

**CITY OF WHITE SALMON
ORDINANCE 2022-05-1103**

**AN ORDINANCE AMENDING WHITE SALMON MUNICIPAL CODE CHAPTER
17.81 SITE AND BUILDING PLAN REVIEW**

WHEREAS, the City of White Salmon Planning Commission and City Council have reviewed the current code and have determined that amendments are necessary;

WHEREAS, a public hearing, duly noticed, was held on April 20, 2022 to hear comments regarding the proposed amendments; and

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

SECTION 1. White Salmon Municipal Code Chapter , is hereby amended as follows:

Key: ~~**Bold and Strike through**~~ means repealed. **Bold and underline** means new.

Chapter 17.81 Site and Building Plan Review

17.81.010 Definitions.

As used in this chapter, the following terms are defined:

- A. "Existing use" means that use, or uses, to which a parcel of land is currently subject, or has been subject within two years of the proposal. A lot may have more than one "existing use."
- B. "Improvement" means addition to a site such as, but not limited to, utility lines, roadways, walkways, drainage devices, paving, grading and/or excavating which changes the natural topography of the site.
- C. "Modified proposal" means an amended proposal showing modifications which directly address the reasons for its original rejection.
- D. "Normal maintenance or repair" means that work which is necessary or intended to maintain a structure at the same level of soundness, livability and appearance that it originally held.

- E. "Significant change in use of site" means one which creates a change or increase in usage of city utilities, or would cause a different pattern or amount of public use of the structure, available parking or traffic, or increase sources of public nuisance factors.
- F. "Substantial change of appearance of a structure" means modification of the structure's profile (elevation) or footprint that increases the height or width or length of the structure's profile by more than four feet or increases the structure's footprint by more than one hundred twenty square feet, ~~(Ord. 710 § 005, 1994)~~.

17.81.020 Purpose.

The purpose of a site plan review is to ensure:

- A. That all new development is in accordance with applicable standards and regulations;
- B. Compatibility is achieved between new developments, existing uses and future developments;
- C. That development proposals will comply with density requirements and design standards which have been adopted for applicable zoning district(s); with environmental requirements; and with standards of public safety;
- D. Opportunity for public awareness of new development proposals and opportunities for public comment are provided when discretion is exercised in a site plan review.

17.81.030 Title.

The planning commission is designated as the site plan review committee. ~~The site plan review committee reviews~~ for site plans referred to the committee as a Type II project review per Chapter 19.10.230. The city council is designated as the site plan review committee for site plans referred to the committee as a Type III project review per Chapter 19.10.230. The planning administrator shall decide site plan review for applications specified in Section 17.81.060.

17.81.040 When required.

Site plan review and approval shall be required prior to:

- A. Site preparation, e.g., grading, or construction of improvements;
- B. A significant change in use of a building or other structure;
- C. Construction of ~~any~~ new building or structure;
- D. Remodeling of an existing building, structure, roadway and parking area within the city;
or
- E. Significant change in use of a site.

Exceptions.

1. All single family uses permitted in RL, R-1, R-2, and R-3 zones;
2. Minor construction which does not substantially change the appearance of the structure such as:
 - a. Normal maintenance or repair;
 - b. Construction such as roof or siding replacement
3. Changes in the use of an existing building from one permitted use to another. At the discretion of the staff, a site plan review may be waived if the overall character or use of the site is not significantly altered by the change in use and anticipated impact of the use does not alter applicable standards.

The provisions of this chapter shall apply equally to public and private projects or proposals, except that city projects shall be exempt from the fee requirements.

17.81.050 Application.

The application shall consist of a project description, a site plan, a preliminary building plan, an environmental checklist, if applicable, and a filing fee. The site plan and preliminary building plan shall be submitted as originals plus four copies. Additional copies may be requested if needed.

