



White Salmon Planning Commission Meeting
A G E N D A
December 11, 2024 – 5:30 PM
119 NE Church Ave and Zoom Teleconference

[Meeting ID: 879 3047 7881](#)

Call in Number: 1 (253) 215-8782 US (Tacoma)

Call to Order/Roll Call

Approval of Minutes

- [1.](#) Meeting Minutes - November 13, 2024

Public Hearing

- [2.](#) Cherry Hill Estates Subdivision (Continued)
The application proposes to subdivide a 7.93-acre parcel (Tax Parcel No. 03102475000400) located off NW Spring Street, nestled between NW Cherry Hill Road and Champion Lane, into 35 residential lots.
 - a. Discussion
 - b. Action

- [3.](#) Ordinance Amending Commercial Form-Based Code
 - a. Presentation
 - b. Public Testimony
 - c. Discussion
 - d. Action

- [4.](#) Ordinance Amending Tree Protection Code (Continued)
 - a. Presentation
 - b. Public Testimony
 - c. Discussion
 - d. Action

- [5.](#) Ordinance Amending Land Use Fee
 - a. Presentation
 - b. Public Testimony
 - c. Discussion
 - d. Action

- [6.](#) Ordinance Amending WSMC 15.28 (FEMA Update)
 - a. Presentation
 - b. Public Testimony
 - c. Discussion
 - d. Action

Adjournment

File Attachments for Item:

1. Meeting Mintues - November 13, 2024



DRAFT

**CITY OF WHITE SALMON
Planning Commission Meeting - Wednesday, November 13, 2024**

COMMISSION AND ADMINISTRATIVE PERSONNEL PRESENT

Commission Members:

Michael Morneault, Vice Chair
Erika Price
Brendan Brown
Carl Trabant

Excused:

Greg Hohensee, Chair

Staff:

Erika Castro Guzman, Project Coordinator
Troy Rayburn, City Administrator
Kelly Hickok, Legal Counsel

Planning Consultants:

Michael Mehaffy, Housing Consultant

CALL TO ORDER/ ROLL CALL

City Administrator Troy Rayburn called the meeting to order at 5:30 pm. A quorum of planning commissioner members was present. Commissioners voted to excuse the absence of Greg Hohensee. There was one audience member in attendance via teleconference.

NOMINATE VICE CHAIR

The City Administrator requested the Planning Commission to nominate a temporary vice chair.

Moved by Erika Price. Seconded by Brendan Brown.

Motion to nominate Michael Morneault as temporary Vice Chair.

MOTION CARRIED 3–1.

Price– Aye, Brown – Aye, Trabant – Aye, Morneault – Nay

APPROVAL OF MEETING MINUTES

1. **Meeting Minutes – October 9, 2024**
2. **Workshop Minutes – October 9, 2024**
3. **Meeting Minutes – October 23, 2024**

Moved by Brendan Brown. Seconded by Erika Price.

Motion to approve meeting minutes of October 9 and 23, and workshop meeting minutes of October 9, 2024, as is.

MOTION CARRIED 4–0.

Price– Aye, Brown – Aye, Trabant – Aye, Morneault – Aye

CHANGE OF AGENDA

Housing Consultant Michael Mehaffy notified prior to the meeting that the Unit Lot Subdivision Public Hearing item would be removed from the current agenda and will be rescheduled for consideration at a future date, which is yet to be determined.

PUBLIC HEARING

4. Commercial Form-Based Code

The Planning Commission held a public hearing to review Title 17, specifically revising Chapter 17.48 to update commercial form-based code. Vice Chair Michael Morneault opened the public hearing at 5:42 PM.

A. PRESENTATION

Housing consultant, Dr. Michael Mehaffy covered the updates on the city’s efforts to implement form-based codes, specifically targeting commercial areas that may include residential spaces. This initiative is part of the Department of Commerce's grant to support the Housing Action Plan, with the long-term goal of introducing form-based codes more broadly. While this initial effort focuses on commercial districts like Jewett Street, it also considers areas around the hospital and a new potential commercial zone on the north side of town, with the possibility of “big-box” development. Public outreach and feedback have been integral in shaping this proposal, with surveys, public meetings, and interactions with groups like CityLab revealing a strong desire for vibrant, pedestrian-friendly, small-town character in these areas.

The proposed form-based code aims to return to traditional town planning principles, prioritizing pedestrian accessibility with buildings placed close to the street and parking located behind or at the side. This contrasts with the mid-20th century model of large parking lots in front of commercial buildings, which detracts from the walkable, small-town feel that residents desire. The code draws on best practices from other cities, including Kennewick’s Vista Field project, and includes requirements for building location, street-facing entrances, glazing (windows), and articulated facades to enhance the pedestrian experience.

The draft ordinance includes provisions for parking lot design, with an emphasis on rear and side parking, as well as clear standards for façade design, such as a minimum percentage of windows and required building articulation to avoid blank walls. Additionally, it introduces guidelines for landscaping, with requirements for street trees and parking lot buffers to improve both aesthetics and ecological performance.

The ordinance also includes specific design standards, such as limits on signage size and the prohibition of internally illuminated box signs, which are deemed unsuitable for pedestrian-scale environments. Exceptions to these design standards can be requested but must be based on functional needs rather than economic convenience. The proposal also addresses issues such as the screening of utilities and service areas and provides requirements for parking lot landscaping.

In terms of implementation, the graphical elements of the design standards will be separated from the formal code and provided as guidance documents. The Planning Commission had previously discussed these details and agreed that this incremental approach would allow for flexibility and adjustments based on future experience.

The draft ordinance is designed to encourage a more vibrant, walkable, and economically viable downtown, with flexibility for future modifications based on feedback and evolving needs.

B. PUBLIC TESTIMONY

Vice Chair Michael Morneault opened the public comment portion of the hearing at 6:12 pm.

Peter Wright, Inside City Resident

Peter Wright shared his concerns about the potential withdrawal of the row house project on Jewett Street, largely due to the 1,500 square foot limit on residential and commercial units. He said that this restriction is seen as too small to make the project financially viable, especially for taller, multi-story buildings. The cap, unique to the commercial zoning, may also hinder future development in the area. Wright asks the city to reconsider or remove the square footage limit to promote development and ensure the success of projects like the Jewett Street row houses.

Vice Chair Michael Morneault closed the public comment portion of the hearing at 6:15 pm.

C. DISCUSSION

Commissioner Carl Trabant asked whether the new commercial district proposed near the Columbia River was intended to be more focused on shops and restaurants or if it would lean towards industrial and office spaces. Housing Consultant Michael Mehaffy responded that the current commercial zone allows for a mix of industrial uses, but the intention is to create a mixed-use environment that accommodates both lighter industrial uses and more pedestrian-friendly commercial spaces like shops, offices, and restaurants.

This approach is part of a shift away from traditional "Euclidean zoning," which separates land uses, towards a more integrated "live-work-play" environment, he explained. The focus will be on ensuring the industrial elements are compatible with residential and other commercial uses, without disrupting riverfront access.

Commissioner Trabant raised a concern regarding lighting in the code, suggesting that it might be beneficial to incorporate dark sky protocols to protect wildlife migration. Housing Consultant Mehaffy agreed, stating that lighting is an important aspect that could be addressed more specifically in the codes. He explained that downlighting, as opposed to the old-fashioned cobra head lights, could help both meet dark sky requirements and create attractive lighting features. Vice Chair Michael Morneault confirmed that dark sky language had been previously discussed and exists in the code. Housing Consultant Mehaffy proposed that the Commission could add more explicit language to ensure dark sky compliance, if needed.

Commissioner Trabant questioned the 40% glazing requirement for building facades. He also expressed concerns about glazing requirements for side and rear facades, particularly for restaurant spaces where areas like dishwashing or storage cannot have windows. Housing Consultant Mehaffy responded that achieving compliance with glazing requirements often involves creative design solutions. He cited examples such as the Orenco Station project, where the design incorporated glazing even in spaces typically reserved for back-of-house functions. Mehaffy emphasized the importance of planning and designing spaces thoughtfully, even in small buildings, to ensure that back-of-house areas do not lead to blank walls or unappealing designs. He acknowledged that some situations, like narrow lots or back-alley facades, might not require glazing, and suggested that exceptions could be made in such cases. Commissioner Erika Price further inquired whether there should be more

precise language on glazing locations, particularly for side facades not facing pedestrian paths. Mehaffy agreed that this could be addressed, and suggested including language to specify that glazing should be oriented towards pedestrian areas.

Commissioner Erika Price raised concerns that the current requirements for canopies, awnings, and decorative trim could be too prescriptive, especially for contemporary designs. Housing Consultant Michael Mehaffy pointed out that research on community preferences often shows a strong preference for traditional architectural elements like trim, even though modern design trends may avoid such details. He noted that the community’s visual preferences should guide design decisions, acknowledging that these preferences often align with creating a more pedestrian-friendly, traditional town character. Commissioner Price, as a licensed architect, suggested that the code should focus on thoughtful detailing rather than simply applying trim for aesthetic reasons. Mehaffy agreed with the need for careful design but emphasized that there should be flexibility in how the requirements are implemented.

Commissioner Brendan Brown suggested modifying the glazing requirements for side facades, particularly when these facades face egress paths or are adjacent to neighboring properties. Housing Consultant Michael Mehaffy agreed that exceptions should be made for side facades that are not visible or accessible to pedestrians. He recommended adding language to clarify that glazing would not be required on side facades facing a property line or alley where there is no active pedestrian interaction.

Vice Chair Michael Morneault questioned whether the proposed form-based code would be suitable for the existing commercial area in downtown White Salmon, which has some unique constraints. Housing Consultant Michael Mehaffy explained that the new code would likely have minimal impact on downtown structures, but could be more relevant in areas with potential for new development, such as the north end and riverfront areas.

Housing Consultant Michael Mehaffy noted that some sections of the existing code, particularly Section J, were potentially redundant and should be reviewed for consistency. Michael Morneault suggested that Section J could be removed or revised for clarity.

D. ACTION

Moved by Brendan Brown, second by Carl Trabant

Motion to recommend amending Title 17 by revising Chapter 17.48 to update commercial form-based code provisions, with modifications related to glazing requirements, lighting, and side facade treatments, for eventual approval by the city council.

MOTION CARRIED 4–1.

Price– Aye, Brown – Aye, Trabant – Aye, Morneault – Aye

Vice Chair Michael Morneault closed the public hearing at 6:48 PM.

ADDITIONAL DISCUSSION

Planning Commission Discussion on View Shed Ordinance

Commissioner Carl Trabant shared concerns about the View Shed Ordinance, explaining that during a recent City Council meeting, it was evident that the council had not reviewed the planning commission’s minutes or meeting recordings, leading to unnecessary questions and the ordinance being tabled. He

proposed two actions: (1) encourage the city council to review the commission’s materials before discussing topics, and (2) designate a representative from the commission to attend future council meetings for clarification.

Vice Chair Michael Morneault acknowledged that the Commission had done its due diligence in discussing and voting on the ordinance. He also expressed frustration with the outcome but suggested that the Commission should remain proactive by finding a method to ensure the council is better prepared for future discussions. Vice Chair Morneault emphasized that the Commission had fulfilled its responsibilities, and that the issue was now in the hands of the Council.

The Commission agreed to take the proposed actions to ensure better communication between the Planning Commission and the City Council moving forward.

ADJOURNMENT

The meeting was adjourned at 6:51 pm.

Michael Morneault, Vice Chair

Erika Castro Guzman, City Project Coordinator

File Attachments for Item:

2. Cherry Hill Estates Subdivision (Continued)

The application proposes to subdivide a 7.93-acre parcel (Tax Parcel No. 03102475000400) located off NW Spring Street, nestled between NW Cherry Hill Road and Champion Lane, into 35 residential lots.

a. Discussion

b. Action



City of White Salmon
Recommendation to Planning
Commission

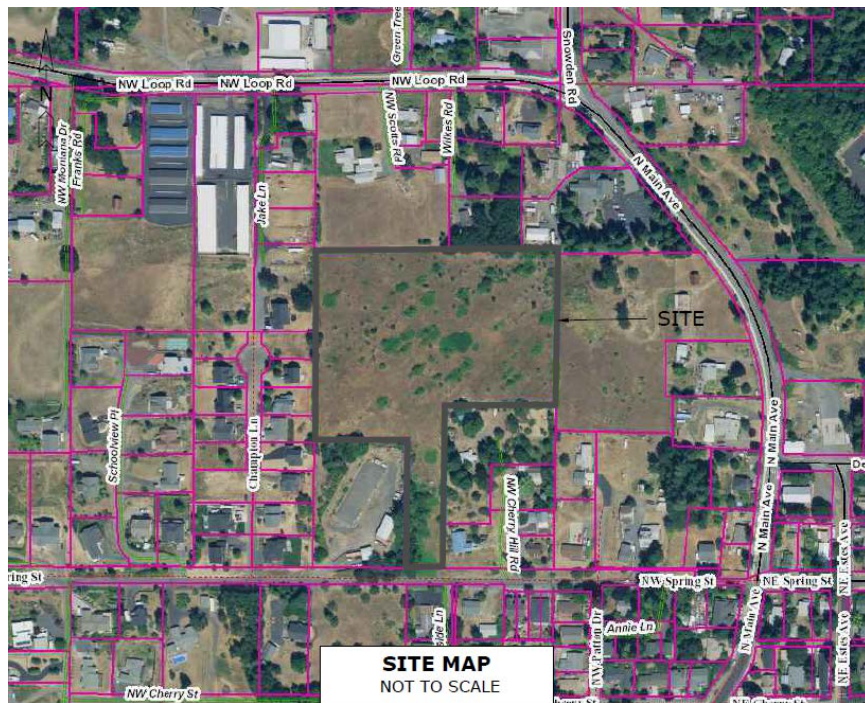
Cherry Hill Estates Preliminary
Plat

WS-SUB-2024.001 and WS-SEPA-2024.001
Applicants: Alex Pedroza of HRK Engineering &
Field Services, representing Cherry Hill NW, LLC
and Cameron Curtis of Legacy Development
Group

STAFF RECOMMENDATION
Amended December 5, 2024

PROPOSAL

Alex Pedroza of HRK Engineering & Field Services, representing Cherry Hill NW, LLC and Cameron Curtis of Legacy Development Group filed a preliminary plat for purposes of subdividing 35-single family residential lots (Exhibit A). Preliminary plat applications are processed as a Type III applications with recommendations to Planning Commission and final approval towards City Council.



LEGAL DESCRIPTION

Parcel Number 03102475000400
LOT 4 SP 91-17 IN NENE 24-3-10, in the County of Klickitat and the State of Washington.

ADDRESS

Not assigned, located off of NW Spring St, between NW Cherry Hill Rd and Champion Ln in WHITE SALMON, WASHINGTON 98672

ACREAGE OF LOT

7.93 acres

SURROUNDING USES AND ZONING

The subject property is zoned Single-Family Residential (R-1).

- North* – Three parcels, a single family residence (03102411001200), City of White Salmon zoned R-1, a single family residence (03102417000400), Klickitat County zoned suburban residential, a funeral home/professional service (03111922000200), Klickitat County zoned General Commercial.
- South* – One parcel, a single-family residence (03102474000100), City of White Salmon zoned R-2.
- East* – Three parcels, one vacant (03102475000400), and two single family residences, City of White Salmon zoned R-1.
- West* – Six parcels, containing five single family residences and the public works operations facility (03102411000900), City of White Salmon zoned R-1 and PU Public, respectively.

PROJECT TIMELINE

- September 12, 2023 – Application Received
- October 9, 2023 – Request for additional information
- November 8, 2023 – Response received
- November 21, 2023 - Request for additional information
- December 4, 2023 – Response received
- January 25, 2024 – Notice of Application
- March 4, 2024 – 1st Consistency Review
- May 13, 2024 – Response provided
- June 14, 2024 - 2nd Consistency Review
- July 26, 2024 – Response provided
- September 25, 2024 – Recommendation to Planning Commission
- December 5, 2024 – Revised Recommendation to Planning Commission

APPLICABLE STATUS OF BEARING

PRELIMINARY REVIEW FACTS AND FINDINGS..... 4

TITLE 17 - ZONING..... 4

Chapter 17.24 R-1 Single-Family Residential District..... 4

TITLE 16 - LAND DIVISIONS 4

 WSMC Chapter 16.15 Preliminary Procedures 4

 WSMC 16.15.030 – Site Evaluation for Critical Areas..... 4

 WSMC 16.45 Design Standards..... 5

 16.45.010 - General standards. 5

 WSMC 16.45.030 – Access..... 6

 WSMC 16.45.100 – Water, Sewer, utilities and drainage 6

WSMC Chapter 16.60 Plat Standards and Specifications	8
WSMC 16.60.010 – Preliminary Plat.....	8
WSMC 16.60.020 – Final Plat.....	8
TITLE 12 – STREETS, SIDEWALKS, AND PUBLIC PLACES	8
TRANSPORTATION SYSTEMS PLAN – APPLICABILITY	8
Title 18 - ENVIRONMENT	9
WSMC 18.10 Critical Areas Ordinance.....	9
WSMC 18.10.415 Design standards - erosion and landslide hazard areas.....	9
WSMC 18.40 Special Provisions – Heritage trees.....	10
TITLE 19 – ADMINISTRATION OF LAND DEVELOPMENT PROCEDURES	11
WSMC 19.10 Land Development Administration Procedures.....	11
19.10.150 Notice of Application	11
19.10.235 Planning commission review and recommendation (Type III).	12
19.10.240 Procedures for public hearings.....	12
Comprehensive Plan Alignment.....	13
ADMINISTRATIVE RECOMMENDATION	13
APPEALS PROCEDURE	15

EXHIBITS

1. Preliminary Subdivision Application & Ownership Consent Affidavits
2. Preliminary Plat
3. Site and Civil Plans
4. Title Report
5. Easement Contact Information
6. SEPA Review and Determination
 - a. SEPA Checklist (11/28/2023)
 - b. SEPA Determination (9/6/2024)
7. Arborist Report (Braun Arboriculture 11/23/23)
8. Traffic Study
 - a. Traffic Impact Analysis (DKS, 7/22/24)
 - b. Traffic Impact Analysis Review (Gray & Osborne, Inc. 8/16/24)
9. Geotechnical Report (Earth Engineers Inc, 11/15/2021)
10. Notices
 - a. Notice of Application & SEPA Public Comment Period – 1/25/24
 - b. Public Comments, including Ecology SEPA Comment, Klickitat County SEPA Comment and General comments
 - c. Notice of Public Hearing (9/9/24)
11. Soil Sampling Results (March 25, 2024)
12. Example CC&Rs
13. City Comments
 - a. Notice of Incomplete Application - 10/8/2023
 - b. Notice of Incomplete Application #2 – 11/21/2023
 - c. 1st Consistency Review – 3/4/24
 - d. 2nd Consistency Review – 6/14/24
14. Memo the Chair Hohensee, including Public Works Letter Regarding NW Spring St – 10/16/24

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15. Response letter from Applicant Traffic Engineer, DKS – 11/2/2024
 16. Memo to Chair Hohensee – 12/5/2024
 17. G&O Public Right-of-Way Access Guidelines (PROWAG) walking surface requirements e-mail correspondence – 12/3/2024

PRELIMINARY REVIEW FACTS AND FINDINGS

SITE DESCRIPTION

The project site is approximately 7.93 acres on parcel 03102475000400 (unaddressed), a vacant piece of property mostly consisting of grassed areas with trees along the perimeter. Steep slope critical areas exist along the southwest boundary of the site.

WHITE SALMON MUNICIPAL CODE (WSMC)

TITLE 17 - ZONING

Chapter 17.24 R-1 Single-Family Residential District

WSMC 17.24.040 – Density provisions.

- C. *Minimum area of lot: three thousand square feet for each single-family structure.*

FINDING – The proposed lots meet the minimum density requirements of three thousand square feet for each single-family structure. Development standards are subject to permit review procedures provided in WSMC Chapter 17.24.035 – Property development standards and 17.24.010 – Principal uses permitted outright.

TITLE 16 - LAND DIVISIONS

WSMC Chapter 16.15 Preliminary Procedures

WSMC 16.15.030 – Site Evaluation for Critical Areas

- A. *Prior to preparation of preliminary plans for a proposed subdivision and prior to site disturbing activities, the applicant shall meet with the administrator to assess whether the proposed development site includes one or more critical areas such as a wetland, waterbody, sensitive habitat area or geological hazard area as identified, classified and protected by city ordinance. The Washington Department of Fish and Wildlife (WDFW) shall be notified of all applications to divide land within the city limits prior to determination of completeness. A joint visit to the site may be necessary. If the administrator determines that a critical area is present or likely to be impacted by a proposed development, the applicant shall first complete a critical areas application, review and report, with appropriate protective measures identified, prior to preparation of preliminary development plans. The intent of this section is to minimize design conflicts, unnecessary costs and misunderstandings that could arise later, so that the applicant will be able to proceed with greater certainty about the physical limitations of a particular site.*

FINDING – City staff reviewed WDFW’s Priority Habitat Species (PHS) map to determine whether species mapped on site have a primary association with the site and result in management

recommendations via a Habitat Management Plan (WSMC 18.10.300). Post-review, no mapped priority habitats with a primary association to the site were observed. As a result, this parcel does not require a Habitat Management Plan for mapped PHS.

FINDING – As commented on by multiple members of the public, wildlife do utilize this area. So, a condition will be added to address WSMC 18.10.314 regarding fence standards.

CONDITION OF APPROVAL: Fence standards for black and mule tailed deer mapped habitat (per WDFW Priority Habitat Species Map) must be adhered under building permit review, per WSMC 18.10.314.

FINDING – Upon further review of site critical area constraints, a regulated steep slope exists along the southwestern boundary of the site, as mapped on sheet 2 of Exhibit 3. Per review of the project geotechnical report (Exhibit 9), the access easement does not impact this critical area or its proposed buffer.

WSMC 16.15.050 – Expiration of approval – Forfeiture of fees.

B. Preliminary plat approval shall be effective for five years from date of approval by the city, or such longer period as required by state law. If, during this period, a final plat is not filed with the administrator, the preliminary plat shall be null and void. Fees paid to the city clerk shall be forfeited.

FINDING – Staff finds that the Applicant shall file the final plat within five years of preliminary plat approval or the plat shall be null and void.

CONDITION OF APPROVAL: This preliminary short plat approval, should it be recommended by Planning Commission, will be valid five years from the date of City Council approval. All associated conditions of approval must be met prior to submittal of the final plat.

WSMC 16.45 Design Standards

WSMC 16.45.010 - General standards.

All roads, bridges, drains, culverts, sidewalks, curbs, storm sewers, fire protection systems, and related structures or devices shall be constructed in accordance with standards currently in effect at the time of construction. These standards shall be those contained in this article or those promulgated by the council or may be other than a city standard if accepted by the city engineer.

FINDING: Applicant shall follow standards as specified by the 2022 Construction Standard Specifications and Standard Plans for roads, drains, sidewalks, curbs, storm sewers.

CONDITION OF APPROVAL: Prior to final plat, Applicant shall demonstrate proposed streets meet the 2022 Construction Standard Specifications and Standard Plans.

FINDING: Applicant shall follow standards and fire protection systems as prescribed under WSMC 15.04.010 referencing WAC 51-54 International Fire Code (2021 edition) for hydrant placement.

CONDITION OF APPROVAL: Prior to final plat and as part of general public improvements, Applicant shall install fire hydrant(s) per WSMC 15.04.010 within the City. Hydrant(s) shall meet City standards and Applicant to verify sufficient water flow is available.

FINDING: Development plans under construction permitting will be reviewed for consistency with grading (WSMC 13.01.050) and temporary erosion control standards (WSMC 13.01.060).

CONDITION OF APPROVAL: Prior to commencing construction or grading, the Applicant shall provide the City with plans for grading, recontouring, and temporary erosion control that meet City standards and receive approval for such plans prior to grading or recontouring work.

WSMC 16.45.030 – Access

- A. *All subdivisions shall be served by one or more public roads providing ingress and egress to and from the subdivision at not less than two points, unless approved otherwise by the planning commission.*

FINDING – Staff finds subject parcel has one formal access along NW Spring Street. Per the 3rd Party Traffic Review letter provided by Gray and Osborne (Exhibit 8b), no more than 30 residential structures can have one access per the International Fire Code.

CONDITION OF APPROVAL - Prior to building permit issuance for greater than 30 lots, improved right-of-way access via the Four Oaks Planned Unit Development (PUD) to the east must be approved by Public Works.

- B. *Road networks shall provide ready access for fire and other emergency vehicles and equipment, and routes of escape for inhabitants.*

FINDING – Emergency vehicle turnarounds may be necessary, should the Four Oaks PUD access roads not be fully constructed.

CONDITION OF APPROVAL – Prior to final plat, provide proof that ingress-egress access via the Four Oaks Planned Unit Development (PUD) to the east is approved by Public Works. If not, construct a temporary hammerhead turnaround on-site or show evidence of agreement from neighboring property owner allowing temporary access on an improved surface for emergency vehicle turnaround or egress. Any interim agreements for access shall be indicated on the final plat map and recorded with Klickitat County.

WSMC 16.45.100 – Water, Sewer, utilities and drainage

- A. *Water and Sanitary Sewer Systems. Where a public water supply is the source of water, a potable water connection shall be provided for each lot within a subdivision by the subdivider. Where a public sanitary sewer is installed, a connection shall be provided for each lot within a subdivision by the subdivider. All facilities and devices of water supply and sanitary sewer systems shall meet the standards of the Southwest Washington Health District and any local or state regulations.*

FINDING –The City Public Works Director, Andrew Dirks reviewed the application and found that public facilities serving the subject parcel appear adequate to serve the proposed lots. Public sewer and water are available to the proposed lots on the plat once the Four Oaks PUD is constructed. Water will be provided through the neighboring Four Oaks PUD via the City’s North Main Booster Pump Station. Sewer will connect via the neighboring Four Oaks PUD via their connection to North Main Ave.

FINDING – Local standards for water and sanitary sewer include 2022 Public Works Standards and 2023 Construction Standard Specifications and Standard Plans.

CONDITION OF APPROVAL – Prior to final plat water and sewer lines must either be constructed or bonded for and must connect to constructed lines provided via the Four Oaks PUD. Utility lines, along with proposed hook-ups, shall be indicated on the stamped civil site plan meeting 2022 Public Works Standards and 2023 Construction Standard Specifications and Standard Plans.

CONDITION OF APPROVAL – All public utility mains serving residences shall be located in existing or proposed right of way to be dedicated to the City upon final plat.

CONDITION OF APPROVAL - Prior to issuance of future building permits, all residences shall be connected to public water and sewer utilities. Sewer and water connections and associated requirements shall be reviewed at the time of development or when building permits applications are received.

B. Utility Easement. Easement for electric, telephone, water, gas and similar utilities shall be of sufficient width to assure maintenance and to permit future utility installations.

FINDING - Staff finds that per the submitted preliminary plat, storm, water and sewer utilities proposed will be located in the right of way to be dedicated to the City. Underground power is also proposed. A five foot front yard easement exists within each of the residential lots. A 5-foot utility easement also exists on the east side of the access road running from Spring Street the project.

CONDITION OF APPROVAL – Prior to final plat the applicant must name which utilities will be utilizing the 5-foot utility easements and written confirmation from the appropriate utility district that this easement is sufficient width for maintenance purposes.

FINDING - The existing 30-foot City of White Salmon Waterline easement containing the existing 14” steel transmission main waterline must be relocated to accommodate the lot configuration proposed.

FINDING - The proposed 30-foot City of White Salmon Waterline easement containing a re-routed 14” steel transmission main waterline encumbers lots 1, 2, 10, and 11 of the proposed plat.

CONDITION OF APPROVAL – Prior to final plat the applicant must provide a new waterline utility easement agreement listing lots 1, 2, 10 11 to the City and request to vacate the existing water line easement for the transmission main.

CONDITION OF APPROVAL - No structures may be built on any existing or future easements.

C. Underground Utility Installations. In areas designated by the public utility district, underground utility installation is required.

FINDING - Staff finds the Applicants are subject to the above stated standards regarding underground utilities for future development. All new proposed utilities shall be underground.

CONDITION OF APPROVAL – Prior to final plat, the applicant shall provide written direction from Klickitat PUD whether existing power poles located on-site must be underground.

CONDITION OF APPROVAL – All new utilities must be underground.

D. Drainage and Storm Sewer Easements. Easements for drainage channels and ways shall be of sufficient width to assure that the same may be maintained and improved. Easements for storm sewers shall be provided and shall be of sufficient width and proper location to permit future installation.

FINDING - Applicants have not provided drainage and storm sewer plans or information about related easements. Consistency with WSMC 13.01.050 will be needed.

CONDITION OF APPROVAL – Prior to final plat, the applicant shall provide stormwater runoff calculations, including a demonstration that Low Impact Development is infeasible per WSMC 13.01.050. Infiltration testing will be required with adequate equipment.

WSMC Chapter 16.60 Plat Standards and Specifications

WSMC 16.60.010 – Preliminary Plat

FINDING – The applicant has provided boundaries of the proposed subdivision, contour lines, layout of proposed streets, utility easements and example restrictive covenants/CC&Rs (Exhibit 11) to be utilized.

CONDITION OF APPROVAL – Prior to final plat, provide the finalized CC&Rs to the City for review prior to recording.

WSMC 16.60.020 – Final Plat

FINDING - The applicant's preliminary plans do still need to meet WSMC Chapter 16.60.020 regarding standards, subdivision map, section reference map, and survey seal.

CONDITION OF APPROVAL – The final plat must meet the standards of WSMC 16.60.020.

TITLE 12 – STREETS, SIDEWALKS, AND PUBLIC PLACES

TRANSPORTATION SYSTEMS PLAN – APPLICABILITY

FINDING: Consistent with the City’s efforts to construct complete streets (WSMC 12.26.030) and with the adopted Transportation Systems Plan “Lite” (TSP, Ordinance 2023-08-1148, 8/30/23), WSMC 12.02.003 outlines powers of the director to further the public health, safety and welfare within public right-of way. WSMC 12.02.009 – Specifications provides for all other standards, including the application of this TSP for purposes of improved access within the NW Spring St right-of-way to mitigate against traffic impacts from construction of new single-family development, as well as residents themselves when the project is finished.

