



Director's Decision

Summary of Application

FILE NUMBER:	C23-0008
PROPOSAL:	The Columbia River Gorge Commission has received an application for the removal and replacement of a single-family dwelling.
APPLICANTS:	Dave & Lisa McClellon
LANDOWNERS:	Dave & Lisa McClellon
SIZE and LOCATION:	The subject parcel is approximately five acres in size and located at 152 Lyle Snowden Road and described as tax lot number 03-12-2152-0001/00 in the southeast quarter of Section 21, Township 3 North, Range 12 East, Willamette Meridian, Klickitat County, Washington.
LAND USE DESIGNATION:	General Management Area (GMA) – Small-Scale Agriculture (80)

Decision

Based upon the findings of fact and conclusions of law in the staff report accompanying this decision and the conditions of approval in this decision document, the land use application by Dave & Lisa McClellon, the removal and replacement of a single-family dwelling, is consistent with Commission Rules chapter 350, division 082, and thus consistent with the *Management Plan for the Columbia River Gorge National Scenic Area* and the standards of Section 6 and the purposes of the Columbia River Gorge National Scenic Area Act, Pub. L. 99-663, 100 Stat. 4274 (1986), and is hereby **APPROVED**.

Conditions of Approval

The following conditions of approval are given to ensure that the subject request is consistent with Commission Rules chapter 350, division 082. Compliance with these conditions of approval is required. The Gorge Commission may take one or more enforcement actions at any time to ensure compliance with these conditions of approval.

1. In accordance with Commission Rule 350-082-0150(3), the applicant shall record the Executive Director's decision and conditions of approval and approved site plan and elevation drawings in county deeds and records (at the Klickitat County Auditor's Office) to ensure notice of the conditions to successors in interest. The record shall be

associated with all tax lots and parcels that constitute the subject property. The applicant need not record the separate staff report document containing the relevant findings and conclusions. Once recorded, the applicants shall submit a copy of the recorded documents to the Executive Director.

2. This decision does not exempt the proposal from other non-National Scenic Area rules and regulations. It is the applicant's responsibility to ensure the use complies with all other applicable federal, state, and county laws and to obtain necessary approvals, including utility easement approvals.
3. A post-completion inspection is required. Please contact the Gorge Commission office when all construction is complete to schedule this inspection. The applicant may request interim inspections and Gorge Commission staff may at its discretion conduct interim inspections.
4. Any new land uses or structural development, alterations, or grading not included in the approved application or site plan will require a new application and review.
5. The developments shall be constructed as shown on the approved project description, site plan and elevation drawings. The dwelling shall be no larger than 2,044 sq ft and no taller than 26 ft tall. The accessory building shall be no larger 41 ft x 28 ft (1,148 sq ft) and no taller than 19 ft. The accessory building shall not be used for occupancy or as a dwelling. Any changes shall be reviewed and approved by the Executive Director before the changes are implemented.
6. All exterior building materials for the addition and accessory buildings, including roofs, doors, siding, trim, window casings and sashes, decks, and railings shall be dark earth-tone colors. Only approved dark earth-tone colors for exterior materials shall be used. The following colors submitted by the applicant are consistent with this condition and hereby approved:

Siding: Rodda Paint *Green Tea (CA167)* & *French Roast (CA213)*

Roofing: ASC Building Products Weathered Copper & TPO with a matte black finish

Trim: Rodda Paint *French Roast (CA213)*

Any changes to these colors shall be submitted to the Gorge Commission for consistency review with this condition of approval. The color of the development shall be maintained by painting and staining as necessary to maintain the approved color.

7. All exterior building materials including roofs, doors, siding, trim, window casing and sash, decks, and railings shall be nonreflective or have low reflectivity. Any exterior metal materials shall be painted with low-gloss black colored finish and maintained as necessary to ensure that the material is non-reflective.
8. All windows and glazing shall be composed of low-reflectivity glass. A reflectivity rating of 11% is required.
9. All vegetation and landscaping shall be implemented as specified in the approved site plan. Maintenance and survival of the vegetation is required, and an irrigation plan shall be submitted to the Executive Director for review before the vegetation is planted. The

vegetative buffer shall be, at a minimum, 50 ft long. The planted trees shall be ponderosa pines or other evergreen trees native to the area and reach an ultimate height of at least 15 feet. At the time of planting, trees shall be three to six-feet-tall, with the root ball wrapped in burlap. Changes to the landscaping plan must be provided to the Executive Director for review and approval.

10. Except for trees identified in the site plan and dead trees or other dead vegetation that may pose a hazard, all existing mature vegetation in the vicinity of the building site shall be retained and maintained for screening purposes and so the overall visual character and appearance of the landscape is retained.
11. Disturbed areas shall be reseeded with grasses from the Recommend Seed Mixes for East Side Environments handout. Disturbed areas shall be revegetated immediately upon completion of the project (or as soon as possible thereafter if the project is completed during the winter).
12. If cultural resources are discovered, all activities within 100 feet of the cultural resources shall immediately cease and the applicants shall notify the Gorge Commission within 24 hours of discovery and the State Physical Anthropologist, Dr. Guy Tasa at (360) 586-3534 or guy.tasa@dahp.wa.gov. The cultural resources shall remain as found and further disturbance is prohibited until permission is granted by the Executive Director of the Gorge Commission.
13. If human remains are discovered, all activities shall cease immediately upon their discovery. Local law enforcement, the Executive Director and Indian Tribal governments shall be contacted immediately. Further disturbance is prohibited until permission is granted by the Executive Director of the Gorge Commission.

DATED THIS 10 day of October 2024 at White Salmon, Washington.



Krystyna U. Wolniakowski
Executive Director

Expiration of Approval

Commission Rule 350-082-0160 governs the expiration of this Director's Decision.

Expiration of this Director's Decision is automatic. The Executive Director does not notify applicants or landowners of decisions that are expired or may be close to expiring.

This decision of the Executive Director becomes void on the ____ day of October 2026 unless construction has commenced in accordance with Commission Rule 350-082-0160(4).

Commission Rule 350-082-0160(4) specifies that commencement of construction means actual construction of the foundation or frame of the approved structure.

Construction must be completed within two years of the date the applicant commenced construction. Commission Rule 350-082-0160(5) specifies that completion of the structure means completion of the exterior surface(s) of the structure and compliance with all conditions of approval in the National Scenic Area approval.

Once the applicant has commenced construction of one element in this decision, the applicant must complete all elements in this decision in accordance with Commission Rule 350-082-0160. The Gorge Commission does not use different commencement of construction dates for different elements in this decision.

The applicant may request one 12-month extension of the time period to commence construction and one 12-month extension to complete construction in accordance with Commission Rule 350-082-0160(6). The applicant must submit the request in writing prior to the expiration of the approval. If the applicant requests an extension of time to complete construction after commencing construction, the applicant shall specify the date construction commenced. The Executive Director may grant an extension upon determining that conditions, for which the applicant is not responsible, would prevent the applicant from commencing or completing the proposed development within the applicable time limitation. The Executive Director shall not grant an extension if the site characteristics or new information indicate that the proposed use may adversely affect the scenic, cultural, natural or recreation resources in the National Scenic Area.

Appeal Process

The appeal period ends on the 9 day of November 2024.

The decision of the Executive Director is final unless the applicant or any other person who submitted comment files a Notice of Appeal with the Commission within thirty (30) days of the date of this decision. Commission Rule chapter 350, division 70 governs appeal of this decision. This rule is available on the Gorge Commission's website and at the Gorge Commission office. You may contact the Gorge Commission office if you have questions about appealing this decision.

Notes

1. Any new land uses or structural development such as driveways, parking areas, garages, workshops, fences or other accessory structures; or additions or alterations not included in the approved application or site plan will require a new application and review. New cultivation also requires a new application and review.
2. This decision does not address local, state, or federal requirements that may be applicable to the proposed development. The landowner is responsible for obtaining all applicable county, state, or federal permits required for the development.

In accordance with Commission Rule 350-082-0150(6), the Gorge Commission staff mailed notice of this decision to the following governments, agencies, and organizations and persons who provided comment on the application:

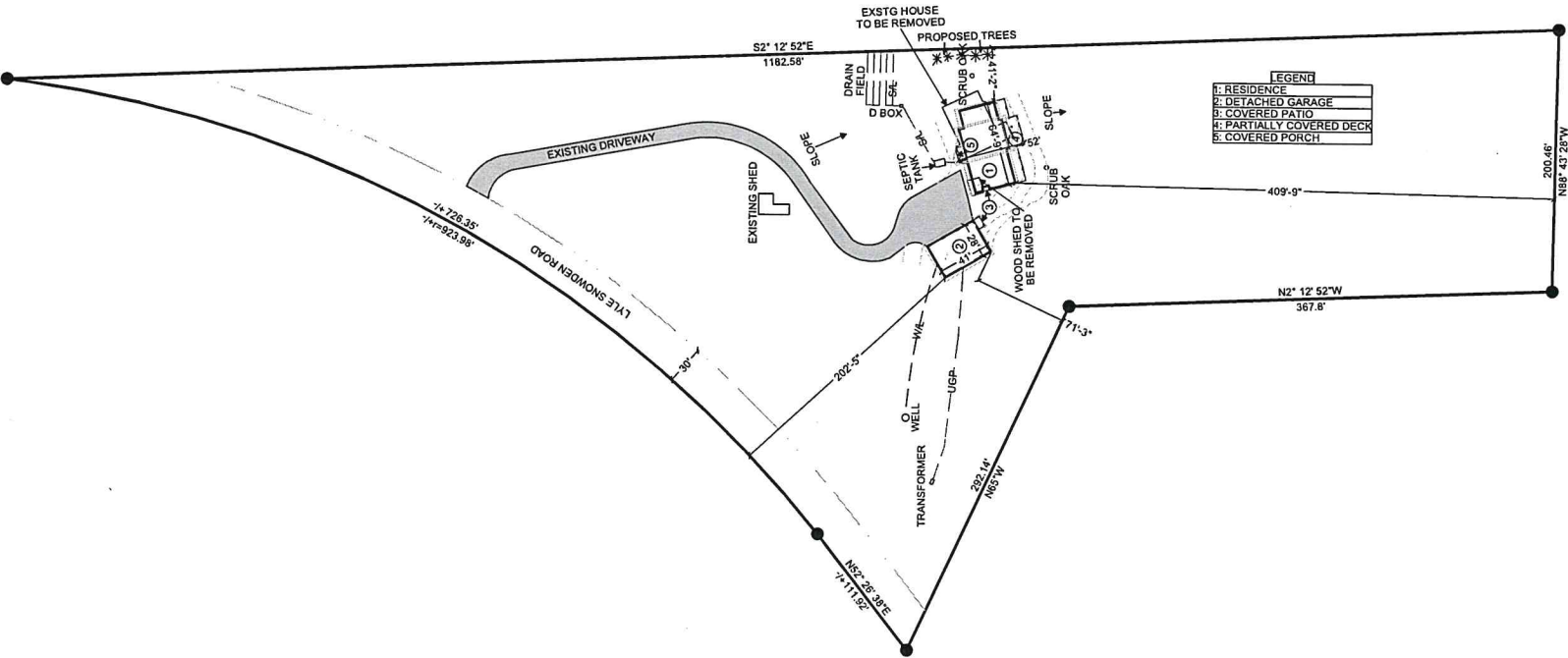
Confederated Tribes and Bands of the Yakama Nation
Confederated Tribes of the Umatilla Indian Reservation
Confederated Tribes of Warm Springs Reservation of Oregon
Nez Perce Tribe
U.S. Forest Service National Scenic Area Office
Washington Department of Archaeology and Historic Preservation
Klickitat County Planning Department
Klickitat County Building Department
Klickitat County Public Works Department
Klickitat County Health Department
Klickitat County Assessor
Washington Natural Heritage Program
Washington Department of Fish and Wildlife
Steve McCoy, Friends of the Columbia Gorge

