White Salmon City Council Meeting
A G E N D A

September 02, 2026 – 6:00 PM
119 NE Church Ave and Zoom Teleconference
Zoom Meeting ID: 851 8204 2681
Call In: 1 669 444 9171 US

I. Call to Order
- A. Land Acknowledgement Statement
- B. Pledge of Allegiance

II. Roll Call

III. Additions or Corrections to the Agenda

IV. Public Comment

Any member of the public attending the meeting, either in person or via Zoom, will have an opportunity to provide general public comment. No registration is required, and each speaker will be allowed up to three minutes. Written comments may also be submitted by emailing them to erikac@whitesalmonwa.gov by Wednesday at 12:00 p.m. All submitted comments will be included in the Council packet and the official record.

V. Presentations
- A. Klickitat County Childcare Committee
- B. City Highlights with the Mayor

VI. Consent Agenda
- A. Approval of Meeting Minutes — August 5, 2026
- B. Approval of Special Meeting Minutes — August 13, 2026
- C. Approval of Special Meeting Minutes — August 26, 2026
- D. Confirmation of Mayor's Appointments — Appointments to Wildfire and Emergency Preparedness Committee
- E. Approval of Vouchers

VII. Business Items
- A. Ordinance 2026-08-1189 — Temporary Moratorium on Small-Box Discount Stores
  1. Presentation
  2. Public Testimony
  3. Discussion
  4. Action

B. Ordinance No. 2026-09-1190 and Resolution No. 2026-09-652 — Updating Park and City Facility Reservation Fees
1. Presentation
2. Discussion
3. Action

C. Ordinance No. 2026-09-1191 — Amending WSMC 2.20.010 Regarding Lodging Tax Advisory Committee Conflict Disclosure and Recusal Requirements
1. Presentation
2. Discussion
3. Action

D. Resolution 2026-09-653 — Amending Resolution 2024-06-596 Recognizing Heritage and Diversity Months
1. Presentation
2. Discussion
3. Action

E. Resolution 2026-09-654 — Updating the Fee-in-Lieu of Tree Replacement
1. Presentation
2. Discussion
3. Action

F. Grant Application Submission Authorization for the 2026 Community Forestry Assistance Grant
1. Presenation
2. Discussion
3. Action

VIII. Reports and Communications

A. Tree Board Committee Report: Tree Protection Code Amendments and Fee-In-Lieu Update
B. Department Head Reports
C. Council Member/Committee Reports

IX. Executive Session (if needed)

X. Adjournment

File Attachments for Item:

A. Approval of Meeting Minutes — August 5, 2026

DRAFT

White Salmon City Council
MEETING MINUTES

August 5, 2026 – 6:00 PM
119 NE Church Ave and Zoom Teleconference

Attendance:

Council Members:
David Lindley, Mayor Pro Tempore
Patty Fink
Doug Rainbolt
Ben Giant
Morella Mora

Staff:
Shawn MacPherson, City Attorney
Miryan Manjarrez-Hurtado, Associate Planner
Jennifer Niel, Director of Finance and Operations
Rowan Fairfield, City Planner
Chris True, Director of Public Works
Mike Hepner, Police Chief

I. Call to Order (6:00 p.m.)
Mayor Pro Tempore David Lindley called the meeting to order at 6:00 p.m.

A. Land Acknowledgement (6:00 p.m.)
The Land Acknowledgement was delivered.

B. Presentation of the Flag (6:01 p.m.)
The Presentation of the Flag was conducted.

II. Roll Call (6:02 p.m.)
Roll call was taken. Five council members were present, constituting a quorum.

III. Additions or Corrections to the Agenda (None)

IV. Public Comment (6:03 p.m.)

A. Gabrielle Gilbert, Outside City Resident
Gabrielle Gilbert spoke in support of expanding local childcare efforts, describing childcare as both economic development and quality of life infrastructure. She announced the Klickitat County Child Care Workshop scheduled for August 25 and encouraged Council to take additional steps to address local childcare needs.

VI. Consent Agenda (6:06 p.m.)

A. Approval of 2027 Lodging Tax Grant Funding Amount
B. Approval of Meeting Minutes — July 22, 2026
C. Approval of Meeting Minutes — July 29, 2026
~~**D. Acceptance of Bill of Sale — Pucker Huddle Road and Martin Road Waterline Extension**~~
E. Confirmation of Mayor's Appointments — Appointments to CityLab Board
~~**F. Resolution 2026-08-651 — Ratifying Emergency Proclamation 2026-01**~~

G. Approval of Vouchers

Vouchers audited and certified as required by RCW 42.24.080 and expense reimbursement claims as required by RCW 42.24.090 as of this 5th day of August 2026.

Type	Date	Beginning Check	Ending Check	
Claims	08/05/2026	43741	43766	$129,840.40
			Claim Total	**$129,840.40**
Payroll	08/05/2026	EFT	EFT	$98,440.89
	08/05/2026	43739	43740	$52,045.16
			Payroll Total	**$150,486.05**
			Toal Vouchers	**$280,326.45**

Items D and F were pulled from the Consent Agenda and moved to business items.

Moved by Ben Giant. Seconded by Patty Fink.
Motion to approve Consent Agenda Items A, B, C, E, and G, including vouchers totaling $280,326.45.

Further Discussion
Council expressed support for the appointment of another CityLab member.

Fink – Aye, Rainbolt – Aye, Giant – Aye, Mora – Aye, Lindley – Aye.
MOTION CARRIED 5-0

VII. Public Hearing (6:08 p.m.)

A. Charters Short Plat Alteration

1. Presentation

Mayor Pro Tempore David Lindley opened the Charters Short Plat Alteration Public Hearing at 6:08 p.m.

Staff presented the Charters Short Plat Alteration, noting the item was largely procedural because Council had previously approved the developer agreement in May 2026. The alteration rescinds the original conditions of approval and replaces them with language from the recorded developer agreement so the documents align.

City Attorney Shawn MacPherson confirmed the developer agreement had been signed and recorded and noted that Section 7.2 should refer to the "developer agreement" rather than the "development agreement."

2. Public Testimony

Mayor Pro Tempore David Lindley opened the public testimony portion of the public hearing at 6:10 p.m.

Hearing no public testimony, Mayor Pro Tempore Lindley closed the public hearing at 6:11 p.m.

3. Discussion (None)

4. Action

Moved by Ben Giant. Seconded by Morella Mora.
Motion to approve the Short Plat Alteration with the conditions as recommended and the edits suggested by Legal Counsel, as referred to in the staff report.

Further Discussion
None.

Fink – Aye, Rainbolt – Aye, Giant – Aye, Mora – Aye, Lindley – Aye.
MOTION CARRIED 5-0

Mayor Pro Tempore David Lindley closed the Charters Short Plat Alteration Public Hearing at 6:11 p.m.

VIII. Business Items (6:12 p.m.)

A. Refer Appeal for WS-SPR-2026.002 to the Hearing Examiner

1. Presentation

Staff summarized that the Planning Commission held public hearings in May 2026 for site and building plan review and issued a Notice of Decision for WS-SPR-2026-002.

The applicant and other parties of record requested reconsideration, which the Planning Commission declined on June 24, 2026.

The applicant and other parties of record then filed a Notice of Appeal, paid the appeal fee, and requested referral to the Hearing Examiner rather than Council, as authorized by WSMC 2.21.030.

2. Discussion

Staff and Legal Counsel clarified that the question before Council was procedural only and that Council should not discuss the substance of the appeal unless and until Council holds the appeal hearing.

Council discussed timeliness and the role of Council compared with the Hearing Examiner process.

3. Action

Moved by Patty Fink. Seconded by Ben Giant.
Motion to refer the appeal of the Planning Commission decision for WS-SPR-2026-002 to the Hearing Examiner.

Further Discussion
Council discussed the basis for referring the appeal to the Hearing Examiner, including timing and legal/procedural considerations. It was clarified that timing was the primary factor due to the lack of a second regular Council meeting in August 2026.

Staff also clarified that the applicant specifically requested the Hearing Examiner process and that the code does not clearly address whether that request replaces Council review.

Fink – Aye, Rainbolt – Aye, Giant – Aye, Mora – Aye, Lindley – Aye.
MOTION CARRIED 5-0

B. Acceptance of Bill of Sale — Pucker Huddle Road and Martin Road Waterline Extension (6:17 p.m.)

1. Discussion
Council considered acceptance of a Bill of Sale from Matthew J. Marks for the Pucker Huddle Road and Martin Road waterline extension improvements. Staff explained the matter originated in 2015 and involved cleanup of an issue from prior City leadership. Staff noted there were no prior agreements and that any latecomer agreement would be the developer's responsibility to pursue.

2. Action
Moved by Ben Giant. Seconded by Morella Mora.
Motion to accept the Bill of Sale from Matthew J. Marks conveying the Pucker Huddle Road and Martin Road waterline extension public water system improvements to the City of White Salmon and waive the standard two-year maintenance bond requirement.

Further Discussion
None.

Fink – Aye, Rainbolt – Aye, Giant – Aye, Mora – Aye, Lindley – Aye.
MOTION CARRIED 5-0

C. Resolution 2026-08-651 — Ratifying Emergency Proclamation 2026-01 (6:19 p.m.)

1. Discussion
Council considered Resolution 2026-08-651, ratifying Emergency Proclamation 2026-01. Council thanked the Mayor, Public Works, and staff for the emergency response and discussed the timing of Council ratification.

Staff explained that the project's scale required additional assessment, engineering information, and review of funding options. Council expressed appreciation for the work to restore road access and pursue grant funding and financing options.

2. **Action**
Moved by Morella Mora. Seconded by Ben Giant.
Motion to adopt Resolution 2026-08-651 ratifying Emergency Proclamation 2026-01 for emergency actions taken to address storm damage to City buildings, utilities, drainage facilities, and other public infrastructure.

Further Discussion
None.

Fink – Aye, Rainbolt – Aye, Giant – Aye, Mora – Aye, Lindley – Aye.
MOTION CARRIED 5-0

IX. Reports and Communications (6:23 p.m.)

A. Council Member Reports

Councilmember Fink reported that the Tree Board is finalizing in-lieu-of-fee recommendations for Council review in September and thanked firefighters and partner agencies responding during fire season.

Councilmember Rainbolt discussed wildfire concerns, smoke impacts, and neighborhood-level preparedness. He also reported on committee discussions regarding system development charges and their possible connection to wastewater planning and the pending water rate study.

Mayor Pro Tempore Lindley reported that CityLab received a presentation from Third Act on modular plug-in solar legislation. Klickitat PUD is expected to attend a September meeting to discuss technical and legislative considerations related to electrification and the climate adaptation plan.

Councilmember Mora encouraged voter registration, spoke about public safety and communication during fire season, and recognized the impacts of wildfire smoke and heat on firefighters, their families, and agricultural workers. She also reminded the community to drive carefully.

Councilmember Giant reported on Community Development Committee matters, including the “Before I Die” installation and options to reduce costs for Jewett closures during community events. He also reported on WKRFA capital planning and invited public attendance at RFA meetings.

Council requested a future WKRFA report on progress since formation, including response times, staffing, volunteers, training, and related performance measures. Mayor Pro Tempore Lindley noted that identified staff have been hired, and volunteer numbers and training hours have increased.

B. Department Head Reports (6:38 p.m.)
Public Works Director Chris True offered to assist with traffic control planning for future Jewett closures and community events.

Finance Director Jennifer Niel reported that Ronna Canady began as Finance Manager on July 27 and will be introduced at the next Council meeting.

City Attorney Shawn MacPherson reminded Council about restrictions on using public facilities for election-related activities and stated he would circulate a memo. He also noted his firm's 75th anniversary and introduced that a new associate, Sophie Webster, would be brought before Council later.

Council asked about the zoning update to align zoning with the Comprehensive Plan. Staff reported that work had not yet begun but may start this year.

Council commended staff for the Civic Slices housing event and noted increased attendance and a strong presentation.

X. Executive Session (None)

XI. Adjournment
The meeting was adjourned at 6:42 p.m.

______________________________ ______________________________
David Lindley, Mayor Pro Tempore Erika Castro Guzman, City Clerk

File Attachments for Item:

B. Approval of Special Meeting Minutes — August 13, 2026

B.

DRAFT

White Salmon City Council
SPECIAL MEETING MINUTES

August 13, 2026 – 3:00 PM
119 NE Church Ave and Zoom Teleconference

Attendance:

Council Members:	**Staff:**
David Lindley	Marla Keethler, Mayor
Patty Fink	Shawn MacPherson, City Attorney
Doug Rainbolt	Erika Castro Guzman, City Clerk
Ben Giant	Jennifer Niel, Director of Finance and Operations
Morella Mora	Rowan Fairfield, City Planner
	Chris True, Director of Public Works

I. Call to Order (3:00 p.m.)

Mayor Marla Keethler called the meeting to order at 3:00 p.m.

II. Roll Call (3:00 p.m.)

Roll call was taken. Five council members were present, constituting a quorum.

III. Additions or Corrections to the Agenda (3:00 p.m.)

A. Business Item A — Ordinance 2026-08-1189

Mayor Keethler requested Council consideration to remove Business Item A, Ordinance 2026-08-1189, from the Special Meeting agenda due to the level of public comment and interest received. Mayor Keethler stated that bringing the item forward at a regularly scheduled Council meeting would allow additional time for public input and Council consideration of the proposed moratorium.

Moved by Ben Giant. Seconded by Patty Fink.
Motion to pull Business Item A, Ordinance 2026-08-1189, from the August 13, 2026, Special City Council meeting agenda.

Further Discussion

Council expressed support for removing the item from the agenda. Council also requested that staff share information and responses related to time-sensitive public comments received before the item returns to Council.

Fink – Aye, Rainbolt – Aye, Lindley – Aye, Giant – Aye, Mora – Aye.
MOTION CARRIED 5-0

VI. Consent Agenda (3:02 p.m.)

A. Approval of the Washington State Department of Commerce Emergency Rapid Response Grant Agreement

B. Approval of Washington State Historical Society America's 250th Events Grant Agreement

Moved by Ben Giant. Seconded by Doug Rainbolt.
Motion to approve the consent agenda for the August 13, 2026, Special City Council meeting.

Further Discussion
Council asked for clarification regarding the Washington State Historical Society America's 250th Events Grant Agreement. Staff clarified that the grant supports events and activities connected to the statewide 250th celebration and offsets costs incurred through the City's partnership for traffic control related to the Fourth of July parade. Council noted appreciation for staff's grant work.

Fink – Aye, Rainbolt – Aye, Lindley – Aye, Giant – Aye, Mora – Aye.
MOTION CARRIED 5-0

VI. Business Items

A. Ordinance 2026-08-1189 — Temporary Moratorium on Small-Box Discount Stores
This item was removed from the agenda under Additions or Corrections to the Agenda. No action was taken.

VII. Executive Session (3:04 p.m.)
Council entered executive session at 3:04 p.m. to discuss potential litigation with legal counsel pursuant to RCW 42.30.110(1)(i).

The executive session was announced for 20 minutes. Attendance included Council, legal counsel, and Public Works Director Chris True. No decisions were to be made during executive session.

At 3:24 p.m., the executive session was extended by 10 minutes.

At 3:35 p.m., the executive session was extended by an additional 5 minutes.

At 3:41 p.m., the executive session was extended by an additional 5 minutes.

The executive session adjourned at 3:46 p.m. No action was taken.

VIII. Adjournment
The meeting was adjourned at 3:46 p.m.

______________________________ ______________________________
Marla Keethler, Mayor Erika Castro Guzman, City Clerk

File Attachments for Item:

C. Approval of Special Meeting Minutes — August 26, 2026

DRAFT

White Salmon City Council
SPECIAL MEETING MINUTES

August 26, 2026 – 12:00 PM
119 NE Church Ave and Zoom Teleconference

Attendance:

Council Members:	**Staff:**
David Lindley (Zoom)	Marla Keethler, Mayor (Zoom)
Patty Fink (Zoom)	Shawn MacPherson, City Attorney (Zoom)
Ben Giant (Zoom)	Erika Castro Guzman, City Clerk
	Jennifer Niel, Director of Finance and Operations
	Chris True, Director of Public Works

I. Call to Order (12:00 p.m.)

Mayor Marla Keethler called the meeting to order at 12:00 p.m.

Mayor Keethler noted that a quorum was not initially present and that the meeting would pause briefly before roll call.

II. Roll Call (12:02 p.m.)

Roll call was taken. Three council members were present, constituting a quorum.

VI. Consent Agenda (12:02 p.m.)

A. Approval of Vouchers

Vouchers were presented for Council approval in the amount of $341,842.23.

Moved by Ben Giant. Seconded by David Lindley.
Motion to approve the consent agenda, including approval of vouchers totaling $341,842.23.

Further Discussion (None)

Fink – Aye, Lindley – Aye, Giant – Aye.
MOTION CARRIED 3-0

VII. Adjournment

The meeting was adjourned at 12:03 p.m.

____________________________ ____________________________

Marla Keethler, Mayor — Erika Castro Guzman, City Clerk

File Attachments for Item:

D. Confirmation of Mayor’s Appointments — Appointments to Wildfire and Emergency Preparedness Committee

D.

COUNCIL REPORT

☐ **Business Item** ■ **Consent Agenda**

Needs Legal Review:	No
Meeting Date:	September 2, 2026
Agenda Item:	Appointment to Wildfire & Emergency Preparedness Committee
Presented By:	Marla Keethler, Mayor

Action Required

Confirm the appointment of Richard Eatherly to the Wildfire & Emergency Preparedness Committee.

Motion for Business Item / Proposed Motion for Consent Agenda

Move to confirm the appointment of Richard Eatherly to the Wildfire & Emergency Preparedness Committee as presented.

Explanation of Issue

The city solicited applications to fill vacant seats on the Wildfire & Emergency Preparedness Committee. After reviewing the submitted applications, the mayor recommends the following appointment:

- Richard Eatherly

The nominee application is attached for reference.

Council Options:

1. Confirm the appointment as presented.
2. Defer action and request additional information.
3. Take other action as desired by Council.

Fiscal Analysis:

There is no direct fiscal impact associated with confirming this appointment. Staff support for boards and committees is an existing operational function.

Diversity Equity Inclusion & Stakeholder Analysis:

This appointment supports the City's wildfire and emergency preparedness work by adding a member with FireWise, management, and board experience through the City's open application process.

Recommendation of Staff:

It is recommended that City Council confirm the appointment of Richard Eatherly to the Wildfire & Emergency Preparedness Committee as presented.

D.

Committee & Board Appointments Application

Citizen boards, committees and commissions are critical to the effective functioning of city government. We appreciate your interest in wishing to serve White Salmon and ask that you complete this brief application. If you wish, please feel free to attach a resume or additional documentation to this application to speak to your prior experience. This application form is considered a public document and is subject to public disclosure.

Email *

[redacted]
REDACTED - RCW 42.56.250(1)(d)

Name *

First and last name

Richard Eatherly

Mailing Address

[redacted]
REDACTED - RCW 42.56.250(1)(d)

Physical Residence Address *

[redacted]
REDACTED - RCW 42.56.250(1)(d)

Phone number *

[redacted]
REDACTED - RCW 42.56.250(1)(d)

D.

For which Board(s), Committee(s) or Commission(s) would you like to be considered *

- [ ] Board of Appeals
- [ ] City Lab Board
- [ ] Civil Service Commission
- [ ] Personnel & Finance Committee
- [ ] Planning Commission
- [ ] Tree Board
- [ ] Lodging Tax Advisory Committee
- [x] Wildfire & Emergency Preparedness Committee

Education (HS, name and location of college or university, year graduated and degree) *

Tennessee Wesleyan University 1972 BA, Southern Oregon University 2005, Certificate in Accounting

Current Employment (Job Title, Employer)

Retired

Special reasons for wishing to serve on selected board(s) or committee(s)?

FireWise neighborhood board member, FireWise local ambassador

Have you previously served on any advisory boards, committees, or commissions for the city? If so, please provide details. *

No

D.

Please list any training or experience you have that would be beneficial to serving on the stated board, committee, or commission.

FireWise, also management and board experience

Are you able to attend board meetings during the day or evenings M-F? If no, please explain. *

Yes

To send additional information:

Please email any resumes or additional information you would like included with your application to: **mayor@ci.white-salmon.wa.us** and include your name in the subject line. Thank you!

You application will be placed with others interested in serving on the same board, committee or commission. When a vacancy occurs on the board, committee, or commission in which you have indicated an interest, the Mayor may desire to conduct an interview. We will retain your application for 3 years from the date it was received. Please check the box below to confirm acknowledgement of these terms. *

☑ I acknowledge.

File Attachments for Item:

A. Ordinance 2026-08-1189 — Temporary Moratorium on Small-Box Discount Stores

1. Presentation

2. Public Testimony

3. Discussion

4. Action

COUNCIL REPORT

■ **Business Item** ☐ **Consent Agenda**

Needs Legal Review:	Yes, completed
Meeting Date:	September 2, 2026
Agenda Item:	Ordinance 2026-08-1189 – Temporary Moratorium on Small-Box Discount Stores
Presented By:	Marla Keethler, Mayor

Action Required:
Review and consider adoption of Ordinance 2026-08-1189 establishing a temporary moratorium on the acceptance and processing of applications for Small-Box Discount Stores within the Commercial (C) District.

Motion for Business Item / Proposed Motion for Consent Agenda:
Motion to adopt Ordinance 2026-08-1189 establishing a temporary moratorium on the acceptance and processing of applications for Small-Box Discount Stores within the Commercial (C) District.

Background of Issue:
The City's Commercial (C) District currently permits a broad range of retail stores and shops outright. The White Salmon Municipal Code does not currently define or separately regulate "Small-Box Discount Stores," commonly associated with small-format chain discount or "dollar store" retail establishments.

Staff has begun work on potential amendments to Chapters 17.08 and 17.48 WSMC that would define this category of retail use and allow the City to consider whether these establishments should be prohibited or otherwise regulated within the Commercial District. Any permanent code amendment will proceed through the City's established legislative process, including Planning Commission review and recommendation, public participation, environmental review as applicable, and subsequent consideration by the City Council.

That process is anticipated to continue through the fall. In the interim, an application submitted under the City's existing regulations could obtain development rights under the regulations in effect at the time of a complete application, potentially allowing this type of development to proceed before the City has completed its policy review.

The proposed moratorium is intended to preserve the status quo during that limited period. It does not establish the City's permanent policy regarding Small-Box Discount Stores and does not prejudge the recommendation of the Planning Commission, public input, or the Council's ultimate decision.

Explanation of Issue:
Recent community discussion regarding commercial development in the downtown area has highlighted broader questions about whether the City's existing regulations adequately reflect community expectations for the types and scale of commercial uses appropriate within White Salmon's downtown core. Public comments received through a recent development review raised concerns regarding compatibility with downtown character, pedestrian and traffic impacts, and the relationship of new development to existing locally serving businesses.

These questions are also consistent with the City's Comprehensive Plan, which emphasizes maintaining White Salmon's small-town character, supporting small-scale and local businesses, encouraging walkability and compact development, and sustaining a vibrant downtown business district.

The proposed moratorium provides a limited period for the City to evaluate whether its development regulations adequately implement those goals as they relate to Small-Box Discount Stores. It allows that policy question to be considered deliberately through Planning Commission review, public participation, and Council consideration without the possibility of an intervening application establishing rights under the existing code.

The moratorium is narrowly focused on this specific category of retail use and does not affect retail development generally. It applies prospectively and does not affect complete applications submitted before its effective date or otherwise interfere with vested development rights. Although authorized for up to six months, the moratorium may be terminated earlier once the City's legislative review is complete.

Council Options:
City Council has the following options available currently:

1. Adopt the ordinance as presented.
2. Revise the ordinance and adopt as amended.
3. Refer the ordinance back to staff for further work.
4. Take no action on the ordinance.

Fiscal Analysis:
No direct fiscal impact is anticipated from adoption of the moratorium. The ordinance will require staff and Planning Commission time to complete review of proposed amendments to Chapters 17.08 and 17.48 WSMC and conduct the required legislative and public review process.

Follow Up Action:
If adopted, the moratorium will take effect immediately. Staff will continue development and review of proposed amendments to Chapters 17.08 and 17.48 WSMC, including Planning Commission review, public participation, environmental review as applicable, and presentation of proposed permanent regulations to the City Council.

The City Council will hold the required public hearing within 60 days of adoption to receive public testimony and consider any additional findings of fact. The moratorium may be terminated earlier than six months if the City's legislative review is completed and Council takes action on permanent regulations.

Recommendation of Staff:
The administration recommends adoption of Ordinance 2026-08-1189 establishing a temporary moratorium on Small-Box Discount Stores within the Commercial (C) District.

CITY OF WHITE SALMON, WASHINGTON

ORDINANCE NO. 2026-08-1189

AN ORDINANCE OF THE CITY OF WHITE SALMON, WASHINGTON, ADOPTING A TEMPORARY MORATORIUM ON THE ACCEPTANCE AND PROCESSING OF APPLICATIONS FOR SMALL-BOX DISCOUNT STORES WITHIN THE COMMERCIAL (C) DISTRICT; ESTABLISHING FINDINGS OF FACT; PROVIDING FOR A PUBLIC HEARING; ESTABLISHING A WORK PLAN; PROVIDING FOR SEVERABILITY; DECLARING AN EMERGENCY; AND ESTABLISHING AN IMMEDIATE EFFECTIVE DATE.

