears dark brown). Roofing: Pabco - Sherwood Green (appears dark green); GAF Liberty - Hickory (appears dark brown). Any

proposed changes to these colors shall be submitted to the Community Development department for review and approval prior to application.

20. The driveway gate shall be dark-earth toned in color.
21. Community Development staff shall inspect finished construction for sufficiently dark earth-toned finishes prior to final approval. Construction shall not pass final approval unless the exterior of structures are adequately dark-earth tones in color. The dark earth tones of all exterior surfaces shall be maintained.
22. The exterior of buildings on lands seen from key viewing areas shall be composed of nonreflective materials or materials with low reflectivity. The proposed list of weathering steel siding, wooden board and batten siding, natural wood trim, rolled asphalt roofing and composite shingles satisfies this condition. The use of painted metal and coated rusted metal equivalent is not allowed. Any proposed changes to these materials shall be submitted for review and approval by the Community Development department prior to installation.
23. 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.
24. The Community Development department shall conduct at least two site visits during construction. One siting inspection is required to verify the staked location of the structures prior to any ground disturbance taking place; 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.
25. Existing tree cover shall be retained as much as possible. Except as is necessary for construction of access roads, building pads, leach fields, etc., the existing tree cover screening the development from key viewing areas shall be retained. All screening trees and plantings are required to be maintained. Dead and dying screening trees shall be replaced in kind. At least two of the four required tall shrubby trees shall be native to the setting and all four shall be coniferous to provide winter screening.
26. 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.
27. An Inadvertent Discovery Plan embodying the provisions of SCC 22.22.060 (Condition #28) and SCC 22.22.070 (Condition #29) shall be prepared and posted in a conspicuous place at the development site and shall remain posted until all project activities are concluded.

28. 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.
29. 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 8th day of September, 2020, 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

Parcel 03-08-31-0-0-0500-00

Legal Description:

A tract of land in government lot 6 of Section 31, Township 3 North, Range 8 East of the Willamette meridian, more particularly described as follows:

Beginning at a point 608.35 feet South and 615.89 feet West from the Northeast corner of the said Section 31, said point being located on the centerline of primary state highway No. 8; thence South 37° 08' 09" 21" East 395 feet, more or less, to intersection with the Northerly line of the Spokane, Portland and Seattle Railway Company's right of way: Thence in a Northeasterly direction following the Northerly line of said railway right of way 490 feet, more or less, to intersection with the East line of the said Section 31; thence North 00° 43' 00" West following the East line of the said Section 31 to intersection with the centerline of primary state highway No. 8, said point being 7.26 feet South 00° 43' 00" East from the Northeast corner of said Section; thence following the centerline of said highway in a southwesterly direction to the point of beginning EXCEPT that portion thereof which lies within the right of way acquired by the state of Washington for primary state highway No. 8.