



Return Address: Steve Maier  
121 Scenic Heights Rd.  
Underwood, WA  
98651

**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:** Steve Maier  
**FILE NO.:** NSA-24-10  
**DESCRIPTION:** Reconstruction of single-family dwelling and attached garage destroyed by Tunnel 5 fire. A 3,778 sq. ft home and 789 sq. ft attached garage are proposed in same location, utilizing existing access drive. All project activity to occur in Residential (GMA) R-5 zoning.  
**LOCATION:** 121 Scenic Heights Rd, Underwood WA  
County parcel no. #03-10-20-3-4-0700-00  
**ZONING:** GMA – Residential 5 (R-5)  
**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: Forty-five (45) feet from the centerline of the street or road or fifteen (15) feet from the front property line, whichever is greater; SIDE YARD: five (5) feet, and REAR YARD: fifteen (15) 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. The 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.
7. The applicant shall meet all conditions of approval enacted to achieve visual subordination before 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 has been verified. 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](mailto:permitcenter@co.skamania.wa.us).

8. 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 submitted by the applicant are consistent with this condition and are hereby approved:

Siding: Rusted Corten Metal (Appears Brown)

Trim: Matches siding

Doors and Window Accent: Vinyl Black

Roofing: Clackamas Landscape Supply - Dark Grey 2 1/2" Ballast Drain Rock – (Appears Dark Grey)

Any proposed changes to these colors shall be submitted for review and approval by the Community Development Department for acceptably dark earth-tones prior to their application. Community development staff shall inspect the home for acceptably dark-earth colors before issuing final approval for this project. Additional coats of color may be required in order to achieve acceptable dark-earth tones before final NSA approval is issued..

9. The dwelling is limited to single-family residential occupancy. The residence shall not contain multiple cooking areas or kitchen facilities and shall not be used to establish additional dwelling units. Building plans will be evaluated to ensure the building is not provided with any provisions to accommodate additional dwelling units with kitchen facilities (venting, range hood, etc.) As conditioned, the proposed development is an allowed use in the GMA R-5 zone.
10. All South and East facing windows shall be rated to 11% or less exterior visible light reflectivity rating. The applicant shall submit a window manufacturer's specification sheet showing this detail for the windows to be installed prior to the release of the building permit.
11. Shading structures depicted in elevations and proposed by applicant are required before final approval.
12. The use of a temporary soil/erosion fence below the properties bluff line, during excavation is required
13. 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.
14. 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.
15. 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.
16. 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 9th day of May 2024, at Stevenson, Washington.

Joshua Neblock



Land Use Planner II

**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