



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

**Meeting ID: 834 8620 8793
Call in Number: 1 (253) 215-8782 US (Tacoma)**

Call to Order/Roll Call

Approval of Minutes

- 1.** Meeting Minutes - August 28, 2024

Public Hearing

- 2.** Viewshed Overlay Ordinance (Continuation)
 - a. Presentation
 - b. Public Testimony
 - c. Discussion
 - d. Action

- 3.** Tree Protection Ordinance (Continuation)
 - a. Public Testimony

Planning Commission Discussion and Action are tentatively scheduled for September 25, 2024

Adjournment



File Attachments for Item:

1. Meeting Minutes - August 28, 2024



DRAFT

CITY OF WHITE SALMON
Planning Commission Meeting - Wednesday, August 28, 2024

COMMISSION AND ADMINISTRATIVE PERSONNEL PRESENT

Commission Members:

Greg Hohensee, Chair
Erika Price
Michael Morneault
Brendan Brown
Carl Trabant

Staff:

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

Planning Consultants:

Michael Mehaffy, Consultant Housing Planner
Alex Capron, Consultant Planner
Deb Powers, Consultant Planner

CALL TO ORDER/ ROLL CALL

Chairman Greg Hohensee called the meeting to order at 5:31 pm. A quorum of planning commissioner members was present. There were 39 audience members in attendance in person and via teleconference.

APPROVAL OF MEETING MINUTES

1. **Meeting Minutes – August 14, 2024**

Moved by Michael Morneault. Seconded by Brendan Brown.
Motion to approve meeting minutes of August 14, 2024, as written.

MOTION CARRIED 5–0.

Price– Aye, Morneault – Aye, Brown– Aye, Trabant – Aye, Hohensee – Aye.

PUBLIC HEARING

2. **Viewshed Overlay Ordinance (Continuance)**

Planning Commission continued the public hearing to review and discuss the proposed Viewshed Overlay Ordinance. Chair Greg Hohensee continued the public hearing at 5:34 PM.

A. PRESENTATION

The public hearing, continued from the August 14th meeting, proceeded without a formal staff presentation. City Administrator Troy Rayburn updated attendees on the Viewshed Overlay Ordinance, noting that Mayor Marla Keethler and staff had met with affected property owners on NW Lincoln Street the previous week. A draft ordinance will be presented for review at the Planning Commission's meeting scheduled for September 11th.

B. PUBLIC TESTEMONY

Chair Greg Hohensee opened the public comment portion of the hearing at 5:37 pm.

Zoey Gilchrist, Inside City Resident

Zoey Gilchrist, a young inside city resident, expressed that the view is very important to her and emphasized her concern about it. Her father, Seth Gilchrist mentioned that the topic has been a significant discussion in her household.

Seth Gilchrist, Inside City Resident

Seth Gilchrist addressed the Planning Commission, highlighting his role as a White Salmon resident and property owner affected by the viewshed legislation. He presented a petition with 178 signatures, including 86 from local residents, showing strong support for preserving the view. Gilchrist argued that maintaining the public view of Mt. Hood aligns with the City's Comprehensive Plan and suggested seeking legal advice on takings concerns. He proposed defining view corridors from specific park locations and setting explicit height restrictions for individual lots to clarify impact and support view-friendly designs. He urged the Commission to consider both property owners' concerns and the broader community's interests in their decision-making.

Lori Clark, Outside City Resident

Lori Clark addressed the Planning Commission, stating that although she is not currently a resident, she owns property in the city and was involved in recent real estate transactions on NW Lincoln Street. She expressed concern that neither she nor her clients were notified about the viewshed easement under consideration since December, despite multiple inquiries to the city. Clark, who hired a surveyor, argued that a height restriction would sufficiently protect the view and urged the Commission to reconsider or reject the proposed legislation, citing that the original zoning ordinance adequately manages view protection.

Karl Kloster, Inside City Resident

Karl Kloster, a lifelong White Salmon resident, voiced strong opposition to the proposal, perceiving it as a potential infringement on property rights. He questioned how the commission would view the proposal if the affected properties had trees exceeding the proposed height restrictions.

Eric Strid, Inside City Resident

Eric Strid addressed the Planning Commission, questioning whether tree removal might be considered to enhance the view. He suggested reframing the discussion on taking public views from the park, drawing a parallel to a past incident where a developer altered public space. Strid emphasized the importance of preserving the view and urged the Commission to carefully consider the implications of their decisions in maintaining public visibility.

Emmett Sampson, Inside City Resident

Emmett Sampson spoke about his property, which he purchased in 1989, noting that the house was built in 1939. He expressed opposition to the proposed height restriction, citing a recent notice which he received only two days before the last meeting. Sampson argued that the current restrictions, which he believes are too stringent, could negatively impact property values and development potential. He also criticized the City's handling of notifications and suggested that the proposed height limit may be excessive compared to previous drafts.

Sampson urged the Commission to reconsider the proposed changes and evaluate the impact on existing properties.

Tom Stevenson, Inside City Resident

Tom Stevenson, a former Planning Commissioner, shared his historical knowledge and personal experiences related to local development and tree preservation. He recalled that a two-story high school, removed in 1970, leading to the planting of large maple and oak trees that have grown significantly since then in Rheingarten Park. Stevenson emphasized his involvement in various community projects, including his efforts to manage space and resources for local institutions. He expressed support for property rights and voiced concerns about the proposed height limit, suggesting that it could have significant implications. Stevenson proposed that a more detailed review of the view preservation issue, potentially involving a direct visual assessment, might be beneficial for all parties involved.

Andrew McElderry, Outside City Resident

Andrew McElderry, a property owner on NW Lincoln Street, addressed the meeting to express concerns about the proposed view preservation ordinance. Although he is not a resident of White Salmon, he has owned property in the area for 35 years. McElderry requested that the city slow down the process for passing the ordinance, noting that property owners were only recently informed of the proposal, despite its discussion since October 2023. He emphasized that the ordinance could have significant financial implications and called for a more thorough review and community dialogue before moving forward. McElderry mentioned that property owners have hired consultants and architects to assess the potential impact of the ordinance on their properties and future development. He urged the City to reconsider and engage more effectively with affected property owners, pointing out that they have invested significant time and money into maintaining and developing their properties.

Tim Cruikshank, Inside City Resident

Tim Cruikshank, representing 173 Northwest Lincoln, expressed concerns about the proposed Viewshed Overlay Ordinance. He highlighted that he and his sister recently purchased the property under existing zoning laws, and the potential new restrictions could devalue their investment. Cruikshank questioned how the City would address potential financial impacts, such as whether compensation or changes in zoning would be considered. He echoed Andrew McElderry's call for further review and clearer details regarding the ordinance's implications on property values and future development.

Hanson Urdahl, Inside City Resident

Hanson Urdahl, residing at 165 NW Lincoln, shared his and his wife's motivations for purchasing their home, which included the view of the park. He expressed concern that the new view ordinance could significantly reduce their property's value without providing compensation or addressing potential changes in zoning. Hanson suggested that maintaining the current height restrictions might prevent blocking the park view and requested clarification on how the ordinance would affect future modifications to grandfathered properties. He emphasized that they do not intend to obstruct the view and are seeking solutions that benefit all parties.

