



White Salmon City Council Meeting

A G E N D A

February 19, 2025 – 6:00 PM

119 NE Church Ave and Zoom Teleconference

Meeting ID: **863 6535 9688**

Call In: 1 253 215 8782 US (Tacoma)

Zoom Link: <https://us02web.zoom.us/j/86365359688>

- I. **Call to Order, Land Acknowledgement, and Presentation of the Flag**
- II. **Roll Call**
- III. **Changes to the Agenda**
- IV. **Presentations**
 - A. Black History Month Presentation
 - B. Mayor's Updates
- V. **Public Comment** Any public in attendance at the 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. Each person will be allowed three minutes for comment.
- VI. **Consent Agenda**
 - [A.](#) Approval of Finance Director Contract
 - [B.](#) Approval of Personal Services Contract - HVAC Maintenance - Precision Service and Electric
 - [C.](#) Approval of Meeting Minutes – February 5, 2025
 - D. Approval of Vouchers
- VII. **Business Items**
 - [A.](#) Ordinance 2025-01-1171 Amending WSMC 17 Parking
 1. Presentation
 2. Public Hearing
 3. Discussion and Action
 - [B.](#) Ordinance 2025-02-1178 Amending WSMC Commercial Zoning and Conditional Use Permits
 1. Presentation
 2. Public Hearing
 3. Discussion and Action
 - [C.](#) Ordinance 2025-01-1175 Amending WSMC 18.41 Tree Protections and 13.01.050 Stormwater Provisions
 1. Discussion and Action
 - [D.](#) Ordinance 2025-02-1179 Amending WSMC Chapter 2.08 Clerk Treasurer
 1. Presentation
 2. Discussion
 3. Action
- VIII. **Reports and Communications**
 - [A.](#) Department Head Reports
 - B. Council Member and Committee Reports
 - C. Interim Administration Report
- IX. **Executive Session (if needed)**
- X. **Adjournment**

File Attachments for Item:

A. Approval of Finance Director Contact



COUNCIL REPORT

Business Item

Consent Agenda

Needs Legal Review:	Yes, completed
Meeting Date:	February 19, 2025
Agenda Item:	Consent Agenda VI A
Presented By:	Paul Koch, ICA

Action Required:

Approval of contract with Director of Finance for the City of White Salmon.

Motion for Business Item / Proposed Motion for Consent Agenda:

Move to authorize the Mayor to sign the employment contract with Jennifer Neil as the City's new Director of Finance.

Background of Issue:

Negotiations were completed with Ms. Neil based on the Council approved job description and salary range as revised by the Council on February 5, 2025. It is expected the new Director of Finance will begin work on March 3, 2025. Feedback from both the Council and staff who participated in the interview process regarding this individual was very positive. Ms. Neil brings years of experience and collaboration with her from her previous position with Klickitat County. The candidate has exhibited strong team and collaboration skills at her previous assignment, those skills add immeasurably to what is being done here.

Explanation of Issue:

The City's previous Clerk Treasurer has moved on to a new job with the School District. In the interim we are making use of the skills of current staff and spreading some of the finance duties among other staff. Therefore, it is important that we fill this position.

Council Options:

City Council has the following options available at this time:

1. Accept the Staff Recommendation and approve the contract.
2. Revise the Staff Recommendation.
3. Other action as may be desired by the City Council.
4. Take no action on this matter.

Fiscal Analysis:

The adopted budget contains funds for this purpose.

Recommendation of Staff/Committee:

Staff recommends that the City Council authorize the Mayor to sign the employment contract with Jennifer Neil as Director of Finance.

Follow Up Action:

No follow up action is required.

CITY ADMINISTRATOR EMPLOYMENT AGREEMENT

THIS EMPLOYMENT AGREEMENT (“Agreement”) is made and entered into the _____ day of _____ by and between the City of White Salmon, Washington, Non-charter code city of the State of Washington (“Employer”) and Jennifer Neil (“Employee”).

AGREEMENT

NOW, THEREFORE, in consideration of the mutual covenants herein contained the parties agree as follows:

SECTION 1. DUTIES:

- A. City agrees to employ the services of Employee as Director of Finance & Operations for the City.
 - a. Under the authority and direction of the Mayor, The Director of Finance & Operations position is a senior level position and is responsible for the management and monitoring of all city funds and processes, including, maintaining the accounting system and records to readily reflect the financial condition of the City.
 - b. Responsibilities shall include oversight with respect to budgeting, long-term financial planning, accounting operations, grant management, loans, investments, and financial reporting.
 - c. This position will also have supervisor responsibilities.
 - d. The City Finance Director is also responsible for the accounting and financial reporting of the City’s regional water and wastewater utilities.

- B. The Employee will report to and be supervised by the Mayor.

- C. Employee agrees to accept employment and act as Director of Finance & Operations (as outlined in the adopted job description attached to this agreement) for the City and to perform their duties to the best of their ability in accordance with the highest professional and ethical standards of the profession. Employee shall comply with all general rules and regulations established by the State of Washington, the City as set forth in its Personnel Manual (“Manual”) or otherwise according to the Mayor’s directives.

- D. Employee shall not engage in any activity that is, or may become, a conflict of interest, as defined by Washington law, or would be incompatible with the position of City Administrator, or enter into a prohibited contract, as defined by Washington law.

SECTION 2. STATUS AND TERM:

- A. Employee shall be employed for an indefinite term, commencing March 3, 2025, and shall serve at the pleasure of the Mayor. Employee shall be considered an “at-will” employee of the City.
- B. Nothing in this Agreement shall prevent, limit or otherwise interfere with the City’s right to terminate this Agreement, with or without cause, at any time, subject only to the provisions set forth in Section 6 of this Agreement, the laws of the State of Washington, and City ordinances.
- C. Nothing in this Agreement shall prevent, limit or otherwise interfere with the right of Employee to resign and terminate this Agreement at any time, subject only to the provisions set forth in Section 6 of this Agreement.
- D. Employee agrees to remain in the exclusive employment of the City for an indefinite period of time and shall neither accept other employment nor become employed by any other employer without the prior written approval of the Mayor. The term “employed” and derivations of that term as used in the preceding sentence shall include employment by another legal entity or self-employment, but shall not be construed to include occasional teaching, writing, consulting or military reserve service performed on Employee’s own time, and with the advance approval of the Mayor.

SECTION 3. SALARY:

- A. City agrees to pay Employee a starting salary of \$106,627.92 (Range 50, Step 7) per annum for services, payable in equal installments at the same time as other employees of City. Upon successful completion of the Certified Public Finance Officer (CPFO) designation, Employee will receive an additional pay step increase, which will be granted separately from any annual performance-based increase you may receive. The City’s budget will contain all salary and benefit amounts.
- B. The parties agree that Employee shall receive an appropriate cost-of-living adjustment on an annual basis, compatible with Employee’s performance and not lower than the amount granted to other non-union City employees.
- C. This agreement shall be automatically amended to reflect any salary adjustments that are provided or required by the Employer’s compensation policy.

SECTION 4. BENEFITS:

- A. Employee shall be entitled to 5 days (40 hours) of vacation on the commencement date of Employee’s employment. The City encourages employees to take regular vacation time to stay refreshed and focused on their jobs. Employee shall accrue

A.

paid annual leave in equal monthly amounts of one hundred sixty (160) hours per year. If the Employee is unable to use all of their vacation leave in any calendar year, they may carry forward one week (40 hours) to the following years. There shall be no compensation for accrued and unused vacation leave at the end of each year without prior council approval. At termination, Employee shall be eligible for payout of unused vacation leave up to eight (80) hours. If personal hardship prevents the Employee from use vacation leave, they shall apply to the City Council for an exception to the 40-hour carryover rule, provided the request is made prior to December 1, and Employee proposes taking the excess vacation time during the first six (6) months of the following year.

- B. Employee shall be entitled to 5 days (40 hours) of sick leave on the commencement date of Employee's employment. Upon commencing employment, Employee shall accrue sick leave at the rate of one day per calendar month of employment. Employee may not accrue more than 1,000 hours of sick leave. In lieu of payment, Employee may elect to transfer some or all of Employee's excess sick leave to another employee who has medical need for additional sick leave.
- C. Employer shall provide medical, vision and dental coverage consistent with the City's employee manual.

SECTION 5. RETIREMENT:

Employer shall enroll Employee in the Public Employee Retirement System of Washington ("PERS") and to make all appropriate contributions as required.

SECTION 6. RESIGNATION, TERMINATION AND SEVERANCE PAY:

- A. Employee may resign at any time, with or without cause, and shall give City at least thirty (30) days advance written notice of the effective date of his resignation.
- B. This agreement shall be terminated upon the death or permanent disability of the Employee.
- C. If Employee is terminated by City without cause (except as provided in paragraph D of this section) and during such time the Employee is willing and able to perform Employee's duties under this Agreement, City shall pay Employee severance as described in paragraph E of this Section.
- D. The following reasons shall constitute grounds to terminate this Agreement with cause and without payment of the severance provided in paragraph E of this Section:

1. A breach of this Agreement or the repeated neglect by Employee to perform the duties Employee is required to perform under this Agreement that continues after written notice and a 30-day cure period;
 2. Conviction of any criminal act relating to or adversely affecting Employee’s employment with the City;
 3. Conduct, relating to City employment, which, while not criminal in nature, violates the Manual or other reasonable standards of professional and personal conduct in some substantial manner, or that continues after written notice and a 30-day cure period; and
 4. Conviction of any felony offense.
- E. If Employee is terminated by City without cause (except as provided in paragraph D of this Section) prior to the end of 6-month probationary period, The City is not required to pay severance.
- F. If Employee is terminated by City without cause (except as provided in paragraph D of this Section) or requested to resign for the convenience of City during such time as Employee is willing and able to perform Employee’s duties under this Agreement, City shall pay Employee, as severance, a cash payment identified as follows equal to not less than one month salary, depending upon the City’s prior notice to Employee as provided below:

150-180 days notice	One Month Severance Pay
90-150 days notice	Two months severance pay
30-90 days notice	Three months severance pay
30 days or less notice	Four months severance pay

Such payment shall fully and finally release City from any and all further obligations to Employee or under this Agreement. Any severance shall be paid in a lump sum unless otherwise agreed to by Employer and Employee.

- G. It is understood that after notice of termination or resignation in any form, Employee and City will cooperate to provide for an orderly transition. Specific responsibilities during such transition may be specified in a written separation agreement. If Employee is terminated without cause, Employee may request, and if requested, Employee shall be given, an opportunity for a public name clearing hearing with the Mayor and City Council.

SECTION 7. HOURS OF WORK:

It is expected that Employee will work at least 40 hours per week, Monday through Friday 8:00 a.m. to 5:00 p.m, and that this is a hybrid position. However, it is recognized that Employee must devote a great deal of time outside the normal office hours on business

for Employer, and to that end Employee shall be allowed ten (10) hours of leave per month away from the office during normal office hours. Said hours will not be accumulative from month to month. The parties recognize that Employee will be exempt from the provisions relating to overtime payment and compensatory time under the Fair Labor Standards Act.

SECTION 8. PERFORMANCE EVALUATION:

The Mayor, shall review and evaluate the performance of the Employee in six months after the date of employment followed by an annual review each year thereafter. At the date of employment, the Mayor will establish written goals for performance based on the goals and objectives set by Mayor and Council in their annual meeting. These standards will be shared with the Mayor and Council. Thereafter, the Employee's job performance shall be evaluated against those goals by the Mayor and the Personnel and Finance Committee on an annual basis. The goals and objectives of the evaluations shall be reduced to writing. Goals and objectives shall generally be attainable within the time limitations as specified and the annual operating and capital budgets and appropriations provided. The annual review will also include a salary review.

SECTION 9. PROFESSIONAL DEVELOPMENT:

- A. City shall budget and pay for the professional dues and subscriptions of Employee necessary for their continuation and full participation in state and local associations and organizations, necessary for their continued professional participation, growth and advancement, to better serve the interests of City.
- B. As budgeted funds allow the City will pay the actual costs, including travel, lodging and meal expenses, associated with Employee's attendance at the annual conference and/or training to better serve the interests of City.

SECTION 10. MOVING EXPENSES:

Reasonable expenses for the Director of Finance position are reimbursable at the direction of the Mayor. Moving Expenses shall mean the cost of moving household goods, furniture, clothing, and other personal effects of the new employee. Moving expenses not to exceed \$2,000 and will require documentation of the associated costs, i.e., using a moving company, rental of trailer/truck, gas receipts, etc.

SECTION 11. OTHER TERMS AND CONDITIONS OF EMPLOYMENT:

The Mayor and the City Council may fix in writing any such other terms and conditions of employment, as they may determine from time to time, relating to the performance of Employee, provided such terms and conditions are not inconsistent with or in conflict with the provisions of this Agreement, City ordinances, or any other law. All provisions of City ordinances, regulations rules and the Manual as they now exist or hereafter may be amended, shall also apply to Employee as they would to other employees of City, except

as may be specifically agreed upon herein.

IN WITNESS WHEREOF, The City of White Salmon has caused this Agreement to be signed and executed on its behalf by the Mayor, and duly attested by the City Clerk, and Employee has signed and executed this Agreement, both in duplicate, the day and year first above written.

**EMPLOYER:
CITY OF WHITE SALMON**

EMPLOYEE:

MARLA KEETHLER, MAYOR

JENNIFER NEIL

ATTEST:

APPROVED AS TO FORM ONLY:

TROY ROSENBERG, DEPUTY CLERK

SHAWN MACPHERSON, CITY ATTORNEY

File Attachments for Item:

B. Approval of Personal Services Contract - HVAC Maintenance - Precision Service and Electric



COUNCIL REPORT

Business Item

Consent Agenda

Needs Legal Review:

Yes, completed

Meeting Date:

February 19, 2025

Agenda Item:

Personal Services Contract- Precision Service and Electric- HVAC Maintenance

Presented By:

Andrew Dirks- PWD

Action Required:

Review and approval of the 5-year Maintenance Contract with Precision Service and Electric for HVAC Maintenance not to exceed \$1,860.00 annually

Motion for Business Item / Proposed Motion for Consent Agenda:

Motion to approve the 5-year Maintenance Contract with Precision Service and Electric for HVAC Maintenance not to exceed \$1,860.00 annually.

Explanation of Issue:

Currently, there is no annual maintenance on our HVAC systems, City wide. This would cover City Hall, Public Works, The Police Department and all of the remote water sites.

Council Options:

City Council has the following options available at this time:

1. Accept the Staff Recommendation and approve the contract renewal.
2. Revise the Staff Recommendation.
3. Other action as may be desired by the City Council.
4. Refer this issue back to staff for further work.
5. Take no action on this matter.

Fiscal Analysis:

Each department will cover their portion of the maintenance costs as listed in the attached quote.

Recommendation of Staff/Committee:

Staff Recommends approval of the 5-year Maintenance Contract with Precision Service and Electric for HVAC Maintenance not to exceed \$1,860.00 annually

Follow Up Action:

Scheduling service with Precision Service and Electric.

CITY OF WHITE SALMON
PERSONAL SERVICES CONTRACT

This contract is between the City of White Salmon and Precision Service and Electric LLC hereafter called Contractor. City's Contract Administrator for this contract is Andrew Dirk, Public Work Director.

Effective Date and Duration

This contract shall become effective on the date at which every party has signed this contract. This contract shall expire, unless otherwise terminated or extended on December 31, 2029.

Statement of Work

(a) The statement of work and Special Terms and Conditions (if any) are contained in Exhibit A attached hereto and by this reference made a part hereof.

Consideration

- (a) City agrees to pay Contractor a sum not to exceed \$1,860.00 annually for accomplishment of the work, including any allowable expenses.
- (b) Payment shall be made in 2025 for Annual Maintenance Checks that will be performed for the years 2025, 2026, 2027, 2028 and 2029. If either party terminates the contract before the work is complete, the contractor agrees to reimburse the city for any services not rendered.

Travel and other expenses

Travel and other expenses are included in the contract price.

Amendments

The terms of this contract shall not be waived, altered, modified, supplemented, or amended in any manner whatsoever except by written instrument signed by both parties.

