



# City of Stevenson

## Planning Department

(509)427-5970

7121 E Loop Road, PO Box 371  
Stevenson, Washington 98648

**TO:** City Council  
**FROM:** Ben Shumaker  
**DATE:** April 3<sup>rd</sup>, 2025  
**SUBJECT:** ZON2024-02: Rezone Request: R2 to R3 on Lasher Street

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### **Introduction**

The City Council is asked to take public testimony on a request to rezone approximately 0.52 acres<sup>1</sup> of land from R2 Two-Family Residential to R3 Multi-Family Residential. After closing the public hearing, a provisional decision is expected.

### **Recommended Action**

The Planning Commission reviewed the request on March 10<sup>th</sup> and recommended Council approval.

### **Guiding City Policies**

#### *Zoning Code*

#### ZMC 17.08.030 – Purpose of Zoning Map

The Zoning Map adopted for the City is an official map and land use policy to control and direct the use and development of property in the municipal territory by dividing it comprehensively into districts according to the present and potential use of the properties.

#### SMC 17.50.010 – Boundary or Zone Changes

The Council may, upon proper application, upon recommendation of the planning commission, or upon its own motion, after public hearing and referral to and report from the planning commission, change by resolution the district boundary lines or zone classification as shown on the zoning map, provided such change is duly considered in relationship to a comprehensive plan.

#### *Comprehensive Plan*

Goal 2: "Development within the Urban Area wisely considers the long-term interests of the community"

- 2.7-2 Balance the availability of sufficient land for various uses when designating Future Land Use and Zoning districts.
- 2.7-3 Consider infill potential when designating Future Land Use and Zoning districts, especially with regard to multi-family housing.
- 2.7-5 Consider location and suitability of land for urban uses and established need when designating Future Land Use and Zoning districts.
- 2.12 Facilitate and encourage the use of innovative building types and land development patterns that encourage conservation of energy and other resources.
- 2.14 Ensure development review processes are prompt, predictable, open, and uncomplicated.

Goal 3: "A variety of housing options accommodates all residents"

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<sup>1</sup> This is the lot area as reported by the applicant in the application. There is reason to believe less than 0.52 acres available for development. See public comments from L. Miller and S. Patton.

- 3.1 Periodically review and revise land development regulations for residential areas to accommodate changing social and economic needs of residents.
- 3.2 Encourage a range of residential land uses, housing sizes, types, and price ranges and establish appropriate development criteria.
- 3.2-2 Ensure adequate and buildable areas for multi-family housing development.

Future Land Use Map: ...The Comprehensive Plan’s Future Land Use Map is crucial for showing clearly and concisely how the Goals, Objectives, and Tactics contained in Chapter 3 relate to the Population Report in Appendix C. This map designates all areas of the City and Urban Area according to five basic land use designations describing where population and business growth will occur and how the City intends for lands to be used in the future.

The Future Land Use designations are not zoning districts, and the Future Land Use Map is not a zoning map. Whereas the City of Stevenson Zoning Map is an official regulatory document adopted by ordinance through the Zoning Code, the Comprehensive Plan’s Future Land Use Map is a guidance document that will be used to shape future decisions about annexations, land development policies, the size and timing of capital facility upgrades, changes to existing zoning designations, and those purposes indicated in RCW 35A.63.080...

High Density Residential (HDR)

An area dominated by multi-family housing or single-family housing on lots smaller than 15,000 square feet. Residential uses in these areas are often mixed with institutions, utilities, schools, and parks and/or located in close proximity to commercial uses more characteristic of urban areas. Development within a High Density Residential area almost exclusively requires extension of, or connection to, public water and sewer systems. Development patterns in these areas encourage connected street networks with pedestrian and bicycle facilities providing connections to abutting neighborhoods, schools, parks, and business centers. High Density Residential areas may be subcategorized by single-family or multi-family designations, and public use designations....

**Background**

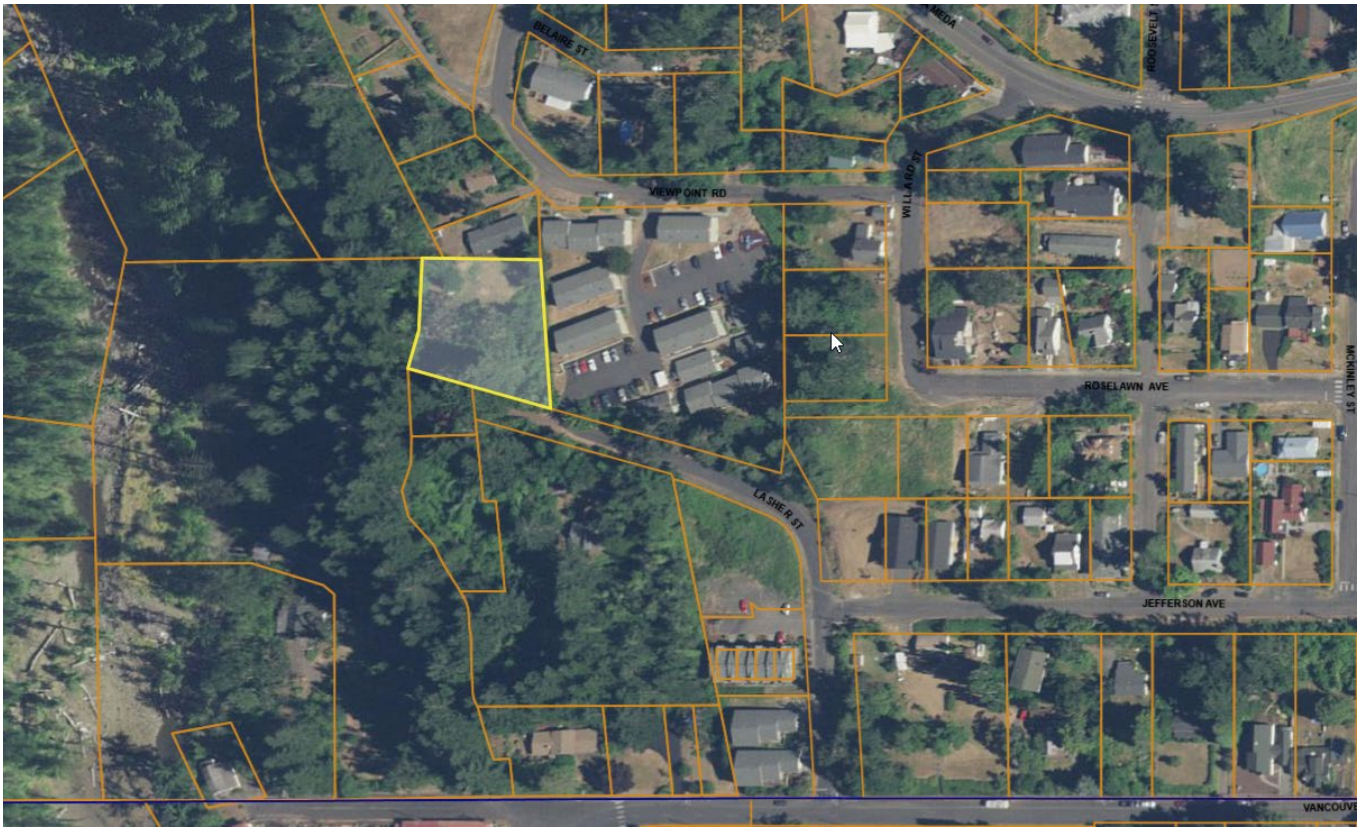
*Site Characteristics*

Subject Parcel				
Owner(s)	Tax Lot #	Zoning District	Current Use	Parcel Size
Green Gorge, LLC	03-07-36-4-3-1800-00	R2	Vacant Land	~0.52 ac (~22,650 sf)*

*Surrounding Property Characteristics*

	Zoning	Land Use
<b>Subject Property</b>	R2 Two Family	Vacant
North	R2 Two-Family	Single-Family Residence/Vacant Land
East	R3 Multi-Family	36 Unit Multi-Family
South	R3 Multi-Family	Single-Family Residences
West	R3 Multi-Family	Single-Family Residence

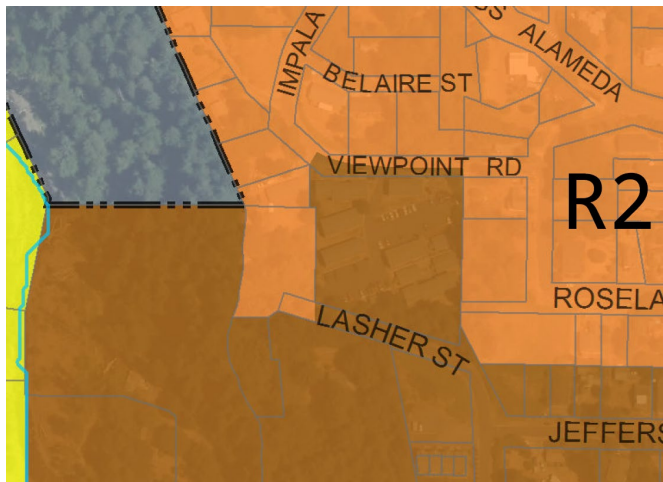
Aerial Photo



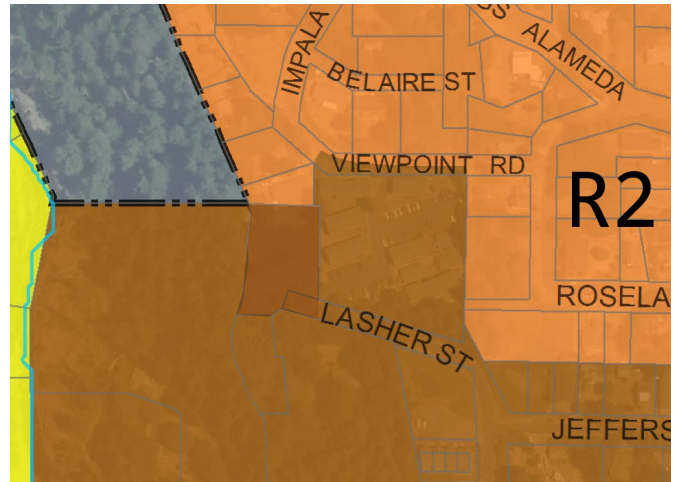
**Zoning Comparison**

<i>Text Comparison</i>					
<b>Allowed Use Comparison</b>				<b>Allowed Density</b>	
	<b>R2 (Existing)</b>	<b>R3 (Request)</b>		<b>R2 (Existing)</b>	<b>R3 (Request)</b>
<b>Travel Trailer</b>	Prohibited	Not Listed	<b>Minimum Lot Area</b>	5,000 sf + 2,000 sf per Unit over 1	2,000 sf per Unit
<b>Townhome</b>	Conditional	Principal	<b>Maximum Number Lots</b>	3 Duplex-4 Single Family Lots	11 Single-Family Lots
<b>Assisted Living Facility</b>	Unlisted	Conditional	<b>Maximum Density</b>	2 per lot	1 per 2,000 sf lot area
<b>Nursing Home</b>	Unlisted	Conditional	<b>Maximum Units</b>	7 units	11 units
<b>Bed &amp; Breakfast</b>	Conditional	Principal			
<b>Hostel</b>	Conditional	Principal			
<b>Hotel</b>	Prohibited	Conditional			
<b>Public Access EV Station</b>	Unlisted	Conditional			
<b>Street-Side EV Station</b>	Unlisted	Conditional			
<b>Subsistence Gardening</b>	Principal	Accessory			
<b>Nursery (Plants)</b>	Unlisted	Conditional			

Current Zoning Map



Requested Zoning Map



**Staff Analysis**

The subject property lies within the HDR – High Density Residential area of the Comprehensive Plan’s Future Land Use Map. This designation would support both the existing zoning designation and the requested change.

The subject property is the only property abutting Lasher Street which does not bear the requested R3 Multi-Family Residential zoning designation. There is no apparent rationale for the disparate treatment of the subject property.

**Next Steps & Public Involvement**

Notice of the meeting has been mailed to the owners of all property within 300 feet of the subject property, posted in 3 locations near the site, and published in the *Skamania County Pioneer*. The proposal has been reviewed under the State Environmental Policy Act and a mitigated determination of nonsignificance was issued. The mitigation measure relates to the transportation impact of the site’s increased potential for development. The 14-day comment period on the SEPA threshold determination closes on April 3<sup>rd</sup>. As of this writing, no comments have been submitted related to it.

The City Council is encouraged to read the written public comments attached to this report and listen to any verbal testimony provided at the public hearing and render a provisional decision on the application. If the decision is to approve the rezoning request, then an updated map will be prepared for final adoption at the April regular meeting.

Prepared by,

Ben Shumaker  
Community Development Director

**Attachment**

- 1- Application to Rezone
- 2- Future Land Use Map
- 3- Draft Planning Commission Minutes
- 4- Ex Parte Communications
  - A. S. Patton Email 3/10/2025 (A) (Anderson, Cox, Rice)
  - B. S. Patton Email 3/10/2025 (B) (Anderson, Cox, Rice)
  - C. S. Patton Email 3/10/2025 (C) (Anderson, Cox, Rice)
  - D. S. Patton Email 3/10/2025 (D) (Anderson, Cox, Rice)



- E. S. Patton Email 3/10/2025 (E) (Anderson, Cox, Rice)
  - F. S. Patton Email 3/10/2025 (F) (Anderson, Cox, Johnson, Lauser, Oldfield, Rice)
  - G. S. Patton Email 3/10/2025 (G) (Anderson, Cox, Johnson, Lauser, Oldfield, Rice)
  - H. S. Patton Email 3/11/2025 (A) (Anderson, Cox, Johnson, Lauser, Oldfield, Rice)
  - I. S. Patton Email 3/11/2025 (B) (Anderson, Cox, Johnson, Lauser, Oldfield, Rice)
  - J. S. Patton Email 3/11/2025 (C) (Anderson, Cox, Johnson, Lauser, Oldfield, Rice)
  - K. S. Patton Email 3/29/2025 (Anderson, Cox, Johnson, Lauser, Oldfield, Rice)
- 5- Draft Resolution
  - 6- Public Comments
    - A. L. Miller Email 3/24/2025



# ZONING AMENDMENT APPLICATION

Mail: PO Box 371, Stevenson, Washington 98648 Email: [planning@ci.stevenson.wa.us](mailto:planning@ci.stevenson.wa.us) Phone: (509)427-5970

**Applicant/Contact:** Green Gorge LLC

Mailing Address: PO Box 130 North Bonneville WA 98639

Phone: 360-609-2212 E-Mail Address: Brian@gorgeconstruction.com

**Property Owner** (when applicable): Same

Mailing Address: \_\_\_\_\_

Phone: \_\_\_\_\_ E-Mail Address: \_\_\_\_\_

If There are Additional Property Owners, Please Attach Additional Pages and Signatures as Necessary

## Submittal Requirements

*Applicants must provide the following information for all Zoning Amendment Applications. The City will not accept applications without the required information.*

- Application Fee (\$ 1500.00 )
- Agreement to Pay Outside Consulting Fees (When applicable)
- Completed Application Signed by the Applicant and Requesting Property Owners or their Representatives
- Letter Requesting the Zoning Change and Stating the Reasons for the Request
- Associated SEPA Application

*The following information is required for any proposed Text Amendment to the Stevenson Zoning Code. Proposed changes to the regulations are reviewed pursuant to SMC 17.52.020*

Specific Draft Changes to the Regulatory Text

*The following information is required for any proposed Rezone of Property on the Stevenson Zoning Map. Proposed changes to district boundary lines or zone classifications are reviewed pursuant to SMC 17.50.010.*

- Copies of the Subject Property Title(s) or other Proof of Ownership
- Descriptions of any Existing Restrictive Covenants or Conditions
- Site Plan Showing Existing and Proposed Zoning of the Rezone Area and all Adjacent Lands

*In addition to the information for a Rezone, the following information is required for any proposed Resolution of Intent to Rezone the Stevenson Zoning Map. This form of contract zoning is reviewed pursuant to SMC 17.48.*

Site Plan Containing all Information Listed in SMC 17.48.040

Continued on Page 2



SUBMIT TO:  
City Hall  
7121 E Loop Road

# Zoning Amendment Application

Zoning Amendments are undertaken according to the criteria and procedures in SMC 17.48 and SMC 17.50. Zoning Amendments are reviewed by the Planning Commission, which provides a report and recommendation to the City Council who make the final decision. Public hearings are held for all types of Zoning Amendments pursuant to SMC 17.12.060.

## Property Information

Applicants must provide the following information for all Rezones of Property and Resolutions of Intent to Rezone. The City will not accept applications without the required information.

Property Address (Or Nearest Intersection): 80 Lasher St  
 Tax Parcel Number: 03-07-36-4-3-1800-00 Existing Zoning: R2  
 Size of Rezone Area: .52 Acre Proposed Zoning: R3  
 # Legal Lots In Area: 1 Future Land Use Designation: \_\_\_\_\_  
 Water Supply Source:  City  Well Sewage Disposal Method:  City  Septic  
 Current Uses of Land:  Multi-Family  Single-Family  Commercial  Vacant/Other

Brief Narrative of Request \_\_\_\_\_  
Wanting To Rezone To Create More Density Due To Limited Building Area In City And  
Housing Shortage  
 \_\_\_\_\_  
 \_\_\_\_\_

As proponents and/or the property owners of the real property described in this proposal, our signatures indicate our approval of this proposal, with the understanding that the proposal is subject to review, approval, and/or denial under SMC Title 17.

I/we hereby provide written authorization for the City to reasonably access to the subject property to examine the proposal and carry out the administrative duties of the Stevenson Municipal Code.

Incomplete applications will not be accepted. • Ensure all required submittals are included.

Signature of Applicant:  Date: 12/17/24

Signature of Property Owner(when applicable): GG LLC Date: 09/01/25  
GG LLC (Jan 9, 2025 10:52 PST)

For Official Use Only:  
 Date Application Received: \_\_\_\_\_ Date Application Complete: \_\_\_\_\_







# 2\_Application

Final Audit Report

2025-01-09

Created:	2025-01-09
By:	Tiffany Andersen (tiffany@ci.stevenson.wa.us)
Status:	Signed
Transaction ID:	CBJCHBCAABAAHLPdxaJnQIPdvSEQfAc7yIU1DU85klv2

## "2\_Application" History

-  Document created by Tiffany Andersen (tiffany@ci.stevenson.wa.us)  
2025-01-09 - 6:50:43 PM GMT
-  Document emailed to Brian McKenzie (brian@gorgeconstruction.com) for signature  
2025-01-09 - 6:50:49 PM GMT
-  Email viewed by Brian McKenzie (brian@gorgeconstruction.com)  
2025-01-09 - 6:51:47 PM GMT
-  Signer Brian McKenzie (brian@gorgeconstruction.com) entered name at signing as GG LLC  
2025-01-09 - 6:52:41 PM GMT
-  Document e-signed by GG LLC (brian@gorgeconstruction.com)  
Signature Date: 2025-01-09 - 6:52:43 PM GMT - Time Source: server
-  Agreement completed.  
2025-01-09 - 6:52:43 PM GMT



12/17/24

To: City Of Stevenson

Re: 80 Lasher St – Rezone Application

To Whom It May Concern,

Green Gorge LLC purchased the property at this address that sits next to a higher density piece that currently is an apartment complex.