Mike Gibbers, Inside City Resident

Mike Gibbers, a resident of White Salmon, spoke to the broader community impact of the ordinance. As a newcomer to the area, Gibbers expressed appreciation for the community's spirit and emphasized the importance of thoughtful decision-making. He advocated for addressing small decisions with compassion and consideration, and suggested taking extra time to ensure the ordinance is implemented correctly. Gibbers highlighted the need for continued dialogue and compromise to preserve the community's character and responsiveness to diverse needs.

Carl McNew, Outside City Resident

Carl McNew addressed the Planning Commission, expressing concerns about the City's height restriction, which he believes is already the most restrictive zoning regulation in the area. He cautioned that implementing further restrictions could set a troubling precedent, potentially leading other residents to demand similar limitations, which could affect the city's overall development and property values. McNew also noted that the ordinance might have unintended consequences, such as violating property rights, particularly for a small town with limited resources. He emphasized that these concerns were not raised during the previous meeting but are significant in considering the impact of the ordinance.

Chair Greg Hohensee added two written comments to the record before closing the public comment portion of the hearing at 6:04 pm.

C. DISCUSSION

The Planning Commission decided to continue the public hearing to September 11, 2024, for further details and additional public input.

D. ACTION

No action. The Commission again acknowledged the valid concerns raised by the public and ordered for continuation of the public hearing to the next scheduled meeting in two weeks, September 11, 2024, at 5:30, or shortly thereafter including public testimony, to allow more time for review and input.

Chair Greg Hohensee tabled the public hearing at 6:04 PM.

PUBLIC HEARING

3. Tree Protection Ordinance

The Planning Commission held a public hearing to review and discuss the proposed Tree Protection Ordinance. Chair Greg Hohensee opened the public hearing at 6:05 PM.

E. PRESENTATION

Alex Capron, Senior Planner at Facet, and Deb Powers, Senior Arborist/ Urban Forester, provided an overview of the proposed updates to the City's heritage tree ordinance. Planner Capron began by introducing the project background, noting that the original ordinance was part of the critical areas code adopted in 2012. The ordinance was separated from the critical areas code as of January 1, 2024, leading to a focused update on citywide tree protection.

Planner Capron highlighted the benefits of tree protection, including mitigating the urban heat island effect, managing stormwater, and supporting biodiversity and community well-being. He detailed the outreach efforts, including a survey that indicated strong community

support for reasonable tree protection measures. Key updates to the ordinance include clearer definitions for tree protection zones, incentives for tree retention in new developments, and flexibility for non-development scenarios.

The proposed code amendments aim to balance tree protection with development needs, including provisions for tree replacement standards and incentives for retaining mature trees, particularly slower-growing species like the White Oak. Capron also discussed public comments received during the review period, which included feedback on parking, white oak protections, and fire fuel mitigation. He noted the need for further consultation on firewise recommendations and adjustments based on recent feedback from the Department of Fish and Wildlife.

The tentative date for the Planning Commission's recommendation was proposed for September 25th, to allow for additional public testimony and responses to feedback. Planner Capron concluded by inviting public testimony and directing inquiries to Erika Castro-Guzman, Project Coordinator.

F. PUBLIC TESTIMONY

Chair Greg Hohensee opened the public comment portion of the hearing at 6:22 pm.

Bill Weiler, Outside City Resident

Bill Weiler, who has worked with the Fish and Wildlife Department in White Salmon for 20 years, addressed the meeting to express his support for tree protection efforts, highlighting his passion for preserving the area's natural resources. He mentioned his long tenure in the region and his current involvement in advocating for tree protection on behalf of White Oaks. He emphasized the importance of protecting legacy trees, citing their ecological value and their role in supporting local wildlife, particularly birds and mammals. He also raised concerns about the current proposal, which he believes does not adequately address the protection of legacy trees. Weiler suggested that, based on his extensive research of tree protection systems nationwide, the proposal should include specific provisions for legacy tree conservation. He highlighted that other jurisdictions have robust definitions and protections for such trees, which should be considered to improve the current proposal. Weiler concluded by submitting his written testimony and requested that the city incorporate these considerations into their tree protection policies.

Lori Clark, Outside City Resident

Lori Clark, a county resident and local business owner, criticized the city's tree ordinance. She highlighted her personal experience with a fire that destroyed her son's home, emphasizing the need for defensible space around properties. Clark argued that the ordinance's restrictions could hinder homeowners' ability to manage vegetation for fire safety. She also shared how insurance costs increased due to the need to clear trees around her property. Clark urged the City to reconsider the ordinance, balancing tree protection with practical safety measures.

Laura Cheney, Inside City Resident

Laura Cheney, a long-time resident, expressed concerns about the proposed tree ordinance. She noted a lack of emphasis on fire prevention and argued that the reduced diameter of protected trees could increase fire risk by adding fuel to the forest floor. Cheney highlighted the need for fire management, especially on bluffs, and criticized the ordinance for not

addressing these risks adequately. She also disputed the claim that mature white oak trees are fire-resistant, stating that oaks burn just like other species. Cheney urged the city to hold a town hall for open dialogue and to reconsider the ordinance, especially regarding its impact on affordable housing and increased landowner costs.

Tom Stevenson, Inside City Resident

Tom Stevenson voiced concerns about the proposed tree ordinance, noting that despite modifications, the revised version still contains issues. He criticized the provision allowing only two tree removals every two years, arguing that it doesn't accommodate land management needs, particularly on different lot sizes. Stevenson also expressed skepticism about allowing neighbors to nominate trees on others' properties, suggesting it might complicate neighborhood development. He emphasized the importance of promoting tree growth and thoughtful planting on both public and private lands while addressing development and fire safety.

Chair Greg Hohensee clarified that, according to page 17 of the packet, tree nominations on private property require the landowner's approval and cannot proceed without it, correcting the potential misconception.

Karen Jenkins, Inside City Resident

Karen Jenkins, a city resident and member of the city's tree board, emphasized the complexities surrounding the proposed updates to the tree ordinance. With over a decade of experience as a certified arborist, Jenkins highlighted concerns about enforcement and the practical challenges of implementing the ordinance. She noted that enforcement often incurs costs, which could be used for tree planting on public property, though such spaces are limited in the community. Jenkins also acknowledged the serious fire risks associated with tree planting and the difficulty of replacing mature trees. She advocated for incentives to retain large, old trees, as it takes a century to grow a tree of that age. Jenkins urged the city to take time to thoroughly consider the ordinance changes, balancing tree preservation with community development needs.