WHEREAS, the City of White Salmon is a Washington code city with authority to regulate the use and development of land within its jurisdiction; and

WHEREAS, RCW 35A.63.220 authorizes the legislative body of a code city to adopt moratoria and interim zoning controls and establishes procedures governing the adoption and duration of such measures; and

WHEREAS, the City's Commercial (C) District currently permits retail stores and shops as principal uses permitted outright, including stores providing hardware, dry goods, apparel, home appliances, furniture, gifts, and other goods and services; and

WHEREAS, the City's existing development regulations do not separately define or regulate small-box discount stores as a distinct land-use category; and

WHEREAS, City staff has identified a need to evaluate whether the City's existing development regulations adequately address certain small-format retail uses within the Commercial (C) District and is preparing proposed amendments to Chapters 17.08 and 17.48 WSMC for consideration through the City's established legislative process; and

WHEREAS, the proposed amendments being developed by City staff would establish a definition of "Small-Box Discount Store" and present for legislative consideration whether such uses should be prohibited or otherwise regulated within the Commercial (C) District; and

WHEREAS, the City Council has not determined whether such amendments should ultimately be adopted and intends that question to be considered through the City's established legislative process, including Planning Commission review and recommendation, public participation, environmental review as applicable, and subsequent consideration by the City Council; and

WHEREAS, completion of that legislative process will require time for appropriate analysis, public participation, Planning Commission consideration and recommendation, and City Council consideration; and

WHEREAS, Washington law provides that a valid and fully complete building permit application for a structure permitted under the zoning or other land-use controls in effect on the date of application generally must be considered under the zoning and other land-use controls in effect on the date of application; and

WHEREAS, acceptance of a qualifying development application for a small-box discount store before completion of the City's legislative review could establish development rights under existing regulations before the City Council has had an opportunity to consider whether those regulations adequately address that use; and

WHEREAS, the City Council finds that temporarily preserving the status quo for this narrowly defined category of land use is appropriate to allow the City's legislative process to proceed in a meaningful and orderly manner without the potential for an intervening application to frustrate the purpose of that review; and

WHEREAS, the City Council's adoption of this moratorium is not a determination that small-box discount stores should ultimately be prohibited, nor does it prejudge the Planning Commission's recommendation, public input, or the City Council's ultimate legislative decision regarding permanent regulations; and

WHEREAS, the City Council intends this moratorium to be narrowly limited in subject matter and duration and not to prohibit or delay retail development generally within the City;

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

Section 1. Findings of Fact.

The recitals set forth above are hereby adopted as the City Council's initial findings of fact in support of the moratorium established by this ordinance. The City Council may, in its discretion, adopt additional findings after the public hearing referenced in Section 5 below.

Section 2. Moratorium Imposed.

As authorized by the police powers of the City as set forth, for example, in Article XI, Section 11, of the Washington State Constitution, and pursuant to statutory authority set forth, for example, in RCW 36.70A.390 and RCW 35A.63.220, and unless expressly excluded under Sections 3 and 4 of this ordinance, the City hereby imposes a temporary moratorium on all building permit applications or other land development applications, included or otherwise described in the White Salmon Municipal Code, that propose the establishment or development of a Small-Box Discount Store within the Commercial (C) District regulated under WSMC Chapter 17.48.

For purposes of this ordinance, “Small-Box Discount Store” means a retail establishment with a gross floor area of less than 10,000 square feet that operates under a common trade name, trademark, or franchise and primarily offers for sale a variety of discounted consumer goods, household items, personal care products, packaged foods, or similar merchandise and that:

1. Does not include a gasoline fueling station; and
2. Does not include a prescription pharmacy.

Section 3. Effect on Vested Rights.

The moratorium imposed under Section 2 of this ordinance shall apply prospectively only, and shall operate to prevent acceptance of Permit Applications submitted after the effective date of this ordinance. Nothing in this ordinance shall be construed to extinguish, limit, or otherwise infringe on any permit applicant's vested development rights as defined by state law and City of White Salmon regulations, provided that a permit applicant has filed a complete Permit Application before the effective date of this ordinance.

Section 4. Work Plan.

During the moratorium, City staff and the Planning Commission shall continue review of proposed amendments to Chapters 17.08 and 17.48 WSMC addressing Small-Box Discount Stores, including appropriate public participation, Planning Commission review and recommendation, environmental review as applicable, and presentation of proposed permanent regulations to the City Council for consideration.

Section 5. Public Hearing.

Pursuant to RCW 35A.63.220 and RCW 36.70A.390, the City Council shall hold a public hearing at a City Council meeting within 60 days of adoption of this ordinance in order to take public testimony and to consider adopting further findings of fact.

Section 6. Interpretive Authority.

The City of White Salmon Mayor, or designee, is hereby authorized to issue official interpretations arising under or otherwise necessitated by this ordinance.

Section 7. Severability.

Should any section, paragraph, sentence, clause, or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be preempted by state or federal law or regulation, such decision or preemption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 8. Declaration of Emergency; Effective Date; Duration.

This ordinance, as a public emergency ordinance necessary for the protection of the public health, public safety, public property, and public peace, shall take effect and be in full force immediately upon its adoption. Pursuant to Matson v. Clark County Board of Commissioners, 79 Wn. App. 641 (1995), non-exhaustive underlying facts necessary to support this emergency declaration are included in the "Whereas" clauses above, all of which are adopted by reference as findings of fact as if fully set forth herein. This moratorium shall take effect immediately, and shall remain effective for six (6) months, unless terminated earlier by the City Council. Provided, that the Council may, at its sole discretion, renew the moratorium for one or more six month periods in accordance with state law. This ordinance or a summary thereof consisting of the title shall be published in the official newspaper of the City.

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Section 9. Effective Date

This ordinance shall take effect immediately upon adoption by a majority plus one of the councilmembers as necessary to protect public health and safety, public property, or public peace.

ADOPTED by the City Council of the City of White Salmon, Washington, at a _______ meeting thereof this ___ day of ________, 2026.

____

Marla Keethler, Mayor

ATTEST: APPROVED AS TO FORM:

___________________________________ ___________________________________

Erika Castro Guzman, City Clerk Shawn MacPherson, City Attorney

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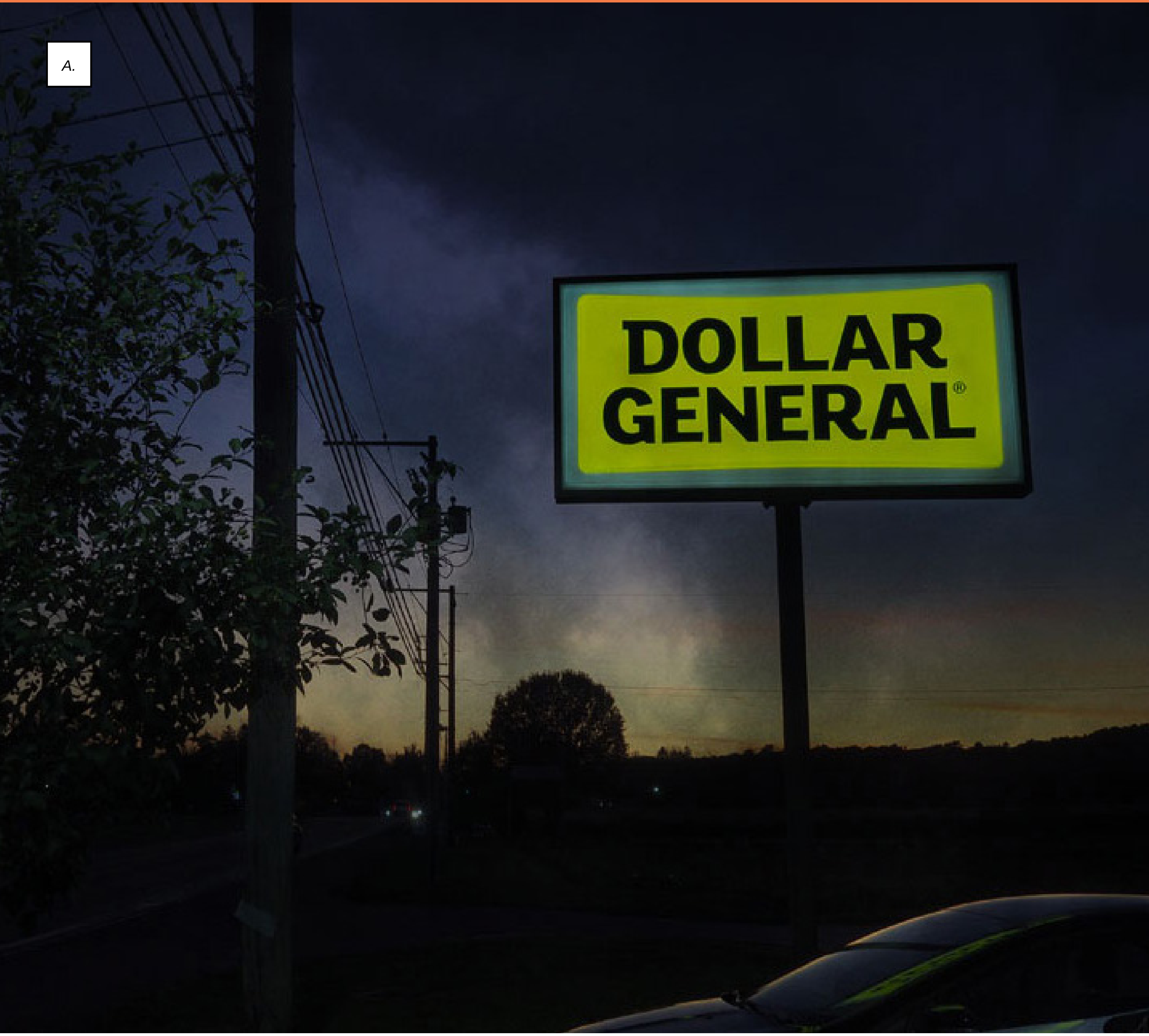

The Dollar Store Invasion:

Communities are in Revolt, But the Chains' Predatory Tactics Also Call for Federal Action

By Stacy Mitchell, Kennedy Smith, and Susan Holmberg
March 2023

ILSR INSTITUTE FOR Local Self-Relia

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About the Institute for Local Self-Reliance

The Institute for Local Self-Reliance (ILSR) is a national research and advocacy organization that partners with allies across the country to build an American economy driven by local priorities and accountable to people and the planet. Whether it's fighting back against the outsize power of monopolies like Amazon, ensuring high-quality locally driven broadband service for all, or advocating to keep local renewable energy in the community that produced it, ILSR advocates for solutions that harness the power of citizens and communities. More at ilsr.org.

About the Authors

Stacy Mitchell is Co-Executive Director of ILSR. She has produced pioneering research and reporting on the consequences of monopoly power and the policies fueling consolidation. Her work has appeared in *The Atlantic*, *New York Times*, *The Nation*, *Wall Street Journal*, and other outlets. She's the author of the book *Big-Box Swindle*. As an advocate and strategist, Stacy has helped build coalitions and win campaigns for policies that dismantle corporate power, level the playing field for independent businesses, and build resilient communities. Find her on Twitter @stacyfmitchell.

Kennedy Smith is one of the nation's foremost experts on commercial district revitalization and independent business development and is a Senior Researcher with ILSR's Independent Business Initiative. Her work focuses on analyzing threats to independent business and developing policy tools that communities can use to address these issues and build thriving, equitable local economies. Contact her at kennedy@ilsr.org.

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More Resources from ILSR's Independent Business Initiative:

Small Business' Big Moment:
ilsr.org/report-small-business-big-moment/

Boxed Out: How Predatory Buying Power is Killing Off Small Businesses
ilsr.org/boxed-out/

Rolling Back Corporate Concentration: How New Federal Antimerger Guidelines Can Restore Competition and Build Local Power
bit.ly/rolling-back-corporate-concentration

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Table of Contents

A.

Preface

Four years ago, we published a report, ***Dollar Stores are Targeting Struggling Neighborhoods and Small Towns. One Community is Showing How to Fight Back*** (written by Stacy Mitchell and Marie Donahue). The report struck a nerve. It documented something that people in many places were experiencing – the rapid proliferation of chain dollar stores – but that, at the time, had received little attention from journalists and researchers. It also validated many of the conclusions that people on the frontlines of this phenomenon had already drawn on their own about the dollar chains: namely that they use predatory tactics to undermine grocery stores, they target Black communities and rural towns in particular, and there are strong reasons to fight their spread. Within days, the report drew more than 100,000 readers. It soon spurred coverage by the *Washington Post*, *NBC Nightly News*, and many other media outlets.[1]

Since then, much has happened. In more than 70 cities and towns, people have organized and successfully blocked new dollar store projects, by our count. More than 50 cities have enacted laws limiting dollar store expansion, often in conjunction with measures designed to facilitate the expansion of grocery stores. One notable example of this can be seen in North Tulsa, the predominantly Black neighborhood of Tulsa, Okla., whose fight against dollar store proliferation was a focus of our 2018 report. After successfully pushing adoption of an ordinance that restricts the opening of new dollar stores, City Councilor Vanessa Hall-Harper and other community leaders helped secure financing for Oasis Fresh Market, which opened in 2021, becoming the first supermarket to serve North Tulsa in 14 years.[2] It is a locally owned, independent business.

While more city leaders have taken action on dollar stores, federal officials have given scant attention to the policy changes needed in antitrust and finance to stop the chains' predatory practices.

Researchers have also turned more attention to dollar stores. Dr. Jerry Shannon, a geographer at the University of Georgia, published a study in 2021 concluding that the presence of chain dollar stores is "highly associated with neighborhoods of color."[3] His findings, which controlled for household income and other factors, confirmed the link between race and dollar stores that we'd shown visually in maps of Tulsa and other large cities.[4] (Our analysis flowed from interviews with community leaders, who understood this racialized dynamic long before we did.) Shannon's research also found, as we had, that dollar stores "are effectively replacing small groceries in many neighborhoods." These small, independent stores are often the sole providers of fresh food in communities of color. Shannon concluded that the proliferation of the dollar chains "both reflect and, potentially, contribute to long histories of racial exclusion."

Local residents in southwest Atlanta protest the building site of a Family Dollar store. The store was built in 2012, but that loss helped catalyze a wave of dollar store opposition in the Atlanta metro area. Photo Credit: Screenshot of Patch.com video coverage.

Yet, even as awareness of the implications of dollar stores has grown and many more places have intervened to block their expansion, the two major chains have only accelerated their growth over the last four years, especially in the wake of the pandemic. Classified as "essential businesses" because they sell some food, Dollar General and Dollar Tree, which owns Family Dollar, benefitted from lockdown measures that forced other retailers to close. And while more city leaders have taken action on dollar stores, federal officials have given scant attention to the policy changes needed in antitrust and finance to stop the chains' predatory practices and ensure fair opportunities for local grocers and other businesses.

Throughout this time, ILSR has been providing research and policy assistance to community leaders, connecting local activists in different cities with one another, and continuing to deepen our understanding. This report represents an update to our 2018 analysis. We're releasing it in conjunction with a new strategy guide for local leaders. We hope this information – with new data, new voices and stories, and new details about the tactics dollar stores are using to dominate competitors and communities – will be helpful to those involved in these fights and policymakers both locally and nationally.

Photo Credit: Luke Gannon

INTRODUCTION

The Dollar Store Invasion

In 2021, nearly half of new stores that opened in the U.S. were chain dollar stores, a degree of momentum with no parallel in the history of the retail industry.[5] At the start of 2022, Dollar General and Dollar Tree, which owns Family Dollar, together operated more than 34,000 stores in the U.S., more than McDonalds, Starbucks, Target, and Walmart combined.[6] In cities, it is common to find dollar stores clustered by the dozen within certain neighborhoods. The two corporations operate more than 100 outlets in metro Atlanta, for example, primarily in the city's Black neighborhoods on its south and west sides.[7] Dollar stores have likewise overrun much of rural America. In some small towns, they seem to be the only retail left.

Both corporations intend to get much bigger. Over the last four years, Dollar General has added about 3,500 locations – opening more than 100 new stores across New York, nearly 200 in Ohio, and 300 in Texas – bringing its roster to more than 18,000 stores and cementing its status as the largest retailer in the U.S. by number of

A. ions.[8] By the end of 2022, Dollar General and Dollar Tree together were on track to open 1,700 new stores.[9] And both report that they have identified many more locations; in the coming years, they plan to grow their combined empires to more than 51,000 outlets.[10]

In cities, it is common to find dollar stores clustered by the dozen within certain neighborhoods. In rural towns, they typically locate near the only grocery store, and often succeed in wiping it out.

One might assume that the dollar chains are simply filling a need, providing basic retail options in cash-strapped communities. But the evidence shows something else. These stores aren't merely a byproduct of economic distress, they are a cause of it. As this report shows, in small towns and urban neighborhoods alike, dollar stores drive grocery stores and other retailers out of business, leave more people without access to fresh food, extract wealth from local economies, sow crime and violence, and further erode the prospects of the communities they target.

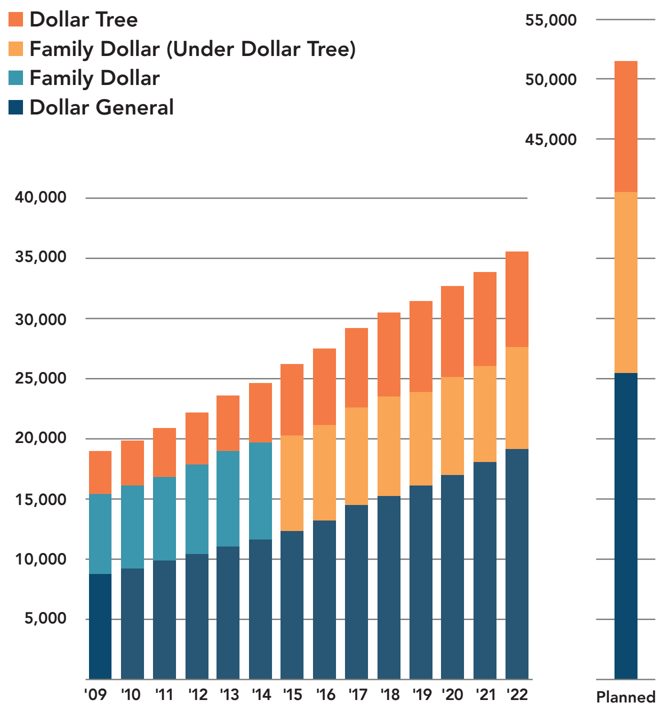
Dollar General and Dollar Tree (and its subsidiary Family Dollar) single out communities that have been marginalized economically and politically. In urban areas, they blanket Black and Latino neighborhoods, opening multiple outlets near one another.[11] This carpet-bombing strategy undermines existing food stores, especially the independent grocery stores that often serve these communities, and makes it hard for new businesses to take root and grow, effectively locking in neighborhood deprivation.

These stores aren't merely a byproduct of economic distress, they are a cause of it.

The chains also target rural towns, many already struggling from the effects of corporate consolidation and globalization.[12] They typically locate on the same block as or across the street from the town's only grocery store, and often succeed in wiping it out. Dollar stores are dismal substitutes for grocery stores; they stock little fresh produce and sell only a narrow range of processed foods, such as canned soup and soda.

Number of Dollar Stores by Year and Planned Stores

"Planned" stores are based on identified opportunities for new locations, as reported by the major dollar store chains.



Sources: Dollar General, Dollar Tree and Family Dollar Annual Reports and Dollar General's "2020 Vision: Invest for Growth" presentation.

As they expand, Dollar General and Dollar Tree not only profit from economic fragility and structural racism, they deepen both. Grocery stores are important anchors, and not having one sets off a spiral of economic decline. It imposes daily hardships on residents, who must either undertake long trips to buy food or subsist on the dollar store's meager offerings. According to some city leaders, this has contributed to poor health and lower life expectancy.[13] It's a reality largely invisible to people in better-off places, who might be startled to learn the extent to which Americans rely on dollar stores for groceries, or that Dollar General accounts for a much bigger slice of the grocery market than Whole Foods does.[14] Indeed, more than any other landmark, dollar store chains have come to delineate the nation's stark and widening disparity. They are "markers of a geography of the places that the country has written off," notes the journalist Alec MacGillis.[15]

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Since 2018, at least 54 cities and towns have enacted laws that sharply restrict new dollar stores.

At the start of 2022, Dollar General and Dollar Tree, which owns Family Dollar, together operated more than 34,000 stores in the U.S., more than McDonalds, Starbucks, Target, and Walmart combined.

A negligent approach to antitrust has allowed Dollar General and Dollar Tree to flex their market power unfairly and overrun their less powerful competitors.

With dollar stores continuing to multiply at breakneck pace, communities across the country are grappling with the fallout, and a growing number of citizen groups and local officials are rising to turn them away. Since 2019, at least 75 communities have blocked proposed dollar stores, with more than 50 of those defeats occurring between January 2021 and the end of 2022, according to our tally. At least 54 cities and towns – including Birmingham, Ala.; Fort Worth, Texas; Kansas City, Kan.; and Plainview, Neb. – have gone further. They've enacted laws that sharply restrict new dollar stores, typically by barring them from opening within one to two miles of an existing dollar store. At least one town, Stonecrest, Ga., has imposed a total ban on new dollar stores. These laws are often adopted in conjunction with measures designed to support the retention and development of grocery stores.

Yet, as widespread as this backlash has been, it's not enough on its own. Communities need reinforcements to stop the encroachment of dollar stores. They need action at the federal level, where a negligent approach to antitrust has allowed Dollar General and Dollar Tree to flex their market power unfairly and overrun their less powerful competitors, especially independent grocery stores.[16] We need to invigorate our antitrust laws, especially the long-dormant Robinson-Patman Act, to block dollar chains' predatory tactics and create fair markets in which independent retailers can thrive. We also need stronger financial protections that put limits on Wall Street's ability to underwrite those tactics while also making capital available for the development of local grocery stores.

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Photo Credit: Luke Gannon

PART ONE

Predatory Tactics: How the Dollar Chains Have Taken Over

In March 2022, residents of the Collinwood neighborhood on Cleveland's northeast side learned that the area's only grocery store, Dave's Market, would be closing after more than 30 years in business. The store was part of a small, locally owned chain of supermarkets founded in the late 1920s and run over the decades by five generations of the Saltzman family. With about a dozen locations today, Dave's Market is a staple of life in many Cleveland neighborhoods. The news of the Collinwood store's closing was met with an outpouring of grief and worry from neighbors, especially older residents of several nearby high-rises who are unable to drive or cannot afford a car.

While the Collinwood store was beloved and the only source of fresh produce and meat in the neighborhood, for the last few years it had struggled to stay in the black. There were multiple reasons for this,

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Saltzmans explained, but one factor was the influx of dollar stores. Within two miles, there are seven Family Dollar and Dollar General outlets. By saturating the neighborhood with stores that carry some of the same packaged foods – like chips, cereal, and cake mix – found at Dave's, the dollar chains siphoned off enough of the grocery store's sales to leave it struggling to stay afloat. It's a pattern the two chains have repeated across the country.

Part of the reason their strategy often proves lethal to grocery stores has to do with the economics of food retailing. Grocery stores run on very thin margins, typically one or two percent. Because perishable food is generally a money-loser, grocers rely on sales of packaged foods and other goods – all the items sold in the center aisles – to cover their overhead and stay afloat. Take away a portion of these center-aisle sales and the whole enterprise can collapse.

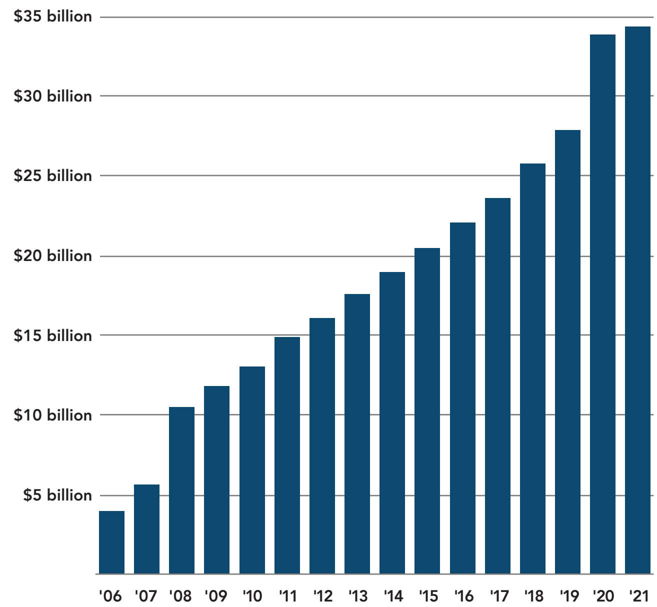
For Collinwood, like many other neighborhoods and small towns across the country, that's meant that people no longer have nearby access to a store selling produce and other fresh foods. "As a resident that lives down the street from this Dave's location – and a regular shopper there, to boot – our only alternatives left in this immediate vicinity are a Dollar General and a Family Dollar," lamented Adam Tully on a neighborhood Facebook group. "Neither of these stores are equitable to what Dave's offers."

Dollar store chains target communities with diminished economic and political power. In cities, this generally means neighborhoods, like Collinwood, that are predominantly Black or Latino.

Although Dollar General has added a very small selection of produce to about a quarter of its stores, most dollar stores stock no fresh vegetables, fruits, or meats. They carry only a limited selection of processed, packaged foods. Their food isn't necessarily less expensive, either. Many of the products on their shelves are packaged in single servings or otherwise sold in smaller quantities than the same items sold at grocery stores. They may charge lower prices, but products can be more expensive per ounce.[17]

Dollar General's Annual Revenue, 2006–2021

Dollar General, which is nine times larger than it was 15 years ago, grew rapidly during the pandemic.



Source: Dollar General's Annual Reports

Despite being a substandard option for grocery shopping, dollar stores thrive by being the only game around. "Food deserts are its sweet spot," the analyst Ann Natunewicz wrote in a research note about Family Dollar.[18] The chains appear to seek out food deserts and, where those conditions do not yet exist, they often create them by pushing local grocers out of business. Their presence can also lock in a lack of fresh food for the long-term by making it difficult for a new grocery store to obtain financing, take root, and succeed. And while their impact on grocery stores is particularly consequential, dollar stores undermine other types of businesses too, and can diminish a community's prospects.

