



Town of Yacolt

Town Council Meeting Agenda

Monday, September 12, 2022
7:00 PM
Town Hall

Call to Order

Flag Salute

Roll Call

Late Changes to the Agenda

Approve Minutes of Previous Meeting(s)

1. 8-8-22 Council Minutes DRAFT
2. 8-29-22 Council Special Meeting Minutes DRAFT

Citizen Communication

Anyone requesting to speak to the Council regarding items not on the agenda may come forward at this time. Comments are limited to 3 minutes. Thank you.

Unfinished Business

3. Battle Ground School District #119 – Capital Facilities Plan and Proposed School Impact Fee Schedule/ Public Hearing
4. Interlocal Agreement with the Battle Ground School District for Handling School Impact Fees
5. Building Department Resolution #609 – Interim Regulations - Delegating Authority for Certain Permit Approvals
6. Vacancy at Council Position #2
7. Records Review Update

New Business

8. Permit Application Review

9. Cemetery Plot Sell-back

Town Clerk's Report

Public Works Department Report

Attorney's Comments

Citizen Communication

Anyone requesting to speak to the Council regarding items not on the agenda may come forward at this time. Comments are limited to 3 minutes. Thank you.

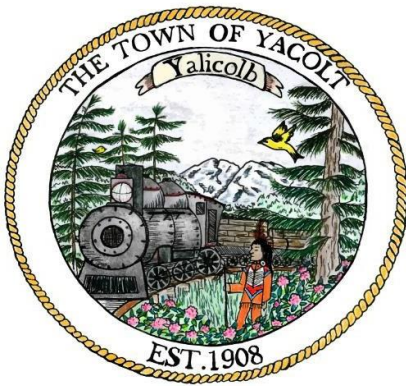
Council's Comments

Mayor's Comments

Approve to Pay Bills on Behalf of the Town

Executive Session

Adjourn



Town of Yacolt

Town Council Meeting Minutes

Monday, August 8, 2022
7:00 PM
Town Hall

Call to Order

7:00 PM

Flag Salute

Roll Call

Council Members Present: Michelle Dawson, Joshua Beck, Ronald Homola, Marina Viray

Council Member Absent: Amy Boget

Also present: Town Attorney David Ridenour, Public Works Director Terry Gardner, Clerk Stephanie Fields

Late Changes to the Agenda

None

Approve Minutes of 7-11-22 Meeting

Motion to approve minutes from July 11th meeting

Motion: Viray 2nd: Dawson

Aye: Dawson, Beck, Homola, Viray

Nay: 0

Absent: Boget

Motion Carried

Citizen Communication

None

Executive Session

An executive session was held pursuant to RCW 42.30.110(1)(i), to discuss possible litigation matters. All Council members present attended, along with Mayor Listek, Attorney Ridenour, and Clerk Fields. The session lasted from 7:02pm-7:12pm, at which time the regular meeting was reconvened.

Unfinished Business

Battle Ground School District Interlocal Agreement Update

Mayor Listek read an update regarding the BGSD Interlocal Agreement we were expecting to have presented at tonight's meeting. Questions have arisen since the last meeting, and until those have been resolved, and in order to give time for ample public notice for a public hearing, this item has been tabled until at least the September meeting.

Records Review Plan Update

Clerk Fields reported that the project is in full swing. All of the records which were in the bins to be shredded have been sorted into categorized banker's boxes. The time-consuming portion of the job has now begun, where they are reviewing each record to determine whether it should be destroyed, stored, or archived.

Update on Solid Waste Collection

Mayor Listek read an email from Mollie Mangerich from Clark County Public Health regarding the status of our solid waste collection. In summary:

- The County will extend our current contract for a year, to end on December 31, 2023.
- The roll-out date for every-other-week recycling collection will begin September 12. Waste Connections will send out a notice to all homeowners before that date.
- The County recognizes that the Town has opted for every-other-week recycling collection at no change in rates.

Building Department Resolution

Attorney Ridenour reported that he has not drafted a resolution yet, as he has been heavily engrossed in some other major projects on behalf of the Town. He can have the Resolution ready in time for the August 29th Budget workshop, and asked Council if they would like to change that meeting into a Special Council meeting so they could conduct business, not just discuss. Council agreed, and set the meeting time for 6:30pm on August 29th.

New Business

Request for Permission to Keep Chickens

A resident at 405 E Clark St requested to be able to chickens in her yard. She submitted a basic care plan and a diagram showing that the distance from her coop/run to any neighboring residence would be at least 50 feet. Motion was made to allow her permission to keep up to 8 hens – no roosters - at her residence per her submittals.

Motion: Homola

2nd: Viray

Aye: Dawson, Beck, Homola, Viray

Nay: 0

Absent: Boget

Motion Carried

Permit Application Review for Approval

There was one permit application deemed complete enough to be presented to Council for approval. It was for a gas generator to be permanently installed at a residence at 508 E Jones St. All has been approved by our consultants except for the site plan. We hope to have that approved within a few days. So a motion was made to approve the permit's issuance providing there are no objections from the engineer or attorney with the site plan.

Motion: Beck

2nd: Dawson

Aye: Dawson, Beck, Homola, Viray

Nay: 0

Absent: Boget

Motion Carried

New Broadband Option

Juan Rivera Strandberg presented his plan and showed some pieces of equipment for a new kind of broadband service he can provide in rural areas such as Yacolt. His company is called Zing Broadband. He can provide 100up/20down service, at \$62/month. His system uses very small equipment, and only requires a few poles about the size of a flagpole. Several people asked questions and he left some business cards for people to get ahold of him.

Objection to/Approval of Town Liquor Licenses

Council was asked if anyone had any objections to either the Yacolt Trading Post or Backroads keeping their liquor licenses. Two separate motions were made to not object to the renewal of either business' liquor licenses:

Backroads: **Motion:** Viray **2nd:** Dawson

Aye: Dawson, Beck, Viray

Nay: 0

Absent: Boget

Abstain: Homola

Motion Carried

Trading Post: **Motion:** Viray **2nd:** Dawson

Aye: Dawson, Beck, Viray

Nay: 0

Absent: Boget

Abstain: Homola

Motion Carried

Budget Amendment Ordinance #587

Clerk Fields explained the reasons for needing to increase appropriations in our Cemetery Fund. The Fund's balance will easily cover the shortfall in appropriations which were approved as part of our 2022 Budget. Not only were costs for building the road in the Cemetery higher than originally anticipated, but also hours worked in the cemetery and thus benefits charged against the cemetery were higher too. By statutory rule, expenses cannot exceed appropriations, and this Ordinance to amend the 2022 budget will prevent violation of the rule, plus give the accounts within the fund some extra wiggle-room. Motion was made to adopt Ordinance #587, amending the 2022 budget to increase Cemetery Fund appropriations by \$15,000.

Motion: Beck **2nd:** Viray

Aye: Dawson, Beck, Homola, Viray

Nay: 0

Absent: Boget

Motion Carried

TIB 5% Match Approval

As part of the application process for a Transportation Improvement Board Grant, the Town will need to commit to paying 5% of the cost of the project. We are applying for a grant for improvements on the north side of W. Hoag Street, to coincide with improvements to be made by Aho Construction in connection with their development of the property they are subdividing at W. Hoag St. and Railroad Ave. Our portion of the cost will come to just over \$18,000. Motion was made for the Town to commit the funds toward this project.

Motion: Homola **2nd:** Beck

Aye: Dawson, Beck, Homola, Viray

Nay: 0

Absent: Boget

Motion Carried

C-Tran Board Composition Update

Council Member Beck shared that he has been attending meetings during which the C-Tran board has been considering redistributing representation for different areas in Clark County on their board. According to C-Tran's legal team, if they were to allocate representation based on population, they would have more representation for Vancouver, and less for the outlying areas.

For example, Yacolt now shares one board representative with 2 other cities. If re-allocated, we would be sharing with 4 other cities.

Town Clerk's Report

- Thanked sponsors of National Night Out: Corwin Beverage, Crave Fresh, Yacolt Trading Post, and Backroads/PNW Pizza.
- With lots of help from Mr. Ridenour (and his wife) we have pretty much wrapped up a huge Public Records Request which has been in the works for almost 2 years.
- Will begin the budgeting process for 2023 over the next few days. Don't forget to mark your calendars for the Special Meeting/Budget Workshop Aug. 29th at 6:30 pm.
- Will be out of Town from Aug. 12-21st. Mayor Listek and PWD Gardner will be available if anyone needs anything.

Public Works Department Report

- The inmates are back after 38 days off because of COVID at Larch. They will be working to catch up on all the mowing, then adding speed bumps and finishing the slide by the Town Square.
- A new mowing volunteer will be able to start next week for just a few hours two days/week.

Attorney's Comments

- The Clerk has been transitioning into becoming a big help to him, saving him a lot of time. She seems to need less and less help from him, and he's glad for that.
- He appreciates that the Mayor and Council are very patient and supportive of him. He is mindful that his charges are a big expense to the Town, and is working to reduce costs.
- He is also working on a couple of major reimbursements for the Town's expenses.

Citizen Communication

David Ries asked what are people supposed to do with their old trash cans now that Waste Connections has distributed out the new ones? Another guest said he'd take them for him.

Council's Comments

- Homola – said he appreciates all of the work that Public Works does, but he was thinking about them when he went over one of the more aggressive speed bumps and spilled his coffee on himself.
- Dawson – said she has thought a lot about it, but that the time has come for her to resign her position on the Council. This Wednesday, August 10th, will be her last day as a Council Member. She will remain active and still volunteer in the community/events.
- Beck gave a huge shout-out to the people who stepped up and filled in for him for the EMS Safety Fair and the National Night Out, especially Nikko, John, and Nick who all helped barbecue.

Mayor's Comments

Thanked those who helped at National Night Out: Stephanie, Terry, and John – the Town Team, Council Members Viray, Dawson, and Homola, Dawson, EMS and other sponsors, volunteers Kelli Parker, Nikko Listek, Julia Heldmann, Valorie Adams, Ben MacGyver, and Lucky Witt, who brought his huge grill station. She enjoyed being able to participate and serve, and loved the inflatable slide and axe-throwing.

Approve to Pay Bills on Behalf of the Town

Motion was made to pay the bills on behalf of the Town

Motion: Dawson

2nd: Beck

Aye: Dawson, Beck, Homola, Viray

Nay: 0

Absent: Boget

Motion Carried

Before adjournment, Council Member Homola reminded Council that they would need to replace Council Member Dawson on the finance committee. Mayor Listek said they would do so at the next regular meeting.

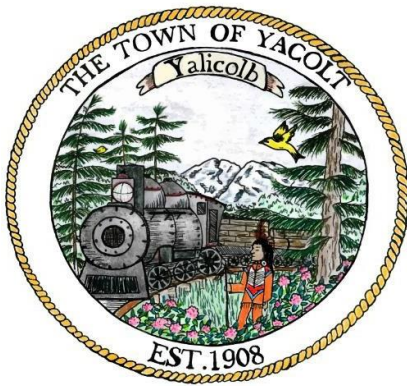
Adjourn

8:07 pm

Mayor Katelyn Listek

Clerk Stephanie Fields

Approved by Council vote on _____



Town of Yacolt

Town Council Meeting Minutes

Monday, August 29, 2022

6:30 PM

Town Hall

Call to Order

6:30 PM

Flag Salute

Roll Call

Council Members Present: Joshua Beck, Ronald Homola, Marina Viray

Also present: Mayor Katelyn Listek, Town Attorney David Ridenour, Public Works Director Terry Gardner, Clerk Stephanie Fields

Late Changes to the Agenda

None

Executive Session pursuant to RCW 42.30.110(1)(i)

An Executive session was held from 6:32-6:42pm and included Mayor Listek, all attending Councilmembers, Clerk Fields, and Attorney Ridenour. At 6:42pm, the regular meeting was reopened.

Unfinished Business

Proposed Resolution #607 – Interim Building Department Regulations

Attorney Ridenour presented his draft for detailing the Council's preferences regarding building department regulations. His draft includes a listing of codes, from the International Building Codes to Yacolt's own Building Code, and guidelines for future building department structure and decision-making. Clerk Fields asked for clarification on some of the items in the draft. Councilmember Homola wanted to make sure that the purpose and clarity of the proposed resolution will be sustainable with time, and that it provides objective, followable processes. Discussion took place regarding adjustments to permit fees, and it was decided that in the interest of fairness, adjustments should not be allowed. Clerk Fields pointed out the need for smaller projects permits and decision-making guidelines to be addressed in the Resolution. Ridenour will amend the draft and then the Resolution will be brought before Council at the September 12th meeting for a final decision.

Records Review Plan Update

Roughly 60% of the sorting has been completed; it looks like this project may not cost as much as we feared after all.

New Business

Filling the Vacancy at Council Position #2

Attorney Ridenour directed the Clerk to advise the elections board of Michelle Dawson's resignation from Council Position #2. The Clerk will also advertise the open position on the website, reader-board, and at Town Hall, as well as including an announcement on the agendas for both September meetings. Council's targeted date for interviewing and appointing the new Councilmember is at the October 3rd Special Meeting/ Budget Workshop.

Engineering for Park Safety Improvements

Mayor Listek stated that we do need to involve our Town Engineer in the planned safety improvements at the Town Park (rubber under the play equipment), so that expense is one we will need to accomodate out of this year's budget.

Budget Workshop

Clerk Fields first notified Council to be expecting at least one more Budget Amendment this year in order to distribute out revenue and appropriations for projects which Council has approved to be paid for using ARPA funds. Having passed out 5-year Budget Comparisons, she then explained how the document can be used as a tool when setting revenue and expenditure plans for 2023.

Mayor Listek asked Council what priorities they have for the Town in 2023.

Councilmember Homola asked about street lighting. After some discussion on street lighting, it was suggested that we see if street lighting could be addressed on the 6-year TIP.

Councilmember Beck asked about security cameras at the parks, in particular the Rec Park parking lot. He complained of lots of loud and destructive behavior up there, especially at night. During discussion, the idea of a fence with locked gates across the front - but set back so that a few people could still park there - came up. Then the gates could be opened for large groups who reserve the park.

Homola asked about buying a large new generator to keep Town Hall up and running during power outages. The generator we already own is old and he's afraid it won't work well in a time of need.

Mayor Listek explained the need to be realistic about Attorney Fees in our 2023 budget, citing anticipated need.

Adjourn

9:38 pm

Mayor Katelyn Listek

Clerk Stephanie Fields

Approved by Council vote on _____



Town of Yacolt Request for Council Action

CONTACT INFORMATION FOR PERSON/GROUP/DEPARTMENT REQUESTING COUNCIL ACTION:

Name: David W. Ridenour, Town Attorney **Group Name:** Staff
Address: 202 W. Cushman St. **Phone:** (360) 991-7659
P.O. Box 160
Yacolt, WA 98675
Email Address: david@davidridenourlaw.com **Alt. Phone:** Town Clerk (360) 686-3922

ITEM INFORMATION:

Item Title: Battle Ground School District #119 – Capital Facilities Plan and Proposed School Impact Fee Schedule.

Meeting Date: September 12, 2022.

Action Requested of Council: Review draft Resolution adopting the School District’s Capital Facilities Plan for 2022-2028 and associated School Impact Fee schedule.

Proposed Motion: None. Review only.

Summary/ Background: The Town of Yacolt has collected school impact fees for the Battle Ground School District since 1994, when it adopted Ordinance #352, (now YMC 3.15). School impact fees are assessed on new residential construction projects.

The school impact fee is calculated from time to time based in part on the School District’s Capital Facilities Plans, which project the School District’s need for new school facilities in the future. Yacolt’s school impact fees are also based on a statutory formula that has been adopted by the Town at YMC 3.15.110. That formula calculates the portion of the capital costs for new school facilities that should be paid by impact fees on new residential growth that contributes to the need for those school facilities. Financing for the construction of new facilities will include impact fees, general obligation bonds and State funding assistance.

The School District adopted an updated Capital Facilities Plan for 2022-2028, (“CFP”), earlier this year. The CFP includes proposed new impact fees of \$10,760 for a new single-family residence, and \$3,845 for a new

multi-family dwelling. [The Town is currently assessing \$5,000 for a new single-family residence, and \$1,800 for a new multi-family dwelling, per Resolution #533.]

The School District is asking its members, (Yacolt, Clark County, Battle Ground and Vancouver), to adopt the new CFP and impact fee schedule. The CFP is attached to the enclosed Resolution as Exhibit 'A'. The School District's calculations for the new impact fees using the Town's formula are attached as Appendix 'A' to the CFP. Staff has not reached an opinion on the adequacy of the CFP or the impact fee calculation under the standards described in RCW 82.02 or YMC 3.15.

Yacolt's Growth Management Plan

The CFP and impact fee changes are treated as amendments to the Town's Comprehensive Growth Management Plan. Much of the work to comply with Growth Management Act requirements has been completed by the School District and Clark County. For example, the School District has issued a SEPA Determination of Non-Significance for Non-Project Action as the lead agency for the members of the School District. Clark County has provided the CFP to the Department of Commerce in a Notice of Intent to Adopt an Amendment to the County's Comprehensive Growth Management Plan pursuant to the Growth Management Act. These materials are provided to the Council in this packet, together with a copy of Clark County's Staff Report from the County's Planning Commission meeting of August 18, 2022. However, staff is still working to confirm the procedural requirements for Yacolt to amend its Comprehensive Management Plan.

Public Notice and Public Hearing

Representatives from the School District will be present at this Council meeting. The School District plans to give a presentation to the Council and the public about the CFP and will be available to answer questions prior to the Council's consideration of this subject.

Following the presentation, the Council will hold a public hearing. Notice of the public hearing was published in the Reflector on August 31, 2022, and was also posted on the Town's website and at Town Hall. The Town Clerk has made the relevant documents available to anybody requesting information on the subject. (No written comments have been received as of the date of this Council packet.)

The Council may hear testimony during the public hearing and receive written comments and other materials from the public. Any written comments received by the Town Clerk will be provided to the Council for consideration prior to this agenda item. The Council may direct further questions and research regarding the issues raised by the CFP and impact fees schedule. At a minimum, staff plans to coordinate with the

Department of Commerce regarding its preferred timing and sequence of events for adopting these planning documents.

Attachments:

Resolution # ____, (with Exhibit A – School District Capital Facilities Plan);
Battle Ground School District Resolution C-22 Adopting CFP;
SEPA Determination of Non-Significance – Non-Project Action;
Clark County Notice of Intent to Adopt Amendment, (Dept. of Commerce);
Clark County Staff Report – 8/18/22 Planning Commission Meeting.

Staff Contact(s):

Stephanie Fields, Town Clerk.
David W. Ridenour, Town Attorney

A RESOLUTION OF THE TOWN COUNCIL OF YACOLT, WASHINGTON, ADOPTING THE BATTLE GROUND SCHOOL DISTRICT CAPITAL FACILITIES PLAN FOR 2022-2028 AS AN ADDENDUM TO THE TOWN'S COMPREHENSIVE GROWTH MANAGEMENT PLAN; ESTABLISHING THE RATES FOR SCHOOL IMPACT FEES TO BE COLLECTED FOR THE BATTLE GROUND SCHOOL DISTRICT; AND ESTABLISHING AN EFFECTIVE DATE

Whereas, the Town Council of the Town of Yacolt, (hereafter “*Yacolt*” or “*Town*”), maintains and updates its Comprehensive Growth Management Plan in compliance with the requirements of RCW 36.70A of the Growth Management Act;

Whereas, the Growth Management Act requires counties and cities to adopt comprehensive land use plans that, among other things, address the provision of public services including public schools to respond to growth and development;

Whereas, RCW 82.02 authorizes the Town to collect school impact fees on new residential growth and development activity for the purpose of having that new growth and development pay a proportionate share of the costs of new facilities that are required because of that new growth and development;

Whereas, in 1994, the Town adopted Ordinance #352, (now codified as YMC 3.15), which created a program for the assessment and collection of school impact fees on appropriate residential construction within the Town;

Whereas, since the adoption of its school impact fee program in 1994, the Town has collected school impact fees on behalf of the Battle Ground School District #119, (“*District*”);

Whereas, the District has adopted a Capital Facilities Plan for the period 2022-2028, (“*CFP*”), and submitted the CFP to the Town for review and approval;

Whereas, the CFP describes capital improvements that will be needed by the District to achieve its mission of providing education to students within the District’s boundaries;

Whereas, the CFP sets forth the need for new school facilities, the rationale for seeking impact fees, and recommended revised rates for impact fees for single-family residences and multi-family units;

Whereas, the District has requested that Yacolt and the other governmental agencies within the District collect school impact fees in the amounts recommended in the CFP to supplement other public funds that, in combination with the school impact fees, will be used to fund the construction of the new facilities;

Whereas, the Town has adopted capital facilities plans and updated school impact fee schedules over the years, including in Ordinance #352, and Resolutions #392, #414, #415, #429, #430, #461 and #533;

Whereas, when adopting the District’s capital facilities plans, the Town is adopting amendments to a sub-element of its Comprehensive Growth Management Plan;

Whereas, on June 15, 2022, Clark County transmitted a copy of the CFP to the Washington State Department of Commerce in a Notice of Intent to Adopt Amendment under RCW 36.70A.106, and is

engaged in a process to approve and incorporate the CFP in the County's next annual update to its Comprehensive Growth Management Plan on behalf of the Town and the other government agencies that are located the District;

Whereas, pursuant to the State Environmental Policy Act ("SEPA") and Chapter 191-11 of the Washington Administrative Code, a Determination of Non-significance for non-project action for the CFP ("DNS") was issued and noticed by the District as lead agency on June 28, 2022;

Whereas, a notice of public hearing on the CFP was published on August 31, 2022 as well as posted on the Town's website and at Town Hall;

Whereas, the District gave a presentation to the Town Council and public regarding the CFP and associated changes to the school impact fees at the Town Council's regular meeting on September 12, 2022;

Whereas, the Yacolt Town Council conducted a public hearing on September 12, 2022, to receive testimony regarding the proposed adoption of the District's CFP and its associated school impact fee schedule as amendments to the Town's Comprehensive Growth Management Plan;

Whereas, the Town Council has received, discussed, and considered any testimony, written comments, and materials offered by the public;

Whereas, the Town has engaged in a public participation program, provided required public notices, provided an opportunity for discussion in an open public hearing, and provided adequate opportunities for public review of the CFP as required by law; and,

Whereas, the Town Council of the Town of Yacolt is in regular session this 12th day of September, 2022, and all members of the Town Council have had notice of the time, place, and purpose of said meeting:

NOW THEREFORE, be it Resolved by the Town Council of the Town of Yacolt, Washington, as follows:

Section 1 - Findings of Fact: The recitals set forth above are hereby adopted as the Town Council's findings of fact.

Section 2 - Approval of CFP: The Battle Ground School District Capital Facilities Plan for the period 2022-2028 adopted by the District on May 9, 2022, a copy of which is attached hereto as Exhibit A and incorporated herein by this reference, is hereby accepted, approved and adopted by the Town Council.

Section 3 - Approval of School Impact Fees: The requested school impact fee amounts described in the Battle Ground School District Capital Facilities Plan for the period 2022-2028 adopted by the District on May 9, 2022, (Exhibit A), is hereby accepted, approved and adopted by the Town Council. The Town Council establishes the rates for school impact fees to be collected for the Battle Ground School District No. 119 as \$10,760.00 per single-family residence and \$3,845.00 per multi-family unit.

Section 4 - Updating the Comprehensive Plan: The Town of Yacolt amends the Town of Yacolt Comprehensive Growth Management Plan to include the Battle Ground School District Capital Facilities Plan for the period 2022-2028 together with the CFP's associated school impact fee schedule.

Section 5 - Severability: If any section, paragraph, sentence, clause, or phrase of this Resolution, or its application to any person or situation, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Resolution be pre-empted by state or federal law or regulation, such decision or preemption shall not affect the validity of the remaining portions of this Resolution or its application to other persons or situations.

Section 6 - Ratification: Any actions of the Town Council and of the Town's Mayor, officers and agents prior to the date of this Resolution and consistent with the terms of this Resolution are hereby ratified and confirmed.

Section 7 - Effective Date: This Resolution shall be effective immediately upon adoption by the Town Council in accordance with law. The Town Clerk is directed to publish notice of the adoption of this Resolution in the Town's official newspaper by publishing the following summary:

Town of Yacolt - Summary of Resolution # [REDACTED]

The Town Council of the Town of Yacolt adopted Resolution # [REDACTED] at a regular meeting of the Town Council held on September 12, 2022. The content of the Resolution is summarized in its title as follows: "A RESOLUTION OF THE TOWN COUNCIL OF YACOLT, WASHINGTON, ADOPTING THE BATTLE GROUND SCHOOL DISTRICT CAPITAL FACILITIES PLAN FOR 2022-2028 AS AN ADDENDUM TO THE TOWN'S COMPREHENSIVE GROWTH MANAGEMENT PLAN; ESTABLISHING THE RATES FOR SCHOOL IMPACT FEES TO BE COLLECTED FOR THE BATTLE GROUND SCHOOL DISTRICT; AND ESTABLISHING AN EFFECTIVE DATE".

The effective date of the Resolution is September 12, 2022. A copy of the full text of the Resolution will be mailed upon request to the undersigned at the Yacolt Town Hall, P.O. Box 160, Yacolt, WA 98675: (360) 686-3922.

Published this 21st day of September, 2022.
Yacolt Town Clerk.

Resolved by the Town Council of the Town of Yacolt, Washington, at a regular meeting thereof this 12th day of September, 2022.

TOWN OF YACOLT

DRAFT

Katelyn J. Listek, Mayor

Attest:

DRAFT

Stephanie Fields, Town Clerk

Approved as to Form:

DRAFT

David W. Ridenour, Town Attorney

Ayes: _____
Nays: _____
Absent: _____
Abstain: _____

TOWN CLERK'S CERTIFICATION

I hereby certify that the foregoing Resolution is a true and correct copy of Resolution # [REDACTED] of the Town of Yacolt, Washington, entitled "A RESOLUTION OF THE TOWN COUNCIL OF YACOLT, WASHINGTON, ADOPTING THE BATTLE GROUND SCHOOL DISTRICT CAPITAL FACILITIES PLAN FOR 2022-2028 AS AN ADDENDUM TO THE TOWN'S COMPREHENSIVE GROWTH MANAGEMENT PLAN; ESTABLISHING THE RATES FOR SCHOOL IMPACT FEES TO BE COLLECTED FOR THE BATTLE GROUND SCHOOL DISTRICT; AND ESTABLISHING AN EFFECTIVE DATE" as approved according to law by the Yacolt Town Council on the date therein mentioned.

Attest:

DRAFT

Stephanie Fields, Town Clerk

Published: September 21, 2022
Effective Date: September 12, 2022
Resolution Number: [REDACTED]

**BATTLE GROUND SCHOOL DISTRICT
CAPITAL FACILITIES PLAN**

2022-2028

BOARD OF DIRECTORS

**Mark Watrin, President
Jackie Maddux, Vice-President
Mary Snitily
Rob Henrikson
Ted Champine**

SUPERINTENDENT

Denny Waters

**Presented to the Battle Ground School Board
May 9, 2022**

**Adopted by the Battle Ground School Board
May 23, 2022**

SECTION 1 INTRODUCTION

A. Purpose of the Capital Facilities Plan

The Washington State Growth Management Act (the “GMA”) includes schools in the category of public facilities and services. School districts have adopted capital facilities plans to satisfy the requirements of the GMA and to identify additional school facilities necessary to meet the educational needs of the growing student populations anticipated in their districts.

The Battle Ground School District (the “District”) has prepared this Capital Facilities Plan (the “CFP”) to provide Clark County (the “County”) and the City of Battle Ground (“Battle Ground”) and the Town of Yacolt (“Yacolt”) and the City of Vancouver (“Vancouver”) with a schedule and financing plan for capital improvements over the next six years (2022-2028).

In accordance with the Growth Management Act, Clark County Code Sections 40.620.030 – 40.620.040, City of Battle Ground Municipal Code Sections 3.60.064, City of Vancouver Code Section 20.915.060 and Town of Yacolt Code Section 3.15.010-110, this CFP contains the following required elements:

- The District's standard of service, which is based on program year, class size by grade span, number of classrooms, types of facilities and other factors identified by the District.
- Future enrollment forecasts for each grade span (primary, middle, and high schools).
- An inventory of existing capital facilities owned by the District, showing the locations and capacities of the facilities, based on the District's standard of service.
- A forecast of the future needs for capital facilities and school sites based on the District's enrollment projections.
- The proposed capacities of expanded or new capital facilities over the next six years based on the inventory of existing facilities and the standard of service.
- A six-year plan for financing facilities within projected funding capacities, which clearly identifies sources of public money for such purposes. The financing plan separates projects and portions of projects which add respond to growth from those which do not, since the latter are generally not appropriate for impact fee funding.
- A calculation of impact fees to be assessed and supporting data substantiating such fees.

B. Overview of the Battle Ground School District

The Battle Ground School District is situated along the Interstate 5 corridor in northern Clark County. It encompasses the City of Battle Ground, a community that is experiencing accelerated growth, the town of Yacolt, a portion of City of Vancouver and is bordered by Evergreen, Vancouver, Ridgefield, La Center, Hockinson, Washougal, Woodland, and Green Mountain School Districts. Total land is approximately 271 square miles.

The District serves a population of 11,719 students (headcount October 2021), with seven primary schools (K-4), six middle schools (5-8), two comprehensive high schools (grades 9-12), one high school science magnet program, one alternative high school, one alternative K-12 school and one alternative school grades 3-12 program. For purposes of facility planning, the Capital Facility Plan considers grades K-4 as primary, grades 5-8 as middle school and grades 9-12 as high school.

In April 2021 the District was notified that they would no longer be able to lease the building housing the 3-12 alternative program after the 2021-22 school year. Plans have been made to transition the school building onto the campus adjacent to the former Lewisville campus. Students will temporarily be split between a ten-plex and the surplus A and B building on the campus. The District attempted to address overcrowding and failing building concerns, specifically for schools located in the southern end of the District through three attempts to pass a bond. (November 2016, Feb 2018 and April 2018) Each of those attempts failed to reach the 60% supermajority required by state law. Through a boundary adjustment and enrollment losses during the COVID-19 pandemic overcrowding has subsided but outdated and failing buildings remain a concern. Additionally, with the use of the Lewisville campus a need for District storage has increased due to spaces being used to pivot the alternative 3-12 into a different facility.

The most significant issues facing the District in terms of providing classroom capacity to accommodate existing and projected demands are:

- The continued expansion of the Urban Growth Boundaries in Clark County and the resulting increase in students;
- The District will be implementing Transitional Kindergarten programs at 4 sites in 2022-23. This will require the ability to add multiple classroom spaces.
- Increased student enrollment due to the implementation of Transitional Kindergarten puts a strain on building core facilities such as cafeterias, gyms, libraries, office space, playgrounds and parking lots. The District anticipates having to expand the capacity of such facilities in order to meet program expectations for students, families and staff.
- Many school sites in our District house students in excess of the capacity of the facility. Portable and modular classrooms are used at all sixteen (100%) school sites and will continue to be used until new brick and mortar sites can be financed and built.
- The COVID-19 pandemic and a switch to remote learning, as well as additional strategies to address learning loss, has created a need for increased emphasis on technology use. This has been seen in the number of student devices needed as well as the infrastructure to run those devices.
- Increased needs associated with student safety including modernizing either existing buildings to secure campuses and buildings from outside intruders or building new schools that feature modern safety features and limited access from the outside.
- Citizens approved Initiative 1351, which when implemented will require lower class sizes. Lower class sizes will require additional classrooms and facility improvements, and funding to pay for them.

