



# SKAMANIA COUNTY PLANNING COMMISSION

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## AGENDA

**Tuesday, April 17, 2018 @ 6:00 PM**

SKAMANIA COUNTY COURTHOUSE ANNEX, LOWER MEETING ROOM  
170 NW VANCOUVER AVENUE, STEVENSON, WA 98648

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### **I. CALL TO ORDER**

### **II. ROLL CALL**

### **III. AGENDA ITEMS**

1. Approval of minutes from the March 20, 2018, Planning Commission Meeting.
2. PUBLIC WORKSHOP on review of zoning in the Stabler/Wind River area. The Planning Commission is reviewing the possibility of rezoning privately owned parcels within the Unmapped (UNM) zone.

### **IV. PLANNING COMMISSION BUSINESS**

### **V. ADJOURN**





## Skamania County Planning Commission

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### PLANNING COMMISSION MEETING MINUTES

**Tuesday, March 20, 2018**

**Hegewald Center**

**710 SW Rock Creek Drive, West Meeting Room**

**Stevenson, WA 98648**

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Planning Commission Members:

Present:

Lesley Haskell, John Prescott, Cyndi Soliz,  
Dee Bajema

Community Development Department Staff

Present:

Alan Peters, Andrew Lembrick  
Teri Wyckoff

Absent: Paul Hendricks, Tony Coates,  
Cliff Nutting

#### AUDIENCE

See attached sign-in sheet.

#### PROCEEDINGS

Meeting was called to order at 6:00 P.M. by Chair, Lesley Haskell.  
Quorum was met.

#### AGENDA ITEMS

1. Approve Minutes from the March 6, 2018 meeting.
    - a. Motion was made by John Prescott and seconded by Cyndi Soliz to approve the Minutes of the March 6, 2018. Motion passed 4-0.
  2. Public Workshop on review of zoning in the Stabler/Wind River area. The Planning Commission is reviewing the possibility of rezoning privately owned parcels within the Unmapped (UNM) zone. Alan Peters, Assistant Planning Director, presented information outlining property owners and the current zoning of parcels of lands that could possibly be affected by the proposed change and presented an initial draft zoning-initial staff recommendation.
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3. Discussion by the Commission Members included:
  - a. Input from the public was both verbal and written communication.
  - b. Process and criteria for the review process
  
4. Public comments were received from property owners:
  - a. Joe Birkenfeld
  - b. Bradley Christie
  - c. Patrick Pinson
  - d. Michelle Adams
  - e. Angie Hollis
  - f. Tom Linde
  - g. Michael & Tori Haeder
  
5. Written comments were received from:
  - a. Ann Lueders
  - b. Joe Birkenfeld
  - c. Columbia Land Trust
  
6. Comments were received regarding the purpose of the review, confusing information mailed to affected property owners, how this would affect the Wind River Business Park, and the need for better outreach. The Planning Commission discussed the need to solicit additional public input and host a second workshop. Staff agreed to mail a notice to the property owners and interested parties about a follow-up meeting with additional information about the Comprehensive Plan and an invitation to provide written comment prior to the next workshop. The workshop was tentatively scheduled for Tuesday, April 17, 2018.

7. MEETING ADJOURNED

Meeting adjourned at 7:40 PM

**ATTEST**

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Planning Commission Chair

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Secretary



# Skamania County

## Community Development Department

Building/Fire Marshal ♦ Environmental Health ♦ Planning

Skamania County Courthouse Annex

Post Office Box 1009

Stevenson, Washington 98648

Phone: 509-427-3900 Inspection Line: 509-427-3922

**TO:** Skamania County Planning Commission  
**FROM:** Planning Staff  
**DATE:** April 10, 2018  
**RE:** Stabler Area Workshop #2

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This memo is a supplement to the Staff Report prepared for the March 20, 2018, Workshop. The Planning Commission will be holding a second public workshop during the April 17, 2018, Planning Commission Meeting. The first public workshop on March 20 was well attended by members of Carson/Stabler community and those who own property included in this review.

After that meeting, Staff issued an invitation for comments to be submitted in advance of the April 17 workshop. Staff also provided direct contact information for both Planning staff members in order to solicit other feedback, input, or answer questions from the public. A comment summary from property owners is included below. Additional comments may be received before or at the meeting. In response to questions raised at the first workshop, Staff also prepared a handout on the relationship between the Comprehensive Plan and Zoning and updated the "Stabler/Wind River Zoning Review" web page. A copy of that handout is included with the memo. Staff also invites the Planning Commissioners to review the information available at <http://www.skamaniacounty.org/community-development/stabler/>.

The April 17 workshop will focus on additional background information related to this review and listening to public comment and considering public comment received to date. If time allows, the Planning Commission may begin considering the various zoning options available.

### **Why is the Planning Commission undertaking this effort?**

Both the Planning Commission and members of the public had questions about the purpose of the current review and why the County's 2008 zoning process was ended. Staff will discuss both of these questions at the workshop, but will provide brief summaries in this memo. In October 2016, at the direction of the Board of County Commissioners, the Planning Commission began a review of the Comprehensive Plan's Conservancy designation and the Unmapped zoning designation for consistency. This review was the result of pending litigation from an appeal of the County's 2007 Comprehensive Plan by Save Our Scenic Area and Friends of the Columbia Gorge. At that time, the Planning Commission was presented with five options: 1. No Action; 2. Extensive Comprehensive Plan Amendments and Rezones; 3. Repeal 2007 Comprehensive Plan with Respect to Lands Zoned UNM; 4. Confirm its Position; 5. Amend the Comprehensive Plan.

At the same time, the County was tasked with completing its state mandated periodic review of its natural resources lands designations, a review with a deadline of June 2019. After several

meetings and hearings on both items, in March 2017, the Planning Commission unanimously recommended to the Board of County Commissioners that the County delay completion of the GMA natural resources lands periodic review until June 30, 2019, and consider rezoning of lands within the Unmapped Zoning Designation.

In August 2017, the Board of County Commissioners accepted the Planning Commission's request and passed Resolution 2017-30, which directs the Planning Commission and Community Development Staff to review these lands. Because of the number of properties involved the review is being phased and separated into four planning areas: (1) Stabler/Wind River; (2) Rock Creek (area north of the City of Stevenson); (3) High Lakes; and (4) North Underwood.

**Why did the County abandon its 2008 rezoning effort?**

Following the July 2007 adoption of the County’s Comprehensive Plan, the County began a rezone effort to implement the new plan. After several Planning Commission and Board of County Commissioner’s workshops throughout 2008, the Planning Commission recommended map and text changes to the zoning ordinance in September 2008. The proposal would have zoned all Unmapped lands within the County, rezoned lands within the Swift and West End subareas, and would have included a new section on alternative energy systems.

Following the Planning Commission’s recommendation, the County issued a State Environmental Policy Act (SEPA) Determination of Nonsignificance (DNS) in October 2008. The County’s DNS was appealed by Save Our Scenic Area, the Friends of the Columbia Gorge, Gifford Pinchot Task Force, and Columbia Riverkeepers. The appeal was heard by the Skamania County Hearing Examiner in January 2009. The Hearing Examiner’s February 2009 decision granted the appeal, reversing the County’s SEPA DNS issued on the proposed zoning amendments and remanded to the County for preparation of an Environmental Impact Statement (EIS) for the zoning text and map amendments. The County then decided to abandon the proposal, though the Swift and West End zoning was later adopted.

**Public Feedback to Date**

Staff has specifically reached out to each individual property owner with mailings ahead of scheduled workshops and has also posted meeting notices in the Skamania County Pioneer and on its website. The March 20<sup>th</sup> workshop was well attended and good feedback was provided by those in attendance. The Planning Department has received some written comments or other communications from individual property owners and interested parties which are included with this memo. Where property owners have made specific zone requests for their properties, these have been summarized below and compiled on the attached “Property Owner Requested” zoning map.

Additional public comment will be accepted at the workshop.

