



White Salmon City Council Meeting

A G E N D A

April 20, 2022 – 6:00 PM

119 NE Church

Hybrid Meeting: In Person and Via Zoom Teleconference

Meeting ID: 868 2786 7489 Passcode: 328036

Call in Numbers:

669-900-6833

929-205-6099

301-715-8592

346-248-7799

253-215-8782

312-626-6799

The city council will hold a hybrid meeting – in person and via Zoom teleconference.

If attending via Zoom teleconference, we ask that those audience members call in instead of videoing in or turn off your camera, so video does not show during the meeting to prevent disruption. Thank you.

I. Call to Order, Presentation of the Flag and Roll Call

II. Changes to the Agenda

III. Consent Agenda

A. Resolution 2022-04-540 Establishing Signing Authority

B. Task Order, Preparation of Sewer Line Easements - Bell Design (\$2,000)

C. Approval of Meeting Minutes - April 6, 2022

D. Approval of Vouchers

IV. Public Comment

Any public in attendance at meeting (either in person or via Zoom) will be provided an opportunity to make public comment of a general nature in the time allotted. No registration is required. Public comment can also be submitted via email to Jan Brending at janb@ci.white-salmon.wa.us by 5:00 p.m. on Wednesday, April 20. All written comments received by 5:00 p.m. will be read during the City Council meeting.

V. Business Items

A. Land Use Code Amendments

1. Presentation

2. Public Hearing

Written comments may be submitted to janb@ci.white-salmon.wa.us by 5:00 p.m. on Wednesday, April 20, 2022 noting in the subject line "Public Hearing – Land Use Code Amendments." All written comments will be read during the public hearing. In addition, any individual who wishes to testify in person or via the teleconference will be allowed to do so. You may register with the city (by contacting Jan Brending at janb@ci.white-salmon.wa.us by 5:00 p.m. on Wednesday, April 20, 2022) that you

desire to testify in person or via teleconference and provide your name and/or phone number as it will appear during the Zoom teleconference.

3. Discussion and Action

- a. Ordinance 2022-04-1102, Amending WSMC Chapter 17.75 Residential Planned Unit Development (R-PUD)
- b. Ordinance 2022-04-1103, Amending WSMC Chapter 17.81 Site and Building Plan Review
- c. Ordinance 2022-04-1104, Amending WSMC 19.10.040 Project Permit Application Framework

VI. Reports and Communications

- A. Department Heads
- B. City Council Members
- C. Mayor

VII. Executive Session (if needed)

VIII. Adjournment

File Attachments for Item:

A. Resolution 2022-04-540 Establishing Signing Authority



CONSENT AGENDA MEMO

Needs Legal Review: Yes
Meeting Date: April 6, 2022
Agenda Item: Resolution 2022-04-540 Establishing Signing Authority for the City of White Salmon
Presented By: Jan Brending, Clerk Treasurer

Action Required

Adoption of Resolution 2022-04-540 Establishing Signing Authority for the City of White Salmon.

Proposed Motion

None unless the agenda item is pulled from the Consent Agenda. If pulled from the Consent Agenda the following motion is recommended:

Motion to adopt Resolution 2022-04-540 Establishing Signing Authority for the City of White Salmon.

Explanation of Issue

AmeriTitle, who is handling the escrow and closing for both the Walker property and the White property, requires a resolution of the city council establishing signing authority. Ken Woodrich, City Attorney developed the attached resolution.

Recommendation of Staff/Committee

Staff recommends adoption of Resolution 2022-04-540 Establishing Signing Authority for the City of White Salmon.

**CITY OF WHITE SALMON, WASHINGTON
RESOLUTION NO. 2022-04-540**

**A RESOLUTION OF THE CITY OF WHITE SALMON, WASHINGTON
ESTABLISHING SIGNING AUTHORITY FOR THE CITY OF WHITE SALMON,
WASHINGTON**

WHEREAS, the City of White Salmon is determined to grant signing and authority to certain person(s) described hereunder.

RESOLVED, that the Mayor of the City of White Salmon, Marla Keethler, is hereby authorized and approved to authorize and empower the following individual to make, execute, endorse and deliver in the name of and on behalf of the corporation, but shall not be limited to, any and all written instruments, agreements, documents, execution of deeds, powers of attorney, transfers, assignments, contracts, obligations, certificates and other instruments of whatever nature approved by Council and entered into by this Corporation.

Name: Marla Keethler

Position/Title: Mayor

Signature:

Marla Keethler, Mayor

The undersigned certifies that she is the properly appointed and qualified Clerk/Treasurer of the City of White Salmon, a municipal corporation duly conformed pursuant to the laws of the state of Washington, and that the within Resolution was approved at a City Council meeting held in accordance with state law and with the Bylaws of the above-named corporation.

This resolution has been approved by the City Council of the City of White Salmon on April 20, 2022.

I, as authorized by the Company, hereby certify and attest that all the information above is true and correct.

ATTEST:

APPROVED AS TO FORM:

Jan Brending, Clerk/Treasurer

Kenneth B. Woodrich, City Attorney

File Attachments for Item:

B. Task Order, Preparation of Sewer Line Easements - Bell Design (\$2,000)



CONSENT AGENDA MEMO

Needs Legal Review: Yes
Meeting Date: April 6, 2022
Agenda Item: Formal Task Assignment Document, Bell Design, Developing Sewer Line Easements (\$2,000)
Presented By: Jan Brending, Clerk Treasurer

Action Required

Authorize the mayor to sign Form Task Assignment Document, Bell Design for developing sewer line easements for the cost not to exceed \$2,000.

Proposed Motion

None unless the agenda item is pulled from the Consent Agenda. If pulled from the Consent Agenda the following motion is recommended:

Motion to authorize the mayor to sign Form Task Assignment Document, Bell Design for developing sewer line easements for the cost not to exceed \$2,000.

Explanation of Issue

The city has a master agreement with Bell Design for general civil engineering (anything not related to water, wastewater or transportation) and surveying. Bell Design was requested to develop two sewer line easements through tax parcels 03111908490300 and 03111995000200. The cost for the project is not to exceed \$2,000. This is being done by Bell Design because it involves surveying work.

Recommendation of Staff/Committee

Staff recommends authorizing the mayor to sign Form Task Assignment Document, Bell Design for developing sewer line easements for the cost not to exceed \$2,000.

City of White Salmon
FORMAL TASK ASSIGNMENT DOCUMENT

Task Number 20-07

The general provisions and clauses of the Personal Services Contract signed by Council April 1st, 2020 of White Salmon shall be in full force and effect for this Task Assignment

Location of Project: NA

Project Title:
Sewer Easement

Maximum Amount Payable Per Task Assignment: Time and Materials as per Standard Rates.
NTE \$2,000.00

Completion Date: March 24th, 2022

Description of Work:

Prepare 2 Sewer Line easement agreements for tax parcel numbers 03111908490300 & 03111995000200

Attachment: NA

Consultant Signature:  Date: 4-11-22

Agency Approving Authority: _____ Date: _____

File Attachments for Item:

C. Approval of Meeting Minutes - April 6, 2022



CITY OF WHITE SALMON
City Council Meeting – Wednesday, April 6, 2022
Via Zoom Teleconference
DRAFT

Council and Administrative Personnel Present

Council Members:

Ben Giant
David Lindley
Jim Ransier

Staff Present:

Marla Keethler, Mayor
Jan Brending, Clerk Treasurer
Paul Koch, Interim City Administrator
Bill Hunsaker, Building Official/Fire Chief
Jeff Cooper, Public Works Foreman
Brendan Conboy, Land Use Planner
Ken Woodrich, City Attorney

I. Call to Order and Roll Call

Marla Keethler, Mayor called the meeting to order at 6:00 p.m. There were approximately 5 members of the public in attendance via teleconference.