SECTION 2

DISTRICT EDUCATIONAL PROGRAM STANDARDS

School facility and student capacity needs are dictated by the types and amounts of space required to accommodate the District's adopted educational program. The role that quality education plays in growing a strong local economy is vital. In order to accomplish the community value of having a strong local economy, schools must have quality facilities. These facilities serve as the supporting space for developing the whole child within a community to prepare them for a competitive global economy. The educational program standards which typically drive needs for educational space for students include grade configuration, optimum facility size, class size, educational program offerings, supplemental program offerings, specialty spaces, classroom utilization and scheduling requirements.

In addition to the student population, other factors such as collective bargaining agreements, government mandates, and community expectations affect classroom space requirements. Space is necessary for regular classrooms, the fine and performing arts, physical education, STEM, Special Education, Title I, Highly Capable, Bilingual Education, technological applications, computer labs, preschool and daycare programs, intervention programs, and other specialized programs. Space must be provided for common areas such as media centers, cafeterias, kitchens, and auditoriums. Space is needed for groups of students/staff to work together. These programs can have a significant impact on the available student capacity within school facilities. Further, the community expects all spaces to be well utilized during the school day and available after the school day for public use.

A. District Educational Program Standards:

Core program includes the following:

- Core classroom space for all curriculum areas which includes space for group learning, direct instruction, and individual student work to meet the rigors set forth in state standards.
- Science classroom space that supports advanced coursework (including water, sinks, gas, hoods, and safety equipment). Students must achieve rigorous state mandated science standards. This requires specialty space that is not met by adding portables. High school and middle school science lab space is a high priority.
- With the added emphasis on STEM education there is a need to offer flexible classroom space where project based labs and classroom instruction can happen in adjacent classrooms.
- Physical education space is needed for students to meet rigorous health and fitness standards. This includes covered areas outdoors, fields, gymnasiums, and other multi-use spaces.
- Technological competency is expected for all students. Space must be allocated for technology equipment and applications in classrooms and specialty spaces. Square footage for this equipment and its infrastructure is not calculated in current state allowances, but must be provided.
- Art, music, and theater arts spaces are critical to the core program for students. Spaces are necessary to adequately meet the rigorous standards of these state required programs.
- Library/Media services (research, technology, collaboration) and space must be provided for students to achieve the rigors in the core program. Information driven educational environments require that students have access to information through appropriately sized library/media space.
- Classroom spaces for the implementation of calming rooms at all K-12 comprehensive sites to support dysregulated students and the social-emotional needs of all students.
- Extra-curricular activities need adequate space in order to safely support program activities.
- Office spaces for support staff that work within specific programs supporting District programs.

Special services are essential to meet the needs of special populations.

- Special Education services are delivered at each of the schools within the District. Program standards and services vary based on the disability of the students and their individual education plan (IEP). Implementing each student's IEP often requires large and small specialty spaces, which the District must provide. Program standards change as a result of various external or internal influences. External influences include changing federal mandates, funding changes, and the introduction of new technological applications which meet the needs of students. Internal influences include modifications to the program year, class size, grade configurations, and specialized facilities.
- Special populations receive additional support through Federal, State, and Levy funding, including Title 1 Reading and Math, State Learning Assistance Program for reading and math, Highly Capable, and Bilingual. Funding for these programs does not include the expense of adding facilities to support them.

- Early Childhood programs, such as preschool programs, are essential to develop early childhood literacy skills, and are vital to the community. These programs require specialty space which is not funded by the state.
- Supplementary services (Career and Technical Education programs) provide multiple pathways to prepare students for a broader range of post-secondary learning opportunities. The services require additional spaces that have not been calculated in current state square footage allowance formulas.
- Adequate facilities for an 18-21 year old transition program as mandated by state and federal law.

Support services are often overlooked core services, and are essential to a quality educational program.

- Food service delivery, storage, preparation, and service require spaces that are specially designed and equipped. As student populations increase, adequately calculating space needs for this core service is crucial to the overall planning of the facility. Adequacy in planning for this space has significant impacts on the overall learning environment for students if not done appropriately.
- Transportation support centers are required to handle growing transportation needs.
- Warehouse, purchasing and maintenance support facilities must also be considered and are often overlooked as core support services needed to serve both current enrollment and growth.
- Administrative support facilities must also be considered and are often overlooked as core support services need to serve both current enrollment and growth.

B. Elementary Educational Program Standards (Grades K-4 and transitional kindergarten)

The District educational program standards, which directly affect elementary school capacity, include:

- Class sizes for transitional kindergarten and kindergarten are targeted not to exceed 22 students per class.
- Class sizes for grades 1-3 are targeted not to exceed 23 students per class.
- Class sizes for grade 4 is targeted not to exceed 25 students per class.
- Specialist allocations are to include art, music and health/fitness; total average class size in grades K-3 are targeted not to exceed 17 students per class.
- Separate classroom space must be provided for music and art instruction.
- Physical education instruction requires adequate space for movement and use of equipment.
- Special education services are provided in separate classrooms for some children, while others need highly specialized spaces that likely include self-help skills, cooking, and motor development.
- Instructional intervention programs need separate instructional areas.
- All schools must have a library/media resource center large enough to meet student needs.
- All schools must have a cafeteria large enough to meet student needs.
- All schools must have adequate office space to provide counseling, mental health and nursing services.
- All schools must have adequate parking available for staff and families.

C. Middle and High School Program Standards (Grades 5-12)

The District education program standards, which directly affect middle school and high school capacity include:

- Class size for middle school grades 5-8 is targeted not to exceed 28 students.
- Class size for high school grades 9-12 is targeted not to exceed 30 students; however, some classes exceed 30 students and some have less than 30. For the purposes of determining capacity, an average class size of 28 students was used.
- Special Education for some students is provided in separate classrooms.
- All schools must have a cafeteria large enough to meet student scheduling and student body need.

- Science labs and other specialized STEM spaces.
- Specialized programs require instructional space as follows:
 - ☐ Intervention programs need separate instructional areas.
 - ☐ Space for individual and group study, practice labs, production rooms.
 - ☐ Media Center/Library.
 - ☐ Program Specific Classrooms (science, music, theater arts, visual arts, career and technical education such as woodshops, welding, culinary, automotive, video production, and many more).
- All schools must have adequate office space to provide counseling, career development, mental health and nursing services.
- All schools must have adequate parking available for staff and families.

SECTION 3 CAPITAL FACILITIES INVENTORY

The facilities inventory serves to establish a baseline for determining the facilities necessary to accommodate future demand (student enrollment) at acceptable levels of service. This section provides an inventory of capital facilities owned and operated by the District including schools, portables, undeveloped land and support facilities. School facility capacity was inventoried based on the space required to accommodate the District's educational program standards.

A. Schools

School capacity is determined based on the number of home room teaching stations within each building and the space requirements of the District's current educational program. It is this capacity calculation that is used to establish the District's baseline capacity, and to determine future capacity needs based on projected student enrollment. Grades K-4 are considered primary schools, grades 5-8 are middle schools and grades 9-12 are high schools. The school capacity inventory is summarized in Tables 1, 2, and 3.

Table 1 – Primary School Inventory (Grades K-4)

| Primary School | Location | Building Area (Square Feet) | October 2021 Student Headcount Enrollment | Teaching Stations - Note 1 | Permanent Student Capacity - Note 2 |
|-----------------------------|--|-----------------------------|---|----------------------------|-------------------------------------|
| Captain Strong | 1002 NW 6th Ave Battle Ground, WA | 71,511 | 557 | 26 | 589 |
| Daybreak | 1900 NW 20th Ave. Battle Ground, WA | 62,389 | 474 | 23 | 517 |
| Glenwood | 9716 NE 134th St. Vancouver, WA | 44,261 | 527 | 20 | 452 |
| Maple Grove | 610B SW Eaton Blvd Battle Ground, WA | 82,043 | 456 | 28 | 616 |
| Pleasant Valley | 14320 NE 50th Ave. Vancouver, WA | 49,726 | 491 | 18 | 411 |
| Yacolt | 406 W. Yacolt Rd. Yacolt, WA | 71,857 | 695 | 25 | 579 |
| Tukes Valley | 20601 NE 167th Ave. Battle Ground, WA | 62,389 | 463 | 21 | 469 |
| HL River (K-4) ALE - Note 3 | 610A SW Eaton Blvd Battle Ground, WA | 11,603 | 319 | 6 | 274 |
| CAM (3-4) ALE | 715 NW Onsdorf Blvd., Battle Ground, WA | Leased Facility | 93 | N/A | N/A |
| Total | | 455,779 | 4,075 | 167 | 3,907 |

Notes:

1. The music rooms, physical education spaces, computer labs, special education classrooms, intervention classrooms and library/media spaces are not counted as teaching stations in the primary schools because they are pull-out programs (not homeroom classrooms).
2. Capacity for grades K-4 facilities is calculated at an average of 24 students per general education teaching station and an average of 17 for special education teaching stations.
3. HomeLink River ALE capacity for grades K-4 facilities is calculated at an average of 48 students per general education teaching station and 34 an average 34 for special education teaching stations based on program offerings.

| Table 2 – Middle School Inventory (Grades 5-8) | | | | | |
|---|--|----------------------|--|-----------------------------------|--|
| Middle School | Location | Building Area | October 2021 Student Headcount Enrollment | Teaching Stations - Note 1 | Permanent Student Capacity - Note 2 |
| Amboy | 22115 NE Chelatchie Rd, Amboy, WA | 82,619 | 557 | 26 | 684 |
| Daybreak | 1900 NW 20th Ave. Battle Ground, WA | 62,389 | 438 | 15 | 343 |
| Laurin | 13601 NE 97th Ave. Vancouver, WA | 64,953 | 687 | 18 | 427 |
| Chief Umtuch | 700 NW 9th St. Battle Ground, WA | 79,268 | 569 | 24 | 606 |
| Pleasant Valley | 14320 NE 50th Ave. Vancouver, WA | 49,726 | 429 | 14 | 359 |
| Tukes Valley | 20601 NE 167th Ave. Battle Ground WA | 62,389 | 499 | 18 | 449 |
| CAM (5-8) (ALE) | 715 NW Onsdorf Blvd. Battle Ground, WA | Leased Facility | 229 | N/A | NA |
| HL River (5-8) ALE - Note 3 | 610A SW Eaton Blvd. Battle Ground, WA | 11,603 | 327 | 6 | 314 |
| Total | | 412,947 | 3,735 | 121 | 3,182 |

Notes:

1. The music rooms, physical education spaces, computer labs, art rooms, CTE rooms, special education classes, intervention classes, and library/media spaces are not included as teaching stations in the middle schools because they are exploratory programs (not homeroom classrooms).
2. Capacity for grades 5-8 facilities is calculated at an average of 28 students per general education teaching station and an average of 17 for special education teaching stations.
3. HomeLink River ALE capacity for grades 5-8 facilities is calculated at an average of 56 students per general education teaching station and 34 an average 34 for special education teaching stations based on program offerings.

| Table 3 – High School Inventory (Grades 9-12) | | | | | |
|--|--|--|---|---|--|
| High School | Location | Building Area (Square Feet) | October 2021 Student Headcount | Teaching Stations - Note 1 | Permanent Student Capacity - Note |
| Battle Ground | 300 W Main Street Battle Ground, WA | 264,234 | 1,706 | 78 | 2,019 |
| Prairie | 11500 NE 117 Ave. Vancouver, WA | 215,580 | 1,469 | 72 | 1,702 |
| CASEE B – HS Magnet Program - Note 3 | 11104 NE 149 St. Brush Prairie, WA | Leased Facility* | Students are counted in BGHS and PHS count | N/A | N/A |
| Summit View (ALE) - Note 4 | 11104 NE 149 St. Brush Prairie, WA | Leased Facility* | 221 | N/A | NA |
| CAM (9-12) ALE | 715 NW Onsdorf Blvd. Battle Ground, WA | Leased Facility* | 124 | N/A | N/A |
| HL River (9-12) ALE - Note 5 | 610A SW Eaton Blvd, Battle Ground, WA | 11,603 | 389 | 5 | 280 |
| Total | | 491,417 | 3,909 | 155 | 4,001 |

Notes:

1. The music rooms, physical education spaces, and computer labs are counted as teaching stations because they are not special pull-out programs at the high school. The instructional space that is used for shop class and for library/media was not counted as teaching stations because they are used for special programs and pull-out programs.
2. Capacity for grades 9-12 facilities is calculated at an average of 28 students per general education teaching station and an average of 17 for special education teaching stations.
3. Summit View High School is an alternative high school program located on an 80-acre site that is leased from the Department of Natural Resources
4. The CASEE B High School Magnet Program is located on an 80-acre site that is leased from the Department of Natural Resources.
5. HomeLink River ALE capacity for grades 5-8 facilities is calculated at an average of 56 students per general education teaching station and 34 an average 34 for special education teaching stations based on program offerings.

B. Portables

Portable classrooms are used on an interim basis to house students until funding can be secured to construct permanent classrooms. Capacity that is provided by portables is not considered permanent facility capacity. Table 4 outlines an inventory of these facilities. The District currently uses 174 portable classrooms plus cafeterias, office buildings and daycare centers. Portable classrooms are used for regular education, special education pull-out, and other special programs, until these programs can be provided in permanent brick and mortar facilities.

Table 4 – Inventory of Portable Classrooms

| School | Portable Classrooms | School | Portable Classrooms |
|--------------------------|--------------------------------|-----------------------------------|---------------------|
| Captain Strong Primary | 14 | Chief Umtuch Middle | 10 |
| Daybreak Primary | 8 | Amboy Middle | 4 |
| Glenwood Heights Primary | 24 + cafeteria and one daycare | Laurin Middle | 12 |
| HomeLink River | 16 + cafeteria and daycare | Pleasant Valley Middle | 12 |
| Tukes Valley Primary | 10 | Tukes Valley Middle | 10 |
| Pleasant Valley Primary | 14 | Battle Ground High | 9 |
| Yacolt Primary | 16 + 1 daycare portable | Summit View Middle School Program | NA |
| Maple Grove K-8 | 4 | Prairie High | 1 |
| Daybreak Middle | 10 | | |

C. Support Facilities

In addition to schools, the District owns and operates additional facilities that house operational support programs and offices for the District. An inventory of these facilities is provided in Table 5.

Table 5- Support Facility Inventory

| Facility | Building Area | Site Location |
|--------------------------------------|---------------|---|
| Administrative Offices – (CASEE A&C) | 28,737 | 11104 NE 149 th St., Brush Prairie, WA 98606 |

| | | |
|---|--------|---|
| | | |
| District Print Shop, Community Education, Science Resource Center, Nutrition Services Offices/Storage and Professional Development Classrooms | 57,130 | 406 NW 5th Avenue, Battle Ground, WA 98604 These office occupy portions of the Former Lewisville Middle School – The admin/media center building, cafeteria, building A and building C |
| District Warehouse | 12,240 | 400 N. Parkway Ave., Battle Ground, WA 98604 |
| 450 Buildings – Maintenance and Grounds Department | 22,771 | 300 W. Main St., Battle Ground, WA 98604 |
| Dodge House | 1,754 | 612 N.W. 9th St., Battle Ground, WA 98604 |
| 450 Modular Building – Facilities and Transportation Office | 1,792 | 300 W. Main Street, Battle Ground, WA 98604 |

D. Land Inventory

The District owns the following undeveloped sites:

Future School Sites:

- A 50-acre site intended for future schools located on NE 199th Street in Vancouver.
- A 20-acre site intended for future schools located on NE 152nd Ave in Vancouver.
- A 4.24 acre site including a 2,232 sq. ft. house at 9916 NE 134th St., Vancouver. This property is adjacent to the Glenwood/Laurin school sites.
- A 2.88 acre site at 602 NW 5th Avenue, Battle Ground, WA 98604. This property abuts the Battle Ground High School site.
- A 51.32 acre site intended for future schools located on Highway 503 at NE Chelatchie Road in Amboy.

Other Property:

- A 2.51 acre building lot donated to the District in 2018. The lot will likely be surplussed and sold.

- A one acre site that is topographically unsuitable for school site development. This property is known as the Tum Tum Lodge.

SECTION 4 STUDENT ENROLLMENT PROJECTIONS

A. Projected Student Enrollment 2021-2028

The District's enrollment projections are based on an enrollment forecast update prepared by the District. Enrollment trends prior to the Covid19 pandemic were used to determine enrollment forecasts.

| Grade | 2021 | 2022 | 2023 | 2024 | 2025 | 2026 | 2027 | 2028 |
|-----------------------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|
| Kindergarten | 806 | 885 | 885 | 885 | 885 | 885 | 885 | 885 |
| Grade 1 | 815 | 833 | 914 | 914 | 914 | 914 | 914 | 914 |
| Grade 2 | 781 | 816 | 834 | 916 | 916 | 916 | 916 | 916 |
| Grade 3 | 829 | 793 | 828 | 846 | 929 | 929 | 929 | 929 |
| Grade 4 | 833 | 847 | 810 | 846 | 865 | 949 | 949 | 949 |
| Total Primary School | 4,064 | 4,174 | 4,271 | 4,408 | 4,509 | 4,594 | 4,594 | 4,594 |
| Grade 5 | 887 | 837 | 851 | 814 | 850 | 869 | 954 | 954 |
| Grade 6 | 933 | 912 | 861 | 875 | 837 | 874 | 893 | 981 |
| Grade 7 | 884 | 942 | 921 | 869 | 883 | 844 | 883 | 902 |
| Grade 8 | 1,042 | 878 | 935 | 914 | 863 | 877 | 838 | 876 |
| Total Middle School | 3,746 | 3,569 | 3,567 | 3,471 | 3,433 | 3,465 | 3,568 | 3,713 |
| Grade 9 | 1,003 | 1,071 | 902 | 961 | 939 | 886 | 901 | 861 |
| Grade 10 | 1,047 | 1,007 | 1,075 | 905 | 964 | 943 | 890 | 905 |
| Grade 11 | 940 | 919 | 884 | 944 | 795 | 847 | 828 | 781 |
| Grade 12 | 919 | 971 | 950 | 913 | 975 | 821 | 875 | 855 |
| Total High School | 3,909 | 3,968 | 3,810 | 3,723 | 3,674 | 3,497 | 3,493 | 3,402 |
| Total | 11,719 | 11,710 | 11,649 | 11,602 | 11,615 | 11,556 | 11,656 | 11,709 |

2021 enrollment is the actual number of students that were enrolled in October 2021. The District's CFP focuses on short term enrollment forecasts with an eye towards long range facility needs.

SECTION 5 CAPITAL FACILITIES NEEDS

A. Facility Needs

The District's facility needs are identified by subtracting existing capacity from the student enrollment forecast in 2028. Facility needs are expressed in terms of "unhoused" students or students that cannot be housed in permanent (brick/mortar) facilities and, therefore, would attend basic education classes in portable classrooms. In and utilize additional portable classrooms. The cost of the portables is not included in the impact fee calculation; however, impact fee revenue can be used to fund the purchase of portable facilities.

As shown in Table 7, the District needs to add capacity to serve 11,709 students.

Table 7 – Facility Needs

| Facility | Permanent Capacity | Forecast Enrollment | Facility Needs for Growth |
|------------------------------|---------------------------|----------------------------|----------------------------------|
| Primary Schools (K-4) | 3,907 | 4,594 | 687 |
| Middle Schools (5-8) | 3,182 | 3,713 | 531 |
| High Schools (9-12) | 3,987 | 3,402 | 0 |
| Totals | 11,076 | 11,709 | 1,218 |

The District shows facility needs to construct two new 450 student primary K-4 facilities and two new 450 student middle school 5-8 facilities, however only one new 450 student primary K-4 and one new 450 student middle school is listed. The District also shows facility needs to replace or modernize one new primary and middle school, utilize modular portables, improve and expand support facilities such as maintenance shops and warehouses. Table 8 identifies the costs and anticipated financing for these facilities.

Table 8 – Cost and Financing

| Future Projects | Additional Capacity | Cost | Portion of cost attributed to growth (2) | Financing | | | |
|--------------------------------------|-----------------------|----------------------|--|---------------------|----------------------|------------------------------|----------------------|
| Modernize or Replace One K-4 Schools | 0 | \$28,734,750 | | | | | |
| Modernize or Replace One 5-8 School | 0 | \$30,882,600 | | | | | |
| Construct Two K-4 Schools | 900 | \$57,469,500 | \$43,868,385 | | | | |
| Construct Two 5-8 Schools | 900 | \$61,765,200 | \$36,441,468 | | \$ - | \$ - | \$ 24,000,000 |
| Modular Portables | 200 | \$3,000,000 | \$3,000,000 | Unsecured Financing | | | |
| District Warehouse | Support due to growth | \$2,500,000 | \$2,500,000 | | Bonds (1) | State Funding Assistance (4) | Impact Fees (3) |
| District Maintenance Bldg | Support due to growth | \$2,500,000 | \$2,500,000 | | | | |
| CAM Campus Portables - Three 10-Plex | 446 | \$9,000,000 | \$9,000,000 | | \$ 115,384,617 | \$ 14,501,683 | \$ 42,465,750 |
| Futures Program (18-21 year olds) | 15 | \$500,000 | | | | | |
| TOTAL | | \$196,352,050 | \$97,309,853 | | \$115,384,617 | \$ 14,501,683 | \$ 66,465,750 |

1) The estimate for unsecured bonds represents the funds the District must secure to fully fund the improvements (total costs minus secured impact fees, unsecured impact fees, and state funding assistance); 2) Projects and portions of projects which remedy existing deficiencies are not appropriate for impact fee funding. Thus, impact fees will not be used to finance projects or portions of projects which do not add capacity or respond to growth. Support facilities are included in response to growth; 3) The estimate for unsecured impact fees is based on the average number of permits issued in 2020 and 2021 multiplied by the requested impact fee. The District is assuming it will collect impact fee revenue at that rate for the six-year planning period; and 4) The estimate for unsecured state funding assistance is provided by OSPI based on aging K-8 facilities eligible for modernization or replacement. The state formula for unhoused students does not currently provide funding assistance. State funding will be available for the new K-4 and 5-8 schools for future enrollment that also serve as the basis for impact fees. The state formula for current unhoused students does not provide funding assistance but is available for facilities needed for growth.

SECTION 6 CAPITAL FACILITIES FINANCING PLAN

As shown in table 8, the District needs to construct two K-4 facilities and two 5-8 facilities to serve growth, modernize or replace existing K-8 facilities and make other capital improvements for a total estimated cost of \$196,352,050. The improvements will be paid for with \$24,000,000 in secured funding, plus \$172,352,050 in unsecured funds. Financing the improvements is dependent on the state providing funding assistance and the voters approving a bond.

Specifically, funding for planned improvements is typically secured from a number of sources including voter approved bonds, state funding assistance, and impact fees. Each of these funding sources is discussed in greater detail below.

A. Financing for Planned Improvements

1. General Obligation Bonds

Bonds are typically used to fund construction of new schools and other capital improvement projects. A 60% voter approval is required to approve the issuance of bonds. Bonds are then retired through collection of property taxes. The District must pass a bond since it is the primary source of funding for the capital improvements listed in this plan.

2. State Funding Assistance

State funding assistance comes from the Common School Construction Fund (“the Fund”). Bonds are sold on behalf of the Fund, and then retired from revenues accruing predominantly from the sale of timber from the common school lands. If these sources are insufficient, the legislature can appropriate funds or the State Board of Education can change the standards. School districts may qualify for state funding assistance for specific capital projects based on a prioritization system. Based on the District’s assessed valuation per student and the formula in the state regulations, the District is currently eligible for state funding assistance for new schools based on the unhoused students at a level of approximately 60.27% of the state defined funding formula. The funding assistance percentage typically does not equal the total share of state assistance. It can be much less because the actual construction costs are typically more than what’s provided in the state defined formula. Currently the state formula for construction costs is \$246.83 per square foot and actual construction costs are approximately \$550.00 per square foot.

Impact Fees

The collection of school impact fees generates partial funding for construction of public facilities needed to accommodate new development. School impact fees are collected by the City/County on behalf of the District. Impact fees are calculated based on a formula, which includes the portion of District construction resulting in increased capacity in schools. Impact fees account for a small fraction of the total cost to fund facility improvements. See next Section.

SECTION 7 SCHOOL IMPACT FEES

The GMA authorizes jurisdictions to collect impact fees to supplement funding of additional public facilities needed to accommodate new development. Impact fees cannot be used for the operation, maintenance, repair, alteration, or replacement of existing capital facilities used to meet existing service demands.

A. School Impact Fees

The County’s and Cities’ impact fee programs require school districts to prepare and adopt Capital Facilities Plans meeting the specifications of the Growth Management Act. Impact fees are calculated in accordance with the local jurisdiction’s formula, which is based on projected school facility costs necessitated by new growth, and are contained in the District’s CFP.

B. Methodology and Variables Used to Calculate School Impact Fees

The District's impact fees have been calculated utilizing the formula in the Clark County, City of Battle Ground, City of Vancouver, and Town of Yacolt Impact Fee Ordinances. The resulting figures in the attached Appendix A are based on the District's cost per dwelling unit to construct the improvements that are needed for growth. These schools will add capacity that is needed to serve new development. Credits have also been applied in the formula to account for future state match funds the District could receive. At this time, credit for projected future property taxes that will be paid by the owner of the dwelling unit is not included because without a current capital projects levy, no taxes are collected for capital projects in the District at this time.

C. Proposed Battle Ground School District Impact Fee Schedule

The school impact fee calculation results in a fee of \$11,535 per single family home and \$4,963 per multi-family home.

The District requests collection of school impact fees in the amounts of:

| | |
|---------------|-----------|
| Single Family | \$ 10,760 |
| Multi-Family | \$ 3,845 |

Battle Ground Public Schools 2022-2028 Capital Facility Plan

| Single-Family | | | |
|---------------|---------------|--------------|---|
| Elementary | Middle School | High School | Formula |
| \$43,868,385 | \$36,441,468 | 0 | Facility Cost |
| 687 | 531 | 0 | Additional Capacity |
| \$63,855.00 | \$68,628.00 | 0 | Cost per Student (CS) |
| 0.139 | 0.128 | 0.134 | Student Factor (SF) |
| \$8,875.85 | \$8,784.38 | \$0.00 | CS x SF |
| \$246.83 | \$246.83 | \$246.83 | Boeck Index |
| 90 | 117 | 130 | OSPI Sq Ft |
| 60.27% | 60.27% | 60.27% | State Match Eligibility % |
| \$1,861.04 | \$2,227.90 | \$0.00 | State Match Credit (SM) |
| \$7,014.80 | \$6,556.49 | \$0.00 | CS x SF – SM |
| | | \$13,571.29 | Cost per Single Family Residence |
| | | | |
| | | \$0.00 | Cost per Single Family Residence - Tax Credit |
| | | (\$2,035.69) | 15% reduction (A) |
| | | \$11,535.60 | Calculated Single Family Fee Amount |
| | | \$10,760.00 | Requested Fee Amount |
| | | | |
| Multi-Family | | | |
| | | | |
| Elementary | Middle School | High School | Formula |
| \$43,868,385 | \$36,441,468 | 0 | Facility Cost |
| 687 | 531 | 0 | Additional Capacity |
| \$63,855.00 | \$68,628.00 | 0 | Cost per Student (CS) |
| 0.068 | 0.047 | 0.053 | Student Factor (SF) |
| \$4,342.14 | \$3,225.52 | \$0.00 | CS x SF |
| \$246.83 | \$246.83 | \$246.83 | Boeck Index |
| 90 | 117 | 130 | OSPI Sq Ft |
| 60.27% | 60.27% | 60.27% | State Match Eligibility % |
| \$910.44 | \$818.06 | \$0.00 | State Match Credit (SM) |
| \$3,431.70 | \$2,407.46 | \$0.00 | CS x SF – SM |
| | | \$5,839.16 | Cost per Single Family Residence |
| | | | |
| | | \$0.00 | Cost per Single Family Residence - Tax Credit |
| | | (\$875.87) | 15% reduction (A) |
| | | \$4,963.29 | Calculated Single Family Fee Amount |
| | | \$3,845.00 | Requested Fee Amount |

Appendix A

DETERMINATION OF NONSIGNIFICANCE

Issued with a 14-day comment period

Description of Proposal:

This threshold determination analyzes the environmental impacts associated with the following action:

The amendment of the Clark County, Vancouver, Battle Ground and Yacolt Comprehensive Plans to include the Battle Ground School District's Capital Facilities Plan 2022-2028 as part of the Capital Facilities Element of each jurisdiction's Comprehensive Plan.

| | |
|---------------------------|---|
| Proponent: | Battle Ground School District No. 119 |
| Location of the Proposal: | Battle Ground School District, Washington |
| Lead Agency: | Battle Ground School District No. 119 |
| Reviewing Agencies: | Clark County, Washington, the cities of Vancouver and Battle Ground, and the Town of Yacolt |

The lead agency for this proposal has determined that the proposal does not have a probable significant adverse environmental impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after a review of the completed environmental checklist and other information on file with the lead agency. This information is available to the public upon request.

This Determination of Nonsignificance (DNS) is issued under WAC 197-11-340(2). The lead agency will not act on this proposal for 14 days from the date of issue and until after review and approval of the Proposal by the Reviewing Agencies. Comments must be submitted by July 12, 2022. The responsible official will reconsider the DNS based on timely comments and may retain, modify, or, if significant adverse impacts are likely, withdraw the DNS. If the DNS is retained, it will be final after the expiration of the comment deadline.

| | |
|-----------------------|---|
| Responsible Official: | Denny Waters Superintendent Battle Ground School District No. 119 |
| Telephone: | 360-885-5300 |
| Address: | Battle Ground School District No. 119 11104 N.E. 149th Street, Brush Prairie, WA 98606 |
| Date Published: | June 28, 2022 |
| Date of Issue: | June 28, 2022 |

SEPA ENVIRONMENTAL CHECKLIST

Purpose of checklist:

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

Instructions for applicants:

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Instructions for Lead Agencies:

Please adjust the format of this template as needed. Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

Use of checklist for nonproject proposals:

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (part D). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in Part B - Environmental Elements –that do not contribute meaningfully to the analysis of the proposal.

A. Background [HELP]

1. Name of proposed project, if applicable:

The adoption of the 2022-2028 Battle Ground School District Capital Facilities Plan for the purposes of planning for the District's facilities needs and to serve as the basis for impact fees. Clark County, the City of Vancouver, the City of Battle Ground, and the Town of Yacolt will incorporate the District's final Capital Facilities Plans into their Comprehensive Plans, and adopt an impact fee for the District to assess against residential development. A copy of the District's recommended Capital Facilities Plan is available for review in the District's offices.

2. Name of applicant:

Battle Ground School District No. 119

3. Address and phone number of applicant and contact person:

Applicant:

Battle Ground School District No. 119
Denny Waters, Superintendent
11104 N.E. 149th Street,
Brush Prairie, Washington
360-885-5300

Contact person:

LeAnne Bremer
Miller Nash LLP
500 Broadway, Suite 400
Vancouver, WA 98660
360-619-7002
leanne.bremer@millernash.com

4. Date checklist prepared:

June 27, 2022

5. Agency requesting checklist:

Clark County, Washington
City of Vancouver, Washington
City of Battle Ground, Washington
Town of Yacolt, Washington

6. Proposed timing or schedule (including phasing, if applicable):

The Capital Facilities Plan is scheduled to be adopted by the Town of Yacolt on July 11, 2022 subject to final approval of the School Board of an interlocal agreement between the Town and the District for the collection of impact fees. The Capital Facilities Plan has also been submitted as a recommendation to Clark County, the City of Battle Ground and the City of Vancouver for final action and adoption by the end of 2022. The projects included in the Capital Facilities Plan will be subject to project-level environmental review when appropriate. The District will not take action within a jurisdiction under the Capital Facilities Plan until it is approved by that jurisdiction.