Our intent to rezone 80 Lasher St. is to allow for greater density to fulfill the need for more housing units in the area. With the current shortage of housing units in the city, we believe that allowing this rezone will work toward easing this issue.

Regards,



Michael A Green

Green Gorge LLC

# SEPA<sup>1</sup> Environmental Checklist

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## Purpose of checklist

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization, or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

## Instructions for applicants

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. **You may use “not applicable” or “does not apply” only when you can explain why it does not apply and not when the answer is unknown.** You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to **all parts of your proposal**, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

## Instructions for lead agencies

Please adjust the format of this template as needed. Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

## Use of checklist for nonproject proposals

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B, plus the Supplemental Sheet for Nonproject Actions (Part D). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in “Part B: Environmental Elements” that do not contribute meaningfully to the analysis of the proposal.

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<sup>1</sup> <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/Checklist-guidance>

## **A. Background**

- 1. Name of proposed project, if applicable: Green Gorge LLC**
  
- 2. Name of applicant: Green Gorge LLC**
  
- 3. Address and phone number of applicant and contact person:**  
**Green Gorge LLC – Mike Green 360-518-1476 / Brian McKenzie 360-609-2212**  
**PO Box 130 North Bonneville, WA 98639**
  
- 4. Date checklist prepared: 11/21/24**
  
- 5. Agency requesting checklist:**  
**City Of Stevenson WA**
  
- 6. Proposed timing of schedule (including phasing, if applicable): Rezone Prior To End Of First Quarter Of 2025 – Vertical Construction To Start In Spring Of 2025**
  
- 7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain: None At This Time**
  
- 8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal: No Additional Information At This Time**
  
- 9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.**  
**There Is A Possible Improvement To Lasher St. In The Works - Unclear If It Will Take Place**
  
- 10. List any government approvals or permits that will be needed for your proposal, if known.**  
**Approval To Rezone – Right Of Way Permitting**
  
- 11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)**

The Proposed Plan Is To Gain Rezone (Matching 3 of 4 Of The Neighboring Properties) And Build To Higher Density Than Is Allowed Currently To Help Meet The Housing Shortfall In The Community.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

Property Is Addressed As 80 Lasher St. Stevenson WA 98648

## B.Environmental Elements

### 1. Earth

[Find help answering earth questions](#)<sup>2</sup>

- a. General description of the site: Vacant Land – Generally Vegetated With A Few Fir Trees

Circle or highlight one: Flat, rolling, hilly, steep slopes, mountainous, other:

- b. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them, and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

Generally Binding Silty Materials With Round Rock Present

- c. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

The Northwest Corner Has A Section Of Scarp That Protrudes Roughly 8' Into The Property From An Ancient Landslide

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<sup>2</sup> <https://ecology.wa.gov/regulations-permits/sepa/environmental-review/sepa-guidance/sepa-checklist-guidance/sepa-checklist-section-b-environmental-elements/environmental-elements-earth>



- d. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill:  
**Construction Will Net Roughly 200 CY Of Materials To Be Distributed Onsite**
- e. Could erosion occur because of clearing, construction, or use? If so, generally describe.  
  
Erosion Control BMP's Will Be Strictly Abided During Construction – All Erosive Areas To Be Covered At Final Of Each Phase Of Construction
- f. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?  
  
35 %
- g. Proposed measures to reduce or control erosion, or other impacts to the earth, if any.  
  
Landscape / Hardscapes to prevent any erosion after construction

## 2. Air

[Find help answering air questions](#)<sup>3</sup>

- a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known. During Civil Construction – Minor Dust From Earth Disturbance – During Vertical – Minor Dust. No Emissions At Final Completion
- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe: None Known At This Time
- c. Proposed measures to reduce or control emissions or other impacts to air, if any:  
**Standard BMP's Will Be Abided By During All Phases Of Construction**

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<sup>3</sup> <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-Air>

### 3. Water

[Find help answering water questions](#)<sup>4</sup>

**a. Surface:**

N/A

1. **Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into: N/A**
  
2. **Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans: N/A**
  
3. **Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material : None**
  
4. **Will the proposal require surface water withdrawals or diversions? Give a general description, purpose, and approximate quantities if known: No**
  
5. **Does the proposal lie within a 100-year floodplain? If so, note location on the site plan: No**
  
6. **Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge: No**

**b. Ground:**

[Find help answering ground water questions](#)<sup>5</sup>

1. **Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give a general description, purpose, and approximate quantities if known: No**

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<sup>4</sup> <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-3-Water>

<sup>5</sup> <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-3-Water/Environmental-elements-Groundwater>

2. Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (domestic sewage; industrial, containing the following chemicals...; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve: None – Public Sewer At Site

**c. Water Runoff (including stormwater):**

1. Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe: Rainwater Will Be Distributed Onsite Most Likely In An Underground Infiltration Trench

2. Could waste materials enter ground or surface waters? If so, generally describe.  
No

3. Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe: No

- d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any: None Should Be Required

## 4. Plants

[Find help answering plants questions](#)

- a. Check the types of vegetation found on the site:

- deciduous tree: alder, maple, aspen, other
- evergreen tree: fir, cedar, pine, other
- shrubs
- grass
- pasture
- crop or grain
- orchards, vineyards, or other permanent crops.
- wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
- water plants: water lily, eelgrass, milfoil, other
- other types of vegetation



- b. What kind and amount of vegetation will be removed or altered? Field Grass And Some Trees To Clear Site For Building Envelope**
- c. List threatened and endangered species known to be on or near the site: None**
- d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any: Landscape Will Be Native Species And/Or Lawn**
- e. List all noxious weeds and invasive species known to be on or near the site: None Present**

## **5. Animals**

[Find help answering animal questions](#)<sup>6</sup>

- a. List any birds and other animals that have been observed on or near the site or are known to be on or near the site.**

**Examples include:**

- **Birds: hawk, heron, eagle, songbirds, other: None**
- **Mammals: deer, bear, elk, beaver, other: Neighborhood Deer Time To Time**
- **Fish: bass, salmon, trout, herring, shellfish, other: None**

- b. List any threatened and endangered species known to be on or near the site: None**
- c. Is the site part of a migration route? If so, explain: N/A**
- d. Proposed measures to preserve or enhance wildlife, if any: N/A**
- e. List any invasive animal species known to be on or near the site: None**

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<sup>6</sup> <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-5-Animals>



## 6. Energy and natural resources

[Find help answering energy and natural resource questions](#)<sup>7</sup>

- a. **What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.: Electric Only For Heating / Cook Range / Microwave / Water Heaters**
  
- b. **Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe: No**
  
- c. **What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any: Energy Efficient Heat Pump / Furnace – Water Heaters**

## 7. Environmental health

[Health Find help with answering environmental health questions](#)<sup>8</sup>

- a. **Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur because of this proposal? If so, describe: None**
  1. **Describe any known or possible contamination at the site from present or past uses: None**
  
  2. **Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity: None**
  
  3. **Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project: None**
  
  4. **Describe special emergency services that might be required: None**

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<sup>7</sup> <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-6-Energy-natural-resou>

<sup>8</sup> <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-7-Environmental-health>

5. Proposed measures to reduce or control environmental health hazards, if any: N/A

**b. Noise**

1. What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)? None Out Of The Ordinary Neighborhood Traffic Noise
2. What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site)? Ordinary Construction Noise – Operating Hours Will Abide By City Of Stevenson Operating Hours
3. Proposed measures to reduce or control noise impacts, if any: None

**8. Land and shoreline use**

[Find help answering land and shoreline use questions<sup>9</sup>](#)

- a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe Residential Single-Family Property All Around Except Apartments To The East Of The Project – (White Cap Apartments)
- b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses because of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use: N/A Residential Zoning Currently
  1. Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how: N/A
- c. Describe any structures on the site: None

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<sup>9</sup> <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-8-Land-shoreline-use>

- d. **Will any structures be demolished? If so, what: None**
- e. **What is the current zoning classification of the site: R2**
- f. **What is the current comprehensive plan designation of the site: Residential**
- g. **If applicable, what is the current shoreline master program designation of the site:  
N/A**
- h. **Has any part of the site been classified as a critical area by the city or county? If so, specify: There Is A Small Portion Of NW Portion Of Property That Is Possibly Scarp Area From An Ancient Landslide.**
- i. **Approximately how many people would reside or work in the completed project?  
TBD**
- j. **Approximately how many people would the completed project displace? None**
- k. **Proposed measures to avoid or reduce displacement impacts, if any: None**
- l. **Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any: Same Use – Application Will Change Zoning For Density**
- m. **Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any: None**

## **9. Housing**

[Find help answering housing questions](#)<sup>10</sup>

- a. **Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing: Up To 10 Middle Class Housing Units**
- b. **Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing: None**

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<sup>10</sup> <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-9-Housing>



- c. Proposed measures to reduce or control housing impacts, if any: N/A

## 10. Aesthetics

[Find help answering aesthetics questions](#)<sup>11</sup>

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed? 28' Peak Height – Lap Or Rough Sawn Siding TBD
- b. What views in the immediate vicinity would be altered or obstructed? None
- c. Proposed measures to reduce or control aesthetic impacts, if any: None

## 11. Light and glare

[Find help answering light and glare questions](#)<sup>12</sup>

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur? Exterior Lighting At Night
- b. Could light or glare from the finished project be a safety hazard or interfere with views? No
- c. What existing off-site sources of light or glare may affect your proposal? None
- d. Proposed measures to reduce or control light and glare impacts, if any: None

## 12. Recreation

[Find help answering recreation questions](#)

- a. What designated and informal recreational opportunities are in the immediate vicinity? County Fair Grounds – Hiking – Biking – Swimming – Paddling And Wind Sports On The Columbia River

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<sup>11</sup> <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-10-Aesthetics>

<sup>12</sup> <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-11-Light-glare>



- b. **Would the proposed project displace any existing recreational uses? If so, describe:**  
**None**
  
- c. **Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:** **None**

### **13. Historic and cultural preservation**

[Find help answering historic and cultural preservation questions](#)<sup>13</sup>

- a. **Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers? If so, specifically describe:** **Possibly Older Homes In the Near Vicinity Could Date This Far Back – To Our Knowledge There Are None Eligible For Registering At This Time**
  
- b. **Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources:** **None**
  
- c. **Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.:** **N/A**
  
- d. **Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required :** **N/A**

### **14. Transportation**

[Find help with answering transportation questions](#)<sup>14</sup>

- a. **Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any:**  
**Lasher Street Provides Ingress / Egress To The Site**

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<sup>13</sup> <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-13-Historic-cultural-p>

<sup>14</sup> <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-14-Transportation>

- b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop? **Not Currently Serviced – Nearest Bus Stop Would Be On Hwy 14 In Stevenson**
- c. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle, or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private). **None**
- d. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe: **No**
- e. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates? \*\*\* **Undetermined At This Time**
- f. Will the proposal interfere with, affect, or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.  
**No**
- g. Proposed measures to reduce or control transportation impacts, if any: **None**

## 15. Public services

[Find help answering public service questions<sup>15</sup>](#)

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe: **None But Standard Impact With Population Growth**
- b. Proposed measures to reduce or control direct impacts on public services, if any: **None**

## 16. Utilities

[Find help answering utilities questions<sup>16</sup>](#)

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<sup>15</sup> <https://ecology.wa.gov/regulations-permits/sepa/environmental-review/sepa-guidance/sepa-checklist-guidance/sepa-checklist-section-b-environmental-elements/environmental-elements-15-public-services>

<sup>16</sup> <https://ecology.wa.gov/regulations-permits/sepa/environmental-review/sepa-guidance/sepa-checklist-guidance/sepa-checklist-section-b-environmental-elements/environmental-elements-16-utilities>



- a. Circle utilities currently available at the site: **electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other:**
  
- b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed: **Public Sewer / Water / Garbage Service – City Of Stevenson Electricity – Skamania PUD Communications – Zply Fiber Or Comcast**

## C. Signature

[Find help about who should sign](#)<sup>17</sup>

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

X 

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Type name of signee: Mike Green – Brian McKenzie

Position and agency/organization: Owners – Green Gorge LLC

Date submitted: 11/22/24

## D. Supplemental sheet for nonproject actions

[Find help for the nonproject actions worksheet](#)<sup>18</sup>

Do not use this section for project actions.

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. **How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise: This Project Should Provide Little To No Impact On All Items**

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<sup>17</sup> <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-C-Signature>

<sup>18</sup> <https://ecology.wa.gov/regulations-permits/sepa/environmental-review/sepa-guidance/sepa-checklist-guidance/sepa-checklist-section-d-non-project-actions>

- **Proposed measures to avoid or reduce such increases are: Standard Building Practices Including BMP'S**
2. **How would the proposal be likely to affect plants, animals, fish, or marine life? Little to No Impact**
- **Proposed measures to protect or conserve plants, animals, fish, or marine life are: Project To Be Landscaped On Completion**
3. **How would the proposal be likely to deplete energy or natural resources: No Impact Rather Than Normal Residential Use**
- **Proposed measures to protect or conserve energy and natural resources are: Energy Efficient Appliances And Heating Units**
4. **How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection, such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands: N/A**
- **Proposed measures to protect such resources or to avoid or reduce impacts are: N/A**
5. **How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans : N/A**
- **Proposed measures to avoid or reduce shoreline and land use impacts are: N/A**
6. **How would the proposal be likely to increase demands on transportation or public services and utilities: None Rather Than Normal Residential Use**
- **Proposed measures to reduce or respond to such demand(s) are: None**



**7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment: None**

When recorded return to:

Gorge Homes LLC  
PO Box 130  
North Bonneville, WA 98639

## STATUTORY WARRANTY DEED

Filed for record request of:  
Columbia Gorge Title  
Reference: S-24-298

### THE GRANTOR(S)

Bruce A. Isaacson and Linda K. Isaacson, husband and wife and Harold Pidgeon and Mary Pidgeon, husband and wife,

for and in consideration of  
Ten Dollars and other valuable consideration (\$10.00)

in hand paid, conveys and warrants to

THE GRANTEE(S)

~~GREEN GORGE~~ LLC, a Washington Limited Liability Company  
Green Gorge

*BM MG*  
*BR LKS*

the following described real estate, situated in the County of Skamania, State of Washington:

FOR PROPERTY DESCRIPTION SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART  
HEREOF.

Abbreviated Legal: (Required if full legal not inserted above.)

Ptn. Sec 36, T3N, R7E W.M.

SUBJECT TO SPECIAL EXCEPTIONS 10-15 OF THE PRELIMINARY TITLE REPORT DATED JULY 15,  
2024, FILE NUMBER S-24-298, A COPY OF WHICH WAS PROVIDED TO THE GRANTOR AND GRANTEE  
HEREIN NAMED.

Tax Parcel Number(s): 03-07-36-4-3-1800-00

Dated: 10/28/24

*Bruce A. Isaacson*  
Bruce A. Isaacson

*Linda K. Isaacson*  
Linda K. Isaacson

*Harold Pidgeon*  
Harold Pidgeon

*Mary Pidgeon*  
Mary Pidgeon

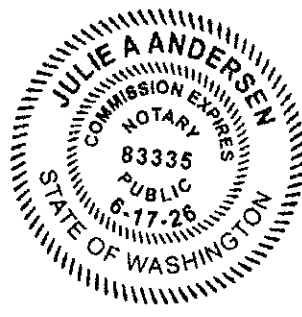
STATE OF WASHINGTON  
COUNTY OF SKAMANIA

This record was acknowledged before me on 28 day of October, 2024 by Bruce A  
Isaacson, Linda K Isaacson, Harold Pidgeon and Mary Pidgeon.

Julie Andersen  
Signature

Notary Public  
Title

My commission expires: June 17, 2026



**EXHIBIT A**  
**LEGAL DESCRIPTION**

Property Address: 80 Lasher Street, Stevenson, WA 98648  
Tax Parcel Number(s): 03-07-36-4-3-1800-00

Property Description:

A tract of land located in the Southeast Quarter of the Southwest Quarter of Section 36, Township 3 North, Range 7 East of the Willamette Meridian, in the County of Skamania, State of Washington, described as follows:

BEGINNING at the Quarter Corner of the South Line of the said Section 36; thence West along said South Line 289.7 feet; thence North 05° 30' West 465.4 feet to the initial point of the tract hereby described; thence North 05° 30' West 40 feet; thence South 74° East 100 feet; thence North 181.25 feet to the North Line of a tract of land conveyed to Mabel J. Jeter by deed dated April 4, 1947, recorded under Auditors File No. 36513 at Page 342 of Book 31 of Deeds, Records of Skamania County, State of Washington; thence West 136.66 feet to the brow of Rock Creek Canyon; thence in a Southerly direction following the brow of said canyon to a point due West of the initial point; thence East to the initial point.

EXCEPT that portion Conveyed to House Our People Enterprises, Inc., recorded in Book 79, Page 13.

FURTHER EXCEPTING THEREFROM a portion of the Southeast Quarter of the Southwest Quarter of Section 36, Township 3 North, Range 7 East, Willamette Meridian, Skamania County, Washington, described as follows:

Beginning at the Southeast corner of Lot 7 of MEAGHERS ADDITION to Stevenson, as shown in Volume 'A' of plats, Page 120, records of said county, said point being marked by a 5/8" rebar and yellow plastic cap as shown in record of survey Auditor's file number 2022000368 records of said county, said point also being the Northeast corner of that tract of land conveyed to Bruce A. Isaacson et ux, as described in Auditor's file number 2015001943 records of said county,

Thence South 02° 56' 39" East, along the East line of said "Isaacson parcel" 54.00 feet,

Thence leaving said East line, South 72° 16' 30" West, 57.00 feet,

Thence North 86° 29' 07" West, 97.74 feet to the West line of said "Isaacson parcel",

Thence along said West line, North 03° 39' 22" East, 70.00 feet to the Northwest corner of said "Isaacson parcel"

Thence South 88° 11' 28" East 144.69 feet to the point of beginning.



# Real Estate Excise Tax Affidavit (RCW 82.45 WAC 458-81A)

Only for sales in a single location code on or after November 1, 2024.  
This affidavit will not be accepted unless all areas on all pages are fully and accurately completed.  
This form is your receipt when stamped by cashier. *Please type or print.*

Check box if partial sale, indicate % \_\_\_\_\_ sold.

List percentage of ownership acquired next to each name.

**1 Seller/Grantor**

Name Bruce A. Issacson and Linda K. Issacson, husband and wife and Harold Pidgeon and Mary Pidgeon, husband and wife

Mailing address 231 Panther Creek Road

City/state/zip Carson, WA 98610

Phone (including area code) (541) 980-9288

**2 Buyer/Grantee**

Name Green Gorge LLC, a Washington Limited Liability Company

Mailing address PO Box 130

City/state/zip North Bonneville, WA 98639

Phone (including area code) (360) 609-2212

**3** Send all property tax correspondence to:  Same as Buyer/Grantee

Name Green Gorge LLC, A Washington Limited Liability Company

Mailing address \_\_\_\_\_

City/state/zip \_\_\_\_\_

List all real and personal property tax parcel account numbers	Personal property?	Assessed value(s)
<u>03-07-36-4-3-1800-00</u>	<input type="checkbox"/>	<u>\$ 92,000.00</u>
_____	<input type="checkbox"/>	<u>\$ 0.00</u>
_____	<input type="checkbox"/>	<u>\$ 0.00</u>

**4** Street address of property 80 NW Lasher Rd., Stevenson WA 98648

This property is located in Skamania County  (for unincorporated locations please select your county)

Check box if any of the listed parcels are being segregated from another parcel, are part of a boundary line adjustment or parcels being merged.

