



White Salmon Community Development Committee Meeting

A G E N D A

January 09, 2024 – 5:00 PM

100 N Main Ave and Zoom

Meeting ID: 836 2531 0161

Call In: 1 253 215 8782 US (Tacoma)

Zoom Link: <https://us02web.zoom.us/j/83625310161>

Follow Up Items

1. February meeting date
2. Parklets
3. Community Member Acknowledgement
4. Mental Health Awareness Month
5. Neighborhood Watch Block Party

New Business

6. Parklet Behind Mosko Moto
7. Downtown Business Association
 - a. Electrical Outlets - Lamp Posts
 - b. Parking Optimization
8. Black History Month in February

File Attachments for Item:

. Parklets

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Parklet Draft Ordinance

CITY OF WHITE SALMON ORDINANCE NO. XXXX-XX-XXXX

AN ORDINANCE AMENDING WHITE SALMON MUNICIPAL CODE XXXXXX FOR THE CITY OF WHITE SALMON, WASHINGTON, INCLUDING SEVERABILITY DATE AND TRANSMISSION TO THE STATE OF WASHINGTON.

WHEREAS, for the past four summers, downtown White Salmon has been the location of a successful temporary program for parklets; and

WHEREAS, parklets and streateries help to activate and improve the public realm, by allowing greater opportunities for people to socialize and interact with others and to activate the streetscape, leading to decreases in crime and an enhanced sense of public safety; and

WHEREAS, restaurateurs, winery and bar owners have successfully implemented sidewalk spaces in downtown White Salmon in recent years, and the desire exists to extend, in the appropriate situations and locations, into an adjacent parking space(s) (known as “streateries”) in White Salmon; and

WHEREAS, parklets and streateries have been used in many cities of all sizes throughout North America and are proven methods to increase the vibrancy and activity of a streetscape; and

WHEREAS, the City Council intends to establish a permanent program for parklets and streateries in order to build on the successful programs of the past four summers in downtown White Salmon and improve the quality of life in White Salmon.

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

Section 1. That there is enacted a new chapter XX.XX of the White Salmon Municipal Code (WSMC) to read as follows:

Chapter 12.30 Parklets and Streateries

12.30.010 Purpose and Intent

In an effort to further enhance the vitality and community spirit of downtown White Salmon, this chapter seeks to establish guidelines and requirements for parklets and streateries. Recognizing the success of temporary installations over the past four summers, which have significantly increased pedestrian activity, social interaction, and outdoor space utilization, there is a clear public desire to extend and solidify these benefits. Parklets and streateries not only activate the streetscape but also contribute to a more engaging public realm for both residents and visitors.

12.30.020 Definitions

- A. "Parklet" means a small public gathering space, occupying up to X parking stalls, as applicable, on a public street, and treated in all respects as a public sidewalk, but the facilities of which are privately maintained.
- B. "Streatery" means up to X parking stalls, as applicable, used either as an extension of, or a stand-alone sidewalk café, connected visually to, and for use by patrons of, a nearby restaurant or bar and service at which is subject to all the terms and conditions of the nearby restaurant or bar's food service permits and alcohol licenses.
- C. "Block Face" TBD

12.30.030 License Required

It is unlawful to install or operate a parklet or streatery without a written license to do so from the City as provided in this chapter and WSMC 05.14. All licenses issued under this chapter and WSMC 05.14 are temporary and personal licenses, revocable by the City at any time.

12.30.040 Business License Required

If any form of commerce is expected to be performed in a licenses parklet or streatery, it is unlawful to operate without a business license, provided in WSMC 5.04.

12.30.050 Notice to Adjacent Property Owners and Users

- A. The applicant shall mail or serve a notice stating the:
 - 1. Nature of the application;
 - 2. The parklet or streatery area sought to be used; and
 - 3. Date, time and place at which the City will consider such application at least ten days prior thereto, upon the owners, building managers and street-level tenants of the properties on the block face on which would be located the proposed parklet or streatery and the block face across the street from the proposed parklet or streatery, as well as any loading zones to be impacted and shall file with the City a copy of the notice mailed and a list of the persons to whom it was sent.
- B. The City shall prepare notices containing the license application details and shall deliver to the applicant a public notice, which shall be posted in a window or on the building exterior of the adjacent property.

