

Land Use Application Cover Sheet

- The Columbia River Gorge Commission has adopted a land use ordinance for the portions of Klickitat County within the National Scenic Area. This coversheet summarizes the relevant requirements of that ordinance for persons proposing new uses or developments. Your proposal must be approved before you can start your new use or development.

How the Development Process works:

When you submit a land use application to the Gorge Commission, it will be reviewed according to a process specified in the land use ordinance. There are two processes: Expedited Review and Review Use. The five basic steps are:

1. Completeness review
2. Notice preparation
3. Public comment period
4. Gather and analyze information
5. Prepare and issue decision

A pre-application meeting with a Gorge Commission planner can help you determine how your proposal will be reviewed and answer questions about what materials may be necessary for a complete application. The development review process generally begins when a completed land use application is received at the Commission Office. You may submit your application by mail or in person. Faxed applications cannot be accepted.

Step 1. Staff Completeness Review and Acceptance of Application

When an application is received at the Commission office, the Gorge Commission will conduct a completeness review of the application. In some cases, a planner may contact you to discuss your application. During this review, the planner will determine if the application has all the required information and whether there are any potential issues of concern. The planner may suggest minor modifications which may be necessary to meet some of the development guidelines or expedite the review process. The completeness review may take several weeks. The planner will also determine whether or not the application is eligible for Expedited Review.

Once the application is deemed complete, the formal review process begins.

Steps 2 and 3. Notice and Comment Period

After an application is accepted by the Gorge Commission, Commission staff will prepare a public notice of the application. The notice of your proposal will be mailed to:

1. The applicant and the property owner(s)
2. State and local government agencies,
3. The Indian tribal governments with treaty rights in the Gorge, and
4. Adjacent property owners, when applicable.

The notice will state the type of project, the location of the subject parcel, and the deadlines for public comment. Public comment will be accepted for 10 days for Expedited Review or 21 days for Review Use applications.

Land Use Application

Applicant(s):

Charles and Valerie Fowler

Mailing Address: 381
Old Hwy 8, Lyle, WA

Phone: 206-372-4881
(Charles)

Email:
cwfsleddog@aol.com

Property Owner(s):

Charles and Valerie Fowler

Mailing Address: same

Phone: 509-250-0749 (Valerie)

Email: Valerie.c.fowler@gmail.com

Location of property:

Township: 3 North

Range: 12 East

Parcel address: 381 Old Hwy 8, Lyle, WA

Section & Qtr. Section:
30

County: Klickitat

Tax Lot No(s): 03-12-
3000-0004/00

Parcel Size (acres): 55.95

Existing use of parcel:
Vineyard, Pasture

Use of adjacent parcels:
Pasture

Project description: Replacement single-family dwelling for 381 Old Highway 8. We propose to construct a new one-level single-family dwelling (2809 sq. ft. main level) with walk-out basement to replace a multi-level home constructed in 1980. The existing house is historically insignificant given the date of construction, and is in very poor physical condition as detailed in a July 2016 home inspection. Our plan is to completely remove the structure upon completion of the new home and turn this area (the existing home and fenced surroundings) of the property into a pasture for grazing sheep, adding to area available for the agricultural use on the property. The existing oak trees to the south of this house will not be affected by the removal of this two-level house and will remain untouched.

We propose to build a new construction, energy efficient home at a slightly higher elevation on the property and further to the east, to place the site farther from Key Viewing Areas (KVAs) and to take advantage of existing topographical features (tree line and swale) to virtually eliminate the visibility of the home from KVAs. No trees or shrubs will be removed or affected by the site location; additionally, the U.S. Forest Service determined during our previous vineyard project that there are no streams/wetlands, sensitive wildlife habitat or rare plants located on this site.

The new home site specifically takes advantage of an existing screen of mature trees (some of which are over 200 years old) consisting of Ponderosa pine, Oregon oak, and other trees/shrubs that are growing on both sides of a gully that cuts northeast to southwest across our property (see [Figure 1](#)) and that follow the old rock wall north of the building site. The basement level of the proposed house will be obscured by

the vineyard rows that will surround the home to the east, south, and west and from the slope of the hill down to the river. The vineyard's 20,000 grape vines were planted in June 2018 and are thriving in their first year.

The visual cross section of the house will be reduced by removing a run-down, multi-level home with a high-angled roof and replacing it with a single-level structure with walk-out basement specifically designed using the principles set forth in the "Building in the Scenic Area" handbook. This new house is designed to minimize the impact to all scenic, cultural, and recreational activities in the National Scenic Area on the river and both shores.

People at KVAs on the Oregon side of the river or from boats on the Columbia River will not see the home through the line of trees and vineyard, unless viewing from Mosier or from the top of the Old Columbia Highway, located more than two miles away to the southwest and south. From the closest KVA, Memaloose State Park (situated about 1.5 miles across the Columbia River), this new home location will blend in with the backdrop created by the hillside rising behind it, the 16 acres of vineyard that essentially surround the site, and the thick forest that runs generally from northeast to southwest along the main gully, effectively screening the proposed house. The proposed home location is similarly visually subordinate from other KVAs such as Mayer State Park, Rowena Crest, and Tom McCall Point, all of which are located more than three miles to the southeast, and viewers would not notice a single level home tucked behind the trees and vineyard (Figure 3). From the KVA on County Road 1230 (Old Highway 8) on the Washington side of the river, existing trees and the vineyard screen the front of the house, and a canopy of existing mature trees behind the house ensures that the roof line remains below the skyline.