Legal description of property (if you need more space, attach a separate sheet to each page of the affidavit).

See Attached Exhibit "A"

**5** 91 - Undeveloped land (land only)

Enter any additional codes \_\_\_\_\_  
(see back of last page for instructions)

Was the seller receiving a property tax exemption or deferral under RCW 84.36, 84.37, or 84.38 (nonprofit org., senior citizen or disabled person, homeowner with limited income)?  Yes  No

Is this property predominately used for timber (as classified under RCW 84.34 and 84.33) or agriculture (as classified under RCW 84.34.020) and will continue in it's current use? If yes and the transfer involves multiple parcels with different classifications, complete the predominate use calculator (see instructions).  Yes  No

**6** Is this property designated as forest land per RCW 84.33?  Yes  No

Is this property classified as current use (open space, farm and agricultural, or timber) land per RCW 84.34?  Yes  No

Is this property receiving special valuation as historical property per RCW 84.26?  Yes  No

If any answers are yes, complete as instructed below.

**(1) NOTICE OF CONTINUANCE (FOREST LAND OR CURRENT USE)**  
NEW OWNER(S): To continue the current designation as forest land or classification as current use (open space, farm and agriculture, or timber) land, you must sign on (3) below. The county assessor must then determine if the land transferred continues to qualify and will indicate by signing below. If the land no longer qualifies or you do not wish to continue the designation or classification, it will be removed and the compensating or additional taxes will be due and payable by the seller or transferor at the time of sale (RCW 84.33.140 or 84.34.108). Prior to signing (3) below, you may contact your local county assessor for more information.

This land:  does  does not qualify for continuance.

Deputy assessor signature \_\_\_\_\_ Date \_\_\_\_\_

**(2) NOTICE OF COMPLIANCE (HISTORIC PROPERTY)**  
NEW OWNER(S): To continue special valuation as historic property, sign (3) below. If the new owner(s) doesn't wish to continue, all additional tax calculated pursuant to RCW 84.26, shall be due and payable by the seller or transferor at the time of sale.

**(3) NEW OWNER(S) SIGNATURE**

Signature \_\_\_\_\_ Signature \_\_\_\_\_  
Print name \_\_\_\_\_ Print name \_\_\_\_\_

**8** I CERTIFY UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT

Signature of grantor or agent Bruce A. Issacson  
Name (print) Bruce A Issacson  
Date & city of signing 11/5/24 Stevenson

Signature of grantee or agent Brian McKenzie  
Name (print) Brian McKenzie  
Date & city of signing 11/5/24 Stevenson, WA

**7** List all personal property (tangible and intangible) included in selling price.  
If claiming an exemption, enter exemption code and reason for exemption. \*See dor.wa.gov/REET for exemption codes\*  
Exemption No. (sec/sub) \_\_\_\_\_  
Reason for exemption \_\_\_\_\_

Type of document Statutory Warranty Deed  
Date of document October 28, 2024

Gross selling price	<u>87,900.00</u>
*Personal property (deduct)	<u>0.00</u>
Exemption claimed (deduct)	<u>0.00</u>
Taxable selling price	<u>87,900.00</u>
Excise tax: state	
Less than \$525,000.01 at 1.1%	<u>966.90</u>
From \$525,000.01 to \$1,525,000 at 1.28%	<u>0.00</u>
From \$1,525,000.01 to \$3,025,000 at 2.75%	<u>0.00</u>
Above \$3,025,000 at 3%	<u>0.00</u>
Agricultural and timberland at 1.28%	<u>0.00</u>
Total excise tax: state	<u>966.90</u>
0.0025 Local	<u>219.75</u>
*Delinquent interest: state	<u>0.00</u>
Local	<u>0.00</u>
*Delinquent penalty	<u>0.00</u>
Subtotal	<u>1,186.65</u>
*State technology fee	<u>5.00</u>
Affidavit processing fee	<u>0.00</u>
Total due	<u>1,191.65</u>

**A MINIMUM OF \$10.00 IS DUE IN FEE(S) AND/OR TAX**  
\*SEE INSTRUCTIONS

Perjury in the second degree is a class C felony which is punishable by confinement in a state correctional institution for a maximum term of five years, or by a fine in an amount fixed by the court of not more than \$10,000, or by both such confinement and fine (RCW 9A.72.030 and RCW 9A.20.021(1)(c)).  
To ask about the availability of this publication in an alternate format for the visually impaired, please call 360-705-6705. Teletype (TTY) users may use the WA Relay Service by calling 711.

## EXHIBIT "A"

A tract of land located in the Southeast Quarter of the Southwest Quarter of Section 36, Township 3 North, Range 7 East of the Willamette Meridian, in the County of Skamania, State of Washington, described as follows:

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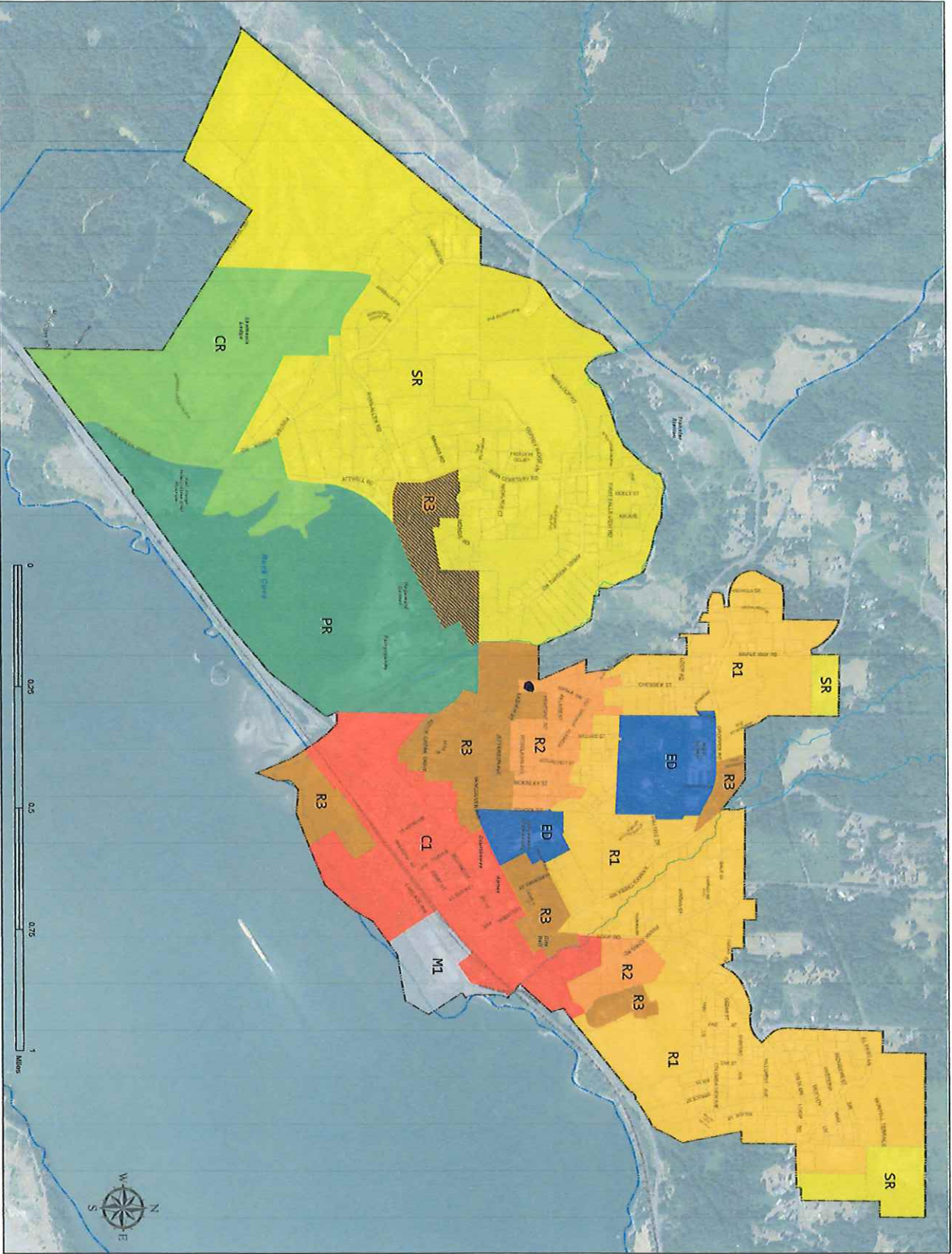
Thence South 02° 56' 39" East, along the East line of said "Isaacson parcel" 54.00 feet,

Thence leaving said East line, South 72° 16' 30" West, 57.00 feet,

Thence North 86° 29' 07" West, 97.74 feet to the West line of said "Isaacson parcel",

Thence along said West line, North 03° 39' 22" East, 70.00 feet to the Northwest corner of said "Isaacson parcel"

Thence South 88° 11' 28" East 144.69 feet to the point of beginning.



## Zoning Map City of Stevenson

- Commercial (C1)
- Education District (ED)
- Commercial Recreation (CR)
- Light Industrial (M1)
- Public Use and Recreation (PR)
- Single Family Residential (R1)
- Two Family Residential (R2)
- Multi-Family Residential (R3)
- Multi-Family Residential Overlay (R3)
- Suburban Residential (SR)

### Subject Property

- Stream
- Parcel
- City Limits
- Urban Area

Mayor	_____	Date	_____
Clerk - Treasurer	_____	Date	_____
Attorney	_____	Date	_____

1700 N. 200th Ave  
 Department of Planning & Development (DPS)  
 170013  
 Prepared by: GIS Analyst  
 Washington State Department of Planning & Development  
 1700 N. 200th Ave  
 Everett, WA 98203  
 Project Name: Stevenson Zoning Map  
 Project Date: 05/20/2014





## **CHAPTER 4-MAPS**

Many of the Goals, Objectives and Tactics described in the previous chapter are tied to specific infrastructure, institutions, or areas of Stevenson. The policies called for in the Comprehensive Plan often cannot be accomplished without maps that provide a fuller understanding of how specific areas of the city interrelate and connect with each other.

### **Future Land Use Map**

The Comprehensive Plan's Future Land Use Map is crucial for showing clearly and concisely how the Goals, Objectives, and Tactics contained in Chapter 3 relate to the Population Report in Appendix C. This map designates all areas of the City and Urban Area according to five basic land use designations describing where population and business growth will occur and how the City intends for lands to be used in the future.

The Future Land Use designations are not zoning districts, and the Future Land Use Map is not a zoning map. Whereas the City of Stevenson Zoning Map is an official regulatory document adopted by ordinance through the Zoning Code, the Comprehensive Plan's Future Land Use Map is a guidance document that will be used to shape future decisions about annexations, land development policies, the size and timing of capital facility upgrades, changes to existing zoning designations, and those purposes indicated in RCW 35A.63.080.



### ***Urban Reserve (UR)***

An area within which future development and extension of public services are contemplated but not imminent. Existing uses, particularly vacant lands and very low density single-family housing, coexist with uses otherwise characteristic of more rural areas. Further development within an Urban Reserve is discouraged until public services can be provided and urban level densities and intensities of land use can occur. Urban Reserve areas may be subcategorized to anticipate any other land use designation described below and may be changed to such designations without amending the plan when adequate public services are provided.

### ***Low Density Residential (LDR)***

An area dominated by single-family homes on lots 15,000 square feet or larger. Development within a Low Density Residential area typically requires extension of public water service and other urban services, though on-site septic systems are often unavoidable and desirable as an alternative to extension of the public sewer collection system. The development pattern encourages connected





street networks where terrain permits. Where terrain does not permit, culs-de-sac are often paired with pedestrian pathways to provide adequate non-automotive connectivity to nearby neighborhoods, schools, parks, and business centers.

**High Density Residential (HDR)**

An area dominated by multi-family housing or single-family housing on lots smaller than 15,000 square feet. Residential uses in these areas are often mixed with institutions, utilities, schools, and parks and/or located in close proximity to commercial uses more characteristic of urban areas. Development within a High Density Residential area almost exclusively requires extension of, or connection to, public water and sewer systems. Development patterns in these areas encourage connected street networks with pedestrian and bicycle facilities providing connections to abutting neighborhoods, schools, parks, and business centers. High Density Residential areas may be subcategorized by single-family or multi-family designations, and public use designations.

**Low Intensity Trade (LIT)**

An area where commercial activity is interspersed and coexists with other recreational, and public/institutional uses in the same area. Low Intensity Trade areas typically provide opportunities to capitalize on and expand the regional tourism and service industries. Because of the space typically demanded by Low Intensity Trade activities, the uses allowed in these areas are often inappropriate or cannot exist within Downtown Stevenson or other High Intensity Trade areas; however, Low Intensity Trade areas are not intended to detract from the viability of, or compete with, High Intensity Trade areas. Development of Low Intensity trade areas almost exclusively requires public service extension. Although the parking and access patterns of Low Intensity Trade areas are typically oriented primarily to automotive traffic, adequate accommodations for pedestrian and bicycle users are also included. Low Intensity Trade areas may be subcategorized by general, recreation, and public use designations.

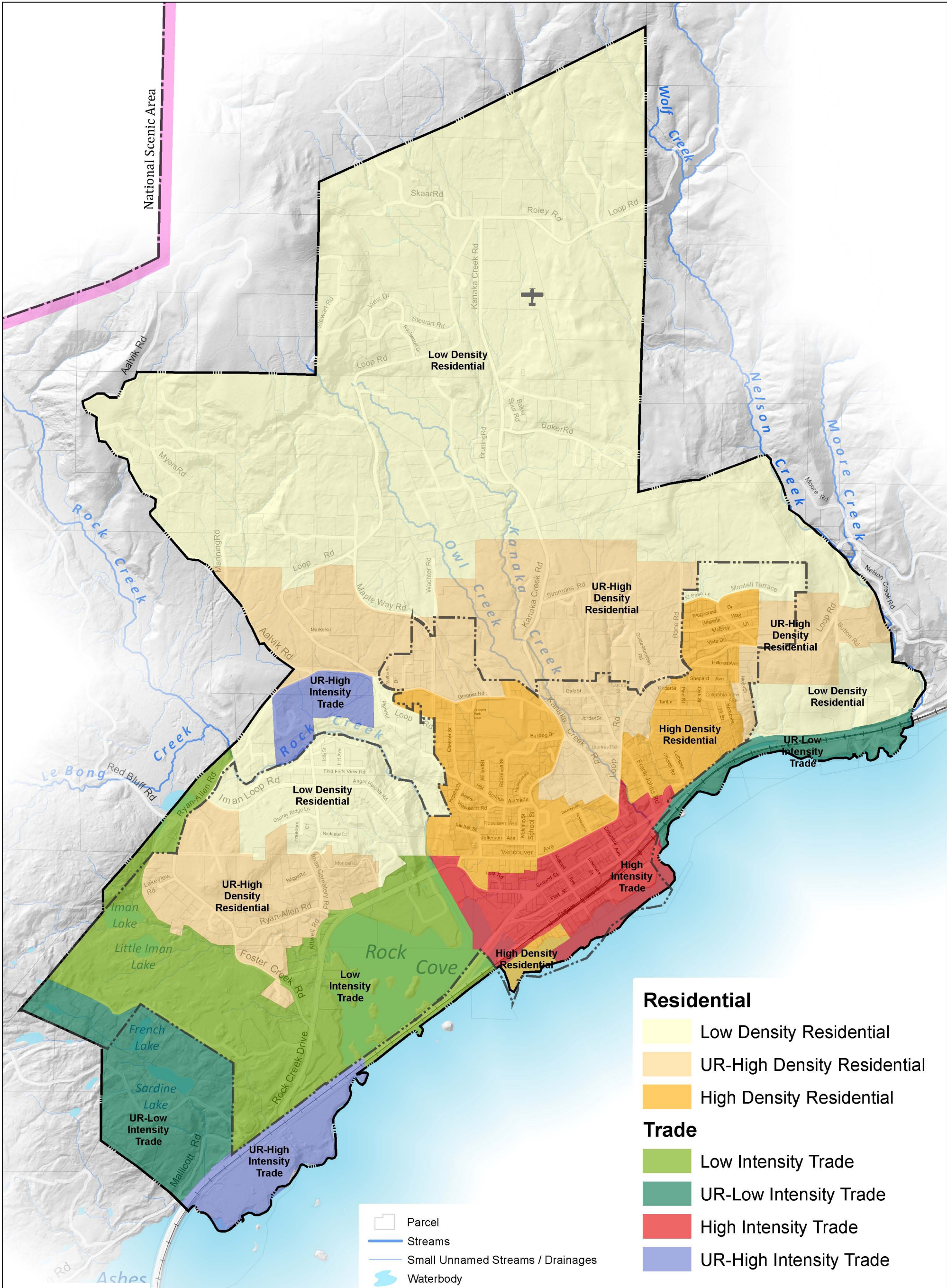


**High Intensity Trade (HIT)**

An area primarily devoted to commercial, light industrial, public/institutional activities, mixed uses, multi-family, and existing single-family residences. These areas contain a dense, highly intensive land use pattern focusing on an urban style of development and architecture. Availability of urban services adds to the viability of High Intensity Trade areas. High Intensity Trade areas may be subcategorized by downtown, office, and industrial designations. Development in downtown areas typically follows a tight-knit gridiron pattern that emphasizes the importance of pedestrians and bicyclists to

ensure areas are walkable. As compared to downtown areas, office and industrial areas are more dependent on automotive traffic.





**MAP 4.1**

**FUTURE LAND USE**

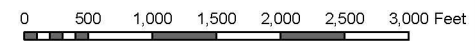
- Parcel
- Streams
- Small Unnamed Streams / Drainages
- Waterbody
- National Scenic Area Boundary
- City of Stevenson (City Limits)
- Urban Area (NSA)

- Residential**
- Low Density Residential
  - UR-High Density Residential
  - High Density Residential
- Trade**
- Low Intensity Trade
  - UR-Low Intensity Trade
  - High Intensity Trade
  - UR-High Intensity Trade

This map is intended for planning purposes only. The locations and designations shown on this map are approximations based on the best available information at the time of mapping. The locations and designations should be confirmed prior to undertaking land use actions.



Scale: 1:18,000  
1 inch = 1,500 feet



**Projected Coordinate System:**  
NAD 1983 HARN StatePlane  
Washington FIPS 4602 Feet  
**Projection Name:**  
Lambert Conformal Conic  
**Planar Units:** US Survey Feet  
**Data Sources:** Skamania Co,  
Col. River Gorge Commission  
**LIDAR:** DNR Flight 2005-2006  
**Map Created:** September 2012  
(Updated 3/14/2013)

Skamania County  
Department of  
Assessment (GIS)

**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. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.



**DRAFT Minutes**  
Stevenson Planning Commission Meeting  
Monday, March 10, 2025  
6:00 PM

**Planning Commission Vice-Chair Auguste Zettler** called the meeting to order at 6:04 p.m. A quorum was present.

**MEMBERS PRESENT**

Vice-Chair **Auguste Zettler**; Commissioners **Anne Keesee**, **Charles Hales** and **Tony Lawson** were in attendance. **PC Chair Jeff Breckel** was not in attendance.