Attachments:

Staff Report for C23-0008
Approved site plans and elevation drawings
Eastern Gorge Recommended Seed Mix
International Dark-Sky Association Acceptable Fixtures

APPROVED

KW



LEGEND	
1	RESIDENCE
2	DETACHED GARAGE
3	COVERED PATIO
4	PARTIALLY COVERED DECK
5	COVERED PORCH

LEGEND

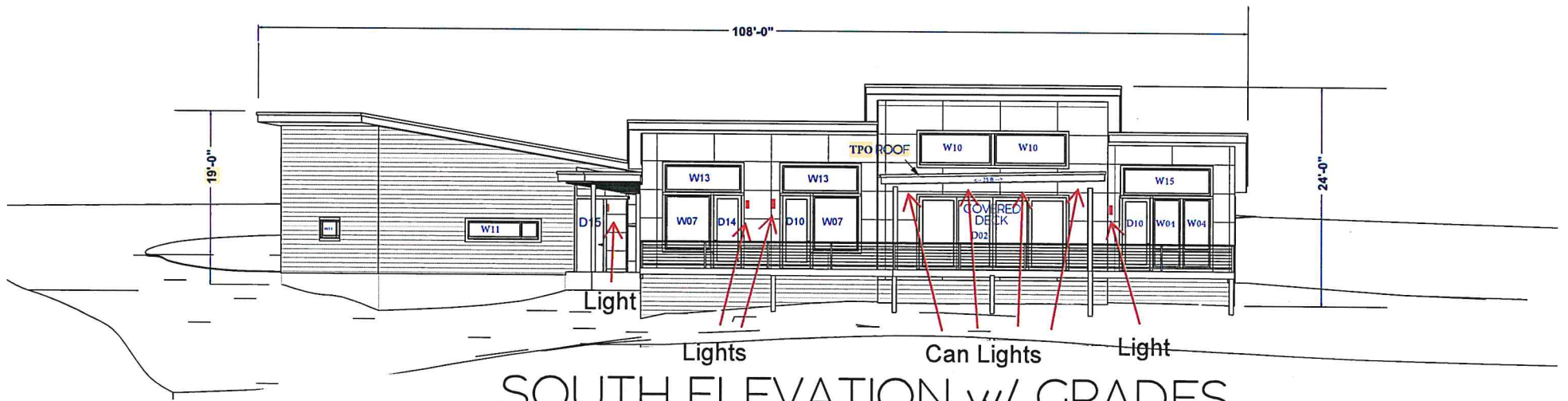
PROPERTY LINE	---
SET BACK LINE	---
EASEMENT	---
CONTOUR LINE	---
SIDEWALK	▬▬▬▬
PLANTERS STRIP	▨▨▨▨
CENTER LINE OF ROAD	---
ROOF LINE	---
SEWER/SEPTIC LINE (S/L)	---S/L---
FENCE	---
WELL	⊙
WATER LINE (W/L)	---W/L---
UG POWER (UGP)	---
OH POWER (OHP)	---
HEAVILY TREED AREA	▨▨▨▨
TREE	*
PROPOSED TREE REMOVAL	⊗
DECIDUOUS TREE	⊙
DECIDUOUS TREE REMOVAL	⊗
ELEVATIONS	'



WISE OWL HOME PLANS
4421 NE ST JOHNS RD, SUITE I
VANCOUVER, WA 98661
360-750-8911

SITE PLAN

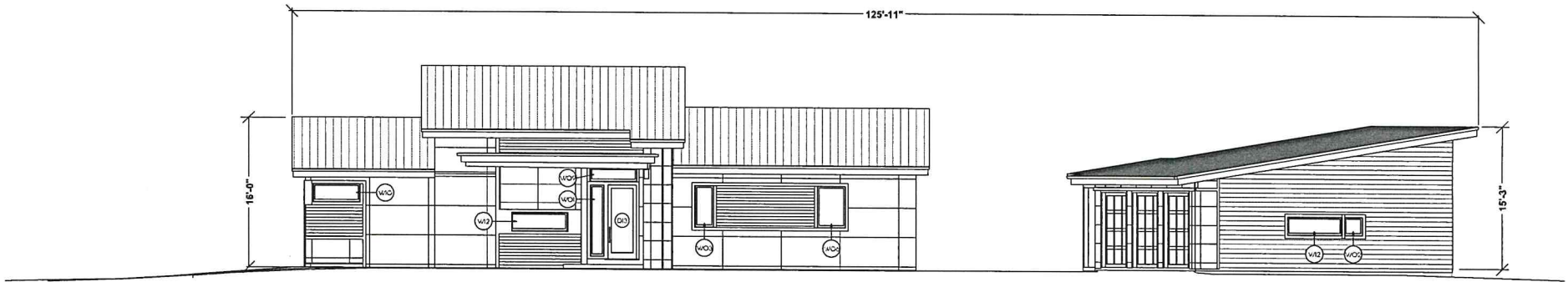
OWNER: McCELLAN
CONTRACTOR:
ADDRESS: 152 LYLE SNOWDEN ROAD
CITY, STATE: KLICKITAT, WA
SUBDIVISION/LOT #:
TAX ID:
SCALE: 1"=90'
DATE: 7/3/2024



SOUTH ELEVATION w/ GRADES
 SCALE: 1/16" = 1'

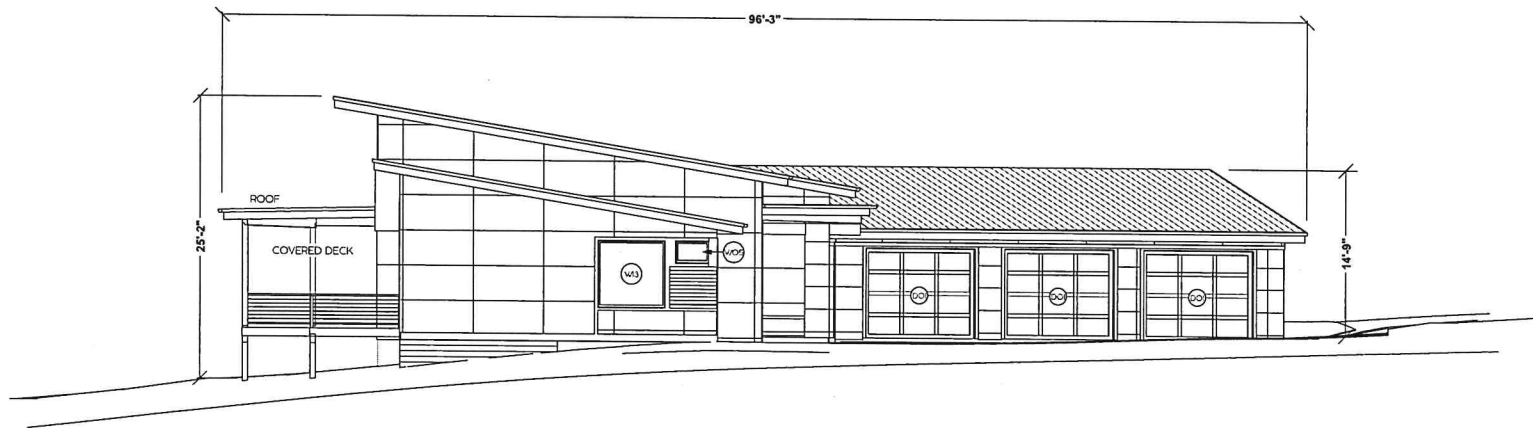
APPROVED

KW



NORTH ELEVATION w/ GRADES
SCALE: 3/32" = 1'

