



**CITY OF WHITE SALMON
PLANNING COMMISSION**

DECEMBER 14, 2022

**CONDITIONAL USE PERMIT APPLICATION
WS-CUP-2022.006**

REQUEST

The Applicant seeks to obtain a Conditional Use Permit to create a commercial/residential mix use at 218 E Jewett Blvd to eventually separate a one unit apartment from commercial frontage.



A. The conditional use is consistent with the goals and policies of the city of White Salmon's comprehensive plan;

Finding – Complies. The subject proposal complies with White Salmon's policy to allow up to sixty-percent residential space as part of a commercial structure; See WSMC 17.48.030(A)(2).

The proposed commercial/residential mix meet the intent of the White Salmon's Comprehensive Plan, in the sense that in the General Commercial District, it is appropriate that the proposed long-term rental development is located away from the building's frontage where it should be reserved for a designated commercial use in the commercial district properties and under operation by the applicant; See Land Use and Urbanization, Land Use Designations, Commercial and Industrial Lands ([p. 11](#)).

Uses which may be authorized subject to conditional use permit review by the planning commission in a C district are intended to provide for compatible manufacturing, light industrial, residential, and storage uses especially in conjunction with retail use. Uses possible to permit conditionally include:

- A. Residential - Condominium, apartment, and other dwelling types including balconies, outside courts or patios and constructed or renovated to be included as an integral part of a commercial or retail structure with the following conditions:*
 - 1. The dwelling units shall have a minimum living area of six hundred square feet and a maximum of one thousand five hundred square feet.*

Finding: Complies. There are one proposed residential unit, approximately 640 square feet; meeting the minimum living area of 600 square feet and a maximum of 1,500 square feet dwelling size requirements.

- 2. Residential uses shall not be more than sixty percent of the total square footage of the structure(s).*

Finding: Complies. The submitted application indicates the interior of the building size of 1,077 square feet; 640 square feet residential and 437 square feet of commercial space. The percentage of the proposed renovation meets the maximum, 60%, residential use allowable.

4. *If located on or along a commercial street front the building design shall be required to support and contribute to street front commerce; or stand-alone dwellings incidental to and used in conjunction with the primary permitted use when found to be compatible with and clearly incidental to the primary use and surrounding uses, e.g., caretaker cottage or housing for family or others principally engaged in the primary business. This provision is intended for application in conjunction with a business that is not located in an area characterized by typical commercial street frontage. The planning commission specifically reserves the right to disapprove construction of dwellings in conjunction with commercial development on the basis of health, safety and welfare of potential occupants or if location of dwelling units displaces or is likely over time to displace the street front commercial presence of a retail structure.*

Findings: Complies. The subject property has frontage along a commercial strip, Downtown White Salmon, specifically on the north side of E Jewett Blvd. The applicant is proposing to support and contribute to street front commerce. The front of the proposed development facing Jewett Avenue is proposed to be commercial with the residential area to be located at the rear of the structure.

Condition Of Approval: Unless city code is changed to allow street-facing, street-level residences, the front portion of the structure facing Jewett Avenue shall remain a commercial business and shall not be used for residential purposes of any kind. This includes short term rentals.

Additional Notes

- Compliance with paving will be reviewed for compliance prior to certificate of approval
- Restroom will need to be added to commercial section of building to comply with building codes. This will be reviewed for compliance prior to C of O.

RECOMMENDATION / CONDITIONS OF APPROVAL

1. Business Licenses

White Salmon Municipal Code 5.04.070

The business owner/ real property owner shall obtain and maintain a current City business license. The applicant's contractor shall obtain a City business license before the issuing of any permits. The failure to maintain a business license may result in the cancellation of the Conditional Use Permit.

2. Outside Storage

White Salmon Municipal Code 17.48.075(I)

An outside covered refuse storage area shall be illustrated on the site plan before building plan review that meets the requirements outlined in WSMC 17.48.075(N).

3. Commercial Frontage

White Salmon Municipal Code 17.48.030(4)

Street-facing, street-level residences, or the front portion of the structure facing E Jewett Avenue shall remain a commercial business and shall not be used for residential purposes of any kind; this includes short term rentals.

4. Number of Spaces for Designated Uses

White Salmon Municipal Code 17.72.090

The minimum space required for a dwelling unit is two permanently maintained, on-site parking spaces. The minimum space that is necessary for the anticipated food and beverage places with sale and consumption on premises calculates as one permanently kept, on-site parking space for every 200 square-feet of gross floor area. Therefore the minimum number of parking spaces required for this project is four.

The minimum parking space size is provided in WSMC 17.28.050; each space shall not be less than 8-feet, 6 inches wide and 19-feet in length. The adequate four parking spaces shall be illustrated and provided on-site prior to Certificate of Occupancy.