***Moved by Jim Ransier. Seconded by Ben Giant.
Motion to excuse Jason Hartmann. Carried 3-0.***

II. Changes to the Agenda

Jan Brending, Clerk Treasurer requested two items be added to the council's agenda:

1. Exclusive Real Estate Listing Agreement to be added to Business Items as Item E; and
2. Housing Action Plan Implementation Grant in the amount of \$25,000 to be added to Consent Agenda.

***Moved by Ben Giant. Seconded by Jim Ransier.
Motion to add Business Item E, Exclusive Real Estate Listing Agreement and Consent Agenda Item, Housing Action Plan Implementation Grant (\$25,000) to the agenda. CARRIED 3-0.***

III. Consent Agenda

- A. CDBG Grant Subrecipient Agreement – Columbia Cascade Housing Corp.
- B. Amendment No. 3, Personal Services Contract with Anderson Perry, Transmission Main Line Improvements (Increase in Contract by \$150,000 to \$920,859)
- C. Agreement Between Owner and Engineer for Professional Services, Anderson Perry (Construction Engineering Services - \$220,000)
- D. Shoreland Shoreline Master Program Agreement, Department of Ecology, Periodic Review (\$11,200)

- E. Utility Easement and Memorandum of Agreement – WA Department of Natural Resources and City of White Salmon
- F. Housing Action Plan Implementation Grant (\$25,000)
- G. Approval of Meeting Minutes – March 16, 2022
- H. Approval of Meeting Minutes – March 23, 2022
- I. Approval of Meeting Minutes – March 28, 2022
- J. Approval of Vouchers

Vouchers audited and certified as required by RCW 42.24.080 and expense reimbursement claims as required by RCW 42.24.090 as of this 6th day of April 2022.

Type	Date	From	To	Amount
Claims	4/6/2022	EFT	EFT	6,524.00
	4/6/2022	37955	38006	171,712.10
			Claims Total	178,236.10
Payroll	4/5/2022	EFT	EFT	117,947.02
	4/5/2022	37952	37954	920.10
	4/6/2022	EFT	EFT	787.64
			Payroll Total	119,654.76
Manual Claims	3/22/2022	37946	37951	15,057.70
	3/23/2022	EFT	EFT	11,189.80
	4/5/2022	EFT	EFT	2,057.88
			Manual Total	28,305.38
			Total All Vouchers	326,196.24

***Moved by Jim Ransier. Seconded by Ben Giant.
 Motion to approve Consent Agenda as amended. CARRIED 3-0.***

IV. Public Comment

Marla Keethler, Mayor noted that the Walker House is not on the city’ agenda tonight. She said it should be on the agenda at the next council meeting or the one following.

Jan Brending, Clerk Treasurer read two written comments into the record.

Jane Palmer, 705 Tohomish, White Salmon said she has an appreciation of the historic nature of the Walker House and also appreciates the city council’s interest in the potential economic contribution the Walker House might provide to the city. She said she believes the costs involved with the purchase, required upgrades and renovation, limited parking and ongoing operational costs are not the direction the city should go and does not support using her tax dollars for the project. Palmer said she believes there are higher priority uses for tax funds

including street repairs and improvements, sidewalks for safe walking, eastside ballpark parking and support for the community pool.

Michael Nelson, 1060 N. Main Avenue, White Salmon said he would like to voice his opposition to the purchase of the Walker House. He said the city is neither a real estate investment company nor a historic preservation society. Nelson said the city has no shortage of infrastructure-based projects which would be a more effective use of the funds. He said the purchase of the Walker House is simply an irresponsible use of citizen tax dollars.

V. Presentations

Michelle Mulrony, Klickitat County Solid Waste provided an update to the City Council on working being done by Klickitat County Solid Waste. She said the White Salmon Community Cleanup will take place on April 22 and 23 with a new layout for the event. Mulrony said information is available on the White Salmon-Bingen Rotary webpage. She said that the litter crews are not operating at this time due to no supervisor. She said the department is offering kits for hosting litter pickup. Mulrony said the county will pay for disposal. She said the first community litter pickup was successful with 22 volunteers equating to approximately 42 crew hours and cleaning 8 miles of state highway included 2 illegal dump areas.

Marla Keethler, Mayor thanked Mulrony for the update.

VI. Business Items

A. Workshop – Proposed Amendments to WSMC Chapter 17.75, Residential Planned Unit Development (R-PUD); WSMC 19.10.040, Project Permit Application Framework; and WSMC 17.81 Site and Building Plan Review

Brendan Conboy, Land Use Planner reviewed the proposed amendments. He noted the proposed amendments were presented to the city's planning commission. Conboy said the proposed amendments to WSMC 17.75 would allow residential planned unit developments only in the RL Large Lot Single-Family Residential and R1 Single Family Residential zones. He said the density bonus was increased from 8 to 9 as a recommendation by the planning commission.

David Lindley, Council Member asked what tool could be used in R2 and R3 zones.

Conboy said he is also working on a new core downtown zone and a different tool that would be used in the R2 and R3 zones. He said those amendments will come to the city council in the future.

Conboy said the proposed amendment to the R-PUD codes also changes the affordable housing threshold from 60% of median income to 80% of median income. He said additional amendments provide for flexibility including width of streets meeting state fire code, allowing development agreements, use of design guidelines adopted through CCRs or deed restrictions and use of lighting design guidelines that meets the city's outdoor lighting code.

Ben Giant, Council Member asked why the amendments are being proposed.

Conboy said the amendments are intended to make the tool more useful to developers. He said the tool has only been used once.

David Lindley, Council Member asked if Conboy was aware of any proposed developments that were shut down because they couldn't meet the existing code requirements and if any developers have been consulted regarding the proposed amendments

Conboy said that is not sure developers are aware of the existing tool. He said he has not been in contact with any to get their feedback. Conboy said the city is currently working with a developer that could use the tool for affordable housing purposes. He said it is staff's opinion the proposed amendments make the tool more effective.

Marla Keethler, Mayor said there have been conversations with housing agencies who have looked at the code and said there may be things in it which are unintentionally restrictive.

David Lindley, Council Member said removing the requirement for a binding site plan will help open things up.

Conboy said the amendments to Chapter 17.81 Site and Building Plan Review clarify how things are being reviewed. He said the city has received complaints that there has been no process to provide input on larger projects that are happening in the city. Conboy said projects of a certain size will either be reviewed by the planning commission or the city council.

Jim Ransier, Council Member said that the previous discussion regarding R-PUD's seemed to be focused on encouraging development and the amendments to Chapter 17.81 might feel like the city is discouraging development.

Conboy said that issue did not come up at the planning commission workshop. He said he feels that developers are used to this type of review in other communities and that the proposed amendments address concerns raised by the public.

Conboy said the amendments to WSMC 19.10.040 Project Permit Application Framework support the amendments to Chapter 17.81.

David Lindley, Council Member said that he feels the proposed amendments are heading in the right direction.

Marla Keethler, Mayor said she thinks the proposed amendments will add some transparency to the city's process and allow the public to be engaged.

Jan Brending, Clerk Treasurer said the proposed amendments will be on the city's council's April 20 agenda and will include a public hearing.

B. Ordinance 2022-04-1100, Amending WSMC 3.24.25, USDA Rural Development, Jewett Water Main Improvements

Jan Brending, Clerk Treasurer said USDA Rural Development requires the city to setup a separate fund for managing the revenues and expenditures related to a USDA Rural Development funded project. She said in 2019 the city created the fund but included "Jewett Water Main Improvements" in the title. Brending said the ordinance removes that title allowing the fund to be continuously used for USDA Rural Development funded projects.

***Moved by Ben Giant. Seconded by David Lindley.
Motion to adopt Ordinance 2022-04-1100, Amending WSMC 3.24.25, USDA Rural Development, Jewett Water Main Improvements. CARRIED 3-0.***

C. Ordinance 2022-04-1101, Water Revenue Bond Anticipation Note, 2022

Jan Brending, Clerk Treasurer said the ordinance provides for the interim financing of the Water Main Transmission Main Improvement project funded with UDSA Rural Development funds. She noted that Scott McJannet with K&L Gates, the city's bond counsel, is present if the city council has any questions. Brending said the amount of the bond is for \$2,333,000.

