

Director's Decision

Summary of Application

FILE NUMBER:	C24-0004
PROPOSAL:	The Columbia River Gorge Commission has received an application for the construction of a new garage and the reduction of an existing accessory building by 607 square feet.
APPLICANTS:	Mike Healow
LANDOWNERS:	Mike Healow
SIZE and LOCATION:	The subject parcel is approximately 7 acres in size and located on Canyon Road and is described as Tax Lot Number 03-12-1500-0009/00 in the Southeast corner of Section 15, Township 3 North, Range 12 East, Willamette Meridian, Klickitat County, Washington.
LAND USE DESIGNATION:	General Management Area (GMA) – Small Woodland F-3 (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 Mike Healow for the construction of a garage and the removal of a section of an accessory building, 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 applicant 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 and site plan require a new application and review.
5. The developments shall be constructed as shown on the approved application, site plan and elevation drawings. The garage shall be 32 ft. x 28 ft. and no taller than 16 ft. as measured from the ground. Any changes shall be reviewed and approved by the Executive Director before any changes are implemented.
6. Commission Rule 350-82-0270(3)(j)(A) requires that the combined footprints of all accessory buildings on a single parcel of 10 acres or less designated Small Woodland must not exceed 1,500 sq. ft. in area. To comply with this rule, the applicant proposed to remove a total of 607 sq. ft. of the existing barn. The applicant shall complete this removal within 12 months of the date of this decision. The barn after the removal of the section must be structurally sound and no new ground disturbances outside the original footprint be made.
7. All exterior building materials for the garage, including roofs, doors, garage doors, siding, trim, window casings and sashes 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: Readyseal wood stain in "Dark Walnut (#125)"

Roofing: Brown & Black Asphalt Roof

Trim: Cabot wood stain in "Black"

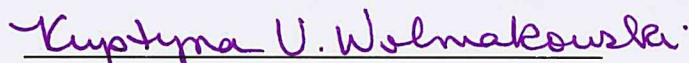
Garage Door: Behr Deep Base "Flat Black (4300)"

Lower Siding Trim Feature: MutualMaterials Natural Stone Veneer in "Western Drystack"

Any changes or additions to these colors and materials made after this decision is issued 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.

8. All exterior lighting fixtures shall be made from non-reflective material and be directed downward and hooded. A handout with recommended International Dark-Sky Association Acceptable Fixtures is included with this decision.
9. Except for trees identified in the site plan, dead trees or other dead vegetation that may pose a hazard, all existing mature vegetation on the parcel shall be retained and maintained for screening purposes.
10. Disturbed areas shall be reseeded with grasses from the Recommended Seed Mixes for East Side Environments handout attached to this decision. Disturbed areas shall be revegetated immediately following the completion of the project (or as soon as possible thereafter if the project is completed during the winter or summer months).
11. 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.
12. 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 12 day of September 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 12 day of September 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 12 day of October 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

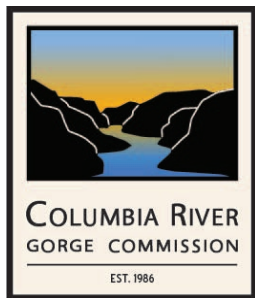
1. Any new land uses or structural development such as driveways, parking areas, garages, workshops, fences or other accessory structures; or additions or alterations not included in the approved application or site plan will require a new application and review. New cultivation also requires a new application 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 C24-0004
Approved site plans and elevation drawings
Eastern Gorge Recommended Seed Mix
International Dark-Sky Association Acceptable Fixtures



Development Review Staff Report

Summary of Application

FILE NUMBER:	C24-0004
PROPOSAL:	The Columbia River Gorge Commission has received an application for the construction of a new garage and the reduction of an existing accessory building by 607 square feet.
APPLICANTS:	Mike Healow
LANDOWNERS:	Mike Healow
SIZE and LOCATION:	The subject parcel is approximately 7 acres in size and located on Canyon Road and is described as Tax Lot Number 03-12-1500-0009/00 in the Southeast corner of Section 15, Township 3 North, Range 12 East, Willamette Meridian, Klickitat County, Washington.
LAND USE DESIGNATION:	General Management Area (GMA) – Small Woodland F-3 (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 500 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 Reservation of Oregon
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 were received from:

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

Findings of Fact

A. Land Use

1. Mike Healow has applied for the construction of a new garage and the reduction of an existing accessory building by 607 square feet. The new garage will have electrical service running from the existing dwelling underground to the new garage. Staff visited the subject property on June 13, 2024, to evaluate the application.
2. The subject parcel is in the General Management Area (GMA) and is designated Small Woodland with an 80-acre minimum parcel size. The parcel is approximately 7 acres in size and is located off Canyon Road.
3. According to Klickitat County Assessor records, existing development on the property includes a single-family dwelling built in 1977, a pole-barn built in 1950, and a well established in 1977.
4. Commission Rule 350-82-0270(3)(j) allows:

Accessory building(s) larger than 200 square feet in area or taller than 10 feet in height for a dwelling on any legal parcel less than or equal to 10 acres in size are subject to compliance with 350-082-0270(5) and (6) and 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.

As proposed, the new accessory building (garage) will have a footprint of 896 sq. ft. (32 ft. x 28 ft.) and will be 16 ft. tall. The existing barn has a footprint of 1,175 sq. ft. (25 ft. x 47ft.) with a height of 13 ft. tall. The existing pump house for the well on the property has a footprint of 36 sq. ft. (6 ft. x 6 ft.) and a height of 8 ft. tall. The combined footprints of the proposed and existing accessory buildings are 2,107 sq. ft. This exceeds the 1,500 sq. ft. in area allowed in rule 350-082-0270(3)(j). Therefore, to comply with rule 350-082-0270(3)(j) the applicant will need to remove 607 sq. ft. or more from the existing barn to build the 896 sq. ft. proposed accessory building in compliance with this rule. The reduction of the barn will require rebuilding of the west-facing exterior wall. A condition of approval states that the applicant shall remove 607 square feet from the existing barn and to specify when the removal and reconstruction of the exterior wall must be completed by the applicant.

Findings for compliance with rule 350-082-0270(5) and (6) are in findings A.7 and A.8 below.

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

Removal or demolition of structures that are 50 or more years old, including wells, septic tanks, and fuel tanks.

The existing barn was built in 1950 according to Klickitat County Assessor's records. The applicant has proposed to reduce the footprint of the barn by removing 607 sq. ft. in order to comply with Commission Rule 350-082-0270(3)(j) as noted above. As addressed in the Forest Service Cultural Survey Determination Report, the alteration of the barn was not identified as an action that would impact the architectural or historical significance of the building.

6. Commission Rule 350-082-0270(4)(b)(A) - (D) lists the following approval criteria for Specified Review Uses on Lands Designated Commercial Forest, Large Woodland, and Small Woodland:

(A) The owners of land that is designated Commercial Forest Land, Large Woodland, Small Woodland, Large-Scale Agriculture, or Small-Scale Agriculture and that lies within 500 feet of the perimeter of the subject parcel have been notified of the land use application and have been given at least ten days to comment prior to a final decision.

(B) The use will not seriously interfere with accepted forest or agricultural practices on nearby lands devoted to resource use.

(C) The use will be sited in a way that minimizes the loss of forest or agricultural land and minimizes the chance of interference with accepted forest or agricultural practices on nearby lands.

(D) The use will not significantly increase fire hazard, fire suppression costs, or risks to fire suppression personnel and complies with 350-082-0270(5).