Moreover, to help maintain the scenic quality of the landscape, we will use paint colors, roofing materials, and external materials that are non-reflective and that match colors in the vineyard, nearby trees, rocks, and grasses to further blend the home with the surrounding landscape. We will precisely follow the guidelines and recommendations outlined in the "Building in the Scenic Area" handbook when selecting these materials (e.g., dark green paint and black roofing materials). We intend to build this home using green features and renewable energy (e.g., solar/wind), and any solar panels will be obscured by spruce trees/bushes. External lighting will be dark skies compliant, all exterior glass surfaces on the main floor will have a reflective rating of 11%-15%, and the low-angled roof will be designed with large eaves and overhangs to eliminate reflection of the sun off of exterior glass.

Details of the house, site plan, and grading plan are included in this submission (see Figures 3-5). The proposed site was screened for cultural and archaeological resources as part of the previous vineyard project and, with the exception of a stacked rock wall built in the 1930s, nothing was discovered. We received approval from the Washington State Historical Preservation Office to modify the stacked rock wall to allow for a single lane driveway for entry and exit to the parking apron/garage associated with the new home. The 2018 survey of this rock wall by AINW and subsequent recommendation that it does not meet the criteria for inclusion on the National Historical Register was submitted to the Columbia Gorge Commission for their review.

The mitigation plans approved by the Columbia River Gorge Commission for enhancing wildlife game trails and the planting of native plants/shrubs and forbs are not affected by this proposal and the site location does not impact recreational activities and resources in the area. This proposal will increase the total area available for agricultural use on the property, as the existing home and its fenced surroundings will be put into use as pasture; the size of the existing vineyard will remain the same, with the house surrounded by vines on the east, south, and west.

Importantly, placing the house within the irrigated vineyard is also the best location on our property with respect to the guidelines established by the National Firewise Community Program to protect against wildfires. These techniques include creating a defensible space around residential structures by limiting the level of flammable vegetation. By placing the house within the vineyard, the drip irrigation throughout the drier months will provide increased moisture content for the vegetation around the home, thereby reducing fuel and the risk of wildfire damage to life, property, and the environment.

The building site lies on a gentle slope of 5 to 8 degrees, and the house is designed to fit into the existing contours of the gentle sloping terrain; as a result, the grading plan will be simple and the only excavation required will be for the foundation and footings, which will be backfilled to the existing grade. The walk-out basement will be created using the slope, minimizing excavation and disturbance of soil. The driveway to the ranch will not be changed and will still connect with the existing farm road that parallels the rock wall. This farm road is not visible from any KVA.

The main floor of this modestly-sized home will consist of a master bedroom, a guest bedroom, small study, kitchen, dining nook, and living room. It will have a garage big enough for two cars and a small farm utility vehicle, and a back deck that will effectively shade and cover all of the glass windows in the walk-out basement level. The basement will have another small bedroom, storage space and an exterior deck (fully screened by the existing vineyard).

Water from the existing well will be pumped to the house, which will also use the existing septic system. The landscape plan will include the planting of three Ponderosa pines to the southeast, south and southwest of the house, three Noble firs will be planted north of the house, and three *pinus contorta* trees will be planted next to the Noble firs and in the northeast corner of the vineyard. Together these trees will help make the home visually subordinate to the landscape from all the KVAs as trees will be in the foreground, background, and sides of the home, which is further surrounded by the green of the vineyard.

Legal description of property: Southeast quarter of Section 30, Township 3 North, Range 12 East of the Willamette Meridian in the County of Klickitat, Washington. Address: 381 Old Highway 8, Lyle, WA 98635. Land Classification under Chapter 84.34: Farm and agricultural land. Zoning: General Rural. The property is located in the Special Management Area of the Columbia Gorge National Scenic Area.

Application checklist: The following is required to complete your application:

- Application form completed and signed
- Site plan
- Key viewing areas checklist, elevation drawings, and landscape details, if required
- Names and addresses of adjacent property owners, if required
- Any additional information as required

Signature of the property owner(s) indicates that the property owner(s) is/are aware that an application is being made on the subject property. **Signature of the property owner(s) also authorizes the Gorge Commission or the Commission's designee(s) reasonable access to the site in order to evaluate the application.**

Applicant(s) signature:

date

date

Property owner(s) signature:

date

date

Application checklist: The following is required to complete your application:

- Application form completed and signed
- Site plan
- Key viewing areas checklist, elevation drawings, and landscape details, if required
- Names and addresses of adjacent property owners, if required
- Any additional information as required

Signature of the property owner(s) indicates that the property owner(s) is/are aware that an application is being made on the subject property. **Signature of the property owner(s) also authorizes the Gorge Commission or the Commission's designee(s) reasonable access to the site in order to evaluate the application.**

