



Return Address: Eva Kosmas and Jeremy Flores
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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: Dylan Lamar, for Eva Kosmas and Jeremy Flores

FILE NO.: NSA-21-45

DESCRIPTION: Construct single-family residence with rooftop solar, breezeway to detached garage, and associated site and access improvements on an undeveloped parcel.

LOCATION: 135 Wind River Road, identified as Skamania County parcel no. #03-08-29-0-0-0401-00.

LEGAL: The Southeast Quarter of the Northwest Quarter and the Northeast Quarter of the Southwest Quarter of Section 29, Township 3 North, Range 8 East of the Willamette Meridian, in the County of Skamania, State of Washington. EXCEPT any portion lying South of the North line of that certain pipeline right of way easement granted to Pacific Northwest Pipeline Corporation by document recorded January 4, 1955 under Auditor's File No. 49814, Book 40, Page 434, records of Skamania County, Washington.

ZONING: GMA - Small Woodland (F-3) 20

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. A declaration shall be signed by the landowner and recorded with the Skamania County Auditor specifying the owners, successors, heirs, and assigns of the subject parcel are aware that adjacent and nearby operators are entitled to carry on accepted farm and forest practices on lands classified as F-1, F-2, F-3, Ag-1 and Ag-2. This declaration shall be recorded prior to the release of building permits for construction.
3. A critical areas report assessing the building site for landslide, erosion and seismic hazards is required and shall be submitted with the building permit application.
4. 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.
5. 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.
6. All water resources shall be protected by 100-foot water resource buffers. The 100-foot water resource buffers shall be conspicuously demarcated with stakes and flagging prior to the commencement of project activities, and shall remain flagged until final approval is granted.
7. All water resource buffers on the property shall be retained in their natural condition.
8. If buffer disturbance occurs during project development, revegetation with native vegetation shall be required and shall provide and maintain habitat diversity beneficial to the fish, wildlife and native plants. New uses and further encroachment into the water resource buffers are prohibited unless reviewed and approved in a subsequent administrative decision.

9. Equipment, refueling stations and building materials shall be stored and yarded outside of the water resource buffer area.
10. Best management practices to control erosion such as sediment fencing, distributing straw mulch on exposed soils, and reseeding denuded soils, etc. shall be promptly deployed as needed to prevent erosion of sediment into the buffer areas.
11. Development shall comply with the fire safety provisions for the Small Woodland (F-3) Zone listed in Skamania County Code Section 22.14.050(A). These provisions are listed as conditions of approval nos. 11-21.
12. All buildings shall be surrounded by a maintained fuel break of fifty feet. Irrigated or fire resistant vegetation may be planted within the fuel break, including green lawns and low shrubs (less than twenty-four inches in height). Trees should be placed greater than fifteen feet between the crowns and pruned to remove dead and low (less than eight feet) branches. Accumulated leaves, needles and other dead vegetation shall be removed from beneath trees.
13. Hazardous fuels shall be removed within the fuel break area.
14. Buildings with plumbed water systems shall install at least one standpipe at a minimum of fifty feet from the structure(s).
15. A pond, stream, tank or sump with storage of not less than one thousand gallons, or a well or water system capable of delivering twenty gallons per minute shall be provided. If a well pump is located on-site, the electrical service shall be separate from the dwelling.
16. Access drives shall be constructed to a minimum of twelve feet in width and not exceed a grade of twelve percent. Turnouts shall be provided at a minimum of every five hundred feet. Access drives shall be maintained to a level that is passable to fire equipment. However, variances to road provisions may be made after consultation with the local fire marshal and the Washington State Department of Natural Resources.
17. The administrator shall conduct a review of the development within one year of project completion to assure compliance with the fire safety provisions found in SCC 22.14.050(A).
18. Telephone and power supply shall be underground whenever possible.
19. Roofs of structures should be made of fire-resistant materials, such as fiberglass shingle or tile. Roof materials such as cedar shake and shingle should not be used.
20. Any chimney or stovepipe on any structure for use with a wood stove or fireplace should be screened with no coarser than one-fourth inch mesh metal screen that is noncombustible and corrosion resistant and should be equipped with a spark arrestor.
21. All structural projections such as balconies, decks and roof gables should be built with fire resistant materials equivalent to that specified in the Uniform Building Code.