The Gorge Commission sent public notice of this application to landowners located within a 500-foot radius of the applicant's property on May 7, 2024. The public comment period ended 21 days after the notice was sent by staff to adjacent landowners on May 28, 2024. No public comments were filed from landowners within 500 feet of the applicant's property.

Land uses nearby and adjacent to the applicant's parcel consist of Small Woodland and Commercial Forest designations. One nearby parcel to the Northeast of the applicant's parcel is designated Large-Scale Agriculture, but according to Gorge Commission maps and Development Review records, the parcel does not have any active or past agricultural uses.

The proposed land use does not interfere with accepted forest practices as listed by Washington State's Department of Natural Resources due to the proposed location of the garage being sited in close proximity to existing structures on the parcel. The siting

of the garage effectively minimizes the chance of interference with forest and agricultural practices on nearby lands.

The applicant proposes to construct the garage on a gravel pad located adjacent to the house as shown in Figure 1, a photo taken at the applicant's property during staff's June 13, 2024, site visit. The proposed garage will be located where the cars are parked.

The proposed construction of a garage does not significantly increase fire hazard or risks to fire suppression personnel or increase fire suppression costs because the siting of the garage is located near other existing structures and complies with Commission Rule 350-082-0270(5) which lists approval criteria for fire protection in Forest Designations as discussed in Finding A.6.



Figure 1

7. Commission Rule 350-082-082-0270(5) states:

All uses, as specified, shall comply with the following Approval Criteria for Fire Protection in Forest Designations:

(a) All buildings shall be surrounded by a maintained defensible space of at least 50 feet. Hazardous fuels shall be removed within the defensible space. Irrigated or fire resistant vegetation may be planted within the defensible space. This could include green lawns and low shrubs (less than 24 inches in height). Trees should be spaced greater than 15 feet between the crowns and pruned to remove dead and low (less than eight feet) branches. Accumulated leaves, needles, and other dead vegetation

should be removed from beneath trees. The Executive Director may consult with a fire professional to adjust defensible space to account for site slope. Defensible space may be adjusted to protect riparian vegetation and other resources, or as recommended by local fire districts, conservation districts, or other professional.

During the site visit, staff observed oak trees located within the 50-foot buffer zone for defensible space. Forest managers from Underwood Conservation District identify oak trees as a priority habitat and list them as local fire-resistant vegetation.

(b) Buildings with plumbed water systems shall install at least one standpipe a minimum of 50 feet from the structure(s).

The applicant stated in the application there is no planned plumbing for the proposed building.

(c) A pond, stream, tank or sump with storage of not less than 1,000 gallons, or a well or water system capable of delivering 20 gallons per minute shall be provided. If a well pump is located on-site, the electrical service shall be separate from the dwelling.

In an email to staff, the applicant provided the storage capacity of the water supply on the property which consists of two 3,000 gallon cisterns and a well producing 20 gallons per minute. As seen in Figure 1, while visiting the property staff observed two black water storage containers located on the North side of the main house.

(d) Access drives shall be constructed to a minimum of 12 feet in width and not exceed a grade of 12 percent. Turnouts shall be provided at a minimum of every 500 feet and at the building site. Access drives shall be maintained to a level that is passable to fire equipment. Variances to road guidelines may be made only after consultation with the local rural fire district and the Washington Department of Natural Resources in Washington or the Oregon Department of Forestry in Oregon.

The applicant does not propose any new access drives.

(e) Utility supply systems shall be underground whenever possible.

The applicant states in the application that a new electrical line will be placed in a conduit underground running from the southwest corner of the house and entering the on the southwest corner of the proposed garage. No additional utilities are proposed in the application. The proposal is consistent with this requirement.

(f) Roofs of structures shall be constructed of fire-resistant materials such as metal, fiberglass, or asphalt shingle or tile. Roof materials such as cedar shake and shingle shall not be used.

The applicant proposes using fire-resistant composite shingles made of asphalt.

(g) Any chimney or stovepipe on any structure for use with a woodstove or fireplace should be equipped with a spark arrestor that includes at least

one screen no coarser than 1/8-inch mesh metal that is noncombustible and corrosion resistant.

The applicant does not propose any chimneys or stovepipes.

(h) All structural projections such as balconies, decks and roof gables should be built with fire resistant materials equivalent to that specified in the International Building Code.

(i) Attic openings, soffit vents, foundation louvers or other ventilation openings on dwellings and accessory structures should be screened with no coarser than 1/8-inch mesh metal screen that is noncombustible and corrosion resistant.

The application does not include this level of detail. The Gorge Commission encourages the applicant to observe these recommendations to maximize the fire resistance of the proposed accessory building and existing buildings.

8. Commission Rule 350-082-0270(6) lists the approval criteria for the sitings of buildings on Forest Land:

(a) The dwelling and structures shall be sited on the parcel so that they will have the least impact on nearby or adjoining forest operations. Dwellings shall be set back at least 200 feet from adjacent properties. Clustering or locating proposed development closer to existing development on adjacent lands may minimize impacts on nearby or adjacent forest operations.

The site plan shows that the proposed accessory building will be clustered with other buildings located near the center of the property, located between the main dwelling and the existing barn.

(b) The amount of forest land used to site dwellings, structures, access roads, and service corridors shall be minimized. This can include locating new dwellings and structures as close to existing public roads as possible, thereby minimizing the length of access roads and utility corridors; or locating the dwelling, access road, and service corridors on portions of the parcel that are least or poorly suited for forestry. Areas may not be suitable for forestry because of existing non-forest uses, adjacent dwellings, or land productivity.

The proposed garage is clustered with existing buildings on the lot and located towards the middle of the parcel minimizing the impact on suitable forestry land located in the surrounding area. No new roads are proposed.

(c) Dwellings shall be located to minimize the risks associated with wildfire. Dwellings shall be located on gentle slopes and in any case not on slopes that exceed 30 percent. Dwellings shall be set back from slopes. Narrow canyons and draws shall be avoided. Dwellings shall be located to minimize the difficulty of gaining access to the structure in the case of fire. Dwellings shall be located to make the access roads as short and flat as possible.

The applicant does not propose to construct a dwelling.

(d) The Executive Director may grant a variance to the siting guidelines contained in subsections (a) through (c) upon a demonstration that the guidelines in 350-082-0590 have been satisfied.

The proposed building does not require a variance from these standards; subsection (d) of this rule is not applicable.

Land Use Conclusion:

With conditions of approval that require the applicant remove 607 square feet from the existing accessory building, compliance with the fire protection criteria and siting criteria listed in Commission Rules 350-082-0270, the proposed accessory building, building materials, and electrical utilities are allowed, subject to compliance with the guidelines in Commission Rules 350-082-0600 to 350-082-0700 that protect scenic, cultural, natural and recreation resources.

B. Scenic Resources

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

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

The proposed garage is located on a gravel pad adjacent to the house. The gravel pad is shown in Figure 1. Staff observed that no new grading of the site is necessary. As proposed, the dwelling is sited and designed to retain the existing topography and reduce necessary grading to the maximum extent practicable, consistent with Commission Rule 350-082-0600(1)(a).

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

New buildings shall be compatible with the general scale (height, dimensions and overall mass) of existing nearby development. New buildings that are 1,500 square feet or less are exempt from this guideline.

The proposed building is 32 ft. x 28 ft. totaling 896 sq. ft. and is therefore exempt from this guideline.