Applicant(s) signature: Charles W. Fowler III date 17 Feb 2019

Valerie C Fowler date Feb. 17, 2019

Property owner(s) signature: Charles W. Fowler III date 17 Feb 2019

Valerie C Fowler date Feb. 17, 2019

Barclay Home Design

12112 S. New Era Rd.

Oregon City, OR 97045

February 16, 2019

Re: Fowler Residence 381 Old Highway 8, Lyle, Washington

To: Columbia River Gorge Commission

This letter regards the proposal by Charles and Valerie Fowler to build a home on their property at 381 Old Highway 8 in Lyle, Washington. I have been working with the Fowlers for the past year to design and site a home that meets all the requirements detailed in the Columbia River Gorge Commission's handbook, "Building in the Scenic Area".

I have personally walked the Fowler property several times, and together we have commissioned three separate topographical and engineering studies for potential house site. The Fowlers have worked closely with planning staff on the Columbia River Gorge Commission (hereafter "the Commission") throughout this year-long process.

The first topographical and engineering study covered the area around the original proposed home site, which met all the requirements for Key Viewing Areas (KVAs) from the Oregon side of the Columbia River. The building proposal linked to this site was initially approved by the Commission in an approval memo dated October 4, 2018.

The Commission planning staff subsequently identified a curve on the Old Highway 8 (County Road 1230) KVA from which the proposed home would break the skyline, and accordingly the Executive Director rescinded the building approval in late October.

Following this decision, the Fowlers commissioned an extensive topographical and engineering study that covered the area west of the barn north of the rock wall; additionally, this study covered the area west of the original site south of the rock wall, extending into the western gully and line of trees and continuing to the vicinity of the existing ranch house.

With respect to the area north of the wall and west of the barn, the engineering and topographical teams determined the shallow bedrock and above-ground flow of water down the mountain would make this an almost impossible construction site.

The area extending into the western gully is also subject to the flow of the water that comes through the rock wall and through subterranean fissures. Over time, this regular flow of water effectively created the gully and today sustains a line of Oregon Oak and Ponderosa Pines. The engineers believe this water flow would hazard a house foundation and basement, leading to destabilizing water leaks and mold.

Additionally, I am concerned that placing the home in close proximity to the grove of trees in the gully would create vulnerability to wildfire, which could easily envelop the house if a forest fire were to sweep across Catherine Creek and jump Major Creek. In my professional opinion, this site is dangerous, unprotectable, and would put the family at high risk.

The area around the existing ranch house does not have the water flow problems associated with the first two options detailed here; however, it is encircled by more than 60 trees within 150 feet of the current home, rendering the home and its residents vulnerable to wildfire approaching from the south or west.

Recognized guidelines for protection against wildfires, such as the National Firewise Community Program, recommend creating a defensible space around residential structures by limiting the level of flammable vegetation, and positioning structures away from slopes.

The increasing trend of wind-driven fire has been recognized as a threat as far back as 1985, when the National Fire Protection Association and the USDA Forest Service formed what is now the National Wildland/Urban Interface Fire Program. Recent catastrophic fires in the Columbia Gorge National Scenic Area highlight the critical importance of pro-actively incorporating Firewise techniques when selecting where to build projects in the Gorge.

Accordingly, I strongly believe the safest and best location to construct the Fowler home is the area slightly east of the original location. This site would embed the home within the existing irrigated vineyard, creating an effective firebreak to any wildfire approaching from the south or west. This supports the Firewise landscape best practice of fuel reduction by increasing the moisture content of vegetation around the home site, including during the drier months when wildfire danger is highest.

As part of their careful site selection the Fowlers commissioned a third topographical and engineering study focused on this site. The water flow down the mountain follows its centuries-old path to the gullies on each side of this site to the east and west, protecting the foundation from water hazard. The original house design fits precisely on the same east-west contours as the original site and mitigates the need for excessive excavation.

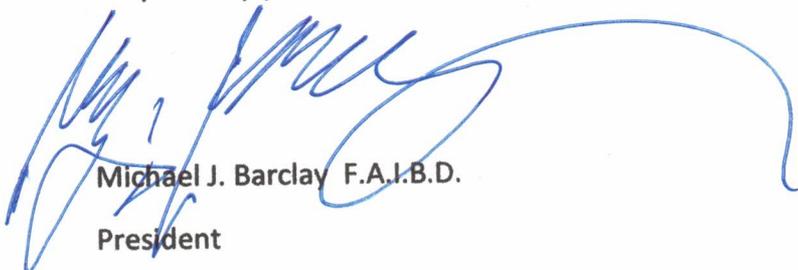
This location takes advantage of the large gully to the east to screen the house from the Oregon KVA's. In addition, there is a canopy of mature, existing trees that screens the roofline of this house site, ensuring that the roofline does not form the skyline-including from the KVA on Old Highway 8. This existing tree canopy directly addresses the issue that generated the Executive Director's revocation of the Commission's approval of the original Fowler proposal. Trees to

the immediate north and west of the site further enhance the visual subordination of the house from all KVAs.