**STAFF PRESENT**

**Community Development Director Ben Shumaker**,  
**Planning & Public Works Assistant Tiffany Andersen**

**GUESTS**

Mike Green, Brian McKenzie

**PUBLIC PRESENT**

Mary Repar

**A. Preliminary Matters**

**1. Public Comment Expectations**

**Shumaker** explained use of tools for remote and public participants: For remote, \*6 to mute/unmute & \*9 to raise hand, or raise hand icon. Commenters must raise their hand and be acknowledged by the Chair. Individual comments may be limited to 3 minutes. Disruptive individuals may be required to leave the meeting. Persistent disruptions may result in the meeting being recessed and continued at a later date.

**2. Public Comment Period:**

Mary Repar commented on Lasher Street Parking

**3. Approval of Minutes:**

February 10th, 2024 Planning Commission meeting minutes were approved unanimously following a motion by **Commissioner Keesee**, seconded by **Commissioner Lawson**. There were no changes or corrections.

**B. New Business**

ZON2024-02: Rezone Request: R2 to R3 on Lasher Street

**4. Zoning Recommendations**

Proposal from property owners to rezone a .052 acre parcel on Lasher Street from R2 Two-Family to R3 Multi-Family residential.

**a. Appearance of Fairness**

**Shumaker** explained and administered the Appearance of Fairness Doctrine. The Appearance of Fairness Doctrine is a rule of law requiring government decision-makers in a quasi-judicial setting to conduct non-court hearings and proceedings in a way that is fair, impartial and unbiased in both appearance and fact. Any conflicts of interest must be disclosed to ensure fairness and impartiality. Disclosures include any financial interest in the final outcome, any outside (ex-parte) communications made with any party of interest or anything else that could be construed as a conflict or affecting any decision making. Decision makers can be challenged by applicants regarding any perceived conflicts of interest.

**Disclosure**

None of the Planning Commissioners disclosed any ex-parte communications concerning the application, and none reported any financial conflicts or other matters that would impede a fair and impartial decision. There were no challenges by the applicant or the public.

**b. Presentation by Staff**

**Community Development Director Ben Shumaker** explained the proposal for rezoning. The presentation provides opportunity for public involvement. He noted state statutes require a review, and the City Council will hold a public hearing regarding the application. The subject property lies within the HDR – High Density Residential area of the Comprehensive Plan’s Future Land Use Map. This designation would support both the existing zoning designation and the requested change. The subject property is the only property served by Lasher Street which does not bear the requested R3 Multi- Family Residential zoning designation. There is no apparent rationale for the disparate treatment of the subject property. Maximum units allowed would be 11.

**c. Presentation by Applicant**

Brian McKenzie, the applicant stated he was looking for the best use of the area. It is currently bordered by R3 structures on 3 sides. Higher density would allow additional housing units to be constructed.

**d. Public Involvement**

**1. Comments in Favor**

None received



## 2. Comments in Opposition

Mary Repar spoke about the need to conduct a SEPA (State Environmental Policy Act) determination and received clarification of the site's location. She expressed concerns about wildlife habitat. She was informed the SEPA comment period was still open.

**Shumaker** noted the purpose of the presentation was to consider the zoning request. Information provided would help the Planning Commission make a recommendation to the City Council on the proposal.

## 3. Comments Neither in Favor nor Opposition

None received.

## e. Commission Deliberation

Commissioners held a brief discussion. It was determined the proposal would not change the nature of the neighborhood. With surrounding structures zoned as R3, all concurred it was a reasonable request for change.

**Vice-Chair Zettler** noted the presentation was for a zoning determination following the rules and policies currently in place.

## f. ACTION

A motion to recommend approval of the proposal to the City Council made by **Commissioner Hales**, seconded by **Commissioner Keesee** was approved unanimously.

D. Discussion

C. Old Business

5. Staff & Commission Reports:

**Community Development Director Ben Shumaker** provided an update on staffing levels within the city.

**Planning & Public Works Assistant Tiffany Andersen** explained the procedure and timeline regarding the processing of public records requests. One request involves reviewing 17,000 emails.

### Utility Customer Audit

**Shumaker** reported when utility rates changed last year, the rates were not applied equally. The city is undertaking a review of accounts to determine where billing errors took place.

## 6. Thought of the Month:

Designing. -Vitruvian Triad: Firmitas, Utilitas, Venustas: Durability, Usability, Beauty <https://moss-design.com/vitruvius/> -Components of Venustus: <https://www.cnu.org/publicsquare/2025/02/24/six-point->

visual-check-better-downtown. Articulated architectural approach of Romans.

Mary Repar questioned when the Planning Commission would hold an affordable housing discussion. She recommended a Community Roots presentation. **Vice-Chair Zettler and Commissioner Hales** noted the issue has been a long time topic. It was suggested without some form of subsidization it is unlikely the housing market will support affordable housing developments. Mary encouraged Commissioners to look at Clark County's programs.

#### **E. Adjournment**

**Vice-Chair Zettler** declared the meeting adjourned at 6:48 following a motion by **Commissioner Keese**, seconded by **Commissioner Lawson**.



Ben Shumaker <ben@ci.stevenson.wa.us>

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## PLANNING COMMISSION

---

staci patton <yayabear3@gmail.com>

Mon, Mar 10, 2025 at 10:18 AM

To: Ben Shumaker <ben@ci.stevenson.wa.us>, Scott Anderson <scott.anderson@ci.stevenson.wa.us>, Dave Cox <dave.cox@ci.stevenson.wa.us>, Pat Rice <pat.rice@ci.stevenson.wa.us>, Mitch Patton <nwtsrinc@gmail.com>

Ben,

In regard to today's planning commission meeting, why is there no associated "packet" that would show who the property owners are that are proposing a rezone?

Staci

[March 2025 Planning Commission Meeting 03/10/2025 06:00 PM | Stevenson, WA](#)

### B. New Business

4. **Rezoning Recommendation:** Proposal from property owners to rezone from R2 Two-Family to R3 Multi-Family residential.



Ben Shumaker <ben@ci.stevenson.wa.us>

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## PLANNING COMMISSION

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Mon, Mar 10, 2025 at 5:32 PM

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**So nice of you to get back to me....I just checked, and saw that you put the packet on(the day of) and SHOCKER, that the property owner is Brian McKenzie(under a newly formed business name it appears).**

On Mon, Mar 10, 2025 at 10:18 AM staci patton <yayabear3@gmail.com> wrote:

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[March 2025 Planning Commission Meeting 03/10/2025 06:00 PM | Stevenson, WA](#)

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Ben Shumaker <ben@ci.stevenson.wa.us>

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## PLANNING COMMISSION

---

staci patton <yayabear3@gmail.com>

Mon, Mar 10, 2025 at 5:55 PM

To: Ben Shumaker <ben@ci.stevenson.wa.us>, Laci Miller <laci4m@gmail.com>

Cc: Scott Anderson <scott.anderson@ci.stevenson.wa.us>, Dave Cox <dave.cox@ci.stevenson.wa.us>, Pat Rice <pat.rice@ci.stevenson.wa.us>, Mitch Patton <nwtsrinc@gmail.com>

[ITEM-Attachment-001-109268cca75e4b33a4baf84db1ca9fd4.pdf](#)

" The subject property **is the only property served by Lasher Street which does not bear the requested R3 Multi Family Residential zoning designation.** There is no apparent rationale for the disparate treatment of the subject property."

Ben,

I went to the mapsifter, and it appears the Miller property directly north of of the proposed rezone....Millers property is zone R2 and is served by Lasher St. Did you send out notices to the surrounding land owners on the proposed rezone?

Staci

[TerraScan TaxSifter - SKAMANIA County Washington](#)

On Mon, Mar 10, 2025 at 5:45 PM Ben Shumaker <ben@ci.stevenson.wa.us> wrote:

Hi Staci-

Sorry I wasn't able to get back to you until now. It has been busy. I've been working backward from the more recent emails and hadn't gotten to yours yet.

The property is owned by Green Gorge Construction LLC. That is a joint venture between Brian McKenzie and Green Construction.

Tonight's Planning Commission review is not determinative. They will be making a recommendation to the City Council. The City Council, as part of their review process will take public testimony on the proposal prior to their decision.

Dave and Pat, when the City Council reviews this proposal, it will be as a quasi judicial body. As part of the hearing, we will go through appearance of fairness disclosures which ask you to disclose whether you have any financial stake in the project, whether there is anything impacting your ability to be fair and impartial in your decision-making, and whether you have had any ex parte communications from the applicant or members of the public on the issue.

This email would be an ex parte communication, and I encourage you to disclose it at the appropriate time.

After your disclosures are made, the applicant and the public can challenge decision-makers ability to act fairly on the decision. If challenges are not received, then all can continue. If challenges are received, we encourage the decision-makers to recuse themselves from the discussion and decision-making process.

Thank you,

**Ben Shumaker**

City of Stevenson

Community Development Director/Interim City Administrator

(509) 427-5970 ext. 205

---

**From:** staci patton <yayabear3@gmail.com>

**Sent:** Monday, March 10, 2025 5:32 PM

**To:** Ben Shumaker <[ben@ci.stevenson.wa.us](mailto:ben@ci.stevenson.wa.us)>; Scott Anderson <[scott.anderson@ci.stevenson.wa.us](mailto:scott.anderson@ci.stevenson.wa.us)>; Dave Cox <[dave.cox@ci.stevenson.wa.us](mailto:dave.cox@ci.stevenson.wa.us)>; Pat Rice <[pat.rice@ci.stevenson.wa.us](mailto:pat.rice@ci.stevenson.wa.us)>; Mitch Patton <[nwtsrinc@gmail.com](mailto:nwtsrinc@gmail.com)>

**Subject:** Re: PLANNING COMMISSION

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On Mon, Mar 10, 2025 at 10:18 AM staci patton <[yayabear3@gmail.com](mailto:yayabear3@gmail.com)> wrote:

**Ben,**

**In regard to today's planning commission meeting, why is there no associated "packet" that would show who the property owners are that are proposing a rezone?**

**Staci**

[March 2025 Planning Commission Meeting 03/10/2025 06:00 PM | Stevenson, WA](#)

## **B. New Business**

- 4. Rezoning Recommendation:** Proposal from property owners to rezone from R2 Two-Family to R3 Multi-Family residential.



PLANNING COMMISSION

staci patton <yayabear3@gmail.com>

To: Ben Shumaker <ben@ci.stevenson.wa.us>, Laci Miller <laci4m@gmail.com>

Cc: Scott Anderson <scott.anderson@ci.stevenson.wa.us>, Dave Cox <dave.cox@ci.stevenson.wa.us>, Pat Rice <pat.rice@ci.stevenson.wa.us>, Mitch Patton <nwtsrinc@gmail.com>

" The property is owned by Green Gorge Construction LLC. That is a joint venture between Brian McKenzie and Green Construction. "

Brian McKenzie IS Green Gorge LLC.....so for clarification, its a joint venture between himself?

Business Name: GREEN GORGE LLC		Business Type: WA LIMITED LIABILITY	
605 636 611			
Business Status: ACTIVE			
2106 AALVIK ST, N BONNEVILLE, WA, 98639, UNITED STATES		Principal Office Mailing Address: 2106 AALVIK ST, N BON	
Expiration Date: 10/31/2025			
UNITED STATES, WASHINGTON		Formation/ Registration Date: 10/25/2024	
Period of Duration: PERPETUAL			

Nature of Business: <yayabear3@gmail.com>  
REGISTERED AGENT  
New Attachment 03-10-25

Registered Agent Name: BRIAN MCKENZIE

Street Address: 2106 AALVIK ST, N BONNEVILLE, WA, 98639, UNITED STATES

Mailing Address: 2106 AALVIK ST, N BONNEVILLE, WA, 98639, UNITED STATES

" The subject property is t  
requested R3 Multi Fami  
the disparate treatment of  
  
Ben,  
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rezone....Millers property is zone R2 and is served by Lasher St. Did you send out notices to the surrounding land owners on the proposed rezone?  
Staci

TerraScan TaxSifter - SKAMANIA County Washington

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After your disclosures are made, the applicant and the public can challenge decision-makers ability to act fairly on the decision. If challenges are not received, then a decision-makers to recuse themselves from the discussion and decision-making process.

Thank you,

**Ben Shumaker**

City of Stevenson  
Community Development Director/Interim City Administrator  
(509) 427-5970 ext. 205

From: staci patton <yayabear3@gmail.com>

Sent: Monday, March 10, 2025 5:32 PM

To: Ben Shumaker <ben@ci.stevenson.wa.us>; Scott Anderson <scott.anderson@ci.stevenson.wa.us>; Dave Cox <dave.cox@ci.stevenson.wa.us>; Pat Rice <pat.rice@ci.s

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March 2025 Planning Commission Meeting 03/10/2025 06:00 PM | Stevenson, WA

**B. New Business**

4. **Rezoning Recommendation:** Proposal from property owners to rezone from R2 Two-Family to R3 Multi-Family residential.



Ben Shumaker <ben@ci.stevenson.wa.us>

---

## PLANNING COMMISSION

---

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To: Ben Shumaker <ben@ci.stevenson.wa.us>, Laci Miller <laci4m@gmail.com>

Cc: Scott Anderson <scott.anderson@ci.stevenson.wa.us>, Dave Cox <dave.cox@ci.stevenson.wa.us>, Pat Rice <pat.rice@ci.stevenson.wa.us>, Mitch Patton <nwtsrinc@gmail.com>

I am going to point out, that regardless of if Mike Greens name is signed on the request, it doesnt change the fact that the formation of "Green Gorge LLC" was formed on 10/25/12 by McKenzie as the registered agent, 3 days before the property was purchased. I do find it odd, especially since Mike Green already has a construction company....and so does Mc



On Mon, Mar 10, 2025 at 6:14 PM staci patton <yayabear3@gmail.com> wrote:

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March 2025 Planning Commission Meeting 03/10/2025 06:00 PM | Stevenson, WA

## **B. New Business**

**4. Rezoning Recommendation:** Proposal from property owners to rezone from R2 Two-Family to R3 Multi-Family residential.



Ben Shumaker <ben@ci.stevenson.wa.us>

---

## PLANNING COMMISSION

---

staci patton <yayabear3@gmail.com>

Mon, Mar 10, 2025 at 8:41 PM

To: Dave Cox <dave.cox@ci.stevenson.wa.us>

Cc: Ben Shumaker <ben@ci.stevenson.wa.us>, Scott Anderson <scott.anderson@ci.stevenson.wa.us>, Pat Rice <pat.rice@ci.stevenson.wa.us>, Mitch Patton <nwtsrinc@gmail.com>, Chuck Oldfield <chuck.oldfield@ci.stevenson.wa.us>, Michael D Johnson <michael.d.johnson@ci.stevenson.wa.us>, Lucy Lauser <lucy.lauser@ci.stevenson.wa.us>, Tiffany Andersen <tiffany@ci.stevenson.wa.us>, Robert C Muth <rmuth@kilmerlaw.com>

**Literally PUBLIC INFORMATION already out there Ben....I fixed the issue and cc'ed in ALL of the council members as well as the city attorney. I also attached a document I found on the auditor files from around the time that Robert was a council member and Brian McKenzie called him and told him to "pull the deal"(or something to that effect). Did Robert disclose this to the council at that time? By appearance, they were doing business together.**

On Mon, Mar 10, 2025 at 7:53 PM Dave Cox <dave.cox@ci.stevenson.wa.us> wrote:

And that is a result of being copied on the email Staci sent, although I have made no comment whatsoever??

Dave Cox  
Councilman, Position #5  
Stevenson City Council  
360-513-5291

On Mon, Mar 10, 2025 at 17:45 Ben Shumaker <ben@ci.stevenson.wa.us> wrote:

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[March 2025 Planning Commission Meeting 03/10/2025 06:00 PM | Stevenson, WA](#)

## **B. New Business**

- 4. Rezoning Recommendation:** Proposal from property owners to rezone from R2 Two-Family to R3 Multi-Family residential.

---

 **2021-002195(MCKENZIE BLA).pdf**  
168K

Request of: BRIAN MCKENZIE



When recorded return to:  
Robert C. Muth  
76 NW Freedom Court  
Stevenson, Washington 98648

Skamania County  
Real Estate Excise Tax  
35465  
JUN 22 2021

PAID EXEMPT  
Skamania County Treasurer  
*Quincy Adams Deputy*

**QUIT CLAIM DEED  
BOUNDARY LINE ADJUSTMENT**

~~Doug McKenzie and Marlea McKenzie, husband and wife~~, herein the GRANTOR,  
conveys and quit claims to ~~Doug McKenzie and Marlea McKenzie, husband and wife~~, herein  
the GRANTEE, any and all interest in the following described real property, situated in the  
County of Skamania, State of Washington together with all after acquired title of the grantor(s)  
herein: \* Trustees of the McKenzie Family Trust DM

See Exhibit A – Legal Description

Tax Parcel No.: 02072010050500

This boundary line adjustment does not constitute a segregation of real property; but rather an  
adjustment of boundary lines.

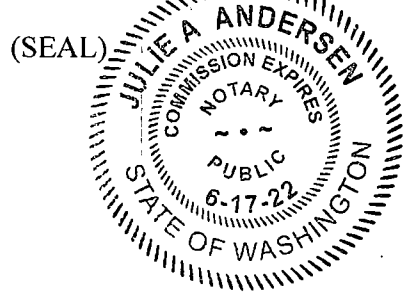
6/22/21  
Date

*[Signature]*  
Doug McKenzie

STATE OF WASHINGTON )  
: ss.  
County of Skamania )

On this 22 day of June, 2021, I certify I know or have satisfactory evidence Doug  
McKenzie is the person who appeared before me, and said person acknowledged he signed this  
instrument and acknowledged it to be his free and voluntary act for the uses and purposes  
mentioned in the instrument.

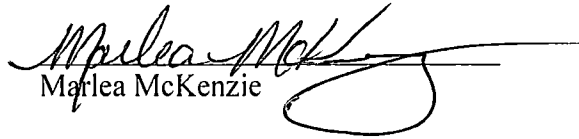
GIVEN under my hand and official seal the day and year first written above.



*[Signature]*  
Notary Public for Skamania  
My commission expires: June 17, 2022



6/22/21  
Date

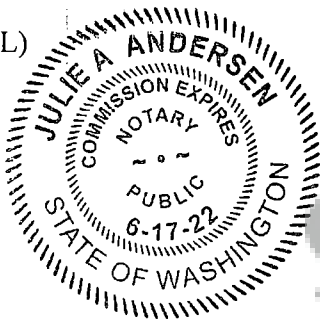
  
Marlea McKenzie


STATE OF WASHINGTON )  
: ss.  
County of Skamania )

On this 22 day of June, 2021, I certify I know or have satisfactory evidence Marlea McKenzie is the person who appeared before me, and said person acknowledged he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

GIVEN under my hand and official seal the day and year first written above.