Dollar General and Dollar Tree use three primary strategies to monopolize local grocery markets and extract wealth from urban and rural places.

First, they target communities with diminished economic and political power. In cities, this generally means neighborhoods, like Collinwood, that are predominantly Black or Latino. Maps of dollar store locations across several metro areas (see accompanying maps, including those in the appendix) show this visually: in choosing locations, the chains appear to be driven more by race than income.

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How Walmart’s Dominance Spurred the Rise of the Dollar Chains

The dollar store business model took off in the wake of Walmart’s rapid and unprecedented consolidation of the grocery sector. Indeed, there’s a strong link between the two. As Walmart amassed market power and killed off local grocery retailers, it created fertile ground for dollar stores to proliferate.

To understand why, we need to go back to the beginning and look at how Walmart came to dominate food retailing. In 1988, Walmart entered the grocery market by opening its first supercenter, a store format that combined the retailer’s regular array of merchandise with a full supermarket. Over the coming years, Walmart built thousands of these stores, blanketing metro areas and rural regions all over the U.S. It muscled other retailers out of business by using its vast resources to engage in two potent anti-competitive tactics.[19] Both tactics had long been prohibited by U.S. antitrust law, and both were often fatal to independent grocery stores and small supermarket chains.

First, it sold key goods, and even entire product categories, at a loss at new locations until nearby retailers, unable to finance similar losses, went out of business.[20] (The antitrust term for this is “predatory pricing.”) Second, Walmart used its power as a major buyer to compel suppliers to give it deep discounts while charging other retailers higher prices.[21] (A tactic we call “predatory buying,” though the legal term typically used is “price discrimination.”)

As Walmart stripped neighborhoods of their grocery stores, Dollar General and Family Dollar moved in with the force of an invasive species let loose on a denuded landscape.

Yet Walmart’s behavior drew no scrutiny from federal antitrust enforcers. That’s because, just a few years earlier, policymakers and the courts had begun to radically reinterpret the antitrust laws, gutting enforcement and effectively greenlighting predatory pricing, predatory buying, and other tactics on the theory that concentrated market power is good for consumers.

Walmart deftly exploited this shift in antitrust enforcement. By 2005, it had become the largest grocer in the country, an ascent unrivaled in speed and reach. Today, Walmart captures $1 in $4 that Americans spend on groceries and controls more than 50 percent of the grocery market in 43 metro areas and countless smaller markets.[22]

Walmart’s takeover of Tulsa, Okla., was typical. In the space of a few years, the retailer opened dozens of supercenters and stand-alone supermarkets across the metro. It located these stores in the outer reaches of the city and its surrounding suburbs. By 2012, Walmart had captured control of 55 percent of the metro region’s grocery market.[23] Competing supermarkets closed in droves. Particularly hard hit were small, family-owned chains and independent grocers. These are the types of food retailers most prevalent in Black and Latino communities and low-income neighborhoods.[24] (Rural towns are also more likely to be served by independents.[25])

As these neighborhoods lost their grocers, Walmart didn’t fill the gaps. Nor did other major supermarket chains. These big retailers generally sidestep low-income urban neighborhoods, especially Black neighborhoods, in favor of locations that are whiter and more suburban, engaging in what Dr. Jerry Shannon, a geographer at the University of Georgia, termed “supermarket redlining.”[26]

As Walmart stripped the Black neighborhoods on the northside of Tulsa of their grocery stores — the last supermarket in the area closed in 2007 — Dollar General and Family Dollar moved in with the force of an invasive species let loose on a denuded landscape. By 2018, North Tulsa was home to more than a dozen dollar stores and not a single grocery store.[27]

This same pattern unfolded in metro after metro. It played out in rural regions too. As Walmart saturated rural areas with its massive supercenters, typically building them in relatively larger towns, it pulled sales away from smaller communities in the vicinity.[28] This weakened local grocers and other retailers, rendering them particularly vulnerable as the chains, especially Dollar General, began to flood these small towns with dollar stores.

A. 21, Dr. Jerry Shannon, a geographer at the University of Georgia, confirmed this link. He analyzed 27 metro areas and, after controlling for household income and other factors, found "a significant association between proximity to dollar stores and patterns of racial segregation," with chain dollar stores more heavily concentrated in neighborhoods of color.[29] The companies' location strategy, he noted, both reflects and appears to contribute to "a long history of racial discrimination and economic exclusion."

The dollar chains also single out another kind of vulnerable community: rural towns that have been weakened by corporate consolidation and globalization. The two companies have expanded aggressively in regions where agribusiness giants have crushed farmers' bargaining power and slashed their incomes, and in towns where mergers and offshoring have triggered the loss of plants, hospitals, and more. While many of the small towns targeted by the dollar chains are mostly white, some of the highest concentrations of these stores can be found in the South, where the chains have multiplied across both urban and rural Black communities.

The dollar chains also single out another kind of vulnerable community: rural towns that have been weakened by corporate consolidation and globalization.

Why do Dollar General and Dollar Tree zero in on these places? As our maps and Dr. Shannon's research show, their location strategy is guided by something more than simply poverty. One explanation may be a lack of political power. Inundating a neighborhood with multiple stores is easier if its residents are less able to marshal the authority of City Hall to fight back. In Tulsa, Okla., for example, passing a measure to restrict additional dollar stores from opening on the city's northside required overcoming a long history in which the mostly Black neighborhood had been denied access to zoning tools routinely exercised in other, whiter parts of the metro.[30] In other words, the dollar chains exploit structural racism to amass market power.

Another explanation for the geographic pattern of dollar store expansion may be that the rural towns and urban neighborhoods they target are more likely to be served by independent grocers, which, compared to big supermarket chains, may be more readily toppled by the dollar stores' anti-competitive tactics. (See the adjacent sidebar on Walmart for a closer look at the link between rising concentration in grocery retailing and the proliferation of dollar stores.)

This brings us to the dollar chains' second strategy for dominating markets: using predatory tactics to drive small grocers out of business. This typically begins with location. In very small towns, dollar stores often locate next door to or across the street from the community's only grocery store. In urban areas, they saturate the area around the local supermarket with numerous dollar stores. In either case, the objective is not to outcompete by winning over more customers, but rather to peel off just enough of the local store's sales to send it into the red. At that point, it's only a matter of time before it goes under, leaving residents with no nearby option for food shopping other than a dollar store.

There are many examples of grocery stores shuttering after a dollar store opens nearby. The only grocery store in

The only grocery store in Wisner, La. — locally owned Ford's Food Center, pictured on the far left — closed in 2022 shortly after Dollar General and Family Dollar opened stores next door. Photo Credit: Google Maps.

A.

Dollar Store Locations and Metro Demographics

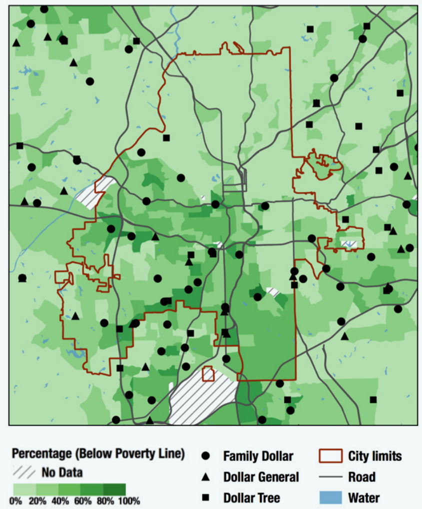
Atlanta, GA

Approximately half a million residents in metropolitan Atlanta live in food deserts, without access to a full-service grocery store. The area's more than 100 dollar stores have contributed to that reality, aggressively targeting West Atlanta and the region's most vulnerable residents.

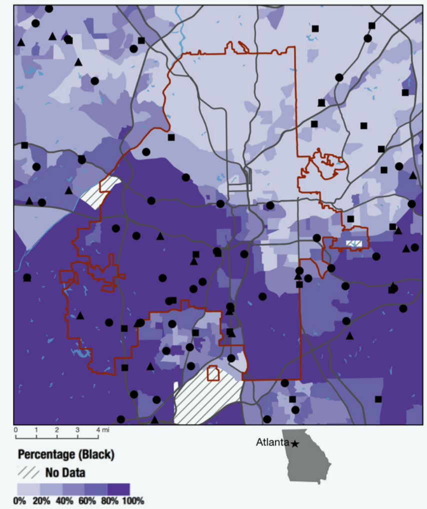
Note: 2018 Povery Threshold to $25,100 for a family of four.

Data: US Census, 2013-2017 ACS 5-Year Block Group Estimates; Dollar General, Dollar Tree, Family Dollar store locators. Institute for Local Self Reliance (2019)

Households Below the Poverty Line



Population Identifying as Black or African American, Alone or in Combination



Whitmire, S.C., struggled for two years after a Dollar General store opened there. It finally closed in February 2022, leaving residents with the option of buying their food from the Dollar General or making a 45-minute round trip to the nearest town with a full-service grocery store. The only grocery store in Casselton, N.D., closed the same month. The store's owner, Fred Wangler, lost ten percent of his business after Dollar General opened. Chet Davis, who owned a grocery store in Moville, Iowa, lost about 15 to 20 percent of his sales when Dollar General came to town, forcing him to close the store.[31]

The objective of the dollar chains is not to outcompete by winning over more customers, but rather to peel off just enough of the local store's sales to send it into the red.

Scenarios like these have played out in communities of all sizes throughout the U.S. Reports from local grocers suggest that it's typical for sales to drop by roughly 15 to 30 percent after a dollar store opens.[32] Because grocers operate on very thin margins and often rely on profits from packaged items to subsidize their produce and other perishables, losing even a fraction of their revenue from things like soda and cereal can destroy the business's viability. "Dollar General [takes] the gravy right off the top," explains RF Buche, a fourth-generation grocer whose company operates six grocery stores across South Dakota.[33] And of course, while an independent grocer can absorb losses for only so long before it has to close, Dollar General and Dollar Tree, backed by Wall Street and thousands of stores, can sustain a new outlet at a loss indefinitely.

Closely related to these tactics is the chains' third strategy: predatory buying. Dollar General and Dollar Tree have leveraged their power as major buyers to coerce suppliers into providing them with special package sizes and lower prices, while charging independent grocers more and restricting the products available to them.[34] Congress outlawed predatory buying in 1936 with the passage of the Robinson-Patman Act, but regulators largely stopped enforcing the law about 40 years ago, as part of a broader move to weaken antitrust overall.[35]

As a consequence, powerful retailers, including Walmart and the dollar chains, have been allowed to strongarm preferential terms from suppliers. These retailers control such a large share of the market that suppliers have little choice but to acquiesce. This can lead to a "waterbed" effect as suppliers make up for the lost revenue by raising the prices they charge the wholesalers that supply independent grocers.[36] "For some products, power buyers extract such an unfair advantage that their retail prices are lower than the

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Chet's Foods, the only grocery store in Moville, Iowa, closed two years after Dollar General opened and siphoned off about 30 percent of the grocer's sales. Photo Credit: Rebecca Gratz, Omaha World-Herald.

Public Subsidies for Dollar Store Expansion

Incredibly, some communities have opted to give subsidies, in the form of tax abatements, tax rebates, outright cash, and other incentives, to dollar store chains to locate there. In June 2022, the city council in Peosta, Iowa, for example, gave a Dollar General developer a 15-year, 85 percent property tax rebate, capped at $275,000 (about $135 for each of the town's roughly 2,000 residents).[38] Since 2000, Dollar Tree/Family Dollar has received at least 336 subsidies from local governments, totaling about $120 million, and Dollar General has pocket at least $36.5 million.[39]

wholesale prices available to independent grocers – making it impossible for independent grocers to compete on price," David Smith, president of Associated Wholesale Grocers, explained in testimony to Congress last year.[37]

The dollar chains also rig the game by demanding "cheater" sizes from suppliers. "You've got a Snicker's bar that is two ounces less, but it looks just like the one in my store. The consumer thinks Dollar General is selling it cheaper," explains Buche, even though his price may be lower ounce-for-ounce. Suppliers generally refuse to sell these special sizes to independent grocers. "They make that specifically for [the dollar store] channel."

The dollar chains also rig the game by demanding "cheater" sizes from suppliers. Sold in smaller quantities than the same items at grocery stores, their products can be more expensive per ounce.

As the dollar chains have exploited these predatory strategies to grab market share, more rural and urban communities have been left without grocery stores. "You can go through these small towns in South Dakota and find all kinds of grocers that have closed in the last decade," notes Buche. "The community loses access to fresh food. That's gone. And there's no chance of [a grocery store] coming back."

Underpinning all these market domination strategies is backing by Wall Street. The private equity firm KKR (Kohlberg Kravis Roberts & Co.) set Dollar General on a path of aggressive expansion after taking the company private in 2007.[40] Over several years, beginning with an IPO in 2009, KKR sold its stake in the company at share prices sharply higher than it had originally paid.[41] Its ties to Dollar General, however, continued for several more years: KKR partner Michael M. Calbert assumed a seat on Dollar General's board in 2007 and continued there, eventually as chairman, after he retired from KKR in 2014 to launch another private equity firm.

Dollar Tree, meanwhile, is the product of a long string of Wall Street-engineered acquisitions of smaller dollar chains, culminating in its 2015 merger with Family Dollar. None of these deals was challenged by the antitrust agencies. Rather than block the merger with Family Dollar –which created a massive chain of 14,000 outlets, larger than Dollar General at the time – the Federal Trade Commission concluded that the market concentration concerns could be resolved by the two companies selling off 330 stores.[42] The decision has since become a notorious example of the inadequacy of such fixes and their tendency to fail even on their own terms. The 330 stores were bought by private equity giant Sycamore Partners, which declined to follow through on its promised investment in the new chain and then sold the locations to Dollar General two years later.[43]

PART TWO

Dollar Store Chains Harm Local Economies and Communities

The presence of dollar stores casts a pall over more than grocery stores and their shoppers. When a town loses its grocery store, the rest of the local economy suffers. It deepens economic fragility and inequality by extracting wealth from these communities. “The problem is that if the grocery store closes, this impacts the town in a big way,” David Procter, an expert on community development and director of the Rural Grocery Initiative at Kansas State University, explains. “Our research shows grocers are barometers for other businesses in town: as goes the grocery store, so goes other independent businesses in that community.”

One immediate effect is a decline in employment. Dollar chains rely on a “lean” labor model –they understaff their stores, which not only leads to employee strain and safety violations like piles of merchandise king aisles and exits, but also fewer jobs. Dollar General employs about eight people per store, while the average small grocery store employs more than twelve people. (Relative to sales volume – i.e., for every $10 million in sales – independent grocers employ about 20 percent more people than Dollar General does.[44])

Dollar chains have also come under fire for how they treat their workers, including paying low wages and creating unsafe working conditions.

Dollar chains rely on a "lean" labor model — they understaff their stores, which not only leads to employee strain and safety violations like piles of merchandise blocking aisles and exits, but also fewer jobs. Photo Credit: Luke Gannon

Dollar chains have also come under fire for how they treat their workers, including paying low wages and creating dangerous conditions. An astonishing 92 percent of Dollar General workers earn less than $15 per hour – the worst rate of 66 large service-sector firms.[45] In 2019, the median annual salary for a Dollar General worker was just $14,571.[46] Managers earn around $40,000 and routinely work long hours, but they are not eligible for overtime pay because of their management status.[47] Conditions have prompted staff at several stores to abandon their posts, including in Eliot, Maine, where employees quit in protest of low wages and understaffing. The staff left a note on the window saying, "Closed indefinitely because Dollar General doesn't pay a living wage or treat their employees with respect."[48]

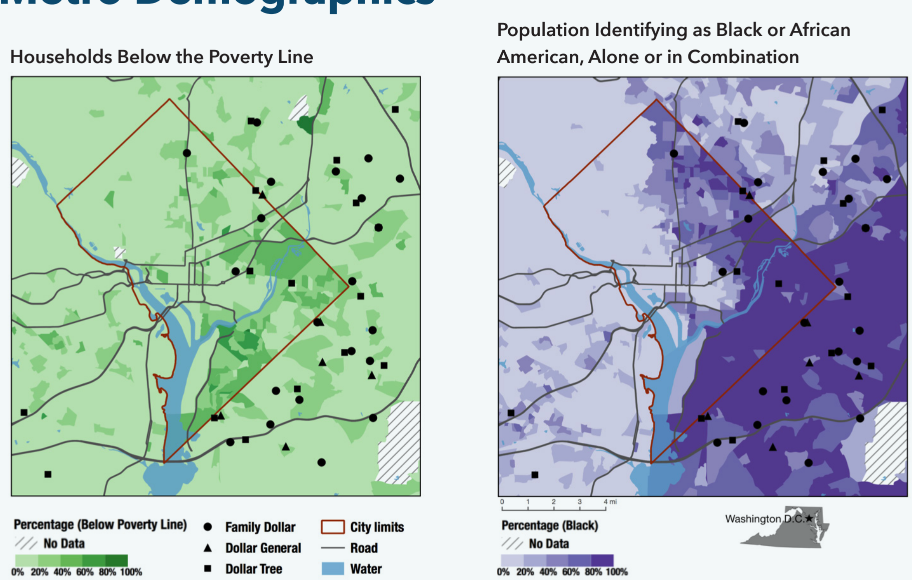
Their extractive model doesn't just harm workers; dollar chains also siphon the revenues that feed local economies. Many studies have found that locally owned businesses circulate a markedly larger percent than chain retailers. A study in Portland, Maine, for example, found that every $100 spent at locally owned businesses contributes an additional $58 to the local economy. By comparison, $100 spent at a chain store in Portland yields just $33 in local economic impact.[49]

When transitory, extractive corporations come into communities, it undermines more than economic vitality and access to what people and families need. In places where large, absentee corporations are dominant in

Dollar Store Locations and Metro Demographics

Washington, DC

Dollar stores cluster in the predominantly Black communities on the eastern side of the metro, including in the middle-class suburbs of Prince George's County, Md. They are few and far between on the Virginia side, where the population is largely white.



Note: 2018 Povery Threshold to $25,100 for a family of four.

Data: US Census, 2013-2017 ACS 5-Year Block Group Estimates; Dollar General, Dollar Tree, Family Dollar store locators. Institute for Local Self Reliance (2019)

A. local economy, democratic participation becomes suppressed. People in these communities are less likely to vote and participate less in community organizations, protest activities, and policy reform efforts. This inevitably weakens a community's ability to solve local problems and envision its own vision of development. Without this political and civic agency, and with increasing corporate control, well-being declines. Average incomes fall and poverty and crime rates rise. The social ties that neighborhood stores help knit together become frayed. There is also a tangible psychological cost, a loss of pride and optimism for the future, to watching once vital retail businesses, especially grocery stores, be boarded up.[50]

Dollar stores are dismal substitutes for grocery stores; they stock little fresh produce and sell only a narrow range of processed foods, such as packaged soup and soda.

Dollar General and Dollar Tree have set up their stores in ways that make them magnets for crime and violence.

"We have gotten second-class food, that's why we have some of the highest health disparities in our ward," explained Washington, D.C., City Councilmember Trayon White (Ward 8) in an interview on WAMU radio. Fresh produce is hard to come by in White's district. Meanwhile, dollar stores have clustered by the dozens nearby, in the predominantly Black communities on the eastern side of the D.C. metro. Leaders in other cities have linked dollar store proliferation with poor health, including shorter life expectancies. As if poor nutrition were not bad enough, last year Dollar Tree was handed a federal grand jury subpoena by the Eastern District of Arkansas due to a massive rat infestation at a Family Dollar distribution warehouse, which led to the recall of food, medicines, and cosmetics from over 400 stores in six states.[51]

Dollar General and Dollar Tree have also set up their stores in ways that make them magnets for crime and violence. In in-depth reporting for *The New Yorker*, the journalist Alec MacGillis found that dollar stores are the sites of a "steady stream of violence."[52] According to the Gun Violence Archive, an independent nonprofit research organization, 156 people were killed by guns at chain dollar stores between 2014-2021 and 329 others were injured.[53]

By maintaining a relentless focus on minimizing costs, the chains operate stores that are unsafe by design, with inadequate staffing and minimal security features and equipment. Store staff are frequently required to multitask, taking their attention away from the register. Boxes of unshelved inventory can make it hard for passersby to see into a store. A Georgia sheriff told *CNN* journalist Nathaniel Meyersohn, "We don't call them dollar stores. We call them stop-and-robs."[54] In Dayton, Ohio, where more than one quarter of all commercial robberies in 2019 took place at Dollar General stores, a police detective called dollar stores "robbery magnets."[55]

Photo Credit: Joshua Tree on Film

PART THREE

Turning the Tide: Communities Rise Up

All of these outcomes — the disappearance of fresh food, the stagnation and elimination of economic opportunity, and the erosion of social cohesion and stability — are not a reflection of what communities want or even what customers want. The dollar chains have thrived by eliminating more popular businesses and creating conditions that ensure that they're the only option.

While some of these stores may fill a genuine need, their extreme proliferation is largely a function of policy. Major shortcomings in antitrust enforcement have allowed the two chains to exercise predatory market power, and failures in financial regulation have allowed Wall Street to profit from it. Dollar General and Dollar Tree have also taken advantage of systemic racism and the marginalization of rural areas and benefitted from local land use policies that encourage all commercial development regardless of its broader costs.

Across the country people are responding to the destructive effects of dollar stores by blocking their expansion. Grassroots opposition

A. n to take off in 2018, after the city council in Tulsa, Okla., enacted one of the first ordinances to target dollar stores. The measure's passage was felt both locally and nationally. It focused national attention on the consequences of dollar stores and inspired other cities and towns to take steps to check their spread. It also marked a new era of political inclusion and civic power for the city's Black residents.[56] Communities across the country – in urban centers and in rural places – can do the same by standing up to dollar stores and building the vibrant local economies they want.

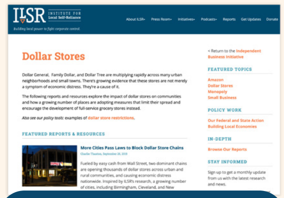
Since then, at least 75 communities have blocked dollar stores development proposals, according to our tally. It's an accelerating trend: more than 50 of these projects were defeated in the 24 months between January 2021 and December 2022.

In addition, over the last four years, at least 54 cities and towns have enacted measures limiting new dollar stores and, in one case, banning them altogether. Of these, 15 have imposed temporary moratoriums on the opening of new dollar stores, often an initial step on the way to permanently restricting them. Another 39 have adopted permanent ordinances. Many of these are "dispersal" measures, requiring a certain minimum distance between dollar stores – most specify between 1-mile and 5-miles – so that they don't overwhelm the market. Others make dollar stores a conditional use, requiring the developer to demonstrate that a proposed store meets certain criteria. Some of them combine dispersal and conditional use requirements. Some set a limit on the number of dollar stores that can operate in the community at any given time. One community, Stonecrest, Ga., banned new dollar stores altogether in 2019.

For more information about how communities can use ARPA funds to support local business development, see our 2022 report, Small Business's Big Moment.

ilsr.org/report-small-business-big-moment

How to Stop Dollar Stores in Your Community



For more information about how you can take action to stop chain dollar store development in your community – including a step-by-step strategy guide, examples of local ordinances restricting dollar stores, detailed facts and figures on their impact, and more – check out our Dollar Stores resources.

ilsr.org/dollar-stores

The kinds of places standing up to the dollar chains are varied. They include major cities. Atlanta, for example, imposed a one-mile dispersal ordinance. Birmingham, Ala., established a "healthy food overlay district" that limits dollar stores and incentivizes fresh-food retailers. And in Cleveland, Ohio, new dollar stores are prohibited unless they are at least 2 miles away from an existing dollar store and devote 15 percent or more of their shelf space to fresh or frozen produce and other minimally processed foods.

Many smaller places have also taken action. When Stonecrest, Ga., the middle-class, predominantly Black suburb of Atlanta that banned new dollar stores outright, Mayor Jason Lary declared, "You've seen your last dollar store in Stonecrest."[57] Stonecrest is one of at least 18 communities in Georgia that have enacted moratoriums or ordinances restricting dollar stores, while several other towns in the state have rejected specific store proposals. Similar clusters of dollar store resistance can be found in Ohio, Texas, Indiana, Michigan, North Carolina, and Florida.

As this list suggests, most of the places that have blocked dollar stores are in the South and Midwest. To some extent, this pattern reflects where Dollar General and Dollar Tree are opening more stores. It also illustrates how one community taking a stand tends to inspire neighboring places to follow suit. But even accounting for these factors, the geography of dollar store opposition remains quite striking. The South and Midwest – unlike, say, California and Vermont – are not

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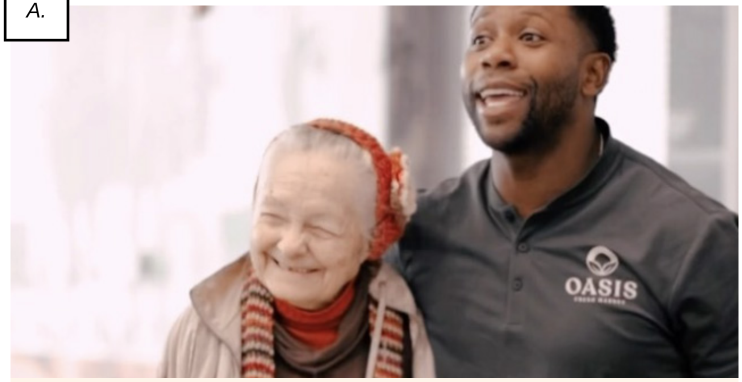

North Tulsa Welcomes a New, Locally Owned Grocery Store

Oasis Fresh Market is the first supermarket to serve North Tulsa, Okla.'s historically Black neighborhood in 14 years.[58] The approximately $5 million, 16,500 square foot store fills a vital need for fresh, healthy food in a community where the nearest supermarket was 8 miles away from some residents. Aaron Johnson, co-founder and CEO, reports that Oasis is not just drawing its neighbors, but pulling customers from other parts of the city that have ties to North Tulsa and Tulsa businesses that are procuring supplies for their offices.[59] This Black-owned independent grocery store, operated by the majority Black-owned Eco Alliance Group, is quickly becoming a key building block of economic and community vitality in North Tulsa.