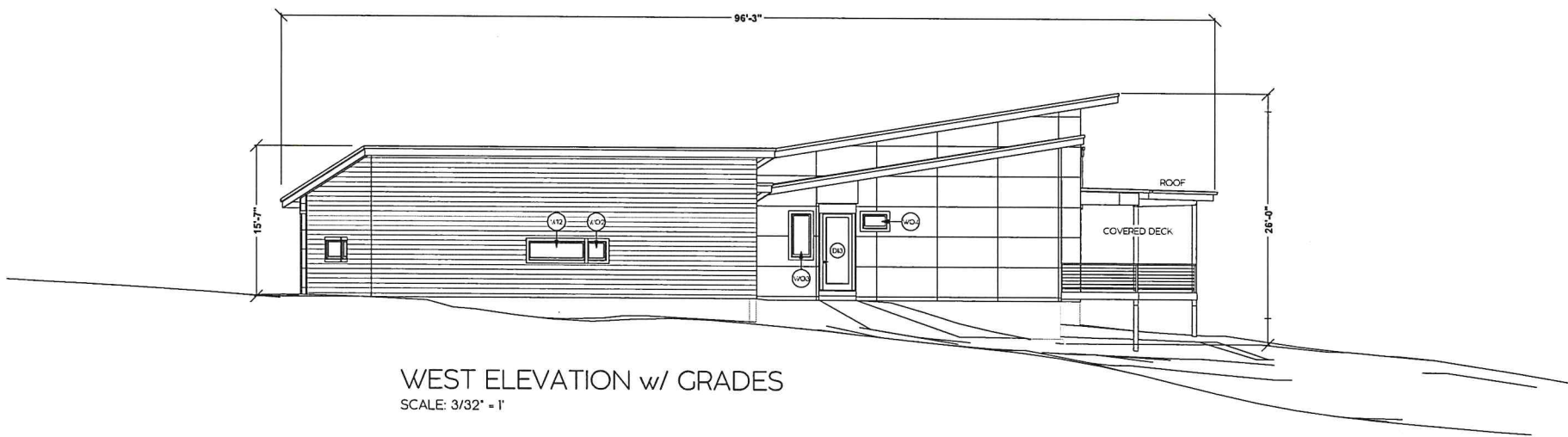
APPROVED
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EAST ELEVATION w/ GRADES
SCALE: 3/32" = 1'

APPROVED

kw



WEST ELEVATION w/ GRADES
SCALE: 3/32" = 1'

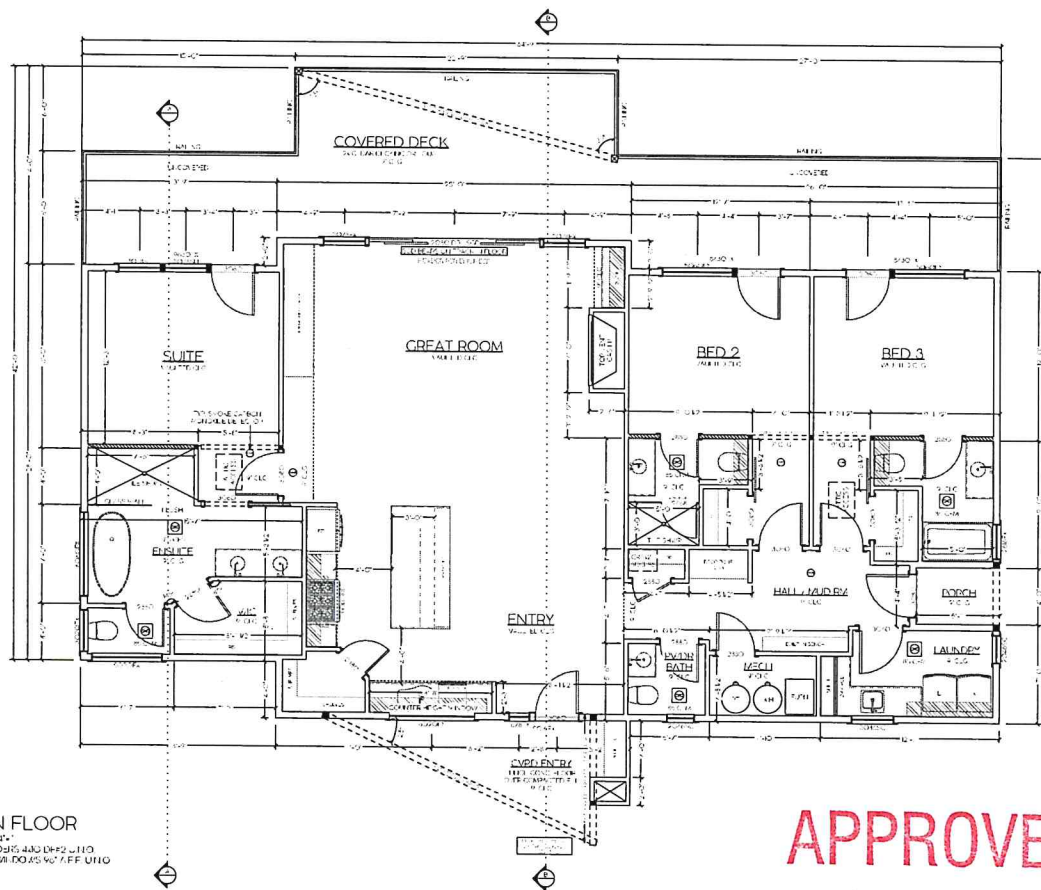
APPROVED

kw

Door Schedule													
Number	Label	Qty	Floor	Size	Width	Height	R/O	Description	Header	Thickness	Code	Manufacturer	Comments
DO1	1008O	3	2	1008O	120"	96"	123"X96 3/4"	Grace-Glass Panel	4"X12"X129"	1 3/8"			
DO2	248O	1	2	248O R IN	28"	96"	30"X96 3/4"	Hinged-Slab		1 3/8"			
DO3	266O	1	2	266O L	30"	80"	30"X80"	Shower-Glass Slab		1 1/2"			
DO4	288O	1	2	288O L EX	32"	96"	34"X96 3/4"	ext. Hinged-Glass Panel	4"X10"X37"	1 3/4"			
DO5	288O	2	2	288O L IN	32"	96"	34"X96 3/4"	Hinged-Panel		1 3/8"			
DO6	288O	3	2	288O L IN	32"	96"	34"X96 3/4"	Hinged-Slab		1 3/8"			
DO7	288O	1	2	288O R IN	32"	96"	34"X96 3/4"	Hinged-Slab		1 3/8"			
DO8	308O	1	2	308O L	36 3/16"	96"	38 3/16"X96 3/4"	Born-Door PO4		1 3/8"			
DO9	308O	2	2	308O L EX	36"	96"	38"X96 3/4"	ext. Hinged-Glass Panel	4"X10"X41"	1 3/4"			
DO10	308O	2	2	308O L IN	36"	96"	38"X96 3/4"	Hinged-Slab		1 3/8"			
DI1	308O	1	2	308O R	36"	96"	38"X96 3/4"	Born-Door PO4		1 3/8"			
DI2	308O	1	2	308O R	36"	96"	73 1/2"X96 3/4"	Pocket-Door PO4		1 3/8"			
DI3	308O	4	2	308O R EX	36"	96"	38"X96 3/4"	ext. Hinged-Glass Panel	4"X10"X41"	1 3/4"			
DI4	308O	1	2	308O R EX	36"	96"	38"X96 3/4"	ext. Hinged-Slab	4"X10"X41"	1 3/4"			
DI5	308O	1	2	308O R IN	36"	96"	38"X96 3/4"	Hinged-Slab		1 3/8"			
DI6	1208O DEL. SCD1	1	2	1208O L/R EX	114"	96"	146"X96 3/4"	ext. Quad Slider-Glass Panel	4"X10"X149"	1 3/4"			

Window Schedule													
Number	Label	Qty	Floor	Size	Width	Height	R/O	Foreess	Description	Header	Code	Manufacturer	Comments
WO1	1978FX	1	2	1978FX	17 7/8"	92"	17 7/8"X92 3/4"		Fixed Glass	4"X10"X20 7/8"			
WO2	2020SC	3	2	2020SC	24"	74"	24"X74 3/4"		Single Casement-N	4"X10"X27"			
WO3	2046SC	2	2	2046SC	24"	84"	24"X84 3/4"		Single Casement-N	4"X10"X27"			
WO4	286FX	1	2	286FX	30"	18"	30"X18 3/4"		Fixed Glass	4"X10"X33"			
WO5	3020FX	1	2	3020FX	36"	74"	36"X74 3/4"		Fixed Glass	4"X10"X39"			
WO6	3046SC	1	2	3046SC	36"	84"	36"X84 3/4"		Single Casement-N	4"X10"X39"			
WO7	3078FX	2	2	3078FX	36"	92"	36"X92 3/4"		Fixed Glass	4"X10"X39"			
WO8	3078SH	2	2	3078SH	36"	92"	36"X92 3/4"		Single Hung	4"X10"X39"			
WO9	5016FX	2	2	5016FX	60"	18"	60"X18 3/4"		Fixed Glass	4"X10"X60"			
WO10	5020FX	1	2	5020FX	60"	24"	60"X24 3/4"		Fixed Glass	4"X10"X63"			
WO11	5036FX	2	2	5036FX	60"	72"	60"X72 3/4"		Fixed Glass	4"X10"X65"			
WO12	6020FX	4	2	6020FX	72"	24"	72"X24 3/4"		Fixed Glass	4"X10"X75"			
WO13	6036FX	1	2	6036FX	72"	72"	72"X72 3/4"		Fixed Glass	4"X10"X75"			
WO14	71036FX	2	3	71036FX	94"	42"	94"X42 3/4"		Fixed Glass	4"X10"X97"			
WO15	8430FX	2	2	8430FX	100"	36"	100"X36 3/4"		Fixed Glass	4"X10"X103"			
WO16	9630FX	1	2	9630FX	114"	36"	114"X36 3/4"		Fixed Glass	4"X10"X117"			

CREATED
06/16/2023
REVISED
11/02/2023
REVISED
07/02/2024



MAIN FLOOR
SCALE 1/4" = 1'-0"
ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE

APPROVED

KW

DESIGN CRITERIA

FLOOR LOADS	40# LIVE
DECK LOADS	10# DEAD 40# LIVE
ROOF SNOWLOADS	10# DEAD 20# LIVE
SPRINKLER SNOWLOADS	40#
FROST DEPTH	0"

