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[www.gorgecommission.org](http://www.gorgecommission.org)

## DIRECTOR'S DECISION

**APPLICANT:** John and Joe Schreiner

**LANDOWNER:** John and Joe Schreiner

**APPLICANT  
AGENT:** Carolina Mondragon

**FILE NO.:** C10-0007-K-G-17

**REQUEST:** To construct a 1,932 square foot giraffe barn, and to construct two segments of woven wire fencing (12 feet and 15 feet in length, both 9.5 feet in height).

**LOCATION:** The subject parcel is located in the NE ¼ of Section 28, Township 3N, Range 12E, Willamette Meridian, Klickitat County, Washington.

**LAND USE  
DESIGNATION:** The subject parcel is in the General Management Area and is designated Large-Scale Agriculture (160-acre minimum lot size).

### DECISION:

Based upon the findings of fact in the Staff Report for Director's Decision C10-0010, the land use proposal by John and Joe Schreiner to construct two segments of woven wire fencing (12 feet and 15 feet in length, both 9.5 feet in height) is found to be consistent with the standards of Section 6 and the purposes of the Columbia River Gorge National Scenic Area Act P.L. 99-663 and is allowed without review by the Management Plan for the Columbia River Gorge National Scenic Area (Management Plan) and Commission Rule 350-81. The proposal to construct a 1,932 square foot giraffe barn is found to be consistent with the standards of Section 6 and the purposes of the Columbia River Gorge National Scenic Area Act P.L. 99-663, and the Management Plan for the Columbia River Gorge National Scenic Area (Management Plan), and approvable under Commission Rule 350-81 and is hereby **approved**.

### CONDITIONS OF APPROVAL:

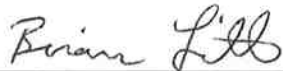
The following conditions of approval are given to ensure that the subject request is consistent with the standards of Section 6 and the purposes of P.L. 99-663, and the Management Plan and approvable under Commission Rule 350-81. These conditions must be recorded in county deeds and records to ensure notice of the conditions to successors in interest (Management Plan, Review Uses Guideline 1, pg. II-96).

1. The location for the new barn shall be staked for Commission inspection prior to grading, excavation or other project development. The applicant shall notify the Commission once staking is complete to arrange for an inspection. Grading, excavation and other project development may begin after Commission inspection and approval of staking.
2. The applicant shall notify the Gorge Commission within 30 days of project completion to arrange for an inspection to confirm compliance with conditions of approval. Project

completion means completion of all work on exteriors of structures (including painting), completion of grading and excavation.

3. The barn shall be constructed as shown on the approved site plan and elevation drawings.
4. All exterior building materials for the barn shall be colored a dark earth-tone color. The following proposed colors are approved: "Butternut Wood" for both the siding and roof of the barn building (Behr Paints, No. 710D-6), and "Chocolate Cupcake" (Behr Paints, No. 710D-7) for siding trim.
5. All exterior building materials for the barn shall have low reflectivity. The proposed hardi-plank material for the siding and asphalt composite shingles for the roof are approved as consistent with this condition.
6. No outdoor lights are shown on the development plans. Any new outdoor lights shall be submitted for review and approval of the Executive Director prior to installation. If any outdoor lights are installed, they shall be directed downward and sited, hooded and shielded so as to not be highly visible from key viewing areas. Shielding and hooding materials shall be composed of non-reflective, opaque materials.
7. If cultural resources are discovered during construction activities, all activities within 100 feet of the cultural resources shall cease and the applicants shall notify the Gorge Commission within 24 hours. The cultural resources shall remain as found; further disturbance is prohibited until permission is granted by the Executive Director of the Gorge Commission.
8. If human remains are discovered during construction activities, all activities shall cease 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 AND SIGNED THIS 2nd day of September, 2010 at White Salmon, Washington.



Brian Litt  
Principal Planner

**EXPIRATION OF APPROVAL:**

***This decision of the Principal Planner becomes void on the 2nd day of September, 2012.***

As per Commission Rule 350-81-044(6), an extension of the validity of a development approval may be requested. Such a request shall be submitted in writing prior to the expiration of the approval. The Principal Planner may grant an extension if it is determined that conditions, for which the applicant was not responsible, would prevent the applicant from commencing the proposed development within the original time limitation. The Principal Planner shall not grant an extension if the site characteristics and/or new information indicates 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 the 2nd day of October, 2010.***