22. Attic openings, soffit vents, foundation louvers or other ventilation openings on dwellings and accessory structures should be screened with no coarser than one-fourth inch mesh metal screen that is noncombustible and corrosion resistant.
23. 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.
24. Driveway improvements are limited to as depicted on the approved site plan.
25. The driveway shall not be expanded in width beyond the existing twelve-foot surface within the water resource buffers. The existing twelve-foot-wide gravel surface may continue to be used and maintained but may not be expanded within any water resource buffer.
26. Project applicants shall be responsible for the proper maintenance and survival of any required planted vegetation.
27. The applicants 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.
28. The Community Development Department shall conduct at least two site visits during construction, one siting inspection to verify the staked location of the structure and Duncan Creek buffer 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.
29. Except as is necessary for construction of access roads, building pads, leach fields, etc., all existing tree cover within the two-acre residential curtilage, including at least ninety (90) Douglas Fir and three (3) Oregon White Oaks, shall be retained as depicted on the approved site plan.
30. At least twenty-seven (27) new trees are required for screening purposes within the two-acre residential curtilage in the areas depicted on the approved site plan on file with the Community Development Department.
31. All new screening trees 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 screening trees shall be at least two and a half inches in diameter at breast height (2½" DBH or larger) when planted and all screening vegetation shall be selected from the Scenic Resources Implementation Handbook's recommended plants list.

32. Within the two-acre residential curtilage, at least one-half (1/2) of all required new screening trees shall be native species, and at least one-half (1/2) shall be coniferous to provide winter screening.
33. All trees and plantings within the two-acre residential curtilage shall not be considered merchantable timber by the applicant or successors in interest in any future forest practices application, and shall be maintained. Dead, dying, or removed screening trees shall be replaced in kind.
34. The exterior of all structures 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 are consistent with this condition and are hereby approved: Siding: Benjamin Moore – Midnight Oil (appears black). Accents/trim: unspecified – dark brown (appears dark brown). Windows: unspecified – dark brown or dark black to match siding/trim (appears dark brown or black). Decking: unspecified – dark brown or black (appears dark brown or black). Railings: Unspecified – black (appears black). Roofing: CertainTeed – moire black (appears black). Stonework: Eldorado Stone – Banff Springs (appears dark grey). Solar Panels: Quantum Duo – black (appears black). Vertical Concrete: Surecrete EcoStain - Magnet (appears dark grey). Any proposed changes to these colors shall be submitted for review by the Community Development Department for acceptably dark earth-tones prior to their application. Community Development staff shall conduct an inspection to verify compliance with this condition. Additional coats of color may be required in order to achieve acceptable dark-earth tones before final NSA approval is issued.
35. The exterior of buildings on lands seen from key viewing areas shall be composed of nonreflective materials or materials with low reflectivity. The use of natural wood or cement board siding and trim, asphalt composite shingles, cultured stone and concrete foundation, solar panels with non-reflective coating, composite or natural wood decking and wood, composite or wire deck rails and spindles satisfies this condition, and are approved. Quantum Duo brand Q.Peak Duo Blk-G6+ solar panels are consistent with this provision, and approved. Any proposed changes to the approved materials list shall be submitted to the Community Development department for review and approval prior to installation.
36. All continuous unscreened glass surfaces shall be less than fifty (50) square feet in size. The two-window panel plus glass door array at the upper southeast corner of the residence shall have one of the panels removed, or otherwise reduced in size, so that the continuous unscreened glass surface is less than fifty (50) square feet in size.
37. 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.
38. An Inadvertent Discovery Plan embodying the provisions of SCC 22.22.060 (Condition #39) and SCC 22.22.070 (Condition #40) shall be prepared and posted in a conspicuous place at the development site and shall remain posted until all project activities are concluded.
39. 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.
40. 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 26th day of October, 2022, at Stevenson, Washington.

Mike Beck

Mike Beck, AICP
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