Name	Parcels Owned	Request
Columbia Land Trust	27, 29	The Columbia Land Trust has requested that the entirety of these two parcels be rezoned to CRL-40, including areas currently zoned R2.
Joseph & Diane Birkenfeld	2, 16, 22, 33	The Birkenfelds have submitted maps with proposed zoning for their four parcels:

		#2 – Rezone Unmapped portion to R-1 to match remainder of property #16 – Rezone to FL-10 #22 – Rezone to FL-20 #33 – Rezone to FL-20
Lon Ostenson	21	Rezone Unmapped portion to R-2 to match remainder of property
Joe Fetchner	19	Met with Staff on March 29, 2018, to state that he did not want this are rezoned to CRL-40, but wanted the Unmapped portion to be rezoned to R-2 to match remainder of property

### Options

While the Planning Commission does not have predetermined outcome for this review, there are a few options for recommendations that the Planning Commission can make as it proceeds with this review:

- 1. No action.** This option would retain the existing zone designations with no changes.
- 2. Rezone all parcels.** The Planning Commission can recommend rezoning Unmapped parcels. Parcels could be rezoned to an existing adopted County zone or could create new zones or revise existing zones for adoption.
- 3. Adopt revisions to the Unmapped zoning text.** The Planning Commission could recommend the adoption of stricter controls within the Unmapped zone.
- 4. Rezone some, but not all properties.** The Planning Commission could recommend rezoning some, but not all Unmapped parcels. This option could include a combination of the above options.

The Planning Commission should also consider whether County owned lands at the Wind River Business Park should be included as part of this review as some have suggested. This would be outside of the scope of the current review as originally proposed by the Planning Commission and outside of the direction given by the Board of County Commissioners in Resolution 2017-30. If the Planning Commission or Board would like to pursue this, Staff would recommend that this be a separate undertaking. Rezoning this site has wider implications to the entire Stabler community and County as a whole.



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## **What is the County's Comprehensive Plan?**

The County's Comprehensive Plan was adopted in July 2007 after a public process that began in January 2006. The Comprehensive Plan is an official public document that guides policy decisions related to the physical, social, and economic growth of the county. It provides a framework for future growth, development, and public decision-making. Generally, a Comprehensive Plan is a 20-year guide for the future of the county. A Comprehensive Plan provides direction for how the County will grow and evolve over time and establishes the goals and policies that the County should pursue to improve its quality of life, preserve and promote the community's assets, and ensure that Skamania County is an attractive, safe, and prosperous place to live and work, now and into the future.

## **How does the Comprehensive Plan relate to Zoning?**

The Comprehensive Plan is not a regulatory document. Rather, it is a guiding document which includes goals and policies that are implemented through development regulations and other official controls, such as the zoning code. Official controls also include subdivision, critical areas, and shoreline ordinances. The Comprehensive Plan is implemented through the actions of County staff, the Planning Commission, County Commissioners, Hearings Examiner, and other Boards or Commissions. Policies will be carried out through the adoption and revision of development regulations and ongoing decisions on future development proposals.

## **What are the Comprehensive Plan Land Use Designations?**

There are three land use designations in the study area. These three designations are Rural I, Rural II, and Conservancy, and are differentiated from one another by intensity and types of uses, which may occur in each area. These land use designations provide policy guidance for the uses of land, which range from residential, commercial and industrial structures to farm and forestry activities, to open spaces and undeveloped environmentally sensitive areas. The goals and policies contained in the Land Use Element provide the guidance as to how and where these uses should be located.

Every parcel in the County and study area has a Comprehensive Plan land use designation assigned to it as shown on the map on Page 3.

The following information from the Comprehensive Plan explain the three land use designations. Additional information, including appropriate uses in each designation, can be found in the Comprehensive Plan. (The entire plan text can be found at <http://www.skamaniacounty.org/community-development/stabler/> or reviewed in person at the Courthouse Annex).

### **Rural I**

*The Rural I land use area is intended to foster the optimum utilization of land within the growing areas of the county through provision of public improvements and the allocation of a greater variety of uses than allowed in the other two land use designations.*

*The Rural I land use area is that area which is best able to support growth. All of the existing, denser development is within this area. The character of this existing development is essentially rural, and it is not the intention of the plan to significantly alter this character. However, the potential for future development is greater here than other lands within the county. More varied and denser development could take place within this land use category. Therefore, growth in these areas would be encouraged.*

### **Rural II**

*The Rural II land use area is intended to provide for rural living without significant encroachment upon lands used for agriculture and timber. This land use area is the middle developmental range level suggested by this plan. The lower density will help to protect agricultural and timber lands from dense residential type development, and should maintain the rural character of this designation.*

*Not many people in Skamania County sustain themselves by farming exclusively. There are a few dairy farms and orchards scattered throughout the county, and some families grow much of their own food.*

*Rural II areas are considered suitable for more widely dispersed residential uses compatible with natural land limitations and resource potentials. This land use category would provide for rural living without significantly encroaching upon agricultural and timberlands.*

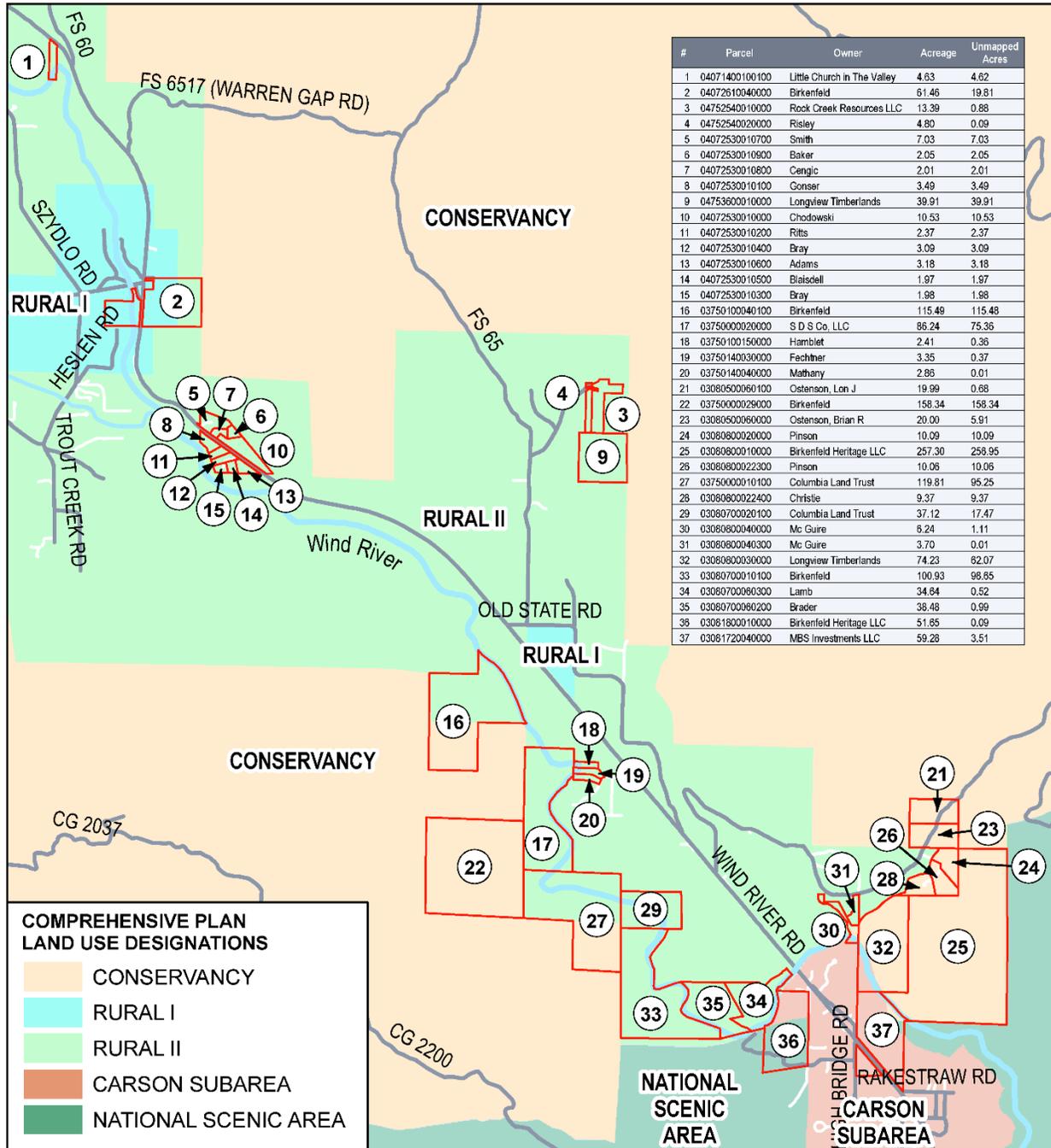
### **Conservancy**

*The Conservancy land use area is intended to provide for the conservation and management of existing natural resources in order to achieve a sustained yield of these resources, and to conserve wildlife resources and habitats.*

*Much of the Conservancy land use area is characterized by rugged terrain, steep in slope, and unsuitable for development of any kind. Logging, timber management, agricultural and mineral extraction are main use activities that take place in this area. Recreational activities of an informal nature such as fishing, hunting, and hiking occur in*

this area, although formal recreational developments may occur from time to time. Conservancy areas are intended to conserve and manage existing natural resources in order to maintain a sustained resource yield and/or utilization.