(SEAL)



  
Notary Public for Skamania  
My commission expires: June 17, 2022

UNOFFICIAL COPY

ADJUSTED 02072010050500

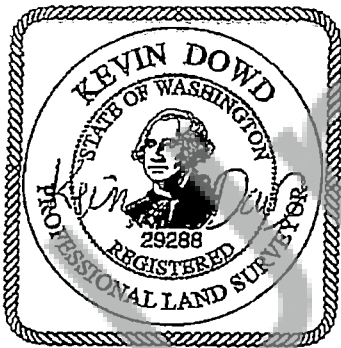
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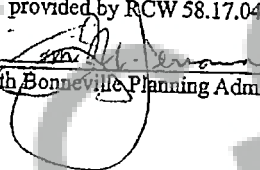
Skamania County Assessor

Date 6/2/21 Parcel# 2-7-20-1-505



JUNE 5, 2021

This boundary line adjustment is exempt from City and State platting regulations as provided by RCW 58.17.040(6)

  
North Bonneville Planning Administrator



Ben Shumaker <ben@ci.stevenson.wa.us>

## PLANNING COMMISSION

staci patton <yayabear3@gmail.com>

Mon, Mar 10, 2025 at 9:29 PM

To: Dave Cox <dave.cox@ci.stevenson.wa.us>

Cc: Ben Shumaker <ben@ci.stevenson.wa.us>, Scott Anderson <scott.anderson@ci.stevenson.wa.us>, Pat Rice <pat.rice@ci.stevenson.wa.us>, Mitch Patton <nwtsrinc@gmail.com>, Chuck Oldfield <chuck.oldfield@ci.stevenson.wa.us>, Michael D Johnson <michael.d.johnson@ci.stevenson.wa.us>, Lucy Lauser <lucy.lauser@ci.stevenson.wa.us>, Tiffany Andersen <tiffany@ci.stevenson.wa.us>, Robert C Muth <rmuth@kilmerlaw.com>

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Councilman, Position #5  
Stevenson City Council  
360-513-5291

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City of Stevenson  
Community Development Director/Interim City Administrator  
(509) 427-5970 ext. 205

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**Subject:** Re: PLANNING COMMISSION

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[March 2025 Planning Commission Meeting 03/10/2025 06:00 PM | Stevenson, WA](#)

## **B. New Business**

- 4. Rezoning Recommendation:** Proposal from property owners to rezone from R2 Two-Family to R3 Multi-Family residential.



2021-002195(MCKENZIE BLA) (1).pdf

168K



Request of: BRIAN MCKENZIE



When recorded return to:  
Robert C. Muth  
76 NW Freedom Court  
Stevenson, Washington 98648

Skamania County  
Real Estate Excise Tax  
35465  
JUN 22 2021

PAID EXEMPT  
Skamania County Treasurer  
*Quincy Adams Deputy*

**QUIT CLAIM DEED  
BOUNDARY LINE ADJUSTMENT**

~~Doug McKenzie and Marlea McKenzie, husband and wife~~, herein the GRANTOR,  
conveys and quit claims to ~~Doug McKenzie and Marlea McKenzie, husband and wife~~, herein  
the GRANTEE, any and all interest in the following described real property, situated in the  
County of Skamania, State of Washington together with all after acquired title of the grantor(s)  
herein: \* Trustees of the McKenzie Family Trust DM

See Exhibit A – Legal Description

Tax Parcel No.: 02072010050500

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adjustment of boundary lines.

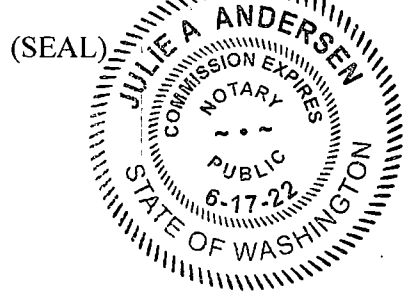
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*[Signature]*  
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ADJUSTED 02072010050500

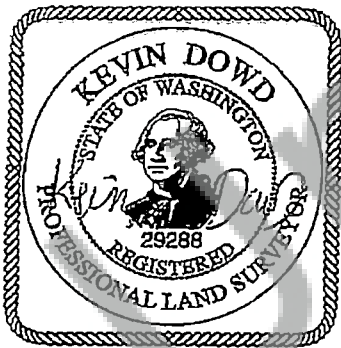
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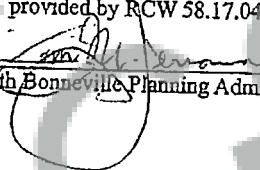
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Date 6/05/21 Parcel# 2-7-20-1-505



JUNE 5, 2021

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North Bonneville Planning Administrator



Ben Shumaker <ben@ci.stevenson.wa.us>

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## PLANNING COMMISSION

---

staci patton <yayabear3@gmail.com>

Tue, Mar 11, 2025 at 1:28 PM

To: Ben Shumaker <ben@ci.stevenson.wa.us>

Cc: Dave Cox <dave.cox@ci.stevenson.wa.us>, Scott Anderson <scott.anderson@ci.stevenson.wa.us>, Pat Rice <pat.rice@ci.stevenson.wa.us>, Mitch Patton <nwtsrinc@gmail.com>, Chuck Oldfield <chuck.oldfield@ci.stevenson.wa.us>, Michael D Johnson <michael.d.johnson@ci.stevenson.wa.us>, Lucy Lauser <lucy.lauser@ci.stevenson.wa.us>, Tiffany Andersen <tiffany@ci.stevenson.wa.us>, Robert C Muth <rmuth@kilmerlaw.com>

I'm ignoring your last email, and I can cc in whoever I want. Councilmembers also cannot control who cc's them in, only if they respond/engage. Just think, if you would have actually provided the associated meeting packet at the same time as the agenda that did NOT name the applicant, I would have had no need to reach out to you. It really makes no sense as to why you wouldnt have posted both at the same time. You are also the same guy that directed staff to destroy public records so I dont put much stock in what expertise you claim to have....Robert uses MRSC, so theres that.

On a side note, I just came from the County Commissioners meeting. During the break, there was idle chit chat among the group, including Leana. She asked about your appointment to MCCED(?) and it was implied that maybe they(the county) doesnt hear from the City these days. Leana implied she would reach out to you to make sure they got a response. Maybe if you spent less time trying to "get pat,dave,the pattons...anyone who questions your competency,which the numbers are growing", and more time doing your job, you wouldnt be the subject of conversation.

In regard to the below sentence, from here on out I will cc in ALL of the councilmembers, which as a citizen, I have the legal right to do.

**"Yes, the communication directly to you provides you with information that is not otherwise available on the public record. Disclosure on the record provides applicants and the public with the same information.**  
"

On Tue, Mar 11, 2025 at 9:09 AM Ben Shumaker <ben@ci.stevenson.wa.us> wrote:

Hi Dave-

Yes, the communication directly to you provides you with information that is not otherwise available on the public record. Disclosure on the record provides applicants and the public with the same information. I've sent a separate set of links to help you address this.

That information is related to your obligations to the public. You have less formal obligations to your constituents/individuals initiating *ex parte* communications. General guidance for you would be to thank the individual for the information, explain your constraints and encourage their written or verbal testimony in the open-record hearing. They have a voice, and they should use it. Applicable laws just create a framework for the time and place when that voice should be heard.

Thank you,

**Ben Shumaker**

City of Stevenson

Community Development Director/Interim City Administrator

(509) 427-5970 ext. 205

---

**From:** Dave Cox <dave.cox@ci.stevenson.wa.us>

**Sent:** Monday, March 10, 2025 7:53 PM

**To:** Ben Shumaker <ben@ci.stevenson.wa.us>

**Cc:** staci patton <yayabear3@gmail.com>; Scott Anderson <scott.anderson@ci.stevenson.wa.us>; Pat Rice

<pat.rice@ci.stevenson.wa.us>; Mitch Patton <nwtsrinc@gmail.com>

**Subject:** Re: PLANNING COMMISSION

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Councilman, Position #5  
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## **B. New Business**

- 4. Rezoning Recommendation:** Proposal from property owners to rezone from R2 Two-Family to R3 Multi-Family residential.



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## PLANNING COMMISSION

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**Here ya go Ben.....Im going to pull a play out of Mitchs playbook(husband/wife thing...you probably wont understand it)....As Mitch tells me all the time "you tell me what to do,Im going to do the EXACT OPPOSITE!!!!".....legally, you cannot tell me what to do. You can encourage the council members not to respond, but that's about it. None of the rest of your below blither applies because I will not be commenting on the proposal,because I could care less....once again, if you had not withheld the associated meeting packet, I wouldnt have had the need to reach out. The property that McKenzie purchased, was previously in litigation(over access issues I believe), and the Millers successfully won in court. And lastly, On the document I sent you on the BLA that Muth did for Doug and Marlea,it has Brian McKenzies name on there...remember, Brian called Muth during a meeting, asking him to pull a deal....**

On Tue, Mar 11, 2025 at 9:38 AM Ben Shumaker <ben@ci.stevenson.wa.us> wrote:

Good morning, Staci-

I've excluded the City Council members from this response because it is easier for them to do their duty without being involved in ex parte communications which could disqualify them or create the impression that they are making back-room decisions outside of open record hearings. I'll ask you to please refrain from adding them back in. Instead, please collect all the comments you have on this application and submit a single written comment to be reviewed during the hearing and/or provide verbal testimony at the hearing. The date of which is TBD, so you should have time to prepare for it.

To help you do so, here are some answers or return questions related to your emails.

- Cantrell-Miller property. Lasher Street dead-ends along the subject property boundaries. The Cantrell-Miller property is on Viewpoint Drive. Where are you seeing that it is served by Lasher?
- Gorge Green Construction. You apparently have more information about the business arrangement between Mike Green and Brian McKenzie than the City had before. Ultimately, for me in processing and reviewing the application, I do not need to know any details about that business relationship. In fact, the only detail I need to know about the individual proposing a rezone is a) that they own the property, and b) their contact information to send procedural updates. It appears you have a concern that the Council base their decision on the individual requesting the change and not on the community's interests. I don't share that concern. I trust the Council members to act fairly and impartially in their decisions and provide them guidance to help them do so.
- Doug and Marlea McKenzie. What conclusion are you wanting me to draw from Robert Muth's representation of Doug and Marlea McKenzie?
- Robert Muth. The City Attorney's input has not been sought for this request. Robert was not involved in the meeting last night.

- Notices. The process to review rezoning proposals involves a decision by the City Council. That decision involves a recommendation by the Planning Commission and a consideration of public testimony on the request. The public hearing to provide that testimony has not yet been scheduled. When it is, public notice will occur consistent with SMC 17.12.060: [https://library.municode.com/wa/stevenson/codes/code\\_of\\_ordinances?nodeId=TIT17ZO\\_CH17.12ADME\\_17.12.060PUHEROEE](https://library.municode.com/wa/stevenson/codes/code_of_ordinances?nodeId=TIT17ZO_CH17.12ADME_17.12.060PUHEROEE) Additionally, the City will conduct an analysis under the State Environmental Policy Act and publish notice of its determination and the comment period that could lead to reconsideration of the determination. These processes are still playing out.

Please let me know if there is anything else that I can do to help you provide comments on this application.

Thank you,

**Ben Shumaker**

City of Stevenson  
Community Development Director/Interim City Administrator  
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Tue, Mar 11, 2025 at 3:15 PM

To: Ben Shumaker <ben@ci.stevenson.wa.us>

Cc: Scott Anderson <scott.anderson@ci.stevenson.wa.us>, Mitch Patton <nwtsrinc@gmail.com>, Tiffany Andersen <tiffany@ci.stevenson.wa.us>, Robert C Muth <rmuth@kilmerlaw.com>, Chuck Oldfield <chuck.oldfield@ci.stevenson.wa.us>, Dave Cox <dave.cox@ci.stevenson.wa.us>, Lucy Lauser <lucy.lauser@ci.stevenson.wa.us>, Michael D Johnson <michael.d.johnson@ci.stevenson.wa.us>, Pat Rice <pat.rice@ci.stevenson.wa.us>, Eric Hood <ericfence@yahoo.com>, Arthur West <awestaa@gmail.com>, Laci Miller <laci4m@gmail.com>

Ben,

**Via the Skamania County Auditor files, here is what I was talking about in regard to the judgement in favor of the Millers and their access easement off of Lasher St. These are public records available to anyone.**

Staci

On Tue, Mar 11, 2025 at 1:41 PM staci patton <yayabear3@gmail.com> wrote:

**Here ya go Ben.....Im going to pull a play out of Mitchs playbook(husband/wife thing...you probably wont understand it)....As Mitch tells me all the time "you tell me what to do,Im going to do the EXACT OPPOSITE!!!!".....legally, you cannot tell me what to do. You can encourage the council members not to respond, but that's about it. None of the rest of your below blither applies because I will not be commenting on the proposal,because I could care less....once again, if you had not withheld the associated meeting packet, I wouldnt have had the need to reach out. The property that McKenzie purchased, was previously in litigation(over access issues I believe), and the Millers successfully won in court. And lastly, On the document I sent you on the BLA that Muth did for Doug and Marlea,it has Brian McKenzies name on there...remember, Brian called Muth during a meeting, asking him to pull a deal....**

On Tue, Mar 11, 2025 at 9:38 AM Ben Shumaker <ben@ci.stevenson.wa.us> wrote:

Good morning, Staci-

I've excluded the City Council members from this response because it is easier for them to do their duty without being involved in ex parte communications which could disqualify them or create the impression that they are making back-room decisions outside of open record hearings. I'll ask you to please refrain from adding them back in. Instead, please collect all the comments you have on this application and submit a single written comment to be reviewed during the hearing and/or provide verbal testimony at the hearing. The date of which is TBD, so you should have time to prepare for it. To help you do so, here are some answers or return questions related to your emails.

- Cantrell-Miller property. Lasher Street dead-ends along the subject property boundaries. The Cantrell-Miller property is on Viewpoint Drive. Where are you seeing that it is served by Lasher?
- Gorge Green Construction. You apparently have more information about the business arrangement between Mike Green and Brian McKenzie than the City had before. Ultimately, for me in processing and reviewing the application, I do not need to know any details about that business relationship. In fact, the only detail I need to know about the individual proposing a rezone is a) that they own the property, and b) their contact information to send procedural updates. It appears you have a concern that the Council base their decision on the individual requesting the change and not on the community's interests. I don't share that concern. I trust the Council members to act fairly and impartially in their decisions and provide them guidance to help them do so.
- Doug and Marlea McKenzie. What conclusion are you wanting me to draw from Robert Muth's representation of Doug and Marlea McKenzie?



- Robert Muth. The City Attorney's input has not been sought for this request. Robert was not involved in the meeting last night.
- Notices. The process to review rezoning proposals involves a decision by the City Council. That decision involves a recommendation by the Planning Commission and a consideration of public testimony on the request. The public hearing to provide that testimony has not yet been scheduled. When it is, public notice will occur consistent with SMC 17.12.060: [https://library.municode.com/wa/stevenson/codes/code\\_of\\_ordinances?nodeId=TIT17ZO\\_CH17.12ADME\\_17.12.060PUHEROEE](https://library.municode.com/wa/stevenson/codes/code_of_ordinances?nodeId=TIT17ZO_CH17.12ADME_17.12.060PUHEROEE) Additionally, the City will conduct an analysis under the State Environmental Policy Act and publish notice of its determination and the comment period that could lead to reconsideration of the determination. These processes are still playing out.

Please let me know if there is anything else that I can do to help you provide comments on this application.

Thank you,

**Ben Shumaker**

City of Stevenson  
Community Development Director/Interim City Administrator  
(509) 427-5970 ext. 205

---

**From:** staci patton <[yayabear3@gmail.com](mailto:yayabear3@gmail.com)>

**Sent:** Monday, March 10, 2025 9:29 PM

**To:** Dave Cox <[dave.cox@ci.stevenson.wa.us](mailto:dave.cox@ci.stevenson.wa.us)>

**Cc:** Ben Shumaker <[ben@ci.stevenson.wa.us](mailto:ben@ci.stevenson.wa.us)>; Scott Anderson <[scott.anderson@ci.stevenson.wa.us](mailto:scott.anderson@ci.stevenson.wa.us)>; Pat Rice <[pat.rice@ci.stevenson.wa.us](mailto:pat.rice@ci.stevenson.wa.us)>; Mitch Patton <[nwtsrinc@gmail.com](mailto:nwtsrinc@gmail.com)>; Chuck Oldfield <[chuck.oldfield@ci.stevenson.wa.us](mailto:chuck.oldfield@ci.stevenson.wa.us)>; Michael D Johnson <[michael.d.johnson@ci.stevenson.wa.us](mailto:michael.d.johnson@ci.stevenson.wa.us)>; Lucy Lauser <[lucy.lauser@ci.stevenson.wa.us](mailto:lucy.lauser@ci.stevenson.wa.us)>; Tiffany Andersen <[tiffany@ci.stevenson.wa.us](mailto:tiffany@ci.stevenson.wa.us)>; Robert C Muth <[rmuth@kilmerlaw.com](mailto:rmuth@kilmerlaw.com)>

**Subject:** Re: PLANNING COMMISSION

**Was Robert at the planning commission meeting tonight? Did he disclose to the planning commissioners any conflicts(since he's the city's legal advisor AND had clearly done legal work for Brian McKenzie)? Or did he recuse himself from giving legal advice?**

On Mon, Mar 10, 2025 at 8:41 PM staci patton <[yayabear3@gmail.com](mailto:yayabear3@gmail.com)> wrote:

**Literally PUBLIC INFORMATION already out there Ben....I fixed the issue and cc'ed in ALL of the council members as well as the city attorney. I also attached a document I found on the auditor files from around the time that Robert was a council member and Brian McKenzie called him and told him to "pull the deal"(or something to that effect). Did Robert disclose this to the council at that time? By appearance, they were doing business together.**

On Mon, Mar 10, 2025 at 7:53 PM Dave Cox <[dave.cox@ci.stevenson.wa.us](mailto:dave.cox@ci.stevenson.wa.us)> wrote:

And that is a result of being copied on the email Staci sent, although I have made no comment whatsoever??

Dave Cox  
Councilman, Position #5  
Stevenson City Council  
360-513-5291

On Mon, Mar 10, 2025 at 17:45 Ben Shumaker <[ben@ci.stevenson.wa.us](mailto:ben@ci.stevenson.wa.us)> wrote:

Hi Staci-

Sorry I wasn't able to get back to you until now. It has been busy. I've been working backward from the more recent emails and hadn't gotten to yours yet.

The property is owned by Green Gorge Construction LLC. That is a joint venture between Brian McKenzie and Green Construction.

Tonight's Planning Commission review is not determinative. They will be making a recommendation to the City Council. The City Council, as part of their review process will take public testimony on the proposal prior to their decision.

Dave and Pat, when the City Council reviews this proposal, it will be as a quasi judicial body. As part of the hearing, we will go through appearance of fairness disclosures which ask you to disclose whether you have any financial stake in the project, whether there is anything impacting your ability to be fair and impartial in your decision-making, and whether you have had any ex parte communications from the applicant or members of the public on the issue.

This email would be an ex parte communication, and I encourage you to disclose it at the appropriate time.

After your disclosures are made, the applicant and the public can challenge decision-makers ability to act fairly on the decision. If challenges are not received, then all can continue. If challenges are received, we encourage the decision-makers to recuse themselves from the discussion and decision-making process.