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

Clark County, the City of Vancouver, the City of Battle Ground, and the Town of Yacolt must approve the Capital Facilities Plan and impact fee calculation. The Capital Facilities Plan sets forth the capital improvement projects that the District plans to implement over the next six years.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

The projects included in the Capital Facilities Plan will undergo additional environmental review, when appropriate, as they are developed.

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

None known.

10. List any government approvals or permits that will be needed for your proposal, if known.

The District anticipates that Clark County, the City of Vancouver, the City of Battle Ground, and the Town of Yacolt will adopt the Capital Facilities Plan and incorporate it into their Comprehensive Plans.

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

This is a non-project action. This proposal involves the adoption of the 2022-2028 Battle Ground School District Capital Facilities Plan for the purpose of planning the District's facilities needs. The District's Capital Facilities Plan will be incorporated into the Clark County, the City of Vancouver, the City of Battle Ground, and the Town of Yacolt's Comprehensive Plans. The projects included in the Capital Facilities Plan will be subject to project-level environmental review when appropriate. A copy of the Capital Facilities Plan may be viewed at the District's offices.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

The Capital Facilities Plan will affect the area of the Battle Ground School District. A detailed map of the District's boundaries can be viewed at the District's offices.

B. Environmental Elements [\[HELP\]](#)

1. Earth [\[help\]](#)

a. General description of the site:

(underline one): Flat, rolling, hilly, steep slopes, mountainous, other:

The Battle Ground School District is comprised of a variety of topographic land forms and gradients. Specific topographic characteristics of the sites at which the projects included in the Capital Facilities Plan are located will be identified during project-level environmental review when appropriate.

b. What is the steepest slope on the site (approximate percent slope)?

Specific slope characteristics at the sites of the projects included in the Capital Facilities Plan will be identified during project-level environmental review.

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

Specific soil types found at the sites of the projects included in the Capital Facilities Plan will be identified during project-level environmental review when appropriate.

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

Unstable soils may exist within Battle Ground School District. Specific soil limitations on individual project sites will be identified at the time of project-level environmental review when appropriate.

e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.

Individual projects included in the Capital Facilities Plan will be subject when appropriate, to project-level environmental review and local approval at the time of proposal. Proposed grading projects, as well as the purpose, type, quantity, and source of any fill materials to be used will be identified at that time.

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

It is possible that erosion could occur as a result of the construction projects currently proposed in the Capital Facilities Plan. The erosion impacts of the individual projects will be evaluated on a site-specific basis at the time of project-level environmental review when appropriate. Individual project will be subject to local approval processes.

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

The construction projects included in the Capital Facilities Plan will require the construction of impervious surfaces. The extent of any impervious cover constructed will vary with each project included in the Capital Facilities Plan. This issue will be addressed during project-level environmental review when appropriate.

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

The erosion potential of the projects included in the Capital Facilities Plan and appropriate control measures will be addressed during project-level environmental review when appropriate. Relevant erosion reduction and control requirements will be met.

2. Air [\[help\]](#)

a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.

Various emissions, many construction-related, may result from the individual projects included in the Capital Facilities Plan. The air-quality impacts of each project will be evaluated during project-level environmental review when appropriate. Please see the Supplemental Sheet for Nonproject Actions.

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

Any off-site sources of emissions or odor that may affect the individual projects included in the Capital Facilities Plan will be addressed during project-level environmental review when appropriate.

c. Proposed measures to reduce or control emissions or other impacts to air, if any:

The individual projects included in the Capital Facilities Plan will be subject to project-level environmental review and relevant local approval processes when appropriate. The District will be required to comply with all applicable air regulations and air permit requirements. Proposed measures specific to the individual projects included in the Capital Facilities Plan will be addressed during project-level environmental review when appropriate. Please see the Supplemental Sheet for Nonproject Actions.

3. Water [\[help\]](#)

a. Surface Water: [\[help\]](#)

1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

There is a network of surface bodies within the Battle Ground School District. The surface water bodies that are in the immediate vicinity of the projects included in the Capital Facilities Plan, if any, will be identified during project-level environmental review when

appropriate. When necessary, the surface water regimes and flow patterns will be researched and incorporated into the designs of the individual projects.

2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

The projects included in the Capital Facilities Plan may require work near the surface water located within the Battle Ground School District. Applicable local approval requirements will be satisfied.

3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

Information with respect to the placement or removal of fill and dredge material as a component of the projects included in the Capital Facilities Plan will be addressed during project-level environmental review when appropriate. Applicable local regulations will be satisfied.

4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

Any surface water withdrawals or diversions required in connection with the projects included in the Capital Facilities Plan will be addressed during project-level environmental review when appropriate.

5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

Each project included in the Capital Facilities Plan, if located in a floodplain area, will be required to meet applicable local regulations for flood areas.

6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

Specific information regarding the discharge of waste materials that may be required as a result of the projects included in the Capital Facilities Plan will be addressed during project-level environmental review when appropriate. Please see the Supplemental Sheet for Nonproject Actions.

b. Ground Water: [\[help\]](#)

1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

Individual projects included in the Capital Facilities Plan may impact groundwater resources. The impact of the individual projects included in the Capital Facilities Plan on groundwater resources, if any, will be addressed during project-level environmental

review when appropriate. Each project will be subject to applicable local regulations. Please see the Supplemental Sheet for Nonproject Actions.

- 2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.**

The discharges of waste material that may take place in connection with the projects included in the Plan will be addressed during project-level environmental review.

c. Water runoff (including stormwater):

- 1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.**

Individual projects included in the Capital Facilities Plan may have stormwater runoff consequences. Specific information regarding the stormwater impacts of each project will be provided during project-level environmental review when appropriate. Each project will be subject to applicable local stormwater regulations.

- 2) Could waste materials enter ground or surface waters? If so, generally describe.**

The projects included in the Capital Facilities Plan may result in the discharge of waste materials into ground or surface waters. The specific impacts of each project on ground and surface waters will be identified during project-level environmental review when appropriate. Each project will be subject to all applicable regulations regarding the discharge of waste materials into ground and surface waters. Please see the Supplemental Sheet for Nonproject Actions.

- 3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.**

The projects included in the Capital Facilities Plan may affect drainage patterns. The specific impacts projects may have on drainage patterns will be identified and addressed during project-level review. Each project will be subject to all applicable regulations.

d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any:

Specific measures to reduce or control runoff impacts associated with the projects included in the Capital Facilities Plan will be addressed during project-level environmental review when appropriate.

4. Plants [\[help\]](#)

a. Check the types of vegetation found on the site:

_____deciduous tree: alder, maple, aspen, other

- _____evergreen tree: fir, cedar, pine, other
- _____shrubs
- _____grass
- _____pasture
- _____crop or grain
- _____Orchards, vineyards or other permanent crops.
- _____wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
- _____water plants: water lily, eelgrass, milfoil, other
- _____other types of vegetation

A variety of vegetative zones are located within the Battle Ground School District. Inventories of the vegetation located on the sites of the project proposed in the Capital Facilities Plan will be developed during project-level environmental review when appropriate.

b. What kind and amount of vegetation will be removed or altered?

Some of the projects included in the Capital Facilities Plan may require the removal or alteration of vegetation. The specific impacts on vegetation of the project included in the Capital Facilities Plan will be identified during project-level environmental review when appropriate.

c. List threatened and endangered species known to be on or near the site.

The specific impacts to these species from the individual project included in the Capital Facilities Plan will be determined during project-level environmental review when appropriate.

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

Measures to preserve or enhance vegetation at the sites of the projects included in the Capital Facilities Plan will be determined during project-level environmental review when appropriate.

e. List all noxious weeds and invasive species known to be on or near the site.

Noxious weeds and invasive species located on the sites of the projects proposed in the Capital Facilities Plan, if any, will be identified and addressed during project-level environmental review when appropriate.

5. *Animals* [help]

a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site.

Examples include:

birds: hawk, heron, eagle, songbirds, other:

mammals: deer, bear, elk, beaver, other:

fish: bass, salmon, trout, herring, shellfish, other _____

An inventory of species that have been observed on or near the sites of the projects proposed in the Capital Facilities Plan will be developed during project-level environmental review when appropriate.

b. List any threatened and endangered species known to be on or near the site.

Inventories of threatened or endangered species known to be on or near the sites of the project included in the Capital Facilities Plan will be developed during project-level environmental review when appropriate.

c. Is the site part of a migration route? If so, explain.

The impacts of the projects included in the Capital Facilities Plan on migration routes will be addressed during project-level environmental review when appropriate.

d. Proposed measures to preserve or enhance wildlife, if any:

Appropriate measures to preserve or enhance wildlife will be determined during project-level environmental review when appropriate.

e. List any invasive animal species known to be on or near the site.

None known. If invasive animal species are discovered on or near the sites of the projects proposed in the Capital Facilities Plan, they will be addressed during project-level environmental review when appropriate.

6. Energy and Natural Resources [\[help\]](#)

a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

The State Board of Education requires the completion of a life-cycle cost analysis of all heating, lighting, and insulation systems before it will permit specific school projects to proceed. The energy needs of the projects included in the Capital Facilities Plan will be determined during project-level environmental review when appropriate. Please see the Supplemental Sheet for Nonproject Actions.

b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

The impacts of the projects included in the Capital Facilities Plan on the solar potential of adjacent projects will be addressed during project-level environmental review when appropriate.

c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:

Energy conservation measures proposed in connection with the projects included in the Capital Facilities Plan will be considered during project-level environmental review when appropriate.

7. Environmental Health [\[help\]](#)

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe.**

This will be addressed during project-level review.

- 1) Describe any known or possible contamination at the site from present or past uses.**

None known. If contamination is discovered at sites for projects in the Capital Facilities Plan it will be addressed during project-level review.

- 2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.**

None known. If chemicals or conditions are discovered at sites for projects in the Capital Facilities Plan they will be addressed during project-level review.

- 3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.**

This will be addressed during project-level review.

- 4) Describe special emergency services that might be required.**

Please see the Supplemental Sheet for Nonproject Actions.

- 5) Proposed measures to reduce or control environmental health hazards, if any:**

The projects included in the Capital Facilities Plan comply or will comply with all current codes, standards, rules, and regulations. Individual projects will be subject to project-level environmental review and local approval at the time they are developed, when appropriate.

b. Noise

- 1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?**

A variety of noises from traffic, construction, residential, commercial, and industrial areas exist within the Battle Ground School District. The specific noise sources that may affect the projects included in the Capital Facilities Plan will be identified during project-level environmental review when appropriate.

- 2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.**

The projects included in the Capital Facilities Plan may create normal construction noises that will exist on short-term basis only. The construction projects could increase traffic around the construction sites on a short-term basis. None of these potential increases is expected to be significant. Please see the Supplemental Sheet for Nonproject Actions.

- 3) Proposed measures to reduce or control noise impacts, if any:**

The projected noise impacts of the projects included in the Capital Facilities will be evaluated and mitigated during project-level environmental review when appropriate. Each project is or will be subject to applicable local regulations.

8. Land and Shoreline Use [\[help\]](#)

- a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.**

There are a variety of land uses within the Battle Ground School District, including residential, commercial, industrial, institutional, utility, open space, recreational, etc. The Capital Facilities Plan are not expected to affect current land uses on adjacent properties.

- b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?**

Farm or forest uses on property that is developed with schools as generally identified in the Capital Facilities Plan will be identified and described during project-level review. The adoption of the Capital Facilities Plan does not convert use of farm or forest lands.

- 1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how:**

Adoption of the Capital Facilities Plan does not affect surrounding working farm or forest farms. If construction of the facilities identified in the Plan affect surrounding farm or forest land operations, the impacts will be identified and addressed during project-level review.

- c. Describe any structures on the site.**

The structures located on the sites for the projects included in the Capital Facilities Plan will be identified and described during project-level environmental review when appropriate.

- d. Will any structures be demolished? If so, what?**

The structures that will be demolished as a result of the projects included in the Capital Facilities Plan, if any, will be identified during project-level environmental review when appropriate.

e. What is the current zoning classification of the site?

The sites that are covered under the Capital Facilities Plan have a variety of zoning classifications under the applicable zoning codes. Site-specific zoning information will be identified during project-level environmental review when appropriate.

f. What is the current comprehensive plan designation of the site?

Inventories of the comprehensive plan designations for the sites of the projects included in the Capital Facilities Plan will be completed during project-level environmental review when appropriate.

g. If applicable, what is the current shoreline master program designation of the site?

Shoreline master program designations of the sites of the projects included in the Capital Facilities Plan, if any, will be identified during project-level environmental review when appropriate.

h. Has any part of the site been classified as a critical area by the city or county? If so, specify.

Any environmentally sensitive areas located on the sites of the projects included in the Capital Facilities Plan will be identified during project-level environmental review when appropriate.

i. Approximately how many people would reside or work in the completed project?

The Battle Ground School District currently serves over 11,700 students. Enrollment is expected to increase at the elementary school level by 2028.

j. Approximately how many people would the completed project displace?

Any displacement of people caused by the projects included in the Capital Facilities Plan will be evaluated during project-level environmental review when appropriate. However, it is not anticipated that the Capital Facilities Plan, or any of the projects contained therein, will displace any people.

k. Proposed measures to avoid or reduce displacement impacts, if any:

Individual projects included in the Capital Facilities Plan will be subject to project-level environmental review and local approval when appropriate. Proposed mitigating measures will be developed at that time, when necessary.

l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

The compatibility of the specific projects included in the Capital Facilities Plan with existing uses and plans will be assessed as part of the comprehensive planning process and during project-level environmental review when appropriate.

m. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any:

The compatibility of the specific projects in the Capital Facilities Plan with nearby agricultural and forest lands of long-term commercial significance will be assessed during project-level environmental review, where appropriate.

9. Housing [\[help\]](#)

a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

No housing units would be provided in connection with the completion of the projects included in the Capital Facilities Plan.

b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

It is not anticipated that the projects included in the Capital Facilities Plan will eliminate any housing units. The impacts of the projects included in the Capital Facilities Plan on existing housing will be evaluated during project-level environmental review when appropriate. Potential impacts that school impact fees could have on housing are too speculative to quantify or evaluate. Housing has not been eliminated in the past due to school impact fees.

c. Proposed measures to reduce or control housing impacts, if any:

Measures to reduce or control any housing impacts caused by the projects included in the Capital Facilities Plan will be addressed during project-level environmental review when appropriate.

10. Aesthetics [\[help\]](#)

a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

The aesthetic impacts of the projects included in the Capital Facilities Plan will be addressed during project-level environmental review when appropriate.

b. What views in the immediate vicinity would be altered or obstructed?

The aesthetic impacts of the projects included in the Capital Facilities Plan will be addressed during project-level environmental review when appropriate.

c. Proposed measures to reduce or control aesthetic impacts, if any:

Appropriate measures to reduce or control the aesthetic impacts of the projects included in the Capital Facilities Plan will be determined on a project-level basis when appropriate.

11. Light and Glare [\[help\]](#)

a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

The light or glare impacts of the projects included in the Capital Facilities Plan will be addressed during project-level environmental review when appropriate.

b. Could light or glare from the finished project be a safety hazard or interfere with views?

The light or glare impacts of the projects in the Capital Facilities Plan will be addressed during project-level environmental review when appropriate.

c. What existing off-site sources of light or glare may affect your proposal?

Off-site sources of light or glare that may affect the projects included in the Capital Facilities Plan will be evaluated during project-level environmental review when appropriate.

d. Proposed measures to reduce or control light and glare impacts, if any:

Proposed measures to mitigate light and glare impacts will be addressed during project-level environmental review when appropriate.

12. Recreation [\[help\]](#)

a. What designated and informal recreational opportunities are in the immediate vicinity?

There are a variety of formal and informal recreational facilities within the Battle Ground School District.

b. Would the proposed project displace any existing recreational uses? If so, describe.

The recreational impacts of the projects included in the Capital Facilities Plan will be addressed during project-level environmental review when appropriate. The projects included in the Capital Facilities Plan may enhance recreational opportunities and uses.

c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

Adverse recreational effects of the projects included in the Capital Facilities Plan will be subject to mitigation during project-level environmental review when appropriate. School facilities usually provide recreational facilities to the community in the form of play fields and gymnasiums.

13. Historic and cultural preservation [\[help\]](#)

a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers? If so, specifically describe.

There are no known places or objects listed on, or proposed for, such registers for the existing project sites included in the Capital Facilities Plan. The existence of historic and cultural resources on or next to the sites will be addressed in detail during project-level environmental review when appropriate.

- b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.**

There are no known places objects listed on, or proposed for, such registers for the existing project sites included in the Capital Facilities Plan. The existence of historic and cultural resources on or next to the sites will be addressed in detail during project-level environmental review when appropriate.

- c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.**

The methods that are used to assess impacts on cultural and historic resources on or near sites identified for projects in the Capital Facilities Plan will be described during project-level review.

- d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.**

The measures used to avoid, minimize or compensate for loss, changes or disturbances to resources will be developed and described based on features and needs for specific sites during project-level review as appropriate.

14. Transportation [\[help\]](#)

- a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.**

The impact on public streets and highways of the individual projects included in the Capital Facilities Plan will be addressed during project-level environmental review when appropriate.

- b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?**

The relationship between the specific projects included in the Capital Facilities Plan and public transit will be addressed during project-level environmental review when appropriate.

- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate?**

Inventories of parking spaces located at the sites of the projects included in the Capital Facilities Plan and the impacts of specific projects on parking availability will be conducted during project-level environmental review when appropriate.

- d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).**

The need for new streets or roads, or improvements to existing streets and roads will be addressed during project-level environmental review when appropriate.

- e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.**

Use of water, rail or air transportation will be addressed during project-level environmental review when appropriate.

- f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates?**

The traffic impacts of the projects included in the Capital Facilities Plan will be addressed during project-level environmental review when appropriate.

- g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.**

The District does not anticipate that the projects identified in the Capital Facilities Plan will interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area.

- h. Proposed measures to reduce or control transportation impacts, if any:**

The mitigation of traffic impacts associated with the projects included in the Capital Facilities Plan will be addressed during project-level environmental review when appropriate.

15. Public Services [\[help\]](#)

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.**

The District does not anticipate that the projects identified in the Capital Facilities Plan will significantly increase the need for public services.

- b. Proposed measures to reduce or control direct impacts on public services, if any.**

New school facilities will be built with automatic security systems, fire alarms, smoke alarms, heat sensors, and sprinkler systems.

16. Utilities [\[help\]](#)

a. Circle utilities currently available at the site:

Electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other _____

Electricity, natural gas, water, refuse service, telephone, and sanitary sewer utilities may be available at the sites of the projects included in the Capital Facilities Plan. The types of utilities available at specific project sites will be further addressed in more detail during project-level environmental review when appropriate.

b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

Utility revisions and construction needs will be identified during project-level environmental review when appropriate.

C. Signature [\[HELP\]](#)

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: _____

Name of signee _____

Position and Agency/Organization _____

Date Submitted: _____

Michelle Scott

Michelle Scott

CFO, Bath Ground Public Schools

6/27/2022

D. Supplemental sheet for nonproject actions [\[HELP\]](#)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

To the extent the Capital Facilities Plan makes it more likely that school facilities will be constructed, some of the environmental impacts will be more likely. Additional impermeable surfaces, such as roofs, access roads, and sidewalks could increase stormwater runoff, which could enter surface or ground waters. Heating systems, emergency generators, and other school equipment that are installed pursuant to the Capital Facilities Plan could result in air emissions. The projects included in the Capital Facilities Plan should not require the production, storage, or release of toxic or hazardous substances, with the possible exception of the storage of diesel fuel or gasoline for emergency generating equipment. The District does not anticipate a significant increase in the production of noise from its facilities, although some of the projects included in the Capital Facilities Plan will increase the District's student capacities.

Proposed measures to avoid or reduce such increases are:

Proposed measures to mitigate any such increases described above will be addressed during project-level environmental review when appropriate. Stormwater detention and runoff will meet applicable County and/or City requirements and may be subject to National Pollutant Discharge Elimination System ("NPDES") permitting requirements. Discharges to air will meet applicable air pollution control requirements. Fuel oil will be stored in accordance with local and state requirements.

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

The Capital Facilities Plan itself will have no impact on these elements of the environment. The projects included in the Capital Facilities Plan may require clearing of the plants off of the project sites and a loss to animal habitat. These impacts will be addressed in more detail during project-level environmental review when appropriate. The projects included in the Plan are not likely to generate significant impacts on fish or marine life.

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

Specific measures to protect and conserve plants, animals, and fish cannot be identified at this time. Specific mitigation proposals will be identified, however, during project-level environmental review when appropriate.

3. How would the proposal be likely to deplete energy or natural resources?

The construction of the projects included in the Capital Facilities Plan will require the consumption of energy.

Proposed measures to protect or conserve energy and natural resources are:

The projects included in the Capital Facilities Plan will be constructed in accordance with applicable energy efficiency standards and in accordance with high-performance building standards.

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

The Capital Facilities Plan and individual projects contained therein should have no impact on these resources.

Proposed measures to protect such resources or to avoid or reduce impacts are:

Appropriate measures will be proposed during project-level environmental review when appropriate. Updates of this Plan will be coordinated with the local jurisdictions identified above as part of the Growth Management Act process, one of the purposes of which is to protect environmentally sensitive areas. To the extent the District's facilities planning process is part of the overall growth management planning process, these resources are more likely to be protected.

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

The Capital Facilities Plan will not have any impact on land or shoreline use that is incompatible with existing comprehensive plans, land use codes, or shoreline management plans. The District does not anticipate that the Capital Facilities Plan or the projects contained therein will directly affect land and shoreline uses in the area served by the District.

Proposed measures to avoid or reduce shoreline and land use impacts are:

No measure to avoid or reduce land use impacts results from the Capital Facilities Plan or the projects contained therein are proposed at this time.

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

The construction projects included in the Capital Facilities Plan may create temporary increases in the District's need for public services and utilities. New or expanded facilities may increase the District's demands on transportation and utilities. These increases are not expected to be significant.

Proposed measures to reduce or respond to such demand(s) are:

No measures to reduce or respond to such demands are proposed at this time.

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

The Capital Facilities Plan will not conflict with any laws or requirement for the protection of the environment.

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Notice Publish Date:

Monday, June 27, 2022

Notice Content

DETERMINATION OF NONSIGNIFICANCE Issued with a 14-day comment period Description of Proposal: This threshold determination analyzes the environmental impacts associated with the following action: The amendment of the Clark County, Vancouver, Battle Ground and Yacolt Comprehensive Plans to include the Battle Ground School Districts Capital Facilities Plan 2022-2028 as part of the Capital Facilities Element of each jurisdictions Comprehensive Plan. Proponent: Battle Ground School District No. 119 Location of the Proposal: Battle Ground School District, Washington Lead Agency: Battle Ground School District No. 119 Reviewing Agencies: Clark County, Washington, the cities of Vancouver and Battle Ground, and the Town of Yacolt The lead agency for this proposal has determined that the proposal does not have a probable significant adverse environmental impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after a review of the completed environmental checklist and other information on file with the lead agency. This information is available to the public upon request. This Determination of Nonsignificance (DNS) is issued under WAC 197-11-340(2). The lead agency will not act on this proposal for 14 days from the date of issue and until after review and approval of the Proposal by the Reviewing Agencies. Comments must be submitted by July 12, 2022. The responsible official will reconsider the DNS based on timely comments and may retain, modify, or, if significant adverse impacts are likely, withdraw the DNS. If the DNS is retained, it will be final after the expiration of the comment deadline. Responsible Official: Denny Waters Superintendent Battle Ground School District No. 119 Telephone: 360-885-5300 Address: Battle Ground School District No. 119 11104 N.E. 149th Street, Brush Prairie, WA 98606 Date Published: June 28, 2022 Date of Issue: June 28, 2022 June 28 - 701730

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STATE OF WASHINGTON
DEPARTMENT OF COMMERCE
1011 Plum Street SE • PO Box 42525 • Olympia, Washington 98504-2525 • (360) 725-4000
www.commerce.wa.gov

06/15/2022

Ms. Jenna Kay
Planner III
Clark County
1300 Franklins Street
Post Office Box 9810
Vancouver, WA 98666-9810

Sent Via Electronic Mail

Re: Clark County--2022-S-4054--60-day Notice of Intent to Adopt Amendment

Dear Ms. Kay:

Thank you for sending the Washington State Department of Commerce (Commerce) the 60-day Notice of Intent to Adopt Amendment as required under [RCW 36.70A.106](#). We received your submittal with the following description.

Proposed comprehensive plan amendment to incorporate by reference the modified Battle Ground School District Capital Facilities Plan and collect the recommended school impact fees.

We received your submittal on 06/15/2022 and processed it with the Submittal ID 2022-S-4054. Please keep this letter as documentation that you have met this procedural requirement. Your 60-day notice period ends on 08/14/2022.

We have forwarded a copy of this notice to other state agencies for comment.

Please remember to submit the final adopted amendment to Commerce within ten days of adoption.

If you have any questions, please contact Growth Management Services at reviewteam@commerce.wa.gov, or call Catherine McCoy, (360) 280-3147.

Sincerely,

Review Team
Growth Management Services



Staff Report

TO: Clark County Planning Commission
FROM: Oliver Orjiako, Director *Oliver Orjiako*
PREPARED BY: Jenna Kay, Planner III
DATE: August 18, 2022
SUBJECT: CPZ2022-00001 Battle Ground School District Capital Facilities Plan 2022-2028

PROPOSED ACTION

The Battle Ground School District Board of Directors has modified its capital facilities plan. The district is requesting that Clark County formally adopt the plan by reference in the 20-year Clark County Comprehensive Growth Management Plan and collect the recommended school impact fees.

BACKGROUND

Chapter 36.70A of the Revised Code of Washington (RCW) enables school districts to develop capital facilities plans and impact fee programs for new residential developments in order to offset the impacts of growth on school facilities. It further requires these plans and programs be reviewed and approved as part of the county and city comprehensive plans in which the school district is located.

The minimum requirements of a school district's capital facilities plan are defined in RCW 36.70A.070(3) and Clark County Code (CCC) 40.620.030(A). A school district requesting impact fees shall submit to the county, and update at least every four (4) years, a capital facilities plan adopted by the school board and consisting of the following elements:

- A standards of service description,
- An inventory of existing facilities,
- A forecast of future needs,
- Proposed locations and capacities of expanded or new facilities,
- A six-year financing plan, and,
- Application of the impact fee formula set out in CCC 40.620.040.

School district capital facility plans typically include multiple funding sources: "Depending on district eligibility, districts pay for a portion of the costs of capital facilities with funds provided by the State of Washington through the Common School Construction Fund. The remaining capital expenses must be raised locally, through the passage of bond levies (which raise the property taxes of all residential property owners within a particular district) and/or impact fees

(which apply to new residential construction with the district).” [Clark County 20-Year Comprehensive Growth Management Plan 2015-2035 (2015-2035 Plan), pp. 234-235].

The Battle Ground School District Board of Directors adopted a modified capital facilities plan on May 23, 2022. A copy of Resolution No. C-22 and the updated plan with impact fee calculations are attached as Exhibits A and B, respectively. The School District Board of Directors recommends that Clark County formally adopt the plan and collect school impact fees as follows:

| | Existing Fee | Proposed Fee | % Change |
|-------------------------|--------------|--------------|----------|
| Single Family Residence | \$6,397 | \$10,760 | +68% |
| Multi Family Residence | \$2,285 | \$3,845 | +68% |

SUMMARY OF PUBLIC INVOLVEMENT PROCESS

The school district published a Notice of Determination of Non-Significance under SEPA in the Columbian newspaper on June 28, 2022. Sixty-day notification was sent to the Department of Commerce on June 15, 2022 under RCW 36.70A.106. The Planning Commission held a work session on August 4, 2022. A legal notice was published for the August 18, 2022 Planning Commission hearing.

All public comments are included in the Planning Commission Hearing materials packet.

APPLICABLE CRITERIA, EVALUATION, AND FINDINGS

Criterion A: The Plan Amendment Procedures in CCC 40.560.010(M)(1) states the county shall review capital facilities plan and updates at a minimum every four (4) years in Type IV public hearings for those facilities subject to county jurisdiction. In updating capital facilities plans, policies and procedures, the county must determine that these updates are consistent with applicable provisions of the GMA and WAC, and policies and implementation measures of the comprehensive plan, and in conformance with the purposes and intent of the applicable interjurisdictional agreements.

Growth Management Act (GMA)

GMA provisions that apply to the proposed action include: RCW 36.70A.020, RCW 36.70A.070(3), RCW 82.02.050, WAC 365-196-415 and WAC 365-196-850.

RCW 36.70A.020 Planning goals.

The GMA goals set the general direction for the county in adopting its framework plan and comprehensive plan policies. The GMA includes fourteen overall goals. The goals are not listed in order of priority. Goals applicable to the proposed action include:

- Goal 1. Urban growth. “Encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner.” [RCW 36.70A.020(1)].
- Goal 12. Public facilities and services. “Ensure that those public facilities and services necessary to support development shall be adequate to serve the development at the

time the development is available for occupancy and use without decreasing current service levels below locally established minimum standards” [RCW 36.70A.020(12)].

RCW 36.70A.070(3) Comprehensive plans – Mandatory elements and WAC 365-196-415 Capital facilities element.

These statutes describe the mandatory requirements of the capital facilities element in the comprehensive plan including an inventory of existing facilities, a forecast of future needs, the proposed locations and capacities of expanded or new facilities, and at least a six-year financing plan.

RCW 82.02.050 Impact fees-Intent-Limitations and WAC 365-196-850 Impact fees.

These statutes authorize counties planning under GMA to impose impact fees as part of the financing for public facilities, including school facilities.

The elements of the above-noted GMA statutes that apply to this proposal include:

- RCW 82.02.050(2) and WAC 365-196-850(1): Counties, cities, and towns that are required or choose to plan under RCW 36.70A.040 are authorized to impose impact fees on development activity as part of the financing for public facilities, provided that the financing for system improvements to serve new development must provide for a balance between impact fees and other sources of public funds and cannot rely solely on impact fees.
- RCW 82.02.050(4) and WAC 365-196-850(2): The impact fees: (a) shall only be imposed for system improvements that are reasonably related to the new development; (b) shall not exceed a proportionate share of the costs of system improvements that are reasonably related to the new development; and (c) shall be used for system improvements that will reasonably benefit the new development.
- RCW 82.02.050(5)(a) and WAC 365-196-850(4): Capital facilities for which impact fees will be imposed must have been addressed in a capital facilities plan element which identifies: (a) deficiencies in public facilities serving existing development and the means by which existing deficiencies will be eliminated within a reasonable period of time; (b) additional demands placed on existing public facilities by new development; and (c) additional public facility improvements required to serve new development.

Finding: The Battle Ground School District serves both rural and urban areas. The capital facilities plan identifies current and planned facility locations. The undeveloped land identified in the plan for development includes land located within the Battle Ground and Vancouver urban growth boundaries, land within a rural center, and land in the surrounding rural area. Due to the rural and urban nature of the school district, the land identified for future facility locations are consistent with Goal 1.

Finding: The capital facilities plan identifies future needs to provide the school district's standard of service, consistent with Goal 12.

Finding: The capital facilities plan includes the required elements and information listed in RCW 36.70A.070(3) and WAC 365-196-415 and is consistent with the land use and capital facilities elements of the comprehensive plan.

Finding: Bond proceeds, state funding assistance and impact fees make up the funding sources in the capital facilities financing plan. The plan does not rely solely on impact fees to fund facility needs related to growth and provides for a balance between impact fees and other sources of public funds. The financing plan is consistent with RCW 82.02.050(2) and WAC 365-196-850(1).