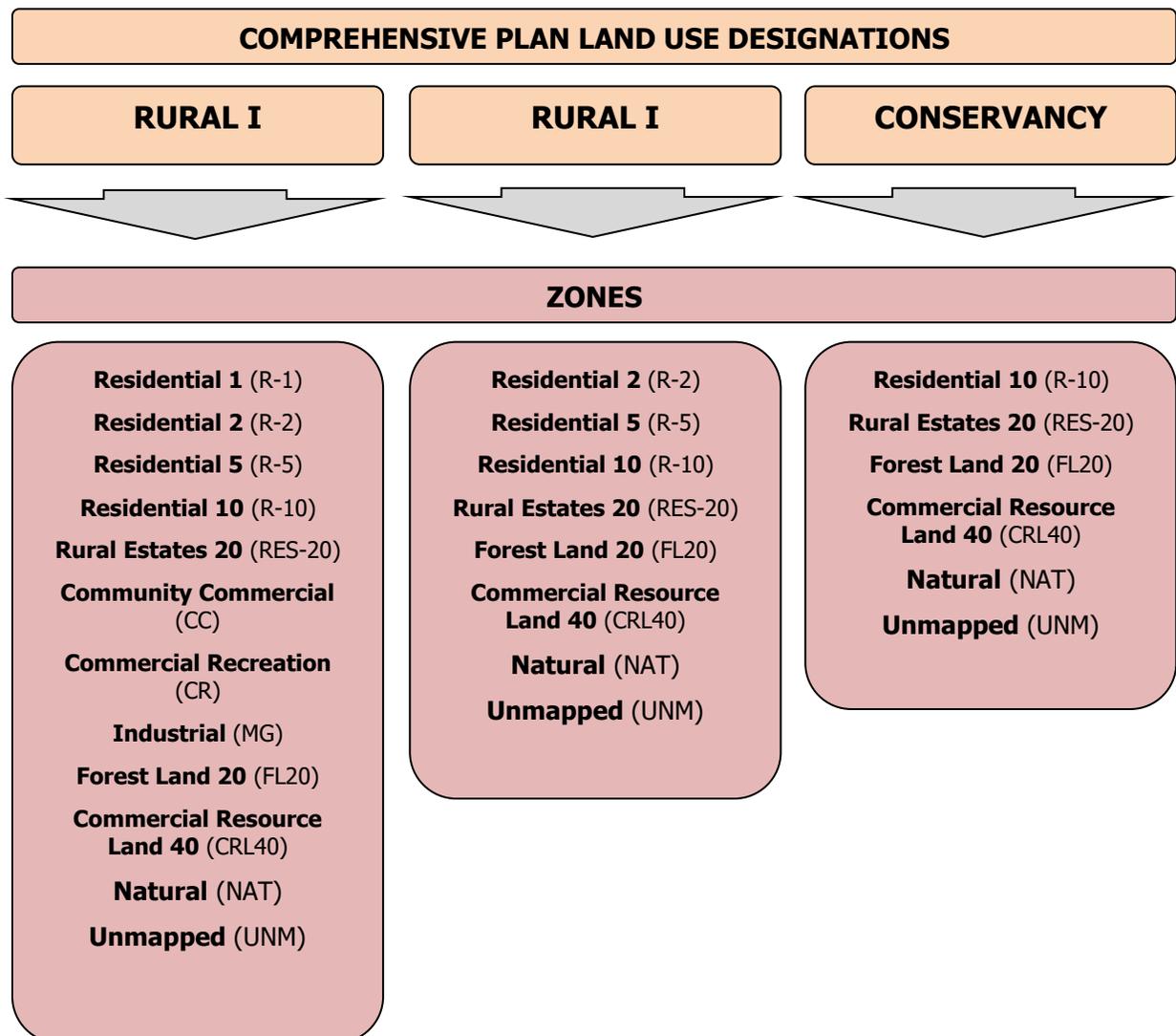
### LAND USE DESIGNATIONS MAP



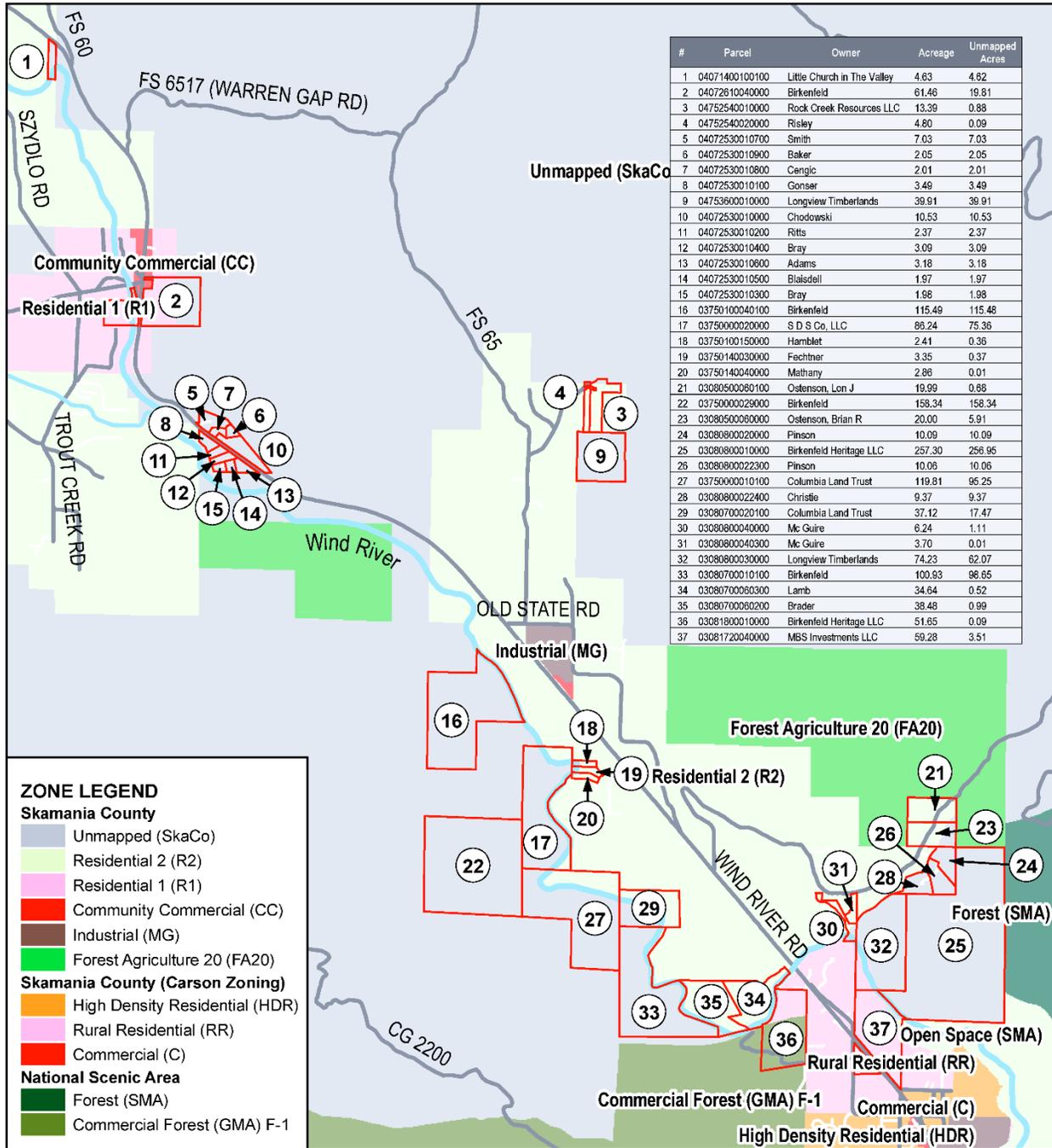
## What zones are allowable within each Comprehensive Plan Land Use Designation?

The Comprehensive Plan is implemented through zoning. For each Land Use Designation there is a corresponding list of zones that are considered “consistent” with the Comprehensive Plan. So, if your property is within the Rural II land use designation, then your property is or may be zoned one of the corresponding zones in the chart below. More information about these zones and the allowable uses within them can be found at <http://www.skamaniacounty.org/community-development/stabler/> or reviewed in person at the Courthouse Annex.

The map on page 5 shows the current zoning within the study area. All areas shaded gray are within the Unmapped (UNM) zone. Some parcels have “split” zoning. The Planning Commission is looking only at parcels that are within the Unmapped (UNM). If your property is not within this zone then your property is not being considered for rezoning.