FINDING: Figure 20 – High Priority Near-Term Projects and Appendix C of the TSP: Project List and Maps, of the Transportation System Plan “Lite”, designates Spring St. to be a high priority project for bicycle and pedestrian pathways and a critical east-west corridor that provides connectivity between the two major collectors – Main St. and Estes Avenue - for residents living in the lower density neighborhoods. As such, NW Spring St. is a key nexus of transportation activity.

FINDING: The City has been unsuccessful in its latest application to the Washington Transportation Improvement Board to fully fund and construct full improvements to NW Spring Street, thereby capturing full build from the project site east to Main Street, running along NW Spring St.

FINDING: As verbally commented on by a member of the public during the October 9th, 2024 public hearing, the City has obligations to protect the health, safety and public welfare in its evaluation of proposed subdivisions, per RCW 58.17.110.

FINDING: Per RCW 47.04.300 and the adopted Safe Routes to School network shown on Figure 7 of the TSP and described on page 3-10 of the TSP (Exhibit 12b), staff finds shoulder improvements along NW Spring St, connecting the site to Main Street with a separated and protected paved shoulder, is consistent with RCW 58.17.110(2) for ensuring a proposed subdivision assures safe walking conditions for students to walk to school. A paved, protected shoulder is consistent Public Right-of-Way Access Guidelines (see Exhibit 17) by providing a stable, non-slip surface. If the City receives funding and constructs these SRTS improvements on the north side of NW Spring Street prior to when the applicant breaks ground, the City may elect to waive this requirement.

CONDITION OF APPROVAL: Prior to breaking ground on site improvements, a 4-foot wide protected paved walking path consistent with Public Right-of-Way Access Guidelines for accessible pedestrian access along the north end of Spring Street, separated by an asphalt rolled curb or similar, must be constructed.

Title 18 - ENVIRONMENT

WSMC 18.10 Critical Areas Ordinance

WSMC 18.10.415 Design standards-erosion and landslide hazard areas.

Development within an erosion or landslide hazard area and/or buffer shall be designed to meet the following basic requirements, unless it can be demonstrated that an alternative design that deviates from one or more of these standards provides greater long-term slope stability while meeting all other provisions of this chapter. The requirements for long-term slope stability shall exclude designs that require regular and periodic maintenance to maintain their level of function. The basic development design standards are:

- A. Structures and improvements shall be clustered to avoid landslide and erosion hazard areas.*
- B. Structures and improvements shall minimize alterations to the natural contours of the slope, and foundations shall be tiered where possible to conform to existing topography.*
- C. Structures and improvements shall be located to preserve the most critical portion of the site and its natural landforms and vegetation.*
- D. The proposed development shall not result in greater risk or need for increased buffers on neighboring properties.*
- E. The use of a retaining wall that allows the maintenance of existing natural slopes is preferred over graded artificial slopes*
- F. Development shall be designed to minimize impervious lot coverage.*

FINDING: A regulated steep slope exists along the southwest property boundary abutting the adjacent City Public Works Maintenance Facility. Per the Geotechnical Report (Exhibit 9), site observations indicate the site is stable. Further, the access road has been shifted to avoid cuts or retaining wall into this steep slope or proposed buffer. Further, no cuts are proposed in the steep slope itself that would undermine this critical area. Finally, heritage trees are targeted for retention in this immediate area, thereby acting as a way to retain soils in vicinity.

FINDING: A critical areas tract (Notice on Title) is required per WSMC 18.10.215 to establish future protections of this steep slope critical area from development. A template notice of tract form is available by request.

CONDITION OF APPROVAL: Prior to building permit issuance, please record a Critical Area Notice on Title. City will review prior to recording.

WSMC 18.40 Special Provisions – Heritage trees

The City aims to enforce tree protection regulations for trees that meet the size threshold criteria for a Heritage tree, as follows:

- A. *All heritage trees qualifying for protection provide valuable local habitat and shall be protected as critical areas. The tree protection area shall be equal to ten times the trunk diameter of the tree or the average diameter of the area enclosed within the outer edge of the drip line of the canopy, whichever is greater.*
- B. *Heritage trees include:*
 - 1. *Oregon White Oaks with a trunk diameter larger than fourteen inches,*
 - 2. *All other tree species with a trunk diameter greater than eighteen inches, and*
 - 3. *Any tree designated as a heritage tree by the city council in accordance with the nomination process detailed below.*

...
- F. *Maintenance and preservation of heritage trees is required.*
 - 1. *Any owner or applicant shall use reasonable efforts to maintain and preserve all heritage trees located thereon in a state of good health pursuant to the provisions of this chapter. Failure to do so shall constitute a violation of this chapter. Reasonable efforts to protect heritage trees include:*
 - a. *Avoidance of grading, excavation, demolition or construction activity within the heritage tree protection area where possible. The city shall consider special variances to allow location of structures outside the building setback line of a heritage tree whenever it is reasonable to approve such variance to yard requirements or other set back requirements.*

...
 - 4. *A heritage tree protection easement (HTPE) shall be required. A HTPE is an easement granted to the city for the protection of a heritage tree protection area. HTPEs shall be required as specified in these rules and shall be recorded on final development permits and all documents of title and with the county recorder at the applicant's expense. The required language is as follows:*

"Dedication of a Heritage Tree Protection Easement (HTPE) conveys to the public a beneficial interest in the land within the easement. This interest includes the preservation of existing heritage tree for all purposes that benefit the public health, safety and welfare, including

control of surface water and erosion, maintenance of slope stability, visual and aural buffering, and protection of plant and animal habitat. The HTPe imposes upon all present and future owners and occupiers of land subject to the easement the obligation, enforceable on behalf of the public of the city of White Salmon, to leave undisturbed all heritage trees within the easement. The heritage tree protection area may not be impacted by grading, excavation, demolition or construction without express permission from the city of White Salmon, which permission must be obtained in writing."

FINDING – Staff acknowledges the arborist report, dated November 7th 2023 (Exhibit 7) including an assessment of trees on site.

FINDING - Due to the existing force main gas line along the west property line of the subject site, HTPe's are not required for the trees within this easement named to the El Paso Natural Gas Company (Exhibits 2 and 4).

CONDITION OF APPROVAL: Prior to final plat, Applicant shall retain heritage trees on the final plat map for and show their protective easements (HTPEs) on the face of plat for those encumbering the access road area as it approaches NW Spring St.

TITLE 19 – ADMINISTRATION OF LAND DEVELOPMENT REGULATIONS

WSMC 19.10 Land Development Administration Procedures

19.10.150 Notice of Application

- A. *All public comments on the notice of application must be received in City Hall by five o'clock p.m. on the last day of the comment period. Comments may be mailed, personally delivered or sent by facsimile. Comments should be as specific as possible. Public comments may be provided at any time up to and during the public hearing. However, the city cannot ensure that comments provided after the comment period on the notice of application will be considered and addressed in staff reports on Type III projects. The SEPA threshold determination shall not be issued until after the expiration of the comment period following the notice of application. Regardless of the expiration of the notice of application comment period, any interested party may comment upon the SEPA threshold determination pursuant to applicable SEPA regulations.*

FINDING: In the interest of notifying neighbors of land use actions, Staff mailed notifications to nearby property owners within 300-feet of the subject site. Seven (7) comments were provided, raising concerns regarding traffic impacts (Klickitat County and five residents), NW Spring St road and pedestrian quality, as well as soil contaminants (Department of Ecology).

Regarding traffic concerns a Traffic Impact Analysis Report was provided and updated (Exhibit 8a) and reviewed by the City's 3rd Party Traffic Consultant (Exhibit 8b). Recommendations were provided by the City's 3rd Party Traffic Consultant regarding street improvements beyond the amount requested. Exhibit 17 captures written initial agreement by the applicant to provide NW Spring St improvements, a condition that will be reviewed prior to breaking ground to further support Safe Routes to Schools under RCW 47.04.30 and the adopted TSP (see Condition of Approval #2 below and Title 12 Compliance above).

19.10.235 Planning commission review and recommendation (Type III).

- A. *The planning commission shall review and make findings, conclusions and issue recommendations on all Type III permit applications.*
- B. *Staff Report. The administrator shall prepare a staff report on the proposed development or action summarizing the comments and recommendations of city departments, affected agencies and special districts, and evaluating the development's consistency with the city's development code, adopted plans and regulations. If requested by the planning commission, the staff report shall include proposed findings, conclusions and recommendations for disposition of the development application. The staff report shall include and consider all written public comments on the application.*
- C. *Planning Commission Hearing. The planning commission shall conduct a public hearing on Type III development proposals for the purpose of taking testimony, hearing evidence, considering the facts germane to the proposal, and evaluating the proposal for consistency with the city's development code, adopted plans and regulations. Notice of the planning commission hearing shall be in accordance with Section 19.10.190 of this code.*
- D. *Required Findings. In addition to the approval criteria listed in this code, the planning commission shall not recommend approval of a proposed development unless it first makes the following findings and conclusions:*
 - 1. *The development is consistent with the White Salmon comprehensive plan and meets the requirements and intent of the White Salmon Municipal Code;*
 - 2. *The development is not detrimental to the public health, safety and welfare;*
 - 3. *The development adequately mitigates impacts identified under Chapters 18.10 (Critical Areas Ordinance) and 18.20 (Environmental Protection/SEPA Review) of this code; and*
- 4. *For land division applications, findings and conclusions shall be issued in conformance with Sections 19.10.230 review and decision by the designated decision-making body (Type II) and 19.10.235 Planning commission review and recommendation (Type III) of this title, and RCW 58.17.110. E.*

Recommendation. In the planning commission's recommendation decision regarding Type III actions, it shall adopt written findings and conclusions. The planning commission's recommendation following closure of an open record public hearing shall include one of the following actions:

 - 1. *Recommend approval;*
 - 2. *Recommend approval with conditions; or*
 - 3. *Recommend denial.*

FINDING: The Planning Commission shall review and make recommendations based on the above criteria.

19.10.240 Procedures for public hearings.

Public hearings shall be conducted in accordance with the hearing body's rules of procedure and shall serve to create or supplement an evidentiary record upon which the body will base its decision. Questions directed to the staff or the applicant shall be posed by the chair at its discretion. In cases where scientific standards and criteria affecting project approval are at issue, the chair shall allow orderly cross-examination of expert witnesses presenting reports and/or scientific data and opinions. The hearing body may address questions to any party who testifies at a public hearing. The chair shall open the public hearing and, in general, observe the following sequence of events:

- A. *Staff presentation, including submittal of any administrative reports. Members of the hearing body may ask questions of the staff.*

-
- B. Applicant presentation, including submittal of any materials. Members of the hearing body may ask questions of the applicant.
 - C. Testimony or comments by the public germane to the matter.
 - D. Rebuttal, response or clarifying statements by the staff and the applicant.
 - E. The evidentiary portion of the public hearing shall be closed and the hearing body shall deliberate on the matter before it.

FINDING: The Planning Commission shall conduct the meeting in accordance with the following procedures.

Comprehensive Plan Alignment

Neighborhoods Policy H-2.1: Establish standards to help protect White Salmon’s small-town feel and other aspects of community character.

Finding – The purpose of a preliminary plat is to provide additional housing that will accommodate the growth in housing for the City of White Salmon. Providing housing is critical to the long-term success of the community. Single-family homes are a preferred housing choice as incomes rise and renters start families, making this housing type ideal for the community. This also increases housing stock for the City, potentially allowing additional units to become available at lower price ranges. The R1 zoning allows and encourages the development of single-family housing, as long as development can meet standards set forth in the White Salmon Municipal Code and Comprehensive Plan.

RCW 35A.63.080 Comprehensive Plan —Effect

From the date of approval by the legislative body the comprehensive plan, its parts and modifications thereof, shall serve as a basic source of reference for future legislative and administrative action: PROVIDED, That the comprehensive plan shall not be construed as a regulation of property rights or land uses: PROVIDED, FURTHER, That no procedural irregularity or informality in the consideration, hearing, and development of the comprehensive plan or a part thereof, or any of its elements, shall affect the validity of any zoning ordinance or amendment thereto enacted by the code city after the approval of the comprehensive plan.

Finding – The City Council further endorsed the current R1 zoning classification after the approval of the 2021 Comprehensive Plan. For clarification, White Salmon is a code City. RCW 35A.63.080 is clear in its intent that the Comprehensive Plan or a part thereof, or any of its elements, shall affect the validity of any zoning ordinance or amendment thereto enacted by the City code after the approval of the Comprehensive Plan. Therefore, Staff must base their decision on the applicable City of White Salmon Municipal Codes. However, it is essential to note that the elements of the Comprehensive Plan and their intent are represented clearly in the appropriate zoning and land division ordinance. Both present a clear need for housing opportunities within the residential zoning.

ADMINISTRATIVE RECOMMENDATION

Considering the proposed project and public comments provided in the open record hearing (see Exhibit 16 for Safe Routes To Schools summary to PC Chair, dated 12/5/24), the above findings support the Land

Use Planner or its designee's preliminary recommendations including recommended conditions of approval, as follows:

Conditions of Approval to be Met Prior to Final Plat

1. Prior to commencing construction or grading, the Applicant shall provide the City with plans for grading, recontouring, and temporary erosion control that meet City standards and receive approval for such plans prior to grading or recontouring work.
2. Prior to breaking ground on site improvements, a 4-foot wide walking path consistent with Public Right-of-Way Access Guidelines for accessible pedestrian access along the north end of Spring Street, separated by a asphalt rolled curb or similar, must be constructed.
3. Prior to final plat, Applicant shall demonstrate proposed streets meet the 2022 Construction Standard Specifications and Standard Plans.
4. Prior to final plat and as part of general public improvements, Applicant shall install fire hydrant(s) per WSMC 15.04.010 within the City. Hydrant(s) shall meet City standards and Applicant to verify sufficient water flow is available.
5. Prior to final plat the applicant must provide a new waterline utility easement agreement listing lots 1, 2, 10 11 to the City and request to vacate the existing water line easement for the transmission main.
6. Prior to final plat, provide proof that ingress-egress access via the Four Oaks Planned Unit Development (PUD) to the east is approved by Public Works. If not, construct a temporary hammerhead turnaround on-site or show evidence of agreement from neighboring property owner allowing temporary access on an improved surface for emergency vehicle turnaround or egress. Any interim agreements for access shall be indicated on the final plat map and recorded with Klickitat County.
7. Prior to final plat water and sewer lines must either be constructed or bonded for and must connect to constructed lines provided via the Four Oaks PUD. Utility lines, along with proposed hook-ups, shall be indicated on the stamped civil site plan meeting 2022 Public Works Standards and 2023 Construction Standard Specifications and Standard Plans.
8. All public utility mains serving residences shall be located in existing or proposed right of way to be dedicated to the City upon final plat.
9. Prior to final plat, the applicant shall provide stormwater runoff calculations, including a demonstration that Low Impact Development is infeasible per WSMC 13.01.050. Infiltration testing will be required with adequate equipment.
10. Prior to final plat, the applicant shall provide written direction from Klickitat PUD whether existing power poles located on-site must be underground.
11. Prior to final plat, provide the finalized CC&Rs to the City for review prior to recording.
12. The final plat must meet the standards of WSMC 16.60.020.
13. Prior to final plat, Applicant shall retain heritage trees on the final plat map for and show their protective easements (HTPEs) on the face of plat for those encumbering the access road area as it approaches NW Spring St.

Conditions of Approval to be Met Prior to Building Permit

14. Prior to building permit issuance for greater than 30 lots, improved right-of-way access via the Four Oaks Planned Unit Development (PUD) to the east must be approved by Public Works.

-
15. Prior to issuance of future building permits, all residences shall be connected to public water and sewer utilities. Sewer and water connections and associated requirements shall be reviewed at the time of development or when building permits applications are received.
 16. Prior to building permit issuance, please record a Critical Area Notice on Title. City will review prior to recording.
 17. Fence standards for black and mule tailed deer mapped habitat (per WDFW Priority Habitat Species Map) must be adhered under building permit review, per WSMC 18.10.314.

General Conditions of Approval

18. This preliminary short plat approval, should it be recommended by Planning Commission, will be valid five years from the date of City Council approval. All associated conditions of approval must be met prior to submittal of the final plat.
19. No structures may be built on any existing or future easements.
20. All public utility mains serving residences shall be located in existing public right of way or proposed right of way to be dedicated to the City upon final plat.
21. All new utilities must be underground.

Recommended By:



Alex Capron, AICP - Planning Consultant

APPEALS PROCEDURE

19.10.320 Judicial appeal.

- A. Appeals from the final decision of the city council and appeals from any other final decisions specifically authorized (subject to timely exhaustion of all administrative remedies) shall be made to Superior Court within twenty-one calendar days of the date the decision or action became final, as defined in Section 19.10.280(B) of this code, unless another time period is established by state law or local ordinance. All appeals must conform with procedures set forth in Chapter 36.70C RCW.
- B. Notice of the appeal and any other pleadings required to be filed with the court shall be served on the city clerk, and all persons identified in RCW 36.70C.040, within the applicable time period. This requirement is jurisdictional.
- C. The cost of transcribing and preparing all records ordered certified by the court or desired by the appellant for such appeal shall be borne by the appellant. Prior to the preparation of any records, the appellant shall post with the city clerk an advance fee deposit in the amount specified by the city clerk. Any overage will be promptly returned to the appellant.



CITY OF WHITE SALMON

CITY HALL

EXHIBIT 14

October 16, 2024

Chair Hohensee
White Salmon Planning Commission

RE: Cherry Hill Estates Subdivision – Closed Record Public Hearing – 10/23/24

City staff, City Attorney Kelly Hickock, and the City’s planning consultant discussed public comment provided at the October 9th Planning Commission meeting for subdivision application WS-SUB-2024.001. As commented by the public, two outstanding comments arose, including:

1. Absence of staff considering specific habitat and potential corridors as they exist today, including Mule and black-tailed deer habitat that has presence in the area (confirmed via WDFW’s Priority Habitat Species Map: <https://geodataservices.wdfw.wa.gov/hp/phs/>).
2. Additional burden of proof on that of the City regarding project’s impacts to NW Spring St, responsibilities of the applicant, existing pavement condition and roadway width, and future projects in NW Spring St. RCW 58.17.110 was referenced in public comment.

Comment #1 will be addressed as a future condition of approval regarding fence standards relating to provisions found within [WSMC 18.10.314](#).

Regarding comment #2, City staff and their planning consultant recommend Planning Commission Remand this preliminary plat back to the applicant, requesting additional information of their Traffic Engineer (See exhibit 8a), as outlined in the enclosed Public Works Letter written by Public Works Director Andrew Dirks. Exhibit 8b (prepared by G&O, City’s 3rd party traffic engineering reviewer) is also attached, along with all original exhibits.

No revised staff recommendation will be provided at this time until item #2 is resolved.

Sincerely,

Alex Capron, AICP
Consultant Land-Use Planner

Encl: Public Works Letter to Mr. Cameron Curtis (applicant/owner) and Planning Commission Chair Hohensee

100 Main Street PO Box 2139 White Salmon, Washington 98672
Telephone: (509) 493-1133 Web Site: white-salmon.net



CITY OF WHITE SALMON

PUBLIC WORKS DEPARTMENT

10/16/24

Mr. Cameron Curtis

Subject: Cherry Hill Subdivision.

Mr. Curtis,

I have been requested by the Planning Commission Chair Hohensee and the City's Planning Consultant Alex Capron, AICP, Senior Planner with Facet NW to give an overall status of NW Spring from my observations and excavation within the roadway. NW Spring has roughly 20' of "paved" travel width. There is no sub-base material in the roadway. It consists of oil and rock compacted on the original dirt road. It is substandard for the amount of traffic it supports, currently. It was annexed by the City in 2022 from Klickitat County in its current condition, under previous administration.

The traffic impacts of your proposed subdivision that will be accessed via NW Spring St will need to be reviewed to determine the requirements, extent, and proportionality of roadway improvements to NW Spring St. The following will need to be addressed by your traffic engineer:

- Evaluation of project construction vehicle traffic impacts to NW Spring St., including frequency, duration and anticipated size of vehicles.
- Impacts resulting from the 394 proposed trips onto NW Spring St for proposed residents, should permanent secondary access not be provided to Main St.

While future development may indicate that there is a potential for your subdivision to be accessed through the proposed Four Oaks subdivision to the east, this is not a guarantee. The above requirements will need to be addressed with this in mind and focus primarily on access from NW Spring St.

Public Works would also like to offer the following information that will be considered during the review of the traffic impact:

- Public Works has secured funding to replace the watermain in NW Spring St and install the N Main Booster pump station with the hopes of having the project out to bid by the end of 2024.
- As a result of the watermain project, NW Natural Gas will have to relocate their gas main within NW Spring St.
- Public Works has also applied for funding through the Transportation Improvement Board to improve NW Spring St as described in the Transportation System Plan, we expect to hear the results in Mid-May, 2025.

Because of these pending projects and applications, the timing of this development will be a factor in the final condition of NW Spring St.



CITY OF WHITE SALMON

PUBLIC WORKS DEPARTMENT

Sincerely,

A handwritten signature in blue ink, appearing to read "A. Dirks". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Andrew Dirks
Public Works Director
City of White Salmon



EXHIBIT 16

DATE: November 4, 2024
TO: Zach Gustin | Curtis Homes
FROM: Jenna Bogert, P.E. | DKS Associates
SUBJECT: White Salmon Cherry Hill Subdivision – Response to Comments

This letter responds to the comments received from the City of White Salmon and its consultant, Gray & Osborne, regarding the Cherry Hill Subdivision Transportation Impact Study (TIS).¹ The comments and responses are summarized below.

City Comment: The traffic impacts of your proposed subdivision that will be accessed via NW Spring St will need to be reviewed to determine the requirements, extent, and proportionality of roadway improvements to NW Spring St. The following will need to be addressed by your traffic engineer: Impacts resulting from the 394 proposed trips onto NW Spring St for proposed residents, should permanent secondary access not be provided to Main St.

DKS Response: Should access onto Main Street not be permitted, all traffic generated by the development would enter/exit the site via the access on NW Spring Street. Per Figure 3 in the TIS, this would result in most (95%) of trips traveling through the intersection of NW Spring Street/N Main Avenue. As shown in Table 5 of the TIS under the Future 2027 Build condition (which assumes roughly 80% of the project trips travel through the intersection at NW Spring Street/N Maine Avenue), drivers on Spring Street will experience an average of 11 seconds of delay when turning onto Main Avenue, which is an increase of less than half a second over the No-Build condition. Additionally, the volume-to-capacity ratio (v/c) shows that roughly 12% of the capacity of the intersection will be utilized. Based on this, it can be assumed that the average driver delay at the intersection would increase by a very minimal amount (one or two seconds) and that there would be plenty of capacity remaining at the intersection should the proposed subdivision only have access to NW Spring Street.

Gray & Osborne Comment 1: The report indicates that the subdivision will include up to 36 single-family homes, and will have a direct access onto Spring Street. As part of a future development, a second access onto Main Avenue is also discussed. The International Fire Code requires two separate access roads for subdivisions that create more than 30, one-family dwellings. The fire code official should review the subdivision and proposed future access to confirm this requirement.

DKS Response: Based on conversations with the City, the site will only be permitted to construct up to 30 single-family homes, removing the need for a second access per fire code.

¹ Cherry Hill Subdivision Transportation Impact Study, DKS Associates, July 2024.

Gray & Osborne Comment 2: The report indicates that the City is in the process of developing a Transportation Plan Lite. The TSP Lite was adopted in August 2023. We recommend updating the report to include the City’s recently completed TSP and ensure coordination with TSP-listed projects.

DKS Response: A summary of recommended projects within the vicinity of the proposed subdivision are provided here, and can be found in Figure 18 of the City’s TSP Lite. Project 10 is a desired through street connection between NW Spring Street and N Main Avenue; Project 11 is improved bicycle and pedestrian facilities on NW Spring Street; Project 12 is intersection improvements for pedestrians and bicyclists at NW Spring Street/N Main Avenue.

Gray & Osborne Comment 3: The report indicates that no concerns for conflicts with nearby accesses exist. We note the that Hillside Lane (private road) will be located adjacent to the proposed access. The misalignment of the proposed access and Hillside Lane may be undesirable for the City.

DKS Response: Because secondary access to the property will not be permitted, the only access to this property is via NW Spring Street, and because of the property extents, it is impossible for access to this parcel to be aligned with Hillside Lane. DKS has no conflict or safety concerns for the offset of these two access points because of the following reasons: the amount of traffic accessing Hillside Lane is very low (3-5 single-family homes), any left turns onto Hillside Lane from NW Spring Street would not conflict or overlap with left turns on NW Spring Street into the proposed Cherry Hill subdivision access, and lastly, there is no history of crashes near either access in the last 5 years.

Gray & Osborne Comment 4: The proposed connection to Main Avenue through the Four Oaks subdivision may result in a skewed or offset intersection. Future submittals related to this intersection should be reviewed.

DKS Response: See response to Gray & Osborne Comment 1.

Gray & Osborne Comment 5: The report indicates that the project frontage along Spring Street is very limited (approximately 100 feet total) and that construction of pedestrian/bicycle facilities may be impractical with in the overall project frontage. The City may wish to require the developer to consider the overall impacts to Spring Street as a result of the proposed development and require network improvements which can accommodate these impacts, outside of the limited project frontage.

DKS Response: The developer cannot be conditioned to construct or pay more than their proportionate share of their impacts to the transportation system. Any improvements or contributions to the City beyond the project frontage improvements would not be proportional to the development’s impact to the street system and therefore would be an unconstitutional exaction.



CITY OF WHITE SALMON

CITY HALL

EXHIBIT 16

December 5, 2024

Chair Hohensee
White Salmon Planning Commission

RE: Cherry Hill Estates Subdivision – Closed Record Public Hearing – 12/11/24

City staff, city's planning consultant, city's traffic engineer consultant (G&O), and Zach Gustin, Development Manager for Curtis Homes (Applicant) met on October 21, 2024 to discuss public comment provided at the October 9th Planning Commission meeting for subdivision application WS-SUB-2024.001, as well as the October 23rd Planning Commission meeting results and direction.

The remaining issue to be addressed is in regards to NW Spring Street and its ability to meet existing residents safety needs while the subject project is constructing improvements with exclusive access via NW Spring Street.

City Staff & Planning Consultant Follow-up: The applicant has tentatively agreed to provide a Safe Routes to Schools (SRTS) path per RCW 47.04.300 and RCW 58.17.110 authorizing police powers of the city to preserve health, safety, and public welfare of surrounding properties while development occurs. Specifically, SRTS will connect to the subject site to previously agreed-upon improvements east of the flag lot entry to Main Street, separated by a rolled curb, and four-foot-wide path. Further, previous Condition of Approval (COA) #16 in the original September Staff Recommendation will be removed. Original COA #16 is provided below for reference:

- 16. Prior to issuance of a future building permit certificate of occupancy, frontage improvements meeting Public Works standards must be installed or bonded for at the intersection of the access road and NW Spring St and running east roughly 125 linear feet. These improvements will be required for half of NW Spring St including a 11' travel lane, 6' bike lane, and 5' sidewalk. The improvements shall join and provide a transition with the existing NW Spring St to provide safe access.*

In exchange, the four-foot-wide separated shoulder will be paved to support accessibility requirements, consistent with the City's 3rd Party Traffic Engineering Consultant G&O's recommendation (see Exhibit 17). This is reflected in added COA #2, as follows:

- 2. Prior to breaking ground on site improvements, a 4-foot wide walking path consistent with Public Right-of-Way Access Guidelines for accessible pedestrian access along the north end of Spring Street, separated by an asphalt rolled curb or similar, must be constructed.*

City staff, their planning consultant and traffic engineering consultants recommend approval

100 Main Street PO Box 2139 White Salmon, Washington 98672
Telephone: (509) 493-1133 Web Site: white-salmon.net



CITY OF WHITE SALMON

CITY HALL

with an added SRTS COA #2, connecting the subject site to Main Street, and occurring prior to commencing site improvement installation for utilities, roadways and other public infrastructure on the subject property, or bonding for these improvements prior to final plat.

A revised Staff Report Dated December 5th, 2024 and Exhibits are made available in the City's PC meeting Packet.

Sincerely,

A handwritten signature in black ink, appearing to read "Alex Capron".

Alex Capron, AICP
Consultant Land-Use Planner

EXHIBIT 17

RE: White Salmon - Cherry Hill Subdivision - Spring Street Items

From Michael Woodkey <mwoodkey@g-o.com>

Date Tue 12/3/2024 9:29 AM

To Alex Capron <ACapron@facetnw.com>

Cc 'Andrew Dirks' <andrewd@ci.white-salmon.wa.us>; 'Mike Meskimen' <mmeskimen@g-o.com>

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Hi Alex,

We are available to attend on 12/11. A couple items for discussion on the proposed pathway:

1. The Public Right-of-Way Access Guidelines (PROWAG) requires walking surfaces of *accessible* pedestrian access routes to be stable, firm, and slip resistant. This generally excludes gravel surfacing, as described in the below question:

Common Questions

Must accessible surfaces be paved?

Concrete, asphalt, and other paved surfaces are more reliably compliant, but other materials, such as wood, and construction methods can be used to provide firm and stable surfaces. Loose material like gravel will not perform adequately unless it is sufficiently stabilized by binders, compaction, or other treatments and will likely require repeated maintenance.



2. For pedestrian access routes with less than 60-inches of clear width, passing spaces (60-inch by 60-inch clear) must be provided at 200-ft intervals.

Given that this is a new pedestrian facilities along an existing roadway, we believe the above requirements would be applicable to construction of the pathway. We are available to meet to discuss the impacts of the above requirements prior to meeting on the 12/11.

Thanks,

Michael Woodkey, P.E. | (509) 453-4833, Ext 1404 | (509) 654-0396 Cell
Gray & Osborne, Inc. | 180 Iron Horse Court, Yakima, WA 98901

Electronic File Transfer - Note that these electronic files are provided as a courtesy only. Gray & Osborne, Inc. in no way guarantees the accuracy or completeness of the digital data contained within these files. Furthermore, Gray & Osborne, Inc. assumes no liability for any errors or omissions in the digital data herein. Anyone using the information contained herein should consult the approved or certified hard copy drawings or reports for the most current information available.