Terms and conditions listed on page two

CONTRACTOR DATA, CERTIFICATION, AND SIGNATURE

Name (please print): Precision Service and Electric LLC	Address:	153 Crafton Road GOLDENDALE, WA 98620
WA UBI: 603618402	Phone:	541-705-0589
Contractor License No:PRECISE802P1		
Citizenship: Non resident alien	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Business Designation (Check one):	<input type="checkbox"/> Individual	<input type="checkbox"/> Sole Proprietorship Estate/Trust
	<input type="checkbox"/> Partnership	<input type="checkbox"/> Trust
	<input checked="" type="checkbox"/> Corporation	<input type="checkbox"/> Trust
	<input type="checkbox"/> Governmental/Nonprofit	<input type="checkbox"/> Public Service Corporation

Payment information will be reported to the IRS under the name and taxpayer ID number provided above. Information must be provided prior to contract approval. Information not matching IRS records could subject Contractor to 31 percent backup withholding.

I, the undersigned agree to perform work outlined in this contract in accordance to the terms and conditions (listed on the front and backside and made part of this contract by reference) and the statement of work made part of this contract by reference hereby certify under penalty of perjury that I/my business am not/is no in violation of any Washington tax laws; and thereby certify I am an independent contractor.

Approved by the Contractor: _____
Signature Date

Approved by the City: _____
Marla Keethler, Mayor Date

Approved by Council: _____
Date

STANDARD CONTRACT PROVISIONS FOR PERSONAL SERVICES (NON-PERS MEMBERS)

1. Retirement System Status

Contractor is not a contributing member of the Public Employees' Retirement System and is responsible for any federal or state taxes applicable to any comprehensive or payments paid to contractor under this contract. Contractor is not eligible for any benefits from these contract payments of federal Social Security, unemployment insurance, or workers compensation except as a self-employed individual.

2. Effective Date and Duration

The passage of the contract expiration date (as recorded on reverse side) shall not extinguish, prejudice or limit either party's right to enforce this contract with respect to any default or defect in performance that has not been cured.

3. Government Employment Status

If this payment is to be charged against federal funds, Contractor certifies it is not currently employed by the federal government.

4. Subcontractors and Assignment

Contractor shall not enter into any subcontractors for any other work scheduled under this contract without prior written consent of the City. Subcontractors exceeding \$20,000 in cost shall contain all required provisions of the prime contract.

5. Dual Payment

Contractor shall not be compensated for work performed under this contract by any other municipality of the State of Washington.

6. Funds Available and Authorized

City certifies at the time of contract execution that sufficient funds are available and authorized for expenditure to finance costs of this contract within the City's appropriation or limitation.

7. Termination

- (a) This contract may be terminated by mutual consent of both parties, or by the City upon 30 days' notice in writing and delivered by certified mail or in person.
- (b) City may terminate this contract effective upon delivery of written notice to the Contractor, or at such later date as may be established by the City, under any of the following conditions:
 - (i) If City funding from federal, state or other sources is not obtained and continued at levels sufficient to allow for the purchase of the indicated quality of services. The contract may be modified to accommodate a reduction in funds.
 - (ii) If federal or state regulations or guidelines are modified, changes or interpreted in such away that the services are no longer allowable or appropriate for purchase under this contract or are no longer eligible for the funding proposed for payments authorized by this contract.
 - (iii) If any license or certificate required by law or regulation to be held by the Contractor to provide the services required by this contract is for any reason denied, revoked or no renewed. Any such termination of this contract under subparagraphs 7(a) or 7(b) shall be without prejudice to any obligations or liabilities of either party already accrued prior to such termination.
- (c) The City may terminate the whole or any part of this agreement by written notice of default (including breach of contract) to the Contractor.
 - (i) If the Contractor fails to provide services called for by this contract within the time specified herein or any extension thereof, or
 - (ii) If the Contractor fails to perform any of the other provisions of this contract, or so fails to pursue the work as to endanger performance of this contract in accordance with its terms, and after receipt of written notice from the City, fails to correct such failures within 10 days or such other period as the City may authorize.

The rights and remedies of the City provided in the above clause related to defaults (including breach of contract) by the Contractor shall not be exclusive and are in addition to any other rights and remedies provide by law or under this contract.

8. Access to Records

City, the Secretary of State's Office of the State of Washington, the federal government, and their duly authorized representatives shall have access to the books, documents, papers and records of the Contractor directly pertinent to the specific contract for the purpose of making audit, examination, excerpts and transcripts of the period of three (3) years after final payment. Copies of applicable records shall be made available upon request. Payment for cost of copies is reimbursable by City.

9. State Tort Claims Act

Contractor is not an officer, employee or agent of the State or City as those terms are used in RCW 4.96.020.

10. Compliance with Applicable Law

Contractor shall comply with all federal, state and local laws and ordinances applicable to the work under this contract.

11. Indemnification

- (a) Indemnity-Claims for Other than Professional Liability
Contractor shall defend, save and hold harmless the City their officers, agents and employees form all claims, suites or actions of whatsoever nature, including international acts resulting from or arising out of the Contractor or its subcontractors, agents or employees under this agreement. The Contractor waives, with respect to the City, its immunity under industrial insurance, Title 51 RCW. This waiver has been mutually negotiated by the parties. This indemnification shall survive the expiration or termination of this Agreement.
- (b) Indemnity-Claims for Professional Liability

Contractor shall defend, save and hold harmless the City, their officers, agents and employees, from all claims, suits or actions arising out of the professional negligent acts, errors or omissions of Contractor or its subcontractors and subconsultants, agents or employees in performance of professional services under this agreement.

12. Insurance

- (a) Liability Insurance. Contractor shall maintain occurrence form commercial general liability and automobile liability insurance for the protection of he contractor, the City, its commissioners, employees, and agents. Coverage shall include personal injury, bodily injury, including death, and broad form property damage, including loss of use of property, occurring in the course of or in any way related to Contractor's operations, in an amount not less than \$1,000,000.00 combined single limit per occurrence. Such insurance shall name the City as an additional insured with a coverage endorsement at least as broad as ISO CG 20 10 10 01.
- (b) Workers' Compensation Coverage. Contractor certifies that Contractor has qualified for State of Washington Workers' Compensation coverage for all Contractor's employees who are subject to Washington's Workers' Compensation statute, either as a carrier-insured employer as provided by RCW Chapter 51 or as a self-insured employer.
- (c) Certificates. Within 10 calendar days after full execution of this contract, Contractor shall furnish the City with certificates evidencing the date, amount, and type of insurance required by this contract. All policies shall provide for not less than thirty (30) days' written notice to the City before they may be canceled.
- (d) Primary Coverage. The coverage provided by insurance required under this contract shall be primary, and shall not seek contribution from any insurance or self-insurance carried by the City.

13. Ownership of Work Product

All work products of the Contractor which result from this contract are the exclusive property of the City.

14. Nondiscrimination

Contractor agrees to comply with all applicable requirements of federal civil rights and rehabilitation statutes, rules and regulations. Contractor also shall comply with the Americana with Disabilities Act of 1990 (Pub L No. 101-336) including Title II of that Act, and all regulations and administrative rules established pursuant to that law.

15. Successors in Interest

The provisions of this contract shall be binding upon and shall inure to the benefit of the parties hereto, and their respective successors and assigns.

16. Execution and Counterparts

This contract may be executed in several counterparts, each of which shall be an original, all of which shall constitute but one and the same instrument.

17. Force Majeure

Neither party shall be held responsible for delay or default caused by fire, civil unrest, labor unrest, acts of God and war which is beyond such party's reasonable control. Each party shall, however, make all reasonable efforts to remove or eliminate such a cause of delay or default and shall, upon the cessation of the cause, diligently pursue performance or its obligations under the contract.

18. Severability

The parties agree that if any terms or provisions of this contract is declared by the court of competent jurisdiction to be illegal or in conflict with any law, the validity of the remaining terms and provisions shall not be affected, and the rights and obligations of the parties shall be construed and enforced as if the contract did not contain the particular terms or provisions held to be invalid.

19. Errors

The contractor shall perform such additional work as may be necessary to correct errors in the work required under this contract without undue delays and without additional cost.

20. Waiver

The failure of the City to enforce any provisions of the contract shall not constitute a waiver by the City of that or any other provision.

21. Other Requirements

When federal funds are involved in this contract, Contractor Debarment and Non-Collusion certifications and signatures apply to Exhibit C and D.

22. Governing Law

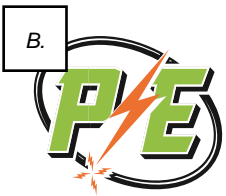
The provisions of this contract shall be construed in accordance with the provisions of the laws of the State of Washington. Any action or suit involving any question arising under this contract must be brought in the appropriate court of the state of Washington, Skamania County.

23. Attorney Fees

The prevailing party shall be entitled to reasonable attorney fees at trial and on appeal in an action brought with respect to this contract.

24. Merger Clause

THIS CONTRACT AND ATTACHED EXHIBITS CONSTITUTES THE ENTIRE AGREEMENT BETWEEN THE PARTIES. NO WAIVER, CONSENT, MODIFICATION OR CHANGE OF TERMS OF THE CONTRACT SHALL BIND EITHER PARTY UNLESS IN WRITING AND SIGNED BY BOTH PARTIES. SUCH WAIVER, CONSENT, MODIFICATION OR CHANGE IF MADE, SHALL BE EFFECTIVE ONLY IN SPECIFIC INSTANCES AND FOR THE SPECIFIC PURPOSE GIVEN. THERE ARE NO UNDERSTANDINGS, AGREEMENTS OR REPRESENTATIONS, ORAL OR WRITTEN, NOT SPECIFIED HEREIN REGARDING THIS CONTRACT. CONTRACTOR, BY THE SIGNATURE OF ITS AUTHORIZED REPRESENTATIVE, HEREBY ACKNOWLEDGES THAT HE/SHE HAS READ THIS CONTRACT, UNDERSTANDS IT AND AGREES TO BE BOUND BY ITS TERMS AND CONDITONS.



B.

Precision Service and Electric LLC
153 Crafton Road, Goldendale, WA 98620
541-705-0589, precisionserviceandelectric@gmail.com
WA ELC LIC# PRECISE847LS AND WA CC LIC# PRECISE802P1

This is an example of pricing for future services with the City of White Salmon on the HVAC systems.

City Hall-100 N Main Ave has ten mini splits, for a regular just look and clean filters and inspect internal components it would be about 2 hours of prevailing work at \$140.00 per hour for one technician. Mini splits have their own washable filters.

Public works Shot-200 NE Tohomish Street-an Electric AC, gas furnace and gas radiant heat. For a regular service and maintenance check to clean filters it would be 1 hour at prevailing wage for one technician at \$140.00 per hour. If a filter is needed add \$17.50 for the filter.

Fire Hall-119 Church Ave- Two Electric AC and Two Gas Furnace's. For a regular service and maintenance check to clean filters it would be 2 hours at prevailing wage for one technician at \$140.00 per hour. If a filter is needed add \$17.50 per filter.

White Salmon Police Department-142 E Jewett Blvd-Electric AC and Gas Furnace. For a regular service and maintenance check to clean filters it would be 1 hour at prevailing wage for a technician at \$140.00. If a filter is needed add \$17.50 for the filter.

Booster Station-65 Forester Lane-Electric heat pump and propane radiant heat. For a regular service and maintenance check to clean filters it would be 1 hour at prevailing wage for a technician at \$140.00. If a filter is needed add \$17.50 for the filter.

Well #2-11 Wallace Drive-Propane Heat. To service heater it would be an hourly fee of \$140.00 at prevailing wage for one service technician.

Park and Ride-One mini split. For a regular service and clean washable filter and inspect internal components, it would be \$140.00 per hour at prevailing wage for one technician.

Sand Plan-117 Buck Creek Road-Propane heat. To service heater it would be an hourly fee of \$140.00 at prevailing wage for one technician.

There will be a service drive time added to each trip for 2 hours for travel at \$125.00 per hour or a total of \$250.00. Shop rate for coming on a trouble call is the same \$125.00 per hour for drive time for one technician and \$140.00 per hour at prevailing while on the job. Tax will be added on all final billing at 7.6%. We charge at time and material cost unless it is a bid job, so you will be charged for only what is done and the time it takes to do the job. Anything needing replaced or fixed will be submitted for approval before fixing.

File Attachments for Item:

C. Approval of Meeting Minutes -



**City of White Salmon City Council Meeting
February 5, 2025
In Person and Via Zoom Teleconference**

Attendance:

Council Members:

- Ben Giant
- David Lindley
- Jim Ransier
- Patty Fink

Staff Present:

- Andrew Dirks, Director of Public Works
- Marla Keethler, Mayor
- Kelly Hickok, Assistant City Attorney
- Paul Koch, Interim City Administrator
- Shawn Mac Pherson, City Attorney
- Troy Rosenburg, Deputy/Utility Clerk

I. Call to Order, Land Acknowledgement and Presentation of the Flag

Mayor Marla Keethler called the meeting to order at 6:00p.m. There were approximately 32 members of the public in attendance in person and via teleconference.

II. Roll Call

Moved by Ben Giant. Seconded by Jim Ransier.

Motion to excuse Council Member Jason Hartmann from February 5, 2025, City Council Meeting.

MOTION CARRIED 4-0

III. Changes to the Agenda –(6:04pm)

Staff recommend amending the Business Items to the following order:

AE. Ordinance 2025-01-1174 Amending WSMC 3.36 Land Use Fees

1. Presentation
2. Public Hearing
3. Discussion and Action

BA. Ordinance 2025-01-1171 Amending WSMC 17 Parking

1. Presentation
2. Public Hearing
3. Discussion and Action

CB. Ordinance 2025-01-1176 Amending WSMC 17 Commercial Zoning and Conditional Use Permits

1. Presentation
2. Public Hearing
3. Discussion and Action

Staff recommend adding the following to the Consent Agenda:

- I. Approval of the Interlocal Agreement with Skamania County for Land Use Planning Servies at a rate of \$68.75 per hour. Approved 2025 budget for contract planning service is \$80,000.
- J. Approval of the Review and Action on proposed salary range/step for the Finance Director job description.

Moved by Jim Ransier. Seconded by Ben Giant. (6:05pm)
Motion to approve and adopt changes to the agenda as requested.
MOTION CARRIED 4-0

Council Member Patty Fink requested items A, I, & J to be moved from the Consent Agenda and moved to Business Items. (6:08pm)

Council Member Patty Fink made a motion to remove Business Item G from the Agenda. (6:13pm) No Second on this motion.

Council Member Patty Fink made a motion to remove Business Item G from the Agenda. (6:15pm) No Second on this motion.

IV. Presentations

- A. Black History Month Presentation Video – Jim Ransier **(6:18pm)**
- B. Mayor's Update **(6:23pm)**

V. Public Comment (6:30pm)

Kate Bennit, White Salmon Resident
 Peter Wright, White Salmon Resident
 Emily Kelly, Outside White Salmon Resident
 Doug Rainbolt, White Salmon Resident
 Jeff Brodrick, White Salmon Resident
 April Strid, White Salmon Resident
 Cindy Strid, White Salmon Resident
 Sara Trader, Outside White Salmon Resident
 Autumn Borg, Outside White Salmon Resident
 Brian Scott, Non-White Salmon Resident
 Richard Foster, Outside White Salmon Resident

VI. Consent Agenda (7:11pm)

- ~~A. Approval of Planning Consulting Services Contract – Facet NW, INC Moved to Business Item as Business Item H.~~
- B. Approval of Resolution 2025-01-616 Sole Source Provider – GC System
- C. Approval of Resolution 2025-02-617 Amending the Public Records Policy and Procedure
- D. Approval of Resolution 2025-02-618 Amending Resolution 2024-12-612 Authorizing Agent Bluff Trail Grant
- E. Approval of Resolution 2025-02-619 Amending Resolution 2024-10-601 Authorizing Agent FEMA Grant Application
- F. Approval of SS4A Safety Action Plan RTC Grant Match Contribution
- G. Approval of Meeting Minutes – January 15, 2025
- H. Approval of Vouchers
- ~~I. Approval of Interlocal Agreement with Skamania County for Land Use Planning Services at a rate of \$68.75 per hour. Approved 2025 budget for contract planning service is \$80,000. Moved to Business Item as Business Item II.~~
- ~~J. Approval of the Review and Action on proposed salary range/step for the Finance Director job description. Moved to Business Item as Business Item J.~~

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 5th day of February 2025.