Juan Chaves, Outside City Resident

Juan Chaves, who is in the process of moving into the city limits, expressed his commitment to the community and his love for trees. He highlighted the challenges posed by an old white oak on his property and stressed the importance of finding flexible solutions for tree management. Chaves suggested exploring options for tree replacement that consider the long-term benefits of mature trees, such as water and soil absorption, while also accommodating development needs and affordable housing. He urged the city to work with arborists and the community to develop practical, adaptable guidelines that balance green space preservation with property development.

John Stevenson, Inside City Resident

John Stevenson, a forester with nearly 30 years of experience, spoke about the definition and significance of heritage trees. He emphasized that a six-inch oak is not typically considered a heritage tree, citing that such trees can take decades to mature and are not always indicative of historical significance. Stevenson pointed out that there are indeed significant heritage trees in White Salmon, which are large and often have natural cavities. He warned that misidentifying trees as heritage when they are not can inadvertently contribute to fire hazards by creating ladder fuels. Stevenson urged the city to carefully consider what qualifies

as a heritage tree to prevent potential fire risks, referencing recent fire events as a cautionary example.

Amy Stevenson, Inside City Resident

Amy Stevenson, a longtime resident of White Salmon, expressed concerns about the proposed tree ordinance. She mentioned that she had previously submitted a letter but was unsure if it was received or properly included in the meeting materials. Stevenson criticized the ordinance for its complexity, noting that it seems to require advanced knowledge of biology and tree growth, which could pose challenges for property developers. She shared her experience with her own property, where the presence of potentially white oaks could complicate future development. Stevenson highlighted that the ordinance might make it difficult to develop small, treed lots and urged the council to consider property rights and practical implications for property owners. She concluded by emphasizing the need for a more flexible approach to tree management and development.

Chair Greg Hohensee added two written comments to the record before closing the public comment portion of the hearing at 6:49 pm.

G. DISCUSSION

Chair Greg Hohensee initiated the discussion, inviting commissioners to pose questions for clarification regarding city operations and the proposed regulations.

Chair Hohensee noted that the public hearing would continue on the 11th and mentioned that Senior Planner Alex Capron preferred to extend the recommendation to the City Council until September 25th to allow for more thorough discussion.

As the discussion commenced, Commissioner Carl Trabant raised a concern regarding Tree Code 18.4020, specifically item number two on multi-stem trees. He found the instructions on measuring multi-stem trees confusing, as it described using the square root of the sum of the squares of the diameters but also mentioned measuring below the junction if it is below breast height. Commissioner Trabant sought clarification on whether two different measurement methods were being suggested and requested further explanation on the correct approach.

Senior Arborist Deb Powers addressed the confusion regarding the measurement of multi-stem trees, explaining that while the current language adheres to industry standards, it could benefit from additional clarity. She suggested including diagrams or examples in the code to illustrate how measurements should be taken, particularly for trees with multiple trunks and varying diameters. This visual aid would help clarify the process for those less familiar with the technical aspects of tree measurement.

Commissioner Carl Trabant then raised concerns about the definitions of hazard and nuisance trees. He noted that the distinction between the two categories was not entirely clear, particularly regarding the need for a professional arborist's assessment for hazard trees versus the more lenient criteria for nuisance trees. He recounted a personal experience where a tree's removal was handled simply with a permit and a photo, questioning if such an approach could be streamlined for cases where the hazard is evident.

Senior Arborist Deb Powers responded by explaining that a hazard tree is one that poses a risk due to its location and defect, whereas a nuisance tree causes physical damage. She agreed that photo documentation might suffice for tree removal if the defect is obvious, suggesting that the code could be updated to reflect this.

Additionally, Commissioner Trabant inquired about the tree protection zone dimensions specified in the code, which seemed unclear and variable. He pointed out that a range of 6 to 18 times the diameter at breast height could be interpreted in various ways, potentially leading to insufficient protection. He also mentioned discrepancies in parking requirements for specific uses, noting that the standards for bowling alleys and office spaces seemed excessive or inadequate given local conditions.

Commissioner Brendan Brown had no questions at this time.

Commissioner Michael Morneault raised a query regarding the distinction between pruning and topping. He sought clarification on when pruning becomes topping, noting that industry standards define excessive pruning as the removal of more than 25% of a tree's live canopy, which could be considered topping if it involves cutting from the top down.

Senior Arborist Deb Powers confirmed that pruning involves removing up to 25% of the live canopy and can occur anywhere on the tree, while topping typically refers to more severe cutting that may exceed this threshold.

Commissioner Morneault also expressed concerns about the nomination process for heritage trees, questioning whether written consent from the property owner should be required at the outset. Senior Arborist Deb Powers confirmed that such consent is necessary. Chair Greg Hohensee supported this view, suggesting that the ordinance should be updated to clearly outline the administrative process for nominations to avoid confusion.

Commissioner Morneault emphasized the need for clarity in the administrative procedures and acknowledged the complexity of balancing various stakeholder perspectives.

Commissioner Erika Price inquired whether the definition of significant trees includes all species or is limited. Senior Planner Alex Capron confirmed that the definition encompasses both native and non-native species, with some exceptions for invasive species.

Commissioner Erika Price inquired about the list of significant trees, seeking clarification on whether it includes all tree species over 18 inches in diameter, both native and non-native.

Senior Planner Alex Capron explained that the significant tree category is defined by a specific list of special trees, which generally excludes trees deemed invasive or those in critical areas. Senior Arborist Deb Powers added that the code provides exceptions for certain trees, such as Oregon White Oaks, and lists specific invasive species. Chair Greg Hohensee suggested that the definition of significant trees could be clearer by explicitly stating that it includes all species except for prohibited ones.

Chair Hohensee raised a concern about incorporating slope considerations into the building footprint requirements. He highlighted that accounting for slope could significantly impact construction costs and requested language to address how slope affects tree preservation

and building envelopes. Senior Arborist Deb Powers agreed that this was a valid consideration and suggested that it could be explored further in future discussions.

Chair Hohensee also asked about the possibility of a fire risk overlay zone in the tree ordinance, referencing practices in other municipalities, which incorporate firewise principles into their tree codes. Senior Arborist Deb Powers confirmed the importance of implementing such measures and suggested reviewing the current approach to explore potential integration into the existing ordinance.

Commissioner Carl Trabant shared a personal experience highlighting the need for effective tree protection zones during construction. He recounted how a tree near his property was damaged when construction vehicles drove into it, illustrating the importance of implementing and enforcing tree protection measures on development sites. Trabant also noted concerns about large landowners outside city limits who have the ability to remove trees at their discretion. Additionally, he mentioned a fire risk assessment conducted at his home, emphasizing the importance of maintaining tree canopy continuity to mitigate fire risks. He expressed concern about the potential for city maintenance staff to improperly prune or top trees, stressing the need for stringent oversight.

Commissioner Brendan Brown proposed considering a fire risk overlay for peripheral areas of the city to balance land management desires with fire protection. He questioned whether having certain tree species, like White Oaks, within city limits would impact fire safety and suggested evaluating how to best protect both city property and private land while considering local climate and habitat benefits.