Finding: The capital facilities plan calculated impact fees in accordance with the local jurisdictions' formula (see Exhibit B, p. 17), which is based on school facility costs to serve new growth. The proposed impact fees are based on the district's cost per dwelling unit for the improvements identified in the plan to serve new development. Credits have been applied in the formula to account for state match funds the district could receive and for current school district capital property tax levies that are paid by the owner of the dwelling unit. Since the design of the impact fee formula takes into account the share of the costs of system improvements that are reasonably related to the new development, and the formula was applied correctly, then the impact fees are consistent with RCW 82.02.050(4) and WAC 365-196-850(2).

Finding: The proposed impact fees are calculated based on planned improvements and facility needs as identified in the capital facilities plan, consistent with WAC 365-196-850(4) and RCW 82.02.050(5)(a).

Community Framework Plan

The Community Framework Plan (Framework Plan) provides guidance to local jurisdictions on regional land use and service issues. Community Framework Plan policies applicable to this proposal include the following:

- 6.1.0 Major public and private expenditures on facilities and services (including libraries, schools, fire stations, police, parks and recreation) are to be encouraged first in urban and rural centers. [2015-2035 Plan, p. 18].
- 6.1.1 Establish level-of-service standards for capital facilities in urban and rural areas. [2015-2035 Plan, p. 18].
- 6.1.2 Coordinate with service providers to identify the land and facility requirements of each and ensure that sufficient land is provided in urban and rural areas to accommodate these uses. [2015-2035 Plan, p. 18].

Finding: The school district serves both urban and rural areas. The capital facilities plan identifies current and planned facility locations. Due to the urban and rural nature of the school district, the facility locations are consistent with policy 6.1.0.

Finding: The capital facilities plan identifies level of service standards for each type of school, consistent with policy 6.1.1.

Finding: The capital facilities plan identifies facility and land needs to accommodate forecasted growth, consistent with policy 6.1.2.

Countywide Planning Policies

The GMA, in RCW 36.70A.210, requires counties and cities to collaboratively develop Countywide Planning Policies (CWPP) to govern the development of comprehensive plans. WAC 365-196-305(1) states that "the primary purpose of CWPP is to ensure consistency between comprehensive plans of counties and cities sharing a common border or related

regional issues. Another purpose of the CWPP is to facilitate the transformation of local governance in the urban growth areas, typically through annexation to or incorporation of a city, so that urban governmental services are primarily provided by cities and rural and regional services are provided by counties.” The Countywide Planning Policies applicable to this proposal include the following:

- 6.0.2 Plans for providing public facilities and services shall be coordinated with plans for designation of urban growth areas, rural uses and for the transition of undeveloped land to urban uses. [2015-2035 Plan, p. 182].
- 6.0.8 General and special purpose districts should consider the establishment of impact fees as a method of financing public facilities required to support new development. [2015-2035 Plan, p. 183].
- 10.1.1 The county and each city shall give full consideration to the importance of school facilities and encourage development of sustainable learning environments through the adoption and implementation of county and city comprehensive land use plan policies and development regulations. [2015-2035 Plan, p. 238].
- 10.1.6 Encourage jurisdictions to cooperate in planning and permitting school facilities through land use policies and regulations that minimize the financial burden associated with developing school facilities. [2015-2035 Plan, p. 239].

Finding: The Capital Facilities Plan states that one of the most significant issues facing the District in terms of providing classroom capacity to accommodate existing and projected demands is “the continued expansion of the Urban Growth Boundaries in Clark County and the resulting increase in students.” The Capital Facilities Plan considers growth data and information, consistent with CWPP 6.0.2.

Finding: The financing plan includes school impact fees as one element of financing capital facilities that will support new development, consistent with CWPP 6.0.8.

Finding: The Capital Facilities Plan identifies school facility needs based on growth projections for the district and consistent with the school district’s service standards. This proposal to request adoption of the updated capital facilities plan into the county comprehensive land use plan would be in alignment with CWPP 10.1.1.

Finding: The school district’s financing plan includes secured impact fee proceeds and unsecured bonds, state match funds, and impact fees. The finance plan is consistent with CWPP 10.1.6.

Clark County 20-Year Comprehensive Growth Management Plan 2015-2035

The 2015-2035 Plan contains many policies that guide schools. The most relevant goals and policies applicable to this application are as follows:

“Goal: Require new development that places added demands on school facilities to pay a portion of the cost for school facilities through impact fees or other alternative mechanisms authorized by State Law.

- 10.5.1 Provide for the use of School Impact Fees as a funding source for school capital facilities.

- 10.5.2 Capital Facilities Plans for school districts of Vancouver, Evergreen, Battle Ground, Camas, Washougal, Ridgefield, Hockinson, Evergreen and Green Mountain shall be adopted by reference through the adoption of the 20-Year Comprehensive Plan.” [2015-2035 Plan, p. 241].

Finding: The school district’s capital facilities finance plan includes school impact fees as one funding source for capital improvements, consistent with policy 10.5.1.

Finding: This proposal is to request adoption by reference of the Capital Facilities Plan into the 20-year Comprehensive Plan, consistent with policy 10.5.2.

Conclusion: The proposal meets criterion A.

Criterion B: The planning commission shall review a school district’s capital facilities plan or plan update in accordance with the provisions of CCC 40.620.030(B). The code specifies that the planning commission shall consider:

- **Whether the district’s forecasting system for enrollment projections appears reasonable and reliable; and**
- **Whether the anticipated level of state and voter-approved funding appears reasonable and historically reliable; and**
- **Whether the standard of service set by the district is reasonably consistent with standards set by other school districts in communities of similar socioeconomic profile; and**
- **Whether the district appropriately applied the formula set out in CCC 40.620.040.**

Finding: The District’s enrollment projections are based on enrollment trends prior to Covid19 pandemic. Thus, the district’s enrollment projections appear reasonable and reliable.

Finding: The district’s anticipated funding levels are based upon historic state funding levels and other voter-approved funding measures. Thus, the district’s anticipated funding levels appear reasonable and reliable.

Finding: The standard of service appears to be reasonably consistent with the other school districts in Clark County.

Finding: Exhibit B, p. 17 off the Capital Facilities Plan shows the calculations of the school impact fees. The district appropriately applied the formula set out in CCC 40.620.040 during this 2022 review cycle. The calculations show the impact fees are based on calculations of children per household by housing type. For this analysis, this is the acceptable method for projected school facilities with all costs resulting in an impact fee amount per unit by housing type. School impact fees are not assessed on commercial and industrial development. Based on the formula in CCC 40.620.040, the maximum allowable fee amounts for the Battle Ground School District are \$11,535.60 for single-family and \$4,963.29 for multi-family residences. The proposed fees of \$10,760 for single-family and \$3,845 for multi-family are within these limits.

Conclusion: The proposal meets criterion B.

RECOMMENDATION AND CONCLUSIONS

Based on the information provided, and the analysis presented in this report, staff recommends the Planning Commission forward a recommendation of **APPROVAL** to the Clark

County Council of the proposed Battle Ground School District Capital Facilities Plan and impact fees of \$10,760 for single family and \$3,845 for multi-family.

RECOMMENDATION SUMMARY

The following table lists the applicable criteria and summarizes the findings of the staff report. The Planning Commission findings will be added to the table after public deliberation at the Planning Commission hearing scheduled for this application.

| COMPLIANCE WITH APPLICABLE CRITERIA | | |
|--|-----------------------|------------------------------|
| Criteria Met? | | |
| | Staff Report Findings | Planning Commission Findings |
| Criteria for Proposed Changes | | |
| A. Consistency with the GMA and the Clark County Comprehensive Plan per CCC 40.560.010.M.1 | Yes | |
| B. Consistency with CCC 40.620.030 School Impact Fee – Capital Facilities Plan | Yes | |
| Recommendation: Approval | | |



Town of Yacolt Request for Council Action

CONTACT INFORMATION FOR PERSON/GROUP/DEPARTMENT REQUESTING COUNCIL ACTION:

Name: David W. Ridenour, Town Attorney **Group Name:** Staff
Address: 202 W. Cushman St. **Phone:** (360) 991-7659
P.O. Box 160
Yacolt, WA 98675
Email Address: david@davidridenourlaw.com **Alt. Phone:** Town Clerk (360) 686-3922

ITEM INFORMATION:

Item Title: Interlocal Agreement with the Battle Ground School District for Handling School Impact Fees.

Proposed Meeting Date: September 12, 2022.

Action Requested of Council: Review proposed Interlocal Agreement with the Battle Ground School District, with associated Resolution authorizing the Mayor to execute the Agreement.

Proposed Motion: None.

Summary/ Background: The Town of Yacolt has collected school impact fees for the Battle Ground School District since 1994, when it adopted Ordinance #352, (now YMC 3.15). School impact fees are assessed by the Town on new residential construction projects, and then distributed to the School District for planning and funding the construction costs of new school facilities.

When the Town's building permit services were provided by Clark County, the County assumed responsibility for collecting and distributing school impact fees on construction projects within the Town. Now that the Town is responsible for its own building permit services, it is appropriate and helpful for the Town and the School District to enter into an agreement that explains the rights, obligations, and expectations of the parties.

The attached draft Agreement has been prepared by the attorneys for the parties, but does not represent a final draft that both attorneys have agreed upon for review by the parties. The draft is included in your meeting packets so that the Town Council may consider changes that it

would like to propose. The School District is doing the same. Thus, the drafts are presented for review and comment by the Council, with final action to be taken at a future meeting of the Council.

Attachments:

A draft Resolution and the proposed Interlocal Agreement are attached.

Staff Contact(s):

Stephanie Fields, Town Clerk.

Katelyn Listek, Mayor of Yacolt.

David W. Ridenour, Town Attorney

**A RESOLUTION OF THE TOWN COUNCIL OF YACOLT, WASHINGTON,
AUTHORIZING THE EXECUTION OF AN INTERLOCAL AGREEMENT BETWEEN THE
TOWN OF YACOLT AND BATTLE GROUND SCHOOL DISTRICT #119 FOR THE
COLLECTION, DISTRIBUTION, AND EXPENDITURE OF SCHOOL IMPACT FEES**

Whereas, the Town of Yacolt, (hereafter “*Yacolt*” or “*Town*”), is obligated to adopt development regulations that implement its Comprehensive Growth Management Plan and ensure compliance with the requirements of RCW 36.70A of the Growth Management Act;

Whereas, the Washington State Legislature passed RCW 82.02 which authorizes the Town to collect school impact fees on new growth and development activity for the purpose of having that new growth and development pay a proportionate share of the costs of new facilities that are required because of that new growth and development;

Whereas, on or about May 3, 1994, the Yacolt Town Council adopted Ordinance No. 352, now codified at Article I of Chapter 3.15 of the Yacolt Municipal Code, creating a program for the assessment and collection of school impact fees on appropriate residential construction within the Town;

Whereas, since the adoption of its school impact fee program, the Town has collected and continues to collect school impact fees on behalf of the Battle Ground School District #119, (“*District*”);

Whereas, the Town and the District desire to enter into an Agreement, pursuant to and in accordance with the Interlocal Cooperation Act, Chapter 39.34 RCW, to describe the terms by which the parties will administer and distribute authorized school impact fees;

Whereas, the Town Council of Yacolt has determined that it is in the public interest to authorize the Mayor of Yacolt to execute the Interlocal Agreement between the Town and the District attached as Exhibit A hereto, (“*Agreement*”); and,

Whereas, the Town Council of the Town of Yacolt is in regular session this 12th day of September, 2022, and all members of the Town Council have had notice of the time, place, and purpose of said meeting:

NOW THEREFORE, be it Resolved by the Town Council of the Town of Yacolt, Washington, as follows:

Section 1 - Approval of Agreement: The Interlocal Agreement between the Town of Yacolt and the Battle Ground School District #119, a copy of which is attached hereto as Exhibit A and incorporated herein by this reference, is hereby accepted and approved by the Town Council. The Mayor of the Town of Yacolt is hereby authorized to execute the Agreement between the Battle Ground School District and the Town of Yacolt in a form substantially similar to Exhibit A, for and on behalf of the Town of Yacolt.

Section 2 - Reservation of Authority: The Town Council reserves all lawful authority to approve capital facilities plans, plan updates, school impact fees adopted and proposed by the District, and other elements of YMC 3.15 over which the Council has discretion and authority.

Section 3 - Filing of Agreement: An executed original of the Agreement shall be filed with the Clark County Auditor or published and filed in any other manner that satisfies the filing requirements of RCW 39.34.040.

Section 4 - Effective Date: This Resolution shall be effective immediately upon adoption by the Town Council in accordance with law. The Town Clerk is directed to publish notice of the adoption of this Resolution in the Town's official newspaper by publishing the following summary:

Town of Yacolt - Summary of Resolution # [REDACTED]

The Town Council of the Town of Yacolt adopted Resolution # [REDACTED] at a regular meeting of the Town Council held on September 12, 2022. The content of the Resolution is summarized in its title as follows: "A Resolution of the Town Council of Yacolt, Washington, Authorizing the Execution of an Interlocal Agreement Between the Town of Yacolt and Battle Ground School District #119 for the Collection, Distribution, and Expenditure of School Impact Fees".

The effective date of the Resolution is September 12, 2022. A copy of the full text of the Resolution will be mailed upon request to the undersigned at the Yacolt Town Hall, P.O. Box 160, Yacolt, WA 98675: (360) 686-3922.

Published this 21st day of September, 2022.
Yacolt Town Clerk.

Resolved by the Town Council of the Town of Yacolt, Washington, at a regular meeting thereof this 12th day of September, 2022.

TOWN OF YACOLT

DRAFT

Katelyn J. Listek, Mayor

Attest:

DRAFT

Stephanie Fields, Town Clerk

Approved as to Form:

DRAFT

David W. Ridenour, Town Attorney

Ayes: _____
Nays: _____
Absent: _____
Abstain: _____

TOWN CLERK'S CERTIFICATION

I hereby certify that the foregoing Resolution is a true and correct copy of Resolution # [REDACTED] of the Town of Yacolt, Washington, entitled "A Resolution of the Town Council of Yacolt, Washington, Authorizing the Execution of an Interlocal Agreement Between the Town of Yacolt and Battle Ground School District #119 for the Collection, Distribution, and Expenditure of School Impact Fees" as approved according to law by the Yacolt Town Council on the date therein mentioned.

Attest:

DRAFT

Stephanie Fields, Town Clerk

Published: September 21, 2022
Effective Date: September 12, 2022
Resolution Number: [REDACTED]

DRAFT

INTERLOCAL AGREEMENT BETWEEN THE BATTLE GROUND SCHOOL DISTRICT #119 AND THE TOWN OF YACOLT FOR THE COLLECTION, DISTRIBUTION, AND EXPENDITURE OF SCHOOL IMPACT FEES

THIS INTERLOCAL AGREEMENT (“*Agreement*”) is by and between the Town of Yacolt, a Washington municipal corporation, (“*Town*” or “*Yacolt*”), and Battle Ground School District No. 119, a Washington municipal corporation, (“*District*”). The Town and the District are collectively referred to as the “*Parties*”.

RECITALS

Whereas, the Washington State Legislature passed the Growth Management Act of 1990 and 1991, Chapter 36.70A RCW, *et seq.* and Chapter 82.02 RCW, *et seq.*, (“*Act*”), which authorizes the collection of impact fees on new growth and development activity for the purpose of having that new growth and development pay a proportionate share of the costs of new facilities required based on that new growth and development;

Whereas, the Act requires that impact fees may only be collected for public facilities which are addressed by a capital facilities element of a comprehensive land use plan;

Whereas, on or about May 3, 1994, the Yacolt Town Council adopted Ordinance No. 352, now codified at Article I of Chapter 3.15 of the Yacolt Municipal Code, (“*YMC*”), for the purposes of implementing the Act for the collection of school impact fees;

Whereas, on August 15, 2016, the Yacolt Town Council adopted Ordinance No. 545, now codified at Article III of Chapter 3.15 of the YMC, for the purposes of implementing a program for the deferral of certain impact fees as required by Section 82.02.050 RCW;

Whereas, the Town has collected and continues to collect school impact fees on behalf of the District;

Whereas, the District periodically prepares capital facilities plans in compliance with the Act for adoption by the District’s School Board;

Whereas, the District has provided to the Town a copy of its Capital Facilities Plan for 2022-2028, adopted May 23, 2022, (“*CFP*”), for consideration and incorporation as a sub-element to the Town’s Comprehensive Plan, based on the need for additional facilities as identified by the District;

Whereas, the Town’s authority to collect and distribute current and future school impact fees is contingent upon the Town’s adoption of the District’s CFP; and,

Whereas, the Town and the District desire to enter into this Agreement under the terms and conditions provided below pursuant to and in accordance with the Interlocal Cooperation Act, Chapter 39.34 RCW, for the purposes of administering and distributing authorized school impact fees:

NOW THEREFORE, in consideration of the mutual promises herein, the Parties agree as follows:

AGREEMENT

- 1. GENERAL AGREEMENT.** The Town and the District agree to comply with the terms of this Agreement which govern the collection, distribution, and expenditure of school impact fees.

2. **RESPONSIBILITIES OF THE DISTRICT.** The District, by and through its employees, agents, and representatives, agrees to:
- 2.1 Generally. Comply with Chapter 82.02 RCW, as written or hereafter amended, YMC 3.15, as written or hereafter amended, and with all applicable laws regarding school district impact fees, including without limitation all requirements regarding capital facilities plans, school impact fee schedules, impact fee limitations, use of funds, and refunds.
- 2.2 Submit Capital Facilities Plans for Town Review. Upon the adoption of any capital facilities plan or any update to a previously adopted plan, but in no event later than every six years, the District shall submit to the Town a six-year capital facilities plan or an update to a previously adopted plan, together with a school impact fee schedule and calculations, which meets the requirements of the Act and YMC 3.15 on or before December 1 of the year it is submitted. *[LeAnne – Should this be earlier in the year? Many Interlocal Agreements for SIFs that I’ve seen use April 1. I’ve seen some use May, June or July 1, but I have not seen one go later than that... Does “the year it is submitted” mean the first year the plan is supposed to be effective? If so, the plan is going out for review a year late, isn’t it? (I may be mis-reading or misunderstanding this.) I also think we should break out the target date in a separate sentence...]*
- 2.3 Establish Fund for Deposit of Impact Fees. Authorize Clark County, as Treasurer for the District, to establish a District Impact Fee Fund as a sub-fund of the District’s Capital Projects Funds in which impact fee revenues and interest revenues will be deposited. The fund shall be an interest-bearing fund, and such interest received shall be invested in a manner consistent with the investment policies of the District. The District authorizes the Town to collect school impact fees on behalf of the District and to deposit the impact fees into the District’s Impact Fee Fund described herein. *[LeAnne – Where it says “interest received” shall be invested, don’t we mean to say that the “school impact fees received” shall be invested?]*
- 2.4 Expenditure of Impact Fees. Expend impact fee revenues provided to the District under this Agreement, and all interest proceeds on such revenues, solely for expenditures authorized by Chapter 82.02 RCW, as written or hereafter amended, and by YMC 3.15, as written or hereafter amended, related to facilities identified in the District’s CFP and future updates as adopted by the Town as a sub-element of the capital facilities element of the Town’s Comprehensive Plan.
- 2.5 Annual Report. Prepare a report sufficient to satisfy the requirements of RCW 82.02.070(1), as it exists or may be amended, and submit such report to the Town on or before April 1 of each year, showing the source and amount of all moneys collected, earned or received, and system improvements that were financed in whole or in part by school impact fees. Each District annual report shall be sent to the Town on or before April 1 of each year for the preceding calendar year. *[LeAnne – dates are open for discussion of course.]*
- 2.6 Refunds of Impact Fees. Refund impact fees and interest earned on impact fees which have been disbursed to the District’s Impact Fee Fund when a refund is required under applicable law and documentation in support of such refund, as may be reasonably required by the District, is provided by the Town. Examples of situations where a refund may be required include, without limitation, (1) when the proposed development activity does not proceed and no impact to the District has resulted, unless the District determines that it has

expended or encumbered the fees in good faith prior to the application for a refund, (2) when the impact fees or interest earned on impact fees are not expended or encumbered within the time limits established by law, or (3) when the school impact fee program is terminated.

2.7 Assistance to the Town. Reasonably participate and assist with decisions and actions involving impact fee assessments, credits, appeals, refunds, deferrals, collections and other matters that may arise during the term of this Agreement. Assistance to the Town may include, where reasonably necessary, providing District witnesses or information at the District's expense to defend any administrative or other appeal or challenge of YMC 3.15 or this Agreement.

2.8 Record Keeping. Maintain all accounts and records necessary to ensure proper accounting for all impact fee funds and compliance with this Agreement, the Act, and YMC 3.15, as amended.

3. **RESPONSIBILITIES OF THE TOWN.** The Town, by and through its employees, agents, and representatives, agrees to:

3.1 Review New Capital Facilities Plans. Timely review and take action on the District's CFP, updates to the District's capital facilities plans, and revised impact fee schedules and calculations, consistent with the requirements of Chapter 82.02 RCW, as amended, and YMC 3.15, as amended.

3.2 Collect School Impact Fees. Assess and collect school impact fees pursuant to the District's then current capital facilities plan, as adopted by the Town, and Chapter 3.15 of the Yacolt Municipal Code, as written or hereafter amended, before the issuance of permits as set forth in YMC 3.15.030, unless collection of the school impact fee is deferred pursuant to YMC 3.15, Article III, (Deferral of Impact Fees).

3.3 Segregation of School Impact Fees Collected. Deposit all school impact fees collected on behalf of the District in a Town Fund specifically identified and reserved for the District. Funds received by the Town and attributed to school impact fees which are paid under protest shall not be available for transfer to the District, and shall be held by the Town or County, as is applicable, until the matter underlying said protest has been resolved pursuant to YMC 3.15.060, (Appeals), at which time said impact fees paid under protest shall be distributed according to the resolution of said protest.

3.4 Transfer School Impact Fees to the District. Transfer school impact fees and associated interest earned from the Town's Fund to the Clark County Treasurer for the benefit of the District Impact Fee Fund. The Town shall endeavor to transfer the school impact fees on a monthly basis, on or before the fifteenth of each month, for school impact fees collected during the preceding calendar month.

3.5 Monthly Reports. Distribute reports monthly to the District on the amount of impact fees collected, the person or entity who paid the fees, a description of the property where the development paying the fees is located, the permit number(s) associated with each payment, the interest attributed to the District that month for each contribution, and the name of any project/development and the number and type of units for which school impact fees were paid under protest pursuant to YMC 3.15.060, (Appeals), and the corresponding amount of school impact fees paid under protest.

- 3.6 Review Exemptions. Determine whether exemptions from the payment of impact fees should be made pursuant to YMC 3.15.030-040.
- 3.7 Review Credits and Adjustments. Review any request for credits and/or adjustments as to the required impact fees pursuant to Sections 82.02.060(3), (4), and (5) RCW, as amended, or YMC 3.15.050, as amended, and, in consultation with the District, determine the credits and/or adjustments as to the school impact fees due, if any, and provide the District with documentation and a written decision regarding the same.
- 3.8 Assist the District's Research. Cooperate with the District and assist the District in determining student generation factors of new developments and/or other demographic and development information.
4. **ADMINISTRATIVE FEES.** To cover the Town's administrative costs in collecting and depositing impact fee revenue into the applicable fund, generating monthly and annual reports as required herein, and generally undertaking all appropriate accounting measures, the District agrees to pay to the Town, upon receipt of an acceptable invoice, a flat fee of Ten Dollars, (\$10.00), per month for the Town's reporting requirement, plus Twenty Dollars, (\$20.00), for each impact fee received. The Town agrees to provide an invoice for administrative fees under this Section on at least an annual basis. *[BGSD proposed \$25.00 per month, and \$3.00 per permit. Yacolt proposed \$10.00 per month and \$20.00 per permit.]*
5. **AUDIT.**
- 5.1 Retention of Records. The Parties shall maintain suitable records of all material matters covered by this Agreement in accordance with State records retentions laws.
- 5.2 Availability of Records. Each party's records and documents with respect to all matters covered by this Agreement shall be subject to inspection, review, or audit by the other party. Each party agrees to cooperate with any monitoring or evaluation activities conducted by the other party that pertain to the subjects of this Agreement. Each party agrees to allow the other party to have full access to and the right to examine during normal business hours, all of the subject party's records with respect to all matters covered by this Agreement, (subject to reasonable conditions or restrictions relating to confidential and privileged information or privacy issues). Each party and/or any of its employees, agents, or representatives shall be permitted to audit, examine, and make excerpts or transcripts from such records and to make audits of all invoices, materials, payrolls, and records of matters covered by this Agreement. The party requesting the audit shall give at least fifteen (15) days' advance notice to the other party of fiscal audits being requested.
- 5.3 Public Records Act. The results and records of any such audit shall be maintained and disclosed in accordance with Chapter 42.56 RCW.
- 5.4 Survival of Obligations. Duties owed under this Section shall not be diminished or extinguished by the prior termination of this Agreement pursuant to Section 7.
6. **DURATION OF AGREEMENT.** This Agreement shall remain in effect until terminated pursuant to Section 7 of this Agreement.
7. **TERMINATION OF AGREEMENT.**

- 7.1 Generally. The obligation to collect impact fees under this Agreement may be terminated without cause by the Town or the District, in whole or in part, at any time. All other obligations under this Agreement shall remain in effect until both of the following conditions have been satisfied: (1) the Town or the District provide written notice that this Agreement is being terminated; and (2) neither the District nor the Town on behalf of the District retain unexpended or unencumbered impact fees and interest earned thereon.
- 7.2 Survival of General Rights and Remedies. Nothing herein shall limit, waive, or extinguish any right or remedy provided by this Agreement or by law that either party may have in the event that the obligations, terms, and conditions set forth in this Agreement are breached by the other party.
- 7.3 Survival of Rights and Obligations for Indemnification. The obligations under Section 8, (Indemnification), shall be continuing and shall not be diminished or extinguished by the termination of this Agreement.

8. INDEMNIFICATION.

- 8.1 Generally. Each party will protect, save, and hold harmless the other party, and its officers, agents, and employees, from all claims, actions, costs, damages, or expenses of any nature whatsoever by reason of the acts or omissions of the indemnifying party, its assigns, agents, contractors, licensees, invitees, employees or any person whomsoever arising out of or in connection with any acts or activities authorized by this Agreement. Each party further agrees to defend the other party and its authorized agents and employees in any litigation, including payment of any costs or attorney fees for any claims or action commenced thereon arising out of or in connection with the acts or activities authorized by this Agreement. This obligation shall not include such claims, costs, damages, or expenses which may be caused by the sole negligence of the other party or its authorized agents and employees. PROVIDED, that if the claims or damages are caused by or result from the concurrent negligence of each party and their agents or employees, this indemnity provision shall be valid and enforceable only to the extent of the indemnifying party's concurrent negligence. The District specifically agrees to defend and hold the Town harmless from any claims, actions, costs, damages or expenses of any nature including the costs of legal defense in the event that any action is brought challenging the authority, validity, legality, or constitutionality of school impact fees charged or to be charged under this Agreement or Chapter 3.15 of the Yacolt Municipal Code. No liability shall attach to the District or the Town by reason of entering into this Agreement except as expressly provided herein.
- 8.2 Mutual Waiver of Immunity. Each party specifically agrees to indemnify and hold harmless the other party from any and all bodily injury claims brought by its employees. For this purpose, the District and the Town, by mutual negotiation, hereby expressly waive, as to the other party only, any immunity that would otherwise be available against such claims under the Industrial Insurance provisions of Title 51 RCW. This Section does not purport to require that either party indemnify the other against liability for damages arising out of bodily injuries to person or damages caused by or resulting from the negligence of the party that would otherwise be entitled to indemnity under this provision, or its elected officials, officers, employees, and agents.
- 8.3 Attorneys' Fees and Costs. In the event either party incurs attorneys' fees, costs, or other legal expenses to enforce the provisions of this Section against the other party, all such

fees, costs, and expenses shall be recoverable by the prevailing party. The indemnifying party shall be responsible for the reasonable attorneys' fees and costs of the indemnified party, including all fees of attorneys and experts, and other costs and expenses incurred in good faith. In addition, the indemnified party shall be entitled to recover compensation for all of its in-house expenses (including materials and labor) consumed in its defense.

9. **ADMINISTRATION.** The Parties designate the following as their representatives responsible for administering the terms of this Agreement:

9.1 For the Town: The Town's Mayor.

9.2 For the District: The District's Superintendent.

10. **NOTICES AND PAYMENTS.** Notices, payments and other communications between the Parties shall be in writing and shall be either hand-delivered, emailed, or mailed by first-class mail, postage prepaid, to the addresses set forth in this Section. All notices shall be deemed given on the day such notice is personally served or emailed, and three (3) days after the date such notice is mailed by first-class mail. The name and address to which notices shall be directed may be changed by a party by giving the other party notice of such change as provided in this Section.

10.1 If to the Town:

Town of Yacolt
Attn: Town Clerk

202 W. Cushman Street
Yacolt, Washington 98675

Phone: 360-686-3922
E-mail: clerk@townofyacolt.com

10.2 If to the District:

Battle Ground School District
Attn: Superintendent

11104 N.E. 149th Street
Brush Prairie, WA 98606

E-mail: [REDACTED]
Phone: 360-885-5300

11. **RELATIONSHIP TO EXISTING LAWS.** In meeting the commitments encompassed in this Agreement, the Parties will comply with the requirements of the Open Public Meeting Act, State Environmental Policy Act, annexation statutes and other applicable State or local law. The ultimate authority for land use and development decisions in Yacolt is retained by the Town. By executing this Agreement, the District and the Town do not purport to abrogate the decision-making responsibilities vested in them by law.

12. **LIMITATIONS OF LIABILITY.** The Parties acknowledge that the Town is vested with the authority to impose and collect school impact fees. The Parties agree that the Town shall in no

event be liable to the District for the payment of money in connection with the school impact fee program with the exception of remitting to the District the impact fees collected for the District and the interest earned thereon.

If the Town erroneously fails to collect school impact fees as required under YMC 3.15 or otherwise, then the Town shall make an attempt to collect such fees under processes allowed by the YMC or other applicable law. If the Town is unsuccessful in collecting such school impact fees, the Town shall notify the District, and the District shall be responsible for further collection actions. In such a case, the Town shall provide to the District all information related to the development for which the fee was not collected and the Town's subsequent efforts to collect the fee.

13. COMPLIANCE WITH THE INTERLOCAL COOPERATION ACT. This Agreement is an intergovernmental agreement entered into under the authority of the Interlocal Cooperation Act, Chapter 39.34 RCW. The Agreement includes the following elements:

- 13.1 Duration of Agreement. The duration of this Agreement is set forth in Section 6.
- 13.2 No Separate Entity - Joint Administration. No separate legal or administrative agency exists or will be established in connection with this Agreement. The Parties shall administer the performance of this Agreement through their administrators as identified in Section 9.
- 13.3 Purpose of Agreement. The purpose of this Agreement is to describe the rights and obligations of the Parties with regard to the collection, distribution, and expenditure of school impact fees within the Town of Yacolt.
- 13.4 Manner of Financing. The Agreement will not require financing of any kind. Each party shall be responsible for budgeting any projected and actual financial impacts from the activities described in this Agreement in its own budgets.
- 13.5 Termination of Agreement. This Agreement may be terminated as set forth in Section 7.
- 13.6 Disposition of Property. No real property will be acquired, held, used, or disposed of in connection with this Agreement. The disposition of personal property and money to be collected, transferred and spent pursuant to this Agreement is described in Section 2, Section 3, and other sections of this Agreement.
- 13.7 Document Execution, Filing and Effective Date. The Parties agree to execute two (2) originals of this Agreement by authorized signature(s) of the necessary official(s) of each party. An executed original of this Agreement shall either be recorded with the Clark County Auditor or posted on each party's web site as required by Section 39.34.040 RCW. Upon execution by the Parties and compliance with Section 39.34.040 RCW, each signed original Agreement shall constitute an enforceable Agreement that is binding upon the Parties. The Agreement shall therefore be effective upon recording with the Clark County Auditor.