Scott McJannet, Bond Counsel said the bond is backed up by city revenues. He said the final maturity is expected at the end of next year and the final documents have been drafted for USDA review.

***Moved by Jim Ransier. Seconded by Ben Giant.
Motion to adopt Ordinance 2022-04-1101, Providing for the Issuance and Sale of a Revenue Bond Anticipation Note to Evidence a Non-Revolving Line of Credit for the Purpose of Providing Interim Financing for Improvements to the Water Utility of the City in the Principal Amount of Not to Exceed \$2,333,000; Providing the Form, Terms and Maturity of the Note: Authorizing the Designated City Representative to Manage the Non-Revolving Line of Credit; and Approving the Sale of the Note. CARRIED 3-0.***

D. Note Purchase Agreement, Cashmere Valley Bank

Jan Brending, Clerk Treasurer said the note purchase agreement establishes the interim bank financing with Cashmere Valley Bank. She noted the council previously approved using Cashmere Valley Bank as the interim financing bank.

Ben Giant, Council Member said there are references to two different amounts \$2,333,000 and \$2,777,000.

Brending said it is \$2,333,000.

**Moved by Ben Giant. Seconded by Jim Ransier.
Motion to authorize the mayor to sign Note Purchase Agreement with
Cashmere Valley Bank for interim financing for the principal amount not to
exceed \$2,333,000. CARRIED 3-0.**

E. Exclusive Real Estate Listing Agreement

Marla Keethler, Mayor said that she is requesting authorization to sign an exclusive real estate listing agreement for the property the city owns on El Camino Real that was previously approved as surplus. She said three realtors were contacted about providing listing services. She said Allison Stolz with Cascade Sotheby Realty is providing for a 5% commission while the other realtor that responded provided for a 6% commission. Keethler stated one realtor declined to offer services due to a potential conflict of interest. She said both realtors did a commercial market appraisal of the property with the results being substantially different.

Jim Ransier, Council Member disclosed that he is personal friends with Allison Stolz but has not had any discussion with her regarding the sale of the property and has no financial interest in the property or the real estate agency.

Ken Woodrich, City Attorney said there is no reason why Jim Ransier can't vote on the proposal. He said the prohibition would only apply if he had a financial connection.

Jan Brending, Clerk Treasurer said the city council needs to determine a listing price noting that Allison Stolz had provided a \$350,000 initial listing price and said it could be higher.

Council members discussed the listing price and agreed that \$350,000 seems like a fair price.

**Moved by Ben Giant. Seconded by David Lindley.
Motion to allow the mayor to sign exclusive real estate listing agreement with Allison
Stolz, Cascade Sotheby Realty for listing Klickitat County Parcel No. 03102468005000
with a listing price of \$350,000. CARRIED 3-0.**

VII. Reports and Communications

A. Department Heads

Bill Hunsaker, Building Official/Fire Chief said there is a rumor that the fuel reduction project is no longer happening. He said that is incorrect and it is still moving forward. Hunsaker said he will be contacting property owners to see what is needed to move things along. He said that he, the mayor and Paul Koch, Interim City Administrator are discussing ways the City of White Salmon can collaborate with Klickitat County Fire District #3 regarding fire protection.

Brendan Conboy, Land Use Planner said he is working on proposed codes related to missing "middle housing" and a new downtown commercial zone. He

said he will begin implementing the housing action plan project. Conboy said he is also working on a number of land use applications.

Paul Koch, Interim City Administrator said he is working with management to restart operations at city hall to a normal level and will be having weekly meetings with the management team. He said he is meeting with engineers to go over projects that are currently underway or are planned. Koch said he has met with some council members and will meet soon with the remainder. He said he is working with the Mayor and Bill Hunsaker related to bringing on a consultant that could assist the city with fire consolidation.

Jan Brending, Clerk Treasurer said reminded council members that except for two committees, committee meetings will not be held this month. She said the Personnel and Finance Committee will meet on April 25 and the CityLAB Board will meet on April 26 for a presentation from NW Natural.

Jeff Cooper, Public Works Foreman said the department has completed most of the radio read meter installs. He noted that he has talked to Jan Brending, Clerk Treasurer about some work that needs to be done on the picnic shelter. Cooper said he is getting some estimates on replacing a couple of header beams that are rotting.

Brending said that to follow up on Cooper's comments about getting the radio read meters installed is to return the utility billing to every month for usage versus every other month. She said staff is working on developing the process to be able to move back to every month reads and noted Stephanie Porter, Deputy Clerk/Utility Clerk will be the lead on that project.

Marla Keethler, Mayor noted that public works has begun working on striping crosswalks, cleaning up the park and installing replacement fencing at Pioneer Cemetery Park. She said Russ Avery, Public Works Operations Manager is currently out on medical leave.

B. Council Members

David Lindley, Council Member welcome Paul Koch and said he looks forward to communications and updates on projects. He said Arbor Day was celebrated in conjunction with Underwood Conservation District's TreeFest. Lindley said the weather cooperated and that UCD sold over 19,000 plants this year. He said there were many groups tabling at the event. Lindley said he wanted to acknowledge Becky Williams and Karen Jenkins for their work at the event. He said there will be no Tree Board meeting in April

Jim Ransier, Council Member said the Community Development Committee has been discussing a mural on the restroom wall in Rheingarten Park. He said the committee will be making a recommendation to the council at a future meeting.

Ransier said Charlie Kitching with the White Salmon Arts Council is coordinating that project. He said the CityLab Board has scheduled a presentation with NW Natural and the board has submitted a list of questions they would like to see answered in the presentation. Ransier said the board is working on developing a request for proposals to hire a consultant to assist the board in developing a climate action plan. He said the board is also working on developing a list of standard questions for the board to answer when things are brought forward for the boards consideration related to the perspective of diversity, equity and inclusivity (DEI) and climate change. Ransier noted that he will not be present at the next city council meeting on April 20.

Ben Giant, Council Member said it is lovely to meet in person. He said he hopes the hybrid meeting format can continue.

Ken Woodrich, City Attorney said hybrid meetings are terrific. He noted that he will have to be in Seattle quite a bit due to health issues and will be attending remotely. Woodrich said he appreciates the city allowing that to happen.

C. Mayor

Marla Keethler, Mayor noted that AWC holds a number of workshops and an annual conference that are available for council members to attend. She said there is funds in the budget for council members attending. She said the annual AWC conference will be held in Vancouver in June. Keethler said SpringFest will be a one-day event this year on June 4. She said the city will host a booth/table. Keethler said the city will continue to maintain the hybrid model for council meetings. She said short-term rental applications are being accepted. She said there is also the enforcement side of the process that is moving forward. Keethler said the hiatus for committee meetings is not intended to be longer. She said administration is looking at the staff appointees for each committee. Keethler said she is also working with fire department to let people know about being fire prepared. She said she is hoping to provide a community presentation related to fire. Keethler said one of the items identified in the ARPA funding are reader boards so the public can have access to critical information.

David Lindley, Council Member asked about the status of the additional research being conducted for the Walker House. He asked if there would be an opportunity for the community to provide public comment.

Keethler said the city has engaged ARC Architects to provide additional information related to costs based on the theoretical business plan. She said the city is also having an electrical inspection completed. Keethler said another round of input is a good idea and is considering a listening session that would involve a more casual engagement.

Jim Ransier, Council Member said he feels it is important to inform the public why the Walker House is being considered for purchase. He said he feels the full vision is being lost in the discussion.

Keethler said there have been some good critical comments. She said she wants people to feel comfortable in commenting in a respective way. Keethler said she feels the “public comment” period does not provide the opportunity for a dialogue.

Ben Giant, Council Member asked how many short-term rental applications have been received.