Commissioner Michael Morneault reflected on the potential risks if neighboring properties do not adhere to fire safety standards. He recounted a past fire incident where the lack of proper fire mitigation on nearby properties increased his own property's risk. Commissioner Morneault emphasized the need for comprehensive strategies to address such issues and ensure the safety and resilience of properties in fire-prone areas.

City Administrator Troy Rayburn addressed a liability concern raised by Commissioner Michael Morneault, assuring that planning consultants would coordinate with legal counsel to address this issue. Chair Greg Hohensee noted that the insurance question from the previous meeting had not been fully addressed.

Commissioner Erika Price suggested several amendments to the tree regulations, including defining "heritage trees," restricting significant trees to native species, and considering lot size in tree removal regulations. She also proposed adjustments to accommodate smaller lots in terms of tree retention.

Chair Greg Hohensee expressed concerns about the complexity of the current draft ordinance, stating that it might be too intricate for the city's limited staff to implement effectively. He referenced past issues with tree preservation in a development project and emphasized the need for a more streamlined, practical document. He acknowledged the high quality of work done but stressed the necessity for a simpler, more usable ordinance.

Chair Greg Hohensee proposed continuing the meeting to September 11th, with a potential extension to September 25th, and encouraged commissioners to submit any further suggestions to improve the document.

H. ACTION

No action. The Planning Commission ordered for continuation of the public hearing to the next scheduled meeting in two weeks, September 11, 2024, at 5:30, or shortly thereafter including public testimony, to allow more time for discussion before action.

Chair Greg Hohensee tabled the public hearing at 7:31 PM.

ADJOURNMENT

The meeting was adjourned at 7:32 pm.

Greg Hohensee, Chairman

Erika Castro Guzman, City Project Coordinator

File Attachments for Item:

2. Viewshed Overlay Ordinance (Continuation)

a. Presentation

b. Public Testimony

c. Discussion

d. Action



MEMO

TO: Mayor Marla Keethler
City of White Salmon, Washington
CC: Alex Capron, Erika Castro-Guzman, Andrew Dirks, Shawn MacPherson, Troy Rayburn
SUBJECT: Viewshed Ordinance - Updated Proposal
DATE: September 4, 2024

As discussed previously, we have made the following changes to the viewshed ordinance proposal:

1. Eliminate properties that have a marginal impact on views (lots on Main, Lot 7 on Lincoln);
2. Add language to provide for rebuilding to grandfathered heights in case of destruction of a building;
3. Add language allowing additions (e.g. dormers) within the existing grandfathered heights;
4. Customize the elevation for each property based on photographic analysis (see attached);
5. Raise the elevations for each lot as much as possible while still protecting the main view of the mountain from the principal paths and gathering spots of the park;
6. Increase the allowable height at the rear of the lots by eliminating the current 28 foot height limit and using the overlay elevation as a continuous limit, partially compensating for the loss in the front part of the lot.

In addition, as you know, we have already increased the potential utilization of lots by reducing front and rear setbacks, increasing coverage, providing alternative shared parking allowances, and other measures under our December 2023 code changes. We are also proposing additional code actions that would reduce the number and size of off-street parking spaces, which would significantly improve the ability to fit new structures on each lot. We may want to also consider rezoning the affected lots to R-3 (but maintaining the proposed overlay) which should allow significantly greater utilization of the lots.

I attach a copy of the draft ordinance, as well as photos of each property and proposed elevation, and very approximate sections of each showing how the proposed ordinance relates to existing allowable height. (These are for illustration only and the actual configuration is dependent on a number of variables in each case.)

I am happy to answer any questions.

Portions of the park that have significant views constituting “public goods” and warranting protection:



View from covered pavilion toward Lot 11, with survey data and proposed elevation (grandfathered):



View from sidewalk toward Lot 10, with survey data and proposed elevation:



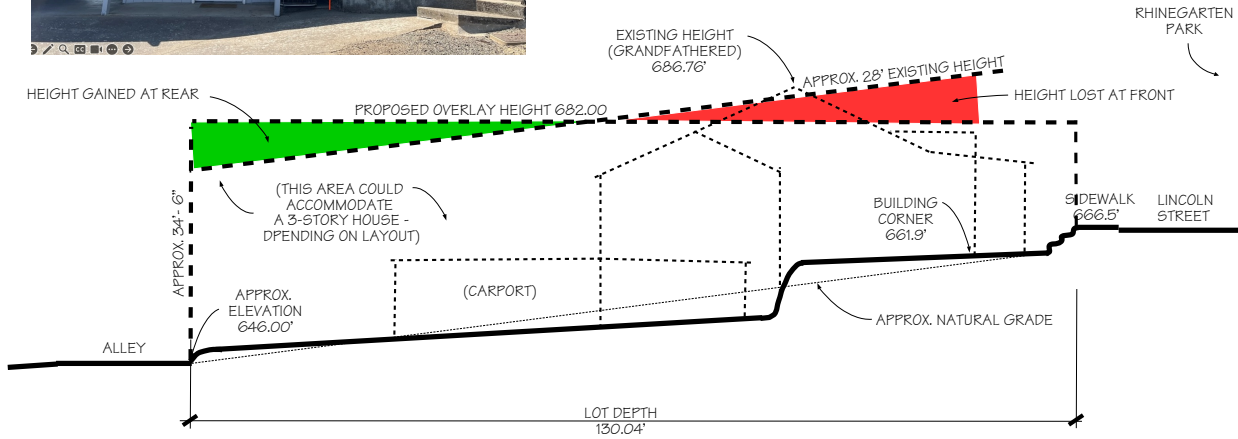
View from sidewalk toward Lot 9, with survey data and proposed elevation (chimneys allowed):



View from sidewalk toward Lot 8, with survey data and proposed elevation:



Lot 11 – Approximate Section:



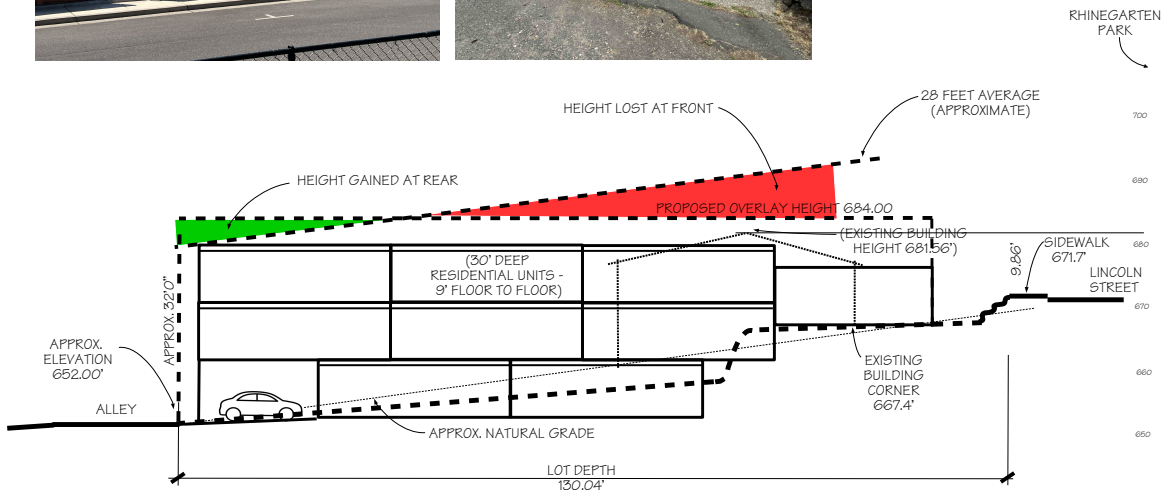
LINCOLN STREET ALLOWABLE HEIGHT ILLUSTRATION – LOT 11