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

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

In order to comply with Commission Rule 350-082-0270(3)(j), the applicant has proposed to remove 607 sq. ft. of the existing barn. Following the removal of this section of the barn, the applicant will need to reseed disturbed areas with grasses from the Recommended Seed Mixes for East Side Environments handout attached to this report. The applicant shall revegetate disturbed areas immediately following the

completion of the project (or as soon as possible thereafter if the project is completed during the winter or summer months).

4. This staff report only discusses relevant subsections of the following rule. Commission Rule 350-082-0600(2)(a) - (r) state:

Key Viewing Areas. The guidelines in this section shall apply to all review uses proposed on sites topographically visible from key viewing areas.

Topographically visible means refers to areas that can be seen from a key viewing area if all vegetation were to be removed. By conducting a site visit and by using GIS inventories and analysis in Google Earth, staff determined that the proposed garage will be topographically visible from the Rowena Plateau, Tom McCall Viewpoint, and the Historic Columbia River Highway from the general distances listed in Table 1 below. Therefore, the scenic guidelines applicable to developments visible from key viewing areas apply.

(a) Each development shall 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.

The development is sited to the north of large stands of oak and pine trees and the key viewing areas are located to the south of the stands of trees. The development is not sited within the vicinity of any natural or cultural resources, therefore a buffer zone does not apply. Findings related to visual subordination are discussed further in the sections below.

Table 1

Key Viewing Area (KVA)	Distance Zone		
	Foreground	Middle ground	Background
	0 -1/4 mile	1/4 - 4 miles	Over 4 miles
Historic Columbia River Highway			X
Rowena Plateau			X
Tom McCall Viewpoint			X

(b) Determination of potential visual effects and compliance with the visual subordination standard in subsection (a) above shall include consideration of the cumulative effects of proposed development. 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.

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 or collectively significant actions taking place over a period of time.”

To determine cumulative effects of the proposed development, staff analyzed existing development surrounding the subject parcel within a quarter mile. Staff chose the quarter mile study area because the parcels are within the same Oak-Pine Woodland landscape setting and developments on the parcels within this study area contain similar accessory buildings and use. As seen from key viewing areas, the subject parcel is in an area where existing accessory buildings are visible but sparsely scattered throughout the landscape and screened by existing vegetation.

Out of the 16 parcels within the study area, eight of them had developments similar in size and number to the subject parcel which included single-family dwellings, accessory buildings, and agricultural-related structures and buildings.

The site is partially visible from three key viewing areas as shown in the table above and is only visible in the background of these key viewing areas. From these key viewing areas, existing vegetation on the subject parcel provides effective screening due to the site location being over four miles away. At that viewing distance the development will appear insignificant in the landscape and will not be distinguishable to the unaided eye. Potential visual impacts from the proposed garage are focused on the south-facing elevation which consists of features including two 9 ft. x 8 ft. garage doors and a 6.6 ft. x 3 ft. front-entry door. The garage is surrounded by Oregon white oak and ponderosa pines and is screened to the south in the direction of key viewing areas from which the garage is intermittently visible in the background. As noted in the findings below, conditions of approval note specific building materials required which will effectively aid in further blending the garage into the landscape.

Using Gorge Commission GIS inventories and by conducting a site visit, staff found the proposed building site to be visible intermittently along the Historic Columbia River Highway for approximately 1 mile in the background. The proposed site is also intermittently visible from the Rowena Plateau in the background. The site of the proposed garage is located at approximately 1,300 feet in elevation and does not break the skyline. Sections of the Historic Columbia River Highway and Rowena Plateau

where the site is visible from are located at elevations of 700 feet and 500 feet which are significantly lower than the proposed site. Tom McCall Viewpoint is located at an elevation of approximately 1,700 ft., 400 ft. higher than the proposed site, but is also the furthest key viewing point.

The combination of slope angle, elevation, topography and vegetative screening, along with the distance from key viewing areas, contributes to the proposed building being effectively sited in a way that decreases the overall visual impact on the landscape. Because the site is located at a higher elevation than the closer of the three key viewing areas and contains vegetative screening from Oregon White Oak and Ponderosa Pine trees, which are taller in height than the proposed garage, the visual impact to key viewing areas is minimal to the unaided eye of a viewer standing at lower elevations looking up the hillside.

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

...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.

Conditions of approval outlined in the Director's Decision require visually subordinate standards and materials to be used for the building using dark earth-tone colors, low-reflectivity materials, and downward hooded lighting. The following colors submitted by the applicant are consistent with this condition and hereby approved:

Siding: Readyseal wood stain in "Dark Walnut (#125)"

Roofing: Brown & Black Asphalt Roof

Trim: Cabot wood stain in "Black"

Garage Door: Behr Deep Base "Flat Black (4300)"

Lower Siding Trim Feature: MutualMaterials Natural Stone Veneer in "Western Drystack"

The proposed colors for the building are consistent with visually subordinate standards. A condition of approval is included to address the design and materials required of the proposed exterior in order to comply with visually subordinate standards.

(c) 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.

Finding B.4 discusses the topographical visibility from key viewing areas. Therefore, the siting of the proposed garage is located within proximity of existing buildings to decrease the visual and physical impact on the parcel as a whole. The property has large stands of oak and pine trees. With the proposed building sited on the existing gravel pad, no vegetation is proposed by the applicant to be disturbed or removed. By retaining existing vegetation, this will aid in screening the garage from key viewing areas. Because the garage will still be intermittently visible from key viewing areas in the background the Director's Decision includes conditions of approval regarding color and reflectivity of the building materials and lighting fixtures.

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

There is no proposal for the removal of any tree cover.

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

A ridge is located north of the subject property forms the skyline behind the proposed garage as seen from all key viewing areas. As mentioned before, the new garage is sited at an elevation of 1,300 ft. According to Google Earth, the ridge to the north of the property is at an elevation of approximately 1,600 ft. Sections of the Historic Columbia River Highway and Rowena Plateau key viewing areas where the site is visible from are located at elevations of 700 feet and 500 feet which are lower than the proposed site. Tom McCall Viewpoint is located at an elevation of approximately 1,700 ft., 400 ft. higher than the proposed site. From this vantage point, looking down on the proposed site, the garage remains well below the skyline.

5. Commission Rule 350-082-0600(3)(c)(A-C) outlines landscape setting guidelines for development within Oak-Pine Woodland.

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

The existing vegetation on the parcel consists of a mix of oak and pine. The proposed building height is 16 feet which is well below tree canopy level.

(B) 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.*

The applicant's proposal does not propose any planting of new trees or other vegetation and does not propose any removal of existing vegetation. Finding B.4 discusses the use of topography, existing vegetation, and the siting of the garage to achieve visual subordination.

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 May 16, 2024, that pursuant to

Commission Rule 350-082-0620(2)(a)(C) a Cultural Resource Reconnaissance Survey is not required.

3. Commission Rule 350-082-0620(2)(a)(D) describes when a historic survey is required. In his May 16, 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.
4. 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 May 7, 2024, and the comment period ended on May 28, 2024. As explained above, the proposed use did not require a reconnaissance or historical survey and no comments were received regarding cultural resource protection. Pursuant to Commission Rule 350-082-0620(2)(g)(B)(i), the cultural resource protection process may conclude.

5. 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 100 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.
6. 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 350-81-580(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 respond with 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.

2. 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.

WDFW did not submit a comment in response to the notice. 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.