Oasis Fresh Market is the culmination of a long effort by City Councilmember Vanessa Hall-Harper, Rose Washington, head of the Tulsa Economic Development Corporation, and other community leaders. A central part of their efforts was helping secure financing for Oasis, which has become a viable model of how to eradicate food deserts and nourish local economies in underserved communities.

Hall-Harper was also at the helm of the North Tulsa's dollar store fight. Across Tulsa, dollar stores were bypassing the city's more affluent, white neighborhoods and instead concentrating in poorer neighborhoods and neighborhoods with more Black residents, particularly North Tulsa. After more than a year of rallying community members, marshaling legal research, and steadily chipping away at the opposition, Hall-Harper and local residents convinced the City Council to enact a measure that limits dollar stores on Tulsa's northside. It was one of the first ordinances in the country to specifically target dollar store chains – banning new dollar stores within one mile of an existing dollar store – and sparked a movement for other cities and towns to fight their spread.

Photo Credit: Oasis Fresh Market

regions where it's common for municipalities to assertively flex their local zoning authority, especially to control corporate development.

Another common characteristic of most of the communities that have enacted dollar store ordinances is that they have a larger share of Black residents, and a higher portion of residents below the poverty line, than the national average.[60] But, that said, the list of places that have defeated dollar stores or adopted ordinances to restrict their spread also includes quite a few towns where the vast majority of residents are white.

A central motivation in many of these campaigns is a desire to safeguard local grocery stores and access to fresh food. In tiny Algansee, Mich. – population 1,817 – for example, some 200 residents turned out to a planning meeting to oppose a Dollar General slated to be built across the street from the beloved local J&L Grocery.[61] The town planning commission voted the project down. The communities of Morgan, Minn. and Catoosa County, Tenn., likewise rejected dollar stores because of the damage they would do to local grocery stores.[62]

Other places have turned dollar stores away because of their negative impacts on agricultural land (Crawfordsville, Ind.), market saturation (New Port Richey, Fla.), the community's ability to draw new industries (Scio, Ore.) or new residents (Albany, Ga.), stormwater runoff (Bono, Ohio), and traffic (Egg Harbor, Mich., and Boston's Codman Square neighborhood).[63]

After defeating dollar store projects, some communities turn their attention to establishing local supermarkets. After enacting limits on dollar stores, community leaders in Tulsa, for example, leveraged public funds and other support to help develop a local grocery store, which opened in North Tulsa in 2021 (see sidebar). Toledo, Ohio, is on the same path. Over the last three years, neighborhood activists have shot down several proposed dollar stores. The group, led by a group of local pastors, is now pushing the city council to adopt a healthy food overlay ordinance and use a portion of its federal pandemic recovery money (distributed through the American Rescue Plan Act) to finance a locally owned, full-service grocery store.

PART FOUR

Local Action is Not Enough: What Federal Policymakers Must Do

As widespread as the grassroots backlash against dollar stores has been, it's not enough on its own. Nearly 1,700 new Dollar General, Family Dollar, and Dollar Tree stores were slated to open last year alone.[64] And while cities and towns have the authority, through their zoning powers, to check the spread of dollar stores, many are ill-prepared when developers apply to build these stores. Local land use policies across much of the U.S. have been designed to speed commercial development along, not put hurdles in its path. In some places, retail projects are effectively pre-approved, giving officials scant legal options for denying a dollar store project even if they want to.

On top of this, the dollar chains derive much of their momentum and ability to overrun local grocery markets from federal policies that

A. erpin their expansion. One problem is that major gaps in antitrust enforcement have allowed the dollar chains to exploit their market power over suppliers in ways that thwart the ability of smaller retailers to compete. A second problem flows from the way we've structured our financial system. The capital markets, which enjoy regulatory advantages over depository institutions, have provided plentiful low-cost funding for dollar store expansion (and profited from their extractive model). Meanwhile, lending to local grocers and other local businesses has declined sharply because of consolidation in banking.

Local action alone cannot solve these broader realities, of course. Federal policymakers need to address the ways in which misguided policies are fueling the destructive proliferation of dollar stores and harming local businesses and communities. To date, they have given scant attention to this issue. That needs to change. In particular, policymakers need to:

Revive Antitrust Enforcement

Congress long ago recognized that powerful retail chains could use their leverage over suppliers to undermine competition. As major buyers, they could coerce suppliers into providing them with lower prices and other preferential terms that were not based on any actual cost savings and instead worked to put smaller retailers at a disadvantage. In 1936, Congress outlawed this tactic – "predatory buying" – with the passage of the Robinson-Patman Act.

Dollar chains derive much of their momentum and ability to overrun local grocery markets from federal policies that underpin their expansion.

Over the last several decades, however, the antitrust agencies have largely declined to enforce the Robinson-Patman Act, as part of a broader weakening of antitrust enforcement.[65] Today's dominant retailers, including Walmart and Dollar General, owe much of their size and reach to this profound change in policy. In particular, the dollar chains have been allowed to extract lower prices, special package sizes, and

Federal antitrust action — including reviving enforcement of the Robinson Patman Act — will help ensure that independent grocery stores can compete and that urban and rural communities alike have access to fresh, healthy food.

other preferences from suppliers, who make up for this narrowing of their margins by raising prices to independent grocers and other small retailers.[66] This undermines competition and allows the dollar chains to gain the upper hand, not by being better retailers, but simply by being bigger and controlling a larger share of the market.

Today, there is growing interest in reviving enforcement of the Robinson-Patman Act, including by leaders at the Federal Trade Commission.[67] Doing so would allow independent grocers to obtain the same pricing and terms available to the dollar chains, ensuring fair competition and safeguarding the communities that local grocers serve.

States have an important role to play in this policy area as well. State policymakers should look to revive enforcement of existing state laws (or enact new ones) that guard against unfair competition.[68]

Steer Capital to Independent Businesses

Changes in banking law and regulation in the 1980s and 1990s have led to the consolidation of the financial system and structured it in ways that have shifted more capital to large corporations, encouraged extractive business models, and reduced lending to small businesses by eliminating the local and regional banks that are the primary source of these loans.[69]

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Grocery stores, which operate on razor-thin margins, require capital. Community banks are essential for providing the financing that local grocery stores require to germinate and remain in business.

The disappearance of local banks, and the loss of small business lending they provided, has been particularly harmful for local grocery stores. Supermarkets are capital-intensive and operate on thin margins, which makes affordable financing crucial. Entrepreneurs who aspire to open grocery stores and existing grocers who want to upgrade or expand their stores, or add another location, often struggle to secure a loan. This is especially true for those serving small rural markets and low-income communities, as either factor can make them appear riskier to lenders.

Lawmakers need to implement banking policies that reverse consolidation and expand the number of local and regional financial institutions focused on productive, community-based lending. This could include measures such as capping the market share that any one bank can hold, breaking up the biggest banks, insisting that banks be more responsive to the needs of their geographic communities, and reducing regulatory and other entry barriers for new banks and credit unions. Policymakers should also look to limit the ability of private equity funds and other Wall Street investors to profit from predatory and extractive corporate strategies.

While building a vibrant, locally focused banking system is crucial, both the U.S. Small Business Administration and individual states should also look to step in directly by establishing grant and loan programs that are targeted to independent food retailers looking to open or expand in underserved communities.[70]

Strengthen the Authority of Communities to Reject Dollar Stores

States have an important role to play in this policy area as well. There are state-level laws against price discrimination on the books in dozens of states, and at least one state – Minnesota – is considering (at the time this report was published) amending its antitrust laws to include a ban on predatory buying. State policymakers should look to revive enforcement of existing state laws (or enact new ones) that guard against unfair competition.[71]

But the possibilities for state action go well beyond antitrust laws. State governments delegate most planning and land use decision-making authority to local governments, but all states retain the authority to regulate characteristics that affect the safety and welfare of their residents and of the environment. Chain dollar store development almost always has a negative impact on safety and welfare, including damaging the local economy, damaging the environment, increasing traffic, and attracting crime.

Lawmakers need to implement banking policies that reverse consolidation and expand the number of local and regional financial institutions focused on productive, community-based lending.

State lawmakers can strengthen the authority of communities to evaluate and reject proposed dollar stores. They can update the state's planning and land use enabling legislation to make it clear that local planning decisions must adhere to certain guidelines for the community's welfare, such as cultivating net economic growth, ensuring that everyone has access to healthy food, and protecting environmental resources. They can clarify and elevate the role of comprehensive plans (called "general plans" in some states) in establishing community development goals and in providing the framework for a community's land use regulations.

A. can also update state land use laws to make dollar stores a conditional use that requires approval from the municipality (that is, it is a use that is never allowed "by right") and further clarifying that local governments may reject these stores on a wide range of grounds, including if they are likely to have a detrimental effect on the local economy or access to fresh food. These approaches would be similar to existing state laws governing other types of retail development, such as Vermont's Land Use and Development Law (known as AB 250), which imposes additional scrutiny and hurdles on large commercial projects, and North Dakota's Pharmacy Ownership Law, which requires that only sole proprietors, who must be licensed pharmacists, may operate a pharmacy, effectively blocking chain retailers from operating drugstores in the state.

More than 1,000 people signed a petition opposing a rezoning request from a Georgia-based developer to build a Dollar General store in a residential neighborhood in Sheltontown, N.C., with concerns ranging from the proposed store's impact on traffic, crime, and the health of locally owned Moore's General Store. The county's planning board denied the rezoning request, and its decision was unanimously supported by the County Commission in July 2022. Photo Credit: Ryan Kelly / Mount Airy News

In urban centers and small towns alike, communities are turning dollar store chains away. The rising tide of grassroot opposition is pushing back against the impact these predatory chains are having on their lives — dollar stores are not merely byproducts of economic distress; they are a cause of it. They are elbowing out grocery stores and other local businesses, diminishing local jobs and the basic goods they need access to, and crushing the very prospect of prosperity and resilience that vibrant local economies ensure.

While dozens of cities and towns have blocked the chains from opening new stores, local action alone is not enough. Federal policymakers also need to target the ways in which misguided policies, particularly those governing antitrust and the financial sector, are fueling the destructive proliferation of dollar stores. ■

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ENDIX ONE

Dollar Store Locations and Metro Demographics

The Institute of Local Self-Reliance's research and reporting on dollar stores has drawn thousands of people to our website and prompted people across the country to reach out to share their own stories about how dollar stores are invading their communities. Hearing these stories prompted us, in 2018 and 2019, to investigate and map dollar stores across eight U.S. cities: Atlanta, Ga.; Dallas, Texas; Louisville, Ky.; Newark, N.J.; New Orleans, La.; Philadelphia, Pa.; Tulsa, Okla.; and Washington, D.C.

By mapping the locations of Dollar General, Dollar Tree, and Family Dollar stores alongside demographic data from the U.S. Census, we can see the extent to which dollar stores have proliferated in cities and the neighborhoods that have been hit especially hard. These maps confirm that the dollar chains are concentrating in poorer neighborhoods and communities of color.

We have included the maps for Atlanta and Washington, D.C. in the main report and the remaining six in this appendix. For more information on these maps, check out: ilsr.org/new-maps-dollar-stores-spread

Credit: Hannah Bonestroo and Marie Donahue

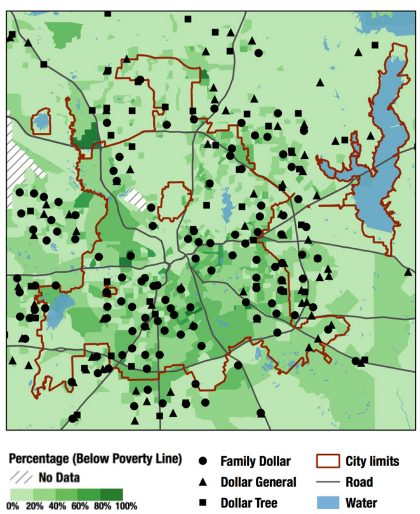
Dallas, Texas

Mesquite, an eastern suburb with modest houses and a population that is mostly Hispanic and African American, saw their neighborhoods saturated with dollar chains. Determined to stop the incursion, the city council passed a dollar store "dispersal" ordinance in 2018.

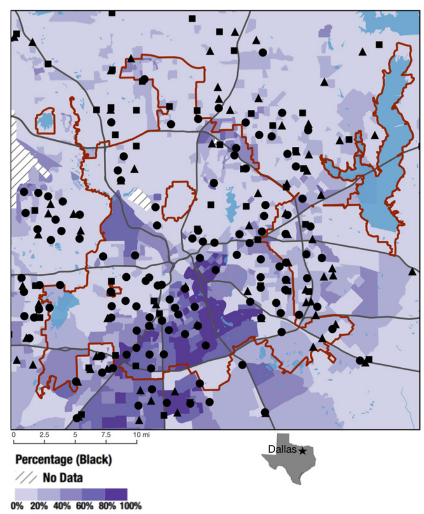
Note: 2018 Povery Threshold to $25,100 for a family of four.

Data: US Census, 2013-2017 ACS 5-Year Block Group Estimates; Dollar General, Dollar Tree, Family Dollar store locators. Institute for Local Self Reliance (2019)

Households Below the Poverty Line



Population Identifying as Black or African American, Alone or in Combination



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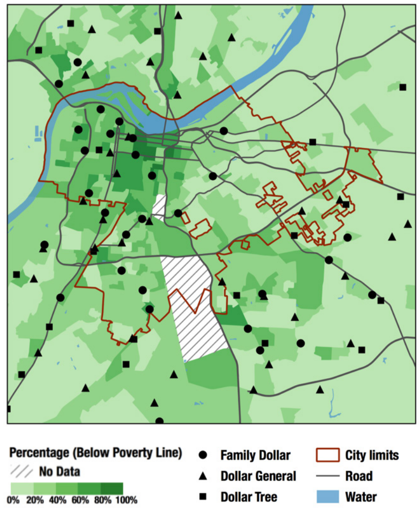
Louisville, Ky.

On Louisville's northwest side, grocery store closures and food insecurity have hit the city's low-income and African American residents particularly hard. Dollar stores have capitalized on this opening and cropped up across the city. By 2019, Louisville had 28 dollar stores operated by the three major brands within its city limits, and a total of 83 across the metro region shown here.

Note: 2018 Povery Threshold to $25,100 for a family of four.

Data: US Census, 2013-2017 ACS 5-Year Block Group Estimates; Dollar General, Dollar Tree, Family Dollar store locators. Institute for Local Self Reliance (2019)

Households Below the Poverty Line



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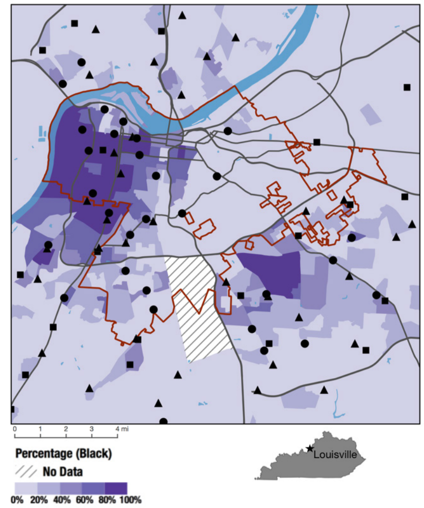


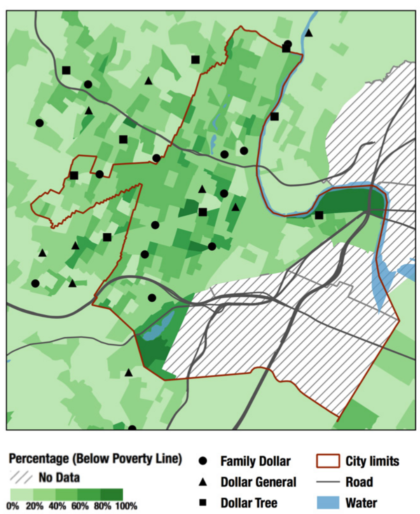
Newark, N.J.

Dollar stores have been multiplying in Newark. By 2019, the New Jersey city claimed 12 stores within its boundaries and 32 dollar stores across the region we mapped.

Note: 2018 Povery Threshold to $25,100 for a family of four.

Data: US Census, 2013-2017 ACS 5-Year Block Group Estimates; Dollar General, Dollar Tree, Family Dollar store locators. Institute for Local Self Reliance (2019)

Households Below the Poverty Line



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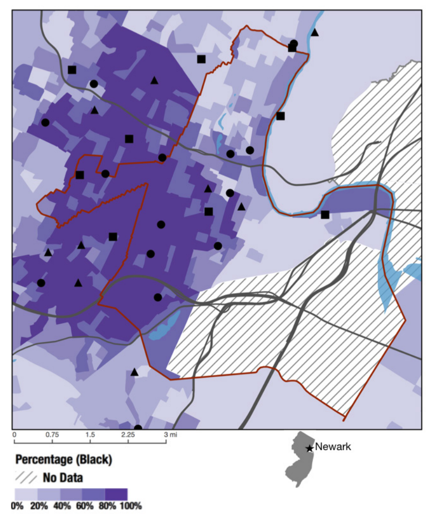


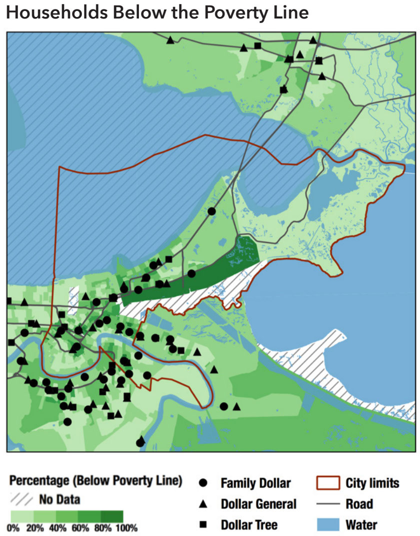
New Orleans, La.

Following the devastation caused by Hurricane Katrina and levee failures in 2005, chain dollar stores multiplied across New Orleans. They particularly targeted New Orleans East, a predominantly African American neighborhood on the city's east side.

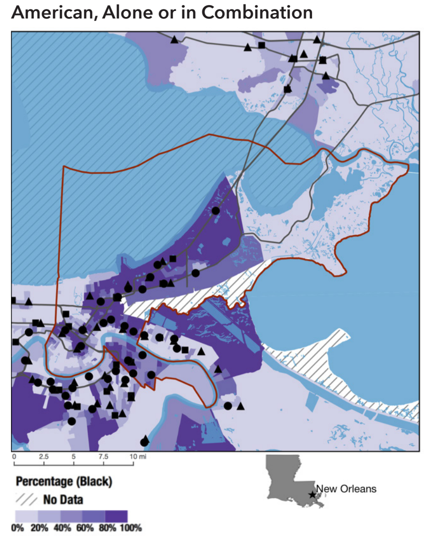
Note: 2018 Povery Threshold to $25,100 for a family of four.

Data: US Census, 2013-2017 ACS 5-Year Block Group Estimates; Dollar General, Dollar Tree, Family Dollar store locators. Institute for Local Self Reliance (2019)

Households Below the Poverty Line



Population Identifying as Black or African American, Alone or in Combination



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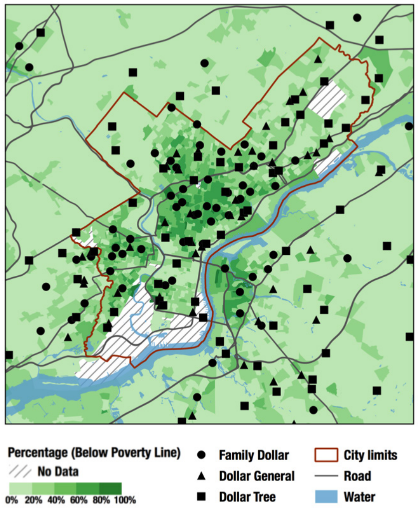
Philadelphia, PA

There are more than 100 dollar stores within the city of Philadelphia and nearly 200 across the metro area. Dollar stores are now "everywhere" and have become "more ubiquitous than Wawas," a common regional gas station chain, reported *The Philadelphia Inquirer*.

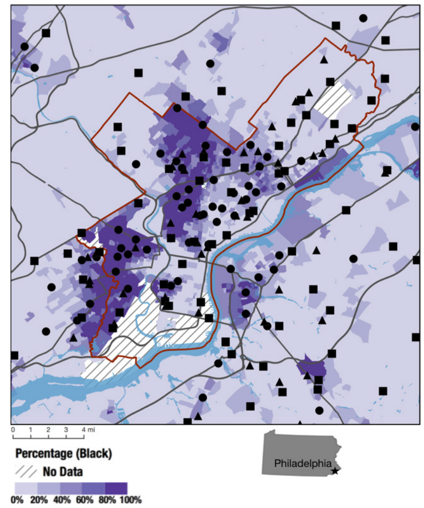
Note: 2018 Povery Threshold to $25,100 for a family of four.

Data: US Census, 2013-2017 ACS 5-Year Block Group Estimates; Dollar General, Dollar Tree, Family Dollar store locators. Institute for Local Self Reliance (2019)

Households Below the Poverty Line



Population Identifying as Black or African American, Alone or in Combination



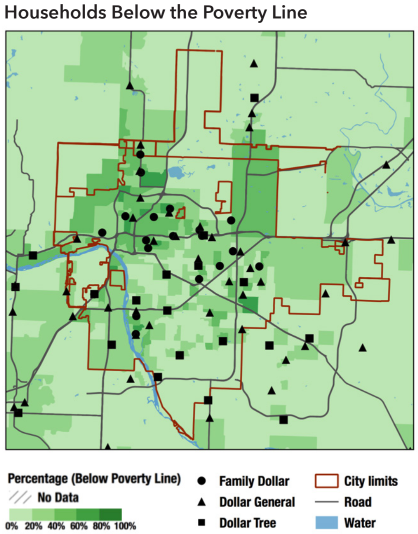
Tulsa, Okla.

Dollar stores have largely side-stepped the city's more affluent, white neighborhoods, plaguing areas with what City Councilor Vanessa Hall-Harper describes as a "proliferation" of dollar stores – in both a greater percentage of households living in poverty and more African American residents. In 2019, Tulsa had 52 dollar stores within its city limits and 81 within the extent illustrated by our map.

Note: 2018 Povery Threshold to $25,100 for a family of four.

Data: US Census, 2013-2017 ACS 5-Year Block Group Estimates; Dollar General, Dollar Tree, Family Dollar store locators. Institute for Local Self Reliance (2019)

Households Below the Poverty Line



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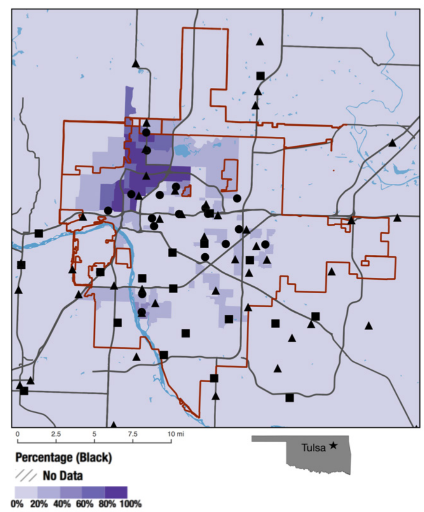


A. ENDIX TWO

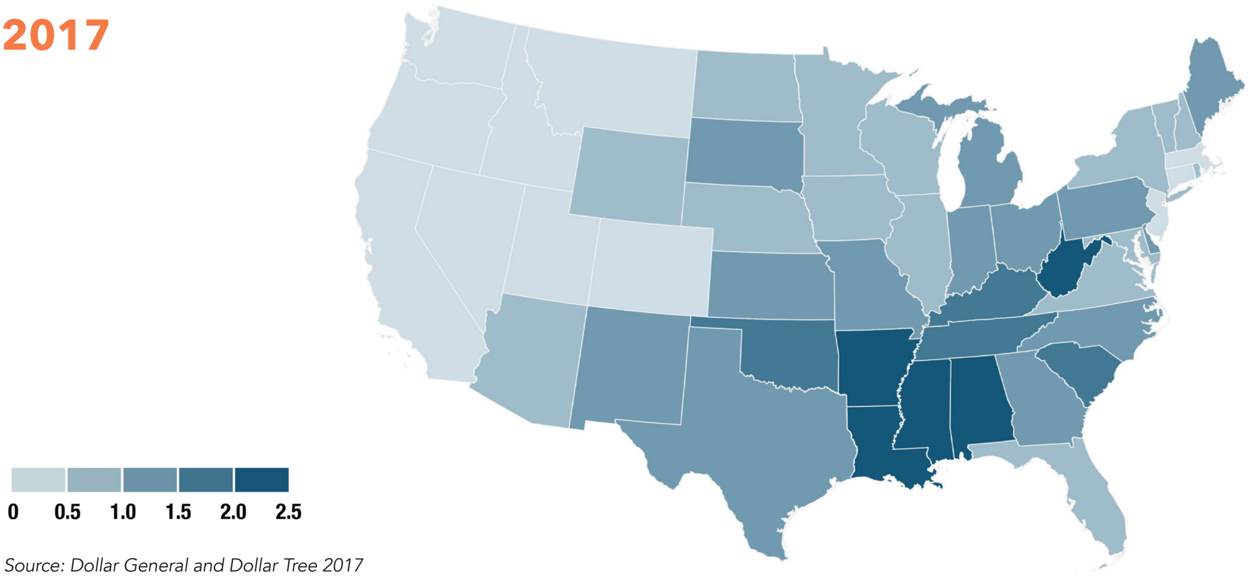
Density of Chain Dollar Stores

Over the last four years, Dollar General has added about 3,500 locations – opening more than 100 new stores across New York, nearly 200 in Ohio, and 300 in Texas – bringing its roster to more than 18,000 stores and cementing its status as the largest retailer in the U.S. by number of locations. This year, Dollar General and Dollar Tree together are on track to open 1,700 new stores. And both report that they have identified many more locations; in the coming years, they plan to grow their combined empires to more than 51,000 outlets.