WHITE SALMON, WASHINGTON – SEPTEMBER 3, 2024

NOTE: APPROXIMATE FOR ILLUSTRATION ONLY



Lot 9 – Approximate Section:



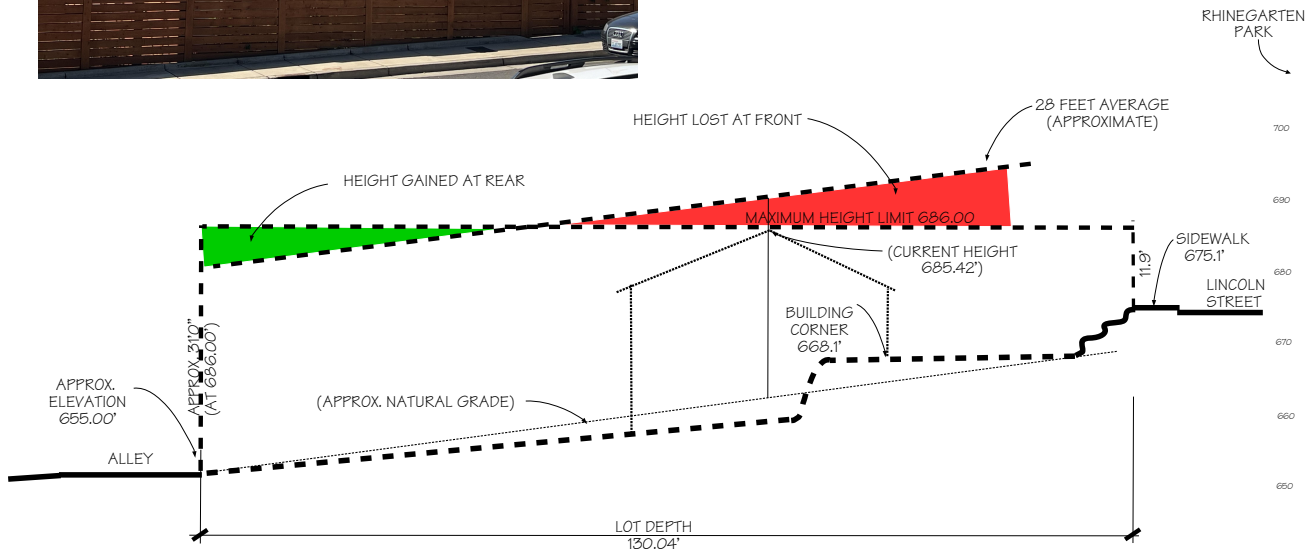
LINCOLN STREET ALLOWABLE HEIGHT ILLUSTRATION – LOT 9

WHITE SALMON, WASHINGTON – SEPTEMBER 3, 2024

NOTE: APPROXIMATE FOR ILLUSTRATION ONLY



Lot 8 – Approximate Section:



LINCOLN STREET ALLOWABLE HEIGHT ILLUSTRATION – LOT 8
 WHITE SALMON, WASHINGTON – SEPTEMBER 3, 2024
 NOTE: APPROXIMATE FOR ILLUSTRATION ONLY



**CITY OF WHITE SALMON
ORDINANCE NO. 2024-____**

AN ORDINANCE AMENDING TITLE 17 OF THE WHITE SALMON MUNICIPAL CODE BY ADDING CHAPTER 17.77 TO UPDATE PROVISIONS OF THE ZONING CODE.

WHEREAS, the City of White Salmon (“City”) acknowledges the need to preserve the scenic views and aesthetic character of the city **as called for in its Comprehensive Plan, including** scenic views of Mount Hood from Rheingarten Park; and

WHEREAS, the City recognizes the economic and cultural value of these scenic views; and

WHEREAS, the City recognizes the need for viewshed regulations to preserve these views; and

WHEREAS, the City also recognizes the need to balance protection of scenic views with **the need for additional housing and development** in the community; and

WHEREAS, The City also recognizes **the need to balance its exercise of legitimate police powers in enacting appropriate zoning, with the rights of owners to reasonable use of their property;** and

WHEREAS, the City has conducted hearings and solicited public testimony, sufficient to establish regulations in accordance with RCW 36.70A;