NOTES: 1. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE. 2. ALL WALLS ARE TO BE CONCRETE BLOCK WITH INTERIOR FINISH. 3. ALL FLOORS ARE TO BE CONCRETE ON GRADE WITH INTERIOR FINISH. 4. ALL CEILING ARE TO BE DRYWALL WITH INTERIOR FINISH. 5. ALL ROOFING ARE TO BE ASPH/FLT SHINGLES WITH INTERIOR FINISH. 6. ALL WINDOWS AND DOORS ARE TO BE ENERGY EFFICIENT. 7. ALL EXTERIOR WALLS ARE TO BE WEATHER RESISTANT. 8. ALL EXTERIOR FLOORS ARE TO BE WEATHER RESISTANT. 9. ALL EXTERIOR LIGHTS ARE TO BE WEATHER RESISTANT. 10. ALL EXTERIOR PAINT ARE TO BE WEATHER RESISTANT. 11. ALL EXTERIOR TRIM ARE TO BE WEATHER RESISTANT. 12. ALL EXTERIOR STAIRS ARE TO BE WEATHER RESISTANT. 13. ALL EXTERIOR RAILINGS ARE TO BE WEATHER RESISTANT. 14. ALL EXTERIOR HANDRAILS ARE TO BE WEATHER RESISTANT. 15. ALL EXTERIOR BENCHES ARE TO BE WEATHER RESISTANT. 16. ALL EXTERIOR TABLES AND SEATINGS ARE TO BE WEATHER RESISTANT. 17. ALL EXTERIOR FURNITURE ARE TO BE WEATHER RESISTANT. 18. ALL EXTERIOR LIGHT FIXTURES ARE TO BE WEATHER RESISTANT. 19. ALL EXTERIOR ELECTRICAL BOXES ARE TO BE WEATHER RESISTANT. 20. ALL EXTERIOR ELECTRICAL WIRING ARE TO BE WEATHER RESISTANT. 21. ALL EXTERIOR ELECTRICAL PANELS ARE TO BE WEATHER RESISTANT. 22. ALL EXTERIOR ELECTRICAL METER ARE TO BE WEATHER RESISTANT. 23. ALL EXTERIOR ELECTRICAL SERVICE ARE TO BE WEATHER RESISTANT. 24. ALL EXTERIOR ELECTRICAL GROUNDING ARE TO BE WEATHER RESISTANT. 25. ALL EXTERIOR ELECTRICAL BONDING ARE TO BE WEATHER RESISTANT. 26. ALL EXTERIOR ELECTRICAL GROUNDING AND BONDING ARE TO BE WEATHER RESISTANT. 27. ALL EXTERIOR ELECTRICAL GROUNDING AND BONDING ARE TO BE WEATHER RESISTANT. 28. ALL EXTERIOR ELECTRICAL GROUNDING AND BONDING ARE TO BE WEATHER RESISTANT. 29. ALL EXTERIOR ELECTRICAL GROUNDING AND BONDING ARE TO BE WEATHER RESISTANT. 30. ALL EXTERIOR ELECTRICAL GROUNDING AND BONDING ARE TO BE WEATHER RESISTANT.

WISE OWL PLANS
4800 NW CANAS MEADOWS DRIVE
SUITE 290, CAMAS, WA 98607
360.750.891

MCCELLEAN RESIDENCE
152 LYLE SNOWDEN RD
LYLE, WA 98635

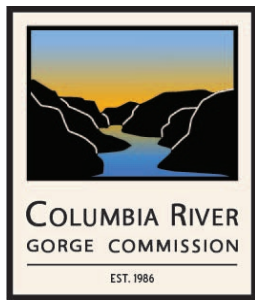
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TOTAL LIVING	2044 SF
OVHD ENTRY	98 SF
DECK	604 SF
SCREENED PATIO	24 SF
GARAGE	148 SF
GARAGE PORCH	42 SF

FLOOR PLAN KEY NOTES

- TEMPERED GLASS IS REQUIRED IN THE AREAS LISTED BELOW:
 - WITHIN 2' OF EXTERIOR
 - IN TUB AND SHOWER ENCLOSURES WITH GLASS DOOR IS LESS THAN 40" ABOVE THE FINISH FLOOR
 - INDIVIDUAL PANELS GREATER THAN 9" x 5" WHEN THE BOTTOM EDGE IS LESS THAN 18" ABOVE THE FINISH FLOOR
 - IN SERRATED OR WITHIN 5' OF THE BOTTOM PANEL OR WITHIN 5' OF THE TOP OF THE SERRATED WHEN THE BOTTOM EDGE IS LESS THAN 40" ABOVE THE FINISH SURFACE
- CARAGE SEPARATION: THE GARAGE SHALL BE SEPARATED FROM THE ADJACENT HOUSE AND ITS ATTIC SPACE BY 1/2" GYPSUM WALLBOARD APPLIED TO THE GARAGE SIDE OF THE SEPARATION. GARAGES BOUND BY HABITABLE ROOMS SHALL BE SEPARATED FROM THESE ROOMS BY 5/8" TYPE X GYPSUM BOARD WALLS SUPPORTING 5/8" CEILING SEPARATIONS SHALL BE PROTECTED WITH 1/2" GYPSUM BOARD.
- PROVIDE A MINIMUM OF 1/4" SOLID CORE OR 20 MINUTE FIRE RATED DOOR BETWEEN HOUSE AND GARAGE.
- PROVIDE SOMEHOW AND DOWN WATER HEATER.
- PROVIDE AN R-10 RIGID INSULATION PAD UNDER WATER HEATER.
- APPLIANCES LOCATED IN GARAGES WHICH GENERATE A CLOUD OF VAPOR OR FLAME CAPABLE OF HAZARDING PLUMBING VAPORS SHALL BE INSTALLED WITH SOURCES OF IGNITION AT LEAST 18" ABOVE TOOD. PANELS.
- APPLIANCES IN GARAGES SHALL BE INSTALLED BE IND PROTECTIVE BARRIERS OR ELEVATED OUT OF THE NORMAL PATH OF VAPORS.
- PROVIDE POSITIVE CONNECTIONS AT ALL POSTS BEAM CONNECTIONS AND POST FOUNDATION CONNECTIONS.
- WOOD EXPOSED TO MOISTURE SHALL BE TREATED OR AN APPROVED ALTERNATIVE OR SHALL BE OF NATURAL RESISTANCE TO DECAY.
- ALL FASTENERS IN CONTACT WITH PRESSURE TREATED WOOD SHALL BE STAINLESS STEEL GALVANIZED OR CORROSION RESISTANT IN ACCORDANCE WITH CODE.

POST LEGEND	WINDOW STYLE
1. 4x4 POST	1. 1/2" GLASS
2. 4x6 POST	2. 1/2" GLASS
3. 4x8 POST	3. 1/2" GLASS
4. 4x10 POST	4. 1/2" GLASS
5. 4x12 POST	5. 1/2" GLASS
6. 4x14 POST	6. 1/2" GLASS
7. 4x16 POST	7. 1/2" GLASS
8. 4x18 POST	8. 1/2" GLASS
9. 4x20 POST	9. 1/2" GLASS
10. 4x22 POST	10. 1/2" GLASS
11. 4x24 POST	11. 1/2" GLASS
12. 4x26 POST	12. 1/2" GLASS
13. 4x28 POST	13. 1/2" GLASS
14. 4x30 POST	14. 1/2" GLASS
15. 4x32 POST	15. 1/2" GLASS
16. 4x34 POST	16. 1/2" GLASS
17. 4x36 POST	17. 1/2" GLASS
18. 4x38 POST	18. 1/2" GLASS
19. 4x40 POST	19. 1/2" GLASS
20. 4x42 POST	20. 1/2" GLASS
21. 4x44 POST	21. 1/2" GLASS
22. 4x46 POST	22. 1/2" GLASS
23. 4x48 POST	23. 1/2" GLASS
24. 4x50 POST	24. 1/2" GLASS
25. 4x52 POST	25. 1/2" GLASS
26. 4x54 POST	26. 1/2" GLASS
27. 4x56 POST	27. 1/2" GLASS
28. 4x58 POST	28. 1/2" GLASS
29. 4x60 POST	29. 1/2" GLASS
30. 4x62 POST	30. 1/2" GLASS
31. 4x64 POST	31. 1/2" GLASS
32. 4x66 POST	32. 1/2" GLASS
33. 4x68 POST	33. 1/2" GLASS
34. 4x70 POST	34. 1/2" GLASS
35. 4x72 POST	35. 1/2" GLASS
36. 4x74 POST	36. 1/2" GLASS
37. 4x76 POST	37. 1/2" GLASS
38. 4x78 POST	38. 1/2" GLASS
39. 4x80 POST	39. 1/2" GLASS
40. 4x82 POST	40. 1/2" GLASS
41. 4x84 POST	41. 1/2" GLASS
42. 4x86 POST	42. 1/2" GLASS
43. 4x88 POST	43. 1/2" GLASS
44. 4x90 POST	44. 1/2" GLASS
45. 4x92 POST	45. 1/2" GLASS
46. 4x94 POST	46. 1/2" GLASS
47. 4x96 POST	47. 1/2" GLASS
48. 4x98 POST	48. 1/2" GLASS
49. 4x100 POST	49. 1/2" GLASS
50. 4x102 POST	50. 1/2" GLASS
51. 4x104 POST	51. 1/2" GLASS
52. 4x106 POST	52. 1/2" GLASS
53. 4x108 POST	53. 1/2" GLASS
54. 4x110 POST	54. 1/2" GLASS
55. 4x112 POST	55. 1/2" GLASS
56. 4x114 POST	56. 1/2" GLASS
57. 4x116 POST	57. 1/2" GLASS
58. 4x118 POST	58. 1/2" GLASS
59. 4x120 POST	59. 1/2" GLASS
60. 4x122 POST	60. 1/2" GLASS
61. 4x124 POST	61. 1/2" GLASS
62. 4x126 POST	62. 1/2" GLASS
63. 4x128 POST	63. 1/2" GLASS
64. 4x130 POST	64. 1/2" GLASS
65. 4x132 POST	65. 1/2" GLASS
66. 4x134 POST	66. 1/2" GLASS
67. 4x136 POST	67. 1/2" GLASS
68. 4x138 POST	68. 1/2" GLASS
69. 4x140 POST	69. 1/2" GLASS
70. 4x142 POST	70. 1/2" GLASS
71. 4x144 POST	71. 1/2" GLASS
72. 4x146 POST	72. 1/2" GLASS
73. 4x148 POST	73. 1/2" GLASS
74. 4x150 POST	74. 1/2" GLASS
75. 4x152 POST	75. 1/2" GLASS
76. 4x154 POST	76. 1/2" GLASS
77. 4x156 POST	77. 1/2" GLASS
78. 4x158 POST	78. 1/2" GLASS
79. 4x160 POST	79. 1/2" GLASS
80. 4x162 POST	80. 1/2" GLASS
81. 4x164 POST	81. 1/2" GLASS
82. 4x166 POST	82. 1/2" GLASS
83. 4x168 POST	83. 1/2" GLASS
84. 4x170 POST	84. 1/2" GLASS
85. 4x172 POST	85. 1/2" GLASS
86. 4x174 POST	86. 1/2" GLASS
87. 4x176 POST	87. 1/2" GLASS
88. 4x178 POST	88. 1/2" GLASS
89. 4x180 POST	89. 1/2" GLASS
90. 4x182 POST	90. 1/2" GLASS
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Development Review Staff Report