Thank you,

**Ben Shumaker**

City of Stevenson

Community Development Director/Interim City Administrator

(509) 427-5970 ext. 205

---

**From:** staci patton <yayabear3@gmail.com>

**Sent:** Monday, March 10, 2025 5:32 PM

**To:** Ben Shumaker <ben@ci.stevenson.wa.us>; Scott Anderson <scott.anderson@ci.stevenson.wa.us>; Dave Cox <dave.cox@ci.stevenson.wa.us>; Pat Rice <pat.rice@ci.stevenson.wa.us>; Mitch Patton <nwtsrinc@gmail.com>

**Subject:** Re: PLANNING COMMISSION

**So nice of you to get back to me....I just checked, and saw that you put the packet on(the day of) and SHOCKER, that the property owner is Brian McKenzie(under a newly formed business name it appears).**

On Mon, Mar 10, 2025 at 10:18 AM staci patton <yayabear3@gmail.com> wrote:

**Ben,**

**In regard to today's planning commission meeting, why is there no associated "packet" that would show who the property owners are that are proposing a rezone?**

**Staci**

[March 2025 Planning Commission Meeting 03/10/2025 06:00 PM | Stevenson, WA](#)

[B. New Business](#)

**4.Rezoning Recommendation:** Proposal from property owners to rezone from R2 Two-Family to R3 Multi-Family residential.



**WHEN RECORDED RETURN TO:**  
Praedium Law Group, PLLC  
1111 Main Street, Suite 416  
Vancouver, WA 98660

Please print or type information **Washington State Recorder's Cover Sheet** (RCW 65.04)

**DOCUMENT TITLE(S)** (or transaction contained therein) (all areas applicable to your document must be filled in)

Final Judgment

**REFERENCE NUMBER(S)** of Documents assigned or released:

Additional numbers on page \_\_\_\_ of document.

**GRANTOR(S):**

1. Bruce A. & Linda K. Isaacson, 2. Harold O. & Mary B. Pidgeon,  
husband and wife husband and wife

Additional names on page \_\_\_\_ of document.

**GRANTEE(S):**

1. Lisa Cantrell-Miller 2. \_\_\_\_\_  
3. \_\_\_\_\_ 4. \_\_\_\_\_

Additional names on page \_\_\_\_ of document.

**LEGAL DESCRIPTION** (Abbreviated: i.e. Lot, Block, Plat or Section, Township, Range, Quarter):

See attached Exhibit A-B

Complete legal on page \_\_\_\_ of document.

**Assessor's Property Tax Parcel #**

03073643180000 and 03073643150000

Additional parcel numbers on page \_\_\_\_ of document.

The Auditor/Recorder will rely on the information provided on this form. The staff will not read the document to verify the accuracy or completeness of the indexing information.

**"I am signing below and paying an additional \$50.00 recording fee (as provided in RCW 36.18.010 and referred to as an emergency nonstandard document), because this document does not meet margin and formatting requirements. Furthermore, I herby understand that the recording process may cover up or otherwise obscure some part of the text of the original document as a result of this request."**

\_\_\_\_\_  
**Signature of Requesting Party**

Note to Submitter: Do NOT sign above nor pay additional \$50 fee if the document meets margin/formatting requirements.

SKAMANIA COUNTY  
FILED

MAR - 6 2024

GRACE D CROSS  
SUPERIOR COURT CLERK

IN THE SUPERIOR COURT OF WASHINGTON FOR SKAMANIA COUNTY

LISA CANTRELL-MILLER,

No 22-2-00082-30

Plaintiffs,

vs

FINAL JUDGMENT

BRUCE A & LINDA K ISAACSON,  
husband and wife, and HAROLD O &  
MARY B PIDGEON, husband and wife,

Defendants

JUDGMENT SUMMARY

Plaintiff's Parcel	03073643150000
Defendants' Parcel	03073643180000
Plaintiff's Abbreviated Legal Description	Lot 7 of Meaghers Addn to Stevenson, Book "A," Pg 120
Other Reference No(s)	AFN 2012181865, AFN 2015001943
Plaintiff/Judgment Creditor	Lisa Cantrell-Miller
Judgment Creditors' Attorney	Rachel J Goldfarb L Michael Coel Praedium Law Group, PLLC 1111 Main St, Suite 416 Vancouver, WA 98660
Defendant/Judgment Debtors	Bruce A & Linda K Isaacson, Mary B & Harold O Pidgeon
Fees and Costs Awarded (Total Judgment)	\$30,683 16
Post-Judgment Interest	12% per annum

FINAL JUDGMENT- 1  
P32 Final Judgment

PRAEDIUM LAW GROUP PLLC  
1111 Main Street Suite 416  
Vancouver WA 98660  
(360) 583 3381

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**FINAL JUDGMENT**

THIS MATTER came before the Court on December 5, 2023 for a hearing on Plaintiff's Motion for Summary Judgment. The parties were represented by their respective counsel of record. The Court issued its written Ruling on January 2, 2024, summarily granting Plaintiff's Motion *in toto*. Based on the Court's Ruling and subsequent Order, and the Court's Order Granting Plaintiff's Motion for Costs and Reasonable Attorneys' Fees, the Court hereby enters its Final Judgment

1 Judgment is hereby entered against Defendants and in favor of Plaintiff

2 Title to the Disputed Area is quieted in Plaintiff, as legally described and depicted  
3 in Exhibit A

4 Plaintiff has a prescriptive easement on, over, and through the Driveway, described  
5 and depicted in Exhibit B

6 Pursuant to RCW 7.28.083(3), Plaintiff shall be entitled to recover her reasonable  
7 expenses incurred in prosecuting and prevailing in this action in the amount of  
8 \$29,370.00 in reasonable attorneys' fees and \$1,313.16 in costs for a total award of  
9 \$30,683.16

10 Pursuant to CR 70, this Final Judgment shall be recorded against the land to reflect  
11 Plaintiff's ownership of the Disputed Area and prescriptive easement on, over, and  
12 through the Driveway

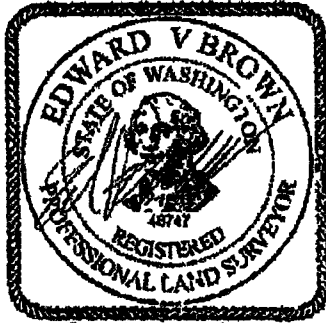
13 DATED March 6, 2024

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HONORABLE JEFFREY J BAKER



**BROWN**  
SURVEYING PLLC



February 14, 2024

**EXHIBIT "A"**

**AREA BEING TRANSFERRED TO PARCEL 03073643150000 (0.2908 ACRES)**

A portion of the Southeast quarter of the Southwest quarter of Section 36, Township 3 North, Range 7 East, Willamette Meridian, Skamania County, Washington, described as follows

Beginning at the Southeast corner of lot 7 of Meaghers Addition to Stevenson, as shown in Volume "A" of Plats, page 120, records of said county, said point being marked by a 5/8" rebar and yellow plastic cap as shown in record of survey Auditor's file number 2022000368 records of said county, said point also being the Northeast corner of that tract of land conveyed to Bruce A. Isaacson et ux, as described in Auditor's file number 2015001943 records of said county,

Thence South 02° 56' 39" East, along the East line of said "Isaacson parcel" 54.00 feet,

Thence leaving said East line, South 72° 16' 30" West, 57.00 feet.

Thence North 86° 29' 07" West, 97.74 feet to the West line of said "Isaacson parcel",

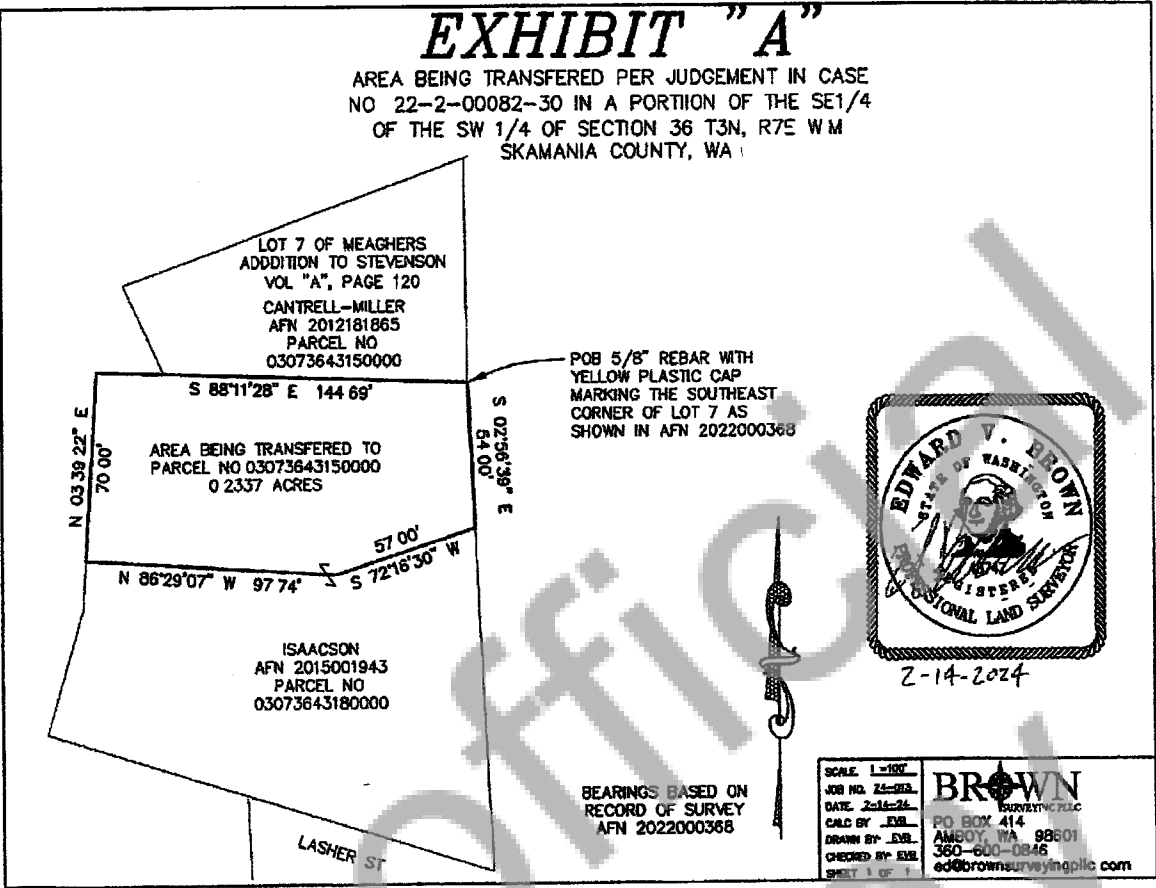
Thence along said West line, North 03° 39' 22" East, 70.00 feet to the Northwest corner of said "Isaacson parcel"

Thence South 88° 11' 28" East 144.69 feet to the point of beginning,

**TOGETHER WITH and SUBJECT TO easements and restrictions of record**

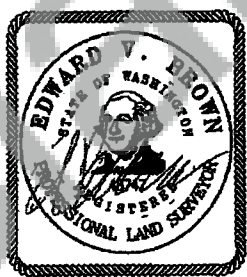
# EXHIBIT "A"

AREA BEING TRANSFERED PER JUDGEMENT IN CASE  
NO 22-2-00082-30 IN A PORTION OF THE SE1/4  
OF THE SW 1/4 OF SECTION 36 T3N, R7E W M  
SKAMANIA COUNTY, WA



FINAL JUDGMENT-4  
p32 Final Judgment

PROFESSIONAL LAW GROUP PLLC  
11710 1st Street, Suite 418  
Vancouver, WA 98660  
(360) 583-3881



2-14-2024

SCALE 1"=100'  
JOB NO. 22-082  
DATE 2-14-24  
CALC BY E.V.B.  
DRAWN BY E.V.B.  
CHECKED BY E.V.B.  
SHEET 1 OF 1

**BROWN**  
SURVEYING PLLC  
PO BOX 414  
AMBOY, WA 98601  
360-600-0846  
ed@brownsurveyingpllc.com

UNOFFICIAL COPY

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**Exhibit B**

Access Easement on, over, and through a C-shaped dirt and gravel roadway located, in relevant part, along the western portion of Defendants' Parcel (PIN 03073643180000), identified as "Lasher St" in the following demonstrative and providing access from Plaintiff's Parcel to NW Viewpoint Road (to the north-northeast) and Lasher Street (to the south-southeast)



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**DECLARATION OF SERVICE**

I hereby declare under the penalty of perjury under the laws of the State of Washington that on March 5, 2024, I caused a true and correct copy of the foregoing **FINAL JUDGMENT** to be served upon the following counsel by email, addressed as follows

Peter S Banks  
Attorney at Law  
131 View Drive  
Stevenson, WA 98648  
Banks@gorge.net  
*Attorney for Defendants*

/s/ Mike Coel  
L Michael Coel  
Executed at Vancouver, WA

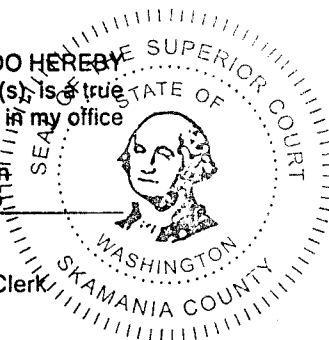
Unofficial Copy

State of Washington  
County of Skamania  
County Clerk of the Superior Court of Skamania County, DO HEREBY  
CERTIFY that this instrument, consisting of 6 page(s) is a true  
and correct copy of the original now on file and of record in my office  
and as County Clerk, I am the legal custodian thereof.

Signed and sealed at Stevenson, Washington  
this date 4/25/24 **GRACE D. CROSS**

Skamania County Clerk

By Rad D. Dish Deputy Clerk





**CITY OF STEVENSON  
RESOLUTION NO. 2025-\_\_\_\_\_**

**A RESOLUTION OF THE CITY OF STEVENSON AMENDING THE CITY OF  
STEVENSON ZONING MAP BY REZONING ~0.52 ACRES OF LAND FROM R2 TWO-  
FAMILY RESIDENTIAL TO R3 MULTI-FAMILY RESIDENTIAL**

**WHEREAS**, the State of Washington via RCW 35.63A.100(2) enables code city adoption of a zoning ordinance dividing the municipality into zones within which specific standards may be adopted; and

**WHEREAS**, the City of Stevenson first adopted a zoning ordinance and zoning map in 1975 with the last zoning ordinance amendment occurring in 2024 and the last zoning map amendment occurring in 2016; and

**WHEREAS**, the process and criteria for amending the City’s zoning ordinance appear in SMC 17.50, adopted in 1994; and

**WHEREAS**, the City of Stevenson received a complete application requesting to amend the City of Stevenson Zoning Map was submitted by Green Gorge LLC and assigned tracking number ZON2024-02; and

**WHEREAS**, the request has been reviewed by the City of Stevenson Planning Commission which recommended approval of the request and by the City Council after holding a public hearing on the request consistent with RCW 35A.63.100 and SMC 17.50;

**WHEREAS**, the requested amendment implements the Stevenson Comprehensive Plan Objectives 2.7, 2.12, 2.14, 3.1, and 3.2 and is consistent with the Future Land Use Map; and

**WHEREAS**, the property where the amendment is requested is surrounded on 3 sides by the same zoning and is the only property abutting its street which does not currently bear the requested zoning designation;

**AND WHEREAS**, amending the City of Stevenson Zoning Map is in the interest of the public health, safety, and welfare of the Stevenson community.

**NOW, THEREFORE**, the City Council of the City of Stevenson, Washington, does hereby resolve as follows:

1. The property owned by Green Gorge, LLC (Tax Lot # 03-07-36-4-3-1800-00) shall hereby bear the zoning designation of R3 Multi-Family Residential.
2. The City of Stevenson Zoning Map shall be amended to effectuate Section 1 as presented in reduced form in Exhibit A.

APPROVED AND PASSED by the City Council of the City of Stevenson, Washington at its regular meeting this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

ATTEST:

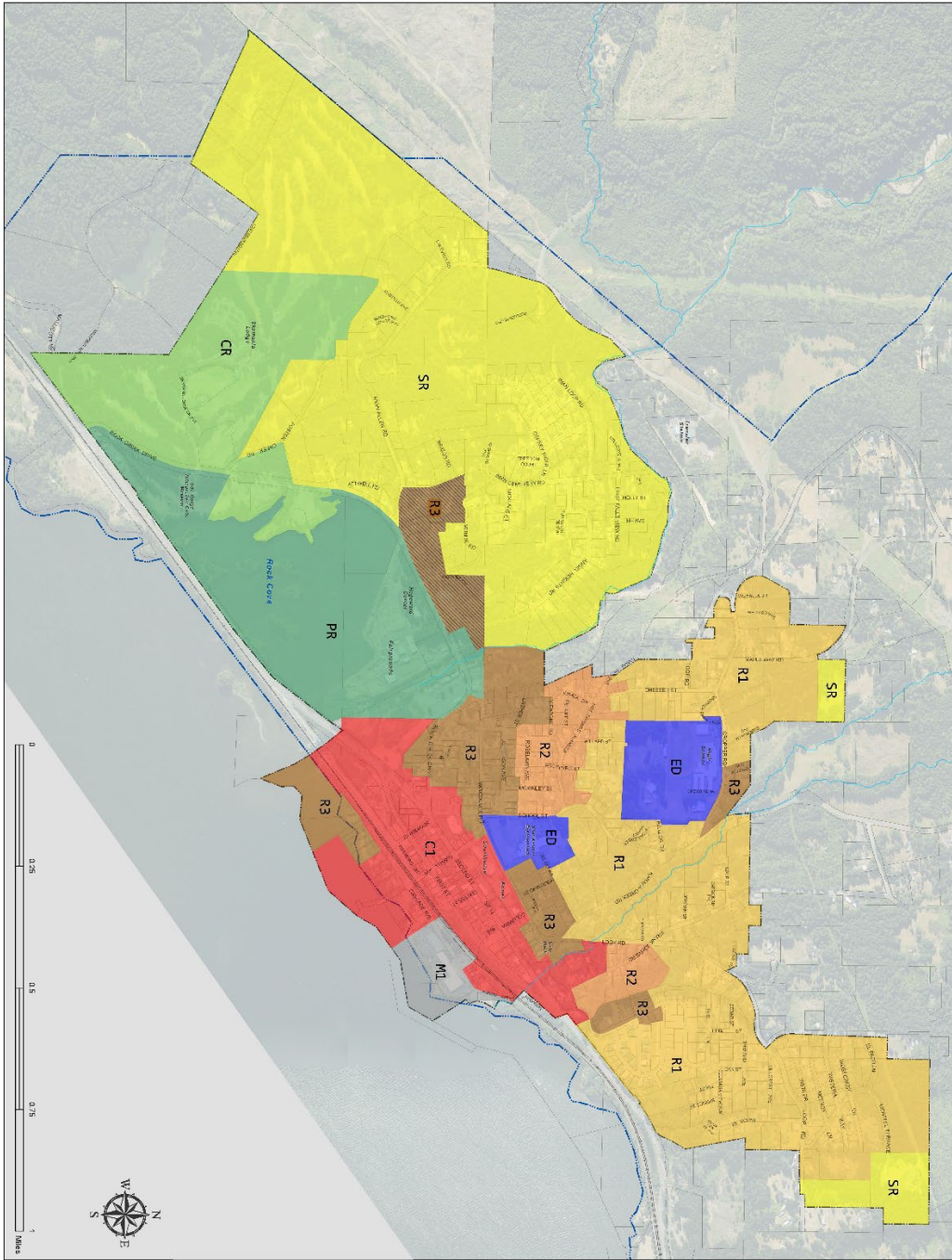
\_\_\_\_\_  
Scott Anderson, Mayor

\_\_\_\_\_  
Ben Shumaker, Acting Clerk

APPROVED AS TO FORM

\_\_\_\_\_  
City Attorney

Exhibit A – Map



**Zoning Map**  
**City of Stevenson**

- Commercial (C1)
- Education District (ED)
- Commercial Recreation (CR)
- Light Industrial (M1)
- Public Use and Recreation (PR)
- Single Family Residential (R1)
- Two Family Residential (R2)
- Multi-Family Residential (R3)
- Suburban Residential (SR)

- Stream
- Parcel
- City Limits
- Urban Area

Mayor	_____	Date	_____
Clerk - Treasurer	_____	Date	_____
Attorney	_____	Date	_____

**Stevenson City**  
 117439th Ave  
 Stevenson, WA 98788  
 Phone: (509) 325-2200  
 Fax: (509) 325-2201  
 Email: info@stevensonwa.gov  
 Website: www.stevensonwa.gov



**Fwd: PARCEL QUESTION**

staci patton <yayabear3@gmail.com> Sat, Mar 29, 2025 at 8:16 PM  
To: Ben Shumaker <ben@ci.stevenson.wa.us>, Scott Anderson <scott.anderson@ci.stevenson.wa.us>, Robert C Muth <rmuth@kilmerlaw.com>, Laci Miller <laci4m@gmail.com>, Tiffany Andersen <tiffany@ci.stevenson.wa.us>, Michael D Johnson <michael.d.johnson@ci.stevenson.wa.us>, Chuck Oldfield <chuck.oldfield@ci.stevenson.wa.us>, Dave Cox <dave.cox@ci.stevenson.wa.us>, Lucy Lauser <lucy.lauser@ci.stevenson.wa.us>, Pat Rice <pat.rice@ci.stevenson.wa.us>, Mitch Patton <nwtsrinc@gmail.com>

Ben,  
**APPARENTLY,"SIZE DOES MATTER".....with a quick google search, I found the email online in a packet, between you and Svetlana Lebedeva, where you mention minimum lot size. From that, I took the date of this email, and found the associated meeting packet that acknowledges "total number of units built,depends on the size of the lot". What would the benefit of going from an R2 to an R3 be, if you still cannot build more units because of lot size?**

I do want to point out that Brian McKenzies other parcel on Vancouver Ave, also sits next to an apartment complex and is already zoned R3...and I believe sits empty(this is the one where council member Muth took a call or text from the developer during a city council meeting to pull the deal).