3. 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 1,000 feet away from the proposed development. There is one stream in the vicinity of the development to the east 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 applicants site plan, the proposed addition will be located 310 ft away from the nearest stream. The proposed development will not take place within any water resource or water resource buffer zones.
4. Commission Rule 350-082-0650 provides guidelines for protecting Priority Habitats and sensitive wildlife sites in the National Scenic Area. 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 notify 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 May 7, 2024, Gorge Commission staff sent WDFW a copy of the applicant's land use application and site plan. WDFW did not submit 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.
5. 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.
6. The proposed development takes place in deer and elk winter range, which is a Priority Habitat under Commission Rule 350-082-0690, Table 1.

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 Protections

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 May 7, 2024.
2. Commission Rule 350-082-0130(1)(b) lists additional 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 initial offer to meet or consult with the initial notice on May 7, 2024 via email and by mail. No treaty tribe requested a meeting or consultation.
4. Commission Rule 350-082-0130(d) provides 30 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.

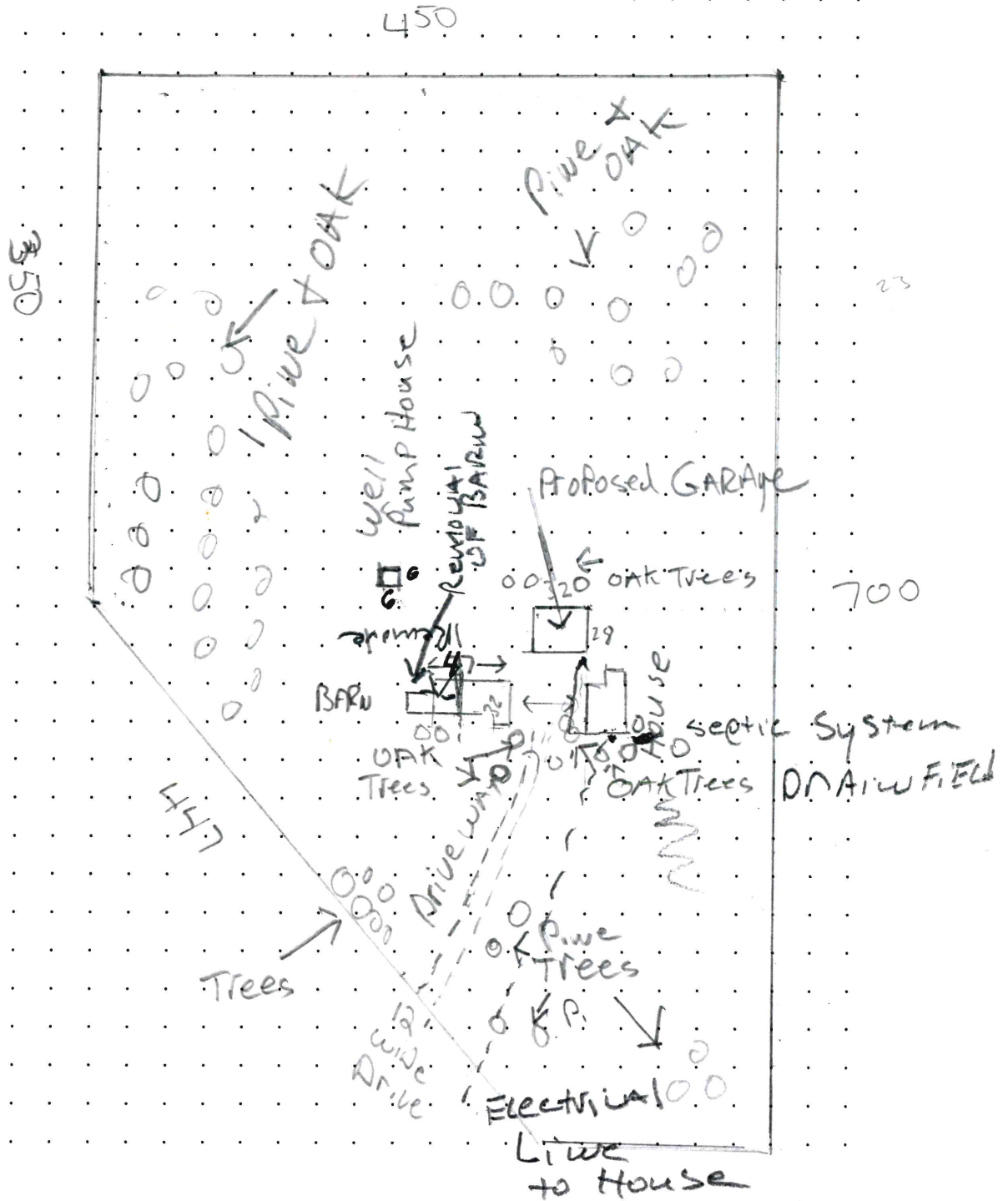
Treaty Rights Conclusion:

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.

MA
FIND0004.24

Site Plan

(Indicate scale: each grid equals 25 feet)