In my professional opinion, based on extensive study of the Fowler property, the site proposed by the Fowlers in this building application is the only site on the Fowler property that meets all the required scenic protections while also adhering to Firewise guidelines for protection against wildfire.

I strongly urge the Columbia River Gorge Commission to approve the Fowler's application to build their home on the new proposed site. They have done extensive due diligence to carefully select this site, and there are simply no other good alternatives that meet scenic and safety considerations.

Respectfully yours,



Michael J. Barclay F.A.I.B.D.

President

Barclay Home Design

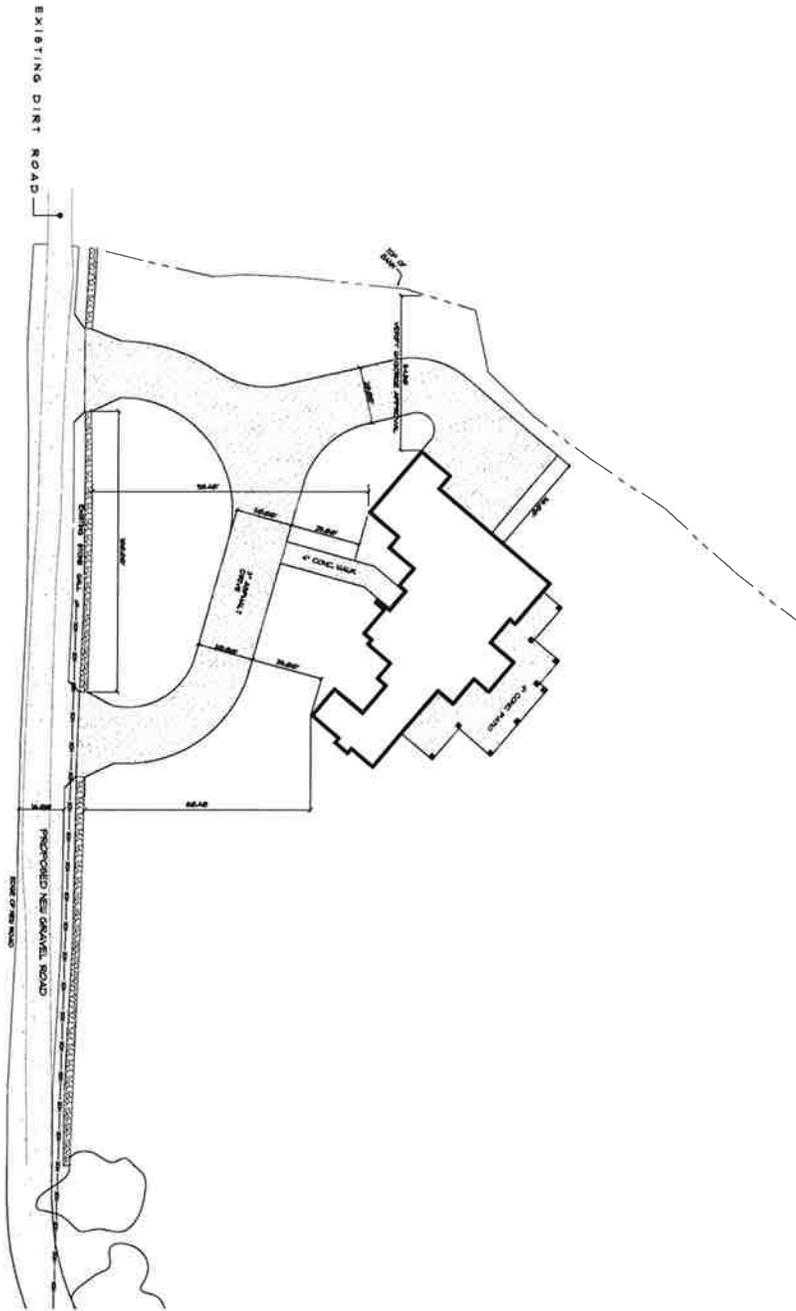
503-970-4257

barclayhomedesign@gmail.com

PROPOSED FOWLER RESIDENCE

SITE PLAN

SCALE: 1" = 20'