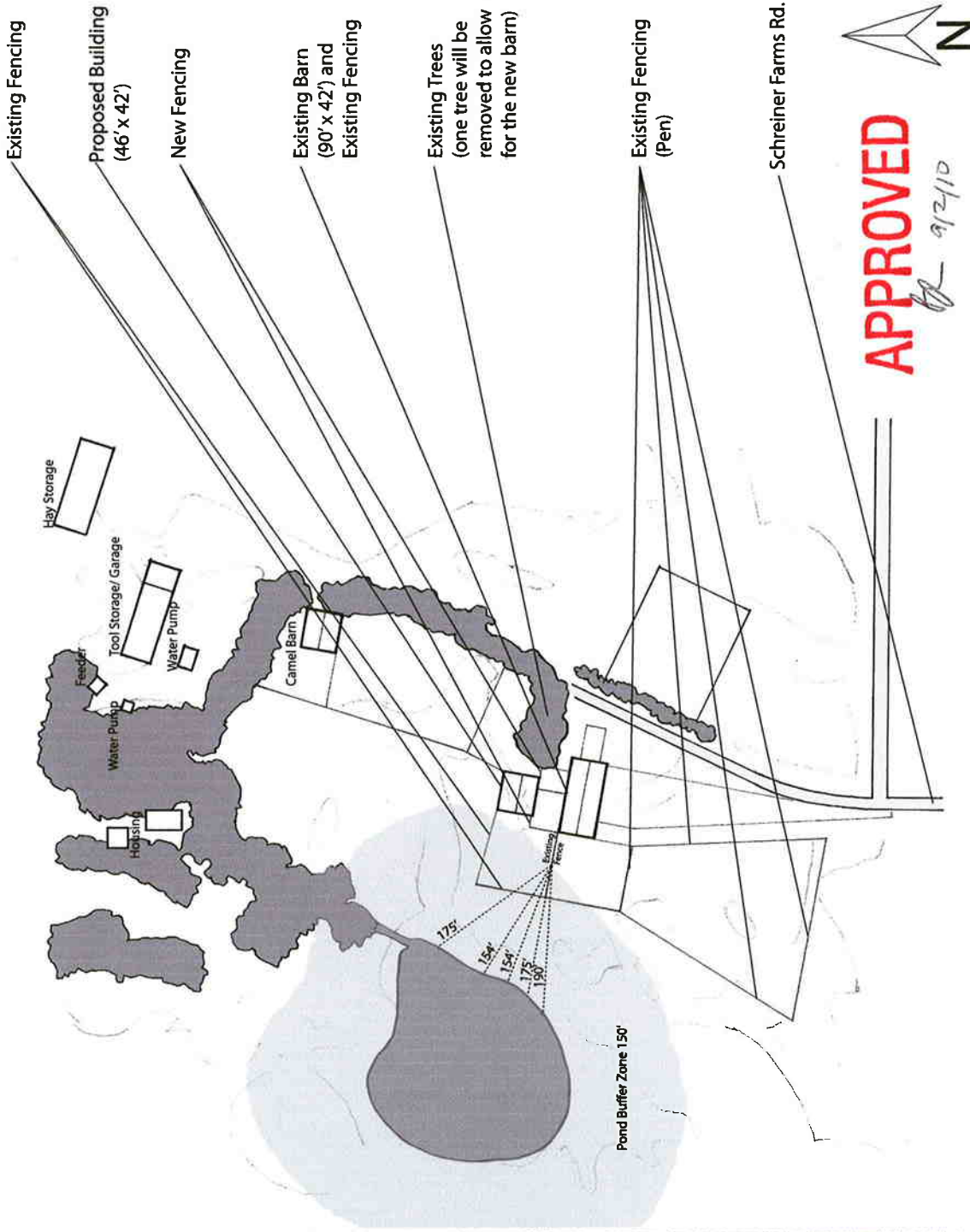
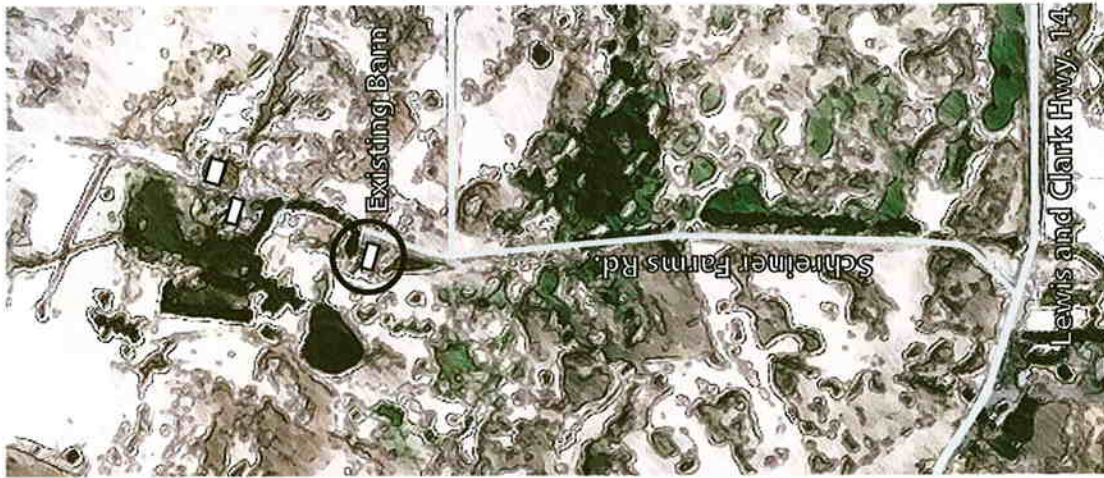
The decision of the Principal Planner shall be final unless a Notice of Intent to Appeal and Petition is filed with the Commission within thirty (30) days of the date of this decision by the applicant or any person who submitted comment. Information on the appeal process may be obtained at the Commission office.

**NOTES:**

Any new land uses or structural development such as residences; garages, workshops, or other accessory structures; or additions or alterations not included in the approved application or site plan will require a new application and review.

BL

DEC0017.09



**APPROVED**

*BR 9/2/10*

**Notes**

The proposed Giraffe Barn will be the same width dimension as the current facility (42') and run the length of 46' to the Northwest. The new Giraffe Barn will lie about 30' to the north from the existing giraffe barn and will be designed to aid in the caring and maintenance of the giraffes. All the original fencing will remain unaltered except for the most northern 'wall' of fencing that will be modified (cut short) to work with the new building. Minimal site disturbance will occur for the construction of the new building and only the necessary grading for the foundation laying will be performed due to its leveled quality. The surrounding topography and nature of the property, as well as the existing structure will aid in screening the new barn from key viewing areas and therefore result in an ideal site location.

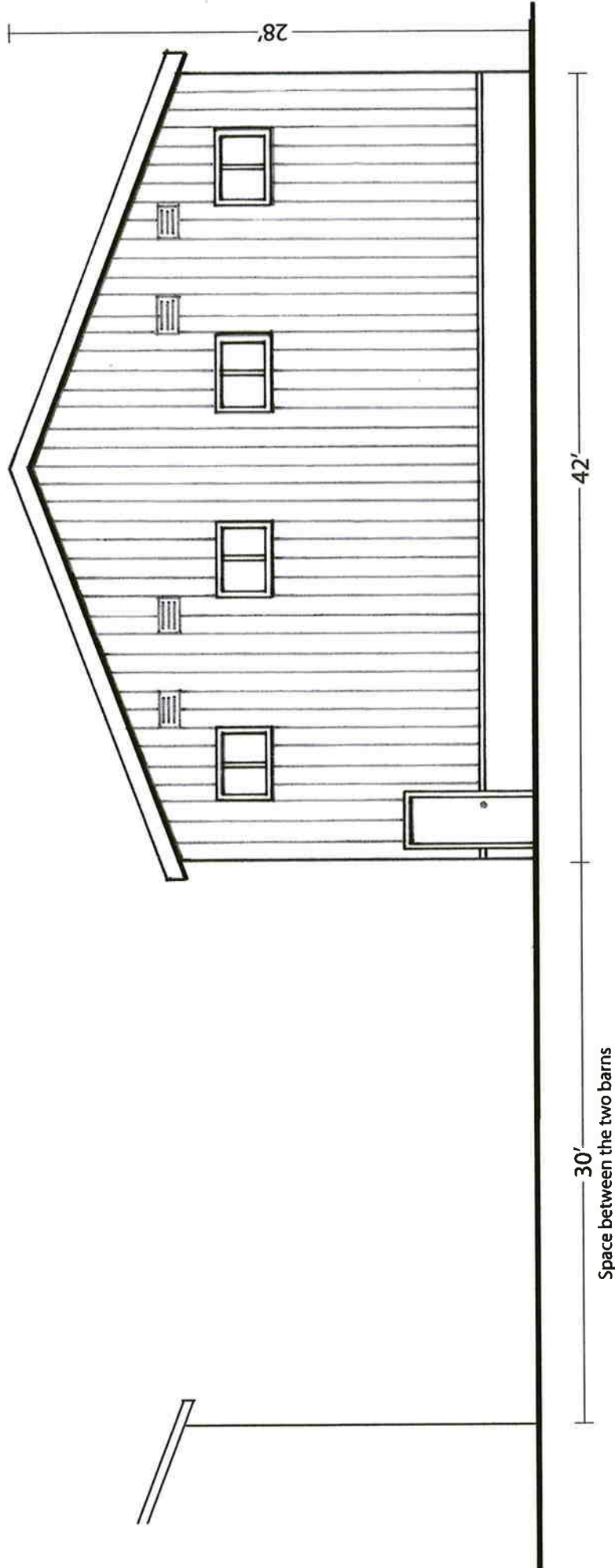
**New Giraffe Barn**

**Site Plan**

Scale At 1" = 200'