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

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

SECTION 1. Amendment to Title 17, Chapter 17.77

17.77 Viewshed Overlay

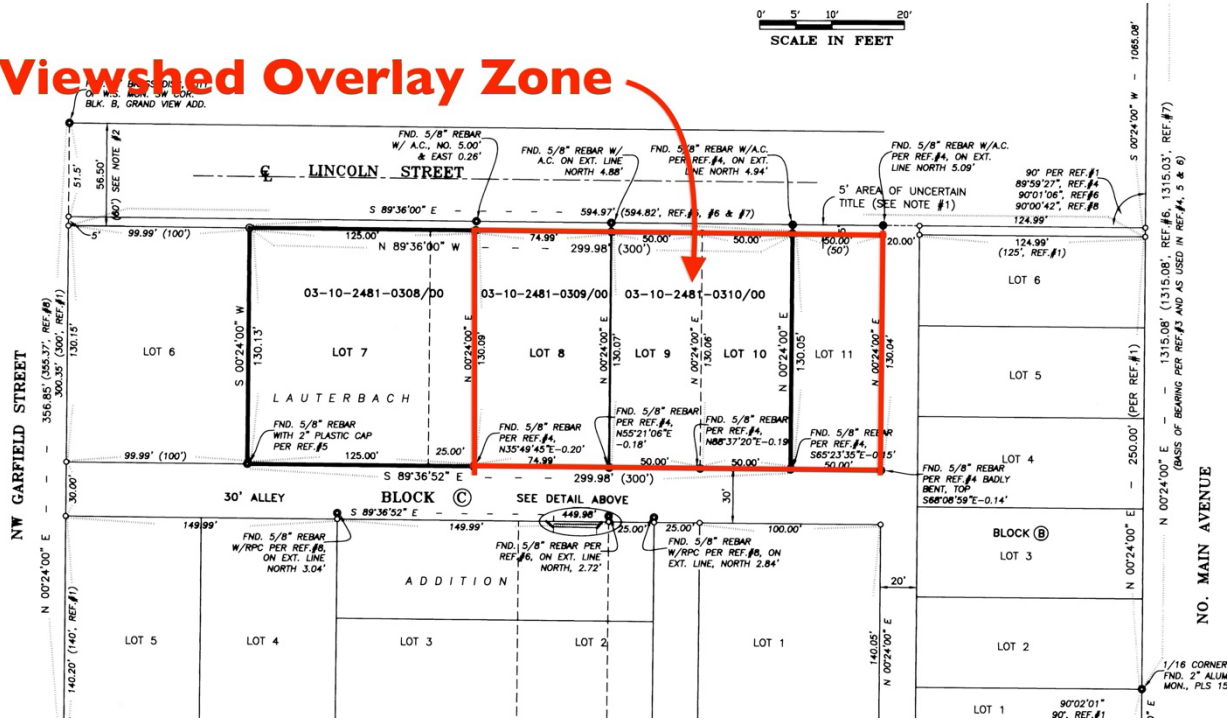
17.77.010 - Purpose

The purpose of this Viewshed Overlay Ordinance is to preserve the scenic views and aesthetic character of the City of White Salmon by regulating building heights within a designated overlay area. The ordinance aims to balance development needs with the community's desire to protect significant views. **Specifically, this ordinance seeks to protect views of Mount Hood from Rheingarten Park.**

17.77.020 - Overlay Area Description

The Viewshed Overlay Area is hereby established and defined as **Lots 8, 9, 10 and 11 of Block C, Lauterbach Addition, as shown in the exhibit below:**

Viewshed Overlay Zone



17.77.030 - Building Height Restrictions

A. Maximum Building Elevation:

- The current maximum height for this zone is superseded by the overlay height. The owners may build up to the overlay height for the entirety of their property, regardless of the other height restrictions for this zone.
- The overlay height is as follows for each lot:
 1. Lot 8: 686.00 feet above sea level
 2. Lot 9: 684.00 feet above sea level
 3. Lot 10: 684.00 feet above sea level
 4. Lot 11: 682.00 feet above sea level

B. Exceptions:

- Existing building elements that exceed the overlay height may remain for the perpetuity of the structure.
- In the event of a fire, natural disaster or other catastrophic destruction, new buildings may be constructed to the same height as the previous structure.
- New additions within the existing building height envelope, such as dormers, are permitted, so long as they do not further obstruct the view.
- Chimneys and other projections that extend above the roofline are permitted, provided they do not exceed 5 feet in width or depth.

17.77.040 - Building Plan Requirements

A. Registered Surveyor Certification:

- Building plans submitted for construction within the overlay area must include at least one corner of the building with an elevation established by a registered surveyor.

B. Height Demonstration Exhibit:

- An exhibit must be included with the building plans demonstrating that the building height does not exceed the overlay height above sea level, excluding exceptions as provided in Section 17.77.030.B).

17.77.050 - Enforcement and Penalties

A. Compliance:

- All construction within the overlay area must comply with the provisions of this ordinance. Non-compliance may result in penalties as determined by the City of White Salmon.

B. Penalties:

- Violations of this ordinance shall be subject to fines and corrective actions as prescribed by the city’s zoning enforcement regulations.

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

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

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

PASSED this __ day of ____, 2024 by the City Council of the City of White Salmon, Washington.

Marla Keethler, Mayor

ATTEST:

APPROVED AS TO FORM:

Stephanie Porter, Clerk Treasurer

Shawn MacPherson, City Attorney

File Attachments for Item:

3. Tree Protection Ordinance (Continuation)

a. Public Testimony

Discussion and recommendations are tentatively scheduled for September 25, 2024

TECHNICAL MEMORANDUM

Date:	August 22, 2024
To:	White Salmon Planning Commission
From:	Alex Capron, AICP, Senior Planner; Deb Powers, Senior Arborist
Project Name:	White Salmon Tree Code Update
Project Number:	2205.0244.05

Tree Ordinance Update

The recommended tree protection code brought before the Planning Commission for public hearing follows the 30-day public comment period, running from July 10th – August 9th. A response matrix to written public comments accompanies this memo. Further, a comparative flyer is attached, covering differences in the existing Heritage Tree Ordinance and proposed Tree Protection Ordinance.

Note, the City Tree Board met on August 12, 2024 and provides recommended code changes and follow-up items as an attachment. The code online does not reflect Tree Board concerns.

A summary of code changes are as follows:

1. Creating separate tree protection and heritage tree regulations. Tree protections are for trees of a certain species and size, whereas heritage tree regulations entail a specific nomination process. This addresses community desire (per survey results) to retain mature trees.
2. Establishing size threshold for significant trees (18" Diameter Breast Height, DBH), with a special slow-growing trees (like Garry Oak per recommendations from Columbia Land Trust and East Cascades Oak Partnership) receiving a smaller assigned DBH.
3. Establishing replacement ratios for tree replacement by zone.
4. Incentives for tree retention via waiving parking requirements for ADU's and providing a reduction/credit towards stormwater flow control requirements.
5. Providing opportunities for certain tree removal with and without development.
 - a. Specifically, allowing reasonable residential structures and subdivisions while retaining trees to the maximum extent feasible.
6. Establishment of a fee in lieu program for tree replacement where replacement trees cannot realistically be placed on-site.

Specifically, the attached Draft Ordinances are as follows, and found here <https://www.whitesalmonwa.gov/planning/page/heritage-tree-ordinance-update>:

1. WSMC 18.40 – 18.41 Tree Protection Ordinance & Heritage Tree Ordinance.
2. WSMC 13.01.050 – Stormwater runoff control standards.
3. WSMC 17.72 – Off-Street Parking

To address relevance and need to improve the existing tree regulations, as well as need for tree regulations in-general, a series of topics regarding retention of trees in an urban setting is provided below.

Importance of Retaining Trees in Urban Setting¹

The urban forest provides numerous benefits to those living near and around it. These benefits include reducing urban heat island effects, stormwater management, biodiversity, improving mental health and wellness, and mitigating the impacts of climate change. While White Salmon is surrounded by protected forested area and enjoys the benefits this green space provides, trees growing within the urban fabric provide their own benefits to its residents; many of these benefits are outlined within the White Salmon Urban Forest Management Plan, published in 2019.

REDUCING THE HEAT ISLAND EFFECT²

Heat islands occur when pavement and other impermeable surfaces replace natural cover. These areas retain and absorb heat, increasing the overall temperature. As a result, energy costs increase, pollution levels increase, and wellness suffers. Extreme heat impacts people’s physical, social, and mental health, affecting vulnerable populations and exacerbating health issues. The state of Washington is expected to experience more extreme heat days in the coming decades. Eastern Washington is expected to experience between 20 and 30 more extreme heat days per year by 2050. Trees and other vegetation help to shade heat islands, offsetting the increasing temperature, deflecting the sun’s rays, and release moisture into the atmosphere. Urban neighborhoods with low canopy coverage and more impervious surfaces experience increased temperatures. Planting new trees and maintaining existing tree canopy cover helps to offset the heat island effect created in urban environments by increasing the shade potential of the urban forest.