FOWLER

B

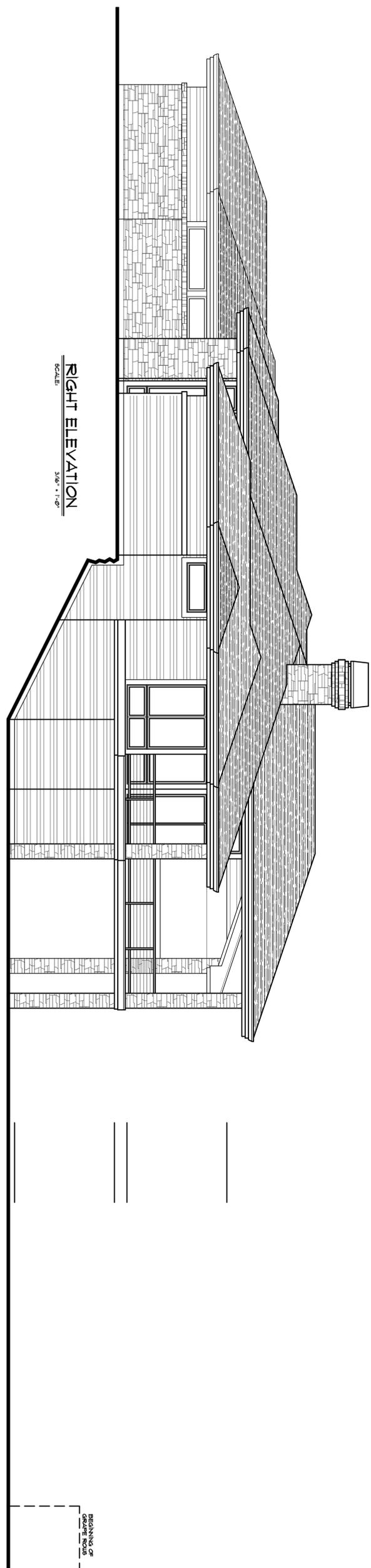
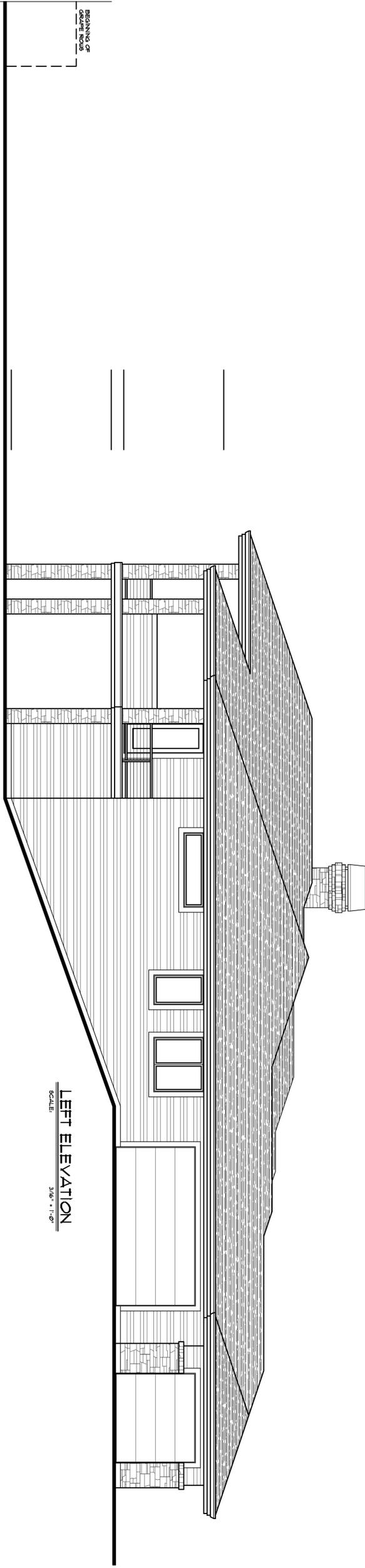


12112 S NEW ERA RD
OREGON CITY, OR 97046

(503) 970-4267

General Notes and Disclaimers: These drawings have been prepared to meet generally accepted professional standards. However, local variations may require change. Licenses, building code requirements vary with location and change from time to time. Before starting construction, the holder must verify and be responsible for all details and dimensions, and ensure that these plans meet all current requirements in your area. It is also suggested that a local architect and/or engineer be retained to review and make any change necessary to ensure that plans meet all requirements, and that you check with your local building department, or see if a professional stamp is required on drawings filed for permit purposes. All applicable construction shall conform to the latest editions of either "Uniform Building Code", or the "International Building Code", or any other locally required code. Codes govern over drawings. Dimensions govern over scale. Verify all mechanical requirements before framing. Verify topographic and subsurface conditions, and adapt foundation plans accordingly.

All ideas, arrangements, drawings, and plans set forth on this sheet are the original work product of, owned by, and are the property of Barclay Home Designs Inc. Use of this work product is limited to a specified project of the purchaser and for the construction of one building. Any use, reuse, or disclosure of work plans, reproductions, ideas, designs, and/or arrangements, other than to Barclay Home Designs Inc. is strictly prohibited by law without the written permission of Barclay Home Designs Inc. Contractors shall verify and be responsible for all dimensions and conditions on the job. This office must be notified of any variations and discrepancies of and from these drawings prior to work on the job.



Barclay
HOME DESIGNS
 F.A.L.B.D.