12.30.060 Parklet Terms and Conditions

- A. The City shall issue a license for the use of the designated parklet space upon such terms and conditions as the City, in the exercise of its discretion, may deem appropriate, if the City determines that:
1. The applicant is the owner or occupant of the property adjacent to the proposed parklet area;
 2. The applicant has the permission of the owner and occupant, if different, of the property adjacent to the proposed parklet area to place a parklet in the proposed location;
 3. The proposed parklet use would not unduly and unreasonably impair passage of the public on the sidewalk adjacent to the area for which the license is sought;
 4. The design and construction of the proposed parklet meets all applicable guidelines;
 5. No more than one parklet or streatory would be placed per **block face**.
- B. Terms and conditions imposed by the City upon the approval of a parklet application may include, without limitation:
1. Restrictions as to the number and placement of furnishings (such as tables and chairs) and as to the hours and dates of use;
 2. A requirement that the parklet and all associated furnishing, fixtures, and equipment in the parklet area be cleared when not in use as a parklet, upon the request of the City or other appropriate City officer, such as the chief of police or fire official or their authorized representatives, and that if the licensee does not clear the area, the City may clear the area with the licensee liable to the City for the cost of such work;
 3. A requirement that the parking space(s) be vacated and restored to their original condition and free from all obstructions from November 1 through April 30 of each year;
 4. That the licensee shall maintain the sidewalk adjacent to the parklet as well as the parklet itself in a clean and safe condition for pedestrian travel and use, and if the applicant fails to maintain the area that the City may, in its sole discretion, perform such maintenance, cleaning, and/or repairs as the City deems necessary with the applicant liable to the City for the cost of such maintenance, cleaning, and/or repairs;
 5. A requirement that the licensee maintain the parking stalls adjacent to the parklet area clean and free of debris;
 6. A requirement that the applicant maintain the sidewalk adjacent to the parklet as necessary to accommodate deliveries to adjacent or other nearby properties;
 7. Regulations upon lighting and illumination of the parklet;
 8. Conform to the applicable provisions, rules, regulations, and guidance of the Americans with Disabilities Act (ADA), and each parklet shall include a minimum of (1) ADA accessible seating area for X square feet;
 9. An indemnity agreement approved by the City Attorney in accordance with the provisions of this chapter;
 10. A requirement that the parklet be accessible to the public at all hours.
 11. A requirement that if the parklet is on WA State Highway 141, each parklet shall fully comply with all Washington State Department of Transportation (WSDOT) standards and agreements.
- C. Unless expressly authorized by the City, no license applicant authorized to construct, maintain, and operate a parklet under this chapter shall:

1. Break or damage any pavement or street surface;
 2. Disturb, remove, damage, or obstruct any parking signs or parking area striping;
 3. Place adjacent to or obstruct safe, accessible access to a bus stop;
 4. Permanently install any fixture of any kind;
 5. Cover or obstruct any utility manholes or handholes; in or on the parking space(s) occupied by a parklet or in or on the sidewalk area adjacent to the parklet area.
- D. The terms and conditions of this section are in addition and supplemental to all other City permit requirements including, without limitation, the fire and building codes and the City's noise regulations stated in chapter 8.05 of the White Salmon Municipal Code, as applicable.

12.30.070 Streatery Terms and Conditions

- A. The City shall issue a license for the use of the designated streatery space upon such terms and conditions as the City, in the exercise of its professional discretion, may deem appropriate, if the City determines that:
1. The applicant is the owner or occupant of the adjacent property and operates a eating and/or drinking establishment thereon;
 2. The applicant has the permission of the owner and occupant, if different, of the property adjacent to the proposed streatery area to place a streatery in the proposed location;
 3. The proposed streatery is included adjacent to, near, or within a food service establishment permit issued by the Klickitat County health department, or its representative, which has otherwise authorized such use of the area; and
 4. The proposed streatery use would not unduly and unreasonably impair passage of the public on the sidewalk adjacent to the area for which the license is sought.
 5. No more than one parklet or streatery would be placed per block face.
- B. Terms and conditions imposed by the City upon the approval of a streatery application may include, without limitation:
1. Restrictions as to the number and placement of furnishings (such as tables and chairs) and as to the hours and dates of use;
 2. A requirement that the parklet and all associated furnishing, fixtures, and equipment in the parklet area be cleared when not in use as a parklet, upon the request of the City or other appropriate City officer, such as the chief of police or fire official or their authorized representatives, and that if the licensee does not clear the area, the City may clear the area with the licensee liable to the City for the cost of such work;
 3. A requirement that the parking space(s) be vacated and restored to their original condition and free from all obstructions from November 1 through April 30 of each year;
 4. That the streatery be removed immediately if the applicant's food establishment or liquor permit is revoked;
 5. That the licensee shall maintain the sidewalk adjacent to the streatery as well as the streatery itself in a clean and safe condition for pedestrian travel and use, and if the applicant fails to maintain the area, the City may, in its sole discretion, perform such maintenance, cleaning, and/or repairs as the City deems necessary with the applicant liable to the City for the cost of such maintenance, cleaning, and/or repairs;
 6. A requirement that the licensee maintain the parking stalls adjacent to the streatery area clean and free of debris;

7. A requirement that the applicant maintain the sidewalk adjacent to the streatory as necessary to accommodate deliveries to adjacent or other nearby properties;
 8. Regulations upon lighting and illumination of the streatory;
 9. Conform to the applicable provisions, rules, regulations, and guidance of the Americans with Disabilities Act (ADA), and each parklet shall include a minimum of (1) ADA accessible seating area for X square feet.
 10. An indemnity agreement approved by the City Attorney in accordance with the provisions of this chapter;
 11. A requirement that the streatory be accessible to the public at all hours, and there is not a requirement of patronage of the business.
 12. A requirement that if the parklet is on WA State Highway 141, each parklet shall fully comply with all Washington State Department of Transportation (WSDOT) standards and agreements.
- C. Unless expressly authorized by the City, no license applicant authorized to construct, maintain, and operate a streatory under this chapter shall:
1. Break or damage any pavement or street surface;
 2. Disturb, remove, damage, or obstruct any parking meters, signs, or parking area striping;
 3. Place adjacent to or obstruct safe, accessible access to a bus stop;
 4. Permanently install any fixture of any kind; or
 5. Cover or obstruct any utility manholes or handholes; in or on the parking space(s) occupied by a parklet or in or on the sidewalk area adjacent to the parklet area.
- D. The terms and conditions of this section are in addition and supplemental to all other City permit requirements including, without limitation, the fire and building codes and the City's noise regulations stated in chapter 8.05 of the White Salmon Municipal Code, as applicable.