**C - 2**

**APPROVED**  
8/2/10



30'  
Space between the two barns

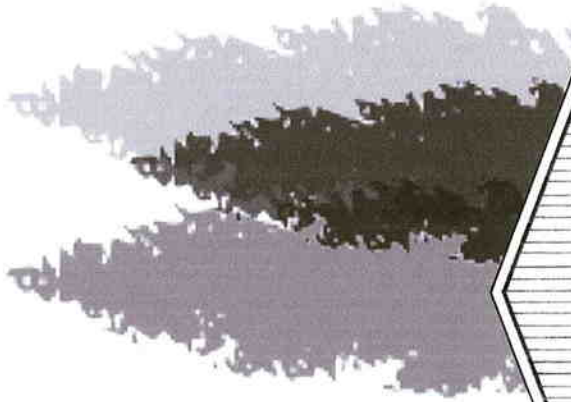
42'

28'

<b>Notes</b>		<b>New Giraffe Barn</b>
<p>On the east facade, one will see the main entrance for employees, veterinarians and visitors. This entrance will lead them to an enclosed space that will provide a safe environment for all to view the animals, while they are indoors. This space will also provide areas for food preparation and washing, a medical storage space, and multiple cabinets for the storage of tools needed to care for the giraffes. Located directly above these areas will be another viewing area, where many will be able to feed the giraffes from an ideally safe and open space; similar to the current giraffe barn.</p>		<b>East Elevation (Facing West)</b>
Scale At 1/8" = 1'0"	<b>A - 6</b>	

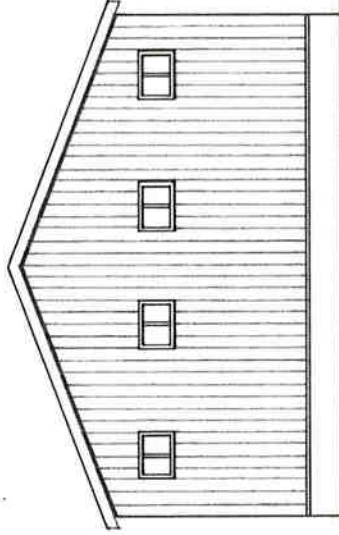
**APPROVED**

BR 8/12/10



42'

Proposed Giraffe Barn



30'

Existing Giraffe Barn

**Notes**

The west facade is very similar to the existing west facade of the current giraffe barn. The same window openings found on the east facade of the new Giraffe Barn will be applied to the west facade to produce plenty of natural daylight for the animals while they are inside. About four vents will be introduced as components for the natural ventilation system. These openings may be opened to encourage fresh air circulation and to reduce heat gain without the need of mechanical ventilation.

**New Giraffe Barn**

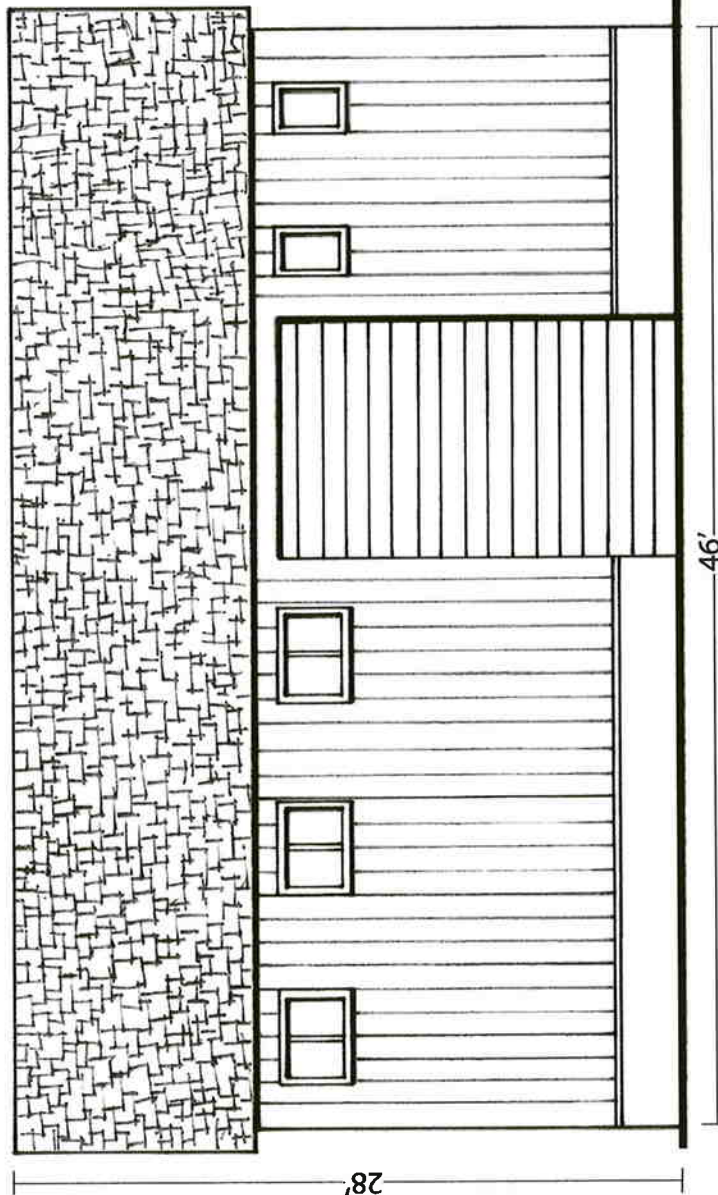
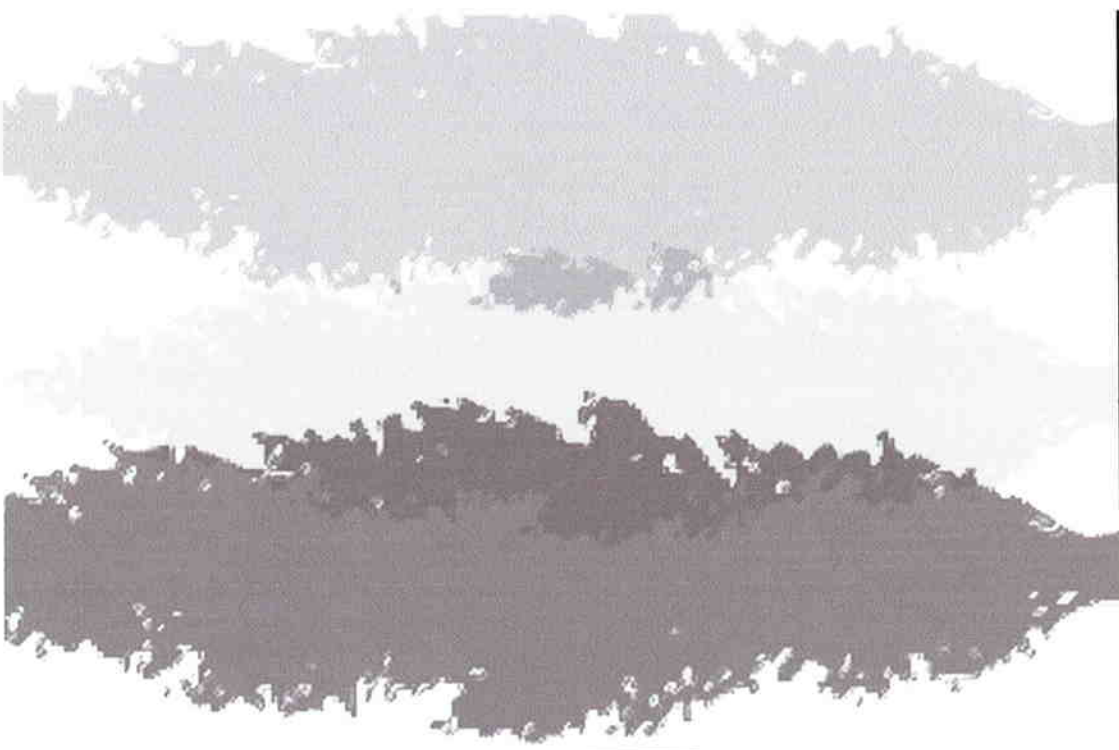
**West Elevation (Facing East)**

