



Return Address: Aves Properties, LLC  
1065 West Levoiy Drive  
Taylorville, UT  
84123

## 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:** Breff McLaughlin, for Aves Properties, LLC

**FILE NO.:** NSA-19-21

**DESCRIPTION:** Construct single-family residence with attached garage and associated site improvements.

**LOCATION:** Seward Road, MP 47.70, State Route 14, and identified as Skamania County Parcel No. 03-08-29-0-0-1401-00.

**LEGAL:** Lot 2 of Charles and Vicki Seward Short Plat, according to the plat thereof, recorded in Book 3, Page 249, records of Skamania County, Washington.

**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. Grading shall be conducted in accordance with the submitted Clear and Grade plan dated Dec. 2019. 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.
5. 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.
6. The Community Development Department will conduct at least two site visits during construction, one siting inspection 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](mailto:permitcenter@co.skamania.wa.us).
7. At least three new evergreen trees and at least eight new tall shrubby trees and nine shrubs shall be planted in areas indicated 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 Scenic Resources Implementation Handbook's recommended plants list. 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.

8. 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. Areas where trees shall be retained are indicated on the approved landscaping plan. At least one half of any trees planted for screening purposes shall be native species and at least one half of planted screening trees shall be coniferous to provide winter screening. All screening trees and plantings are required to be maintained. Dead and dying screening trees shall be replaced in kind.
9. The exterior of the proposed structures shall be dark earth-tones in color. The exterior includes, but is not limited to, siding, accents, decking, roofs, decking, and trim. The following colors submitted by the applicant are consistent with this condition and are hereby approved:

Siding & trim:	Behr: 2130-34 <i>Iron Mountain</i> (appears dark grey) Sherwin Williams: 7047 <i>Porpoise</i> (appears dark grey) Cambia: thermally modified wood (appears dark brown) <i>Forest</i> (appears dark green)
Window Flashing:	Unspecified: Dark charcoal (appears dark grey)
Exposed Concrete:	BASF <i>Midnight</i> (appears black)
Stonework:	Eldorado Stone: <i>Sage</i> (appears dark grey)
Roofing:	Unspecified: rolled asphalt roofing (dark grey or brown)

10. The applicant shall submit a physical sample of dark-earth tone roofing material to the Community Development Department prior to installation.
11. 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.
12. The exterior of buildings on lands seen from key viewing areas shall be composed of nonreflective materials or materials with low reflectivity. Hardie Board fiber cement siding, rolled asphalt roofing, vinyl encased windows and natural wood decking and trim satisfies this condition. The use of painted metal is not allowed. Any proposed changes to these materials shall be submitted for review by the Community Development Department prior to construction.
13. Continuous glass surfaces on the south and east sides of the home shall be screened with retained and newly planted vegetation. Windows installed on the south and east sides of the home shall have a reflective light rating of 11% or lower.
14. 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.

15. The applicant and successors in interest shall retain and maintain in their undisturbed natural condition 100 foot buffers for water resources located east and west of the home, as shown on the approved site plan. These buffer areas shall be retained in their natural condition. In the event buffer disturbance occurs during project development, revegetation with native species beneficial to fish, wildlife and plant habitat diversity is required.
16. The eastern 100 foot water resource buffer shall be conspicuously flagged prior to the commencement of development and shall remain flagged until all associated development has concluded.
17. An Inadvertent Discovery Plan embodying the provisions of SCC 22.22.060 (condition #18) and SCC 22.22.070 (condition #19) shall be prepared and posted in a conspicuous place at the development site and shall remain posted until final approval is granted for this project.
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 6<sup>th</sup> day of April, 2020, at Stevenson, Washington.

*Mike Beck*

Mike Beck  
Planner

Unofficial Copy

**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