CABLE
END →

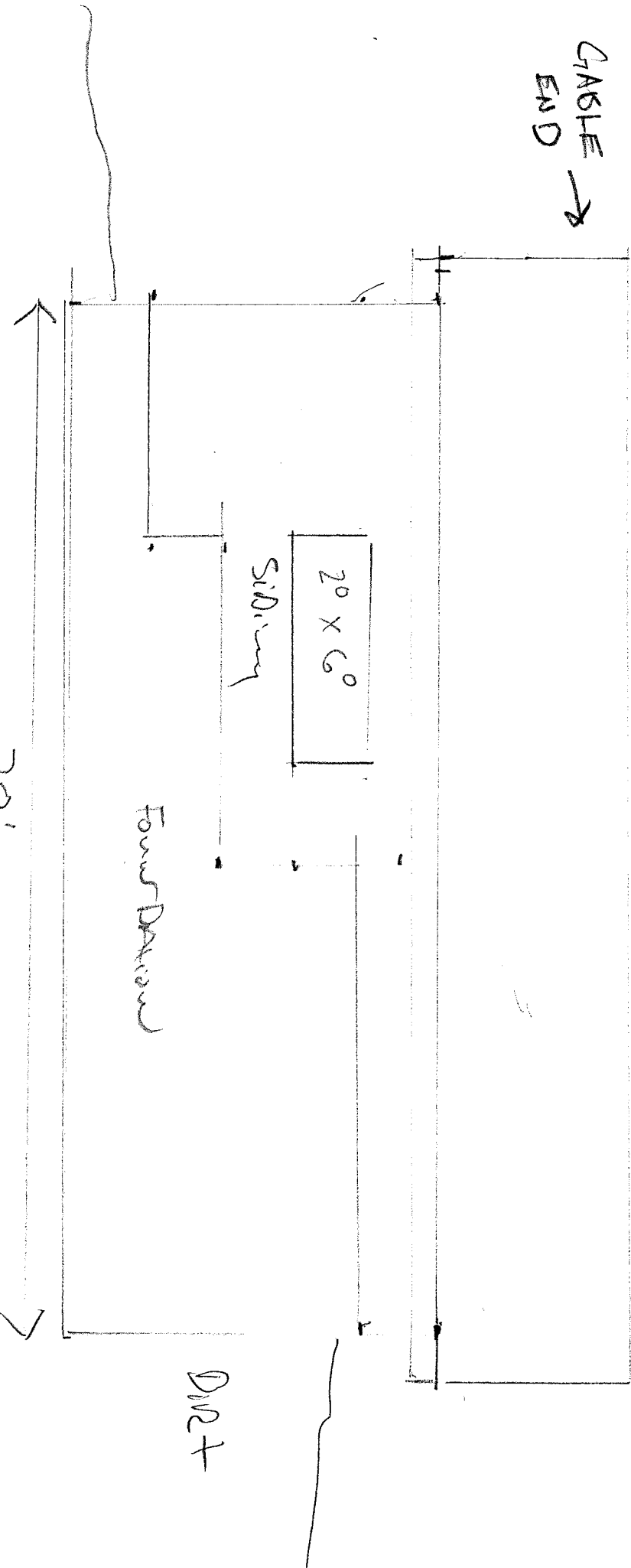
EAST

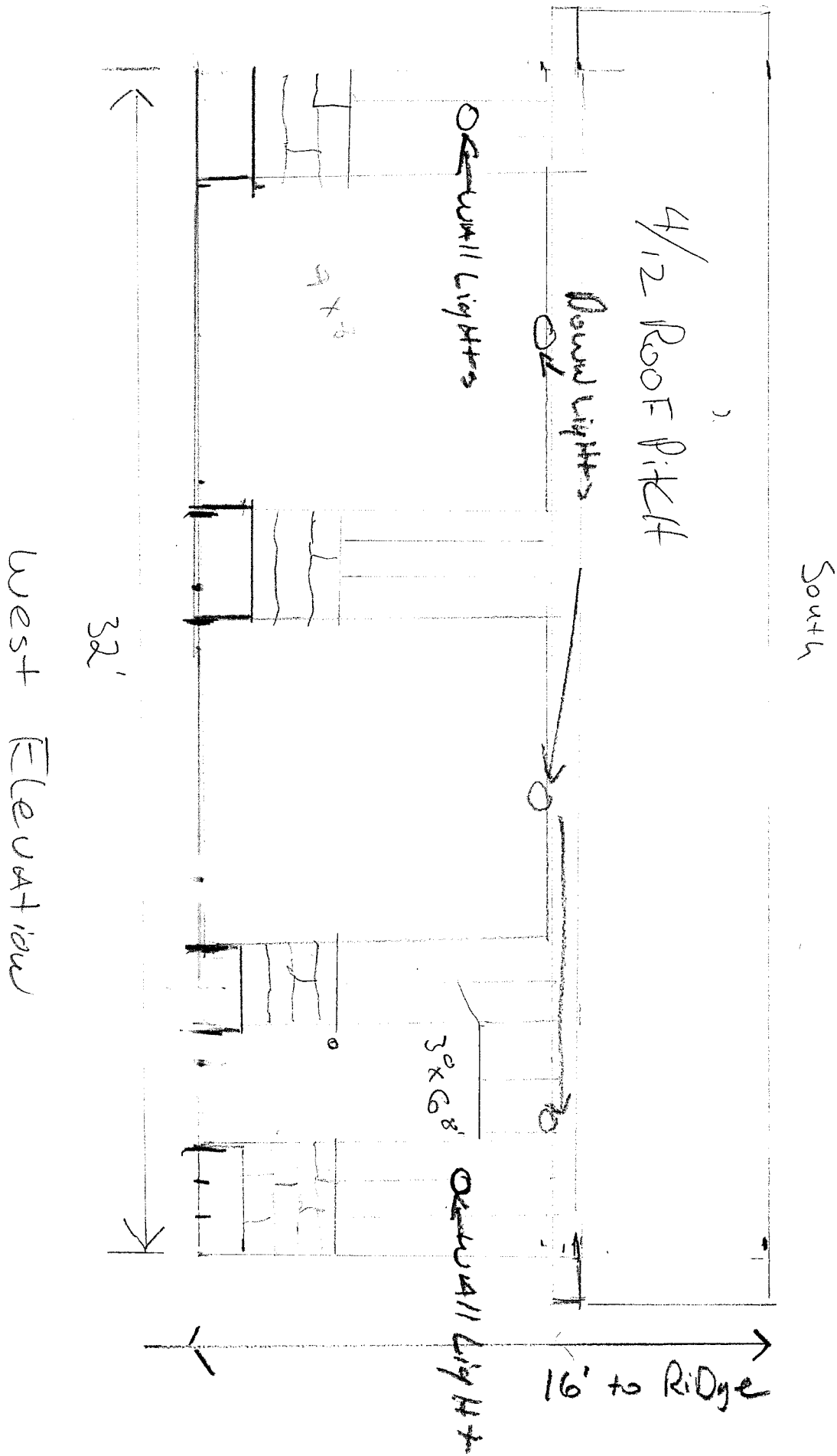
20 x 6"
Siding

Four Panels

DRY

28'