12.30.080 Liquor Use and Sale

Liquor, as defined in RCW 66.04.010, as now existing or hereafter amended, may be used and sold at a streatory when authorized in both the license provided for herein and by permit of the Washington State Liquor and Cannabis Board ("LCB"), and not otherwise. Nothing in the chapter shall be construed or deemed to modify, conflict with, or allow separate conditions for alcohol use, sale, or consumption than those provided in Title 66, RCW, specifically chapter 66.20, RCW, WAC 314-03-200, and LCB Board Interim Policy BIP 06-2011 (Aug. 10, 2011). Nothing herein shall be deemed or construed to allow liquor use or consumption on a parklet or streatory as the same is defined in this chapter.

12.30.090 Insurance Required

An applicant for a parklet or streatory license shall, prior to issuance of such license, provide and maintain in full force and effect while the license is in effect, public liability insurance in the amount of \$XXXX to cover potential claims for bodily injury, death or disability and for property damage, which may arise from or be related to the use of the parking space(s) and sidewalk area adjacent thereto for parklet or streatory purposes, naming the City as an additional insured.

12.30.100 Indemnity – License Revocation

- A. The applicant for a parklet or streatory license shall execute and deliver to the City upon a form approved by the City Attorney's Office an agreement in writing and acknowledged by the

applicant, forever to hold and save the City free and harmless from any and all claims, actions or damages of every kind and description which may accrue to, or be suffered by, any persons by reason of or related to the operation of such parklet or streatory.

- B. In addition, such agreement shall contain a provision that the license is wholly of a temporary nature, that it vests no permanent right whatsoever, that upon thirty days' notice, posted on the premises, or by publication in the official newspaper of the City, or without such notice, in case the licensed use shall become dangerous or unsafe, or shall not be operated in accordance with the provisions of this title, the same may be revoked and the parklet or streatory ordered removed, and if the licensee fails to remove the parklet or streatory that the City may, in its sole discretion, remove the parklet or streatory with the costs of such removal and any related storage to be charged to the licensee.
- C. Every such agreement, after it has been received in his office and numbered, and after the same has been recorded, shall be retained by the City clerk.

12.30.110 Compliance – Street and Sidewalk Condition

The applicant shall comply with the terms and conditions of the parklet or streatory license issued, and shall maintain the parking space(s) and the sidewalk area adjacent thereto in a clean and safe condition for pedestrian travel, and shall immediately clear the parklet or streatory area when ordered to do so by the City or other appropriate City officer such as the chief of police or fire official or their authorized representatives.

12.30.120 Requirements not Cumulative

The requirements of WSMC Title 12 (Streets, Sidewalks and Public Places), obstruction of streets, and obstruction of sidewalks, shall not apply to a parklet or streatory validly licensed under this chapter, except as herein provided.

12.30.130 Regulations and Design Guidelines

No later than 45 days after the effective date of this section, the City shall publish regulations (including a reasonable license application fee) and design guidelines for parklets and streateries licensed under this chapter.

Section 2. That there is enacted a new section Title 5, Chapter 14 of the White Salmon Municipal Code (WSMC) to read as follows:

5.14.010 Parklets and Streateries Fees

- A. An annual license fee of one hundred dollars (\$100) shall be paid for operation of a parklet or streatory, as the same are defined in WSMC 12.30, as long as the original approved site plan is implemented. Modifications of an approved parklet or streatory license application which extend beyond the original approved plan shall require a new review and a review fee of two hundred fifty dollars (\$250).
- B. The application fee for a license for a new parklet or streatory is fifty dollars (\$50).

SIGNATURE SECTION

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Draft Parklet and Streatery Guidelines

HOW DO I GET STARTED?

1. Review site location to determine if a parklet or streatery is appropriate.
2. Site plan: Dimensions of dining area location, curbside or other area to be used, proposed type of seating, proposed markings/barricades used, proposed signage. See requirements on Page X.
3. If extending liquor service outdoors; business is responsible for complying with City and State laws and ordinances, including the Washington State Liquor and Cannabis Board (WSLCB).
4. Business is responsible for meeting the requirements of the Klickitat County Health Department.

REVIEW PROCESS STEPS

1. Contact neighboring property owners (process to be defined by code).
2. Apply here <LINK>. Completed applications and accompanying documents can be emailed to: EMAIL
3. Application and permit fees are X and X
4. All permit requests will be reviewed and approved by City staff within X days.