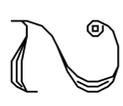
11733 SE 40TH AVE.
 MILWAUKIE, OR 97222

(503) 557-2334
 FAX: 656-4170

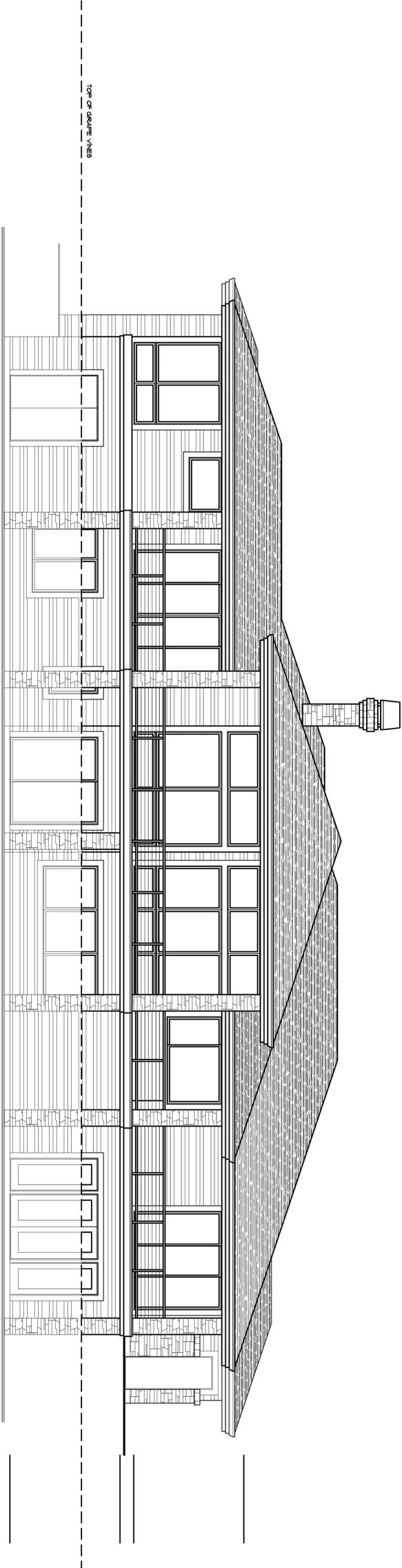
General Notes and Disclaimers: These drawings have been prepared to meet generally accepted professional standards. However, local variations may require changes. Likewise, building code requirements vary with location and change from time to time. Before starting construction, the builder must review and be responsible for all details and dimensions, and ensure that these plans meet all current requirements in your area. It is also suggested that a local architect and/or engineer be retained to review and make any changes necessary to ensure that plans meet all requirements, and that you check with your local building department to see if a professional stamp is required on drawings filed for permit purposes. All applicable construction shall conform to the latest editions of either "Uniform Building Code" or the "BOCA Basic Building Code," or any other locally required code. Codes govern over drawings. Dimensions govern over scale. Verify all mechanical requirements before framing. Verify topographic and subsurface conditions, and adapt foundation plans accordingly.

All ideas, arrangements, drawings, and plans set forth on this sheet are the original work product of, owned by, and are the property of Barclay Home Designs Inc. Use of this said work product is limited to a specified project of the purchaser, and for the construction of one building. Any use, reuse, or disclosure of said plans, reproductions, ideas, designs, and/or arrangements, other than by Barclay Home Designs Inc. is strictly prohibited by law without the written permission of Barclay Home Designs Inc. Contractors shall verify and be responsible for all dimensions and conditions on the job. This office must be notified of any variations and discrepancies of and from these drawings prior to work on the job.

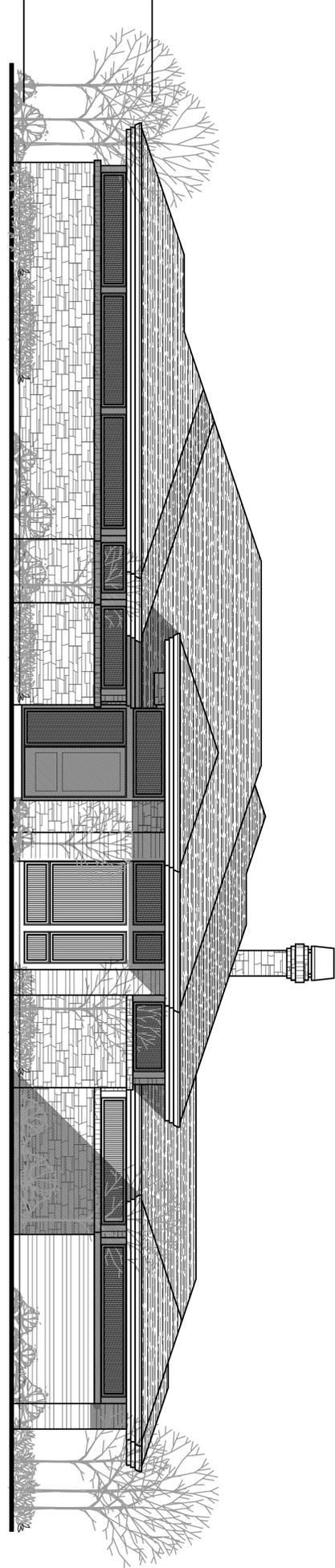
FOWLER



MAIN FLR.
 2929 SQFT
 LOWER FLR.
 1433 SQFT.



REAR ELEVATION
SCALE: 3/8" = 1'-0"



FRONT ELEVATION
SCALE: 3/8" = 1'-0"

Barclay
HOME DESIGNS
F.A.L.B.D.