14. DISPUTE RESOLUTION. The Parties are committed to working cooperatively in resolving all matters related to this Agreement and achieving its intent and purpose. If a dispute should arise, then the Parties agree to meet on an informal basis and try to resolve the matter. If the Parties are unable to resolve their dispute on an informal basis, then the Parties shall be free to pursue any remedies to which they are entitled, including formal litigation of any kind.

15. **ATTORNEY FEES AND COSTS.** If suit or action is brought either directly or indirectly to enforce the terms of this Agreement, the prevailing party shall recover and the losing party hereby agrees to pay reasonable attorney fees incurred in such proceedings, as well as the prevailing party's costs and disbursements, whether in trial, appellate or bankruptcy courts.
16. **GOVERNING LAW AND VENUE.** This Agreement shall be construed and enforced in accordance with, and the validity and performance hereof shall be governed by, the laws of the State of Washington. Any action to enforce the provisions of this Agreement shall be brought in the court(s) of competent jurisdiction of Clark County, Washington.
17. **ENTIRE AGREEMENT.** The Parties agree that this Agreement is the complete expression of the terms hereto and any oral representations or understandings or other agreements not incorporated herein are excluded.
18. **WAIVER.** The waiver of any default, term or condition of this Agreement shall not be deemed to be a waiver of any other or subsequent default, term or condition. Waiver or breach of any provision of this Agreement shall not be deemed to be waiver of any other or subsequent breach and shall not be construed to be a modification of the terms of the Agreement unless stated to be such through written approval by the Town and the District, which shall be attached to the original Agreement.
19. **AMENDMENTS.** This Agreement may be amended only by an instrument in writing that is formally approved and executed by the Parties.
20. **ASSIGNMENT.** No party hereto shall assign its rights or obligations under this Agreement without the prior written consent of the other party.
21. **SEVERABILITY.** In the event any term or condition of this Agreement or application thereof to any person or circumstance is held invalid or unenforceable, such invalidity shall not affect other terms, conditions, or applications of this Agreement which can be given effect without the invalid or unenforceable term, condition or application. To this end the terms and conditions of this Agreement are declared severable.
22. **NONDISCRIMINATION.** There shall be no discrimination against any employee or independent contractor paid by any funds which are the subject of this Agreement or against any applicant for such employment because of race, religion, color, sex, age, sexual orientation, handicap, or national origin. This provision shall include, but not be limited to the following: employment, upgrading, demotion, transfer, recruitment, advertising, lay-off or termination, rates of pay or other forms of compensation, and selection for training.

The District and any independent contractor paid by funds which are the subject of this Agreement shall comply with the requirements of Section 504 of the Rehabilitation Act of 1973, as amended.

23. **RATIFICATION.** Acts taken in conformity with this Agreement prior to its execution are hereby ratified and affirmed by the Parties.
24. **NO RIGHTS CONVEYED TO OTHER PARTIES.** It is understood and agreed that this Agreement is solely for the benefit of the Parties hereto and conveys no right to any other party.
25. **ADDITIONAL DOCUMENTS.** The Parties agree to cooperate fully and execute any and all

supplemental documents which are reasonably necessary and to take all additional actions which are reasonably necessary and appropriate to give full force and effect to the basic terms and intent of this Agreement.

26. **TIME OF THE ESSENCE.** Both Parties recognize that time is of the essence in the performance of the provisions of this Agreement.
27. **SECTION HEADINGS.** Section and subsection headings contained in this Agreement are included solely for the convenience of the reader, and are not intended to be a part of this Agreement.

IN WITNESS WHEREOF, the Town and the District have executed this Agreement on the dates indicated below.

“Town”

The Town of Yacolt, a Washington municipal corporation:

DRAFT

Katelyn J. Listek, Mayor

Date

Attest:

Stephanie Fields, Town Clerk

Date

Approved as to form only:

David W. Ridenour, Town Attorney

“District”

Battle Ground School District No. 119, a Washington municipal corporation:

Denny Waters, Superintendent

Date

Mark Watrin, President, Board of Directors

Date

Approved as to form only:

LeAnne M. Bremer, District Attorney

Date



Town of Yacolt Request for Council Action

CONTACT INFORMATION FOR PERSON/GROUP/DEPARTMENT REQUESTING COUNCIL ACTION:

Name: David W. Ridenour, Town Attorney **Group Name:** Staff
Address: 202 W. Cushman St. **Phone:** (360) 991-7659
P.O. Box 160
Yacolt, WA 98675
Email Address: david@davidridenourlaw.com **Alt. Phone:** Town Clerk (360) 686-3922

ITEM INFORMATION:

Item Title: Building Department Resolution #609 – Interim Regulations - Delegating Authority for Certain Permit Approvals.

Proposed Meeting Date: September 12, 2022.

Action Requested of Council: Approve Resolution #609 if acceptable to the Council, or identify changes to the regulations that the Council would like to make prior to adoption.

Proposed Motion: “I move that the Council approve Resolution #609 as presented.”

Summary/ Background: Proposed Resolution #609 represents the Council’s work to adopt formal regulations for the internal operation of Yacolt’s Building Department. Additional regulations will be added in the future as this work continues.

When the Council reviewed the draft regulations at its August 8, 2022 regular meeting, a number of questions and changes were considered. The draft presented here incorporates changes that will hopefully address the Council’s concerns:

1. Section 6.4, (Definition of “Building Permit”). This Section has been revised so that the term “Building Permit” no longer excludes “plumbing permits, electrical permits, mechanical permits, or permits issued pursuant to the International Fire Code”. Building permits will be issued for all building and construction activities, unless exempt under the Code. This change solves the apparent inconsistency in the definition of the phrase that existed between Sections 6.4 and 8.1.

It is worth noting that the original definition was based on the Building Council's rule at WAC 51-05-200(2), which defined "Building Permit" as follows:

"Building permit shall mean a permit issued by a city or a county to construct, enlarge, alter, repair, move, demolish, or change the occupancy of any building or structure regulated by the International Building Code as set forth in the International Building Code, section 105.1 or by the International Residential Code as set forth in the International Residential Code, section R105.1. This definition shall be subject to the exemptions contained in section 105.2 of the International Building Code and section R105.2 of the International Residential Code. Building permits shall not include plumbing, electrical, mechanical permits, or permits issued pursuant to the International Fire Code."

Interpretation of this regulation was hampered by the fact that the Town does not have the actual international codes for these disciplines, and is unable to review administrative rules that may exist for more limited kinds of permits, such as mechanical or plumbing permits. My working assumption now is that the Building Code Council excluded such permits from the definition of "Building Permit" for the sole purpose of determining whether permits are subject to State surcharge fees under RCW 19.27.085(3). This surcharge fee is imposed on 'all' residential and commercial permits. The fees are deposited with the State to fund the work of the Building Code Council. The fee itself varies depending on the circumstances surrounding the permit:

"There is imposed a fee of six dollars and fifty cents on each residential building permit and a fee of twenty-five dollars for each commercial building permit, issued by a county or a city, plus an additional surcharge of two dollars for each residential unit, but not including the first unit, on each building containing more than one residential unit. Quarterly each county and city shall remit moneys collected under this section to the state treasury; however, no remittance is required until a minimum of fifty dollars has accumulated pursuant to this subsection."

To summarize, it appears that the Building Code Council has re-defined "building permit" in the Washington Administrative Code to merely say that this surcharge should not be imposed on 'minor' permits such as plumbing or mechanical permits. The Town's definition of "Building Permit" in the proposed Resolution is now consistent with the definitions in the international codes, and will allow for a more uniform treatment of all applications. The Building Official and Town Clerk may find this information helpful when assessing the surcharge.

2. Section 8.4.2, (Adjustments to Building Permit Fees). This Section was deleted due to concerns that fee reduction rules would be impractical to apply and perhaps subject to legal hurdles.

3. Section 8.6, (Certificate of Occupancy). This Section required a Certificate of Occupancy for buildings and structures subject to a Building Permit. The language followed that used in the International Codes. This rule was questioned because of an understanding that perhaps not all Building Permits require the issuance of a Certificate of Occupancy. The Town therefore requested additional information about whether Certificates of Occupancy are required for certain 'minor' permits or small projects.

"Certificates of Occupancy" are covered in Section R110 of the 2018 International Residential Code, and Section 111 of the 2012 International Building Code. Both Sections describe the requirement for a Certificate of Occupancy in the same way that was proposed for the Town's interim regulations. Neither Section suggests that there are any exceptions to the requirement of a Certificate of Occupancy, other than for exempt projects, (meaning projects for which a Building Permit is not required in the first place). Exceptions to the rule must therefore arise from the terms used. In other words, this issue appears to be a matter of Code interpretation - something that the Building Official is empowered by the Town to do in Section 6.3 and elsewhere in the Resolution. (Both Sections from the International Codes referenced here are attached to this Request for Council Action.)

My understanding is that either a Certificate of Occupancy or some other form of approval document should be used for essentially every Building Permit to certify that the project is complete and has complied with the Code. Such documents are the result of a robust inspection process that is described in the Code. The Town uses this approval document to close out the Building Permit file. In other words, these documents complete a project file that might otherwise offer little or no information about whether a project was ever finished, or whether or not the work done satisfied the requirements of the Building Code.

But staff is correct that a certificate of "occupancy" is too limiting a term to address this requirement for a general approval process. A "Certificate of Occupancy" should be used in those situations where the use and occupancy of a building or structure is not deemed safe or proper under the Building Code until final inspections and approvals have been completed.

Thus, it may be more accurate and useful to use this Section 8.6 to describe a more general requirement for a project approval process. For projects where use or occupancy is prohibited until a project is

complete, a certificate of occupancy should be required. Where use or occupancy of the work is not affected by the Building Code rules, any form of approval document should be sufficient for the purposes of the applicant and the Town. A “certificate of approval” could be issued for limited work such as roofing, siding, electrical, plumbing, mechanical, or even minor remodel projects that don’t involve structural engineering or changes in use. The certificate of approval, like the certificate of occupancy, would be issued by the building official to show substantial compliance with the Building Code requirements for all of the completed work for which the permit was issued.

Unfortunately, the Building Code does not refer specifically to something like a “certificate of approval”. There is no specific set of rules or procedures that regulate this process. The Building Department can design any kind of approval document that it deems appropriate for these situations. The Building Department staff and consultants are continuously working to develop such procedures and forms. This particular issue is just one of many that the Town will need to address as it continues to learn about its role under the Building Code.

Since this clarification will avoid confusion, new language has been added to Section 8.6 to ensure that the Building Official and Building Department staff understand the importance of a final approval for all Permitted projects. A certificate of occupancy is still required for projects affecting the use or occupancy of a building or structure. The language used allows for reasonable and appropriate exceptions if we learn in the future that some projects require no approval at all. The details for these procedures can be developed by the Building Official and staff.

Unfortunately, this discussion cannot answer the many questions that will come up when deciding whether a particular Building Permit requires a Certificate of Occupancy or not. That is why projects are reviewed individually for compliance with the Code. Questions will frequently arise about the proper procedures to be used under the Codes. That is why the Building Official, and of course the Town Council, have the authority to reasonably interpret the rules, and rely on their staff and consultants for opinions where such advice might be helpful.

Attachments:

Resolution #609, (proposed).

Staff Contact(s):

David W. Ridenour, Town Attorney
Stephanie Fields, Town Clerk.

required in Section R322.1.10 shall be submitted to the *building official* prior to the final inspection.

R109.2 Inspection agencies. The *building official* is authorized to accept reports of *approved* agencies, provided such agencies satisfy the requirements as to qualifications and reliability.

R109.3 Inspection requests. It shall be the duty of the *permit* holder or their agent to notify the *building official* that such work is ready for inspection. It shall be the duty of the person requesting any inspections required by this code to provide access to and means for inspection of such work.

R109.4 Approval required. Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the *building official*. The *building official*, upon notification, shall make the requested inspections and shall either indicate the portion of the construction that is satisfactory as completed, or shall notify the *permit* holder or an agent of the *permit* holder wherein the same fails to comply with this code. Any portions that do not comply shall be corrected and such portion shall not be covered or concealed until authorized by the *building official*.

SECTION R110 CERTIFICATE OF OCCUPANCY

R110.1 Use and occupancy. A building or structure shall not be used or occupied, and a *change of occupancy* or change of use of a building or structure or portion thereof shall not be made, until the *building official* has issued a certificate of occupancy therefor as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the *jurisdiction*. Certificates presuming to give authority to violate or cancel the provisions of this code or other ordinances of the *jurisdiction* shall not be valid.

Exceptions:

1. Certificates of occupancy are not required for work exempt from permits under Section R105.2.
2. Accessory buildings or structures.

R110.2 Change in use. Changes in the character or use of an existing structure shall not be made except as specified in Sections 407 and 408 of the *International Existing Building Code*.

R110.3 Certificate issued. After the *building official* inspects the building or structure and does not find violations of the provisions of this code or other laws that are enforced by the department of building safety, the *building official* shall issue a certificate of occupancy containing the following:

1. The building *permit* number.
2. The address of the structure.
3. The name and address of the owner or the owner's authorized agent.

4. A description of that portion of the structure for which the certificate is issued.
5. A statement that the described portion of the structure has been inspected for compliance with the requirements of this code.
6. The name of the *building official*.
7. The edition of the code under which the *permit* was issued.
8. If an automatic sprinkler system is provided and whether the sprinkler system is required.
9. Any special stipulations and conditions of the building *permit*.

R110.4 Temporary occupancy. The *building official* is authorized to issue a temporary certificate of occupancy before the completion of the entire work covered by the *permit*, provided that such portion or portions shall be occupied safely. The *building official* shall set a time period during which the temporary certificate of occupancy is valid.

R110.5 Revocation. The *building official* shall, in writing, suspend or revoke a certificate of occupancy issued under the provisions of this code wherever the certificate is issued in error, or on the basis of incorrect information supplied, or where it is determined that the building or structure or portion thereof is in violation of any ordinance or regulation or any of the provisions of this code.

SECTION R111 SERVICE UTILITIES

R111.1 Connection of service utilities. A person shall not make connections from a utility, source of energy, fuel or power to any building or system that is regulated by this code for which a *permit* is required, until *approved* by the *building official*.

R111.2 Temporary connection. The *building official* shall have the authority to authorize the temporary connection of the building or system to the utility, source of energy, fuel or power.

R111.3 Authority to disconnect service utilities. The *building official* shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code and the referenced codes and standards set forth in Section R102.4 in case of emergency where necessary to eliminate an immediate hazard to life or property or where such utility connection has been made without the approval required by Section R111.1 or R111.2. The *building official* shall notify the serving utility and where possible the owner or the owner's authorized agent and occupant of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnection, the owner, the owner's authorized agent or occupant of the building, structure or service system shall be notified in writing as soon as practical thereafter.

steel is in place. For concrete foundations, any required forms shall be in place prior to inspection. Materials for the foundation shall be on the job, except where concrete is ready mixed in accordance with ASTM C 94, the concrete need not be on the job.

[A] 110.3.2 Concrete slab and under-floor inspection. Concrete slab and under-floor inspections shall be made after in-slab or under-floor reinforcing steel and building service equipment, conduit, piping accessories and other ancillary equipment items are in place, but before any concrete is placed or floor sheathing installed, including the subfloor.

[A] 110.3.3 Lowest floor elevation. In flood hazard areas, upon placement of the lowest floor, including the basement, and prior to further vertical construction, the elevation certification required in Section 1612.5 shall be submitted to the *building official*.

[A] 110.3.4 Frame inspection. Framing inspections shall be made after the roof deck or sheathing, all framing, *fire-blocking* and bracing are in place and pipes, chimneys and vents to be concealed are complete and the rough electrical, plumbing, heating wires, pipes and ducts are *approved*.

[A] 110.3.5 Lath and gypsum board inspection. Lath and gypsum board inspections shall be made after lathing and gypsum board, interior and exterior, is in place, but before any plastering is applied or gypsum board joints and fasteners are taped and finished.

Exception: Gypsum board that is not part of a fire-resistance-rated assembly or a shear assembly.

[A] 110.3.6 Fire- and smoke-resistant penetrations. Protection of joints and penetrations in fire-resistance-rated assemblies, *smoke barriers* and smoke partitions shall not be concealed from view until inspected and *approved*.

[A] 110.3.7 Energy efficiency inspections. Inspections shall be made to determine compliance with Chapter 13 and shall include, but not be limited to, inspections for: envelope insulation *R*- and *U*-values, fenestration *U*-value, duct system *R*-value, and HVAC and water-heating equipment efficiency.

[A] 110.3.8 Other inspections. In addition to the inspections specified in Sections 110.3.1 through 110.3.7, the *building official* is authorized to make or require other inspections of any construction work to ascertain compliance with the provisions of this code and other laws that are enforced by the department of building safety.

[A] 110.3.9 Special inspections. For *special inspections*, see Chapter 17.

[A] 110.3.10 Final inspection. The final inspection shall be made after all work required by the building *permit* is completed.

[A] 110.3.10.1 Flood hazard documentation. If located in a *flood hazard area*, documentation of the elevation of the lowest floor as required in Section

1612.5 shall be submitted to the *building official* prior to the final inspection.

[A] 110.4 Inspection agencies. The *building official* is authorized to accept reports of *approved* inspection agencies, provided such agencies satisfy the requirements as to qualifications and reliability.

[A] 110.5 Inspection requests. It shall be the duty of the holder of the building *permit* or their duly authorized agent to notify the *building official* when work is ready for inspection. It shall be the duty of the *permit* holder to provide access to and means for inspections of such work that are required by this code.

[A] 110.6 Approval required. Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the *building official*. The *building official*, upon notification, shall make the requested inspections and shall either indicate the portion of the construction that is satisfactory as completed, or notify the *permit* holder or his or her agent wherein the same fails to comply with this code. Any portions that do not comply shall be corrected and such portion shall not be covered or concealed until authorized by the *building official*.

SECTION 111 CERTIFICATE OF OCCUPANCY

[A] 111.1 Use and occupancy. No building or structure shall be used or occupied, and no change in the existing occupancy classification of a building or structure or portion thereof shall be made, until the *building official* has issued a certificate of occupancy therefor as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction.

Exception: Certificates of occupancy are not required for work exempt from *permits* under Section 105.2.

[A] 111.2 Certificate issued. After the *building official* inspects the building or structure and finds no violations of the provisions of this code or other laws that are enforced by the department of building safety, the *building official* shall issue a certificate of occupancy that contains the following:

1. The building *permit* number.
2. The address of the structure.
3. The name and address of the owner.
4. A description of that portion of the structure for which the certificate is issued.
5. A statement that the described portion of the structure has been inspected for compliance with the requirements of this code for the occupancy and division of occupancy and the use for which the proposed occupancy is classified.
6. The name of the *building official*.
7. The edition of the code under which the *permit* was issued.

8. The use and occupancy, in accordance with the provisions of Chapter 3.
9. The type of construction as defined in Chapter 6.
10. The design *occupant load*.
11. If an *automatic sprinkler system* is provided, whether the sprinkler system is required.
12. Any special stipulations and conditions of the building *permit*.

[A] 111.3 Temporary occupancy. The *building official* is authorized to issue a temporary certificate of occupancy before the completion of the entire work covered by the *permit*, provided that such portion or portions shall be occupied safely. The *building official* shall set a time period during which the temporary certificate of occupancy is valid.

[A] 111.4 Revocation. The *building official* is authorized to, in writing, suspend or revoke a certificate of occupancy or completion issued under the provisions of this code wherever the certificate is issued in error, or on the basis of incorrect information supplied, or where it is determined that the building or structure or portion thereof is in violation of any ordinance or regulation or any of the provisions of this code.

SECTION 112 SERVICE UTILITIES

[A] 112.1 Connection of service utilities. No person shall make connections from a utility, source of energy, fuel or power to any building or system that is regulated by this code for which a *permit* is required, until released by the *building official*.

[A] 112.2 Temporary connection. The *building official* shall have the authority to authorize the temporary connection of the building or system to the utility source of energy, fuel or power.

[A] 112.3 Authority to disconnect service utilities. The *building official* shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code and the referenced codes and standards set forth in Section 101.4 in case of emergency where necessary to eliminate an immediate hazard to life or property or when such utility connection has been made without the approval required by Section 112.1 or 112.2. The *building official* shall notify the serving utility, and wherever possible the owner and occupant of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnecting, the owner or occupant of the building, structure or service system shall be notified in writing, as soon as practical thereafter.

SECTION 113 BOARD OF APPEALS

[A] 113.1 General. In order to hear and decide appeals of orders, decisions or determinations made by the *building official* relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The board of appeals shall be appointed by the applicable govern-

ing authority and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business.

[A] 113.2 Limitations on authority. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction is proposed. The board shall have no authority to waive requirements of this code.

[A] 113.3 Qualifications. The board of appeals shall consist of members who are qualified by experience and training to pass on matters pertaining to building construction and are not employees of the jurisdiction.

SECTION 114 VIOLATIONS

[A] 114.1 Unlawful acts. It shall be unlawful for any person, firm or corporation to erect, construct, alter, extend, repair, move, remove, demolish or occupy any building, structure or equipment regulated by this code, or cause same to be done, in conflict with or in violation of any of the provisions of this code.

[A] 114.2 Notice of violation. The *building official* is authorized to serve a notice of violation or order on the person responsible for the erection, construction, *alteration*, extension, repair, moving, removal, demolition or occupancy of a building or structure in violation of the provisions of this code, or in violation of a *permit* or certificate issued under the provisions of this code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

[A] 114.3 Prosecution of violation. If the notice of violation is not complied with promptly, the *building official* is authorized to request the legal counsel of the jurisdiction to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the building or structure in violation of the provisions of this code or of the order or direction made pursuant thereto.

[A] 114.4 Violation penalties. Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the *approved construction documents* or directive of the *building official*, or of a *permit* or certificate issued under the provisions of this code, shall be subject to penalties as prescribed by law.

SECTION 115 STOP WORK ORDER

[A] 115.1 Authority. Whenever the *building official* finds any work regulated by this code being performed in a manner either contrary to the provisions of this code or dangerous or unsafe, the *building official* is authorized to issue a stop work order.

[A] 115.2 Issuance. The stop work order shall be in writing and shall be given to the owner of the property involved, or

DRAFT -- Resolution #609 -- DRAFT

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF YACOLT, WASHINGTON, ESTABLISHING INTERIM REGULATIONS FOR BUILDING AND CONSTRUCTION ACTIVITIES; DESIGNATING THE TOWN'S BUILDING OFFICIAL; DESCRIBING THE LIMITED AUTHORITY OF THE BUILDING OFFICIAL TO APPROVE BUILDING PERMIT APPLICATIONS; REPEALING RESOLUTIONS #553, #581, AND #587; AND PROVIDING FOR AN EFFECTIVE DATE

Whereas, the Town of Yacolt, (hereafter “*Town*” or “*Yacolt*”), is required by the Washington State Building Code Act (RCW 19.27) to enforce building codes and laws as specified in that Act;

Whereas, the Washington State Building Code Act applies to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, removal and demolition of any building or structure, unless exempt under the State Building Code or local authority;

Whereas, the Town Council’s goal and policy is to provide an efficient procedure for regulating building activities while collecting fees from applicants for only the reasonable and actual costs of processing applications and building permits as allowed by RCW 82.02.020 and RCW 19.27.100;

Whereas, the Town Council has determined that it would be unduly burdensome and technically unfeasible to attempt to create a functional schedule of fixed fees or fee formulas for different types of building activities due to the Town’s small size, the irregular and unpredictable types of building permit applications received from year to year, and the large variation in application processing costs incurred by the Town even for generally similar building projects;

Whereas, the Town Council has determined that the most efficient, effective and fair way to recover allowed costs for processing building permit applications is to enter into cost recovery agreements with applicants through which the Town recovers only the Town’s reasonable and actual permit processing costs as allowed by law;

Whereas, the Town Council has deemed it advisable and necessary to codify the Town’s Building Department regulations as they are developed so that the content of those regulations may be readily available to the Town and to the general public;

Whereas, the Town Council finds that the public health, safety and welfare of the citizens of Yacolt will be best served by adopting the interim building regulations described herein; and,

Whereas, the Town Council of the Town of Yacolt is in regular session this 12th day of September, 2022, and all members of the Town Council have had notice of the time, place, and purpose of said regular meeting pursuant to RCW 42.30:

NOW THEREFORE, be it Resolved by the Town Council of the Town of Yacolt, Washington, as follows:

Section 1 - Adoption of Recitals. The foregoing Recitals are hereby ratified and confirmed as being true and correct and are hereby made a part of this Resolution upon adoption hereof.

Section 2 - Adoption of Interim Building Department Regulations. The Town Council hereby adopts the following rules, policies and definitions as interim regulations for the Town of Yacolt's Building Department. The interim regulations may be referred to as the "Yacolt Building Code".

Section 3 - Purpose of the Yacolt Building Code. The purpose of the Yacolt Building Code is to recognize the Town's obligation to enforce minimum requirements for the construction, alteration, removal, demolition, use, occupancy, location and maintenance of buildings and structures located within the boundaries of the Town; to authorize Yacolt's executive branch to adopt policies and procedures for processing applications; and to better communicate with the general public about the Town's obligations and procedures for Building Department activities.

Section 4 - Components of the Yacolt Building Code. The Yacolt Building Code consists of Washington State, Federal and local laws that govern the construction, alteration, removal, demolition, equipment, use and occupancy, location and maintenance of buildings and structures in the Town. Yacolt adopts local regulations for building activities where the subject-matter is not preempted by State or Federal law. Yacolt enforces State and Federal law relating to building activities where the Town is required to do so because the subject-matter is preempted by superseding authority. Preemptive authority relating to Building Department functions is treated as part of the Yacolt Building Code.

The Yacolt Building Code includes, without limitation, the components listed below.

Section 4.1 - Washington State Building Code. The Washington State Building Code applies to the Town of Yacolt pursuant to the State Building Code Act, RCW 19.27. The State Building Code consists of multiple forms of regulation including State statutes and regulations, international codes that have been adopted by reference in State statutes, and amendments to the international codes as approved by the Washington State Building Code Council and described in the Washington Administrative Code, (WAC). As of the date of this Resolution, the State Building Code includes, without limitation, the following components:

- 4.1.1 RCW 19.27.031(1)(a) - The International Building Code, published by the International Code Council, Inc.;
- 4.1.2 WAC 51-50 - State Building Code adoption and amendment of the 2021 edition of the International Building Code;
- 4.1.3 RCW 19.27.031(1)(b) - The International Residential Code, published by the International Code Council, Inc.;
- 4.1.4 WAC 51-51 - State Building Code adoption and amendment of the 2018 edition of the International Residential Code;
- 4.1.5 RCW 19.27.031(2) - The International Mechanical Code, published by the International Code Council, Inc., except that the standards for liquefied petroleum gas installations shall be NFPA 58 (Storage and Handling of Liquefied Petroleum Gases) and ANSI Z223.1/NFPA 54 (National Fuel Gas Code);
- 4.1.6 WAC 51-52 - State Building Code adoption and amendment of the 2018 edition of the International Mechanical Code;

- 4.1.7 RCW 19.27.031(3) - The International Fire Code, published by the International Code Council, Inc., including those standards of the National Fire Protection Association specifically referenced in the International Fire Code: PROVIDED, That, notwithstanding any wording in this code, participants in religious ceremonies shall not be precluded from carrying handheld candles;
- 4.1.8 WAC 51-54A - State Building Code adoption and amendment of the 2021 edition of the International Fire Code;
- 4.1.9 RCW 19.27.031(4) - Portions of the International Wildland Urban Interface Code, published by the International Code Council Inc., as set forth in RCW 19.27.560;
- 4.1.10 RCW 19.27.031(5) - Except as provided in *RCW 19.27.170, the Uniform Plumbing Code and Uniform Plumbing Code Standards, published by the International Association of Plumbing and Mechanical Officials: PROVIDED, that any provisions of such code affecting sewers or fuel gas piping are not adopted;
- 4.1.11 WAC 51-56 - State Building Code adoption and amendment of the 2018 edition of the Uniform Plumbing Code;
- 4.1.12 RCW 19.27.031(6) - The rules adopted by the Building Code Council establishing standards for making buildings and facilities accessible to and usable by individuals with disabilities or elderly persons as provided in RCW 70.92.100 through 70.92.160; and,
- 4.1.13 RCW 19.27.031(7) - The state's climate zones for building purposes designated in RCW 19.27A.020(3).

Section 4.2 - Washington State Energy Code. The Washington State Energy Code applies to the Town of Yacolt pursuant to RCW 19.27A. The Washington State Energy Code consists of multiple forms of regulation, including State statutes and regulations. As of the date of this Resolution, the Washington State Energy Code includes, without limitation, the following components:

- 4.2.1 RCW 19.27A – Energy-Related Building Standards;
- 4.2.2 WAC 51-11C - State Building Code adoption and amendment of the 2021 edition of the International Energy Conservation Code, Commercial; and,
- 4.2.3 WAC 51-11R - State Building Code adoption and amendment of the 2018 edition of the International Energy Conservation Code, Residential.

Section 4.3 - Local Authority. The Yacolt Building Code includes applicable rules described in this Resolution and in the Yacolt Municipal Code. The Yacolt Building Code is implemented through such policies, procedures, practices and forms as may be developed from time to time by the Town Council or by the Town's Mayor, staff and consultants pursuant to the delegation of authority by the Town Council.

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Section 5 – Changes to the Yacolt Building Code and Vesting of Rights.

Section 5.1 - Changes to Preemptive Authority. The list of relevant authorities and Building Code components provided in Section 4 above is not a complete list of the laws and rules that govern and influence Yacolt's Building Department procedures. In addition, the authorities listed may not represent a current list of all applicable laws and rules because the relevant statutes, codes and regulations are frequently amended and changed. The Town is obligated to enforce the laws, codes and regulations as written and as of the times they become effective. Therefore, at any given time, the Town's ordinances, resolutions, and Municipal Code may not describe a complete or current list of the laws, codes and regulations that are in effect and applicable to building activities within the Town at the time a Building Permit application is filed.

Section 5.2 - Changes to Local Authority. Whenever a reference is made in this Resolution to the Yacolt Building Code, the Yacolt Municipal Code, or to any ordinance or resolution of the Town, the reference shall include and apply to all amendments, corrections and additions heretofore, now, or hereafter made. This Subsection shall not affect the vesting rights of Building Permit applicants.

Section 6 - Definitions. For the purpose of interpreting the Yacolt Building Code, certain words or phrases used herein shall be interpreted as defined in this Section.

Section 6.1 - Building Code. The term "Building Code" or "Yacolt Building Code" shall mean all laws, codes and regulations that govern the Town of Yacolt with respect to its Building Department functions, including the components of legal authority described in Section 4 above.

Section 6.2 - Building Department. "Building Department" means the Building Department of the Town of Yacolt.