From: Alex Capron <ACapron@facetnw.com>

Sent: Tuesday, November 26, 2024 5:31 PM

To: Michael Woodkey <mwoodkey@g-o.com>; Mike Meskimen <mmeskimen@g-o.com>

Cc: Andrew Dirks <andrewd@ci.white-salmon.wa.us>

Subject: Fw: White Salmon - Cherry Hill Subdivision - Spring Street Items

Hi Michael & Mike:

Would you be able to attend the Planning Commission meeting on 12/11?

Your feedback and technical input regarding the SRTS standards (4-ft wide gravel path, ect) would be greatly appreciated by both us and PC, I'd imagine.

Development Team approach (in-consultation with Andrew) is to keep the original findings of fact and frontage improvement requirements, in addition to SRTS provisions consistent with RCW 58.17.110 (responding to public comment).

The applicant has an opportunity to question this before planning commission in the closed record hearing. See bullet #2 below.

Happy Thanksgiving!

Alex Capron, AICP (he/him/his)

Senior Planner

O: 425-822-5242

D: 425-650-1319

E: acapron@facetnw.com

[\[facetnw.com\]](http://facetnw.com) facetnw.com

Formerly DCG/Watershed

From: Zach Gustin <zachg@curtishomesllc.com>

Sent: Tuesday, November 26, 2024 8:55 AM

To: Alex Capron <ACapron@facetnw.com>

Cc: Erika Castro-Guzman <erikac@ci.white-salmon.wa.us>; Andrew Dirks <andrewd@whitesalmonwa.gov>; Cameron Curtis <cameron@curtishomesllc.com>

Subject: Re: White Salmon - Cherry Hill Subdivision - Spring Street Items

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Good morning All,

I'm reaching out to follow up on my questions in the email below which are:

- When will you be able to share the recommendation report that you'll be providing to the Planning Commission for our review,

- Whether the City of White Salmon is open to discussing removing the additional 126 lineal feet of half street improvements we'd previously agreed to in lieu of providing the walking path along the North side of Spring Street, and

- Can you share any information on the scope of work that is being proposed for the waterline and gas line replacement projects?

Also, I'm sorry to see that the request for Spring Street improvement funds didn't get approved by the Washington TIB.

Thanks for your time, and I look forward to hearing from you soon.

Best regards,

Zach

Zach Gustin
Land Development Manager
BUILDING A LEGACY YOU CAN LIVE IN
CurtisHomesllc.com | 406.490.1216

CCB#188273 WA#CURTIHL901CS

On Thu, Nov 21, 2024 at 10:56 AM Zach Gustin <zachg@curtishomesllc.com> wrote:

Hey Alex,

I hope you're having a good week. I'm reaching out to see if you have an estimate for when you'll be sending me the memo/packet that will be presented to the Planning Commission for consideration.

Also, I wanted to share with you that I've discussed the request to include a gravel path along the North side of Spring Street to accommodate the Safe Routes needs with Cameron, and it is something he's willing to do. However, because this will add additional costs to our project for construction, we'd like to discuss eliminating the additional 126 lineal feet of offsite improvements to Spring Street that we'd previously agreed to to offset the additional costs. Is that something the City is willing to work with us on?

I'm assuming this request to eliminate the 126 lineal feet of Spring Street improvement will be less of an issue if the City is granted the TIB funds tomorrow. Fingers crossed for good news there.

Andrew, a question I have for you is; have you heard anything from NW Natural regarding their plan for the gas line relocation? If not, do you have a point of contact or work order number with them you can share with me so I can reach out to them for the information?

Thanks for your time, and I look forward to discussing these items with you all.

Best regards,

Zach

Zach Gustin
Land Development Manager
BUILDING A LEGACY YOU CAN LIVE IN
CurtisHomesllc.com | 406.490.1216

On Tue, Nov 12, 2024 at 2:40 PM Zach Gustin <zachg@curtishomesllc.com> wrote:

Hi Alex,

Please find attached a copy of DKS' responses to Mr. Dirks' comment on the impacts to the residents of Spring Street and the Gray & Osborne comments for the Transportation Impact Study.

Thanks for your time, and I look forward to discussing DKS' responses and other project aspects tomorrow.

Best regards,

Zach

Zach Gustin
Land Development Manager
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CCB#188273 WA#CURTIHL901CS

On Mon, Nov 11, 2024 at 8:29 AM Zach Gustin <zachg@curtishomesllc.com> wrote:

Good morning Alex,

Thanks for your email. Yeah, we can make a meeting at 11am on Wednesday, the 13th, work for us.

Thanks for putting this together for us, I'll keep an eye out for the MS Teams invite.

Best regards,

Zach

Zach Gustin
Land Development Manager
BUILDING A LEGACY YOU CAN LIVE IN
CurtisHomesllc.com | 406.490.1216

CCB#188273 WA#CURTIHL901CS

On Sat, Nov 9, 2024 at 4:41 PM Alex Capron <ACapron@facetnw.com> wrote:

Hi Zach,

Appears Michael and/or Mike, Traffic Engineers at G&O can make 11am on Wednesday, November 13th. Does that work for you?

If so, I'll send an MS Teams invite.

Thank you,

Alex Capron, AICP (he/him/his)

Senior Planner

O: 425-822-5242

D: 425-650-1319

E: acapron@facetnw.com

[\[facetnw.com\]](http://facetnw.com)facetnw.com

Formerly DCG/Watershed

From: Zach Gustin <zachg@curtishomesllc.com>

Sent: Tuesday, November 5, 2024 8:28 AM

To: Alex Capron <ACapron@facetnw.com>

Cc: Cameron Curtis <cameron@curtishomesllc.com>; Erika Castro-Guzman <erikac@ci.white-salmon.wa.us>; Michael Woodkey <mwoodkey@g-o.com>; Mike Meskimen <mmeskimen@g-o.com>; Andrew Dirks <andrewd@whitesalmonwa.gov>

Subject: Re: White Salmon - Cherry Hill Subdivision - Spring Street Items

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Good morning Alex,

Thanks for the follow up, and yes please keep us in the loop on the meeting times for discussing the revised staff report. We are still working to get answers to your original questions, so please let us know if there are additional questions you'd like addressed before we meet sometime next week.

Thanks again for your time and help, and we look forward to meeting with you all.

Bests,

Zach

Zach Gustin

Land Development Manager

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CurtisHomesllc.com | 406.490.1216

CCB#188273 WA#CURTIHL901CS

On Mon, Nov 4, 2024 at 4:44 PM Alex Capron <ACapron@facetnw.com> wrote:

Hi Zach & Cameron:

Received. Thanks for that explanation.

As we approach the tentative 12/11 meeting (and 12/4 PC Packet date for a revised staff report, as necessary), it would be good to discuss. We were originally going to offer next Monday, though that's Veteran's Day so City Hall is closed. We're circulating times internally and will offer you some choices, should you be interested.

Best Regards,

Alex Capron, AICP (he/him/his)

Senior Planner

O: 425-822-5242

D: 425-650-1319

E: acapron@facetnw.com

[\[facetnw.com\]](http://facetnw.com)facetnw.com

Formerly DCG/Watershed

From: Zach Gustin <zachg@curtishomesllc.com>

Sent: Wednesday, October 30, 2024 3:42 PM

To: Alex Capron <ACapron@facetnw.com>; Andrew Dirks <andrewd@whitesalmonwa.gov>

Cc: Cameron Curtis <cameron@curtishomesllc.com>; Erika Castro-Guzman <erikac@ci.whitesalmon.wa.us>

Subject: White Salmon - Cherry Hill Subdivision - Spring Street Items

You don't often get email from zachg@curtishomesllc.com. [Learn why this is important](#)

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Good afternoon Alex and Andrew,

I'm writing to check in with you following the last Planning Commission meeting and to share the attached letter regarding the comments in Andrew's October 16th letter to Cameron.

Also, I apologize for the delay in reaching out to connect with you. As I'm sure you're aware, it's a busy time of year for construction as the weather changes and the days get shorter.

I look forward to catching up with you to discuss the attached letter, and to start working to coordinate on our respective projects, so we can have a productive meeting with the Planning Commission on December 11th.

Thanks for your time, and best regards,

Zach

Zach Gustin

Land Development Manager

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CurtisHomesllc.com | 406.490.1216

CCB#188273 WA#CURTIHL901CS

Hi Z

File Attachments for Item:

3. Ordinance Amending Commercial Form-Based Code

a. Presentation

b. Public Testimony

c. Discussion

d. Action

**CITY OF WHITE SALMON
ORDINANCE NO. ____**

AN ORDINANCE OF THE CITY OF WHITE SALMON, WASHINGTON, AMENDING TITLE 17 BY REVISING CHAPTER 17.48 TO UPDATE ITS ZONING PROVISIONS, INCLUDING SEVERABILITY AND AN EFFECTIVE DATE

WHEREAS, the City of White Salmon (“City”) acknowledges the need to update its zoning regulations to better reflect the current needs of citizens; and

WHEREAS, the City recognizes the importance of schools and day care facilities in meeting the city’s needs; and

WHEREAS, the City recognizes the benefits of a mix of uses within its commercial areas, including schools and day care facilities; and

WHEREAS, the City recognizes the need to allow empty commercial spaces to accommodate other uses; and

WHEREAS, the City has conducted public outreach in accordance with the City’s Public Participation Plan, sufficient to establish regulations in accordance with RCW 36.70A;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF WHITE SALMON DOES ORDAIN AS FOLLOWS:

That the following amendments be made to White Salmon Municipal Code Title 17:

SECTION 1. Amendment to Title 17, Chapter 17.48.020. The City hereby repeals WSMC Title 17 Chapter 17.48.020 in its entirety, and adopts the following to be codified as WSMC Title 17 Chapter 17.48.020:

Key: Underlined = added language
 ~~Strikethrough~~ = deleted language

Title 17 ZONING¹

Chapter 17.48 C GENERAL COMMERCIAL DISTRICTS²

17.48.020 Principal uses permitted outright.

Principal use listed as uses permitted outright in the C district are intended to be retail and service oriented uses focused on sales of goods and services to end users. Permitted uses include:

- A. Retail - Retail stores and shops providing goods and services, including hardware, dry goods, apparel, home appliances, jewelry, photographic studio, furniture and boat sales; gift shop;
- B. Service and Professional Space - Cafe, tavern, theater (including outdoor), radio and television, bank, business or professional office;
- C. Repair and Sales - Automobile, truck and machinery dealer (new and used), garage, and automobile, truck and other passenger vehicle repair reconditioning, painting, upholstering, motor rebuilding, body and fender work; refrigerated locker rental, shoe repair, bakery, supermarket, tailoring;
- D. Preparation and Sales - Formulating and preparing for sale such products as bakery goods, candy, cosmetics, dairy products, drugs, food and beverage products; including brewer, distillery, or winery in conjunction with a pub eatery or tasting room;
- E. Hospitality - Hotel, motel and tourist facilities; places of public assembly; commercial recreation does not include short-term rental, see WSMC 17.48.030.D;
- F. Artisan Manufacture and Sales - Boatbuilding; instruments, dishware, candles, glassware; metal work and welding; other items assembled from various raw materials such as wood, bone, cellophane, canvas, cloth and glass; spinning or knitting of cotton, wool, flax or other fibrous materials; stone, marble and granite monument works;
- G. Schools and day care facilities;**
- H.** Other commercial uses determined to be similar to the above uses may be permitted, subject to approval of the planning commission.

(Ord. No. 2012-12-910, 12-19-2012; Ord. No. 2022-02-1096, § 1, 2-16-2022)

¹Editor's note(s)—Ord. No. 2012-11-905, adopted Nov. 26, 2012, repealed Title 17, Chs. 17.04, 17.08, 17.12, 17.16, 17.24, 17.28, 17.32, 17.36, 17.40, 17.44, 17.50, 17.52, 17.56, 17.60, 17.66—17.68, 17.72, 17.74, 17.76, 17.78, 17.80, 17.84, 17.88 and 17.92, in their entirety and enacted new provisions to read as herein set out. Prior to this amendment, Title 17 pertained to similar subject matter. See Ordinance List and Disposition Table for derivation.

²Editor's note(s)—Ord. No. 2012-12-910, adopted Dec. 19, 2012, repealed Ch. 17.48, in its entirety and enacted new provisions to read as herein set out. Prior to this amendment, Ch. 17.48 pertained to "C2 General Commercial Districts." See Ordinance List and Disposition Table for derivation.

SECTION 2. Severability / Validity. The provisions of this ordinance are declared separate and severable. If any section, paragraph, subsection, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this ordinance.

SECTION 3. Effective Date. This ordinance shall take effect and be in force five (5) days after its approval, passage and publication as required by law.

SECTION 4: Transmittal to the State. Pursuant to RCW 36.70A.106, a complete and accurate copy of this ordinance shall be transmitted to the Department of Commerce within ten (10) days of adoption.

PASSED this ___ day of _____ by the City Council of the City of White Salmon, Washington, and signed in authentication of its passage.

Marla Keethler, Mayor

ATTEST:

City Clerk/Treasurer

APPROVED AS TO FORM:

City Attorney

File Attachments for Item:

4. Ordinance Amending Tree Protection Code (Continued)

a. Presentation

b. Public Testimony

c. Discussion

d. Action

TECHNICAL MEMORANDUM

Date: December 5, 2024

To: White Salmon Planning Commission

From: Alex Capron, AICP, Senior Planner
Deb Powers, Senior Arborist

Project Name: White Salmon Tree Code Update

Project Number: 2205.0244.05

Tree Ordinance Update – Planning Commission Recommendation to the City Council

The recommended tree protection code amendments to White Salmon Municipal Code (WSMC) Chapter 18.40 Ord. 2023-11-1153 (Attachment 1) will be brought before the Planning Commission on December 11, 2024 following the previous public hearing meeting held on September 25, 2024.

Background

The Heritage Tree Code Update Project, launched in April 2024, is a result of review and feedback from the community, the City of White Salmon Planning Commission, and the Tree Board. A Planning Commission public hearing was held during meetings on August 28, September 11, and September 25, 2024s. At the September 25 meeting, Facet consultants presented an overview of requested code changes that included:

- Increased tree removal allowances based on property size.
- Added code language on defensible space and Firewise guidance from local fire authorities.
- An increase in the minimum size criteria for Special (native) Trees.
- A reorganized Heritage Tree nomination process.
- Reduced jargon and added examples and diagrams for further code clarity.

Additional comments on the draft tree code made at the September 25, 2024 Planning Commission meeting are shown in Attachment 3.

Public Testimony

Several concerns were raised during public testimony at the September 25, 2024 public hearing. While a Tree Board member and a resident expressed the draft code is much improved (i.e., including the increased tree removal allowances) others felt the code is overly restrictive, doesn't allow enough tree removal for fire safety, or will have an undesirable effect on much-needed housing density and affordability. Several residents described potential development scenarios and how the code might apply. A community member described his experience observing the lack of any tree protection on an

adjacent property undergoing development, which seemed to justify the need for clear tree protection requirements.

Additional public feedback, Tree Board members, and Planning Commissioner comments submitted via email are shown in Attachment 5.

Planning Commission Discussion

The Planning Commission was prepared to provide its recommendation at the September 25, 2024 meeting. However, commissioners expressed a desire to see additional improvements before bringing the draft Tree Protection Ordinance recommendation to the City Council. One substantive change to the draft code includes deleting the parking incentive for tree retention with the development of an Accessory Dwelling Unit (ADU), due to the Planning Commission's separate efforts on reducing minimum parking requirements. However, the code incentives for property owners and developers to retain trees for stormwater credits remain, as shown in Attachment 4 and at the end of Attachment 1. The Planning Commission requested that Facet continue making improvements to simplify the code, especially related to tree protection measures with development to make it more understandable and implementable for laypersons. Other potential revisions to the draft code that were discussed include:

- Clarify the measuring process/calculation for multiple-trunked trees.
- Describe the submittal and plan review process for tree retention plans and tree removal requests.

Draft Code Changes

An updated draft code (Attachment 1) accompanies this memo showing markups and strikeouts reflecting the Planning Commission's most recent feedback in red text. Attachment 2 summarizes draft code changes shown in a table format, organized by code topic.

New Issues & Concerns

The following describes the code revisions, issues and concerns based on the Planning Commission requests. Topics below are numbered to correspond with Attachment 2. In some cases, no or limited code revisions were made in response to new amendment requests, as distinguished by bold text.

1. Tree protection with development. Limited revisions were made to clarify terms and calculations towards a formulaic approach to defining Tree Protection Zone (TPZ), with the addition of a basic diagram.
2. Waive the arborist report requirement. Limited revisions were made to clarify when an arborist report is required or when the City has the discretion to waive its submittal. In non-development scenarios, note that any tree less than 18" DBH or trees that do not meet significant or special criteria may be removed without any notification - submittal requirements do not apply. Other non-development arborist report considerations:
 - An arborist report is *not* required to remove trees on private property per the allowances based on property size (18.40.030.B-C).

- Additional hazard/nuisance tree removals that *exceed* removal allowances may be approved without an arborist report as an “over the counter” City approval (18.40.030.D).
- An arborist report is *not* required for emergency tree removals (18.40.030.E).

In development scenarios, the draft code allows tree protection plans to be developed by the applicant, with City discretion to require plans prepared by a “qualified professional arborist” if the plans are insufficient for adequate review. As with a survey, wetland delineation, or a geotechnical report required for development, professional expertise on construction-impacted trees is not common knowledge. The arborist report requirement alleviates expectations that City staff assess tree health, potential construction impacts and resulting risk on behalf of the development permit applicant.

3. Clarify arborist report contents, submittal, and review process. Some clarifying revisions were made for arborist report content. Generally, permit submittal processes (and other administrative procedures) are not codified, so **no revisions made to outline permit review process.** Facet recommends that the City provide permit process guidance such as handouts and webpage content for applicants and is available to assist in their development.
4. Allow heritage tree removals. As an incentive to encourage heritage tree nominations, it was suggested that heritage trees be allowed to be removed. **No revision to allow heritage tree removals was made,** due to:
 - Heritage tree programs aim to promote stewardship and advocacy by incentivizing the voluntary retention of trees on private property, outside of the regulatory framework of tree code requirements.
 - Note prior Tree Board and Planning Commission discussions resulted in striking size and species criteria to encourage Heritage Tree nominations. Efforts to increase public awareness of the program are recommended, prior to allowing removals.
 - Heritage trees are already allowed to be removed under the draft code criteria for dead/hazard trees, or through a declassification process (18.41.050).
5. Redefine protected trees by size. To align with Firewise guidance for removing brush surrounding structures, the Planning Commission requested that the smaller sized trees within the Special tree category be redefined and the size of Oregon white oak in groves be increased.
 - Vine maples were removed from the “special” tree category.
 - The white oak DBH threshold within the “special” tree category was slightly increased, consistent with the local fire authority feedback on defensible space included in the September 25, 2024 Planning Commission meeting packet.
 - **No revisions were made** to the white oak woodland definition within the critical area codes.
6. Create a fire protection overlay for Firewise land management. **No revisions made** based on these considerations:

- Establishing overlay zones is the purpose of the pending 2025 Washington Department of Natural Resources (DNR) Wildland Urban Interface (WUI) mapping and code development requirements.
 - Establishing overlay zones within the tree code does not support the project scope and direction to streamline the code.
- 7-8. Clarify definitions and metrics. Minor code revisions are shown in Attachment 2 and within the draft code in Attachment 1.
9. Replace the Firewise guidance language with a reference to the RCW Building Code. **No substantive revisions were made** due to:
- The code language on voluntary Firewise guidance was approved by the Underwood Conservation District and West Klickitat Regional Fire Authority.
 - The reference to a state building code does not align with the direction to provide code language understandable by laypersons.
1. City discretion for waiving requirements. **No substantive revisions were made.** Limited revisions were made to clarify definitions and requirements as discussed under Issues/Concerns numbers 1-9.
11. Pruning definition purpose. **No revisions were made.** The purpose of the pruning definition is to have a measurable metric for code enforcement of unauthorized tree removals and topping, not to regulate the quality of pruning on private property.

Next Steps

Following discussion, the Planning Commission forward the intact draft code to the City Council with clear direction for any recommended amendments

Attachments

- 1_Draft Tree Protection Ordinance_WSMC 18.41_PC
- 2_Summary Code Update Table
- 3_092524 PC Mtg Notes
- 4_Stormwater_Tree Ord_2024.12.04
- 5_Combined Comments 9.26.24-10.23.24

DRAFT TREE PROTECTION ORDINANCE

- Key: = added language
 = deleted language
Plain text = no change
Changes for 9/25/24 Planning Commission recommendation
Changes for 12/11/24 Planning Commission recommendation

Chapter 18.40 – TREE PROTECTION.

18.40.010 - Purpose.

The purpose of this Chapter is to establish a process and standards to provide for the preservation, replacement, and protection of trees located in the City of White Salmon to:

- A. Implement the policy goals and objectives outlined in the City’s Comprehensive Plan and Community Forest Management Plan and support efforts towards greater climate and wildfire resiliency (placeholder for Climate Action Plan);
- B. Promote site planning, building and development practices to prevent indiscriminate removal or destruction of trees, avoid unnecessary disturbance to trees and vegetation, and provide for replanting in order to maintain canopy cover, reduce erosion, and minimize risk of wildfires;
- C. Preserve and enhance White Salmon’s aesthetic, community character, biodiversity, and wildlife habitat provided by native vegetation and mature trees;
- D. Protect the native Oregon white oak through retention and replacement; and
- E. Promote best practices to maximize ecosystem services provided by trees, including improved air quality, stormwater filtration, and carbon storage and sequestration, as well as trees’ contributions to the livability, public health, safety, and quality of life in White Salmon.

18.40.020 - Definitions.

The requirements provided in this section supplement those identified in Title 17 and 18. The most restrictive definitions and those protective of the environment shall prevail.

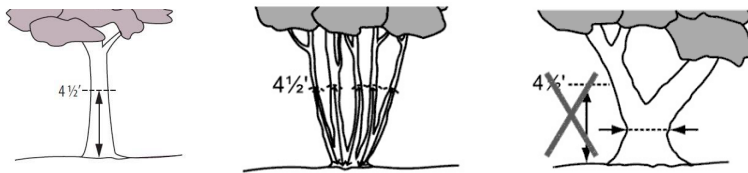
- 1. American National Standards Institute (ANSI) - the ANSI A300 industry consensus standards developed by the Tree Care Industry Association and written by the Accredited Standards Committee (ASC) for the management of trees, shrubs, and other woody vegetation.
- 2. **Arborist report – written review and recommendations, submitted by a qualified professional arborist for the purpose of meeting the requirements set forth in this**

Commented [DP1]: New definition: arborist report.

ATTACHMENT 1

chapter, including but not limited to trees identified by number, species, DBH, and general health/condition. A risk assessment and/or recommended tree protection measures may be required, if applicable.

- Diameter at breast height (DBH) – diameter or thickness of a tree trunk measured at 4.5 feet above grade per ANSI A300 standards. If the tree is multi-trunked, the total DBH is the square root of the sum of each individual DBH, squared. Example with three trunks: The square root of (stem1)² + (stem2)² + (stem3)² = Total DBH. If the main tree trunks split main union is at or below 4.5 feet above grade, the measurement will be taken below the split main union.**



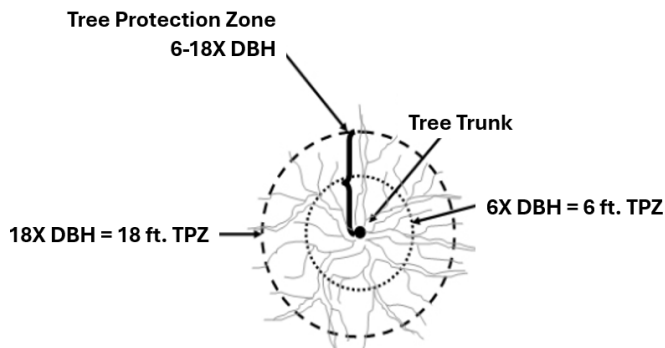
Commented [DP2]: Further clarified DBH calculation. Changed order of images for consistency with definition.

- Grove – three or more significant and/or special trees with overlapping or touching branches.**
- Hazard tree – A tree with a combination of structural defects and/or disease which makes it subject to a high probability of failure, in proximity to high-frequency targets (persons or property that can be damaged by tree failure), that cannot be lessened with reasonable and proper arboricultural practices, nor can the target be removed or restricted; or a tree or tree part assessed by a qualified professional as having an extreme or high overall risk rating using the ISA Tree Risk Assessment Qualification (TRAQ) method in its current form. For example, an unhealthy tree with a large trunk cavity leaning over a house.**
- Heritage tree – any tree that because of its age, size, unique type, or historical association that is of special importance to the city, as nominated pursuant to WSMC 18.41.020.**
- Nuisance tree – a tree causing significant physical damage to a private or public structure and/or infrastructure, including but not limited to the sidewalk, curb, road, water or sewer or stormwater utilities, driveway, parking lot, building foundation, or roof; or is severely infested with an insect, pest, and/or other pathogen that significantly impacts the long-term viability of the tree.**
- Prohibited tree – trees that are exempt from tree protection provisions in this chapter, including red alder (*Alnus rubra*), black cottonwood (*Populus trichocarpa*), holly (*Ilex aquifolium*), Tree of Heaven (*Ailanthus altissima*), or other invasive trees listed by the state or county weed control board (not including trees located within critical areas).**
- Pruning – the practice of selectively removing branches from a tree using approved practices to achieve a specified objective based on ANSI A300 Tree Care Standards best practices. Pruning that exceeds twenty-five percent (25%) of a tree's live canopy within twelve (12) consecutive months constitutes tree removal.**

ATTACHMENT 1

10. Qualified professional arborist – a person with relevant education and training in arboriculture or urban forestry, having the International Society of Arboriculture (ISA) Arborist Certification and for purposes of hazard tree evaluation, TRAQ (tree risk assessor) qualification.
11. Topping – indiscriminate cuts to reduce the height or crown size of an established tree that typically leave a stub, without regard to long-term tree health or structural integrity. ~~used to reduce the height or crown size of an established tree.~~ Topping is not an acceptable pruning practice pursuant to 2023 ANSI A300 Tree Care Standards. This definition does not apply when the sole purpose is to create snag(s) for wildlife habitat.
12. Tree protection zone (TPZ) – an area defined by a qualified professional arborist on sites under development that is equal to 6-18 times the DBH, where construction activities and access are limited to protect tree(s) and soil from irreversible damage necessary to sustain tree health and stability. TPZ denotes the location of tree protection fencing. For example, a minimum tree protection zone for a 12-inch DBH maple tree has a minimum tree protection zone that is determined is calculated by multiplying 12 inches DBH x 6 = 72 inches, which equates to tree protection fence placement located 6 feet from the face of the tree trunk. Impacts within the 6x TPZ fence location may likely result in compromised tree health/stability. A sufficient tree protection zone resulting in minimal impacts for the same tree is calculated by multiplying 12 inches DBH x 18 = 216 inches, which equates to sufficient tree protection fence placement located 18 feet from the face of the tree trunk.

Commented [DP3]: Added TPZ image. Definition edited for clarity.



13. Significant Tree – a regulated tree with a DBH of more than 18 inches with the exception of Prohibited Trees.
14. Special Tree – a regulated tree with a DBH that is equal to or greater than the diameters listed in the Special Tree Table below:

Commented [DP4]: Deleted vine maple from Special tree definition. Increased Oregon white oak DBH slightly.

ATTACHMENT 1

Special Tree Table	
Native Species	Minimum DBH Threshold
Cascara – Rhamnus purshiana	8 inches
Pacific Dogwood – Cornus nuttallii	8 6 inches
Ponderosa Pine – Pinus ponderosa	12 inches
Vine Maple – Acer circinatum	8 inches
Oregon White Oak or Garry Oak – Quercus garryana	8 6 inches

18.40.025 - Applicability.

For properties seeking Firewise assistance, written recommendations provided by the Underwood Conservation District and West Klickitat Regional Fire Authority are accepted for establishing defensible space limits for a given site. Properties located within the wildland-urban interface (WUI), the International Wildland-Urban Interface Code, 2021 Edition, published by the International Code Council and as adopted by the State Building Code Council in Chapter 51-55 WAC is adopted by reference thereto as though fully set forth herein and shall be applicable within the city.

Commented [DP5]: Deleted confusing content.

18.40.030 – Significant/special tree removals and maintenance, not associated with development.

- A. To ensure that trees function well in their intended landscape, the City of White Salmon promotes the proper care of trees on private property to ensure trees reach their normal life expectancy and contribute to optimal benefits to the community. For that reason, tree topping is prohibited and may be considered tree removal per WSMC 18.40.020(6).
- B. Tree removal allowance. Any private property owner of developed property may remove up to a specified number of significant and/or special trees with the submittal of a tree removal notification to the city.
- C. On any single legal parcel less than 7,200 square feet where no exterior construction, demolition, grading, material storage, or other development activity is proposed, one significant or special tree may be removed per 12-month period or a maximum of two trees may be removed per 24-month period. One additional significant or special tree may be removed for each every additional 7,200 square feet feet of lot area. For example, a 10,000 square foot lot may remove 2 trees per year and a 30,000 square foot lot may remove 5 trees per year.

Significant/Special Tree Removal Allowance Table	
Property Size	Tree Removal Allowance per 12 Months
Up to 7,200 sq. ft.	1
7,201 sq. ft. to 14, 400 sq. ft.	2
14,401 sq. ft. to 21,600 sq. ft	3
21,601 sq. ft. to 28,800 sq. ft.	4
28,801 sq. ft. or greater	5

ATTACHMENT 1

1. A tree or tree(s) may not be removed without a permit under the following conditions:
 - a. The tree is a heritage tree (see WSMC 18.41);
 - b. The tree is located within a critical area or critical area buffer;
or
 - c. The tree is in an Oregon White Oak woodland as protected under WSMC 18.10.312 (Ord. 2023-11-1152, effective January 1, 2024)
- D. Removal of hazard or nuisance trees. Removal of hazard or nuisance trees does not count toward the tree removal allowances if the nuisance or hazard condition is supported by a qualified professional arborist and approved by the city. The city may request an arborist's report prepared by a qualified professional arborist to be submitted to the city and paid for by the applicant. [The City may approve the removal of hazard or nuisance trees from private property without the submission of an arborist report if the applicant provides photographic evidence or other documentation demonstrating that the tree is dead, dying, defective or fits nuisance tree criteria.](#)
- E. Emergency tree removal. In case of emergency, when a tree is imminently hazardous or dangerous to life or property, it may be removed by order of the police chief, fire chief, the director of public works or their respective designees without a permit, so long as notification before or immediately after the event is provided.