Type	Date			
Claims	2/05/2025	42140	42190	102,564.79
			Claim Total	102,564.79
Payroll	1/21/2025	EFT	EFT	87,369.36
	2/05/2025	EFT	EFT	144,580.67
	2/05/2025	42139	42139	932.40
			Payroll Total	231,950.03
Manual Claims	12/16/2024	EFT	EFT	120.00
	12/26/2024	EFT	EFT	15,905.66
	12/29/2024	42120	42127	579,002.58
	1/10/2025	EFT	EFT	7,920.00
	1/10/2025	EFT	EFT	1,925.64
	1/15/2025	EFT	EFT	120.00
	1/23/2025	EFT	EFT	12,842.86
	1/23/2025	42128	42135	7,519.13
	1/31/2025	42137	42138	14,667.06
VOIDED Checks	1/23/2025	42133	42133	0.00
			Manual Claim Total	640,022.93
			Toal Vouchers	974,537.75

Council Member Patty Fink requested Consent Agenda Items A, I, and J be moved to Business Items. Moved by Ben Giant. Seconded by Jim Ransier. (7:11pm)
Motion to approve Consent Agenda with changes and vouchers in the amount of \$974,537.75. CARRIED 4-0.

VII. Business Items

A. Ordinance 2025-01-1174 Amending WSMC 3.36 Land Use Fees (7:12pm)
Presented Hilary Hahn and Alex Capron (Facet)

Public Comments: (7:32pm)

Jeff Brodrick, White Salmon Resident
 Peter Wright, White Salmon Resident

Council Discussed. (7:38pm-8:01pm)

Moved by Ben Giant. Seconded by Jim Ransier. (8:02pm)

Motion to approve Ordinance 2025-01-1174 Amending WSMC 3.36 Land Use Fees
MOTION FAILED 2-2.

The council took 10 minutes break. (8:07pm-8:17pm)

Mayor Marla Keethler requested to move Business Items B, C, D, E to February 19, 2025, council meeting.

Moved by Jim Ransier. Seconded by David Lindley (8:19pm)

Motion to move Business Items B, C, D, E to February 19, 2025, council meeting.

MOTION CARRIED 4-0.

~~B. Ordinance 2025-01-1171 Amending WSMC 17 Parking~~

Moved to February 19, 2025, Council Meeting.

B. Moved Consent Agenda Item A. Approval of Planning Consulting Services Contract – Facet NW, Inc. (8:22pm)

Discussion (8:23pm-8:32pm)

Moved by Ben Giant. Seconded by Jim Ransier. (8:33pm)

Motion to approve Planning Consulting Services Contract – Facet NW, Inc.

Council Discussion (8:33pm-8:36pm)

MOTION CARRIED 4-0.

~~C. Ordinance 2025-01-1176 Amending WSMC 17 Commercial Zoning and Conditional Use Permits~~

Moved to February 19, 2025, Council Meeting.

C. Moved Consent Agenda Item I. Approval of Interlocal Agreement with Skamania County for Land Use Planning Services at a rate of \$68.75 per hour. Approved 2025 budget for contract planning service is \$80,000. (8:37pm)

Discussion (8:37pm-8:41pm)

Moved by Jim Ransier. Seconded by David Lindley. (8:42pm)

Motion to approve Interlocal Agreement with Skamania County for Land Use Planning Services at a rate of \$68.75 per hour. Approved 2025 budget for contract planning service is \$80,000.

MOTION CARRIED 3-0 with 1 abstention.

D. Moved Consent Agenda Item J. Approval of the Review and Action on proposed salary range/step for the Finance Director job description. (8:44pm)

Council Discussion (8:45pm-8:46pm)

Moved by David Lindley. Seconded by Ben Giant. (8:47pm)

Motion to approve of the Review and Action on proposed salary range/step for the Finance Director job description.

MOTION CARRIED 3-0 with 1 abstention.

~~E.D. Ordinance 2025-01-1175 Amending WSMC 18.41 Tree Protections and 13.01.050 Stormwater Provisions.~~

1. Public Hearing Continuation **(8:49pm)** – No comments

2. Discussion and Action – Moved to February 19, 2025, Council Meeting

~~D. Ordinance 2025-02-1179 Amending WSMC Chapter 2.08 Clerk Treasurer~~

Moved to February 19, 2025, Council Meeting

E. Ordinance 2025-02-1177 Amending WSMC 13 Wastewater (8:50pm)

Presentation by Andrew Dirks

Public Comments (8:52pm-8:53pm)

Kate Bennit, White Salmon Resident

Council Discussed. (8:54pm)

Moved by Patty Fink. Seconded by Jim Ransier. (8:55pm)

Motion to Approve Ordinance 2025-02-1177 Amending WSMC 13 Wastewater

MOTION CARRIED 4-0.

F. Resolution 2025-01-604 Adopting the Greenhouse Gas Emissions Reduction Plan (8:55pm)

Presentation by Jim Ransier and Mayor Marla Keethler **(8:56pm)**

Council Discussion (9:07pm-9:26pm)

Mayor Marla Keethler requested a Workshop to be scheduled for the City Council to review Resolution 2025-01-604 Adopting the Greenhouse Gas Emissions Reduction Plan.

Comment by Barbra Hayman – City Lab member **(9:26pm)**

VIII. Reports and Communications**A. Department Head Reports (9:27pm-9:29pm)**

Interim City Administrator Paul Kock

B. Council Member and Committee Reports (9:30pm-9:36pm)

Council Member Jim Ransier

Council Member Patty Fink

Council Member David Lindley

Council Member Bed Giant

IX. Executive Session: None**X. Adjournment (9:39pm)**

File Attachments for Item:

A. Ordinance 2025-01-1171 Amending WSMC 17 Parking1. Presentation2. Public Hearing3.
Discussion and Action



COUNCIL REPORT

Business Item

Consent Agenda

Needs Legal Review:

Yes, completed

Meeting Date:

February 19, 2025

Agenda Item:

Ordinance 2024-12-1171 Amending WSMC 17 Parking

Presented By:

Michael Mehaffy, Planning Consultant

Action Required:

Review and take action on Ordinance 2024-12-1171 related to Parking requirements.

Motion for Business Item / Proposed Motion for Consent Agenda:

Motion to approve Ordinance 2024-12-1171 Amending WSMC 17 Parking requirements.

Background of Issue:

Per the White Salmon City Council adopted Housing Action Plan, administration tasked planning consultant Michael Mehaffy to revise the WSMC related to Parking requirements in all residential zones. With direction from administration, consultant Michael Mehaffy presented the provided changes to the WSMC to the Planning Commission. The planning commission made not additional changes to the revisions and recommended it be forwarded to the City Council for adoption.

Explanation of Issue:

The changes proposed in the ordinance are intended to reduce the government mandate for off-street parking, which is a significant barrier to construction of middle housing under the adopted Housing Action Plan. (It should be emphasized that property owners are still free to construct more spaces and/or larger spaces should they determine there is market demand or other need.) The proposed changes are as follows:

- 1) Reduce minimum stall size from 10' x 20' to 9' x 18', consistent with recently enacted State law;
- 2) In the R1 and R2 residential zones, add "for units with 800 square feet of living area or less, measured from exterior walls, at least one permanently maintained off-street parking space or a private garage shall be on the same lot as the dwelling, or be attached thereto or made a part of the main building" (reduced from the current two spaces required);
- 3) In 17.72.040.B, strike the redundant and no longer applicable phrase "shall not be less than two hundred square feet" (referring to stall size);
- 4) In 17.72.090 of the Off-Street Parking section, strike the "residential structures" from the table, as the information is already given in the other code sections;
- 5) In 17.73.090 of the Cottage Infill Projects section, replace "<900 s.f." with "≤800 s.f." (consistent with #2 above), and reduce the requirement of 1.5 spaces to 1 space (also consistent with #2 above); and

- 6) in 17.74.080.B.8 of the Mixed-Use Planned Unit Development section, also replace “<900 s.f.” with “≤800 s.f.” (consistent with #2 above), and reduce the requirement of 1.5 spaces to 1 space (also consistent with #2 above).

Council Options:

City Council has the following options available at this time:

1. Accept the Staff Recommendation.
2. Revise the Staff Recommendation.
3. Other action as desired by council.

Fiscal Analysis:

There are no Financial Implications

Committee Analysis:

The CityLab Committee recommended the following edits to the Parking Ordinance that are not presented in the drafted ordinance, but staff would like Council have the option to weigh in on:

- 1- Er the ERP recommendation, request consideration of a 50% parking reduction as an incentive for installing an EV Charging Station.
- 2- Recommendation to increase the square footage for 1 parking space from 800 sqft to 1200 sqft.
- 3- Recommendation to only implement parking requirements on a new dwelling structure when adding to an existing single-family property.

Recommendation of Staff/Committee:

Staff recommends that City Council adopt the ordinance as written, since it is a necessary step in the implementation of the Housing Action Plan and better alignment with recently enacted State laws reducing off-street parking mandates.

**CITY OF WHITE SALMON
ORDINANCE NO. 2024-12-1171**

AN ORDINANCE OF THE CITY OF WHITE SALMON, WASHINGTON, AMENDING TITLE 17 BY REVISING CHAPTERS 17.23, 17.24, 17.28, 17.48, 17.72, 17.73, AND 17.74 TO UPDATE THEIR ZONING PROVISIONS RELATED TO PARKING, INCLUDING SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the City of White Salmon (“City”) acknowledges the need to update its residential zoning regulations to better reflect the current needs of citizens, and the demand for more diverse and affordable housing; and

WHEREAS, the City recognizes the role of higher off-street parking standards in contributing to housing unaffordability and lack of equitable access for all citizens; and

WHEREAS, the City recognizes the benefits of reduced parking surfaces in meeting climate goals, reducing urban heating, improving water quality, and improving public health and well-being; and

WHEREAS, the City recognizes that market trends and professional standards have shifted toward the reduction of off-street parking mandates, combined with parking demand management strategies; and

WHEREAS, the City has conducted extensive public outreach and gathered extensive public comments 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, Chapters 17.08, 17.23, 17.24, 17.28, 17.32, 17.36, 17.40, 17.48, 17.50, 17.64, 17.68, and 17.72. The City hereby repeals WSMC Title 17 Chapters 17.08.290, 17.23, 17.24, 17.28, 17.32, 17.36, 17.40, 17.48, 17.50, 17.64, and 17.68, in their entirety, and adopts the following to be codified as WSMC Title 17 Chapters 17.08.290, 17.23, 17.24, 17.28, 17.32, 17.36, 17.40, 17.48, 17.50, 17.64, 17.68, 17.72, and 17.79:

- Key:** Underlined = added language (First revision)
- ~~Strikethrough~~ = deleted language (First revision)
- Underlined = added language (Second revision)
- ~~Strikethrough~~ = deleted language (Second revision)

Chapter 17.23 RL SINGLE-FAMILY LARGE LOT RESIDENTIAL DISTRICT

17.23.010 Principal uses permitted outright.

Principal uses permitted outright in the RL district include:

- A. One single-family detached dwelling structure per lot, including manufactured homes, but excluding mobile homes;
- B. Hobby-type gardening and horticultural activities and related structures are permitted, provided they shall be solely for noncommercial purposes.

17.23.020 Accessory uses.

Accessory uses permitted in the RL district include:

- A. Uses customarily incidental to a principal use permitted outright, such as private garages, or parking areas for commercial vehicles, but not including any vehicles of over twelve thousand pounds gross weight;
- B. Home occupations; see Section 17.08.230;
- C. Non-flashing residential nameplates not exceeding two square feet, bearing only the name and address of the occupant; non-flashing bulletin boards or signs not exceeding sixteen square feet for quasi-public institutional buildings;
- D. Up to two accessory dwelling units; subject to Chapter 17.64.
- E. Outdoor parking of fully licensed and operable motor vehicles equal to the number of licensed drivers plus two per household.
- [F.] Other accessory uses may be authorized by the board of adjustment in this district are those customarily incidental to permitted and conditional uses allowed.

17.23.025 Prohibited uses.

- A. Outside storage of wrecked, dismantled or partially dismantled, inoperable, or unlicensed (vehicle licensing plates and current tabs) and uninsured vehicles.
- B. Use of mobile homes, trailers, motor homes or campers.
- C. Parking or storage of industrial or agriculture vehicles and equipment on lots.
- D. Outside collections of automobile, truck or other motor vehicle parts or paints, fuels, and lubricants.
- E. Outside accumulations of garbage, trash, household goods, yard trimmings, or other materials which create a public nuisance or fire hazard.
- F. On premise storage of flammable, toxic, corrosive, or explosive chemicals, gases, or materials other than reasonable amounts of normal household paints, cleaners, solvents, fuels.

17.23.030 Conditional use.

See Section 17.40.010.

17.23.035 Property development standards.

A. Dwelling standards:

1. A single-family residential dwelling shall have a minimum floor area of four hundred square feet, as measured from interior wall to interior wall, excluding porches, carports, garages, and basement or other rooms used exclusively for the storage or housing of mechanical or central heating equipment.
2. All single-family dwellings shall be placed on permanent foundations.
3. No more than twenty-five percent of the ground floor may be less than fourteen feet from exterior wall to exterior wall in width at the narrowest point.
 - a. Any street-facing portion of the structure shall be no narrower than fourteen feet in width. Residences on corner lots shall have all elevations facing a street considered street-facing.
 - b. Architectural features, including, but not limited to entryways, porches, bay windows, offset facades, offset elevations, and the like, may be part of street-facing portions of structures and may be narrower than fourteen feet in width as long as the overall face of that side of the residence is not narrower than fourteen feet.
 - c. The narrowest portion of a residence designed for living space shall not be less than six feet in width. Architectural features, such as unenclosed porches, bay windows, offset facades, offset elevations and the like, may be narrower than six feet in width.
 - d. For structures that are two stories or more stories in height and are built on a slope and more than one floor touches the ground, all floors touching the ground shall be considered ground floors.
4. All manufactured homes must be new on the date of installation and comply with applicable siting standards in Section 17.68.130 - Manufactured home siting standards.
5. Maximum building height shall not exceed twenty-eight feet.
6. No business signs shall be erected or displayed on residential lots or adjacent street right-of-way buffer strips, except as provided in Sign Ordinance, Chapter 15.12 of this code.
7. No contour or existing topography shall be substantially altered by fill, excavation, channeling, or other device that would cause flooding, inundation, siltation, or erosion by stormwater on adjoining lots, open spaces, or rights-of-way.

B. Accessory use, accessory buildings and garages.

1. Any plumbing and/or sewer facilities in any accessory building or garage shall be subject to International Building Code requirements and limited to the exclusive private use of the residents of the principal building.
2. Sewer stub-out facilities shall not be provided in or adjacent to any garage or accessory building for use within that building with the exception of an approved accessory dwelling unit.
3. Garages and all accessory buildings used as studios, workshops or for home occupations shall conform to International Building Code requirements and to the setback requirements for principal buildings except that such structures may be located up to three feet from the rear lot line if the rear lot line abuts a dedicated alleyway of at least fifteen feet in width.

C. Fences.

1. Fence heights shall not exceed six feet along rear or side lot lines.
2. Fence heights shall not exceed five feet along front lot lines.

- 3. On corner lots the fence height along the side yard adjacent to the street shall not exceed four feet for the first twenty-five feet from the lot corner to ensure adequate view clearance per Section 17.68.090.
- 4. Fences shall not be constructed or kept in any manner which could constitute a safety hazard to the person or property of adjoining landowners or to the general public.

17.23.040 Density provisions.

Density provisions for the RL district are as follows:

- A. Maximum number of primary dwelling structures per lot: one;
- B. Minimum area of lot: eleven thousand square feet;
- C. Maximum depth of lot: two hundred feet; alternate lot depth may be approved for lots with future street plan and shadow platting demonstrating potential access for future further division of proposed large lot division.
- D. Minimum width of lot: fifty feet; alternate lot width may be approved for lots with future street plan and shadow platting demonstrating potential access for future further division of proposed large lot division.
- E. Minimum front yard depth: twenty feet;
- F. Minimum side yard width: five feet;
- G. Minimum side yard width along flanking street of corner lot: fifteen feet;
- H. Minimum rear yard required: fifteen feet.

NOTE: Accessory structures are allowed within rear yards subject to five-foot setback from rear lot lines.

17.23.050 Off-street parking space.

In the RL district, at least two permanently maintained off-street parking spaces or a private garage shall be on the same lot as the dwelling, or be attached thereto or made a part of the main building. Each parking space shall be not less than ~~ten~~ **nine** feet wide and ~~twenty~~ **eighteen** feet long. The size of the garage shall not exceed the size of the dwelling.

17.23.060 Utility requirements.

In the RL district, all new structures shall be serviced by underground utilities.