Number of Dollar Stores per 10,000 Residents by State

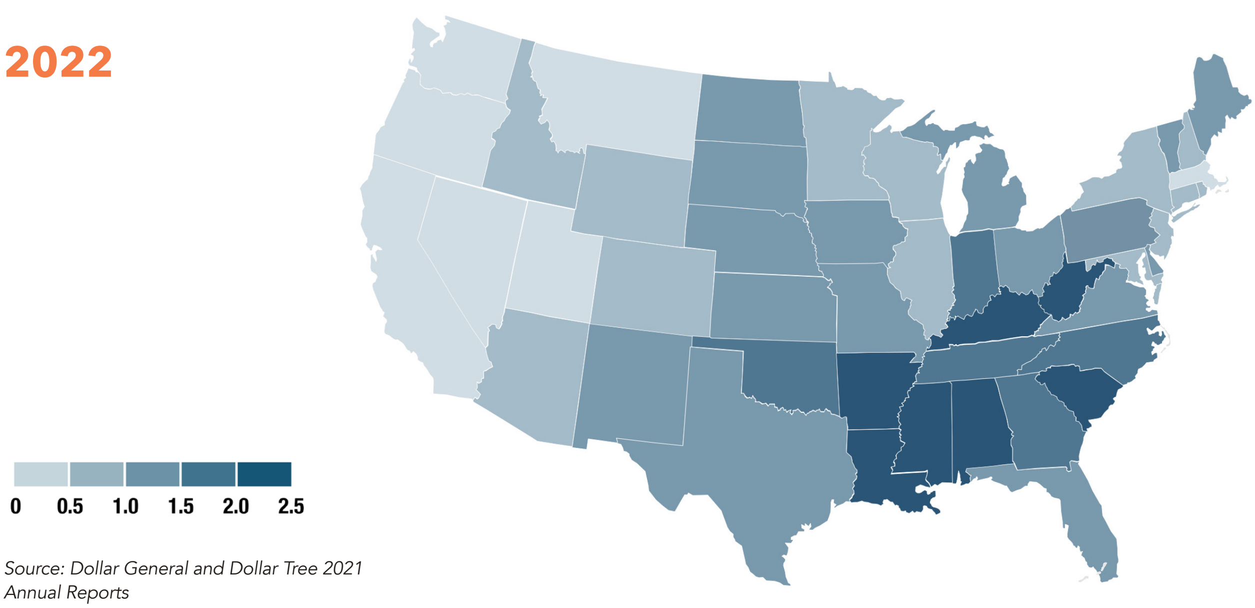
Includes Dollar General, Dollar Tree, and Family Dollar locations

2017



Source: Dollar General and Dollar Tree 2017 Annual Reports

2022



Source: Dollar General and Dollar Tree 2021 Annual Reports

A.

Notes

1. See, for example: Rachel Siegel, "As Dollar Stores Move Into Cities, Residents See a Steep Downside," *The Washington Post*, February 15, 2019; Lester Holt, "Dollar Stores on the Rise, Sparking Concerns Over Healthy Food Access (Part 1), *NBC News*, May 9, 2019.
2. Morgan Phillips, "The Vision Behind a North Tulsa Grocery Store," *Tulsa People*, May 17, 2021.
3. Jerry Shannon, "Dollar Stores, Retailer Redlining, and the Metropolitan Geographies of Precarious Consumption," Annuals of the American Association of Geographers, 2021.
4. Marie Donahue and Hannah Bonestroo, "Maps Show Alarming Pattern of Dollar Stores' Spread in U.S. Cities," Institute for Local Self-Reliance, February 20, 2019.
5. Nathaniel Meyerson, "Nearly 1 in 3 New Stores Opening in the US is a Dollar General," *CNN Business*, May 6, 2021.
6. P. Smith, "Number of Dollar Stores in the United States from 2017 to 2021," Statista, March 4, 2022; "Number of McDonald's Locations in the United States in 2022," ScrapeHero, August 29, 2022; "Number of Starbucks Locations in the United States in 2022," ScrapeHero, August 8, 2022; "Number of Target Locations in the United States in 2022," ScrapeHero, August 29, 2022; "Number of Walmart Locations in the United States in 2022," ScrapeHero, September 5, 2022.
7. Based on our calculations, using data from dollar store chains' online store directories.
8. Dollar General Annual Report, 2021.
9. Dollar Tree Annual Report, 2021.
10. Projections in the Annual Reports of Dollar General and Dollar Tree, and Dollar General's "2020 Vision: Invest for Growth" presentation.
11. Jerry Shannon, "Dollar Stores, Retailer Redlining, and the Metropolitan Geographies of Precarious Consumption," Annuals of the American Association of Geographers, 2021.
12. Stacy Mitchell and Marie Donahue, "Report: Dollar Stores are Targeting Struggling Urban Neighborhoods and Small Towns. One Community is Showing How to Fight Back," Institute for Local Self-Reliance, December 6, 2018.
13. Siegel, Op. Cit.; Michael Sainato, "How Dollar Stores Prey on the Poor," *The Progressive Magazine*, October 1, 2019.
14. Mitchell and Donahue, Op. Cit.
15. Alec MacGillis, "The True Cost of Dollar Stores," *The New Yorker*, June 29, 2020.
16. Stacy Mitchell and Ron Knox, "Boxed Out: How Predatory Buying is Killing off Small Businesses," Institute for Local Self-Reliance, September 22, 2021.
17. Joe Eskenazi, "Dollar Stores are Thriving – But are They Ripping off Poor People?," *The Guardian*, June 28, 2018.
18. Ann T. Natunewicz, "Dollar Days: How Dollar Stores are Growing in a Weak Economy," Colliers White Paper Dollar Days 2011, December 2011.
19. Stacy Mitchell, "Big Box Swindle: The True Cost of Mega-Retailers and the Fight for America's Independent Businesses," January 1, 2006; Stacy Mitchell, "Walmart's Monopolization of Local Grocery Markets," Institute for Local Self-Reliance, June 26, 2019.
20. See, for example, evidence presented in Wal-Mart Stores, Inc. v. American Drugs, Inc. 891 S.W.2d 30, 1995.
21. Annie Gasparro, Sarah Nassauer, and Heather Haddon, "Big Food Faces Pressure from Retailers Demanding Discounts," *Wall Street Journal*, August 31, 2017; Paul Ziobro and Serena Ng, "Wal-Mart Ratchets Up Pressure on Suppliers to Cut Prices," *Wall Street Journal*, March 31, 2015; Charles Fishman, "The Wal-Mart You Don't Know," Fast Company, December 1, 2003; Anthony Bianco and Wendy Zellner, "Is Wal-Mart too Powerful?" *Bloomberg*, October 5, 2003.
22. Mitchell, Walmart's Monopolization, Op Cit.
23. Authors' analysis of data from Chain Store Guide's Grocery Industry Market Share Report, 2018.
24. Katharine Yang Bao, Daoqin Tong, David A. Plane, and Stephanie Buechler, "Urban Food Accessibility and Diversity: Exploring the Role of Small Non-chain Grocers," Applied Geography, 2020.
25. Çakır, Kong, Cho and Stevens, "Rural Markets and Independent Grocery Retailers," American Journal of Agricultural Economics, October 2020.
26. Jerry Shannon, "From Food Deserts to Supermarket Redlining: Making Sense of Food Access in Atlanta," August 2018.
27. Mitchell and Donahue, Op. Cit.
28. Kenneth E. Stone, "The Effects of Wal-Mart Stores on Businesses in Host Towns and Surrounding Towns in Iowa," Iowa State University, November 9, 1988.
29. Jerry Shannon, "Dollar Store Locations Track Real Estate Redlining Practices," College of Family and Consumer Finances, University of Georgia, September 2, 2020.
30. Mitchell and Donahue, Op. Cit.
31. Tai Wong, "Town of Whitmire Losing Only Full Service Grocery Store," *News19*, February 7, 2022; Don Haney, "Casselton's Wangler Foods, the Last Grocery Store in Town, on the Closing Block," *KFGO*, February 3, 2022; Frank Morris, "How Dollar General is Transforming Rural America," *Illinois Public Media*, December 12, 2017; Chris McGreal, "Where Even Walmart Won't Go: How Dollar General Took Over Rural America," *The Guardian*, August 13, 2018;Barbara Soderlin, "Dollar General is Expanding in Rural Midwest, Presenting a Threat to Small-town Grocery Stores, *Omaha World-Herald*, November 12, 2017; Emily Russel, "'My Heart Hurts' - Another North Country Grocery Closes," *NCPR*, April 22, 2019.
32. Mitchell and Donahue, Op. Cit.
33. RF Buche, personal interview, September 2022.
34. "Buyer Power and Economic Discrimination in the Grocery Aisle: Kitchen Table Issues for American Consumers," The National Grocers Association, March 16, 2021.
35. Mitchell and Knox, Op. Cit.
36. The National Grocers Association, Op. Cit.
37. David Smith, "Hearing on 'Beefing up Competition: Examining America's Food Supply Chain' Before the Senate Judiciary Committee," Associated Wholesale Grocers, July 28, 2021.
38. Elizabeth Kelsey, "Peosta City Council Agrees to Incentives for Proposed Dollar General," *Telegraph Herald*, June 16, 2022.
39. Subsidy Tracker, Dollar Tree, Good Jobs First, Information retrieved in June 2022.
40. Diane Bartz, "FTC Allows Sycamore to Sell Family Dollar Stores to Dollar General," *Reuters*, April 27, 2017.
41. Matt Jarzemsky, "KKR, Goldman Exit from Dollar General Stake with $252 Million Stock Sale," *The Wall Street Journal*, December 12, 2013.
42. "FTC Requires Dollar General Tree and Family Dollar to Divest 330 Stores as Condition of Merger," Federal Trade Commission press release, July 2, 2015.
43. Bartz, Op. Cit.
44. Dollar General 2021 Annual Report and U.S. Economic Census.
45. Economic Policy Institute, "Company Wage Tracker," April 2022.
46. 2019 Annual Report and 2020 Proxy Statement, Dollar General.
47. Jack Newsham and Peter Coutu, "The Human Cost of Family Dollar's Low Prices: Its Workers Describe 80-hour Weeks, Sleeping in Chairs, and Snakes in the Stockroom," Business Insider, January 24, 2022.

es Continued

48. Áine Cain, "Dollar General at Center of Labor Unrest Controversy After Frustrated Workers Walk off Job in Maine Citing Low Wages and Understaffed Stores," *Business Insider*, May 6, 2021.

49. Amar Patel and Garrett Martin. "Going Local: Quantifying the Economic Impacts of Buying from Locally Owned Businesses in Portland, Maine," Maine Center for Economic Policy, 2011.

50. Troy Blanchard and Todd L. Matthews, "The Configuration of Local Economic Power and Civic Participation in the Global Economy," Social Forces, Vol. 84, No. 4, June 2006; Charles M. Tolbert, Michael D. Irwin, Thomas A. Lyson, and Alfred R. Nucci, "Civic Community in Small-Town America: How Civic Welfare Is Influenced by Local Capitalism and Civic Engagement," Rural Sociology, 67(1), 2002; A.M. Reese, "Black Food Geographies: Race, Self-Reliance, and Food Access in Washington, D.C." Chapel Hill, UNC Press, 2019; Sterling A. Bone, Glenn L. Christensen, and Jerome D. Williams, "Rejected, Shackled, and Alone: The Impact of Systemic Restricted Choice on Minority Consumers' Construction of Self," Journal of Consumer Research, 41(2).

51. Praveen Paramasivam and Maju Samuel, "Dollar Tree Discloses Federal Grand Jury Subpoena Over Pest Issue," *Reuters*, March 16, 2022.

52. MacGillis, Op. Cit.

53. Our calculations based on Gun Violence Archive data.

54. Nathaniel Meyersohn, "Dollar General is Cheap, Popular, and Spreading Across America. It's Also a Robbery Magnet, Police Say," *CNN Business*, June 26, 2020.

55. Ibid.

56. Mitchell and Donahue, Op. Cit.

57. J.D. Capelouto, "Ban the Dollar Store? Local communities Halt New Discount Shops," *The Atlanta Journal-Constitution*, December 17, 2019.

58. Oasis Fresh Markets, 2021.

59. "Watch: Oasis Fresh Market Owner Aaron Johnson Discusses the Store's Recent Success," *News on 6*, December 16, 2021.

60. J. McCarthy, D. Minovi, C.R. Singleton, "Local Measures to Curb Dollar Store Growth: A Policy Scan," *Nutrients* 2022.

61. Don Reid, "Township Rejects Dollar General," *The Daily Reporter*, October 30, 2019.

62. Patrick Condon, "Some Small Minnesota Towns Push Back Against Dollar General," *Star Tribune*, August 15, 2021; Tyler Jett, "Dollar General Rezoning Denied in Catoosa County," *Chattanooga Times Free Press*, September 27, 2017.

63. Tina McGrady, "County Denies Rezoning for Dollar General Store," *Journal Review*, January 11, 2022; Carl Orth, "NPR Rejects Rezoning for Family Dollar Store," *Suncoast News*, August 9, 2017; Bill Poehler, "Scio Joins Cities that have Rejected Dollar General's Expansion into Rural Communities," *Statesman Journal*, September 25, 2019; Alan Mauldin, "Neighborhood Aesthetics Cited in Denial of Dollar General in Dougherty County," *Albany Herald*, August 21, 2021; Kelly J. Kaczala, "Jerusalem Township Won't Sell to Dollar General," *The Press*, June 17, 2021; Debra Fitzgerald, "Egg Harbor Rejects Dollar General Store," *Door County Pulse*, March 16, 2021; N.A., "Board Rejects Dollar Tree Store Proposed for Codman Square," *Dorchester Reporter*, December 4, 2019.

64. Dollar General 2021 Annual Report; Dollar Tree 2021 Annual Report.

65. Brian Callaci and Sandeep Vaheesan, "How an Old U.S. Antitrust Law Could Foster a Fairer Retail Sector," Harvard Business Review, February 9, 2022; Stacy Mitchell, "Report: Monopoly Power and the Decline of Small Business," August 10, 2016.

66. Mitchell and Knox, Op. Cit.; Rose Adams, "Big Business Games the Supply Chain," *The American Prospect*, February 9, 2022.

67. Dan Papscun, "FTC's Khan Eyes Old Weapon to Crack Down on New Market Players," *Bloomberg Law*, July 7, 2022; Leah Nylen, "New FTC Member Wants to Revive Price Discrimination Law," *Bloomberg*, September 20, 2022.

68. See, for example, California's Unfair Competition Law.

69. Stacy Mitchell and Susan R. Holmberg, "Fighting Monopoly Power: Banking," Institute for Local Self-Reliance, July 2020.

70. One example is Pennsylvania's Healthy Food Financing Initiative, which, during the years of its operation, helped finance about 100 independent supermarkets and other stores selling fresh food.

71. See, for example, California's Unfair Competition Law.

File Attachments for Item:

B. Ordinance No. 2026-09-1190 and Resolution No. 2026-09-652 — Updating Park and City Facility Reservation Fees

1. Presentation

2. Discussion

3. Action

CITY COUNCIL REPORT

■ **Business Item** ☐ **Consent Agenda**

Needs Legal Review:	Yes, Complete
Meeting Date:	September 2, 2026
Agenda Item:	Ordinance No. 2026-09-1190 and Resolution No. 2026-09-652 — Updating Park and City Facility Reservation Fees
Presented By:	Erika Castro Guzman, City Clerk

Action Required

Adopt Ordinance No. 2026-09-1190 amending WSMC Chapter 12.28 and Resolution No. 2026-09-652 adopting an updated City Park and Facility Use Application, fee schedule, and annual CPI-based adjustment methodology.

Motion for Business Item

Move to adopt Ordinance No. 2026-09-1190 amending WSMC Chapter 12.28 regarding park and City facility reservation fees, and Resolution No. 2026-09-652 amending Resolution 2014-07-386; adopting the updated City Park and Facility Use Application and fee schedule; and establishing an annual CPI-based adjustment methodology for hourly reservation fees.

Background of Issue:

In 2014, the City Council adopted Resolution 2014-07-386 to establish user fees and a related permit form for events in City parks. The 2014 materials included hourly park reservation fees, a $150 refundable damage deposit, a $30.00 power connect/disconnect fee, and a garbage fee of $10.00 per can.

Since that time, the City's reservation practices have expanded beyond park shelters to include City facilities such as the City Hall Conference Room and City Council Chambers. Staff reviewed the existing code, application, rental policies, general rules, and fee schedule and identified updates needed to align the documents with current operations, available reservation locations, and the proposed amendments to WSMC Chapter 12.28.

Explanation of Issue

The City is updating its park and City facility reservation code, application, rules, and fee schedule to better reflect current administrative practices. Ordinance No. 2026-09-1190 amends WSMC Chapter 12.28 by renaming the chapter from "Event Park Fees" to "Park and City Facility Reservation Fees," adding a definition for City facilities, clarifying that fees are adopted by City Council resolution, removing references to deposits, and preserving the City's authority to require applicable fees, charges, insurance, permits, approvals, and conditions of use.

Resolution No. 2026-09-652 updates the City Park and Facility Use Application and fee schedule. The updated application includes City Hall Conference Room, City Council Chambers, Rheingarten Park Gazebo, and Rheingarten Park Picnic Shelter as location options; adds fields for power, water, admission funds, and concessions; removes the $150 refundable damage deposit and garbage fee; adds a $30.00 water connection fee; and updates the power connection fee to $50.00.

The updated hourly reservation fees are scheduled to take effect January 1, 2027. Beginning January 1, 2028, and each January 1 thereafter, non-zero hourly reservation fees may increase, if allowed by law, using the prior July-to-July CPI-U, Western Region, All Items index, with the calculated fee rounded upward to the nearest whole dollar. A $0.00 fee remains $0.00 unless separately changed by City Council action.

This item was discussed and supported by the Community Development Committee at its August 17, 2026, meeting. The proposed ordinance and resolution are attached for reference.

City Council Options:

City Council has the following options available:

1. Adopt Ordinance No. 2026-09-1190 and Resolution No. 2026-09-652.
2. Revise the proposed ordinance and/or resolution.
3. Refer this ordinance back to committee for further work.
4. Other action as may be desired by the City Council.

Fiscal Analysis:

The proposed fee schedule updates hourly reservation fees effective January 1, 2027, and establishes a CPI-based annual adjustment methodology for future non-zero hourly reservation fees. The resolution removes the $150 refundable damage deposit and garbage fee, adds a $30.00 water connection fee, and updates the power connection fee to $50.00. Revenue impacts will depend on facility use, applicant group classification, residency status, and requests for power or water. Staff administration of the reservation program is an existing operational function.

Recommendation of Staff:

Staff and Committee recommends that City Council adopt Ordinance No. 2026-09-1190 and Resolution No. 2026-09-652 as presented.

Follow-Up Action:

If adopted, staff will publish the ordinance, update the park and facility use application and fee schedule, implement the January 1, 2027, fees, and publish future annual CPI-adjusted hourly fees as authorized by Council resolution.

CITY OF WHITE SALMON
ORDINANCE NO. 2026-09-1190

AN ORDINANCE OF THE CITY OF WHITE SALMON, WASHINGTON AMENDING WSMC CHAPTER 12.28 REGARDING PARK AND CITY FACILITY RESERVATION FEES; REMOVING REFERENCES TO DEPOSITS; CLARIFYING THAT APPLICABLE FEES ARE ADOPTED BY COUNCIL RESOLUTION; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the City of White Salmon adopted Chapter 12.28 of the White Salmon Municipal Code to establish fees for the reservation and use of public parks for events; and,

WHEREAS, Chapter 12.28 WSMC provides that applicable fees shall be adopted by City Council resolution, and the City Council desires to authorize a resolution to establish a ministerial annual CPI-based adjustment methodology so that hourly reservation fees may be updated without adopting a new resolution each year; and,

WHEREAS, the City Council desires to update Chapter 12.28 WSMC to align the Municipal Code with the City's updated park and facility use application, fee schedule, and administrative practices; and,

WHEREAS, the City Council desires to remove outdated references to deposits while preserving the City's authority to require applicable fees, charges, insurance, permits, approvals, and conditions of use; and,

WHEREAS, the City Council finds that this ordinance is in the public interest and will improve clarity and administration of City park and facility reservations;

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

That the following amendments be made to WSMC Chapter 12.28 as follows:

Key: **~~Bold and strikethrough~~ means repealed.**
<u>Bold and underline</u> means new.

<u>SECTION 1.</u> Chapter Title Amended.

The title of Chapter 12.28 WSMC is amended from "Event Park Fees" to "Park and City Facility Reservation Fees."

<u>SECTION 2.</u> WSMC 12.28.001 Amended.

Chapter 12.28.001 – Definitions.

"Event." An organized gathering of not fewer than ten people for a planned occasion.

"Park" Those areas of the city zoned as public parks, including, without limitation, White Salmon City Park, Fireman's Park, Pioneer Park, Gaddis Park, and ~~Rhinegarten~~ **Rheingarten** Park .

"City facility" means a City-owned or City-managed room, building, park facility, or other space made available by the City for reservation or public use.

12.28.002 - Fees established.

~~**The city of White Salmon hereby establishes fees to reserve the use of public parks within its boundaries for events. The fees shall be adopted by council resolution and shall remain in effect until repealed or revised.**~~

The City of White Salmon establishes fees for the reservation and use of City parks and City facilities. Such fees shall be adopted by City Council resolution. Fees shall remain in effect until repealed or revised by subsequent City Council action.

12.28.003 - Permit required.

~~**Event users shall first obtain a permit for the reservation of such use and pay any required fees and deposits prior to the event. The city shall have discretion as to the scheduling of events and generally operates on a first come, first serve basis.**~~

A person or organization seeking to reserve or use a City park or City facility for an event shall first obtain any required City permit or approval and shall pay all applicable fees and charges prior to the event. The City shall have discretion as to the scheduling and approval of reservations and generally operates on a first-come, first-served basis.

12.28.004 - Violation—Penalty.

It shall be unlawful to reserve **a City park or City facility for** ~~an event in a city park~~ without first obtaining a **City** permit **or approval.** Violation of this section shall be punishable as a civil infraction in the sum of not less than the greater of one hundred dollars or twice the applicable user fee as established by **City Council** resolution.

SECTION 3. Administrative Forms and Conditions of Use.

The City Clerk or designee is authorized to maintain and update the City's park and facility use application, instructions, rental policies, general rules, and published fee schedule for administrative clarity. The City Clerk or designee may calculate and publish annual hourly reservation fee adjustments in accordance with the methodology adopted by City Council resolution under WSMC 12.28.002. Any other change to fees, charges, or penalties requires City Council approval unless otherwise authorized by law.

SECTION 4. Severability

If any section, sentence, clause, or phrase of this ordinance is held invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

SECTION 5. Effective Date

This ordinance shall take effect and be in full force on January 1, 2027, following publication as provided by law.

Passed by the City Council of the City of White Salmon at a regular meeting this ____ day of ______, 2026.

____
Marla Keethler, Mayor

ATTEST:

____
Erika Castro Guzman, City Clerk

APPROVED AS TO FORM:

____
Shawn MacPherson, City Attorney

CITY OF WHITE SALMON
RESOLUTION NO. 2026-09-652

A RESOLUTION OF THE CITY OF WHITE SALMON, WASHINGTON, AMENDING RESOLUTION 2014-07-386; ADOPTING AN UPDATED CITY PARK AND FACILITY USE APPLICATION AND FEE SCHEDULE; AND ESTABLISHING AN ANNUAL CPI-BASED ADJUSTMENT METHODOLOGY FOR HOURLY RESERVATION FEES.

WHEREAS, the City Council adopted Resolution 2014-07-386 on July 16, 2014, revising City park event user fees and adopting a related use application and fee schedule; and

WHEREAS, the City has reviewed its park and facility use application, rental policies, general rules, and fee schedule for consistency with current administrative practices and the proposed amendments to Chapter 12.28 of the White Salmon Municipal Code; and

WHEREAS, the updated City Park and Facility Use Application includes fields for power requested, water requested, admission funds collected, and concessions sold, and update location options; and

WHEREAS, the City Council desires to remove the $150 refundable damage deposit and remove the garbage fee from the application and fee schedule; and

WHEREAS, applicants will remain responsible for removing all food, materials, equipment, furnishings, decorations, and bagged garbage at the end of an event, and for reimbursing the City for damage, excessive cleaning, or other costs caused by the event or use of City property; and

WHEREAS, the City Council desires to establish a water connection fee of $30.00 and update the power connection fee to $50.00, when such service is requested and approved as part of the application; and

WHEREAS, the City Council has reviewed an analysis using the Consumer Price Index for All Urban Consumers (CPI-U), West Region, All Items, not seasonally adjusted, published by the United States Bureau of Labor Statistics, to update hourly reservation fees from the 2014 base fee schedule; and

WHEREAS, the City Council desires to establish a consistent annual methodology under which each January 1 hourly reservation fee is calculated by applying the prior July 12-month percentage change in the CPI-U, West Region, All Items, not seasonally adjusted, to the then-current fee; each calculated fee is rounded upward to the nearest whole dollar; the rounded fee becomes the base for the following annual adjustment; and a fee of $0.00 remains $0.00 unless separately changed by City Council action; and

WHEREAS, the updated application also revises the instructions, rental policies, general rules, nondiscrimination language, indemnification language, required attachments, and applicant acknowledgment for clarity and current administrative use.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of White Salmon, Washington, that Resolution 2014-07-386 is amended to the extent inconsistent with this resolution; that the updated City Park and Facility Use Application, attached as Exhibit A, and the updated City Park and Facility Fee Schedule, attached as Exhibit B, are hereby adopted; that the $150 refundable damage deposit and garbage fee are removed; that a water connection fee of $30.00 is added; and that the power connection fee is updated to $50.00.