18.40.040 – Significant and Special tree retention associated with development.

- A. The City's objective is to mitigate the impacts of incremental canopy loss due to development by establishing clear standards for the retention of significant and special trees and for planting and maintenance of new trees.
- B. Retention of significant and special trees. Development proposals shall retain significant and/or special trees to the maximum extent feasible. [Deviation requests](#) [Requests for modifications to development standards](#) can be accomplished pursuant to WSMC 18.40.060. Removal of a significant and/or special tree **associated with development** shall be limited to the following circumstances:
 1. If the tree is dead or meets the criteria of a hazardous tree, as determined by a qualified professional arborist.
 2. A significant and/or special tree can be removed if its presence reduces the building area of the lot by more than fifty percent after all potential alternatives have been considered, including a possible reduction to setbacks and minimum yard depth and width requirements.
 3. If retention of the tree limits the structural footprint to less than the following, [when also omitting steep slope areas as area available to development](#):
 - a. Single-family home: 1,000 square feet

ATTACHMENT 1

- b. Townhomes or multi-family units: 900 square feet per unit
 - c. Accessory Dwelling Unit: 700 square feet
 - d. Businesses/Commercial: 1,200 square feet or the amount of square footage necessary to support the existing or proposed use, as shown by the applicant in a site development permit.
 - 4. Retention of a significant and/or special tree or grove will prevent creation of a residential lot through a subdivision or short subdivision.
 - 5. A significant and/or special tree cannot be removed to facilitate construction access and will only be considered for removal if it impedes the ability of the landowner to develop permitted buildings or permanent access as described by an approved driveway permit, pursuant to WSMC 13.01.070.
- C. Any properties undergoing development activities related to new single, two- and multi-family residential, commercial, and other development types shown in Table 1 including but not limited to in which grading, excavation, demolition, or other construction activity, is shown within the tree protection zone of significant and/or special trees shall be required to develop a tree retention plan, to be submitted with the related development permit for review by the Planning Administrator.
- 1. Tree retention plans shall be prepared by the applicant a qualified professional arborist and include the following:
 - a. A site plan containing the following information:
 - i. Footprint of the house(s), driveway(s), utilities, streets and any other proposed improvements;
 - ii. Grade changes;
 - iii. Surveyed location of significant and/or special trees or heritage trees (subject to WSMC 18.41);
 - iv. Trees to be removed noted with x's or ghosted out indicating proposed tree removals; and
 - v. Location of tree protection fencing drawn to scale at the TPZ for retained trees.
 - b. A tree inventory prepared by a qualified professional arborist containing the following information:
 - i. All significant/special trees on the subject property listed by common name and genus/species, identified by numbers that correspond to the site plan, size (DBH), general health condition rating, and indications of proposed tree removals.
 - ii. The inventory shall include trees on adjacent properties with canopies extending onto the subject parcel that may be impacted by the proposed development.
- D. Tree protection with development. Reasonable efforts to protect significant and/or special trees shall include the following:
- 1. Tree protection fencing placed along the TPZ. Fencing shall be constructed of chain link (or other approved material) and at least six feet high.

ATTACHMENT 1

2. Avoidance of grading, excavation, demolition, or other construction activity within the TPZ.
3. The city shall consider modifications to the applicant's tree retention plan TPZ at the with recommendations of the from a qualified professional arborist.

18.40.050 - Tree replacement requirements.

- A. Each significant and/or special tree removed under an approved development permit must be replaced according to the following table:

Table 1. Significant/Special Tree Replacement Ratios.

<u>Zone</u>	<u>Number of Replacement Trees Required per Tree Removed</u>
R1	2
R2	2
R3	1
Commercial	1
RL	3
MH	1
All others	1

- B. In addition to the replacement requirements in Table 1, Oregon white oak trees shall be replaced by a minimum of two (2) replacement trees for every tree removed.
- ~~C. The Planning Administrator may require up to four (4) replacement trees per significant and/or special tree removed on a tree-by-tree basis in all zones.~~
- D-C. Fee in-lieu. A fee in-lieu of tree replacement may be allowed if a parcel cannot adequately accommodate the number of replacement trees required to be planted, subject to approval by the Planning Administrator.
1. The base fee per tree is established in the schedule of land use and site work permit fees. At a minimum, the fee must be set to account for the cost of a tree, installation (labor and equipment), maintenance for three years, and fund administration.
 2. Fee-in-lieu is required for each replacement tree that is required but is not planted on site.
 3. The fee must be paid prior to the issuance of a development permit.
 4. Funds collected through fee in-lieu may be used for the purposes of:
 - a. Planting and maintaining trees on publicly owned property within the City;
 - b. Irrigation and related work necessary for the successful establishment of new trees;
 - c. Establishing and maintaining a monitoring program for the removal and replacement of trees;
 - d. Urban forestry education;

ATTACHMENT 1

- e. Other purposes relating to public trees as determined by the City Council.

18.40.060 – Development Incentives and Deviation Requests for Modifications to Development Standards.

1. In order to retain significant and/or special trees or grove of trees anywhere on the property, an applicant may opt to utilize development incentives, seeking relief from stormwater flow control, subject to WSMC 13.01.050.B(5).
2. Where retention of significant and/or special trees or grove of trees anywhere on the property conflicts with development of an ADU, an applicant may opt to utilize deviations modifications to development standards seeking relief from off-street parking standards from proposed ADU(s), per Title 17 – Zoning and WSMC 17.72.
 - a. The applicant must provide a brief memo describing why this deviation request for modifications is necessary and there is no feasible alternative, including but not limited to:
 - i. Shift or flip (mirror) the location of proposed building footprints and driveways;
 - ii. Relocate utilities when feasible, taking into account gravity and location of existing mains;
 - iii. Avoid rockery/retaining walls located within TPZs to maintain existing grades.

18.40.070 Enforcement. City enforcement of the tree protection regulations contained in this chapter may include:

- A. It is unlawful for any person to remove a heritage, significant and/or special tree or impact said tree in such a way that its removal becomes necessary. Any person who vandalizes, grievously mutilates, destroys or excessively prunes/unbalances a heritage, special or significant tree without a authorization or beyond the scope of an approved permit shall be in violation of this chapter.
- B. Stop work on any construction project which threatens a heritage, significant and/or special tree until it is shown that appropriate measures have been taken to protect the tree or an exception is granted for its removal; and/or
- C. Stop work on any arborist work or construction project that does not display a permit for removal or major pruning of a heritage, significant and/or special tree.
- D. As part of a civil action brought by the city, a court may assess against any person who commits, allows, or maintains a violation of any provision of this chapter a civil penalty in an amount not to exceed five thousand dollars per violation. Where the violation has resulted in removal of a tree, the civil penalty shall be in an amount of at least five thousand dollars per tree unlawfully removed, or the replacement value of each such tree, whichever amount is higher. Such amount shall be payable to the city. Replacement value for the purposes of

ATTACHMENT 1

this section shall be determined ~~using~~utilizing the most recent edition of the Guide for Plant Appraisal, published by the Council of Tree and Landscape Appraisers.

Chapter 18.41 – HERITAGE TREES.

18.41.010 - Purpose. The city acknowledges that heritage trees provide valuable local habitat and that the preservation of such trees is critical to maintaining the character of White Salmon. The purpose of this chapter is to define the process for nominating or removing heritage trees and to establish the heritage tree registry.

18.41.020 - Applicability.

A. Heritage trees include:

- ~~1. Oregon White Oaks with a trunk diameter larger than fourteen inches,~~
- ~~2. All other tree species with a trunk diameter greater than eighteen inches, and~~
1. Any tree designated as a heritage tree by the city council in accordance with the nomination process detailed below.

18.41.030 - Heritage tree nomination process.

A. Heritage trees may be designated in accordance with the following nomination and designation process:

1. Any party may nominate a heritage tree; however, the nomination must acknowledge approval with written consent by the landowner of the ground sustaining the tree, prior to being accepted by the city for review.
- ~~1.2.~~ Nominations for heritage tree(s) must fit the ~~size~~ criteria defined in this chapter, be outstanding specimens, or of distinctive age, form, location, or of ecological, cultural or historical significance. ~~Trees with smaller trunk diameters may also be nominated for heritage status.~~
- ~~2. Any party may nominate a heritage tree; however the nomination must be approved by the landowner of the ground sustaining the tree and be accepted by the city onto the inventory list of heritage trees compiled and maintained by the city.~~
3. Nomination applications must include a map showing the tree's location on the property, photograph, and a narrative description of the location, species, trunk diameter, approximate age, and the specific characteristics and reasoning on which the nomination is based.

B. The city shall inspect the tree(s), consult with a qualified professional arborist to verify the nominated tree does not fit hazard ~~or nuisance~~ tree criteria, and decide whether or not the tree(s) are to be designated as a heritage tree or tree grove. Notice of the city's decision shall be mailed to the land owner and any other parties participating in the nomination process.

~~B-C.~~ Heritage trees that have been designated by the city shall be added to an inventory of heritage trees compiled and maintained by the city.

ATTACHMENT 1

C.D. At the request of the property owner, the Council may be asked, but is not required to, reverse the designation of a heritage tree.

18.41.040 - Heritage tree registry. The city shall maintain a registry of heritage trees or groves designated within the city limits in response to the voluntary nomination process. The registry may include a map identifying the location of the trees, date tree was designated and a brief narrative description of each heritage tree.

18.41.050 - Heritage tree removal.

- A. **Heritage trees may only be removed if they meet the circumstances outlined in WSMC 18.40.040.B(1).**
- B. **Removal of a heritage tree requires public signage of the pending removal, including permit number and date of removal, no less than 14 days before the removal date.**
- C. **Removal decisions by the administrator are not contestable by the public, but illegal removals are reportable by the public.**

18.41.060 - Heritage tree declassification. A heritage tree may be removed from heritage tree status at the request of the property owner after providing written notice to the city and receiving city approval.

WSMC 13.01.050 – Stormwater runoff control standards. (Also shown in Attachment 4)

5. **The developer/homeowner may receive a runoff volume credit for retaining trees on-site. Significant and special trees are defined within WSMC 18.40 (Ord XX).**
 - a. **The credit is such that the square footages for impervious surface requiring stormwater treatment is offset by the canopy square footage of on-site trees at a 2:1 ratio. For example, a 1,000 square foot canopy equates to 500 square feet fewer of impervious surface that has to be treated on-site per WSMC 13.01.050.B(1).**

(Ord. No. 2012-11-903, § 1(Atch), 11-26-2012)

Table 1. Code revisions in response to Planning Commission discussion at the September 25, 2024 Public Hearing

#	General Topic Code Section	Issue or Requested Code Update	Code Revision(s)
1.	<i>Tree protection with development</i> WSMC 18.40.020.12	<ul style="list-style-type: none"> • Simplify tree protection requirements so they can be understood and implemented by laypersons (PC). • Provide prescriptive yet flexible guidelines for effective tree protection on construction sites (PC/Tree Board). 	Revisions: <ul style="list-style-type: none"> • Updated the tree protection zone (TPZ) definition and example. • Added TPZ diagram. • Reduced use of subjective terms, such as “sufficient”.
2.	<i>Waive arborist report requirement</i> WSMC 18.40.030.D	Reduce costs and code complexity associated with certain projects by eliminating the arborist report requirement (Hohensee).	Revisions: <ul style="list-style-type: none"> • Clarify specific projects that would require an arborist report by deleting “any” and identify specific development types that require a tree retention plan <i>prepared by the applicant</i> instead of an arborist (18.40.040.C). • Update code so City/Planning Administrator has discretion to consider modifications to the applicant’s tree retention plan with recommendations from a qualified professional arborist (18.40.040.D.3).
3.	<i>Clarify arborist report contents, submittal, and review process</i> WSMC 18.40.030-040	Consider Tree Board input on arborist report requirements (per Karen Jenkins email/attachment).	Revisions: <ul style="list-style-type: none"> • New arborist report definition (18.40.020.2). • Submittal procedures minimized at the City’s discretion as described in #2 above. • <u>No revisions made to outline permit review process.</u>
4.	<i>Allow heritage tree removals</i> WSMC 18.40.020.5 WSMC 18.41	Incentivize heritage tree nominations on private property by “allowing their removal” (Hohensee).	<ul style="list-style-type: none"> • <u>No revision to allow heritage tree removals – see discussion in memo.</u>

#	General Topic Code Section	Issue or Requested Code Update	Code Revision(s)
			<ul style="list-style-type: none"> Revision: add "nuisance" to Heritage tree removal criteria.
5.	<i>Increase the size/DBH of protected trees</i> WSMC 18.40.020.13	Redefine Special trees to align with Firewise guidance for fuels removal (Hohensee).	Revisions: <ul style="list-style-type: none"> Vine maples have been deleted from the "special" tree table (WSMC 18.40.020.13). The DBH for white oak trees under the "special" tree definition has been increased slightly to 8 inches.
6.	<i>Develop a fire protection overlay for Firewise land management</i> WSMC 18.40.025	Create overlay zones with different standards for tree removal (e.g. more lenient tree removal in bluff areas) (Hohensee).	<u>No revision: establishing an overlay zone is duplicative of 2025 WA DNR WUI mapping and code development.</u>
7.	<i>Definitions/how to measure DBH</i> WSMC 18.40.020.2	The 3rd image in the draft code does not agree with the code description of where to measure DBH (Trabant).	Revision: the sequence of images showing how to measure DBH has been rearranged to be in the same order as the code definition. The word "main" was added back into the code to clarify that many multiple trunks are not measured at the same height as a few main trunks.
8.	<i>Clarify "additional 7200 sq. ft. lot area" metric for tree removals</i> WSMC 18.40.030.C	Avoid misunderstandings of "each" versus "additional" lot area when calculating additional tree removal allowances (Trabant).	Revision: add tree table, clarify metric.
9.	<i>Firewise Guidance</i> WSMC 18.40.025	Reference RCW Building Code in place of current draft code language (Morneault).	<u>No substantive revisions made.</u> Minor revision to eliminate overly verbose section of code. Note: local fire authorities approved code content. Referencing the RCW doesn't follow intent to make the code more understandable by laypersons.
10.	<i>City discretion with hazard trees, TPZ, pruning, etc.</i> Throughout code	Allow the City to have more and/or no discretion with hazard trees, TPZ, arborist report requirements (Brown).	<u>No substantive revisions made.</u> Minor revisions for clarification.

#	General Topic Code Section	Issue or Requested Code Update	Code Revision(s)
11.	<i>Pruning definition</i> WSMC 18.40.020.8	Draft code attempts to regulate pruning on private property (Brown).	<u>No revisions made.</u> See discussion in memo.


Deb Powers

From: dpowers@facetnw.com
Subject: FW: Erika shared recap of your meeting with ci.white-salmon.wa.us


From: Fathom <no-reply@fathom.video>
Sent: Friday, September 27, 2024 1:03 PM
To: Deb Powers <dpowers@facetnw.com>
Subject: Erika shared recap of your meeting with ci.white-salmon.wa.us

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Meeting with ci.white-salmon.wa.us

Planning Commission Meeting

September 25, 2024 • 158 mins • [View Recording & Summary](#)

✦ The following summary and action items were generated by AI

Summary

Meeting Purpose

Continue public hearing on tree protection ordinance updates and hold workshop on parking standards.

Key Takeaways

- Planning Commission is not yet ready to recommend the tree protection ordinance to City Council; more revisions are needed to simplify requirements and address concerns ▶ PLAY
- Commissioners want to simplify tree protection requirements, especially for smaller projects and homeowners, to make the ordinance more user-friendly ▶ PLAY
- Parking standards workshop introduced potential reductions in minimum parking requirements, especially for smaller housing units, to align with changing trends and potentially improve affordability ▶ PLAY
- Commissioners expressed concerns about balancing reduced parking with neighborhood impacts and White Salmon's unique needs, emphasizing the need for a nuanced approach ▶ PLAY

Topics

Tree Protection Ordinance Updates

- Recent changes presented by consultant Deb Powers include: ▶ PLAY
 - Increased tree removals allowed based on property size ▶ PLAY
 - Added language on defensible space and firewise guidance from local fire authorities ▶ PLAY
 - Increased size criteria for special native trees ▶ PLAY
 - Reorganized heritage tree nomination process ▶ PLAY
 - Reduced jargon and added clarifying examples/diagrams ▶ PLAY
- Public testimony raised several concerns: ▶ PLAY

- Overly restrictive requirements, especially for smaller projects and homeowners ▶ PLAY
- Potential fire risks from limiting tree removal, particularly in bluff areas ▶ PLAY
- Impacts on housing development and affordability ▶ PLAY
- Need for more education and incentives vs. strict regulation ▶ PLAY
- Challenges with heritage tree designations on private property ▶ PLAY
- Commissioners discussed several potential revisions: ▶ PLAY
 - Simplifying tree protection zone requirements to make them more understandable and implementable for laypeople ▶ PLAY
 - Removing "qualified professional arborist" language for some projects to reduce costs and complexity ▶ PLAY
 - Adding incentives for heritage tree nominations on private property ▶ PLAY
 - Adjusting diameter thresholds for oak groves vs. individual trees ▶ PLAY
 - Creating overlay zones with different standards (e.g. more lenient removal in bluff areas for fire protection) ▶ PLAY
 - Improving definitions and thresholds for when the ordinance applies to different project types ▶ PLAY
- Commissioners decided to table the ordinance for further revisions, citing the need to balance tree protection with usability and other community goals ▶ PLAY

Parking Standards Workshop

- City planner presented rationale for reducing minimum parking requirements: ▶ PLAY
 - Changing trends in car ownership and household sizes ▶ PLAY
 - High costs of excess parking (land use, construction, maintenance) ▶ PLAY

- Potential to improve housing affordability by reducing development costs
▶ PLAY
- Alignment with state and national trends in parking policy
▶ PLAY
- Compared White Salmon's current standards to other similar cities: ▶ PLAY
 - White Salmon requires 2 spaces for studios/1-bedrooms vs 1-1.5 typical elsewhere ▶ PLAY
 - Current standards may be excessive for smaller units and create unintended consequences ▶ PLAY
- Discussed potential changes: ▶ PLAY
 - Reduce minimums for smaller units (studios, 1-bedrooms) in R2 zone
▶ PLAY
 - Adjust parking stall size requirements (e.g. 9x18 ft vs current 10x20 ft)
▶ PLAY
 - Maintain current standards for larger units and R1 zone ▶ PLAY
- Commissioners expressed concerns and considerations: ▶ PLAY
 - White Salmon's unique needs (climate, topography, limited transit options) ▶ PLAY
 - Impacts of reduced on-site parking on neighborhood streets, especially in areas with narrow roads ▶ PLAY
 - Balancing affordability goals with maintaining small-town character
▶ PLAY
 - Potential unintended consequences of blanket reductions across all areas ▶ PLAY
 - Need to consider parking in context of overall development patterns and street designs ▶ PLAY

Next Steps

- Tree protection ordinance: ▶ PLAY
 - Staff to work with consultant on revisions based on commission feedback
▶ PLAY

- Schedule follow-up discussion at future meeting (date TBD) ▶ PLAY
- Commissioner Michael to provide detailed edit suggestions in spreadsheet format ▶ PLAY
- Parking standards: ▶ PLAY
 - Staff to prepare draft ordinance for commission review ▶ PLAY
 - Hold work session on draft at next meeting before scheduling public hearing ▶ PLAY
 - Consider zone-specific or street-specific approaches rather than blanket changes ▶ PLAY
- Next regular meeting (October 9th): ▶ PLAY ▶ PLAY
 - Zoning update workshop ▶ PLAY
 - Unit lot subdivision workshop with Dr. Michael Mehaffey ▶ PLAY
 - Initial review of draft parking ordinance (work session format) ▶ PLAY

Action Items

- Create spreadsheet w/ detailed edits for tree ordinance. Include math error in grove DBH calc, wordsmithing suggestions.** ▶ PLAY
Michael Mehaffy
- Discuss w/ mayor + Troy re: scheduling future tree ordinance mtgs. Determine next available slot post-Oct 23rd.** ▶ PLAY
Erika Castro-Guzman
- Prep draft parking ordinance for commission review. Include 9x18 stall size option, R2 zone 1BR/studio reqs. Due ~Oct 1.** ▶ PLAY
Erika Castro-Guzman

View Recording & Summary

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Meeting Purpose Continue public hearing on tree protection ordinance updates and hold workshop on parking standards. Key Takeaways - Planning Commission is not yet ready to recommend the tree protection ordinance to City Council; more revisions are needed to simplify requirements and address concerns - Commissioners want to simplify tree protection requirements, especially for smaller projects and homeowners, to make the ordinance more user-friendly - Parking standards workshop introduced potential reductions in minimum parking requirements, especially for smaller housing units, to align with changing trends and potentially improve affordability - Commissioners expressed concerns about balancing reduced parking with neighborhood impacts and White Salmon's unique needs, emphasizing the need for a nuanced approach Topics Tree Protection Ordinance Updates - Recent changes presented by consultant Deb Powers include: - Increased tree removals allowed based on property size - Added language on defensible space and firewise guidance from local fire authorities - Increased size criteria for special native trees - Reorganized heritage tree nomination process - Reduced jargon and added clarifying examples/diagrams - Public testimony raised several concerns: - Overly restrictive requirements, especially for smaller projects and homeowners - Potential fire risks from limiting tree removal, particularly in bluff areas - Impacts on housing development and affordability - Need for more education and incentives vs. strict regulation - Challenges with heritage tree designations on private property - Commissioners discussed several potential revisions: - Simplifying tree protection zone requirements to make them more understandable and implementable for laypeople - Removing "qualified professional arborist" language for some projects to reduce costs and complexity - Adding incentives for heritage tree nominations on private property - Adjusting diameter thresholds for oak groves vs. individual trees - Creating overlay zones with different standards (e.g. more lenient removal in bluff areas for fire protection) - Improving definitions and thresholds for when the ordinance applies to different project types - Commissioners decided to table the ordinance for further revisions, citing the need to balance tree protection with usability and other community goals Parking Standards Workshop - City planner presented rationale for reducing minimum parking requirements: - Changing trends in car ownership and household sizes - High costs of excess parking (land use, construction, maintenance) - Potential to improve housing affordability by reducing development costs - Alignment with state and national trends in parking policy - Compared White Salmon's current standards to other similar cities: - White Salmon requires 2 spaces for studios/1-bedrooms vs 1-1.5 typical elsewhere - Current standards may be excessive for smaller units and create unintended consequences - Discussed potential changes: - Reduce minimums for smaller units (studios, 1-bedrooms) in R2 zone - Adjust parking stall size

requirements (e.g. 9x18 ft vs current 10x20 ft) - Maintain current standards for larger units and R1 zone - Commissioners expressed concerns and considerations: - White Salmon's unique needs (climate, topography, limited transit options) - Impacts of reduced on-site parking on neighborhood streets, especially in areas with narrow roads - Balancing affordability goals with maintaining small-town character - Potential unintended consequences of blanket reductions across all areas - Need to consider parking in context of overall development patterns and street designs Next Steps - Tree protection ordinance: - Staff to work with consultant on revisions based on commission feedback - Schedule follow-up discussion at future meeting (date TBD) - Commissioner Michael to provide detailed edit suggestions in spreadsheet format - Parking standards: - Staff to prepare draft ordinance for commission review - Hold work session on draft at next meeting before scheduling public hearing - Consider zone-specific or street-specific approaches rather than blanket changes - Next regular meeting (October 9th): - Zoning update workshop - Unit lot subdivision workshop with Dr. Michael Mehaffey - Initial review of draft parking ordinance (work session format)

13.01.050 Stormwater runoff control standards.

- A. The review and approval of construction permits for regulated activities subject to this chapter shall be based on the conformance of the development plans with the standards of this section. The city official may impose any conditions of approval needed to assure that the development plan meets the appropriate standards.
- B. Generally, the city stormwater runoff control standards are based on low impact development (LID) techniques that minimize impervious surfaces and infiltrate stormwater on site. Tight line conveyance of stormwater onto adjacent property will be allowed only if there is no other feasible alternative and only if the proposed location and volume of runoff will not change.
1. If the development proposes more than two thousand square feet of impervious surface, the developer shall calculate the estimated runoff volume for the design storm specified by the city official. The runoff volume shall be calculated as follows: $\text{impervious area (sf)} \times 0.10 \text{ (ft)} = \text{runoff volume (cf)}$.
 2. Infiltration facilities must be constructed capable of infiltrating the design storm runoff volume.
 3. If the development proposes less than two thousand square feet of impervious area, the developer shall provide for and install industry standard LID facilities to control runoff from all impervious surfaces.
 4. In either instance the developer/homeowner is encouraged to consider potential to size and locate detention tanks to allow storm water to accumulate during wet months for re-application to the site as landscape irrigation during dry months. This source may only supplement rather than eliminate reliance on potable water for landscape irrigation but as costs of water increase so does the incentive to decrease reliance on potable water for landscape irrigation.
 5. The developer/homeowner may receive a runoff volume credit for retaining trees on-site. Significant and special trees are defined within WSMC 18.40 (Ord XX).
 - a. The credit is such that the square footages for impervious surface requiring stormwater treatment is offset by the canopy square footage of on-site trees at a 2:1 ratio. For example, a 1,000 square foot canopy equates to 500 square feet fewer of impervious surface that has to be treated on-site per WSMC 13.01.050.B(1).

(Ord. No. 2012-11-903, § 1(Atch), 11-26-2012)



**White Salmon Tree Board Meeting
MEETING MINUTES
November 12, 2024 – 5:30 PM
119 NE Church Ave and Zoom Teleconference**

CALL TO ORDER 4:04 PM

Attendees: Council Member David Lindley and Patty Fink; Board Members Becky Williams and Karen Jenkins; Staff Erika Castro-Guzman, Jenne Patterson, and Troy Rayburn.

Absent: Board Member Virginia Hartnett

DISCUSSION AND ACTION ITEMS

1. STATUS UPDATE ON HERITAGE TREE ORDINANCE REVISIONS

- **Status:** The tree ordinance has been in development for over three years and is still under review by the Planning Commission.
- **Challenges:** There is concern about the ordinance's complexity, as well as its overlap with building codes, which has slowed progress.
- **Discussion Points:**
 - Balancing tree preservation with development needs.
 - The need for a flexible administrative review process for better enforcement.
 - A suggestion was made to pause and reassess broader process issues before finalizing the ordinance.
- **Next Steps:** The Planning Commission will review the ordinance further and make a recommendation to the City Council during their December 11th meeting.

2. GREEN LEGACY HERITAGE PROJECT

- **Project Status:** The Tree Board has received seeds from historic trees and is exploring options for growing seedlings.
- **Collaboration:** The board is working with local master gardener Paul Middleucci to help propagate the seedlings.
- **Educational Potential:** There is interest in involving local schools in the process of growing and caring for the seedlings.
- **Goal:** To plant the grown trees in public spaces around White Salmon.
- **Tree Species:** Ginkgo and Camellia are the species being propagated for the project.

3. ROUNDTABLE DISCUSSION

Tree Mapping and Education Initiatives

- **Mapping Efforts:** The Tree Board expressed interest in creating a digital map of heritage and significant trees in the city.
- **Funding:** A suggestion was made to apply for lodging tax funds (approximately \$2,000) to support this mapping project.
- **Public Education:** The board discussed strategies for educating the public about tree regulations, care, and the value of preserving trees. Ideas included:
 - Distributing welcome packets to new residents.
 - Partnering with local veterinarians for dog licensing outreach.
 - Developing a tree tour or guidebook for the community.

DNR Wildfire Mitigation Project Update

- **Status:** The project continues in multiple locations around the city's outskirts.
- **Scope:** Work is progressing from the Jewett Creek area towards the hospital, and additional work is planned near Spring Street and a portable housing complex.
- **Funding:** This is a multi-year, federally funded initiative aimed at reducing wildfire risk.

City Staffing Update

- **City Planner Search:** The city administrator reported that resumes are currently being reviewed for the city planner position, which has been vacant for over a year.
- **Board Concerns:** The Tree Board expressed frustration about the delay in filling this position, as it has contributed to a backlog of important planning projects.
- **City Commitment:** The city administrator reassured the group that the city values the Tree Board's efforts and is actively working to address staffing shortages.

Miscellaneous

- **Fallen City Tree Incident:** A board member raised a concern about a city-owned tree that fell and damaged a resident's fence.
- **Liability & Response:** The board discussed the city's liability and the process for handling such incidents.
- **Code Compliance:** The board briefly discussed the challenges of balancing strict enforcement of tree protection codes with education and flexibility for residents.

Adjournment 5:08 PM

Deb Powers

From: DPowers@facetnw.com
Subject: FW: Request for Review and Feedback, Tree Protection Ordinance - By October 23

From: Carl Trabant <carlt@ci.white-salmon.wa.us>
Sent: Wednesday, October 23, 2024 12:37 PM
To: Erika Castro-Guzman <erikac@ci.white-salmon.wa.us>
Cc: Alex Capron <ACapron@facetnw.com>; Deb Powers <DPowers@facetnw.com>
Subject: Re: Request for Review and Feedback, Tree Protection Ordinance - By October 23

You don't often get email from carlt@ci.white-salmon.wa.us. [Learn why this is important](#)

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Erika, Alex & Deb,

Below are my comments on the Tree Code proposal.

Thanks,
Carl Trabant - Planning Commissioner

Comments on Tree Code – Carl Trabant – Planning Commissioner

18.40.020

Section 2 on DBH – I believe that the three images of where to measure are helpful, but I don't think the third one agrees with the text above. The split is clearly below the 4 ½ foot level, but it is showing to use the multiple stems at 4 ½ feet. I believe the images show what we want, but the text does not fully support the intent.

Section 11 on TPZ – I feel that the difference between “minimum” (6X DBH) and “sufficient” (18X DBH) is not acceptable. Sufficient is what the arborist would determine and it could be anywhere between 6X and 18X. Changing the word “sufficient” to “maximum” would resolve this.

18.40.030

Section C on tree removal – The “One additional” tree removal for each additional 7200 square foot of lot area could be misinterpreted as you need 14,400 square feet to get to the second tree allowance when the intent is that a 7201 square foot lot should be allowed 2 trees.