GENERAL GUIDELINES

- Only operate during regular business hours of host establishment.
- Streatery or parklet must be directly adjacent to the restaurant or property (frontage or side). If encroaching on neighboring business, permission must be submitted with application.
- Not encroach onto the sidewalk or block bus stops or ADA parking.
- TBD: Limited to (1) parking space (parallel or angle) or 16' lineal feet of parallel parking.
- Roadways with a posted speed limit of 25mph or less only. Parklets may not be closer than 25 feet of an intersection, 5 feet of a driveway, 30 feet of a stop sign, and 60 feet of a bus stop sign. Exceptions reviewed by staff on a case-by-case basis.
- Have seating separated from the travel way by at least 2 feet using fencing or barricades (30-42").
- Have traffic cones at the two corners closest to the roadway.
- Be configured so all tables, chairs and attachments can be completely removed at any time.
- Be allowed shade coverings such as umbrellas or canopies granted no part of the canopy extends into the sidewalk or travel lane, is anchored securely against the wind, closed or removed overnight, and does not contain any advertising. See sightline requirements, page 3.
- Conform to the applicable provisions, rules, regulations, and guidance of the Americans with Disabilities Act (ADA).
- Business owners must hold a valid business license.
- Maintain a valid liability insurance policy with the City of White Salmon named as the additional insured throughout the life of the permit. Informational flier for insurance provider here.

- If liquor is being served to customers, the business owner is responsible for holding a valid WA State liquor license and complying with all requirements established by the WA State Liquor Control Board (Contact: 360-664-1600).
- All public use permits are of a temporary nature and can be revoked by the City of White Salmon at any time.

SITE PLAN REQUIREMENTS

In order to review your application in a timely manner, it is important that an accurate and complete site plan is provided. Please use the following checklist and see exhibits on page 3 for examples:

- Label the property address, business name, street names and include a north arrow.
- Show and label all existing obstructions (e.g., fire hydrants, trees, street furniture, streetlights, bike racks, utility covers and poles).
- Show proposed curbside café/market layout: Number of tables/chairs, umbrellas or other coverings, railings/barricades, and utility connections to the host establishment. Illustrate accurate dimensions of café/market (i.e., length, number of parking spaces used).
- Illustrate how ADA standards will be met. Each curbside café/market shall include a minimum of (1) ADA accessible seating area per parking space used.

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Parklet Work Session Notes

- **Program would be May 1 to November 1, annually.**
- **Any business can request a parklet in front of their business, regardless if it is on Jewett or a city street.**
- For Jewett specifically, we'd like some kind of blanket approval from WSDOT. Ideally we'd only do this once for each business who requests the parklet, then it's automatically approved each year thereafter.
 - In order for businesses to be able to invest in better parklet facilities, they need some kind of guarantee that this program would be ongoing.
- In regard to parklet requirements:
 - ADA compliant - level with the sidewalk, or an appropriate ramp. Enough space for a wheelchair to use the space specifically.
 - Business will own all aspects of the facility: fencing, installation/removal, furniture, trash, lighting, shade, etc.
 - Perhaps some clarity on approval process once a parklet is approved, to make sure nothing gets too far that would be problematic for the city or state. Thinking of road hazards, line of sight issues, etc.

- **It must be used as part of the business, and can only take up the space directly in front of the business.**
- **If two parklets are requested and would be next to each other, we should come up with something to address that - do they need to be separate? Combined? If there's x amount of impact to parking, what do we do? For example if Everybody's, Pixan and Feast all did this, there would be a massive impact to parking.**
- Maybe consider "no bigger than" x feet wide, or something that limits space impact?
- Is there anything the city would do here besides approve plans?
- **Any traffic cones on edges of parklet?**
- No drilling or affixing anything to the actual street or road
- Consideration for water runoff during heavy rain (can't block the gutter)?
- What else? Add all the things here, above, etc. so we can try to build a proposal. Once we have something we like, and we get some kind of direction from WSDOT, would like to share with Chamber and Downtown Business Group.
- Ideas
 - Restrict it to serving food and/or drink only?
 - Are there non-food/drink parklets? Just areas to lounge? Possibly define the types of parklets?
 - Lighting requirement?
 - Get explicit with set up/tear down (all parties, city, businesses and WSDOT)
 - Are there non-parking space locations (not on the actual street) for potential parklet space?
- Hood River Application & Guidelines: [LINK](#)

April 2023 Parklet Program Approved by WSDOT and Council

COUNCIL REPORT

| | |
|---------------------|---|
| Needs Legal Review: | Yes, completed |
| Meeting Date: | April 19, 2023 |
| Agenda Item: | City of White Salmon 2023 Parklet Program in Conjunction with Washington State Department of Transportation |
| Presented By: | Troy Rayburn, City Administrator |

Action Required:

Approve City of White Salmon 2023 Parklet Program in Conjunction with Washington State

Department of Transportation. See attached Agreement and Exhibits A and B.

Motion for Business Item / Proposed Motion for Consent Agenda:

Motion to approve Washington State Department of Transportation’s Agreement and corresponding Exhibits A and B -- relating to Use of City Regulated Parklets Adjacent to Certain Businesses and Required Parklet Clearance on SR 141 -- for 2023 Parklet Program in the City of White Salmon’s downtown core on E. Jewett Boulevard from N. Main Avenue to SE 2nd Avenue.

Explanation of Issue:

Small business owners on E. Jewett Boulevard approach the city about continuing the parklet program.

City reached out to and engaged many of the small businesses on both sides of E. Jewett Boulevard from N. Main Avenue to SE 2nd Avenue. Consensus was overwhelmingly supportive.

City worked with Washington State Department of Transportation Special Events Division to draft City of White Salmon’s 2023 parklet program, including requirements and standards and limitations contained in Exhibit A.

According to WSDOT, no map depicting locations of parklets is required. Number of markets and spaces occupied must correspond with Agreement, Page 1, second paragraph.