Summary of Application

FILE NUMBER:	C23-0008
PROPOSAL:	The Columbia River Gorge Commission has received an application for the removal and replacement of a single-family dwelling.
APPLICANTS:	Dave & Lisa McClellon
LANDOWNERS:	Dave & Lisa McClellon
SIZE and LOCATION:	The subject parcel is approximately five acres in size and located at 152 Lyle Snowden Road and described as tax lot number 03-12-2152-0001/00 in the southeast quarter of Section 21, Township 3 North, Range 12 East, Willamette Meridian, Klickitat County, Washington.
LAND USE DESIGNATION:	General Management Area - Small-Scale Agriculture (80)

Notice of Application Mailed to:

In accordance with Commission Rule 350-082-0110, the Gorge Commission staff mailed notice of this application to property owners within 200 feet of the subject parcel and sent email notice of this application to the following governments, agencies, and organizations:

Confederated Tribes and Bands of the Yakama Nation
Confederated Tribes of the Umatilla Indian Reservation
Confederated Tribes of Warm Springs
Nez Perce Tribe
U.S. Forest Service National Scenic Area Office (USFS CRGNSA)
Washington Department of Archaeology and Historic Preservation (DAHP)
Klickitat County Planning Department
Klickitat County Building Department
Klickitat County Public Works Department
Klickitat County Health Department
Klickitat County Assessor
Skamania County
Washington Natural Heritage Program
Washington Department of Fish and Wildlife (WDFW)
Friends of the Columbia Gorge

Written Comments Received From:

Friends of the Columbia Gorge (Steve McCoy, Staff Attorney)
USFS CRGNSA (Chris Donnermeyer, Heritage Resource Program Manager)

Findings of Fact

A. Land Use

1. Dave and Lisa McClellon are proposing to replace a mobile home and shed with a new house and a detached garage accessory building.
2. The parcel is approximately five acres in size and is located approximately one and a half miles north from its intersection with Canyon Road.
3. Existing development on the property includes a 1,232 sq ft (44 ft x 28 ft) manufactured home, a 391 sq ft (17 ft x 23 ft) “barn” accessory building, a 104 sq ft (8 ft x 13 ft) “wood shed” accessory building, and a 9 sq ft (3 ft x 3 ft) well house.
4. Commission Rule 350-082-0200(3) allows for the replacement of existing homes not damaged or destroyed by disaster. It states:

Replacement of Existing Structures Not Damaged or Destroyed by Disaster. Except as provided in section (4) below, an existing structure may be replaced if a complete land use application for a replacement structure is submitted to the reviewing agency within one year of the date the use of the original structure was discontinued. The replacement structure shall comply with the following standards:

*(a) The replacement structure shall have the same use as the original structure.
(b) The replacement structure may have a different size or location than the original structure. An existing manufactured home may be replaced with a framed residence and an existing framed residence may be replaced with a manufactured home.*

(c) The replacement structure shall be subject to the scenic, cultural, recreation and natural resources guidelines; the treaty rights guidelines; and the land use designations guidelines involving agricultural buffer zones, approval criteria for fire protection, and approval criteria for siting of dwellings on forest land.

(d) The original structure shall be considered discontinued if a complete land use application for a replacement structure is not submitted within the one-year time frame.

Commission Rule 350-082-0070(73) defines “existing use or structure” as:

*Any use or structure that was legally established and that has continued to operate lawfully and has not been discontinued. “Legally established” means:
(a) The landowner or developer obtained applicable land use and building permits and complied with land use regulations and other laws that were in effect at the time the use or structure was established, or that were in effect at*

the time the landowner or developer corrected an improperly established use or structure;

(b) The use or structure was initially operated or constructed according to those applicable permits, land use regulations and other laws, or has been operated or constructed according to permits obtained to correct an improperly established use or structure; and

(c) Any changes to the original use or structure must comply with all applicable permit requirements, land use regulations and other laws that were in effect at the time the change was established.

The existing mobile home was approved by the Klickitat County on January 13, 1986, with Permit Number MP3061, which was before the date of the National Scenic Area Act. The existing mobile home is a legally established existing structure.

The Gorge Commission received a complete land use application for the replacement dwelling. The existing dwelling has not been discontinued and will be removed before construction of the replacement dwelling begins. The replacement dwelling will be used in the same manner, for the same purpose and is situated in the same location as the original dwelling. The replacement dwelling will be 2,044 sq ft, which is larger than the original dwelling.

The replacement dwelling is subject to the scenic, cultural, recreation and natural resources guidelines; the treaty rights guidelines; and the land use designations guidelines involving agricultural buffer zones. The proposed development follows the standards for the replacement of existing structures not damaged or destroyed by disaster, consistent with this rule.

5. Commission Rule 350-082-0270(3)(e) allows:

Accessory building(s) larger than 200 square feet in area or taller than ten feet in height for a dwelling on any legal parcel less than or equal to ten acres in size are subject to the following additional standards:

(A) The combined footprints of all accessory buildings on a single parcel shall not exceed 1,500 square feet in area. This combined size limit refers to all accessory buildings on a parcel, including buildings allowed without review, existing buildings and proposed buildings.

(B) The height of any individual accessory building shall not exceed 24 feet.

The applicant proposes a 1,148 sq ft garage that is 19 ft tall. There are currently three accessory buildings on the property: a 391 sq ft (17 ft x 23 ft) “barn” accessory building, a 104 sq ft (8 ft x 13 ft) “woodshed” accessory building, and a 9 sq ft (3 ft x 3 ft) well house. The woodshed is being removed as part of this proposal. The well house is under 200 sq ft and is not considered under this guideline. The combined square footage of the barn and the proposed garage is 1,539 sq ft. A condition of approval requires the applicant to remove the 104 sq ft tool shed to comply with this rule.

6. Commission Rule 350-082-0580(2) provides buffer distances for all new buildings in the GMA proposed on parcels adjacent to lands designated Large-Scale Agriculture or Small-Scale Agriculture that are currently used or suitable for agricultural use. All

parcels surrounding the subject parcel are designated Small-Scale Agriculture. Commission Rule 350-082-0580 Table 1 – Setback Guidelines describes the buffers for agricultural uses and buffer types. Commission Rule 350-082-0580(2)(b) states:

New buildings adjacent to lands designated Large-Scale Agriculture or Small-Scale Agriculture that are suitable, but currently not used for agriculture, shall use the open or fenced setback associated with the dominant type of agriculture in the vicinity. If a vegetation barrier, eight-foot berm, or terrain barrier exists, the corresponding setback shall apply. If more than one type of agriculture is dominant, the setback shall be the larger width.

Commission Rule 350-082-0070(183) defines suitability as:

The appropriateness of land for production of agricultural or forest products or for recreation, considering its capability for production; whether the land is committed by development to another land use that does not allow for agricultural use; surrounding uses and features associated with development; compatibility with scenic, cultural, natural and recreation resources; compatibility among uses; and other cultural factors, such as roads, powerlines, dwellings, and size of ownership.

This rule is applicable to the subject parcel along all of the parcel's boundaries. Staff looked at other parcels in the vicinity to see what types of agricultural uses the subject parcel and adjacent parcels are suitable for. In general, the types of agriculture found on nearby land with similar terrain are livestock grazing/pasturelands and vineyards/berries. According to Commission Rule 350-082-0580 Table 1 – Setback Guidelines, the setback requirement is 100 ft for pasturelands and 150 ft for vineyards. The development is 390 ft from the southern property line, 150 ft from the closest part of western property line and 290 ft from the northern property line. No additional buffers are needed between the subject property and these properties. However, the distance between the location of the development and eastern property line is 41 ft. The parcel to the east is currently used for livestock grazing and pastureland. Pursuant to Commission Rule 350-082-0580(2)(b), an agricultural buffer shall apply to the proposed building on the subject parcel. For pastureland with open or fenced barriers the setback for buildings in 100 ft and with a natural or created vegetation barrier the buffer is 15 ft. The applicants propose planting a 50 ft long vegetative buffer along the eastern property boundary that includes the use of evergreen trees. Commission Rule 350-082-0580(2)(d) states,

The planting of a continuous vegetative screen may be used to satisfy, in part, the setback guidelines. Trees shall be at least six feet high when planted and reach an ultimate height of at least 15 feet. The vegetation screen shall be planted along the appropriate parcel line(s) and shall be continuous."

A condition of approval is included that the trees be native to the area, and that at the time of planting, the trees shall be three to six-feet-tall, and with the root ball wrapped in burlap. The vegetation shall be planted as shown on the approved site plan and planted as soon as practicable. With a condition approving the vegetative buffer and a

condition requiring proper maintenance and care of the vegetation, the agricultural buffer from the property to the east shall be twenty feet. The applicants were informed of the agricultural buffers and submitted a new site plan showing a building location and proposed vegetative agricultural buffers.

Land Use Conclusion:

The proposed development is allowed review uses, subject to Commission Rules 350-082-0600 through 350-082-0720 that protect scenic, cultural, natural, and recreation resources.