Chapter 17.24 R1 SINGLE-FAMILY RESIDENTIAL DISTRICT

17.24.010 Principal uses permitted outright.

Principal uses permitted outright in the R1 district include:

- A. One single-family detached dwelling structure per lot, including manufactured homes, but excluding mobile homes;
- B. Hobby-type gardening and horticultural activities and related structures are permitted, provided they shall be solely for noncommercial purposes.

17.24.020 Accessory uses.

Accessory uses permitted in the R1 district include:

- A. Uses customarily incidental to a principal use permitted outright, such as private garages, or parking areas for commercial vehicles, but not including any vehicles of over twelve thousand pounds gross weight;
- B. Home occupations; see Section 17.08.230.
- C. Non-flashing residential nameplates not exceeding two square feet, bearing only the name and address of the occupant; non-flashing bulletin boards or signs not exceeding sixteen square feet for quasi-public institutional buildings;
- D. Up to two accessory dwelling units, subject to Chapter 17.64; operable motor vehicles equal to the number of licensed drivers plus two per household, provided that no boat or RV with an overall length of more than thirty feet shall be stored or parked in the R1 zone without special permission from the city to do so.
- E. Other accessory uses may be authorized by the board of adjustment in this district are those customarily incidental to permitted and conditional uses allowed.

17.24.025 Prohibited uses.

- A. Outside storage of wrecked, dismantled or partially dismantled, inoperable, or unlicensed (vehicle licensing plates and current tabs) and uninsured vehicles.
- B. Use of mobile homes, trailers, motor homes or campers.
- C. Parking or storage of industrial or agriculture vehicles and equipment on lots.
- D. Outside collections of automobile, truck or other motor vehicle parts or paints, fuels, and lubricants.
- E. Outside accumulations of garbage, trash, household goods, yard trimmings, or other materials which create a public nuisance or fire hazard.
- F. On premise storage of flammable, toxic, corrosive, or explosive chemicals, gases, or materials other than reasonable amounts of normal household paints, cleaners, solvents, fuels.

17.24.030 Conditional use.

See Section 17.40.010. ;

17.24.035 Property development standards.

- A. Dwelling standards:
 - 1. A primary (not accessory) single-family residential dwelling shall have a minimum floor area of four hundred square feet, as measured from interior wall to interior wall, excluding porches, carports, garages, and basement or other rooms used exclusively for the storage or housing of mechanical or central heating equipment.
 - 2. All single-family dwellings shall be placed on permanent foundations.
 - 3. No more than twenty-five percent of the ground floor may be less than fourteen feet from exterior wall to exterior wall in width at the narrowest point.

- a. Any street-facing portion of the structure shall be no narrower than fourteen feet in width. Residences on corner lots shall have all elevations facing a street considered street-facing.
 - b. Architectural features, including, but not limited to entryways, porches, bay windows, offset facades, offset elevations, and the like, may be part of street-facing portions of structures and may be narrower than fourteen feet in width as long as the overall face of that side of the residence is not narrower than fourteen feet.
 - c. The narrowest portion of a residence designed for living space shall not be less than six feet in width. Architectural features, such as unenclosed porches, bay windows, offset facades, offset elevations and the like, may be narrower than six feet in width.
 - d. For structures that are two stories or more stories in height and are built on a slope and more than one floor touches the ground, all floors touching the ground shall be considered ground floors.
- 4. All manufactured homes must be new on the date of installation and comply with applicable siting standards in Section 17.68.130
 - 5. Maximum building height shall not exceed twenty-eight feet in single-family residential zones.
 - 6. No business signs shall be erected or displayed on residential lots or adjacent street right-of-way buffer strips, except as provided in Sign Ordinance, Chapter 15.12 of this code.
 - 7. No contour or existing topography shall be substantially altered by fill, excavation, channeling, or other device that would cause flooding, inundation, siltation, or erosion by stormwater on adjoining lots, open spaces, or rights-of-way.
- B. Accessory use, accessory buildings, and garages.
- 1. Any plumbing and/or sewer facilities in any accessory building or garage shall be subject to International Building Code requirements and limited to the exclusive private use of the residents of the principal building.
 - 2. Sewer stub-out facilities shall not be provided in or adjacent to any garage or accessory building for use within that building with the exception of approved accessory dwelling units.
 - 3. Garages and all accessory buildings used as studios, workshops or for home occupations shall conform to International Building Code requirements and to the setback requirements for principal buildings except that such structures may be located up to three feet from the rear lot line if the rear lot line abuts a dedicated alleyway of at least fifteen feet in width.
- C. Fences.
- 1. Fence heights shall not exceed six feet along rear or side lot lines.
 - 2. Fence heights shall not exceed five feet along front lot lines.
 - 3. On corner lots the fence height along the side yard adjacent to the street shall not exceed four feet for the first twenty-five feet from the lot corner to ensure adequate view clearance per Section 17.68.090.
 - 4. Fences shall not be constructed or kept in any manner which could constitute a safety hazard to the person or property of adjoining landowners or to the general public.

17.24.040 Density provisions.

Density provisions for the R1 district are as follows:

- A. Maximum number of primary dwelling structures per lot: one;
- B. Maximum height of building: not to exceed twenty-eight feet;

- C. Minimum area of lot: three thousand square feet for each single-family structure;
- D. Minimum depth of lot: fifty feet;
- E. Minimum width of lot: thirty feet for each single-family structure.
- F. Maximum percentage of lot coverage: seventy-five percent;
- G. Minimum front yard depth: twelve feet, except that porches, stoops or other transitional structures may encroach up to eight feet into this frontage zone;
- H. Minimum side yard width: five feet.
- I. Minimum side yard width along flanking street of corner lot: ten feet;
- J. Minimum rear yard required: ten feet.

NOTE: accessory structures are allowed within rear yards and subject to five-foot setback from rear lot lines, and also subject to development standards in this zone. If the rear lot line is on an alley, a three-foot setback is required.

17.24.050 Off-street parking space.

In the R1 district, **for units with greater than 800 square feet of living area, measured from exterior walls,** at least two permanently maintained off-street parking spaces or a private garage shall be on the same lot as the dwelling, or be attached thereto or made a part of the main building. **For units with 800 square feet of living area or less, measured from exterior walls, at least one permanently maintained off-street parking space or a private garage shall be on the same lot as the dwelling, or be attached thereto or made a part of the main building.** Each parking space shall be not less than ~~ten nine~~ feet wide and ~~twenty eighteen~~ feet long. The size of the garage shall not exceed the size of the dwelling.

Assigned parking in remote lots, including lots under the same ownership as the dwelling(s), or joint use parking under binding agreement, may be substituted if they are within two hundred feet of the subject property.

17.24.060 Utility requirements.

In the R1 district, all new structures shall be serviced by underground utilities.

Chapter 17.28 R2 MULTIPLEX RESIDENTIAL DISTRICT

17.28.010 Principal uses permitted outright.

Principal uses permitted outright in the R2 district include:

- A. Principal uses permitted outright in residential district R1.

17.28.020 Accessory uses.

Accessory uses in the R2 district include:

- A. Uses customarily incidental to private uses permitted outright, such as private garages or parking areas for non-commercial vehicles only, but not including any business, trade or industry;
- B. Home occupations; see Section 17.08.230;

- C. Non-flashing residential nameplates not exceeding two square feet, bearing only the name and address of the occupant; non-flashing bulletin boards or signs not exceeding sixteen square feet for quasi-public institutional buildings;
- D. Up to two accessory dwelling units; subject to Chapter 17.64;
- E. Outdoor parking of fully licensed and operable motor vehicles equal to the number of licensed drivers plus two per household, provided that no boat or RV with an overall length of more than thirty feet shall be stored or parked in the R2 zone without special permission from the city to do so.
- [F.] Other accessory uses may be authorized by city council; those customarily incidental to permitted and conditional uses allowed.

17.28.025 Reserved.

17.28.030 Conditional uses.

See Section 17.40.010.

17.28.032 Prohibited uses.

- A. Outside storage of wrecked, dismantled or partially dismantled, inoperable, or unlicensed (vehicle licensing plates and current tabs) and uninsured vehicles.
- B. Use of mobile homes, trailers, motor homes or campers.
- C. Parking or storage of industrial or agriculture vehicles and equipment on lots.
- D. Outside collections of automobile, truck or other motor vehicle parts or paints, fuels, and lubricants.
- E. Outside accumulations of garbage, trash, household goods, yard trimmings, or other materials which create a public nuisance or fire hazard.
- F. On premise storage of flammable, toxic, corrosive, or explosive chemicals, gases, or materials other than reasonable amounts of normal household paints, cleaners, solvents, fuels.

17.28.034 Property development standards.

- A. Dwelling standards:
 - 1. A primary (not accessory) single-family residential dwelling shall have a minimum floor area of four hundred square feet excluding porches, carports, garages, and basement or other rooms used exclusively for the storage or housing of mechanical or central heating equipment.
 - 2. All primary (not accessory) single-family dwellings shall be placed on permanent foundations.
 - 3. No more than twenty-five percent of the ground floor may be less than fourteen feet from exterior wall to exterior wall in width at the narrowest point.
 - a. Any street-facing portion of the structure shall be no narrower than fourteen feet in width. Residences on corner lots shall have all elevations facing a street considered street-facing.
 - b. Architectural features, including, but not limited to entryways, porches, bay windows, offset facades, offset elevations, and the like, may be part of street-facing portions of structures and may be narrower than fourteen feet in width as long as the overall face of that side of the residence is not narrower than fourteen feet.

- c. The narrowest portion of a residence designed for living space shall not be less than six feet in width. Architectural features, such as unenclosed porches, bay windows, offset facades, offset elevations and the like, may be narrower than six feet in width.
 - d. For structures that are two stories or more stories in height and are built on a slope and more than one floor touches the ground, all floors touching the ground shall be considered ground floors.
 - 4. Maximum building height shall not exceed twenty-eight feet.
 - 5. No business signs shall be erected or displayed on residential lots or adjacent street right-of-way buffer strips, except as provided in Sign Ordinance, Chapter 15.12 of this code.
 - 6. No contour or existing topography shall be substantially altered by fill, excavation, channeling or other device that would cause flooding, inundation, siltation, or erosion by stormwater on adjoining lots, open spaces, or rights-of-way.
- B. Accessory use, accessory buildings and garages.
 - 1. Any plumbing and/or sewer facilities in any accessory building or garage shall be subject to International Building Code requirements and limited to the exclusive private use of the residents of the principal building.
 - 2. Sewer stub-out facilities shall not be provided in or adjacent to any garage or accessory building for use within that building unless the building contains an approved ADU, where it is allowed.
 - 3. Garages and all accessory buildings used as studios, workshops or for home occupations shall conform to International Building Code requirements and to the setback requirements for principal buildings except that such structures may be located up to five feet from the rear lot line if the rear lot line abuts a dedicated alleyway of at least fifteen feet in width.
- C. Fences.
 - 1. Fence heights shall not exceed six feet along rear or side lot lines.
 - 2. Fence heights shall not exceed five feet along front lot lines.
 - 3. On corner lots the fence height along the side yard adjacent to the street shall not exceed four feet for the first twenty-five feet from the lot corner to ensure adequate view clearance per Section 17.68.090.
 - 4. Fences shall not be constructed or kept in any manner which could constitute a safety hazard to the person or property of adjoining landowners or to the general public.

17.28.040 Density provisions.

Density provisions for the R2 district are as follows:

- A. Maximum number of primary dwelling structures per lot: four;
- B. Minimum area of lot: three thousand square feet for each single-family structure or up to four rowhomes, duplexes or multiplexes on the same lot; four thousand feet for duplexes on separate lots; and eight hundred square feet for rowhomes on separate lots;
- C. Minimum depth of lot: fifty feet;
- D. Minimum width of lot: thirty feet for each single-family structure or up to four rowhomes or multiplex units on the same lot; and twelve feet for duplexes or rowhomes on separate lots;
- E. Maximum percentage of lot coverage: seventy-five percent;
- F. Minimum front yard depth: twelve feet, except that porches, stoops or other transitional structures may encroach up to 8 feet into this frontage zone;

- G. Minimum side yard width: Five feet, or zero feet for approved rowhomes;
- H. Minimum side yard width along flanking street of corner lot: ten feet;
- I. Minimum rear yard required: ten feet.

NOTE: accessory structures are allowed within rear yards and subject to five-foot setback from rear lot lines, and also subject to development standards in this zone. If the rear lot line is on an alley, a three-foot setback is required.

17.28.050 Off-street parking space.

In the R2 district, for units with greater than 800 square feet of living area, measured from exterior walls, at least two permanently maintained off-street parking spaces or a private garage shall be on the same lot as the dwelling, or be attached thereto or made a part of the main building. For units with 800 square feet of living area or less, measured from exterior walls, at least one permanently maintained off-street parking space or a private garage shall be on the same lot as the dwelling, or be attached thereto or made a part of the main building. Each parking space shall not be less than ~~ten~~ nine feet wide and ~~twenty~~ eighteen feet long. The size of the garage is not to exceed the size of the dwelling. Assigned parking in remote lots, including approved joint use parking under binding agreements, may be substituted if they are within 200 feet of the subject property.

17.28.060 Utility requirements.

In the R2 district, all new structures shall be serviced by underground utilities.

Chapter 17.48 C GENERAL COMMERCIAL DISTRICTS¹

17.48.010 Purpose—Use restrictions generally.

In the C district, it is intended that structures, premises and facilities would provide a mix of uses including major shopping, business facilities and civic uses serving an urban and/or agricultural area of sufficient population to support the facilities provided.

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, upholstery, 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. Other commercial uses determined to be similar to the above uses may be permitted, subject to approval of the planning commission.

17.48.030 Conditional uses.

Uses which may be authorized subject to conditional use permit review by the planning commission or where otherwise delegated to the planning administrator within subject sections in a C district are intended to provide for compatible manufacturing, light industrial, residential, and storage uses especially in conjunction with retail use. Uses possible to permit conditionally include:

- A. Light manufacturing, repair, and storage - Including equipment repair, and machine shop uses such as:
 - 1. Assembly, fabrication and distribution of metal products, electrical appliances, electronic instruments and devices;
 - 2. Research and development including testing sites for instruments and devices developed for proprietary use or sale;
 - 3. Repair, reconditioning, or rebuilding of fleet vehicles, farm equipment, heavy commercial equipment;
 - 4. Wholesale distribution of fuel or foodstuffs including: heating oil or natural gas, brewery, distillery, winery, cereal mill;
 - 5. Equipment storage of contractors' or loggers' equipment and truck storage yard, plant, repair, rental; storage of materials and parking of vehicles integral to the principal uses permitted outright; storage and parking; contained within an enclosed building or screened in a manner to avoid conflicts with surrounding permitted uses.
 - 6. Other storage conducted within an enclosed building or otherwise screened and shielded in a manner to achieve compatibility with surrounding uses.
- B. Small animal hospitals, veterinary facilities or offices.
- C. Short-term rentals pursuant to the standards of WSMC Ch. 5.02 and WSMC Ch. 17.57.
- D. Any other uses judged by the planning commission to be no more detrimental to adjacent properties than, and of the same type and character as, the above-listed uses.

In addition to conditions applied in response to conditional use permit criteria; clear and objective design standards listed in the commercial zone will be applied and included as conditions of approval when necessary to achieve compatibility with existing and permitted uses in the area.

17.48.040 Accessory uses.

Accessory uses permitted outright in a C district are as follows:

- A. Uses and structures customarily incidental to principal uses permitted outright;

- B. Signs as permitted by the Sign Ordinance, Chapter 15.12 of this code;
- C. Commercial parking lots for private passenger vehicles only.

17.48.060 Density provisions.

Density provisions for the C district are as follows:

- A. Maximum building height: thirty-five feet;
- B. Minimum lot: none;
- C. Minimum front yard depth: none required;
- D. Minimum side yard, interior lot: none required;
- E. Minimum side yard, corner lot: none required;
- F. Minimum side yard, zone transition lot: same as requirement of adjoining more-restrictive district;
- G. Minimum rear yard: none; except when abutting an R district, twenty feet.