STORMWATER MANAGEMENT³

The impervious surfaces present in urban area collect stormwater runoff limiting soil absorption and funneling it causing quality and quantity issues. Stormwater runoff in urban areas include contaminants which is often funneled into nearby streams, rivers, lakes, and eventually ocean affecting the quality of life for the surrounding wildlife. When trees and other woody shrubs are included in the hydraulic cycle,

¹ Benefits of Trees. ISA and Trees Are Good Publication.

https://www.treesaregood.org/Portals/0/TreesAreGood_Benefits%20of%20Trees_0321_1.pdf

² EPA Urban Heat Island Effect. <https://www.epa.gov/green-infrastructure/reduce-urban-heat-island-effect#:~:text=Trees%2C%20green%20roofs%2C%20and%20vegetation.releasing%20moisture%20into%20the%20atmosphere.>

³ Urban Forests & Stormwater Management. USDA and US Forest Service.

<https://research.fs.usda.gov/srs/products/compasslive/urban-forests-stormwater-management>

they intercept falling rain, slowing its descent reducing erosion, they remove excess water from the surrounding soil, and participate in filtering out contaminants from the rainwater through soil infiltration and phytoremediation.

SUPPORTS BIODIVERSITY⁴

Urban trees provide habitat and food sources for birds, bees, and other animals living in the urban fabric. They help in creating microclimates that support additional plant life. A diverse urban forest that avoids monoculture plantings, lowers the risk of plant pest and disease outbreaks that may increase disease pressures felt by the surrounding forest.

Encl: Tree Board recommended code edits, Comparative Tree Code flyer, Comment Response Matrix, and written public comment,

⁴ Benefits of Urban Trees. South Carolina Forestry Commission. <https://www.scfc.gov/management/urban-forestry/benefits-of-urban-trees/>.



Heritage Tree Ordinance Update



BACKGROUND

Since 2012, White Salmon has codified protections for trees of a certain species and size and has been a Tree City USA member since 2017. In 2019, the city completed a Community Forest Management Plan (CFMP), outlining community goals including retention of mature trees city-wide. Following the Critical Areas Update completion in 2023, these tree regulations were relocated outside the critical areas ordinance for this update (**Heritage Tree Ordinance, WSMC 18.40 Ord. 2023-11-1153, 1/1/24**).



GOAL



Capture community desires for improvement on existing tree protection regulations through increased code flexibility for non-development and development scenarios, as well as retention of mature trees per the CFMP. *See code comparative table below outlining code changes:*

Topic	Existing WSMC 18.40 (Ord 2023-11-53, 1/1/24)	Proposed Tree Protection Ordinance
Removing trees without development (no arborist report required)	Not explicitly allowed	Two trees within a 24-month period
Removal of hazardous trees	Allowed with arborist report	If dead, no arborist report is required. Otherwise, allowed with arborist report
Removal of imminently hazardous trees in an emergency	Allowed via notification provided to Police Chief, Fire Chief or Public Works Director	Allowed via notification provided to Police Chief, Fire Chief or Public Works Director
Is a tree protection easement required with development?	Yes	No
How much lot area is available to development when impacted by tree retention?	50%	50%, or the following structure footprints: 1,000 SF for a single-family residential, 900 SF for a townhome unit, 700 SF for ADU's, and commercial footprint allowance driven by the proposed use
How much lot area is available to subdivisions when impacted by tree retention?	50%	Subdivisions are allowed to the zoning district's minimum lot size allowed, so long as either trees are replaced or (if not possible) a fee in lieu is provided
What incentives exist for retaining trees?	None	Waiver for ADU off-street parking requirements, stormwater runoff volume credit for retaining tree canopy

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

Chapter 18.40 – TREE PROTECTION.

18.40.010 - Purpose.

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

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

18.40.020 - Definitions.

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

1. American National Standards Institute (ANSI) - the ANSI A300 industry consensus standards developed by the Tree Care Industry Association and written by the Accredited Standards Committee (ASC) for the management of trees, shrubs, and other woody vegetation.
2. Diameter at breast height (DBH) – diameter or thickness of a tree trunk measured at 4.5 feet above grade. If the tree is a multi-stem tree, the total DBH is the square root of the sum of the DBH for each individual stem squared per ANSI A300 standards. If the main union is at or below 4.5 feet above grade, the measurement will be taken below the main union.
3. Grove – three or more significant and/or special trees with overlapping or touching branches.

4. Hazard tree – a tree or tree part assessed by a qualified professional as having an extreme or high overall risk rating using the ISA Tree Risk Assessment Qualification (TRAQ) method in its current form.
5. Heritage tree – any tree that because of its age, size, unique type, or historical association that is of special importance to the city, as nominated pursuant to WSMC 18.41.020.
6. Nuisance tree – a tree causing significant physical damage to a private or public structure and/or infrastructure, including but not limited to the sidewalk, curb, road, water or sewer or stormwater utilities, driveway, parking lot, building foundation, or roof; or is severely infested with an insect, pest, and/or other pathogen that significantly impacts the long-term viability of the tree.
7. Prohibited tree – trees that are exempt from tree protection provisions in this chapter, including red alder (*Alnus rubra*), black cottonwood (*Populus trichocarpa*), holly (*Ilex aquifolium*), Tree of Heaven (*Ailanthus altissima*), or other invasive trees listed by the state or county weed control board (not including trees located within critical areas).
8. Pruning – the practice of selectively removing branches from a tree using approved practices to achieve a specified objective based on ANSI A300 Tree Care Standards best practices. Pruning that exceeds twenty-five percent (25%) of a tree’s live canopy within twelve (12) consecutive months constitutes tree removal.
9. Qualified professional arborist – a person with relevant education and training in arboriculture or urban forestry, having the International Society of Arboriculture (ISA) Arborist Certification and for purposes of hazard tree evaluation, TRAQ (tree risk assessor) qualification.
10. Topping – indiscriminate cuts made between branches that leave a stub, without regard to long-term tree health or structural integrity, used to reduce the height or crown size of an established tree. Topping is not an acceptable pruning practice pursuant to 2023 ANSI A300 Tree Care Standards. This definition does not apply when the sole purpose is to create snag(s) for wildlife habitat.
11. Tree protection zone (TPZ) – an area defined during site development by a qualified professional arborist that is equal to 6-18 times the DBH, where construction activities and access are limited to protect tree(s) and soil from damage necessary to sustain tree health and stability. TPZ denotes the location of tree protection fencing.
12. Significant Tree – a regulated tree with a DBH of more than 18 inches.
13. Special Tree – a regulated tree with a DBH that is equal to or greater than the diameters listed in the Special Tree Table below:

<u>Special Tree Table</u>	
<u>Native Species</u>	<u>DBH Threshold</u>
<u>CASCARA — Rhamnus purshiana</u>	<u>8 in</u>
<u>Pacific DOGWOOD — Cornus nuttallii</u>	<u>6 in</u>
<u>Ponderosa Pine - Pinus ponderosa</u>	<u>12 in</u>
<u>Vine MAPLE — Acer circinatum</u>	<u>8 in</u>
<u>Oregon white oak or Garry OAK — Quercus garryana</u>	<u>6 in</u>

18.40.030 - Significant tree removals and maintenance, not associated with development.