Jan Brending, Clerk Treasurer said not counting legacy permits, less than 10.

VIII. Executive Session (if needed)

There was no Executive session

IX. Adjournment

The meeting adjourned at 8:13 p.m.

Marla Keethler, Mayor

Jan Brending, Clerk Treasurer

File Attachments for Item:

A. Land Use Code Amendments

1. Presentation

2. Public Hearing

3. Discussion and Action

a. Ordinance 2022-04-1102, Amending WSMC Chapter 17.75 Residential Planned Unit Development (R-PUD)

b. Ordinance 2022-04-1103, Amending WSMC Chapter 17.81 Site and Building Plan Review

c. Ordinance 2022-04-1104, Amending WSMC 19.10.040 Project Permit Application Framework



AGENDA MEMO

Needs Legal Review: Yes
Meeting Date: April 20, 2022
Agenda Item: Land Use Code Amendments
Presented By: Brendan Conboy, Land Use Planner

Action Required

Adoption of Ordinances 2022-04-1102, 2022-04-1103, and 2022-04-1104 related to amendments to land use codes.

Proposed Motions

1. Motion to adopt Ordinance 2022-04-1102, Amending White Salmon Municipal Code Chapter 17.75 Residential Planned Unit Development (R-PUD).
2. Motion to adopt Ordinance 2022-04-1103, Amending White Salmon Municipal Code Chapter 17.81 Site and Building Plan Review.
3. Motion to adopt Ordinance 2022-04-1104, Amending White Salmon Municipal code 19.10.040 Project Permit Application Framework.

Explanation of Issue

Staff has prepared Ordinances provided for amendments to the following codes:

1. WSMC Chapter 17.75, Residential Planned Unit Development (R-PUD)
2. WSMC Chapter 17.81, Site and Building Plan Review
3. WSMC 19.10.040, Project Permit Application Framework

A workshop was held with the Planning Commission with a recommendation to forward the proposed amendments to the city council. A workshop was held with the City Council on April 6, 2022. The amendments are now before the city council for adoption.

Public notice was published two weeks prior to the public hearing scheduled for April 6, 2022.

Recommendation of Staff/Committee

Staff recommends adoption of Ordinances 2022-04-1102, Amending WSMC Chapter 17.75; 2022-04-1103, Amending WSMC Chapter 17.81, Site and Building Plan Review; and 2022-04-1104, Amending WSMC 19.10.040, Project Permit Application Framework.

**CITY OF WHITE SALMON
ORDINANCE 2022-04-1102**

**AN ORDINANCE AMENDING WHITE SALMON MUNICIPAL CODE CHAPTER
17.75 RESIDENTIAL PLANNED UNIT DEVELOPEMNT (R-PUD)**

WHEREAS, the City of White Salmon Planning Commission and City Council have reviewed the current code and have determined that amendments are necessary;

WHEREAS, a public hearing, duly noticed, was held on April 20, 2022 to hear comments regarding the proposed amendments; and

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

SECTION 1. White Salmon Municipal Code Chapter , is hereby amended as follows:

Key: ~~**Bold and Strike through**~~ means repealed. **Bold and underline** means new.

Chapter 17.75 Residential Planned United Development (R-PUD)

17.75.010 Purpose.

The purpose of this chapter is to provide regulations and procedures to guide residential planned unit development in order to:

- A. Provide flexibility and support for implementation of innovative residential site plans that address diversity in housing types;
- B. Ensure efficient and adequate provision/extension of services in areas where a variety of low density residential and higher density residential uses can co-exist;
- C. Provide opportunities for households of various sizes, ages, and incomes by promoting diversity in the size, type and price of new residential development in the city;
- D. Provide for development of compatible streetscapes and carefully designed lot configuration that accommodates a density comparable with densities permitted in the R-1, R-2, and R-3 zones;
- E. Facilitate efficient use of land through the application of flexible standards to provide opportunities for permitting innovative and diversified living environments that master

plan and employ a creative placement of structures, provision for open space and access ways, etc.;

- F. Preserve existing landscape features including established trees, vegetation, and drainage ways by supporting planned developments that consider and respond to valuable or unique site characteristics.

17.75.015 Permitted location and size of R-PUD.

R-PUDs may be permitted in any residential zone on a parcel or contiguous tract of two acres or more.

17.75.020 Permitted uses in R-PUD.

Uses listed in each underlying zone within the project area may be permitted in the R-PUD. Alternative housing types are permitted subject to specified development criteria.

- A. Planned uses that can be permitted include:

- 1. Residential units, either single-family detached or attached units, including planned clusters of cottage dwellings, ADUs, and/or town houses, on their own or in combination with some multifamily as long as all dwelling types meet the applicable definitions and standards in the zoning ordinance;
- 2. All accessory and conditional uses permitted in residential districts;
- 3. Recreational facilities, tennis courts, playgrounds, and community halls.

17.75.030 Permitted modifications and conditions of approval.

- A. Planned unit residential developments may be permitted to modify the zoning and subdivision requirements of Title 16 and the balance of Title 17 if consistent with the purposes expressed in Section 17.75.010 and the other applicable requirements of this chapter, except:

- 1. Exterior setbacks from public streets along the perimeter of the R-PUD unless set back averaging is requested and approved as shown on a preliminary plat and implemented in accordance with the binding site plan;
- 2. Surveying standards;
- 3. Engineering design and construction standards of public improvements (not including street right-of-way width and street development standards); and
- 4. Stormwater and erosion control standards **within the gross development area as a whole.**

- B. Modifications of setbacks and other standards in the underlying zones must be shown clearly on a binding site plan **prior to final plat recordation**.

17.75.040 R-PUD development standards.

- A. Size and permitted location of residential planned unit development (R-PUD) must comply with the following:

1. The subject parcel must be a single lot or contiguous tract of land greater than or equal to two acres.
2. The subject lot or tract of land must be located in a ~~residential zone~~ **RL Single-Family Large Lot Residential District or R-1 Single-Family Residential District**.

- B. Permitted Density.

1. The number of single-family dwelling units permitted in an R-PUD may be increased above the number permitted in the RL (single-family large lot residential) zone as follows:
 - a. Maximum dwelling unit density shall not exceed ~~eight~~ **nine** units per acre (max density likely to be accommodated in **R-L**, R-1, ~~R-2, or R-3~~ zones);
 - b. Maximum permissible density is presumed to be site and design dependent and approval of development at the maximum permissible density is not assured in every instance;
 - c. Burden is on the applicant to demonstrate that innovative site planning techniques can be employed to accommodate densities comparable with densities provided for in other city residential zones in a manner that is responsive to the specific characteristics of the R-PUD site.
2. The permitted density shall be computed to reflect the net density as follows:
 - a. Determine the gross development area—subtract from the total site area all land unsuitable for development e.g., wetland, flood hazard areas, steep or unstable slopes, and publicly owned land.
 - b. Determine the net development area, net area—subtract from the gross development area the actual percentage of area devoted to the street system to a maximum of twenty percent of the gross development area.
 - c. Determine the permitted number of dwelling units—divide the net development area (in acres) by ~~eight~~ **nine**.

- d. **Eight nine** units per acre is the maximum permitted density for an R-PUD approved in the R-L and R-1 zones ~~low density residential zone~~.
3. The average lot size of single-family dwellings in the R-PUD shall not be less than two thousand square feet.
4. Density bonus of up to twenty percent (**rounded to the nearest whole number**) over R-PUD density permitted by this subsection (see B.1. and 2. for the RL zone), may be allowed for provision of affordable housing for low- and moderate-income families (those who have family income of not more than **sixty eighty** percent of Klickitat County median household income), with appropriate recorded CC&Rs **and/or deed restrictions** which define such affordable housing as follows and require that the housing remain affordable. ~~For the purpose of this chapter, such affordable housing is defined as residential housing for home ownership where the occupants pay no more than thirty percent of said gross family income for total housing costs, including utilities other than telephone and cable/satellite television.~~ R-PUDs in the R1, ~~R2, and R3~~ zone are also eligible for this density bonus above the base density permitted in these zones.
5. Protection of Trees. Master planning a larger site provides the opportunity to maintain some valuable native vegetation. A tree inventory shall be completed and submitted with the preliminary master plan. Native trees measuring eight inch caliper or greater measured four feet from ground level (dbh) shall be shown on the inventory and clearly identified for preservation or removal. Large native trees should be preserved wherever practicable in the common areas. Where the ~~decision maker~~ **administrator** determines it is impracticable or unsafe to preserve these **larger** trees, the applicant may be allowed to remove the trees.