Scale At 1/16" = 1'0"

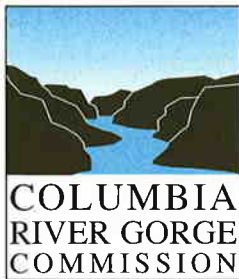
**A - 7**

APPROVED

BL 9/2/10



<p><b>Notes</b></p> <p>The south facing facade will incorporate the main entrance and exit door for the New Giraffe Barn; which will line up directly with the existing door of the current giraffe barn. This will facilitate the transferring of animals and provide them a more direct route when moving from facility to facility. The door placement will also allow a more direct route to the current fenced areas and will minimize the need to reconfigure existing fencing. The window placement will follow similar patterns as the current giraffe barn in spacing, size and height. They will be broadly spaced and separated by wall mass, resulting in a non-continuous glazing pattern and reduce glare. Exterior siding will be a cement fiber panel made by the James Hardie Company. The color is still to be determined but it will follow the Scenic Gorge guidelines for recommended colors. The roofing material will be an asphalt shingle, also in a recommended color.</p>	<b>New Giraffe Barn</b>	
	<b>South Elevation</b>	
	Scale At 1/8" = 1'0"	<b>A - 5</b>



## STAFF REPORT

**APPLICANT:** John and Joe Schreiner

**LANDOWNER:** John and Joe Schreiner

**APPLICANT AGENT:** Carolina Mondragon

**FILE NO.:** C10-0007-K-S-11

**REQUEST:** To construct a 1,932 square foot giraffe barn, and to construct two segments of woven wire fencing (12 feet and 15 feet in length, both 9.5 feet in height).

**LOCATION:** The subject parcel is located in the E ½ of Section 16, Township 2N, Range 13E, Willamette Meridian, Klickitat County, Washington.

**LAND USE DESIGNATION:** The subject parcel is in the Special Management Area and is designated General Management Area Small-Scale Agriculture pursuant to the provisions of Section 8(o) of the National Scenic Area Act.

### COMMENTS FROM OTHER INDIVIDUALS/AGENCIES/GOVERNMENTS:

Notice of the subject request was mailed to property owners within 200 feet of the subject parcel and the following individuals/agencies/governments:

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 Health Department  
Klickitat County Assessor  
Washington Department of Fish and Wildlife  
Friends of the Columbia Gorge

Written comments were received from Richard Till with the Friends of the Columbia Gorge, Alfred and Andrea LaFazio, and Johnson Meninick with the Confederated Tribes and Bands of the Yakama Nation.

### FINDINGS OF FACT:

#### A. Land Use

1. John and Joe Schreiner have proposed construction of a 1,932 square foot giraffe barn, and two segments of woven wire fencing (12 feet and 15 feet in length, both 9.5

feet in height). The proposed barn would be 28 feet in height above final grade at its roof peak. The proposed fencing would connect the new barn to existing fencing between the proposed building and an existing giraffe barn located approximately 40 feet to the south. In doing so, the new fencing would create two enclosures for the giraffes between the two buildings.

The proposed barn is located on a 303.06 acre parcel. This lot is a constituent parcel of a much larger ranch (Schreiner Farms) consisting of over 6000 acres of land. The ranch includes existing ranch buildings, farm dwellings, and areas for both cattle and exotic animals to graze.

2. The subject property is in the General Management Area. The land use designation for the subject parcel is Large-Scale Agriculture (160-acre minimum parcel size).
3. Commission Rule 350-81-020(8) defines agricultural use as follows:
  - (8) **Agricultural use:** *The current employment of land for the primary purpose of obtaining a profit in money by raising, harvesting, and selling crops; or by the feeding, breeding, management, and sale of, or production of, livestock, poultry, fur-bearing animals or honeybees; or for dairying and the sale of dairy products; or any other agricultural or horticultural use, including Christmas trees. Current employment of land for agricultural use includes:*
    - (a) *The operation or use of farmland subject to any agriculture-related government program.*
    - (b) *Land lying fallow for 1 year as a normal and regular requirement of good agricultural husbandry.*
    - (c) *Land planted in orchards or other perennials prior to maturity.*
    - (d) *Land under buildings supporting accepted agricultural practices.*

*Agricultural use does not include livestock feedlots.*
4. Commission Rule 350-81-190(1)(c) allows the following, subject to consistency with the guidelines for protection of scenic, natural, cultural and recreation resources:
  - (c) *Agricultural buildings in conjunction with current agricultural use, and, if applicable, proposed agricultural use that a landowner would initiate within one year and complete within five years, subject to the standards of Commission Rule 350-81-090.*

The proposed giraffe barn's purpose is to manage giraffes raised for a profit as part of the Schreiner Farms ranching operation. The barn would qualify as an agricultural building pursuant to Commission Rule 350-81-190(1)(c) and is thus subject to Commission Rule 350-81-090.