BE IT FURTHER RESOLVED that the hourly reservation fees currently in effect shall remain in effect through December 31, 2026, and the CPI-adjusted hourly reservation fee schedule set forth in Exhibit B shall become effective January 1, 2027.

BE IT FURTHER RESOLVED that, beginning January 1, 2028, and each January 1 thereafter, each non-zero hourly reservation fee may increase, if allowed by law, by the rate of increase, if any, in the Consumer Price Index for All Urban Consumers (CPI-U), Western Region, All Items, July-to-July index, published by the Bureau of Labor Statistics in the prior year. The calculated fee shall be rounded upward to the nearest whole dollar, and that rounded fee shall be the base for the next annual adjustment. A $0.00 fee shall remain $0.00 unless separately changed by City Council action. Adjustments made under this methodology do not require a new resolution each year.

BE IT FURTHER RESOLVED that the location options on the application are updated to include City Hall Conference Room, City Council Chambers, Rheingarten Park Gazebo, and Rheingarten Park Picnic Shelter, subject to City approval and availability.

BE IT FURTHER RESOLVED that the City Clerk or designee may make non-substantive administrative updates to the application, instructions, rental policies, general rules, and published fee schedule, including publication of annual CPI-adjusted hourly fees calculated under this resolution, provided such updates do not otherwise change fees, charges, penalties, or substantive policy requirements adopted by the City Council.

BE IT FURTHER RESOLVED that the fee schedule and annual CPI adjustment methodology established by this resolution shall be effective January 1, 2027.

ADOPTED by the City Council of the City of White Salmon, Washington, at a regularly scheduled open public meeting thereof this ___ day of ____________, 2026.

____

Marla Keethler, Mayor

Attest:	Approved as to Form:
_________________________________	_________________________________
Erika Castro Guzman, Clerk	Shawn MacPherson, City Attorney

EXHIBIT A

Updated City Park and Facility Use Application

B.

City of White Salmon
Office of City Hall

PO Box 2139
100 North Main Street
White Salmon, WA 98672
whitesalmonwa.gov
Office: (509) 493-1133

CITY PARK AND FACILITIES USE APPLICATION

APPLICATION

TODAY'S DATE ___________________________________ **DATES REQUESTED** _______________________________

LOCATIONS REQUESTED

☐ City Hall Conference Room

☐ City Council Chambers (excludes A/V equipment)

☐ Rheingarten Park Gazebo

☐ Rheingarten Park Picnic Shelter

TIME REQUESTED ______________________________ **TOTAL HOURS REQUESTED**: ______________________

Time requested includes set-up, breakdown, and clean-up.

TYPE OF ACTIVITY ____

APPLICANT/ORGANIZATIONAL NAME ____

CONTACT ______________________ **PHONE** _________________________ **EMAIL** _________________________

ADDRESS ____ **CITY** ________________________ **ZIP** _________________

NUMBER OF PEOPLE EXPECTED ______________ **TYPE OF SUPERVISION** _________________________________

The City of White Salmon reserves the right to require mandatory security. Security services must have prior approval from the City of White Salmon. The applicant is responsible for all associated expenditures.

POWER REQUESTED? ☐ YES ☐ NO
WATER REQUESTED? ☐ YES ☐ NO

ADMISSION FUNDS COLLECTED? ☐ YES ☐ NO
CONCESSIONS SOLD? ☐ YES ☐ NO

FOOD SERVICE NOTICE *White Salmon Municipal Code 8.12.010 authorizes the Health Department to charge fees for food establishment licenses or permits issued for sanitation purposes, including restaurants, markets, taverns, bakeries, or similar facilities. Applicants are responsible for obtaining any required food permits.*

REQUIRED ATTACHMENTS AND APPROVALS

- Group 1 applicants: attach IRS 501(c)(3) designation letter.
- Insurance may be required. If requested by the City, provide proof of insurance before the event.
- Food service, alcohol service, amplified sound, special equipment, or activity outside normal facility hours may require additional permits or approvals.

AGREEMENTS

The applicant agrees that during use of the facility, ________________________________, the applicant and event organizers will comply with all applicable federal, state, and local nondiscrimination laws. The applicant will not exclude any person from participation, deny any person the benefits of the event, or otherwise discriminate based on race, color, creed, religion, national origin, citizenship or immigration status, age, sex, sexual orientation, gender identity or expression, marital status, veteran or military status, disability, use of a trained dog guide or service animal, or any other status protected by law. To the fullest extent permitted by law, the applicant agrees to defend, indemnify, and hold harmless the City of White Salmon, its elected and appointed officials, officers, employees, agents, and volunteers from claims, demands, losses, damages, liabilities, costs, and expenses, including reasonable attorney's fees, arising out of or related to the applicant's event, use of City property, or acts or omissions of the applicant, its guests, vendors, contractors, participants, or agents, except to the extent caused by the sole negligence of the City. The applicant is responsible for damage, excessive cleaning, or other costs caused by the event or use of the facility and agrees to reimburse the City for those costs upon request.

☐ **I have read and understand the Instructions, Rental Policies, and General Rules for use of City of White Salmon facilities.**

____
Applicant Signature

GROUP CLASSIFICATIONS

Group 1	Group 2
Community-based groups or organizations with events open to the public that enhance the City. Examples include White Salmon School District or other school districts, nonprofit membership groups, Boy/Girl Scouts, Rotary Club, religious organizations, chambers, local school districts, and similar groups. *Note: Group 1 applicants must provide a copy of their IRS 501(c)(3) designation letter with this application.*	**Groups or organizations whose membership is open to the public but that operate primarily for the benefit of their membership, or where participation is limited to a select group.** Examples include dance clubs, preschool activities, political events, and similar activities.
Group 3	**Classification Note**
Groups or organizations that collect donations, fees, or admission; host an event not open to the general public. Such as a wedding reception, birthday party, or closed training; or are commercial in nature and promoting a product or service. The event may still be free to the public.	Group classification is determined by City staff based on the applicant, event type, and proposed use of the facility.

HOURLY FEE SCHEDULE

Group	Days	Resident	Nonresident
Group 1	Mon-Thu	Free	$24.00/hr
Group 1	Fri-Sun	Free	$39.00/hr
Group 2	Mon-Thu	$19.00/hr	$39.00/hr
Group 2	Fri-Sun	$24.00/hr	$52.00/hr
Group 3	Mon-Thu	$24.00/hr	$52.00/hr
Group 3	Fri-Sun	$30.00/hr	$67.00/hr

Additional: Power Connection Fee $50.00 | Water Connection Fee $30.00

STAFF USE ONLY

Group Classification:		**Total Rental Fee:**	
Fee Per Hour:		**Power Fee:**	
Number of Hours:		**Water Fee:**	
Date Paid:		**Total Amount Due:**	
Received By:			

City of White Salmon | 100 North Main Street/ PO Box 2139 White Salmon, WA 98672 | (509) 493-1133 | whitesalmonwa.gov

B.

INSTRUCTIONS, RENTAL POLICIES AND GENERAL RULES

HOW TO APPLY

- Submit a complete application with required fees and City-requested documents.
- Applications may be submitted for individual events or recurring meetings up to three months in advance.
- Applicant must be at least 21 years old and present during the event.
- Reservations are first-come, first-served after City receipt of a complete application and payment.
- City events and City uses take precedence over non-City reservations.

HOURS, PAYMENT, INSURANCE AND CANCELLATIONS

Hours	Park facilities: daily, 8:00 AM to 10:00 PM, or dusk. City facilities: daily, 8:00 AM to 8:00 PM. Events must be cleaned up and cleared by closing time. Activity outside normal hours requires written City approval.
Payment	Rental and approved fees are due when the application is submitted. Payment secures the requested date and venue after City review. Cash, check, debit/credit card, and money order are accepted.
Insurance	The City may require proof of liability insurance. If required, the policy must name the City of White Salmon, its officers, employees, agents, and volunteers as additional insured and remain in effect through the event.
Cancellations	Submit cancellation requests to City Hall as soon as possible. Refunds or charges are subject to City policy and the timing of the cancellation. Approved refunds are issued according to normal City processing.

RENTAL POLICIES

- Rental hours are consecutive and must include delivery, set-up, tear down, and clean-up.
- Set-up begins at the approved time. Early delivery or set-up is not permitted unless approved by City staff.
- All items brought to the facility must be removed by the end of the rental period.
- Applicant must remove all food, materials, equipment, furnishings, decorations, and bagged garbage at the end of the event.
- Lessee must return furnishings to original locations. Council Chamber equipment and furniture may not be moved.
- Picnic Shelter and Gazebo reservations are for the structure only; surrounding public areas remain open.
- Inflatable toys, dunk tanks, or similar items require written City approval and proof of insurance.
- Power and water is available only when requested and approved as part of the application.

GENERAL RULES

- City audio/visual equipment is not available for digital conferencing use by outside organizations.
- Throwing rice, birdseed, confetti, or similar materials is not permitted.
- Use only masking tape or other non-marring material for decorations; no thumb tacks, staples, glue, or marring methods.
- Illegal drugs, smoking, and gambling are prohibited on or in City property.
- Alcohol requires a Washington State liquor permit; adequate security may be required.
- Minors must have adequate adult supervision.
- The City is not responsible for unattended personal property, accidents, injury, or loss of property.
- Misuse of a City facility or failure to comply with these rules may result in denial of future reservations.
- Public parking is first-come, first-served and may not be reserved unless pre-approved in writing by City Hall.
- Electric BBQs and other electric cooking appliances are allowed. Charcoal, wood, propane, and other open-flame cooking devices are prohibited.
- Rule of thumb: leave facilities in the same or better condition than you found them.

City of White Salmon | 100 North Main Street/ PO Box 2139 White Salmon, WA 98672 | (509) 493-1133 | whitesalmonwa.gov

EXHIBIT B

Updated Park and City Facility Fee Schedule

Effective January 1, 2027, the Park and City Facility Fee Schedule shall be as follows:

Group / Days	Resident	Nonresident	Effective Date
Group 1, Mon-Thu	Free	$24.00/hr	Jan. 1, 2027
Group 1, Fri-Sun	Free	$39.00/hr	Jan. 1, 2027
Group 2, Mon-Thu	$19.00/hr	$39.00/hr	Jan. 1, 2027
Group 2, Fri-Sun	$24.00/hr	$52.00/hr	Jan. 1, 2027
Group 3, Mon-Thu	$24.00/hr	$52.00/hr	Jan. 1, 2027
Group 3, Fri-Sun	$30.00/hr	$67.00/hr	Jan. 1, 2027

Annual CPI adjustment methodology: For each January 1 adjustment after 2027, apply the prior July 12-month percentage change in CPI-U, West Region, All Items, not seasonally adjusted, to the then-current hourly fee; round the result upward to the nearest whole dollar; use that rounded amount as the base for the next year.

Fees of $0.00 remain $0.00 unless separately changed by City Council action.

The $30.00 water connection fee and $50.00 power connection fee are not subject to this automatic hourly-fee CPI adjustment unless separately authorized by City Council action.

B.

Reservation Fee CPI Update – 2014 Base Fees

Methodology

Reservation fees were last established in 2014. Each January 1 fee is calculated by applying the prior July's 12-month percentage change in the Consumer Price Index for All Urban Consumers (CPI-U), West Region, All Items, not seasonally adjusted. For example, July 2026 CPI is used to establish the January 1, 2027 rate. After applying CPI, each calculated fee is rounded UP to the next whole dollar and that rounded amount becomes the base for the following year's CPI adjustment. This provides a consistent, administratively simple annual methodology. Fees that are $0 remain $0 unless separately changed by City policy.

Group Classifications

Group	Days	Classification / Eligibility	Resident 2014 Fee	Non-Resident 2014 Fee	2014 Schedule Reference
Group 1a	Mon–Thu	White Salmon School District or other school district; qualifying nonprofit membership groups for community-based activities that enhance the City, including Boy Scouts, Girl Scouts, Campfire Boys and Girls, PTA/PTO,	$0.00	$10.00	Group 1 M–TH
Group 1b	Fri–Sun	Same Group 1 classification and eligibility as Group 1a.	$0.00	$20.00	Group 1 F–SUN
Group 2a	Mon–Thu	Groups or organizations whose membership is open to the general public but that operate primarily for the benefit of their membership and/or whose participation is limited to a select group. Examples include model clubs,	$5.00	$20.00	Group 2 M–TH
Group 2b	Fri–Sun	Same Group 2 classification and eligibility as Group 2a.	$10.00	$30.00	Group 2 F–SUN
Group 3a	Mon–Thu	Groups or organizations that charge fees, collect donations, membership fees, or admission; events not open to the general public (such as wedding receptions, anniversaries, private dance clubs, birthday parties);	$10.00	$30.00	Group 3 M–TH
Group 3b	Fri–Sun	Same Group 3 classification and eligibility as Group 3a.	$15.00	$40.00	Group 3 F–SUN

CPI Escalation History

July CPI Year	West CPI-U 12-Month Change	Rate Effective	Application
2014	2.3%	Jan. 1, 2015	Apply to prior year's calculated fee
2015	1.3%	Jan. 1, 2016	Apply to prior year's calculated fee
2016	1.4%	Jan. 1, 2017	Apply to prior year's calculated fee
2017	2.5%	Jan. 1, 2018	Apply to prior year's calculated fee
2018	3.6%	Jan. 1, 2019	Apply to prior year's calculated fee
2019	2.7%	Jan. 1, 2020	Apply to prior year's calculated fee
2020	1.7%	Jan. 1, 2021	Apply to prior year's calculated fee
2021	5.2%	Jan. 1, 2022	Apply to prior year's calculated fee
2022	8.3%	Jan. 1, 2023	Apply to prior year's calculated fee
2023	3.5%	Jan. 1, 2024	Apply to prior year's calculated fee
2024	2.6%	Jan. 1, 2025	Apply to prior year's calculated fee
2025	3.0%	Jan. 1, 2026	Apply to prior year's calculated fee
2026	3.0%	Jan. 1, 2027	Apply to prior year's calculated fee

2014 Additional Fees & Charges

Fee	2014 Amount	Notes
Damage Deposit	$150.00	Applicant is financially responsible for damages exceeding the deposit
Power Connect/Disconnect Fee	$30.00	
Garbage Fee	$10.00	Per can; additional garbage fees may be required at City discretion

CPI Source

U.S. Bureau of Labor Statistics, CPI-U, West Region, All Items, not seasonally adjusted; July 12-month percentage change. https://www.bls.gov/regions/west/

B.

Calculated Hourly Fee Schedule – Cumulative CPI Adjustment

Group	2014		2015		2016		2017		2018		2019		2020	
	Resident	Non-Resident	Resident	Non-Resident	Resident	Non-Resident	Resident	Non-Resident	Resident	Non-Resident	Resident	Non-Resident	Resident	Non-Resident
Group 1a	$0	$10	$0	$11	$0	$12	$0	$13	$0	$14	$0	$15	$0	$16
Group 1b	$0	$20	$0	$21	$0	$22	$0	$23	$0	$24	$0	$25	$0	$26
Group 2a	$5	$20	$6	$21	$7	$22	$8	$23	$9	$24	$10	$25	$11	$26
Group 2b	$10	$30	$11	$31	$12	$32	$13	$33	$14	$34	$15	$36	$16	$37
Group 3a	$10	$30	$11	$31	$12	$32	$13	$33	$14	$34	$15	$36	$16	$37
Group 3b	$15	$40	$16	$41	$17	$42	$18	$43	$19	$45	$20	$47	$21	$49

Group	2021		2022		2023		2024		2025		2026		2027	
	Resident	Non-Resident	Resident	Non-Resident	Resident	Non-Resident	Resident	Non-Resident	Resident	Non-Resident	Resident	Non-Resident	Resident	Non-Resident
Group 1a	$0	$17	$0	$18	$0	$20	$0	$21	$0	$22	$0	$23	$0	$24
Group 1b	$0	$27	$0	$29	$0	$32	$0	$34	$0	$35	$0	$37	$0	$39
Group 2a	$12	$27	$13	$29	$15	$32	$16	$34	$17	$35	$18	$37	$19	$39
Group 2b	$17	$38	$18	$40	$20	$44	$21	$46	$22	$48	$23	$50	$24	$52
Group 3a	$17	$38	$18	$40	$20	$44	$21	$46	$22	$48	$23	$50	$24	$52
Group 3b	$22	$50	$24	$53	$26	$58	$27	$61	$28	$63	$29	$65	$30	$67

Rounding convention: CPI-adjusted fees are rounded upward to the nearest whole dollar each year. The rounded fee becomes the starting point for the next annual CPI adjustment.

File Attachments for Item:

C. Ordinance No. 2026-09-1191 — Amending WSMC 2.20.010 Regarding Lodging Tax Advisory Committee Conflict Disclosure and Recusal Requirements

1. Presentation

2. Discussion

3. Action

C.

CITY COUNCIL REPORT

■ **Business Item** ☐ **Consent Agenda**

Needs Legal Review:	Yes, Complete
Meeting Date:	September 2, 2026
Agenda Item:	Ordinance No. 2026-09-1191 — Amending WSMC 2.20.010 Regarding Lodging Tax Advisory Committee Conflict Disclosure and Recusal Requirements
Presented By:	Erika Castro Guzman, City Clerk

Action Required

Adopt Ordinance No. 2026-09-1191 amending WSMC 2.20.010 regarding the Lodging Tax Advisory Committee to establish conflict disclosure and recusal requirements for lodging tax funding applications.

Motion for Business Item

Move to adopt Ordinance No. 2026-09-1191 amending WSMC 2.20.010 regarding the Lodging Tax Advisory Committee to establish conflict disclosure and recusal requirements for lodging tax funding applications.

Background of Issue:

The City of White Salmon has established standing committees under WSMC 2.20.010, including the Lodging Tax Advisory Committee. The Lodging Tax Advisory Committee reviews proposals related to the hotel/motel tax as required by RCW 67.28.1817 and WSMC 2.20.010.

The City's existing code allows the Lodging Tax Advisory Committee to establish programs and procedures for lodging tax grant applications, subject to City Council approval. Because state law requires committee membership to include representatives of businesses required to collect lodging tax and representatives of activities authorized to receive lodging tax funding, committee members may be affiliated with organizations that are eligible to apply for funding.

The proposed amendment is intended to provide clear, consistent procedures for disclosure and recusal when an actual or potential conflict of interest arises during the lodging tax application and funding recommendation process.

Explanation of Issue

Ordinance No. 2026-09-1191 amends WSMC 2.20.010(C)(5), Lodging Tax Advisory Committee, to add conflict disclosure and recusal requirements for lodging tax applications and funding proposals. The ordinance requires a committee member to disclose any actual, potential, or conflict of interest before the committee discusses or reviews the application or funding proposal giving rise to the conflict.

The ordinance defines a conflict of interest to include circumstances where the committee member, the member's employer, business, board, organization, or an organization the member formally represents has submitted an application for lodging tax funding or would receive a direct financial benefit from the committee's recommendation.

A committee member with a conflict would not deliberate, vote, score, rank, or make a recommendation on the application or funding proposal giving rise to the conflict. The member may provide factual information regarding the application in the same manner as any other applicant if requested by the committee, committee chair, City staff, or City Council. The ordinance also clarifies that a person involved in activities authorized to be funded by lodging tax revenues is not prohibited from serving on the committee, provided conflicts are disclosed and managed consistent with the section.

City Council Options:

City Council has the following options available:

1. Adopt Ordinance No. 2026-09-1191.
2. Revise the proposed ordinance.
3. Refer this ordinance back to staff for further work.
4. Other action as may be desired by the City Council.

Fiscal Analysis:

There is no direct fiscal impact associated with adopting the proposed ordinance. Staff support for the Lodging Tax Advisory Committee and administration of lodging tax grant application review is an existing operational function.

Diversity Equity Inclusion & Stakeholder Analysis:

The proposed ordinance is intended to promote transparency, consistency, accountability, and public confidence in the lodging tax review process. It also preserves participation by individuals involved in tourism-related activities while establishing clear procedures to disclose and manage conflicts during review of lodging tax applications and funding proposals.

Recommendation of Staff:

It is recommended that City Council adopt Ordinance No. 2026-09-1191 as presented.

Follow-Up Action:

If adopted, staff will publish the ordinance as required by law, update the White Salmon Municipal Code, and incorporate the disclosure and recusal requirements into future Lodging Tax Advisory Committee application review procedures and materials.

CITY OF WHITE SALMON
ORDINANCE NO. 2026-09-1191

AN ORDINANCE OF THE CITY OF WHITE SALMON, WASHINGTON, AMENDING WSMC 2.20.010 REGARDING THE LODGING TAX ADVISORY COMMITTEE; ESTABLISHING CONFLICT DISCLOSURE AND RECUSAL REQUIREMENTS FOR LODGING TAX FUNDING APPLICATIONS; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of White Salmon has established standing committees under WSMC 2.20.010, including the Lodging Tax Advisory Committee; and

WHEREAS, the Lodging Tax Advisory Committee reviews proposals related to the hotel/motel tax as required by RCW 67.28.1817 and WSMC 2.20.010; and

WHEREAS, the City's existing code provides that the Lodging Tax Advisory Committee may establish programs and procedures for parties to apply for grants from the hotel/motel tax fund, subject to City Council approval; and

WHEREAS, state law requires Lodging Tax Advisory Committee membership to include representatives of businesses required to collect lodging tax and representatives of activities authorized to be funded by lodging tax revenue; and

WHEREAS, because Lodging Tax Advisory Committee members may also be affiliated with organizations eligible to apply for lodging tax funding, the City Council desires to establish clear procedures for disclosure and recusal to address actual, potential, or conflicts of interest; and

WHEREAS, the City Council finds that this ordinance promotes transparency, consistency, accountability, and public confidence in the lodging tax review process.

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 2.20.010 - Committees:

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

<u>Bold and underline</u> means new.

<u>SECTION 1.</u> Amendment to WSMC 2.20.010(C)(5)., is hereby amended as follows:

CHAPTER 2.20.010 - COMMITTEES

C. Committees—Powers and duties.

5. Lodging tax advisory committee.

a. The lodging tax committee shall review proposals for changes in the hotel/motel tax authorized in Chapter 3.50, including increases or decreases in the rate of tax, the repeal of an exemption to the hotel/motel tax, or a change in the use of the monies accumulated in the hotel/motel tax fund, as required in RCW 67.28.1817.

b. The lodging tax committee may establish programs and procedures whereby parties may apply for grants from the hotel/motel tax fund for tourism promotion, acquisition of tourism-related facilities, or operation of tourism-related facilities. Any grants under such programs must be approved by the City Council.

c. Pursuant to RCW 67.28.1817, the lodging tax advisory committee shall review any proposal described in that section, and shall submit comments on the proposal, which comments shall include an analysis of the extent to which the proposal will accommodate activities for tourists or increase tourism, and the extent to which the proposal will affect the long-term stability of the hotel/motel tax fund.

<u>d.</u> **<u>A member of the lodging tax advisory committee shall disclose any actual, potential, or conflict of interest before the committee discusses or reviews any lodging tax application or funding proposal giving rise to the conflict.</u>**

<u>e.</u> **<u>For purposes of this subsection, a conflict of interest includes circumstances where the committee member, the member's employer, business, board, organization, or an organization the member formally represents has submitted an application for lodging tax funding or would receive a direct financial benefit from the committee's recommendation.</u>**

<u>f.</u> **<u>A committee member with a conflict of interest shall not deliberate, vote on, score, rank, or make a recommendation regarding the application or funding proposal giving rise to the conflict. The member may provide factual information regarding the application in the same manner as any other applicant, if requested by the committee, the committee chair, city staff, or the city council.</u>**

<u>g.</u> **<u>Nothing in this subsection prohibits a person involved in activities authorized to be funded by lodging tax revenues from serving on the lodging tax advisory committee, provided that conflicts are disclosed and managed consistent with this section and applicable law.</u>**

<u>SECTION 2:</u> Severability / Validity.
If any section, sentence, clause, or phrase of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause, or phrase of this ordinance.

<u>SECTION 3</u>: This Ordinance shall take effect and be in force five (5) days after its publication according to law.

PASSED by the City Council of the City of White Salmon, Washington, at a regular meeting thereof this ___ day of ____, 2026.

____
Marla Keethler, Mayor

ATTEST: APPROVED AS TO FORM:

__________________________________ __________________________________
Erika Castro Guzman, City Clerk Shawn MacPherson, City Attorney

File Attachments for Item:

D. Resolution 2026-09-653 — Amending Resolution 2024-06-596 Recognizing Heritage and Diversity Months

1. Presentation

2. Discussion

3. Action

CITY COUNCIL REPORT

■ **Business Item** ☐ **Consent Agenda**

Needs Legal Review: Yes, Complete
Meeting Date: September 2, 2026
Agenda Item: Resolution 2026-09-653 — Amending Resolution 2024-06-596 Recognizing Heritage and Diversity Months
Presented By: Community Development Committee, Councilor Morella Mora

Action Required

Resolution 2026-09-653, amending Resolution 2024-06-596 to change the City's observance of “Hispanic Heritage Month” to “Latino/a/x Heritage Month.”

Motion for Business Item

Motion to approve Resolution 2026-09-653, amending Resolution 2024-06-596 to change the City's observance of “Hispanic Heritage Month” to “Latino/a/x Heritage Month.”