Please accept this email chain as well as attachments as my public comment for the upcoming rezone hearing. All of this that I am providing is public record, most of which could be found with a quick google search. I am not for or against the project but I am voicing my concern when you dont give the council the whole picture, for them to be able to make an educated decision. Hopefully Laci will be able to make it and share her story.

Staci Patton  
5th generation Skamania County resident

[\\*ITEM-Attachment-001-cc732df2b219456198d316b123b3d237.pdf](#) (pgs 6-7)

**" Total Number of Homes per Lot Multi-family housing can be built in the R3 District. The total number of units built depends on the size of the lot."**

RCW 42.56.030 Construction.  
The people of this state do not yield their sovereignty to the agencies that serve them. The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know. The people insist on remaining informed so that they may maintain control over the instruments that they have created. This chapter shall be liberally construed and its exemptions narrowly construed to promote this public policy and to assure that the public interest will be fully protected.

[\\*ITEM-Attachment-001-a56e348329744d5499eb64ecf9ffe952.pdf](#)

----- Forwarded message -----

From: staci patton <yayabear3@gmail.com>  
Date: Fri, Mar 28, 2025 at 9:30 AM  
Subject: Re: PARCEL QUESTION  
To: Ben Shumaker <ben@ci.stevenson.wa.us>  
Cc: Scott Anderson <scott.anderson@ci.stevenson.wa.us>, Robert C Muth <rmuth@kilmerlaw.com>, Laci Miller <laci4m@gmail.com>, Mitch Patton <nwtsrinc@gmail.com>, Gabe Spencer <spencer@co.skamania.wa.us>, Tiffany Andersen <tiffany@ci.stevenson.wa.us>, <planning@ci.stevenson.wa.us>

I would also note/ask.....what stage is the Lasher road project at? As you know, there was false information used to secure grant money "in my opinion", when it was stated it was for getting kids safely to a school, that has since closed and no future plans to open. One could deduce it appears that this "road project" is specifically for the benefit of a developer, not for school children at the expense of the taxpayers.

On Wed, Mar 26, 2025 at 2:39 PM staci patton <yayabear3@gmail.com> wrote:  
It is not my job to help you "connect the dots". One would assume that lot size WOULD play a role in a rezone or zoning in general. Are you stating that lot size doesnt matter at all, for a rezone application? Please help me "connect the dots" .....**"Lot area is definitely a question to deal with at the building permit stage because that will determine how many units can be constructed."**  
Why would anyone apply for a rezone under the impression that they could build more units because of the rezone, only to be told "at the permit stage" that because of the size of their lot area, that they cannot construct more units.....

On Wed, Mar 26, 2025 at 2:18 PM Ben Shumaker <ben@ci.stevenson.wa.us> wrote:  
Hi Staci-  
What relevance do you think the lot area has on the rezoning decision?  
If the Council is presented with and considers a larger size appropriate, is there some reason you think they would not consider a smaller size appropriate? Help me connect the dots a little, please.  
Lot area is definitely a question to deal with at the building permit stage because that will determine how many units can be constructed.  
Thank you,

**Ben Shumaker**

City of Stevenson  
Community Development Director/Interim City Administrator  
(509) 427-5970 ext. 205

**From:** staci patton <yayabear3@gmail.com>

**Sent:** Tuesday, March 25, 2025 10:05 AM

**To:** Ben Shumaker <ben@ci.stevenson.wa.us>; Scott Anderson <scott.anderson@ci.stevenson.wa.us>; Robert C Muth <rmuth@kilmerlaw.com>; Laci Miller <laci4m@gmail.com>; Mitch Patton <nwtsrinc@gmail.com>; Gabe Spencer <spencer@co.skamania.wa.us>

**Subject:** Fwd: PARCEL QUESTION

**Ben,**

Please see Gabes response below. I still question the accuracy of the new size vs old on mapsifter, but I would rather be accurate than right(what a concept,huh?). So, passing on just in case.

I still dont think it addresses the area that would need to be deducted for the driveway easement as noted in the lawsuit judgement.

**Staci**

----- Forwarded message -----

**From:** staci patton <yayabear3@gmail.com>

**Date:** Tue, Mar 25, 2025 at 9:34 AM

**Subject:** Re: PARCEL QUESTION

**To:** Gabe Spencer <spencer@co.skamania.wa.us>

**What do your records show prior to the date you gave, for parcel size?(as according to the deeds for that property,some area was taken out and given to some housing authority I believe)**

On Tue, Mar 25, 2025 at 9:25 AM staci patton <yayabear3@gmail.com> wrote:

**Ok, because looking at the judgement from the lawsuit and then parcel size on mapsifter it doesnt give the appearance that the transfer of land was done( I know, I know....mapsifter isnt accurate and neither are easements or right of ways).**

On Tue, Mar 25, 2025 at 8:52 AM Gabe Spencer <spencer@co.skamania.wa.us> wrote:

Since 10/15-2024

**From:** staci patton <yayabear3@gmail.com>

**Sent:** Friday, March 21, 2025 8:51 AM

**To:** Gabe Spencer <spencer@co.skamania.wa.us>

**Subject:** PARCEL QUESTION

**Gabe,**

**Good morning...In regard to the below tax sifter info, how many years has this parcel been listed as .51 acres?**

**Thanks,**

**Staci**

<b>Parcel#:</b>	03073643180000	<b>Owner Name:</b>	GREEN GORGE LLC
<b>DOR Code:</b>	91 - Undeveloped - Land	<b>Address1:</b>	
<b>Situs:</b>	80 NW LASHER	<b>Address2:</b>	PO BOX 130
<b>Map Number:</b>	U-R2-	<b>City, State:</b>	NORTH BONNEVILLE WA
<b>Status:</b>		<b>Zip:</b>	98639

**Description:**

**Comment:**

2025 Market Value

2025 Taxable Value

Land:	\$110,000	Land:	\$110,000
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Improvements:	\$0	Improvements:	\$0
Permanent Crop:	\$0	Permanent Crop:	\$0
Total	\$110,000	Total	\$110,000





2025 Assessment Data

District:	1 -
Current Use/DFL:	No
Senior/Disability Exemption:	No
Total Acres:	0.51000

5 attachments



03-070-36-4-3\_v09 (2).tif  
1995K

-  **OCTOBER 2020 BEN EMAIL WITH CITIZEN ABOUT PROPOSED R3 ZONING.pdf**  
402K
-  **EMAIL WITH INGRID AT SCSD 303 ABOUT STEVENSON ELEMENTARY 3-2025.pdf**  
189K
-  **PG OUT OF LASHER REZONE APPLICATION 3-2025.pdf**  
197K
-  **EMAIL WITH RICK HOLLATZ IN ASSESSORS OFFICE ABOUT GREEN GORGE PROPERTY.pdf**  
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## R3 zoning Lana Heinze

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Ben Shumaker <ben@ci.stevenson.wa.us>  
To: Svetlana Lebedeva <shokoladus@yahoo.com>  
Cc: Nikki Hollatz <nikkih@klickitatcounty.org>

Mon, Oct 12, 2020 at 9:46 AM

Received. Thank you, Svetlana.

I will:

- A-Add your email address to the project specific distribution list,
- B-Provide your email (together with this response) to the Planning Commission for consideration at tonight's meeting,

To answer your specific questions:

1-I am copying this response to the Skamania County Environmental Health Department to discuss how these changes might interact with existing septic systems. My understanding is the proposal would not add any additional regulatory requirement. The current regulation allows existing systems are allowed to continue, however, if they fail then connection to the public sewer system is required so long as there is a public line within 300' of the building (which appears to be the case for your property on Lutheran Church Road). Connection is the responsibility of the homeowner.

2-No maximum lot size is currently proposed. The proposed minimum lot size is 2,000, which would facilitate division/development of your property.

3-The increased maximum lot coverage would apply to all lots in the R3 District, yours included.

4-Coverage of lots would necessarily exclude all areas within setbacks (including driveways) and 100% coverage would not be possible (i.e., no development could violate the maximum standard). Your question does show an unnecessary confusion in the regulations, and I will be recommending a change to the discussion draft to use "n/a" instead of "100%" in the table.

The Zoom meeting can be accessed as follows:

Join from a PC, Mac, iPad, iPhone or Android device:

Please click this URL to join. <https://us02web.zoom.us/j/83482269900>

Or join by phone:

Dial(for higher quality, dial a number based on your current location):

US: +1 253 215 8782 or +1 346 248 7799 or +1 669 900 6833 or +1 301 715 8592 or +1 312 626 6799 or +1 929 205 6099

Webinar ID: 834 8226 9900

International numbers available: <https://us02web.zoom.us/j/83482269900>

Looking forward to discussing this more tonight,

BEN SHUMAKER

-----Original Message-----

From: 'Svetlana Lebedeva' via planning [mailto:[planning@ci.stevenson.wa.us](mailto:planning@ci.stevenson.wa.us)]

Sent: Sunday, October 11, 2020 9:54 PM

To: [planning@ci.stevenson.wa.us](mailto:planning@ci.stevenson.wa.us)

Subject: R3 zoning Lana Heinze

To whom it may concern:

ATTN: Ben Shumaker Planning Director City of Stevenson, Washington

Dear Ben,

This is Lana Heinze (293 NE Lutheran Church Rd.) reaching out to you with regard to a letter I received about R3 zoning changes. I have some specific questions I need clarified:

- 1) My home was built in the 60's and runs perfectly well on a regularly-maintained septic system. I understand my existing setup will remain grandfathered in while new units will receive city sewer. If the new developments are unable to respect my current setup, I am requesting a timeline for when and how you plan to install the appropriate changes to my property.
- 2) What are the maximum and minimum lot sizes for the planned community? Will I have the option of dividing & developing my 1 acre lot?
- 3) I received a letter on September 10, 2020 suggesting that in the newly planned community, a lot may be 100% covered by a building. Does this apply



staci patton <yayabear3@gmail.com>

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## FUTURE OF SCSD 303

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staci patton <yayabear3@gmail.com>

Fri, Mar 28, 2025 at 3:27 PM

To: "Colvard, Ingrid" <ColvardI@scsd303.org>

Cc: Jeanette Foster <jfoster@gorge.net>, "Wickersham, Jeff" <wickershamjef@scsd303.org>

**Perfect, thanks so much ....safe travels to you as well!**

On Fri, Mar 28, 2025 at 3:16 PM Colvard, Ingrid <ColvardI@scsd303.org> wrote:

You bet! Well, we still need a tenant so there is nothing to move forward on right now. I'm in conversations with a couple of prospects but no real option just yet. We will see. Safe travels!

Ingrid

Sent from my iPhone

On Mar 28, 2025, at 3:07 PM, staci patton <yayabear3@gmail.com> wrote:

**Thanks so much for getting back to me. I will be travelling as well but I think the only follow up would be, when do you plan on making a decision related to leasing it?**

On Fri, Mar 28, 2025 at 3:04 PM Colvard, Ingrid <ColvardI@scsd303.org> wrote:

Hi Staci,

I hope all is well with you. There are no plans to reopen Stevenson Elementary at this time. We hope to lease it, either entirely or in parts. I hope this information is helpful and let me know if I can answer anything further. I will be traveling during spring break but will reply as quickly as possible when I return if you need anything further.

Take care,

Ingrid

Sent from my iPhone

On Mar 28, 2025, at 9:51 AM, staci patton <yayabear3@gmail.com> wrote:

**Ingrid,**

**Good morning. I had a couple questions for you. Are there any near future plans to reopen the Stevenson school? If not, what does the school district intend to do with the building?**

**Thanks,**

**Staci**



Ben Shumaker <ben@ci.stevenson.wa.us>

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## PUBLIC COMMENT ON PROPOSED REZONE-APPLICANT: Green Gorge Construction—Mike Green, Brian McKenzie

---

Laci Miller <laci4m@gmail.com>

Mon, Mar 24, 2025 at 10:41 AM

To: ben@ci.stevenson.wa.us

Ben,

Please accept this as my public comment against the rezone proposal of Green Gorge Construction-Mike Green and Brian McKenzie. Below I will list my concerns:

- 1) The proposed rezone area was a part of a lawsuit involving my mother in law Lisa Cantrell Miller (whom I am renting to own the property from) and the previous owners of the Green Gorge property. My mother in law prevailed, and a portion of this lot was transferred to our parcel. The proposal acreage doesn't give an accurate picture of the size of the parcel after the judgement or take into account the driveway area for the access awarded in the judgement.
- 2) The remainder of this parcel of Green Gorge, has a small number of trees which frequently have eagles and owls.
- 3) Mr. McKenzie already has a development in progress across the street. As such, I don't feel Lasher needs the additional burden of more traffic.
- 4) They state in their paperwork the county has a need for additional housing yet they build and sale most of their properties or they rent them out and charge a small fortune for rent. The community is in need of affordable rentals for the people who work hard to keep this town going and make minimum wage or just above.
- 5) They also state in their paperwork that the other property they own is connected to the Lasher property when that is in fact not the case. We have another neighbor who's home and property sit in-between the two properties. With the driveway in-between our house and property and the neighbors.
- 6) In their paperwork it says the land is flat and rolling that is not true the land is on a slope and is held up by a very old rock wall how will they avoid a landslide having multiple units on the property?
- 7) I do not see where there could possibly be enough room on this very small piece of property for multiple units as well as parking and am very concerned for my children's safety with the possible traffic that this could bring while they play in our yard daily. I encourage you to come look at the property and hopefully you can see where all my concerns are coming from.

Sincerely,

Laci Miller

[Laci4m@gmail.com](mailto:laci4m@gmail.com)

541-399-2213

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### 8 attachments



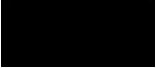
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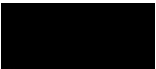
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February 14, 2024

**EXHIBIT "A"**

*2-14-2024*

**AREA BEING TRANSFERRED TO PARCEL 03073643150000 (0.2908 ACRES)**

A portion of the Southeast quarter of the Southwest quarter of Section 36, Township 3 North, Range 7 East, Willamette Meridian, Skamania County, Washington, described as follows:

Beginning at the Southeast corner of lot 7 of Meaghers Addition to Stevenson, as shown in Volume "A" of Plats, page 120, records of said county, said point being marked by a 5/8" rebar and yellow plastic cap as shown in record of survey Auditor's file number 2022000368 records of said county, said point also being the Northeast corner of that tract of land conveyed to Bruce A. Isaacson et. ux., as described in Auditor's file number 2015001943 records of said county;

Thence South 02° 56' 39" East, along the East line of said "Isaacson parcel" 54.00 feet;

Thence leaving said East line, South 72° 16' 30" West, 57.00 feet;

Thence North 86° 29' 07" West, 97.74 feet to the West line of said "Isaacson parcel";

Thence along said West line, North 03° 39' 22" East, 70.00 feet to the Northwest corner of said "Isaacson parcel"

Thence South 88° 11' 28" East, 144.69 feet to the point of beginning;

**TOGETHER WITH and SUBJECT TO easements and restrictions of record.**

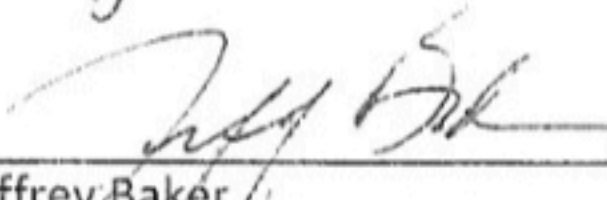
possession of another's titled property establish a valid claim of adverse possession is well-established in case law. This is consistent with the notion that the "use" of the property is central to the question of adverse possession, and the fact that plaintiff ceased residing on the property on a full-time basis is not fatal to her claim, because she presented sufficient evidence that her family members continued the uses of the disputed property after she left, and continued to do so through the statutory period necessary to establish adverse possession.

The defendants seek to defeat plaintiff's claim of prescriptive easement by asserting that the plaintiff did not need to use the easement since she had an alternate access to her property. The argument is unconvincing. In order to obtain a prescriptive easement, the plaintiff must demonstrate essentially the same circumstances as are required for an adverse possession claim of real property, namely that her use of the easement was: open and notorious; continuous, over a uniform route; adverse to the landowner; and with the knowledge of such owner at a time when he was able in law to assert and enforce his rights. *Gamboa v. Clark*, 183 Wash.2d 38, 43 (2015). Plaintiff has submitted ample unrefuted evidence of her use of the easement in satisfaction of the aforementioned elements such that summary judgment on this claim is appropriate. Conversely, the existence of an alternate route to the claimant's property – while important to the proof of a way of necessity – is irrelevant to the prescriptive easement calculation and, as a result, defendants' opposition to plaintiff's claim of a prescriptive easement is insufficient as a matter of law.

#### Conclusion

Based on the foregoing rationale, the plaintiff's motion for summary judgment against defendants is granted. Plaintiff's counsel shall prepare an order memorializing this decision and circulate it for review before presenting it to the court for signature.

So ordered this 1<sup>st</sup> day of January, 2024.