B. SCENIC RESOURCES

1. Commission Rule 350-082-0600 contains guidelines for the protection of scenic resources in the National Scenic Area. Commission Rule 350-082-0600(1) applies to all review uses. Commission Rule 350-082-0600(1)(a) states:

New development shall be sited and designed to retain the existing topography and to minimize grading activities to the maximum extent practicable.

The applicants submitted a grading plan to show compliance with this guideline. The applicants propose to site the dwelling on a flat part of the parcel where minimal grading is necessary. The existing topography at the site of the proposed replacement dwelling is level because of the previous placement of the manufactured home. This is the flattest area of the parcel and helps keep existing topography and conform with agricultural buffer requirements. Grading is limited to what is necessary for the foundation. The driveway will use the existing road. The siting of the development is designed consistent with this rule.

2. Commission Rule 350-082-0600(1)(b) states:

New buildings and expansion of existing development shall be compatible with the general scale of existing nearby development. New buildings that are 1,500 square feet or less are exempt from this guideline. Findings addressing this guideline shall include, but are not limited to:

(A) Application of the landscape setting design guidelines, if applicable.

(B) A defined study area surrounding the development that includes at least ten existing buildings, not including existing buildings within urban areas or outside the National Scenic Area.

(C) Individual evaluations of scale for each separate proposed building in the application and each separate building in the study area, including:

(i) All finished above ground square footage;

(ii) Total area of covered decks and porches;

(iii) Attached garages;

(iv) Daylight basements;

(v) Breezeways, if the breezeway shares a wall with an adjacent building; and

(vi) Dimensions, based on information from the application or in Assessor's records.

(D) An overall evaluation demonstrating the compatibility of proposed development with surrounding existing development and development approved but not yet constructed. Buildings in the vicinity of the proposed development that are significantly larger in size than the rest of the buildings in the study area should be removed from this evaluation.

The landscape setting for the subject parcel is Oak-Pine Woodland. Commission Rule 350-082-0600(3)(c) has applicable guidelines for the proposed development in this landscape setting. To decide compatibility of the proposed development, Commission staff looked at development within a quarter mile of the surrounding subject parcel using tax assessor records collected from Klickitat County. Staff chose the quarter mile study area because all the parcels are within the same landscape setting as the subject property and have similar visibility from KVAs. Additionally, most parcels in the study area are of a comparable size to the subject parcel and are developed with single-family dwellings. Of the 26 parcels in the study area, staff found 21 parcels with development. There are currently 24 known dwellings and 75 buildings in total in the study area. Buildings in the study area include single-family dwellings, mobile homes, garages, agricultural structures, and smaller accessory structures. According to Klickitat County records, buildings range in mass up to 3,655 sq. ft. and are varying in height up to 31 ft tall.

As proposed, the dwelling will be one story building with 2,044 sq ft of interior living space and 207 sq ft of covered patio and deck space, for a total mass of 2,251 sq. ft. At its tallest point, the house will be 26 ft tall. The proposed accessory building will be 1,148 sq ft and be 19 ft tall. The general scale of the proposed building is compatible with the general scale of existing nearby development, consistent with Commission Rule 350-082-0600(1)(b).

3. Commission Rule 350-082-0600(1)(c) states:

Landowners shall be responsible for the proper maintenance and survival of any planted vegetation required by 350-082-0600.

The applicants have proposed new landscaping as part of the development. Consistent with this rule, a condition is included requiring disturbed areas be revegetated at once upon completion of the project. Staff is providing the handout, *List of Recommend Seed Mixes for East Side Environments*, as an attachment to the Director's Decision. A condition of approval is included requiring an irrigation plan and the proper maintenance and survival planted vegetation. The proposal is consistent with Commission Rule Commission Rule 350-082-0600(1)(c).

4. Commission Rule 350-082-0600(2) has guidelines that affect developments on sites visible from Key Viewing Areas (KVAs). Staff determined the subject parcel is topographically visible from one KVA: Rowena Plateau and Nature Conservancy Viewpoint. Because the proposed development is topographically visible from KVAs, the guidelines of Commission Rule 350-082-0600(2) are applicable. The proposed development is visible from the Rowena Plateau and Nature Conservancy Viewpoint at the following distance zones:

Key Viewing Area (KVA)	Distance Zone		
	Foreground	Middle ground	Background
	0 - 1/4 mile	1/4 - 4 miles	Over 4 miles
Rowena Plateau			X

- Commission Rule 350-082-0600(2)(a) requires new development to be visually subordinate to its landscape setting as visible from key viewing areas. New development shall be sited to achieve visual subordination from key viewing areas, unless the siting would place such development in a buffer specified for protection of wetlands, riparian corridors, rare plants, or sensitive wildlife sites or would conflict with guidelines to protect cultural resources. In such situations, new development siting shall comply with this guideline to the maximum extent practicable.

Commission Rule 350-082-0070(202) defines *visually subordinate* as follows:

... A description of the relative visibility of a development, structure, or use where that development, structure, or use does not noticeably contrast with the defining landscape setting characteristics, as viewed from a specified vantage point (generally a key viewing area, for the Management Plan) and the setting appears only slightly altered (distinctive characteristics of that setting remain dominant). As opposed to development, structures, or uses that are fully screened, structures that are visually subordinate may be partially visible but would be difficult to discern to the common viewer. Visually subordinate development, structures, or uses as well as forest practices in the SMAs shall repeat form, line, color, or texture common to the natural landscape, while changes in their qualities of scale, proportion, intensity, direction, pattern, etc., shall not dominate the natural landscape setting.

The Director’s Decision has requirements and conditions of approval to ensure the development is *visually subordinate*. Factors contributing to the visibility of the development include the size, shape, dark earth-tone colors, low reflective building materials, distance from KVAs and existing topography, vegetation, and screening. The KVA from which this development is topographically visible is more than four miles away. As discussed in further Findings B.7 and B.8, Commission Rule 350-082-0600(2)(c) requires the extent and type of conditions applied to a development to achieve the scenic standard of visually subordinate be proportionate to the building’s degree of visibility from KVAs. Additionally, as discussed in Findings B.12 and B.13, Commission Rule 350-082-0600(2)(i) and Commission Rule 350-082-0600(2)(h) require all proposals to be constructed of low-reflective materials and dark earth-tone colors. As addressed in Sections C and D, the proposed development is consistent with the applicable cultural resource rules in Commission Rule 350-082-0620 and the natural resource rules in Commission Rule 350-082-0640.

6. Commission Rule 350-082-0600(2)(b) requires that a determination of potential visual effects and compliance with the visual subordination standard in subsection (a) above include consideration of the cumulative effects of proposed development. Commission Rule 350-082-0070(50) defines cumulative effects as:

The combined effects of two or more activities. The effects may be related to the number of individual activities, or to the number of repeated activities on the same piece of ground. Cumulative effects can result from individually minor but collectively significant actions taking place over a period of time.

To determine cumulative effects of the proposed development, staff analyzed existing development and development potential of the subject parcel and adjacent and nearby lands also in the Oak-Woodland Landscape Setting within a quarter mile of the subject parcel. Staff chose the half mile study area because the parcels are within the same Oak-Pine Woodland landscape setting as the subject property and several of the parcels in the area are developed with single-family dwellings.

As seen from Rowena Plateau KVA, the subject parcel is in an area where existing homes and accessory buildings are prevalent but are sparsely visible throughout the landscape or are indistinguishable in the landscape due to the distance from the KVA, existing vegetation and topography. Buildings in these viewsheds are clustered together and appear part of the scattered rural residential development and consistent with the landscape settings guidelines. There will not be any visual cumulative effects from KVAs in the foreground and midground because the development will not be visible from any KVA at those distances. The development will only be visible from Rowena Plateau. From this KVA, the development is over four miles away and will be indistinguishable from its surroundings.

Development in the vicinity of the proposal includes 24 single-family dwellings. The dwellings range in size up to 3,655 sq ft and are up to thirty-one feet tall. The total square footage of the proposed dwelling is 2,044 sq ft. For analysis, staff assume that all existing dwellings on surrounding lots could be replaced in the future, subject to review.

According to data from Klickitat Assessor Records, within the study area there are 26 parcels; five of those parcels are undeveloped. 24 parcels are designated GMA Small-Scale Agriculture with an 80-acre minimum parcel size, and all but four of those parcels are developed with dwellings. Staff assume for this analysis those parcels will someday be developed with dwellings and accessory structures. Two parcels are designated GMA Large Scale Agriculture with a 160-acre minimum; one parcel is developed and the other is not. The developed parcel is an estimated 233 acres and is not eligible for future land divisions. The other undeveloped parcel is 558 acres and would be eligible for a future land division. Staff assume this undeveloped parcel could potentially have two dwellings in the future. All told, 22 parcels are developed with dwellings, accessory structures, and various agricultural uses, and five parcels (potentially six parcels in the future) are undeveloped.

It is unlikely that there would be multiple similar developments on the 'same piece of ground,' given the limitations on the number of dwellings and the size of accessory buildings on the parcel. While additional dwellings for agricultural labor housing or an agricultural operator's relative are allowed uses on the subject property, the need for any such additional dwellings would be based on an approvable agricultural use.

Several factors ensure the proposed building will not cause adverse scenic impacts as viewed from Rowena Plateau, including distance, colors, non-reflective and low reflectivity building materials, and screening vegetation. The proposed dwelling is compatible in size with existing development and will not create any consequential cumulative effects to scenic resources because the building is indistinguishable from the KVA. If new buildings are built according to applicable Land Use Designation guidelines on each parcel in the vicinity of the proposed development, and if they are designed in a similar manner to existing development and consistent with the guidelines of this chapter, they will be held to the same visual resource protection standards and will be required to be visually subordinate. The design guidelines for the Oak-Pine Woodland landscape setting in the GMA recommend that development be clustered and sited to maximize screening of existing topography and vegetation to keep the character of the setting. If new developments are built in a comparable manner to the proposal, there would be no cumulative effects to scenic resources. By using existing topography and vegetation, a design that fits with the landscape setting, and exterior materials that are dark, earth-toned, with low reflectivity there will be no significant increase in visibility of new development. Development designed and sited to achieve the standard visually subordinate will not generate adverse cumulative scenic impacts. For the reasons above, the proposed development will not cause adverse scenic impacts, and will not cause adverse cumulative scenic impacts, consistent with Commission Rule 350-082-0600(2)(b).