If the developer determines it is necessary to remove more than half the large native trees shown on the site inventory, the developer can be permitted to do so as long as the trees removed are replaced by new native trees in accordance with an approved landscape plan that includes new plantings at least two inches to two and one-half inches in caliper.

Where this requirement would cause an undue hardship, the requirement may be modified in a manner which reasonably satisfies the purpose and intent of this section. Conditions may be imposed to avoid disturbance to tree roots by grading activities and to protect trees and other significant vegetation identified for retention from harm. Such conditions may include, if necessary, the advisory expertise of a qualified consulting arborist or horticulturist both during and after site preparation, and a special maintenance/management program to provide protection to the resource as recommended by the arborist or horticulturist.

C. Dimensional and Improvement Requirements.

1. Building setbacks may be modified in accordance with approval of a binding site plan with the following exceptions:
 - a. Single- and multifamily dwellings must meet setbacks and height limits required in the zone in which they are located with respect to the outside perimeter of the R-PUD.
 - b. Setback averaging will be allowed from internal lot lines and may be allowed from external lot lines where adjoining parcels are located along the opposite side of a street or where setback averaging is determined to improve the traffic safety and flow, streetscape and/or to be otherwise compatible with surrounding uses.
 - c. Standard building setbacks from lot lines through the interior of the R-PUD shall be:

Setback	Dimension
Front and rear	10 feet*
Side	5 feet (except town house common walls)
Side (corner)	10 feet

* A minimum eighteen-foot driveway length shall be maintained inside of curb and sidewalk where a driveway curb cut is provided. This shall be done to eliminate the parking of vehicles on or over curbs or sidewalks.

2. Street width, street alignment, ROW width, and other street design standards shall comply with the subdivision ordinance unless access routes through the R-PUD are to serve primarily low volume local traffic. Low volume would be less than four hundred average daily trips. Local road means a road primarily serving a destination in or adjacent to the proposed development and not collecting traffic from other local roads or transporting through traffic. (American Association of State Highway and Transportation Officials, Guidelines for Geometric Design of Very Low Volume Roads, 2005 as hereafter amended.)

If streets within the R-PUD are determined to be low volume local roads and emergency vehicle access and safety and traffic flow issues are addressed, then alternate street standards may be deemed acceptable if approved by the public works director. The possibility of flexibility in street design standards shall be considered initially in a preapplication conference prior to completing an application. Notwithstanding, private streets shall have a minimum improved width ~~of ten feet for each lane of traffic~~ **that meets state fire code**, not to include street parking and one-way streets shall be required to provide for fourteen feet of lane width not to include parking.

3. Engineering design and construction standards for all other public improvements, such as water, sewer, on site stormwater retention, etc., will not be modified for R-PUDs.
4. Comprehensive parking plans are required. Off-street parking shall be provided in accordance with the requirements of the base zone in which the development is located and in accordance with parking requirements for specific dwelling types. Additional off-street parking may be required in lieu of on street parking if street widths are decreased to preclude on street parking. Shared parking may be accepted to meet additional residential parking required due to an absence of on street parking as long as it can be demonstrated to adequately serve demands of the planned residential development.

D. Homeowners Association, Common Facilities, Open Space, Roads, Easements.

1. In any R-PUD a minimum of fifteen percent of the net development area shall be established, maintained and preserved as open space and community facilities by the landowner until such obligations are vested in ~~the a~~ R-PUD homeowners' association pursuant to RCW Chapter 64.38, **or through a development agreement with an authorized and willing entity per RCW 36.70B.170 and this chapter. If a homeowners' association is required** ~~the~~ landowner shall establish a Washington nonprofit corporation ~~for the R-PUD homeowners' association.~~ **and** ~~W~~within three years of R-PUD approval, ownership and maintenance of all open space, common areas and common facilities shall be vested in the homeowners' association. Common area or amenities established by easement over private lots, may be considered part of the open space and community facility calculation if such easements provide continuing irrevocable community benefits. Articles and bylaws of the homeowners' association and CC&Rs in a form acceptable to the city attorney shall be recorded with the county auditor and shall be binding on all heirs, successors and transferees of landowner, guaranteeing the following:
 - a. The continued use of such land consistent with the R-PUD approval;
 - b. Continuity of maintenance of roads, landscaping, irrigation, public facilities and open space;
 - c. Availability of funds required for such maintenance;
 - d. Adequate insurance protection of community facilities; and
 - e. That all conditions of R-PUD approval continue to be met and maintained.
2. Open space provided in the R-PUD shall be planned to provide for connectivity with and enhancement of other public improvements, park lands, natural areas or community amenities. Open space means an area intended for common use and

shall be designed for outdoor living and recreation or the retention of an area in its natural state. Open space may include swimming pools, recreation courts, gazebos and patios, open landscaped areas and community gardens, and green belts with pedestrian and bicycle trails. Open space does not include off street parking, service, or loading areas.

3. Direction to Plant Natives. Planting plans for common areas shall be developed with a predominance of drought tolerant and native vegetation. Owners of independently owned parcels are encouraged to plant natives. Planting of native and drought tolerant species in the common areas is required as a means to decrease water demands for irrigation and increase the survivability of selected plant materials.
4. Landowner shall be required to grant appropriate easements to the city for repair, replacement and maintenance of city utilities and services installed within the R-PUD.
5. At the option of the city or applicant, conditions of approval and other standards can be addressed through a development agreement pursuant to RCW Chapter 36.70B in lieu of or in conjunction with CC&Rs.

17.75.050 R-PUD approval criteria.

An applicant requesting approval of an R-PUD has the burden of proving, by a preponderance of the evidence that:

- A. All applicable standards have been met, modified or can be adequately addressed by conditions of approval;
- B. The master plan uses an innovative approach to meet the purposes stated in Section 17.75.010, e.g., it integrates a variety of residential uses, provides community and public benefits, protects existing natural resources, and provides adequate and efficient public services and utilities;
- C. The streets, buildings, open space, public facilities, and landscaping are designed and located to preserve existing trees, topography and natural drainage. **Building design may be met through the provision of clear design guidelines and setback standards;**
- D. Structures located on the site are located on ground that is not subject to instability;
- E. Public services will not be overburdened by the proposed development:
 1. The R-PUD plan shall provide direct access to collector or through streets or demonstrate that minor or local streets have the capacity to carry increased traffic to collector or through streets.

2. The applicant shall work with the director of public works and/or city engineer to confirm adequacy of water, sanitary sewer, on site surface/stormwater, and all other utilities. If improvements are determined necessary to accommodate increased demand, improvements will be made at the developer's expense, or the city and developer may enter into a development agreement pursuant to RCW 36.70B.170(4) and other relevant provisions of RCW Chapter 36.70B. All utilities shall be constructed to city approved standards of design, consistent with accepted engineering practices. All utilities shall be underground only.
 3. An applicant shall submit proof of adequacy of services including but not limited to: fire and police protection, schools, health care.
- F. Incorporation of Existing Dwelling(s) can be accommodated in an R-PUD. An existing detached or attached single-family dwelling that is incorporated into an R-PUD as a residence and is nonconforming, with respect to the standards of the general R-PUD or special use sections, shall be permitted to remain on a R-PUD site. Noncompliance of the structure may not be increased unless the proposed change is determined by the city to be consistent in character, scale and design with the R-PUD as controlled by the binding site plan. If an existing dwelling is retained, it is counted as a standard single-family dwelling for density calculations unless it complies with the size requirements to be counted as a special use cottage or accessory dwelling.