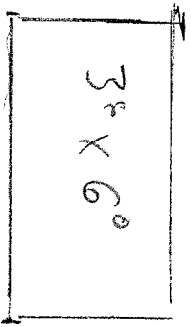




9x8

CABLE
END →

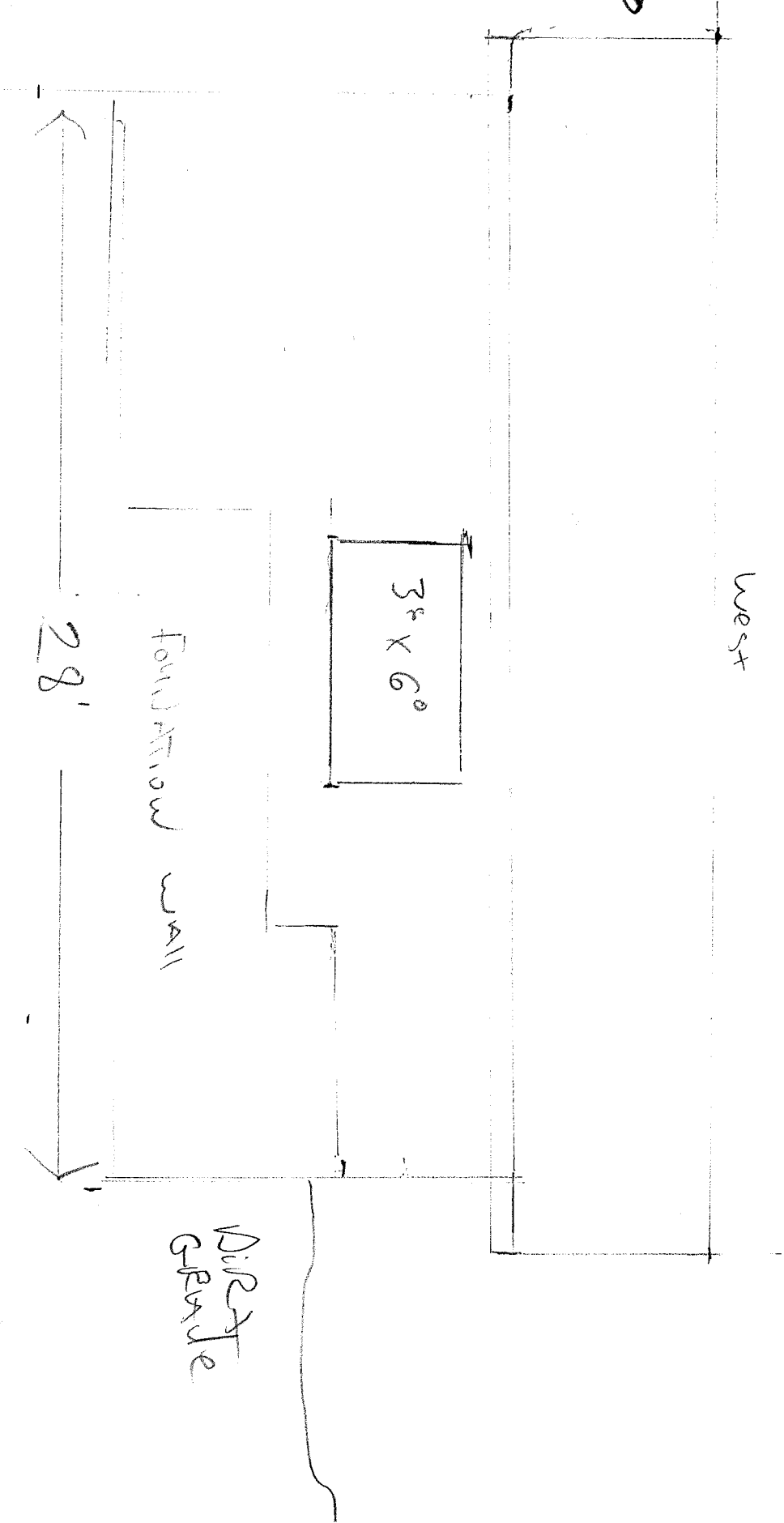
West

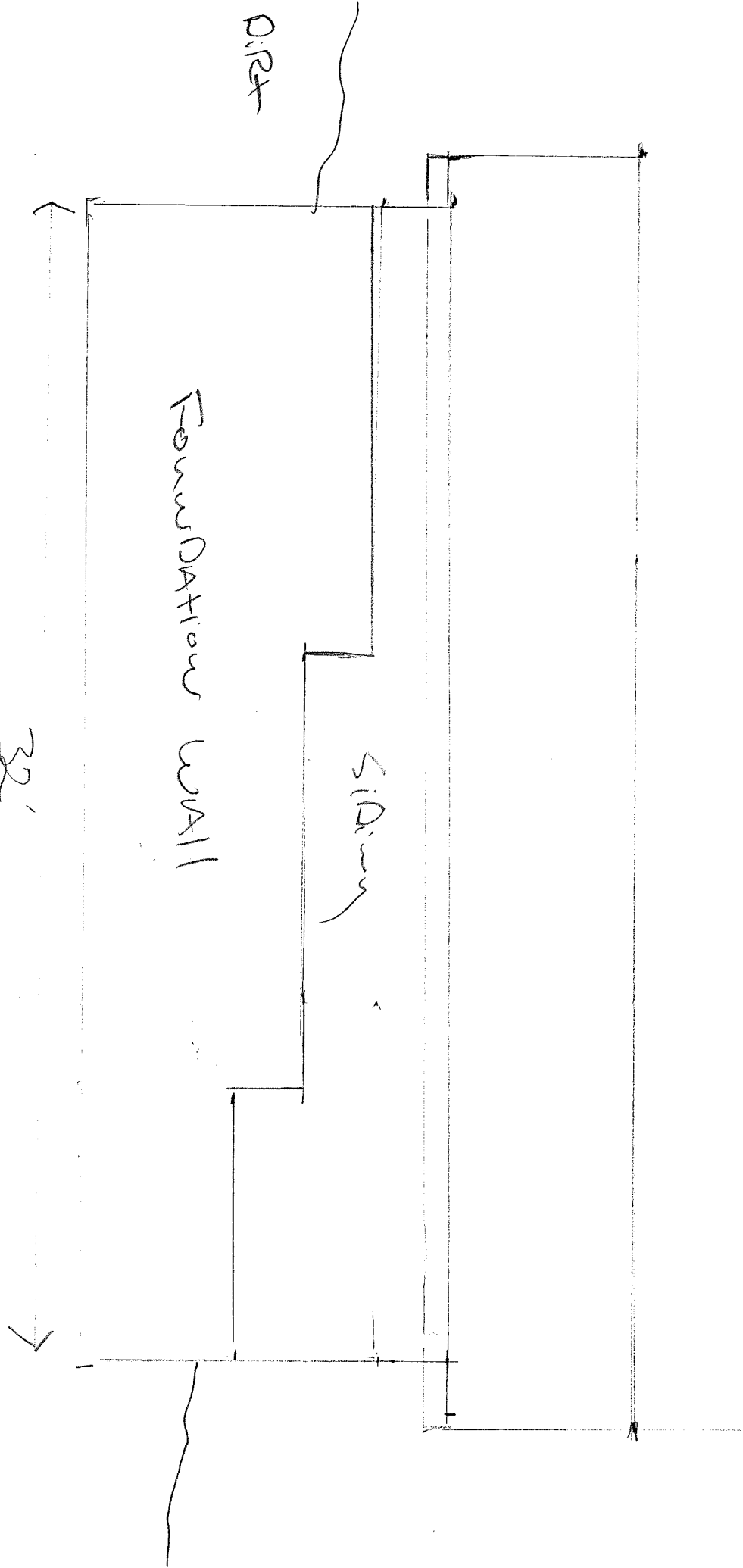


FOUNDATION wall

28'