City Public Works Department will drop off and assemble parklets. Adjacent business who use parklet is responsible for parklet from set up to take down per criteria listed in Exhibit A and Exhibit B.

Council Options:

City Council has the following options available at this time:

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

Fiscal Analysis:

City is responsible for all costs inquired as it pertains to the Washington State Department of Transportation. See standard clause under Section A on Page 2 of Agreement.

Recommendation of Staff/Committee:

Staff recommends approval of the attached Agreement and corresponding Exhibits A and B regarding to Use of City regulated Parklets Adjacent to Certain Businesses and Required Parklet Clearance on SR 141.

Follow Up Action:

No specific follow up at this time.

Troy Rayburn, City Administrator
City of White Salmon
100 N. Main Street
White Salmon, WA 98672

Re: City of White Salmon
COVID 19 Temporary Roadway
Reallocation
SR 141, MP 1.47 vicinity

This agreement, made and entered into on this 11th day of April, 2023, by and between the Washington State Department of Transportation, hereinafter referred individually to as “WSDOT” or “Party”, and the City of White Salmon, hereinafter referred to individually as the “PERMITTEE” or “Party”, and collectively referred to as “Parties” for the purpose of implementing a **Temporary Roadway Reallocation** on state highway right of way.

Whereas, the PERMITTEE intends temporarily reallocate a roadway as follows: four parklets consisting of parking spaces located on Jewett Blvd (State Route 141), hereinafter referred to as the “Temporary Roadway Reallocation”. Two of the parklets take four parking spaces; one parklet takes two; and the last parklet takes one space.

Whereas, WSDOT conditionally approves your Temporary Roadway Reallocation on the highway and dates listed below, subject to the terms and conditions in this Agreement and any attached Exhibits (See Exhibit A and B).

SR: 141
Begin Milepost: 1.44
Begin Date: May 1, 2023

Travel Direction: Both
End Milepost: 1.49
End Date: July 30, 2023
(90 days maximum, renewal extension upon request.)

NOW, THEREFORE, in consideration of the terms, conditions, performances and covenants herein set forth WSDOT and the PERMITTEE agree as follows:

I. Administration and Procedures

The purpose of this Agreement is to define WSDOT’s requirements and the Parties’ responsibilities concerning operation of the Temporary Roadway Reallocation on state highway right of way. This Agreement is not effective unless or until signed by WSDOT and by the PERMITTEE prior to the implementation of the roadway reallocation. The Parties understand that no guarantees, representations, promises, or statements expressed

or implied have been made by WSDOT except to the extent that the same are expressed in this Agreement signed by both Parties.

Any modification to the Agreement will be in writing and agreed to by both Parties.

~~A~~ PERMITTEE is responsible for all costs, including cost incurred by WSDOT. Costs may include, but not limited to, labor costs, equipment related costs, and indirect costs for services, such as: traffic control, maintenance operations and work zone safety or other highway operations activities.

B. PERMITTEE is responsible for clean up after the Temporary Roadway Reallocation is reopened, returning any and all state highway facilities to the state or condition that existed prior to the reallocation. This work is to be done at PERMITTEE'S expense and to the satisfaction of WSDOT.

C. The PERMITTEE is required to comply with all laws and regulations concerning its use of state highway right of way.

II. Indemnity

To the extent allowed under Washington law, PERMITTEE, its successors, and assigns, shall protect, save, and hold harmless WSDOT, its authorized agents and employees, from all claims, actions, costs, damages (both to persons and/or property) or expenses of any nature whatsoever by reason of the acts or omissions of PERMITTEE, its assigns, agents, contractors, licensees, invitees, or employees, arising out of or in connection with any acts or activities related to this Agreement, whether those claims, actions, costs, damages, or expenses result from acts or activities occurring on or off the Premises.

PERMITTEE further agrees to defend WSDOT, its agents and employees in any litigation, including payment of any costs and reasonable attorney's fees, for any claims or actions commenced, arising out of, or in connection with acts or activities related to this Agreement, whether those claims, actions, costs, damages, or expenses result from acts or activities occurring on or off the Premises. This obligation shall not include such claims, actions, costs, damages, or expenses which may be caused by the sole negligence of WSDOT or its authorized agents or employees, provided that, if the claims or damages are caused by or result from the concurrent negligence of (1) WSDOT, its agents or employees; and (2) PERMITTEE, its assigns, agents, contractors, licensees, invitees, or employees, this indemnity provision shall be valid and enforceable only to the extent of the negligence of PERMITTEE or its assigns, agents, contractors, licensees, invitees, and employees.

The indemnification provisions contained in this Section shall survive the termination or expiration of this Agreement.

III. Plan for Positive Pedestrian Protection and Traffic Control Plan

WSDOT has determined that a plan, as shown in Exhibit B, is necessary for **Positive Pedestrian Protection** related to the temporary roadway reallocation. The purpose of Positive Pedestrian Protection is to ensure pedestrians utilizing the roadway reallocation space do not inadvertently enter the highway. The PERMITTEE is responsible for the maintenance and application of these devices to prevent pedestrians from entering the highway.

When WSDOT has determined that Exhibit B shall conform to the traffic control standards of the Manual on Uniform Traffic Control Devices (MUTCD), the PERMITTEE shall provide a plan that was previously reviewed by WSDOT and are hereto attached as Exhibit B, and by this reference incorporated into this Agreement.