# CURRENT ZONING MAP



Additional background information and resources are available at <http://www.skamaniacounty.org/community-development/stabler/> and at the Courthouse Annex.

Please contact Alan Peters at 509-427-3906 or [apeters@skamania.wa.us](mailto:apeters@skamania.wa.us) or Andrew Lembrick at 509-427-3908 [lembrick@co.skamania.wa.us](mailto:lembrick@co.skamania.wa.us) with any questions.

**Alan Peters**

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**From:** Ann Birkenfeld Lueders <annabelle8238@gmail.com>  
**Sent:** Tuesday, March 20, 2018 4:17 PM  
**To:** Alan Peters; Commissioners  
**Subject:** Planning Commission Meeting of 03.20.18

RECEIVED  
CLYMERIA COUNTY

MAR 20 2018

COMMUNITY DEVELOPMENT  
DEPARTMENT

Alan:

Please forward these comments to the Planning Commission members and include them as official public comment for the record.

I find myself in a situation where two meetings of similar importance are being held on the same evening. While I wished to attend the Planning Commission meeting, I will be otherwise unavailable. However, I feel this issue is important enough to offer the following comments about the proposal to zone "unmapped lands" which, in my opinion, are already zoned, just not to the liking of special interest groups.

Having reviewed the information provided by the Planning Department staff, I have the following concerns:

The proposal includes a draft map that I fear the Commission will adopt as a good plan without property owners being given adequate time to review and consider the recommendations of county staff. What assurances can you provide property owners that they will have adequate time and notice to review proposals and submit comments?

The proposal does not address zoning of county properties that are also "unmapped" but in areas that will have an impact on neighboring properties. If the county or the Planning Commission (an advisory board) intends to go through a process to recommend and later impose zoning restrictions on private land owners, that same process, at the same time should address county properties. As a landowner who may be affected by potential zoning changes I would insist that the county be held to the same review that I and my fellow taxpayers are.

In December, when this process and/or proposal was first revealed, I expressed concern with non-resident, special interest group comments being given the same amount of weight as a resident and property own. I, and I believe many other residents are exhausted with the idea that our comments and concerns are overshadowed by those whose only interest in our community is their weekend hiking trail and summer vacation. We live here. We work here (or try to at least) and we bear the burden of these changes. I implore the Commission to find a way to balance this situation and give more credit to those who really do love the gorge and don't just look at it as a playground.

In closing, I ask that the Commission to include the county properties as a part of this process, set adequate public hearings, provide due diligence in reaching out to and engaging property owners and take enough time to make this process valid.

Respectfully,

\*Ann Lueders\*

\* <[annabelle8238@gmail.com](mailto:annabelle8238@gmail.com)> \*

***NOTE: I do not receive work related email at this address. Any work related emails will be deleted without being read or responded to. It is your responsibility to send emails to my appropriate email address. Thank you for your consideration.***

## Alan Peters

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**From:** Ian Sinks <isinks@columbialandtrust.org>  
**Sent:** Tuesday, March 13, 2018 3:33 PM  
**To:** Alan Peters  
**Cc:** Kate Conley  
**Subject:** Wind River re-zoning of unmapped parcels

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

RECEIVED  
MAR 13 2018  
COLUMBIA LAND TRUST

Good afternoon,

Columbia Land Trust owns two parcels of land within the unmapped area along the Wind River. These two parcels, identified as #27 and #29 on the zoning map, are currently managed for conservation and forest management. Both are also restricted to these uses through donor commitments which the Land Trust must abide by in perpetuity. Therefore, it is our suggestion that both of these parcels not be split-zoned between CRL40 and R2. The CRL40 is the appropriate zoning we feel based on our management and the use restrictions placed on the property.

If you have any questions please feel free to contact me.

Thanks,  
Ian

Ian Sinks | Stewardship Director

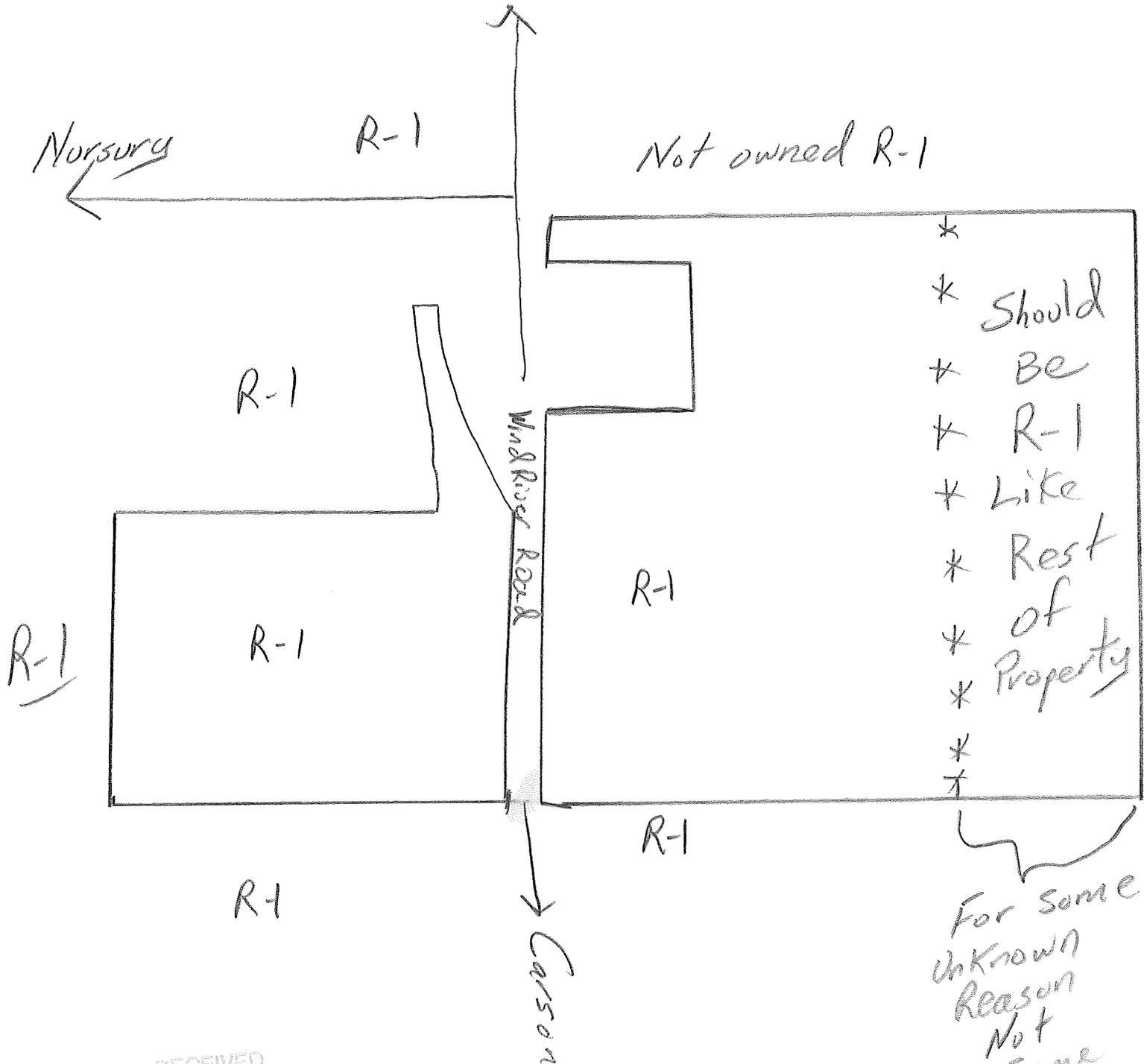
## Columbia Land Trust

850 Officers' Row | Vancouver, WA 98661  
Office: (360) 213.1206 Cell: (503) 799-9505 | [isinks@columbialandtrust.org](mailto:isinks@columbialandtrust.org)  
Also in Astoria | Portland | Hood River  
[www.columbialandtrust.org](http://www.columbialandtrust.org)