Background of Issue:

The City Council previously adopted Resolution 2020-09-506, later amended by Resolution 2024-06-596, recognizing heritage and diversity months, including the annual observance of Hispanic Heritage Month from September 15 through October 15. The proposed resolution updates the name of this observance while keeping the existing recognition period unchanged.

Explanation of Issue

Resolution 2026-09-653 amends Resolution 2024-06-596 to update the terminology used in recognizing this annual heritage observance, replacing "Hispanic Heritage Month" with "Latino/a/x Heritage Month." This change reflects committee discussion noting that the term "Hispanic" is used less frequently within the community it was intended to describe. The term originates from a designation tied to Spanish colonization and is defined primarily by connection to the Spanish language, which limits its accuracy and inclusiveness across Latin America and the Caribbean, including Indigenous, Afro-descendant, and non-Spanish-speaking communities. The terms "Latino" and "Latina" better reflect the breadth of cultures and nationalities represented during this observance.

Resolution 2026-09-653 includes findings recognizing the City's commitment to inclusive and respectful terminology, the contributions of the Latino/a/x community to White Salmon and Klickitat County, the White Salmon Valley School District's reported student demographics, and the City's partnership with WAGAP for the annual El Grito celebration. The observance dates of September 15 through October 15 remain unchanged.

The committee also recommended adding a finding to the resolution recognizing that the term "Hispanic" originated as a designation tied to Spanish colonization and is defined primarily by connection to the Spanish language; therefore, it does not accurately or inclusively reflect the full breadth of cultures, ethnicities, and nationalities represented across Latin America and the Caribbean, including communities that are Indigenous, Afro-descendant, Portuguese-speaking, or otherwise not defined by Spanish colonial heritage.

City Council Options:

City Council has the following options available:

1. Adopt Resolution 2026-09-653.
2. Revise the proposed resolution.
3. Refer this resolution back to committee for further work.
4. Other action as may be desired by the City Council.

Fiscal Analysis:

Adoption of this resolution may have a minor fiscal impact related to updating public-facing City materials that currently use the term “Hispanic Heritage Month.” Staff estimates a placeholder cost of approximately $450 for potential replacement or updating of City display materials. This estimate is based on the possible purchase of one 60” x 36” vinyl banner/sign, preparation of a poster/display PDF, and printing approximately 8 to 12 updated Heritage Month posters.

No purchase is authorized by this resolution itself. Any materials would be reviewed and purchased through the City’s normal administrative process if updates are needed.

Recommendation of Staff:

Staff and Committee recommends approval of Resolution 2026-09-653.

Follow-Up Action:

Upon adoption, staff will finalize the resolution for signature and update City records to reflect the revised observance name.

CITY OF WHITE SALMON
RESOLUTION NO. 2026-09-653

A RESOLUTION OF THE CITY OF WHITE SALMON, WASHINGTON, AMENDING RESOLUTION 2024-06-596 TO CHANGE THE CITY'S OBSERVANCE OF "HISPANIC HERITAGE MONTH" TO " LATINO/A/X HERITAGE MONTH."

WHEREAS, the City of White Salmon signed a Diversity Declaration in July 2019 pledging to promote tolerance and respect for all persons; and

WHEREAS, the City Council adopted Resolution 2020-09-506, subsequently amended by Resolution 2024-06-596, recognizing heritage and diversity months, including the observance of "Hispanic Heritage Month" from September 15 through October 15 each year; and

WHEREAS, the City Council desires to use terminology that is inclusive, respectful, and reflective of the community members and cultures recognized during this annual observance; and

WHEREAS, the term "Hispanic" originated as a designation tied to Spanish colonization and is defined primarily by connection to the Spanish language; therefore, it does not accurately or inclusively reflect the full breadth of cultures, ethnicities, and nationalities represented across Latin America and the Caribbean, including communities that are indigenous, Afro-descendant, Portuguese-speaking, or otherwise not defined by Spanish colonial heritage; and

WHEREAS, the terms "Latino" and "Latina" are commonly used to refer to people with heritage from Mexico, Central America, South America, and the Caribbean, and better reflect the breadth of cultures celebrated during this observance; and

WHEREAS, the Latino and Latina community in White Salmon and the surrounding Klickitat County represents a significant and vital part of the community, contributing to the economic, cultural, and civic life of the City; and

WHEREAS, the White Salmon Valley School District reports that more than 33 percent of enrolled students identify as Hispanic and/or Latino, reflecting the deep roots of this community; and

WHEREAS, the City of White Salmon, in partnership with Washington Gorge Action

Programs (WAGAP), hosts the annual El Grito celebration to begin this heritage month, bringing together Latin American cultures and local community members to share and celebrate heritage; and

WHEREAS, the City Council finds that recognizing Latino/Latina Heritage Month supports the City's commitment to respect, inclusion, civic participation, and accurate representation of the cultures being celebrated; and

WHEREAS, the observance dates of September 15 through October 15 shall remain unchanged, as those dates encompass the independence anniversaries of El Salvador, Guatemala, Costa Rica, Nicaragua, Honduras, Mexico, and Chile.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of White Salmon, Washington, that Resolution 2024-06-596 is hereby amended to replace all references to “Hispanic Heritage Month” in the City’s recognized heritage and diversity month observances with “Latino/a/x Heritage Month.”

BE IT FURTHER RESOLVED that the City of White Salmon shall annually recognize the period of September 15 through October 15 as Latino/a/x Heritage Month.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon adoption by the City Council.

ADOPTED by the City Council of the City of White Salmon, Washington, at a regularly scheduled open public meeting thereof this ___ day of ____________, 2026.

____
Marla Keethler, Mayor

Attest:	Approved as to Form:
__________________________________	__________________________________
Erika Castro Guzman, Clerk	Shawn MacPherson, City Attorney

File Attachments for Item:

E. Resolution 2026-09-654 — Updating the Fee-in-Lieu of Tree Replacement

1. Presentation

2. Discussion

3. Action

COUNCIL REPORT

■ **Business Item** ☐ **Consent Agenda**

Needs Legal Review:	No, previously reviewed
Meeting Date:	September 2, 2026
Agenda Item:	Resolution 2026-09-654
Presented By:	Rowan Fairfield, City Planner

Action Required: Approval

Motion for Business Item:
I move that the Council adopt Resolution 2026-09-654 to update the fee-in-lieu of tree replacement.

Explanation of Issue:
The Tree Protection Ordinance (Ordinance No. 2025-01-1175) establishes a fee-in-lieu of tree replacements for special and significant trees. The fee accounts for initial cost, installation (labor and equipment), three years of maintenance, plus fund administration. A placeholder fee of $400 was established in March 2026, pending a recommendation from the Tree Board. The Tree Board has completed its research and is recommending an update to $700 per replacement tree, as well as amendments to the Tree Protection Ordinance. The increased fee better reflects the value of a mature tree and better covers the expenses for a replacement, including the initial cost, 3 years of maintenance, fund administration, and replacements based on anticipated mortality rates. Their white paper is also part of the September 2nd meeting, as a committee report; refer to that document for full details.

This resolution replaces Resolution No. 2026-03-641 (the most recent land use fee schedule).

Council Options:
1. Accept the Staff Recommendation and approve the resolution.
2. Revise the Resolution.
3. Other action as may be desired by the City Council.
4. Refer this issue back to staff or Tree Board for further work.
5. Take no action on this matter.

Fiscal Analysis:
This fee will generate revenue that can be used for street and park trees, urban forestry education, and other purposes relating to public trees, per the Tree Protection Ordinance.

Recommendation of Staff: Approval

Follow Up Action: None

CITY OF WHITE SALMON
RESOLUTION NO. 2026-09-654

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WHITE SALMON, WASHINGTON, UPDATING THE FEE-IN-LIEU OF TREE REPLACEMENT

WHEREAS, the City of White Salmon charges fees for the application of land use and building permits, which are intended to defray the costs of providing services, and

WHEREAS, the City is committed to reviewing and revising its fees for services on a regular and ongoing basis; and

WHEREAS, the City has adopted a Tree Protection Ordinance (Ordinance No. 2025-01-1175) which calls for the establishment of a fee in lieu of tree replacements for special and significant trees, and which was previously established at $400; and,

WHEREAS, the Tree Board has researched and recommended an update to the fee-in-lieu for tree replacements to be $700, to better reflect the value of mature trees;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WHITE SALMON, WASHINGTON, DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. The Council hereby revises the land use fee schedule of the City of White Salmon, Washington, as set forth in Exhibit A attached hereto.

Section 2. **Severability.** If any section, subsection, paragraph, sentence, clause or phrase of this ordinance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 3. **Effective Date.** This resolution shall take effect on September 3, 2026.

CITY OF WHITE SALMON, WASHINGTON

____

Marla Keethler, Mayor

ATTEST:

____

Erika Castro Guzman, City Clerk

APPROVED AS TO FORM:

____

Shawn MacPherson, City Attorney

E.

Exhibit A.

LAND USE FEE SCHEDULE

Preliminary Reviews	
Zoning inquiry	$65 per hour beyond first ¼ hour
Pre-application conference	$300* (General) $750* (Subdivision)
* Pre-application fees shall be applied toward application fees if application submitted within six months of pre-application conference/site visit, as applicable.	
Planning Permit Reviews	
Home occupation	$200
Accessory dwelling units	$1,000
Permitted use subject to standards	$260
Variance	$750
Conditional use permit	$1,500
Short-term rental use permit	$75
Site and building plan review (WSMC 17.81)	$1,200 (Administrative) $1,600 (Planning Commission) $2,500 (Quasi-Judicial)
Critical Area Ordinance (CAO) review	$650
Zoning approval on a building or demolition permit	$65
Zoning approval on a grading permit (per building codes and for disturbance of land greater than 10,000 s.f. for CAO)	$130
SEPA Review	
Checklist—determination	$500
Environmental impact statement	$2,500
Subdivisions	
Preliminary plat	$1,600 + $75 per lot
Final plat	$2,500 + $75 per lot
Plat alteration	$1,000
Short Plat Subdivisions	
Single-family	$1,500 + $75 per lot
Town house, multifamily	$2,000 + $75 per lot
Binding site plan	$2,000 + $75 per lot

Lot Line Adjustment	
Single-family	$260
Town house, multifamily	$525
Sign Permits	
Temporary	$25
Permanent	$100
Additional state surcharge for signs	$4.50
Shoreline Permits	
Shoreline substantial development permit	
Single-family	$1,500
Other	$2,000
Shoreline conditional use permit	
Single-family	$1,500
Other	$2,000
Variance	
Single-family	$1,500
Other	$2,000
Shoreline exemption	
Single-family	$1,500
Other	$2,000
Shoreline revision	
Single-family	$1,500
Other	$2,000
Policy Planning Review	
Comprehensive plan amendment	$2,600
Property rezone	$2,500 (Text Amendments) $3,200 (Text and Map Changes)
Appeals	
Appeal	Equal to application fee

Miscellaneous	
Zoning verification letter	$65
Extension requests	No Fee
Development or annexation agreement	Staff hours at $125/hour, attorney fees at city attorney's standard hourly rate, and consultant fees as defined in WSMC 3.36.030
Extended service fee	Staff hours at $65/hour
Reproduction costs	Per council resolution
Site inspections*	Staff hours at $65/hour
* Examples of site inspections include site visits necessary to inspect infrastructure installation, verify installation and maintenance of erosion control mechanisms, confirm compliance with landscaping standards and other standards and conditions.	
Post Decision Review	$500
Consultant fees: (as defined by WSMC 3.36.030)	Cost + 10%
Fire Chief’s Review for Fire/Life/Safety	Staff hours at $75/hour
Tree replacement fee-in-lieu	**~~$400~~** **$700** per regulated tree

File Attachments for Item:

F. Grant Application Submission Authorization for the 2026 Community Forestry Assistance Grant

1. Presenation

2. Discussion

3. Action

F.

CITY COUNCIL REPORT

■ **Business Item** ☐ **Consent Agenda**

Needs Legal Review:	No
Meeting Date:	September 2, 2026
Agenda Item:	Grant Application Submission Authorization for the 2026 Community Forestry Assistance Grant
Presented By:	Tree Board, Councilor Patty Fink

Action Required

Authorize City staff to prepare and submit an application to the Washington State Department of Natural Resources (DNR) for the 2026 Community Forestry Assistance Grant in an amount up to $60,000 for eligible urban forestry activities.

Motion for Business Item

Move to authorize City staff to prepare and submit an application to the Washington State Department of Natural Resources for the 2026 Community Forestry Assistance Grant in an amount up to $60,000, substantially consistent with the proposed urban forestry activities presented to Council.

Explanation of Issue

The Washington State Department of Natural Resources (DNR) 2026 Community Forestry Assistance Grant provides funding to support essential maintenance and related activities for urban trees on public property. Grant awards range from $10,000 to $60,000, with no required local match. Applications are due September 11, 2026, with funded activities anticipated to occur during the 2027–2028 grant period.

The White Salmon Tree Board has identified the Community Forestry Assistance Grant as a potential funding opportunity to address tree maintenance needs within the City and is proposing that the City submit an application. The Tree Board has developed an initial list of priority projects and provided preliminary information to assist City staff in developing the application.

Proposed activities currently include:

- Tree pruning in Rheingarten Park;
- Tree removal and replacement in Rheingarten Park;
- Other specialized tree maintenance within Rheingarten Park; and
- Tree removal and replacement along NE Tohomish Street.

Public Works will review the proposed activities and other identified tree maintenance needs throughout the City to develop the final project scope and planning-level cost estimate. The final application may refine or include additional eligible activities based on that review.

Council is being asked to authorize City staff to prepare and submit an application to DNR for the 2026 Community Forestry Assistance Grant in an amount up to $60,000, substantially consistent with the proposed urban forestry activities presented above.

City Council Options:

City Council has the following options available:

1. Accept the board recommendation and ask Staff to finalize the grant.
2. Take no action.
3. Other action as may be desired by the City Council.

Fiscal Analysis:

The Washington State Department of Natural Resources (DNR) 2026 Community Forestry Assistance Grant provides awards ranging from $10,000 to $60,000 for eligible urban tree maintenance activities on public property. No City match is required.

The proposed Council authorization would allow City staff to submit an application for up to $60,000. The final amount requested will be based on the project scope and planning-level cost estimates developed by City staff prior to submission.

Recommendation of Staff:

The Board and Staff recommends Council authorize staff to finalize the grant application and submit it to the DNR before the grant deadline

F.

Urban and Community Forestry

DNR is now accepting applications for the 2026 Community Forestry Assistance Grant Program. Applications are due by 4 p.m., Pacific Daylight Time, on September 11, 2026. **All application materials are available for download using this link**.

The objective of this competitive grant opportunity is to fund essential maintenance and related activities supporting urban trees on public property in 2027 and 2028. **There is no requirement for matching funds**. Applications must meet a series of requirements to be considered for funding. These include, but are not limited to:

- Applicants must be a governmental entity, Tribal government, or 501(c)(3) non-profit organization
- Applicants must request no less than $10,000, but no more than $60,000
- Applications must contain at least one eligible activity type: tree pruning, tree removal and replacement, development of small-scale tree nurseries, or other specialized tree maintenance

Please see the complete set of application materials at the link above for more information, including the specific requirements for each eligible activity. The application process will take place on the following timeline:

- **August 5:** application period begins
- **August 12:** pre-application webinar
    - **Click here to view the recorded webinar**
    - **Click here to view the slides from the webinar**
- **August 21:** responses to questions received before, during and after the webinar **are published here**
- **September 11:** applications due
- **September 18:** applications evaluated by DNR staff
- **September 30:** applicants notified of award decisions
- **September 30 to November 30:** negotiation period for sub-awards
- **December 1:** expected start of funded grant work.

The DNR Urban and Community Forestry Program (UCF) offers grants to cities and towns, counties, tribal governments, non-profit organizations, and educational institutions to improve the health of community forests and develop local urban forestry programs.

Eligible applicants include 501c3 organizations, tribes, cities, towns, counties, educational institutions, and special taxing districts (conservation districts, parks districts, school districts, etc.) in Washington state

Until 2022, nearly all of the grant funding awarded by UCF was pass-through funding administered in partnership with the United States Department of Agriculture (USDA). Thanks to the passage of HB 1216 in 2021 and associated funding from the State Legislature, DNR was able to rely on state funds for the first time in 2022 to award $550,000 in grant funds to 21 recipients.

Those high-water marks for UCF stood until February 2024, when DNR announced its intent to award more than $8 million as part of the 2024 Community Forestry Grant Assistance Program. The program used $5 million in USDA Forest Service pass-through funding and $3 million of state dollars to support more than 40 projects from Seattle to Spokane.

DNR has administered nearly 250 urban and community forestry grants since 2008 in partnership with the USDA Forest Service and other organizations. We are grateful each year for their hard work and support of urban forestry in the Evergreen State.

Check out **this map** that shows our grant investments since 2008

F.

2026 Community Forestry Assistance Grant – FHRD-UCF-2701

UCF Responses to Questions

A Special Note Regarding Equipment Costs:

During the webinar, UCF Program Manager, Ben Thompson, mentioned a $500 cap on equipment. Ben meant to say the cap was $5,000, but that too is incorrect. The cap on equipment was recently raised to $10,000. Equipment costs are also limited to 10% of the requested funding amount. For Example, 10% of a max request of 60K will only be $6,000).

Q: If we may hire seasonal staff, would they need to be listed in Exhibit C even if they haven't been identified yet?

A: Yes, please list all positions that will work on the project. If the person is unknown, list the position and the desired qualifications and experience.

Q: Are different departments within the same agency both allowed to submit separate applications with separate scopes of work? Or does there need to be one application per agency?

A: Yes, different departments from the same organization/agency can submit separate applications.

Q: How would the funding work with establishing trees for 3 years? How would configuring the budget work as a way to secure watering?

A: Grant funds will only cover work within the period of performance outlined in the RFA (In the webinar applicants were advised to plan for project completion by October 1, 2027). Grant funds will not be available for any activities beyond that date. We require a three-year maintenance plan from grantees planting trees so that at a minimum, there is at least a plan for continued maintenance after the grant agreement is complete.

Q: Can I have a crew remove ivy of specialized maintenance on heritage trees. What if city doesn't have tree code for heritage/exceptional trees?

A: Regardless of whether trees are designated heritage trees or not, removal of the ivy from the trunk and crowns of individual trees will be considered an eligible activity under the category "other specialized tree maintenance". Removal of ivy beyond the root flare of individual trees would approach natural area maintenance which is not an eligible activity.

Q: Is it possible that the project manager for the grant could be a volunteer not an employee?

A: We strongly recommend that an employee of the organization act as the official project manager. Having said that, a project manager could rely heavily on volunteer support to implement the project.

Q: Follow up question regarding a grant submitted under the project activity "Tree removals and replacements". Does the replacement tree need to be planted in the same location the previous tree was removed from? If we're trying to avoid removal of stump tailings below grade, and want to the let the material decompose before planting back into the same site, could we choose a site with higher long term canopy impact? We would plan on planting the removal locations with material from our Gravel Bed Nursery the following season. Would this lead to our grant proposal losing points in the grading process?

A: Replacement tree(s) do not need to be planted back to the same location as the trees removed. We are allowing that because sometimes trees become unhealthy or hazardous because the planting locations are too small or too limiting for some other reason, making them unsuitable for replanting.

We do want to see the replacement trees installed within the period of performance of the grant award. Let’s say you remove a tree in February or March of 2027, you would have April, May, and September to replant before the grant deadline of October 1. There are no rules about planting back in June, July, or August, but obviously those are riskier times for planting.

Applicants are encouraged to outline their rationale for decision-making about what trees to plant back in which locations and why.

Q: I am interested in applying for the CFA grant after attending the webinar last week, but I have a couple of questions. First, what qualifies as a tree versus a shrub if the work includes replacing existing trees that are unhealthy/dying? For context, the project site is in a coastal area with high wind and salt spray exposure. It may be better to plan Pacific wax myrtle, but this may be considered a shrub, and I want to confirm if it is or is not eligible for funding.

Also, are permit fees reimbursable (e.g., ROW permit)?

And if we hire a contractor, do we need to follow DBE requirements since this is a federally funded grant?

A: Tree vs Shrub: Maybe. Pacific wax myrtle, specifically, may be dependent on the site.

In general, we are inclined to say that "large shrub/small tree" plants like Pacific wax myrtle are eligible costs, meaning our grant would pay for them as "trees" and not shrubs.

However, knowing that wax myrtle tends to bush out, and if we are talking street tree replacements, plants that bush outward require routine pruning to maintain clearance and visibility.

ROW Permits: No, these fees would not be an eligible cost, therefore not reimbursable.

DBE: No, this is not a requirement. There are no stipulations with the dollars funding these grants that require grantees to follow Disadvantaged Business Enterprise requirements.

Q: How long before a tree would be considered a replacement planting, such as street tree planting spaces from trees that were previously removed or failed. Would those be considered "remove and replace?

A: No, since these trees were previously removed or failed and have not been planted, these would be considered a new planting. The funding is for maintenance activities which can include removal of trees due to end of life, poor condition or Ash trees being removed as a proactive emerald ash borer management strategy, and then planting replacement trees following the removals, within the grant period of performance.

Q: We are considering a temporary tree nursery on public land where we are doing restoration work.

1. Can the supplies for a nursery exceed 10% of the budget?

2. Can you please clarify the $500 threshold? We are looking to potentially purchase a hoop house and other temporary shade structures along with possible irrigation systems. This would likely exceed the $500 limit unless we were to break down the components of a DIY structure (plastic sheeting, pvc, etc.)

A: Yes, supplies for a nursery are all allowable and **not** capped at 10% as written on page 14 of the RFA: *"Project supplies and materials including mulch, soil, gravel, weed fabric, shade cloth, plastic sheeting, small irrigation lines and pumps, fencing materials, signage, etc."*

While not explicitly stated, the "etc." could cover the costs for similar types of supplies or materials you might need to assemble a hoop house or nursery.

If you want to populate that nursery with plants; shrubs and groundcovers need to be capped at 10% of the entire project budget.

Equipment is also capped at 10%. I mis-spoke during the webinar when I referenced a $500 cap on equipment. I meant to say $5,000 was the cap, but even that too is incorrect. The cap on equipment was recently raised to $10,000 (recognizing that 10% of a max request of 60K will only be 6K).

Alternatively, you could hire a contractor to build the nursery for you and that buries any of the supply and equipment costs in their invoice, classifying the full cost of the work as "contractual" and there is no cap on contractual costs.

Another piece of standard advice we offer is to indicate in your application that you have permission from the landowner to do work on their public property.

Q: I was hypothetically going to budget ~$5,000 for equipment rental to assist in the loading/transport of logs in support of wood reuse from hazardous tree removals, but I thought I heard you say that equipment rental was limited to $500. Is that correct? If so, I'll just scrap that portion of the proposal because $500 won't cover anything that would be needed.

A: In the webinar it was stated that $500 was the limit, meant to say $5000, but the cap was raised from $5000 to $10,000. Note though, that equipment rentals and purchases are capped at 10% of the total amount and a max request of 60K would only be $6,000 at most for equipment.

Q: Would you consider a single grant for a group of cities with the lead applicant being one of the cities, and what would make a strong application?

A: It is possible to submit one application where work happens in two or more jurisdictions. If successful, we will only work with the lead applicant and cannot accept deliverables, reports, or invoices submitted piecemeal by participating partners. For example, if one city is the lead applicant, then all the funding, billing, reporting, correspondence, etc., would run through them. I suggest you make it clear that you have permission to conduct work on property that belongs to a different jurisdiction; this is standard advice we give more commonly to non-profit organizations because they don't usually own their own land. We can answer most specific questions about eligible costs and activities, terms and conditions of our grants, but we cannot offer general advice on what might make for a strong application.

Q: If 3 cities all apply under one grant is it possible to ask for a larger amount than the grant limit of $60K?

A: Only $60K per application. If you have three cities that apply separately, that is up to 60K per city. If three cities apply together under one application, that is 60K total to be shared among the cities.

Q: If I plan to hire a contractor for my project, am I expected to solicit bids before I apply in order to know what costs to add to the budget in my application? Will I need to ask contractors to break up their estimates according to their costs for personnel and benefits, supplies, and travel to complete table 1 in Exhibit F?

A: Applicants are not expected to solicit bids prior to applying. We recognize that applicants' budgets are estimates. However you derive your estimates is up to you.

Table 1 in Exhibit F covers the applicants' costs, not their contractors' costs. If the applicant incurs direct expenses for personnel, supplies or travel, they will note those costs in Table 1. If an applicant hires one or more contractors, the total cost to the applicant for that work must be noted as contractual in Table 1.

Q: I'm wondering if you can elaborate on the estimated costs section and what specifically the grant is looking for when it comes to using 100% contracted work.
Is the DNR okay with my using MRSC small works procurement to select my vendor?

A: We trust that each of our partners follows state procurement rules and laws. You are welcome to follow your organization’s typical process for solicitation and procurement.

F.

STATE OF WASHINGTON
DEPARTMENT OF NATURAL RESOURCES
OLYMPIA, WASHINGTON

COMPETITIVE STATE GRANT OPPORTUNITY

REQUEST FOR APPLICATION (RFA): FHRD-UCF-2701

TITLE: 2026 Community Forestry Assistance Grant

APPLICATION DUE DATE: September 11, 2026– by 4:00 PM, Pacific Daylight Time, Olympia, Washington, USA.

APPLICATION COORDINATOR: Ben Thompson

ESTIMATED GRANT PERIOD OF PERFORMANCE: Period of performance will be determined by available funding source:

- Up to $192,756 for activities completed by October 1, 2027
- Up to $107,244 for activities completed by June 1, 2028

MINIMUM REQUEST: $10,000

MAXIMUM REQUEST: $60,000

MATCHING FUNDS: Matching funding is not required and will not impact competitiveness.

The Agency reserves the right to extend the grant period at the sole discretion of the Agency.