Section 6.3 - Building Official. The term "Building Official" shall mean and include the person authorized and directed by the Town Council to administer and enforce the Yacolt Building Code. The Building Official shall manage the Town's Building Department, which shall receive applications, review construction documents, and issue Building Permits for the construction, alteration, demolition, relocation, or changed use of buildings and structures, inspect the premises for which such permits have been issued, and enforce compliance with the provisions of the Yacolt Building Code. The Building Official shall have the authority to render interpretations of the Yacolt Building Code and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall comply with the terms, intent and purpose of the Yacolt Building Code. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in the Building Code. The Building Official may delegate authority as deemed necessary or beneficial to the purposes of the Building Code. The Building Official may hire or use the services of the Town's staff, consultants, inspectors, plan examiners, technical experts, and other employees and agents as deemed necessary to evaluate the issues that arise in a given application.

Section 6.4 - Building Permit. The term "Building Permit" means an official document or certificate issued by the Building Official that authorizes performance of any activity regulated by the Yacolt Building Code. The term "Building Permit" does not include development or zoning permits issued pursuant to Title 18 of the Yacolt Municipal Code, environmental or critical areas permits issued pursuant to Title 16 of the Yacolt Municipal Code, or other development permits issued pursuant to any other source of legal authority.

Section 6.5 - Owner. The word “Owner” means any person, agent, firm or corporation which holds the fee title to real property or which holds a valid purchaser’s contract for the purchase of real property which is filed for record with the auditor of Clark County, Washington.

Section 6.6 - Town. The word “Town” means the Town of Yacolt.

Section 7 - Designation of Building Official. The Mayor of the Town of Yacolt is hereby designated as the Town’s Building Official.

Section 8 - Building Permits.

Section 8.1 - Permits Required. Any Owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the use or occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this Building Code, or to cause any such work to be done, shall first make application to the Building Official and obtain the required permit.

Section 8.2 - Application for Permit. To obtain a Building Permit, an applicant shall first file an application in writing on one or more forms furnished by the Building Department for that purpose. The application shall:

- 8.2.1 Identify and describe the work to be covered by the Building Permit for which application is made;
- 8.2.2 Describe the land on which the proposed work is to be done by legal description, street address and/or similar description that will readily identify and definitely locate the proposed building or work;
- 8.2.3 Indicate the use and occupancy for which the proposed work is intended;
- 8.2.4 Be accompanied by a site plan, construction documents, and other submittals and information as required by the Building Official;
- 8.2.5 State the total value of the proposed work including materials and labor;
- 8.2.6 Be signed by the Owner(s), and all other applicable and authorized agents of the Owner;
- 8.2.7 Provide for the contractual responsibility of the Owner or other applicant for the payment of the Town’s reasonable and actual costs to process the application and Building Permit;
- 8.2.8 For any project requiring review by Clark County Public Health pursuant to YMC 18, include application materials and approval information from Clark County Public Health;
- 8.2.9 Provide proof of potable water availability pursuant to RCW 19.27.097 for any structure containing or requiring potable water;

- 8.2.10 When requested by the Town Engineer, include a complete drainage worksheet for the project;
- 8.2.11 When requested by the Town Engineer, include a complete road approach application;
- 8.2.12 Provide a complete application for any land use, zoning, development or environmental permit when required pursuant to the Yacolt Municipal Code or applicable Washington State statute; and,
- 8.2.13 Provide such other data and information as required by the Building Official.

Section 8.3 - Action on Application. The Building Official shall examine or cause to be examined applications for Building Permits and amendments thereto within a reasonable time after filing. The Building Official shall ascertain by such examinations whether the construction indicated and described is in accordance with the requirements of the Building Code and other pertinent laws. Once the application is processed, the Building Official shall, pursuant to the terms of this Subsection, either (1). issue an administrative decision on the application, or (2). prepare the application materials and the Building Official's report on the application for presentation to the Town Council for a decision on the application at the Council's next regular meeting or any special meeting called for that purpose.

- 8.3.1 Building Permit Decisions by the Building Official. Unless Town Council review is required under Subsection 8.3.2 below, the Building Official may administratively approve, approve with conditions, or deny a Building Permit application in the following circumstances:

- 8.3.1.1 Consultant Approval. When a complete Building Permit application has been reviewed by the Town's Building Department consultants as identified in this Subsection, and the consultants have all responded in writing to the Building Official with a consensus as to the disposition of the application. The Building Department consultants from whom responses are required include (1). the Town Building Inspector, (for plan review, site plan review, and preliminary site inspections, if needed); (2). the Town Engineer, (for review of the site plan and for potential applicability of planning, environmental, and engineering standards relating to development activities affecting public property); (3). the Town Attorney, (for general review of the Yacolt Building Code, Yacolt Municipal Code, and other legal authority as may appear relevant to the application); and (4) any additional technical consultant retained during the process of evaluating the Building Permit application. A determination that a consultant's review is not necessary under the Yacolt Building Code shall be made by the consultant and provided to the Building Official in writing.

- 8.3.1.2 Emergency Construction. The Building Official may authorize emergency construction pursuant to the requirements of YMC 18.100.030.

- 8.3.2 Building Permit Decisions by the Town Council. The Town Council will review and approve, approve with conditions, or deny a Building Permit application in the following circumstances:
- 8.3.2.1 Consolidated Applications. When the Building Permit application is associated with a zoning, land use, development, environmental, or similar permit application and where the applications have been consolidated for simultaneous review and processing;
 - 8.3.2.2 Conditions for Administrative Approval are Unsatisfied. When the Building Official is unable to obtain the written consensus of the applicable consultants as to the disposition of the Building Permit application or conditions relating to the application, or otherwise satisfy the conditions of Subsection 8.3.1.1 above;
 - 8.3.2.3 Applicant's Request. When initial review by the Town Council is requested in writing by the Building Permit applicant prior to any material administrative decision on the application by the Building Official;
 - 8.3.2.4 Building Official's Discretion. When the Building Official is unavailable or declines for any reason, in the Building Official's discretion, to make an administrative decision on the application;
 - 8.3.2.5 Appeal of the Building Official's Decision. When the Building Official denies a Building Permit application in writing and the Building Permit applicant requests in writing to appeal the Building Official's decision before the Town Council. Any request for appeal to the Town Council must be made in writing and received by the Town within twenty (20) calendar days of the Building Official's written decision. The appeal shall be heard by the Town Council within 45 days of receipt by the Town of the request for appeal. The appeal shall be heard at a regular meeting of the Town Council or at a special meeting called for this purpose. The appeal hearing shall be conducted pursuant to procedures determined by the Town Council; and,
 - 8.3.2.6 Other Circumstances. In all circumstances not otherwise described in this Subsection 8.3.
- 8.3.3 Decision Standards. If the Building Permit application or the construction documents do not conform to the requirements of the Yacolt Building Code or other applicable laws, the Building Official or Town Council shall reject such application in writing, stating the reasons therefor. If the Building Official or Town Council is satisfied that the proposed work conforms to the requirements of the Yacolt Building Code and other applicable laws, the Building Official shall issue a permit therefor as soon as practicable.
- 8.3.4 Additional Authority of the Building Official. Where practical difficulties adversely impact the Building Official in carrying out the provisions of this Resolution, the Building Official shall have the authority to grant modifications in individual cases upon application of the Owner or Owner's representative. A requested modification

may be granted only when the following conditions are satisfied: (1). The Building Official must find that extraordinary and unique reasons make following the strict letter of these procedures impractical; (2). The Building Official must find that the modification is in compliance with the intent and purpose of this Resolution; and (3). The Building Official must find that such modification does not diminish the health, accessibility, life and fire safety, or structural requirements of the Yacolt Building Code. The details of any action granting a modification under this Subsection shall be recorded and entered in the files of the Building Department.

Section 8.4 - Building Permit Fees / Cost Recovery Agreements. The Building Official is directed to adopt policies and procedures to provide for the contractual responsibility of property Owners and/or other Building Permit applicant(s) for the payment of the Town's reasonable and actual costs to process Building Permit applications and Building Permits as authorized by RCW 82.02.020.

Section 8.5 - Inspections. Construction or work for which a Building Permit is required shall be subject to inspection(s) by the Building Official and such construction or work shall remain accessible and exposed for inspection purposes until approved. A final inspection shall in most cases be made after all work required by the Building Permit is completed.

Section 8.6 - Final Approvals.

- 8.6.1 **Final Approvals - Generally.** The Building Official shall ensure that a final inspection and approval is issued for all appropriate projects for which a Building Permit has been issued, including, without limitation, for all buildings, structures, appurtenances and building service equipment when completed and ready for occupancy or use.
- 8.6.2 **Certificate of Occupancy.** A building or structure shall not be used or occupied, and no change in the existing use or occupancy classification of a building or structure or portion thereof shall be made, until the Building Official has issued a certificate of occupancy for the work.
- 8.6.3 **Building Code Violations.** The issuance of a certificate of occupancy or other final approval document shall not be construed as an approval of a violation of the provisions of the Building Code or other laws of the Town.
- 8.6.4 **Exceptions to Final Approval Requirements.** Final approvals are not required for work that is exempt from the Building Code's permitting requirements. The Building Official may determine that formal approval documents are not required for particular Building Permits if the interpretation is supported by the Building Code and the reasons for the interpretation are made part of the project file.

Section 9 - Disclaimer of the Town's Liability. This Resolution and its provisions are adopted with the express intent to protect the health, safety, and welfare of the general public, and are not intended to protect or benefit any particular individual, organization, or class of individuals or organizations. Nothing contained in this Resolution or the Yacolt Building Code is intended nor shall be construed to create or form the basis of any liability on the part of the Town of Yacolt or its officers, employees or agents for any injury or damage resulting from any action or inaction on the part of the Town related in any manner to the enforcement of the Yacolt Building Code by its officers, employees or agents. The Town is not responsible for the accuracy of preliminary or final plans or other construction documents submitted for

approval to the Building Department. The Town does not guarantee that plan review and/or inspections will detect any hazard, design defect or Building Code violation.

Section 10 - Responsibilities of Applicants. Applicants for Building Permits are responsible, without limitation, for the following:

Section 10.1 - Verification of Property Lines and Setbacks. Building Permit applicants or their authorized agent(s) shall be solely responsible for the verification of all property lines and setbacks in all cases involving new construction; a remodel or addition which would change the footprint of an existing structure; the construction of new fences or the replacement of existing fences; and all other circumstances which may impact setback requirements and/or property lines between one or more legal lots or parcels. The Building Official may require verification of property lines and setbacks prior to the issuance of a Building Permit by having the property Owner or the property Owner's agent stake the corners of the property. The Building Official is authorized to require the property Owner or the property Owner's agent to provide a survey of the property by a professional land surveyor licensed by the State of Washington.

Section 10.2 - Compliance with the Building Code and Other Town Regulations. The express intent of the Town of Yacolt is that the responsibility for compliance with the provisions of the Yacolt Building Code shall rest with Building Permit applicants and their agents, and all persons and entities engaged in activities affecting buildings or structures that are subject to regulation under the Yacolt Building Code.

Section 11 - Violations. It shall be unlawful for any person, firm or corporation to erect, construct, alter, extend, repair, move, remove, demolish, use or occupy any building, structure or equipment regulated by the Yacolt Building Code, or cause the same to be done, in conflict with or in violation of any of the provisions of the Yacolt Building Code.

Section 12 - Building Code Enforcement. Building Permit applications and projects that do not conform to the standards outlined in the Yacolt Building Code shall be subject to the denial of a Building Permit, an order to stop work on the project, or the withholding of a certificate of occupancy and other approvals until the building or structure is brought into compliance. Violations of the Yacolt Building Code shall also be subject to enforcement measures described in the Yacolt Municipal Code, and to any and all other rights and remedies available to the Town under the law. Rights and remedies available to the Town for violations are cumulative and are not exclusive of any rights or remedies otherwise provided or allowed by law to the Town.

Section 13 - Repealing Obsolete Resolutions of the Town. The following Resolutions of the Town of Yacolt are hereby repealed:

Section 13.1 - Resolution #553 Repealed. Resolution #553 of the Town of Yacolt, adopted March 6, 2017, entitled "A Resolution of the Town of Yacolt, Washington, Adopting a Town Policy and Fee Schedule for the Town of Yacolt Building and Permit Issuance and Related Building Services" is hereby repealed.

Section 13.2 - Resolution #581 Repealed. Resolution #581 of the Town of Yacolt, adopted January 22, 2019, entitled "A Resolution of the Town of Yacolt, Washington, Adopting a Town Policy and Fee Schedule for the Town of Yacolt Building and Permit Issuance and Related Building Services" is hereby repealed.

Section 13.3 - Resolution #587 Repealed. Resolution #587 of the Town of Yacolt, adopted September 16, 2019, entitled “A Resolution of the Town of Yacolt, Washington, Amending Resolution #581 Adopting a Fee Schedule for the Town of Yacolt for Building Services” is hereby repealed.

Section 13.4 - Other Conflicting Resolutions and Ordinances Repealed. All other ordinances, resolutions, and/or parts of ordinances and resolutions of the Town of Yacolt in conflict with the provisions of this Resolution #609 are hereby superseded by the applicable provisions of this Resolution #609.

Section 14 - Ratification and Confirmation of Prior Acts.

Section 14.1 - Ratification of Building and Land Use Permit Fees. At a regular meeting of the Town Council held on May 18, 2020, the Town Council voted to give authority to the Town’s Mayor to make discretionary adjustments to the Town’s Building Department fee schedule (Resolution #594) for new building, land use and development permit applications. The Mayor has exercised that authority to support the recovery of the Town’s reasonable costs for processing applications while preventing the imposition of excessive fees on building and land use permit applicants. The actions of the Town Council, the Mayor and the Town’s officers and agents prior to the date of this Resolution and consistent with the Town Council’s decision on May 18, 2020 are hereby ratified and confirmed.

Section 14.2 - Ratification of Other Actions. Any actions of the Town Council and of the Town’s Mayor, officers and agents prior to the date of this Resolution and consistent with the terms of this Resolution are hereby ratified and confirmed.

Section 15 - Severability. If any section, subsection, paragraph, sentence, clause, or phrase of this Resolution is declared unconstitutional or invalid for any reason by a court of competent jurisdiction, the remaining portion of this Resolution shall remain in full force and effect.

Section 16 - Gender and Number. As used in this Resolution, where applicable, references to the singular shall include the plural and references to the plural shall include the singular; words referring to the masculine gender shall include the feminine and the neuter, and vice versa in each case; and words referring to persons shall include bodies of persons whether corporate or unincorporated.

Section 17 - Section Headings. Section and subsection headings contained in this Resolution shall not be deemed to govern, limit, modify or in any manner affect the scope, meaning or intent of the provisions of any section or part of this Resolution.

Section 18 - Effective Date. This Resolution shall take effect immediately upon adoption by the Town Council in accordance with law. The Town Clerk is directed to publish notice of the adoption of this Resolution in the Town’s official newspaper by publishing the following summary:

Town of Yacolt - Summary of Resolution #609

The Town Council of the Town of Yacolt adopted Resolution #609 at a regular meeting of the Town Council held on September 12, 2022. The content of the Resolution is summarized in its title as follows: “A Resolution of the Town Council of the Town of Yacolt, Washington, Establishing Interim Regulations for Building and Construction Activities; Designating the Town’s Building Official; Describing the Limited Authority

of the Building Official to Approve Building Permit Applications; Repealing Resolutions #553, #581, and #587; and Providing for an Effective Date”.

The effective date of the Resolution is September 12, 2022. A copy of the full text of the Resolution will be mailed upon request to the undersigned at the Town of Yacolt Town Hall, P.O. Box 160, Yacolt, WA 98675: (360) 686-3922.

Published this 21st day of September, 2022.
Yacolt Town Clerk.

Resolved by the Town Council of the Town of Yacolt, Washington, at a regular meeting thereof this 12th day of September, 2022.

TOWN OF YACOLT

DRAFT

Katelyn J. Listek, Mayor

Attest:

DRAFT

Stephanie Fields, Town Clerk

Approved as to Form:

DRAFT

David W. Ridenour, Town Attorney

Ayes: _____
Nays: _____
Absent: _____
Abstain: _____

TOWN CLERK'S CERTIFICATION

I hereby certify that the foregoing Resolution is a true and correct copy of Resolution #609 of the Town of Yacolt, Washington, entitled "A Resolution of the Town Council of the Town of Yacolt, Washington, Establishing Interim Regulations for Building and Construction Activities; Designating the Town's Building Official; Describing the Limited Authority of the Building Official to Approve Building Permit Applications; Repealing Resolutions #553, #581, and #587; and Providing for an Effective Date" as approved according to law by the Yacolt Town Council on the date therein mentioned.

Attest:

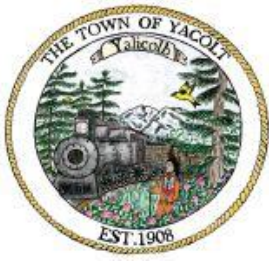
DRAFT

Stephanie Fields, Town Clerk

Published: September 21, 2022

Effective Date: September 12, 2022

Resolution Number: 609



Town of Yacolt Agenda Request

CONTACT INFORMATION FOR PERSON/GROUP/DEPARTMENT REQUESTING COUNCIL ACTION:

Name: Mayor Listek

Group Name:

Address: 202 W Cushman St., Yacolt, WA 98675

Phone: (360) 686-3922

Email Address: mayorlistek@townofyacolt.com

Alt. Phone:

ITEM INFORMATION:

Item Title: Vacancy at Council Position #2

Proposed Meeting Date: September 12, 2022

Action Requested of Council: None; Update only

Proposed Motion: None

Summary/ Background: Michelle Dawson, who formerly held Yacolt Town Council Position #2, resigned effective August 10th. Her position remains open, and application may be made for appointment to that position at Town Hall during regular business hours, or on our website, townofyacolt.com, under "Job Openings" by September 30th. During the October 3rd Special Council Meeting/Budget Workshop, interviews will take place, and potentially a candidate will be appointed and sworn in.

Staff Contact(s): Mayor Listek

mayorlistek@townofyacolt.com

(360) 686-3922

Clerk Fields

clerk@townofyacolt.com



Town of Yacolt Agenda Request

CONTACT INFORMATION FOR PERSON/GROUP/DEPARTMENT REQUESTING COUNCIL ACTION:

Name: Clerk Stephanie Fields

Group Name:

Address: 202 W Cushman St
Yacolt, WA 98675

Phone: (360) 686-3922

Email Address: clerk@townofyacolt.com

Alt. Phone:

ITEM INFORMATION:

Item Title: Records Review Project Status Report

Proposed Meeting Date: September 12, 2022

Action Requested of Council: None; update only

Proposed Motion: None

Summary/ Background: Our two temporary staff have been working part-time since July 27th on reviewing old records and sorting them for either storage or destruction. At tonight's meeting, we will have a report on their progress to date.

Staff Contact(s): Clerk Stephanie Fields
(360) 686-3922
clerk@townofyacolt.com



Town of Yacolt Request for Council Action

CONTACT INFORMATION FOR PERSON/GROUP/DEPARTMENT REQUESTING COUNCIL ACTION:

Name: Clerk Fields

Group Name:

Address: 202 W. Cushman St.

Phone: (360) 686-3922

Yacolt, WA 98675

Email Address: clerk@townofyacolt.com

Alt. Phone:

ITEM INFORMATION:

Item Title: Permit Application for Approval

Proposed Meeting Date: September 12, 2022

Action Requested of Council: Review and decide on whether to approve the attached building permit application for approval

Proposed Motion: "I move that we approve (or deny) Solgen Power's application for a solar panel system to be installed on the roof at 610 W Jones St."

Summary/ Background: See attached documents

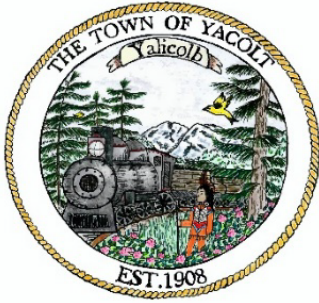
Staff Contact(s): Clerk Stephanie Fields

Mayor Katelyn Listek

clerk@townofyacolt.com

mayorlistek@townofyacolt.com

(360) 686-3922



Town of Yacolt

202 W. Cushman Street - P.O. Box 160
Yacolt, WA 98675

Tel: (360) 686-3922 Fax: (360) 686-3853

Email: townofyacolt@townofyacolt.com
www.townofyacolt.com

Office Use Only

Date Received: _____
Reply Deadline: _____
Permit Name: _____
Permit Number: _____
Issue Date: _____

Master Permit Application

(Attach additional pages if you need more space.)

General Project Description

Please describe the proposed project, including the existing use(s) of the property, proposed use(s) of the property, and all expected land use and construction elements.

Single Family residential construction
PV Solar Roof Mount: 3.70 kW, 1 Circuit
10 panels: SUNTECH STP370S-B60/WNHB
3 Inverters: Hoymiles HM-1200 (2), HM-600 (1)

Land Use Elements: (e.g., subdivision, short plat, variance, conditional use permit, road access, zoning, SEPA, etc.)

Construction Elements: (e.g., new construction/remodel/addition, commercial, single-family home, multi-family, detached garage, accessory building, fence, demolition, re-roof, right-of-way work, etc.)

Estimated Total Cost of the Project, (labor and material): \$ 3182

Property Information

Property Street Address: 610 W Jones St, Yacolt, WA 98675

Tax Parcel Number(s): 986040053

Legal Description: PV Solar Roof mount installation, 3.70kW, 1 circuit

Owners' Name(s): Patricia Ronalder

Owners' Mailing Address: 610 W Jones St, Yacolt, WA 98675

Owners' Phone Number(s): 3606678655

Owners' Cell Phone Number(s): _____

Owners' Email Addresses: patcor1@comcast.net

Occupants' Name(s): Patricia Ronalder

Occupants' Phone Number(s): 610 W Jones St, Yacolt, WA 98675

Occupants' Cell Phone Number(s): 3606678655

Occupants' Email Addresses: patcor1@comcast.net

Other Contact Information

(If not applicable to the Project, please indicate "N/A" below.)

Primary Contact Information

Contact Person: Matthew Kelly
 Company Name: Solgen Power, LLC
 Contact Address: 5715 Bedford Street Pasco, WA 99301
 Phone Number(s) (incl. cell): 8557091181
 Contact Email Address: permitting@solgenpower.com

Project Manager / Other Authorized Representative

Company Name: _____
 Company Address: _____
 Company Phone Number(s): _____
 Contact Name: _____
 Contact Email Address: _____
 Contact Phone, (incl. cell): _____

Contractor Information *(Must be provided prior to issuance of permit)*

Contractor Company Name: Solgen Power, LLC
 Company Address: 5715 Bedford Street Pasco, WA 99301
 Company Phone Number(s): 8557091181
 Contact Name: Joan Calderon
 Contact Email Address: permitting@solgenpower.com
 Contact Phone: 8557091181
 Contractor's WA State UBI Number: 604182705
 Contractor's WA L&I License Number: solgepl830rj
 Contractor's WA State Contractor's License Number: SOLGEPL820BE
 Licensing Bond, (company and amount): _____

☐ Attach or enclose a copy of current contractor registration card for verification purposes.

If Construction by Owner: If the project will be constructed or partially-constructed by the property owner, confirm that you have read the contractor licensing requirements? ☐ Yes ☒ No
 Cite exemption number in RCW 18.27: _____

OR

If Owner is Contractor: I have read RCW 18.27.010 relating to definitions of general contractors and specialty contractors, and RCW 18.27.110 which prohibits the issuance of permits without proof of registration, and verify that the owner is a contractor.

| | |
|---------------------|--------------|
| Signature: _____ | Date: _____ |
| Printed Name: _____ | Title: _____ |
| Signature: _____ | Date: _____ |
| Printed Name: _____ | Title: _____ |

Other Consultant(s) *(Civil engineer, architect, sub-contractor, etc.)*

Company Name: _____
 Company Address: _____
 Company Phone Number(s): _____
 WA State UBI Number: _____
 WA State Licensing Information: _____
 Contact Person: _____
 Contact Email Address: _____
 Contact Phone: _____

Financial Responsibility

Financially Responsible Party/Parties *(Application processing fees, processing costs, impact fees, etc.)*

Name(s): Matthew Kelly

Company Name: Solgen Power

Mailing Address: 5715 Bedford St Pasco, WA 99301

Phone Number(s) (incl. cell): 855-709-1181

Email Address: permitting@solgenpower.com

Construction Financing *(Lender information is only required for projects over \$5,000.)*
This project is: ☐ Funded Solely by the Owner ☒ Funded by a Lender
Construction Lender *(Any lender associated with the project by providing interim construction financing.)*

Lender Name: Solgen Power

Branch Name: Solgen Power

Mailing Address: 5715 Bedford St Pasco, WA 99301

Phone Number(s): 855-709-1181

Payment Bond *(Any firm associated with the project by providing a payment bond on behalf of the prime contractor for the protection of the owner, if the bond is for an amount not less than fifty percent of the total amount of the construction project.)*

Bonding Company Name: _____

Mailing Address: _____

Phone Number(s): _____

Bond Number / Detail: _____

Note: If any information about the construction lender or payment bond is not available at the time this application is submitted, you must so state. The applicant must provide the remaining information as soon as the applicant can reasonably obtain such information.

Acknowledgements

(All property owners, applicants and financially responsible parties must sign and date this Master Permit Application.)

1. *I certify that I am the owner of this property or the owner's authorized agent. If acting as an authorized agent, I further certify that I have full power and authority to file this application and to perform, on behalf of the owner, all acts required to enable the jurisdiction to process and review such application. I certify, under penalty of perjury, under the laws of the State of Washington, that the information provided is true and correct.*
2. *I will comply with all provisions of law and ordinance governing this type of application. I understand that false statements, errors, and/or omissions may be sufficient cause for delay, denial or revocation of the permit. If the scope of work requires a licensed contractor to perform the work, the contractor's information will be provided prior to permit issuance.*
3. *I authorize employees and agents of the Town of Yacolt to enter onto the property which is the subject of this application at any reasonable time to examine the property, to take photographs, to post public notices, and to perform any other act reasonably necessary to process this application.*
4. *This Master Permit Application, together with all other submittals as may be required by the Town of Yacolt, constitutes my request and application for a building and/or land use permit. I certify that my submittal package*

contains the required information and is accurate. If my application submittal package is not correct and complete, I understand that my application will not be accepted, and that I will be required to re-apply when I have all the required information.



Patricia Ronalder

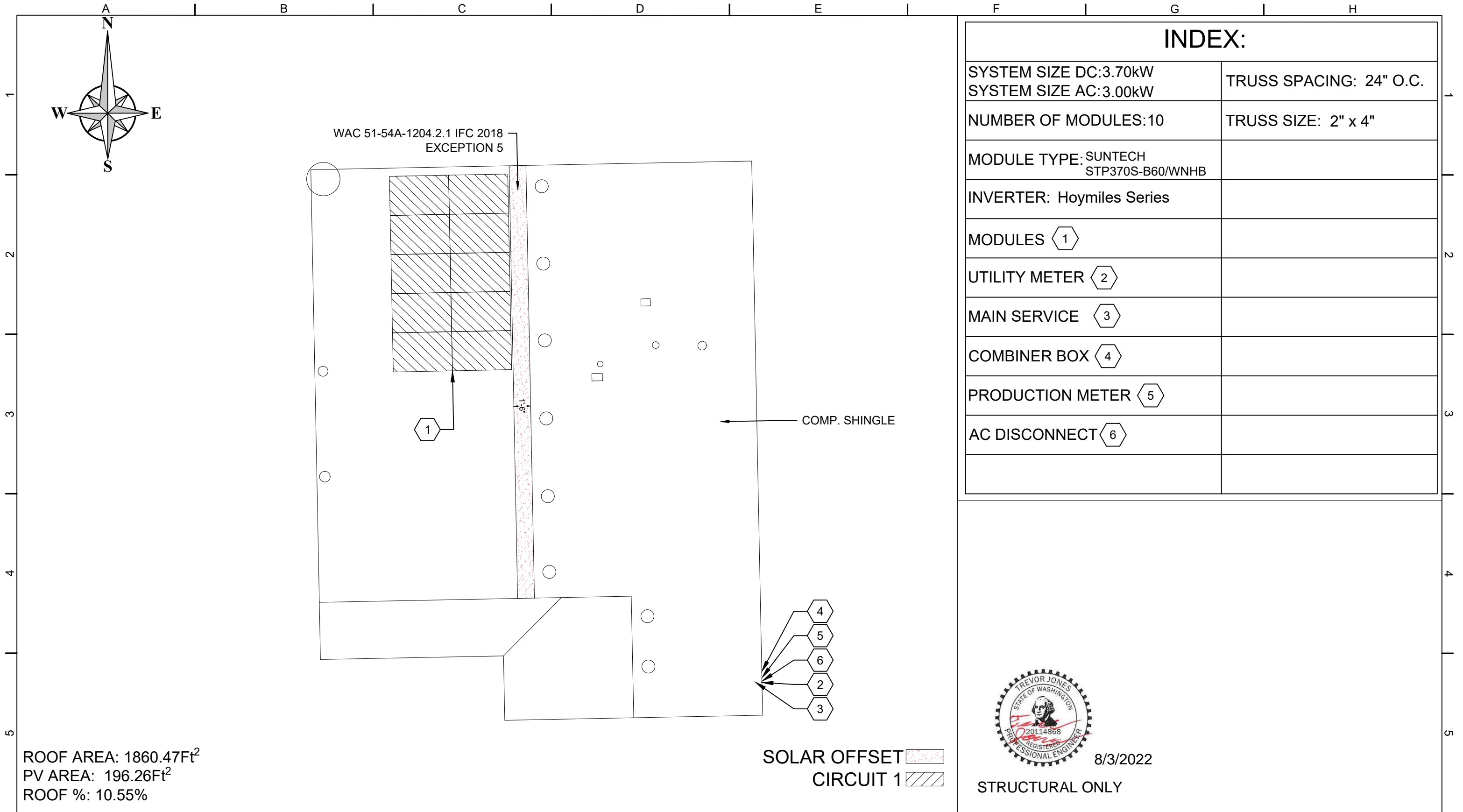
Signature: _____ Date: 8/8/2022
Printed Name: Patricia Ronalder Title: Owner

Signature: *Matthew Kelly* Date: 8/11/22
Printed Name: Solgen Power & Matthew Kelly Title: Permit Technician

Signature: _____ Date: _____
Printed Name: _____ Title: _____

Signature: _____ Date: _____
Printed Name: _____ Title: _____

| | | | | | |
|---|--|--|--|--|--|
| AERIAL VIEW | | ELECTRICAL NOTES | | GENERAL NOTES | |
|  | | <div><div><div>1. WHERE ALL TERMINALS OF THE DISCONNECTING MEANS MAY BE ENERGIZED IN THE OPEN POSITION, A SIGN WILL BE PROVIDED WARNING OF THE HAZARDS. (PER ART. 690.17)</div><div>2. EACH UNGROUNDED CONDUCTOR OF THE MULTIWIRED BRANCH CIRCUIT WILL BE IDENTIFIED BY PHASE AND SYSTEM. (PER ART. 210.5)</div><div>3. A NATIONALLY RECOGNIZED TESTING LABORATORY SHALL LIST ALL EQUIPMENT IN COMPLIANCE WITH ARTICLE 110.3.</div><div>4. ALL WIRES SHALL BE PROVIDED WITH STRAIN RELIEF AT ALL ENTRY POINTS INTO BOXES AS REQUIRED BY UL LISTING</div><div>5. MODULE FRAMES SHALL BE GROUNDED AT THE UL-LISTED LOCATION PROVIDED BY THE MANUFACTURER USING UL-LISTED GROUNDING HARDWARE.</div><div>6. MODULE FRAMES, RAIL, AND POSTS SHALL BE BONDED WITH EQUIPMENT GROUND CONDUCTORS AND GROUNDED AT THE MAIN ELECTRICAL PANEL.</div><div>7. THE DC GROUNDING ELECTRODE CONDUCTOR SHALL BE SIZED ACCORDING TO ARTICLE 250.166B & 690.47.</div></div><div><div><div><div>TREVOR JONES</div><div>STATE OF WASHINGTON</div><div>20114868</div><div>REGISTERED PROFESSIONAL ENGINEER</div></div><div>8/3/2022</div></div><div>STRUCTURAL ONLY</div></div></div> | | <div><div>1. PRIOR TO THE COMMENCEMENT OF ANY WORK, THE CONTRACTOR SHALL NOTIFY THE DESIGNER OF ANY DISCREPANCIES WITH THE DESIGN IN ANY CAPACITY. ESPECIALLY RECOMMENDATIONS, CODES, OR REGULATIONS & RULES OF THE AUTHORITY HAVING JURISDICTION, WHICH SUPERSEDED THE NEC.</div><div>2. ALL DIMENSIONS TO BE VERIFIED BY CONTRACTOR PRIOR TO COMMENCEMENT OF WORK.</div><div>3. CONTRACTOR IS RESPONSIBLE FOR ALL SAFETY PRECAUTIONS, OSHA REQUIREMENTS ETC. FOR THE SITE, INCLUDING EXISTING SITE HAZARDS.</div><div>4. SYSTEM IS GRID INTERACTIVE/INTERTIED VIA A UL LISTED POWER-CONDITIONING INVERTER.</div><div>5. SYSTEM HAS NO ENERGY STORAGE OF ANY KIND, OR UPS.</div><div>6. ALL SOLAR MOUNTING FRAMEWORK TO BE GROUNDED.</div><div>7. FOLLOW MANUFACTURERS SUGGESTED INSTALLATION PRACTICES AND WIRING SPECIFICATIONS.</div><div>8. ALL WORK TO BE IN COMPLIANCE WITH THE INTERNATIONAL BUILDING CODES. (IBC)</div><div>9. ALL ELECTRICAL WORK TO BE IN COMPLIANCE WITH THE NATIONAL ELECTRIC CODE (NEC).</div></div> | |
| RESIDENCE PHOTO | | SHEET INDEX | | | |
|  | | PV 1 COVER PAGE | | PV 5 MOUNTING DIAGRAM | |
| | | PV 2 SITE PLAN | | PV 6 PLACARD | |
| | | PV 3 ELECTRICAL DIAGRAM | | CUT SHEETS ATTACHED | |
| | | PV 4 CHIKO MOUNTING | | | |
| <div><div><div><div></div><div>SOLGEN POWER</div></div><div><div>CONFIDENTIAL</div><div>- THE INFORMATION CONTAINED IN THIS PACKET AND SUBSEQUENT CUTSHEETS SHALL NOT BE USED FOR THE BENEFIT OF ANYONE OUTSIDE SOLGEN POWER. NEITHER SHALL IT BE DISCLOSED TO OTHERS OUTSIDE THE RECIPIENT'S ORGANIZATION, EXCEPT IN CONNECTION WITH THE SALE AND USE OF THE RESPECTIVE EQUIPMENT, WITHOUT WRITTEN CONSENT FROM SOLGEN POWER.</div></div></div><div><div>SOLGEN POWER</div><div>5100 ELM RD,</div><div>PASCO, WA 99301</div><div>P: 509-931-1663</div></div></div> | | Patricia Ronalder | | <div><div>DRAWN BY:</div><div>KMA</div><div>DATE:</div><div>03/08/2022</div></div> | |
| | | 610 W Jones St, Yacolt, WA 98675 | | <div><div>DRAWING SCALE:</div><div>CUSTOM DESIGN</div><div>1</div><div>PAGE #</div><div>PV 1</div><div>104</div></div> | |



ROOF AREA: 1860.47Ft²
PV AREA: 196.26Ft²
ROOF %: 10.55%



CONFIDENTIAL - THE INFORMATION CONTAINED IN THIS PACKET AND SUBSEQUENT CUTSHEETS SHALL NOT BE USED FOR THE BENEFIT OF ANYONE OUTSIDE SOLGEN POWER. NEITHER SHALL IT BE DISCLOSED TO OTHERS OUTSIDE THE RECIPIENT'S ORGANIZATION, EXCEPT IN CONNECTION WITH THE SALE AND USE OF THE RESPECTIVE EQUIPMENT, WITHOUT WRITTEN CONSENT FROM SOLGEN POWER.