Conditions/Recommendation (continued)

1. Fire Safety

The City Planner accepted the Fire Chief's code recommendations as a Condition of Approval, including: 2018 International Building Code (IBC), Section 508.4. These codes outline the appropriate fire wall that shall be required for mixed use in said the structure.

2. Construction

The City Planner accepted the Building Official's code recommendation as a Condition of Approval, for which the commercial space shall provide (at a minimum) a shared bathroom that shall adhere to 2018 International Building Code (IBC), Section 2902.

Staff Determination

The purpose of the conditional use permit process is to provide flexibility in the city's land use regulations in order to accommodate uses which may be appropriate in an established zone under certain circumstances. At the time of application, a review of the location, design, configuration, and potential impact of the proposed use was conducted by comparing the use to the goals and policies established in the city's comprehensive plan and the purpose of the zoning designation and this regulation. This review determined that the proposed use should be permitted by weighing the public need and benefit to be derived from the use, against the impact which it may cause.

Suggested Motion(s)

Based upon the findings for Feast Market LLC Conditional Use Permit request as provided in WSMC 17.80.055(5) and the staff report, I hereby...

- Option 1:* Move to **approve as is** Conditional Use Permit 2022.006 allowing mix commercial/residential use for the property addressed at 218 E Jewett Blvd.
- Option 2:* Move to **approve with conditions** Conditional Use Permit 2022.006 allowing mix commercial/residential use for the property addressed at 218 E Jewett Blvd, with the condition as presented by staff.
- Option 3:* Move to **deny** Conditional Use Permit 2022.006 allowing mix commercial/residential use for the property addressed at 218 E Jewett Blvd.

Development Review Team

Overview and Proposed Changes

Initiate Development Review Team (DRT)

- DRT is up and running with meetings already held
- DRT meetings have been scheduled into November with more expected

Two DRT Meetings Tracks

Track One-Simple Projects and Permits

- Residential building permits
- Variances, conditional uses, some site plans, short plats
- Staff has discretion to switch proposal or project to track two
- Planning, Public Works, Building/Fire, possibly City Administrator attend



Track Two-More Complex Projects and Permits

- Subdivisions, some site plans, large commercial, HR bridge replacement permits,
- In addition to track one attendees, County, WSDOT, WDFW, Bingen, ports, BNSF, school district, etc. invited
- Staff has discretion on invitees depending on scope of project and affected jurisdictions

New DRT Timeline

- Consistent date/time for DRT meetings
 - Thursdays at 10 :30am has been proposed
- Applicants must have quality plans/materials to Staff at least one week prior to meeting
- If quality plans/materials are not provided one week in advance, meeting will not be held
- Staff will send out DRT packet on the Thursday prior to the meeting
- This gives Staff sufficient time to review and prepare comments

At the Meeting-What Should be Presented to Applicant?

- Relevant City code
- Assessment of structure placement, parking, height-does project “fit” on property, does it “fit” City code?
- Comments based on materials submitted
 - Public improvements needed
 - Access to street/driveway issues
 - Unique aspects of property
 - Fire hazard mitigation, access for emergency vehicles, hydrants, water pressure in that zone
 - Known or assumed geohazards
 - CAO/Heritage Tree
 - Sewer capacity
 - Opportunities to piggyback planned City project onto proposed development
 - Anything else
- Understanding of where utilities will enter the property based on submitted plans
- Understanding of utility capacity at that location
- Street ROW widths, appropriate entry points for streets
- No promises, make it clear that until an application is received and a decision rendered, this is only advice
- Discussion of variances
- Establish point of contact and go over application process and review expectations

Post-Meeting: What Should be Presented to Applicant?

- Relevant City code
- Assessment of structure placement, parking, height-does project “fit” on property, does it “fit” City code?
- **Written** comments based on materials submitted
 - Public improvements needed
 - Access to street/driveway issues
 - Unique aspects of property
 - Fire hazard mitigation, access for emergency vehicles, hydrants, water pressure in that zone
 - Known or assumed geohazards
 - CAO/Heritage Tree
 - Sewer capacity
 - Opportunities to piggyback planned City project onto proposed development
 - Anything else
- Understanding of where utilities will enter the property based on submitted plans
- Understanding of utility capacity at that location
- Street ROW widths, appropriate entry points for streets
- No promises, make it clear that until an application is received and a decision rendered, this is only advice
- Establish point of contact and go over application process and review expectations
- Planning will collate comments and send information to Applicant

Building Permit and Land Use Application Changes

Community Development Department Conditions of Approval
(To be completed prior to obtaining Certificate of Occupancy)

Community Development Department Approval:

Signature

Date

Public Works Department Conditions of Approval
(To be completed prior to obtaining Certificate of Occupancy)

Public Works Department Approval:

Signature

Date

Development Permit Status

☐ Approved

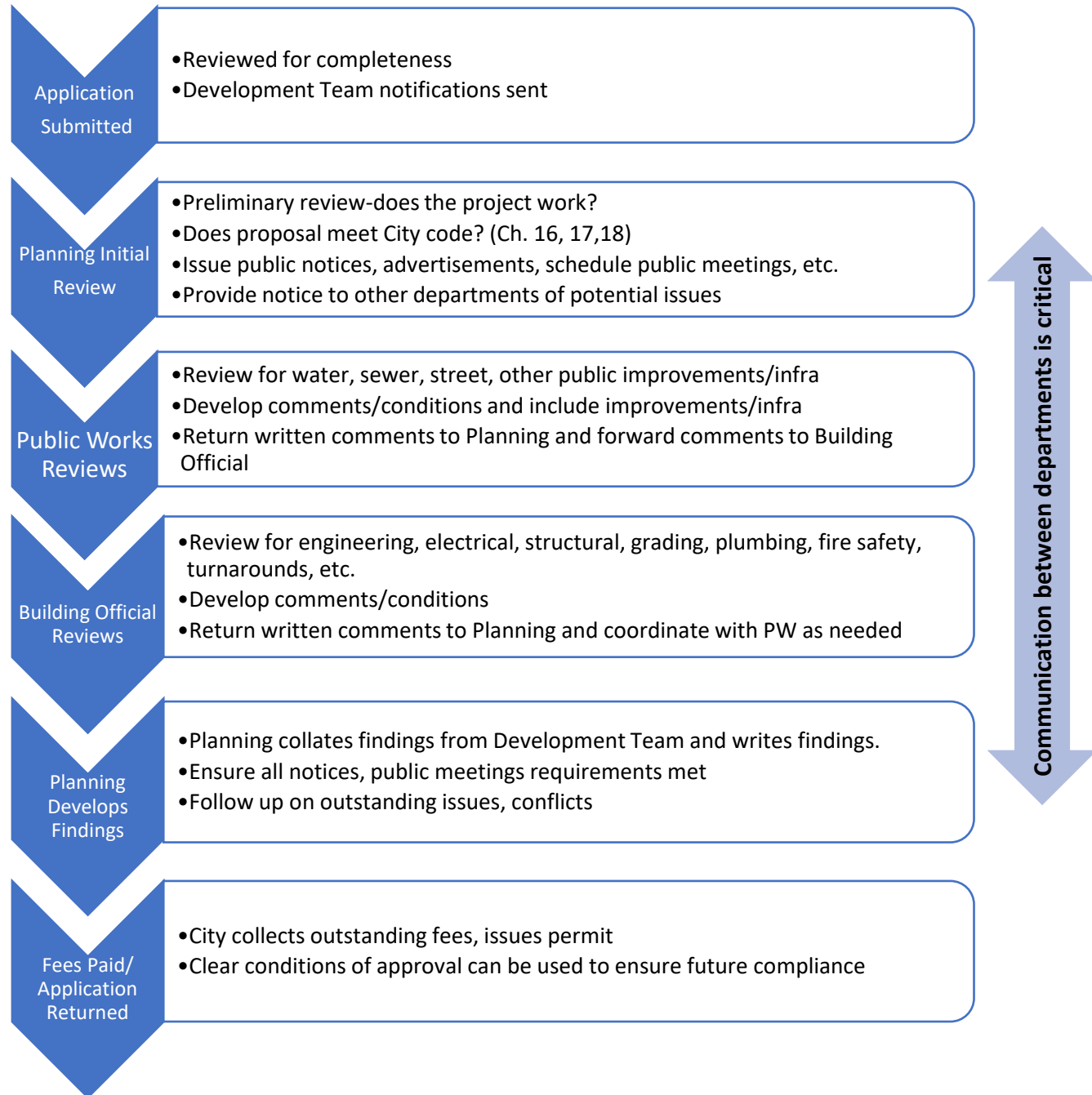
☐ Approved with Conditions

☐ Denied

Date

Application Workflow





Ensure Compliance with Decisions/Permits

- Prior to final plat, certificate of occupancy, etc., Staff must review conditions of approval against completed construction, final plat, plans, etc.
- Deficiencies shall be noted and corrective action taken
 - Construction-Developers shall fix problems prior to C of O
 - Land use decisions-Correct plat map, recordings, etc. per conditions of approval prior to final decision approval or final plat signed

If compliance is lacking, do not approve plans, plats, next stages of a project or OK a C of O. Coordinate next steps/response with other departments.

Pending Land Use Actions

- Kingsford-Smith decision has been appealed
 - TBD by City Council if they will hear the case or if they will appoint a hearings examiner
- Variance on Vine/Jewett
- Short plats
 - NE Spring (wrapping up finding and recommended decision)
 - Proposal near Wyer's End-letter of complete issued this week
- Subdivision on North Main-application expected soon
- Two non-compliant residences in the Commercial Zone