File Attachments for Item:

A. Tree Board Committee Report: Tree Protection Code Amendments and Fee-In-Lieu Update

A.

CITY COUNCIL REPORT

Needs Legal Review:	Future
Meeting Date:	September 2, 2026
Agenda Item:	Tree Board Committee Report: Tree Protection Code Amendments and Fee-In-Lieu Update
Presented By:	City of White Salmon Tree Board, Councilor Patty Fink

Action Required:
None

Motion for Business Item / Proposed Motion for Consent Agenda:
N/A

Background of Issue

Earlier this year, staff identified that the fee-in-lieu amount for replacement trees in the White Salmon Tree Ordinance had inadvertently been left blank. To address this immediate gap, staff worked with the Tree Board to develop a temporary fee of **$400 per replacement tree**, which was ratified in March.

At the time of ratification, the Council directed the Tree Board to conduct a more comprehensive review and develop a permanent recommendation. Specifically, the Board was asked to examine fee-in-lieu practices in other communities and recommend a fee that appropriately reflects the community's value on tree preservation while remaining consistent with other City policy objectives, including support for small-lot development and affordable housing.

Explanation of Issue

Attached to this memo is a white paper prepared by the Tree Board that summarizes the communities reviewed, the Board's evaluation process, and the rationale supporting its recommendations.

Based on its review of comparable Washington communities, the Tree Board concluded that White Salmon's current placeholder fee of $400 per replacement tree is below the range of comparable jurisdictions and is unlikely to cover the City's cost to purchase, plant, and establish replacement trees. The Board therefore recommends increasing the fee-in-lieu amount to **$700 per replacement tree**, which remains at the lower end of comparable communities while providing a more appropriate valuation for tree replacement.

The review also identified several opportunities to improve the clarity and administration of the Tree Ordinance. The Tree Board recommends that staff prepare ordinance amendments addressing the following priority issues:

1. **Revise the replacement tree calculation methodology** by replacing the current zoning-based approach with a diameter at breast height (DBH)-based methodology that better reflects the size and value of the tree being removed.
2. **Establish a permanent fee-in-lieu schedule** beginning at $700 per replacement tree, with periodic review to ensure the fee continues to reflect replacement costs.

3. **Adopt minimum standards for replacement trees**, including minimum size requirements, approved species, and prohibition of invasive or prohibited species.
4. **Update development incentives** by incorporating all tree preservation incentives into WSMC 18.40.060 for consistency and clarity.
5. **Clarify Oregon White Oak protections** by refining the existing woodland provisions to improve administration while continuing to protect significant Oregon White Oak trees.

The attached white paper provides the supporting research, comparisons with other Washington communities, and the rationale for each recommendation.

Council Options

No action is required at this time.

Fiscal Analysis

Increasing the fee-in-lieu amount from $400 to $700 per replacement tree is expected to have a positive fiscal impact by more accurately reflecting the City's cost to replace, establish, and maintain trees when on-site replacement is not feasible. Revenues collected through the fee-in-lieu program will continue to support tree planting, maintenance, and other urban forestry activities consistent with the intent of the Tree Ordinance.

Public Concerns and Committee Response

The Tree Board received one written public comment requesting that the Board consider the potential impacts of the proposed changes on development, particularly on smaller residential lots and affordable housing projects. (Attached.)

The Board carefully considered these concerns throughout its review. The recommendations contained in the attached white paper are intended to improve how tree value is assessed and how mitigation requirements are administered rather than fundamentally changing the balance between tree preservation and development.

The Board believes there are enough exemptions outlined in the code to protect owners' abilities to build housing on their lots, including ensuring people can have at least 700 sq ft of buildable area to add an ADU. There are numerous areas where other development requirements can be softened to allow for the protection of trees. Additionally, the fee in-lieu is only required for trees that cannot be replanted by a smaller tree on-site

Follow-Up Action

Tree Board will work with staff to prepare draft amendments to WSMC Chapter 18.40 for Council consideration. The proposed ordinance amendments are anticipated to return to the Council before the end of the year.

White Paper - White Salmon Tree Ordinance Review

Findings and Recommendations of the White Salmon Tree Board

Prepared for: White Salmon City Council
Prepared by: White Salmon Tree Board
Date: September 2, 2026

Background

Earlier this year, staff identified that the fee-in-lieu amount for replacement trees within the White Salmon Tree Ordinance was blank. The Tree Board worked with staff to establish a placeholder fee of $400 per replacement tree, which was subsequently ratified by the City Council.

Following this action, Council directed the Tree Board to review comparable jurisdictions and develop a more comprehensive recommendation that appropriately values tree preservation while considering other community objectives, including small-lot development and housing opportunities.

This review was conducted by the Tree Board with an eye to the potential loss of a significant tree within the White Salmon city limits and whether the City's current tree preservation and mitigation requirements appropriately recognize the value that mature trees provide to the community.

To better assess whether the City's current fee-in-lieu structure appropriately reflects the value of mature trees, the Tree Board selected one of the oldest, largest, and most notable Oregon White Oak trees within the White Salmon city limits as a case study. The Board then compared how the removal and replacement of a tree of this significance would be addressed under White Salmon's ordinance and under the tree preservation ordinances of comparable Washington communities.

To inform this analysis, the Tree Board reviewed tree preservation ordinances, fee schedules, replacement standards, and related code provisions from ten Washington communities. Numerous municipal codes and supporting documents were examined to better understand how other jurisdictions value mature trees, calculate replacement requirements, and establish fee-in-lieu programs. The following are cities that were included in the Board's review:

- Bellevue
- Burien
- Carnation
- Covington
- La Center
- Medina
- Mountlake Terrace
- Redmond
- Seattle
- Additional comparable jurisdictions

The review examined:

- Replacement tree calculation methods;
- Fee-in-lieu structures;
- Replacement tree size and species standards;
- Tree preservation incentives; and
- Oregon White Oak protection requirements

A summary of the communities reviewed, and the relevant ordinance provisions are provided in the Appendix.

Through this review, the Board identified several opportunities to strengthen and clarify White Salmon's Tree Ordinance.

The highest priority issues identified are as follows:

1. Revising the method used to calculate replacement trees for significant and special trees removed under an approved development permit;
2. Establishing an appropriate permanent fee-in-lieu amount;
3. Adding minimum standards and specifications for replacement trees;
4. Correcting an omission in the list of development incentives related to tree preservation; and
5. Clarifying the requirements related to removal of trees within Oregon White Oak woodlands.

The Tree Board's goal is not to create unnecessary barriers to development, but rather to ensure that White Salmon's tree preservation requirements appropriately reflect the value of mature trees while remaining practical, equitable, and consistent with the City's broader community objectives.

Findings and Recommendations

Finding 1: Current Replacement Tree Calculation Method Does Not Reflect Tree Value

Current Code

WSMC 18.40.050 Table 3 establishes the number of replacement trees required when a significant or special tree is removed under an approved development permit. The current calculation is based primarily on the zoning designation of the property where the tree is located.

The Tree Board found that no other city ordinance reviewed handles a calculation in this way, and this method does not take into account the size of the tree in determining a fair replacement requirement.

Example: Significant Oregon White Oak

To better understand the implications of the current methodology, the Tree Board reviewed one of the most notable and magnificent Oregon White Oak trees within White Salmon city limits. This tree is located near the entrance to the Hood River Bridge, behind the gravel parking lot adjacent to Bridgemart.

The tree was measured by Arborist and Tree Board Member, Karen Black Jenkins who estimates it to be:

- 66 inches DBH (diameter at breast height);
- 65-foot canopy width; and
- 76 feet tall

Under WSMC 18.40.050, the removal of this tree (given that the lot is currently designated as Residential Land - Undivided) would require replacing it with 3 replacement trees. If the landowner was savvy and had the land rezoned to Commercial or R1, R2, or R3, this number would drop to 2 (only because 2 is the minimum number for an Oregon White Oak, other tree species would be a 1 for some of those zones). Given the current fee in-lieu of $400 per replacement tree, this values this irreplaceable, magnificent Oregon White Oak at $800-$1200.

The Tree Board believes this example illustrates a significant weakness in the current ordinance: the value assigned to the tree depends more on the zoning of the property than on the size, age, or ecological importance of the tree itself.

An alternative approach and our recommendation is presented below.

Recommendation 1: Diameter-Based Replacement Standard

Tree diameter, measured as diameter at breast height (DBH), is a widely accepted method for evaluating tree size and maturity. Larger trees represent decades of growth, provide substantially greater canopy benefits, contribute to habitat and stormwater management, and require significant time to replace.

The Tree Board recommends replacing the current zoning-based calculation with a DBH-based replacement schedule.

For discussion purposes, let’s compare the value based on the methodology that Mountlake Terrace uses for calculating replacement trees based on the size of tree removed.

Tree Diameter (DBH)	**Replacement Requirement**
Less than 12 inches	3 replacement trees
12 inches to less than 24 inches	5 replacement trees
24 inches to less than 48 inches	7 replacement trees
48 inches or greater	10 replacement trees

Under this replacement table, the 66” diameter Oregon White Oak would warrant 10 replacement trees, or a fee in-lieu value of $4,000**.** As you can see, this approach more closely aligns mitigation requirements with the actual size and community value of the tree being removed.

A further review led the Board to compare fee-in-lieu amounts with other communities

Finding 2: Current Fee-in-Lieu Amount Is Below Comparable Communities

Comparable Fee Review

While not every jurisdiction publishes its fee-in-lieu value, the Tree Board was able to identify the following examples:

Jurisdiction	Fee
Burien	$700/tree
Mountlake Terrace	$781/tree
Covington	$1,000/tree
Bellevue	$1,300/tree credit
Redmond	$626.32/ significant tree; $2,505.31/landmark tree
Seattle	Based on trunk area removed

Returning to our Oak – if this tree were found within city limits of these communities the replacement amount would be as follows:

- Burien - $2,100 or 3 replacement trees
- Redmond - $2,505.31 or 3 replacement trees
- Covington -$3,000 or 3 replacement trees
- Mountlake Terrace - $7,810 or 10 replacement trees
- Bellevue - Retaining the tree gives the developer 10 replacement credits valued at $13,000. If developer wanted to remove the tree and wanted to utilize fee in-lieu to cover needed credits could cost the developer up to $13,000. If the tree was improperly removed it would require replanting of 3 trees.
- Seattle - ~$64,000 for the 3,610 removed square inches of trunk

Reviewing these other values, it is clear that White Salmon's current fee in-lieu value is below other cities, and more importantly is likely not enough to fully cover the cost to the city of purchasing, planting and watering a new tree for the first few years of its life.
The Tree Board believes that the most appropriate fee amount should consider the costs associated with planting a new tree in the City.

An example of this is the Mountlake Terrace ordinance which outlined their cost reasoning explicitly:

> "Tree replacement fee is based on wholesale cost for a two (2) inch caliper tree with tax; labor for planting and summer watering for first three (3) years; plus replacement cost for anticipated 20% street tree mortality."

This is why we are recommending increasing the "fee in lieu amount.

Recommendation 2: Establish a Permanent Fee-in-Lieu Amount

The Tree Board recommends increasing the fee-in-lieu amount from:

$400 per replacement tree to $700 per replacement tree

A $700 fee remains toward the lower end of comparable communities while providing a more realistic contribution toward tree replacement costs.

Using the Oregon White Oak example:

- Current methodology: $800–$1,200 value
- $700 fee with 10-tree replacement standard: $7,000 value

This remains well below mitigation costs required in larger communities such as Seattle and Bellevue while better recognizing the value of exceptional trees.

The remaining discussion and two recommendations – focus on the need to clarify standards, incentives and intent.

Finding 3: Replacement Tree Standards Need Clarification

WSMC does not specify any requirements regarding the size of a replacement tree or any species requirements.

In reviewing many cities' tree ordinances, this specification is regular and commonplace, with a very standard set of requirements with only minor deviations - to ensure meaningful canopy replacement.

In general, most communities reviewed require:

- Minimum 2-inch caliper deciduous trees; and
- Minimum 6-foot evergreen trees.

In addition, a few cities also specify a focus on planting native plants, and most also specify a list of tree species that do not qualify as a replacement tree. Examples cited in their ordinances are outline below.

- Burien, Bellevue, Medina, Carnation: 2 in caliper deciduous/broadleaf, 6’ tall evergreen conifer
- La Center: 2 in caliper deciduous tree or 6-8’ tall evergreen tree, focus on native plants
- Covington: 2 in caliper for deciduous/broadleaf, 4’ tall evergreen, primarily conifer and native species
- Mountlake Terrace: 2 in caliper for deciduous tree, 7’ tall evergreen tree.
- Redmond: 2.5 in caliper for deciduous, 6’ tall evergreen tree. Species should primarily be native species.
- Seattle: 1.5 in caliper for deciduous, 4-6’ tall evergreen. Species must aim to restore similar canopy cover to the mature tree that was removed. Species must comply with their Green Factor Tree List.

Recommendation 3: Establish Replacement Tree Requirements

The Tree Board recommends adding requirements that replacement trees:

- Be a minimum of 2-inch caliper for deciduous/broadleaf trees;
- Be a minimum of 6 feet tall for evergreen trees;
- Not include prohibited tree species; and
- Prioritize native or locally appropriate species.

We believe these requirements are not only in keeping with the other requirements in the current Tree Ordinance, but also offer a real replacement for tree removal.

Returning the other Oregon White Oak example – If we require a 2 inch caliper replacement tree would mean that at a replacement factor of 10 trees, we would be replacing 66 inches of tree diameter with 20 inches of replacement tree diameter.

Under the current code, even with a replacement factor of 3, if there are no requirements on the replacement tree size a 66 inch diameter tree could (in theory) be replaced by less than 6 inches of tree diameter.

Finding 4: Tree Preservation Incentives Need Correction

WSMC 18.40.040.B.2 identifies potential incentives for preserving significant and special trees, including setback and yard modifications.

However, these incentives are not currently included in the official development incentive list in WSMC 18.40.060.

Recommendation 4: Update Development Incentive List

The Tree Board recommends amending WSMC 18.40.060 to include all applicable tree preservation incentives identified in WSMC 18.40.040.

Finding 5: Oregon White Oak Woodland Protection Requires Clarification

WSMC 18.40.030.C.1.c requires a permit before removing any tree within an Oregon White Oak woodland.

The Tree Board has provided detailed overview of our concerns in the appendix – but a summary of our concerns include:

1. The ordinance does not clearly define Oregon White Oak woodland;
2. The geographic application is unclear;
3. The requirement applies to all trees in the designated area, not only Oregon White Oaks;
4. The provision may conflict with recommended woodland management practices; and
5. Administration and enforcement may be difficult.

The Washington Department of Fish and Wildlife recognizes that proper Oregon White Oak woodland management may include selective removal of certain trees, including encroaching conifers.

Recommendation 5: Clarify Oregon White Oak Protections

The Tree Board recommends revisiting the current woodland protection language and considering a more targeted approach focused on protecting significant Oregon White Oak trees.

Potential approaches include establishing additional review requirements for Oregon White Oaks above a specified diameter threshold rather than broadly regulating all tree removal within potentially undefined woodland areas.

Conclusion

The Tree Board appreciates the opportunity to review White Salmon's Tree Ordinance and believes that several targeted improvements can strengthen tree preservation while maintaining a practical and equitable regulatory framework.

The recommendations outlined in this white paper are intended to:

- Better recognize the value of mature trees;
- Improve consistency and predictability of mitigation requirements;
- Provide clearer standards for replacement trees;
- Support staff implementation; and
- Ensure Oregon White Oak protections reflect community goals and best management practices.

Appendices

Appendix 1: Detailed concerns about Requiring a Permit to Remove any Tree within an Oregon White Oak Woodland.

WSMC 18.40.030.C.1.c states that trees may not be removed without a permit when the tree is in an Oregon White Oak woodland. We find a few issues with this broadly written ordinance. As a reference document, we will be utilizing the Management Recommendations for Washington's Priority Habitats: Oregon White Oak Woodlands document published by the Washington Department of Fish & Wildlife[1]. The issues with this ordinance are as follows:

1. The definition of an Oregon White Oak Woodland is unclear

The WDFW document states that an Oregon White Oak Woodland is defined as a stand of pure oak or oak/conifer where the canopy coverage of the oak stand is 25%, or where the total canopy coverage is <25% but oaks account for at least 50% of the canopy coverage present. The area of these woodlands must be over 1 acre when located west of the Cascades and over 5 acres when east of the Cascades.

First, it is unclear whether White Salmon counts as east or west of the Cascades when evaluating this ordinance, which is a rather important point in helping determine the presence of such a woodland.

The second point that is unclear is whether these Oregon White Oak Woodlands cross property boundary lines when evaluating their presence.

2. The ordinance is not limited to Oregon White Oaks but to all trees, and trees of all sizes

The ordinance wording is not limited to Oregon White Oak trees, nor does it specify a minimum size. For reference, Oregon White Oak trees over 8" diameter are already protected as special/significant trees. Does this mean that someone could be fined for plucking a sprouted acorn? Does this mean that someone could be fined for removing an invasive Tree of Heaven in such a woodland? Under the current wording, each of these infractions could cost someone a $5,000 fine. The Tree Board knows that this is not what the city intends with this ordinance.

1 https://wdfw.wa.gov/publications/00030

3. The ordinance does not reflect the management recommendations listed by the Washington Department of Fish and Wildlife

In reading the associated document outlining best practices for managing Oregon White Oak Woodlands, the recommendations around cutting are as follows:

- Do not cut Oregon white oak woodlands except for habitat enhancement
- Selectively harvest individual oaks to improve stand age-class and structural diversity
- Thin encroaching conifers in oak woodlands west of the Cascades and along Columbia Gorge
- Retain large, dominant oaks and standing dead and dying trees
- Create snags when thinning oaks or conifers instead of removing trees

In particular, the management best practices either ignore or actively encourage the removal of non-Oregon White Oak trees, and also there is an encouragement for proper selective harvesting of oaks.

4. No similar protections in other tree ordinances

In reviewing all the other tree ordinances, there were no other examples specifically protecting Oregon White Oak Woodlands.

The ordinance as written requires landowners to heavily involve the city when performing any sort of forest maintenance on their property if there is 25% oak tree canopy coverage. I would assume that a very large portion of the White Salmon Bluff would be considered Oregon White Oak Woodland under these definitions, along with areas around Strawberry Mountain and Jewett Creek. Does this mean that the city would require a permit outlining ANY tree thinning / removal in these areas? What potential impact does this have for fire suppression / fire management?

Due to the significant ambiguity around where these Oregon White Oak Woodlands exist and the fact that this ordinance applies to all trees, not just the Oregon White Oaks, this could both create a large burden on city officials OR create a situation where infractions are commonly ignored. This creates the possibility of uneven or unequal enforcement, which opens the door to selective targeting / weaponizing of this ordinance. In addition, “woodlands” are living changing things, and as more trees grow, the boundaries of an official Oregon White Oak Woodland would change, again making administration of the rule as written more challenging.

If the spirit of this ordinance is to remain, then overall it seems better to very clearly define exactly what is desired. The Tree Board is assuming that the goal is to add in additional protections for

Oregon White Oak trees, not to protect any other species specifically. Oregon White Oaks are already protected once they are 8” in diameter, though they are available for removal via the Tree Removal Allowance. If we want to require more strict protections for larger Oregon White Oaks it makes more sense to the Tree Board to directly outline which trees we wish to protect. For example, Oregon White Oaks above a certain size (perhaps somewhere between 12” diameter and 18” diameter) could always require a permit for removal.

Appendix 2 - Example Wording for Tree Replacement Requirements

La Center

§ 18.350.060 Mitigation required.

Except for dead trees, hazard trees, and trees that are 10 inches or less in diameter removed from developed single-family lots, an applicant shall provide mitigation for any tree approved for removal. The mitigation requirement shall be satisfied as follows:

(1) Replanting On Site. The applicant shall plant either a minimum two-inch caliper DBH deciduous tree or a six- to eight-foot-tall evergreen tree for each tree removed. Trees shall be planted according to the specifications in Chapter 18.340 LCMC.

Carnation

15.76.120 - Tree replacement.

A. All Sites. Replacement trees shall be planted on the site from which significant trees are removed unless off- site replacement is approved by the Director or City Planner.

B. Tree Replacement Guidelines and Requirements, see Carnation Street and Storm Sewer System Standards for complete list.

1. Replacement trees shall be planted in locations appropriate to the species' growth habit and horticultural requirements.

6. Replacement trees should not be planted next to or under power lines.

7. Replacement trees shall be a minimum of two-inch caliper for deciduous trees and six-foot minimum height for evergreen trees;

8. The species of replacement trees shall not be identified as a noxious weed by the most recently available King County noxious weed list and shall not include any species from the list of species identified as nonsignificant in CMC 15.08.

9. Applicants are encouraged to select replacement trees from the approved street tree list found in the city of Carnation Street and Storm Sewer System Standar

10. ds.

11. The Director or City Planner may approve the installation of smaller-sized replacement trees if the applicant can demonstrate that smaller trees are more suited to

the species, site conditions, and to the purposes of this section, and are planted in sufficient quantities to meet the intent of this section.

12. The condition of replacement trees shall meet or exceed current American Nursery and Landscape Association or equivalent organization's standards for nursery stock.

Mountlake Terrace

Replacement trees shall be of any approved species, mutually agreed upon by the applicant and staff, at least 2 inches in diameter measured 6 inches above grade for deciduous trees, and a minimum of 7 feet in height for evergreen trees.

Covington

(2) Tree Replacement Required. Any significant tree lawfully removed pursuant to the provisions of CMC 18.45.050, Exemptions from tree permits, or CMC 18.45.060, Permits and permit requirements, shall be subject to the following replacement requirements unless specified within this chapter:

a) Replacement coniferous trees shall be at least four feet in height;

b) Replacement deciduous trees shall have a caliper of at least two inches;

c) In order to restore and enhance a site as nearly as practicable to its preremoval character and function, replacement trees shall be primarily conifer and native species to Washington; (g) Nonnative replacement trees shall be recommended by a qualified arborist as having characteristics suitable to the proposed location of planting, or shall be otherwise approved by the City;

d) (h) The condition of replacement trees shall meet or exceed current American Nursery and

e) Landscape Association or equivalent organization standards for nursery stock;

f) Installation of required replacement trees shall be in accordance with the International Society of Arboriculture best management practices for arboriculture including, but not limited to, soil assessment, sampling, amendments, and conservation, which ensure the tree’s long-term health and survival;

g) The Director may consider smaller-sized replacement trees if the applicant can demonstrate that smaller trees are more suited to the species, the site conditions, and the purposes of this section, and that such trees will be planted in sufficient quantities to meet the intent of this section;

h) Replacement trees that are less susceptible to laminated root rot shall be considered for tree replacement. Douglas fir trees shall not be allowed as a replacement species, but may be planted on tree farms. Leyland Cyprus, Arborvitae, and Vine Maple tree species shall not be counted towards required tree replacement. The following less susceptible trees may be used as replacement trees: <a list of trees>

i) All replacement trees shall, upon planting, be designated as significant trees regardless of their size. Replacement trees shall not be removed after planting. Exemptions to allow for tree removal, as provided in CMC 18.45.050, do not apply to replacement trees;

A.

Written Public Comment

Sample Tree Fee Policies for the Tree Board

Kate Gorge

July 29, 2026

Dear Tree Board,

Hope you're having a good week! I really appreciated the discussion at the last meeting. I know the Tree Board is digging into the new fee-in-lieu schedule to replace that $400 placeholder. Finding that sweet spot between protecting the Gorge canopy and ensuring affordability is a tricky balance. I researched how other areas like ours handle it (and really loved seeing all the samples in the last presentation).

I worried that a strict, tiered fee based on species and age might accidentally kneecap the exact kind of "missing middle" housing the city is trying to encourage. Because smaller lots, duplexes, and ADUs must maximize their footprint to pencil out, hitting them with tree replacement fees risks baking thousands of dollars into the final rent or sale price. It can inadvertently subsidize large luxury homes (which have the space to build around trees) while disproportionately punishing dense infill.

Anyway, I found some really cool examples from other PNW cities that have figured out how to write their codes to protect trees *without* accidentally blocking housing. I thought you'd enjoy looking at these examples, including some I know already came up, as there might be some mechanisms White Salmon could easily borrow:

- **Bend's "Small Lot Exemption" (link):** They realized strict mitigation was killing middle housing, so their updated development code explicitly exempts residential projects on sites that are one acre or less. They still get to protect big stands of trees on major subdivisions, but it gives a pass to standard infill.
- **Portland's "Density & Lot Coverage" Standard (link):** Their Chapter 11.50 automatically exempts private trees from preservation standards if the site is under 5,000 square feet, or if the proposed building coverage is 85% or more. It's a great objective standard that acknowledges the physical reality of building denser housing.
- **Mountlake Terrace's "Retention Bonus" (link):** Instead of relying purely on punitive fees, they offer bonuses. If a builder manages to retain mature trees on-site, the city gives them allowances for extra lot coverage, building height, or reduced setbacks. It's a nice carrot instead of a stick.
- **Bellevue's "Middle Housing" Carve-Out (link):** They recently updated their schedules to explicitly separate out permits and fee-in-lieu structures for "Middle Housing." It makes sure a triplex isn't paying the same structural impact fees as a giant single-family estate.

Maybe the board could look into adding some sort of "Housing Impact Waiver" to the new schedule? A full exemption for affordable housing, or a discount for missing middle projects, could be an amazing way to align the tree code with the city's housing emergency declarations.

Also worth looking at estimating the potential administrative burden of anything that seems viable, how much extra time a really detailed policy may take to assess and whose desk that assessment time and enforcement lands on. Hope these examples are helpful!

Thanks for all you do.

Cheers,

Kate

PS - I couldn't find the other resident members' emails, so please feel free to forward this to them as you like.