Maybe rewording it slightly would help. For example - “One additional significant or special tree may be removed for each multiple of 7200 square feet of lot size exceeded i.e. 7201 to

14,400 square feet may remove 2 per year and 14,401 to 21,600 square feet may remove 3 per year.

Also in section 2 – Is the intent of the 1 tree removal per 12 months or 2 per 24 months to allow someone to take out 2 trees in one year if they didn't remove one the previous year, but to avoid that they can remove 5 trees if they didn't remove any in the last 4 years?

On Thu, Oct 17, 2024 at 9:20 AM Erika Castro-Guzman <erikac@ci.white-salmon.wa.us> wrote:

Second Reminder

Hello, Commissioners and Staff!

As we discussed at our last meeting on September 25th, **we would appreciate any further written comments, edits, questions, or general thoughts you might have about the ordinance by October 23rd.** Your perspectives will help ensure that the final version effectively addresses our community's needs while promoting sustainable practices.

Please reply to all when responding, including Alex and Deb.

We look forward to your feedback!



Erika Castro Guzman
Community Development

100 N Main White Salmon, WA 98672

(509) 493-1133 ext. 209 | www.whitesalmonwa.gov

Disclaimer: The Building/Planning Department strives to give the best customer service possible and to respond to questions as accurately as possible based on the information provided. However, answers given at the counter and before application are not binding, staff cannot waive any provisions of Code or state law, and the information as may be provided is not a substitute for formal Final Action, which may only occur in response to a complete application to the Building/Planning Department. Those relying on verbal input or preliminary written feedback do so at their own risk. Fees and timelines are subject to change. Zoning, Land Division, and other White Salmon Municipal Code sections are subject to change.

Deb Powers

From: DPowers@facetnw.com
Subject: FW: Fwd: Request for Review and Feedback, Tree Protection Ordinance - By October 23

From: Erika Price <eprice75@yahoo.com>
Sent: Friday, October 18, 2024 10:31 AM
To: erikac@ci.white-salmon.wa.us; Alex Capron <ACapron@facetnw.com>; Deb Powers <DPowers@facetnw.com>
Subject: Re: Fwd: Request for Review and Feedback, Tree Protection Ordinance - By October 23

You don't often get email from eprice75@yahoo.com. [Learn why this is important](#)

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Hi Erika - I support the tree ordinance as is and have no further comment. If other commissioners have edits to make it more user friendly and/or easier to enforce I am supportive of revisions in that manner.

Erika Price

[Yahoo Mail: Search, Organize, Conquer](#)

On Thu, Oct 17, 2024 at 9:20 AM, Erika Castro-Guzman <erikac@ci.white-salmon.wa.us> wrote:

Second Reminder

Hello, Commissioners and Staff!

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Please reply to all when responding, including Alex and Deb.

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Chapter 17.72 OFF-STREET PARKING AND LOADING

17.72.010 Standards generally.

It is the intent of this chapter to allow for parking and loading standards.

(Ord. No. 2012-11-905, 11-26-2012)

17.72.020 Purpose of provisions.

The provision of off-street parking and loading space in accordance with the needs and requirements of particular property use is a necessary public policy in the interest of traffic safety, minimizing congestion, and to provide harmonious development.

(Ord. No. 2012-11-905, 11-26-2012)

17.72.030 New uses—Minimum requirements.

New uses in all districts shall meet the minimum standards of this title.

(Ord. No. 2012-11-905, 11-26-2012)

17.72.040 Parking spaces—Size and access.

- A. Each off-street parking space shall have a net area of not less than one hundred sixty square feet, exclusive of access drives or aisles, and shall be of usable space and condition. If determined on a gross-area basis, three hundred square feet shall be allowed per vehicle.
- B. If the required parking space for a one-family or two-family dwelling is not provided in a covered garage, then such space shall not be less than two hundred square feet, and shall be so located and/or constructed that it may later be covered by a garage in accordance with the provisions of this title and the city building code.

(Ord. No. 2012-11-905, 11-26-2012)

17.72.050 Parking spaces—Location.

Off-street facilities shall be located as hereinafter specified. Where a distance is specified, such distance shall be the maximum walking distance, measured from the nearest point of the parking facility to the nearest point of the building that such facility is required to serve.

- A. For one-family and two-family dwellings: on the home lot with the building they are required to serve;
- B. For multiple dwellings: one hundred fifty feet;
- C. For hospitals, sanitariums, homes for the aged, asylums, orphanages, club rooms, fraternity and sorority houses, as approved by city council.

-
- D. For residential units in all zones except R-L, assigned parking in remote lots may be substituted for the required off-street parking if they are located within 200 feet of the subject property, and a binding agreement is furnished to the City for review and approval under 17.72.070.

(Ord. No. 2012-11-905, 11-26-2012)

Commented [AC1]: Existing Ord 2023-11-1155, effective Jan. 1, 2024 (or as amended).

17.72.060 Parking spaces—Expanded or enlarged uses.

Whenever any building is enlarged in height or in ground coverage, off-street parking shall be provided for expansion or enlargement, in accordance with the requirements of the schedule set out in Section 17.72.090; provided, however, that no parking space need be provided in the case of enlargement or expansion where the number of parking spaces required for such expansion or enlargement since the effective date of the ordinance codified in this title is less than ten percent of the parking space specified in the schedule for the building. Nothing in this provision shall be construed to require off-street parking spaces for the portion of such building existing as of September 12, 1973.

(Ord. No. 2012-11-905, 11-26-2012)

17.72.070 Joint use—Authorized when.

The City may authorize the joint use of parking facilities for the following uses or activities under the conditions specified:

- A. Up to fifty percent of the parking facilities required by this chapter for a theater, bowling alley, dancehall, restaurant, or other similar uses, may be supplied by the off-street parking provided by other "daytime" types of uses;
- B. Up to fifty percent of the off-street parking facilities required by this chapter for any "daytime" buildings or uses may be supplied by the parking facilities provided by uses herein referred to as "nighttime" uses;
- C. Up to one hundred percent of the parking facilities required by this chapter for a church or auditorium incidental to a public or parochial school may be supplied by the off-street parking facilities serving primarily "daytime" uses.
- D. Up to one hundred percent of the parking facilities required for residential uses in all zones except R-L, when the joint use facility serves primarily "daytime" uses.
- E. If the required amount of off-street parking has been proposed to be provided off-site, the applicant shall provide written contracts with affected landowners showing that required off-street parking is and will continue to be provided in a manner consistent with the provisions of this chapter. The contracts shall be reviewed by the city for compliance with this chapter, and if approved, the contracts shall be recorded with the county records and elections division as a deed restriction on the title to all applicable properties. These deed restrictions may not be revoked or modified without authorization by the city.

(Ord. No. 2012-11-905, 11-26-2012)

Commented [AC2]: Existing Ord 2023-11-1155, effective Jan. 1, 2024 (or as amended).

17.72.080 Joint use—Location and other conditions.

- A. The building or use for which application is being made to utilize the off-street parking facilities provided by another building or use shall be demonstrated to the city to be within suitable walking distance for the nature of the use being served.

(Supp. No. 26)

Created: 2023-09-15 10:52:09 [EST]

B. The applicant shall show that there is no substantial conflict in the principal operating hours of the two buildings or uses for which joint use of off-street parking facilities is proposed.

(Ord. No. 2012-11-905, 11-26-2012)

17.72.090 Number of spaces for designated uses.

The following table sets out minimum standards for parking spaces:

Use	Spaces Required
Residential structures	2 for each dwelling unit unless otherwise specified; 1 for each ADU unless otherwise specified; or zero for ADU's so long as the criteria under WSMC 18.40.060 – Development Incentives and Deviation Requests (Tree Protection Chapter) are met.
Auto courts, motels	1 for each sleeping unit
Hospitals and institutions	1 for each 4 beds
Theaters	1 for each 4 seats except 1 for each 8 seats in excess of 800 seats
Churches, auditoriums and similar open assembly	1 for each 50 square feet of floor area for assembly not containing fixed seats
Stadiums, sports arenas, and similar open assembly	1 for each 6 seats and/or 1 for each 100 square feet of assembly space without fixed seats
Dancehalls	1 for each 50 square feet of gross floor area
Bowling alleys	6 for each alley
Medical and dental clinics	1 for each 150 square feet of gross floor area
Banks, business and professional offices with on-site customer service	1 for each 400 square feet of gross floor area
Offices not providing customer services on premises	1 for each 4 employees or 1 for each 800 square feet of gross floor area
Warehouse, storage and wholesale business	1 for each 2 employees
Food and beverage places with sale and consumption on premises	1 for each 200 square feet of gross floor area
Furniture, appliance, hardware, clothing, shoe, personal service stores	1 for each 600 square feet of gross floor area
Other retail stores	1 for each 300 square feet of floor area, or at a ratio of 1 inside to 1 outside
Manufacturing uses, research, testing, assembly, all industries	1 for each 2 employees on the maximum working shift and not less than 1 for each 800 square feet of gross floor area
Uses not specified	Determined by planning commission

Commented [AC3]: Existing Ord 2023-11-1155, effective Jan. 1, 2024 (or as amended).

(Supp. No. 26)

Created: 2023-09-15 10:52:09 [EST]

Deb Powers

From: DPowers@facetnw.com
Subject: FW: Request for Review and Feedback, Tree Protection Ordinance - By October 23

From: Brendan Brown <brendanb@ci.white-salmon.wa.us>
Sent: Wednesday, October 9, 2024 4:49 PM
To: Erika Castro-Guzman <erikac@ci.white-salmon.wa.us>
Cc: Alex Capron <ACapron@facetnw.com>; Deb Powers <DPowers@facetnw.com>
Subject: Re: Request for Review and Feedback, Tree Protection Ordinance - By October 23

You don't often get email from brendanb@ci.white-salmon.wa.us. [Learn why this is important](#)

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Hello all,

My overall thought is that this is sufficiently cumbersome and restrictive so as to challenge adherence due to confusion, cost, and practical necessity. Comments on specific sections are below.

Thanks,
Brendan

18.40.020.4--Hazard tree definition doesn't leave space for city official to pass judgement

18.40.020.8--This definition of "pruning" seems to only allow for pruning by a qualified arborist or arborist trainee as specified in 2.3.1 and 5.1.1 of ANSI A300 Tree Care Standards. This seems restrictive and expensive such that it would be regularly broken and doesn't allow for home owners to prune their trees on their own.

18.40.030.D--The judgement of city officials based on a photograph is a cost saving measure, but maybe the city official should have a ISA TRAQ if they're going to be making decisions.

Alternatively, if we're trusting city officials to make judgements outside their qualification, can we also have city officials pass judgement on TPZ/Tree retention plans without consulting with an arborist?

18.40.040.B.1--Language regarding qualified arborist should be internally consistent with 18.40.030.D.

18.40.060 is listed twice for what seem to be different sections. It seems the latter regarding enforcement should read 18.40.070.

18.41.030.B--If we trust city officials to judge a hazard tree based on a photo, as is stipulated in 18.40.030.D, it seems internally consistent that we do so in this case as well, rather than requiring an arborist to verify.

On Tue, Oct 8, 2024 at 2:33 PM Erika Castro-Guzman <erikac@ci.white-salmon.wa.us> wrote:

Hello, Commissioners and Staff!

As we discussed at our last meeting on September 25th, **we would appreciate any further written comments, edits, questions, or general thoughts you might have about the ordinance by October 23rd.** Your perspectives will help ensure that the final version effectively addresses our community's needs while promoting sustainable practices.

Please reply to all when responding, including Alex and Deb.

We look forward to your feedback!



Erika Castro Guzman
Community Development

100 N Main White Salmon, WA 98672

(509) 493-1133 ext. 209 | www.whitesalmonwa.gov

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Deb Powers

From: DPowers@facetnw.com
Subject: FW: Arborist Report criteria
Attachments: WS_ArboristReport_2023RequirementsV2.docx

From: Erika Castro-Guzman <erikac@ci.white-salmon.wa.us>
Sent: Tuesday, October 8, 2024 9:19 AM
To: Alex Capron <ACapron@facetnw.com>; Deb Powers <DPowers@facetnw.com>; David Lindley <davidl@ci.white-salmon.wa.us>
Subject: Fwd: Arborist Report criteria

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Hello,

Attached, you'll find the recommended requirements for the arborist report.

Thank you!

Erika Castro Guzman | [City of White Salmon](#) (509) 493.1133 ext 209

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

From: Erika Castro-Guzman <erikac@ci.white-salmon.wa.us>
Date: Wed, Oct 18, 2023 at 8:37 AM
Subject: Fwd: Arborist Report criteria
To: Greg Hohensee <greg@ci.white-salmon.wa.us>, Seth Gilchrist <sethg@ci.white-salmon.wa.us>, Michael Morneault <michaelm@ci.white-salmon.wa.us>

Hello Commissioners,

I originally sent these edits to Alex. Could you please review the Tree Board's Arborist Report edits and incorporate them?

Thank you!

Erika Castro Guzman | [City of White Salmon](#) (509) 493.1133 ext 209

Please allow 24 hours for a response due to the high volume of emails

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

From: **Karen Jenkins** <karenblackjenkins@gmail.com>

Date: Mon, Jun 12, 2023 at 6:23 PM

Subject: Fwd: Arborist Report criteria

To: David Lindley <davidl@ci.white-salmon.wa.us>, Erika Castro-Guzman <erikac@ci.white-salmon.wa.us>, Virginia Hartnett <virginia.hartnett5@gmail.com>, Patty Fink <pattyf@ci.white-salmon.wa.us>, Becky Williams <biyi.williams@gmail.com>

Attached is the document I shared at tonight's tree board meeting with the criteria for an arborist's report for the City of White Salmon.

Please let me know if you have any questions,

Karen

--

Karen B. Jenkins

Report Criteria

18.10.317

Exceptions to the provisions in this section include:

1. A heritage tree can be removed if it is dead, dangerous, or a nuisance, as attested by ***an arborist's report***, submitted to the city and paid for by the tree owner or by order of the police chief, fire chief, the director of public works or their respective designees.

Arborist's Report Shall Include the Following:

1. Arborist's Name, Contact Phone Number, Email address, Business Name, WA Business License Number, ISA Certification Number and/or other professional arboricultural certification number(s)
2. The project address, the date of the inspection, the scope of work (which trees were inspected and where they were located on the site), and the level of assessment.
3. The conditions on site. Please include photographs to illustrate the subject tree(s) being described.
4. Tree(s) data, including: height (H), crown spread, diameter at breast height (dbh), and any issues with the subject tree(s).
5. Narrative of mitigation plan options.
6. Other documents: site plan, sub division map, erosion control plan, landscape plan with subject tree(s) located on the document.

Reference 1: Julien Dunster:

<https://dunster.ca/wp-content/uploads/bsk-pdf-manager/2022/01/Writing-Tree-Risk-Assessment-Reports.pdf>

File Attachments for Item:

5. Ordinance Amending Land Use Fee

a. Presentation

b. Public Testimony

c. Discussion

d. Action



Formerly DCG/Watershed

Land Use Fee Study

CITY OF WHITE SALMON

DECEMBER 2024

Prepared for:
City of White Salmon
Planning Commission

Prepared by:
Facet
Alex Capron, AICP Senior Planner
Hilary Hahn, Environmental
Planner 601 W Main Ave, Suite
617 Spokane, WA 99201
www.facetnw.com

Executive Summary

This Land Use Fee Study captures updates to the existing 2012 land use fee schedule found within White Salmon Municipal Code Chapter 3.36. The study reviews existing adopted fees in surrounding jurisdictions within Washington and Oregon, as well as capturing inflation in staff hourly rates from 2012 to today.

This fee study investigates ways to incentivize certain types of development in-support of the City's adopted Housing Action Plan. Specifically, Fee Simple Unit Lot Subdivisions, condominiums, unit lot subdivisions and affordable housing support more compact development that lead to increased density over detached single family residences. While both forms of housing are important for City growth, more compact housing allows for better efficiency in capital improvements and public safety.

One of the major focuses of the study was to identify discrepancies where White Salmon's fees are significantly lower than those in surrounding areas, failing to cover the costs associated with engineering and fire review disciplines for more complex land use entitlements. The comparison analysis found that White Salmon's fees are, on average, 42% lower than those of neighboring cities. Appendix IV for details.

Recommendations include adding review line items (and fees) for Engineering and Fire review, not previously captured. Further, capturing technology licensing fees for both SmartGOV (online permit software) and the City's ArcGIS license for the yet-to-be rolled out online zoning map. Finally, the city can request the assigned planning consultant for task orders to more fully recoup development costs for land use entitlements. For more information on recommendations, see page 12

Overall, the findings of the study conclude that there is justification for increasing fees for various permits to ensure they more closely reflect the actual costs of permitting, including staff time, consultant reviews, and technology investments. Additionally, it suggests implementing a sliding scale method for fee increases based on permit complexity and incentivizing higher-density housing development. The proposed fee adjustments aim to better align White Salmon's fees with regional standards while supporting the city's growth and housing goals.

TABLE OF CONTENTS

1. INTRODUCTION	1
2. METHODOLOGY	1
3. COMPARISON ANALYSIS	2
4. FINDINGS	11
5. RECOMMENDATIONS.....	13

LIST OF TABLES

Table 1. Variance Direct Cost Summary	3
Table 2. Conditional Use Direct Cost Summary	4
Table 3. Subdivision and Short Plat Direct Cost Summary.....	8
Table 4. Lot Line Adjustments for Single-Family Plat Direct Cost Summary.....	9
Table 5. Neighboring Jurisdiction Average % Difference Compared to White Salmon	12
Table 6. Scale Factor Increase Determined by Average % Difference	14

LIST OF FIGURES

Figure 1. Minor and Major Conditional Use Permit Comparison	4
Figure 2. Subdivision Neighboring Fee Comparison	7
Figure 3. Neighboring Jurisdiction Average % Difference (See Appendix IV for larger excerpt).....	11

LIST OF APPENDICES

- Appendix I – Proposed Fee Schedule
- Appendix II – Comparison Analysis Spreadsheet
- Appendix III – Direct Costs Analysis Spreadsheet
- Appendix IV – Neighboring Jurisdiction Average % Difference (Large)

1. INTRODUCTION

The City of White Salmon contracted with Facet (formerly DCG/Watershed) to assist with a land use fee study that compares the city’s current land use fee schedule with neighboring jurisdictions. Specifically, this study aims to evaluate whether White Salmon’s land-use fees are meeting the economic and social demand associated with permitting a project from conception to completion while also identifying cost opportunities within the City’s land use fee schedule using a comparison analysis of rising permitting costs in the area. Ultimately, Facet evaluates various cost-intensive factors associated with land use permitting to develop a new land use fee schedule recommendation that documents the methods and results used in the fee study.

2. METHODOLOGY

Facet performed both an external (comparison analysis) and internal (direct cost analysis) review of all land use fees to accurately include cost-intensive factors that play a role in generating compensation for the municipality. White Salmon Municipal Code (WSMC) Section 3.36.010 – Fees Imposed, was last updated in 2007 with revised sections adopted in 2016 and 2022. The fees listed in the fee schedule table were used as the external baseline measure in the comparison analysis with neighboring jurisdictions. The neighboring jurisdictions included in the study were Hood River, Stevenson, The Dalles, and Klickitat County. and Hood River County. These jurisdictions were chosen based on their proximity and similarities with White Salmon. All neighboring jurisdiction fees were added to the comparison analysis spreadsheet and averaged, by permit, to provide a comprehensive product of all land-use fees in the area compared to the baseline measure of White Salmon’s current land use fees, resulting in an averaged percent difference between neighboring fees and White Salmon. Averaged percent differences then became the key reference point in determining what fees presented potential opportunity to be increased, and by how much, based on neighboring fees. Using a sliding scale method, a fee increase recommendation was determined based upon the range in which the permit’s averaged percent difference fell into. Permit complexity, regulatory demands and economic influences on the fees are also discussed throughout the permit summaries included in the comparison analysis section.

Internally, a direct cost estimation was conducted using Facet’s historical permit data to properly correlate the time spent on each permit with the cost of the permit. The direct costs analysis provided additional support for fee increases and confirmed the rising costs of permitting a project. Direct costs are calculated in terms of the staff hourly wage. The staff hourly wage was determined by increasing the staff hourly rate of \$65 for a site inspection and extended service fee (WSMC 3.36.010 – fees imposed) by the rise of inflation. According to the Bureau of Labor Statistics (2024) the rise of inflation has been approximately 39% since 2012. Therefore, the staff hourly rate including inflation is \$90.52, rounded down to an even \$90. It has been concluded that this hourly staff rate is an all-inclusive representation of the direct cost of a staff member per hour for the city of White Salmon. **Direct Cost Summary Tables** are provided for permits with enough historical data to facilitate an accurate estimation of direct costs and whether those costs are resulting in a profit or loss margin. Historical data

is included for permit applications that have been completed or are currently in the process of being reviewed by planning consultants as of October 2024. Hours spent by consultants are listed in the **Hours** column. The **Direct Cost** column represents the estimated direct cost of these reviews, calculated by multiplying the hours column by the staff hourly rate of \$90. Compensation for these direct costs is reclaimed through the fee amount listed in the **White Salmon Fee** column. Therefore, the Direct Cost of the permit is then taken from the White Salmon Fee to determine what the **Margin** is for each review.

Short plat, subdivision, binding site plan fees that have a “per lot” rate were increased by the rate of inflation at 39%, (Bureau of Labor Statistics (2024)).

Overall, these methodologies suitably assessed whether the current fees have been receding, meeting or exceeding the area’s standards and city’s economic growth. The results of each review were compiled into spreadsheets and included as appendices.

Note: The City of Hood River and Hood River County will be frequently discussed in sequence throughout this document. The City of Hood River will be cited as “Hood River” herein; and Hood River County will be known as “Hood River County” herein.

3. COMPARISON ANALYSIS

Pre-Application (General) / Pre-Application conference

Out of the five neighboring jurisdictions studied, only three have a fee for a pre-application meeting. Hood River County, Stevenson and Klickitat County all offer pre-application meetings free of charge. White Salmon currently offers non-binding pre-application notes to applicants that capture the key points, requirements, and guidance provided during the meeting. Pre-application notes of this nature require the planner to prepare any relevant code citations before the meeting and a technical write-up conducted after the meeting. Additionally, pre-application meetings can also redeem a need for multiple departments to give input – resulting in further accumulation of hours spent in preparation for the meeting and direct costs incurred by the city.

White Salmon currently charges \$300 for a general pre-application conference and \$750 for a more complex subdivision pre-application conference. Neighboring jurisdictions that do collect a fee for their time spent during a pre-application meeting include The Dalles, Hood River and Hood River County. The Dalles charges a flat rate of \$100.00 (67% lower than White Salmon) regardless of what departments attend. Hood River uses a department structure and collects fees based on the department(s) in attendance, starting with \$536 (79% more than White Salmon’s general pre-application fee) for planning, an additional \$212 for engineering and an additional \$212 for fire consultations for a maximum fee of \$960 (28% higher than White Salmon’s subdivision pre-application meeting). Hood River County takes a unique approach of collecting half of the land-use application fee with a maximum limit of \$1,545. If the applicant then applies for the permit within a year of that pre-application meeting, \$400 of that fee is then applied to their application fee and the remaining amount is retained by the city.

Home Occupation

Home occupation land-use permits are only offered in Hood River and The Dalles. Both jurisdictions offer drastically different fee prices. Hood River is on the higher price end at \$1,178 which is 489% more than White Salmon, or approximately 4 times the fee, and The Dalles is on the lower price end at only \$85.00 for their home occupation permit, which is 58% lower than White Salmon. White Salmon sits in between both permit fees at \$200.00 for a home occupation permit. The average between Hood River and The Dalles is 216% more than White Salmon.

Variance

A variance application in White Salmon is \$750.00. This is 217% lower than Hood River’s fee of \$2,374 and 36% lower than Hood River County’s fee of \$1,022. However, the comparison analysis found that White Salmon collects 20% more than Stevenson (\$600) and 33% more than The Dalles (\$500). Overall, the average cost of a variance permit between neighboring jurisdictions was 50% more than the City of White Salmon.

One project with four variance applications was reviewed by Facet in the past year. Total hours spent on the project was 123.25, therefore, it took approximately 30.81 planning hours to complete a variance application, on average. If the staff hourly rate of \$90 were to be considered for each of these applications, the city of White Salmon is spending approximately \$2,772.90 per variance application.

A direct cost summary for each variance application reviewed by planning consultants is provided in Table 2, below.

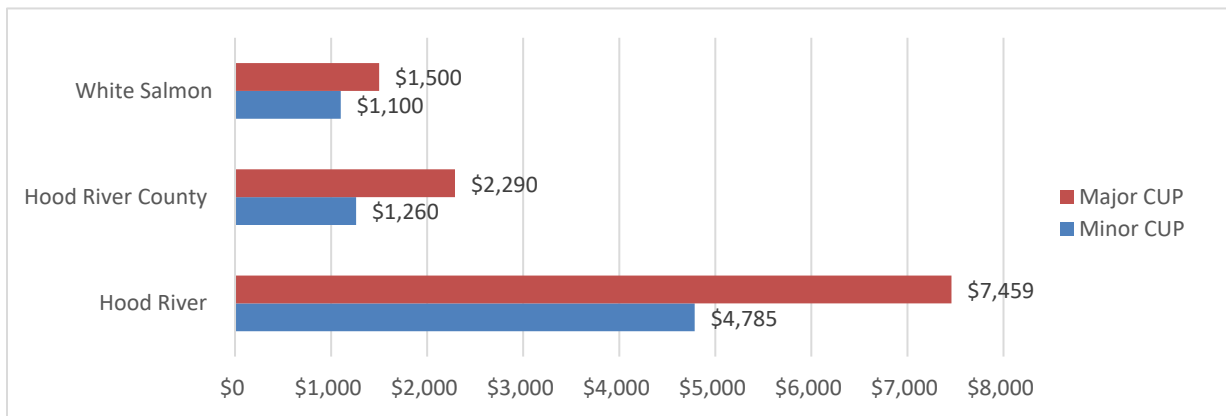
Table 1. Variance Direct Cost Summary

Variance	Hours	Direct Cost	White Salmon Fee	Margin
Stauch – Parcel 1500	52.5	\$4,725.00	\$ 750.00	\$(3,975.00)
Stauch – Lot 6	27.75	\$2,497.50	\$750.00	\$(1,747.50)
Stauch – Lot 7 Stream	24.25	\$2,182.50	\$750.00	\$(1,432.50)
Stauch – Lot 7 Oak Tree	18.75	\$1,687.50	\$750.00	\$(937.50)

Conditional Use (Minor and Major)

White Salmon offers two conditional use permits (CUP). The minor CUP fee is \$1,100 while the major CUP fee is \$1,500. Hood River and Hood River County also differentiate their conditional use permits between major and minor. Hood River’s CUP for minor projects is \$4,785, which is 335% higher than White Salmon. Hood River County charges \$1,260 for their CUP for minor projects, which is 15% higher than White Salmon. For the CUP major permit fee, Hood River charges \$7,459 (397% higher than White Salmon) and Hood River County charges \$2,290 (53% higher than White Salmon).

Figure 1. Minor and Major Conditional Use Permit Comparison



The Dalles, Stevenson and Klickitat County offer one conditional use permit for all projects. The Dalles has the lowest fee at \$550 (50% lower than a minor CUP and 63% lower than a major CUP). The City of Stevenson has the second highest fee at \$600 (45% lower than a minor CUP and 60% lower than a major CUP). Klickitat County has the highest all-inclusive CUP fee at \$1,022 (7% lower than a minor CUP and 32% lower than a major CUP). For the purposes of averaging the costs of the CUP permits between all neighboring jurisdictions, fees for CUP permits that are all-inclusive were used in averaging both minor and major fees. Overall, the average cost of a minor CUP permit between neighboring jurisdictions is 49% higher than White Salmon and the average cost of a major CUP permit is 59% higher than White Salmon.

Hood River also structures their conditional use permits into four different subcategories; All CUP except PUD and greater than 1.5 acres, CUP - 1.5 acres and larger, CUP - PUD and CUP – TWN. The All CUP except PUD and greater than 1.5 acres, was used to compare to the White Salmon minor CUP permit and CUP 1.5 acres or larger as the White Salmon major CUP.

Within the past year, two CUP applications have been reviewed by consultants and one has been completed. It took approximately 13.25 planning consultant hours to complete the CUP application for Gustafasen. If the staff hourly rate of \$90 were to be used, we can determine that White Salmon’s direct costs for completing a CUP are \$1,192.50.

A direct cost summary for each CUP reviewed or currently in the process of being reviewed by planning consultants is provided in Table 2, below. It should be noted that the CUP application for Wildwood Academy is still in review, therefore, these hours are not included in the averaging calculations.

Table 2. Conditional Use Direct Cost Summary

Conditional Use - Minor	Hours	Direct Cost	White Salmon Fee	Margin
Wildwood (50% complete)	30	\$2,700.00	\$1,100	\$(1,600)
Gustafasen	13.25	\$1,192.50	\$1,100	\$(92.20)

Short-term Rentals

Short term rentals are becoming a popular way for tourists to stay in White Salmon; therefore, it is assumed short term rental applications will become more frequent as the city continues to experience a rise in tourism. However, there are legal thresholds to consider that limit the number of short-term rentals in the community. For example, in residential zones, WSMC Chapter 5.02 stipulates that the number of hosted homeshares and vacation home rentals cannot exceed 10% of the existing housing stock. In commercial zones, short-term rentals cannot exceed 30% of residential units on a parcel and are not permitted on the ground floor. In all cases, short-term rental permits must be renewed annually regardless of zoning. Currently, the city is well under 10% the threshold limit.

Note: Provisions for legacy permits are included in WSMC Chapter 17.57.

On average, the neighboring jurisdictions have 231% higher fees for short term rentals than White Salmon, presenting a large opportunity to increase its current fee of \$75. Hood River County has the highest fee at \$570 (660% higher than White Salmon), followed by Hood River at \$99 (32% higher than White Salmon) and The Dalles at \$75 (same fee). Klickitat County and The Hood River County do not have short-term rental fees.

Site Plan Review / Zoning approval on a building or demolition permit

White Salmon currently offers three types of site plan reviews. The city offers a planning site plan review for \$1,600, an administrative site plan review for \$1,200 and a Quasi-Judicial review for \$2,500. The Dalles and Hood River both offer site plan reviews. Hood River offers similar site plan reviews at the planning level, for \$3,186 (99% higher than White Salmon) administrative level, for \$2,724 (127% higher than White Salmon) and quasi-judicial level for \$4,675 (87% higher than White Salmon). The Dalles offers one level of site plan review for the lowest fee at \$440 which is 73% lower than the site plan planning review fee, 63% lower than the administrative review and 82% lower than the quasi-judicial review fee.