17.75.060 Submittal requirements and review procedures.

- A. R-PUD applications shall be reviewed as a subdivision application subject to Title 16 and site plan review pursuant to Chapter 17.81. A pre-submission conference pursuant to Title 19 will help identify application requirements and a neighborhood meeting is required.
- B. Applicant shall comply with application requirements of Title 19 and include the following additional tabular data and mapped items:
 1. Existing zoning;
 2. Total site area;
 3. Gross project area;
 4. Net project area;
 5. Total number of dwelling units proposed **or lots created**;
 6. Residential density calculation;
 7. Open space, common area, and facilities calculation;

8. General description of natural setting and/or aerial and other photos of the site;
 9. Proposed development schedule and any plans to phase development;
 10. Resulting type of ownership, plans to rent [or] sell and type of ownership planned for common areas;
 11. Site maps with graphic scale and north arrow, and topography shown at five-foot intervals, water bodies, critical areas, and important natural features including rock outcroppings, steep slopes, and flood hazard areas;
 12. **Preliminary** ~~Location~~ and function of all buildings, including heights, nearest setbacks and closest distance between structures, **or building envelopes based upon setback standards;**
 13. Location and measurement, where applicable, of other proposed improvements;
 14. Preliminary landscape diagram identifying use areas, general types of landscape treatment, and areas of irrigated versus drought tolerant vegetation;
 15. Tree survey indicating location of all native trees measuring eight-inch caliper or greater measured four feet from ground and identifying inventoried trees to be removed and to be protected;
 16. Preliminary grading plan showing areas of substantial grading or recontouring;
 17. Any additional information required by staff and planning commission as necessary to evaluate the character and impact of the proposed R-PUD development;
 18. Initial lighting diagram indicating areas of the site to be lighted at night **and/or lighting design guidelines for individual lots, and a qualitative discussion of the type of lighting planned for those areas** ~~All lighting shall conform of the standards of WSMC Ch. 8.40 Outdoor Lighting;~~ **All lighting shall conform of the standards of WSMC Ch. 8.40 Outdoor Lighting;**
 19. Record of neighborhood meeting;
 20. Standards which applicant requests be modified and reasons for the modification; and
 21. Applicant's proposed conditions of approval.
- C. If the proposed site is within shoreline management jurisdiction an application for shoreline substantial development permit along with any other permits required, such as a flood plain permit or other local, state, or federal permits shall be filed.

- D. An environmental checklist shall be completed.
- E. A completed application shall be evaluated by staff, including emergency personnel, and it shall be reviewed at a public hearing held by the planning commission. If an environmental impact statement is required, the final EIS shall be available for at least ten days before the hearing on the proposal.
- F. Site Grading and Clearing. Grading and site clearing in preparation for planned development shall not commence prior to approval of a preliminary master plan. This requirement is necessary to ensure that all necessary erosion control measures are in place prior to disturbance and is intended to limit disturbance to that necessary to accommodate the approved planned development.
- G. Review of a R-PUD application follows the Type III review procedures in Title 19. City staff and the applicant shall be available. Staff may provide supplemental information and respond to questions from the city council. The city council may approve the preliminary plat with some or all of the planning commission's recommended conditions, and may impose additional conditions. The city council may remand the application to the planning commission to address specific articulated concerns of the city council and/or the council's proposed changes to the preliminary plat and/or conditions. The council may deny the application upon findings of noncompliance with applicable standards. The city council may direct staff or the city attorney to draft proposed form of findings and decision for review and consideration as specified at regularly scheduled council meeting not more than six weeks hence.
- H. If the preliminary plat is approved, the applicant shall have five years with the opportunity to extend preliminary approval if deemed reasonable by the city to do so. Final binding site plan shall be submitted in accordance with Chapter 16.30 and Sections 17.81.090 through 17.81.100. If a binding site plan cannot be recorded within the initial five years, the applicant shall make written request for extension prior to the close of the two-year recording period and may be granted an additional year upon demonstration of good faith effort to file the site plan. Evaluation of requested extensions will include consideration of whether land use regulations affecting the application have changed since the decision was originally made. Where possible and applicable; extensions of final binding site plan approval shall be coordinated with timeframes for final subdivision plats submittal and approval.
- I. If the development is phased the final binding site plans and plat for each phase may be reviewed independently in accordance with the approved time frame.
- J. A **binding preliminary** site plan of an R-PUD and all accompanying documents, together with CC&Rs **or development agreement** approved by the city attorney. **Prior to recordation of final plat, a** **binding site plan** ~~the site to development~~ in accordance

with all the terms and conditions of approval shall be recorded by the county auditor, at the applicant's expense.

17.75.070 R-PUD application costs/compliance required before building permits.

A R-PUD applicant shall pay for all costs incurred by the city in processing the R-PUD application including legal, engineering and planning costs. In addition, the city may require engineering or transportation studies or plans which shall be provided at applicant's expense. No building permits shall be issued until all such fees have been paid and all approval requirements and conditions have been satisfied. An initial deposit to cover estimated costs shall be paid by applicant prior to the city's processing of the R-PUD application.

17.75.080 Alternative housing types—Cottage dwellings, townhouse, and ADUs within an R-PUD.

Alternative housing types and lot configurations may be employed in the R-PUD. Alternative housing types must meet the following site and structural requirements.

- A. Cottage Dwelling Units and Lots. Cottage development is an acceptable housing type for an R-PUD. Cottage infill standards and criteria in Chapter 17.73 must be met and though lot and structure sizes may be smaller; density limitations of the R-PUD continue to apply to this housing type in all residential zones.
- B. Townhouse Dwellings and Lots. Town houses are an acceptable housing type within an R-PUD. Town house design standards and review criteria (Section 17.68.1[5]0) must be met, the setbacks and density provisions in the zone in which the R-PUD is located continue to apply.
- C. Accessory Dwelling Units. Accessory dwelling units may be approved within an R-PUD. Such approval must be granted as part of the R-PUD site plan review process and in accordance with design standards and criteria applicable to ADUs (Chapter 17.64). An ADU within an R-PUD does not count toward the overall density count in an R-PUD as long as it complies with all ADU size and use limitations (Chapter 17.64) and is located on a common lot with a principal dwelling.

17.75.110 Alternative housing type provisions—Cottage, townhouse, and accessory dwelling unit designs.

The R-PUD ordinance is created to support design innovation. Design standards and approval criteria provide essential guidance to applicants and administrators but not every circumstance can be anticipated in the drafting of standards and criteria. The city recognizes that cottages and ADUs, in particular, could be designed in alternate ways that still achieve the overall objectives of the R-PUD. An applicant may request approval of a variation on specific standards during R-PUD review. A specific request for variation is not subject to variance criteria. Approval of a specific variation may only be granted with findings that the specific variation requested ~~provides for an equal or better way to meet~~ meets or exceeds the purpose of the written standard.

17.75.120 Neighborhood meeting required.

Any residential planned unit development application requires a specially noticed neighborhood meeting to be held and documented prior to completion of the development application and before any public hearing is scheduled. Such meeting shall comply with Section 17.74.120 - Special use—Neighborhood meeting requirements.

SECTION 2 – SEVERABILITY: If any section, sentence, or phrase of this Chapter is held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence or phrase of this Chapter.

SECTION 3 – EFFECTIVE DATE. This ordinance shall take effect five days following the date of its publication by summary.

PASSED by the City Council of the City of White Salmon at a regular meeting this 20th day of April, 2022.