Joseph and Diane Birkentfeld 427-8519

#2 04072610040000 - 64 Acres



\*  
\* Should  
\* Be  
\* R-1  
\* Like  
\* Rest  
\* of  
\* Property  
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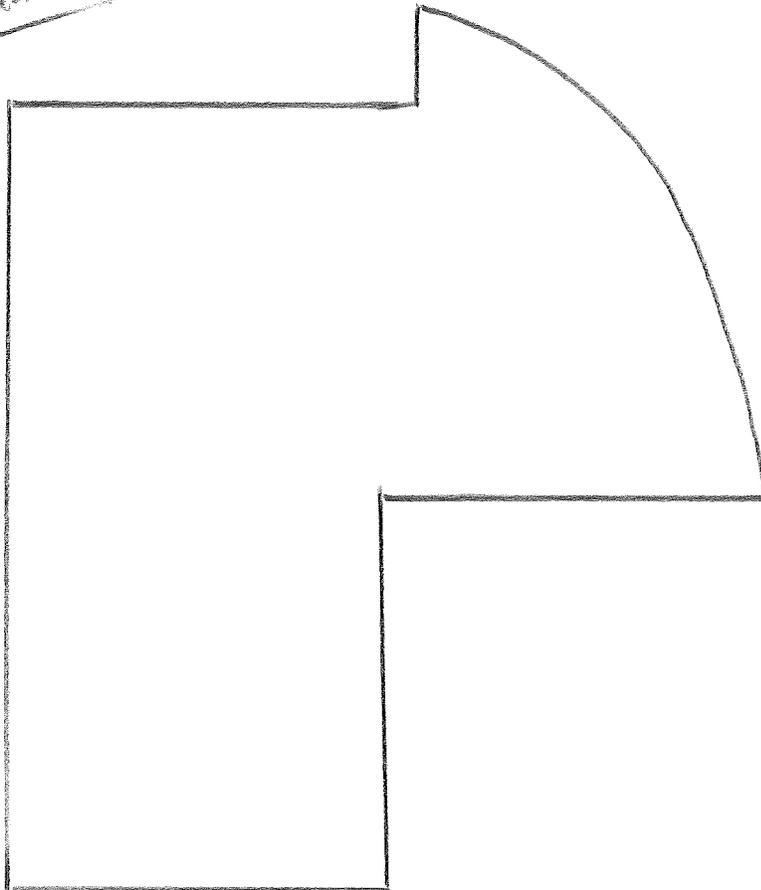
For some  
Unknown  
Reason  
Not  
Same  
as  
majority  
of  
our property

RECEIVED  
SKAMANIA COUNTY  
MAR 20 2018  
COMMUNITY DEVELOPMENT  
DEPARTMENT

# 16 - 03750100040100 - 117 Acres

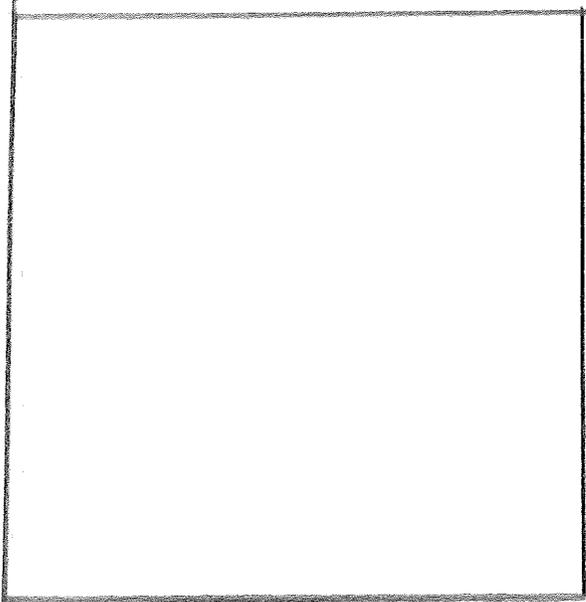
Forest land 10

So house could be built  
on it -



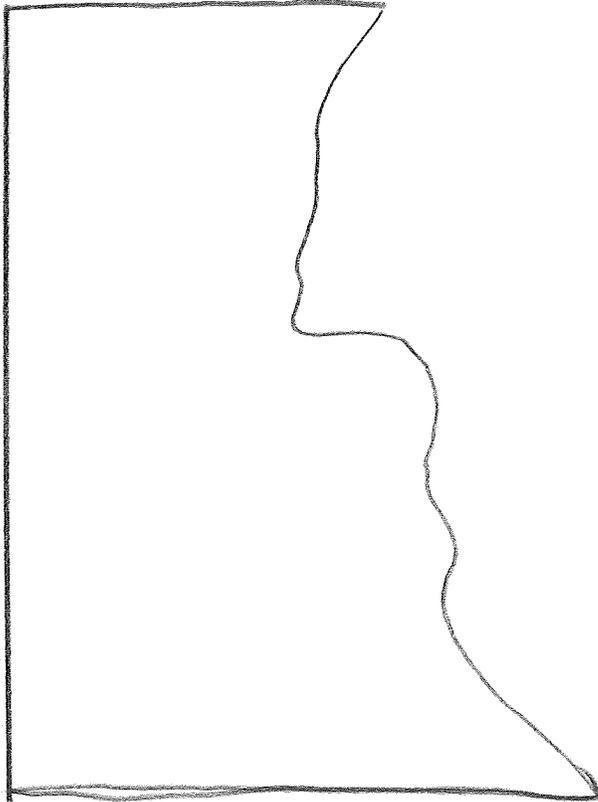
# 22 - 03750000029000 - 158 ACRES

Forest Land 20



#33 - 03080700010100 - 100 ACRES

Forest Land 20



## MEETING LOG

### **Joe Fechtner #19 – March 29, 2018, 9:30 AM.**

Alan Peters met with Joe Fechtner. Explained process and that only .37 acres are affected. The area cannot be accessed. Alan Peters said it would make the most sense to zone this R2 like rest of property. Joe Fechtner said he didn't want it to be Commercial Resource Lands and supported the R2 zone.

APRIL 03 2018

COMMUNITY DEVELOPMENT  
DEPARTMENT

## ARAMBURU & EUSTIS, LLP

Attorneys at Law

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www.aramburu-eustis.com

April 3, 2018

Skamania County Planning Commission  
P.O. Box 1009  
Stevenson, WA 98648

Via Email:  
planningcommission@  
co.skamania.wa.us

### **Re: Natural Resource Lands Designations and Unmapped Lands Zoning**

Dear Planning Commissioners:

These comments are presented on behalf of Save Our Scenic Area ("SOSA"), a grassroots community organization incorporated in 2007 made up of Gorge citizens who are interested and concerned with planning and zoning actions in Skamania County and the Columbia River Gorge. The majority of SOSA's members are Skamania County citizens. SOSA has been actively involved in planning and zoning matters in Skamania County for more than a decade.

SOSA supports Skamania County's current proposal to zone the privately owned Unmapped (UNM) lands throughout the County. We also support the Initial Staff Recommendation draft zoning map in Stabler/Wind River, the first area under consideration. Below, we will provide some brief background on the legal requirements and the history of the County's zoning efforts. After that background we will respond to the County staff's zoning proposal and some of the public comments received by the County.

### **Skamania County's Process for Reviewing the Unmapped Lands and Natural Resource Lands Designations**

In 2016 and 2017, Skamania County held numerous hearings and workshops regarding the County's privately owned Unmapped lands and the County's natural resource lands designations. During that process, County officials heard and received comments from dozens of Skamania County citizens and stakeholders who urged the County to complete the zoning of these lands and simultaneously designate natural resource lands.

In April 2017, after hearing from the public, the Planning Commission unanimously voted to recommend that the County “move forward on rezoning the Unmapped lands and concurrently conduct our 2019 Natural Resource Lands review.”

In August 2017, the Board of County Commissioners unanimously passed Resolution 2017-30. This resolution does a number of things. First, it “directs planning staff to work on completing the County’s review of the UNM lands.” Second, it adopts an updated Public Participation Program for the County’s Natural Resource Lands review. Third, the resolution states that the County will complete periodic review of the County’s natural resource lands designations by June 30, 2019. Finally, it directs the Planning Commission to review the privately owned Unmapped lands on the same timetable.

The County began its review in late 2017 and is currently reviewing all privately owned Unmapped lands in the County in the following order: Stabler/Wind River, Rock Creek, High Lakes, and North Underwood.

In determining appropriate zoning and natural resource lands designations for these lands, relevant factors to consider should include the current use of the property, voluntary inclusion by landowners in current use taxation programs (e.g., Designated Forest Land), Assessor’s land use codes, long-term resource land potential, the zoning of adjacent properties, the proximity of services such as water and public highways, and secondary benefits such as enhancing air and water quality and reducing the risk of forest fire.