17.48.070 Prohibited uses.

- A. Industrial and manufacturing uses or services unless limited in nature and permitted in accordance with uses listed above.
- B. Warehouses and storage facilities unless limited in nature and permitted in accordance with uses listed above.
- C. Junk and salvage yards, automobile or truck wrecking yards.
- D. Open storage areas.
- E. Any business, service, repair, processing or storage not conducted wholly within an enclosed building, except for open-air markets, pop-up shops, food trucks, off-street parking, off-street loading, automobile service stations and limited outside seating for restaurants and cafes.
- F. Processes and equipment and goods processed or sold determined to be objectionable by reason of odor, dust, smoke, cinders, gas, noise, vibration, refuse matter, water-carried waste, or not in compliance with the fire code.

17.48.075 Development and design standards.

- A. Property development standards—All new development shall conform to Chapter 17.81, Site and Building Plan Review, and to any and all architectural and design standards which may be adopted by the city.
- B. Roof standards/surfacing:
 - 1. Finished roof material shall meet Class "C" roof standards. Dark and non-reflective roofing material shall be used for all visible roof surfaces.
- C. Roof standards/mechanical equipment and venting:
 - 1. All mechanical equipment located on roof surfaces such as, but not limited to, air conditioners, heat pumps, fans, ventilator shafts, duct work, or related devices or support work, shall be screened from view when possible and visible equipment shall be of a matte and/or non-reflective finish, unless reviewed and determined by the planning commission to be compatible with or a positive addition to the design and character of the commercial area. This restriction shall not apply to radio/television antennas or dishes (see Chapter 17.78).

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- 2. All exposed metal flashing, roof jacks and plumbing vents shall be matte finishes/non-reflective.
 - D. Drainage—All stormwater concentrated by the structure and related impervious surfaces must be handled on site. Concentration of roof drainage shall not be shed by drip or overflow at points that cross pedestrian walkways or paths. A plan of the roof and surface drainage shall insure that pedestrian walkways and paths remain free from concentrated water shedding. Such plans shall be included in the proposed site drainage plan required for site and building plan review in Chapter 17.81.
 - E. Exterior walls/siding—Acceptable siding shall be of lap, plank, shingle, board and batten style. Siding with brushed, sanded or rough sawn texture may be permitted, if approved by the planning commission. Siding shall be finished in natural or earth-tone colors. Other colors or styles may be permitted if approved by the planning commission. All other composition materials shall be carefully reviewed for visual compatibility by the planning commission.
 - F. Exterior walls/masonry—Masonry walls or walls with masonry veneer may be native or cultured stone or standard-sized brick of natural or earth-tone colors. Ceramic tile, manufactured concrete block or slabs may be permitted, but shall be subject to review by the planning commission to insure use of earth-tone colors, matte finish, and compatible relationship to native materials.
 - G. Exterior walls/metal—Metal walls, panels, partitions, facing or surfacing of any type is subject to review by the planning commission and must be found to be compatibly designed and intentionally applied rather than relied on solely as a less expensive option. Window panel fillers, exterior metal doors, door casings and windows shall be allowed.
 - H. Windows and doors—All window and door frames shall be dark or earth-tone in color. Doors may be painted graphic colors as a part of the ten percent graphic color and signing limitation.
 - I. Garbage and refuse areas—Building plans shall include provisions for the storage of garbage containers. Garbage containers shall be fully enclosed and covered. Disposal and storage of hazardous or toxic substances in garbage or refuse receptacles is strictly prohibited. On-site hazardous waste treatment and storage facilities shall conform to State Siting Criteria, RCW 70.105.210.
 - J. Orientation of entry and display space—Entry and window display area shall be oriented toward the city street. Parking may and will often be provided behind and/or under the rear or side portion of a new commercial structure. In this case additional entry may be oriented toward the parking area but such additional entry area will be in addition to rather than in place of window display and entry area addressing the street and sidewalk.
 - K. Utilities—All electrical, telephone, and other utilities shall be brought underground into the site and to the buildings.
 - L. Loading—All loading must be on-site and no on-street loading is permitted. All truck loading aprons and other loading areas shall be paved with concrete or asphalt, be well-drained and of strength adequate for the truck traffic expected.
 - M. Parking—All vehicles must be parked on the site unless otherwise provided for in accordance with [Chapter] 17.72. No on-street parking is permitted. Minimum parking stall width should be eight feet, six inches and length ~~nineteen~~ **eighteen** feet. feet. All parking areas shall be paved with concrete or asphalt and shall conform to all regulations hereinafter in effect.
 - N. Outside storage—All storage and refuse shall be visually screened by landscaping barriers, walls or coverings and be included in plans and specifications. Such barriers, walls or coverings shall not restrict access to emergency exits.
 - O. Noxious effects:
 - 1. No vibration other than that caused by highway vehicles or trains shall be permitted which is discernible at the property line of the use concerned.

2. Except for exterior lighting, operations producing heat or glare shall be conducted entirely within an enclosed building. Exterior lighting shall be directed away from adjacent properties.
3. All materials, including wastes, shall be stored and all grounds shall be maintained in a manner which will not attract or aid the propagation of insects or rodents or create a hazard.

17.48.080 Off-street parking space.

In the C district, minimum off-street parking for commercial uses shall be provided as specified in Chapter 17.72. Section 17.72.060 exempts some existing structures from being required to meet off street parking standards and limits the instances in which expanded building areas are required to meet a parking standard. Allowances for parking to be located walking distance from a new structure and joint use of spaces per Section 17.72.070 may also be authorized when determined by the planning commission or city administrator to provide appropriate flexibility in the application of parking requirements in the core downtown area. (Jewett commercial street front.)

For residential uses in the C district, one space is required per unit, and one-half space per ADU, with a minimum of one space provided. Assigned parking in remote lots, including lots under the same ownership as the dwelling(s), or joint use parking under binding agreement, may be substituted if they are within two hundred feet of the subject property.

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.

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.

17.72.030 New uses—Minimum requirements.

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

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.

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 two hundred feet of the subject property, and a binding agreement is furnished to the city for review and approval under 17.72.070.

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.

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.

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.
- 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.

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
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

Chapter 17.73 COTTAGE INFILL PROJECTS

17.73.010 Location and purpose.

The cottage housing overlay shall be applicable in R-2 and R-3 zoning districts only. The general purposes of the cottage housing development design standards are as follows:

- A. A cottage housing development is provided for as an alternative type of detached housing comprised of small residences suited to accommodate a typical household of one or two individuals. Cottage housing is provided as part of the city's overall housing strategy which intends to encourage affordability, innovation and variety in housing design and site development while ensuring compatibility with existing neighborhoods, and to promote a variety of housing choices to meet the needs of a population diverse in age, income, household composition and individual needs.
- B. The cottage housing development design standards contained in this section are intended to create a permit path for small communities of cottage infill development where it can be oriented around open space in a manner that minimizes the visibility of off-street parking. These design standards are intended to ensure that cottage housing developments include pedestrian amenities and take advantage of existing natural features on the site including topography and vegetation. These same standards are intended to provide for traditional cottage amenities and to regulate proportions in order to ensure that cottage housing developments contribute to the overall community character.
- C. Cottage housing may allow higher residential density than is normally allowed in the underlying zone district. This increased density is possible through the use of smaller than average home sizes, clustered parking, and the application of overall site design standards applied via approval of a binding site plan that governs the long term use of master planned lots and structures as ownership may shift over time.
- D. Cottage housing developments are subject to special site plan review and conditional use permit approval criteria in addition to the special standards contained in this section.
- E. All cottage housing developments are subject to current city stormwater standards and shall incorporate stormwater low impact development techniques whenever possible.

17.73.020 Density and lot area.

Zoning District	R-2	R-3
Maximum Cottage Density	1 cottage dwelling unit per 3,500 sf	1 cottage dwelling unit per 3,000 s.f.
Minimum number of cottages per cottage housing development	4	4
Maximum number of cottages per cottage housing development	10	12
Minimum size cottage infill site	21,000 sf (approx ½ acre)	14,000 sf (approx ⅓ acre)

NOTE:
 All density calculations shall follow procedure for computing net density from Section 17.74.040 MU-PUD permitted density computation. Every unit must be allotted a minimum of eight hundred square feet to accommodate the residential unit (private open space, storage).

17.73.025 Existing nonconforming structures and accessory dwelling units.

- A. On a lot to be used for a cottage housing development, an existing detached single-family residential structure, which may be nonconforming with respect to the standards of this chapter, shall be permitted to remain, but the extent of the nonconformity may not be increased. Such nonconforming dwelling units shall be included in the maximum permitted cottage density.

Nonconforming dwelling units may be modified to be more consistent with this chapter. For example, roof pitches may be increased consistent with the provisions of this chapter, but the building ground floor or total floor area may not be increased greater than permitted by WSMC 17.73.030.

- B. Accessory dwelling units (ADUs) must be permitted and approved as a part of the binding site plan covering the entire development in order to be allowed in a cottage housing developments. All residential units in a cottage housing development, including accessory dwelling units, count toward the maximum permitted density. An attached or detached ADU located on the same lot as a primary single-family structure may be counted as a cottage unit if the property is developed subject to the provisions of this chapter.

17.73.030 Unit size.

- A. Floor Area Allowances. To ensure that the overall size, including bulk and mass of cottage structures and cottage housing developments remain smaller and create less visual and physical impact than standard sized single-family dwellings that are required to be located on larger lots, the following floor area limitations shall apply to cottage housing. Two types of housing development are provided for to allow for a mixture of building sizes and footprints, while anticipating and addressing the varied impacts from each housing type.

	Total Floor Area (square feet)	Ground Floor Area (square feet)	Upper Floor Area (square feet)	Garage Floor Area
Small	<900	400—800	60% of ground floor	Included in ground floor if attached
Large	>900 <1,400	600—900	60% of ground floor	Included in ground floor if attached

Floor area is measured to the outside wall on the ground floor including the stairs (building footprint). Floor area includes all upper floor area with a ceiling height of six feet or more not including the stairs which are counted as part of the ground floor.

Some units may be allowed to exceed the upper floor area ratio if the average of the upper floor areas for all cottages in a cluster does not exceed sixty percent of the ground floor areas in the cluster. Approval of this variation in the standard is not subject to variance criteria and does require a finding that the variation of the standard provides for design flexibility that improves the appearance of and spatial relationships between structures in the cottage cluster.

- B. A notice to the title of each unit shall prohibit any increase in the total floor area of any cottage or addition of accessory structures within the development unless the entire binding site plan is amended. Such notice shall be recorded with the Klickitat County Assessor's Office.

17.73.040 Lot coverage.

Lot coverage is limited to no more than forty-five percent impervious surface area. Impervious surfaces include driveways, building footprints, sidewalks, paved parking, compact gravel, and other surfaces that do not allow rain to percolate into the soil. NOTE: un-compacted gravel surfaces or pervious pavers may be demonstrated to be partially pervious using a professionally accepted methodology. If this calculation is prepared by the applicant's engineer and approved by the city public works director, the graveled or permeable paved surface shall be counted in the lot coverage figure in accordance with its relative permeability. e.g., If a graveled path is demonstrated to be fifteen percent permeable then eighty-five percent of the graveled path area would be counted in the impervious surface calculation. The purpose of this requirement is to help insure that surface and stormwater are contained on site.

Stormwater low impact development techniques that encourage the natural treatment and infiltration of stormwater to mimic pre-development site conditions shall also be employed. Examples of low impact development techniques include directing stormwater to landscape areas with amended soils or into improved drainage areas under porches or eaves, green or living roofs, the use of pervious pavers, and retention of existing mature trees. Aggressive employment of stormwater low impact development techniques may allow for additional lot coverage if an applicant develops a project design that demonstrates the ability to handle surface and stormwater in common areas without limiting the community or public benefits of the established common areas. Private areas may also be relied on for stormwater infiltration if determined to be adequately protected by easement to ensure the continued availability of these areas as infiltration areas.

An on-site stormwater analysis shall be performed by a qualified, Washington licensed professional engineer, considering at a minimum a twenty-five year storm event of fifteen minutes duration. The stormwater control plan shall be approved by the director of public works and shall provide for the onsite collection, containment and release of stormwater such that it will not have a deleterious impact to other properties, public or private. All improvements shall be inspected by the public works director prior to completion. the applicant's licensed engineer shall provide a minimum of two sets of infrastructure 'as built' drawings and confirm that all stormwater infrastructure was constructed as per approved design.

17.73.050 Open space.

- A. Common open space. Common open space is intended to provide a centrally located area that can be developed and maintained so it is usable for active and passive recreation. Unless the shape or topography of the site precludes the ability to locate units adjacent to common open space, the following requirements shall be met:
 1. There shall be a minimum of four hundred square feet of common open space provided for each unit.
 2. Common open space shall abut at least fifty percent of the cottages in a cottage housing development.
 3. Common open space shall have cottages abutting on at least two sides, and be easily accessible to all dwellings within the development.
 4. Common open space shall not include portions of private yards, and shall be jointly owned by all residents.
 5. The common open space shall be outside of wetlands, streams and sensitive area buffers, and shall be on slopes of twelve percent or less.

- 6. Landscaping located in common open space shall be designed to allow for easy access and use of the space by all residents, and to facilitate maintenance needs. Where feasible; existing mature trees should be retained.
- B. Private open space. Private open space is intended to provide private areas around the individual cottages and to enable diversity in landscape design. Private open space shall be subject to the following requirements:
 - 1. There shall be a minimum of three hundred square feet of contiguous, usable private open space provided adjacent to each unit for the exclusive use of the cottage resident.
 - 2. The main entry of the cottages shall be oriented toward the common open space as much as possible.

17.73.060 Building separation.

All units shall maintain ten feet of separation between vertical exterior walls, except that eaves and architectural projections such as balconies may encroach up to a maximum of eighteen inches.

17.73.070 Setbacks.

The emphasis of cottage development is to provide for development that focuses on and benefits from useful common areas. For this reason peripheral set backs (generally the side and rear yard areas) may be minimized to allow for a more useful yard area (generally the front yard) oriented to benefit from common area, open space and facilities.

- A. Cottage dwellings and their accessory structures must meet setbacks or yard requirements for single family detached development in the zone in which they are located with respect to the outside perimeter of the planned cottage development.
- B. Setback averaging may be used to meet the front or rear yard setback from the outer perimeter of the planned cottage development but front and rear yard setbacks shall not be less than ten feet from the outer perimeter of the cottage development.
- C. Cottage dwellings and their accessory structures must meet the following set backs from lot lines through the interior of the cottage development:

Setback/Yard Area	Dimension
Primary Yard (typically front, back, or corner side)	10 feet*
Peripheral Yards (the three sides not included in the primary yard)	5 feet*

* Set backs assume parking takes place in a separate parking area. A minimum eighteen-foot driveway length shall be maintained inside of curb and sidewalk if a drive way curb cut is provided for parking immediately adjacent to a cottage dwelling. This shall be done to eliminate the parking of vehicles on or over curbs or sidewalks and may require deeper yard areas than the minimums provided.

- D. Extensions of small storage or accessory structures into a peripheral setback may be approved as long as the extension does not exceed one hundred twenty square feet and the resulting building configuration is acceptable to the fire chief and is designed and constructed in accordance with all applicable fire codes.

17.73.080 Building height.

Standard height limit for cottage dwellings and accessory structures shall be twenty feet. Cottage dwellings having a minimum roof pitch of 6:12 may be permitted a maximum height of twenty-eight feet at a minimum of ten feet from any property line. The twenty-eight-foot allowance will accommodate a second story living area partially under roofline and dormers. Cottage heights shall be measured from the average grade along each side of the structure to the top of roof.

17.73.090 Parking and covered storage.

A. Parking requirements are dependent on size of cottage dwelling units and whether or not street designs accommodate on street parking within the cottage development.

	Dedicated	Total
Small (900 ≤800 s.f.)	1	1.5 1
Large (<1,400 s.f.)	1	2

B. Parking location and screening shall be designed to accomplish the following:

1. Ensure minimal visual impact to residents surrounding the cottage development. Screening may be accomplished by covering parking with a structure compatible with residential use (e.g., parking under pitched roof structure or under carriage house or studio/workshop area) or by relying on grading and landscaping.
2. Occupy the cottage development site.
3. Be grouped to correspond with cottage clusters and avoid single large parking areas that are difficult to screen from view.
4. Locate to the side or rear of the site where parking areas are less visible and clustered to limit curb cuts and need for impervious surface.
5. Covered storage must be provided for cottage development when covered parking is not provided.
6. On street parking shall be provided for around the perimeter of the cottage development where feasible unless the city agrees to increase off street parking requirements in lieu of provision for on street parking.