Marla Keethler, Mayor

ATTEST:

Jan Brending, Clerk/Treasurer

APPROVED AS TO FORM:

Kenneth B. Woodrich, City Attorney

**CITY OF WHITE SALMON
ORDINANCE 2022-04-1103**

**AN ORDINANCE AMENDING WHITE SALMON MUNICIPAL CODE CHAPTER
17.81 SITE AND BUILDING PLAN REVIEW**

WHEREAS, the City of White Salmon Planning Commission and City Council have reviewed the current code and have determined that amendments are necessary;

WHEREAS, a public hearing, duly noticed, was held on April 20, 2022 to hear comments regarding the proposed amendments; and

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

SECTION 1. White Salmon Municipal Code Chapter , is hereby amended as follows:

Key: ~~**Bold and Strike through**~~ means repealed. **Bold and underline** means new.

Chapter 17.81 Site and Building Plan Review

17.81.010 Definitions.

As used in this chapter, the following terms are defined:

- A. "Existing use" means that use, or uses, to which a parcel of land is currently subject, or has been subject within two years of the proposal. A lot may have more than one "existing use."
- B. "Improvement" means addition to a site such as, but not limited to, utility lines, roadways, walkways, drainage devices, paving, grading and/or excavating which changes the natural topography of the site.
- C. "Modified proposal" means an amended proposal showing modifications which directly address the reasons for its original rejection.
- D. "Normal maintenance or repair" means that work which is necessary or intended to maintain a structure at the same level of soundness, livability and appearance that it originally held.

- E. "Significant change in use of site" means one which creates a change or increase in usage of city utilities, or would cause a different pattern or amount of public use of the structure, available parking or traffic, or increase sources of public nuisance factors.
- F. "Substantial change of appearance of a structure" means modification of the structure's profile (elevation) or footprint that increases the height or width or length of the structure's profile by more than four feet or increases the structure's footprint by more than one hundred twenty square feet, ~~(Ord. 710 § 005, 1994).~~

17.81.020 Purpose.

The purpose of a site plan review is to ensure:

- A. That all new development is in accordance with applicable standards and regulations;
- B. Compatibility is achieved between new developments, existing uses and future developments;
- C. That development proposals will comply with density requirements and design standards which have been adopted for applicable zoning district(s); with environmental requirements; and with standards of public safety;
- D. Opportunity for public awareness of new development proposals and opportunities for public comment are provided when discretion is exercised in a site plan review.

17.81.030 Title.

The planning commission is designated as the site plan review committee. ~~The site plan review committee reviews for~~ site plans referred to the committee as a Type II project review per Chapter 19.10.230. The city council is designated as the site plan review committee for site plans referred to the committee as a Type III project review per Chapter 19.10.230. The planning administrator shall decide site plan review for applications specified in Section 17.81.060.

17.81.040 When required.

Site plan review and approval shall be required prior to:

- A. Site preparation, e.g., grading, or construction of improvements;
- B. A significant change in use of a building or other structure;
- C. Construction of ~~any~~ new building or structure;
- D. Remodeling of an existing building, structure, roadway and parking area within the city; or
- E. Significant change in use of a site.

Exceptions.

1. All single family uses permitted in RL, R-1, R-2, and R-3 zones;
2. Minor construction which does not substantially change the appearance of the structure such as:
 - a. Normal maintenance or repair;
 - b. Construction such as roof or siding replacement
3. Changes in the use of an existing building from one permitted use to another. At the discretion of the staff, a site plan review may be waived if the overall character or use of the site is not significantly altered by the change in use and anticipated impact of the use does not alter applicable standards.

The provisions of this chapter shall apply equally to public and private projects or proposals, except that city projects shall be exempt from the fee requirements.

17.81.050 Application.

The application shall consist of a project description, a site plan, a preliminary building plan, an environmental checklist, if applicable, and a filing fee. The site plan and preliminary building plan shall be submitted as originals plus four copies. Additional copies may be requested if needed.

- A. Project Description. Shall be a brief description of the development proposal, including the following:
 1. Names, addresses and phone numbers of owner, developer and architect or engineer;
 2. Proposed use of the land and building: Nature of the business or activity;
 3. Existing uses of neighboring lands within two hundred feet of the site;
 4. Estimated number of employees at full employment;
 5. Estimated number of customers/visitors, describing variations that may occur due to season, etc.;
 6. Number and type of deliveries and delivery vehicles;
 7. Type of waste and manner of storage and removal;
 8. Utilities and volume of use expected;

9. Nuisance aspects, such as noise, smoke, odors, etc.;
10. Hazardous aspects, such as chemicals, heavy metals;
11. Estimated dates of construction start and completion;
12. Legal description of the lot or lots; and
13. Estimated cost of project.

B. Site Plan. Shall be a detailed drawing or drawings containing the following information:

1. Name of owner, developer and architect or engineer;
2. North arrow, scale and title of proposed project;
3. Complete lot or lots, legal boundaries and markers;
4. All existing and proposed buildings and structures showing outside limits and dimensions;
5. Proposed site drainage plan;
6. Existing and proposed utilities;
7. Elevation contours every two feet, or at staff discretion, including maximum extent of grading.

NOTE: a grading and erosion control plan may also be required at discretion of city staff;

8. Location and design of signs;
9. Refuse storage areas with screening provisions;
10. Landscaping;
11. Sufficient clear space on the face of the plan to accommodate the city stamp, in event of approval (three inches by three inches);
12. All existing and proposed means of vehicular and pedestrian ingress and egress to and from the site and structures, the size and location of driveways, streets, roads, curbs, parking lots and pedestrian pathways and sidewalks, and bike paths;
13. Natural features;
14. Fences, light poles, and exterior light fixtures.

C. Building Plan.

1. Preliminary floor plans, elevations and descriptive sections of all proposed buildings and structures. Materials and finishes shall be indicated. The preliminary plans shall be sufficiently detailed to show the size, shape, uses and character of the intended buildings and structures.

Note: Complete and detailed plans and specifications for all proposed buildings and structures shall be submitted to the city building official at the time of applying for building permits for the approved proposal or portion thereof.

- D. Environmental checklist, unless the proposed project is exempt under SEPA Rules, an environmental checklist must be completed and submitted to the city along with the applicable fee. This fee is nonrefundable.
- E. Other Permits. Final approval of the site and building plan review will be contingent upon issuance of any other applicable environmental permits, such as shorelines, hydraulics, septic tank and water quality permits.
- F. Filing Fee. An application fee as set forth in Chapter 3.3[6] of this code for site plan review is required at the time of submittal of the proposal.

17.81.060 Review process.

- A. An application for a site and building plan review shall be processed according to Type I-~~BB~~ **by the Planning Administrator or their designee after a determination regarding land use decisions established in Chapter 19.10, Land Use Administrative Procedures for projects that the following:**

1. ~~Comply with the permitted uses for the subject zone district~~ **Site preparation, e.g. grading, or construction of improvements;**
2. ~~Do not include a use classified as a use permitted subject to site plan review~~ **Remodeling of an existing building, structure, roadway and parking area within the city; and**
3. ~~Clearly require no modification or alteration of applicable standards~~ **Short plat subdivisions in residential zones.**

The Planning Administrator or their designee may choose to elevate an application to Type II review before the planning commission, or Type III review before the city council at their discretion.

- B. An application for a site and building plan review shall be processed according to Type II land use decisions established in Chapter 19.10, Land ~~Use~~ **Development** Administrative Procedures for projects that **include:**

1. ~~Include a use classified as a use permitted subject to standards and/or site plan review~~ A significant change in use of a building or other structure;
2. ~~Involve a mixed use planned unit development (MU-PUD) or other review process triggering the need for a binding site plan~~ Construction of any new building or structure less than or equal to 10,000 square feet gross floor area;
3. ~~Require modification to or variation of a standard~~ Short plat subdivision in a Commercial zone;
4. ~~Require a change in zone~~ Significant change in use of a site; or
5. Include a use classified as a conditional use in its zone district.

The Planning Administrator or their designee may choose to elevate an application to Type III review before the city council at their discretion.