## **Unmapped Lands**

A section of the Planning Enabling Act at RCW 36.70.780, entitled “Classifying unmapped areas,” allows the County to temporarily classify lands as “unmapped,” but also requires the County to eventually ensure that “all property within a county is precisely zoned.” In addition, while the County is working on precise zoning, it must adopt “broad protective controls” for the unmapped lands:

### **Classifying unmapped areas.**

After the adoption of the first map provided for in RCW 36.70.740, and pending the time that all property within a county can be precisely zoned through the medium of a zoning map, all properties not so precisely zoned by map shall be given a classification affording said properties such broad protective controls as may be deemed appropriate and necessary to serve public and private interests. Such controls shall be clearly set forth in the zoning ordinance in the form of a zone classification, and such classification shall apply to such areas until they shall have been included in the detailed zoning map in the manner provided for the adoption of a zoning map.

RCW 36.70.780.

Skamania County has classified certain lands that have not yet been zoned as “Unmapped.” SCC Chapter 21.64. As described in the Skamania County Code, the Unmapped lands are “not zoned.” SCC 21.64.010. The County Zoning Code (SCC Title 21) does not apply to the Unmapped lands. SCC 21.64.020. All uses are allowed on Unmapped lands, except for uses formally declared nuisances by a court or by legislative act. *Id.* All uses on Unmapped lands are deemed “allowable,” which means “allowed outright, which does not require obtaining Planning Director’s review and approval, or a conditional use permit.” SCC 21.08.010.87, 21.64.020.

In 2007, the County adopted a substantially revised county-wide Comprehensive Plan. The same day that the new Comprehensive Plan was adopted, the County also enacted County Ordinance 2007-10, in which the County stated that it “is beginning the process to adopt zoning classifications for all land within unincorporated Skamania County.”

Ordinance 2007-10 also applied a moratorium to the Unmapped lands, *i.e.*, “any parcel located within unincorporated Skamania County that is not currently located within a zoning classification.” The moratorium prohibited land divisions and forest practice conversions on all Unmapped parcels, as well as new building permits on Unmapped parcels 20 acres or larger. These were exactly the sort of “broad protective controls” required by RCW 36.70.780 until county-wide zoning could be established.

The moratorium also served another purpose under state law: it acted as a temporary zoning ordinance to ensure that the Unmapped classification was consistent with the Conservancy designation. Zoning consistency is required by the Planning Enabling Act: “Beginning July 1, 1992, the development regulations of each county that does not plan under RCW 36.70A.040 shall not be inconsistent with the county’s comprehensive plan.” RCW 36.70.545.

The County renewed the moratorium several times over the course of five years, but in June 2012 the County Commissioners voted to repeal the moratorium from most of the Unmapped lands, leaving it in place only at High Lakes. Later that year, the moratorium was allowed to lapse at High Lakes as well.

Because the moratorium was revoked in 2012, and because the County has, since then, neither zoned the Unmapped lands nor adopted broad protective controls for these lands, the County’s development regulations for the Unmapped lands are no longer consistent with the Conservancy designation in the 2007 Comprehensive Plan.

In 2010, the County adopted interim zoning in the Swift and West End Subareas (Ords. 2010-02 & 2010-08). In 2012, the County made the zoning in these areas permanent (Ord. 2012-02). Through these processes, all Unmapped lands in Swift and the West

End were precisely zoned as required by RCW 36.70.780.

However, eleven years after the adoption of the 2007 Comprehensive Plan, thousands of acres of Unmapped lands remain in other parts of the County. Today, nearly 14,000 acres of privately owned Unmapped lands remain countywide. These Unmapped lands are located in four areas of the County: Stabler/Wind River (1,025.66 acres), North Bonneville/Stevenson/Rock Creek (3,106.70 acres), High Lakes (5,336.52 acres), and Underwood (4,368.68 acres).

### **Growth Management Act**

The Growth Management Act requires Skamania County to designate commercial resource lands, including “[f]orestlands that are not already characterized by urban growth and that have long-term significance for the commercial production of timber.” RCW 36.70A.170(1)(b).

To date, Skamania County has made its commercial resource lands designations through zoning. The initial designations were made in 2005 (in the Columbia River Gorge National Scenic Area) and supplemental designations were made in 2012 (in the Swift and West End Subareas).

The County has not yet completed its review to determine which lands in the rest of the County meet the state guidelines for designation as commercial resource lands. The County did not complete a countywide periodic review of its commercial resource lands designations by the statutory deadline of December 1, 2008. The County’s next statutory periodic review deadline is June 30, 2019.

In 2010, the Washington Department of Commerce adopted new guidelines for classifying and designating forest resource lands. These guidelines, found at WAC 365-190-060, are the “minimum guidelines that apply to all jurisdictions.” RCW 36.70A.050(3). These minimum guidelines list a variety of factors in determining which lands qualify as forest resource lands, including which lands are “not already characterized by urban growth,” which lands are “used or capable of being used for forestry production,” which lands have “long-term commercial significance,” “secondary benefits” such as “protecting air and water quality” and “reducing forest fire risks,” and “proximity to population areas.” WAC 365-190-060(2), (3), (4). “In classifying and designating forest resource lands, counties must approach the effort as a county-wide or regional process.” WAC 365-190-060(1).

### **Responses to the Initial Staff Recommendation and Public Comments**

SOSA generally supports the County Staff recommendation for the Stabler/Wind River area as shown on the draft zoning map circulated at the March 20, 2018 workshop. The staff recommendation closely adheres to the 2008 zoning proposal, with a few

exceptions that are well-explained by County staff. The Planning Commission should recommend County adoption of this draft zoning map. SOSA will comment on several specific parcels below.

Parcel 2: This parcel is 61.46 acres, and the Unmapped portion is 19.81 acres. The parcel is forested and undeveloped, and the landowner voluntarily placed this parcel in the Designated Forest Land classification with the County Assessor. The Comprehensive Plan land use designations for this parcel are split-designated between Rural I and Rural II. The staff has recommended to zone the Rural II portion (the 19.81-acre Unmapped eastern portion) as R-2 to ensure consistency with the Comprehensive Plan. Zoning this portion as R-1 instead would be inconsistent with the Rural II Comprehensive Plan designation. It would also double the density potential on the eastern part of the parcel, far from roads and other public services. Zoning the eastern portion as R-2 as recommended by the Staff still allows for dividing it into nine parcels, in addition to the 41 parcels already allowed on the portion zoned R-1, for a total development potential of 50 parcels. The County should follow the staff recommendation, as shown on the draft zoning map, to zone the Unmapped land on this parcel as R-2.

Parcel 16: This parcel is 115.49 acres, and the Unmapped portion is 115.48 acres. The parcel is forested and undeveloped, and the landowner voluntarily placed this parcel in the Designated Forest Land classification with the County Assessor. The Comprehensive Plan designations for this parcel are split-designated between Conservancy and Rural II. The staff has recommended to zone this parcel as Commercial Resource Lands 40 (CRL40). The Staff's recommendation would be consistent with the Comprehensive Plan. The landowner has proposed Forest Land 10, a zone that does not currently exist in the zoning code. Allowing ten-acre parcels in residential use would be inherently incompatible with commercial forestry use, and would increase the risk of forest fires because of incompatible uses. SOSA does not support rewriting the zoning ordinance to create a new Forest Land 10 zone for the Stabler/Wind River area. This parcel meets the criteria for designation as commercial resource lands, including the size of the parcel, the actual use of the parcel for commercial forestry, the current tax status as Designated Forest Land (as requested by the landowner and approved by the County Assessor), and the location of the parcel far from roads and other public services. The County should follow the staff recommendation, as shown on the draft zoning map, to zone this parcel as CRL40. In the alternative, the County could zone the 40-acre southern portion of this parcel as CRL40, which would be consistent with the Conservancy designation, and zone the remaining approximately 75 acres as Forest Land 20 (FL20), which would be consistent with the Rural II designation.

Parcel 22: This parcel is 158.34 acres and the entire parcel is Unmapped. The parcel is forested and undeveloped, and the landowner voluntarily placed this parcel in the Designated Forest Land classification with the County Assessor. The Comprehensive

Plan designation for this parcel is Conservancy. The staff has recommended to zone this parcel as Commercial Resource Lands 40 (CRL40). The Staff's recommendation would be consistent with the Comprehensive Plan. This parcel meets the criteria for designation as commercial resource lands, including the size of the parcel, the actual use of the parcel for commercial forestry, the current tax status as Designated Forest Land (as requested by the landowner and approved by the County Assessor), and the location of the parcel far from roads and other public services. The County should follow the staff recommendation, as shown on the draft zoning map, to zone this parcel as CRL40.