AIR
GRAVE



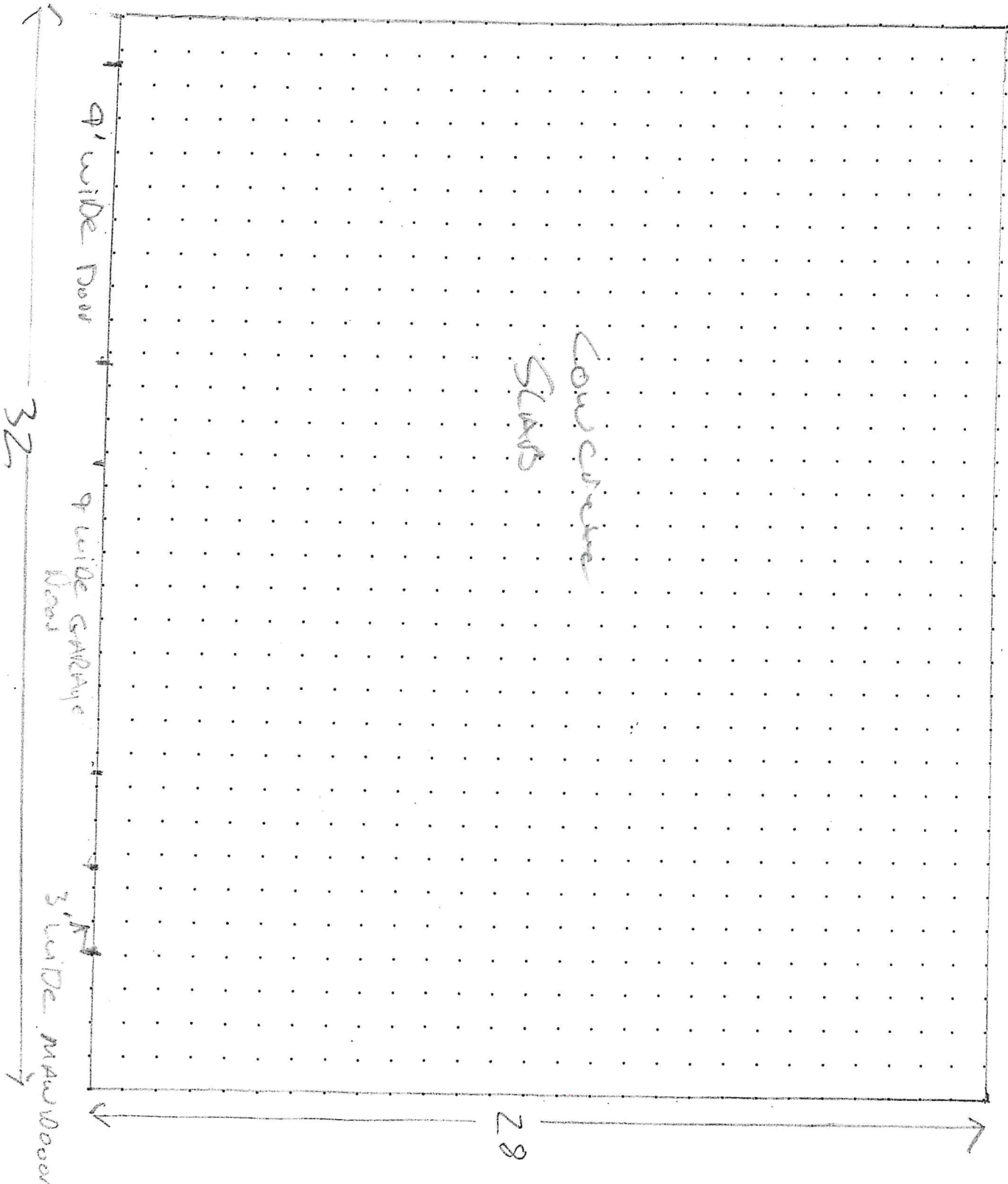


WEST ELEVATION

Mike Healdow
425 444-3030

Elevations and Site Plan Details

(Indicate scale: each grid equals ___ x ___ feet)



~~PRO~~

septic TANK AND FIELD
in the BACK OF House
North west corner
NO TIE INS to septic
system NO PLUMBING IN GARAGE

The Electrical will Run From
House That Has ~~E~~ Conduit
From Panel TO SUB Panel
IN GARAGE Run UNDER Ground

OUT Door LIGHTING For GARAGE
will HAVE Two EXTERIOR
WALL MOUNTED LIGHTS AND
IF POSSIBLE 4 CAN LIGHTS
IN SOFFIT OVERHANG 4 CAN
DOWN LIGHTS

EXTERIOR IS DK BROWN SIDING
BLACK TRIM WINDOW FRAMES
BRONZE LOW E WINDOWS
DK BROWN COMPOSITION ROOFING

REMOVING 24 X 23 OF BAR

RIDGE HEIGHT OF GARAGE WILL BE
16' TALL FROM LOWEST
POINT

**Recommended Seed Mixes, Mulch, and Fertilizer
for Temporary and Permanent Revegetation in East Side Environments**
Based on recommendations from Andrea Ruchty, district botanist, GPNF, Mt. Adams Dist.,
and Robin Dobson, CRGNSA botanist

<i>Native Seed Mixture #1: Recommendations for Composition and Application Rates</i>		
Species	Hand Seeding including Handheld Spreaders	Hydromulcher
blue wildrye (<i>Elymus glaucus</i>)	20 lbs/acre	15 lbs/acre
California brome (<i>Bromus carinatus</i>)	20 lbs/acre	15 lbs/acre
slender hairgrass (<i>Deschampsia elongata</i>)	10 lbs/acre	5 lbs/acre
broadleaf lupine (<i>Lupinus latifolia</i>)		
Idaho fescue (<i>Festuca idahoensis</i>)		
Total	50 lbs/acre	35 lbs/acre

<i>Native Seed Mixture #2: Recommendations for Composition</i>	
Species	% by wt.
California Brome (<i>Bromus carinatus</i>)	20
Sheep fescue (<i>Festuca ovina</i>)	40
Blue wildrye (<i>Elymus glaucus</i>)	10
Canada bluegrass (<i>Poa compressa</i>)	10
Blue bunch wheatgrass (<i>Agropyron spicatum</i>)	20
Sickle-keeled lupine (<i>Lupinus albicaulis</i>)	5 oz./100# seed
America vetch (<i>Vicia Americana</i>)	5 oz./100# seed

<i>Non-Native Seed Mixture: Recommendations for Composition and Application Rates</i>	
Species	Application Rate
Annual ryegrass (<i>Lolium multiflorum</i>)	10 lbs/acre (fine seed)
Perennial ryegrass (<i>L. perenne</i>)	10 lbs/acre (fine seed)
Soft white winter wheat (<i>Triticum aestivum</i>)	40 lbs/acre
Sickle-keeled lupine (<i>Lupinus albicaulis</i>)	10 lbs/acre
TOTAL	70 lbs/acre

Herbaceous plants can be added after seeding:

Chrysothamnus nauseosus (rabbitbrush)	1 -2 oz./ac.
Achillea millefolium (Yarrow)	1 -2 oz./ac.
Eriogonum strictum	1 -2 oz./ac.
Lupinus bicolor or latifolius var. thompsonianus	1 -2 oz./ac.
Eriophyllum lanatum (Oregon sunshine)	1 -2 oz./ac.
Bitter brush (Purshia tridentate)	10 small plants/ac.
Arrowleaf Balsam root	

Notes:

Application Method: Hand or machine, ideally in the fall. Machines such as hydromulchers, usually have agitators which keep the seed well mixed and applied evenly. In hand-seeding operations it is more difficult to achieve an even distribution of seed. For this reason more lbs /acre have been prescribed to compensate for inadvertent patchiness. Hand seeding should utilize two passes of the area: 1 pass for small, fine seed such as slender hairgrass, and a second pass for the larger seeded species such as blue wildrye and California brome. Rice hulls may need to be added to the DEEL to get dispersion distance. Contact with the soil is very important, best results are achieved when the seed is lightly raked or pressed into the soil.

Seed Storability: Generally grass and forb species will hold reasonable germination (>80%) for 6-7 years in uncontrolled conditions. Thin-coated species such as *Bromus* will hold only 2-3 years or so.

Seed Source: Try to use appropriate local seed source for natives. Some flexibility for elevation is ok in a pinch. One native seed source is Bolson Seed Company, La Grande, OR (541)965-8285. Milestone Nursery (Lyle), Inside Passage Seed Co., Oregon Wholesale Seed Company (<http://www.oregonwholesaleseed.com/>), Rainier Seeds, Hughes Feed and Grain (the Dalles) and Dallesport Seed are other possible sources of seed, as well.

Fertilizer: Where there is a good "A" horizon probably don't need fertilizer. For sites with little organic matter use 200 lbs 16-20-0 /ac.

Mulch: Use certified weed free straw mulch whenever possible. Only 1-2" (2 tons/ac.) is needed and should be evenly applied. **Too deep can be more detrimental than none at all.** Ideally, it should be chopped and applied by machine. To further reduce the chance of introducing non-natives in to project areas, straw derived from native species is preferred. If not available, then straw from short-lived or non-persistent mulch sources such as annual rye or cereal grain seed production fields would be the next choice.

Using weed-free straw mulch is an important component in our strategy to control the spread of invasive species on the Forest. Weed-free straw is still a developing resource and its availability may be variable. Finding it will likely take some looking around. Oregon and Washington currently have weed-free certification programs. See the following websites for current lists of weed-free straw suppliers:

- ✓ http://www.nwcb.wa.gov/WWHAM/WWHAM_suppliers.htm
- ✓ http://oregon.gov/ODA/CID/weed_free_forage.shtml

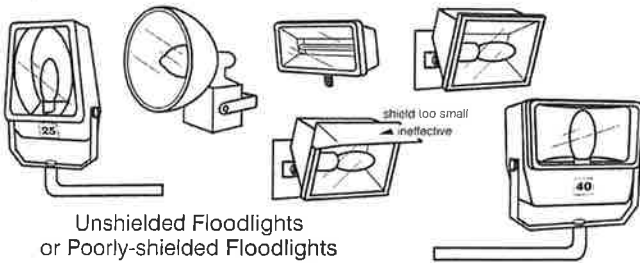
The following are some more potential contacts for weed-free straw:

- Elwyn Crutcher, Stanwood, WA, 360-939-2334 (he will deliver for a charge, is generally sold out by spring).
- Wallowa County Hay Growers Association:
<http://www.certifiedwallowacountyhay.com/>
- John Williams, OSU Extension in Wallowa County, 541-426-3143.
- Randy Black, Oregon Dept of Agriculture, 503-986-4620.
- Allen Schnetzky, Weed Supervisor, Wallowa County 541-426-3332.

