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Skamania County, WA
Total: \$207.50
ADMIN
Pgs=5
Request of: LAURIE JOHNSTON

2021-003199

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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: Laurie Johnston, for Jay Johnston and Shawna Caldwell

FILE NO.: NSA-21-18

DESCRIPTION: Construct single-family residence with attached garage, driveway, septic, and associated site improvements on an undeveloped parcel.

LOCATION: 422 Cooper Ave, Underwood, identified as Skamania County parcel no. #03-10-22-0-0-0101-00.

LEGAL: See attached page 4.

ZONING: GMA – Residential 2 (R-2)

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. 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 and disturbed ground left bare shall be re-seeded with native vegetation promptly and prior to final inspection by the Community Development Department.
5. Project applicants shall be responsible for the proper maintenance and survival of any required planted vegetation.
6. All existing tree cover shall be retained as much as possible, except as is necessary for site development, safety purposes or as part of forest management practices.
7. The Community Development Department shall 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.
8. Construction of a solid wood fence along the north property line is not approved.
9. Construction of new and replacement fences shall be subject to the following:
 - i. New fences in deer and elk winter range shall be allowed only when necessary to control livestock or pets or to exclude wildlife from specified areas, such as gardens. Fenced areas shall be the minimum necessary to meet the needs of the project applicant.

- ii. New and replacement fences in winter range shall comply with the following, unless the applicant demonstrates the need for an alternative design
 - iii. The top wire shall be no more than forty-two (42) inches high to make it easier for deer to jump over the fence.
 - iv. The distance between the top two wires shall be at least ten inches to make it easier for deer to free themselves if they become entangled. / The bottom wire shall be at least sixteen inches above the ground to allow fawns to crawl under the fence. It should consist of smooth wire because barbs often injure animals as they crawl under fences.
 - v. Stays or braces placed between strands of wire shall be positioned between fence posts where deer are most likely to cross. Stays create a more rigid fence, which allows deer a better chance to wiggle free if their hind legs become caught between the top two wires.
 - vi. Woven wire fences may be authorized only when a project applicant clearly demonstrates that such a fence is required to meet his or her specific needs, such as controlling hogs and sheep or the protection of crops.
10. An Inadvertent Discovery Plan embodying the provisions of SCC 22.22.060 (Condition #11) and SCC 22.22.070 (Condition #12) shall be prepared and posted in a conspicuous place at the development site and shall remain posted until all project activities are concluded.
11. 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.
12. 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 14th day of September, 2021, at Stevenson, Washington.

Mike Beck

Mike Beck, AICP
Planner

Parcel 03-10-22-0-0-0101-00

Legal Description:

A tract of land located in the SE Qtr. of the NE Qtr. of Section 22, T3N, R10E.W.M., described as follows:

Beginning at a point North 0°08' West 681.33 feet and South 89°52' West 30 feet from the quarter corner of the EAST line of the said Section 22, said point being the intersection of the Northerly line of SOOTER ROAD as shown on the Plat of Sooter TRACTS and the West right of way line of the COUNTY ROAD known and designated with COOPER AVENUE; thence North 0°08' West 208 feet to the initial point of the tract hereby described; thence South 89°38' West 418 feet; thence North 0°08' west, parallel to the West line of the said Section 22 a distance of 446.9 feet, more or less to the North line of the Southeast quarter of the Northeast quarter of the said Section 22, thence East along the North line of said subdivision to a point 30 feet distant from the East line of said Section 22, thence South 0°08' East to the initial point; EXCEPT the North 231 feet thereof.

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