  
\_\_\_\_\_  
Jeffrey Baker  
Skamania County Superior Court Judge Pro Tem



declaration is unpersuasive for several reasons: (1) there is no evidence on this record that Mr. Ihrig was the true owner of Lot 15, or otherwise authorized to speak on behalf of the true owner; (2) plaintiff presents uncontroverted testimony that Mr. Ihrig was, at best, a transient visitor to Lot 15 during the relevant time period; (3) the defendant's previous attorney, Mr. Collins, stated unequivocally, and in direct contradiction to Mr. Ihrig's testimony, that defendants did not provide the plaintiff with permission to utilize the disputed property as they did during the statutory period of adverse possession; and (4) defendants' interrogatory responses admit that they never provided such permission to the plaintiff to utilize the disputed property. Furthermore, it is clear that any such permission, even if it were provided to the true owner and were as broad as defendants' claim, it is undisputed that this "permission" would have been given after plaintiff took ownership of the property and began treating portions of the disputed property as her own. Even taking this in the light most favorable to the defendants there is no evidence on this record that plaintiff entered into her use of the disputed property with permission. Taken together, defendants' claims that this alleged grant of permission creates a genuine issue of material fact are unconvincing. The applicable case law holds that allegations from the record owner that he/she provided consent to the would-be adverse possessor after the statutory period has commenced are legally insufficient. *Lingvall v. Bartmess*, 97 Wn. App. 245 (1999).

Similarly, defendants' arguments that plaintiff's use of the disputed property was not sufficiently hostile because she never erected a fence nor made affirmative statements directly to the defendants that she claimed the disputed property, represent a misapprehension of adverse possession law. Significantly, defendants do not cite any case law for the proposition that hostility, for purposes of adverse possession, requires that the party claiming adverse possession announce they are doing so, or erect a fence in order to signify this intent. Certainly, these actions could make a claim of adverse possession more powerful, but the absence of these actions is far from fatal and insufficient, without more, to defeat a claim of adverse possession. The concept of "hostility" in adverse possession does not mean animosity or ill will, it simply means that the party advancing the claim was treating the land as his own as against the world throughout the statutory period. To determine if a use is sufficiently hostile the court must consider whether in light of "the character of possession and the locale of the land, is the possession of such a nature as would normally be objectionable to owners of such land?" *LeBleu v. Aalgaard*, 193 Wn. App. 66, 72 (2016). There is ample evidence on the record before this court that the plaintiff's use of the disputed property was sufficiently hostile to support a claim of adverse possession, notwithstanding the lack of a declaration to this effect or erection a fence.

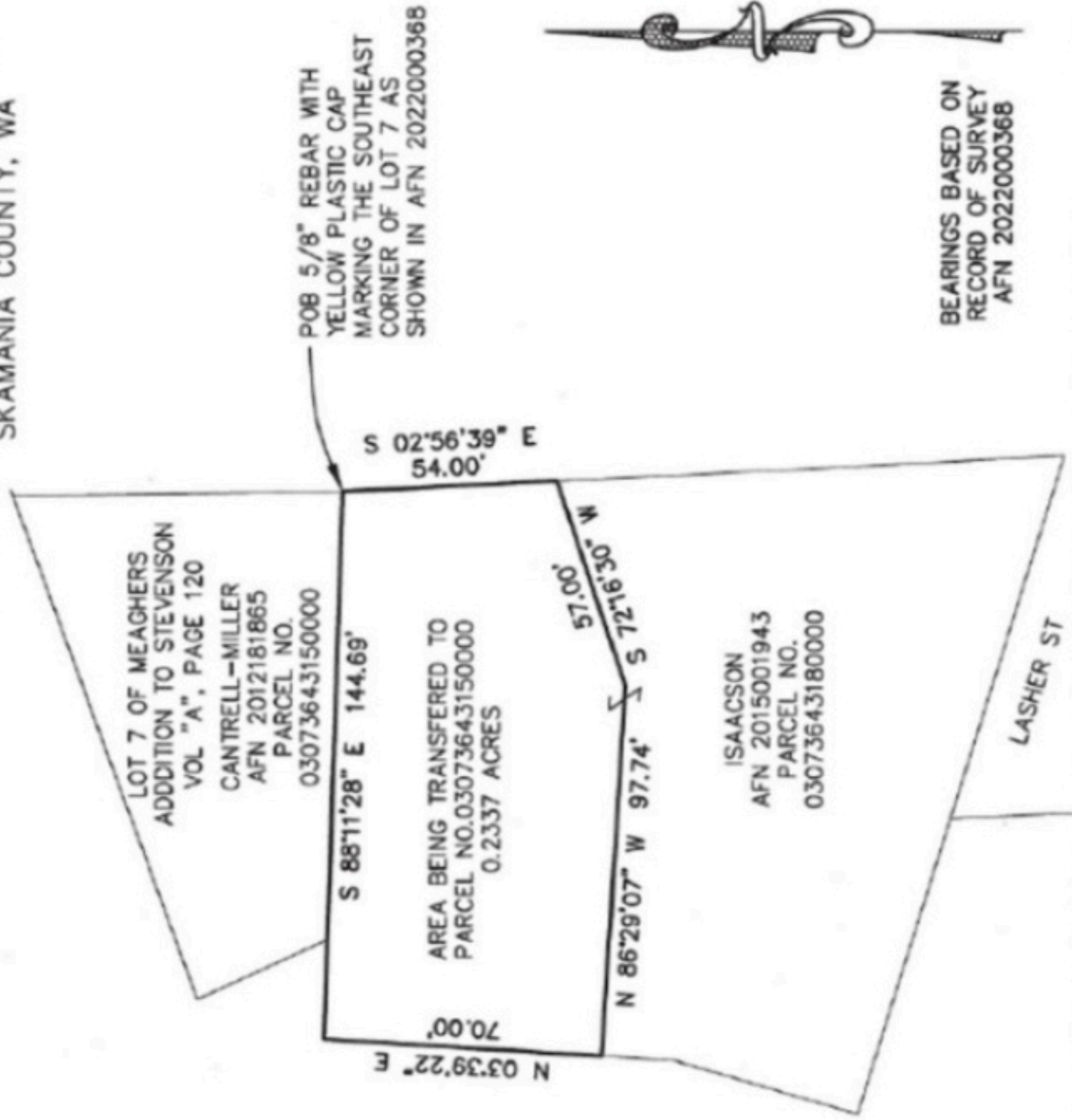
Finally, defendants' arguments that the plaintiff's claim of adverse possession must fail because the plaintiff ceased to reside on the property at some point during the statutory period are unavailing. The unrebutted evidence presented to the court was that even after the plaintiff ceased to live on Lot 15 and make use of the disputed property, her family members did reside there and make use of the property in the same manner as she had while actively residing there. The idea that multiple and successive members of the same family or even unrelated predecessors-in-interest can through their consistent, uninterrupted, open and notorious



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# EXHIBIT "A"

AREA BEING TRANSFERRED PER JUDGEMENT IN CASE  
NO. 22-2-00082-30 IN A PORTION OF THE SE1/4  
OF THE SW 1/4 OF SECTION 36 T3N, R7E W.M.  
SKAMANIA COUNTY, WA



2-14-2024

SCALE: 1"=100'

JOB NO. 22-003

DATE: 2-14-24

CALC BY: JEB

DRAWN BY: JEB

CHECKED BY: JEB

SHEET 1 OF 1

**BROWN**  
SURVEYING PLLC

PO BOX 414  
AMBOY, WA 98601  
360-600-0846  
ed@brownsurveyingpllc.com

BEARINGS BASED ON  
RECORD OF SURVEY  
AFN 2022000368



SKAMANIA COUNTY  
ORIGINAL FILED

JAN - 2 2024

GRACE D. CROSS  
SUPERIOR COURT CLERK

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON

IN AND FOR THE COUNTY OF SKAMANIA

LISA CANTRELL-MILLER,	)	No. <i>22-2-00082-30</i>
	)	
Plaintiff,	)	Court's Ruling:
v.	)	
	)	Plaintiff's Motion for Summary Judgment
	)	
BRUCE A. and LINDA K. ISSACSON, husband	)	
and wife; and HAROLD O. and MARY B.	)	
PIDGEON, husband and wife,	)	
	)	
Defendants	)	

---

Plaintiff Lisa Cantrell-Miller, ("Cantrell-Miller"), by and through her counsel, Rachel Goldfarb and Praedium Law Group, PLLC, presented this court with a motion for summary judgment on both of her claims in this matter. Defendants, Bruce A. and Linda K. Issacson ("Issacsos") and Harold O. and Mary B. Pidgeon ("Pidgeons"), by and through their counsel, Peter S. Banks, filed a response objecting to plaintiff's motion and presented their own motion to strike plaintiff's reply brief in this matter as untimely. On December 5, 2023, the court conducted a hearing on the foregoing motions, with plaintiff appearing through attorney Michael Cole, and defendants appearing through attorney Banks.

The court having heard argument from counsel, reviewed the submissions of the parties, the court file, and being fully advised in the premises, does now, therefore, rule on the various motions presented herein.

Standard for Summary Judgment

Summary judgment is proper if the records on file with the court demonstrate that "there is no genuine issue of material fact" and the "moving party is entitled to judgment as a matter of law." CR 56(c). In these proceedings, the moving party bears the initial burden of proving no genuine issue of material fact exists. *La Plante v. State*, 85 Wash.2d 154 (1995). Then, if that initial showing is made, the burden shifts to the non-moving party to present admissible evidence showing that a genuine issue of material fact exists. *Young v. Key Pharmaceuticals, Inc.*, 112 Wash. 2d 216 (1989). As the Washington Supreme Court noted in *Keck v. Collins*, the "purpose [of summary judgment] is not to cut litigants off from their right of trial by jury if they really have evidence which they will offer on a trial, it is to carefully test this out, in advance of trial by inquiring and determining whether such evidence exists." *Id.*, 184 Wash.2d 358, 369 (2015). Finally, it is well-settled that in summary judgment proceedings all

facts and reasonable inferences are considered in the light most favorable to the non-moving party. *Mountain Park Homeowners Ass'n v. Tydings*, 125 Wn.2d 337, 341 (1994) (citations omitted).

#### Defendants' Motion to Strike Plaintiff's Reply Brief

At the hearing in this matter, the defendants moved to strike the plaintiff's reply brief alleging that it was untimely served. In particular, defendants' counsel alleged that the reply was served upon him via email on November 29, 2023. Although Mr. Banks acknowledged that he received the email message containing this brief, he also contends that the brief was not served in accord with the requirements of CR 56 in that it was served four days before the scheduled hearing rather than the required five days. Notwithstanding these facts, defendant's counsel did not offer evidence of any prejudice that resulted from this late filing. In considering this motion to strike, the court was mindful of the need to proceed in "a way that advances the underlying purpose of the rules, which is to reach a just determination in every action." *Burnett v. Spokane Ambulance*, 131 Wn.2d 484 (1997). Defendants did not present a persuasive basis to support the significant sanction of striking plaintiff's filing nor to continue the previously scheduled hearing (a hearing that had already been continued once at defendants' request). Taken together, the court is not persuaded that the motion to strike should be granted or that a continuance should be allowed, consequently the motion to strike is denied.

#### Plaintiff's Motion on for Summary Judgment

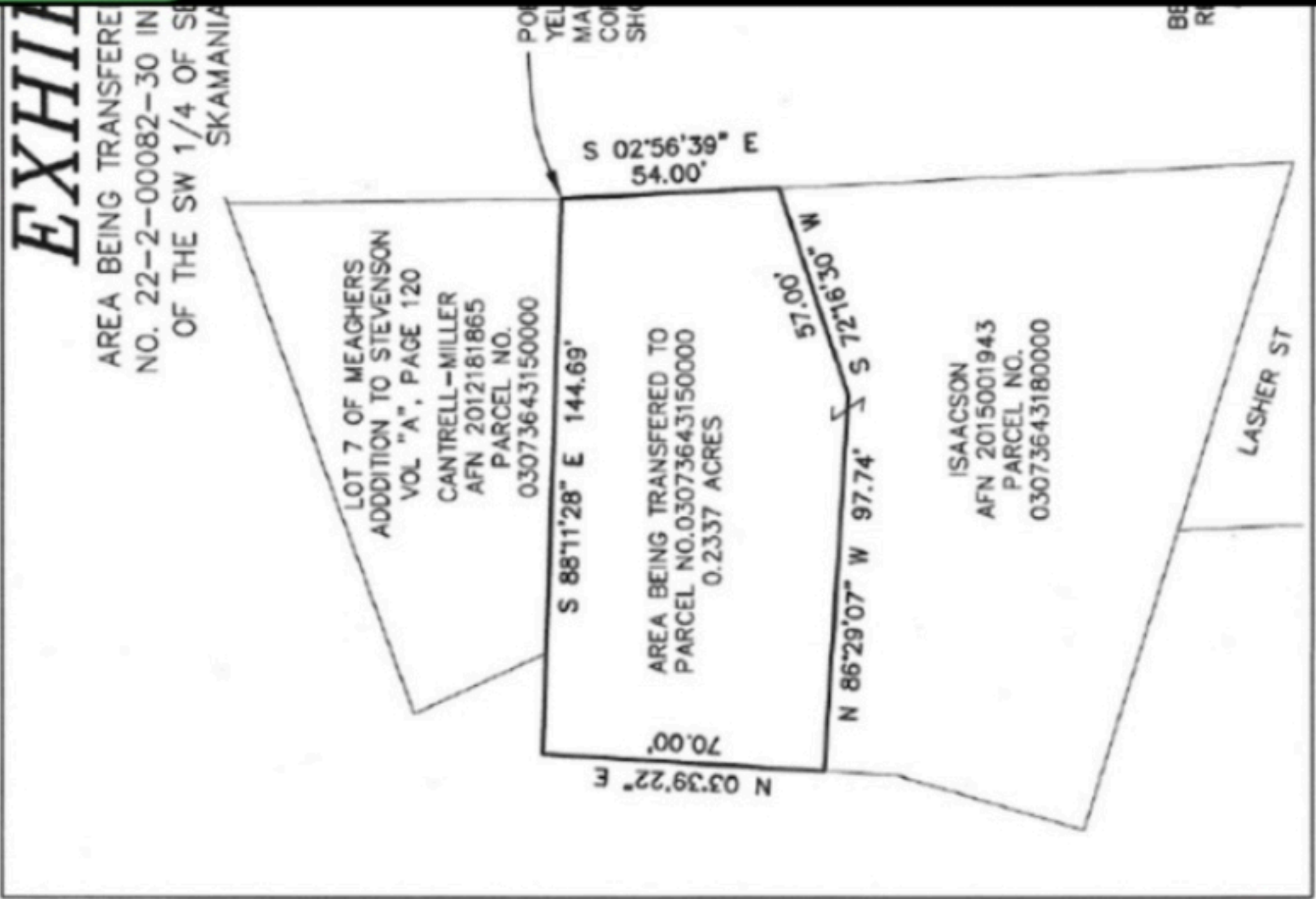
##### 1. Factual Background.

In October of 2012, plaintiff purchased the real property located at 550 NW Viewpoint Road in Stevenson, Washington. This parcel is described in the pleadings and briefing as "Lot 15." Immediately south of this parcel is defendants' property, which has been described herein as "Lot 18." Plaintiff has asserted, and defendants have not significantly disputed, that at the time plaintiff purchased Lot 15 there were some encroachments onto the deeded portions of Lot 18. These encroachments included a wooden deck and accessory dwelling unit (ADU).

In presenting her claims, plaintiff has submitted, among other things, images taken from Google Earth and the Skamania County GIS program that she asserts show various features of the respective parcels over time. Defendants have argued that these images may not properly be considered as competent admissible evidence. In support of this argument, defendants have submitted the declaration of the Skamania County Assessor, wherein he states that images of this sort cannot be utilized to establish specific boundaries between parcels or as substitutes for land surveys. This argument is correct. However, at the same time the plaintiff is entitled to submit these images as evidence of the condition of the respective parcels and the features thereon. So, while this court concurs that the submitted images may not be legally sufficient to establish the precise boundaries between the parcels by themselves, they may be properly viewed as evidence of how the real property was treated by the parties over time.



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FINAL JUDGMENT- 4  
P32 Final Judgment.docx

PRAEDIUM LAW GROUP, PLLC  
1111 Main Street, Suite 416  
Vancouver, WA 98660  
(360) 583-3381

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**Exhibit B**

Access Easement on, over, and through a C-shaped dirt and gravel roadway located, in relevant part, along the western portion of Defendants' Parcel (PIN 03073643180000), identified as "Lasher St" in the following demonstrative and providing access from Plaintiff's Parcel to NW Viewpoint Road (to the north-northeast) and Lasher Street (to the south-southeast):



FINAL JUDGMENT- 5  
P32 Final Judgment.docx

PRAEDIUM LAW GROUP, PLLC  
1111 Main Street, Suite 416  
Vancouver, WA 98660  
(360) 583-3381



Furthermore, the defendants did not present any other evidence that these images were fraudulent, inaccurate, or deceiving in any way. Finally, the court is aware of the limitations of this technology and can give the images the proper evidentiary weight they deserve when considering how they impact the legal issues at stake.

After plaintiff purchased Lot 15, she claims that she made use of the property in much the same manner as her predecessor, as well as expanding certain areas of her dominion over the property at issue. Notably, defendants do not present a counter-narrative with regard to plaintiff's assertions about her use of the property. For example, plaintiff claims that she replaced features on the property (deck and ADU) with replacements that occupied approximately the same area as the prior features; she tended to the condition of the property with mowing and other improvements; she removed trees from the property; and she took various actions that were consistent with what a true owner would do on their own property. All these actions were undertaken without seeking permission or consent by the plaintiff, and defendants did not produce any evidence that these actions were not taken by plaintiff.

Plaintiff's use of the property was actual, continuous and exclusive for the required statutory period of ten years, and while the defendants made efforts near the end of this time to remove plaintiff's encroachments from the property through fences, cease-and-desist letters and calls to the county sheriff, those efforts did not accomplish that result. Plaintiff occupied the disputed property without interruption throughout the 10-year time frame, and defendants did not make any use of the property that was contrary to, or in any way diminished, plaintiff's use and activities on the disputed property. Finally, plaintiff did not attempt to hide or secret her use of the property, and her use was open and notorious throughout the statutory period. Her uncontradicted testimony and evidence was that during the prescribed statutory time frame, her use of the property was open for all to see and would have appeared to the world as if she was the true owner of the property.

As noted, defendants do not substantially contradict the testimony and evidence plaintiff has submitted about her use of the property. Rather, the defendants attack plaintiff's motion on several principled legal grounds, namely: (1) plaintiff's use of the property was permissive in that defendant Issacson consented to the use of the property in conversations with plaintiff's friend; (2) plaintiff's use was not sufficiently hostile because she never installed a fence nor announced to defendants that she intended to assert control over this land or otherwise owned it; (3) plaintiff's use was not continuous because she ceased personally residing on the property during the statutory time frame; and (4) plaintiff's use of the easement by prescription was not proven because she possessed other ways to get to her property. These arguments are addressed below.

## 2. Legal Analysis

Defendants argue that summary judgment is not proper because they have produced a declaration from Lon Ihrig in which he states that he had a conversation with Mr. Issacson in 2013 (after plaintiff purchased Lot 15) about using a portion of the disputed property. This