The extended service fee helps municipalities recover the additional costs incurred when handling more resource-intensive land-use applications, ensuring that fees more accurately reflect the actual services provided by the planning department. Enforcing the extended service fee to capture the zoning and civil site plan reviews would support a major financial gap in the subdivision process between the preliminary and final plats where engineering services are needed for a site plan review.

A land-use fee for a zoning approval on a building or demolition permit is not offered at any other neighboring jurisdiction.

Critical Area Ordinance Review

White Salmon's critical ordinance review fee is currently \$650.00 and includes a review for all potential and existing critical areas on the property. There are two neighboring jurisdictions that also issue critical ordinance reviews – The city of Stevenson offers critical areas permit with an expedited review for \$75 (88% lower than White Salmon), geologic hazard area for \$300 (54% lower than White Salmon), habitat/wetland review for \$600 (8% lower than White Salmon) and a reasonable use allowance for \$750 (15% more than White Salmon). Klickitat County offers a Critical Area Review/Special Report

Review for \$63, which is 90% less than White Salmon. On average, neighboring jurisdictions have 25% lower fees than White Salmon for a critical area ordinance review.

SEPA Checklist – determination / Environmental Impact Statement

A State Environmental Policy Act (SEPA) determination is required by Washington State to identify possible environmental impacts that may result from development. White Salmon’s fee for a SEPA checklist determination is \$500. Stevenson and Klickitat County are the only Washington State jurisdictions that are required to comply with SEPA. Stevenson has the smallest fee at \$300 (40% less than White Salmon) followed by Klickitat County that issues a SEPA determination for \$375 (25% less than White Salmon).

Likewise, the city of Stevenson and Klickitat County are also the only Washington State neighboring jurisdictions that offer Environmental Impact Statement (EIS) review to comply with Washington state regulations. White Salmon charges a fee of \$2,500 for environmental impact statements, which is almost the same price as Klickitat County who charges \$2,520 for EIS’s. Stevenson’s fee for an EIS review is \$1,500, which is 40% less than White Salmon.

Binding Site Plans

A binding site plan is an alternative method of land division authorized in RCW 58.17.035. Binding site plans may only be used for divisions for industrial or commercial uses, the lease of mobile homes or travel trailers (typically a mobile home park) and condominiums. Klickitat County is the only other neighboring jurisdiction that still offers a binding site plan option. White Salmon’s fee for a binding site plan is \$2,000. This fee is 62% higher than Klickitat County’s binding site plan fee of \$756.

Subdivisions / Short Plats

Subdivisions and short plats are typically the most common and time-consuming permits for planners. Both land-use permits are incentivized by housing goals in the city of White Salmon and play a vital role in the community’s development. The study aims to contribute to those incentivization’s by recommending fee discounts for high-density development such as townhome and multifamily short plats.

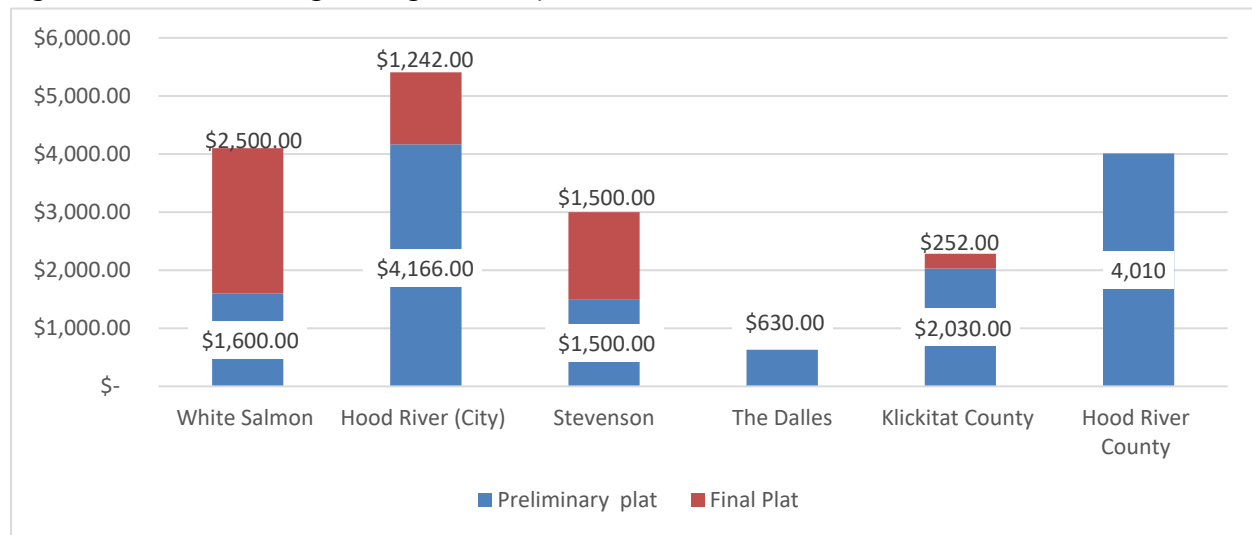
Per WSMC 16.10.010, a short plat is defined as the division or re-division of land into four or fewer lots, tracts, parcels, sites or divisions for the purpose of sale, lease, transfer of ownership or any other reason. A subdivision, also known as a long plat, is defined as the division of land into five or more lots, tracts, parcels, sites or divisions for the purposes of sale or lease and includes all re-subdivision of land.

Subdivisions (Long Plats):

White Salmon divides subdivision fees into two phases of the process; a preliminary and final application. A preliminary subdivision application can oftentimes be the most time-consuming and intensive part of the application due to extensive planning efforts to ensure the most complete input is

received by the applicant so there are no delayed requests throughout the rest of the process. A preliminary subdivision plat fee in White Salmon is \$1,600 with an additional \$75 per lot and a final plat fee is \$2,500 with an additional \$75 per lot. All five neighboring jurisdictions also offer subdivision permits. Neighboring communities such as Hood River, Stevenson and Klickitat County divide a subdivision permit into preliminary and final plat phases. Communities such as The Dalles and Hood River offer one subdivision permit regardless of phase. It is also common for fees to include a “per lot” or “per square foot” charge to charge proportionally to the project’s size. Hood River adds an additional \$134 per lot, which is 55% higher than White Salmons per lot fee and Stevenson charges an additional \$1 per 60 square feet for a preliminary subdivision review. Klickitat County also uses this structure and charges \$25 per lot if there are 10 or more lots. subdivision plat review for \$252 (90% lower than White Salmon). The Dalles offers one, consolidated subdivision permit review fee for \$630, which is 61% less than White Salmons fee.

Figure 2. Subdivision Neighboring Fee Comparison



Short Plats:

Instead of defining the short plat fees by phase, White Salmon defines short plat fees by project type – dividing the permit into two types: short plat – single family for \$1,500, and short plat – townhomes/multifamily for \$2,000. By defining the project fees by project type, White Salmon has an opportunity to incentivize smaller-density short plats, such as townhouses and multifamily projects; aligning with the city’s Housing Action Plan. Short plats conducted under the single-family permit process create less density through the creation of single-family detached dwelling units that are subject to more constrictive setbacks and allowances, however, still an appreciable contribution to the housing needs of the city. Considering the many angles at which the fee can be positioned to support the city’s Housing Action Plan, it is recommended that there is no fee increase for townhomes or multifamily short plats and a 25% increase for single-family short plats. Both fees will include a department-level structure where an additional fee will be added for engineering and fire review, however, the fee discount will lower townhome and multi-family short plats by 80%, opposed to being 75% higher.

Stevenson and Klickitat County offer all-inclusive short plat fees. Stevenson provides a short play review for a fee of \$1,500 plus an additional \$1 per 60 square feet, this is the same as White Salmon’s short plat

– single family fee and 25% less than the short plat – townhouse/multifamily fee. Klickitat County provides a short plat review for \$756, which is 50% less than White Salmon’s short plat – single family fee and 62% less than White Salmon’s short plat – townhouse/multifamily fee.

Three subdivision preliminary plats, one townhome short plat and five single-family short plat applications for the city of White Salmon have been reviewed or are in the process of being reviewed by planning consultants within the past year. Completed or nearly completed projects, including Cherry Hill, Perala and Graham are complete enough to consider the hours spent on the applications in the average planning time spent on short plat and subdivision applications. It took approximately 59.38 planning hours, on average, to review a completed short plat application. If the staff hourly rate of \$90 were to be used, we can determine that White Salmon’s direct costs for reviewing a short plat is \$5,344.20. A direct cost summary for these projects is included in the table below.

Table 3. Subdivision and Short Plat Direct Cost Summary

	Hours	Estimated Direct Cost	White Salmon Fee	Margin
SUB Preliminary Plat				
Cherry Hill (95% complete)	103.75	\$9,337.50	\$ 1,600.00	\$(7,737.50)
Four Oaks (25% complete)	13.25	\$1,192.50	\$ 1,600.00	\$407.50
Monument Rentals (25% complete)	22.5	\$2,025.00	\$1,600.00	\$(425.00)
Short Plat - Townhomes				
Jewett Lofts (25% complete)	51.25	\$4,612.50	\$ 2,000.00	\$(2,612.50)
Short Plat - Single Family				
Perala	54.25	\$4,882.50	\$ 1,500.00	\$(3,382.50)
Graham	64.50	\$5,805.00	\$ 1,500.00	\$(4,305.00)
Gearhart (25% complete)	11	\$990	\$ 1,500.00	\$510
Church (50% complete)	13.5	\$1,215.00	\$1,500.00	\$285
Middle NW (50% complete)	25	\$2,250	\$1,500.00	\$(750)

Lot Line Adjustments

In the last year, lot line adjustments have become one of the most reviewed land-use permits in the City of White Salmon. On average, planning consultant hours spent on a lot line adjustment application from conception to completion was 29.56 hours. If we consider the staff hourly rate of \$90, a lot line adjustment would have an average direct expense of \$2,660.40 per application for the City of White Salmon. The fee for a lot line adjustment in the City of White Salmon is \$260 for a single-family home or \$525 for a multi-family or townhome. All neighboring jurisdictions have higher fees for a lot line adjustment, except for The Dalles who offers the permit for \$85. Hood River has one lot line adjustment permit that is \$891, or 243% more than White Salmon’s fee. Stevenson also offers a lot line adjustment permit for \$300, or 15% more than White Salmon. Klickitat County has the largest fee for a lot line adjustment at \$915, or 252% more than White Salmon. Collectively, the average of all the fees between the neighboring jurisdictions is 117% higher than the lot line adjustment for a single-family application and 83% higher than White Salmon’s fee for a townhouse or multifamily lot line adjustment.

A direct costs summary is provided in the table below for four lot line adjustment applications that were completed by planning consultants within the last year.

Table 4. Lot Line Adjustments for Single-Family Plat Direct Cost Summary

Lot Line Adjustments – Single Family	Hours	Direct Costs Estimation	White Salmon Fee	Margin
Mast	22.5	\$2,025.00	\$ 260.00	\$(1,765.00)
Baxter/Klebba	30	\$2,700.00	\$ 260.00	\$(2,440.00)
Kulper Trust	40.75	\$3,667.50	\$260.00	\$(3,407.50)
Barkhimer	25	\$2,250.00	\$260.00	\$(1,990.00)

Sign Permits

Sign permits fees are enforced in The Dalles, Hood River County and Klickitat County. These fees range from \$20 in The Dalles to \$360 in Hood River County. White Salmon currently charges \$25 for temporary sign permits and \$100 for permanent signs, fitting right into the fee range of neighboring jurisdictions.

Shoreline Development

Klickitat County and Stevenson are the only neighboring jurisdictions that offer a comparison for shoreline permitting. Klickitat County offers four (4) shoreline development permits – shoreline exemption, shoreline substantial development permit, shoreline conditional use permit and shoreline variance. The shoreline exemption permit is only \$126 (92% lower than White Salmon) while the three other shoreline permits are all \$2,156, which is 44% higher than White Salmon’s shoreline permits for single-family applications and 8% more than White Salmon’s shoreline permits for projects that are not single-family developments. Stevenson lists two shoreline development permits in their fee schedule – A Substantial Shoreline Development Permit for \$1,250, which is 17% less than White Salmon’s single-family permit and 38% less than other substantial shoreline development, and a Shoreline Conditional Use Permit for \$1,500, which is the same price for White Salmon’s single-family and 25% less than other shoreline conditional use development. Klickitat County and Stevenson do not have a permit fee for a shoreline revision.

Comprehensive Plan / Rezone Amendments / Zoning Verification

White Salmon has two types of property rezones – a text amendment and map amendment. The fee for a text amendment is \$2,500 and the fee for map amendments is \$3,500. Hood River, The Dalles and Klickitat County also offer similar property rezones. Hood River’s property rezone fee of \$4,188 through a text amendment is 68% higher than White Salmon’s and a map amendment is 52% higher at \$4,871. Klickitat County offers one rezone fee for \$1,526, which is 39% less than White Salmon’s property rezone text amendment and 52% less than the map amendment. The Dalles offers one way to rezone through a comprehensive plan amendment. The fee for this rezone is \$1,015 which is 59% lower than White Salmon’s fee for text amendments and 68% lower than map amendments.

A comprehensive plan amendment in White Salmon is \$2,600. Compared to neighboring jurisdictions, White Salmon's fee is 42% higher than the city of Stevenson, 77% higher than The Dalles, and 41% higher than Klickitat County. However, Hood River County also offers a comprehensive plan amendment for \$4,585, which is 76% higher than White Salmon's. Overall, the average of the neighboring jurisdiction's comprehensive plan amendment fees is 21% lower than White Salmon.

Planned Unit Development

Planned Unit Developments are an alternative to the traditional method of land division for creating sellable lots for rowhouse communities and cottage housing developments. The unit lot subdivision (ULS) process provides opportunities for fee-simple ownership of land. Unit lot subdivisions allow development on individual unit lots to avoid complying with typical dimensional standards if the parent lot conforms to all such development standards.

White Salmon allows for two types of Planned Unit Developments (PUD's) which provide for more flexibility for the implementation of innovative residential and mixed-use commercial developments.

Hood River County charges \$4,815 plus an additional \$60 per lot, Stevenson charges \$1,500 plus an additional \$1 per sq foot and The Dalles charges \$630.00 for a Planned Unit Development Permit. The average cost of a PUD permit is \$2,315.

Fee Simple

Fee Simple Unit Lot Subdivision is a type of zero lot subdivision, the current fee schedule addresses it. However, the city should consider incentivizing townhomes consistent with its adopted Housing Action Plan and more compact development, so perhaps we make this 75% or 50% of the subdivision fee? Reference city's housing action plan.

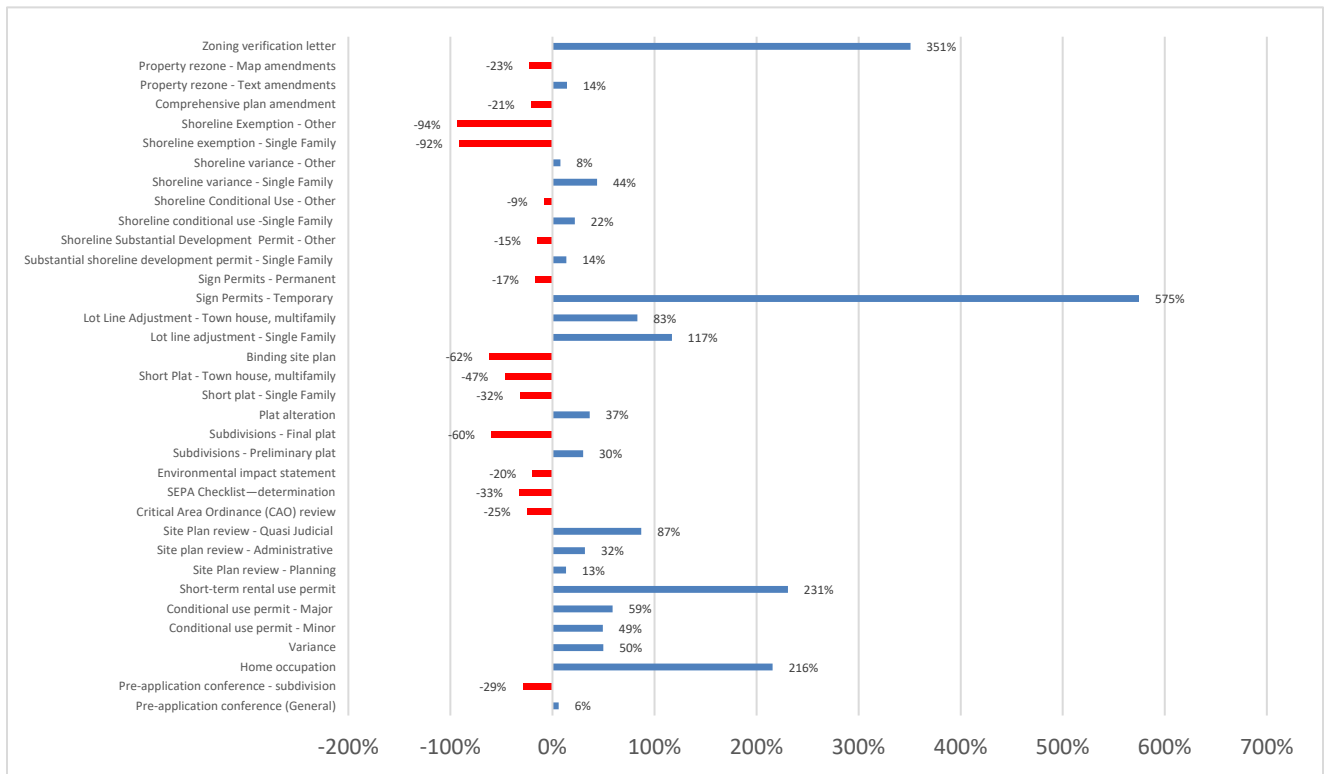
Affordable Housing

Projects that incorporate one or more units of affordable housing in subdivisions, either voluntarily or with a local housing authority may be subject to up to 100% fee waiver, subject to a request in-writing by the applicant. This fee relief is listed as an amendment to WSMC Chapter 3.36.

4. FINDINGS

The purpose of the fee study for the City of White Salmon is to evaluate its land-use fees in comparison with neighboring jurisdictions and to reassess the City of White Salmon’s fee schedule to ensure it meets both the economic demands of the city and the costs of its land-use services. **The study found that White Salmon’s fees are generally lower than those of its neighbors, with an average fee difference of approximately 42% lower.** As calculated on the Comparison Analysis Spreadsheet (Appendix II), the percentage difference in fees compared to White Salmon was averaged for each permit. This number is known as the permit’s **Average % Difference**. Fees that were lower than White Salmon’s were given a negative value for averaging purposes. The resulting discrepancy suggests potential gaps in fee structures that may not fully cover the costs associated with the city’s permitting processes. For certain permits, like variances, lot line adjustments and conditional use permits, White Salmon’s fees are significantly lower, often failing to recover the direct costs associated with processing these applications.

Figure 3. Neighboring Jurisdiction Average % Difference (See Appendix IV for larger excerpt)



To best demonstrate the findings of the comparison analysis, Table 5 summarizes all permits that we analyzed during the process. All data was calculated in the Comparison Analysis Spreadsheet in Appendix II.

Out of 38 permits, 20 had fee averages higher than White Salmon, 15 lower fee averages and 3 did not have neighboring fees to compare it to. All findings for each permit's Average % Difference is included in Table 5, below.

Table 5. Neighboring Jurisdiction Average % Difference Compared to White Salmon

Permit	Average % Difference of Neighboring Jurisdictions
Pre-Application Meeting (General)	6% higher
Pre-Application Meeting conference	29% lower
Home Occupation	216% higher
Variance	50% higher
Conditional Use - Minor	49% higher
Conditional Use - Major	59% higher
Short Term Rental use permit	231% higher
Site Plan Review - Planning	13% higher
Site Plan Review - Administrative	32% higher
Site Plan Review – Quasi Judicial	87% higher
Critical Areas Ordinance (CAO) Review	25% lower
Zoning Approval on a building or demolition permit	N/A
SEPA checklist - determination	33% lower
Environmental Impact Statement	20% lower
Subdivisions – Preliminary Plat	30% higher
Subdivisions – Final Plat	60% lower
Plat Alteration	37% higher
Short Plat – Single Family	32% lower
Short Plat – Townhome, multi-family	47% lower
Binding Site Plan	62% lower
Lot Line Adjustment – Single family	117% higher
Lot Line Adjustment – Townhome, multifamily	83% higher
Sign Permits – temporary	575% higher
Sign Permits – Permanent	17% lower
Shoreline Substantial Development Permit – Single Family	14% higher

Shoreline Substantial Development Permit – Other	15% lower
Shoreline Conditional Use – Single Family	22% higher
Shoreline Conditional Use – Other	9% lower
Shoreline Variance – Single Family	44% higher
Shoreline Variance – Other	8% higher
Shoreline Exemption – Single Family	92% lower
Shoreline Exemption - Other	94% lower
Shoreline Revision – Single family	N/A
Shoreline revision – Other	N/A
Comprehensive Plan Amendment	21% lower
Property rezone – text amendments	14% higher
Property rezone – map amendments	23% lower
Zoning Verification Letter	351% higher

5. RECOMMENDATIONS

The study recommends revising the fee structure to better align with the city's incurred costs and to ensure consistency with the fee schedules of neighboring jurisdictions. The following adjustments are suggested:

1. Implement a 5% technology fee to capture investments in the city's permitting software (SmartGOV) and GIS mapping program (ArcGIS Software) that improve efficiencies in city permit processes.
2. Structure fees based on the departments involved, with a base planning fee as the standard, supplemented by additional fees from engineering, fire, and building departments as necessary.
3. The City of White Salmon should consider requesting task orders from the planning consultant prior to review of an application for costs to be the responsibility of the applicant, per WSMC 3.36.030. This provides applicants with greater transparency in realizing the actual cost to review development, and is consistent with how several jurisdictions operate when utilizing consultants for plan review.
4. To encourage higher-density development, reduce subdivision and short plat fees for townhome and multifamily projects. Further, if/when the city's Fee Simple Unit Lot Subdivision ordinance is adopted, a set fee to incentivize this development will be added to the WSMC Chapter 3.36 proposed ordinance.

- For projects incorporating affordable housing in proposed subdivisions, the applicant may request land use review fees be waived at the discretion of the planning department.

The findings present a large range of differences in fees between neighboring areas; therefore, a more gradual fee increase approach is to use a sliding scale method that suggests a scale factor adjustment in relation to the permit’s comparison analysis finding shown in Table 5. The **Scale Factor** is then used in calculating the Proposed Fee Schedule included in Appendix I. This will ensure that the fees are proportionally increased based on the findings of the comparison analysis, the complexity of the permit and the resources required to process it. This also allows the city to independently evaluate each permit fee without having to apply a standard percentage increase to all permits collectively.

Table 6. Scale Factor Increase Determined by Average % Difference

Average % Difference	Scale Factor
0% – 25%	5%
26%-50%	10%
51%-75%	15%
76%-100%	20%
101%-150%	25%
151%-200%	30%
201%-300%	35%
301%-400%	40%
401%-500%	45%
> 500%	50%

Overall, the findings of the study support an increase in fees by a scale factor presented in the Proposed Fee Schedule included as Appendix I, to ensure that the city’s fees reflect both the operational costs and the comparative landscape of neighboring jurisdictions.

APPENDIX I: PROPOSED FEE SCHEDULE

	2024	Scale Factor	2025	5% Tech Fee	Total
Pre-application conference (General)					
Planning	\$ 300.00	5%	\$ 15.00	\$ 15.00	\$ 330
Engineering					\$ 165
					\$ 495
Pre-application conference - subdivision					
Planning	\$ 750.00	5%	\$ 37.50	\$ 37.50	\$ 825
Engineering					\$ 413
					\$ 1,238
Home occupation	\$ 200.00	35%	\$ 70.00	\$ 10.00	\$ 280
Variance					
Planning	\$ 750.00	10%	\$ 75.00	\$ 37.50	\$ 863
Engineering					\$ 431
					\$ 1,294
Conditional use permit - Minor					
Planning	\$ 1,100.00	10%	\$ 110.00	\$ 55.00	\$ 1,265
Engineering					\$ 660
					\$ 1,925
Conditional use permit - Major					
Planning	\$ 1,500.00	15%	\$ 225.00	\$ 75.00	\$ 1,800
Engineering					\$ 900
Fire					\$ 450
					\$ 3,150
Short-term rental use permit	\$ 75.00	35%	\$ 26.25	\$ 3.75	\$ 105
Site Plan review - Planning	\$ 1,600.00	5%	\$ 80.00	\$ 80.00	\$ 1,760
Site plan review - Administrative	\$ 1,200.00	10%	\$ 120.00	\$ 60.00	\$ 1,380
Site Plan review - Quasi Judicial	\$ 2,500.00	20%	\$ 500.00	\$ 125.00	\$ 3,125
Critical Area Ordinance (CAO) review	\$ 650.00	5%	\$ 32.50	\$ 32.50	\$ 715
Zoning approval on a building or demolition permit	\$ 65.00	5%	\$ 3.25	\$ 3.25	\$ 72
SEPA Checklist—determination	\$ 500.00	10%	\$ 50.00	\$ 25.00	\$ 575
Environmental impact statement	\$ 2,500.00	5%	\$ 125.00	\$ 125.00	\$ 2,750
Subdivisions - Preliminary plat					
Planning	\$ 1,600.00	10%	\$ 160.00	\$ 80.00	\$ 1,840
Engineering					\$ 920
Fire					\$ 460
					\$ 3,220 plus \$105 per lot
Subdivisions - Final plat					
Planning	\$ 2,500.00	5%	\$ 125.00	\$ 125.00	\$ 2,750
Engineering					\$ 1,375
Fire					\$ 688
					\$ 4,813 plus \$105 per lot
Plat alteration					
Planning	\$ 1,000.00	10%	\$ 100.00	\$ 50.00	\$ 1,150
Engineering					\$ 575
					\$ 1,725
Short plat - Single Family					
Planning	\$ 1,500.00	25%	\$ 375.00	\$ 75.00	\$ 1,950 <i>*Incentivization of 20% fee increase</i>
Engineering					\$ 975
Fire					\$ 488
					\$ 3,413 plus \$105 per lot
Short Plat - Town house, multifamily					

Planning	\$ 2,000.00	0%	\$ -	\$ 100.00	\$ 2,100	*Incentivization of 0% fee increase and
Engineering					\$ 525	*Incentivization: 25% reduction for Engineering fees
Fire					\$ 105	*Incentivization of 20% reduction in Fire fees
					<u>\$ 2,730</u>	plus \$105 per lot
Binding site plan						
Planning	\$ 2,000.00	5%	\$ 100.00	\$ 100.00	\$ 2,200	
Engineering					\$ 1,100	
					<u>\$ 3,300</u>	plus \$105 per lot
Lot line adjustment - Single Family						
Planning	\$ 260.00	50%	\$ 130.00	\$ 13.00	\$ 403	
Engineering					\$ 202	
					<u>\$ 605</u>	
Lot Line Adjustment - Town house, multifamily						
Planning	\$ 525.00	0%	\$ -	\$ 26.25	\$ 551	*Incentivization of 0% increase
Engineering					\$ 138	
					<u>\$ 689</u>	
Sign Permits - Temporary	\$ 25.00	50%	\$ 12.50	\$ 1.25	\$ 39	
Sign Permits - Permanent	\$ 100.00	5%	\$ 5.00	\$ 5.00	\$ 110	
Substantial shoreline development permit - Single Family						
Planning	\$ 1,500.00	5%	\$ 75.00	\$ 75.00	\$ 1,650	
Engineering					\$ 825	
					<u>\$ 2,475</u>	
Shoreline Substantial Development Permit - Other						
Planning	\$ 2,000.00	5%	\$ 100.00	\$ 100.00	\$ 2,200	
Engineering					\$ 1,100	
					<u>\$ 3,300</u>	
Shoreline conditional use -Single Family						
Planning	\$ 2,000.00	5%	\$ 100.00	\$ 100.00	\$ 2,200	
Engineering					\$ 1,100	
					<u>\$ 3,300</u>	
Shoreline Conditional Use - Other						
Planning	\$ 1,500.00	5%	\$ 75.00	\$ 75.00	\$ 1,650	
Engineering					\$ 825	
					<u>\$ 2,475</u>	
Shoreline variance - Single Family						
Planning	\$ 2,000.00	10%	\$ 200.00	\$ 100.00	\$ 2,300	
Engineering					\$ 1,150	
					<u>\$ 3,450</u>	
Shoreline variance - Other						
Planning	\$ 2,000.00	5%	\$ 100.00	\$ 100.00	\$ 2,200	
Engineering					\$ 1,100	
					<u>\$ 3,300</u>	
Shoreline exemption - Single Family						
Planning	\$ 1,500.00	5%	\$ 75.00	\$ 75.00	\$ 1,650	
Engineering					\$ 825	
					<u>\$ 2,475</u>	
Shoreline Exemption - Other						
Planning	\$ 2,000.00	5%	\$ 100.00	\$ 100.00	\$ 2,200	
Engineering					\$ 1,100	
					<u>\$ 3,300</u>	
Shoreline revision - Single Family						
Planning	\$ 1,500.00	5%	\$ 75.00	\$ 75.00	\$ 1,650	
Engineering					\$ 825	
					<u>\$ 2,475</u>	
Shoreline revision - Other						
Planning	\$ 2,000.00	5%	\$ 100.00	\$ 100.00	\$ 2,200	
Engineering					\$ 1,100	
					<u>\$ 3,300</u>	

Comprehensive plan amendment	\$ 2,600.00	5%	\$ 130.00	\$ 130.00	\$	2,860
Property rezone - Text amendments	\$ 2,500.00	5%	\$ 125.00	\$ 125.00	\$	2,750
Property rezone - Map amendments	\$ 3,200.00	5%	\$ 160.00	\$ 160.00	\$	3,520
Zoning Verification Letter	\$ 65.00	40%	\$ 26.00	\$ 3.25	\$	94