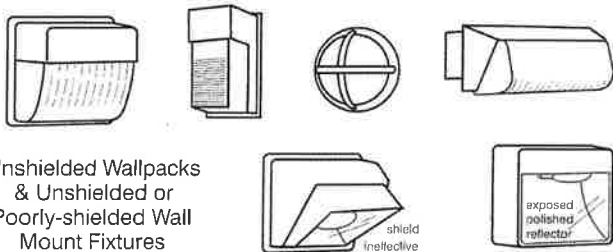
Examples of Acceptable / Unacceptable Lighting Fixtures

Unacceptable / Discouraged

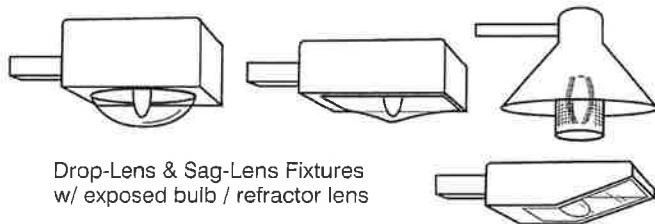
Fixtures that produce glare and light trespass



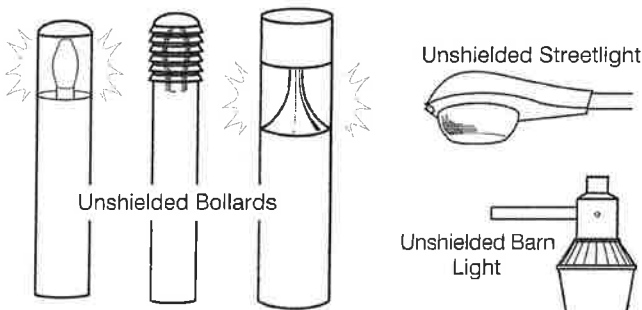
Unshielded Floodlights or Poorly-shielded Floodlights



Unshielded Wallpacks & Unshielded or Poorly-shielded Wall Mount Fixtures



Drop-Lens & Sag-Lens Fixtures w/ exposed bulb / refractor lens

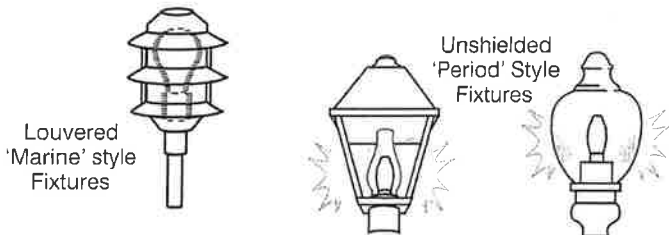


Unshielded Bollards

Unshielded Streetlight

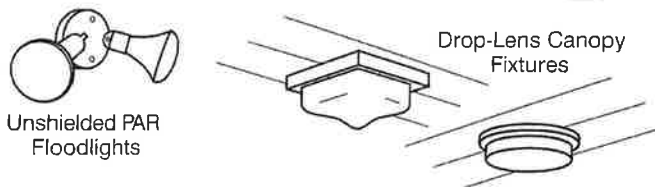


Unshielded Barn Light



Louvered 'Marine' style Fixtures

Unshielded 'Period' Style Fixtures

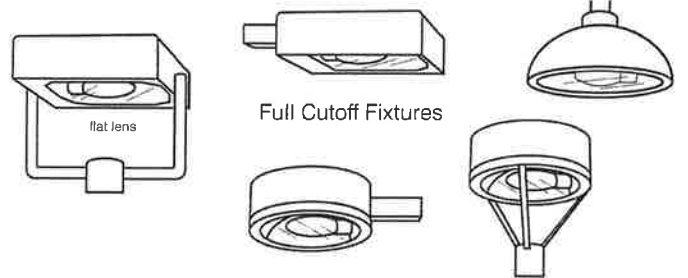


Unshielded PAR Floodlights

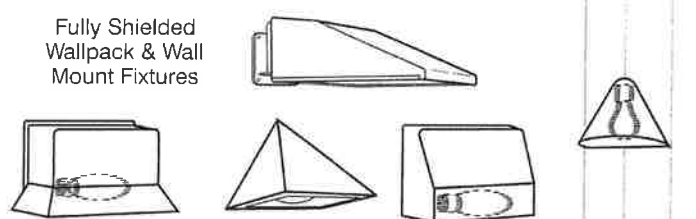
Drop-Lens Canopy Fixtures

Acceptable

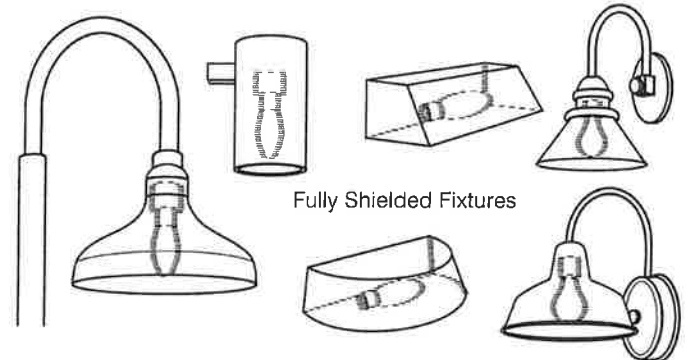
Fixtures that shield the light source to minimize glare and light trespass and to facilitate better vision at night



Full Cutoff Fixtures



Fully Shielded Wallpack & Wall Mount Fixtures



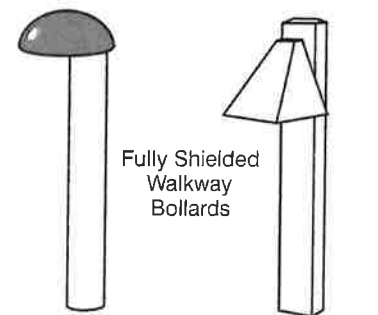
Fully Shielded Fixtures



Full Cutoff Streetlight



Fully Shielded Barn Light

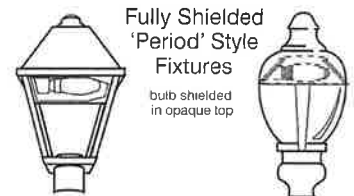


Fully Shielded Walkway Bollards



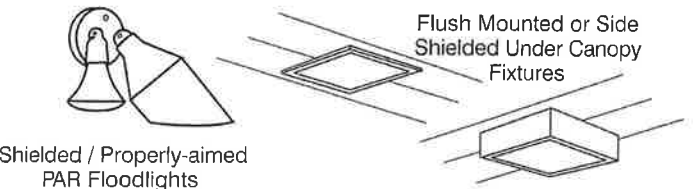
Fully Shielded Decorative Fixtures

bulb shielded in opaque top



Fully Shielded 'Period' Style Fixtures

bulb shielded in opaque top



Shielded / Properly-aimed PAR Floodlights

Flush Mounted or Side Shielded Under Canopy Fixtures

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