In addition, the following requirements apply:

- a. PERMITTEE is responsible for acquiring all traffic control devices, and shall have all traffic control devices installed per the traffic control plan prior to commencement of the roadway reallocation.
- b. PERMITTEE shall ensure that traffic control operations and positive pedestrian protection are maintained by actively monitoring the temporary reallocation zone to ensure the operations for all users remain acceptable.
- c. PERMITTEE shall submit weekly reports to WSDOT on operations and effectiveness of the temporarily reallocated section.

In the event of a full highway closures, the following requirements shall be met:

- a. The EVENT PERMITTEE is required to provide notification of a road closure, at least 72 hours in advance, to all fire and law enforcement departments, ambulance companies, and transit agencies that would be affected by the closure. The EVENT PERMITTEE is required to comply with [RCW 47.48.020](#) and with any subsequent amendments thereto. Notice of closure signs that EVENT PERMITTEE shall post under purview of this statute shall state at a minimum, 'SR_____ TO BE CLOSED *day, date, time* AT *location*,' provided that EVENT PERMITTEE shall insert the day, date, time and post at each end of the state highway, county road, or city street or portion thereof to be closed or restricted. The signs shall have 6-inch minimum size capital black letters on a white background with a black border and shall be fabricated so the sign will not be affected by weather conditions.

PERMITTEE and WSDOT agree that operational decisions and/or emergency situations may require roadway reallocations to be opened or ceased immediately. As a condition of the

Temporary Roadway Reallocation, local agencies will work with emergency fire and medical to develop an emergency response plan to reopen the roadway. WSDOT shall not be liable for any damages, or loss arising from the decision to reopen the roadway.

PERMITTEE shall indicate concurrence by signing and returning the enclosed copy of this Agreement to WSDOT. Failure to do so, or any alteration of this document, will render this Agreement invalid. If PERMITTEE has any questions, please contact Gary Weiss at (360) 949-6461.

The undersigned acknowledges that they are authorized to execute this Agreement and bind their respective entities to the obligations set forth herein.

LOCAL AGENCY

WSDOT

SIGNATURE

SIGNATURE

PRINTED NAME

PRINTED NAME

DATE

DATE

Exhibit A

City of White Salmon Use of City Regulated Parklets Adjacent to Certain City Businesses

Purpose:

The reason for this Administrative Policy relating to the use of regulated parklets adjacent to certain private businesses is to implement standards and requirements for efficient use of existing right-of-way, public safety and protection of adjacent businesses operations and ability to provide service.

Definition:

For purposes of this Policy, “parklet(s)” means street parking spaces directly in front of business that allows temporary use and occupancy to expand operations and provide service at the same level as those services provided inside the establishment.

Requirements & Standards:

The use of parklets will be subject to and in accordance with the following requirements and standards:

1. Per Washington State Department of Transportation, parklet is available on for 90 days. Agreement may be extended by one month by request.
2. The parklet shall not be used as waiting area. The business shall provide the same level of service at and on the parklet as services provide inside the establishment.
3. The business will establish a uniform boundary using street parking spaces directly in front of business and shall not encroach into street parking spaces in front of adjacent or neighboring businesses.
4. Each business is responsible for ensuring that the parklet will not impede (a) access to American with Disabilities Act (ADA) parking or ADA assistance ramps, and/or (b) sidewalk access or pedestrian travel.
5. It is the responsibility of the business to monitor and assess the parklet for safety of use and ensure customer’s welfare is not compromised. Business will take action to correct safety issues without altering parklets’ design and function.
6. City shall not be held responsible for crime, damage or theft of business property used in parklet. Without otherwise limiting the immediately preceding sentence, each business using a parklet assumes full risk for any crime, damage or theft of customer or business property in parklet.
7. All landscaping bulb-outs and/or area will remain clear of signs or other aspects associated parklet.
8. No parklet (an/or use thereof) will impede access to, signage, or storefront window display of neighboring business.
9. No signage shall be adhered or placed on parklet that could be a distraction or create a line-of-site issue for passing vehicle drivers.

10. Each business will take down and put away merchandise, supplies, etc. at the end of each business day.
11. Each business is responsible for keeping parklet clean and clear of waste, garbage, and/or debris of any type.
12. Parklets hours of operation will correspond with businesses' applicable business hours of operation.
13. Each business that uses a parklet (and any parklet use) shall comply with all applicable federal, state, and local laws, rules, and regulations, including, without limitation, the American with Disabilities Act of 1990, and any regulations of any administrative agency thereof, and applicable direction or guidance provided by Klickitat County Public Health.
14. Each business shall fully comply with all Washington State Department of Transportation (WADOT) standards and agreements. See Exhibit B attached.

Limitations:

Notwithstanding anything contained in these requirements and standards to the contrary, the temporary use of a parklet or parklets is subject to the conditions, restrictions, and/or limitations the city determines necessary and appropriate from time to time, including without limitation, the following:

1. City may, in city's sole discretion, immediately revoke any permission to use a parklet at any time or any reason. Notwithstanding anything contained in this Policy to the contrary, the use of parklet will not convey any right, title, and/or interest in the public right-of-way, but will be deemed revocable permission to use the public right-of-way for limited purposes contained in this Policy.
2. City expressly reserves the right to (a) terminate and/or modify this Policy from time to time, (b) immediately revoke the use of a parklet at any time and for any reason, (c) impose such conditions, limitations, and/or restrictions on the use of a parklet as city deems necessary, and (d) regulate the right to use the right-of-way for similar or different purposes.