5. Commission Rule 350-81-090 includes the following requirements for proposed agricultural buildings:

- (1) *The size of proposed agricultural buildings shall not exceed the size needed to serve the current agricultural use and, if applicable, the proposed agricultural use.*
- (2) *To satisfy 350-81-090(1), applicants shall submit the following information with their land use application:*
  - (a) *A description of the size and characteristics of current agricultural use.*
  - (b) *An agricultural plan for any proposed agricultural use that specifies agricultural use (e.g., crops, livestock, products), agricultural areas and acreages (e.g., fields, pastures, enclosures), agricultural structures (e.g., irrigation systems, wind machines, storage bins) and schedules (e.g., plowing, planting, grazing).*
  - (c) *A floor plan showing intended uses of the agricultural building (e.g., space for equipment, supplies, agricultural products, livestock).*

The applicants supplied information as part of the application materials addressing the requirements of Commission Rule 350-81-090(1).

Schreiner Farms is a well-established commercial ranch encompassing over 6,000 acres in the Dallesport area and along the lower slopes of the Columbia Hills. Along with approximately 400 head of cow-calf pairs, the ranch is also home to approximately 20 different species of exotic animals (including giraffe, camels, bison, and zebra). The lower portions of the ranch (closer to SR 14) are devoted to grazing areas, pens, and buildings for the exotic animals, encompassing several hundred acres. The primary purpose of this ranch in the raising and care of both exotic animals and cattle is to obtain a profit in their sale.

More specifically to the proposed giraffe barn, the ranch currently houses five giraffes in one building. The existing giraffe barn easily accommodates three giraffes, but a fourth animal was added recently, and a female had an offspring. In particular, there is not sufficient space in the existing barn to separate the mother and child from other giraffes, as is recommended practice. As a result, the current barn does not provide optimal conditions for the five giraffes.

The new giraffe barn would provide needed space for optimal living conditions for the existing giraffes and also provides capacity for three to five more giraffes, including possible additional offspring from the existing herd. The applicants submitted a floor plan of the proposed giraffe barn that shows four separate interior enclosure areas, each with access to water and a feeder, as well as a service hallway and entryway connecting the new barn to an outdoor fenced enclosure in between it and the existing barn to the south.

The applicant has demonstrated that the new giraffe barn is an agricultural building that is in conjunction with and necessary to support a current agricultural use, and anticipated expansions of the existing herd within the next within five years. The 1,932 square foot barn with four enclosures, feeder and water tanks is the minimum necessary to accommodate the existing and proposed agricultural uses, consistent with Commission Rules 350-81-190(1)(c) and 350-81-090(1).

6. The proposed 12' and 15' fencing segments will link up to existing fencing create the needed outdoor enclosures between the two buildings. They will replace existing fencing currently in the approximate location of what will become the south wall of the new barn.

Pursuant to Commission Rule 350-81-074(1)(a)(F), the two segments of 9.5 foot high woven wire fencing proposed are uses allowed without review. The fencing is therefore not being reviewed for consistency with the resource protection guidelines in Commission Rule 350-81-520 through 610.

7. Commission Rule 350-81-076(1) contains setbacks from adjacent properties for buildings on lands adjacent to parcels designated Large-Scale or Small-Scale Agriculture. This rule states:

*All new buildings in the GMA shall comply with the following guidelines when proposed to be located on a parcel adjacent to lands that are designated Large-Scale or Small-Scale Agriculture and are currently used for or are suitable for agricultural use....*

Adjacent parcels in all four directions are zoned Large-Scale Agriculture in the General Management Area. The land is open and the predominant existing agricultural use and suitability for the surrounding parcels is grazing. Pursuant to Commission Rule 350-81-076(1), grazing in areas that are open or fenced requires a 100 foot buffer from adjacent parcels. The proposed barn will be located approximately 3,100 feet from the subject parcel's northern boundary, approximately 800 feet from its eastern boundary, over 2,000 feet from its southern boundary, and 500 feet from its western boundary. The adjacent parcels to the north, east and south are also owned by Schreiner Farms. The distance from the proposed barn to the next adjacent parcels owned by other parties is even greater than the distances described herein. The proposed barn is sited consistent with Commission Rule 350-81-076(1).

8. Commission Rule 350-81-084(1) lists guidelines for Indian Tribal Treaty Rights and Consultation within the General Management Area. Commission Rule 350-81-084(1)(a) lists additional notice materials for projects in or providing access to the Columbia River or its fish bearing tributaries or for projects that may affect Indian treaty rights and provides 20 days for tribal governments to submit comments. This proposal is not near the Columbia River or other streams and would not affect Indian treaty rights. Notice of the proposal was mailed to the four tribal governments and 20 days provided for comments.
9. Commission Rule 350-81-084(1)(b) lists guidelines for tribal government consultation when those governments submit substantive written comments. A letter from Johnson Meninick of the Confederated Tribes and Bands of the Yakama Nation was received July 21, 2010. The letter focused on protection of cultural resources that may be located in the area. It did not suggest treaty rights would be affected by the proposal.
10. Commission Rule 350-81-084(c)(B) 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.*

Because the proposed use would not affect or modify treaty or other rights of any Indian tribe, the treaty rights protection process may conclude pursuant to Commission Rule 350-91-084(c)(B). Cultural resource survey requirements are addressed in Section C of this decision.

Conclusion:

With conditions of approval that it be constructed as shown on the site plan and elevation drawings submitted, the proposed giraffe barn is an allowed review use, subject to compliance with the guidelines in Commission Rules 350-81-520 to 350-81-610 that protect scenic, cultural, natural and recreation resources. The proposed fencing is allowed outright.

B. Scenic Resources

1. Commission Rule 350-81-520 lists scenic resource protection guidelines for review uses that are not eligible for expedited review. The proposed giraffe barn is not eligible for expedited review. Commission Rule 350-81-520(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 giraffe barn is sited in a relatively flat area, will not change the topography and minimizes grading, consistent with Commission Rule 350-81-520(1)(a).

2. Commission Rule 350-81-520(1)(b) states:

*New buildings shall be compatible with the general scale (height, dimensions and overall mass) of existing nearby development. Expansion of existing development shall comply with this guideline to the maximum extent practicable.*

The existing development on and near the subject property consists of single-family dwellings, agricultural buildings and accessory buildings. The structures range in size from approximately 80 to 5,750 square feet. The latter is the largest building in the vicinity – a barn on the subject parcel. In addition, there are four other agricultural buildings in the vicinity that are between 3000 and 5000 square feet in size. Most dwellings in the vicinity (and outside the Dallesport urban area) range between 1000 and 3000 square feet. Most of the structures in the area are one or two stories in height.