- A. **To ensure that trees function well in their intended landscape, the City of White Salmon promotes the proper care of trees on private property to ensure trees reach their normal life expectancy and contribute to optimal benefits to the community. For that reason, tree topping is prohibited and may be considered tree removal per WSMC 18.40.020(6).**
- B. **Tree removal allowance. Any private property owner of developed property may remove up to a specified number of significant and/or special trees with the submittal of a tree removal notification to the city.**
- C. **On any single legal parcel where no exterior construction, demolition, grading, material storage, or other development activity is proposed, one significant or special tree may be removed per 12-month period or a maximum of two trees may be removed per 24-month period.**
 - 1. **A tree or tree(s) may not be removed without permit under the following conditions:**
 - a. **The tree is a heritage tree (see WSMC 18.41);**
 - b. **The tree is located within a critical area or critical area buffer;**
or
 - c. **The tree is in an Oregon White Oak woodland as protected under WSMC 18.10.312 ([Ord. 2023-11-1152, effective January 1, 2024](#))**
- D. **Removal of hazard or nuisance trees. Removal of hazard or nuisance trees does not count toward the tree removal allowances if the nuisance or hazard condition is supported by a qualified professional arborist and approved by the city. The**

city may request an arborist's report prepared by a qualified professional arborist to be submitted to the city and paid for by the applicant.

- E. Emergency tree removal. In case of emergency, when a tree is imminently hazardous or dangerous to life or property, it may be removed by order of the police chief, fire chief, the director of public works or their respective designees without a permit, so long as notification before or immediately after the event is provided.

18.40.040 – Significant and Special tree retention associated with development.

- A. The City's objective is to mitigate the impacts of incremental canopy loss due to development by establishing clear standards for the retention of significant and special trees and for planting and maintenance of new trees.
- B. Retention of significant and special trees. Development proposals shall retain significant and/or special trees to the maximum extent feasible. Deviation requests can be accomplished pursuant to WSMC 18.40.060. Removal of a significant and/or special tree shall be limited to the following circumstances:
1. If the tree is dead or meets the criteria of a hazardous tree, as determined by a qualified professional arborist.
 2. A significant and/or special tree can be removed if its presence reduces the building area of the lot by more than fifty percent after all potential alternatives have been considered, including a possible reduction to setbacks and minimum yard depth and width requirements.
 3. If retention of the tree limits the structural footprint to less than the following:
 - a. Single-family home: 1,000 square feet
 - b. Townhomes or multi-family units: 900 square feet per unit
 - c. Accessory Dwelling Unit: 700 square feet
 - d. Businesses/Commercial: 1,200 square feet or the amount of square footage necessary to support the existing or proposed use, as shown by the applicant in a site development permit.
 4. Retention of a significant and/or special tree or grove will prevent creation of a residential lot through a subdivision or short subdivision.
 5. A significant and/or special tree cannot be removed to facilitate construction access and will only be considered for removal if it impedes the ability of the landowner to develop permitted buildings or permanent access as described by an approved driveway permit, pursuant to WSMC 13.01.070.
- C. Any properties undergoing development activities, including but not limited to grading, excavation, demolition, or other construction activity, within the tree protection zone of significant and/or special trees shall be required to develop a tree retention plan, to be submitted for review by the Planning Administrator.
1. Tree retention plans shall be prepared by a qualified professional arborist and include the following:
 - a. A site plan containing the following information:

- i. Footprint of the house(s), driveway(s), utilities, streets and any other proposed improvements;
- ii. Grade changes;
- iii. Surveyed location of significant and/or special trees or heritage trees (subject to WSMC 18.41);
- iv. Trees to be removed noted with x's or ghosted out indicating proposed tree removals; and
- v. Location of tree protection fencing drawn to scale at the TPZ for retained trees.
- b. A tree inventory containing the following information:
 - i. All significant/special trees on the subject property listed by common name and genus/species, identified by numbers that correspond to the site plan, size (DBH), general health condition rating, and indications of proposed tree removals.
 - ii. The inventory shall include trees on adjacent properties with canopies extending onto the subject parcel that may be impacted by the proposed development.

D. Tree protection with development. Reasonable efforts to protect significant and/or special trees shall include the following:

- 1. Tree protection fencing placed along the TPZ. Fencing shall be constructed of chain link (or other approved material) and at least six feet high.
- 2. Avoidance of grading, excavation, demolition, or other construction activity within the TPZ.
- 3. The city shall consider modifications to the TPZ at the recommendation of the qualified professional arborist.

18.40.050 - Tree replacement requirements.

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

Table 1. Significant/Special Tree Replacement Ratios.

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

B. In addition to the replacement requirements in Table 1, Oregon white oak trees shall be replaced by a minimum of two (2) replacement trees for every tree removed.

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

18.40.060 – Development Incentives and Deviation Requests.

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

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

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

Chapter 18.41 – HERITAGE TREES.

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

18.41.020 - Applicability.

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

18.41.030 - Heritage tree nomination process.

- A. Heritage trees may be designated in accordance with the following nomination and designation process:
 1. Nominations for heritage tree(s) must fit the size criteria defined in this chapter, be outstanding specimens, or of distinctive age, form, location, or of ecological, cultural or historical significance. Trees with smaller trunk diameters may also be nominated for heritage status.
 2. Any party may nominate a heritage tree; however the nomination must be approved by the landowner of the ground sustaining the tree and be accepted by the city onto the inventory list of heritage trees compiled and maintained by the city.

3. Nomination applications must include a map showing the tree's location on the property, photograph, and a narrative description of the location, species, trunk diameter, approximate age, and the specific characteristics and reasoning on which the nomination is based.
- B. The city shall inspect the tree(s), consult with a qualified professional arborist to verify the nominated tree does not fit hazard tree criteria, and decide whether or not the tree(s) are to be designated a heritage tree or tree grove. Notice of the city's decision shall be mailed to the land owner and any other parties participating in the nomination process.
- C. At the request of the property owner, the Council may be asked, but is not required to, reverse the designation of a heritage tree.

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

18.41.050 - Heritage tree removal.

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

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

Chapter 17.72 OFF-STREET PARKING AND LOADING

17.72.010 Standards generally.

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

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

17.72.020 Purpose of provisions.

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

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

17.72.030 New uses—Minimum requirements.

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

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

17.72.040 Parking spaces—Size and access.

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

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

17.72.050 Parking spaces—Location.

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

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

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

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

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

17.72.060 Parking spaces—Expanded or enlarged uses.

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

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

17.72.070 Joint use—Authorized when.

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

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

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

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

17.72.080 Joint use—Location and other conditions.

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

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

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

17.72.090 Number of spaces for designated uses.

The following table sets out minimum standards for parking spaces:

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

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

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

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13.01.050 Stormwater runoff control standards.

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

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