Acknowledgement:

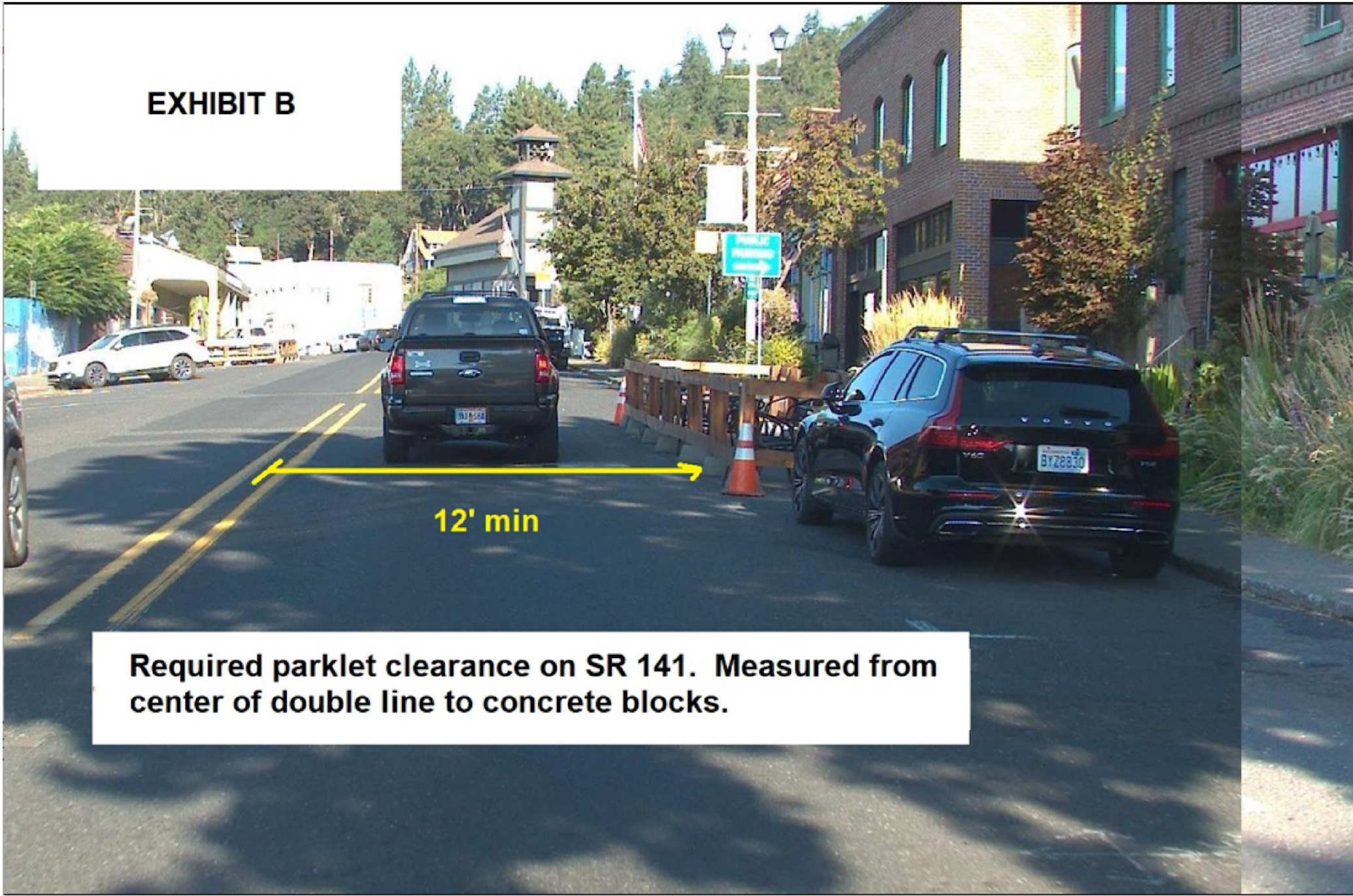
I attest by my signature that I have read and understand the requirements and standards associated with the Use of City Regulated Parklets Adjacent to Certain City Businesses.

Business Owner or Representative

Position / Title

Date

EXHIBIT B



Required parklet clearance on SR 141. Measured from center of double line to concrete blocks.

File Attachments for Item:

. Community Member Acknowledgement

Community Member Acknowledgement Ideas

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[Consensus \(to be discussed\):](#)

[Original Notes](#)

Consensus (to be discussed 1/9/24):

- **Timing:**
 - Quarterly (Jan/Apr/Jul/Oct), if there are nominations. No nomination, no acknowledgement necessary.
- **Selection:**
 - Written nominations to EMAIL (TBD)
 - 200-500 words
 - There can be more than one recipient, ideally though we space them out to give each person the proper recognition
 - Decision is merit based and determined by group (TBD)
- **Recognition Materials/Activities:**
 - Printed certificate to be given to recipient(s) OR Planted Tree with Plaque
 - Proclamation approved by City Council, hopefully with the recipient(s) in attendance
 - Printed material, similar to Heritage Month signage on Jewett, to be displayed quarterly, with photo/nomination and any other details
 - City Newsletter blurb
 - City webpage
- **Open Items:**
 - Find out from staff if this is just a process or if there needs to be a resolution or ordinance for this program
 - Need to get the Rotary process to create a template for decision making
 - Who decides? Community Development + Mayor?