C. Shared detached garage structures:

1. Shared carports or garages shall be limited to a maximum of four stalls per structure and shall be detached from the dwelling units.
2. The design of carports, garages and community buildings must include roof lines similar and compatible to that of the dwelling units within the development.
3. Shall be reserved for the parking of vehicles owned by the residents of the development. Storage of items which preclude the use of the parking spaces for vehicles is prohibited.

17.73.100 Design guidelines.

A. Site Design.

1. The common open space shall be centrally located within a cottage housing development.

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2. Where feasible, each dwelling unit that abuts a common open space shall have a primary entry and/or covered porch oriented toward common open space.
 3. Pedestrian connections should link all buildings to the public rights-of-way, common open space and parking areas.
 - [4.] Exterior lighting shall be minimized and may be allowed if shielded or hooded and directed downward so as to light only the intended area without shining into a neighboring house or business. All lighting shall be included on the site plan required with to complete a submittal.
 - [5.] Exterior heating or cooling facilities shall be designed and sited to minimize the noise and visual impacts they can have on a site.
 - [6.] If streets within the 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 internal 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 for a two way street and fourteen feet for a one way street, not to include street parking.
- B. Building Design.
1. Roofs of cottages shall be pitched and eave depths shall be a minimum of eighteen inches.
 2. Covered porches measuring at least sixty square feet shall be incorporated into building design of the cottages.
 3. Window and door trim with a minimum of three and one-half inches shall be provided on all cottage units.
- C. Community Buildings.
1. Community buildings or space shall be clearly incidental in use and size to the dwelling units.
 2. Building height for community buildings shall be no more than one story. Where the community space is located above another common structure, such as a detached garage or storage building, standard building heights apply.
 3. Community buildings must be located on the same site as the cottage housing development, and be commonly owned by the residents.

17.73.110 Alternative cottage housing development designs.

The cottage housing infill chapter is created to support design innovation and in-fill development. 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 cottage infill can be designed in alternate ways and still achieve the overall objectives of this chapter. An applicant may request a variation to specific standards during development review. A specific request for variation within a cottage is not subject to variance criteria. Approval of a specific variation can only be granted with findings that the specific variation requested provides for an equal or better way to meet the purpose of the written standard.

17.73.120 Neighborhood meeting required.

Any Cottage Infill 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.

Chapter 17.74 MIXED USE PLANNED UNIT DEVELOPMENT (MU-PUD)

17.74.010 Purpose.

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

- A. Provide flexibility for development (including infill development) in mixed use areas;
- B. Support implementation of innovative plans that address transitions between residential and commercial uses;
- C. Allow for varied, compatible housing and commercial uses to coexist;
- D. Ensure efficient and adequate provision/extension of services in areas where both commercial and residential uses are permitted while addressing anticipated increased demands for services;
- E. Provide opportunities for households of various sizes, ages, and incomes to live in a neighborhood by promoting diversity in the size, type and price of new development in the city;
- F. Provide for live/work opportunities in mixed commercial/residential areas to create or maintain neighborhood character; particularly in neighborhoods having a predominance of small to moderately sized dwelling units, located close to shopping and other community services;
- G. Provide appealing streetscapes that reduce vehicle use and promote foot traffic to strengthen communities and support businesses by enhancing the local customer base;
- H. Facilitate efficient use of land through the application of flexible standards and maximize opportunities for innovative and diversified living environments through creative placement of structures, open space and access ways;
- I. Preserve existing landscape features including established trees through the use of a planning procedure that considers particular site characteristics;
- J. Encourage provision of affordability options.

17.74.020 Permitted uses in a MU-PUD.

Uses listed in each underlying zone within the project area may be permitted in the MU-PUD. Different uses must interface in a compatible manner. Special uses are permitted subject to specific development criteria.

- A. Permitted uses include:
 - 1. Mixed commercial and residential uses including attached residential uses above and below commercial in commercial areas;
 - 2. Varied single and multifamily residential in residential areas;
- B. Special uses include:
 - 1. Cottage development on smaller lots; and
 - 2. Accessory dwellings.

17.74.030 Permitted modifications and conditions of approval.

- A. Mixed use planned unit developments allowing for master planned mixed uses 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 17.74.010 and the other applicable requirements of this chapter, except:

1. Exterior setbacks from public streets along the perimeter of the MU-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.
- B. Modifications of setbacks and other standards in the underlying zones must be shown clearly on a binding site plan.

17.74.040 MU-PUD development standards.

- A. Size and Permitted Location of MU-PUD. A mixed use planned unit development (MU-PUD) may only be permitted if:
1. The subject lot or tract of land greater than or equal to two contiguous acres;
 2. The subject lot or tract includes two or more zoning districts allowing for both residential and commercial uses.
- B. Permitted Density.
1. The number of single-family dwelling units permitted in a MU-PUD may be increased above the number permitted in the applicable zone as follows:
 - a. R-1 detached single-family residential district density may be increased to one hundred twenty-five percent of the single-family density permitted in the underlying zone.
 - b. R-2 two-family residential district may be increased to one hundred fifty percent of the detached single-family density permitted in the underlying zone.
 - c. MHR-mobile home residential zones may be increased to one hundred fifty percent of the detached single-family density permitted in the R-2 zone.
 - d. R-3 multifamily residential district may be increased to two hundred percent of the detached single-family density permitted in the underlying zone.
 2. The permitted density shall be computed to reflect 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, publicly owned land, and industrial area.
 - b. Determine the net development 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 density-divide the net development area by the minimum single-family lot size of the zone district.
 - d. Determine maximum increased density-multiply the resulting number of units by 1.25 in R-1, 1.50 in R-2 or MHR, or 2.0 in R-3 zones rounded to the next lowest full integer.
 3. The average lot size of single-family dwellings and townhouses in the MU-PUD shall not be less than:
 - a. Sixty-five percent of the minimum single-family lot size for the district in the R-1 single-family residential district

- b. Fifty percent of the minimum single-family lot size for the district in the R-2 two-family residential district
 - c. Fifty percent of the minimum single-family lot size for the R-2 two-family residential district in the MHR zone.
 - d. Forty percent of the minimum single-family lot size for the district in the R-3 multifamily residential district
4. Density bonus of up to twenty percent over enhanced MU-PUD density permitted by subsection B of this section, may be allowed for provision of affordable housing for low and moderate income families (those who have family income of not more than sixty percent of Klickitat County median household income), with appropriate recorded covenants, conditions and restrictions (CC&Rs) 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.
 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 determines it is impracticable or unsafe to preserve these 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 and heights 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 MU-PUD.
 - b. Setback averaging will be allowed from internal lot lines and may be allowed from external lot lines where adjoining parcels are zoned commercial or where setback averaging is determined to improve the traffic safety and flow, streetscape and/or be compatible with surrounding uses.
 - c. Standard building setbacks from lot lines through the interior of the MU-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 MU-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 MU-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 for a two way street and fourteen feet for a one way street, not to include street 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 MU-PUDs.
4. Off-street parking shall be provided in accordance with the requirements of the zone in which the development is located. 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 with commercial establishments may be accepted to meet additional residential parking requirements or to decrease off-street parking requirements if commercial parking can be demonstrated to adequately serve residential development and vice versa.

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

1. In any MU-PUD twenty 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 MU-PUD homeowners' association pursuant to RCW Chapter 64.38 and this chapter. The landowner shall establish a Washington nonprofit corporation for the MU-PUD homeowners' association. Within three years of MU-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 MU-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 MU-PUD approval continue to be met and maintained.
2. Open space provided in the MU-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 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 MU-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.

17.74.050 MU-PUD approval criteria.

An applicant for a MU-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 17.74.010, e.g., it integrates mixed commercial and 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;
- D. Structures located on the site are located on ground that is not subject to instability;
- E. Public services will not be over burdened by the proposed development:
 1. The MU-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 a MU-PUD. An existing detached or attached single-family dwelling that is incorporated into a mixed use MU-PUD as a residence and is nonconforming, with respect to the standards of the general MU-PUD or special use sections, shall be permitted to remain on a MU-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 MU-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.

17.74.060 Submittal requirements and review procedures.

- A. A MU-PUD application 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 Section [18.10.115] will help identify application requirements.
- B. Applicant shall comply with [Title 16] 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;
 6. Total square feet of commercial area proposed;
 7. Residential density calculation;
 8. Open space, common area, and facilities calculation;
 9. General description of natural setting and/or aerial and other photos of the site;
 10. Proposed development schedule and any plans to phase development;
 11. Resulting type of ownership, plans to rent [or] sell and type of ownership planned for common areas;
 12. 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;
 13. Location and function of all buildings, including heights, nearest setbacks and closest distance between structures;
 14. Location and measurement, where applicable, of other proposed improvements;
 15. Preliminary landscape diagram identifying use areas, general types of landscape treatment, and areas of irrigated versus drought tolerant vegetation;
 16. 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;
 17. Preliminary grading plan showing areas of substantial grading or recontouring;
 18. Any additional information required by staff and planning commission as necessary to evaluate the character and impact of the proposed MU-PUD development;
 19. Initial lighting diagram indicating areas of the site to be lighted at night and a qualitative discussion of the type of lighting planned for those areas;
 20. Record of neighborhood meeting, if required;
 21. Standards which applicant requests be modified and reasons for the modification; and
 22. 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. Planning commission recommendation shall be forwarded to the city council for review on the record. City staff and the applicant shall be available. Staff may provide supplemental information and to 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 three years to submit the binding site plan in accordance with [Chapter 16.15]. If a binding site plan cannot be recorded within three years, the applicant shall make written request for extension prior to the close of the three 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.
- 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 site plan of a MU-PUD and all accompanying documents, together with CC&Rs approved by the city attorney, binding 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.

17.74.070 MU-PUD application costs/compliance required before building permits.

A MU-PUD applicant shall pay for all costs incurred by the city in processing the MU-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 MU-PUD application.

17.74.080 Special use—Cottage dwellings within mixed use MU-PUD.

Smaller housing units on smaller lots (cottage development) within a mixed use planned unit development are a special use, subject to the following site and structural requirements.

- A. Purpose. The purpose of this section is to:
 - 1. Provide opportunities for ownership of small, detached dwelling units within a mixed use planned unit development close to or in a commercial area;
 - 2. Encourage creation of more usable open space for residents and businesses in the development through flexibility in density and lot standards;
 - 3. Further the goal of efficient use of urban residential land and public facilities; and
 - 4. Provide guidelines to ensure compatibility with surrounding land uses.

B. Special Site Requirements for Cottage Dwellings. The site requirements applicable to cottage development within a MU-PUD are intended to define design parameters of cottages to achieve compatibility with existing and permitted adjacent uses. Density increases and design standards applicable to cottage development are only applicable in that portion of the MU-PUD that accommodates cottages.

1. Floor Area Allowances. To ensure that the overall size, including bulk and mass of cottage structures and cottage housing developments remain smaller and create less visual and physical impact than standard sized single-family dwellings that are required to be located on larger lots, the following floor area limitations shall apply to cottage housing. Two types of housing development are provided for to allow for a mixture of building sizes and footprints, while anticipating and addressing the varied impacts from each housing type.

	Total Floor Area (square feet)	Ground Floor Area (square feet)	Upper Floor Area (square feet)	Garage Floor Area
Small	<900	400—800	60% of ground floor	Included in ground floor if attached
Large	>900 <1,200	600—900	60% of ground floor	Included in ground floor if attached

Floor area is measured to the outside wall on the ground floor including the stairs (building footprint). Floor area includes all upper floor area with a ceiling height of six feet or more not including the stairs which are counted as part of the ground floor.

Some units may be allowed to exceed the upper floor area ratio if the average of the upper floor areas for all cottages in a cluster does not exceed sixty percent of the ground floor areas in the cluster. Approval of this variation in the standard is not subject to variance criteria and does require a finding that the variation of the standard provides for design flexibility that improves the appearance of and spatial relationships between structures in the cottage cluster.

2. Lot Coverage and On Site Stormwater Development Techniques. Lot coverage is limited to no more than forty-five percent impervious surface area. Impervious surfaces include driveways, building footprints, sidewalks, paved parking, compact gravel, and other surfaces that do not allow rain to percolate into the soil. NOTE: un-compacted gravel surfaces or pervious pavers may be demonstrated to be partially pervious using a professionally accepted methodology. If this calculation is prepared by the applicant's engineer and approved by the city public works director, the graveled or permeable paved surface shall be counted in the lot coverage figure in accordance with its relative permeability, e.g., if a graveled path is demonstrated to be fifteen percent permeable then eighty-five percent of the graveled path area would be counted in the impervious surface calculation. The purpose of this requirement is to help insure that surface and stormwater are contained on site.

Stormwater low impact development techniques that encourage the natural treatment and infiltration of stormwater to mimic pre-development site conditions shall also be employed. Examples of low impact development techniques include directing stormwater to landscape areas with amended soils or into improved drainage areas under porches or eaves, green or living roofs, the use of pervious pavers, and retention of existing mature trees. Aggressive employment of stormwater low impact development techniques may allow for additional lot coverage if an applicant develops a project design that demonstrates the ability to handle surface and stormwater in common areas without limiting the community or public benefits of the established common areas.

Private areas may also be relied on for stormwater infiltration if determined to be adequately protected by easement to ensure the continued availability of these areas as infiltration areas.

An on-site stormwater analysis shall be performed by a qualified, Washington licensed professional engineer, considering at a minimum a twenty-five year storm event of fifteen minutes duration. The stormwater control plan shall be approved by the director of public works and shall provide for the on site collection, containment and release of stormwater such that it will not have a deleterious impact to other properties, public or private. All improvements shall be inspected by the public works director prior to completion. The applicant's licensed engineer shall provide a minimum of two sets of infrastructure "as built" drawings and confirm that all stormwater infrastructure was constructed as per approved design.

- 3. Cluster Sizes. A minimum of four and a maximum of ten cottage units clustered and focused on a shared common area must be developed to use cottage development density and standards.

More than a single ten unit cluster may be permitted under cottage development standards but separate points of focus (e.g., common areas, parking facilities, meeting rooms or recreational elements) must be provided for each cluster. Special setbacks or buffer areas may be required between clusters if deemed necessary to insure compatibility with surrounding development or adequate separation of cluster communities.

- 4. Heights. To insure heights are in scale with smaller lots and smaller structures allowed in a cottage development the following height limits shall be employed. Standard height limit for cottage dwellings and accessory structures shall be eighteen feet. Cottage dwellings having a minimum roof pitch of 6:12 may be permitted a maximum height of twenty-five feet to allow second story living area partially under roofline and dormers.

Cottage heights shall be measured from the average grade along each side of the structure to the top of roof. A small portion of a cottage may be allowed to exceed cottage height limits up to the height limit allowed in the underlying zone or twenty-eight feet whichever is less. This allowance may be allowed for an area of the structure not to exceed fifteen percent of the building footprint

- 5. Common Areas, Open Space and Facilities. Common area shall be provided in accordance with the general MU-PUD requirements (this section). Densities allowed through cottage development require that common areas provide some of the amenities and open area that would be provided for on individual lots in standard single-family developments. In addition to the requirements for a general MU-PUD; common areas, open space and facilities, in cottage developments shall be located to provide shared focal points and amenities for each cottage development cluster.
- 6. Max Densities in Cottage Clusters. The number of dwelling units permitted in a cottage development cluster within a MU-PUD may be increased above the permitted single-family density as follows:
 - a. R-2 two-family residential zone may be increased to two hundred percent of the single-family density permitted in the underlying zone.
 - b. RMH-residential mobile home zone may be increased to two hundred percent of the single-family density in the R-2 zone.
 - c. R-3 multifamily residential zone may be increased to two hundred twenty-five percent of the single-family density permitted in the underlying zone.

NOTE: Minimum lot sizes for cottage development will be minimized. The minimum lot sizes will be the product of compliance with all other standards and criteria applicable to the cottage development as a special use within a MU-PUD.

- 7. Setbacks. The emphasis of cottage development is to provide for development that focuses on and benefits from useful common areas. For this reason peripheral setbacks (generally the side

and rear yard areas) may be minimized to allow for a more useful yard area (generally the front yard) oriented to benefit from common area, open space and facilities.