7. Commission Rule 350-082-0600(2)(b) states:

A determination of the potential visual impact of a new development shall include written findings addressing the following factors:

(A) The amount of area of the building site exposed to key viewing areas;

(B) The degree of existing vegetation providing screening;

(C) The distance from the building site to the key viewing areas from which it is visible;

(D) The number of key viewing areas from which it is visible;

(E) The linear distance along the key viewing areas from which the building site is visible (for linear key viewing areas, such as roads); and

(F) Other factors the reviewing agency determines relevant in consideration of the potential visual impact.

The site is only visible from one higher elevation KVA, Tom McCall Viewpoint (approximately 1,700 ft elevation) in the background approximately four miles away from the subject property. From the Rowena Plateau/Tom McCall trailhead parking lot (700 ft. elevation), the parcel (1,015 ft elevation) is not visible because hills screen the parcel completely from view. However, the hills do not provide complete screening

from higher elevations of Rowena Plateau while hiking the Tom McCall trail. From the top of Tom McCall trail, (1,700 ft. elevation), the parcel is lower in elevation than the KVA and topography visible. At that viewing distance the development will appear insignificant in the landscape and not be visible to the unaided eye. Existing vegetation both on and off the subject parcel provides effective screening because the site is located over 4 miles away. The buildings have scattered ponderosa pine and Oregon white oak surrounding the development. Given the distance from KVAs, existing topography and screening, and exterior colors, the buildings will have minimal visibility from KVAs. As explained below, conditions are applied to the development's color and reflectivity to ensure the development is visually subordinate to its setting as seen from KVAs. With the retention of the existing trees around the buildings, the buildings will be visually subordinate.

8. Commission Rule 350-082-0600(2)(c) states:

The extent and type of conditions applied to a proposed development to achieve visual subordination to its landscape setting shall be proportionate to its potential visual impacts as visible from key viewing areas. Conditions may include, and shall be applied using the following order of priority, with (A) being the first condition to require and (F) being the last condition to require if the prior conditions do not achieve visual subordination:

(A) Screening by existing topography.

(B) Siting (location of development on the subject property, building orientation, and other elements).

(C) Retention of existing vegetation on the applicant's property.

(D) Design and building materials (color, reflectivity, size, shape, height, architectural and design details and other elements).

(E) New landscaping on the applicant's property.

(F) New berms or other recontouring on the applicant's property, where consistent with other applicable provisions.

Factors contributing to the visual subordination of the development include the location, size, shape, dark colors, building materials with low reflectivity, distance from KVAs and existing topography, screening, and vegetation. The site is only visible from one KVA, Rowena Plateau and is only visible in the background (over four miles away). The proposed development is sited on the subject parcel with minimal visibility from KVAs. As designed, the building is primarily screened from KVAs by topography and vegetation. Given the distance from KVAs, existing topography and screening, and exterior colors, the building will be visually subordinate. The applicant has chosen dark earth-tone colors and low reflectivity building materials which are included as conditions of approval. Consistent with the landscape settings design guidelines, a condition of approval requires existing vegetation surrounding the development on the parcel to be retained except for safety. With these conditions included in the Director's Decision, the proposal will be visually subordinate, as viewed from KVAs and consistent with the design guidelines for the Oak-Pine Woodlands Landscape Setting. Staff find these conditions to be proportionate to the development's potential visual impact as seen from KVAs.

9. Commission Rule 350-082-0600(2)(d) states:

New development shall be sited using existing topography and/or existing vegetation as needed to achieve visual subordination from Key Viewing Areas. The following guidelines shall apply to new landscaping used to screen development from key viewing areas:

(A) New landscaping (including new earth berms) shall be required only when application of all other available guidelines in 350-082-0600 is not sufficient to make the development visually subordinate from key viewing areas. Alternate sites shall be considered prior to using new landscaping to achieve visual subordination. Development shall be sited to avoid the need for new landscaping wherever possible.

(B) If new landscaping is required to make a proposed development visually subordinate from key viewing areas, existing on-site vegetative screening and other visibility factors shall be analyzed to determine the extent of new landscaping, and the size of new trees needed to achieve the standard. Any vegetation planted pursuant to this guideline shall be sized to provide sufficient screening to make the development visually subordinate within five years or less from the commencement of construction. If after five years the vegetation has not achieved a size sufficient to screen the development, the Executive Director may require additional screening to make the development visually subordinate.

(C) Unless as specified otherwise by provisions in 350-082-0600, landscaping shall be installed as soon as practicable, and prior to project completion.

(D) 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.

(E) The Scenic Resources Implementation Handbook includes recommended species for each landscape setting consistent with 350-082-0600(3) and minimum recommended sizes of new trees planted (based on average growth rates expected for recommended species).

The applicants did not propose a landscaping plan as part of the proposal, and no new landscaping is required to screen the development from KVAs.

10. The Commission Rule 350-082-0600(2)(e) states:

Existing tree cover screening proposed development from key viewing areas shall be retained as specified in 350-082-0600(3).

The subject parcel is in the Oak-Pine Woodlands landscape setting. Findings for the Landscape Settings Design Guidelines are addressed below.

11. Commission Rule 350-082-0600(2)(f) states:

The silhouette of new buildings shall remain below the skyline of a bluff, cliff, or ridge as seen from key viewing areas.

The proposed dwelling will be 26 ft tall, and the accessory building will be 19 ft tall. The land to the north continues to rise behind the existing buildings, and the proposal will not break the skyline as seen from all KVAs from which the development site is topographically visible. The development is consistent with Commission Rule 350-082-0600(2)(f).

12. Commission Rule 350-082-0600(2)(h) states:

Unless expressly exempted by other provisions in 350-082-0600, colors of structures on sites visible from key viewing areas shall be dark earth-tones found at the specific site or in the surrounding landscape. The specific colors approved by the reviewing agency shall be included as a condition of approval.

The proposed development has been designed to achieve visual subordination using the following dark earth-tone colors:

Siding: Rodda Paint *Green Tea (CA167) & French Roast (CA213)*

Roofing: ASC Building Products *Weathered Copper*

Trim: Rodda Paint *French Roast (CA213)*

These colors are dark earth-tones that are found at the specific site on the shaded leaves and bark of trees and vegetation. A condition of approval is included in the Director's Decision requiring all elements of the proposal to be these colors, consistent with Commission Rule 350-082-0600(2)(h).

13. Commission Rules 350-082-0600(2)(i) states:

The exterior of buildings on lands visible from key viewing areas shall be composed of non-reflective materials or materials with low reflectivity. Continuous surfaces of glass shall be limited to ensure visual subordination. The Scenic Resources Implementation Handbook includes a list of recommended exterior materials and screening methods.

The proposed exterior material for the building is fiber cement siding which has low reflectivity. The roof will be metal and TPO, however the house is designed with a shed roof that angles north and the accessory building is designed with a shed roof that angles northwest, away from KVAs. The replacement dwelling also has several large expanses of glass windows exposed to KVAs. A condition of approval is included requiring all exterior surfaces of the proposed development, including doors, siding, trim, window casing and sash, decks, and railings to be composed of non-reflective materials to ensure consistency with this rule.

The Scenic Resources Implementation Handbook recommends limiting continuous unscreened glass to 50 sq ft to prevent adverse impacts to scenic resources but suggests larger areas of glass may be used if visual impacts are reduced by other measures. As

proposed, four of the fenestrations are larger than 50 sq ft as defined by the handbook. Given the distance from KVAs, existing topography and screening, and exterior colors, the building and proposed fenestrations will have minimal reflectivity from KVAs. The Scenic Resources Implementation Handbook suggests that the use of glass with 11 percent reflectivity may be allowable when development is located beyond the foreground of KVAs and when partially screened by topography and vegetation. A condition of approval is included requiring the glass to have a reflectivity rating of 11 percent, consistent with this rule.

14. Commission Rule 350-082-0600(2)(j) states:

Any exterior lighting shall be sited, limited in intensity, shielded, or hooded in a manner that prevents lights from being highly visible from key viewing areas and from noticeably contrasting with the surrounding landscape setting, except for road lighting necessary for safety purposes.

The applicants propose nine exterior lighting fixtures for the replacement dwelling: five wall mounted lights by the exterior doors and four recessed soffit lights underneath the covered porch on the southern elevation. A condition of approval is included in the decision ensuring lights are directed downward, hooded, and shielded such that they are not highly visible from KVAs, consistent with this rule. Staff are also providing the applicant with examples of acceptable light fixtures from the International Dark-Sky Association as an attachment to this decision.

15. Commission Rule 350-082-0600(2)(r) states:

Driveways and buildings shall be designed and sited to minimize visibility of cut banks and fill slopes from key viewing areas.

The existing topography at the site of the replacement dwelling and a garage is level because of the previous placement of the manufactured home. Grading is limited to what is necessary for the foundation of the dwelling and garage. No cut banks or fill slopes will be visible from KVAs. The development is consistent with this rule.

16. The Landscape Settings Map for Columbia River Gorge National Scenic Area classifies the subject parcel as Oak-Pine Woodland. Commission Rules 350-082-0600(3)(c)(A) and (B) contain applicable guidelines for the proposed development in this landscape setting.

17. Commission Rule 350-80-0600(3)(c)(A) states:

Structure height shall remain below the tree canopy level of the dominant vegetation types of this setting.

In wooded portions of this setting in the vicinity of the subject parcel trees vary in height from 30 to 50 ft tall. The trees present on the parcel are a mix of ponderosa pine, mixed fir, and Oregon white oak. The height of the proposed dwelling is 26 ft, which is lower than the tree canopy level in wooded portions of the Oak-Pinewoods landscape setting.

18. Commission Rules 350-082-0600(3)(a)(B) states:

In portions of this setting visible from key viewing areas, the following guidelines shall be employed to achieve visual subordination for new development and expansion of existing development:

(i) At least half of any tree species planted for screening purposes shall be species native to the setting. Examples of native species are identified in the Scenic Implementation Handbook as appropriate to the area.