Parcel 27: This parcel is 119.81 acres, and the Unmapped portion is 95.25 acres. The remainder of this parcel is already zoned as R-2. The parcel is forested, undeveloped, and is assessed by the County Assessor as Undeveloped–Other. The Comprehensive Plan designations for this parcel are split-designated between Conservancy and Rural II. The staff has recommended to split-zone this parcel between CRL40 and R-2. Based on current management practices and self-imposed use restrictions, the landowner has requested CRL40 for the entire parcel, rather than split-zoning the parcel. SOSA agrees with the landowner that the entire parcel should be zoned CRL40. This parcel meets the criteria for designation as commercial resource lands, including the size of the parcel, the actual use of the parcel for commercial forestry, the management practices and use restrictions already in place for the parcel, and the parcel's location far from roads and other public services. The County should zone the entire parcel as CRL40.

Parcel 29: This parcel is 37.12 acres, and the Unmapped portion is 17.47 acres. The remainder of this parcel is already zoned as R-2. The parcel is forested, undeveloped, and is assessed by the County Assessor as Undeveloped–Other. The Comprehensive Plan designations for this parcel are split-designated between Conservancy and Rural II. The staff has recommended to split-zone this parcel between CRL40 and R-2. Based on current management practices and self-imposed use restrictions, the landowner has requested CRL40 for the entire parcel, rather than split-zoning the parcel. SOSA agrees with the landowner that the entire parcel should be zoned CRL40. This parcel meets the criteria for designation as commercial resource lands, including the size of the parcel (especially when considered in conjunction with parcel #27, which is owned by the same landowner), the actual use of the parcel for commercial forestry, the management practices and use restrictions already in place for the parcel, and the parcel's location far from roads and other public services. The County should zone the entire parcel as CRL40.

Parcel 33: This parcel is 100.93 acres, and the Unmapped portion is 98.65 acres. The parcel is forested and undeveloped, and the landowner voluntarily placed this parcel in the Designated Forest Land classification with the County Assessor. The Comprehensive Plan designation for this parcel is Rural II. The staff has recommended to zone the Unmapped portion of this parcel as Commercial Resource Lands 40 (CRL40). The Staff's recommendation would be consistent with the Comprehensive

Plan. This parcel meets the criteria for designation as commercial resource lands, including the size of the parcel, the actual use of the parcel for commercial forestry, the current tax status as Designated Forest Land (as requested by the landowner and approved by the County Assessor), and the location of the parcel far from roads and other public services. The County should follow the staff recommendation, as shown on the draft zoning map, to zone the Unmapped portion of this parcel as CRL40.

County-Owned Parcels: Some commenters have asked that the County include County-owned Unmapped parcels in the current zoning project. SOSA is not necessarily opposed to this request, but we do note that including County-owned parcels is arguably outside the scope of the current project as established in County Resolution 2017-30, and would likely slow this project down, potentially making it difficult to meet the County's established target date of June 30, 2019 for completing the zoning project county-wide. Perhaps it would be appropriate for the Planning Commission to include a recommendation to the County Commissioners that once the zoning of the privately owned Unmapped lands is finished, the County should then begin a new project to zone the County-owned Unmapped lands county-wide. SOSA would support such a recommendation.

## **Conclusion**

SOSA recommends that Skamania County adopt the initial staff recommendation as shown on the draft zoning map for the Stabler/Wind River area, except as modified in the discussion above. Once the zoning map and text for the Stabler/Wind River area are prepared, the Planning Commission should recommend their adoption by the County Commission.

One question that has not been resolved is whether the County will adopt zoning for each of the four geographic areas as they are finished, or set aside each area as it is finished and return to all areas simultaneously in 2019. SOSA recommends the former approach: adopt zoning as each area is finished. The latter approach would be repetitive and inefficient because it would require County officials and stakeholders to engage in the same process for each area twice, and by the second time (after a year or more) the landowners and issues for the parcels may have changed. If any zoning mistakes are made and discovered later, that can always be addressed via proposals for rezoning individual parcels.

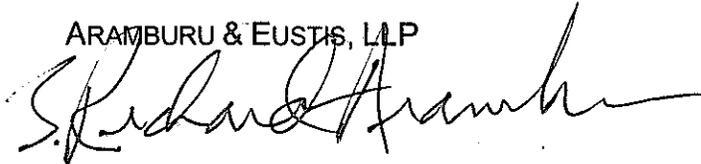
SOSA has been patiently waiting for more than a decade (since 2007) for the County to complete the zoning of the Unmapped lands. If the County does not plan to complete zoning of each area as it is finished, then the County should temporarily reinstate the moratorium on the Unmapped lands until zoning can be adopted, to ensure compliance with the Planning Enabling Act.

April 3, 2018  
Page 8

Thank you for allowing SOSA the opportunity to address these important issues.

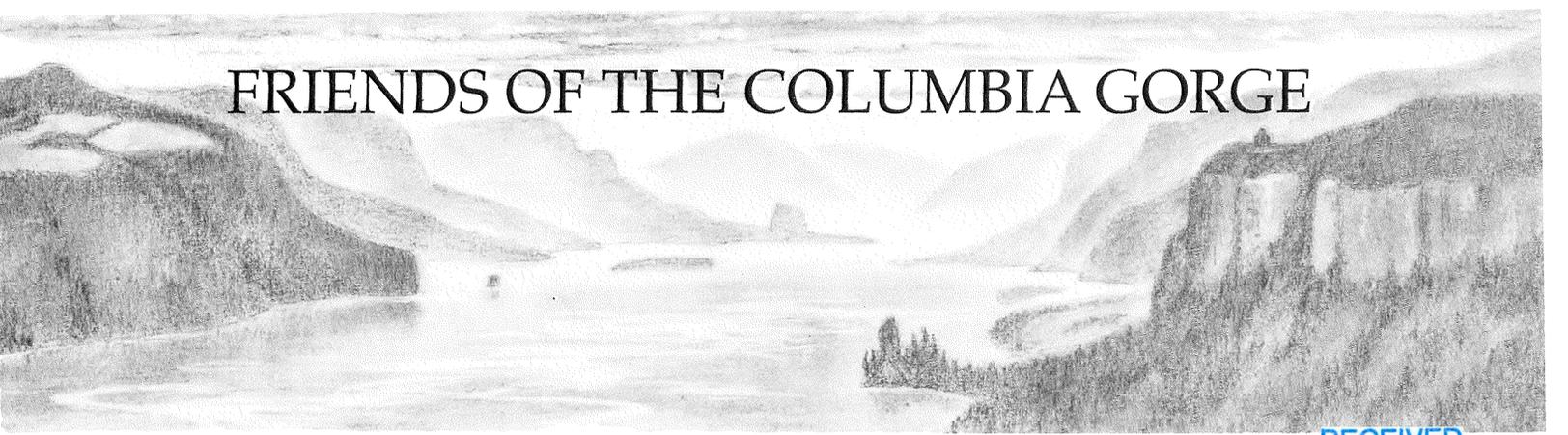
Sincerely,

ARAMBURU & EUSTIS, LLP

A handwritten signature in black ink, appearing to read "J. Richard Aramburu". The signature is fluid and cursive, with a long horizontal stroke at the end.

J. Richard Aramburu  
Attorney for Save Our Scenic Area (SOSA)

cc: Alan Peters  
Adam Kick  
Nathan Baker



# FRIENDS OF THE COLUMBIA GORGE

RECEIVED  
SKAMANIA COUNTY

APRIL 05 2018

COMMUNITY DEVELOPMENT  
DEPARTMENT

**To: Skamania County Planning Commission**  
**From: Nathan Baker, Friends of the Columbia Gorge**  
**Date: April 5, 2018**  
**Re: Skamania County Unmapped Lands and Natural Resource Lands Designations**

Friends of the Columbia Gorge is a nonprofit, public interest organization dedicated to protecting and enhancing the resources of the Columbia River Gorge. Our membership includes hundreds of citizens who reside in the Gorge. Our comments on this and other zoning matters are presented as an organization and on behalf of all our members, including those who live, work, and own property in Skamania County. Currently approximately 40 of Friends' members live in Skamania County.

Friends of the Columbia Gorge has read the April 3, 2018 comments of Save Our Scenic Area (SOSA). Friends supports and joins in SOSA's comments, and we support the proposed zoning and resource lands designations as outlined in SOSA's letter. We appreciate the time and effort that Skamania County is devoting to these important planning matters.

## Alan Peters

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**From:** Liz Lon <Short20@msn.com>  
**Sent:** Friday, April 06, 2018 10:12 AM  
**To:** Alan Peters  
**Subject:** Re: Stabler/Wind River Area

RECEIVED  
SKAMANIA COUNTY

APRIL 06 2018

COMMUNITY DEVELOPMENT  
DEPARTMENT

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Thanks for getting back to me Alan

The .68 acres are not buildable, however I would like to maintain the current zoning so I can maintain the 20 acre parcel for tax purposes. Also I would like to attach the .68 acre section in the future to maintain the current 2 acre parcel requirement. My parents wanted us to keep the property in the family for their grandchildren. My intention is to divide the 20 acres between my 3 children.  
Thanks Your for consideration in this matter.