- A. **Project Description.** Shall be a brief description of the development proposal, including the following:
 1. Names, addresses and phone numbers of owner, developer and architect or engineer;
 2. Proposed use of the land and building: Nature of the business or activity;
 3. Existing uses of neighboring lands within two hundred feet of the site;
 4. Estimated number of employees at full employment;
 5. Estimated number of customers/visitors, describing variations that may occur due to season, etc.;
 6. Number and type of deliveries and delivery vehicles;
 7. Type of waste and manner of storage and removal;
 8. Utilities and volume of use expected;

9. Nuisance aspects, such as noise, smoke, odors, etc.;
10. Hazardous aspects, such as chemicals, heavy metals;
11. Estimated dates of construction start and completion;
12. Legal description of the lot or lots; and
13. Estimated cost of project.

B. Site Plan. Shall be a detailed drawing or drawings containing the following information:

1. Name of owner, developer and architect or engineer;
2. North arrow, scale and title of proposed project;
3. Complete lot or lots, legal boundaries and markers;
4. All existing and proposed buildings and structures showing outside limits and dimensions;
5. Proposed site drainage plan;
6. Existing and proposed utilities;
7. Elevation contours every two feet, or at staff discretion, including maximum extent of grading.

NOTE: a grading and erosion control plan may also be required at discretion of city staff;

8. Location and design of signs;
9. Refuse storage areas with screening provisions;
10. Landscaping;
11. Sufficient clear space on the face of the plan to accommodate the city stamp, in event of approval (three inches by three inches);
12. All existing and proposed means of vehicular and pedestrian ingress and egress to and from the site and structures, the size and location of driveways, streets, roads, curbs, parking lots and pedestrian pathways and sidewalks, and bike paths;
13. Natural features;
14. Fences, light poles, and exterior light fixtures.

C. Building Plan.

1. Preliminary floor plans, elevations and descriptive sections of all proposed buildings and structures. Materials and finishes shall be indicated. The preliminary plans shall be sufficiently detailed to show the size, shape, uses and character of the intended buildings and structures.

Note: Complete and detailed plans and specifications for all proposed buildings and structures shall be submitted to the city building official at the time of applying for building permits for the approved proposal or portion thereof.

- D. Environmental checklist, unless the proposed project is exempt under SEPA Rules, an environmental checklist must be completed and submitted to the city along with the applicable fee. This fee is nonrefundable.
- E. Other Permits. Final approval of the site and building plan review will be contingent upon issuance of any other applicable environmental permits, such as shorelines, hydraulics, septic tank and water quality permits.
- F. Filing Fee. An application fee as set forth in Chapter 3.3[6] of this code for site plan review is required at the time of submittal of the proposal.

17.81.060 Review process.

- A. An application for a site and building plan review shall be processed according to Type I-~~b~~**B by the Planning Administrator or their designee after a determination regarding land use decisions established in Chapter 19.10, Land Use Administrative Procedures for projects that the following:**

1. ~~Comply with the permitted uses for the subject zone district~~ **Site preparation, e.g. grading, or construction of improvements;**
2. ~~Do not include a use classified as a use permitted subject to site plan review~~ **Remodeling of an existing building, structure, roadway and parking area within the city; and**
3. ~~Clearly require no modification or alteration of applicable standards~~ **Short plat subdivisions in residential zones.**

The Planning Administrator or their designee may choose to elevate an application to Type II review before the planning commission, or Type III review before the city council at their discretion.

- B. An application for a site and building plan review shall be processed according to Type II land use decisions established in Chapter 19.{10}, Land Use **Development** Administrative Procedures for projects that **include:**

1. ~~Include a use classified as a use permitted subject to standards and/or site plan review~~ A significant change in use of a building or other structure;
2. ~~Involve a mixed-use planned unit development (MU-PUD) or other review process triggering the need for a binding site plan~~ Construction of any new building or structure less than or equal to 10,000 square feet gross floor area;
3. ~~Require modification to or variation of a standard~~ Short plat subdivision in a Commercial zone;
4. ~~Require a change in zone~~ Significant change in use of a site; or
5. Include a use classified as a conditional use in its zone district.