Planned Unit Development

Planning	\$ 1,575.00			\$ 1,575	*Incentivization: 75% of cost of doing a short plat - townhome
Engineering	\$ 393.75			\$ 394	*Incentivization: 25% decrease on Engineering Fees
Fire	\$ 78.75			\$ 79	*Incentivization: 20% decrease on Fire
				<u>\$ 2,048</u>	

Fee Simple

Planning	\$ 1,650.00			\$ 1,650
Engineering	\$ 412.50			\$ 413
Fire	\$ 82.50			\$ 83
				<u>\$ 2,145</u>

APPENDIX II: COMPARISON ANALYSIS SPREADSHEET

LAND USE FEE SCHEDULE COMPARISON ANALYSIS

Permit	White Salmon	Hood River City	City of Stevenson	City of The Dalles	Klickitat County	Hood River County	Average
Pre-application conference (General)	\$ 300.00	\$ 536.00 79%	\$ -	\$ 100.00 -67%	\$ -	Half of land-use fee	6%
Pre-application conference - subdivision	\$ 750.00	\$ 960.00 28%	\$ -	\$ 100.00 -87%	\$ -		-29%
Home occupation	\$ 200.00	\$ 1,178.00 489%		\$ 85.00 -58%			216%
Accessory dwelling units	\$ 1,000.00	\$ 612.00 -39%			\$ 630.00 -37%		
Variance	\$ 750.00	\$ 2,374.00 217%	\$ 600.00 -20%	\$ 500.00 -33%	\$ 1,022.00 36%		50%
Conditional use permit - Minor	\$ 1,100.00	\$ 4,785.00 335%	\$ 600.00 -45%	\$ 550.00 -50%	\$ 1,022.00 -7%	\$ 1,260.00 15%	49%
Conditional use permit - Major	\$ 1,500.00	\$ 7,459.00 397%	\$ 600.00 -60%	\$ 550.00 -63%	\$ 1,022.00 -32%	\$ 2,290.00 53%	59%
Short-term rental use permit	\$ 75.00	\$ 99.00 32%		\$ 75.00 0%		\$ 570.00 660%	231%
Site Plan review - Planning	\$ 1,600.00	\$ 3,186.00 99%		\$ 440.00 -73%			13%
Site plan review - Administrative	\$ 1,200.00	\$ 2,724.00 127%		\$ 440.00 -63%			32%
Site Plan review - Quasi Judicial	\$ 2,500.00	\$ 4,675.00 87%		\$ 440.00 -82%			87%
Critical Area Ordinance (CAO) review	\$ 650.00		\$ 750.00 15%		\$ 63.00 -90%		-25%
Zoning approval on a building or demolition permit	\$ 65.00						
SEPA Checklist—determination	\$ 500.00		\$ 300.00 -40%		\$ 375.00 -25%		-33%
Environmental impact statement	\$ 2,500.00		\$ 1,500.00 -40%		\$ 2,520.00 1%		-20%
Subdivisions - Preliminary plat	\$ 1,600.00	\$ 4,166.00 160%	\$ 1,500.00 -6%	\$ 630.00 -61%	\$ 2,030.00 27%	\$ 4,010.00 151%	30%
Subdivisions - Final plat	\$ 2,500.00	\$ 1,242.00 -50%	\$ 1,500.00 -40%		\$ 252.00 -90%		-60%
Plat alteration	\$ 1,000.00	\$ 1,463.00 46%	\$ 1,500.00 50%		\$ 1,134.00 13%		37%
Short plat - Single Family	\$ 1,500.00	\$ 1,485.00 -1%	\$ 1,500.00 0%	\$ 330.00 -78%	\$ 756.00 -50%		-32%
Short Plat - Town house, multifamily	\$ 2,000.00	\$ 1,356.00 -32%	\$ 1,500.00 -25%	\$ 630.00 -69%	\$ 756.00 -62%		-47%
Binding site plan	\$ 2,000.00				\$ 756.00 -62%		-62%
Lot line adjustment - Single Family	\$ 260.00	\$ 891.00 243%	\$ 300.00 15%	\$ 85.00 -67%	\$ 630.00 142%	\$ 915.00 252%	117%
Lot Line Adjustment - Town house, multifamily	\$ 260.00	\$ 891.00 243%	\$ 300.00 15%	\$ 85.00 -67%	\$ 630.00 142%		83%
Sign Permits - Temporary	\$ 25.00			\$ 20.00 -20%	\$ 126.00 404%	\$ 360.00 1340%	575%
Sign Permits - Permanent	\$ 100.00			\$ 40.00 -60%	\$ 126.00 26%		-17%
Substantial shoreline development permit - Single Family	\$ 1,500.00		\$ 1,250.00 -17%		\$ 2,156.00 44%		14%
Shoreline Substantial Development Permit - Other	\$ 2,000.00		\$ 1,250.00 -38%		\$ 2,156.00 8%		-15%
Shoreline conditional use - Single Family	\$ 1,500.00		\$ 1,500.00 0%		\$ 2,156.00 44%		22%

Shoreline Conditional Use - Other	\$ 2,000.00		\$ 1,500.00	-25%	\$ 2,156.00	8%	\$ 2,156.00	-9%
Shoreline variance - Single Family	\$ 1,500.00				\$ 2,156.00	44%		44%
Shoreline variance - Other	\$ 2,000.00				\$ 2,156.00	8%		8%
Shoreline exemption - Single Family	\$ 1,500.00				\$ 126.00	-92%		-92%
Shoreline Exemption - Other	\$ 2,000.00				\$ 126.00	-94%		-94%
Shoreline revision - Single Family	\$ 1,500.00							
Shoreline revision - Other	\$ 2,000.00							
Comprehensive plan amendment	\$ 2,600.00		\$ 1,500.00	-42%	\$ 590.00	-77%	\$ 1,526.00	-41%
Property rezone - Text amendments	\$ 2,500.00	\$ 4,188.00			\$ 1,015.00	-59%	\$ 1,526.00	-39%
Property rezone - Map amendments	\$ 3,200.00	\$ 4,871.00			\$ 1,015.00	-68%	\$ 1,526.00	-52%
Zoning verification letter	\$ 65.00	\$ 134.00			\$ 200.00	208%	\$ 545.00	738%

Average of Averages 42%

APPENDIX III: Direct Costs Analysis Spreadsheet

Appendix III. Direct Cost Analysis (Hourly)

Highlight indicates planning recommendation or approval issued, of projects listed below

Permit	Hours	Direct Cost	Fee	Profit Margin
SUB Preliminary Plat			\$ 1,600.00	\$ 1,600.00
SP - Single Family	74.16	\$ 6,674.40	\$ 1,500.00	\$ (5,174.40)
SP - Townhomes			\$ 2,000.00	\$ 2,000.00
Lot Line Adjustment - SF	29.56	\$ 2,660.40	\$ 260.00	\$ (2,400.40)
Conditional Use - Minor	12.125	\$ 1,091.25	\$ 1,100.00	\$ 8.75
Conditional Use - Major			\$ 1,500.00	\$ 1,500.00
Variance	24.65	\$ 2,218.50	\$ 750.00	\$ (1,468.50)
				\$ -

Table 2. Direct Costs Analysis by Consultant Fee

Project by Permit	Hours	Consultant Fee	WS Fee	Profit Margin
SUB Preliminary Plat				
Cherry Hill	103.75	\$14,259.00	\$ 1,600.00	\$ (12,659.00)
Four Oaks	13.25	\$ 1,919.25		\$ (1,919.25)
Salmon Oaks	22.5	\$ 2,827.50	\$ 1,600.00	\$ (1,227.50)
SP Townhomes				
Jewett Lofts	51.25	\$ 5,300.00	\$ 2,000.00	\$ (3,300.00)
SP Single Family				
Perala	54.25	\$ 5,865.75	\$ 1,500.00	\$ (4,365.75)
Graham	64.5	\$ 7,447.50	\$ 1,500.00	\$ (5,947.50)
Gearhart	11	\$ 1,325.75	\$ 1,500.00	\$ 174.25
Church	13.5	\$ 1,823.50	\$ 1,500.00	\$ (323.50)
Middle NW	40	\$ 4,650.00	\$ 1,500.00	\$ (3,150.00)
Lot Line Adjustment - SF				
Mast	22.5	\$ 2,576.50	\$ 260.00	\$ (2,316.50)
Baxter/Klebba	30	\$ 2,920.00	\$ 260.00	\$ (2,660.00)
Kulper Trust	40.75	\$ 4,397.00	\$ 260.00	\$ (4,137.00)
Barkhimber	25		\$ 260.00	
Variance				
Stauch - 1500	52.5	\$ 6,416.00	\$ 750.00	\$ (5,666.00)
Stauch - Lot 6	27.75	\$ 3,328.50	\$ 750.00	\$ (2,578.50)
Stauch - Lot 7 Stream	24.25	\$ 2,934.50	\$ 750.00	\$ (2,184.50)
Stauch - Lot 7 Oak Tree	18.75	\$ 2,180.00	\$ 750.00	\$ (1,430.00)

Conditional Use				
Gustafasen	13.25	\$ 1,982.00	\$ 1,100.00	\$ (882.00)

Table 3. Average Direct Hours Spent Per Project

Project	Short Plat Total Hou	Direct Cost	Margin
Graham	64.5	\$ 5,805.00	\$ (4,305.00)
Perela	54.25	\$ 4,882.50	\$ (3,382.50)
Average	59.375	\$ 5,343.75	

Project	BLA Total Hours	Direct Cost	Margin
Kulper Trust	40.75	\$ 3,667.50	\$ (3,407.50)
Baxter Klebba	30	\$ 2,700.00	\$ (2,440.00)
Barkhimer	25	\$ 2,250.00	\$ (1,990.00)
Mast	22.5	\$ 2,025.00	\$ (1,765.00)
Average	29.5625		

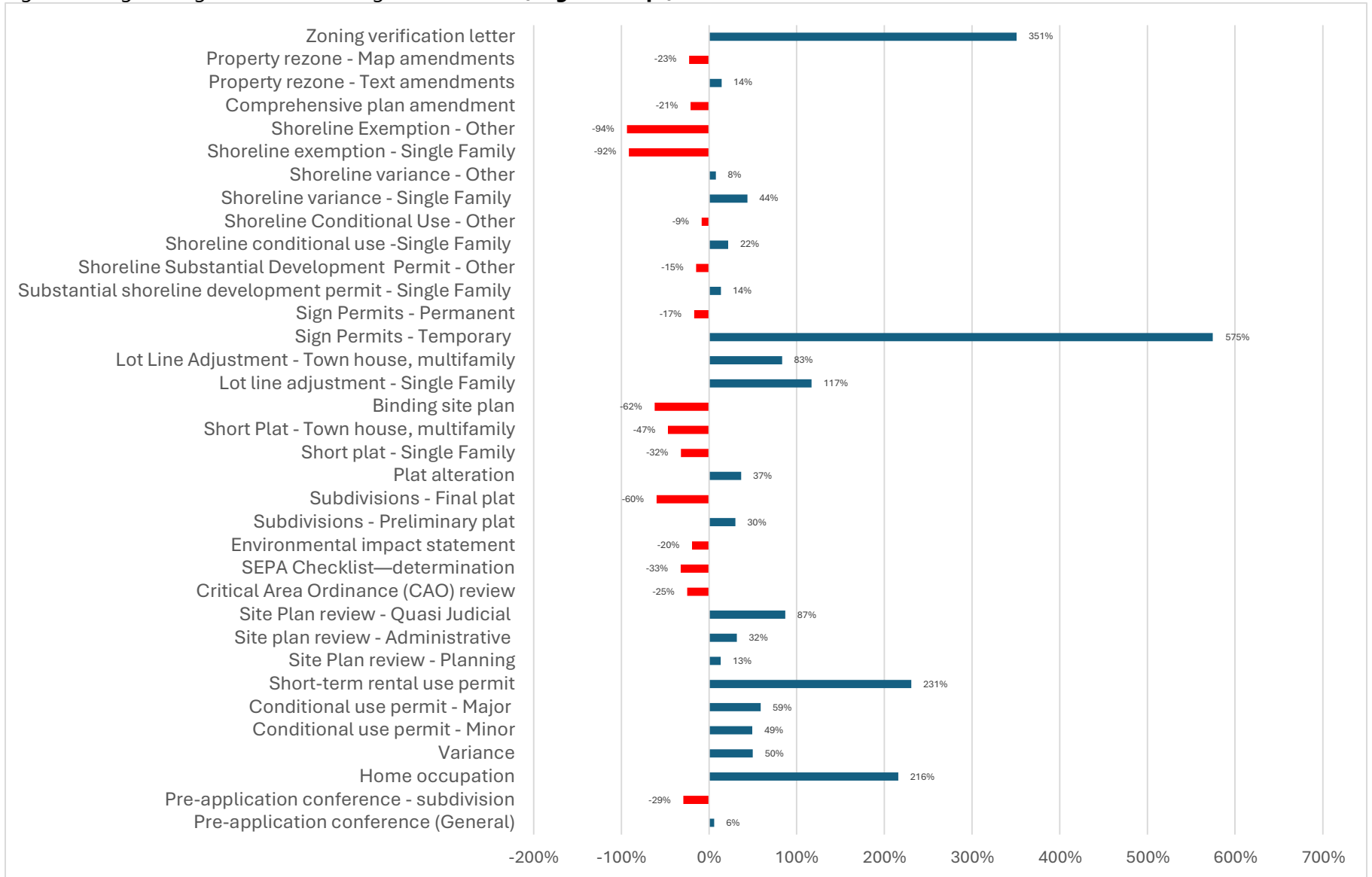
Project	Variance Total Hour:	Direct Cost	Margin	Column1
Stauch - 1500	52.5	\$ 4,725.00	\$ (3,975.00)	82.0625
Stauch - Lot 6	27.75	\$ 2,497.50	\$ (1,747.50)	80.25
Stauch - Lot 7 Stream	24.25	\$ 2,182.50	\$ (1,432.50)	104.5
Stauch - Lot 7 Oak Tree	18.75	\$ 1,687.50	\$ (937.50)	123.25
Average	30.8125			101.5625

Project	CUP Total Hours	Direct Cost	Margin
Gustafasen	13.25	\$ 1,192.50	\$ (92.50)
Average	13.25	\$ 1,192.50	

Project	Preliminary SUB	Column1	Column2
Cherry Hill	103.75	\$ 9,337.50	\$ (7,737.50)
Four Oaks	13.25	\$ 1,192.50	\$ 407.50
Monument Rentals	22.5	\$ 2,025.00	\$ (425.00)
Average	63.125		

APPENDIX IV - FIGURE 3 NEIGHBORING JURISDICTION FEE COMPARISONS

Figure 3. Neighboring Jurisdiction Average % Difference (larger excerpt)



Key: **Bold Underlined** = added language
~~**Bold Strikethrough**~~ = deleted language

Chapter 3.36 LAND USE*

3.36.010 Fees imposed.

The following fees shall be due and payable to the city upon filing of an application. In the event the city needs to hire a consultant for additional assistance, those fees shall be passed on as per Section 3.36.030. **Projects that incorporate one or more units of affordable housing in subdivisions, either voluntarily or with a local housing authority may be subject to up to 100% fee waiver, subject to a request in-writing by the applicant.**

FEE SCHEDULE

Preliminary Review	
Zoning inquiry	\$65 \$105 per hour beyond first ¼ hour
Pre-application conference (General)	300*
• <u>Planning</u>	\$330 (General)
• <u>Engineering</u>	\$165
	\$495
<u>Pre-application conference (Subdivision)</u>	
• <u>Planning</u>	750* \$825 (Subdivision)
• <u>Engineering</u>	\$413
	\$1,238
* Pre-application fees shall be applied toward application fees if application submitted within six months of pre-application conference/site visit, as applicable.	
Planning Permit Review	
Home occupation	200-280
Accessory dwelling units	1,000
Permitted use subject to standards	260
Variance	750
• <u>Planning</u>	\$863
• <u>Engineering</u>	\$413
	\$1,294
Conditional use permit (Major)	1,500
• <u>Planning</u>	(Major) \$1,800
• <u>Engineering</u>	1,100 \$900
	(Minor)
	\$1,925
<u>Conditional use permit (Minor)</u>	
• <u>Planning</u>	\$1,265
• <u>Engineering</u>	\$660
	\$3,150
Short-term rental use permit	75-105

Site plan review <ul style="list-style-type: none"> • <u>Administrative</u> • <u>Planning Commission</u> • <u>Quasi-Judicial</u> 	1,200 (Administrative) 1,600 (Planning Commission) <u>\$1,380</u> 2,500 (Quasi-Judicial) <u>\$3,125</u>
Critical Area Ordinance (CAO) review	650 <u>\$715</u>
Zoning approval on a building or demolition permit	65 <u>\$72</u>
Zoning approval on a grading permit (per building codes and for disturbance of land greater than 10,000 s.f. for CAO)	130
SEPA Review	
Checklist—determination	500 <u>\$575</u>
Environmental impact statement	2,500 <u>\$2,750</u>
Subdivisions	
Preliminary plat <ul style="list-style-type: none"> • <u>Planning</u> • <u>Engineering</u> • <u>Fire</u> 	1,600 + \$75 per lot <u>\$1,840</u> <u>\$920</u> <u>\$460</u> <u>\$3,220</u> + \$105 per lot
Final plat <ul style="list-style-type: none"> • <u>Planning</u> • <u>Engineering</u> • <u>Fire</u> 	2,500 + \$75 per lot <u>\$2,750</u> <u>\$1,375</u> <u>\$688</u> <u>\$4,813</u> + \$105 per lot
Plat alteration <ul style="list-style-type: none"> • <u>Planning</u> • <u>Engineering</u> 	1,000 <u>\$1,150</u> <u>\$575</u> <u>\$1,725</u>
Short plat	
Single-family <ul style="list-style-type: none"> • <u>Planning</u> • <u>Engineering</u> • <u>Fire</u> 	\$ 1,500 + \$75 per lot <u>\$1,950</u> <u>\$975</u> <u>\$488</u> <u>\$3,413</u> + \$105 per lot
Town house, multifamily <ul style="list-style-type: none"> • <u>Planning</u> • <u>Engineering</u> • <u>Fire</u> 	2,000 + \$75 per lot <u>\$2,100</u> <u>\$525</u> <u>\$105</u> <u>\$2,730</u> + \$105 per lot
Binding site plan <ul style="list-style-type: none"> • <u>Planning</u> • <u>Engineering</u> 	2,000 + \$75 per lot <u>\$2,200</u> <u>\$1,100</u> <u>\$3,300</u> + \$105 per lot
Lot line adjustment	
Single-family	260

<ul style="list-style-type: none"> • Planning • Engineering 	<u>\$403</u> <u>\$202</u>	<u>\$605</u>
Town house, multifamily <ul style="list-style-type: none"> • Planning • Engineering 	525 <u>\$551</u> <u>\$138</u>	\$689 + \$105 per lot
Planned Unit Development <ul style="list-style-type: none"> • Planning • Engineering • Fire 	<u>\$1,575</u> <u>\$394</u> <u>\$79</u>	<u>\$2,048</u>
Fee Simple <ul style="list-style-type: none"> • Planning • Engineering • Fire 	<u>\$1,650</u> <u>\$413</u> <u>\$83</u>	<u>\$2,145</u>
Sign Permits		
Temporary	25 <u>\$39</u>	
Permanent	100 <u>\$110</u>	
Additional state surcharge for signs	4.50 <u>\$7</u>	
Shoreline Permits		
Substantial shoreline development permit		
Single-family <ul style="list-style-type: none"> • Planning • Engineering 	1,500 <u>\$1,650</u> <u>\$825</u>	<u>\$2,475</u>
Other <ul style="list-style-type: none"> • Planning • Engineering 	2,000 <u>\$2,200</u> <u>\$1,100</u>	<u>\$3,300</u>
Shoreline conditional use		
Single-family <ul style="list-style-type: none"> • Planning • Engineering 	1,500 <u>\$2,200</u> <u>\$1,100</u>	<u>\$3,300</u>
Other <ul style="list-style-type: none"> • Planning • Engineering 	2,000 <u>\$1,650</u> <u>\$825</u>	<u>\$2,475</u>
Shoreline variance		
Single-family <ul style="list-style-type: none"> • Planning • Engineering 	1,500 <u>\$2,300</u> <u>1,150</u>	<u>\$3,450</u>
Other <ul style="list-style-type: none"> • Planning • Engineering 	2,000 <u>\$2,200</u> <u>\$1,100</u>	

	<u>\$3,300</u>
Shoreline exemption	
Single-family	1,500
• <u>Planning</u>	<u>\$1,650</u>
• <u>Engineering</u>	<u>\$825</u>
	<u>\$2,475</u>
Other	2,000
• <u>Planning</u>	<u>\$2,200</u>
• <u>Engineering</u>	<u>\$1,100</u>
	<u>\$3,300</u>
Shoreline revision	
Single-family	1,500
• <u>Planning</u>	<u>\$1,650</u>
• <u>Engineering</u>	<u>\$825</u>
	<u>\$2,475</u>
Other	2,000
• <u>Planning</u>	<u>\$2,200</u>
• <u>Engineering</u>	<u>\$1,100</u>
	<u>\$3,300</u>
Policy Planning Review	
Comprehensive plan amendment	2,600 <u>\$2,860</u>
Property rezone	2,500 (Text Amendments) <u>\$2,750</u>
• <u>Text amendments</u>	3,200 (Text and Map Changes)
• <u>Text and map amendments</u>	<u>\$3,520</u>
Appeals	
Appeal	Equal to application fee
Miscellaneous	
Zoning verification letter	65 <u>\$105</u>
Extension requests	No Fee
Development or annexation agreement	Staff hours at \$125 <u>\$200</u> /hour, attorney fees at city attorney's standard hourly rate, consultant fees as defined in [Section] 3.36.030
Extended service fee	Staff hours at \$65 <u>\$105</u> /hour
Reproduction costs	Per council resolution
Site inspections*	Staff hours at \$65 <u>\$105</u> /hour
* Examples of site inspections include site visits necessary to inspect infrastructure installation, verify installation and maintenance of erosion control mechanisms, confirm compliance with landscaping standards and other standards and conditions.	
Post Decision Review	250 (Minor) 500 (Major)
Consultant fees: as defined by 3.36.030 below**	Cost + 10%

(Ord. 2007-10-807 § 1(part), 2007)

(Ord. No. 2016-12-1002, § 1, 1-4-2017; Ord. No. 2022-02-1098, § 1, 2-16-2022)

3.36.020

3.36.020 Single-family applicants defined.

The fees set for single-family residential applicants per the fee schedule in Section 3.36.010 apply to applications which meet the following criteria:

The proposed type of action will not change the existing and/or proposed primary single-family use of the property and one of the following apply:

- A. The property is zoned residential (R-1 or R-2), and developed with or planned for a single-family residence; or
- B. The property includes a single-family residential dwelling; or
- C. A single-family residential building permit has been applied for on the property.

(Ord. 2007-10-807 § 1(part), 2007)

3.36.030 Consultants' fees.

In addition to the fees set forth in Section 3.36.010, the applicant for the permits set forth in Section 3.36.010 shall reimburse the city for the costs of professional consultants hired by the city to process and/or review and inspect the applicant's proposal when the city is unable to do so with existing in-house staff. These professional services may include, but are not limited to, engineering, traffic engineering, legal, land use planning, financial and accounting, soils, mechanical and structural engineering, and electrical engineering. The city may require the applicant to deposit an amount with the city to cover anticipated costs of retaining professional consultants.

(Ord. 2007-10-807 § 1(part), 2007)

3.36.040 Miscellaneous fees.

In addition to all other fees, an applicant shall pay all costs incurred by the city for publication of notices and ordinances as well as mailing. If a permit, petition or application requires a public notice radial search mailing, mailing fees shall be charged at double the actual cost of mailing.

(Ord. 2007-10-807 § 1(part), 2007)

3.36.050 Annual review of ordinance.

Beginning in January of 2008, the clerk-treasurer shall annually in January of each year review with the city planning staff the fees set forth in this chapter. Appropriate fee revisions in the form of revisions to this chapter shall be presented to the council no later than April 1st each year, beginning in April of 2008.

(Ord. 2007-10-807 § 1(part), 2007)

3.36.060 Severability.

If any portion of this chapter is adjudged by a court of competent jurisdiction to be invalid or unconstitutional, the remaining provisions of the ordinance codified in this chapter shall remain in full force and effect.

(Ord. 2007-10-807 § 1(part), 2007)

Created: 2023-09-15 10:51:50 [EST]

(Supp. No. 26)

File Attachments for Item:

6. Ordinance Amending WSMC 15.28 (FEMA Update)

a. Presentation

b. Public Testimony

c. Discussion

d. Action

CITY OF WHITE SALMON ORDINANCE XXX-XX-XXXX

AN ORDINANCE REPEALING WSMC 15.28 FLOODPLAIN CONSTRUCTION RESTRICTIONS AND ADOPTING WSMC 15.28 FLOOD DAMAGE PREVENTION

WHEREAS, in order to maintain compliance with the National Flood Insurance Program ("NFIP"), the Department of Ecology developed a model flood damage prevention ordinance; and

WHEREAS, the City council of the City of White Salmon has determined that it is in the best interest of the City to repeal WSMC 15.28 - Floodplain Construction Restrictions and adopt WSMC 15.28 Flood Damage Prevention Ordinance; and

WHEREAS, Ecology made housekeeping changes to the previously adopted ordinance for clarity and an updated reference to new FEMA maps, effective February 14th, 2025;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF WHITE SALMON DO ORDAIN AS FOLLOWS:

SECTION 1. White Salmon Municipal Code 15.28-Floodplain Construction Restrictions, is hereby repealed.

SECTION 2. White Salmon Municipal Code 15.28 - Flood Damage Prevention is adopted as follows:

Chapter 15.28 - Flood Damage Prevention

15.28.010 - Statutory authorization, findings of fact, purpose, and objectives.

A. Statutory Authorization

The Legislature of the State of Washington has delegated the responsibility to local communities to adopt floodplain management regulations designed to promote the public health, safety, and general welfare of its citizenry.

B. Findings of Fact

The flood hazard areas of White Salmon are subject to periodic inundation, which may result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and

general welfare.

These flood losses may be caused by the cumulative effect of obstructions in areas of special flood hazards that increase flood heights and velocities, and when inadequately anchored, damage uses in other areas. Uses that are inadequately floodproofed, elevated, or otherwise protected from flood damage also contribute to the flood loss.

C. Statement of Purpose

It is the purpose of this ordinance to promote the public health, safety, and general welfare; reduce the annual cost of flood insurance; and minimize public and private losses due to flood conditions in specific areas by provisions designed to:

1. Protect human life and health;
2. Minimize expenditure of public money for costly flood control projects;
3. Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
4. Minimize prolonged business interruptions;
5. Minimize damage to public facilities and utilities, such as water and gas mains; electric, telephone, and sewer lines; and streets and bridges located in flood hazard areas;
6. Help maintain a stable tax base by providing for the sound use and development of flood hazard areas so as to minimize blight areas caused by flooding;
7. Notify potential buyers that the property is in a Special Flood Hazard Area;
8. Notify those who occupy flood hazard areas that they assume responsibility for their actions; and
9. Participate in and maintain eligibility for flood insurance and disaster relief.

C. Methods of Reducing Flood Losses

In order to accomplish its purposes, this ordinance includes methods and provisions for:

1. Restricting or prohibiting development that is dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;
2. Requiring that development vulnerable to floods be protected against flood damage at the time of initial construction;
3. Controlling the alteration of natural floodplains, stream channels, and natural protective barriers, which help accommodate or channel flood waters;

4. Controlling filling, grading, dredging, and other development, which may increase flood damage; and
5. Preventing or regulating the construction of flood barriers that unnaturally divert floodwaters or may increase flood hazards in other areas.

15.28.020 - Definitions.

- A. "Alteration of watercourse" means any action that will change the location of the channel occupied by water within the banks of any portion of a riverine waterbody.
- B. "Appeal" means a request for a review of the interpretation of any provision of this ordinance or a request for a variance.
- C. "Area of shallow flooding" means a designated zone AO, AH, AR/AO or AR/AH on a community's Flood Insurance Rate Map (FIRM) with a one percent or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow. Also referred to as the sheet flow area.
- D. "Area of special flood hazard" means the land in the floodplain within a community subject to a 1 percent or greater chance of flooding in any given year. It is shown on the Flood Insurance Rate Map (FIRM) as zone A, AO, AH, AI-30, AE, A99, AR. "Special flood hazard area" is synonymous in meaning with the phrase "area of special flood hazard".
- E. "ASCE 24" means the most recently published version of ASCE 24, Flood Resistant Design and Construction, published by the American Society of Civil Engineers.
- F. "Base flood" means the flood having a 1% chance of being equaled or exceeded in any given year (also referred to as the "100-year flood").
- G. "Base Flood Elevation (BFE)" means the elevation to which floodwater is anticipated to rise during the base flood.
- H. "Basement" means any area of the building having its floor sub-grade (below ground level) on all sides.
- I. "Building" - see "Structure."
- J. "Building code" means the currently effective versions of the International Building Code and the International Residential Code adopted by the State of Washington Building Code Council.
- K. "Critical facility" means a facility for which even a slight chance of flooding might be too great. Critical facilities include (but are not limited to) schools, nursing homes, hospitals, police, fire and emergency response installations, and installations which

produce, use, or store hazardous materials or hazardous waste.

- L. "Development" means any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials located within the area of special flood hazard.
- M. "Elevation Certificate" means an administrative tool of the National Flood Insurance Program (NFIP) that can be used to provide elevation information, to determine the proper insurance premium rate, and to support a request for a Letter of Map Amendment (LOMA) or Letter of Map Revision based on fill (LOMR-F).
- N. "Elevated building" for flood insurance purposes, means a non-basement building that has its lowest elevated floor raised above ground level by foundation walls, shear walls, post, piers, pilings, or columns.
- O. "Essential facility" has the same meaning as "Essential Facility" defined in ASCE 24. Table 1-1 in ASCE 24-14 further identifies building occupancies that are essential facilities.
- P. "Existing manufactured home park or subdivision means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by the community.
- Q. "Expansion of an existing manufactured home park or subdivision means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).
- R. "Farmhouse" means a single-family dwelling located on a farm site where resulting agricultural products are not produced for the primary consumption or use by the occupants and the farm owner.
- S. "Flood" or "Flooding" means:
 - 1. A general and temporary condition of partial or complete inundation of normally dry land areas from:
 - a. The overflow of inland or tidal waters.
 - b. The unusual and rapid accumulation or runoff of surface waters from any source.
 - c. Mudslides (i.e., mudflows) which are proximately caused by flooding as defined in paragraph (1)(b) of this definition and are akin to a river of

liquid and flowing mud on the surfaces of normally dry land areas, as when earth is carried by a current of water and deposited along the path of the current.