The proposed 1,932 square foot giraffe barn with a peak of 28 feet in height is compatible with the general scale of existing nearby development, consistent with Commission Rule 350-81-520(1)(b).

3. Commission Rule 350-81-520(2)(a) states:

*The guidelines in this section shall apply to proposed developments on sites topographically visible from key viewing areas.*

The proposed giraffe barn would be almost completely screened from all key viewing areas by an existing barn located approximately 40 feet to its south on the subject parcel. The building site, however, is topographically visible from portions of three key viewing areas: the Columbia River, Interstate 84, and the Historic Columbia River Highway. Thus, Commission Rule 350-81-520(2) is applicable.

5. Commission Rule 350-81-520(2)(b) states:

*Each development shall be visually subordinate to its setting as seen from key viewing areas.*

6. Commission Rule 350-81-020(170) defines visually subordinate as follows:

*Visually subordinate: A description of the relative visibility of a structure where the structure does not noticeably contrast with the surrounding landscape, as viewed from a specified vantage point (generally a Key Viewing Area, for the Management Plan). As opposed to structures that are fully screened, structures that are visually subordinate may be partially visible. They are not visually dominant in relation to their surroundings.*

7. Commission Rule 350-81-520(2)(c) states:

*Determination of potential visual effects and compliance with visual subordination policies shall include consideration of the cumulative effects of proposed developments.*

The key viewing areas from which the proposed barn is topographically visible are between approximately 1.5 and 3.5 miles distant. The proposed barn is sized to meet the current agricultural needs for existing livestock (giraffe herd) on a commercial ranch on lands designated Agriculture, and to allow for anticipated agricultural needs associated with these animals in the near future. The barn has been designed to be visually subordinate as seen from key viewing areas, with dark, low reflective materials, and minimal site grading. These factors mitigate potential scenic impacts of the proposal, both individually and cumulatively. Other similarly sized, designed and sited agricultural buildings in the area would not cause adverse scenic impacts. The proposed development would not generate adverse cumulative scenic impacts.

8. Commission Rule 350-81-520(2)(d) states:

*The extent and type of conditions applied to a proposed development to achieve visual subordination shall be proportionate to its potential visual impacts as seen from key viewing areas.*

*(A) Decisions shall include written findings addressing the factors influencing potential visual impact, including but not limited to:*

- (i) The amount of area of the building site exposed to key viewing areas.*
- (ii) The degree of existing vegetation providing screening.*
- (iii) The distance from the building site to the key viewing*

*areas from which it is visible.*

- (iv) The number of key viewing areas from which it is visible.*
- (v) The linear distance along the key viewing areas from which the building site is visible (for linear key viewing areas, such as roads).*

Although it will be largely screened by the existing barn to the south, most of the proposed barn site is topographically visible in the middle ground and background from three key viewing areas (KVAs) to the southwest: the Columbia River, Interstate 84, and the Historic Columbia River Highway. The general area is Grassland landscape setting and has sparse vegetative cover. If the existing barn were not there, there would be scant onsite vegetation screening the building from the key viewing areas from which it is topographically visible. The distance to and distance along linear key viewing areas is described as follows:

- Columbia River: visible for a length of approximately 2 miles at a distance ranging from 1.5 to 3.5 miles from the property.
- Interstate 84: visible intermittently for a length of approximately 2 miles at a distance ranging from 2 to 3.5 miles from the property.
- Historic Columbia River Highway: visible intermittently for a length of approximately 1 mile at a distance ranging from 2 to 2.5 miles from the property.

As described in findings below, conditions addressing the exterior color, reflectivity and siting of the proposed barn will ensure it is visually subordinate from key viewing areas.

9. Commission Rule 350-81-520(2)(d)(B) states:

*(B) Conditions may be applied to various elements of proposed developments to ensure they are visually subordinate to their setting as seen from key viewing areas, including but not limited to:*

- (i) Siting (location of development on the subject property, building orientation, and other elements).*
- (ii) Retention of existing vegetation.*
- (iii) Design (color, reflectivity, size, shape, height, architectural and design details and other elements).*
- (iv) New landscaping.*

As explained later in this section, conditions are applied to the development's siting, color and reflectivity to ensure the development is visually subordinate to its setting as seen from key viewing areas. The area immediately south of the proposed barn consists of enclosed pens already being used by the giraffes, and planting screening vegetation in this area is neither practicable nor necessary. The area south of the giraffe enclosures is open grassland dropping in elevation as it goes south towards SR 14. Planting screening trees in this area is also neither practicable (due to elevation drop) nor is it necessary. Due to the moderate size of the proposed barn, its distance from key viewing areas, and

its siting within a cluster of existing ranch buildings, it is unnecessary to apply conditions for new landscaping in order to achieve visual subordination.

10. Commission Rule 350-81-520(2)(e) states:

*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, sensitive plants, or sensitive wildlife sites or would conflict with guidelines to protect cultural resources. In such situations, development shall comply with this guideline to the maximum extent practicable.*

The proposed barn is sited in a flat area requiring no visible grading from key viewing areas. This site provides significant topographic screening on the subject parcel from key viewing areas located to the south, west and east. The barn site is also clustered near the existing giraffe barn and other ranch buildings located just to the north. There may be other sites on the ranch that provide more topographic screening from KVAs. However, they would not be practicable given the proposed barn's function in supporting management and welfare of the existing giraffe herd and the need for it to be close to the existing giraffe barn and pens. An earlier proposal to expand the existing giraffe barn would have resulted in greater scenic resource impacts and was withdrawn in part to help reduce visual impacts of proposed development for the giraffe herd's future. These siting choices help the proposal achieve visual subordination as seen from key viewing areas, consistent with Commission Rule 350-81-520(2)(e).

11. Commission Rule 350-81-520(2)(f) states:

*New development shall be sited using existing topography and/or existing vegetation as needed to achieve visual subordination from key viewing areas.*

As stated above, the proposed barn has been sited to achieve visual subordination using existing topography screening the development from KVAs to the south, east and west. These siting choices are consistent with Commission Rule 350-81-520(2)(f).

12. Commission Rule 350-81-520(2)(g) states:

*Existing tree cover screening proposed development from key viewing areas shall be retained as specified in the Landscape Settings Design Guidelines in 350-81-520(3).*

Findings for the Landscape Settings Design Guidelines are addressed below in Findings B.20 through B.22.

13. Commission Rule 350-81-520(2)(h) states:

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

The subject property is located along the lower slopes of the Columbia Hills. Because the land continues to rise behind the development, the barn will not break the skyline as seen from any key viewing area. The development is consistent with Commission Rule 350-81-520(2)(h).