Original Notes (Dec 2023)

Recognizing the contributions of people in the community is an important aspect of city pride. It helps foster a sense of belonging, encourages civic participation, and promotes a positive community spirit. Here is an initial list of ideas to consider along with placeholders for effort on the city's part (which need to be validated by the city):

Community Member Acknowledgement Ideas

- **Awards and Honors:** Establishing awards to acknowledge outstanding contributions in various fields such as volunteering, community service, arts and culture, entrepreneurship, environmental conservation, sports, etc.
 - **Considerations of Time/Resources:** Physical awards have a cost, but overall this could be a lower usage of staff time than other ideas.
 - **Open Questions:** Beyond the physical award, how would we announce them? An award ceremony with the mayor?
- **Proclamations and Certificates:** Issuing official proclamations or certificates of recognition to individuals or organizations that have made significant contributions.
 - **Considerations of Time/Resources:** Probably the lowest financial cost, and overall this could be a lower usage of staff time than other ideas.
 - **Open Questions:** Beyond the certificate, how would we announce them? An award ceremony with the mayor? These can be presented at city council meetings or at a community event? I'd hate to put these into a consent agenda, but council approval?
- **Wall of Fame:** Creating a physical or digital "Wall of Fame" to highlight the achievements and contributions of notable community members. This can be displayed in a public space or on the city's website, showcasing the names and accomplishments of those recognized.
 - **Considerations of Time/Resources:** Again, relatively low financial cost and lower usage of staff time. I don't know if we have a physical space that makes sense for this, but ideally it'd be outside vs. inside for people passing by to see? Alternatively, if we do redo the city website, perhaps it would be easier to do online?
 - **Open Questions:** Location is the big one in either scenario.
- **Community Celebrations:** Organizing community-wide events or festivals dedicated to recognizing the contributions of individuals. These events can include speeches, performances, exhibitions, or parades that showcase and honor the achievements of community members.
 - **Considerations of Time/Resources:** This is definitely more labor intensive for city staff.
 - **Open Questions:** Seems like we don't have the volunteers and infrastructure in place to do this? I like the public acknowledgement in a public event, but we don't have enough obvious opportunities for that today so we'd be making up events from scratch, making it even more labor intensive?
- **Naming Opportunities:** Offering naming opportunities for public spaces, facilities, or infrastructure after individuals who have made significant contributions to the community. This could include parks, libraries, community centers, or streets.
 - **Considerations of Time/Resources:** Could be significant depending on what is being named. For example, if we renamed Rheingarten Park, there's signage to be replaced, public outreach prior, etc.
 - **Open Questions:** This feels possible, but it needs to be special (once a decade?) type of acknowledgement. If we were to rename a street, that shouldn't

Community Member Acknowledgement Ideas

be a common situation, so the selection process would need to be extra clear and I believe should involve council voting, public outreach, etc.

- **Volunteer Appreciation Programs:** Hosting annual volunteer appreciation events to recognize and thank individuals who have dedicated their time and efforts to community service. These events can include volunteer awards, speeches, and small tokens of appreciation.
 - **Considerations of Time/Resources:** Similar to Community Celebrations, labor intensive since we don't do this today in any way.
 - **Open Questions:** Do we think this would increase volunteer participation with the city? That would be one reason to go through the effort of something significant like this. Otherwise, doesn't seem like we have the resources or infrastructure to do this regularly.
- **Social Media and Newsletters:** Using social media platforms and city newsletters to highlight the accomplishments and contributions of individuals or groups within the community. Sharing success stories, profiles, or interviews can help amplify their impact and inspire others.
 - **Considerations of Time/Resources:** Low effort, outside of writing up the content which could be done in partnership with staff and the community development committee.
 - **Open Questions:** We don't have a great way today (much like the Wall of Fame) to do this, however we did just launch our newsletter and that would be an ideal location to acknowledge people.

Some initial notes/thoughts (from Jim):

- I don't think we should set this up to require a monthly, quarterly, or any ongoing frequency. It should be considered when a nomination comes in, but we don't need to find someone if there isn't a nomination in any given quarter.
- Perhaps we consider all nominations each quarter, and select one? Alternatively, is there any reason we wouldn't want to highlight more than one person if we got more than one nomination?
- Who should "approve" the nominations in general? My goal is to keep this part easy and simple. If the nomination has merit, I wouldn't want to put much more into vetting, but maybe another community has figured out an easy process to do this?
 - We should make sure the nomination process requires some actual content to be submitted (as in, written nomination with 500 words or more on why that person should be acknowledged, something like that...other ideas?)
- Looking at the options above, I lean toward a combo of: award, proclamation and some kind of virtual wall on the city website, along with including it in the city newsletter.
- What about a tree? Plaque included, certificate.
- Rotary has a process (person of the month), we can see if there's something to pull there?
- Quarterly - Jan/Apr/Jul/Oct
- Can we use the fence area to highlight the individual?

Community Member Acknowledgement Ideas

- Merit based for sure.