(ii) At least half of any trees planted for screening purposes shall be coniferous to provide winter screening.

(iii) For substantially wooded portions: 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.

(iv) For treeless portions or portions with scattered tree cover:

(I) Structures shall be sited on portions of the property that provide maximum screening from key viewing areas, using existing topographic features.

(II) Patterns of plantings for screening vegetation shall be in character with the surroundings. Residences in grassy, open areas or savannahs shall be partly screened with trees in small groupings and openings between groupings.

(III) Accessory structures, outbuildings, and access ways shall be clustered together as much as possible, particularly towards the edges of existing meadows, pastures, and farm fields.

No trees are proposed to be removed, and no new trees are proposed for screening purposes. The proposal is consistent with this rule.

Scenic Resources Conclusion:

The proposed development is consistent with Commission Rule 350-082-0600 that protects scenic resources in the National Scenic Area.

C. CULTURAL RESOURCES

1. Except as specified in Commission Rule 350-082-0620(2)(a)(C), new development in the NSA requires a reconnaissance survey.
2. Chris Donnermeyer, Heritage Resource Program Manager, U.S. Forest Service Columbia River Gorge National Scenic Area, reviewed the land use application and determined in a Cultural Resources Survey Determination letter, dated January 9, 2024, that pursuant to Commission Rule 350-082-0620(2)(a)(B) a Cultural Resource Reconnaissance Survey is required because would occur on a site that has been determined to be located within a high probability zone.
3. Luciano Legnini, Forest Service Archaeologist, conducted reconnaissance surveys on April 25, 2024, consistent with Commission Rule 350-082-0620(2)(b)(A) and (B). Mr. Donnermeyer prepared a confidential report dated July 12, 2024, that was consistent with Commission Rule 350-082-0620(2)(b)(C) describing the requirements for reconnaissance surveys and reports for small-scale uses in the General Management Area.

4. Commission Rule 350-082-0620(2)(f) states:

- (A) The Executive Director shall submit a copy of all cultural resource survey reports to the State Historic Preservation Officer and the tribal governments. Survey reports may include measures to avoid affected cultural resources, such as a map that shows a reasonable buffer zone.*
- (B) The State Historic Preservation Officer and the tribal governments shall have 30 calendar days from the date a survey report is mailed to submit written comments to the Executive Director. The Executive Director shall record and address all written comments in the development review order.*

Staff provided the cultural resource survey report to the Washington State Historic Preservation Office and the four Columbia River Treaty Tribes on July 24, 2024, with a 30-day comment period ending August 23, 2024. No comments were received.

5. Commission Rule 350-082-0620(2)(g)(B)(ii) states the cultural resource protection process may conclude when the following conditions exist:

A reconnaissance survey demonstrates that cultural resources do not exist in the project area, no substantiated concerns were voiced by interested persons within 30 calendar days of the date that a notice was mailed, and no substantiated concerns regarding the reconnaissance survey were voiced by the State Historic Preservation Officer or Indian tribal governments during the 30-day comment period required in subsection 2(f)(B) above.

No substantiated concerns were voiced by interested persons, Washington DAHP, or tribal governments during the initial notice period that began on December 11, 2023, or the cultural survey notice period that began July 24, 2024.

6. Commission Rule 350-082-0620(2)(a)(D) describes when a historic survey is required. In his January 9, 2024, Cultural Resources Survey Determination letter, Mr. Donnermeyer determined that a historical survey is not required because the proposed use would not alter the exterior architectural appearance of significant buildings and structures that are 50 years old or older and would not compromise features of the surrounding area that are important in defining the historic or architectural character of significant buildings or structures that are 50 years old or older.

7. Commission Rule 350-082-0620(2)(g)(B)(i) states the cultural resource protection process may conclude when the following conditions exist:

The proposed use does not require a reconnaissance or historic survey, no cultural resources are known to exist in the project area, and no substantiated concerns were voiced by interested persons within 30 calendar days of the date that a notice was mailed.

The project notice was mailed on December 11, 2023, and the comment period ended on January 1, 2024. As explained above, the proposed use did not require a reconnaissance or historical survey, and no comments were received regarding cultural

resource concerns. Pursuant to Commission Rule 350-082-0620(2)(g)(B)(i), the cultural resource protection process may conclude.

8. Commission Rule 350-082-0620(6) protects cultural resources discovered during construction. It requires that if cultural resources are discovered after construction begins, all construction activities within one hundred feet of the discovered cultural resource shall cease; further disturbance is prohibited, and the Gorge Commission shall be notified within 24 hours of the discovery. A condition of approval is included in the director's decision consistent with this rule.
9. Commission Rule 350-082-0620(7) contains provisions addressing discovery of human remains during construction. A condition of approval is included in the director's decision consistent with this rule.

Cultural Resources Conclusion:

With conditions protecting unknown cultural resources and human remains discovered during construction, the proposal is consistent with the guidelines in Commission Rule 350-082-0620 that protects cultural resources in the National Scenic Area.

D. NATURAL RESOURCES

1. Commission Rule 350-082-0640 provides guidelines for protecting water resources in the National Scenic Area. Commission staff reviewed its natural resource inventories for nearby water resources. The closest wetland is more than three miles away from the proposed development. There are two untyped streams in the vicinity of the development on the western and eastern sides of the applicant's property. Commission Rule 350-082-0640(f) requires a 100 ft buffer for streams used by anadromous or resident fish and Commission Rule 350-082-0640(g) requires a 50 ft buffer for intermittent streams not used by anadromous or residential fish. According to the applicant's site plan, the proposal will be located over 300 ft away from the nearest stream. The proposed development will not take place within any water resource or water resource buffer zones.
2. Commission Rule 350-082-0650 provides guidelines for protecting Priority Habitats and sensitive wildlife sites in the National Scenic Area. The proposed development takes place in deer and elk winter range, which is a Priority Habitat under Commission Rule 350-082-0690, Table 1.
3. Commission Rule 350-082-0650(3) describes the review process for development within 1,000 feet of a priority habitat. Commission Rule 350-082-580(3)(a) requires the Gorge Commission notifies the Washington Department of Fish and Wildlife (WDFW) when a new development or land use is proposed within a sensitive wildlife area, in this case, deer and elk winter range. On December 11, 2023, Gorge Commission staff sent WDFW a copy of the applicant's land use application and site plan. WDFW did not send a comment in response to the notice. Pursuant the Commission Rule 350-082-0650(3)(d), the wildlife protection process may conclude because the proposed use would not compromise the integrity of the Priority Habitat.

4. Commission Rule 350-082-580(4)(c) states:

The wildlife protection process may terminate if the Development Review Officer, in consultation with the appropriate state wildlife agency, determines: the sensitive wildlife area is not active; or the proposed use would not compromise the integrity of the wildlife area, or occur during the time of the year when wildlife species are sensitive to disturbance.

Amber Johnson, WDFW Habitat Biologist, did not say any concerns with the proposal. The proposal will not reduce the acreage of deer and elk winter range nor result in changes to vegetation or accessibility of winter range habitat to wildlife. The proposed use will not compromise the integrity of the wildlife area.

5. Commission Rule 350-81-580(1)(c) states:

Proposed uses within 1,000 feet of a sensitive wildlife area or site shall be evaluated for adverse effects, including cumulative effects, and adverse effects shall be prohibited.

WDFW did not say any concerns about the proposed development. Pursuant to Commission Rule 350-81-580(1)(c), staff does not believe the proposed development results in adverse effects, including cumulative effects, to the integrity of the parcel as a wildlife site due to the nature of the development and existing use of the parcel.

6. The Gorge Commission's sensitive plant inventory does not show any sensitive plant sites within 1,000 feet of the proposed development. The proposal complies with Commission Rule 350-082-0660 that protects sensitive plants.

Natural Resources Conclusion:

With the conditions of approval discussed above, the proposed development is consistent with the rules in Commission Rule 350-082, Sections 0640 through 0660, that protect natural resources in the National Scenic Area.

E. RECREATION RESOURCES

1. Commission Rule 350-082-0580(3) states:

Buffers from Existing Recreation Sites. If new buildings or structures may detract from the use and enjoyment of established recreation sites, an appropriate buffer shall be established between the building or structure and the parcel.

There are no established recreation sites on any adjacent properties. The proposed development will not detract from the use and enjoyment of any established recreation sites.

Recreation Resources Conclusion:

The proposed development is consistent with Commission Rule 350-082-0580(3) that protects recreation resources in the National Scenic Area.

F. TREATY RIGHTS PROTECTION

1. Commission Rule 350-082-0130 provides protection of tribal treaty rights from new development in the National Scenic Area. Consistent with Commission Rule 350-082-0130(1)(a), notice of the proposed development was provided to the tribal governments on December 11, 2023.
2. Commission Rule 350-082-0130(1)(b) lists other notice requirements for projects in or providing access to the Columbia River or its fish bearing tributaries or for projects that may affect tribal treaty rights. The subject parcel does not adjoin the Columbia River or its fish-bearing tributaries and does not provide access to the Columbia River.
3. Commission Rule 350-082-0130(1)(c) requires the Commission to offer to meet with or consult with the tribal governments prior to making a decision on the proposed development, and to make this offer more than once. The Commission provided the first offer to meet or consult with the initial notice on December 11, 2023. No treaty tribe requested a meeting or consultation.
4. Commission Rule 350-082-0130(d) provides thirty calendar days for tribal governments to request consultation regarding tribal treaty rights. No comments were received.
5. Commission Rule 350-082-0130(i) states:

The treaty rights protection process may conclude if the Executive Director determines that the proposed uses would not affect or modify treaty or other rights of any Indian tribe. Uses that would affect or modify such rights shall be prohibited.

The subject parcel does not provide access to the Columbia River or its fish bearing tributaries. No known treaty rights are affected by this proposal and no treaty rights concerns were raised by the tribal governments. Because the proposed use does not affect or modify treaty or other rights of any Indian tribe, the treaty rights protection process may conclude pursuant to Commission Rule 350-082-0130.

Treaty Rights Conclusion:

The proposed development is consistent with the guidelines in Commission Rule 350-082-0130, which provides protection for treaty rights and any other rights of any Indian tribe.

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