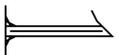
11733 SE 40TH AVE.
MILWAUKIE, OR 97222

(503) 557-2334
FAX: 656-4170

General Notes and Disclaimers: These drawings have been prepared to meet generally accepted professional standards. However, local variations may require changes. Likewise, building code requirements vary with location and change from time to time. Before starting construction, the builder must review and be responsible for all details and dimensions, and ensure that these plans meet all current requirements in your area. It is also suggested that a local architect and/or engineer be retained to review and make any changes necessary to ensure that plans meet all requirements, and that you check with your local building department to see if a professional stamp is required on drawings filed for permit purposes. All applicable construction shall conform to the latest editions of either "Uniform Building Code" or the "BOCA Basic Building Code," or any other locally required code. Codes govern over scale. Verify all mechanical requirements before framing. Verify topographic and subsurface conditions, and adapt foundation plans accordingly.

All ideas, arrangements, drawings, and plans set forth on this sheet are the original work product of, owned by, and are the property of Barclay Home Designs Inc. Use of this said work product is limited to a specified project of the purchaser, and for the construction of one building. Any use, reuse, or disclosure of said plans, reproductions, ideas, designs, and/or arrangements, other than by Barclay Home Designs Inc. is strictly prohibited by law without the written permission of Barclay Home Designs Inc. Contractors shall verify and be responsible for all dimensions and conditions on the job. This office must be notified of any variations and discrepancies of and from these drawings prior to work on the job.

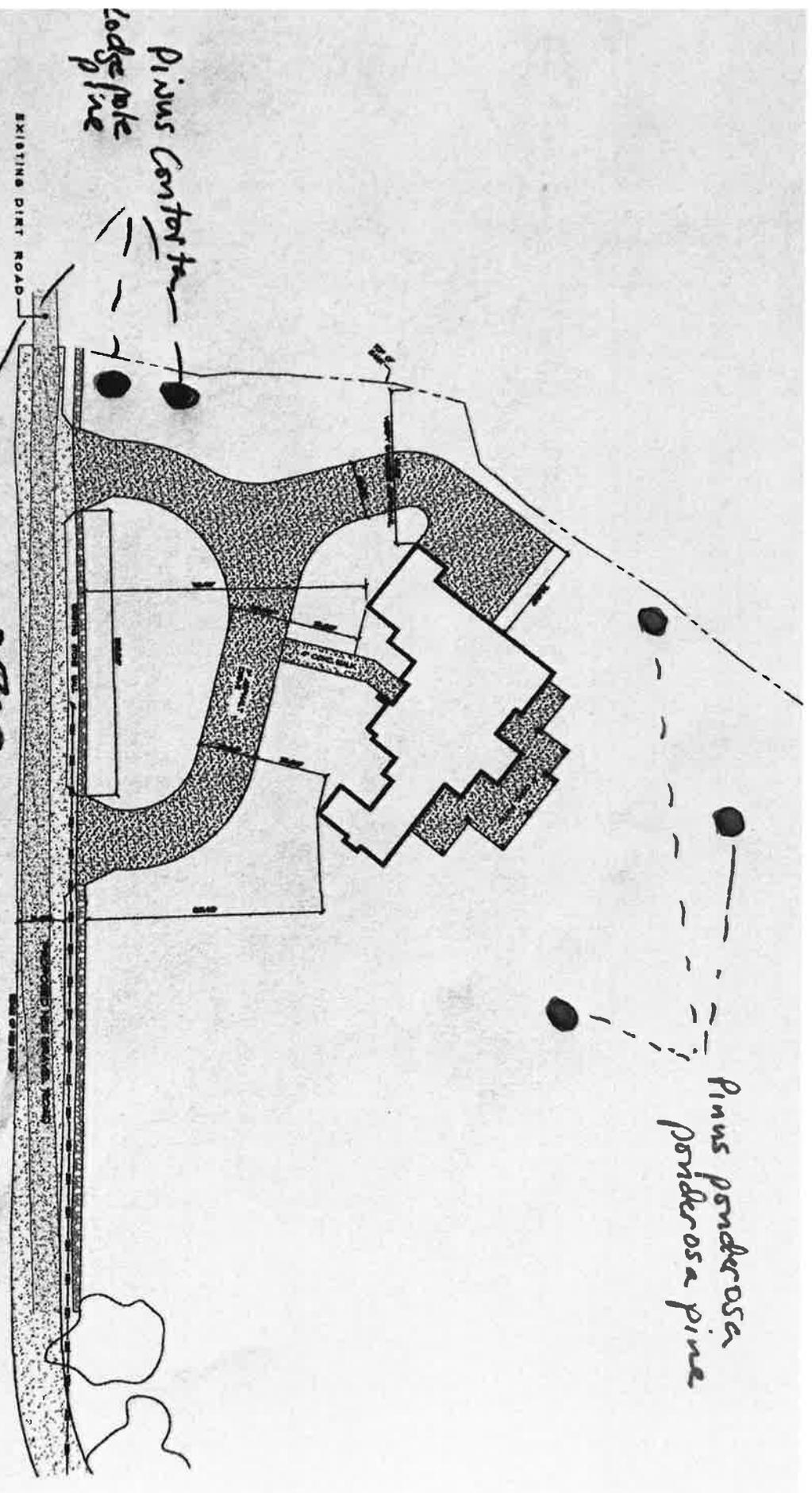
FOULIER



MAIN FLR.
2929 SQFT.
LOWER FLR.
1433 SQFT.