2. The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in paragraph (1)(a) of this definition.
- T. "Flood elevation study" means an examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide (i.e., mudflow) and/or flood-related erosion hazards. Also known as a Flood Insurance Study (FIS).
- U. "Flood Insurance Rate Map (FIRM) means the official map of a community, on which the Federal Insurance Administrator has delineated both the special hazard areas and the risk premium zones applicable to the community. A FIRM that has been made available digitally is called a Digital Flood Insurance Rat Map (DFIRM).
- V. "Floodplain or flood prone area" means any land area susceptible to being inundated by water from any source. See "Flood or flooding."
- W. "Floodplain administrator" means the city official designated by title to administer and enforce the floodplain management regulations.
- X. "Floodplain management regulations" means zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as floodplain ordinance, grading ordinance and erosion control ordinance) and other application of police power. The term describes such state or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.
- Y. "Flood proofing" means any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate risk of flood damage to real estate or improved real property, water and sanitary facilities, structures, and their contents. Flood proofed structures are those that have the structural integrity and design to be impervious to floodwater below the Base Flood Elevation.
- Z. "Floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height. Also referred to as "Regulatory Floodway."
- A. "Functionally dependent use" means a use which cannot perform its intended purpose

unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, and does not include long-term storage or related manufacturing facilities.

- B. "Highest adjacent grade" means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.
- C. "Historic structure" means any structure that is:
1. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
 2. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
 3. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of Interior; or
 4. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 - a. By an approved state program as determined by the Secretary of the Interior, or
 - b. Directly by the Secretary of the Interior in states without approved programs.
- D. "Lowest floor" means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access, or storage in an area other than a basement area, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this ordinance (i.e. provided there are adequate flood ventilation openings).
- E. "Manufacture home" means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does

not include a "recreational vehicle."

- F. "Manufacture home park or subdivision" means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.
- G. "Mean sea level" for the purposes of the National Flood Insurance Program, means the vertical datum to which Base Flood Elevations shown on a community's Flood Insurance Rate Map are referenced.
- H. "New construction" for the purpose of determining insurance rates, means structures for which the "start of construction" commenced on or after the effective date of an initial Flood Insurance Rate Map or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, "new construction" means structures for which the "start of construction" commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.
- I. "New manufacture home parks or subdivisions" means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by the community.
- J. "One hundred-year flood or 100-year flood" - See "Base flood."
- K. "Reasonably safe from flooding" means development that is designed and built to be safe from flooding based on consideration of current flood elevation studies, historical data, high water marks and other reliable data known to the community. In unnumbered A zones where flood elevation information is not available and cannot be obtained by practicable means, reasonably safe from flooding means that the lowest floor is at least two feet above the Highest Adjacent Grade.
- L. "Recreation vehicle" means a vehicle that is
 - 1. Built on a single chassis;
 - 2. 400 square feet or less when measured at the largest horizontal projection;
 - 3. Designed to be self-propelled or permanently towable by a light duty truck; and
 - 4. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.
- M. "Start of construction" includes substantial improvement and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction,

rehabilitation, addition, placement, or other improvement was within 180 days from the date of the permit. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

- N. "Structure" for floodplain management purposes, means a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home.
- O. "Substantial damage" means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.
- P. "Substantial improvement" means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage," regardless of the actual repair work performed. The term does not, however, include either:
 - 1. Any project for improvement of a structure to correct previously identified existing violations of state or local health, sanitary, or safety code specifications that have been identified by the local code enforcement official and that are the minimum necessary to assure safe living conditions; or
 - 2. Any alteration of a "historic structure," provided that the alteration will not preclude the structure's continued designation as a "historic structure."
- Q. "Variance" means a grant of relief by the city from the terms of a floodplain management regulation.
- R. "Water surface elevation" means the height, in relation to the vertical datum utilized in the applicable flood insurance study of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.
- S. "Water dependent" means a structure commerce or industry that cannot exist in any other location and is dependent on the water by reason of the intrinsic nature of its operations.

15.28.030 - General Provisions

A. Lands to Which This Ordinance Applies (44 CFR 59.22(a))

This ordinance shall apply to all special flood hazard areas within the boundaries of the City of White Salmon.

B. Basis for Establishing the Areas of Special Flood Hazard

The special flood hazard areas identified by the Federal Insurance Administrator in a scientific and engineering report entitled “The Flood Insurance Study (FIS) for Klickitat County, Washington and Incorporated Areas” dated February 14, 2025, and any revisions thereto, with accompanying Flood Insurance Rate Map (FIRM) dated February 14, 2025, and any revisions thereto, are hereby adopted by reference and declared to be a part of this ordinance. The FIRM is on file at 100 N. Main Street, White Salmon, WA 98672.

The best available information for flood hazard area identification as outlined in Section 15.28.040(C)(2) shall be the basis for regulation until a new FIRM is issued that incorporates data utilized under Section 15.28.040(C)(2).

C. Compliance

All development within special flood hazard areas is subject to the terms of this ordinance and other applicable regulations.

D. Penalties for Noncompliance

No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this ordinance and other applicable regulations. Violations of the provisions of this ordinance by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions), shall constitute a misdemeanor. Any person who violates this ordinance or fails to comply with any of its requirements shall upon conviction thereof be fined not more than three hundred (300) dollars or imprisoned for not more than ninety (90) days, or both, for each violation, and in addition shall pay all costs and expenses involved in the case. Nothing herein contained shall prevent the City of White Salmon from taking such other lawful action as is necessary to prevent or remedy any violation.

E. Abrogation and Greater Restrictions

This ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance and another ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

F. Interpretation

In the interpretation and application of this ordinance, all provisions shall be:

1. Considered as minimum requirements;
2. Liberally construed in favor of the governing body; and,

3. Deemed neither to limit nor repeal any other powers granted under state statutes.

G. Warning And Disclaimer of Liability

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This ordinance shall not create liability on the part of the City of White Salmon, any officer or employee thereof, or the Federal Insurance Administration, for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made hereunder.

H. Severability

This ordinance and the various parts thereof are hereby declared to be severable. Should any Section of this ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole, or any portion thereof other than the Section so declared to be unconstitutional or invalid.

15.28.040 - Administration

A. Establishment of Development Permit

1. Development Permit Required

A development permit shall be obtained before construction or development begins within any area of special flood hazard established in Section ~~3.2~~15.28.030(B). The permit shall be for all structures including manufactured homes, as set forth in the "Definitions," and for all development including fill and other activities, also as set forth in the "Definitions."

2. Application for Development Permit

Application for a development permit shall be made on forms furnished by the Floodplain Administrator and may include, but not be limited to, plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities, and the location of the foregoing. Specifically, the following information is required:

- a. Elevation in relation to mean sea level, of the lowest floor (including basement) of all structures recorded on a current elevation certificate with Section B completed by the Floodplain Administrator.
- b. Elevation in relation to mean sea level to which any structure has been floodproofed;
- c. Where a structure is to be floodproofed, certification by a registered professional engineer or architect that the floodproofing methods for any

nonresidential structure meet floodproofing criteria in Section ~~5.2-~~
~~15.28.050(B)(2)~~;

- d. Description of the extent to which a watercourse will be altered or relocated as a result of proposed development;
- e. Where development is proposed in a floodway, an engineering analysis indication no rise of the Base Flood Elevation, and
- f. Any other such information that may be reasonably required by the Floodplain Administrator in order to review the application.

B. Designation of the Floodplain Administrator

The Planning Director is hereby appointed to administer, implement, and enforce this ordinance by granting or denying development permits in accordance with its provisions. The Floodplain Administrator may delegate authority to implement these provisions.

C. Duties & Responsibilities of the Floodplain Administrator

Duties of the (*Floodplain Administrator*) shall include, but not be limited to:

1. Permit Review

Review all development permits to determine that:

- a. The permit requirements of this ordinance have been satisfied;
- b. All other required state and federal permits have been obtained;
- c. The site is reasonably safe from flooding;
- d. The proposed development is not located in the floodway. If located in the floodway, assure the encroachment provisions of Section ~~5.4-~~
~~15.28.050(D)(1)~~ are met;
- e. Notify FEMA when annexations occur in the Special Flood Hazard Area.

2. Use of Other Base Flood Data (In A Zones)

When base flood elevation data has not been provided (in A zones) in accordance with Section ~~3.2~~~~15.28.030(B)~~, BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD, the Floodplain Administrator shall obtain, review, and reasonably utilize any base flood elevation and floodway data available from a federal, state, or other source, in order to administer Sections ~~5.2~~~~15.28.050(B)~~, SPECIFIC STANDARDS, and ~~5.4~~~~15.28.050(D)~~ FLOODWAYS.

3. Information to be Obtained and Maintained

- a. Where base flood elevation data is provided through the FIS, FIRM, or required as in Section ~~4.3-2~~~~15.28.040(C)(2)~~, obtain and maintain a record of the actual (as- built) elevation (in relation to mean sea level) of the

lowest floor

(including basement) of all new or substantially improved structures, and whether or not the structure contains a basement.

- b. For all new or substantially improved floodproofed nonresidential structures where base flood elevation data is provided through the FIS, FIRM, or as required in Section **15.28.040(C)(2)**~~4.3-2~~:
 - 1) Obtain and maintain a record of the elevation (in relation to mean sea level) to which the structure was floodproofed.
 - 2) Maintain the floodproofing certifications required in Section **15.28.040(A)(2)(c)**~~4.1-3(3)~~.
- c. Certification required by Section ~~5.4.1 {or the numbering system used by the community}~~ **15.28.050(D)(1)** (floodway encroachments).
- d. Records of all variance actions, including justification for their issuance.
- e. Improvement and damage calculations.
- f. Maintain for public inspection all records pertaining to the provisions of this ordinance.

4. Alteration of Watercourse

Whenever a watercourse is to be altered or relocated:

- a. Notify adjacent communities and the Department of Ecology prior to such alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Insurance Administrator through appropriate notification means.
- b. Assure that the flood carrying capacity of the altered or relocated portion of said watercourse is maintained.

5. Interpretation of FIRM Boundaries

Make interpretations where needed, as to exact location of the boundaries of the areas of special flood hazards (e.g. where there appears to be a conflict between a mapped boundary and actual field conditions). The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation. Such appeals shall be granted consistent with the standards of Section 60.6 of the Rules and Regulations of the NFIP (44 CFR 59-76).

6. Review of Building Permits

Where elevation data is not available either through the FIS, FIRM, or from another authoritative source (Section ~~4.3-2~~ **15.28.040(C)(2)**), applications for floodplain development shall be reviewed to assure that proposed construction

will be *reasonably safe from flooding*. The test of reasonableness is a local judgment and includes use of historical data, high water marks, photographs of past flooding, etc., where available.

Failure to elevate habitable buildings at least two feet above the highest adjacent grade in these zones may result in higher insurance rates.

15.28.050 - Provisions for Flood Hazard Reduction

A. General Standards

In all areas of special flood hazards, the following standards are required:

1. Anchoring

- a.** All new construction and substantial improvements, including those related to manufactured homes, shall be anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads including the effects of buoyancy.
- b.** All manufactured homes shall be anchored to prevent flotation, collapse, or lateral movement, and shall be installed using methods and practices that minimize flood damage. Anchoring methods may include, but are not limited to, use of over-the-top or frame ties to ground anchors.

2. Construction Materials and Methods

- a.** All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.
- b.** All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.
- c.** Electrical, heating, ventilation, plumbing, and air-conditioning equipment and other service facilities shall be designed and/or otherwise elevated or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

3. Storage of Materials and Equipment

- a.** The storage or processing of materials that could be injurious to human, animal, or plant life if released due to damage from flooding is prohibited in special flood hazard areas.
- b.** Storage of other material or equipment may be allowed if not subject to damage by floods and if firmly anchored to prevent flotation, or if readily removable from the area within the time available after flood warning.

4. Utilities

- a. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the systems;
- b. Water wells shall be located on high ground that is not in the floodway (WAC 173-160-171);
- c. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters;
- d. Onsite waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

5. Subdivision Proposals and Development

All subdivisions, as well as new development shall:

- a. Be consistent with the need to minimize flood damage;
- b. Have public utilities and facilities, such as sewer, gas, electrical, and water systems located and constructed to minimize or eliminate flood damage;
- c. Have adequate drainage provided to reduce exposure to flood damage.
- d. Where subdivision proposals and other proposed developments contain greater than 50 lots or 5 acres (whichever is the lesser) base flood elevation data shall be included as part of the application.

B. Specific Standards

In all areas of special flood hazards where base flood elevation data has been provided as set forth in Section ~~3.2~~ 15.28.030(B), BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD, or Section ~~4.3-2~~ 15.28.040(C)(2), USE OF OTHER BASE FLOOD DATA. The following provisions are required:

1. Residential Construction

- a. In AE and AI-30 zones or other A zoned areas where the BFE has been determined or can be reasonably obtained, new construction and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated one foot or more above the BFE. Mechanical equipment and utilities shall be waterproofed or elevated at least one foot above the BFE.

- b.** New construction and substantial improvement of any residential structure in an AO zone shall meet the requirements in ~~Appendix A~~ Section 15.28.070.
- c.** New construction and substantial improvement of any residential structure in an Unnumbered A zone for which a BFE is not available and cannot be reasonably obtained shall be reasonably safe from flooding, but in all cases the lowest floor shall be at least two feet above the Highest Adjacent Grade.
- d.** Fully enclosed areas below the lowest floor that are subject to flooding are prohibited, or shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs must meet or exceed the following minimum criteria:
 - 1) Have a minimum of two openings with a total net area of not less than one square inch for every square foot of enclosed area subject to flooding.
 - 2) The bottom of all openings shall be no higher than one foot above grade.
 - 3) Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwater.
 - 4) A garage attached to a residential structure, constructed with the garage floor slab below the BFE, must be designed to allow for the automatic entry and exit of flood waters.

Alternatively, a registered engineer or architect may design and certify engineered openings.

2. Nonresidential Construction

New construction and substantial improvement of any commercial, industrial or other nonresidential structure shall meet the requirements of subsection 1 or 2, below.

- a.** New construction and substantial improvement of any commercial, industrial or other nonresidential structure shall meet all of the following requirements:

- 1) In AE and AI-30 zones or other A zoned areas where the BFE has been determined or can be reasonably obtained:

New construction and substantial improvement of any commercial, industrial, or other nonresidential structure shall have the lowest

floor, including basement, elevated one foot or more above the BFE, or elevated as required by ASCE 24, whichever is greater. Mechanical equipment and utilities shall be waterproofed or elevated at least one foot above the BFE, or as required by ASCE 24, whichever is greater.

- 2) If located in an AO zone, the structure shall meet the requirements in ~~Appendix A~~ Section 15.28.070.
- 3) If located in an Unnumbered A zone for which a BFE is not available and cannot be reasonably obtained, the structure shall be reasonably safe from flooding, but in all cases the lowest floor shall be at least two feet above the Highest Adjacent Grade.
- 4) Fully enclosed areas below the lowest floor that are subject to flooding are prohibited, or shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria:
 - a) Have a minimum of two openings with a total net area of not less than one square inch for every square foot of enclosed area subject to flooding.
 - b) The bottom of all openings shall be no higher than one foot above grade.
 - c) Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwater.
 - d) A garage attached to a structure, constructed with the garage floor slab below the BFE, must be designed to allow for the automatic entry and exit of flood waters.

b. If the requirements of subsection 1 are not met, then new construction and substantial improvement of any commercial, industrial or other nonresidential structure shall meet all of the following requirements:

- 1) Be dry floodproofed so that below one foot or more above the base flood level the structure is watertight with walls substantially impermeable to the passage of water or dry floodproofed to the elevation required by ASCE 24, whichever is greater;

- 2) Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy;
- 3) Be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting provisions of this subsection based on their development and/or review of the structural design, specifications and plans. Such certifications shall be provided to the official as set forth in Section ~~4.3-~~ 3(2)15.28.040(C)(3)(b);
- 4) Nonresidential structures that are elevated, not floodproofed, must meet the same standards for space below the lowest floor as described in ~~5.2-1(5)~~ Section 15.28.050(B)(1)(d).

3. **Manufactured Homes**

All manufactured homes to be placed or substantially improved on sites shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated one foot or more above the base flood elevation and be securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement.

4. **Recreational Vehicles**

~~a.~~ Recreational vehicles placed on sites are required to either:

- ~~a.~~ ~~b.~~ Be on the site for fewer than 180 consecutive days, ~~or~~
- ~~b.~~ ~~e.~~ Be fully licensed and ready for highway use, on wheels or jacking system, attached to the site only by quick disconnect type utilities and security devices, and have no permanently attached additions; or
- ~~c.~~ ~~d.~~ Meet the requirements of 15.28.050(B)(3) above.

5. **Enclosed Area Below the Lowest Floor**

If buildings or manufactured homes are constructed or substantially improved with fully enclosed areas below the lowest floor, the areas shall be used solely for parking of vehicles, building access, or storage.

6. **Appurtenant Structures (Detached Garages & Small Storage Structures)**

For A Zones (A, AE, AI-30, **AH**, AO):

- a. Appurtenant structures used solely for parking of vehicles or limited storage may be constructed such that the floor is below the BFE, provided the structure is designed and constructed in accordance with the following requirements:

- 1) Use of the appurtenant structure must be limited to parking of vehicles or limited storage;
 - 2) The portions of the appurtenant structure located below the BFE must be built using flood resistant materials;
 - 3) The appurtenant structure must be adequately anchored to prevent flotation, collapse, and lateral movement;
 - 4) Any machinery or equipment servicing the appurtenant structure must be elevated or floodproofed to or above the BFE;
 - 5) The appurtenant structure must comply with floodway encroachment provisions in Section ~~5.4~~ +15.28.050(D)(1);
 - 6) The appurtenant structure must be designed to allow for the automatic entry and exit of flood waters in accordance with Section ~~5.2-1(5)~~ 15.28.050(B)(1)(d).
 - 7) The structure shall have low damage potential,
 - 8) If the structure is converted to another use, it must be brought into full compliance with the standards governing such use, and
 - 9) The structure shall not be used for human habitation.
- b. Detached garages, storage structures, and other appurtenant structures not meeting the above standards must be constructed in accordance with all applicable standards in Section ~~5.2-1~~ 15.28.050(B).
 - c. Upon completion of the structure, certification that the requirements of this section have been satisfied shall be provided to the Floodplain Administrator for verification.

C. AE and AI-30 Zones with Base Flood Elevations but No Floodways

In areas with BFEs (but a regulatory floodway has not been designated), no new construction, substantial improvements, or other development (including fill) shall be permitted within zones AI-30 and AE on the community's FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.

D. Floodways

Located within areas of special flood hazard established in Section ~~3.2~~ 15.28.030(B) are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of floodwaters that can carry debris, and increase erosion potential, the

following provisions apply:

6. No Rise Standard

Prohibit encroachments, including fill, new construction, substantial improvements, and other development, unless certification by a registered professional engineer is provided demonstrating through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels during the occurrence of the base flood discharge.

7. Residential Construction in Floodways

Construction or reconstruction of residential structures is prohibited within designated floodways, except for (i) repairs, reconstruction, or improvements to a structure that do not increase the ground floor area; and (ii) repairs, reconstruction, or improvements to a structure, the cost of which does not exceed 50 percent of the market value of the structure either, (A) before the repair or reconstruction is started, or (B) if the structure has been damaged, and is being restored, before the damage occurred. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications that have been identified by the local code enforcement official and that are the minimum necessary to assure safe living conditions, or to structures identified as historic places, may be excluded in the 50 percent.

a. Replacement of Farmhouses in Floodway

Repairs, reconstruction, replacement, or improvements to existing farmhouse structures located in designated floodways and that are located on lands designated as agricultural lands of long-term commercial significance under RCW 36.70A.170 may be permitted subject to the following:

- 1) The new farmhouse is a replacement for an existing farmhouse on the same farm site;
- 2) There is no potential building site for a replacement farmhouse on the same farm outside the designated floodway;
- 3) Repairs, reconstruction, or improvements to a farmhouse shall not increase the total square footage of encroachment of the existing farmhouse;
- 4) A replacement farmhouse shall not exceed the total square footage of encroachment of the farmhouse it is replacing;
- 5) A farmhouse being replaced shall be removed, in its entirety, including foundation, from the floodway within ninety days after occupancy of a new farmhouse;
- 6) For substantial improvements and replacement farmhouses, the elevation of the lowest floor of the improvement and farmhouse

respectively, including basement, is a minimum of one foot higher than the BFE;

- 7) New and replacement water supply systems are designed to eliminate or minimize infiltration of flood waters into the system;
- 8) New and replacement sanitary sewerage systems are designed and located to eliminate or minimize infiltration of flood water into the system and discharge from the system into the flood waters; and
- 9) All other utilities and connections to public utilities are designed, constructed, and located to eliminate or minimize flood damage.

b. Substantially Damaged Residences in Floodway

- 1) For all substantially damaged residential structures, other than farmhouses, located in a designated floodway, the Floodplain Administrator may make a written request that the Department of Ecology assess the risk of harm to life and property posed by the specific conditions of the floodway. Based on analysis of depth, velocity, flood-related erosion, channel migration, debris load potential, and flood warning capability, the Department of Ecology may exercise best professional judgment in recommending to the local permitting authority repair, replacement, or relocation of a substantially damaged structure consistent with WAC 173-158-076. The property owner shall be responsible for submitting to the local government and the Department of Ecology any information necessary to complete the assessment. Without a favorable recommendation from the department for the repair or replacement of a substantially damaged residential structure located in the regulatory floodway, no repair or replacement is allowed per WAC 173-158-070(1).
- 2) Before the repair, replacement, or reconstruction is started, all requirements of the NFIP, the state requirements adopted pursuant to 86.16 RCW, and all applicable local regulations must be satisfied. In addition, the following conditions must be met:
 - a) There is no potential safe building location for the replacement residential structure on the same property outside the regulatory floodway.
 - b) A replacement residential structure is a residential structure built as a substitute for a legally existing residential structure of equivalent use and size.
 - c) Repairs, reconstruction, or replacement of a residential structure shall not increase the total square footage of floodway encroachment.

- d) The elevation of the lowest floor of the substantially damaged or replacement residential structure is a minimum of one foot higher than the BFE.
- e) New and replacement water supply systems are designed to eliminate or minimize infiltration of flood water into the system.
- f) New and replacement sanitary sewerage systems are designed and located to eliminate or minimize infiltration of flood water into the system and discharge from the system into the flood waters.
- g) All other utilities and connections to public utilities are designed, constructed, and located to eliminate or minimize flood damage.

8. All Other Building Standards Apply in the Floodway

If Section ~~5.4-1~~15.28.050(D)(1) is satisfied or construction is allowed pursuant to ~~s~~Section ~~5.4-2~~15.28.050(D)(2), all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of Section ~~5-0~~15.28.050, Provisions for Flood Hazard Reduction.

E. General Requirements for Other Development

All development, including manmade changes to improved or unimproved real estate for which specific provisions are not specified in this ordinance or the state building codes with adopted amendments and any City of White Salmon amendments, shall:

- 6. Be located and constructed to minimize flood damage;
- 7. Meet the encroachment limitations of this ordinance if located in a regulatory floodway;
- 8. Be anchored to prevent flotation, collapse, or lateral movement resulting from hydrostatic loads, including the effects of buoyancy, during conditions of the design flood;
- 9. Be constructed of flood damage-resistant materials;
- 10. Meet the flood opening requirements of Section ~~5.2-1(5)~~15.28.050(B)(1)(d), and
- 11. Have mechanical, plumbing, and electrical systems above the design flood elevation or meet the requirements of ASCE 24, except that minimum electric service required to address life safety and electric code requirements is permitted below the design flood elevation provided it conforms to the provisions of the

electrical part of building code for wet locations.

F. Critical Facility

Construction of new critical facilities shall be, to the extent possible, located outside the limits of the SFHA (100-year floodplain). Construction of new critical facilities shall be permissible within the SFHA if no feasible alternative site is available. Critical facilities constructed within the SFHA shall have the lowest floor elevated three feet above BFE or to the height of the 500-year flood, whichever is higher. Access to and from the critical facility should also be protected to the height utilized above. Floodproofing and sealing measures must be taken to ensure that toxic substances will not be displaced by or released into floodwaters. Access routes elevated to or above the level of the BFE shall be provided to all critical facilities to the extent possible.

G. Livestock Sanctuaries

Elevated areas for the for the purpose of creating a flood sanctuary for livestock are allowed on farm units where livestock is allowed. Livestock flood sanctuaries shall be sized appropriately for the expected number of livestock and be elevated sufficiently to protect livestock. Proposals for livestock flood sanctuaries shall meet all procedural and substantive requirements of this chapter.

15.28.060 - Variances

The variance criteria set forth in this section of the ordinance are based on the general principle of zoning law that variances pertain to a piece of property and are not personal in nature. A variance may be granted for a parcel of property with physical characteristics so unusual that complying with the requirements of this ordinance would create an exceptional hardship to the applicant or the surrounding property owners. The characteristics must be unique to the property and not be shared by adjacent parcels. The unique characteristic must pertain to the land itself, not to the structure, its inhabitants, or the property owners.

It is the duty of the City of White Salmon to help protect its citizens from flooding. This need is so compelling and the implications of the cost of insuring a structure built below the Base Flood Elevation are so serious that variances from the flood elevation or from other requirements in the flood ordinance are quite rare. The long-term goal of preventing and reducing flood loss and damage can only be met if variances are strictly limited. Therefore, the variance guidelines provided in this ordinance are more detailed and contain multiple provisions that must be met before a variance can be properly granted. The criteria are designed to screen out those situations in which alternatives other than a variance are more appropriate.

A. Requirements for Variances

1. Variances shall only be issued:
 - a. Upon a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances;

- b. For the repair, rehabilitation, or restoration of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure;
 - c. Upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief;
 - d. Upon a showing of good and sufficient cause;
 - e. Upon a determination that failure to grant the variance would result in exceptional hardship to the applicant;
 - f. Upon a showing that the use cannot perform its intended purpose unless it is located or carried out in close proximity to water. This includes only facilities defined in Section ~~2.0~~ ~~{or the numbering system used by the community}~~ 15.28.020 of this ordinance in the definition of "Functionally Dependent Use."
2. Variances shall not be issued within any floodway if any increase in flood levels during the base flood discharge would result.
 3. Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the BFE, provided the procedures of Sections ~~4.0~~ 15.28.040 and ~~5.0~~ 15.28.050 of this ~~ordinance~~ chapter have been fully considered. As the lot size increases beyond one-half acre, the technical justification required for issuing the variance increases.

B. Variance Criteria

In considering variance applications, the City of White Salmon's Planning Commission as established by the City of White Salmon shall consider all technical evaluations, all relevant factors, all standards specified in other sections of this ordinance, and:

1. The danger that materials may be swept onto other lands to the injury of others;
2. The danger to life and property due to flooding or erosion damage;
3. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
4. The importance of the services provided by the proposed facility to the community;

5. The necessity to the facility of a waterfront location, where applicable;
6. The availability of alternative locations for the proposed use, which are not subject to flooding or erosion damage;
7. The compatibility of the proposed use with existing and anticipated development;
8. The relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
9. The safety of access to the property in time of flood for ordinary and emergency vehicles;
10. The expected heights, velocity, duration, rate of rise, and sediment transport of the flood waters expected at the site; and,
11. The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities, such as sewer, gas, electrical, water system, and streets and bridges.

C. Additional Requirements for the Issuance of a Variance

1. Any applicant to whom a variance is granted shall be given written notice over the signature of a community official that:
 - a. The issuance of a variance to construct a structure below the BFE will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage, and
 - b. Such construction below the BFE increases risks to life and property.
2. The Floodplain Administrator shall maintain a record of all variance actions, including justification for their issuance.
3. The Floodplain Administrator shall condition the variance as needed to ensure that the requirements and criteria of this chapter are met.
4. Variances as interpreted in the NFIP are based on the general zoning law principle that they pertain to a physical piece of property; they are not personal in nature and do not pertain to the structure, its inhabitants, economic or financial circumstances. They primarily address small lots in densely populated residential neighborhoods. As such, variances from flood elevations should be quite rare.

15.28.070 - Standards for shallow flooding areas (AO Zones) (44 CFR 60.3(c) 7, 8 and 11)
Shallow flooding areas appear on FIRMs as AO zones with depth designations. The base flood depths in these zones range from 1 to 3 feet above ground where a clearly defined channel does

not exist, or where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is usually characterized as sheet flow. In addition to other provisions in this code, the following additional provisions also apply in AO zones:

- A. New construction and substantial improvements of residential structures and manufactured homes within AO zones shall have the lowest floor (including basement and mechanical equipment) elevated above the highest adjacent grade to the structure, one foot or more above* the depth number specified in feet on the community's FIRM (at least two feet above the highest adjacent grade to the structure if no depth number is specified).

- B. New construction and substantial improvements of nonresidential structures within AO zones shall either:
 - 1. Have the lowest floor (including basement) elevated above the highest adjacent grade of the building site, one foot or more above* the depth number specified on the FIRM (at least two feet if no depth number is specified); or

 - 2. Together with attendant utility and sanitary facilities, be completely flood proofed to or above that level so that any space below that level is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. If this method is used, compliance shall be certified by a registered professional engineer, or architect as in ~~s~~Section ~~5.2-2(3)~~15.28.050(B)(2)(b).

 - 3. Require adequate drainage paths around structures on slopes to guide floodwaters around and away from proposed structures.

 - 4. Recreational vehicles placed on sites within AO zones on the community's FIRM either:
 - a. Be on the site for fewer than 180 consecutive days, or

 - b. Be fully licensed and ready for highway use, on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions; or

 - c. Meet the requirements of subsections (1) and (3) above and the anchoring requirements for manufactured homes (Section ~~5.1-~~15.28.050(A)(1)(b)).