Lon Ostenson

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**From:** Alan Peters <apeters@co.skamania.wa.us>  
**Sent:** Thursday, April 5, 2018 2:06 PM  
**To:** Liz Lon  
**Subject:** RE: Stabler/Wind River Area

Lon,

This is correct and as we discussed, my recommendation for the remaining .68 acres would be to zone it R2 with the remainder of the property. As the Planning Commission is very interested in knowing what the landowners think, could you reply to this email with your thoughts on how this .68 acres should be zoned?

**Alan Peters, AICP** | Assistant Planning Director  
SKAMANIA COUNTY COMMUNITY DEVELOPMENT  
170 NW Vancouver Ave | PO Box 1009 | Stevenson, WA 98648  
apeters@co.skamania.wa.us | 509.427.3906

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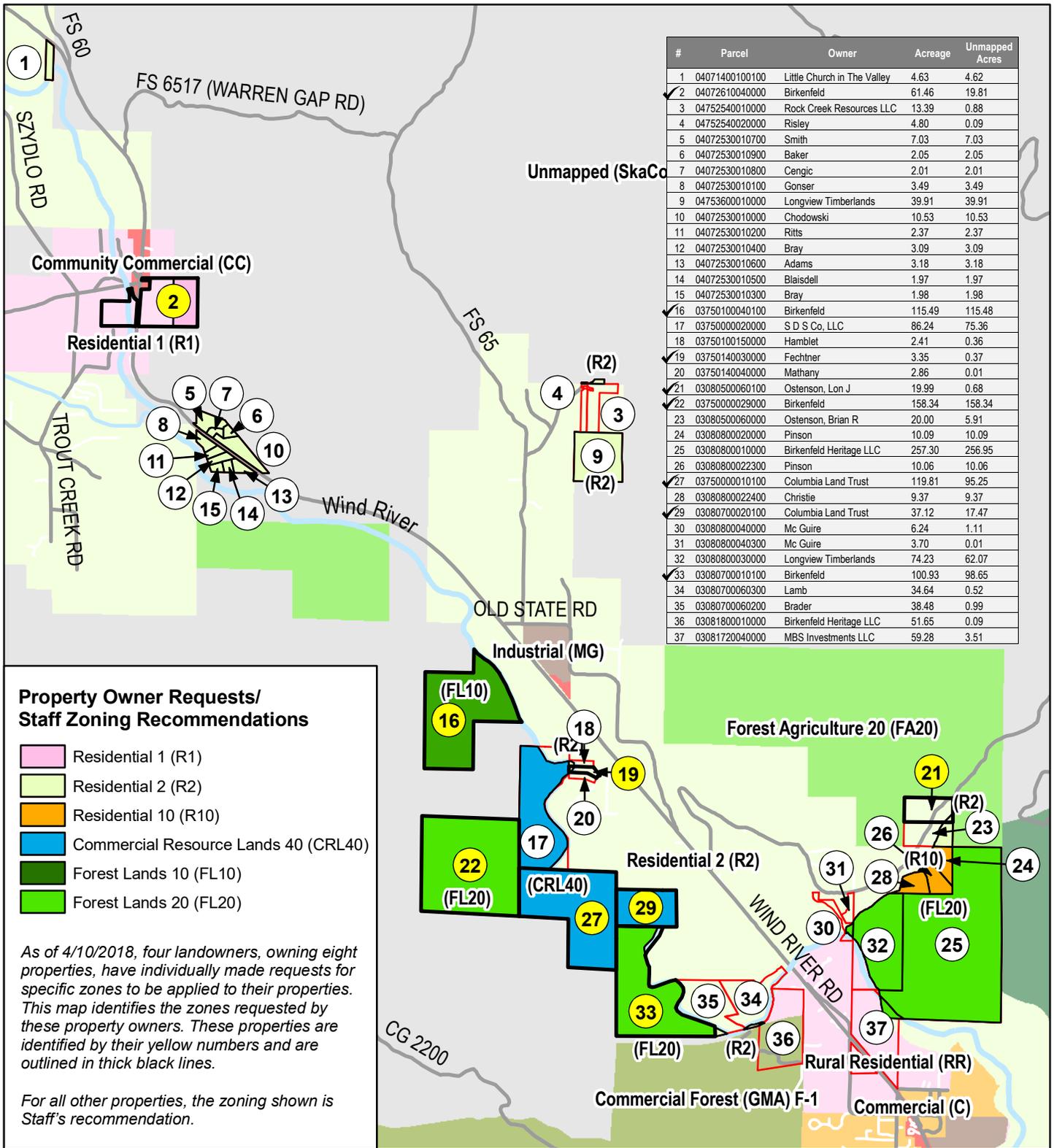
**From:** Liz Lon [mailto:Short20@msn.com]  
**Sent:** Wednesday, April 04, 2018 8:01 PM  
**To:** Alan Peters <apeters@co.skamania.wa.us>  
**Subject:** Stabler/Wind River Area

Alan,

I recently met you at your office in Stevenson and I just wanted to confirm that for the unmapped area on the land use designation map, identified as parcel 21, the .68 acres on the back side of the creek is the only affected area of that parcel for the new zoning. The remaining acreage will remain at R2 with the same

setbacks for wells and septic, consistent with current regulations. I inherited this property from my parents, with the intent to divide it up amongst my three children.

Thank you,  
Lon Ostenson



#	Parcel	Owner	Acreage	Unmapped Acres
1	04071400100100	Little Church in The Valley	4.63	4.62
✓2	04072610040000	Birkenfeld	61.46	19.81
3	04752540010000	Rock Creek Resources LLC	13.39	0.88
4	04752540020000	Risley	4.80	0.09
5	04072530010700	Smith	7.03	7.03
6	04072530010900	Baker	2.05	2.05
7	04072530010800	Cengic	2.01	2.01
8	04072530010100	Gonser	3.49	3.49
9	04753600010000	Longview Timberlands	39.91	39.91
10	04072530010000	Chodowski	10.53	10.53
11	04072530010200	Ritts	2.37	2.37
12	04072530010400	Bray	3.09	3.09
13	04072530010600	Adams	3.18	3.18
14	04072530010500	Blaisdell	1.97	1.97
15	04072530010300	Bray	1.98	1.98
✓16	03750100040100	Birkenfeld	115.49	115.48
17	03750000020000	S D S Co, LLC	86.24	75.36
18	03750100150000	Hamblet	2.41	0.36
✓19	03750140030000	Fechtner	3.35	0.37
20	03750140040000	Mathany	2.86	0.01
✓21	03080500060100	Ostenson, Lon J	19.99	0.68
✓22	03750000029000	Birkenfeld	158.34	158.34
23	03080500060000	Ostenson, Brian R	20.00	5.91
24	03080800020000	Pinson	10.09	10.09
25	03080800010000	Birkenfeld Heritage LLC	257.30	256.95
26	03080800022300	Pinson	10.06	10.06
✓27	03750000010100	Columbia Land Trust	119.81	95.25
28	03080800022400	Christie	9.37	9.37
✓29	03080700020100	Columbia Land Trust	37.12	17.47
30	03080800040000	Mc Guire	6.24	1.11
31	03080800040300	Mc Guire	3.70	0.01
32	03080800030000	Longview Timberlands	74.23	62.07
✓33	03080700010100	Birkenfeld	100.93	98.65
34	03080700060300	Lamb	34.64	0.52
35	03080700060200	Brader	38.48	0.99
36	03081800010000	Birkenfeld Heritage LLC	51.65	0.09
37	03081720040000	MBS Investments LLC	59.28	3.51

**Property Owner Requests/  
Staff Zoning Recommendations**

- Residential 1 (R1)
- Residential 2 (R2)
- Residential 10 (R10)
- Commercial Resource Lands 40 (CRL40)
- Forest Lands 10 (FL10)
- Forest Lands 20 (FL20)

As of 4/10/2018, four landowners, owning eight properties, have individually made requests for specific zones to be applied to their properties. This map identifies the zones requested by these property owners. These properties are identified by their yellow numbers and are outlined in thick black lines.

For all other properties, the zoning shown is Staff's recommendation.

DISCLAIMER: This map product was prepared by Skamania County and is for information purposes only. It may not have been prepared for, or be suitable for legal, engineering, or surveying purposes.

**ZONING - PROPERTY OWNER REQUESTED**

Stabler/Wind River Area Zoning Review