SITE PLAN
PROPOSED FOWLER RESIDENCE

Proposed Landscape Plan 2/14/2019



Pinus ponderosa
centerline
lodge pole
pine

Pinus ponderosa
ponderosa pine

Abies procera
Noble fir (3)

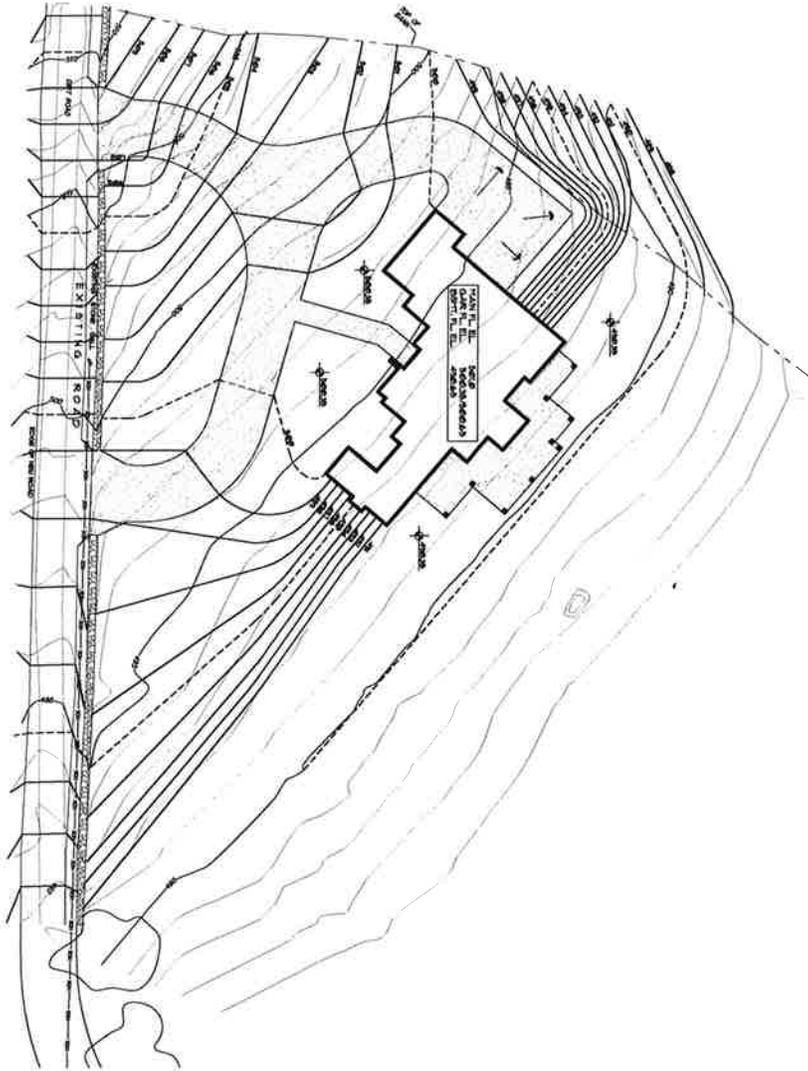
BARN

Screen for BARN

EXISTING DIRT ROAD

GRADING PLAN
 PROPOSED FOWLER RESIDENCE

SCALE: 1" = 20'



FOWLER



Barclay
 HOME DESIGNS
 FAIRB.

12112 S NEW ERA RD
 OREGON CITY, OR 97046

(503) 870-4267

General Notes and Disclaimers: These drawings have been prepared to meet generally accepted professional standards. However, local variations may require changes. Licenses, building codes requirements may vary with location and change from time to time. Before starting construction, the holder must review and be responsible for all details and dimensions, and ensure that these plans meet all current requirements in your area. It is also suggested that a local architect and/or engineer be retained to review and make any changes necessary to ensure that plans meet all requirements, and that you check with your local building department to see if a professional stamp is required on drawings filed for permit purposes. All applicable requirements shall conform to the latest editions of either "Uniform Building Code" or the "2006 International Building Code", or any other locally required code. Codes govern over drawings. Dimensions govern over notes. Verify all mechanical requirements before framing. Verify topographic and subsurface conditions, and adapt foundation plans accordingly.

All ideas, arrangements, drawings, and plans set forth on this sheet are the original work product of, owned by, and are the property of Barclay Home Designs Inc. Use of this work product is limited to a specified project of the purchaser and for the construction of one building. Any use, reuse, or disclosure of said plans, reproductions, ideas, designs, and/or arrangements, other than to Barclay Home Designs Inc. is strictly prohibited by law without the written permission of Barclay Home Designs Inc. Contractors shall verify and be responsible for all dimensions and conditions on the job. This office must be satisfied of any variations and discrepancies of and from those drawings prior to work on the job.