The Planning Administrator or their designee may choose to elevate an application to Type III review before the city council at their discretion.

C. An application for a site and building plan review shall be processed according to Type III land decisions established in Chapter 19.10, Land Development Procedures for projects that include:

1. Construction of any new building or structure greater than 10,000 square feet gross floor area;
2. Involve a Planned Unit Development (PUD) or other review process triggering the need for a binding site plan;
3. Requiring a change in zone.

CD. In addition to review under all requirements of Chapter [19.10], based on comments from city departments and applicable agencies, the city shall review the proposal subject to the criteria contained in this chapter, and shall approve any such proposal only when consistent with all of the provisions of this chapter.

DE. Amendment of Site Plan. A site plan approved by the city may be amended by the same procedures provided under this chapter for original plan approval. The fee may be waived for amendments submitted within one year of the date of approval on the original site plan and for relatively minor new work including, but not limited to work such as, a fence, refuse enclosure, or other minor changes. If a building permit has been issued for an approved project, an amended site plan shall require a new building permit unless waived by the building official, ~~(Ord. 839 § 3, 2003; Ord. 710 § 040, 1994).~~

17.81.070 Optional phased development plan.

- A. Whenever a planned use of land is to be implemented in phases over a period of years, the applicant shall request review and approval of the phased development plan.
- B. In the case of a phased development, each phase shall be subject separately to the two year performance standard provided in Section 17.81.090 unless a modified time frame is expressly stated in the land use decision approving the project. The starting and completion dates of each phase shall be stated in the application, ~~(Ord. 710 § 050, 1994)~~.

17.81.090 Expiration of approval.

The approval of a site and building plan shall be revoked and nullified if within two years of the date the city approved the plan, construction has not been started or is not substantially completed, ~~(Ord. 710 § 070, 1994)~~.

17.81.100 Extension of approval.

The approval of a site plan may be extended for another year provided that:

- A. Within the initial two-year approval period, the applicant requests in writing a time extension, stating his reasons for the extension request; and
- B. No change has been made in the plan; and
- C. No significant change has been made to the standards and criteria applicable to the proposed application since its original submittal; and
- C. A fee may be charged by the city in accordance with the city fee schedule at the time extension is made.

17.81.110 Approved site plan is binding—Penalty.

- A. Any development or use which fails to conform to the approved plan shall be a violation of this chapter punishable as provided in [Chapter] 17.92, below. Upon verification by the city building official that development has proceeded, or a use or structure has been altered in a manner so as not to conform to the finally approved and signed plan, he shall issue and enforce a stop-work order halting any and all construction on a lot, parcel, or tract of land and/or enforcement proceedings may begin.
- B. Any use of land which requires site and building plan review and approval as provided in this chapter, for which such review and approval is not obtained shall constitute a violation of this chapter. It shall be unlawful for any person, firm, or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, occupy, or maintain any building or structure in the city, or cause the same to be done, contrary to, or in violation of any of the provisions of this chapter.

17.81.120 Utility construction.

The developer shall be responsible for construction of all utilities within the boundaries of the proposed development. Where connection with public infrastructure is planned the method and design of connection shall be approved prior to construction and will be subject to inspection while the point of connection is still easily visible.

SECTION 2 – SEVERABILITY: If any section, sentence, or phrase of this Chapter is held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence or phrase of this Chapter.

SECTION 3 – EFFECTIVE DATE. This ordinance shall take effect five days following the date of its publication by summary.

PASSED by the City Council of the City of White Salmon at a regular meeting this 20th day of April, 2022.



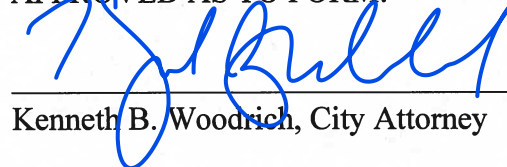
Marla Keethler, Mayor

ATTEST:



Jan Brending, Clerk/Treasurer

APPROVED AS TO FORM:



Kenneth B. Woodrich, City Attorney