14. Commission Rule 350-81-520(2)(j) lists guidelines that apply to new landscaping used to screen development from key viewing areas. Commission Rule 350-81-520(2)(j)(A) states:

*New landscaping (including new earth berms) shall be required only when application of all other available guidelines in 350-81-520 is not sufficient to make the development visually subordinate from key viewing areas. Alternate sites shall be considered prior to using new landscaping to achieve visual subordination. Development shall be sited to avoid the need for new landscaping wherever possible.*

The proposed development is located at a distance of more than one and one-half miles from the nearest key viewing area from which it is topographically visible. As described in Finding B.9, application of other guidelines in this section, particularly those relating to color, reflectivity and siting, are sufficient to make the development visually subordinate from key viewing areas. Therefore, no new landscaping is required for visual subordination, consistent with Commission Rule 350-81-520(2)(j).

15. Commission Rule 350-81-520(2)(l) states:

*Unless expressly exempted by other provisions in 350-81-520, colors of structures on sites visible from key viewing areas shall be dark earth-tones found at the specific site or in the surrounding landscape. The specific colors or list of acceptable colors shall be included as a condition of approval.*

The proposed exterior colors for the barn are "Butternut Wood" for both the siding and roof of the barn building (Behr Paints, No. 710D-6), and "Chocolate Cupcake" (Behr Paints, No. 710D-7) for siding trim. Both are dark brown colors. A Gorge Commission planner conducted a site visit and found that dark brown colors exist in the surrounding rock outcrops. A condition of approval will require use of a dark earth tone color such as that proposed. The proposed dark brown exterior colors are consistent with Commission Rule 350-81-520(2)(l).

16. Commission Rule 350-81-520(2)(m) states:

*The exterior of buildings on lands seen from key viewing areas shall be composed of nonreflective materials or materials with low reflectivity, unless the structure would be fully screened from all key viewing areas by existing topographic features... Continuous surfaces of glass unscreened from key viewing areas shall be limited to ensure visual subordination.*

The proposed exterior materials for the barn siding is a fiber cement product known as HardiePlank siding. The proposed roofing is composite asphalt shingles. These materials have low reflectivity and are consistent with Commission Rule 350-81-520(2)(m).

The elevating drawings for the dwelling indicate no large banks of windows are proposed. On the south elevation, three windows approximately 9 square feet in size are proposed, and two windows approximately 6 square feet in size. These windows could be potentially visible from KVAs if the existing giraffe barn located immediately to

its south were removed. Given the small sizes of the windows, and their distance from key viewing areas, the proposed windows are consistent with Commission Rule 350-81-520(2)(m).

17. Commission Rule 350-81-520(2)(p) states:

*Exterior lighting shall be directed downward and sited, hooded, and shielded such that it is not highly visible from key viewing areas. Shielding and hooding materials shall be composed of non-reflective, opaque materials.*

The applicant has not shown any exterior lighting on the proposed dwelling. A condition of approval shall require all outdoor lights to be hooded and shielded so as to screen them from key viewing areas. With this condition, the proposal is consistent with Commission Rule 350-81-520(2)(p).

18. Commission Rule 350-81-520(2)(y) states:

*New buildings shall not be permitted on lands visible from key viewing areas with slopes in excess of 30 percent.*

The building site is relatively flat with a slope of less than 5 percent. Thus, no new buildings would be constructed on lands visible from key viewing areas with slopes in excess of 30 percent, consistent with Commission Rule 350-81-520(2)(y).

19. Commission Rule 350-81-520(2)(z) states:

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

The building involves minimal grading with no cut banks. No grading will be visible from key viewing areas. The development is consistent with Commission Rule 350-81-520(2)(z).

20. The Landscape Settings map in the Management Plan classifies the subject parcel as Grasslands. Commission Rule 350-81-520(3)(d) contains guidelines for new development in this landscape setting.

21. Commission Rule 350-81-520(3)(d)(A) states:

*Accessory structures, outbuildings and access ways shall be clustered together as much as possible. Exceptions to this guideline are permitted where necessary for farming operations.*

The proposed barn is clustered very close to the existing giraffe barn and within several hundred feet of at least six other ranch buildings, consistent with Commission Rule 350-81-520(3)(d)(A).

22. Commission Rule 350-81-520(3)(d)(B) lists guidelines for new development in portions of the Oak-Pine Woodland Landscape Setting visible from KVAs. Commission Rules 350-81-520(3)(c)(B)(i) through (iii) state:

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

*(ii) Lower structures that emphasize horizontal lines and blend with this sweeping landscape should be encouraged rather than very tall structures.*

*(iii) Planting of trees for screening shall not be extensive, in character with the openness of this setting....*

The barn is sited in an area providing significant topographic screening from KVAs. There is no other location near the existing giraffe barn that can perform the function of the proposed giraffe barn and that provides greater topographic screening. An earlier application that was withdrawn would have expanded the existing barn to the west, which would have been significantly less topographically screened from KVAs than the proposed barn site. Other sites on the subject ranch with greater topographic screening are located too far from the existing giraffe barn to be practicable. Also, given its function is housing giraffes, the barn height is the minimum necessary to perform its function, in keeping with the height of existing nearby farm buildings on the ranch. No new landscaping is required to achieve visual subordination. The proposed barn is consistent with Commission Rules 350-81-520(3)(d)(B)(i) through (iii).

23. Commission Rule 350-81-520(4) provides guidelines protecting scenic quality within ¼ mile of scenic travel corridors. The proposed barn is more than ¼ mile from SR 14, the closest scenic travel corridors to which it is located.

#### Conclusion:

With conditions of approval for color, reflectivity, outdoor lighting and siting, the proposed development is consistent with applicable scenic resource protection guidelines in Commission Rules 350-81-052 and 350-81-520.

#### C. Cultural Resources

1. Commission Rule 350-81-540(1)(c)(A)(ii) requires a cultural resources reconnaissance survey (archaeological resources) for all proposed review uses, except in specified circumstances.

Margaret Dryden, Heritage Resources Program Manager with the USDA Forest Service National Scenic Area, determined a cultural resources reconnaissance survey was required for the proposed barn and conducted a reconnaissance survey pursuant to Commission Rule 350-81-540(1)(c)(A)(ii). In a Heritage Resources Inventory Report dated July 21, 2010, Ms. Dryden stated that there are no known cultural resources within the area of potential effect for the proposed development.

2. Commission Rules 350-81-540(1)(c)(B) include guidelines to determine when a historic survey is required. Ms. Dryden reviewed the proposed use pursuant to these rules and determined that it did not require a historic survey as the use would not alter the exterior architecture of buildings or structures 50 years old or older, nor would it compromise features of the surrounding area important in defining the historic or architectural

character of buildings or structures that are 50 years old or older, pursuant to Commission Rule 350-81-540(1)(c)(B).