SOLGEN POWER
5100 ELM RD,
PASCO, WA 99301

P: 509-931-1663

Patricia Ronalder

610 W Jones St, Yacolt, WA 98675

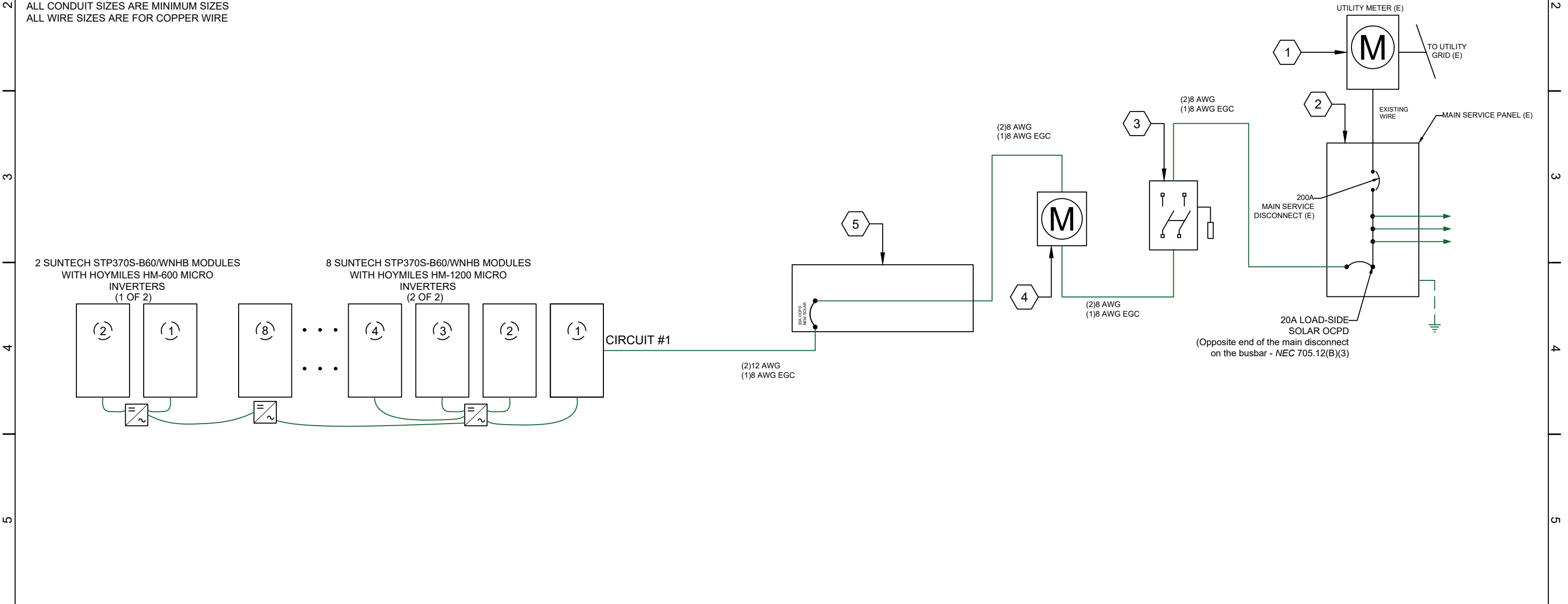
DRAWN BY: KMA
DATE: 03/08/2022

DRAWING SCALE:
1/8" = 1'-0"
DESIGN

1
PAGE #
PV 2

| | | | | | | | | | | | | | | | |
|--|-------------------|--------------------|--------------------------|--------------------------|--|--------------|----------|------------------|----------|----------------|--------------|---|--|---|--|
| A | | B | | C | | D | | E | | F | | G | | H | |
| LOAD CALCS - TOTAL AMPS AVAILABLE | | | | | | | | | | | | | | | |
| BUS RATING | | 120% | | TOTAL | | MAIN BREAKER | | MAX BREAKER SIZE | | | | | | | |
| 200A | X | 1.2 | = | 240 | - | 200A | = | 40A | | | | | | | |
| COMBINER BOX PANEL SIZE CALCS | | | | | | | | | | | | | | | |
| CIRCUIT # | NUMBER OF MODULES | | NUMBER OF MICROINVERTERS | | NOMINAL OUTPUT CURRENT | | TOTAL | 125% | TOTAL | COMBINED TOTAL | BREAKER SIZE | | | | |
| CIRCUIT 1 (1 of 2) | 2 | | 1 | | 2.46A | | = 2.46A | x 1.25 | = 3.08A | 15.58A | 20A | | | | |
| CIRCUIT 1 (2 of 2) | 8 | | 2 | | 5.0A | | = 10.00A | x 1.25 | = 12.50A | | | | | | |
| MAX AC OPERATING CURRENT CALCS FOR HM-1200 | | | | | | | | | | | | | | | |
| # OF MICROINVERTERS | | MAX OUTPUT CURRENT | | MAX AC OPERATING CURRENT | MAX AC OPERATING CURRENT FOR HM-1200 & 600 | | TOTAL | | | | | | | | |
| 2 | X | 5.0A | = | 10.00A | HM-1200 | | HM-600 | 12.46A | | | | | | | |
| MAX AC OPERATING CURRENT CALCS FOR HM-600 | | | | | | | | | | | | | | | |
| # OF MICROINVERTERS | | MAX OUTPUT CURRENT | | MAX AC OPERATING CURRENT | 10.00A | + | 2.46A | = | | | | | | | |
| 1 | X | 2.46A | = | 2.46A | | | | | | | | | | | |
| BREAKER SIZE CALCS | | | | | | | | | | | | | | | |
| MAX AC OPERATING CURRENT | | | 125% | TOTAL | BREAKER SIZE | | | | | | | | | | |
| 12.46A | | x | 1.25 | x 15.58A | = | 20A | | | | | | | | | |

NOTES:
1. 200A UTILITY METER GLOBE ONLY. (EXISTING)
2. 200A LOAD CENTER. (EXISTING)
3. 30A RATED NON-FUSED LOCKABLE AC DISCONNECT. (NEW)
4. PRODUCTION METER. (NEW)
5. 125A RATED COMBINER PANEL. (NEW)
ALL CONDUIT SIZES ARE MINIMUM SIZES
ALL WIRE SIZES ARE FOR COPPER WIRE



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SOLGEN POWER
5100 ELM RD,
PASCO, WA 99301

P: 509-931-1663

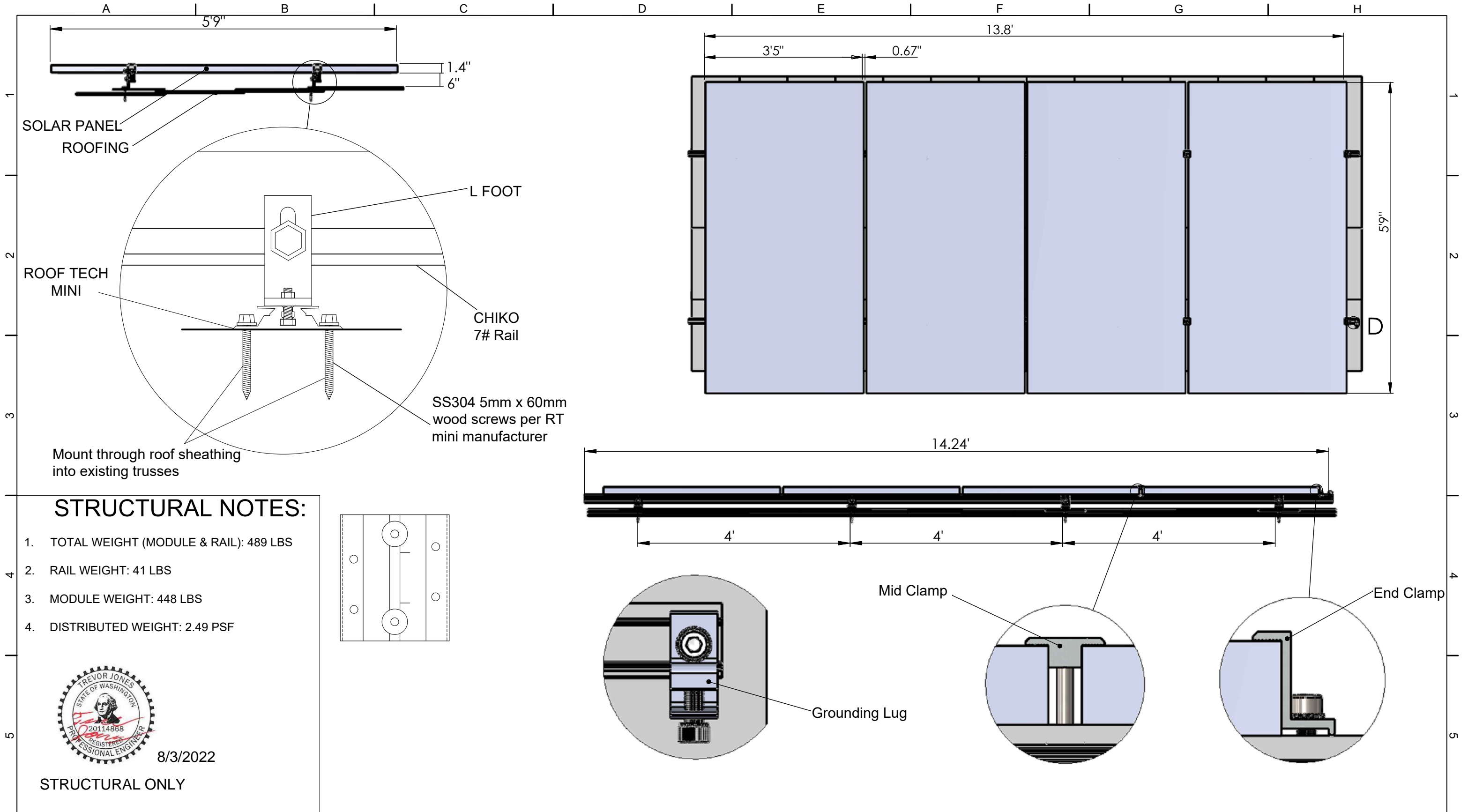
Patricia Ronalder

610 W Jones St, Yacolt, WA 98675

DRAWN BY: KMA
DATE: 03/08/2022

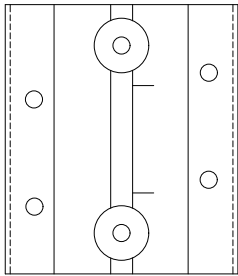
DRAWING SCALE:
NOT TO SCALE
DESIGN

1
PAGE #
PV 3



STRUCTURAL NOTES:

- 1. TOTAL WEIGHT (MODULE & RAIL): 489 LBS
- 2. RAIL WEIGHT: 41 LBS
- 3. MODULE WEIGHT: 448 LBS
- 4. DISTRIBUTED WEIGHT: 2.49 PSF



8/3/2022

STRUCTURAL ONLY



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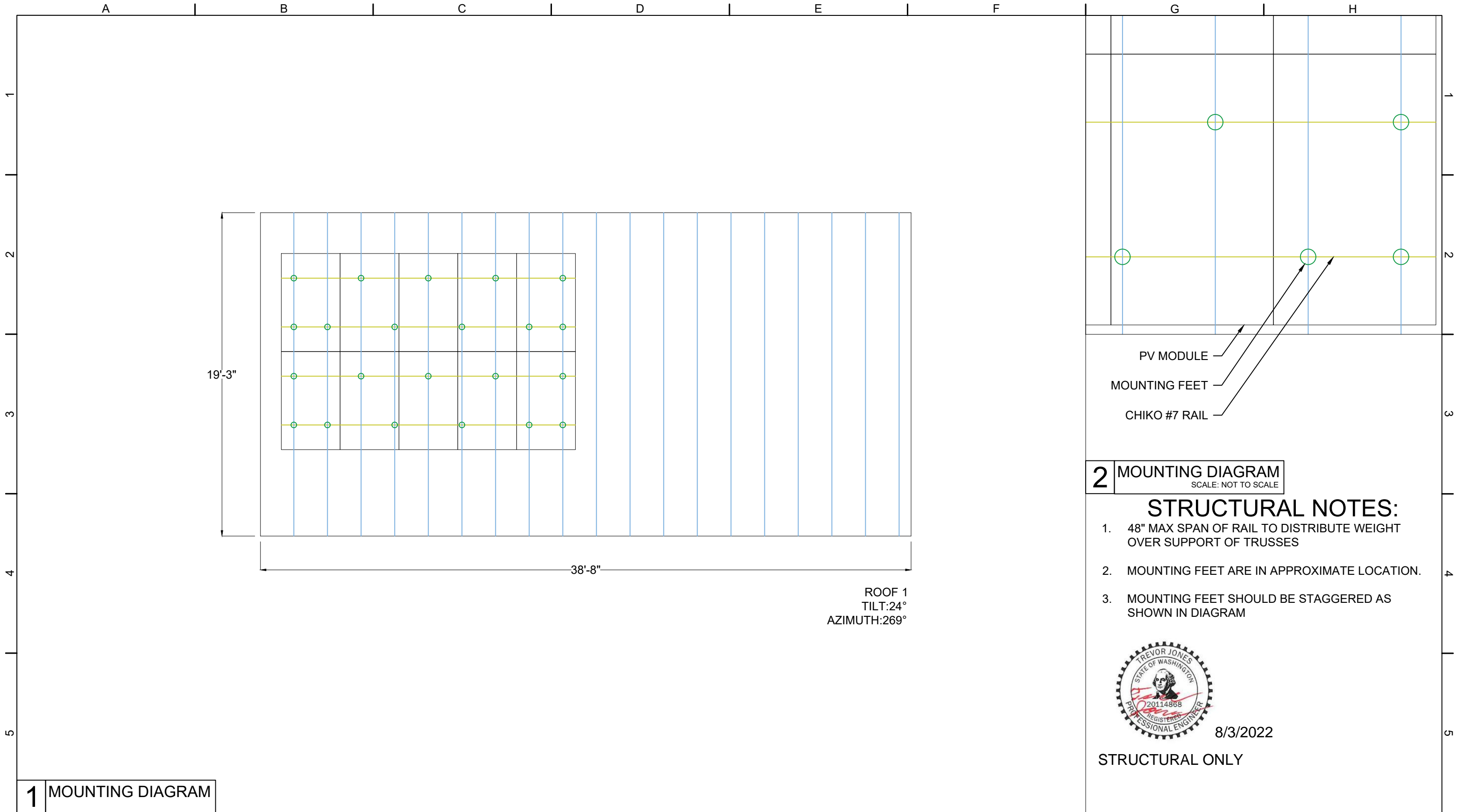
DRAWN BY: KMA
DATE: 03/08/2022

DESIGN

1

PAGE #

PV 4



1 MOUNTING DIAGRAM

2 MOUNTING DIAGRAM
SCALE: NOT TO SCALE

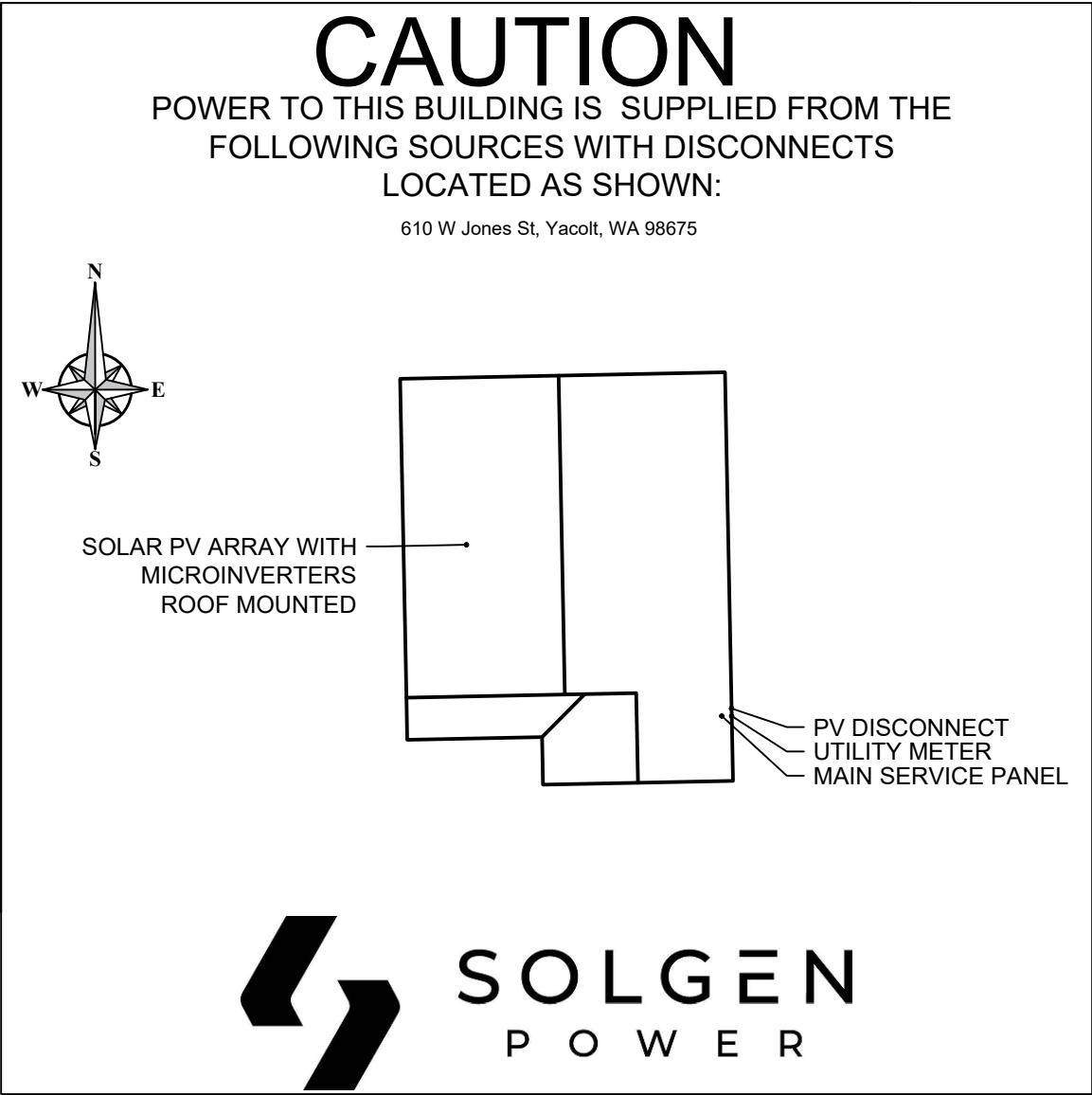
STRUCTURAL NOTES:

- 1. 48" MAX SPAN OF RAIL TO DISTRIBUTE WEIGHT OVER SUPPORT OF TRUSSES
- 2. MOUNTING FEET ARE IN APPROXIMATE LOCATION.
- 3. MOUNTING FEET SHOULD BE STAGGERED AS SHOWN IN DIAGRAM



8/3/2022

STRUCTURAL ONLY



6"x6"

Main Panel

CAUTION
SOLAR ELECTRIC SYSTEM CONNECTED

WARNING
ELECTRIC SHOCK HAZARD
TERMINALS ON THE LINE AND LOAD SIDES MAY BE ENERGIZED IN THE OPEN POSITION

WARNING
THIS EQUIPMENT FED BY MULTIPLE SOURCES. TOTAL RATING OF ALL OVERCURRENT DEVICES, EXCLUDING MAIN SUPPLY OVERCURRENT DEVICE, SHALL NOT EXCEED AMPLACITY OF BUSBAR.

PHOTOVOLTAIC POWER SOURCE
OPERATING AC VOLTAGE _____ V
MAX OPERATING AC OUTPUT CURRENT _____ A

WARNING
DUAL POWER SUPPLY
SOURCES: UTILITY GRID AND PV SOLAR ELECTRIC SYSTEM

RAPID SHUTDOWN SWITCH FOR SOLAR PV SYSTEM

SOLAR PV SYSTEM EQUIPPED WITH RAPID SHUTDOWN

TURN RAPID SHUTDOWN SWITCH TO THE "OFF" POSITION TO SHUT DOWN PV SYSTEM AND REDUCE SHOCK HAZARD IN THE ARRAY

Inside Panel

SOLAR PV BREAKER
BREAKER IS BACKFED
DO NOT RELOCATE

Enphase Combiner

PHOTOVOLTAIC POWER SOURCE
OPERATING AC VOLTAGE _____ V
MAX OPERATING AC OUTPUT CURRENT _____ A

WARNING
PHOTOVOLTAIC SYSTEM COMBINER PANEL
DO NOT ADD LOADS

PHOTOVOLTAIC SYSTEM EQUIPPED WITH RAPID SHUTDOWN

WARNING
AC MICRO INVERTERS LOCATED ON ROOF UNDER MODULES

WARNING
ELECTRIC SHOCK HAZARD
TERMINALS ON THE LINE AND LOAD SIDES MAY BE ENERGIZED IN THE OPEN POSITION

Soladeck & Junction Boxes

CAUTION
SOLAR CIRCUIT

Conduit: Every 10'

CAUTION
SOLAR CIRCUIT

PV SYSTEM kWh Meter

PHOTOVOLTAIC SYSTEM kWh METER

AC Disconnect

PHOTOVOLTAIC SYSTEM AC DISCONNECT
RATED AC OUTPUT CURRENT _____ A
NOMINAL OPERATING AC VOLTAGE _____ V

WARNING
ELECTRIC SHOCK HAZARD
TERMINALS ON THE LINE AND LOAD SIDES MAY BE ENERGIZED IN THE OPEN POSITION

SOLAR PV SYSTEM EQUIPPED WITH RAPID SHUTDOWN

TURN RAPID SHUTDOWN SWITCH TO THE "OFF" POSITION TO SHUT DOWN PV SYSTEM AND REDUCE SHOCK HAZARD IN THE ARRAY

RAPID SHUTDOWN SWITCH FOR SOLAR PV SYSTEM



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SOLGEN POWER
5100 ELM RD,
PASCO, WA 99301

P: 509-931-1663

Patricia Ronalder

DRAWN BY: KMA
DATE: 03/08/2022

610 W Jones St, Yacolt, WA 98675

DESIGN

1

PAGE #

PV 6

RT-MINI

Self-flashing base for asphalt & metal roof-top PV mounting systems

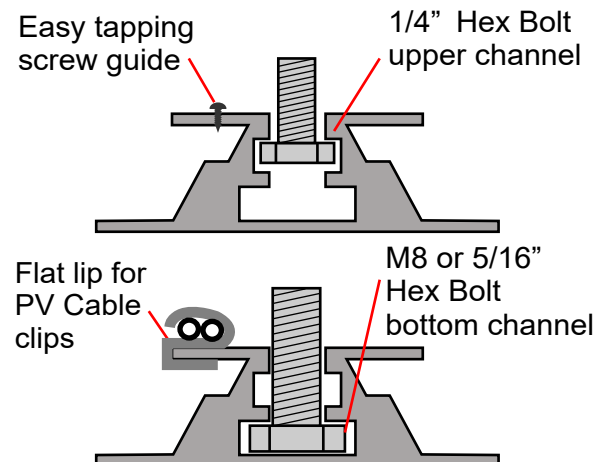
RT-MINI is suitable for mounting any rail system with a conventional L-Foot.



Dual bolt design: M8 or 5/16" for L-Foot & 1/4" for EMC



Installation Manual



Roof Tech

Smarter PV mounting solutions from top of roof to bottom line®
www.roof-tech.us info@roof-tech.us

RT-MINI

Flexible Flashing certified by the International Code Council (ICC)

Engineered to ASTM D 1761 (Standard Test Methods for Mechanical Fasteners in Wood)
Components

RT2-00-MINIBK



MINI base : 20 ea.
Screw : 40 ea.
Extra RT-Butyl : 10 ea.

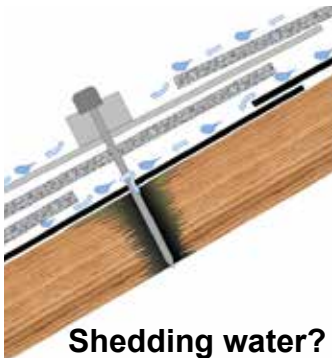
Optional item

5 x 60mm Mounting screw (RT2-04-SD5-60) : 100 ea./Bag
5/16" Hex bolt, washer & nut set (RT-04-BN30SL-US) : 100 ea./Bag
RT-Butyl (RT2-04-BUTYLT) : 10 ea./Box

RT-Butyl is Roof Tech's flexible flashing used in one million residential PV systems for the last 26 years. It is the first PV mounting system with Flexible Flashing certified by the ICC. Engineered to withstand wind speeds up to 180 mph and ground snow up to 90 psf.

Metal Flashing Retrofit

Flexible Flashing



Shedding water?

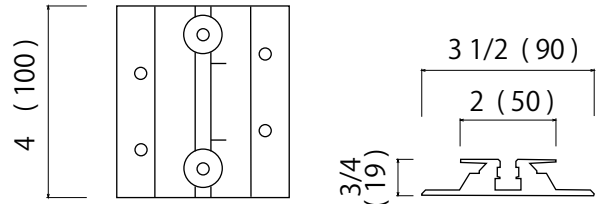


100% Waterproof

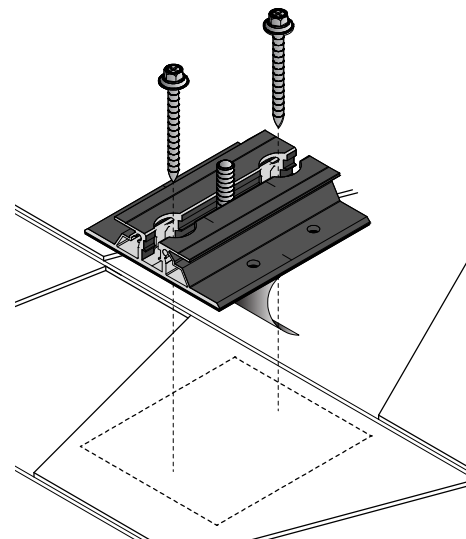
ICC ESR-3575 ASTM2140 testing UV testing (7500 hrs.)



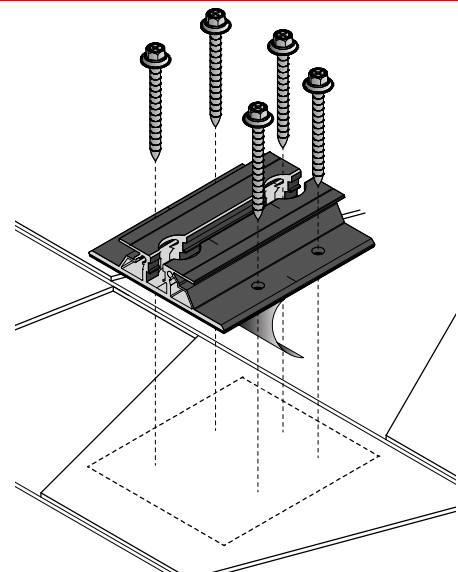
Dimensions in (mm)



Rafter installation



Deck installation



P.E. Stamped Letters available at www.roof-tech.us/support
TAS 100 A on metal and asphalt roof.