- a. Cottage dwellings and their accessory structures must meet setbacks or yard requirements for single-family detached development in the zone in which they are located with respect to the outside perimeter of the MU-PUD.
- b. Setback averaging may be used to meet the front or rear yard setback from the outer perimeter of the MU-PUD but front and rear yard setbacks shall not be less than ten feet from the outer perimeter of the MU-PUD.
- c. Cottage dwellings and their accessory structures must meet the following set backs from lot lines through the interior of the MU-PUD:

Setback/Yard Area	Dimension
Primary yard (typically front, back, or corner side)	10 feet*
Peripheral yards (the three sides not included in the primary yard)	5 feet*

* Setbacks assume parking takes place in a separate parking area. A minimum eighteen foot driveway length shall be maintained inside of curb and sidewalk if a driveway curb cut is provided for parking immediately adjacent to a cottage dwelling. This shall be done to eliminate the parking of vehicles on or over curbs or sidewalks and may require deeper yard areas than the minimums provided.

- d. Extensions of small storage or accessory structures into a peripheral setback may be approved as long as the extension does not exceed one hundred twenty square feet and the resulting building configuration is acceptable to the fire chief and is designed and constructed in accordance with all applicable fire codes.

- 8. Parking and Covered Storage. Parking requirements are dependent on size of cottage dwelling units and whether or not street designs accommodate on street parking within the cottage development.

	Dedicated	Total
Small (<900≤800 s.f.)	1	1 1
Large (≤1,200 s.f.)	1	2

- a. The use of primarily commercial parking spaces within the cottage development to meet both commercial and residential parking requirements will be considered. If reasonable shared parking is available it may be allowed to substitute for undedicated parking requirements. The proximity of commercial parking within the cottage development to the locations served and likely timing of demand for shared parking spaces and availability of other on street parking within the cottage development will be considered.
- b. Parking location and screening shall be designed to accomplish the following:
 - i. Ensure minimal visual impact to residents surrounding and within the MU-PUD. Screening may be accomplished by covering parking with a structure compatible with residential use (e.g., parking under pitched roof structure or under carriage house or studio/workshop area) or by relying on grading and landscaping;

- ii. Occupy the MU-PUD development site;
- iii. Be grouped to correspond with cottage clusters and avoid single large parking areas that are difficult to screen from view;
- iv. Avoid locating around the perimeter of the MU-PUD where parking areas are visible and out of character with surrounding residential development;
- v. Covered storage must be provided for cottage development when covered parking is not provided.

17.74.090 Special use—Accessory dwelling units in a mixed use MU-PUD.

Accessory dwelling units (ADUs) include habitable living units provided in conjunction with a primary dwelling and meeting the basic requirements of shelter, heating, cooking and sanitation.

A. Purpose:

- 1. Provide homeowners with a means of obtaining through tenants in either the ADU or principal unit, rental income, companionship, security, and services.
- 2. Add affordability options to the existing housing base.
- 3. Allow for development of housing units in mixed use MU-PUDs that are appropriate for people at a variety of life stages.
- 4. Protect neighborhood stability, property values, and the single-family residential appearance of the community by ensuring ADUs are installed under conditions of this ordinance.

B. Approval Criteria for ADUs.

- 1. The design and size of an ADU shall conform to all applicable building code standards and is subject to all structural permit requirements for a dwelling. Any modification of structural codes necessary to accomplish construction of an ADU must be granted by the building official responsible for structural review in the city.
- 2. The ADU shall not exceed forty percent of the primary dwelling's floor area, nor more than eight hundred square feet.
- 3. A maximum of two bedrooms may be provided in an ADU.
- 4. An ADU may be developed in either an existing or new residence.
- 5. A maximum of one ADU per regularly permitted detached single-family dwelling may be permitted. Lots reserving the right to add accessory dwelling units must be identified when the MU-PUD preliminary plan is submitted. For example: if the base zoning would allow five detached single-family dwellings at the development site, but the MU-PUD would allow for ten, only five ADUs may be developed. The lots reserving the five rights to develop an ADU must reserve that right through site plan review as recorded on the binding site plan. Construction of the ADU may be deferred until a later date after the MU-PUD has been completed and lots sold.
- 6. Cottage development lots are not eligible for ADUs based on the minimal size of the individually owned parcels.
- 7. Applicant must be able to demonstrate adequate public facilities to accommodate the projected number of residents.
- 8. Any additions to an existing building shall not exceed the allowable lot coverage or encroach into existing setbacks.

9. The ADU may be attached to or detached from the primary dwelling and must be designed to retain the appearance of a single residence to the greatest degree possible.
 10. The property owner must occupy either the primary dwelling or the ADU as their permanent residence for at least six months of any calendar year. The CC&Rs will specify that rent may be received only for the unit not occupied by the owner and must be verified by the city clerk-treasurer with a one-year lease signed by the owner and renter.
 11. One off street parking space, or the potential to create a parking space when the ADU is developed, must be provided for on the binding site plan. This parking space is in addition to spaces required for primary resident(s).
 12. To encourage development of housing for people with disabilities, the city may allow reasonable deviation from the stated requirements to accommodate features required to achieve accessibility in an ADU. Such accommodations shall be provided in accordance with the International Building Code (IBC).
- C. Review Process for ADUs in a Mixed Use MU-PUD.
1. The right to construct an ADU shall be requested with submittal of the preliminary plan and recorded on the final binding site plan.
 2. Building permits are required for ADUs. If the ADU is not constructed during the development of the MU-PUD, the building permit applicant will be required to demonstrate compliance with the above standards prior to receiving land use approval on a building permit.
 3. A letter of application must be received from the owner(s) stating that the owner(s) shall occupy one of the dwelling units on the premises, except for bona fide temporary absences, not to exceed six months of any calendar year.
 4. A notarized acknowledgement signed by the owners, acknowledging the requirements for creating and maintaining an ADU in conjunction with the primary dwelling on the owner's parcel, shall be recorded with the county so that it is a matter of public record and will come to the attention of any future owners.
 5. An ADU may be cancelled by the owner filing a notarized certificate with the city for recording with the county making the termination of the ADU a matter of public record. Cancellation of an ADU may also result from enforcement action if land use approval for the ADU is withdrawn.

17.74.100 Special use—Cottage and accessory dwelling structural design standards.

To provide for further compatibility with surrounding development, special uses allowed in a MU-PUD are subject to the following additional structural and design standards:

- A. Window and door trim with a minimum of three and one-half inches shall be provided on all special use dwelling units.
- B. Minimum roof eave depths of at least eighteen inches are also required for all special use dwelling units. Eaves are required along all sides of each special use structure unless a variation of this structural standard is accepted by the city through the MU-PUD process.
- C. Front porches having a minimum area of sixty square feet shall be provided for all cottage dwellings.
- D. Exterior lighting shall be minimized and may be allowed if shielded or hooded and directed downward so as to light only the intended area without shining into a neighboring house or business. All lighting shall be included on the required exterior lighting plan required with to complete a submittal.
- E. Exterior heating or cooling facilities shall be designed and sited to minimize the noise and visual impacts they can have on a site.

17.74.110 Alternative special use—Cottage and accessory dwelling unit designs.

The MU-PUD ordinance and special use sections are 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 and still achieve the overall objectives of the special use standards. An applicant may request a variation to specific standards during special use MU-PUD review. A specific request for variation within a special use area is not subject to variance criteria. Approval of a specific variation can only be granted with findings that the specific variation requested provides for an equal or better way to meet the purpose of the written standard.

17.74.120 Special use—Neighborhood meeting requirements.

- A. Any planned unit development or other application utilizing special uses which allow smaller housing on smaller lots must hold and document a specially noticed neighborhood meeting as required by this title prior to completing the development application and before any public hearing is scheduled. The neighborhood meeting process is available to any applicant wishing to more fully explore a contentious application prior to completing their application for submittal and may be recommended by city staff during pre-application conference.
- B. The "neighborhood meeting" must meet the following requirements:
 - 1. Pre-notice identifying the time and place for discussion and providing sufficient description of intended project to allow neighborhood comment shall be mailed to property owners within three hundred feet a minimum of ten days prior to the meeting.
 - 2. The applicant is responsible for setting, noticing and documenting the presentation to and input received from the neighborhood meeting.
 - 3. The applicant must keep a record of all who attend the neighborhood meeting including their stated names and addresses.
 - 4. The applicant must notify the city a minimum of fourteen days prior to the meeting and allow for attendance of city staff or other representatives at the meeting.
 - 5. Post notice of the meeting shall be provided to participants by mail documenting the presentation and input received within thirty days following the neighborhood meeting.
 - 6. A record of the meeting shall be included with the applicant's completed application. The applicant shall include responses to input with the application or to identify where a proposal is modified to address neighborhood comments.
- C. A MU-PUD involving a special use dwelling type will follow the Mixed Use MU-PUD review process once a neighborhood meeting is held and a land use application completed.

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 18th day of December by the City Council of the City of White Salmon, Washington, and signed in authentication of its passage.

Marla Keethler, Mayor

ATTEST:

APPROVED AS TO FORM:

Stephanie Porter, Clerk/Treasurer

Shwan MacPherson, City Attorney

File Attachments for Item:

B. Ordinance 2025-02-1178 Amending WSMC Commercial Zoning and Conditional Use Permits
1. Presentation
2. Public Hearing
3. Discussion and Action



COUNCIL REPORT

Business Item

Consent Agenda

Needs Legal Review:

Yes, completed

Meeting Date:

February 19, 2025

Agenda Item:

Ordinance 2025-02-1178 Amending WSMC 17 Commercial Zoning and Conditional Use Permits

Presented By:

Dr. Michael Mehaffy, City Planning Consultant

Motion for Business Item / Proposed Motion for Consent Agenda:

Motion to adopt Ordinance 2025-02-1178 Amending WSMC 17 Commercial Zoning and Conditional Use Permits.

Background of Issue:

The Planning Commission recommended this update at their December 11, 2024, meeting but it was accidentally left out of the last code update for Chapter 17 approved by council on December 18, 2024.

Explanation of Issue:

RCW26.70A.450 prohibits cities from prohibiting family home childcare businesses in residential or commercial zones. Cities can impose conditions, but they must be the same or less restrictive than those imposed on other residences or facilities in the same zone.

Schools are not restricted to conditional uses in commercial zones in Washington State, but certain uses may require special consideration before being permitted in a particular district. This could be due to the size of the area needed, the impact on traffic, or the effect on the surrounding land uses.

The proposed changes would allow childcare and school facilities under 50 students be an outright use in Commercial Zones, removing the Condition Use Permit Process.

Please note that Dr. Mehaffy is review additional codes in chapter 17 (specifically 17.80 and 17.81) to ensure all areas of code that refer to this change are updated. If additional changes are found they will be presented to the council within an updated ordinance at the council meeting.

Council Options:

City Council has the following options available at this time:

1. Accept the Staff Recommendation.
2. Revise the Staff Recommendation.
3. Other action as desired by council.

Fiscal Analysis:

There are no Financial Implications.

**CITY OF WHITE SALMON
ORDINANCE NO. 2025-02-1178**

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

Chapter 17.48 C GENERAL COMMERCIAL DISTRICTS

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, or limited school and child care facilities.

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 **(50 persons or less, including students, faculty and staff)** and day care facilities **(50 persons or less, including children and staff)**;
- H. Other commercial uses determined to be similar to the above uses may be permitted, subject to approval of the planning commission.

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 5th day of February by the City Council of the City of White Salmon, Washington, and signed in authentication of its passage.

Marla Keethler, Mayor

ATTEST:

APPROVED AS TO FORM:

Troy Rosenburg, Deputy Clerk

Shawn MacPherson, City Attorney

File Attachments for Item:

C. Ordinance 2025-01-1175 Amending WSMC 18.41 Tree Protections and 13.01.050 Stormwater Provisions1. Discussion and Action



COUNCIL REPORT

Business Item

Consent Agenda

Needs Legal Review:	Yes, Completed
Meeting Date:	February 19, 2025
Agenda Item:	Tree Protection Ordinance
Presented By:	Paul Koch, Interim City Administrator

Action Required:

Discussion regarding Planning Commission and City staff recommendations to adopt the Tree Protection Ordinance and related amendments, repealing the existing Heritage Tree Ordinance (WSMC 18.40, Ord. No. 2023-11-1153, dated December 20, 2023). Further, adopt incentives in the city’s existing Stormwater runoff control standards (WSMC 13.01.050, Ord. No. 2205-01-1176) to retain on-site tree canopy as a credit for stormwater flow control standards.

Motion for Business Item / Proposed Motion for Consent Agenda:

Motion to repeal WSMC 18.40 and WSMC 13.01.050 and replace with WSMC 18.40, 18.41 and 13.01.050.

Explanation of Issue:

Proposed amendments to the city’s Heritage Tree Ordinance (WSMC 18.40) were developed and re-titled as the ‘Tree Protection Ordinance’ to address inflexibility in the current code (WSMC 18.40). This work concludes original work done in 2023 removing the Heritage Tree Ordinance from the City’s now current Critical Areas Ordinance, Ord. No. 2023-11-1152, dated December 20, 2023 and consistent with Ecology guidance, as heritage trees defined under WSMC 18.40 are not a state-defined critical area. In turn, the proposed Tree Protection ordinance and related incentives for stormwater, follows best arboriculture practices and Firewise guidance while allowing tree removal flexibility for single-family property owners. Should City Council decide to move this forward, this item can potentially be adopted as a Consent Agenda item on January 15th, 2025.

Key amendments include:

1. Increased tree removal allowances based on property size.
2. Added code language on defensible space and Firewise guidance from two local fire authorities, Underwood Conservation District and West Klickitat Regional Fire Authority.
3. Incentives for retaining tree canopy for stormwater flow control credit. Incentives in retaining tree canopy offset impervious surface ratios where 1,000 SF of canopy equates to 500 SF of impervious surface that does not need to be treated. These amendments to the city’s existing Stormwater runoff control standards (WSMC 13.01.050) are above and beyond what is typically allowed under the State-wide Ecology Stormwater Manual for canopy retention credits for stormwater flow calculations.

4. An increase in the minimum size criteria for Special (native) Trees.
5. A reorganized Heritage Tree nomination process.
6. Setting thresholds and allowances for permitting tree removal without an arborist report.
7. Reduced jargon and added examples and diagrams for further code clarity.

Council Options:

City Council has the following options available at this time:

1. Accept the Staff Recommendation.
2. Revise the Staff Recommendation.
3. Refer this issue back to staff for additional work.
4. Other action as desired by council.

Fiscal Analysis:

Financial impacts will be assessed by the department.

Recommendation of Staff/Committee: Staff is recommending adoption of the revised Tree Protection Ordinance (WSMC 18.40), Heritage Tree Ordinance (WSMC 18.41) and incentives to the city's existing Stormwater runoff control standards (WSMC 13.01.050) above and beyond what is typically allowed under the State-wide Ecology Stormwater Manual.

Follow Up Action:

Once the hearing has concluded, and draft Ordinance is deemed acceptable by Council, City staff can move forward with finalizing Ordinances for Council's February 5th meeting concerning the Tree Protection Ordinance (WSMC 18.40).

CITY OF WHITE SALMON

ORDINANCE NO. 2025-01-1175

AN ORDINANCE OF THE CITY OF WHITE SALMON, WASHINGTON, AMENDING WSMC CHAPTER 18.40, AND ADDING WSMC CHAPTER 18.41 BY REPEALING CHAPTER 18.40 TO UPDATE TREE PROTECTION AND HERITAGE TREE PROVISIONS, INCLUDING SEVERABILITY AND AN EFFECTIVE DATE AND AMENDING WSMC 13.10.050 , INCLUDING SERVABILITY.

WHEREAS, the City of White Salmon (“City”) copied much of the existing Heritage Tree Ordinance regulations from WSMC 18.10.317 to WSMC 18.40 – Heritage Trees as a placeholder, administering these regulations until a future ordinance has gone through the public process; and

WHEREAS, to align with best practices and industry standards for tree protection; to promote site planning flexibility, building and development practices that protect trees from indiscriminate removal or destruction, promote thoughtful tree removal and replanting strategies and to improve the City’s review and administration of tree protection and removal; and

WHEREAS, to implement the policy goals and objectives outlined in the City’s Comprehensive Plan, the 2019 Community Forest Management Plan and support efforts towards greater climate and wildfire resiliency; and

WHEREAS, to respond to the community’s desire to protect and preserve mature trees and provide for replanting in order to maintain canopy cover, to thereby reduce erosion, mitigate the heat island effect, improve air quality, manage stormwater and provide numerous public benefits; and

WHEREAS, two local fire authorities, the Underwood Conservation District and West Klickitat Regional Fire Authority and the Columbia Land Trust East Cascades Oak Partnership provided guidance on appropriate tree protections; and

WHEREAS, the Tree Board provided suggested code changes regarding the tree ordinance update at its April 15th, July 1st, and August 13th, 2024 meetings; and

WHEREAS, the Notice of Intent to Adopt Amendment was sent on May 22nd, 2024, to the Washington State Department of Commerce informing the proposed change in development regulations;

WHEREAS, in accordance with Chapter 43.21C RCW and WAC 197-11-960, a SEPA checklist was submitted on July 3rd, 2024. No appeals were filed; and

WHEREAS, between July 10th, 2024, and August 9th, 2024, the City provided a public comment period; and

WHEREAS, on August 28th, September 11th, September 25th, and December 11th, 2024, a public hearing with the Planning Commission occurred to hear public testimony; and

WHEREAS, on December 11th, 2024, Planning Commission voted 4-0 (one abstain) to recommend approval to City Council,

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

Section 1. That the following amendments be made to White Salmon Municipal Code Chapter 13.01.050 by revising Chapter 13.01.