3. Pursuant to Commission Rule 350-81-540(2)(b), on July 21, 2010, Ms. Dryden's cultural resource reconnaissance survey was submitted to the State Historic Preservation Officer and the Indian tribal governments for comment. They were provided a 30-day period within which to comment. One response was received during the comment period from the Yakama Nation (noted below). No responses were received from other tribes or the State Historic Preservation Officer.

A comment from Johnson Meninick of the Confederated Tribes and Bands of the Yakama Nation was received on July 26, 2010. The letter recommended monitoring during ground disturbing activities associated with the project, and a request for notification if cultural sites are discovered in the project area. Since the project involves minimal grading and no cultural resources were found at the site, an on-site monitor is not required for this project. A condition is included requiring Commission notification should any cultural resources be discovered during project construction. No other comments were received regarding cultural resources.

4. Commission Rule 350-81-540(2)(a)(A) allows interested parties who so request during the comment period to consult with the applicant regarding cultural resources. The July 26, 2010 letter from Johnson Meninick of the Confederated Tribes and Bands of the Yakama Nation did not request consultation with the project applicant.
5. Commission Rule 350-81-540(2)(c)(B)(ii) states the cultural resource protection process may conclude when the following conditions exist:

*A reconnaissance survey demonstrates that cultural resources do not exist in the project area, no substantiated concerns were voiced by interested persons within 21 calendar days of the date that a notice was mailed, and no substantiated concerns regarding the reconnaissance survey were voiced by the State Historic Preservation Officer or Indian tribal governments during the 30-day comment period required in subsection 2(b)(B) above.*

As explained in Finding C.1, a reconnaissance survey demonstrates that cultural resources do not exist in the project area. A comment was received from the Yakama Nation as described above. The concerns raised in the letter have been addressed pursuant to the cultural resources protection process in Commission Rule 350-81-540. The proposed development will have no effect on any known cultural resources. Pursuant to Commission Rule 350-81-540(2)(c)(B)(ii), the cultural resource protection process may conclude.

6. Commission Rule 350-81-540(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 will alert the applicant to this requirement.
7. Commission Rule 350-81-540(7) protects human remains discovered during construction. It requires that if human remains are discovered after construction begins, all construction activities shall cease and the Gorge Commission, local law enforcement officials and the

Indian tribal governments shall be contacted immediately. A condition of approval will alert the applicant to this requirement.

Conclusion:

With conditions requiring the cessation of work and Commission notification if cultural resources or human remains are discovered during construction, the proposed development is consistent with applicable cultural resources guidelines in Commission Rules 350-81-540 that protect cultural resources from adverse effects.

D. Natural Resources

1. Commission Rules 350-81-560 through 590 contain natural resource protection guidelines for review uses not eligible for expedited review. The proposed barn is a review use not eligible for expedited review. Commission Rule 350-81 protects wetlands (350-81-560); streams, ponds, lakes and riparian areas (350-81-570); sensitive wildlife areas and sites (350-81-580); and sensitive plants (350-81-590).
2. Gorge Commission inventories did not identify any wetlands, streams, or riparian areas within 1,000 feet of the development site. A pond is located within 1000 feet of the proposed barn, to its west. Pursuant to Commission Rule 350-81-570-(7)(a)(C), buffer zones for ponds shall be based on the dominant vegetative community as determined by 350-81-560(7)(b), substituting the term pond or lake as appropriate.
3. Commission Rule 350-81-560(7)(b) and (c) state:
  - (b) *The dominant vegetation community in a buffer zone is the vegetation community that covers the most surface area of that portion of the buffer zone that lies between the proposed activity and the affected wetland. Vegetation communities are classified as forest, shrub, or herbaceous.*
    - (A) *A forest vegetation community is characterized by trees with an average height equal to or greater than 20 feet, accompanied by a shrub layer; trees must form a canopy cover of at least 40 percent and shrubs must form a canopy cover of at least 40 percent. A forest community without a shrub component that forms a canopy cover of at least 40 percent shall be considered a shrub vegetation community.*
    - (B) *A shrub vegetation community is characterized by shrubs and trees that are greater than 3 feet tall and form a canopy cover of at least 40 percent.*
    - (C) *A herbaceous vegetation community is characterized by the presence of herbs, including grass and grasslike plants, forbs, ferns, and nonwoody vines.*
  - (c) *Buffer zones shall be measured outward from a wetlands boundary on a horizontal scale that is perpendicular to the wetlands boundary. The following buffer zone widths shall be required:*

- (A) *Forest communities: 75 feet*
- (B) *Shrub communities: 100 feet*
- (C) *Herbaceous communities: 150 feet*

The dominant vegetative community surrounding this pond on the subject parcel is herbaceous. The pond's buffer zone is 150 feet, pursuant to Commission Rules 350-81-570-(7)(a)(C) and 350-81-560(7)(b) and (c). The applicant's site plan places the proposed barn completely outside this buffer zone.

A Gorge Commission Planner visited the proposed barn site and confirmed that the proposed development will be outside the pond buffer zone. The guidelines in Commission Rules 350-81-560 and 570 are thus not applicable.

- 4. Commission Rule 350-81-580 contains guidelines to protect sensitive wildlife areas and sites. According to the Gorge Commission inventories, there are no sensitive wildlife areas or sites within 1000 feet of the proposed development. The guidelines in Commission Rule 350-81-590 are thus not applicable.
- 5. Commission Rule 350-81-590 contains guidelines to protect rare plants. Gorge Commission inventories did not identify any rare plants within 1,000 feet of the proposed development. The guidelines in Commission Rule 350-81-590 are thus not applicable.

Conclusion:

The proposed development is consistent with the guidelines in Commission Rules 350-81-560 through 350-81-590 that protect natural resources from adverse effects.

#### E. Recreation Resources

- 1. Commission Rule 350-81-086 applies to proposed uses not eligible for expedited review. Commission Rule 350-81-086 states:

*If new buildings or structures may detract from the use and enjoyment of established recreation sites on adjacent parcels, an appropriate buffer shall be established between the building/structure and the parcel.*

Established recreation sites do not exist on parcels that adjoin the subject parcel. Commission Rule 350-81-086 is not applicable.

Conclusion:

The proposed development is consistent with recreation resource guidelines in Commission Rules 350-81-086.

cc: Confederated Tribes and Bands of the Yakama Indian Nation  
Confederated Tribes of the Umatilla Indian Reservation  
Confederated Tribes of Warm Springs Reservation  
Nez Perce Tribe  
Klickitat County Planning  
Klickitat County Building  
Friends of the Columbia Gorge  
Washington Department of Fish and Wildlife  
Alfred and Andrea LaFazio

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