Roof Tech Inc.

www.roof-tech.us

info@roof-tech.us

10620 Treena Street, Suite 230, San Diego, CA 92131
858.935.6064

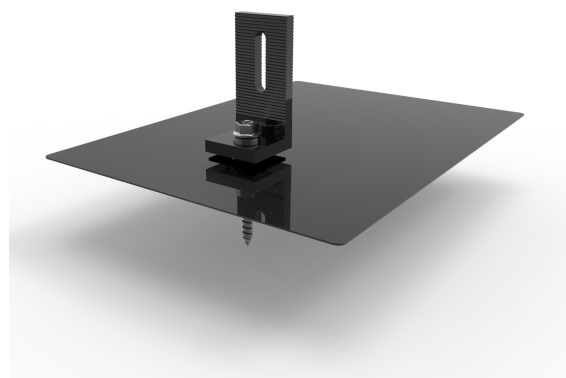


PRODUCT LINE

| | |
|------------|------------------------|
| Item | Product Name |
| CK-FTH-211 | CHIKO AL Roof Hook 211 |

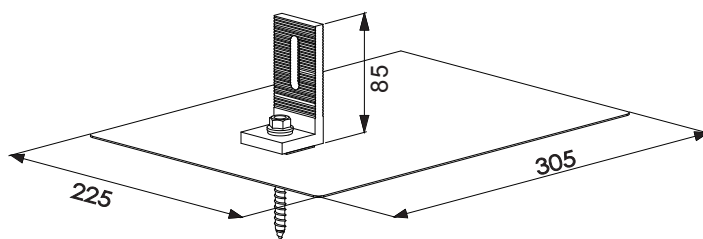
TECHNICAL DATA

| | |
|-------------------|-----------------------|
| Main Material | 6005-T5 & SUS304 |
| Uplift P | N*Fv (N=3) |
| Wind Load | Up to 60 M/S |
| Snow Load | 1.4 KM/M ² |
| Hook Spacing | Up to 2000mm |
| Installation Site | Roman Tile Roof |



AL Roof Hook 019

CHIKO L Feet matching to the Flashing, supplying the best waterproofing solution for Asphalt Shingles Roofs.



ADVANTAGES

- Enables simple, fast and cost-effective installation.
- High class anodized aluminium.
- Fasteners and rail nut configured to save extra parts purchasing.
- 100% water proofing.

COMPONENT LIST

| MATERIAL | QTY |
|--------------------|-----|
| AL Flashing | 01 |
| AL L Feet | 01 |
| O50 Nut | 01 |
| SUS Bolt M8*25 | 01 |
| SUS M8 Wahser | 02 |
| Wooden Screw M8*90 | 01 |
| Silicon Rubber | 01 |

WARRANTY



UL LISTED



ORDERING SPECIFICS

| | |
|--------------------|-----------|
| Standard Packaging | 16PCS/CTN |
| Dimensions | 34X25X7CM |
| Weight | 6KG |



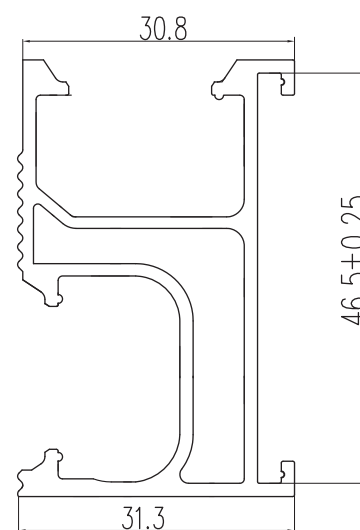
PRODUCT LINE

| Item | Product Name |
|------------|---------------------|
| CK-7R-2100 | CHIKO 7 RAIL 2100MM |
| CK-7R-3200 | CHIKO 7 RAIL 3200MM |
| CK-7R-4200 | CHIKO 7 RAIL 4200MM |

TECHNICAL DATA

| | |
|---------------|--------------|
| Main Material | AL 6005-T5 |
| Wind Velocity | Up to 60 M/S |

Xi=31918.082 mm⁴
Yi=81501.592 mm⁴



7 RAIL

CHIKO 7R aluminium rail is designed for roof mounting system, it could applied on all roof mount system.

ADVANTAGES

- Easy installation
- Highclass anodized
- Tilt- in nut
- Universal on roof mount system

COMPONENT LIST

| MATERIAL | QTY |
|----------------|-----|
| Aluminium Rail | 01 |

WARRANTY



UL LISTED



ORDERING SPECIFICS

| | |
|--------------------|------------------|
| Standard Packaging | 8 PCS/PKG |
| Dimensions | 2100/3200/4200mm |
| Weight | 15/22.8/30KG |

Full Black Series

120 HALF-CELL ALL BLACK MONOFACIAL
MODULE

350-370 Watt

STPXXXS - B60/Wnhb



Features



High power output

Compared to 158.75 mm half-cell module, the power output can increase 25 - 30 Wp



High PID resistant

Advanced cell technology and qualified materials lead to high resistance to PID



Excellent weak light performance

More power output in weak light condition, such as haze, cloudy, and morning



Suntech current sorting process

System output maximized by reducing mismatch losses up to 2% with modules sorted & packaged by amperage



Extended wind and snow load tests

Module certified to withstand extreme wind (3800 Pascal) and snow loads (5400 Pascal) *



Withstanding harsh environment

Reliable quality leads to a better sustainability even in harsh environment like desert, farm and coastline

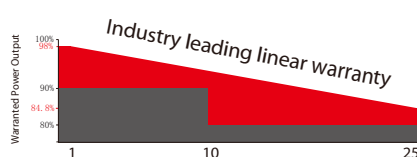
Certifications and standards:
UL 61730



Trust Suntech to Deliver Reliable Performance Over Time

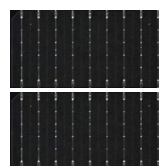
- World-class manufacturer of crystalline silicon photovoltaic modules
- Unrivalled manufacturing capacity and world-class technology
- Rigorous quality control meeting the highest international standards: ISO 9001, ISO 14001 and ISO 17025
- Regular independently checked production process from international accredited institute/company
- Tested for harsh environments (salt mist, ammonia corrosion and sand blowing testing: IEC 61701, IEC 62716, DIN EN 60068-2-68)**
- Long-term reliability tests
- 2 x 100% EL inspection ensuring defect-free modules

Industry-leading Warranty based on nominal power



- 98% in the first year, thereafter, for years two (2) through twenty-five (25), 0.55% maximum decrease from MODULE's nominal power output per year, ending with the 84.8% in the 25th year after the defined WARRANTY STARTING DATE.***
- 12-year product warranty
- 25-year linear performance warranty

Special Cell Design



The unique cell design leads to reduced electrodes resistance and smaller current, thus enables higher fill factor. Meanwhile, it can reduce losses of mismatch and cell wear, and increase total reflection.

IP68 Rated Junction Box



The Suntech IP68 rated junction box ensures an outstanding waterproof level, supports installations in all orientations and reduces stress on the cables. High reliable performance, low resistance connectors ensure maximum output for the highest energy production.

* Please refer to Suntech Standard Module Installation Manual for details.

*** Please refer to Suntech Product Warranty for details.

** Please refer to Suntech Product Near-coast Installation Manual for details.

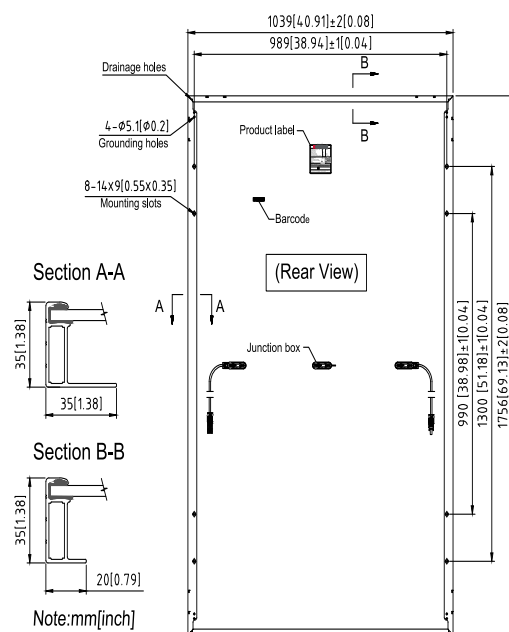
Electrical Characteristics

| STC | STPXXXS-B60/Wnhb | | | | |
|---------------------------------|------------------|---------|---------|---------|---------|
| Maximum Power at STC (Pmax) | 370 W | 365 W | 360 W | 355 W | 350 W |
| Optimum Operating Voltage (Vmp) | 34.3 V | 34.1 V | 33.9 V | 33.7 V | 33.5 V |
| Optimum Operating Current (Imp) | 10.79 A | 10.71 A | 10.62 A | 10.54 A | 10.46 A |
| Open Circuit Voltage (Voc) | 40.9 V | 40.7 V | 40.5 V | 40.3 V | 40.1 V |
| Short Circuit Current (Isc) | 11.49 A | 11.42 A | 11.35 A | 11.28 A | 11.21 A |
| Module Efficiency | 20.3% | 20.0% | 19.7% | 19.5% | 19.2% |
| Operating Module Temperature | -40 °C to +85 °C | | | | |
| Maximum System Voltage | 1000 V DC (IEC) | | | | |
| Maximum Series Fuse Rating | 20 A | | | | |
| Power Tolerance | 0/+5 W | | | | |

STC: Irradiance 1000 W/m², module temperature 25 °C, AM=1.5;
Tolerance of Pmax is within +/- 3%.

| NMOT | STPXXXS-B60/Wnhb | | | | |
|---------------------------------|------------------|---------|---------|---------|---------|
| Maximum Power at NMOT (Pmax) | 278.2 W | 274.3 W | 270.7 W | 266.8 W | 263.3 W |
| Optimum Operating Voltage (Vmp) | 32.0 V | 31.8 V | 31.6 V | 31.5 V | 31.3 V |
| Optimum Operating Current (Imp) | 8.69 A | 8.62 A | 8.56 A | 8.48 A | 8.42 A |
| Open Circuit Voltage (Voc) | 38.7 V | 38.5 V | 38.4 V | 38.2 V | 38.0 V |
| Short Circuit Current (Isc) | 9.17 A | 9.10 A | 9.04 A | 8.96 A | 8.89 A |

NMOT: Irradiance 800 W/m², ambient temperature 20 °C, AM=1.5, wind speed 1 m/s.



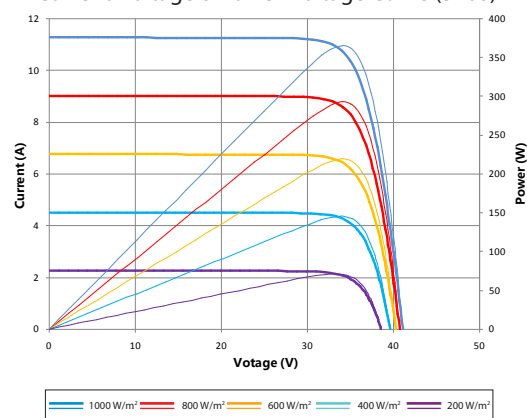
Temperature Characteristics

| | |
|---|------------|
| Nominal Module Operating Temperature (NMOT) | 42 ± 2 °C |
| Temperature Coefficient of Pmax | -0.36%/°C |
| Temperature Coefficient of Voc | -0.304%/°C |
| Temperature Coefficient of Isc | 0.050%/°C |

Mechanical Characteristics

| | |
|---------------|--|
| Solar Cell | Monocrystalline silicon 166 mm |
| No. of Cells | 120 (6 × 20) |
| Dimensions | 1756 × 1039 × 35 mm (69.1 × 40.9 × 1.4 inches) |
| Weight | 20.3 kgs (44.8 lbs.) |
| Front Glass | 3.2 mm (0.13 inches) tempered glass |
| Frame | Anodized aluminium alloy |
| Junction Box | IP68 rated (3 bypass diodes) |
| Output Cables | 4.0 mm ² , Portrait: (-)350 mm and (+)160 mm in length Landscape: (-)1300 mm and (+)1300 mm in length or customized length |
| Connectors | MC4 compatible |

Current-Voltage & Power-Voltage Curve (370S)



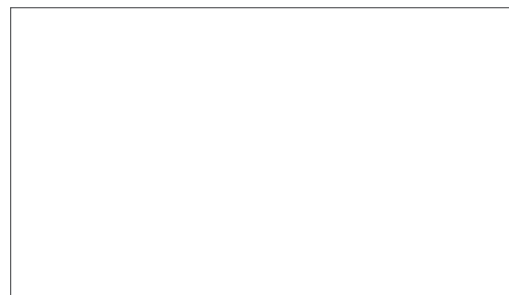
Legend: 1000 W/m² (blue), 800 W/m² (red), 600 W/m² (yellow), 400 W/m² (cyan), 200 W/m² (purple)

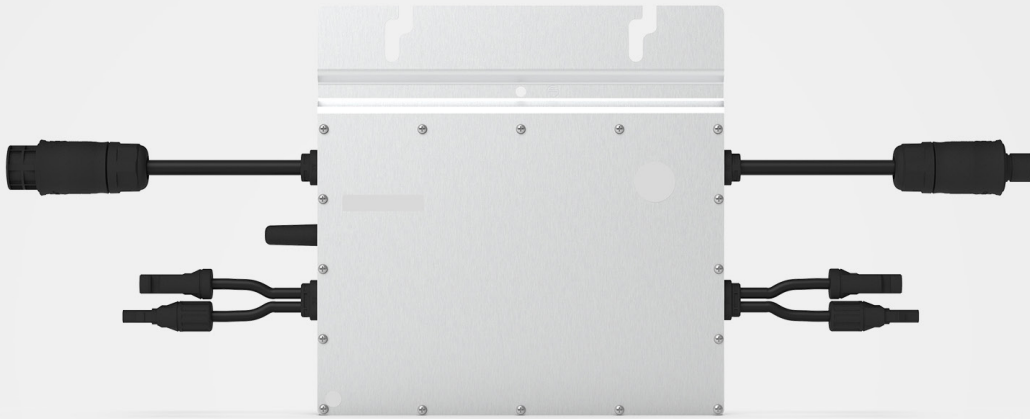
Packing Configuration

| Container | 20' GP | 40' HC |
|--------------------------|-----------------------|--------|
| Pieces per pallet | 31 | 31 |
| Pallets per container | 6 | 26 |
| Pieces per container | 186 | 806 |
| Packaging box dimensions | 1786 × 1130 × 1203 mm | |
| Packaging box weight | 679 kg | |

Information on how to install and operate this product is available in the installation instruction. All values indicated in this data sheet are subject to change without prior announcement. The specifications may vary slightly. All specifications are in accordance with standard EN 50380. Color differences of the modules relative to the figures as well as discolorations of/in the modules which do not impair their proper functioning are possible and do not constitute a deviation from the specification.

Dealer information





Microinverter Datasheet

HM-600N
HM-700N
HM-800N

Description

Hoymiles 2-in-1 microinverter can connect up to 2 panels at once and maximize the PV production of your installation. With the maximum DC voltage of 60 V, Hoymiles microinverter is a PV Rapid Shutdown Equipment and conforms with NEC-2017 and NEC-2020 Article 690.12 and CEC-2021 Sec 64-218.

All of the three models listed are equipped with reactive power control and are compliant with IEEE 1547, UL 1741 and CA Rule21.

Features

01

Easy installation, just plug and play

02

With Reactive Power Control, compliant with CA Rule 21

03

Compliant with U.S. NEC-2017&NEC-2020 690.12 rapid shutdown

04

External antenna for stronger communication with DTU

05

High reliability, NEMA 6 (IP67) enclosure, 6000 V surge protection

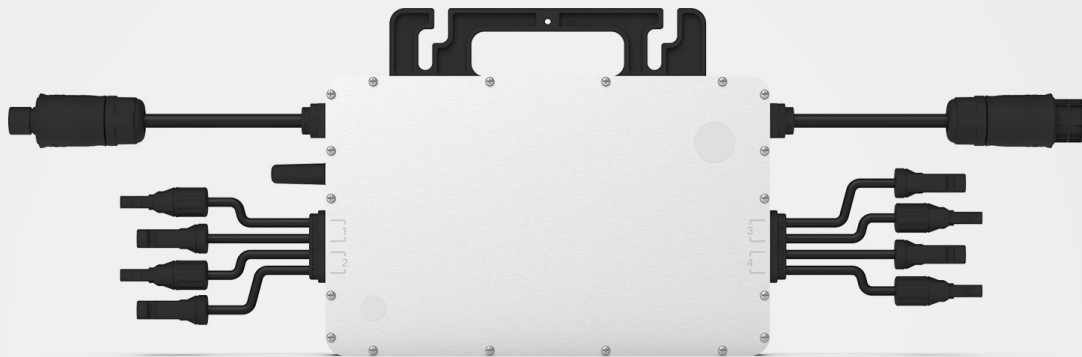
Technical Specifications

| Model | HM-600N | | HM-700N | | HM-800N | |
|---|---|-------------|-------------|-------------|-------------|-------------|
| Input Data (DC) | | | | | | |
| Commonly used module power (W) | 240 to 405+ | | 280 to 470+ | | 320 to 540+ | |
| Maximum input voltage (V) | 60 | | | | | |
| MPPT voltage range (V) | 16-60 | | | | | |
| Start-up voltage (V) | 22 | | | | | |
| Maximum input current (A) | 2 × 11.5 | | 2 × 11.5 | | 2 × 12.5 | |
| Output Data (AC) | | | | | | |
| Peak output power (VA) | 600 | | 700 | | 800 | |
| Maximum continuous output power (VA) | 590 | | 696 | | 766 | |
| Maximum continuous output current (A) | 2.46 | 2.84 | 2.90 | 3.35 | 3.19 | 3.68 |
| Nominal output voltage/range (V) ¹ | 240/211-264 | 208/183-228 | 240/211-264 | 208/183-228 | 240/211-264 | 208/183-228 |
| Nominal frequency/range (Hz) ¹ | 60/55-65 | | | | | |
| Power factor (adjustable) | >0.99 default 0.8 leading...0.8 lagging | | | | | |
| Total harmonic distortion | <3% | | | | | |
| Maximum units per branch ² | 6 | 5 | 5 | 4 | 5 | 4 |
| Efficiency | | | | | | |
| CEC peak efficiency | 96.7% | | | | | |
| CEC weighted efficiency | 96.5% | | | | | |
| Nominal MPPT efficiency | 99.8% | | | | | |
| Nighttime power consumption (mW) | <50 | | | | | |
| Mechanical Data | | | | | | |
| Ambient temperature range (°C) | -40 to +65 | | | | | |
| Dimensions (W × H × D mm) | 250 × 170 × 28 | | | | | |
| Weight (kg) | 3 | | | | | |
| Enclosure rating | Outdoor-NEMA 6 (IP67) | | | | | |
| Cooling | Natural convection – No fans | | | | | |
| Features | | | | | | |
| Communication | 2.4GHz Proprietary RF (Nordic) | | | | | |
| Monitoring | S-Miles Cloud ³ | | | | | |
| Warranty | Up to 25 years | | | | | |
| Compliance | UL 1741, IEEE 1547, UL 1741 SA (240 Vac), CA Rule 21 (240 Vac), CSA C22.2 No. 107.1-16, FCC Part 15B, FCC Part 15C | | | | | |
| PV Rapid Shutdown | Conforms with NEC-2017 and NEC-2020 Article 690.12 and CEC-2021 Sec 64-218 Rapid Shutdown of PV Systems | | | | | |

*1 Nominal voltage/frequency range can vary depending on local requirements.

*2 Refer to local requirements for exact number of microinverters per branch.

*3 Hoymiles Monitoring System.



Microinverter Datasheet

HM-1200N
HM-1500N

Description

Hoymiles 4-in-1 microinverter is one of the most cost-effective module-level solar solutions, as it can support up to 4 panels at once and maximize the PV production of your installation. With the maximum DC voltage of 60 V, Hoymiles microinverter is a PV Rapid Shutdown Equipment and conforms with NEC-2017 and NEC-2020 Article 690.12 and CEC-2021 Sec 64-218.

All of the three models listed are equipped with reactive power control and are compliant with IEEE 1547, UL 1741 and CA Rule21.

Features

01

Easy installation, just plug and play

02

With Reactive Power Control, compliant with CA Rule 21

03

Compliant with U.S. NEC-2017&NEC-2020 690.12 rapid shutdown

04

External antenna for stronger communication with DTU

05

High reliability, NEMA 6 (IP67) enclosure, 6000 V surge protection

Technical Specifications

| Model | HM-1200N | | HM-1500N | |
|---|---|-------------|-------------|-------------|
| Input Data (DC) | | | | |
| Commonly used module power (W) | 240 to 405+ | | 300 to 505+ | |
| Maximum input voltage (V) | | | 60 | |
| MPPT voltage range (V) | | | 16-60 | |
| Start-up voltage (V) | | | 22 | |
| Maximum input current (A) | 4 × 11.5 | | 4 × 11.5 | |
| Output Data (AC) | | | | |
| Peak output power (VA) | 1260 | 1200 | 1500 | 1350 |
| Maximum continuous output power (VA) | 1200 | 1109 | 1438 | 1246 |
| Maximum continuous output current (A) | 5 | 5.33 | 5.99 | 5.99 |
| Nominal output voltage/range (V) ¹ | 240/211-264 | 208/183-228 | 240/211-264 | 208/183-228 |
| Nominal frequency/range (Hz) ¹ | 60/55-65 | | | |
| Power factor (adjustable) | >0.99 default 0.8 leading...0.8 lagging | | | |
| Total harmonic distortion | <3% | | | |
| Maximum units per branch ² | 3 | 3 | 2 | 2 |
| Efficiency | | | | |
| CEC peak efficiency | 96.7% | | | |
| CEC weighted efficiency | 96.5% | | | |
| Nominal MPPT efficiency | 99.8% | | | |
| Nighttime power consumption (mW) | <50 | | | |
| Mechanical Data | | | | |
| Ambient temperature range (°C) | -40 to +65 | | | |
| Dimensions (W × H × D mm) | 280 × 176 × 33 | | | |
| Weight (kg) | 3.75 | | | |
| Enclosure rating | Outdoor-NEMA 6 (IP67) | | | |
| Cooling | Natural convection – No fans | | | |
| Features | | | | |
| Communication | 2.4GHz Proprietary RF (Nordic) | | | |
| Monitoring | S-Miles Cloud ³ | | | |
| Warranty | Up to 25 years | | | |
| Compliance | UL 1741, IEEE 1547, UL 1741 SA (240 Vac), CA Rule 21 (240 Vac), CSA C22.2 No. 107.1-16, FCC Part 15B, FCC Part 15C | | | |
| PV Rapid Shutdown | Conforms with NEC-2017 and NEC-2020 Article 690.12 and CEC-2021 Sec 64-218 Rapid Shutdown of PV Systems | | | |

*1 Nominal voltage/frequency range can vary depending on local requirements.

*2 Refer to local requirements for exact number of microinverters per branch.

*3 Hoymiles Monitoring System.



August 03, 2022

Subject: Proposed Solar Panel Installation
Patricia Ronalder Residence, 610 W Jones St, Yacolt, WA

To Whom it May Concern,

Our engineering department has reviewed information, gathered by our field crews, related to the proposed solar panel installation at the above-referenced address. The purpose of our review was to determine the structural adequacy of the existing roof. Based on our review and analysis of the available information, and in accordance with governing building codes, it is our professional opinion that the existing structure is permitted to remain unaltered for the proposed solar installation.

Design Parameter Summary

Governing Building Code: 2018 Washington Building Code (2018 IBC)
Risk Category: II
Design Wind Speed: 110 mph (per ASCE 7-16)
Ground Snow Load: 25 psf

Roof Information

Roof Structure: 2x4 Manufactured Trusses @ 24" O.C.
Roofing Material: Asphalt Shingles (1 layer)
Roof Slope: 24 degrees

Roof Connection Details

RT Minis into 2x rafters or truss top chords at 48" O.C., install per design drawings and manufacturer specs
Locations per design drawings
Note: Required embedment length excludes the tapered tip of the screw, and embedment into sheathing.

Analysis

The proposed installation - including weight of panels, racking, and mounts - will be approximately 2.65 psf. In the areas where panels are installed, roof live loads will not be present. The reduction of roof live load is adequate to fully or partially compensate for the addition of the panel installation. Because the member forces in the area of the solar panels are not increased by more than 5%, the stresses in the members are not increased by more than 5%, and so per section 806.2 of the International Existing Building Code (IEBC), the structure need not be altered for gravity loading.

The proposed installation will be 6" max. above the roof surface (flush mounted) and parallel to the roof surface. Therefore, any increase in wind loading on the building structure from the solar panel installation is expected to be negligible. Wind is the governing lateral load case. Because the increase in lateral loading is not increased by more than 10%, per section 806.3 of the adopted IEBC, the structure need not be altered for lateral loading.

Wind uplift on the panels has been calculated in accordance with the relevant provisions of ASCE 7-16. This loading has been used to verify the adequacy of the connection specified above. Connection locations should be in accordance with design drawings.

Conclusion

The roof structure need not be altered for either gravity or lateral loading. Therefore, the existing structure is permitted to remain unaltered. Connections to the roof must be made per the "Roof Connection Details" section above. Copies of all relevant calculations are enclosed.

Limitations and Disclaimers

The opinion expressed in this letter is made in reliance on the following assumptions: the existing structure is in good condition; the existing structure is free from defects in design or workmanship; and the existing structure was code-compliant at the time of its design and construction. These assumptions have not been independently verified, and we have relied on representations made by the property owner and his or her agents with respect to the foregoing. The undersigned has not inspected the structure for patent or latent defects.

Electrical engineering is beyond the scope of this analysis. Solar panels must be installed per manufacturer specifications. Structural design and analysis of the adequacy of solar panels, racks, mounts, rails, and other components is performed by each component's respective manufacturer and the undersigned makes no statement of opinion regarding such components. This letter and the opinions expressed herein are rendered solely for the benefit of the permitting authority (city or county building department), and may not be utilized or relied on by any other party.

If you have any questions or concerns, please contact our office at (855)-709-1181, or email me directly at Trevor.Jones@solgenpower.com.

Sincerely,

Trevor A. Jones, P.E.



8/3/2022

Load Comparison

This calculation justifies the additional solar load by comparing existing to proposed gravity loads in the location of the solar panels.

| | <u>Without Solar</u> | <u>With Solar</u> | |
|------------------------|----------------------|-------------------|------------|
| Dead Load | | | |
| Asphalt Shingles | 3 | 3 | psf |
| 1/2" Plywood | 1 | 1 | psf |
| Framing | 3 | 3 | psf |
| Insulation | 1 | 1 | psf |
| 1/2" Gypsum Ceiling | 2 | 2 | psf |
| M,E, & Misc | 1.5 | 1.5 | psf |
| Solar Panel | 0 | 2.65 | psf |
| Total Dead Load | 11.5 | 14.15 | psf |

Snow Load

| | | |
|--------------------------------|-------------|---------------------------------|
| Ground Snow Load, P_g | 25 | psf |
| Exposure Factor, C_e | 0.9 | |
| Thermal Factor, C_t | 1.1 | |
| Importance Factor, I_s | 1 | |
| Flat Roof Snow Load | 17.325 | Eqn. 7.3-1 or jurisdiction min. |
| Slope | 24 | degrees |
| Unobstructed Slippery Surface? | No | No |
| Slope Factor, C_s | 1.00 | 1.00 |
| Sloped Roof Snow Load | 17.3 | psf |

Live Load

| | | | |
|----------------|----|---|-----|
| Roof Live Load | 20 | 0 | psf |
|----------------|----|---|-----|

Load Combination

| | | | |
|--------------------|------|------|-----|
| D + L _r | 31.5 | 14.2 | psf |
| D + S | 28.8 | 31.5 | psf |

Max. Load

| | | | |
|---------------|------|-------------|-----|
| % of original | 31.5 | 31.5 | psf |
| | | 100% | |

Result:

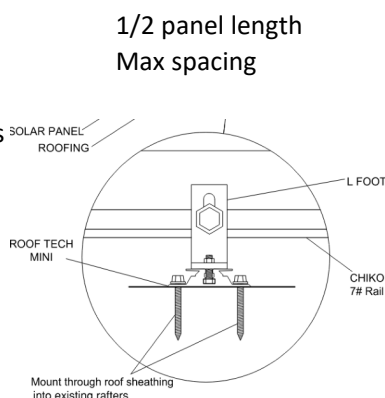
Because the total forces are decreased, per the relevant code provisions stated in the body of the letter, the existing roof structure is permitted to remain unaltered.

RT Mini Connection Calculation

This calculation justifies the connection of the solar panels to existing roof members, by showing the connection capacity is equal to or greater than the uplift force demands.

Connection Demand

| | | |
|--|------|-----------------|
| Spacing perpendicular to rail | 32.5 | in |
| Spacing parallel to rail | 48 | in |
| Effective Wind Area on each connection | 10.8 | ft ² |
| Roof Angle | 24 | degrees |
| Wind Speed | 110 | mph |
| Exposure Coefficient, K_z | 0.57 | |
| Topographic Factor, K_{zt} | 1 | |
| Directionality Factor, K_d | 0.85 | |
| Elevation Factor, K_e | 0.98 | |
| Velocity Pressure, q_z | 16.0 | psf |



| | | | | |
|--|--------------|--------------|--------------|------------|
| GC _p (max) | 1.90 | 1.97 | 1.97 | |
| Exposed Panels? (γ _E = 1.5) | No | No | No | |
| Pressure Equalization Factor, γ _a | 0.79 | 0.79 | 0.79 | |
| Uplift Force | 23.9 | 24.8 | 24.8 | psf |
| Max. Uplift Force / Connection (1.0 WL) | 258.4 | 268.9 | 268.9 | lbs |
| ASD Factored (0.6 WL) | 155.0 | 161.3 | 161.3 | lbs |
| Solar Dead Load (0.6 DL) | 17.2 | 17.2 | 17.2 | lbs |
| Max. Uplift Force (0.6 WL - 0.6 DL) | 137.8 | 144.1 | 144.1 | lbs |

Connection Capacity

| | | |
|--------------------------|------------------------|------------------------|
| Connection Type | RT Mini into 2x Rafter | |
| Total Allowable Capacity | 447.0 | lbs (per manufacturer) |

Compare ASD Factored Demand to Capacity

| | | |
|----------|---|-----|
| Demand | 144.1 | lbs |
| Capacity | 447.0 | lbs |
| Result | Capacity exceeds demands. Therefore, connection passes. | |



Town of Yacolt Request for Council Action

CONTACT INFORMATION FOR PERSON/GROUP/DEPARTMENT REQUESTING COUNCIL ACTION:

Name: Clerk Fields

Group Name:

Address: 202 W. Cushman St.

Phone: (360) 686-3922

Yacolt, WA 98675

Email Address: clerk@townofyacolt.com

Alt. Phone:

ITEM INFORMATION:

Item Title: Cemetery Plot Sell-Back

Proposed Meeting Date: September 12, 2022

Action Requested of Council: Decide whether to accept Mrs. Kathleen Rinta's request to sell her Cemetery Plot (Section 6, Lot 153, Plot 3) back to the Town for the price she paid for it (\$250.00).

Proposed Motion: "I move that the Town buy back Section 6, Lot 153, Plot 3 from Mrs. Kathleen Rinta for \$250.00."

Summary/ Background: Yacolt Municipal Code provides for owners of plots in the Yacolt Cemetery to sell them back to the Town for the same price they paid for the plot:

2.50.110 Transfer/repurchase of plots.

The resale of purchased cemetery plots back to the town is allowed at the original purchase price and must be accompanied by the originally issued deed and a notarized letter from the burial plot owner stating their intent.

Yacolt Cemetery Deeds contain the following provision:

"...nor will they nor any of them transfer the same nor any part thereof except upon the consent of the Town Council of Yacolt"

Staff Contact(s): Clerk Stephanie Fields

clerk@townofyacolt.com

Mayor Katelyn Listek

mayorlistek@townofyacolt.com

(360) 686-3922