

Skamania County, WA
Total: \$208.50
ADMIN
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Request of: WANNAMAKER VINEYARDS, LLC



Return Address: Wannamaker Vineyards, LLC
PO Box 12551
Portland, OR
97212

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: Wannamaker Vineyards, LLC
FILE NO.: NSA-22-41
DESCRIPTION: Establish winery and tasting room use in existing c1910s building. Construct gravel parking area, expand outdoor patio, renovate existing c1940s residential building and construct a tree house viewing deck.
LOCATION: 271 Ausplund Rd., Underwood, WA 98651
Parcel #03-10-19-0-0-0303-00
LEGAL: See attached page 6.
ZONING: GMA – Large Scale Agriculture (AG-1) 60
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. The following are the required setbacks for all structures except fences: FRONT YARD: fifty (50) feet from the centerline of the street or twenty (20) feet from the front property line, whichever is greater; SIDE YARD: twenty (20) feet, and REAR YARD: twenty (20) feet.
3. 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.
4. As part of the requirements for Section 22.12.030(11) to prepare annual reports stating the number of events during the previous year, the report shall also include a statement that Building 2 continues to operate as the primary residence for the operators of the winery and associated uses pursuant to this Section. Violation of this condition may result in revocation of the allowance of commercial events.
5. Applicant shall provide notice to the Administrator and owners of land within 500 feet of the subject parcel pursuant to this section. Compliance with this requirement is a, and violation of this condition may result in revocation of the allowance of commercial events.
6. Applicant shall erect tents, canopies, portable restrooms and other such similar temporary structures necessary for a commercial event no more than two days before the event and removed no more than two days after the event. Temporary event structures screened from the key viewing area shall be removed at or before ninety days after first installed. Violation of this condition may result in revocation of the allowance of commercial events.
7. At the time of the notice of decision, the applicant shall record a declaration with the Skamania County Auditor's Office stating the adjacent and nearby operators are entitled to continue accepted agriculture and forest practices per SCC 22.12.030(8).
8. Per SCC 22.12.030, applicant shall provide an annual report to the administrator detailing the nature of each commercial event, including the number of events, number of attendees at each event, and copies of catering contracts or other vendors to verify.
9. Wine processed on the subject property shall predominately use grapes grown on the subject property or on vineyards located within the Columbia River Gorge National Scenic Area counties.

10. The wine sales/tasting room shall be accessory to an existing on-site winery. The wine sales/tasting room shall not be established until after the on-site winery is established. The applicant shall obtain any necessary change of use permits.
11. Any future exterior material or color shall be dark earth-tones found at the specific site or in the surrounding landscape.
12. The following procedures shall be affected 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.
13. 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 6th day of September, 2023, at Stevenson, Washington.



Mandy Hertel
Land Use 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 03-10-19-0-0-0303-00

Legal Description:

EXHIBIT "A"

A tract of land located in Section 19 of Township 3 North, Range 10 East of the Willamette Meridian, Skamania County, Washington more specifically described as:

That portion of the Northeast Quarter of Government Lot 2 and the portion of the Southeast Quarter of the Government Lot 1, both of Section 19, South of the South line of a parcel described in Deed Record W, of Skamania County, page 290, and East of a tract of land conveyed to Broughton Lumber Company, by deed dated July 16, 1952 and recorded July 24, 1952, at page 342, of Book 35 of Deeds, under Auditor's File No. 44316, records of Skamania County.

That portion of the North Half of the North Half of the Southeast Quarter of the Northwest Quarter and that portion of the Southwest Quarter of the Northeast Quarter of the Northwest Quarter, West of the centerline of Ausplund Road and South the centerline of an existing road located approximately 860 feet, more or less, South of the North line of said Section 19, said centerline is oriented East and West and said South line includes the East and West extension of said centerline to the East and West lines of the Southwest Quarter of the Northeast Quarter of the Northwest Quarter of said Section 19.

EXCEPT County roads

TOGETHER WITH

The West Half of the Southwest Quarter of the Northwest Quarter of the Southeast Quarter of the Northwest Quarter of Section 19, in Skamania County, Washington

EXCEPT County Roads