Key: Bold Underlined = added language
~~Bold Strikethrough~~ = deleted language
 Plain text = no change

WSMC 13.01.050 – Stormwater runoff control standards. (Also shown in Attachment 1)

- 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: impervious area (sf) x 0.10 (ft) = 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).**

Section 2: That the following amendments be made to White Salmon Municipal Code Chapter 18.40 by revising Chapters 18.40 AND 18.41.

Chapter 18.40 – TREE PROTECTION.

White Salmon Municipal Code

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 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.**
- 3. 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 $(\text{stem1})^2 + (\text{stem2})^2 + (\text{stem3})^2 = \text{Total DBH}$. If the main tree trunks split at or below 4.5 feet above grade, the measurement will be taken below the split.

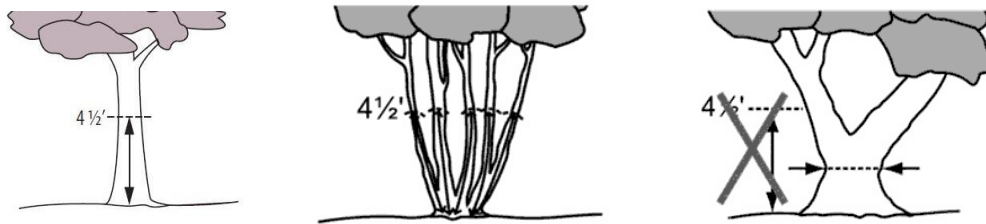


Figure 1. Measuring DBH (trunk diameter)

4. Grove – three or more significant and/or special trees with overlapping or touching branches.
5. 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.
6. 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.
7. 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.
8. 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).
9. 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.
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. 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 to 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 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. Tree protection resulting in minimal impacts for the same tree is calculated by multiplying 12 inches DBH x 18 = 216 inches, which equates to tree protection fence placement located 18 feet from the face of the tree trunk.

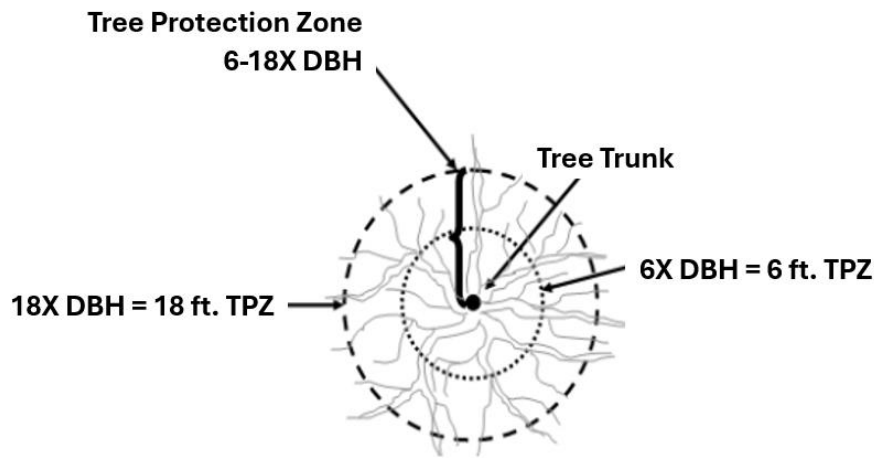


Figure 2. Tree Protection Zones

- 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:

Table 1. Special Tree Table

<u>Native Species</u>	<u>Minimum DBH Threshold (inches)</u>
<u>Cascara – Rhamnus purshiana</u>	<u>8</u>
<u>Pacific Dogwood – Cornus nuttallii</u>	<u>8</u>
<u>Ponderosa Pine – Pinus ponderosa</u>	<u>12</u>
<u>Oregon White Oak/Garry Oak – Quercus garryana</u>	<u>8</u>

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 shall be applicable within the city.

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 additional 7,200 square 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.**

Table 2. Significant/Special Tree Removal Allowance Table

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

- 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. 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
 - 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. Properties undergoing development activities related to new single-, two- and multifamily residential, commercial, and other development types shown in Table 1 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 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.
- 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 with recommendations 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 3. Significant/Special Tree Replacement Ratios.

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

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

18.40.060 – Development Incentives and 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 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 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 a heritage, special or significant tree without 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 this section shall be determined using 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.**
- ~~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.**~~
- ~~3. **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.**~~
4. 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.

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.

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.

Section 3. 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 4. This Ordinance shall take effect and be in force five (5) days after its publication according to law.

Section 5. 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 by the council and approved by the Mayor on this 5th day of February, 2025.

Marla Keethler, Mayor

ATTEST:

APPROVED AS TO FORM:

Troy Rosenberg, Deputy Clerk Treasurer

Shawn MacPherson, City Attorney

File Attachments for Item:

D. Ordinance 2025-02-1179 Amending WSMC Chapter 2.08 Clerk Treasurer 1. Presentation2. Discussion3. Action



COUNCIL REPORT

Business Item

Consent Agenda

Needs Legal Review:

Yes, completed

Meeting Date:

February 19, 2025

Agenda Item:

Ordinance 2025-02-1179 Amending WSMC 2.08 Clerk
Treasurer

Presented By:

Paul Koch, Interim City Administrator

Motion for Business Item / Proposed Motion for Consent Agenda:

Motion to Approve Ordinance 2025-02-1179 Amending WSMC 2.08 Clerk Treasurer.

Explanation of Issue:

This proposed change will update the WSMC to the new structure of Clerk and Finance Director as separate roles within the City staff structure.

Council Options:

City Council has the following options available at this time:

1. Accept the Staff Recommendation.
2. Revise the Staff Recommendation.
3. Other action as desired by council.

Fiscal Analysis:

There are no Financial Implications

CITY OF WHITE SALMON

ORDINANCE NO. 2025-02-1179

AN ORDINANCE AMENDING WHITE SALMON MUNICIPAL CODE CHAPTER 02.08 CLERK TREASRUER FOR THE CITY OF WHITE SALMON, WASHINGTON, INCLUDING SERVABILITY DATE.

WHEREAS, the City of White Salmon is restructuring the position of Clerk Treasurer; and

WHEREAS, the City Council has approved the job description for the Finance Director of Operations; and

WHEREAS, the city desires to operate more effectively and efficiently;

NOW, THEREFORE, the City Council of the City of White Salmon do ordain as follows:

That the following amendments be made to White Salmon Municipal Code Title 2, Chapter 08 Clerk Treasurer:

SECTION 1. Amendment to Title 2, Chapter 08, The City hereby repeals WSMC 02.08 and adopts the following to be codified as WSMC 02.08 City Clerk:

Key: ~~Bold and Strike though~~ means repealed.

Bold and underline means new.

~~2.08.010 Office of treasurer and clerk combined.~~ Created

~~The office of treasurer and office of clerk is combined.~~

There is created the office of city clerk pursuant to the laws of the state of Washington.

2.08.020 Appointment

The city clerk shall be appointed by the mayor or the mayor’s designee. The city clerk shall serve without a definite term at the discretion of the mayor or designee

~~2.08.020~~30 Authority.

The city clerk-~~treasurer~~ shall exercise all the powers vested in a city clerk ~~as well as all of the powers vested in a city treasurer~~ as provided by state law, city ordinance and applicable regulations.

~~2.08.030~~40 Duties.

The duties of the city clerk-~~treasurer~~ shall be those set forth in state law and as provided in the job description adopted by the city council ~~and incorporated herein by this reference.~~ The city clerk duties shall generally include all duties related to attesting, planning, organizing and supporting the activities and operations of the city council legislative processes. The city clerk is designated as the public records officer and is responsible for the care and destruction of public records, and coordinating, monitoring and/or responding to all public records requests. References to city clerk-treasurer otherwise in city code shall refer to the city clerk only to the extent of the duties of that position set out in this section.

2.08.050 Removal

The mayor or designee shall have the power of removal of the city clerk subject to any applicable law, rule, or regulation relating to civil service.

2.08.040 Qualifications.

~~The city clerk-treasurer must possess the abilities and aptitudes to perform each duty of the position proficiently. In order to qualify for the position of city clerk-treasurer, an applicant must have demonstrated knowledge of generally accepted accounting principles, the BARS accounting system and relevant Washington statutes affecting governmental entities. The city clerk-treasurer must have the ability to maintain effective communications with various officials and agencies as well as the public; excellent communication and supervision/leadership skills; ability to deal with the public courteously, tactfully and professionally; furnish a bond pursuant to RCW 35A.12.080 and Section 2.08.060 of this chapter; and a familiarity with general office equipment and computer systems. The minimum educational background is a bachelor's degree in public administration, business administration or accounting. A certified public accountant's certificate is beneficial, but not required. A successful clerk-treasurer applicant must have three years of progressively responsible experience in municipal government operations or private business operations and at least two years of either municipal management or comparable business management experience.~~

2.08.050 Compensation.

~~The salary range for the clerk-treasurer shall be Range 50, Step 1 to Step 10 in the most current approved salary matrix and as provided in the job description adopted by the city council.~~

2.08.060 Reserved.**2.08.070 Management position subject to personnel policy for management level/exempt employees/possible contract.**

~~2.08.070 Management position subject to personnel policy for management level/exempt employees/possible contract. The clerk-treasurer is appointed and may be removed by the mayor as provided by state law. The specific compensation of the clerk-treasurer, consistent with Section 2.08.050 of this chapter shall be approved by the city council. The mayor's appointment of the clerk-treasurer shall not be deemed complete or effective until the city council has approved the clerk-treasurer's compensation by resolution. The clerk-treasurer is an at-will employee, and is exempt from the provisions of the Fair Labor Standards Act due to the management nature of the position. The at-will nature of the clerk-treasurer's employment with the city may be suspended by an employment contract for a specified term, in which case the compensation of the clerk-treasurer shall be included in the contract, rather than fixed via council resolution. It is intended that the mayor or the mayor's designee will negotiate any such contract with the prospective clerk-treasurer with due consideration of input from the personnel committee, with the contract approved by the council. This chapter supersedes the job description previously in effect for the clerk-treasurer position.~~

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. This Ordinance shall take effect and be in force five (5) days after its publication according to law.

Passed by the council and approved by the Mayor on this 5th day of February, 2025.

Marla Keethler, Mayor

ATTEST:

APPROVED AS TO FORM:

Troy Rosenburg, Deputy Clerk Treasurer

Shawn MacPherson, City Attorney

File Attachments for Item:

A. Department Head Reports

Bingen-White Salmon Police Department

142 E Jewett Blvd / PO Box 2139
White Salmon, Washington 98672

Mike Hepner, Chief of Police

Telephone (509) 493-1177 Fax (509) 493-1007



DEPARTMENT HEAD REPORT

Department: Police

Meeting Date: February 19, 2025

Presented By: Chief Mike Hepner

Administration:

- White Salmon Council Meeting
- Bingen Council Meeting
- Klickitat County Behavior Health Meeting
- Klickitat Community Link Project (K-LINK) Meeting
A collaboration of community partners working together to better connect their services and better serve the community.
- County Probation Services meeting with City of White Salmon, City of Bingen, and Klickitat County
- Active Threat Response Training

Patrol Division:

The Bingen-White Salmon Police Department prides itself in reducing the incidence and fear of crime, ensuring justice, and safeguarding the rights of all, to provide for a safe and vibrant community.

The Bingen-White Salmon Police Department will accomplish this by working in partnership with the community we serve to enhance our law enforcement effectiveness.

I ask the Officers to prioritize their time by making calls for service as the top priority. Second, to be visible in the community which means driving through neighborhoods and being seen by the public. Lastly, speed enforcement, parking issues, or whatever the community deems important to them.

January 2024 and 2025 Activity Log Attached

A.

**Bingen-White Salmon Police
Monthly Activity Log
January 2024**

White Salmon	Bingen	
1	2	Abandoned/Disabled Vehicle
11	3	Agency Assist
16	4	Alarm
5	1	Animal Problem/Noise/Neglect
		Arson
		Assault
		Attempt to Locate
		Burglary
		Child Abuse/Neglect
5	6	Citizen Assist
	1	Civil Matter
		Criminal Mischief
		Deceased
	1	Disorderly
1		Domestic Violence
		Drugs
2		DUI
1		Fire
		Fireworks
		Forgery
		Fraud
	3	Harassment
		Hazmat
		Homicide
		Information
		Intoxication
		Juvenile Problem
		Kidnapping
42	21	

White Salmon	Bingen	
		Littering
	1	Missing Person/Runaway
2		Medical Emergency
	1	Mental Health
6		Motor Vehicle Accidents
		Motor Vehicle Theft
1		Noise Complaint
2		Parking Problem
		Pornography
3		Property Lost/Found
		Prowler
1		Recovered Stolen Property
		Resisting Arrest
		Robbery
		Search Warrant
		Sex Crimes
8		Suspicious
	3	Theft
	3	Threats
6	1	Traffic Complaint/Hazard
2	2	Traffic Offense
	1	Trespass
		Unsecure Premise
1		Violation Court Order
		Wanted Person
		Weapons Offense
3	1	Welfare Check
4	1	911 Hang-up Calls
39	14	

35	Bingen
81	White Salmon
116	Total

A.

**Bingen-White Salmon Police
Monthly Activity Log
January 2025**

White Salmon	Bingen	
5	5	Abandoned/Disabled Vehicle
15	5	Agency Assist
8	2	Alarm
3		Animal Problem/Noise/Neglect
		Arson
	1	Assault
		Attempt to Locate
1		Burglary
1		Child Abuse/Neglect
10	5	Citizen Assist
2		Civil Matter
		Criminal Mischief
1		Deceased
4	2	Disorderly
2	1	Domestic Violence
	1	Drugs
		DUI
1		False Reporting
2		Fire
1		Fireworks
		Forgery
2		Fraud
	1	Harassment
		Hazmat
		Homicide
1		Information
1		Intoxication
1		Juvenile Problem
		Kidnapping
61	23	

White Salmon	Bingen	
		Littering
1		Missing Person/Runaway
	2	Medical Emergency
1		Mental Health
4		Motor Vehicle Accidents
		Motor Vehicle Theft
		Noise Complaint
1	1	Paper Service
	2	Parking Problem
		Pornography
4	1	Property Lost/Found
		Prowler
1		Recovered Stolen Property
		Resisting Arrest
		Robbery
1		Search Warrant
		Sex Crimes
13	10	Suspicious
4		Theft
		Threats
3		Traffic Complaint/Hazard
5	1	Traffic Offense
2	1	Trespass
1		Unsecure Premise
		Violation Court Order
5	1	Wanted Person
1		Weapons Offense
7	4	Welfare Check
2	1	911 Hang-up Calls
56	24	

47	Bingen
117	White Salmon
164	Total



PUBLIC WORKS DEPARTMENT

Meeting Date: 2.19.25

Presented By: Andrew Dirks- PWD

Daily Operations / What's Happening:

- Sewer pump gasket replacement- Heritage Lift Station
- Well #2 and Booster Station Site Cleanup.
- First of the month meter reading, samples and reports.
- Police Vehicle Maintenance.
- Weekly AP Meetings.
- WKRFA Bulk water use review.
- Parts inventory.
- Plan Review.
- Cross- Connection reporting.

Current Projects:

- Transmission Main Phase 2A
- SCADA Upgrades.
- N Main/ Spring St.
- SWTP Roof Upgrades.

Upcoming Projects:

- Transmission Main Phase 2B & 2D.

Completed Projects:

- Well Field Fiber Link

Upcoming Trainings:

- Ryan- CCS and WTPO Exam and Review.

Completed Trainings

- Jeff- Evergreen Rural Water Conference.