C. An application for a site and building plan review shall be processed according to Type III land decisions established in Chapter 19.10, Land Development Procedures for projects that include:

1. Construction of any new building or structure greater than 10,000 square feet gross floor area;
2. Involve a Planned Unit Development (PUD) or other review process triggering the need for a binding site plan;
3. Requiring a change in zone.

ED. In addition to review under all requirements of Chapter [19.10], based on comments from city departments and applicable agencies, the city shall review the proposal subject to the criteria contained in this chapter, and shall approve any such proposal only when consistent with all of the provisions of this chapter.

DE. Amendment of Site Plan. A site plan approved by the city may be amended by the same procedures provided under this chapter for original plan approval. The fee may be waived for amendments submitted within one year of the date of approval on the original site plan and for relatively minor new work including, but not limited to work such as, a fence, refuse enclosure, or other minor changes. If a building permit has been issued for an approved project, an amended site plan shall require a new building permit unless waived by the building official, ~~(Ord. 839 § 3, 2003; Ord. 710 § 040, 1994).~~

17.81.070 Optional phased development plan.

- A. Whenever a planned use of land is to be implemented in phases over a period of years, the applicant shall request review and approval of the phased development plan.
- B. In the case of a phased development, each phase shall be subject separately to the two year performance standard provided in Section 17.81.090 unless a modified time frame is expressly stated in the land use decision approving the project. The starting and completion dates of each phase shall be stated in the application, ~~(Ord. 710 § 050, 1994)~~.

17.81.090 Expiration of approval.

The approval of a site and building plan shall be revoked and nullified if within two years of the date the city approved the plan, construction has not been started or is not substantially completed, ~~(Ord. 710 § 070, 1994)~~.

17.81.100 Extension of approval.

The approval of a site plan may be extended for another year provided that:

- A. Within the initial two-year approval period, the applicant requests in writing a time extension, stating his reasons for the extension request; and
- B. No change has been made in the plan; and
- C. No significant change has been made to the standards and criteria applicable to the proposed application since its original submittal; and
- C. A fee may be charged by the city in accordance with the city fee schedule at the time extension is made.

17.81.110 Approved site plan is binding—Penalty.

- A. Any development or use which fails to conform to the approved plan shall be a violation of this chapter punishable as provided in [Chapter] 17.92, below. Upon verification by the city building official that development has proceeded, or a use or structure has been altered in a manner so as not to conform to the finally approved and signed plan, he shall issue and enforce a stop-work order halting any and all construction on a lot, parcel, or tract of land and/or enforcement proceedings may begin.
- B. Any use of land which requires site and building plan review and approval as provided in this chapter, for which such review and approval is not obtained shall constitute a violation of this chapter. It shall be unlawful for any person, firm, or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, occupy, or maintain any building or structure in the city, or cause the same to be done, contrary to, or in violation of any of the provisions of this chapter.

17.81.120 Utility construction.

The developer shall be responsible for construction of all utilities within the boundaries of the proposed development. Where connection with public infrastructure is planned the method and design of connection shall be approved prior to construction and will be subject to inspection while the point of connection is still easily visible.

SECTION 2 – SEVERABILITY: If any section, sentence, or phrase of this Chapter is held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence or phrase of this Chapter.

SECTION 3 – EFFECTIVE DATE. This ordinance shall take effect five days following the date of its publication by summary.

PASSED by the City Council of the City of White Salmon at a regular meeting this 20th day of April, 2022.

Marla Keethler, Mayor

ATTEST:

Jan Brending, Clerk/Treasurer

APPROVED AS TO FORM:

Kenneth B. Woodrich, City Attorney

**CITY OF WHITE SALMON
ORDINANCE 2022-04-1104**

**AN ORDINANCE AMENDING WHITE SALMON MUNICIPAL CODE 19.10.040
PROJECT PERMIT APPLICATION FRAMEWORK**

WHEREAS, the City of White Salmon Planning Commission and City Council have reviewed the current code and have determined that amendments are necessary;

WHEREAS, a public hearing, duly noticed, was held on April 20, 2022 to hear comments regarding the proposed amendments; and

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

SECTION 1. White Salmon Municipal Code Chapter , is hereby amended as follows:

Key: ~~**Bold and Strike through**~~ means repealed. **Bold and underline** means new.

19.10.040 Project permit application framework.

Table 1—Permits/Decisions

Type I-A	Type I-B	Type II	Type III	Type IV	Type V
Building permits	Site and building plan review (1)	Site and building plan review (1 2)	Preliminary plat for full subdivision <u>Site and building plan review (3)</u>	Final plat	Development regulations
Short plat (simple)	Boundary line adjustment	Short plat (defer to PC)	Preliminary PUD	Final PUD	Zoning text and map amendments
Grading permits	Conditional use (simple)	Conditional use (defer to PC); <u>zoning variances</u>	Site specific rezone		Comprehensive plan text and map amendments
Manufactured home placement permit		<u>Zoning variances</u>	<u>Preliminary plat for full subdivision</u>		Shoreline Master Program amendments
Permitted uses not requiring notice of application			Shoreline permits: substantial development, conditional use, or variances		Annexations

Table 2 – Action Type

Procedure Project Permit Applications (Type I — IV)						Legislative
	Type I-A	Type I-B	Type II	Type III	Type IV	Type V
Notice of application:	No	Yes	Yes	Yes	Yes	Yes
Recommendation made by: commission	N/A	N/A	Administrator	Planning commission	Administrator	Planning
Final decision made by:	Administrator	Administrator	Planning commission (2)	City council	City council	City council
Open record public hearing	No	No	Yes	Yes (3)	No	Yes (4)
Administrative appeal	Yes (5)	Yes (6), closed record before planning commission	Yes (6), closed record before city council	N/A	N/A	N/A
Judicial appeal	Yes	No	No	Yes	Yes	Yes

- (1) The administrator may makes the final decision on some site and building plan review applications considering the degree of discretion to be employed **as specified in Chapter 17.81. Implementation of clear and objective standards and review of site plans for uses already approved for land use permits will typically be subject to type I-B review while site plans addressing more subjective concerns and criteria will follow type II procedure.**
- (2) ~~The administrator may make the final decision on some applications, as specified in Chapter 17.81. The planning commission shall make the final determination for all site plan review within the parameters of Type II review as specified in Chapter 17.81.~~
- (3) **The city council shall make the final determination of all site plan review within the parameters of Type III review as specified in Chapter 17.81.** Open record hearings will be held before the planning commission to make recommendations to city council.
- (4) Open record hearings will be held both before planning commission to make recommendations to city council, and before city council for final decision.
- (5) Appeal provisions specified in Section 19.10.290 Appeal of administrative interpretations and approvals.
- (6) The planning commission will hear appeals of staff decisions; the city council will hear appeals of planning commission decisions. Both appeals are closed record hearings.

Summary of Decision Making:

Type I-A — Administrative without notice; administrative appeal by applicant only.

Type I-B — Administrative without notice; administrative appeal by the applicant only; appealable to the planning commission.

Type II — Planning commission review. Notice and open record hearing before the planning commission. Planning commission makes the final decision subject to a right of appeal.

Type III — Planning commission makes a recommendation to city council. City council makes the final decision. Notice and public hearings will be held both before the planning commission to make recommendations to city council, and before city council for final decision.

Type IV — Notice and decision by city council during regular council meeting.

Type V — Notice and public hearing before planning commission, with planning commission recommendation to city council. City council also provides notice and public hearing before making final legislative decision.

SECTION 2 – SEVERABILITY: If any section, sentence, or phrase of this Chapter is held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence or phrase of this Chapter.

SECTION 3 – EFFECTIVE DATE. This ordinance shall take effect five days following the date of its publication by summary.

PASSED by the City Council of the City of White Salmon at a regular meeting this 20th day of April, 2022.

Marla Keethler, Mayor

ATTEST:

Jan Brending, Clerk/Treasurer

APPROVED AS TO FORM:

Kenneth B. Woodrich, City Attorney